

**THE MARRANO
FACTORY:
The Portuguese
Inquisition and Its New
Christians 1536-1765**

ANTÓNIO JOSÉ SARAIVA

BRILL

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The Portuguese Inquisition and Its New Christians
1536-1765

BY

ANTÓNIO JOSÉ SARAIVA

TRANSLATED, REVISED AND
AUGMENTED BY

H. P. SALOMON AND I. S. D. SASSOON



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TO THE MEMORY OF MARCEL BATAILLON
(1895-1977)

[...] another strapping lad volunteered the information that he was from Lagos in the Algarve and that he had always been a very good Christian but, seeing his father arrested and then garroted and burnt as a Judaizer, he straightaway adopted Judaism and fled to Turkey in order to live freely in the Law of Moses.

Pantaleão de Aveiro, Franciscan Friar
Itinerário da Terra Sancta (1593)

The procedure of the Inquisition, instead of extirpating Judaism, propagates it. Friar Domingos de Santo Tomás, a deputy of the Holy Office, used to say that just as on Lisbon's Calcetaria there is the mint, where coins are stamped out of metal, on Lisbon's Rossio there is a building where Jews are stamped out of Christians.

Luís da Cunha (1662-1749), Portuguese nobleman
Instruções inéditas (1737)

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CONTENTS

Introduction to the English Edition	IX
A Word to the Reader	XV
Prologue (Fifth Edition, 1985)	XIX
Introduction	XXIII
Illustrations 1-18	
Chapter One: The Birth of the Portuguese New Christians	1
Chapter Two: Why and How the Inquisition was Introduced into Portugal	19
Chapter Three: The Portuguese Inquisitorial Trial	43
Chapter Four: “Inside Information” (<i>Noticias Reconditas</i>): An Account of the Cruelties Exercised by the Inquisition in Portugal	66
Chapter Five: Three Specimen Trial Records: Francisco Gomes Henriques, Manuel Fernandes Vilareal, António José da Silva	84
Chapter Six: What was a Public <i>Auto-da-Fé</i> ?	100
Chapter Seven: Cleanness of Blood	116
Chapter Eight: The “Marrano Factory” According to an 18 th -Century New Christian	123
Chapter Nine: “People of the Nation” or “Men of Commerce” ..	130
Chapter Ten: Is There Such a Thing as a “New Christian Ideology?”	156
Chapter Eleven: The Inquisition as an Institution and as a Center of Power	173
Chapter Twelve: The King, the Inquisitors and the Merchants ..	192
Chapter Thirteen: How and Why the New Christians Petered Out in Portugal	218

Appendix One: Polemical debate on “Inquisition and New Christians” Between Israel Salvator Révah and António José Saraiva	235
– First Part of Interview With Prof. Israel Salvator Révah	235
– A Letter From António José Saraiva	248
– Second Part of Interview With Prof. Israel Salvator Révah	250
Appendix Two: Dialogue on the Silva-Révah Interview	264
– Letter to the Editor of the <i>Diário de Lisboa</i> from Prof. Révah	290
– Comment by the Editor of the <i>Diário de Lisboa</i>	291
– Letter from António José Saraiva to the Editor of the <i>Diário de Lisboa</i>	292
– Letter to the Editor of the <i>Diário de Lisboa</i> from Prof. Révah	293
Appendix Three: The Portuguese New Christians and the Inquisition, Surrebutter to Mr. António José Saraiva by Israel Salvator Révah	295
Appendix Four: The Portuguese Inquisition in Goa (India), 1561-1812	342
Appendix Five: Report by Inquisitor General Francisco de Castro on a Memorial Addressed to King Philip III of Portugal by the “Portuguese Men of Commerce Residing in Spain” in 1630	354
Appendix Six: A Plea to King João IV for the Reinstatement of Inquisitorial Confiscation	375
Appendix Seven: Chronology of Rulers of Portugal, 1128-1910	377
Appendix Eight: Chronology of Inquisitors General, 1536-1821	379
Bibliography	381
List of Illustrations	395
Index	397
About António José Saraiva	403

INTRODUCTION TO THE ENGLISH EDITION ¹

The underlying theses of António José Saraiva's *Inquisição e Cristãos-Novos* (first edition, 1969; fifth and last edition revised by the author, 1985) are fairly straightforward: the Portuguese Inquisition's avowed aim to extirpate the Judaic heresy and thereby purify Portuguese Catholicism was a rationalization of other, tacit, ends. The net effect of the Inquisitorial policies was, in fact, the manufacture of Judaizers rather than their attrition. The caste or "race" of the New Christians was coextensive with the Portuguese mercantile middle class which the feudal fabric of Portuguese society would not tolerate or co-opt. Nearly all of the New Christian Inquisitorial victims (some 40,000 so labeled between 1540 and 1765) were devout or run-of-the-mill Catholics whose Jewish ancestry, often partial, if not fictional, was their sole crime.² The Portuguese Inquisitorial procedure was not designed to

¹ We express our thanks for their sundry support to Maria Francisca de Oliveira Banha de Andrade, Harm den Boer, Ana Cannas da Cunha, Maria do Carmo Jasmíns Dias Farinha, António M. Feijó, Andrew Gluck, Frits J. Hoogewoud, Bart Kerrebijn, John Monfasani, Fernanda Olival, Judith K. Place, Job de Ruyter, Pedro P. Saraiva, José António Silva, Miguel Tamen, José Alberto R. D. S. Tavim, Maria Teresa Temudo, Michael Terry, and The Research Foundation of the State University of New York at Albany.

² "Their 'crime' was being New Christian." See Joaquim Romero de Magalhães, "E assim se abriu Judaísmo no Algarve," *Revista da Universidade de Coimbra*, 29, 1981, 1-79: 6. As of 1987 a total of c. 42,000 numbered *processos*, 1540-1820, including c. 37,000 complete trial records and c. 5000 incomplete, fragmentary or embryonic documents erroneously classified as such, were known to be preserved in Lisbon's National Archives of the Torre do Tombo (see Maria do Carmo Dias Farinha, "Os Arquivos da Inquisição Existentes na Torre do Tombo [Conhecimento Actual]," *Inquisição*, Lisbon, 1989, pp. 1527-1537). An additional indeterminate number are believed lost or misplaced but every year a few more turn up. Full trial records unconnected to Judaizing include: c. 450 for sodomy (30 executed: see Luiz Mott, "Justitia et Misericordia, A Inquisição Portuguesa e a repressão ao nefando pecado de sodomia," in *Inquisição: Ensaios sobre Mentalidade, Heresias e Arte* [Anita Novinsky and Maria Luiza Tucci Carneiro, eds.], Rio de Janeiro, 1992, 703-738); c. 350 of *mouriscos* (converted slaves and emancipated slaves as well as recent immigrants from Spain) for Islamic practices, attitudes or attempted flight to Islamic lands (totaling c. 250, 1540-1560; 49 at Évora, 1555-1608; none executed: see Isabel M. R. Mendes Drummond Braga, "Os Mouriscos perante a Inquisição de Évora," *Eboresia*, 7, 1994, 45-76; id., *Mouriscos e Cristãos no Portugal Quinhentista*, Lisbon, 1999); c. 200 for Lutheranism, Calvinism, Erasmianism, Illuminism, Disbelief (among whom c. 80 Netherlanders: see id., "Os Estrangeiros e a Inquisição Portuguesa: Os Súditos dos Países Baixos," in *Amor, Sentir e Viver a História — Estudos de Homenagem a Joaquim Veríssimo Serrão*, Lisbon, 1995, 455-487 [95, 1540-1570, among whom 22 Portuguese]); c. 250 for turning Muslim in North Africa (among whom c. 100 Portuguese: see id., *Entre a Cristandade e o Islão*, Ceuta, 1998); 9 for illegally transporting New Christian emigrants (2 in 1541, 7 in 1550: see id., "O embarque de Cristãos-Novos para o Estrangeiro," *Gil Vicente*, 29, 1994, 26-32);

distinguish between guilt and innocence, but considered any defendant, once categorized a New Christian, to be *ipso facto* a Judaizer.

The warped logic of persecuting people for what they were not was attributed to the Portuguese Inquisition by its 17th and 18th-century opponents, but denied by early twentieth-century historiography. Defenders of the Portuguese Inquisition — who of course accepted its premises — found strange bedfellows in romantically inspired Jewish historians. These aligned themselves with their predecessors in the perpetuation of the crypto-Judaic myth. Consider, for instance, how Cecil Roth's *History of the Marranos* (Philadelphia, 1932; fourth edition, New York, 1974) — still considered authoritative to judge by the number of recent translations — presents the saga of the New Christians as evidence of the heroic tenacity of an indomitable religion, surviving against all odds. This leads him to portray Judaizing as a real and vital presence in the Iberian Peninsula and its overseas territories. In Portugal itself, subsequent to the publication of Saraiva's book, two works dealing with the Portuguese Inquisition echo and prolong the debate. António Borges Coelho's study of the first 125 years of the Évora tribunal (*Inquisição de Évora dos Primórdios a 1668*, Lisbon, 1987) leaves the reader little doubt that those sentenced — and in 307 cases executed — for Judaizing, who made up some 98% of its victims, were overwhelmingly foreign to Judaic practices. Elvira Cunha de Azevedo Mea's study of the first 34 years of the Coimbra tribunal (*A Inquisição de Coimbra no Século XVI*, Oporto, 1997), on the other hand, portrays the Inquisitors as a beleaguered militia, manning the walls against ever soaring onslaughts of Judaizers (144 of whom were duly executed).

The Marrano Factory presents the expanded 1985 edition of Saraiva's history and analysis of the Portuguese Inquisition. Appended are a 1971 interview with I. S. Révah, professor at the Collège de France and specialist on the Portuguese Inquisition, in which he sought to impugn the book's argumentative claims; Saraiva's rebutter, in the form of artfully contrived dramatic dialogues, as well as Révah's surrebutter of

c. 400 for soliciting in the confessional, bigamy, blasphemy, sorcery, irregular or corrupt Inquisitorial practices (see Charles Amiel, "Les Archives de l'Inquisition Portugaise," *Arquivos do Centro Cultural Português*, 14, 1979, 421-443); 21 for Masonry, 1770-1810 (see A. H. de Oliveira Marques, "Os Processos da Inquisição contra os Pedreiros Livres," *Inquisição*, Lisbon, 1990, 1125-1131); 123 for various offenses (with some overlapping from the preceding) 1801-1820 (see Aniseta Afonso and Marília Guerreiro, "Subsídios para o Estudo da Inquisição Portuguesa no Século XIX," *ibid.*, 1243-1312); 25 (some of them New Christians) for uttering sacrilegious or heretical propositions (see Fernanda Olival, "O Controle Sobre Proposições na Inquisição de Lisboa, 1681-1700," *ibid.*, 663-686). Nearly all the other complete *processos* (c. 35,000) and a high percentage of the remainder through 1765 concern Judaizing.

the same year; both scholars' letters to the editor of the *Diário de Lisboa*, the newspaper that opened its columns to the long-running polemic. (Despite their *ad hominem* attacks and flawed arguments, Révah's fierce rhetorical charges show that he shared, to some extent, Saraiva's views. Both realized, of course, that the Portuguese Inquisition was arbitrary, predatory and cruel.)

The first work by António José Saraiva to be made available in English, it is also the first one-volume history in English devoted primarily to the Portuguese Inquisition. The original version, though intended for the general public, was scholarly in conception. It did not, however, include any bibliography, and footnotes were kept to the scimpiest. The present edition has sought to remedy such omissions. We have added an extensive critical apparatus supporting the text's various insights and supplying the intricate scholarly context against which such insights ought to be read. While the translation is generally close to the original, literalness has occasionally been sacrificed to perspicuity. The text has been supplemented in places and the odd factual error corrected.³ The index introduced in the 1985 edition has been modified. We have also added a brief *aperçu* of the Portuguese Inquisition in Goa, India; a report of 1631 to King Philip III by Inquisitor General Francisco de Castro; a plea to King João IV for the reinstatement of Inquisitorial confiscation; lists of Portuguese kings⁴ and Inquisitors General, and an up-to-date bibliography. Saraiva's fleeting comparisons of the Portuguese Inquisitorial trial and the New Christian victim's condition with those of Kafka's K. have been dropped. After all, K.'s ordeal was *sui generis*, while Portuguese Inquisitorial persecution of New Christians stretched over 225 years and affected *c.* 40,000 individuals, the Inquisition's magnitude and diachronic span affording its victims ample opportunities for the development of defensive strategies. As António Nunes Ribeiro Sanches pointed out in 1735, generations of prisoners who had gone through the interrogations and confessions, though sworn to secrecy and without access to the rule book, must have rehearsed their relatives and friends about "Jewish actions" (in addition to the stereotyped ones publicly enounced in the Edicts of Faith) expected in their confessions if, and when, they should be arrested or voluntarily present themselves for reconciliation in order to forestall arrest. The more

³ From 1971 until the year of his death, Prof. Saraiva (1917-1993) discussed with H. P. Salomon the prospects of a revised edition of his book and, eventually, an English translation.

⁴ We keep to the Portuguese form of their names throughout, except for the three Philips, simultaneously kings of Spain, whose names we consistently anglicize.

Jewish prayers and practices “spontaneously” confessed and the more “accomplices” denounced, preferably close relatives, the greater one’s chance for rapid reconciliation and a light penance. Original “Jewish rites” (especially prayers cracked up to be “crypto-Judaic,” more often than not essentially non-Jewish in nature) were devised *ad hoc* in view of an imminent trial, learned by rote, and opportunely “confessed.” The sporadic authentically Jewish prayers (frequently in Spanish translation or in macaronic Spanish-Portuguese) and practices registered in confessions may well derive from contacts of New Christians with the Sephardic communities of Italy and, at a later Inquisitorial period, with those of Hamburg and Amsterdam and demonstrate a strategic adoption, rather than any clandestine retention of traditions.⁵ Their false confessions incurred for thousands of Portuguese public humiliation and the loss of all material possessions but allowed physical survival. Alternatively, the defendants’ denial of the charges (or denial followed by so-called “incomplete” confessions), cost at least 1200 Portuguese their lives (1536-1767).⁶ The system is aptly condensed in Huizinga’s definition of archaic jurisprudence: “Justice subjected to the rules of a game of chance impervious to ethical values and abstract righteousness.”⁷ The martyrdom chosen by those (*c.* 200?) who steadfastly “affirmed their belief in the Law of Moses” and were burnt alive at the stake defies interpretation by Huizinga’s criteria. Other arcana of “the most durable enterprise of oppression Western Europe has known”⁸ are the Inquisition’s predilection for female victims (perhaps a majority⁹) and the peculiar shape of the

⁵ See H. P. Salomon, “Was There a Traditional Spanish Translation of Sephardi Prayers Before 1552?,” *The American Sephardi*, 6, 1-2, 1973, 78-97; id., “The Portuguese Background of Menasseh ben Israel’s Parents as Revealed Through the Inquisitorial Archives at Lisbon,” *Studia Rosenthaliana*, 17, 1983, 105-146: 116-117; id., “Uriel da Costa, marrano?,” *A Literatura Judaico-Portuguesa, Cursos da Arrábida, July 21-25, 1997* (in press); id., “Crypto-Judaism or Inquisitorial Deception?,” *The Jewish Quarterly Review*, 89, 1-2, 1998, 131-154. See Appendix One, note 12 for additional bibliography.

⁶ Francisco Bethencourt calculates the total at 2064, 1536-1767 (*Dicionário de História religiosa de Portugal*, Lisbon, 2000, art. “Inquisição”), but this figure may include those “symbolically” executed.

⁷ J. Huizinga, *Homo Ludens, A Study of the Play-Element in Culture*, New York, 1950, 82-83.

⁸ Albert-Alain Bourdon, Review of A. J. Saraiva, *Inquisição e Cristãos-Novos*, *Bulletin des Études portugaises*, 131, 1970, 365-367: 376.

⁹ For instance, of the 2,189 persons sentenced by the Inquisition of Coimbra at *autos-da-fé* between 1567 and 1605, 1,193 were women and 996 men. See Elvira Cunha de Azevedo Mea, *A Inquisição de Coimbra no século XVI, A Instituição, os homens e a sociedade*, Coimbra, 1997, 599-648. Mea’s count, based on the 2,311 trial records for the same period, arrives at 1,184 women and 1,010 men. New Christians indicted for Judaizing represent 2,020 of this total. Apologists for the Inquisition would of course argue that women are more likely to transmit ancestral traditions than men. Comparative figures

Portuguese Inquisitorial mind.¹⁰ Saraiva's book provided the impetus for serious investigation of the social and economic background of Portuguese Inquisitorial history. Researches carried out during the three decades that have followed the first edition of *Inquisição e Cristãos-Novos* by such scholars as David Grant Smith,¹¹ Joaquim Romero de Magalhães¹² and José Veiga Torres,¹³ while providing some shading, have corroborated and deepened Saraiva's perception identifying the New Christians as a potentially powerful but stifled mercantile class without a specific (other than nominally Catholic) reli-

for Spain are hard to come by. From the *Catálogo de las causas contra la fe seguidas ante el tribunal del Santo Oficio da la Inquisición de Toledo* (Madrid, 1903) we learn that of 320 persons accused of Judaizing in Toledo up to 1500, 147 (46%) were women.

¹⁰ The "schizophrenic" Dominican Friar Jerónimo de Azambuja, also known as Oleaster (?-1563) should prove an intriguing subject for psychological exploration. A formidable Hebraist and exegete (see especially his Latin "Commentary on the Pentateuch of Moses," Lisbon, 1556-1558), he was known as the most ruthless persecutor of New Christians among the Inquisitors of his century. As Inquisitor at Évora and Lisbon from 1552 to 1561 he had no qualms about violating the Inquisitorial rule book in his zeal for executions and was removed because of his excesses. See Alexandre Herculano, *History of the Origin and Establishment of the Inquisition in Portugal*, New York, 1972, 630-631; Albano Vilela, "Um exegeta português do Concílio de Trento: Oleastro," *Brotéria*, 78, 1, 1964, 16-28; Manuel Augusto Rodrigues, "Alguns aspectos da obra exegetica de Fr. Jerónimo de Azambuja (Oleastro), O.P.," *Revista Portuguesa de História*, 17, 1978, 25-36; id., "A Obra Exegética de Fr. Jerónimo de Azambuja (Oleastro), O.P.," *Biblos*, 55, 1979-1980, 183-195; José Nunes Carreira, "Frei Jerónimo da Azambuja: de Prior da Batalha a Exegeta Consumado," *Leiria, 450 Anos Diocese Cidade*, Leiria, 1996, 29-42. For an example of his irregular practices see the trial record of Gaspar Homem (1556), Inquisition of Lisbon, no. 12845. The apotheotic study by António Alberto Martins Marques ("Frei Jerónimo de Azambuja e a sua Actividade Inquisitorial," *Lusitania Sacra*, 7, 1964-1966, 193-216) is largely erroneous. The report to King Philip III by Inquisitor General Francisco de Castro (1574-1653: see Appendix Five) reveals him as a rabid anti-New Christian, yet while he was Rector of Coimbra University (then 40) he patronized a young New Christian lawyer André Rodrigues da Cunha (then 27); protected him in his bid for a State position; maintained a friendly relationship with him for years; in 1626, as Bishop of Guarda — after da Cunha's arrest by the Inquisition of Lisbon on the usual Judaic charges — testified as a character witness on his behalf: see ANTT, Inquisition of Lisbon, no. 5995, 87v. (On September 13, 1625, in the course of his Genealogical Inquiry, Da Cunha proudly proclaimed himself "a descendant of the converts of Castile"; a successful *negativo*, his imprisonment lasted four years, two months and ten days.)

¹¹ *The Mercantile Class of Portugal and Brazil in the Seventeenth Century: a Socio-Economic Study of the Merchants of Lisbon and Bahia, 1620-1690*, Unpublished Doctoral Thesis, The University of Texas at Austin, 1975.

¹² See above, note 2.

¹³ "Da repressão religiosa para a promoção social, a Inquisição como instância legitimadora da promoção social da burguesia mercantil," *Revista Crítica de Ciências Sociais*, 40, 1994, 109-135. See also id., "Uma Longa Guerra Social: Os Ritmos da repressão Inquisitorial em Portugal," *Revista de História Económica e Social*, 1, 1978, 55-68; "Uma Longa Guerra Social, Novas Perspectivas para o Estudo da Inquisição Portuguesa, A Inquisição de Coimbra," *Revista de História das Ideias*, 8, 1986, 59-80.

gious dimension, and the Inquisition as the emanation of a declining aristocracy intent on deflecting any inroads on its traditional prerogatives and ideology, the Inquisitors General being almost to a man members of Portugal's highest and wealthiest nobility.¹⁴

H. P. Salomon

I. S. D. Sassoon

¹⁴ For a glimpse into Francisco de Castro's life-style, see the inventory of his possessions made 1649-1652 published by António Baião ("El-Rei D. João IV e a Inquisição," *Academia Portuguesa da História, Anais*, 6, 1942, 11-70). He was very likely the prepotent financier and landed aristocrat of his time. See Maria do Rosário Álvaro de Oliveira Mendes de Oliveira, "D. Francisco de Castro e o morgado do 'menor' D. João de Castro Telles Meneses Henriques (1641-1654)," Unpublished Master's Thesis, University of Lisbon, 2000. See the biography of the immensely wealthy Inquisitor General Nuno da Cunha de Ataíde e Melo (1664-1750) by Maria Luísa Braga, *A Inquisição em Portugal 1700-1750*, Lisbon, 1992, 25-66.

A WORD TO THE READER ¹

During 1497 all the Jews in Portugal (some 70,000?) were forcibly converted to Christianity and they, as well as their descendants born into Christianity, were henceforth known as New Christians. On March 15, 1502 King Manuel I abolished by diploma a law predating the General Conversion, whereby a Jew who converts during his parents' lifetime immediately receives his inheritance. At the close of this document King Manuel added the following proviso:

And inasmuch as persons calling the said New Christians Marranos have not been subject to punishment, some insolent persons use the sobriquet ever more freely and we are determined to put a stop to it. We forbid any and all persons to call a man who has become a Christian 'Marrano' or a woman 'Marrana.' Those of the rank of peer or above who transgress this order shall pay each time a sum of two thousand reais to the party whom they call 'Marrano.' Commoners will pay one thousand reais. Moreover, any transgressor shall be banished from his place of residence for three months and for three more months if a writ is sued out by the offended party.²

The Spanish word "Marrano,"³ which before the "General Conversion" designated a convert to Christianity who, under Jewish influence, continued to adhere to Jewish practices or customs,⁴ had become

¹ A reworking of the author's brief *A Inquisição Portuguesa* ("The Portuguese Inquisition," Lisbon, 1953, reprinted with corrections in 1956 and 1964), *Inquisição e Cristãos-Novos* was completed during the summer of 1964 and came from the press in February 1969, followed by a second printing with corrections in May, a third printing in July and a fourth printing in December of that same year. A French summary appeared in *Annales, Économies, Sociétés, Civilisations*, 22, 3, May-June 1967, 586-589. The introductory paragraphs of "A Word to the Reader" up to the sentence beginning "In general," have been added by the translators.

² See *Ho segundo livro das ordenações*, Lisbon, 1513, título 49,15 r; for the date of promulgation see *Synopsis Chronologica*, Lisbon, 1740, 1, 158. The punishment was meted out to Luís Fernandes, shield-bearer of King Manuel's mother, the infanta D. Beatriz. See Maria José Pimenta Ferro Tavares, *Os Judeus em Portugal no Século XV*, Lisbon, 1982, 495.

³ For the origin and development of this word, see Juan Corominas, *Diccionario Crítico Etimológico castellano e hispano*, Madrid, 1980², s.v. Cf. António de Moraes Silva, *Diccionario da Língua Portuguesa*, Oporto, 1891⁸, s.v.

⁴ See the distichs by Álvaro de Brito Pestana, writing during the latter part of the reign of Afonso V (1438-1481) when conversion to Christianity was still a voluntary option (note the playful etymologies):

*Por marranos não defamo
Os que foram judeus sendo
Cristãos lindos,*

a vituperative synonym for all those who had been converted from Judaism to Christianity under duress as well as their Christian descendants, suggesting that all of them were crypto-Jews.

In the course of time “Marrano” as a taunt or a term of scorn and opprobrium for the New Christians fell into disuse in Portugal and the word “Jew” took over this function.⁵ In general, there has been confusion regarding these terms. Many authors who write on the “New Christians” assume this group’s distinctiveness to lie in adherence to Judaism. This was the ostensible justification for the Portuguese Inquisition’s establishment in 1536 and its perpetuation (at least in continental Portugal) for the next 230 years.

The author of the present work intends to contest it. This is a difficult task. It is also a challenge to the inertia of cliché, the charisma of myth, and above all to the incontestable evidence of a documentation

*Mas apostolos lhe chamo
Muy grandes louvores tendo
Muy infindos.*

*Sam marranos os que marrão
Nossa fee muy infiees
Batyizados,
Que na ley velha s'amarram
Dos negros Abravanees
dotrynados.*

[I do not defame by calling them Marranos
Those who were Jews
And now are fine Christians
Rather do I call them apostles
Deserving great unending praise.

Marranos are those who,
most perfidiously baptized,
Gore our faith
Clinging to the Old Law,
Indoctrinated by the wretched Abravanel.]

The derogatory reference is to the wealthy Jewish Abravanel family of Lisbon, headed by the scholar-financier-statesman Isaac Abravanel (1437-1508), who, implicated in the purported conspiracy against King João II (1481-1495), fled to Spain and was sentenced to death *in absentia* (1485). Pestana’s distichs defining “Marranos” appear as part of a 720-verse lament on the evils of his times in Garcia de Resende’s *Cancioneiro Geral* (Lisbon, 1516, 26r).

⁵ On November 24, 1601, under King Philip II, a law was passed threatening with fines and imprisonment any person who would dare to apply to anyone the opprobrious designations “New Christian,” “Confessant,” “Marrano” or “Jew,” but, as far as the epithet “New Christian” is concerned, this law remained a dead letter. Cf. *Synopsis Chronologica*, 2, 288-289. For an account of a New Christian killing a nobleman in a Lisbon church *c.* 1578 for calling him “Jew” and getting off lightly, see H. P. Salomon, “The ‘De Pinto’ Manuscript,” *Studia Rosenthaliana*, 9, 1, 1975, 1-62: 16-17.

in whose sheer volume historians revel, namely the Inquisitorial archives of the *Torre do Tombo*.

Concerning this documentation, which has until now been explored in a most unsystematic fashion — fished haphazardly as with line and sinker — it is important to remember that it is an Inquisitorial product, designed to demonstrate the indispensability of the Tribunal of the Holy Office. The Inquisitors were both judges and party, not only in all the proceedings against New Christians on the charge of “Judaism,” but also in the larger trial unfolding before what we might call without risk of over-dramatization the Tribunal of History. To convince the public that the “Judaic Heresy” was threatening to subvert and undermine Christian society was part of their mission. As we shall see, not only the outward trappings of the trials, but the procedural norms, the system of delation, the genealogical inquiries, all bedazzle the historian who scrupulously takes the Inquisitorial documentation into account. His only safeguard is constant awareness of a directive intention pervading the Inquisitorial archives. This tendentiousness can be elucidated only by treating the Inquisition, not as a source of formally reliable documents, but as a phenomenon within a certain historic context. We set out by asking: what historic context? And we come up with an answer.

Our intention, then, is to render the Inquisition problematic; simultaneously rendering problematic the concept of New Christians. In the copious literature devoted to the themes Inquisition and New Christians, one rarely hears the following grass roots questions: “What was the Inquisition?” “Who were the New Christians?” These enigmas are swept under the carpet, or worse still, pretense is made that there is nothing to solve.

So we shall pose these questions and offer answers to them, all the while attempting to avoid peremptoriness and triumphalism. But even if our formulation smacks of such defects, let the questions remain to provoke others to formulate new answers, and our cause will have been well served.

Paris, June 1968

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PROLOGUE (FIFTH EDITION, 1985)

Historical Method

When this work first appeared (1969) Professor Israel Salvator Révah (1917-1973) of the Collège de France and the University of Paris (Sorbonne), a historian of Iberian Jews and New Christians, impugned its principal theses because they did not buy the story told in the Inquisitorial dossiers.¹

Those trial dossiers are no doubt authentic. That means such documents can be relied on to tell us the trials were conducted as reported. But who was the Inquisition? What did it set out to accomplish? What was its avowed purpose and what purpose did it actually serve? How did an Inquisitorial trial work? What were its guarantees of objectivity? These questions not all the profusion of Inquisitorial trial records manage to answer, because those records come from within the system the Inquisitors instituted, for motives that beg elucidation.

Hence one cannot blindly accept the Inquisitors' window-dressing explanations. These must be evaluated by another tribunal, not the Inquisitorial, but the historical, which does not take its orders from the Inquisition.

For instance, an Inquisitorial report that a defendant confessed to Judaic fasting does not prove that he actually observed such fasts: it merely proves that he confessed to that effect. This he may have done to show that he was making a clean breast of all his "misdeeds," and in so doing avoid the death sentence incurred by *negativos* (defendants who denied the accusations of Jewish practices) or *diminutos* (defendants whose confessions of Jewish practices were considered incomplete by the Inquisitors). In that case the document is *authentic* but not necessarily *veracious*.

As to the reasons why the Inquisition existed at all, these must again be sought in places — that we intend to explore — outside the orbit of Inquisitorial propaganda. Needless to say the Inquisitors fostered the belief that the country was overrun with Judaic heretics parading as Christians. Only thus could they win support for their enterprise.

How extraordinary that among all the Portuguese historians of the Inquisition, only the first one, Alexandre Herculano (1810-1878) ques-

¹ See the polemical appendices at the end of the book.

tioned the Inquisitors' self-appraisals and analyzed the Inquisition from the outside. The rest, from the redoubtable João Lúcio de Azevedo (1855-1933) to the erudite Israel Salvator Révah took at face value the Inquisitors' manifestos concerning themselves and the charges brought against their victims. From the view-point of some historians the Inquisition was a good institution, because it defended the homogeneity of the Portuguese people and its ethnic purity from the infiltration of a "spurious race." To historians of another temperament the Inquisition seemed cruel because it persecuted an inassimilable racial minority. It will be noted that the premises underpinning these contradictory opinions derive from the Inquisition's self-projected rationale.

Inquisitorial documents present themselves as both authentic and veracious. The first adjective we have not the slightest cause to query; the second every cause. Yet we are at a disadvantage because those documents are the prime witness to the Inquisition with no comparable countercheck available. Neither can the few independent texts such as the *Account of the Cruelties Exercised by the Inquisition in Portugal* (London, 1708) be used uncritically, because they have their own anti-Inquisitorial agenda and are typically anonymous works. So where do we go from here?

It appears to us that we must stop looking at the documents in isolation and try instead to set them in perspective. This perspectival view requires the historian to consider the various components of a society, to piece them together like a jigsaw puzzle.

It is a game with two rules: number one, that the player should not be a specialist. Otherwise there is the temptation to consider a certain aspect particularly significant for a diagnostic. Take your stockbrokers. The graph of stock-prices would, for a certain group considered over a long period, carry more weight than, say, a succession of ideas. But the significance of a graph of prices varies according to the degree of integration of a given society into the mercantile system, which differs from society to society, due to unpredictable factors. For instance, the entire Egyptian economy at the time of the pyramids was certainly conditioned by this amazing undertaking. What beliefs, what wills allowed for this achievement, which today we would consider unprofitable? Far from being an index of global society, knowledge of prices requires antecedent knowledge of the various components of the society to be studied and, moreover, of the mentality which governs human actions, even when these are not institutionalized.

A second rule is for the historian to proceed synchronically rather than diachronically. This might seem a paradox, because in linguistics

diachrony refers to the vertical axis of successive changes in time and synchrony is the horizontal axe of coherence and opposition during the same linguistic phase. Synchrony is apparently the negation of the historic route, because by this method it is only possible to study one landing of society at a time, fitting together all its pieces. On the following landing the pieces are already different or their relative position has changed.

At this point the historian finds himself before Zeno's paradox, and is forced to consider external elements, such as wars or natural catastrophes, which are not included in the synchronic system under consideration. This is probably what the historians of antiquity did in order to explain the fall of the Roman Empire. The Portuguese historian Joaquim Pedro de Oliveira Martins (1845-1894) provides an example of such illegitimate recourse to extraneous events when he names the Lisbon earthquake of 1755 the catalyst for the transformation of Portugal — which in point of fact had been set in motion decades before the earthquake — during the autocratic rule of the Marquis de Pombal (1755-1777), in other words, a mere coincidence is being used as a prop for the dramatic narrative.²

The method followed in our approach is synchronic, *i.e.*, we shall try to fit together various pieces of Portuguese 16th and 17th-century society in order to answer the question: what is the significance of the Portuguese Inquisition and its appearance on the scene of history? What was the ill that its founders tried to remedy?

The answer to these questions will lead to an hypothesis explaining the start of the Inquisition in Portugal during the 16th century. This hypothesis in turn will permit us to make some sense of its operation, of the rules of the Inquisitorial trial. Proceeding in this way will allow us to swap the Inquisitors' subjectivity for the observer's objectivity, and thus improve the odds of establishing non-Inquisitorial criteria for the appraisal of Inquisitorial documents.

The readers of earlier editions of this book have not always understood its method and intention. Some, such as *Señor* Julio Caro Baroja, in a long narrative work,³ also based on the "authenticity" of Inquisitorial documents (an authenticity which, once again, does not imply their veracity) attributed to our book of 1956 a one-sided economic point of view (Marxist) which was not ours. Economics constitute just one of the many pieces of the jigsaw we are trying to reassemble.

² This is not to deny, of course, that the earthquake had an enormous impact on the public mood and its receptiveness to Pombal's major reforms.

³ *Los judíos en la España moderna y contemporánea*, Madrid, 1962, 3 vols.

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INTRODUCTION¹

THE IBERIAN INQUISITIONS AND THE JUDAIC HERESY

1. *Christianity and Judaism*

To start at the beginning — Hellenism and Judaism mistrusted one another. The Book of *Acts* recounts a confrontation of two tendencies: Judeo-Christianity and Helleno-Christianity. The second, which most distanced itself from Judaism, won out. Both Judaism and Christianity were then universal and proselytizing religions, competing for souls. An important detail is that the nascent Church during its beginnings recruited preferentially among Jews. This was true even of Paul, who proclaimed himself Apostle to the Gentiles.

After the Roman suppression of the Jews' two bids for independence (66-70 and 132-135) and the dispersion throughout the Roman Empire of much of the Judean population, Judaism — in spite of its opposition to the Emperor cult and its annoying requirement of Sabbath observance by Roman Jewish soldiers — remained a religion officially recognized by the Roman authorities, who respected its hoary antiquity. As long as the Jewish Christian squabble remained "in the family" Christianity was another Jewish sect to the uninitiated outside world. But once the umbilical cord was severed the Church ceased to enjoy the licit status of the mother religion. Christianity was now judged in her own right and her youth did not help in Roman reckoning. Some emperors resented the Christian disdain for their pagan institutions and took it for anti-Romanism and even betrayal. More than one emperor actively persecuted the Christian minority — for the

¹ This Introduction, partially revised and updated by the translators, is principally indebted to Henry Charles Lea, *A History of the Inquisition of the Middle Ages*, New York, 1887, 3 vols. and *A History of the Inquisition of Spain*, New York, 1894-1895, 4 vols.; Joaquim Mendes dos Remedios, *Os Judeus em Portugal*, 1, Coimbra, 1895; Abraham A. Neuman, *The Jews in Spain, Their Social, Political and Cultural Life During the Middle Ages*, Philadelphia, 1942, 2 vols.; Bernhard Blumenkranz, *Juifs et Chrétiens dans le monde occidental, 430-1096*, The Hague, 1960; Marcel Simon, *Vers Israël, Étude sur les relations entre Chrétiens et Juifs dans l'Empire romain (135-425)*, Paris, 1964²; Benzion Netanyahu, *The Marranos of Spain, from the Late 14th to the Early 16th Century According to Contemporary Hebrew Sources*, Millwood, N. Y. 1973²; id., *The Origins of the Inquisition in Fifteenth Century Spain*, New York, 1995; Léon Poliakov, *The History of Anti-Semitism, From Mohammed to the Marranos*, New York, 1973; Luis García Iglesias, *Los Judíos en la España Antigua*, Madrid, 1978.

same kind of unsubstantiated charges that Christian rulers were later to impute to their Jewish populations.

But between Church and Synagogue the discordant feelings — even when fratricidal — were for the most part confined to verbal or written polemics, since politically both were equally disenfranchised — that is, up until the year 313.

In 313 Constantine converted to Christianity and legitimized it as the official religion of the Empire. Restrictive laws were soon being enacted. The rule of Theodosius I (379-395) marked the first imperial interference in the synagogues' internal affairs. Though restricting them in a myriad niggling ways, official Church policy was that the "former" chosen people must endure, to bear witness to their rejection of proffered salvation. The Church decided it was henceforth the "true Israel." Accordingly, it appropriated the Jewish Scriptures — demoted to "Old Testament" in opposition to the "New" Christian one — and arrogated a monopoly on "correct" interpretation and harmonization.

2. *Jews and Judaism in the Iberian Peninsula until the Moslem Invasion (711)*

The Jewish presence in the Iberian Peninsula predates the Christian era, perhaps by several centuries. Paul intended to preach in Spain, probably to Jewish communities. During the 4th century Gregory, Bishop of Elvira in Southern Spain, expressed alarm at growing Jewish doctrinal inroads into his flock, who were allegedly adopting circumcision and the Sabbath. The Council of Elvira (306-309) was the first to canonize laws prohibiting fraternization of Christians with Jews.

In 409 the "barbarian" tribes overran the Iberian Peninsula — the Germanic Swabians, Vandals and Iranian Alanes followed by the Visigoths, who were allied to the Romans — and established the Hispano-Visigothic kingdom. The Visigothic kings were Arian.² Their regime in Spain was distinguished by internecine strife and tolerance towards both the Jewish population and the Catholic Romans. Alarico II (c. 370-410), the first Germanic (Arian Visigoth) Roman Emperor, codified laws upholding the legality of Judaism in the Roman Empire, but introduced clauses prohibiting Jews from molesting Jewish

² Arianism was a non-Trinitarian branch of Christianity that goes back to the Alexandrian priest Arius (died Constantinople, 336) and holds the Messiah to be subordinate to the Father.

converts to Christianity and forbidding such converts to revert to Judaism.³

The Visigothic attitude of relative benevolence was reversed when Recared converted to Catholicism in 589. Whereas his Arian antecessors had striven for and attained a certain national and territorial unity, Recared and his Catholic successors, until the Moslem invasion of 711, were obsessed with the religious homogeneity of the Iberian Peninsula, pursuing a policy of harsh repression of what was now considered the Arian heresy and Jewish dissidence. King Sisebut's reign (from 612) marked an alliance — which was to last a full century — of Catholic Church and Visigothic State against Judaism. In 616 Sisebut ordered the compulsory baptism of all Jews in his kingdom, triggering a mass exodus of Jews to Gaul. This decree was protested by the bishop of Seville Isidore, the only Catholic voice ever heard in protest against the anti-Jewish Visigothic policies. Not that Isidore disagreed as to the necessity of wiping out Spanish Judaism, but only with Sisebut's coercive methods.

His successor Swintila apparently permitted (some?) Jewish fugitives to return to Spain and (some?) converts to return to Judaism. Under King Sisenand, in 633, the 4th Council of Toledo moved to stop Christian converts from Judaism continuing to observe Jewish rites or customs. Measures were ordered to ensure that children of converts received a Christian education and also to prevent converts and their descendants fraternizing with Jews. Furthermore strict supervision by the clergy over the life and movements of “New Christians” was imposed. Sisenand was thus the first to categorize Catholics into two casts: “Old Christians” (clean) and “New Christians” (polluted) — cladistics as specious as they were obliging to the machinations of future Spanish and Portuguese “clean blood laws.”

At the 6th Council of Toledo, in 638, under King Chintila, the ban on Jews residing in Spain became canon law. Moreover, Chintila imposed on his successors, for all time, an oath to be sworn at their coronation to uphold this ban on pain of anathema. The New Christians of Toledo were summoned to send representatives to the Council's synod in the basilica of St. Laocadia. There they were made to sign a manifesto known as Chintila's *placitum*, that they voluntarily

³ The Swabians occupied the region now called Galicia and Northern Portugal. The Swabian king Rechiarius, whose capital was Braga, adopted Catholicism, *c.* 450. However, his successor Remismund reverted to Arianism in 464. Except for its military confrontations with the Visigoths, little is known about the vicissitudes of the Swabian kingdom during the next few centuries and nothing at all about its policies toward the Jews.

converted to Catholicism and rejected all the rites and practices of Judaism, above all circumcision, dietary laws, the Sabbath and all Mosaic festivals. In respect to foods forbidden by Mosaic Law, they vowed to eat them all unless constrained by physical, non-religious revulsion. They further promised to eschew all social contact with Jews, never to attend a synagogue or keep any Jewish books (this implied that Jews were still authorized to reside in Spain). The converts further undertook to execute any transgressor by stoning. Here the *placitum* was breaking new ground. From its inception in the time of Paul, as recounted in *Acts*, Christianity seems to have grappled with the dietary laws and their significance for the Church. Justin (martyred *c.* 165) theorized that they were but means to prevent gluttony. Other Church Fathers interpreted these laws allegorically. Origen (185-254) insisted that from the religious viewpoint “there is no distinction between foods.”⁴ But prior to the *placitum* never did abstention from meats proscribed by Moses count as a crime — let alone a capital crime. This was also the first time that converts from Judaism to Catholicism were *collectively* suspected of observing or relapsing into Judaic practices. It was also the first time that canon law imposed the death penalty for a Christian’s observance of *any* Mosaic law or custom not shared by Catholics. The death penalty was theoretical, because obviously lapidation (Deuteronomy 13, 11) was inapplicable in Spain and the converts did not have juridical autonomy to sentence and chastise their own.⁵

With Chintila’s great-grandson Receswinth and the 8th Council of Toledo (653) a new phase of anti-Judaic legislation is inaugurated, notably affecting the descendants of the converts. Their representatives were summoned to sign a revised *placitum*, in which they promise never to socialize with Jews, never to marry anyone related to Jews, to the 6th degree of consanguinity, never to circumcise, never to celebrate the Passover, the Sabbath or any other Mosaic holy day, never to be fussy about foods. Then comes the following stipulation:

As to swine’s flesh we promise to observe, that if we cannot possibly eat it through custom, yet that we will without contempt or horror take and eat things that are dressed with it [...] Whosoever of us shall be found a

⁴ *Contra Celsum*, 5, 49; 8, 29.

⁵ Whereas Jewish courts in Spain (at certain periods) were empowered to execute felons by precipitation from a height (the Talmud’s interpretation of stoning; see Mishna, *Sanhedrin* 6,4), converts to Christianity would obviously have come under the jurisdiction of Christian courts. See Neuman, *op. cit.*, 1, 112-146. Cf. Anita Benaim de Lasry, “Marisaltos: Artificial Purification in Alfonso el Sabio’s *Cantiga* 107,” *Studies on the “Cantigas de Santa Maria”* (edited by Israel J. Katz and John E. Keller), Madison, 1987, 298-311.

transgressor of all or any one of these things, he shall perish with new flames or stones [...] ⁶

This *placitum* became law of the realm (*Fuero juzgo*, book 12). However, the king reserved the right to commute the death sentence to slavery and transfer the culprit's property to a third party. (It will be noted that the second *placitum*, like the first, still implies a Jewish presence in the kingdom.) Thus were institutionalized the discriminatory laws against Christian converts from Judaism (with Papal approval). The mention of immolation as a punishment for lapsed converts foreshadows the Peninsular tradition of burning Judaizers at the stake.⁷

Under King Ervig (reigned from 680) 28 new anti-Jewish laws were passed by the 12th Council of Toledo (681), the principal one being the alternative of conversion or exile for all remaining Jews, whose presence was no longer even tacitly to be tolerated. On the other hand, the *placitum's* death penalty by stoning or fire is omitted. Instead, such transgressions as Sabbath, Mosaic holy day or dietary law observance and possession of Jewish books were to be punished by fines, 100 lashes for the insolvent, banishment and loss of property for all others. The law foresaw a possibility of the latter's reconciliation in case of repentance and contrition (modality unspecified). All Ervig's laws were passed by the civil authority and approved by the Church.

Some of these laws are detailed regulations governing the supervision and ecclesiastical policing of New Christians. They were to spend Sabbaths and Mosaic Holy Days in their place of residence under the surveillance of the local bishop. They were not to travel without ecclesiastic permission and, if travel they must, the priests of any locality where they spent Sabbaths and Mosaic Holy Days were to sign affidavits that they a) had not observed those Holy Days and b) that they had consumed Mosaicly objectionable food. These certificates had to be delivered to their own parish priests upon their return home. Failure to produce a certificate was to be punished by shaving of the head and 100 lashes. A man participating in a child's circumcision was to be castrated; a woman, to have her nose cut off.

Ervig was succeeded in 687 by King Egica, in whose reign the 16th Council of Toledo (693) mitigated some of the harshest legislation in respect to converts, lifting the collective suspicion under which they

⁶ For the full text of the second *placitum* see Philip Limborch, *The History of the Inquisition translated into English by Samuel Chandler*, London, 1731, 2, 104-105; a more recent English translation of the *placitum* is provided by E. H. Lindo, *The History of the Jews of Spain and Portugal*, London, 1848, 34-36. We here cite Chandler's version.

⁷ Cf. Montesquieu, *De l'esprit des lois* (1748), 28, 1: "We owe the Visigothic Code all the maxims, all the principles and all the views of the present-day Inquisition [...]."

and their descendants labored and reducing their exorbitant taxation. But in 694 King Egica, addressing the 17th Toledo Council accused the New Christians of ingratitude and high treason. All, without exception, were to have their property confiscated by the State, and then be perpetually enslaved to masters designated by the king, who were to restrain them from carrying out any Jewish custom. All children of New Christians were to be taken away from their parents at age 7, handed over for permanent adoption to Old Christian foster parents and married off to Old Christians. Twenty years later, when the Moslem armies were marching through Spain, there were no longer any Jewish communities, but these slaves were the Moslems' most stalwart allies. By the time the Moslems completed their occupation, all (or almost all) "New Christians" had returned to their ancestral Judaism and were reconstituting their ancient communities.

3. *The Reconquest*

Moslem Spain (711-1492) — for centuries the most vibrant Mediterranean/Atlantic civilization — found the Jews symbiotically viable. In the early stages of the reconquest the Christian kings were busy resettling, colonizing and developing regions won back from the Moslems. As long as they were constructively occupied, they were able to consider the Jews useful and even essential. Jewish communities organized under the Moslems continued to prosper under renewed Christian rule and even attracted Jews from Moslem Spain, especially in the wake of the Berber invasions of the 11th century. As the Moslems were driven back to ever smaller pockets, Jewish populations were absorbed into Christian territory. Their status was clearly defined: whether they lived on land belonging to the gentry, orders of knighthood or monastic orders, the Jews were the king's property; to him they swore fealty and he protected their religious rights. When Toledo fell to Alfonso I in 1085 the Jews, unlike the Moslems, stayed on. In 1147 King Afonso Henriques of Portugal seized Santarém and later the same year, Lisbon, both with sizeable Jewish communities. Ferdinand III of Castile captured Córdoba (1236), Murcia (1243), Seville (1248). After the long reign of Alfonso X (1252-1284) only the kingdom of Granada remained in Moslem hands.⁸

⁸ The traditional laws codified by King Alfonso X (*el Sabio*), known as *El fuero real* (1255) and the *Siete Partidas* (c. 1265) regulated the legal position of the Jews for the next two centuries. France was then experiencing the full brunt of the Inquisition and many other European countries were getting a taste. But not Spain, where there was no heresy,

While all this was going on, the Jews were able to maintain themselves outside the fray. To the Christians, warriors and country folk, the Jews appeared as representatives of a superior civilization whose services in many domains seemed indispensable. The Jews of Moslem Spain were artisans, small-time and big-time merchants, financiers, physicians, legal experts, court officials. In the parts of the Peninsula reconquered by the Christians, they continued in these capacities and the Christian kings availed themselves of their competence. Between the agrarian population and the aristocratic warrior class, they made up a sort of proto-bourgeoisie.

By dint of the functions they carried out and by their numbers, they attained a higher social level, greater prosperity and kudos than any other Jewish community in medieval Europe. At the very time when the Jewish communities of Moslem and reconquered Christian Spain were at the peak of their splendor — during the 12th and 13th centuries — massacres and forced conversions of Jews were the order of the day north of the Pyrenees, albeit without the active participation of the Church, as mentioned earlier. Regions where economic advance was notable, such as northern France, England and the cities along the Rhine, witnessed over the same period the gradual or brutal elimination of the Jewish minority. Progress in arts, crafts and commerce, which cut across ethnic and religious barriers, engendered an urban middle class, first rivaling and ultimately turning on the older Jewish one. The social classes gradually came to be characterized by their economic function. They no longer saw themselves as hereditary castes linked to particular religious denominations. The medieval codes, with their jurisprudence particularized according to religion and class, were giving way to a new concept of one universal law. This process was paralleled, on the political level, by the creation of the Modern State, with its Centralized Authority. Still not giving preeminence to the bourgeoisie (as it will in 17th century France), it represented a half-way house, which left the traditional Nobility to tick over as a caste, but otherwise leveled out the playing field.

ergo Alfonso had no need and took no notice of the Inquisition. He regulated religious affairs by secular law. Although the Jews enjoyed complete freedom of religion, some of the old Visigothic legislation remained in force. Any Christian who converted or reverted to Judaism was to be executed and his property confiscated. It is doubtful whether any such case arose in Spain before the introduction of the Inquisition.

4. *The Inquisition*

Before the institution of the medieval Inquisition, the bishops investigated crimes against the faith within their respective dioceses. The avalanche of heresies that submerged southern France during the 12th century caused pontifical and royal powers to join forces in the crusade against the Albigenses (named for the city Albi; also called Cathars from the Greek word for “pure”), and to erase the last vestiges of heresy among the vanquished. With this end in mind, during the first years of the 13th century, the Pope authorized tribunals in areas worst affected by heresies, to track down and punish heretics. The judges were for the most part recruited among friars of the recently founded Dominican order, which was most diligent in cracking down on new heresies. To their function of “inquiring” into heretical crimes, these special tribunals owed the name “Tribunals of the Holy Office of the Inquisition (*i.e.*, Inquiry).” As delegates of the Popes (and hence independent of the local Bishops), the Inquisitors counted on the collaboration of the royal officials to impose temporal punishments on those convicted of heresy. Being an ecclesiastical institution, the Inquisition could, in principle, only apply spiritual sanctions (excommunications, penances, etc.) but, by “handing over” the convicted culprits to the “secular arm,” it implicitly pronounced the death sentence over them, as well as the confiscation of goods and chattels, which civil law stipulated for certain crimes, including heresy.

Yet, relations between the Inquisitorial tribunals and royal authority fluctuated considerably during the Middle Ages. Prior to the reformed Aragonese, Castilian⁹ and Portuguese Inquisitions, there had never been uniform statutes; that is to say, each country had its own Inquisitorial organization, but there was no French Inquisition or Aragonese Inquisition because the organization was not national in the way that historians speak of “The Castilian Inquisition,” or the “The Portuguese Inquisition.”

In theory, the Inquisition dealt exclusively with members of the Church, *i.e.*, baptized individuals who then forsook Catholicism by professing heresies, or by entering into a pact with the devil. Those outside her bosom, such as Jews, were also outside her jurisdiction. Indeed, there is no instance of the medieval Inquisitions indulging in

⁹ When Ferdinand of Aragon married Isabella of Castile in 1469 the two kingdoms were united but the name Spain still designated the Iberian Peninsula (including Portugal) and did not take on its present meaning until the 16th century. Even at present, however, Castile and Castilian are synonyms for Spain and Spanish.

anti-Jewish persecutions. Such persecutions, in medieval Europe, were always marginal, in which neither Church nor Inquisition took part, at least not *ex officio*.

The Inquisitorial Tribunals spread their dragnet for Albigenses and sorcerers from Languedoc and Provence into neighboring areas of France, Italy and the Iberian Peninsula, especially heresy-ridden Aragon. But they stopped at the river Ebro. There is no record of Albigensian heresies having spread to Castile and Portugal. By the end of the 14th century the repression of Albigensianism ground to a halt because the Cathars had been decimated.

The Dominicans were now on the prowl for new heresy. Provence offered some ready prey in the shape of Catholics who, having converted from Judaism, were harking back nostalgically to the Synagogue. Bernard Gui, Dominican Inquisitor in Toulouse, in his guidebook *Practica Inquisitionis* (1323), inserted lengthy passages on Jewish converts to Catholicism who had not made a clean cut with Judaism and Jews. But they had to wait a century and a half before homing in on quarry as promising as the Castilian and Aragonese New Christians. The Portuguese prize was another half century off.

5. *The Birth of Spanish New Christians*

Towards the end of the 14th century, a pent-up resentment exploded. On June 4, 1391 the Jewish quarters of Seville were stormed by a rabid mob, incited by Dominicans and other fanatical clergy. The rapine fanned out northward, all the way to Barcelona. An unknown number of Jews were murdered. By the second half of 1391, tens of thousands of Jews, especially of the upper classes, had accepted conversion, under more or less varying degrees of coercion. After 1414 the converts and their descendants tended to form an elite middle and upper class, that considered itself totally Christian and pervaded all levels of the Church hierarchy and dominated the political scene. This "New Christian" contingent, alongside a Jewish one, was a peculiarly Iberian feature, not found anywhere else in Europe. As to the surviving Jewish communities, despite a certain loss of status due to the discriminatory legislation of Queen Catherine in 1412 and in the aftermath of the Disputation at Tortosa in 1414, during the long benevolent reign of John II (1425-1454) they once again enjoyed peace and tranquility. The enlightened policies of John II were due in no mean measure to the helmsmanship of the *Condestable Don Álvaro de Luna* (born c. 1388, executed on trumped-up charges June 2, 1453).

The influence and prestige of the New Christian class began to wane before the middle of the 15th century. In 1449 the first "Cleanliness of Blood" laws were enacted, putting out of bounds for Spanish Christians of Jewish ancestry certain posts, professions, honors; certain religious houses and orders of knighthood. When Ferdinand of Aragon (1452-1516) and Isabella of Castile (1451-1504) married in 1469 they ascended the throne of a united and almost wholly reconquered Spain. Among their roughly 7,000,000 subjects, some 150,000 were remote descendants of converted Jews, known as New Christians, *Conversos* or, pejoratively, Marranos; a still sizeable minority estimated at 90,000 were Jews and another estimated 150,000 Moslems. Between the New Christian bourgeoisie of recent vintage and the old Jewish bourgeoisie there was intense rivalry. In fact, the most energetic and relentless anti-Jewish propagandists were New Christians. On the other hand many New Christians, well integrated into the Christian majority (or so they thought), saw no necessity of severing family and social ties with Jews.

Suddenly, unexpectedly, the Inquisition crossed the Ebro. The Spanish monarchs under the aural spell of the Dominican Friar Tomás de Torquemada and with demurring papal assent, in the year 1478 launched their Inquisition in Castile, orchestrated by Torquemada. Targets were the New Christians, on the Visigothic prescription that any Christian who descends from Jews is potentially guilty of the clandestine practice of Judaism and *ipso facto* deserves the death penalty as an apostate heretic. Some 20 regional tribunals were set up, which we may designate "The Spanish (or Castilian) Inquisition," inasmuch as all were dependent on an Inquisitor-General, appointed by the king, and on a General Council ("*Junta Suprema*"). The first Inquisitor-General was to be, from 1483 until his death in 1498, none other than that wolf in sheep's clothing — if ever there was one — Tomás de Torquemada.

Ostensibly Jews did not enter the purview of these tribunals. Judaism continued to be practiced openly and was officially recognized. Nevertheless, the Jews were not overlooked. Their example and very presence were credited with tainting the Christian purity of the New Christians. Therefore for the sake of their spiritual welfare New Christians would have to be shielded from injurious sights and scenes. It was decided that the most competent way to achieve the incumbent insulation was to boot out the Jews. At least this was the rationale officially adopted by the royal edict of expulsion.

6. *The Expulsion from Spain*

On March 31 1492 Ferdinand and Isabella signed that edict ordering the expulsion of the entire Jewish community, without offering the option of conversion to Christianity,¹⁰ allowing them four months to liquidate their possessions and clear the country. Perhaps Ferdinand and Isabella did not want a second round of New Christians, or “‘New’ New Christians” on top of the “Old New Christians,” descended from the converts of 1391.¹¹ Yet, despite the lurking menace of the Inquisition, unforeseen numbers of Spanish Jews (perhaps 30,000) opted for conversion, which of course could not be refused them. Most however (some 60,000) sold their possessions for a song and departed. Roughly half of these set sail for Italy, the Magreb and the Levant; the other 30,000 crossed into Portugal.¹²

Divers motivations for the expulsion have been suggested by historians. For instance, the enormous sack of goods and moneys of the expatriates, from which not only the king and his agents profited, but a whole mass of people who had the cash to purchase, for a ridiculous price, lands, houses and furniture of the expellees.

Some scholars see the Expulsion as an inevitable consequence of the criminalization of Judaizing. Granted, it was only criminal for New Christians and not for Jews. But allegedly the maintenance, protection

¹⁰ Whereas the two published versions of the Edict of Expulsion (see *Judíos. Sefarđitas. Conversos La expulsión de 1492 y sus consecuencias* [Angel Alcalá, ed.], Valladolid, 1995, 125-133) do not mention the option of conversion, the Cretan rabbi and chronicler Elijah Capsali (c. 1483-1555), in his *Seder Elyahu Zuta*, provides a Hebrew translation of an otherwise unknown version of the Decree of Expulsion, including a stipulation that any Jew opting to convert before the date the Decree takes effect will remain in possession of all his property and be exempt from Inquisitorial investigation for ten years. See Elyahu Capsali, *Chronique de l'Expulsion* (S. Sultan-Bohbot, translator), Paris, 1994, 96-98: 97.

¹¹ Their being godfathers to the Court Rabbi of Castile and his clan at their baptism in 1492 seems to contradict this theory. See below, note 19. Moreover, on November 10, 1492 Ferdinand and Isabella proclaimed an invitation to all Spanish Jews in Portugal to return to Spain, promising them the repossession of all their properties and complete security if they would accept baptism at the border, either in Ciudad Rodrigo or Zamora. Although not specified, protection from Inquisitorial prosecution is fairly implied. See *Documentes referents a las relaciones con Portugal durante el reinado de los Reyes Católicos* (Antonio de la Torre and Luis Suárez Fernández, eds.), Valladolid, 1958, 2, 406-408; also reproduced in *Documentos acerca de la expulsión de los judíos* (Luis Suárez Fernández, ed.), Madrid, 1964, 487-489. For the practical effects of the decree as regards Aragón, see Miguel Angel Motis Dolader, *La expulsión de los judíos del reino de Aragón*, 1990, 2, 319-445.

¹² For the most recent estimates of the Jewish population in Spain in 1492, see Luis Suárez Fernández, “La population juive à la veille de 1492,” in *Les Juifs d'Espagne: histoire d'une diaspora*, Paris, 1992, 29-41: 30-32. For the number of those entering Portugal, see María José Pimenta Ferro Távares, *Os Judeus em Portugal no Século XV*, 1, 1982, 252-257; 271-272.

and exemption of the Jews became too onerous. In other words, the Catholic monarchs were doing the Jews a favor by expelling them! (In a way, the benign treatment of those who “voluntarily” converted and remained *was* the last favor shown them by their erstwhile Lords and Protectors.)

Another theory tossed around is that, since the New Christians provided an adequate bourgeoisie and artisan workforce, the Jews were so to speak no longer worth their keep. This theory forgets that the New Christians, far from being left to make their economic contribution, were harassed — and worse — at every turn.¹³

In short, none of these explanations is satisfactory. Practically all historians agree that the departure of the Jews was a devastating blow to the Spanish economy.¹⁴ But even the reason set out by Ferdinand and Isabella in the Edict of Expulsion itself, viz. that the Jews were spiritually corrupting the New Christians and wooing them back to Judaism, is unlikely to disclose the whole complex truth behind a policy so calamitous as well as portentous.

7. *Explanation*

To us it appears that Ferdinand and Isabella, upon the conquest of Granada and the final reversal of the Moslem invasion, were convinced by Torquemada¹⁵ to take up again where the pre-711 Visigoths had left off. They saw as their supreme and divinely ordained task to rid Spain once and for all of its Jewish minority and to brutally and decisively smash the cultural, theological, social and economic backbone of the New Christian elite. The realization of this ambitious program was to earn them the enviable honorific “Catholic Monarchs” — a conscious throwback to the old Visigoth title — bestowed on them by the pope.¹⁶

¹³ The latest analysis, by Benzion Netanyahu (*The Origins of the Inquisition in Fifteenth Century Spain*, New York, 1995, 1384 pp.), ascribes the expulsion to political pressure on the monarchs.

¹⁴ Ferdinand himself stated as much in his letter to the Count of Aranda dated Granada, March 31, 1492: “in spite of considerable damage ensuing to us from [the Edict of Expulsion].” See Pilar León Tello, “Documento de Fernando el Católico [*sic*] sobre expulsión de los judíos,” *Homenaje a Federico Navarro*, Madrid, 1973, 247-248.

¹⁵ In his letter to the Count of Aranda Ferdinand specifically states that the expulsion of the Jews was a decision taken by the Holy Office of the Inquisition [= Torquemada]. See León Tello, *art. cit.*, and below, Chapter Two, note 18.

¹⁶ On December 19, 1496, by his bull *Si convenit*, Pope Alexander VI granted Ferdinand and Isabella the title of “Catholic Monarchs” for having completed the Reconquest and expelled the Jews. See *Diccionario de Historia Eclesiástica de España*, Madrid, 1973, s.v. “reyes católicos.”

What all Inquisitions have in common, besides exposing and punishing crimes against the Catholic Faith and *mores*, are their methods of investigation, different from those followed for common criminality. Moreover Inquisitions inflict temporal punishment for crimes they recognize to be spiritual. Thus Inquisitions, from their inception, bestrode what had traditionally been distinct: Ecclesiastic Law, otherwise applied by the “spiritual” arm, and Civil Law, applied by the secular arm. This amalgamation of two such disparate authorities in the one juridical body was facilitated by the concurrence — repeating Visigothic patterns — of royalty, national clergy and pope, the initiative of anti-Jewish repression coming from the king. While the governance of the medieval inquisitions in France and elsewhere was shared, under King Ferdinand of Aragon and Queen Isabella of Castile, in 1483, the Crown usurped direct authority and control over the new Aragonese Inquisition, followed by the Castilian. Pope Sixtus IV, after some perfunctory resistance, gave in. The Visigothic kingdom was to be reproduced and its program of Catholic purification efficaciously implemented and policed by a well organized, centralized and stable Inquisition.¹⁷

8. *Aftermath*

The decade following the expulsion of the Jews saw the Spanish Inquisition intensifying its persecution of “Judaizers.” Unfortunately, only a fraction of the trial records (a few hundred?), have survived out of an indeterminate supposedly huge number, for the initial period (1485-1500).¹⁸ A few of the earliest, nearly all resulting in the death sentence, including those of the pioneer tribunal at Ciudad Real, have been published by the Israeli scholar Haim Beinart.¹⁹ It would seem that the bulk of the victims after 1492 continued to be the descendants of the

¹⁷ The program for the “regothization” of Spain by means of the expulsion of the Jews and the introduction of an Inquisition directed against the New Christians was outlined in detail by the Franciscan friar Alonso de Espina in the third part of his polemical work *Fortalitium Fidei* (“Fortress of the Faith”), first printed at Nuremberg in 1494, but redacted in Spain c. 1458-1464. See Alisa Meyuhas Ginio, *La Forteresse de la foi* , Paris, 1998; id., *De bello iudaeorum, Fray Alonon de Espina y su ‘Fortalitium fidei’ (Fontes Iudaeorum Regni Castellae, 8)* , Salamanca, 1998.

¹⁸ Of particular interest are 34 trial records of the Inquisition of Cuenca-Sigüenza from 1492-1497, all centering around the town of Molina (Madrid, *Archivo Histórico Nacional, Inq. Leg. 1930, 1-34*). A comparison between these and the earliest Portuguese trial records of four decades later is a desideratum.

¹⁹ *Records of the Trials of the Spanish Inquisition in Ciudad Real (1485-1527)* , 3 vols., Jerusalem, 1974-1981. See the critical reviews by H. P. Salomon in *The American Sephardi* , 7-8, 1975, 120-121; 9, 1978, 156-157.

14th-century *conversos*, not persons who had converted in 1492 to avoid expulsion or during the ensuing years upon their return to Spain.²⁰ After 1510, Spanish Inquisitorial persecution of New Christians slackened; before the middle of the 16th century, between the 1540's and 1580 it ceased altogether. It revived after the union of Portugal and Castile in 1580, but now most of the victims were neither the descendants of the 14th-century Spanish *conversos*, nor those of the 1492 Spanish Jews who stayed behind or returned immediately, but the native Portuguese New Christians, who were emigrating *en masse* to Castile.

Throughout the 16th century the Spanish New Christians continued to form an identifiable social group, which produced outstanding *literati* and humanists, such as Fernando de Rojas (1475-1538) (author of the Spanish masterpiece: *La Celestina*), Juan-Luis Vives (1492-1540), as well as celebrated Catholic theologians and mystics such as St. Theresa of Ávila (1515-1582), Father Diego de Lainez (1512-1565), a founder and long-time leader of the Jesuits, and other outstanding Jesuits. The lives and works of these worthies demonstrate the complete religious integration of the Spanish New Christians. And yet, in spite of this, they were gradually marginalized and put into a position of social inferiority by laws, customs and dominant prejudice. Against them were promulgated, maintained and continuously tightened the laws of "cleanness of blood," that put "honorary posts" out of their reach and, after the middle of the 15th century (more than three decades before the establishment of the Inquisition) closed to them the higher echelons of the ecclesiastical hierarchy.²¹

²⁰ Spanish Inquisitorial trial records of persons who converted in Spain in 1492 or their immediate descendants are much fewer in number and the verdicts far milder than those of descendants of 1391 converts. Most historians do not seem to have remarked upon this. Miguel Angel Motis Dolader (*op. cit.*, 2, 325-329) reports 17 Aragonese trials 1493-1508 of descendants of 1391 converts against 2 of 1492 converts; of 12 procesos 1509-1515, 6 involved 1492 converts. He does not, however, analyze the trials or compare verdicts. See the Toledo Inquisitorial trial record (Madrid, *Archivo Histórico Nacional*, Inq., Leg. 151, no. 7) of Diego Gómez de Toledo (originally Semuel Abulafia, expelled from Spain in 1492, converted in Portugal in 1497, returned to Spain in 1498, arrested in 1510, sentenced in 1511) published by José Gómez-Fuentes, *Sefarad*, 33, 1973, 76-110. The trial ends in exoneration.

²¹ Again, the "new" New Christian elite produced by the conversions of 1492 was immune to marginalization and persecution. King Ferdinand was godfather to Abraham Seneor, the "Court Rabbi of Castile" and his son-in-law Meir Melamed who converted in the monastery of Guadalupe on June 15, 1492, taking the names Fernando Pérez Coronel and Fernando Nuñez Coronel, respectively. Both were reappointed to high positions in the Castilian government and their direct and collateral descendants flourished throughout the 16th century, apparently achieving Old Christian status. See Carlos Carrete Parrondo, "R. Abraham Seneor (Fernán Pérez Coronel): Conjeturas tradicionales y realidad documental," *Sefarad*, 46, 1986, 111-121.

The Spanish New Christians tried gambits to outwit the laws. Some passed themselves off as Old Christians, changing their name and place of residence if necessary; others contracted marriages with Old Christian families or purchased from the Crown an “exemption from stain of birth” which could pave the way to membership in the Orders of Knighthood (normally closed to New Christians). But it was not until the middle of the 18th century that the Spanish New Christians, as a group, were able to slough off the opprobrium that clung to them even after active persecution had died down. And as long as discrimination lasted and they were legally barred from all other avenues of advancement, New Christians turned for their livelihood primarily to commerce, law, medicine and other non-ecclesiastical professions. Between the nobleman, rich or poor, and the peasant of the lowest social rank, who both prided themselves on their “clean” blood, the New Christians — in countless cases descended from Old Christians — made up the bulk of the Middle Class. Yet amidst all this strict stratification a few — a very few — merchant families, pulling themselves up by their bootlaces, left “Lombard Street” behind and leapfrogged into socially correct “Belgrave Square.” Conversely, Old Christians, pursuing a typically New Christian life style, risked losing their Old Christian status and getting into the Inquisition’s bad books.²² Thus,

²² A unique case in point is that of Majorca, where the Jewish community was decimated in 1391 and extinguished in 1435. After an intense initial period of Inquisitorial persecution of its New Christian descendants 1478-1536, the Inquisition lay dormant for 140 years. In 1675 a young Jew from Oran, born a Catholic in Madrid, was apprehended in the Majorca harbor on a ship bound for Leghorn. His trial was followed by an *auto-da-fé* where he was burnt alive and six fugitive Portuguese in effigy. In 1677 the Inquisition was alerted to Judaizing among the inhabitants of a single street, the “Carrer del Sayel,” leading to 237 arrests and trials, and five *autos-da-fé* in April-May 1679, at which 221 persons were sentenced. The victims, bearing 15 patronymics, were probably not of unmixed Jewish descent (intermarriage between “those of the street” and those outside it was rampant throughout the 16th century) but their successful mercantile activities, ever more closed social group and in-breeding excited the envy and hatred of outsiders. On the other hand many identifiable descendants of the ancient Jewish community of Majorca, still bearing their original Jewish names, lived spread out on the island, had non-mercantile livelihoods and were never bothered by the Inquisition. The “complicity of 1678” (as the Inquisition termed it) netted 2,500,000 ducats in confiscations. After a 10-year lull new arrests in 1688 precipitated a panic among inhabitants of the street and an attempted collective escape from the island, which failed due to a storm. All the prospective fugitives were arrested, leading to 86 drawn-out trials (46 of women) on the count of “relapsing” and four *autos-da-fé* in March-July of 1691. At the first, 21 persons were sentenced to the galleys, scourging, etc.; at the second 18 persons were garroted and burnt; at the third 14 persons were garroted and burnt, three burnt alive and seven in effigy; at the fourth 17 were penanced, two were garroted and burnt, one burnt in effigy. In 1691-1694 83 additional cases were suspended; in 1695 one person was reconciled, 11 posthumously burnt in effigy. With this, outright Inquisitorial persecution of “the inhabitants of the street” came to an end. The descendants of the

in Spain, the label New Christian defines economic and social status at least as much as pedigree.

Naturally there were those who profited from this discrimination, namely the traditional landowners and holders of political power, who identified themselves with the feudal scale of values. These people felt threatened by a dangerous enemy: the merchants, business men, lay intellectuals, whose inquisitiveness probed received wisdom. The laws of cleanness of blood were a barrier to keep the latter at arm's length. The feudal framework of Spanish society was propitious for such laws. More than elsewhere there was an archaic persistence of the guild mentality, leaning towards a caste system. It was thus in the "blood" of the Spanish body politic for bourgeois to form not merely, as in France, an economic "third estate," gradually overshadowing the nobility, but a closed hereditary out-group, after the manner of the medieval Jews. If the cleanness of blood laws smack of backwardness, it is no coincidence. People whose practical value to society has had its day must find a new niche for themselves — if they are to command their habitual respect. Superior blood is a splendid old standby. In post-medieval Spain the cleanness of blood myth was just what the doctor ordered to pep up the fading luster and creaking floorboards of the knightly edifice of yore.

9. *Epilogue*

For the reasons just set out the terms "Jews" or "crypto-Jews" used to designate the Spanish New Christians, not only by their Old Christian foes, but by supposedly impartial historians, is out and out misleading. In Spain, "Jews" and "New Christians" were two totally distinct entities, even though historically linked. It is essential not to confuse them, at the risk of misunderstanding the parameters of a problem posed by a strictly Iberian social group.

In the Iberian Peninsula, as in the rest of Europe, the position of the Jews as a separately administered entity from the Christians was conditioned by a religious barrier. In England and France the persecutions of the Jewish minorities brought about their disappearance, either

1678-1691 victims, henceforth known as *Chuetas* ("Jew-people") have been ostracized and discriminated against ever since. See Baruch Braunstein, *The Chuetas of Majorca*, New York, 1936; Angela Selke, *Los Chuetas y la Inquisición*, Madrid, 1972; Miquel Forteza, *Els descendents dels jueus conversos de Mallorca*, Palma, 1966; Enric Porqueres I Gené, *Lowrd Alliance, Mariage et Identité chez les descendants de Juifs Convertis à Majorque (1435-1750)*, Paris, 1995.

through extermination, expulsion or assimilation, as part of a calendering and equalizing movement which tended to abolish particular legislation and discrimination within each of these political units. In the Iberian Peninsula, however, the process of assimilation and liquidation of the religious minority was followed by a swing in the opposite direction, which might be termed dissimilation. Taking the place of the former religious minority, a new minority was born, afflicted with a hereditary stigma — the stigma called “New Christian.”

In the Netherlands from *c.* 1600, in England from 1656 and in Southwestern France from around 1690 there was to be a renewed Jewish presence, centuries after the massacres, expulsions and conversions. But this Jewish presence was made up of immigrants (paradoxically initiated by Portuguese New Christians fleeing Inquisitorial persecution²³) and not the descendants of long since baptized native Jews. It was not the maimed ancient trunk which was sprouting new branches, but seed blown in by the wind from outside, which struck new roots. In the Iberian Peninsula, on the contrary, those Christians who were depreciatingly called “Marranos” or “Jews” during the 16th, 17th and 18th centuries by their own countrymen, came to be considered so because after expulsion and assimilation had done away with the medieval Jewries, the Inquisition and discriminatory legislation succeeded — up to a point — in inventing a non-“ghettoized” caste. Its identity represented no ethnic or religious reality and its personality was the result of pressure applied to it from outside by laws, customs and prejudice fed by interested abettors. The statement about the Jews by the French philosopher Jean-Paul Sartre (1905-1980):

... If they have anything in common [...] it is their living amidst a society which perceives them as Jews²⁴

can be far more aptly applied to the Iberian New Christians, whose religious identity was indistinguishable from that of the Old Christians and whose inculpation by the Inquisition on *religious* grounds was a hoax. It is equally difficult to find an *ethnic* quotient in the personality of the various populations living freely in the Iberian Peninsula from Islamic times, who converted to Christianity from the second half of the 14th century in successive waves and who did not deny themselves

²³ The question as to whether their adoption of Judaism in these countries “proves” that they were Jewish all the time and that therefore the Inquisition was correct, by its own criteria, in prosecuting them is answered affirmatively by I. S. Révah and in the negative by this book.

²⁴ *Anti-Semite and Jew* (translation of *Réflexions sur la question juive*, Paris, 1946), New York, 1948, 69.

matrimonial alliances with Old Christians. Thus the perceived otherness of this New Christian entity — of indistinguishable religious personality and ethnicity so amorphous — must be sought in its only distinctive “trademark”: the socio-economic one.



1. King João III (1502-1557). Courtesy Biblioteca Nacional de Lisboa

REGIMEN
TO PRIMEIRO
DO S^{to} OFF^o

*Composto, por mandado do
S^{or} Cardeal Iffante Dom Hen-
rique, Inquisidor G^{al} destes Reynos.*

Anno 1552

*Glosado com a allegação marginal,
pelo D^{or} D^o Fran^{co} de Menezes, Inq^{or}
de Coimbra. Anno 1612.*

2. Title-page of the first *Regimento* of the Portuguese Inquisition, 1552.
Courtesy Bibliotheca Rosenthaliana, Amsterdam

TRESLADO AVTEN-
TICO DE TODOS OS PREVI-
LEGIOS CONCEDIDOS PELOS REYS DESTES
Reynos & senhorios de Portugal aos Officiaes & Familia-
res do sancto Officio da Inquiſição.



IMPRESSOS PER COMMISSAM E MANDADO
dos senhores do Supremo conselho da sancta & geral Inqui-
ſição, Em Lisboa por Pedro Crasbeeck. 1608.

3. "Privileges of the *familiares*," first edition, Lisbon, 1608.
Courtesy Bibliotheca Rosenthaliana, Amsterdam

1596



REGIMENTO
DO SANTO OFFICIO
DA INQVISICAM DOS
REYNOS DE PORTV GAL.

RECOPILADO POR MANDADO
do Ilustriſſimo, & Reuerendiſſimo ſenhor Dom Pedro de
Caſtilho, Biſpo Inquiſidor Geral, & Viſorey dos
Reynos de Portugal.

*De Dom. P. de Caſtilho
Inquiſidor de Lisboa*



Impreſſo na Inquiſição de Liſboa, por Pedro Craſbeeck,

Anno da Encarnação do Senhor de 1613.

4. Title-page of the second *Regimento* of the Portuguese Inquisition, Lisbon, 1613.
Courtesy Hispanic Society, New York



5. João Delgado Figueira, “General Repertory of 3800 Inquisitorial Trial Records Dispatched in Goa and Elsewhere in India, 1561-1623,” Goa, 1623, title-page. Courtesy, Biblioteca Nacional de Lisboa

APHORISMI
INQUISITORVM
IN QVATVOR LI-
BROS DISTRIBVTI.

Cum vera historia de origine S. Inquisitionis
Lusitanæ, & quæstione de testibus sin-
gularibus in causis Fidei.

MAGNÆ MATRI VIRGINI
Sanctissimæ de Rosario dicati.

Authore P. Fr. Antonio de Sousa Vlyssiponensi
Ordinis Prædicatorum, sacre Theologiæ Magi-
stro, Regis & supremi S. Inquisitionis Tri-
bunalis Consiliario.



Anno

1630.

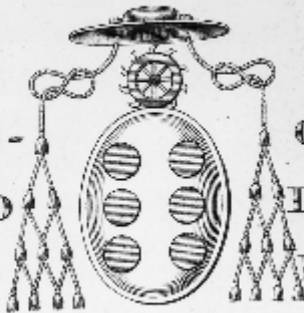
Superiorum permissu. Apud Petrum Craesbeeck.



7. Title-page of the third *Regimento* of the Portuguese Inquisition, Lisbon, 1640.
Courtesy Bibliotheca Rosenthaliana, Amsterdam



D. FRANCIS-
TRO, BISPO
E INQUISI-



CO DE CAS-
DA GUARDA,
DOR GERAL.

8. Portrait of Inquisitor General Francisco de Castro (from *Retratos e Elogios dos Varões e Donas*, Lisbon, 1827). Courtesy New York Public Library, New York

AN
ACCOUNT
OF THE
CRUELTIES
Exercis'd by the
Inquisition
IN
PORTUGAL.

To which is added,

A Relation of the Detention of Mr.
Louis Rame in the Prisons of the Inqui-
sition in the Kingdoms of *Mexico* and
Spain, and of his happy Deliverance.

Written by one of the Secretaries to the
INQUISITION.

L O N D O N,

Printed for *R. Burrough* and *J. Baker*, at the
Sun and Moon in *Cornhill*, 1708.

9. *An Account of the Cruelties*, first edition, London, 1708.
Courtesy University of Pennsylvania Library, Philadelphia

(1)

A Faithful
ACCOUNT
OF THE
CRUELITIES
OF THE
Inquifitors
IN
PORTUGAL.

A Gentleman whom I am greatly obliged to, having desired me to give him an Account of what passes in the Prisons of the Holy Office, or Inquisition of *Portugal*; and how the Prisoners are treated therein; and being a Matter which in all its Circumstances, is so hard to discover, by reason of the Secrecy which is so inviolably observed therein, as the chief Foundation whereon its Continuance wholly depends, it is not easily dived into even by those who suffer therein. But as there is not any
B Thing,

Noticias Reconditas
Y Posthumas
Del
PROCEDIMIENTO
Delas
INQUISICIONES
DE
ESPAÑA Y PORTUGAL

Con sus PRESOS.

*Divididas en dos Partes; la Primera
en Idioma Portuguez. La Segunda
en Castellano; deduzidas de Autores
Catolicos, Apostolicos, y Roma-
nos; Eminentes por Dignidad,
o por Letras.*

Obras tan Curiosas como instructivas, compi-
ladas, y anadidas por un

Anonimo.

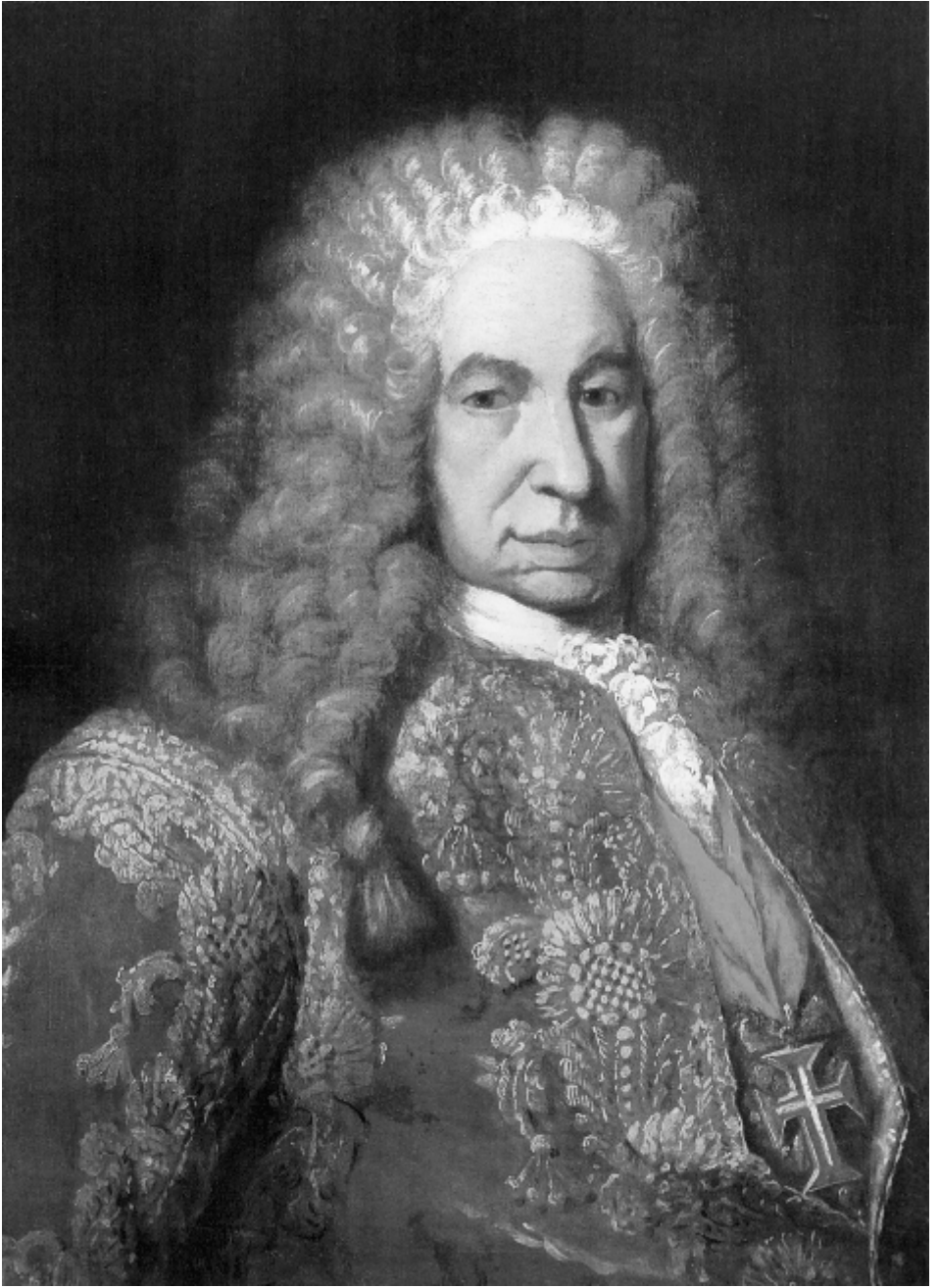
En Villa Franca. 1722.

11. *Noticias Reconditas*, [London] 1722, title-page.
Courtesy Bibliotheca Rosenthaliana, Amsterdam



The procession of the 9th





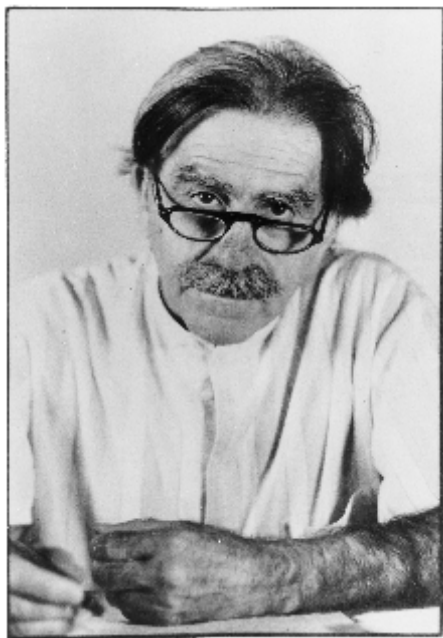
13. D. Luís da Cunha (1662-1749). Oil painting attributed to Louis Michel Van Loo (1707-1771). Courtesy, Fundação Ricardo Espírito Santo, Lisbon



14. Marquis de Pombal Monument, Lisbon, inaugurated 1934. Photo José António Silva



15. Marquis de Pombal Monument, Lisbon, detail concerning New Christians. Photo José António Silva



16. António José Saraiva (1917-1993)



17. Israel Salvator Révah (1917-1973)



18. National Archives of the Torre do Tombo, Lisbon (1990)

CHAPTER ONE

THE BIRTH OF THE PORTUGUESE NEW CHRISTIANS

Unlike Spain before the expulsion of 1492, Portugal before the General Expulsion decreed by King Manuel on December 5, 1496 (and subsequently transmuted into a General Conversion), had not known outbreaks of violence against Jews as such. There were neither massacres nor forced conversions and the Jewish community maintained itself practically intact until the influx of the Spanish refugees in 1492. Although there had been a trickle of voluntary conversions from Judaism throughout the 15th century, the converts were not known as New Christians. This epithet was to be reserved for the Christianized group begotten of the General Conversion of 1497.

The Portuguese Jews had lived in self-governing communities, located in assigned quarters (not as restrictive as the 16th-century Italian ghettos) called *judarias* or *judarias* (the Moslem communities went by the name of *mourarias*). At the center of these conurbations (sometimes more than one: Lisbon had three) was the synagogue (*sina-goga*, familiarly called *esnoga*). The free practice of Judaism (and of Islam) was not merely recognized, but guaranteed by law. Thus, the first collection of codified Portuguese laws, the *Ordenações Afonsinas* (proclaimed by King Afonso V in 1446-1448), outlawed the forced conversion of Jews to Christianity, exempted Jews from appearing in Civil Court on their Sabbath, etc. The *judarias* were governed by their own magistrates. These courts were presided over by the Chief Rabbi of Portugal (*o Arrabi-Mor*), answerable directly to the king: a kind of "Minister for Jewish Affairs." The law they administered was rabbinic law. Their family jurisprudence, which allowed for divorce, was different from that of the Portuguese Christians; in monetary transactions they did not need to respect the laws of the Christians, which prohibited the taking of interest on loans. In return for their privileges and prerogatives and in keeping with the feudal system, the *judarias* paid the king or his respective donees certain fixed taxes.

The most recent estimate of the native Jewish population of Portugal in 1492 is by the historian Maria José Pimenta Ferro Távares: some 30,000 souls.¹ King Manuel, by a provision of his Decree of

¹ See her *Os Judeus em Portugal no Século XIV* ("The Jews of 14th-century Portugal"), Lisbon, 1970 and *Os Judeus em Portugal no Século XV* ("The Jews of 15th-century Por-

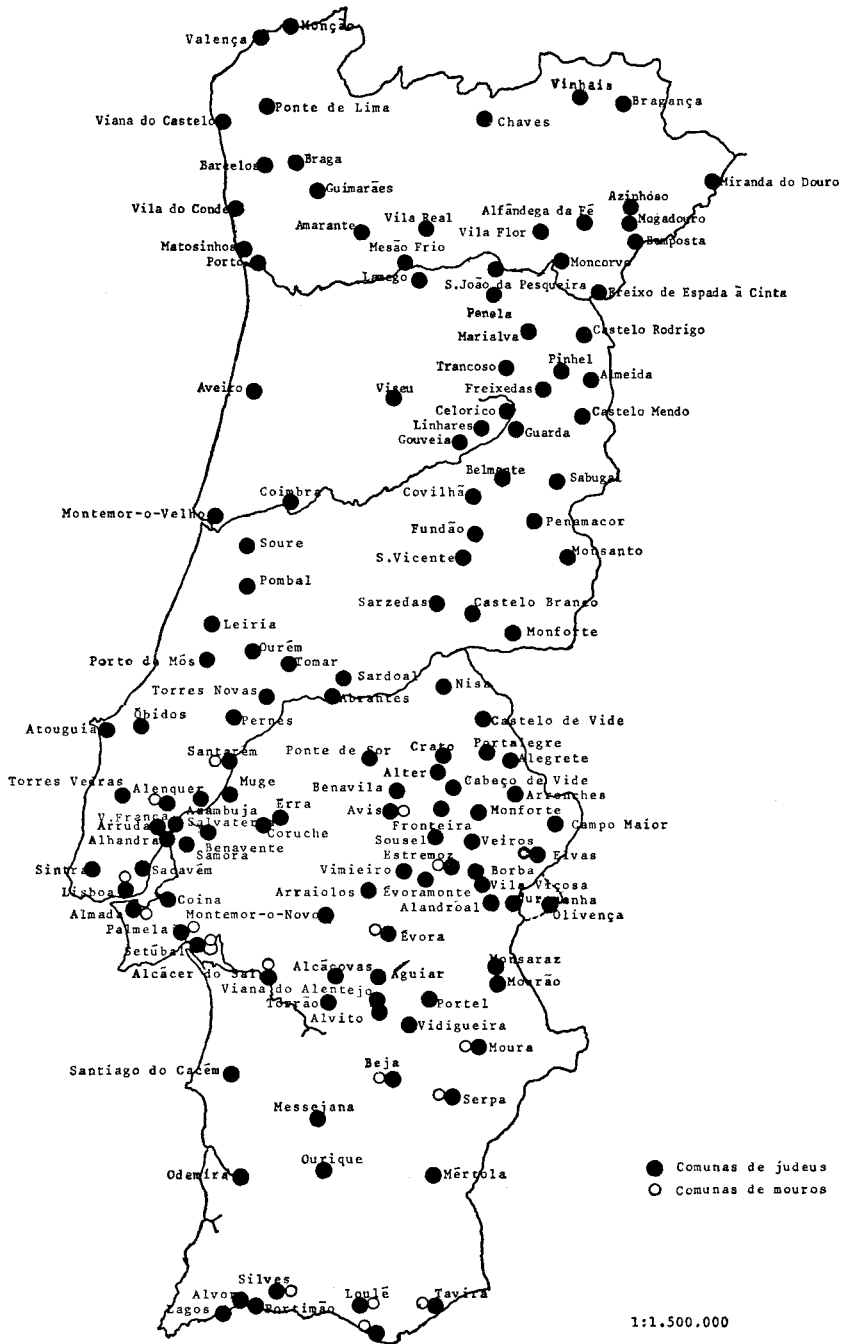


Figure 1. Jewish and Islamic Communities in Medieval Portugal.

Expulsion in 1496, promised to indemnify local nobles to whom the *judiarias* of various provincial towns paid taxes. According to a list drawn up for this purpose,² there were over 100 cities and towns which had *judiarias*, spread throughout Portugal. The densest concentration of Jews was in the cities of Lisbon, Oporto, Évora and Setúbal, the eastern border cities of Elvas, Guarda and Portalegre, the commercial centers such as Santarém and Braga, the agricultural market towns of Beja and Celorico da Beira, the northern city of Guimarães and the southernmost city of Faro. The most influential *judiarias* were those of Lisbon, Santarém, Évora, Oporto, Guarda, Faro, Setúbal, Portalegre.

The economic strength of the Jewish minority was disproportionate to its percentage of the total population (just short of a million by 1492). When, in 1478, the king was raising funds for national defense, the *judiarias* were “invited” to chip in to the tune of one fifth of the target. The means-test for determining the sum to be exacted from a given person or group for this more or less involuntary levy (called *serviço*) was based on immovable property. Hence, the overall worth of Portugal’s Jewish community in 1478 might have exceeded the 20 percent they were put down for.³

The importance of the community was measured not only by its collective wealth, but also by its administrative role: the Jews had a virtual monopoly on financial operations, such as monetary transfers and conversions, the collection of State and seigniorial revenues, the administration of Customs and Excise, etc. Because of their entrepreneurial skills and capital the Jews were cut out for these responsibilities. From the time of the first dynasty (1140-1383) the Royal Treasurers were all Jews, as were the royal bankers and tax-farmers. Their technical know-how made them indispensable to the Crown.

At the opposite end of the social scale from this bourgeoisie of high finance we meet a multitude of artisans and craftsmen. Some 20th-century historians imbued with atavistic prejudice claim that Jews were engaged only in usurious and parasitic activities.⁴ In reality

tugal”) Lisbon, 1981; id., “Judeus e Mouros no Portugal dos séculos XIV e XV.” *Revista de História Económica e Social*, 9, 1982, 75-89, especially the map locating all the Jewish and Moslem communities of Portugal, 83; id., “A expulsão dos judeus de Portugal: conjuntura peninsular,” *Oceanos*, 29, January-March 1997, 10-20.

² Published by Anselmo Braamcamp Freire, *Arquivo Histórico Português*, 2, 1904, 201-203; summarized by João Lúcio de Azevedo, *História dos Cristãos-Novos Portugueses*, Lisbon, 1921, 44. N.B. We are opting throughout for the modern form of this author’s last name, originally “d’Azevedo” (but in his own later writings “de Azevedo”), and of the title, originally spelled *Historia dos Christãos Novos Portugueses*.

³ Anselmo Braamcamp Freire, *Arquivo Histórico Português*, 4, 425; Azevedo, *op. cit.*, 45.

⁴ This common misconception has been propagated not merely by professional Judeophobic but even by such reputable scholars as Lúcio de Azevedo and Julio Caro Baroja.

Iberian Jews were not merely intermediaries but also producers. An edict of the Castilian King John II (1405-1454) lists typical professions of Spanish Jews: weavers, jewelers, joiners, barbers, cobblers, tailors, coppersmiths, saddlers, ropemakers, potters, basket-makers, etc.⁵ In Portuguese chronicles and other literary works we frequently find references to Jewish blacksmiths, tailors, cobblers and other artisans. For instance, the tailor of the infanta D. Beatriz, the daughter of King Fernando (1367-1383), is a Jew. In 1369, of three blacksmiths working in Arruda, two are Jews.⁶ The Portuguese national playwright Gil Vicente (1465-c.1537) refers to Jewish blacksmiths in his *Farsa de Inês Pereira* (vv. 684-685). When the Jews were expelled from Spain in 1492, King João II imposed an entry-tax on all those crossing the border, but reduced it by half in the case of blacksmiths, tinsmiths, mailers and armorers (gun-makers). This shows two things: that the Spanish Jews were expert in the techniques of iron-work and that there was a scarcity of this type of artisan in Portugal.

A special mention must be made of the jewelers (gold- and silver-smiths) whose holdings of these precious metals enabled them to function as banks. There must have been a plethora of Jewish jewelers because as late as 1572, when anybody or anything smacking of Jewish roots was being ferociously clobbered in Portugal, the “Rules for Governing the Mechanical Tradesmen of Lisbon” stipulated that half of the electors of the Judges of the Corporation were to be New Christians.⁷

Sandwiched between the artisans, who also sold directly to the public or to dealers, and the financiers, there is a whole range of merchants, retail and wholesale. The agents who represented the municipalities and guilds in the periodic Portuguese *cortes* (provincial legislative assemblies) more than once requested the king to take out of Jewish hands the cereal trade which, they claimed, was turning into a Jewish monopoly.

The Jews had going for them in late medieval Portugal what we would call today an invisible asset. During the early Spanish middle ages the Jews were the heirs to Arabic science. Among the Spanish exiles in Portugal after 1492 were astronomers and astrologers, such as Abraham Zacuto (1450?-1522), who laid the scientific groundwork for Portuguese Atlantic navigation, culminating in Vasco da Gama’s

⁵ See Newman, *The Jews in Spain*, 1, 1942, 185-190:187.

⁶ António Henrique de Oliveira Marques, “Estratificação económico-social de uma vila portuguesa da Idade Média,” *Ocidente*, 65, no. 304, August 1963, 66-75.

⁷ Duarte Nunes de Leão, *Livro dos Regimentos dos Oficiaes Mecanicos da Mui Nobre e Sempre Leal Cidade de Lisboa (1572)* (Vergílio Correia, ed.), Coimbra, 1926, 1.

voyage round the Cape to India (1497) and Pedro Álvares Cabral's voyage to Brazil in 1500. Zacuto worked out an *Almanach Perpetuum* (Leiria, 1496) to be used by navigators in conjunction with an astrolabe to orient themselves on the high seas. The fame of one of Zacuto's Portuguese disciples, Master Joseph Vizinho, also a Jew, rests upon his determining the latitude of Guinea. The Church opposed astrology on theological grounds (astronomy and meteorology had not yet replaced it), yet each Portuguese king in turn appointed a court astrologer, always a Jew, who fixed the dates and times for important court celebrations. Master Guedalia, physician and astrologer to King Duarte (reigned 1433-1438) is mentioned by chroniclers. Jews also dominated medicine. All the Portuguese court physicians we know of were Jews and probably the majority of doctors in Portugal for many centuries. The Jewish medical tradition survived the General Conversion of 1497. Thus there was on the one hand a Jewish intelligentsia, characterized by the exact and natural sciences, and on the other a Christian intelligentsia, primarily clerical, identified with theology and literature. It is not fortuitous that the two major figures in Portuguese science during the 16th century, namely Pedro Nunes (1502-1578), the inventor of the nonius (called after him) and Garcia de Orta (1501?-1568) the pioneer biologist (author of "Dialogues of Ingredients and Drugs" immediately translated into a number of European languages) had Jewish parents.⁸ Both were exponents of the experimental method. We do find a smattering of Jews in Portuguese literature, such as the 14th-century troubadour Vidal of Elvas and the minstrel Judah Negro, a courtier of Queen D. Filipa de Lencastre (1360-1415).

Of the first fifteen books printed in Portugal twelve were Hebrew religious classics (Bible, liturgy, commentary) printed by Jews for a Jewish audience. This fact points not only to the cultural level of the Portuguese Jews but also to the quality of their craftsmanship. The first book printed in Portugal was the Hebrew Pentateuch, which appeared at Faro (Algarve) in 1487. The first book printed at Lisbon was the Hebrew commentary of Nahmanides (1195-1270?) on the Pentateuch, in 1489. The handsomest incunabulum printed in Portugal is the Hebrew Pentateuch with the commentary of Rashi and the Aramaic paraphrase of Onkelos (Lisbon, 1491). The few 15th-century books

⁸ For Pedro Nunes, see *Testemunhos do Judaísmo em Portugal* (Exhibition Catalogue, Hebrew University, Jerusalem), Lisbon, 1997, 76-80; excerpts from the Inquisitorial trials of his grandsons (by his daughter Isabel) Matias Pereira and Pedro Nunes Pereira (1623) were published by António Baião, *Episódios dramáticos da Inquisição Portuguesa*, 1, 1922, 137-139. For Garcia de Orta, see *Testemunhos*, etc., 86-88; Israel Salvator Révah, "A família de Garcia de Orta," *Revista da Universidade de Coimbra*, 19, 1960, 407-420.

(incunabula) and early 16th-century books printed in Portugal in Latin or Portuguese are, with one exception, the work of immigrant German typographers. The near absence of native Christian typographers in the early stages of book-printing in Portugal is indicative of the overall backwardness of craftsmanship in Portugal.⁹

It would, however, be a gross exaggeration to claim that during the 15th century Jews made up the total Portuguese bourgeoisie or “middle class.” Alongside the Jews and partly in competition with them there was a class of Christian craftsmen and a Christian mercantile bourgeoisie. The Jewish minority, handicapped by discriminatory legislation, yet free to practice its religion, did not miscegenate with the Christian population and maintained its religious and group identity. Between Christian and Jewish craftsmen, as between Christian and Jewish bourgeois, there was an impassable barrier. We have several indications of rivalry between these groups. According to the chronicler Fernão Lopes, after the death of King Fernando in 1383, the “good men” of the city of Lisbon, *i.e.*, the representatives of the bourgeois aristocracy, entreat the queen to grant the “Third Estate” participation in the government. On their list of demands is that Jews be deprived of public posts to which they had been appointed by King Fernando, and that they cease to be receivers of the Crown’s duties and revenues. The queen replied that during her husband’s reign she had always opposed the nomination of Jewish officials and now that he was dead she had dismissed the Jewish Royal Treasurer and Treasurer of the Lisbon Customs House. She promised to appoint Christians to these and other offices, even if the latter paid less for them than the Jews.¹⁰

The same remonstrances were heard a century later, during the *cortes* of 1481-1482. Once again it was the voice of the “good men,” representing the “common people,” clamoring for the dismissal of the Jews who levied the revenues of the crown “because they were oppressing and despoiling the Christian population.” But this time the king, D. João II, replied that the Christian tax-farmers were more greedy than the Jews. Also heard was the complaint of the hand-workers, petitioning the government not to permit Jewish tailors, shoemakers and other artisans to work outside of the *judiarias* for, said the complainants, in the houses of the Christian peasants they take advantage of their wives and daughters.¹¹

⁹ See Artur Anselmo, *Les Origines de l'imprimerie au Portugal*, Paris, 1983.

¹⁰ Fernão Lopes, *Crónica de D. Fernando*, Lisbon, 1975 (Giuliano Macchi, ed.), 593-600.

¹¹ Alexandre Herculano, *History of the Origin and Establishment of the Inquisition in Portugal*, New York, 1972², 242-243.

Pressured by this uproar of “*vox populi*,” the Crown, the senior peerage and a part of the upper ecclesiastical hierarchy constantly and efficaciously defended the Jews, giving only verbal satisfaction to their enemies. What happened at the beginning of the Revolution of 1383 is symptomatic. Lisbon was in a state of insurrection and *de facto* power was being wielded by the upstart Master of Avis (the future King João I), who had the support of the masses. A gang of “small fry” were planning to raid and sack the Great *Judiaria* under the cloak of raising funds for the Revolution. On the advice of two aristocrats, the Master of Avis (who the day before had let the mob assassinate the bishop of Lisbon) personally confronted the would-be ransackers and, staking his popularity, succeeded in pulling them along with him away from the *judiaria*.¹²

Nor is this an isolated example of protection extended by Portuguese kings to their Jewish subjects. In 1449 the *corregedor* of Lisbon had some Christians publicly whipped for insulting Jews in the street. This sparked off a popular uprising and a raid on the principal *Judiaria*. The king, who was outside the city, rushed in with armed troops to quell the riot and ordered many of the mobsters hanged.¹³

But the protection afforded by the king and nobles did not even try to challenge the hierarchical stratification of medieval society in which the Jews occupied the lowest rung. Patronized as they might be by magnates who valued their services and usefulness, nothing could change the Jews’ pariah status. In the *Partidas* of the Spanish King Alfonso the Wise (reigned 1252-1284) we read that “the Church and Princes permit the Jews to live among Christians in perpetual captivity in order to preserve the memory of their descent from those who crucified Our Lord Jesus Christ.” This is a theological rationalization of a sociological reality. The Jews were not part of “the people”; thus they did not have the rights or obligations of the people. That they could practice usury,¹⁴ for example, was not a privilege but an exoneration from the rules to which members of the community are subject, in the same way as it is licit for prostitutes to entice a man from the streets.

¹² Fernão Lopes, *História de uma Revolução, Primeira Parte da “Crónica de El-Rei D. João I de Boa Memória”* (José Hermano Saraiva, ed.), Lisbon, 1977, 113-115.

¹³ Rui de Pina, *Crónica de D. Afonso V*, chap. 30; See Humberto Carlos Baquero Moreno, “O Assalto à Judiaria Grande de Lisboa em Dezembro de 1449,” *Revista de Ciências do Homem da Universidade de Lourenço Marques*, 3, 1970, 5-51.

¹⁴ However, usury was prohibited to both Christians and Jews by the *Ordenações Afonsinas*, II, 96, § 2. Ferro Tavares, in her books on the Jews in Portugal during the 14th century (1970) and the 15th century (1982), points out that usury was not practiced by the Jews of Portugal and emphasizes their important agricultural activities as landholders and wine-producers.

In the feudal world they played a role considered degrading, but indispensable. Such boons as might be granted them by grantees were not, therefore, a sign of standing, but an expression of capricious and selfish appreciation as toward a pet, a bought woman, a court jester, a buffoon. The gesture could be taken as patronizing. The king protected *his* Jew or Jews. But the same princes who protected the moneyed Jews, also invested them with odious tasks, such as the collection of taxes and dues, making them their whipping-boys.

We do have to shade or attenuate this scheme somewhat, keeping in mind above all that the Jews had clout of their own, in the shape of liquid cash. Yet since these assets were not esteemed in the feudal ideology, they conferred amenity without prestige.

In spite of all the foregoing, the reign of Afonso V (1438-1481) marked a period of opening-up during which the Jewish minority of Portugal attained true integration and full participation in all the activities of Portuguese society. Master Abraham Negro, Chief Rabbi and physician to Afonso V, was killed during the conquest of Arzila (1471), fighting alongside the king. Even earlier, under João I, Master José Arame, the goldsmith of the Infante Dom Henrique, participated in the one-day assault on and conquest of Ceuta and Tangiers (1415). More than two decades later the same José Arame, on horseback and in coat of arms with two Jewish foot-soldiers, battled under the Infante during his unsuccessful 37-day campaign for the possession of Tangiers (1437).¹⁵

In 1492 the Jews of Spain were expelled by Ferdinand and Isabella.¹⁶ About a third decided to ask for conversion and stayed on. Another third embarked for Italy, North Africa and Turkey. The remainder crossed into Portugal. The initial attitude of the Portuguese king in this emergency once again shows the crown not unfavorable towards the Jews: the king did not close the frontier to them. Isaac Aboab II (1433-1493) during July 1492 negotiated his and thirty (?) other families' settlement in Portugal. At King João II's behest, the Oporto Municipality granted these thirty distinguished Spanish Jewish families, who each paid the city a tax of fifty reals, thirty fine houses and a synagogue in São Miguel Street and the city had the street paved.¹⁷ According to a manuscript consulted by the historian Alexandre Herculano (1810-1878) 600 wealthy Spanish Jewish fami-

¹⁵ See Ferro Tavares, *Os Judeus em Portugal no Século XV*, 192, 397.

¹⁶ See above, Introduction.

¹⁷ See Imanuel Aboab, *Nomologia o Discursos legales*, [Amsterdam] 1629, 2, 299-300. Aboab is imprecise, speaking now of his own and thirty other families, then of these thirty families.

lies paid the king a collective sum of 60,000 cruzados for the privilege of permanent settlement and freedom to practice Judaism.¹⁸ The rest of the exiles were considered to be in transit and expected to move on after eight months.¹⁹

According to Damião de Góis (1530-1590), the official court chronicler, whose chronicle — for which he used documents from the royal archives — was published 70 years after these events, the king required each immigrant family (except for the above-mentioned thirty families admitted as permanent residents) to pay 8 cruzados per head at the border and ordered them to arrange for embarkation for other parts within eight months, on pain of slavery in case of failure to depart. Other contemporary authors refer to an entry tax of 1 or 2 cruzados (1 cruzado = 400 reais), a symbolic payment meant perhaps to establish a census.²⁰ No doubt, besides the families who paid the tax, there must have been others who crossed the border surreptitiously. As we have seen, for blacksmiths, armorers, mailers and tinsmiths the head tax was reduced by half, an accommodation that can only be interpreted as contradictory to the prohibition to settle in Portugal. Supposedly this category of artisans was deemed vital to the arms-industry by the king and his advisors. Yet their departure was envisaged, perhaps because most of the nobles consulted by the king, as well as the native Portuguese Jewish community, were opposed to any Spanish Jewish immigration. The king himself was obviously in two minds.²¹

The most fantastic numerical estimates of the immigrants, deriving from contemporary chroniclers and witness accounts, have remained current in modern historical and pseudo-historical works. For instance, Abraham Zacuto, the Spanish mathematician who authored the *Almanach Perpetuum*, himself a 1492 refugee, estimated the total at

¹⁸ *History of the Origin and Establishment of the Inquisition in Portugal*, Chapter Two, note 17. Writing some sixty years later Samuel Usque (*Consolaçam às tribulaçoens de Israel*, Ferrara 1553, 3, Chapter Twenty-Six) confirms that 600 families were granted permanent residence by João II and claims they paid only two cruzados per head. The 600 families are also referred to by Aboab (*Nomologia*, *ibid.*), who transforms the cruzados into “golden escudos.” It is impossible to ascertain from Aboab’s confused account whether the 30 and 600 families overlap.

¹⁹ Aboab states that King João II allowed the 600 families only temporary residence (six years), at the expiration of which he would provide them maritime transportation out of his country.

²⁰ The purchasing power of a cruzado is difficult to determine at this date. A century and a half later an English pound sterling was worth four cruzados. See Biblioteca Nacional de Lisboa, Ms. 10563, f. 121.

²¹ Herculano, *op. cit.*, Chapter Two, notes 16 and 17. The sentence in Chapter Ten of Góis’ Chronicle concerning the artisans and mechanics is opaque enough.

120,000 persons. Damião de Góis, who belonged to the next generation, refers to 20,000 families. High demographic estimates in pre-modern historiography are to be taken with a grain of salt or even with a big clump. In any case, whatever the precise figure of the Spanish Jewish immigration, it was perceived as massive.²² Prof. Ferro Tavares, the most recent historian, found in the National Archives the *cartas de quitação* or records of all the payments made at the border. On their basis, and adding a conjectural number for the clandestine entries, she calculated the number of Spanish Jews who entered Portugal in 1492 at approximately 30,000 souls, about the same number as the total of resident Portuguese Jews.

Some of the refugees no doubt set sail for Italy or North Africa hard upon arrival in the port cities. But the overwhelming majority remained and were, once the expiration date had passed, reduced to slavery, *i.e.*, sold to or bestowed on Christian families by the king.²³ Moreover, in 1493, the king rounded up two thousand Spanish Jewish children, boys and girls ranging in age from one to eight years, had them baptized and sent in the care of Captain Álvaro Caminha to the uninhabited island of São Tomé off the coast of Guinea, to be raised there as Christians and to populate the island, which he intended to develop as a beacon of Portuguese culture for the whole African continent. In 1506, 600 of these children were still alive, aged between 14 and 20. These are in fact the ancestors of the white and mulatto population of the island.²⁴

The enslaved Spanish Jews in Portugal were set free by a decree of King Manuel, upon his accession in 1495. Manuel's heart was set on winning the hand of Isabella, daughter of Ferdinand and Isabella and heir presumptive, which would put him in line to the throne of Castile and Aragon and thus of the whole Iberian Peninsula. The Spanish princess insisted in her correspondence with him that she would not set foot in Portugal unless the Jews (and Moslems?) were expelled.²⁵

²² Azevedo, *op. cit.*, 20-21. Tavares, *Os Judeus em Portugal no Século XV*, 270-271.

²³ The only precedent seems to be the 7th-century Visigothic enslavement of converts from Judaism to masters designated by the king. See above, Introduction. On November 26, 1497, King Ferdinand ordered two Jews who had clandestinely returned to Aragón from Navarra and — upon discovery — converted to avoid the death penalty, reduced to slavery. One was “bestowed” and one was “kept” by the king. See Motis Dolader, *La expulsión de los judíos del reino de Aragón*, 2, 413.

²⁴ See Humberto Carlos Baquero Moreno, “Álvaro de Caminha, Capitão-mor da ilha de São Tomé,” *Congresso Internacional Bartolomeu Dias e a sua Época, Actas*, Volume 1, *D. João II e a Política Quatrocentista*, Oporto, 1989, 299-313; Padre António Ambrósio, “A Fundação da ‘Poçom’ (S. Tomé): uma capital em África,” *ibid.*, 417-443.

²⁵ Damião de Góis, *Crónica do Felicíssimo Rei Dom Manuel*, Lisbon, 1566, 50: “During this time the princess, put up to it — as was generally believed — by the queen [Isabella],

On December 5, 1496, at Muge, King Manuel signed the decree of expulsion of the Jews (not just the Spanish refugees but also the indigenous Jews) and Moslems,²⁶ who “are children of malediction,” to take effect by the end of October of the next year. The Jews were legally entitled to take their movable property with them and to demand payment of all debts owing them. As stated above, the persons who received taxes, duties and revenues from the *judiarias* on an annual basis would be compensated by the king.

Two types of royal legislation accompanied and followed the decree of expulsion. One set of laws demonstrated the king’s wish to completely and forever eradicate Judaism — and even its memory — from Portugal. Such were the decrees to close down all synagogues, Jewish schools and confiscate their paraphernalia and libraries and all Hebrew books in private possession (except, temporarily, medical works); the decision to destroy all Jewish cemeteries, etc. (“Religicide” is a term coined for this by Tavares.) The other set of laws and the way they were applied prove that the king of Portugal was bent on keeping the Jews in the country. Thus he gave them more than ten months to wind up their affairs, in contrast with the four months

wrote a letter to the king [Manuel], explaining that her coming would be deferred until he had completely expelled the Jews one and all from his kingdom.” The letter has not been found in the archives. It is repeatedly cited in the lengthy missive sent to Manuel by Ferdinand and Isabella on June 21, 1497, where it is stated that it was written on the princess’ own initiative and wherein she is quoted as designating those to be expelled as “heretics,” either a euphemism for Jews or, perhaps, a general term to include Moslems. See Antonio de la Torre and Luis Suárez Fernández, *Documentos referentes a las relaciones con Portugal durante el reinado de los Reyes Católicos*, Valladolid, 1963, 3, 12-15 and the stipulations for the marriage contract drawn up by Ferdinand and Isabella on July 11, 1497, reproduced *ibid.*, 15-18.

²⁶ The earliest presently known version of the royal decree of expulsion, signed on December, 5 1496, was printed for the first time in 1513. See *Ho segundo livro das ordenações [...] em Lyxboa per Valentym Fernandez alemã aos xix dias de novembro*. 1513, título 48, “Que os judeus se sayam destes regnos e nõ morem nem esteem nelles,” fol. 13v-14r. It mentions only the Jews and makes no reference to Moslems. The same is true of the second edition: *Ho segundo livro das ordenações [...] em Lisboa per Johã pedro bom homini: a quinze dias de dezembro*, 1514. However, título 41 of Book 2 in the third edition, printed by Jacobo Cronberguer at Lisbon in 1521, is entitled “Que os judeus e mouros forros se sayam destes regnos: e nom morem nem estem neles” and inserts the words “mouros” and “mourarias” into the text. A letter dated April 20, 1497, signed by Ferdinand and Isabella, welcoming the Portuguese Moslems to Spain, states that they were being expelled from Portugal (see De La Torre and Fernández, *Documentos referentes a las relaciones con Portugal*, 3, 9-12) and King Manuel refers to his expulsion of “the Jews and Moors” in a letter of October 20, 1504 (see *As Gavetas da Torre do Tombo*, 1, Lisbon, 1960, 11-12). See the reference to the expulsion and departure of the Portuguese Moslems in 1497 by Danião de Góis, *Crónica do Felicissimo Rei Dom Manuel*, Lisbon, 1566, 8-9. According to Maria Filomena Lopes de Barros (*A comuna muçulmana de Lisboa*, Lisbon, 1998, 148-149; 155-157) a few Portuguese Moslems were still living in Lisbon as late as 1504 and two who had converted continued to dwell in Lisbon’s *mouraria*.

extended in 1492 by Ferdinand and Isabella in a country some seven times as populous. The king used the interim to the advantage of his plans for the forced integration of the Jews into the general population. First, on March 19, 1497, he ordered all Jewish children under 14 to be snatched from their parents and baptized. Masses of children were in fact handed over to Christian families. We do not know how many were eventually returned to their biological families after the General Conversion of June 1497. Around 1730 Luís da Cunha, a Portuguese diplomat and historian, claimed that hundreds were raised in the rural areas around Lisbon and that they are the ancestors of the characteristic inhabitants of those areas known as *Saloios*. Around the same time António Nunes Ribeiro Sanches, a famous New Christian physician who emigrated to England and later to Russia wrote in his treatise on the Inquisition that the baptized children were raised in the quaint Alfama neighborhood of Lisbon or sent to the islands (the Azores and Madeira). Both authors agree that the descendants of these children adopted by Old Christian families did not join the ranks of the New Christians and were therefore never persecuted by the Inquisition.²⁷

Another decree promulgated by King Manuel, on May 13, 1497, was to exempt for a period of 20 years Jews converting to Christianity from any investigation into their religious beliefs and practices, *i.e.*, no convert could be accused of Jewish practices during that period. This was evidently meant as a guarantee against the establishment of an eventual Portuguese Inquisition and a protection against the kind of violence to which descendants of Spanish *conversos* had been exposed in Spain since 1478. The measure was also intended to retain those contemplating to emigrate out of fear rather than out of attachment to Judaism.²⁸

At the end of May and the beginning of June 1497 thousands of Jews converged on Lisbon expecting the king to make good on his promise (included in the Decree of Expulsion) to provide the where-withal for transportation of themselves, their families and their movables to North Africa (Morocco). According to Damião de Góis, about 20,000 Jews from all parts of Portugal had congregated there. As they waited, in transit, at the *estaus* (Góis continues), a band of

²⁷ *Instruções Inéditas a Marco António de Azevedo Coutinho*, Lisbon, 1930, 90; António Nunes Ribeiro Sanches, *Origem da denominação de Christão-Novo e Christão-Velho em Portugal* (edited by Raul Rego), Lisbon, 1956, 17.

²⁸ See João Pedro Ribeiro, *Dissertações chronologicas e criticas sobre a história e jurisprudenceia ecclesiastica e civil de Portugal*, Lisbon, 3, 1857, 95-96; text reproduced by Meyer Kayserling, *Geschichte der Juden in Portugal*, Berlin, 1867, 347-349. See *Corpo Diplomático Português*, 9, letter dated February 12, 1561.

monks accompanied by rowdies invaded the *estaus*, throwing baptismal water over the crowds, screaming they were now Christians.²⁹ Unfortunately we have but few reports from eye-witnesses. One of them, Dom Fernando Coutinho, bishop of Silves, writing around 1527, reports:

I myself saw a father with head hooded as a sign of abject sorrow and mourning, leading his son to the font all the while protesting and calling God to witness that they wished to die in the Law of Moses [...] I saw many dragged to the font by the hair.³⁰

Another historian, Jerónimo Osório (1506-1580), tells of an agreement signed at Lisbon between the leaders of the Jewish community and a representative of the king, whereby the Jews accepted mass baptism and the king promised to restore their children and immovable goods, give them privileges and honorable employment and refrain from introducing the Inquisition into Portugal.³¹ From sparse descriptions furnished by defendants in Inquisitorial trials and New Christian émigrés between 1540 and *c.* 1580, we know of forced baptism on a smaller scale (at royal behest or with royal collusion) all over Portugal during 1497. A few Jewish families and individuals (perhaps fifty persons in all) managed to sail from Lisbon without being baptized, including Abraham Zacuto, the king's astronomer and the Biblical scholar Abraham Saba.³² As for the others, henceforth they were all considered Christians and thus subject to the Church of Rome. Anyone who continued claiming allegiance to Judaism would be liable to punishment as an apostate.

King Manuel seemed to be pursuing a coherent policy of peaceable integration. His legislation tended to suppress all discrimination between Old Christians and the former Jews, keeping as many as possible in the country. On the other hand, he used and perpetuated the designation New Christians for those who were forcibly baptized in 1497, while freeing of this label those who had voluntarily accepted baptism prior to that year. On April 21 and 22 of 1499 he prohibited the emigration of New Christians, especially those who were taking

²⁹ *Crónica do Felicíssimo Rei Dom Manuel*, Lisbon, 1566, 8v-9r. The primary meaning of the word *estaus* is "hostel." This evidently spacious edifice is thought to have been situated on the Rossio, on the site later occupied by the Inquisitorial palace, which maintained the old name: *estaus*.

³⁰ Cited by Herculano, *History*, 254-255.

³¹ Jerónimo Osório, *De Rebus Emmanueliis*, Cologne, 1574, 6-7.

³² See Elias Lipiner, "A Saga dos Sete," *Os Judeus Portugueses entre os Descobrimentos e a Diáspora*, Lisbon, 1994, 115-119 (more fully in *id.*, *Os Baptizados em Pé*, Lisbon, 1998, 105-112).

their families with them. This measure may perhaps be explained by appeals from Ferdinand and Isabella who wanted Spanish New Christians seeking refuge in Portugal extradited back to Spain to face the Spanish Inquisition. It seemed that for King Manuel, the more New Christians the better. The discrimination was theoretically abolished by the law of March 1, 1507, which, besides permitting the departure of New Christians for foreign parts, declared:

and it pleases us that in all things [the New Christians] be considered, favored and treated like the Old Christians and not distinct and separated from them in any matter.³³

Thus ended in Portugal the official presence of Judaism and “New Christianity” was born. As we have seen, the situation differed from that of Spain which at the time of the 1492 expulsion had a century-old class or caste of New Christians which the expelled Jews were not forced or even encouraged to join so that tens of thousands saw no alternative to departure and exile.³⁴ In Portugal the Jews were deprived of that possibility. In Spain there had been waves of conversion from Judaism to Christianity in divers periods and predicaments. In Portugal there was one violent wholesale conversion of the entire Jewish population.³⁵ Spain, at the time of the expulsion, had discriminatory laws against New Christians very far removed in time and generation from their Jewish ancestors, subject to Inquisitorial persecution and oppression. Portugal had neither Inquisition nor cleanness of blood laws at the time of the General Conversion and was to remain free of them for another forty years.

Had it not been for the baleful excesses perpetrated against their religious conscience, the newly converted in Portugal, materially speaking, stood to gain from the Manueline laws. Those laws not only allowed them to keep all their goods, not only exempted them from the heavy taxes they bore when they were still Jews, but by force of law all the educational opportunities, all the positions until then reserved for Christians, opened up for them. The unsurpassed machiavellianism of King Manuel, combining bullying and seduction with a view to keep the Portuguese and Spanish Jews in his kingdom was probably inspired by reasons of State. Had the expulsion come off, everything points to an unmitigated disaster

³³ See now H. P. Salomon, “Quelques documents concernant l’expulsion des Juifs du Portugal décrétée par le roi Manuel I^{er} et la subséquente transformation de celle-ci en ‘conversion générale,’” in Aldina da Silva, André Myre and Tereza Pinto, *Les juifs portugais*, Montreal, 1998, 13-33; 31-33.

³⁴ See, however Introduction, Notes 10, 16, 17.

³⁵ The event had a precedent in King Sisebut’s compulsory baptism of all the Jews of Spain in 616. See our Introduction.

in store for the economy of Portugal, where there was no non-Jewish class of artisans nor native mercantile elite (such as the New Christian class of Spain) capable of modernizing the agrarian economy and exploiting the potential of the voyages of discovery.

To what degree did the Manueline legislation succeed in integrating the Jewish minority? We have little documentary material for the four decades between the General Conversion and the establishment of the Inquisition. We have some indications, however, that the policy of integration bore fruit.

Fifteen years after the General Conversion, in April 1512, King Manuel added 16 years to the 20 he had conceded in 1497, during which the converts and their immediate descendants would not be subject to religious inquiries: a good indication that the former Jews did not pose, at least not publicly, any religious threat. But apparently breaking this promise, the Portuguese king wrote his ambassador in Rome on August 26, 1515 charging him to solicit from the pope an Inquisition on the Spanish model. However, this letter refers primarily to the refugees who “out of fear of the [Spanish] Inquisition would pass into our kingdom and now do pass on a daily basis,” about whom he is informed that they do not behave as they should, nor give a good example.

Wherefore and in order to satisfy before God the obligation we have to Him, not merely in regard to these who are arriving from Castile to these our kingdoms, but even in respect to the native-born New Christians who converted here to our faith in times gone by, it appears to us that we must order to be established a true and just Inquisition to punish the transgressors.³⁶

Were the New Christians born in Portugal now suddenly perceived as stubborn Judaizers? Or are they mentioned merely as an afterthought for form's sake while the “real” Judaizers were coming from outside? In any case these proceedings were not carried further and we cannot exclude the hypothesis that the king was merely going through the motions in order to placate King Ferdinand of Spain to impede the entry into Portugal of Spanish New Christians who were still being ferociously hounded. This conjecture seems all the more founded in view of the improbability of King Manuel being of a mind to break the earlier agreements he made with his then newly converted subjects, agreements which even his successor King João III was to respect.³⁷

³⁶ *Corpo Diplomático Português*, 1, 355-359.

³⁷ Yet in a letter dated Almeirim, February 18, 1519, King Manuel promoted legislation henceforth prohibiting the naming of New Christians to the position of judge, town councilor or municipal registrar in Goa, specifying, however, that those already so named were not to be affected. See António Baião, *A Inquisição de Goa*, Lisbon, 1945, 1, 17-18.

How large was the New Christian segment of the Portuguese population during the first half of the 16th century? Running a little ahead of ourselves, let it be noted that in 1542, a Portuguese New Christian, Master Jorge Leão, speaking in the name of “these people” to the agent of the New Christians in Rome, estimated their number at “60,000 souls.”³⁸ This figure roughly corresponds to that established by Ferro Tavares for the total Jewish population of Portugal after the arrival of the Spanish refugees in 1492. A half-century later, in the list of “persons of the Nation”³⁹ drawn up in 1604 to pay the price of the “General Amnesty for Crimes of Judaism” which was then proclaimed, 6000 supposedly “full New Christian” families are mentioned, which cannot amount to more than 30,000 persons, especially considering the fact that many Old Christian families were included in the list by mistake.⁴⁰

This halving can be explained as follows. Beginning in 1536, there was a considerable emigration of New Christians and mid-century documents we will refer to later show a dramatic increase of marriages between New and Old Christians. Thus the descendants of the converted Jews were being steadily absorbed into the general population, as Manueline legislation had intended.

The opposite view, or rather presumption, defended by a number of historians, is that the Portuguese New Christians never assimilated and that the majority, or even the totality, continued to practice Judaism in secret. The trouble with this theory is that it is based almost exclusively on 35,000 or so Inquisitorial trials for “Judaizing” in Portugal between 1536 and 1765, which all presume guilt and were engineered to produce confessions. We have yet to see proof, independent of documentation produced by the Inquisition itself, that during the reign of the Inquisition any New Christian families or individuals living in Portugal provoked arrest by indulging in traditional Jewish practices or professing non-Christian Jewish beliefs. And even

³⁸ *Ibid.*, 5, 158-167.

³⁹ This curious appellation, apparently never applied to the Jews of Portugal before 1497, came to designate their New Christian descendants and was maintained throughout the centuries until the official abolition of discrimination in 1773. In Portugal it was synonymous with “New Christians” and sometimes expanded to “persons of the Hebrew Nation”; the Portuguese New Christian emigrant communities, whether they adopted Judaism, as in Ferrara, Amsterdam and Bordeaux, or remained Catholic, as in Antwerp, Rouen and Nantes, also referred to themselves as “the Nation” or “the Portuguese Nation.” The latter expression in this sense may be found in Samuel Usque’s Portuguese masterpiece “Consolation for the Tribulations of Israel” (Ferrara, 1553, 2r, 4r; English translation, Philadelphia, 1965, 37, 40).

⁴⁰ Ribeiro Sanches, *op. cit.*, 45.

in the unlikely event that such proof could be produced, a few isolated cases would not imply that the majority of the descendants of the converts wished to revert to Judaism. Indeed, in their representations to the papacy, spokesmen for the Portuguese New Christians at Rome invariably protested their Catholic orthodoxy and that those who were urging an Inquisition were spurred, not by piety, but by unholy stirrings to destroy and despoil them. Once it was in place, these representatives and their successors did not plead for its undoing but for the incorporation of legal safeguards against abuses. Thus structured, they said, they would welcome the Inquisition, feeling that it would vindicate once and for all their adherence.⁴¹

Now the first stated hypothesis, that the former Jewish population of Portugal, beginning with the Manueline legislation drifted down the road of assimilation, has in its favor some solid sociological arguments. Until 1497 the Jewish religion was officially recognized in Portugal and publicly practiced, with synagogues, rabbis, teachers, holy books, precepts and laws governing collective and domestic life. For the overwhelming majority of its practitioners Judaism, like Catholicism, represents a formalistic conformity to inherited customs imposed by the social environment. Once that social environment disappears, a religion of this sort can but wilt and wither away. As a rule, the only religions that integrally subsist under the restraints of furtiveness are those born underground. The former Jews were submitted on a daily basis to the public exercise of the Christian religion, the rites and discipline of the Church. Naturally the first and oldest victims of the forced conversion were not "sincere" Christians. But a ritual that is practiced for years on end and from one generation to the next cannot maintain itself indefinitely as an hypocrisy or a constraint. The practitioner is conditioned by practice; the degree of this conditioning is a question of time and a function of the pressure exerted by the integrating environment. And let it not be forgotten that, at least in the western world, the dominant faiths were imposed on the populations by governmental coercion rather than by the spontaneous adhesion of souls. *Cujus regio ejus religio.*

The Portuguese environment was, as we have seen, quite conducive to assimilation. In Spain it was different. The tolerated presence of the Synagogue allegedly continued to allure pre-1492 Spanish

⁴¹ See Herculano, *History*, 597 and *passim*. The New Christian representatives consistently ignored Pope Clement VII's bull (*Sempiterno regi*) of April 7, 1533, declaring invalid the forced conversion of the Portuguese Jews in 1497. See *Corpo Diplomatico Portuguez*, 2, 430-440.

converts and their descendants. This tension did not obtain in Portugal. Here the newly converted and their offspring were not reminded of Judaism by relatives and friends celebrating the Sabbaths and Jewish Festivals, awakening in the neophytes stings of conscience, perhaps rue. The bridges with the past were severed. On the other hand, the advantages resulting from integration could but make their calming and compensatory effects felt, once the disorientation of the first moments had passed.

Integration naturally brought about various consequences on a subjective level which we will discuss anon. But as of now, on the basis of a limited and unsystematic documentation, it seems to us that the most plausible hypothesis is that the community of former Jews – home born and recent arrivals – was on its way to submersion when, on April 9, 1506 at Lisbon “The Massacre of the New Christians” claimed no fewer than 2000 lives.⁴² Royal repression of this unprecedented (and never repeated) disorder was followed by the decree of March 1, 1507, a Magna Carta of relative tolerance. It granted all Portuguese without distinction full permission to leave the country temporarily or permanently; the right to trade on land or sea, sell property and freely export money or merchandise to Christian countries. The king promised never to promulgate exceptional legislation for New Christians living in Portugal; granted émigrés the right to return without fear of punishment; made the laws of the realm in their entirety applicable to New Christians; renewed protection for twenty years from any inquiry into their religious practices.⁴³ This time span was designed to allow the entire generation of actual converts to die out and their offspring, born and raised as Catholics, matrimonially conjoined to Old Christians, to become absorbed through osmosis by the “new” Portuguese society.⁴⁴ In 1536 the advent of the Inquisition again interrupted this process, after the manner to be outlined in the next chapter.

⁴² See below, Chapter Two.

⁴³ Arquivo Nacional da Torre do Tombo, *Místicos*, livro 5, f. 130r-131r. Published in *Revista de Estudos Judaicos*, no. 3, 1996, p. 20-2 and by H. P. Salomon, *op. cit. supra*, note 33.

⁴⁴ See Salomon, *Portrait of a New Christian*, 17.

CHAPTER TWO

WHY AND HOW THE INQUISITION
WAS INTRODUCED INTO PORTUGAL

1. *Why Was the Inquisition Introduced?*

Putting an end to the Jews as a juridically autonomous religious entity did not do the same for anti-Jewish attitudes. Today we understand that the Jews themselves are but the pretext or, rather, the illusive motivation for, not the source of this perennial hostility. Put another way: the Jewish communities within non-Jewish societies were the fulcrum of a complex of collective tendencies and feelings that took the form of an antagonism designated since the end of the 19th century by the misnomer “anti-Semitism.”¹ The more or less generalized habit of resenting, disliking, baiting and wishing to humiliate (or in its most rabid form to destroy) the Jews is part of a millenary psychosis of affective tensions going back in the near-Eastern and Western world to pre-Christian times.² In Portugal the simple ploy of mass converting Jews to Christianity not only failed to terminate this deep-rooted hostility, but in fact abetted it.

Specifically for the “little people,” the economically and socially oppressed layer of society, the Jews were the “other,” upon whom grievances, dissatisfactions and frustrations might be deflected. A marginal group, outside Christian solidarity, the Jews were unshielded from hatred and malevolence: impulses that require victims and culprits. They were pariahs, to whom a Christian, however bedraggled and woebegone, could feel himself superior. The fact that the Jew might be relatively well-off in no way affected this perception. On the contrary, it reinforced in the member of the Christian majority a sense of nobility, of legitimacy independent of fortune, intrinsic,

¹ Generally believed to have been coined by Wilhelm Marr (1818-1904), the term derives from Sem, one of the three sons of Noah (Sem, Ham and Jafeth) who repopled the world after the Flood (Genesis 9, 18-19). The term is absurd because 1) it assumes that only descendants of Sem are Jews, *i.e.*, Judaism is exclusively determined by ethnicity, whereas Judaism has throughout history recruited proselytes without regard to ethnicity and 2) it implies that all the descendants of Sem (*i.e.*, one-third of humanity) are Jews.

² See now Peter Schäfer, *“Judeophobia,” Attitudes toward the Jews in the Ancient World*, Cambridge (Mass.), 1997.

inalienable and hereditary. To defame the Jew was the in-born prerogative of every Christian and the lower his rung on the social ladder, the more valuable this prerogative was to him. The Jews were the substratum on which rested the feudal pyramid of privileges.

In spite of the rapid assimilation of the former Jewish minority after 1497, this psychological lapdog prop formerly upheld by the Jews was transferred to the New Christians. In petitions they addressed to the pope and the Portuguese King João III in the course of the negotiations that spearheaded the Inquisition, the New Christians regularly decry their being the butt of hatred and violence. According to a letter written by a New Christian spokesman in 1561, it was particularly the “rabble” which rejoiced at the sight of the *auto-da-fé* executions (strangling at the stake, followed by burning on the pyre). Except for the gentry, he writes, all and sundry join in persecuting them, especially a pack of idlers known as *escudeiros* (squires).³ The Portuguese playwright Gil Vicente limned an unforgettable portrait of these famished knaves who affected courtly manners and boasted of their feigned nobility.

Among the religious orders it was above all the Dominicans that were responsible for the transfer of hatred from the Jews to the New Christians. In Spain the Dominicans had played a decisive role in the anti-Jewish riots of 1391. Whereas the assault on the great *Judiaria* of Lisbon in 1449 was prompted solely by loot and had no religious overtones, it was the Dominicans who were in the vanguard of the unprecedented massacre that came to be known in Portuguese history as “the slaughter of the New Christians” at Lisbon in April 1506, nine years after the General Conversion. In the midst of a solemnity in the Church of St. Dominic a sudden brightness was seen emanating from a crucifix, followed by a cry of “Miracle!” from the crowds. A man in the church ventured that the brightness was the reflection of a candle. A New Christian, he was set upon by onlookers who killed him on the spot and set fire to his clothing. Two Dominican friars, brandishing crucifixes, further excited the electrified mob with shouts of “Heresy! Heresy!” During three days the city was taken over by mutineers, joined by scores of German sea-men from a fleet of ships at anchor in the harbor, who ransacked houses, threw women and children out of windows onto the street and started bonfires everywhere, onto which they flung the wounded and the dead.

According to the chronicler Damião de Góis, 2000 were killed, including the collector of royal taxes João Rodrigues Mascarenhas,

³ *Corpo Diplomático Português*, 9, 150 (letter dated February 12, 1561).

one of the wealthiest men in Lisbon. King Manuel, on tour in the Alentejo province, reacted energetically. The malefactors were sentenced to death; their accomplices to prison terms and confiscation of property; the city collectively punished by withdrawal of privileges. Although Damião de Góis makes the undocumented claim (probably based on hearsay) that the two Dominican friars were sentenced to public defrocking, strangulation and cremation, we now know that they apparently got away thanks to collusion, for we find them back 36 years later (in 1542), alive and kicking, agitating for the Inquisition in the delegation of King João III at Rome.⁴

Any excuse was seized on by clerics to whip up mass hysteria against the New Christians. In 1531 there was an earth tremor at Santarém. The local friars drove people into a frenzy by preaching that this was divine retribution on Portugal for allowing the Jews into their midst. This sermon was probably related to the campaign for the establishment of the Inquisition, it being the year João III started the Inquisitorial ball rolling. Gil Vicente, who was just then in Santarém as he tells the king in a letter, took on the friars and made them assemble in the cloister of the convent of Saint Francis where he preached to them that an earthquake is a natural phenomenon and non-believers are to be persuaded by reason.⁵

Before the General Conversion of 1497 the clerical governance of public opinion was minimally threatened by lay intellectuals and not at all by the Jews, who, as non-players, were out of the running. 1497 brought a non-clerical class of physicians, apothecaries, pharmacists, scribes, lettered merchants into the bosom of Christian society, whom the clerics feared as potential competitors. Their entry, if anything, exacerbated ingrained anti-Jewish animus, especially of the subaltern clergy. In contrast with the senior orders, in whose ranks were to be found the younger sons of the nobility, enjoying fixed incomes from benefits, the lesser or junior clergy lived on its sacerdotal tasks: masses, confessions, processions, preaching, etc. Thus, the fight against sin and heresy was its bread and butter. The lesser clergy, as intermediaries between the aristocracy and the people, who knew practically no other lettered persons, molded, directed and indoctrinated the mass of believers. Preaching against the "Judaizing" of the former Jews, who had now fallen under the jurisdiction of the Church, was for them a

⁴ Damião de Góis, *Crónica*, 1, 256-258; *Corpo Diplomático Português*, 5, 158-167 (letter by *Mestre* Jorge Leão of December 1542). Cf. Yosef Hayim Yerushalmi, *The Lisbon Massacre of 1506 and the Royal Image in the 'Shebet Yehudah'*, Cincinnati, 1976.

⁵ Letter to King João III by Gil Vicente published in *Copilaçam de todas as Obras de Gil Vicente* (1562) and in all subsequent editions of the dramatist's complete works.

challenging enterprise, a magnificent opportunity to assert themselves and their “trade.” Of course the New Christians would have to cooperate by continuing to Judaize; and if they failed to do so and lived as exemplary Catholics, then their Judaizing would have to be fabricated — by hook or by crook.

This new intellectual laity was pervious to the accusation of heterodoxy. There was, after all, a Jewish cultural tradition — an intellectual curiosity or thirst nourished by reading and study — which, even in the absence of forsworn Jewish religious practice, lingered among the former dwellers and immediate descendants of the Spanish *juderías* and Portuguese *judiarias*. Moreover, any forced change of religion tends to generate an attitude of relativism, skepticism and inquietude. Thus a competition was developing between the bourgeois intellectual sector, inclined to secularity, and the superstitious religiosity of the masses, a rivalry which is of course not unique to Portugal and survives into the present time. It is noteworthy that the New Christian who supplied the occasion for the slaughter of 1506 in Lisbon scandalized the people around him by announcing that a wooden image could not perform miracles. Also mark the episode in Santarém, where an earth tremor was seen as a divine punishment by the friars and a natural phenomenon by Gil Vicente, the confrontation of two *Weltanschauungen*.

It would thus appear that the junior clergy, encumbered by mistrust, resentment and other psychological ballast on top of the elemental anti-Jewish bias, also knew instinctively what imported to their survival. They intuited that removal of the Jewish bogeyman could bring their very *raison d'être* into question, like that of professional soldiers in peace time or of a cat in a mouse-free household. By continuously pointing out to their audiences the New Christians as disguised Jews and accusing them of apostasy, they kept alive the myth so vital for their self-justification.

As for the nobility and the higher clergy, their attitude, though somewhat different, complements the one we have just set out for the popular classes. Here anti-Jewish folklore probably had less emotional pull. We know that the nobility hob-nobbed with wealthy Jews and, subsequent to their conversion, as we shall see later, many married women of Jewish descent who brought them sizeable dowries. In their petitions to the pope the New Christians reiterate that it is only the nobility that does not persecute them. The *fidalgo*, with layer upon layer of commoners below him, felt lording it over them to be plenty without a Jewish underdog. Yet the nobility was also vitally interested in maintaining the social status quo and underlying tensions essential

for a hierarchy that they apexed. Anything that might rock the boat was anathema.

Now the threat posed to the traditional hierarchy by the societal osmosis of the former Jews was also related to economic factors. The Portuguese overseas expansion had two contradictory consequences: firstly, it strengthened the power of the Crown and, therefore, of the aristocracy, whose aspirations were embodied in that enterprise; on the other hand, the rising bourgeoisie that it promoted challenged the traditional hegemony of the aristocracy. We shall discuss each effect in turn.

The Crown found itself at the helm of a mercantile juggernaut. King Manuel, as “President of the Company,” gave himself the title “Lord of the Commerce of Ethiopia, Arabia, Persia and India.” The royal palace was set up at the wharves, in a building whose lower floors were occupied by the warehouses and offices of the “House of India,” which received, registered and reshipped the wares of the East, and the wares of the West for which they were traded. The Portuguese king was nicknamed “the Spice King.” The bulk of this trade was a Crown Monopoly. Its profits were distributed between civilian and military officials appointed by the king, either in the form of salaries and bonuses or as dues or entitlement to war loot. The principal beneficiary was the traditional nobility that enriched itself, not by despised commerce and infra dig money-grubbing, but indirectly, through spin-off military careers or civil-service sinecures. The Portuguese Crown might be compared to a multinational trust, whose profits are distributed between employees and stockholders in the form of salaries and dividends, without the employees and stockholders personally carrying out any industrial or commercial activity. This would explain how come the Portuguese nobility, though enjoying the gains of the Crown’s commerce, did not forge a “bourgeois mentality.”⁶

Thus it was that the Portuguese State in the 16th century, modern economy that it was becoming, perpetuated a feudal aristocracy whose spirit was the antipode of bourgeois. And the most dependable prop of this archaism (in Spain too) was the omnipotent Church with her burgeoning wealth, much of it brought into her coffers by younger sons of the landed aristocracy.⁷

⁶ Assuming that there exists an identifiable bourgeois mentality and that the same is brought on through direct involvement with commerce. Both these premises are of course impressionistic and “direct involvement with commerce” is a matter of degree.

⁷ In feudal Europe the eldest son inherited the family estate and the younger sons entered the Church or the military. Some consequences of this system will be elaborated further in this chapter.

But the rise of the bourgeoisie was unstoppable in an economy that had become international and was evolving by leaps and bounds. Not everything was the royal monopoly. The spice trade, for instance, was in private hands and so were sugar, slaves, banking (not to mention contraband operations), all farmed out to Germans, Italians and Spanish New Christian immigrant families. The Crown and its officials lacked the versatility to exploit the overseas “discoveries.” Thus Portugal’s entire pepper and spice import, the Crown’s principal source of revenue, was annually farmed out to the tune of about a million cruzados to a consortium headed by the New Christians Francisco Mendes Benveniste (stationed in Lisbon), his brother Diogo (stationed in Antwerp) and the Italian financier Giovanni-Carlo Affaitati. The whole import was annually shipped to Antwerp for distribution and re-sale, the consortium’s cut alone exceeding Portugal’s national assets. Francisco Mendes fought the introduction of the Inquisition tooth and nail and subsidized the losing battle being waged against it in Rome. Francisco died at Lisbon in 1535. In 1537, just a year after the establishment of the Inquisition, the king attempted to appropriate half of Francisco’s fortune by marrying off his orphaned baby daughter to a member of the royal household. (Francisco’s widow and baby embarked that selfsame year for Antwerp.)⁸ So there flourished a “private sector” alongside the royal monopoly. The latter was identified with the reactionary nobles and private trade with the plutocratic bourgeoisie.

The royal monopolies showed signs of floundering, beginning with the temporary imprisonment at Antwerp in 1532 of Diogo Mendes Benveniste on charges, among others, of Judaizing. In 1534 the Portuguese State could not meet its obligations to foreign creditors. In 1542, for lack of means to maintain them, the Portuguese *presidia* of Morocco began to be evacuated. That same year the redactor of instructions to the papal nuncio Lippomano wrote that “Portugal is in desperate straits” and that the king “is insolvent, with crippling interest mounting on massive debts, inside and outside the kingdom.” In 1549 the trading-station at Antwerp was closed for bankruptcy. In 1560 the “House of India” suspended its payments. The war in Morocco, initially seen as a means to shore up the public finances and the private fortunes of the nobility, ended in 1578 with the Portuguese military debacle of Alcácer-Quibir (Morocco), which put the nobility at

⁸ See now H. P. Salomon and A. de L. Leoni, “Mendes, Benveniste, de Luna, Micas, Nasci: The State of the Art (1532-1558),” *The Jewish Quarterly Review*, 88, 3-4, 1998, 1-76.

the mercy of the Spanish King Philip II who, in 1580, became King Philip I of Portugal. But, as if in inverse proportion to the State's and its monopoly's decline, the Portuguese mercantile bourgeoisie was expanding apace, in Asia, Brazil and in the port and market-place of Lisbon which, by the end of the century, ranked as an important commerce and finance center.

In this conjuncture, let us look once more at the extent, scope and significance of the former Jews' changed religious identity.

Before the General Conversion a Jewish mercantile bourgeoisie had maintained itself separate from the corresponding Christian bourgeoisie. The abolition of discrimination meant that the once Jewish, now New Christian bourgeoisie improved its legal status and broke loose from its erstwhile fetters. On the other hand, it occasioned an amalgamation, albeit short of a fusion, of the two bourgeoisies. Between 1497 and 1535 the New Christians secured their dominant economic position in the mercantile community and gradually supplanted its Old Christian elements.⁹ From the beginning of the 17th century the expressions "Men of Commerce" and "Persons of the Nation," even in official documents, were to become synonymous with New Christians. Throughout the century we shall see their economic muscle flexing itself ever more, but the Lisbon mercantile community will not be able to translate its financial strength into political power nor to advance its interests over those of the nobility, clergy or lettered (*letrado i.e.*, lay or religious jurists) class.¹⁰

To recapitulate: the assimilation of the former Jews, while economically beneficial to Portugal as a whole, was not especially propitious for the preservation of the old order. Opening the flood-gates to the

⁹ See João Lúcio de Azevedo, "Organização económica," in Damião Peres (ed.), *História de Portugal*, Barcelos, 1933, 5, 303. According to David Grant Smith (*The Mercantile Class of Portugal and Brazil in the Seventeenth Century*, Unpublished Doctoral Thesis, The University of Texas at Austin, 1975, 13-14) the mercantile community of Lisbon in the mid-16th century numbered less than 150 men. The pinnacle of the class was occupied by an oligopoly of six [New Christian ?] merchant-bankers who contracted for the India trade.

¹⁰ See Smith, *The Mercantile Class*, 177. Smith notes that as a result of intensified Inquisitorial persecution of New Christian merchants, between about 1650 and the mid-1680's Old Christian merchants re-entered the mercantile community. His sampling of 364 merchants in this period reveals 201 New Christians, 56 Old Christians and 107 unclassified, whom he supposes to be "partly" New Christian. He was able to identify New Christian merchants through their Inquisitorial trials and Old Christian merchants through their habilitation trials for becoming Familiars of the Inquisition. He concluded that Old and New Christian merchants engaged in precisely the same kinds of operations often in partnership, but whereas both sought to escape the stigma and buy themselves into the nobility, Old Christian merchants were usually successful and New Christians but rarely. The principal difference, of course was that "New Christian merchants were subject to virtually arbitrary arrest by the Inquisition" (*op. cit.*, 103).

caste of erstwhile pariahs threatened to overthrow the hierarchic pile. Let us now consider, for a moment, where the king fits in this scheme.

In the papal instructions to the nuncio in Portugal, Luigi Lippomano, dated 1542, we read that the Portuguese king allowed himself to be led by the nose by friars and monks, who “in this kingdom are extremely powerful” and, he insinuated, even dangerous. But it would be naive to imagine this clerical leverage at Court simply as the king’s piety. Not merely from the spiritual but also from the material viewpoint, one can hardly exaggerate ecclesiastic domination in 16th-century Portugal.¹¹

The Church was the major landowner.¹² It also enjoyed “younger sons’ entitlements,” *i.e.*, the feudal revenues which fell into the Church’s lap when younger sons of the nobility, for lack of another vocation, employed themselves in ecclesiastical capacities and, having no descendants, left their wealth to the Church. Unmarried women of the aristocracy enriched with their dowries the convents they entered. The archbishoprics of Lisbon, Évora and Braga, the abbey of Alcobaça, the priorate of Santa Cruz (not to mention masterships of military orders) were for generations the apanage of brothers or nephews of King João III. The royal family was no less subject to the dictates of primogeniture. Its younger sons also entered the Church — going for the richest pickings. It was upon the head of a cardinal, the king’s

¹¹ The trial record of Pero Álvares (Inquisition of Évora, no. 8628, 1543) contains the defendant’s letter to the Inquisitor General Cardinal Dom Henrique, in which he narrates an audience of three hours duration granted him by King João III in the queen’s chamber and in her presence “on the day the Inquisition was established” (October 22, 1536). Álvares told the king “that his children [*i.e.*, the New Christians] were at his mercy, that their property would be unjustly confiscated and their lives the forfeit through false witnesses and the responsibility for these future occurrences rested on the king.” The king (he continues) “listened intently and affably and it seemed to him [Pero Álvares] that the king considered his plea justified and would take it under advisement. But the theologians (*letrados*) and monks (*religiosos*) followed Pedro into the queen’s chamber “and speaking with feigned meekness in the name of God convinced the king of the contrary.” See Elias Lipiner’s analysis of Pero Álvares’ trial record in *Os baptizados em pé, Estudos acerca da origem e da luta dos Cristãos-Novos em Portugal*, Lisbon 1998, 255-273: 257. Cf. Isaac Abravanel’s legendary offer of 30,000 maravedís to King Ferdinand during an audience in 1492, to dissuade him from carrying out the Edict of Expulsion. Abravanel’s offer was about to be accepted when Torquemada, who had been eavesdropping, threw a crucifix before the king to remind him of the 30 coins for which Judas Iscariot had betrayed Jesus and thus convinced the king to go through with the expulsion.

¹² According to an English merchant writing from Portugal to the Bishop of London on September 7, 1686, a third of the population or more was in holy orders and the church owned a third of the land. See British Library, Add. Ms. 23726, f. 82v, cited by L. M. E. Shaw, “The Inquisition and the Portuguese Economy,” *Journal of European Economic History*, 18, 1989, 415-431: 418. Luís da Cunha (*Testamento político*, Lisbon, 1943², 39) claimed that well into the 18th century the Church owned one-third of the country’s real estate.

brother, who was archbishop of Braga and Évora, prior of Santa Cruz, abbot of Alcobaça and Inquisitor General, that the Portuguese crown was to devolve in 1578. But there were not enough revenues to go round, even though the number of dioceses doubled during this reign by splitting the existing ones. The lower clergy was also multiplying at a vertiginous rate, testing their means of subsistence. In 1620, according to Nicolau Rodrigues de Oliveira in his *Livro das Grandezas de Lisboa* ("Book of the Grandeurs of Lisbon"), the city had 165,000 inhabitants. Of these 3,189 were friars and nuns; 121 were physicians, apothecaries, surgeons, schoolmasters and notaries. A century earlier a Gil Vicente character says: "There are more of us friars than there is land."¹³ This massive body depended, theoretically, on the pope who claimed the right to designate the usufructuaries of the Church's revenues. But the Portuguese king was not about to leave appointments concerning so many of his subjects and decisions concerning grave national affairs in alien hands. The whole reign of João III was a tug of war with the papacy for the upper hand in the ecclesiastical affairs of the kingdom.

King João III's position was analogous to that of other monarchs of Christendom, who, in order to dispose freely of ecclesiastical wealth, entered into open conflict with the pope while theoretically remaining under his hegemony (*e.g.*, the French King Francis I) or who, for whatever motive, opted for schism (*e.g.*, the English King Henry VIII). The Portuguese king leaned on Court clerics and friars who probably made up the better part of his administrative staff. Faced by the claims of the Roman curia he represented secular power, as Head of State. As "defender of the Faith," *i.e.*, protector of the interests of his churchmen at home, he was the Head of the National Church. Thus, João III (like other Renaissance European monarchs and the pope himself) offers an ambiguous physiognomy: his religious role, the expression of a theocratic order, now seems to serve, then again dominate his secular role.

The Spanish Inquisition offered the model. Its Inquisitors were designated by the king and held delegated pontifical authority. Thus they held their own against interference by the Holy See as well as the national bishops. The Spanish Inquisition fortified the "spiritual arm" of the king. It also created new ecclesiastic employment and a new source of revenue. This source, the wealth of the New Christians, was, through confiscation, to be added to the traditional feudal ones although soon enough it was deflected from the general (royal,

¹³ See Gil Vicente, *Obras Completas* (ed. by Marques Braga), Lisbon, 1943, 4, 122 (*Fragoa d'Amor*).

church) exchequer into the Inquisition's coffers, to cover the expenses of the Inquisitorial staff. Confiscation of New Christian wealth could be seen as a sporadic revenue on an enormous and growing mass of goods which were outside the circuit of feudal appropriation.

The Inquisition and especially adoption of cleanness of blood laws had another — convenient — side-effect: it was not long before young New Christians began entering the priesthood, oftentimes vying successfully with Old Christians for ecclesiastical benefices. Re-enacting the medieval exclusion of Jews and transferring it to New Christians, permitted the elimination of rival candidates for the wealth of the Church on the part of an all too dynamic group.

Amidst the turbulence of these cross-currents we must try to make some sense of João III's initiative in establishing the Inquisition in Portugal, 35 years after the General Conversion. The Inquisition represents, so it seems to us, the geometric convergence of several centripetal and centrifugal forces. An Inquisition's effect would be to revive the discrimination which King Manuel had abolished. In this way there would once again be a non-privileged caste, underpinning the privileged one. The system we designated earlier "foil of affective tensions," indispensable to the equilibrium of feudal society (and all the more indispensable when that equilibrium is threatened) would be upheld, despite the New Christian influx; the restrictions previously weighing on the Jewish part of the Portuguese merchant class or bourgeoisie were to be restored, but this time (for reasons set forth above and to be developed later) on its totality. Moreover, on May 23, 1536, the bull proclaiming the Inquisition inaugurated Inquisitorial censorship of the printed word by prohibiting the translation of the Bible into Portuguese and the possession of any part of it in any language except the Latin Vulgate.¹⁴ Systematic ideological repression, in the form of the most elaborate indexes of prohibited books in all Catholic Europe, would contain the rise of the lay intelligentsia to the advan-

¹⁴ On February 20, 1537 the first book bearing an Inquisitorial *imprimatur* appeared in Portugal; from November 2, 1540 no book was allowed to be printed without it. The same day Cardinal Dom Henrique ordered the Dominican prior to inspect all libraries, public and private, and to withdraw subversive books from them, these visits to be regularly repeated. From 1547 any book to be printed in Portugal needed three approbations: Inquisitorial, Episcopal, governmental. From July 15, 1579 chests of confiscated books were ceremoniously burnt at *autos-de-fé*. See António Baião, *A Inquisição em Portugal e no Brasil*, Lisbon, 1906, 37. On January 24, 1606 Inquisitor General Pedro de Castilho ordered surprise raids (*varejos*) on bookshops, ruthless searches and impoundings. See id., "A censura literária inquisitorial," *Boletim da Segunda Classe, Academia das Ciências de Lisboa*, 12, 1917-1918, 473-560: 403-406. António Borges Coelho (*Inquisição de Évora*, Lisbon, 1987, 335-338) vividly describes the raiding of six Évora bookshops on March 2 and 3, 1606.

tage of the clerical one.¹⁵ This rivalry, we argue, was one of the Crown's most immediate motivations for the introduction of the Inquisition.

Traditional society was initiating a long-lasting struggle against a process that would ultimately destroy it. A new mercantile class, unified by the forced assimilation of the former Jews, was looming on the horizon, whose contours would be those of the future ruling class. Naturally, no technocratic team was appointed to research the alternative strategies which finally came up with the Inquisition. It would seem to be a case, as often in our own times, of the will of the leaders intervening in the social process. João III had confirmed King Manuel's laws against discrimination as late as 1524.¹⁶ On August 28, 1532, when the paperwork from Rome authorizing the Inquisition had already been in Portugal for six months, the king wrote to his brother-in-law the Emperor Charles V, lord of the Netherlands to wrest from the clutches of the Flanders civil tribunal the person and assets of the Portuguese New Christian merchant Diogo Mendes, born a Jew in Spain, arrested at Antwerp on the charge (as stated above) of Judaizing. King João III referred to Diogo by his Portuguese Christian surname Mendes as well as by his Spanish Jewish surname Benveniste and described him in the most flattering terms. João III did not give the slightest credence to the denunciation for Judaizing, nor had he faith in the integrity of a common law court investigating such an accusation.¹⁷ Ten years later the Portuguese Inquisition would be in full swing, given a free hand by the same king to imprison indefinitely New Christians arrested on the charge of Judaizing, to torture and kill them and sequester their property, heedless of the safeguards of common law.

The Spanish Inquisition had been instituted on the pretense of purifying the New Christians' Catholicism from the deleterious influence of practicing Jews and their synagogues.¹⁸ For the establishment

¹⁵ A manuscript list of prohibited books was commissioned by Cardinal D. Henrique, Inquisitor General, in 1547; under his name appeared the first printed Portuguese Index (Lisbon, 1564); the second (Lisbon, 1561); the third (Lisbon, 1564). After his death there was a fourth (Lisbon, 1581). The last and most extensive was drawn up by Baltasar Álvares, S.J. (Lisbon, 1624). See António José Saraiva, *História da Cultura em Portugal*, 3, Lisbon, 1962, 108-189; I. S. Révah, *La Censure Inquisitoriale Portugaise au XVI^e siècle*, Lisbon, 1960.

¹⁶ João Lúcio de Azevedo (*História dos Cristãos-Novos*, 72, 443-446) situates in 1525 João III's undated instructions to his representative in Rome to ask the pope for a more "moderate" Inquisition than foreseen by canon law, whereby New Christians would not be confronted by unidentified witnesses and, in case of conviction, their wealth would be only partially confiscated. A decade later the roles would be reversed, the pope attempting to "moderate" the Inquisition and the king insisting on maximum severity.

¹⁷ See Salomon and Leoni, *art. cit.*, 135-211.

¹⁸ In the Decree of Expulsion of the Jews from Castile (March 31, 1492) Ferdinand and Isabella set out at length that their motive for establishing the Inquisition "more

of the Portuguese Inquisition, on the other hand, the historian knows of no immediate justification, nor of sufficiently formidable events allowing for its predictability at a point in time when the critical moment of the former Jewish minority's assimilation was already long past. In other words, the Portuguese Inquisition was not a culmination, but a volte-face, an attempt to change the course of a foreseeable future. Far from discerning a fatality in King João III's act, we perceive it as an arbitrary determination, a coldly calculated decision, a political choice.

2. *How Was the Inquisition Introduced?*

Alexandre Herculano describes the long negotiations between king and pope that led to the establishment of the Inquisition.¹⁹ The terms of the instructions taken to Rome by the king's envoy, Brás Neto, at the beginning of 1531, left the choice of the Inquisitor General and other Inquisitors to the king. They were to be chosen either from among the clergy or the lay jurists who would to all effects and purposes have the same jurisdiction as the clergymen. Further instructions place the Inquisitors above the prelates of the dioceses and religious orders: they were to have authority to try and condemn priests without consulting the latter's respective prelates, thus insuring that bishops could not intervene in cases called before the Inquisitors. As delegates of the pope, the Inquisitors could impose excommunications and lift those

than 12 years ago" was to dissuade and detach New Christians from contact with Jews and Judaism (text first published by Fidel Fita, *Boletín de la Real Academia de la Historia*, 11, 1887, 512-520); see also Ferdinand's far more harshly worded Decree of Expulsion of the Jews from Aragon, Cataluña and Valencia (same date), in which he names Torquemada the instigator of both the Inquisition and the Expulsion of the Jews as means to purify the New Christians of Jewish influence (Archivo General de la Corona de Aragón, *Real Cancillería*, Reg. 3569 bis, ff. 129v-131, published in *Revue Historique*, 260, 1978, 85-90; *Pe'amim*, 46-47, 1991, 164-167). The work of Carlos Carrete Parrondo (*Fontes Iudaeorum Regni Castellae*, Salamanca, 1985-1987, 3 vols.) shows that practically all Inquisitorial denunciations for Judaizing (often referring to actions committed decades before the denunciation) between 1480 and 1492 were based on social and religious contacts between Christians and Jews, such as Christians attending circumcisions, weddings and synagogue services, participating at meals in huts during Tabernacles, acquiring unleavened bread during Passover, eating *adafina* in Jewish homes on the Sabbath, etc. The *procesos* we have seen spanning the period 1492-1510 are nearly all based on such denunciations harking back to the earlier era and the defendants not recent converts. From c. 1510 until the massive immigration of Portuguese New Christians beginning in 1580 most Spanish tribunals practically cease prosecuting Judaizers, and even after this date — at least until the 1630's — the latter usually make up a relatively small percentage of defendants. See however below, Chapter Nine, note 1.

¹⁹ *History of the Origin and Establishment of the Inquisition in Portugal*, Stanford, 1926, Chapters Three-Six.

imposed by the diocesan prelates. The “style” of the trials and the punishments were to be copied from those of the Spanish Inquisition. The Portuguese king insisted (against the pope’s better judgment) on withholding from the accused the names of the denunciators and, if found guilty, on the confiscation of his/her worldly goods.²⁰

The sovereign pontiff had grave misgivings about accepting these pretensions and for 27 years (from 1521 to 1548) resisted the tireless obstinacy of King João III. This long intrigue, a classic illustration of 16th-century back-room diplomacy, has all the stuff of a penny dreadful: secret agents, bribery, double dealing and knifings. But no amount of horse-trading can obscure the essential core: the opposing positions of Portugal and the Holy See. The reputation for savagery which the Spanish Inquisition had acquired all over Europe did not help King João III at a Renaissance papal Court permeated by letters and fine arts. Many of the “princes of the Church” of this period were imbued with the humanist spirit, some were profoundly pious Christians, others benignly tolerant and even skeptical. In Rome Iberian fanaticism was looked on askance, as a throw-back to barbarity. But above and beyond this cultural incompatibility, the conflict between the pope and the Portuguese king was a naked power struggle, no holds barred.

Roman public opinion suspected that João III’s purpose was to rob wealthy New Christians of their earthly possessions. Nevertheless, just one year after the Portuguese king had taken the first steps, Pope Clement VII granted him an Inquisition of sorts, but the king did not like its terms. Instead of leaving it to the king to appoint the Inquisitors, the pope was to personally name a “Commissioner of the Apostolic See and Inquisitor for Portugal and its Dominions” who could in turn appoint other Inquisitors, but would be subject to the bishops, who would also be authorized to investigate heresies. Pope Clement’s bull of December 17, 1531, named Friar Diogo da Silva, the king’s confessor, the first “Commissioner and Inquisitor.”

The bull was never applied in Portugal; Diogo da Silva, probably pressured by the king, refused the appointment. All the same, in the midst of popular unrest, a couple of Inquisitorial tribunals began to function, albeit anarchically. The bull of December 17 only served to spark scenes of violence directed against New Christians. On June 14, 1532, anticipating the pope’s authorization for a far more ruthless Inquisition, a law appeared prohibiting, on pain of death and confiscation for those over 17 and arbitrary punishment for those younger,

²⁰ See *Corpo Diplomático Português*, 2, 319-322.

New Christians in Portugal, both Portuguese and Spanish, whether original converts or their descendants, from leaving continental Portugal. Upon learning of this from New Christian representatives, the pope retreated and ordered the Inquisition suspended, alleging that the Portuguese king had deceived him by withholding information on the scandalous procedures attendant upon the General Conversion of 1497. Less than a year later, by his bull of April 7, 1533, the pope proclaimed a General Amnesty for all offenses of a Judaic nature, ordered all prisoners, whether sentenced or awaiting trial, set free and all confiscated moneys and goods restituted to them.

The death of Pope Clement on September 25, 1533 impeded the application of the bull of amnesty. His successor, Paul III, after some oscillations, ordered it put into effect (bull of October 12, 1535), also ordering pending trials quashed, confiscation suspended and all prisoners freed. Only after much arm-twisting at which his trusty brother-in-law Charles V took a turn, did King João III secure the re-establishment of the Inquisition. A bull of May 23, 1536 designated three Grand Inquisitors, including Diogo da Silva, and authorized the king to name a fourth;²¹ further stipulated that for three years the denunciators (or witnesses for the prosecution) be identified for the defendant and that for ten years the latter's goods be exempt from confiscation. The bishops would have the same powers as the Inquisitors in the appraisal of heresy. Through the intermediary of his nuncio in Lisbon, the pope reserved unto himself the right to supervise the bull's implementation; the right to examine trial records upon request and the right to reverse the Portuguese Inquisitors' decisions as a High Court of Last Appeal.

The proclamation of this bull officially launched the Inquisition in Portugal. The bull was solemnly proclaimed in Évora, where the king was then in residence. On November 18, 1536 the "Monitory" was read out, comprising a long list of heretical actions which the faithful were summoned to denounce.²²

This was still not the Inquisition the king had set his heart on. The nuncio Capodiferro had been given papal proxy to suspend the Inquisition should the clauses for the protection of the New Christians not be observed. The king tried to wrest the Inquisition from the pope's control. To this end he embroiled the nuncio in one conflict after

²¹ Of the three only D. Diogo da Silva carried out the functions of the post. The king did not name a fourth.

²² See H. P. Salomon, "The 'Monitório do Inquisidor Geral' of 1536, Background and Sources of Some 'Judaic' Customs Listed Therein," *Arquivos do Centro Cultural Português*, 17, 1982, 41-65.

another, hoping to trip him up and thus get him removed from Portugal.²³ But meanwhile he stayed put. On Friday, February 7, 1539 posters appeared on the doors of the cathedral and of other churches in Lisbon, announcing the immediate arrival of the Messiah. The Grand Inquisitor Friar Diogo da Silva wrote the king that he was inclined to consider the posters a put-up job, aimed at inciting public opinion against the New Christians.²⁴ King João III offered a reward of 10,000 cruzados for information leading to the culprit. A man, thought to be an Old Christian but later identified as a New Christian, was tortured and executed by the civil authority for posting the *affiches*. First his hands were cut off, then, still alive, he was thrown onto the pyre.²⁵ On June 10, 1539 Diogo da Silva tendered the king his resignation. Twelve days later the king named his own brother Henrique, then archbishop of Braga, Grand Inquisitor, although at 27 the appointee was under the legal age. In 1541 a tailor from Setúbal purportedly proclaimed himself Messiah. Although this act had no repercussions, the king seized upon it to convince Rome that Judaism was indeed imperiling Portugal.²⁶ Such were the parade examples of “hardened Judaizing.”

The New Christians had agents in Rome, who went all out to counteract the relentless exertions of King João III. They argued that there was no need for an Inquisition in Portugal and, were it nevertheless to be instituted, it ought to be governed by the norms of Common Law.

²³ See below, note 29.

²⁴ The “act” obviously took its cue from the celebrated *Affaire des Placards* (“The Affair of the Posters”) which had taken place in Paris during the night of Friday to Saturday, October 17-18, 1534 and initiated severe anti-Protestant repression in France. The posters, attacking the Eucharist (“the Dough God”) were stuck up on street-corners in Paris and five other cities and on the door of the king’s chamber in the castle of Amboise. Expiatory processions were organized on October 22, 23, 24; 300 persons from all walks of life were arrested; two persons were executed and burnt (November 10 and 19). See Joël Cornette, *Chronique de la France Moderne: le XVI^e Siècle*, Paris, 1995, 132-136 (including the text on the posters).

²⁵ See Herculano, *History*, 422-425, based on two manuscript letters: from Diogo da Silva to the king dated February 21, 1539 and from the king to Pedro de Mascarenhas, dated March 19, 1539, reporting the execution of the culprit. See also Lúcio de Azevedo (*História dos Cristãos-Novos*, 93) who provides the detail of cutting off the hands, but no source reference whatsoever. Maria José Pimenta Ferro Tavares (*Judaísmo e Inquisição, Estudos*, Lisbon, 1987, 164-165) gleaned from the trial record of António Luís (Inquisition of Lisbon, no. 7807, 1539) the precise date of the posters and the name of the executed culprit, Manuel da Costa. These historians do not provide the text of the *affiche*, and have obviously not located either the Inquisitorial or the civil court trial records of Manuel da Costa. The interesting trial record of António Luís was analyzed by Elias Lipiner, *O Sapateiro de Trancoso e o Alfaiate de Setúbal*, Rio de Janeiro, 1993, 233-234, 277-278.

²⁶ See Lipiner, *op. cit.*, *passim*.

Mestre Jorge Leão, a prominent physician who acted as spokesman for the New Christians, wrote on behalf of “these people” to the agent of the New Christians in Rome in December 1542, that when the General Amnesty of 1535 was declared:

they were ignorant of the ways of the Inquisition because it had as yet not been instituted, nor could they have imagined to be criminal acts that nowadays count as crimes and offenses against the Faith. Before the Inquisition’s advent, if they committed those acts at all, it was out of habit, not out of a desire to Judaize. Now that they have been informed in monitories and admonitions of their criminality, if another General Amnesty were proclaimed like the last one, it would obviate the need for an Inquisition.²⁷

As stated above, the acts punishable by the Inquisition were enunciated for the first time in the *Monitório* dated November 18, 1536, although before then, as we have also mentioned, some tribunals were already functioning.

Mestre Jorge Leão provides examples of “crimes” New Christians might commit unwittingly:

[...] take the man from Cascais who was indicted for washing a corpse and dressing it in a clean shirt and a new shroud and putting it into a newly made coffin. Does it not seem abusive to consider these things indictable acts when done by New Christians, when they are widely practiced by Old Christians all the time with impunity?

As to the tailor from Setúbal accused of propagating Judaism and proclaiming himself the “New Messiah” (Luís Dias, executed on October 23, 1541²⁸), Jorge Leão convincingly reduces the story to its true proportions. There was talk of papers sent to Rome by King João III concerning 40 adult males who had supposedly been circumcised at the behest of the “New Messiah.” In reality

not a single such case has so far been discovered, except for Francisco Mendes who confessed circumcising a son who died a few days ago, because Our Lord cannot suffer to live a person on whom so grave a misdeed was perpetrated. And this Francisco Mendes was one of four who believed in the shoemaker-Messiah [*sic*].²⁹ Are sixty-thousand souls

²⁷ See *Corpo Diplomático Português*, 5, December 1542, 158-167.

²⁸ Inquisition of Lisbon, no. 16905. Cf. Coelho, *Évora*, 197-203.

²⁹ Jorge Leão seems to be confusing the tailor from Setúbal with the messianic poet Gonçalo Anes Bandarra, known as “the shoemaker of Trancoso,” who was let off with “retracting his prophecies” at the same *auto-da-fé* at which Luís Dias was executed on October 23, 1541. See the two paleographic editions of his trial 1) by Arnaldo da Soledade (*Processo de Gonçalo Anes Bandarra*, Trancoso, 1996) and 2) by Elias Lipiner, accompanied by an extensive study and a reedition of his poetry (*Gonçalo Anes Bandarra e os Cristãos-Novos*, Trancoso, 1996). A commentary on Bandarra’s poetry was published at Paris in 1603 by João de Castro (reproduced in facsimile, Lisbon, 1942). The collected

to be condemned (or live under threat of condemnation) because of four heretics who should be punished as men of good sense turned barmy? For none but lunatics can fall for such drivel.

Most telling are Jorge Leão's unrehearsed and spontaneous sentiments in a letter (written by one New Christian to another!) sent with all possible discretion and safeguards:

We shall see, Sir, what you have to say about the Antónios and the Vazes, as well about what is in store for these people [...] As for us, we put our hope in Our Lord Jesus Christ in Whom you also say you put your hope, so that we do not fear their threats.

But if the Inquisition was inevitable, an eventuality the New Christians were resigned to, they at least wanted the guarantees of Common Law, such as: the disclosure of names of the prosecution witnesses; that testimony from persons already under arrest for Judaizing ("because they incriminate other New Christians out of fear"), from slaves and vile persons be declared invalid; that prisoners be allowed communication with their families; time limits to be set for trials; the accused be allowed to choose their own lawyers; etc. These were the proposals submitted by four New Christians confidentially consulted by King João III on how to mitigate the Inquisition's centrifugal effect on New Christians: an effect the draconian law of June 14, 1532, prohibiting their emigration, had failed to achieve. The same committee asked for the abolition of confiscations and an end to all discrimination: "let there be no law, statute or custom that makes distinctions between Christians." If this advice be put into practice, assured the four advisors, the flight of the New Christians will be halted and most of those who have settled in Castile, Galicia, Flanders, France and Italy will return.³⁰

Once the Inquisition was a *fait accompli*, all that was left the New Christians in Rome was to ensure basic Common Law standards. This was also one of the two main objectives of the Pope; the other being to keep the Portuguese Holy Office under his thumb. But the constant meddling of the papal nuncio infuriated the Portuguese Court. The

poems were published at Nantes in 1644 by the Marquis de Nisa and an enlarged edition anonymously at Barcelona in 1649. Reeditons were published and introduced by António Carlos Carvalho ("*Profecias*" do *Bandarra*, Lisbon, n.d.), Santos Costa (*Trovas do Bandarra*, Trancoso, 1989) and Aníbal Pinto de Castro (*Trovas do Bandarra*, Lisbon, 1989). See António José Saraiva, "António Vieira, Menasseh Ben Israel et le cinquième empire," *Studia Rosenthaliana*, 6, 1, 1972, 25-56: 29-30; Lipiner, *O Sapateiro de Trancoso e o Alfiate de Setúbal*, cit. *supra*; José van den Besselaar, *O Sebastianismo — História sumária*, Lisbon, 1987, 49-65.

³⁰ *Ibid.*, 1546, 105-107.

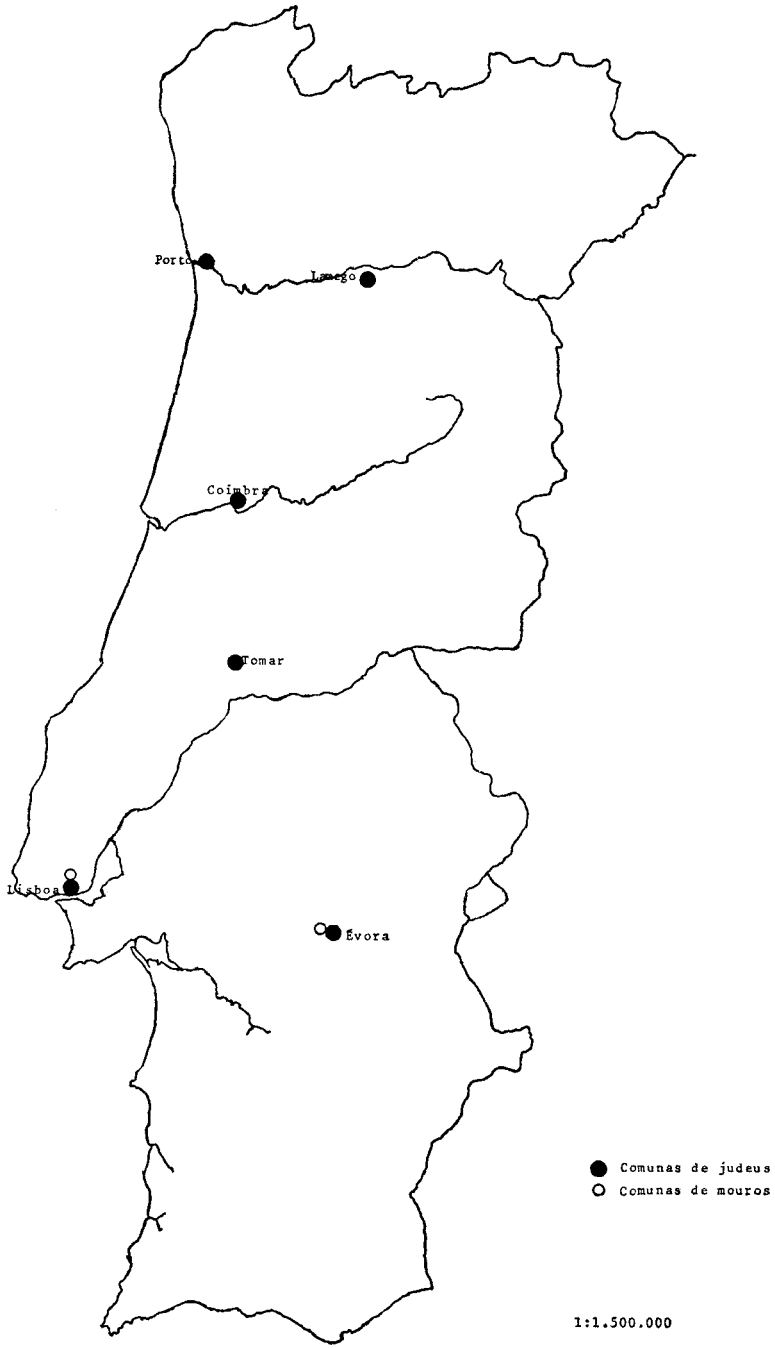


Figure 2. Inquisitional Tribunals in Portugal.

king's chief purpose in naming his brother Henrique Grand Inquisitor was to serve as a thorn in the side of the nuncio.³¹ The king got his way and Capodiferro was recalled to Rome. To compensate the New Christians for the loss of this protector, Pope Paul III on October 12, 1539 issued a bull prohibiting the use of unidentified witnesses for the prosecution and providing the defendants with other guarantees, above all the right of appeal to the pope. It also ordained that the salaries and emoluments of the Inquisitors were not to be paid from the confiscated assets of prisoners.

Like all others that favored the New Christians, this bull was never published in Portugal. The only change resulting from the nuncio's departure was to give a free hand to the Inquisitors. On September 20, 1540 the first *auto-da-fé* (including executions) was held in Lisbon; on October 23, 1541 the second (32 persons penanced, 9 persons strangled and burnt, 21 sentenced to death *in absentia*³²). By 1542-1543 *autos-da-fé* had become routine at Évora,³³ Tomar,³⁴ Lamego³⁵ and Oporto³⁶.

³¹ Cf. Herculano, *History*, p. 426: "[...] it was foreseen and calculated that there would be a conflict with the nuncio which would afford a plausible reason for his expulsion."

³² No official lists of Inquisitorial victims survive in the Portuguese archives for 1539-1544, so that the numbers of those who were penanced and executed during this period are all based on contemporary hearsay. See I.-S. Révah, "Les Marranes portugais et l'Inquisition au XVI^e siècle," *The Sephardi Heritage*, I (R. Barnett, ed.), London, 1972, 479-526 (reprinted in I. S. Révah, *Études Portugaises*, Paris, 1975, 185-229:211-212). However, detailed lists of the victims of the second *auto-da-fé* at Lisbon and of the second one at Oporto were furnished the Commission of Inquiry constituted at Antwerp on July 1, 1544. These lists (in Portuguese and French translation) are preserved at Brussels in the *Archives générales du royaume* and will shortly be published by us.

³³ No precise data is available on the first Évora *auto-da-fé* of 1542. The information provided by José Lourenço Domingues de Mendonça and António Joaquim Moreira (*História dos Principais Actos e Procedimentos da Inquisição em Portugal*, Lisbon, 1980, unnumbered 196-197: this is a reprint of a work published between 1842 and 1847), to the effect that Luís Dias, "the Messiah of Setúbal" and David Reubeni, "the Jew of the Shoe" were executed at this *auto-da-fé*, is erroneous.

³⁴ Two *autos-da-fé* were celebrated at Tomar, respectively on May 6, 1543 and June 20, 1544 (at which a woman was executed). The tribunal at Tomar was abolished by the pope at an unknown date between 1546 and 1548. A study is needed of the Tomar trial records preserved in the Torre do Tombo.

³⁵ Scant information on the Lamego tribunal may be found in Baião, *A Inquisição em Portugal e no Brasil*, 64. The Lamego tribunal was extinguished by papal decision in 1546 or 1547. Of its trial records too a study is needed.

³⁶ At its first *auto-da-fé* on February 11, 1543 4 people were executed and 59 penanced in person. A crowd of 30,000 enjoyed the spectacle. The second and last *auto-da-fé* was held at Oporto on April 27, 1544. The idea that the people of Oporto opposed the Inquisition and forced its departure is a legend. 111 *processos* of the Oporto tribunal, which was suppressed by the papal bull of July 16, 1547, are extant for the period 1541-1546 in the Torre do Tombo. The ruthlessness and iniquity of the Oporto tribunal reputedly even exceeded that of Lisbon. See Baião, *op. cit.*, 62-63; Elvira Cunha

In 1544 the Portuguese New Christian lobby presented a memorandum to Pope Paul III,³⁷ arguing that the “true Christian doctrine [...] allows the conversion of infidels only by persuasive and gentle means, inspired by Christ’s meekness, and respecting human free-will.” It censured the violently imposed conversion of the Jews during Manuel I’s reign, insisting that those newly converted and their immediate descendants should have been assisted and charitably instructed, noting that the Apostles and their successors accepted, at the cost of Christian discipline, deeply rooted customs of the newly converted, as long as they did not offend the purity of Christian doctrine: a clear reference to the so-called “Judaic customs” which the Portuguese New Christians were accused of observing and to which their spokesmen denied any intentional religious significance.³⁸ The memorandum also dwelt on the workings of the Inquisitorial tribunals:

If any of these wretches for whose salvation Christ died is denounced, sometimes by false witnesses, the Inquisitors haul him off to a dungeon whence he is unable to see the sky or the earth, or even to communicate with family or friends so that they may come to his aid. He is accused by unidentified witnesses and neither the place nor the time of the alleged crime are divulged to him. The only thing left him is to guess and if he hits upon the right name, he has the consolation that that person’s deposition does not count against him. Thus it would be more useful for him to be a sorcerer than a Christian. They choose for him a lawyer who frequently, instead of defending him, helps him from the frying-pan into the fire. If he proclaims his Christianity and consistently denies the accusations, he is condemned to garroting and the flames and his goods are confiscated. If he confesses to heretical acts, but claims to have practiced them without heretical intent, he suffers the same fate, on the sham count of dissimulating his heresy. If he frankly confesses everything of which he is accused, they reduce him to the direst poverty and lock him up for life. This they call ‘using mercy with the culprit.’ He who succeeds

de Azevedo Mea, “A Inquisição do Porto,” *Revista de História*, 2, 1979, 5-17 (off-print); Hermínia Vasconcelos Vilar, “A Inquisição do Porto,” *Revista de História Económica e Social*, 21, 1987, 29-46.

³⁷ See A. Herculano, *History of the Inquisition in Portugal*, New York, 1972, 344-346. Herculano identifies the statement as an attachment to the memorandum of 1544 (p. 212, n. 31), yet erroneously supposes it to have been presented to Pope Clement VII who died on September 25, 1534, at least two years before the Inquisition opened shop in Portugal.

³⁸ They include abstaining from wearing amulets, bracelets and other silver or gold ornaments bearing images of saints, crosses, shells or staffs of Santiago; failure to take missals to mass and to use rosaries; absence from mass; failure to take part in processions and pilgrimages or to order masses and trentals; failure to give their alms in the name of the Virgin Mary; the practice of burying their dead separately, each body in its own sepulcher, contrary to the general custom of making the same sepulcher serve for relatives by blood or marriage. See Herculano, *History*, 290.

in irrefutably proving his innocence is, in any case, fined so that it may not be said that he was arrested without cause. Hardly need it be mentioned that the prisoners are constrained by every manner of torture to confess whatever delicts are attributed to them. Many die in prison and even those who are freed are forever dishonored, they and their family branded with perpetual infamy. In sum, the abuses committed by the Portuguese Inquisitors are such that anyone aware of the true nature of Christianity may conclude that they are ministers of Satan, not of Christ.

Ascertaining that the Inquisitors are acting, not as pastors of their New Christian flock, but as robbers and mercenaries [*sic*], Pope Clement VII (1523-1534) (the document goes on to say), “following the example of Christ, whose distinctive trait is to have pity and forgive, has not merely ordered the Inquisition suspended but also, as a form of reparations for the harm he has unwittingly inflicted on the victims, desires to present them with an amnesty.” By doing so (notes the document), the Pontiff was merely prolonging the privileges and exemptions granted the New Christians by King Manuel.

This document, which epitomizes the accusations to be leveled perennially at the Portuguese Inquisition shows up João III’s motivations for what they were. The official position of the Holy See was that true and correctly interpreted Christianity was obliged to defend and protect the New Christians, helpless victims of a barbarous tyranny. Unable to intervene, Pope Paul III (1534-1549) took the radical step of ordering the Portuguese Inquisition “suspended” by his brief of September 22, 1544. He took the precaution of having the brief secretly brought to Lisbon by a new nuncio who published it upon his arrival.

Now King João III staked his all. He demanded from the pope the revocation of the suspension order and the reestablishment of the Inquisition with unlimited powers. He did not stop short of a thinly veiled threat. João III insinuated in his letter that he would formally disobey the pope and break away from the Church of Rome. He was following the advice given him nine years earlier, in 1535, by two of his envoys to the Holy See, to follow the example of King Henry VIII of England. If it boiled down to giving up the kind of Inquisition he wanted or defying papal authority to set up a tribunal molded to his specifications and his tool, the Portuguese king was prepared to stick out his neck:

If Your Holiness does not provide for this, as you are obliged and I expect you to do, I shall see no other way out but to remedy this, confident that not only will Your Holiness exonerate me, but the monarchs

and Christian faithful who will know what transpired will realize that I was not the cause nor did I give occasion for it.³⁹

The position of the pope in this matter of the Portuguese Inquisition was seriously weakened by the fact that in 1542 he himself had launched an Inquisition in Rome. Intransigent reactionaries had displaced from the Pontifical Court the humanist spirit of Pope Clement VII and his bull of General Amnesty. Ignatius of Loyola and his Jesuit order (founded in 1534) threw their weight behind the king. There was also constant pressure from the Emperor Charles V and Pope Paul III could not afford to ignore the doughty delegates of the Council of Trent (1545-1563) which was just then getting under way. Staging a strategic retreat, the pope finally acceded to the basic points of the Portuguese king's demands in the bull of July 16, 1547, which named Cardinal Infante Henrique Inquisitor General, ordered the Inquisitorial norms to be applied rather than those of Common Law and withdrew from the nuncios their authority over the Inquisitors' jurisdiction. Simultaneously, however, the pope promulgated a bull granting amnesty (with numerous restrictions) and dissolved the violent short-lived Inquisitorial Tribunal of Oporto. An appended brief ordered confiscation suspended for ten years and another brief ordered suspended the "handing over of condemned prisoners to the

³⁹ The altercation between the Portuguese King João III and Pope Paul III in 1544 is almost a repeat performance (short of the threat of schism) of the one between João III's grandfather King Ferdinand of Aragon and Pope Sixtus IV in 1482. Ferdinand was bent upon transforming the Aragonese Inquisition into a royal tool with unlimited powers, on the Castilian model. On April 18, 1482 Sixtus proclaimed a bull in which he declared that the "new" Aragonese Inquisition was moved by cupidity rather than by zeal; that faithful Christians had been condemned, tortured and executed, their property confiscated at the time of arrest, on the evidence of slaves, enemies and unfit witnesses; that henceforth names and evidence of denunciators and witnesses should be divulged to the accused, who should be allowed proper legal counsel; that defendants should be allowed appeal to the Holy See; that those who freely confessed heresy should be given absolution, secret penance and guaranteed from future prosecution or any form of molestation; all under pain of excommunication. Without awaiting publication of the bull, on May 13 Ferdinand addressed to the pope a haughty and disrespectful letter, stating that the pope, "yielding to the cunning persuasions of the New Christians," was acting against the cause of Catholicism; that he, the king, would not allow the bull to take effect and enjoined the pope to revoke it; that he, the king, was to have sole management of the Aragonese Inquisition, including the appointment of the Inquisitors. Five months later, on October 9, Sixtus replied that he was open to accommodation and was suspending the bull of April 18. Documentation for the subsequent negotiations are missing but on October 17, 1483 the agreement between king and pope was ratified by a bull appointing Torquemada, the Inquisitor General of Castile, Inquisitor of Aragon, Valencia and Catalonia. See Henry Charles Lea, *History of the Inquisition in Spain*, Philadelphia, 1906, 1, 233-239, 587-590. For all the texts see *Miscellanea Historiae Pontificiae*, 15, 1949, 66-77.

secular arm” (*i.e.*, execution by strangling and subsequent burning). In yet one more brief the pope made certain recommendations with a view to moderating the foreseeable excesses of the Portuguese tribunal and permitting the emigration of New Christians.

Toing and froing of the Holy See had not come to a stop. Just before dying, Pope Paul III promulgated one more brief (January 8, 1549) outlawing the concealment from the defendant of the identity of witnesses for the prosecution. This brief was probably never applied in Portugal, but it obliged the king to undertake new steps in Rome. In 1560 it was annulled through the efforts of Lourenço Pires de Távora, then Portuguese ambassador to the Holy See.

Paradoxically this very diplomat, capitalizing on his success in the matter of the brief, attached to its annulment a rider in the form of a letter to Cardinal Henrique, then Regent as well as Inquisitor General, warning him against the dangers of unidentified witnesses (emphasis supplied):

I believe that any moderation in the application of the rules of Justice in the case of delicts by New Christians will be pleasing to God and to the cause of humanity. Very little trickery and effort are needed to have them all burnt if vigilance is not exercised to protect and defend them from false accusations. This, Your Highness, is your responsibility, because, *considering how hated they are [...] true Justice can run great risks* if the names of their denouncers are not revealed to them, since the accused cannot easily contradict accusations made by unidentified persons nor answer to hidden hostilities and occult matters. Wherefore it behooves Your Highness to always exercise great prudence.⁴⁰

In another letter on the subject, the same ambassador adds (emphasis supplied):

as regards the shortcomings of the New Christians it is incumbent to proceed with equity and mercy conjointly [...] for after all they are only human and their wrong-headedness is limited to those of the Nation [*i.e.*, of Jewish extraction], *who have already become few in number*, so that the falling of their doctrine into oblivion is just a matter of time which, along with the fear of punishment, will transform them into good Christians.⁴¹

The real danger to Portuguese society, notes the ambassador, is not “Judaizing,” but Protestantism: in respect to that aberration “we should certainly proceed rigorously and mercilessly.” These words of the Portuguese ambassador in Rome show that during the 16th century there were well-informed people who did not consider Inquisitorial

⁴⁰ *Corpo Diplomático Português*, 8, 476-477 (letter dated May 12, 1560).

⁴¹ *Ibid.*, 310 (letter dated January 18, 1560).

justice infallible. But Távora's advice might have been relevant if the function of the Inquisitors and of the Inquisition had really been to stamp out Judaism which, as Távora notes, was well-nigh moribund by the time the Inquisition came upon the scene.

CHAPTER THREE

THE PORTUGUESE INQUISITORIAL TRIAL

Modern historians dealing with “crypto-Judaism” seem to treat as axiomatic the impartiality of Inquisitorial justice. Consequently they also accept its findings as proven beyond reasonable doubt (unless counterproved). So, for instance, if an Inquisitorial court condemned a defendant as a “Judaizer,” these historians will accept unquestioningly that the accused did, indeed, “Judaize.” But the assumption is rash because the Inquisitorial trial was secret, without appeal and, as we shall see, the Inquisitors had practically absolute discretion to condemn or absolve. Moreover, the Tribunal of the Holy Office, which lived off the property confiscated from the defendants, had a vested interest in establishing the magnitude of any given heresy and the imperative and invaluable service that it, the Inquisition, was rendering Christendom. We would therefore argue that the Inquisitors — besides being human beings subject to human foibles,¹ partisans in the struggles between clans, castes and classes — were administering a formalized justice whose goals were incompatible with impartiality. If you like, the partiality of the Tribunal of the Holy Office was institutionalized. Its judicial rules were geared to produce results other than the objective truth about the accused. Hence, a modern scholar wishing to evaluate the quotient of truth in the Inquisitorial sentences must study not only the raw material of testimonies and confessions, but the rules and formulae of the trial.

A careful reading of the Codes of Procedural Rules of the Portuguese Inquisition (*Regimentos*) is a good enough place to start. There are three *Regimentos* of the Portuguese Inquisition which precede the “reformed” one (1774) sponsored by the Marquis of Pombal (1699-1782).² All four have been published, but not given the attention they

¹ *Pace* the Inquisitor Friar António de Sousa writing in 1624: “In this holy tribunal we are concerned with unearthing the truth with the utmost care and diligence so that to the extent that human judgments can be free of error, here we find pure truth. It is an angelic tribunal devoid of passions and of regard for human considerations and it is with our eyes fixed on God and on the weal of the Faith that its affairs are conducted.” See *Sermão que o Padre Mestre Frei Antonio de Sousa [...] pregou no Auto da Fé que se celebrou na mesma Cidade, Domingo cinco de Mayo do Anno de 1624*, Lisbon, 1624, 14. The sermon was reproduced by António José Teixeira, *António Homem e a Inquisição*, Coimbra, 1895, 261-294: 290.

² *Regimento do Santo Offício da Inquisição dos Reinos de Portugal Ordenado [...] pelo [...] Cardeal Da Cunha [...]*, Lisbon, 1774. Reprinted in modern spelling by Raul Rego, Lisbon,

deserve. The first,³ redacted at the behest of Cardinal Inquisitor D. Henrique, dates from August 3, 1552 and was available only in manuscript until 1907.⁴ The second was published in 1613, by order of the Inquisitor General Dom Pedro de Castilho.⁵ The third was published in 1640, sponsored by Inquisitor General Dom Francisco de Castro.⁶ The last of these three is a thick quarto compilation of all the Inquisitorial legislation closely resembling, in their presentation, the Legal Codes (*Ordenações*) of Portugal.⁷ Also it systematically reviews the successive laws, jurisprudence, orders and praxes or “styles” which, in the course of time came to define the physiognomy of the Tribunal. We shall now follow the Inquisitorial trial as it unfolds in the pages of the 1640 *Regimento*.⁸

One cannot say if the Portuguese was modeled on the Spanish Inquisition or adapted directly from the medieval Inquisition, since, apart from Torquemada’s rudimentary “Instructions” (published 1484, 1485, 1493, 1498), followed by Deza’s (1500, 1504) the Spanish Inquisition produced no systematic procedural treatises.⁹ The oldest

1971. A complete English translation was made and published by Hippolyto Joseph da Costa Pereira Furtado de Mendonça: *A Narrative of the Persecution*, etc., 2 vols., London, 1811, 1, 171-344.

³ Actually there was an earlier *Regimento*, consisting of a brief “instruction” dated September 5, 1541, published by I. S. Révah in 1966: “L’installation de l’Inquisition à Coimbra en 1541 et le premier règlement du Saint-Office portugais,” *Bulletin des Études portugaises*, 27, 1966, 47-88, reprinted in *id.*, *Études Portugaises*, Paris, 1975, 121-153: 141-145.

⁴ It was published by A. Baião in the *Arquivo Historico Portuguez*, 5, 1905, 272-298, reprinted in *id.*, *A Inquisição em Portugal e no Brazil*, Lisbon, 1906, *Documentos*, 31-57.

⁵ *Regimento do Santo Officio da Inquyisicam dos Reynos de Portugal, Recopilado por Mandado do Illustrissimo & Reverendissimo Senhor Dom Pedro de Castilho, Bispo Inquisidor Geral & Visorey dos Reynos de Portugal, Impresso na Inquisição de Lisboa por Pedro Crasbeeck, Anno da Encarnação do Senhor de 1613* (reproduced in *extenso* by José Justino de Andrade e Silva, *Collecção chronológica da legislação portugueza*, 2, Lisbon, 1855, 23-64).

⁶ *Regimento do Santo Officio da Inquisição dos Reynos de Portugal, Ordenado por Mandado do Illustrissimo e Reverendissimo Snor Bispo Dom Francisco de Castro, Inquisidor Geral do Conselho d’Estado*, Lisbon, 1640 (reproduced in *extenso* by Andrade e Silva, *op. cit.*, 3, Lisbon, 1856, 251-375). Francisco de Castro’s prologue is dated October 22, 1640, just five weeks before the restoration of Portugal’s independence. Its complete English translation by Hippolyto Joseph da Costa Pereira Furtado de Mendonça was published in London in 1811. See *op. cit.*, *supra*, n. 2, vol. 2, xxiii-xxviii, 1-338.

⁷ The *Ordenações* are the three successive and exhaustive codes of Portuguese Laws redacted respectively during the reigns of Afonso V (*Afonsinas*, published during the 18th century), Manuel I (*Manuelinas*, the most original and elaborate, published in 1521) Philip I (*Filipinas*, adaptation of the *Manuelinas*, published in 1603).

⁸ An exhaustive comparison between this and the earlier *Regimentos* is a desideratum.

⁹ See Miguel Jiménez Monteserín, *Introducción a la Inquisición española*, *Documentos básicos*, Madrid, 1980, 82-137. There are two indications of direct borrowing from Spanish practices. In 1524 João III contacted the Inquisitorial authorities at Las Palmas, Canary Islands, for information on how to organize an Inquisition (see Herculano,

published systematic handbook of medieval Inquisitorial procedure, entitled *Directorium Inquisitorum*, by the Aragonese Inquisitor Nicolas Eymerich (1320-1399) was printed for the first time at Barcelona in 1503 and reprinted at Rome in 1578 with a running commentary by the Spanish Dominican Francisco Peña (1540-1612).¹⁰ The 1640 *Regimento* prescribes that each Portuguese Tribunal should be provided with a Bible, a compendium of canon and civil law, the *Directorium Inquisitorum* and the *De Catholicis institutionibus* by Diego de Simancas (Book 1, title 2, § 9).

As described by Eymerich, the medieval Inquisitorial trial dispensed with the safeguards of contemporary common law and earlier ecclesiastical justice. All testimony was acceptable, provided it was hostile to the defendant, including that of convicted criminals, excommunicates, other heretics, children, servants, slaves and spies. Hearsay might count as evidence *faute de mieux*. Upon arrest by the Inquisition a person was presumed to be guilty and his possessions subject to immediate confiscation. Once arrested, there could be no question of innocence. Cells were to be poky, gloomy and incommensurable. The goal of the Inquisitors was to elicit a confession — a goal so pious that it justified every means. The proceedings were secret and the prisoner kept in ignorance of the exact charges and of the evidence. The defendant was assigned a lawyer but this pettifogger's brief was merely to convince him to confess and repent and to petition the Inquisitors for an adequate penance. Sham sympathizers were to be let into his dungeon, that by affected friendship they might entrap the prisoner into unwary admission. The Inquisitors were to bamboozle the prisoner by confronting him with spurious testimony acquired against him from suppositious witnesses. No tricks or guile were to be spared in eroding the caution and resolve of a prisoner

History, 287); Pero Álvares in a 1541 letter addressed to Grand Inquisitor Dom Henrique (included in Álvares' trial record, Inquisition of Évora, no. 8628, [cf. Elias Lipiner, *Os baptizados em pé*, 256]) recalls that Inquisitor João de Melo had sent to Valladolid for a Spanish Inquisitorial rule book.

¹⁰ An abridged French translation of this closely printed compendium (744 + 240 pp.) appeared in 1762 (*Manuel des Inquisiteurs à l'usage de l'Inquisition d'Espagne et du Portugal*, Lisbonne [= Paris]) and another in 1973 (*Le manuel des inquisiteurs*, introduced and annotated by Louis Sala-Molins, Paris, critically reviewed by Agostino Borromeo, "A proposito del *Directorium Inquisitorum* di Nicolas Eymerich e delle sue edizioni cinquecentesque," *Critica Storica*, 20, 4, 1983, 499-547: 524-547). While there is no comparable English translation, the section on Inquisitorial practice in Henry Charles Lea's, *The Inquisition of the Middle Ages* (New York, 1887; separately published with an historical introduction by Walter Ullmann: *The Inquisition of the Middle Ages, Its Organization and Practice*, London, 1963) incorporates the essential features of Eymerich and Peña.

denying the charges. The papacy of Innocent IV (1243-1254) had already seen the introduction of the rack and strappado. These were now to be recommended as helpful adjuvants to solitude, darkness and terror in inducing the crucial confession of heresy. The prisoner was to have no recourse to a higher court. His conviction was to adversely affect the reputation and career opportunities of his born and unborn descendants. Executions were to be public and carried out by the secular arm. If after all the terror and torture still no confession is forthcoming, the prisoner might be released for lack of proof, but never acquitted, always remaining subject to new arrest on the same charges.¹¹

The spirit (and often the letter) of the *Directorium Inquisitorum* pervades Portuguese Inquisitorial practice, as described in the 1640 *Regimento*. Divergences are mostly adaptations to Portuguese conditions and in no way due to a movement away from arbitrariness or tyranny. Thus, while it is the Portuguese Inquisitorial trial we are looking at through the prism of the 1640 *Regimento*, we are simultaneously watching a 13th-century French Inquisitorial trial. The difference is of course the heresy they are going after. Originally it was Albigensian, now Judaizing. That is worth remembering as we proceed to work our way through the *Regimento*.

Like any and every trial, the Inquisitorial proceedings involve various stages: the interrogations of the defendant and of the witnesses; the presentation of the bill of indictment based on denunciations and the defendant's depositions; the defense, when the defendant is given the chance to "contradict," *i.e.*, to impugn the prosecution's witnesses; the elaboration of the judgment. The final sentence was decided by majority vote at the *mesa* (literally "table": the administrative chamber; we shall use the term "Desk") of the Inquisition. Specific to the Inquisitorial trial is the judges' reiterated solicitation of the defendant's confession of guilt, which is assumed throughout, and constant reminders of the secrecy in which all phases of the trial were hulled.

1. *The denunciations*

By decree of the Edict of Faith, annually published on the first Sunday of Lent, the faithful were obliged on pain of major excommunication to apprise the Inquisitors of whatever "they know or have heard of any baptized Christian who said or did any of the things listed in the

¹¹ See Eymerich *op. cit.*, passim; Ullmann, *op. cit.*; Henry Charles Lea, *Superstition and Force*, New York, 1870², 376.

Edict.” These denunciations, along with the confessions, are the gravamen of the prosecution’s case:

Seeing that denunciation is one of the principal available means for proceeding at law against the guilty parties, the Inquisitors without further ado will hear the persons who come to denounce at the Desk of the Holy Office and will personally take down their denunciations (II, 3, § 1).

Anyone privy to another’s heresy or related crime who failed to come forward and make the obligatory denunciation was liable not merely to excommunication *ipso facto incurrenda* (i.e., automatic), as stated in the Edict of Faith, but even to prosecution as a “promoter of heresy” (III, 9, § 4).

If the denunciator named other potential denunciators, these would be summoned and interrogated on the “substance of the original denunciation.” The interrogator would omit names of persons or places. Should these new “witnesses to heretical words or acts” not produce the deposition expected of them,

they will be told that at the Desk of the Holy Office there is information to the effect that they know or are aware of the things about which they are being questioned and that they should try to discharge their consciences (II, 3, § 3).

As stated above, all denunciations were accepted by the Inquisition, regardless of the denouncer’s reputation or standing. This is one of the ways the Inquisitorial trial diverges from its common law counterpart, which did not accept declarations by slaves, excommunicates, common law criminals or blackguards. The Inquisition even took action on denunciations contained in anonymous letters “if the case was of a nature that such action seems suitable to the service of God and the weal of the Faith” (II, 3, § 6). Moreover, the credit to be given a witness depended solely on the Inquisitors’ discretion. According to the *Regimento* (II, 9, § 7) for a questionable witness “not to be discounted” the positive votes of three Inquisitors out of five in the General Council¹² sufficed, even when legitimate doubt persisted. By this practical application of the casuistic system of “probabilism,” a deposition recognized as suspect became perfectly valid. As to denunciators who reverse themselves or retract, since all Inquisitorial denunciations are made under oath the retraction does not annul their testimony if, by majority vote, the Inquisitors decide to maintain the credit of the revoked deposition.

¹² Assessors to the Inquisitor General, constituting under him, or in his absence, the ruling body of the Inquisition.

If, in the course of the trial, a presumption of untruthfulness should arise concerning a deposition, the witness would be re-interrogated. But this new interrogation consisted only of the Inquisitors' asking the witness whether he recalled his earlier deposition and whether he confirmed or retracted it. If the witness had forgotten, the Inquisitors had the deposition in question read to him and had him reminded of the name of the denounced party (II, 11, § 4). The witness would now have the option of revoking the deposition, subjecting himself thereby to punishment for perjury (since the deposition was made under oath) or even as a fomentor of heresy; or of confirming the same deposition about the truth of which doubts had arisen. The Tribunal's antipathy to revocation of accusatory depositions is attested in the Latin Treatise on Inquisitorial Law by the Inquisitor Friar António de Sousa, published under the title *Aphorismi Inquisitorum* (Lisbon, 1630¹³):

If the accuser of a crime of heresy wishes to withdraw his accusation, he will not be readily heard (II, 2, 9).

Thus the acceptance of denunciations at the Desk was facilitated, while denouncers who wished to recant had obstacles put in their way.

A type of witness frequently mentioned in the *Regimento* are the jailers and especially the head-jailer of the prison. The latter with his guards was charged with keeping a beady eye on the prisoners' doings inside their cells:

and they shall be particularly watchful as to whether the prisoners eat what they are given and from what foods they desist and on what days; anything the guards report on these matters must be swiftly transmitted to the Desk (I, 14, § 16).

This vigilance was to be kept up day and night, parts of the prison, designated by the jailer, to remain illuminated (I, 14, § 21). As may be gathered from the *Regimento's* repeated references to them, denunciations made by one prisoner squealing on another were particularly welcome.

Prisoners might not merely be questioned about their accomplices, but could be put to the torture, to help them disgorge new information and names. The announcement of the torture and its purpose would have to be made to them. This was called "torture *in caput alienum*" (II, 14, § 13).

¹³ Second edition, Tournon, 1633; third edition, Bergamo, 1639; fourth edition (revised), Lyons, 1669; fifth edition (revised), Lyons, 1669. It is perhaps significant that no comparable treatise was produced in Spain.

As to the kind of crimes the Portuguese Inquisition was interested to hear about, they consisted primarily of “Judaic” acts, practices, habits, sayings, all of which will be examined in detail when we discuss the Edict of Faith. It is important to repeat here, however, that the Tribunal of the Holy Office accepted not just witnesses after the fact but “hearsay” denunciations as well; even mere hunches and presumptions. The Edict of Faith ordered the faithful to denounce to the Inquisition not only what they “knew” but also the product of the “grapevine.” The latter denunciations are, however, classified “from hearsay” (II, 3, § 6). As to denunciations consisting of “hunches,” not only were they considered valid but they were included in the Prosecutor’s Bill of Indictment:

when certain witnesses have not testified to formal heresy but rather to hunches and presumptions, [the Prosecutor] will follow up his articles of witnessed actions with another article in which he shall state that there is a legally justified presumption that the accused committed such and such an heresy [...] (II, 6, § 8).

In sum, everything entered the archives of the Holy Office and anything in any degree incriminating was grist to the Inquisitorial mill: depositions of legally disqualified persons; depositions of dubious credit or palpably far-fetched; denunciations by jailers; denunciations made in prison; denunciations extracted under torture; denunciations by anonymous letters; denunciations based on hearsay or mere supposition. Nothing was beneath consideration and at the Inquisitors’ exalted discretion any deposition could be accepted or disallowed.

On the basis of the denunciations the arrests were made. For arrests a written warrant was required which, in principle, could be served only if there were more than one denunciator (II, 4, § 9). But a single denunciator sufficed, according to the same paragraph, if he or she was the spouse or a close relative of the person denounced or if the General Council, having taken cognizance of the Inquisitors’ information, would thus order. In practice, as we shall later see, such formalities were not always respected.

2. *The Interrogation*

The arrest was carried out by the *meirinho* (bailiff) (I, 13) and/or by the *familiares* (lay officers of the Inquisition, scattered around the country) (I, 21), who accompanied the prisoner to one of continental Portugal’s three Inquisitorial tribunals (Lisbon, Évora, Coimbra). Having arrived at the Desk of the Holy Office, the prisoner would be searched,

relieved of all valuables in his possession (of which an inventory would be made that would form the beginning of his trial record) and urged to “discharge his conscience” (II, 4, § 9). In prison, as we have already seen, he would be under close scrutiny. Conditions within the prison are not described in the *Regimentos*. But we get some inkling of the prisoners’ isolation from the fact that they were forbidden to attend mass, go to confess or take communion. I, 2, § 28 expressly prohibits giving prisoners a confessor except they are at death’s door. Only those rare prisoners who were not under the accusation of heresy had the right to go to confession once a year. In the earlier mentioned treatise on Inquisitorial jurisprudence by Inquisitor Friar António de Sousa we read that anybody who visits, brings food or money or gives any other succor to persons on trial for heresy is placed on the same footing as a promoter of heresy (I, 24, § 12). *Regimento* II, 17 deals with “prisoners who lose their minds in prison” and cautions Inquisitors against feigned insanity.

The interrogation followed the principle that it was up to the prisoner to spontaneously declare his offenses against the Faith. The grounds for his imprisonment were not revealed to him although the New Christian defendant in a Portuguese trial would of course know it was related to “Judaism.” Three sessions of interrogations are prescribed by *Regimento* II, 6. The first was “genealogy,” the second *in genere* (“generalities”), the third *in specie* (“specifics”). At the beginning of all three, says § 1:

the accused is made to swear he will tell the truth and keep the proceedings secret; he will then be asked if he had reflected on his offenses and whether he wished to confess them *to discharge his conscience and to obtain speedy release*; if he is a relapse or on trial for homosexual practices, *to discharge his conscience and secure salvation for his soul*.

The difference of the formulae is explained by the rule that homosexuals and “relapsed heretics” (*i.e.*, backsliders) were theoretically (though not always in practice) condemned to death if the offenses were proven even if they confessed them.

At the genealogy session, ten days after the arrest, the accused, duly identified as a New Christian:

was asked his name, age, profession, livelihood, place of birth, residence, names and ages of parents, grandparents, uncles, aunts, siblings; marital status of all the above; names and ages of spouses, children, grandchildren, deceased relatives; whether he practiced his Catholic religious duties; whether at any time in the past he, his parents or relatives had been arrested by the Inquisition; about his education, travel to foreign countries (II, 6, § 2).

Then the prisoner — “even the well-educated” — would be asked to recite the Our Father, Hail Mary, Credo, Salve Regina, the Ten Commandments, the Commandments of the Church. Next he was to be questioned as to whether:

he knows or can guess the reason why he has been arrested by the Holy Office; and if he says ‘no’ and declares his presumption that he was falsely denounced by some enemy or enemies, a first admonishment in the form and style of the Holy Office will be made to him. He will be told that he has been arrested for offenses which concern the Holy Office, without specification. At the end of the session the Inquisitor will repeat his admonishment to the prisoner, that he is to ponder his offenses and attempt to confess them. In witness whereof the notary is to sign.

A month or so into his imprisonment followed the session *in genere* (II, 6, § 4), that delved into beliefs and ceremonies of his heresy. “And in this session questions will be asked pertaining to the type of devotions and ceremonies of the Law or sect which he is accused of practicing.” If the accused answered negatively the first question as to whether he believed in the Law of Moses, the Inquisitor was to continue asking whether he observed the Jewish fast-days, abstained from pork, from working on Saturday, etc., exhausting the Inquisitorial list of Mosaic rites (which, in point of fact, only vaguely corresponded with the actual precepts of the Law of Moses). At the end of this session “the prisoner will be admonished a second time” to confess his offenses.

The third session, *in specie*, “as soon as possible” after the second (unless the Inquisitors decided to delay it) finally dealt with the declarations of the denunciators:

During this session [the defendants] shall be questioned in particular concerning the declarations of the witnesses for the prosecution, in the very form in which they were made; any particular circumstance that would identify the witness is withheld; and as many questions will be put to the defendants as there are witnesses against them, unless any given witnesses’ testimonies are absolutely identical, in which case one question will be made out of two testimonies (II, 6, § 6).

If two witnesses recounted the same incident differently, there would be two questions. Thus, in practice, there would be as many questions as witnesses and not as many questions as criminal acts imputed to the defendant. But if there were few witnesses the *Regimento* ordains a deft multiplication device:

When there is little proof against the defendant, if the depositions involve a variety of ceremonies or repeated actions, then one can produce from each witness more than one question, dividing up the deposition to the extent that its contents permits (II, 6, § 7).

In other words, the denunciations were carved up into component parts so as to deceive the defendant into thinking them more numerous than they actually were.

Following his third interrogation the prisoner would be admonished a third time and immediately thereupon the *promotor* (prosecutor) would enumerate the accusations in the terms we shall see.

The *Regimento* treats not only of the general norms of the interrogation but also of how the confessions worked: “the confessions of those accused of heresy are their only hope to merit merciful treatment and they are the Holy Office’s invaluable source for names of new suspects” (II, 7, § 1). The idea is that the confessions were to include the maximum number of denunciations, making dependent upon these the greater or lesser degree of “mercy” for the defendants. It is within this criterion that § 3 of the same title says that the Inquisitors who receive the confessions (II, 7, § 3):

will order the prisoner first of all to identify the person or persons who taught him the errors he is confessing, the time and location of their teaching, the persons who were present, all with utmost precision.

§ 5 dwells on this “precision”: the identification, genealogy, residence, etc. of the persons with whom the defendant communicated. In § 8 we read:

And after the prisoner says that he has nothing more to confess, he will be told that he has taken an excellent decision by beginning to confess his offenses, that it behooves him to jog his memory further and to declare the entire truth about all the persons in the heresy with him, because by doing so he will save his soul and will enable [the Inquisitors] to be merciful towards him.

The defendant would be recalled to the Desk after his confession, whether or not the Inquisitors considered it satisfactory. The genealogy session will then take place and

he will be given the first admonishment [...] warning him that the confession he has made does not satisfy the information at hand concerning his offenses and he is encouraged to elaborate (II, 7, § 10).

Even when the confession corresponds exactly to what was contained in the denunciations:

he will only be told to examine his conscience and if he finds it charged with anything more, to come and unburden it, resting assured that much mercy will be shown him.

The ambiguity of this formula was designed to disorient the defendant by making him believe the Inquisitors know something more than what was told them in the confession.

If the *diminuto* defendant (*i.e.*, whose confession the Inquisitors considered inadequate because it did not correspond to the denunciations) added nothing to what he had so far confessed, he would again be called to the Desk to be advised of improbabilities or contradictions in his declarations:

admonishing him on behalf of Christ Our Lord, to confess the whole truth and rectify the deficiencies of his earlier confession, if he was to be worthy of the mercy that he craves (II, 7, § 12).

If no further confession was forthcoming, he was to be submitted anew to an interrogation *in specie*, concerning the denunciations not covered by his confession. If this interrogation was still unsatisfactory, he would be admonished for the third time and warned that this was the last. Then followed the prosecutor's bill of indictment.

3. *Torture*

The interrogations were sometimes followed by a torture session. *Regimento* II, 14, 1 is headed: "How one is to proceed with defendants that are to be put to the torture and how it is to be effectuated," but an earlier paragraph (II, 13 § 13) states:

when the decision is taken that the defendant be put to the torture, either because the crime has not been proven or because his confession is incomplete [...].

In other words, the defendant against whom there was no proof as well as the *diminuto* might be submitted to torture. But this rule was contingent, because its application had to be decided by majority vote of the tribunal. As we shall see further on, torture was not applied to every defendant against whom there was no evidence. Torture was surrounded by a quintessentially Inquisitorial solemnity. The interrogating Inquisitor had at his side another member of the staff (an Inquisitor or a deputy) and a representative of the diocese ("*ordinário*" = regular priest) and he was assisted by a notary.

The ceremony in the torture chamber began with the usual oath by the defendant, followed by the admonishment:

considering the place he was in and the apparatus displayed all around he could perhaps understand what awaited him. If it is something he wants to be spared, he is being once again admonished with much charity on behalf of Christ Our Lord to confess willingly his offenses. Through this confession he may attain the mercy which this Desk vouchsafes all good and true confessors.

After this the defendant is tied to the instruments of torture. But before the torture:

the notary in the name of the Inquisitors and the other officials involved with his trial, will make a protestation that if the accused should die during the torture, break a limb or lose consciousness, the blame will be his and his alone, because he voluntarily exposed himself to this danger which he could have avoided by confessing his offenses. Absolved of all blame are therefore the ministers of the Holy Office who, administering justice according to the merits of the case, decided to apply torture (II, 14, § 5).

The next paragraph stipulates that the torture will be either *polé* (“strappado,” or pulley on which the prisoner would be attached by rope, hoisted and dropped) or *potro* (“the rack”: a kind of bench or lathe-bed, into which the victim was fastened and had his members squeezed by means of cords which would be tightened with a crank). The *potro* was only used for defendants whose poor health made the *polé* too risky a proposition. Women, “because of great solicitude for their modesty,” only *polé* was appropriate for them. The same article of the *Regimento* goes on to stipulate that prisoners may not appear at *autos-da-fé* “showing signs of torture.” It therefore recommends using only the *potro* during the fortnight preceding the *auto-da-fé*. It was easier to break or dislocate joints or bones during strappado.

If the defendant decided to make a clean breast, either before or during the torture session, he was immediately “heard” in whatever position he found himself, without his bonds being loosened; the sole exception would be if he had been hoisted to the ceiling by the rope of the *polé*, he would be lowered to the floor. However, if the declarations did not satisfy the Inquisitors, the torture would continue without interruption (II, 14, § 7).

The *Regimento* deserves to be attentively read if we are to correctly interpret the trials. We are now at the point where the defendants have made a confession under torture. This would be recorded by the notary and presented to the defendant 24 hours later for his signature. He would be asked “whether what he then said was the truth and if so whether he is ready to reaffirm it without fear, force or violence” (II, 14, § 9). If the defendant declines to sign he is submitted anew to the torture and if after repeating his previous confessions he once again balks when told to sign, then he becomes a *diminuto* or *negativo*, both of which implied the death penalty (II, 14, § 11). Yet in III, 5, § 1, we read that if the defendant after three separate torture sessions each time revoked his confessions before 24 hours had elapsed, he was “merely” condemned to flogging and the galleys. There seems to have been some fluctuation in the attitude of the Holy Office towards defen-

dants who confessed under torture and then refused to confirm those confessions: in one place they are considered *negativos* and, as such, liable to the death penalty; elsewhere they are considered perjurers and subject to “infamy” (a penalty involving loss of honor, civil rights and liberty, but not of life).¹⁴ But, the *Regimento* goes on to say, if the defendant revokes his testimony more than 24 hours after the torture, there is no deliverance from the death penalty as a “stubborn, tergiversating denier” (*negativo, pertinaz, variante*) (II, 14, §12).

Now if a defendant having maintained his *negativo* stance throughout the interrogations, was then able to identify one or more of his denunciators and discredit the latter’s testimony, he might — at the whim of the Inquisitors — be put to the torture. If he withstood the torments without confessing, he would not only escape the death penalty normally reserved for *negativos*, but would be let off, at the *auto-da-fé*, with a fine, costs of the trial, penances, a period of confinement and Catholic re-education; fine and length of confinement to depend on how “convincing” his guilt seemed to the Inquisitors. Thereafter he would be freed either on a “slight” or on a “vehement” suspicion of heresy without confiscation of possessions. This was the only case in which a *negativo* escaped execution (III, 2, § 8). The torture, in this case, seems to be a vestige of the medieval “ordeal” or “Divine Judgment.”¹⁵ According to this conception if the accused is able to resist or survive a physical ordeal, Providence must be on his side. In any case, for a *negativo*, torture was the only road to deliverance.

4. *The Accusation*

The accusation was drawn up by a staff member of the Holy Office called *promotor* who acted as a “public prosecutor.” When the interrogation is completed:

the prosecutor will draw up the indictments in the name of the law. The first article shall be general, referring to the type of heresy for which the defendant was denounced, and it shall state that although the defendant is a baptized Christian and as such obliged to hold and believe all that the Holy Mother Church of Rome holds, believes and teaches, he did just the opposite and defected to such and such a belief or sect. And if the offense is Judaism, it shall state that the defendant committed it after the last general amnesty. Next he shall draw up articles based on the ques-

¹⁴ Perhaps in II, 14, § 11 the *Regimento* is speaking of cases in general but in III, 5, § 1 of those who revoke their confessions quickly after the torture session.

¹⁵ See John H. Langbein, *Torture and the Law of Proof*, Chicago, 1977, 6-7.

tions put to the defendant during the *in specie* session and on the denunciations of witnesses. Then he will add articles based on the defendant's reputation, if there were witnesses who made depositions in regard to it. Next, in a separate article, he will reprove the defendant for not having confessed his offenses although repeatedly admonished to do so. He will conclude the indictment requesting its acceptance and that the defendant be chastised with all the rigor of the law as a negative and pertinacious heretic and be handed over to secular justice.

Thereupon follows a text we are now familiar with:

when certain witnesses have not testified to formal heresy but rather to hunches and presumptions, [the Prosecutor] will follow up his articles of witnessed actions with another article in which he shall state that there is a legally justified presumption that the accused committed such and such an heresy. Whereupon he will conclude the indictment as above (II, 6, § 8).

Thus the indictment consisted of the denunciations which, as we saw, are the starting point for the *in specie* interrogations. The accusations were not based on facts verified by a confrontation of depositions. The number of accusations did not correspond to the facts, but to the number of denunciators. This characteristic aspect of Inquisitorial justice was commonly called "the system of single witnesses," a system which could erect a mountain of charges out of a mole hill of testimony. One single "fact," if recounted by discrete witnesses alluding to different circumstances could be multiplied like a fragment of glass in a kaleidoscope. The Inquisitors did not always keep to the unwritten rule that the denunciations must be literally reproduced and when they made an exception it would always be to the detriment of the defendant, *e.g.*, the case of the divided deposition. The *Regimento's* unvarnished wording bears repetition:

When there is little proof against the defendant, if the depositions involve a variety of ceremonies or repeated actions, then one can produce from each witness more than one question, dividing up the deposition to the extent that its contents permits (II, 6, § 7).

This disposition was not meant only to diddle the defendant but also to impress the public before whom the sentence was read at the *auto-da-fé*, since the sentence textually reproduced the accusations present in the brief of indictment.

Finally, of the denunciation based not on first-hand knowledge of heresy but on gossip and innuendo (II, 6, § 8). Such rumors were not merely clues for the Inquisitors. From them were distilled the accusations, which the *promotor* had to supplement with the words: "against the defendant there exists a legal presumption that he committed such-and-such an heresy" and concluding: "that the defendant be

punished to the full extent of the law as a negative and pertinacious heretic and handed over to secular justice.” In other words rumored felony, if not confessed to, could land the object of the rumors at the stake.

This paragraph of the *Regimento* refers to “negative” defendants. In the case of those who confess the *promotor*’s formulary varies.

If the Inquisitors did not consider the confession satisfactory, the *promotor* would say in the second article that:

the above is absolutely true in as much as the defendant has confessed it; and in the third article he shall put the substance of his confessions [...] and he shall say that he accepts them to the extent that they incriminate him. In the fourth article he shall indicate in a general way the diminutions [non-confessed actions of which he is accused], inner contradictions and lack of verisimilitude in the confessions and from there he shall draw the articles needed for the questions which in the in specie session are put to the defendants, distilled from the witnesses’ declarations. In the last article he shall accuse the defendant of not having confessed all, in spite of having been admonished to do so and he shall conclude with the demand that the defendant, as a feigned and simulated incomplete confessant be chastised to the full extent of the law and handed over to secular justice (II, 7, § 16).

Should the confession be deemed complete and satisfactory, the *promotor* registered the confessions as proof of the accusations and concluded “requesting the defendant to be punished with all deserved rigor, in conformity with the disposition of the law.” This concluding formula differs from the one in the preceding cases that encodes the death penalty. “[...] in conformity with the disposition of the law” leaves the punishment to the Inquisitors’ discretion.

5. *The Defense*

His lawyer or solicitor was not chosen by the defendant but assigned him by the Holy Office. Before assuming the defense, the lawyer would be called to the administrative desk and, after swearing an oath on the Gospel, the Inquisitors were to “charge him with well and truly defending the accused, petitioning and alleging in his favor anything that he considers to be for the good of his cause, warning him, however, that if at any time in the course of the trial he finds out or becomes convinced that the accused is defending himself unjustly, he will withdraw from the case and announce this at the Desk (II, 8, § 5). Thus, being in the service of the Holy Office, it was to them that the lawyer was answerable. Moreover, the lawyer was himself a potential denunciator or witness for the prosecution. The accused, on the other

hand, was entirely dependent on the lawyer because the “contradictions of the accusations” had to be jointly redacted and signed by the defendant and the lawyer (II, 10, § 1). The *Regimento* puts great store by this detail: II, 10, §10 prescribes that the “contradictions” must be not only signed conjointly by defendant and lawyer, but written in the hand of the latter. In this way, the defendant could not produce any allegation which the lawyer had not underwritten before the Holy Office. Lest lawyer and defendant gang up on the Holy Office, the *Regimento* prescribes that the *meirinho* (the principal agent of arrests) be present at all consultations between defendant and solicitor (I,13, §3; II,8, § 6).

Let it also be noted that the lawyer had no access to the transcript but merely to the bills of prosecution and decisions communicated to the defendant. Moreover, the lawyer was not permitted to accompany the defendant at interrogations. In fact, he was but a prop — albeit an indispensable one — in the histrionics. His sole practical function was to redact and ratify the statements submitted by the defendant.

Once the bill of accusation was drawn up and presented to the defendant, the defense began. Schematically it fell into two phases. Firstly the defendant presented an overall defense in which he denied the possibility of the accusations by general circumstances of time, place, family or other alibis, and alleged the reasons which accredited him as a good Christian, backing it all up with witnesses. The prosecution replied with what is grandiloquently designated the “publication of the proof of justice,” which is simply the recording of the accusatory depositions, in the conditions to be discussed anon. To this the defendant replied with “contradictions,” which consisted in indicating and proving that certain persons were his enemies and susceptible of having falsely accused him in order “to get even.”

For this kind of defense it would be essential for the defendant to know the time and place of his alleged crime as well as the names of the witnesses. But the *Regimento* insists that all such knowledge be scrupulously withheld.

II, 8, § 7 says that if the accused requests, for his defense, a declaration of time and place of delict, the Inquisitors will order the Prosecutor to make one “in the legal form and style of the Holy Office.” Precisely what “the form and style of the Holy Office” entails is set forth in I, 6, § 21:

When the accused asks to be told the place of delict, and the Inquisitors emit an order to have it revealed, the prosecutor will make a vague declaration, avoiding specifics. For instance, if the crime was committed in the

Church of Saint Dominic at Lisbon, he will give the place as Lisbon, withholding the name of the church [...] If the place is a hamlet so small that by learning just its name the defendant would guess the witnesses, then the Prosecutor, appraising the distance from that hamlet to the most notable city, town or site, will say that the accused offended at such and such a distance from the said city, town or site; if in a country house one league from Lisbon, he will say that the defendant committed the crime within a one-league radius of Lisbon.

In the “publication of the proof of justice” which follows the defendant’s exposition of defense, every precaution is taken to “protect” the names of the witnesses or the locations and dates of the crimes. II, 9, § 1 says that for this purpose the depositions are to be copied in the order that they were made, “concealing their names, the day, month and year in which they testified [...] not revealing the place where the offense was committed, but saying that it was ‘in a certain region’.” And if this were not sufficient to nonplus the defendant, the same paragraph adds: “If the testimony speaks of accomplices, it will be stated that the defendant ‘was in the company of certain persons of his nation’; and if there were no accomplices it will be stated that ‘he was in the company of certain persons’.” This means that, even if there was no mention of accomplices in the denunciations, the Inquisitors tried to make the defendant believe that there were, so as to pressure him into producing names. And the same article insists on the suppression of the witnesses’ names: “while referring in full to the contents of the testimony, clues to the witnesses’ identities are to be omitted.”

6. *Announcement of the Sentence and Appeal*

Two announcements of the sentences were to be made to the defendant. The first was to be accompanied by a further admonishment to confess his offenses or the rest of them so as to “merit the mercy he wishes for.” This first announcement was not to be made to pederasts and relapsers. The second was to be delivered on the Friday immediately preceding the Sunday *auto-da-fé*, and then the notary would announce to the defendants that they were to be “transferred to the secular arm and that they should attend to their consciences and the salvation of their souls and commend themselves to Our Lord that He direct them in the knowledge of the truth and forthwith he shall order a guard whom he has brought with him to tie their hands” (II, 15, § 5).

Defendants could appeal to the General Council of the Inquisition in matters of procedure, “however they may not appeal the Inquisitors’ decisions regarding them or any steps taken in their case which affect

them but of which no official notification is or may lawfully be made to them” (II, 21, § 4). The *Regimento* goes on to elaborate. If the defendant pleaded, for instance, that he was an Old Christian and therefore exempt from proceedings against Judaism, but the Inquisitors rejected his claim and officially notified him of their rejection, the defendant could then appeal to the General Council. Whether to transmit the appeal to the General Council was for the Inquisitors to decide. On the other hand if the Inquisitors rejected the defendant’s “contradictions” they would not notify the defendant of their decision (though he would of course be aware of it) and it was without appeal. In any case the final sentence in the case (to penance, confiscation, galley service, death, etc.) was without appeal.

7. *Secrecy*

Inquisitions by definition abhor the light. That is why their workings are all hush-hush. The *Regimento* recommends secrecy even for seemingly trivial matters “because in the Holy Office there is nothing which does not demand secrecy” (I, 1, § 7). At the end of every interrogation the prisoner was sworn to secrecy concerning what was happening to him and the same oath had to be taken at the close of the torture sessions. The lawyers swore secrecy as well as the notaries, bailiffs, jailers, deputies, Inquisitors. Decisions governing witness credibility, application of torture, the doubts raised by the defendants’ impugning of witnesses, the notices of appeal lodged by them, all were classified. The defendant would learn the result of his contradictions, appeals, petitions, etc., only when, at the end of the trial the sentence was communicated to him. The witnesses’ identity was guarded with the zeal and prudence referred to earlier. To avoid the defendant’s becoming aware of a “new” denunciator’s identity, if the latter was unaware of the defendant’s full name or unable to describe him exactly, he was taken to a peep-hole where unobserved he could observe that prisoner and declare under oath that this was the person he had denounced (II, 3, § 7). Defendants not condemned to death were warned, before release from prison, “never to breathe a word about their trial.” They were also forbidden to take messages from fellow prisoners for the outside world.

To violate the secrecy of the Holy Office was tantamount to the crime of heresy. The faithful were invited to denounce:

any person of whom they know or hear, penanced by the Holy Office for offenses which he confessed who after release disclaims his confession, saying that he falsely confessed to deeds never committed or any person

who uncovers the secrecy of what goes on in the Inquisition or defames and resents the proceedings and impartial ministry of the Holy Office.

The 1640 *Regimento* was issued in a very limited edition, strictly for internal use. The copy in the National Library of Lisbon, with an Inquisitor's marginal annotations, was obviously for the exclusive use of the judges and prosecutor. The *Regimento* was unavailable not only to the general public, but to the defendants, lawyers and no doubt to the majority of the Inquisitorial staff. That this situation still prevailed some three decades after its publication is confirmed by the anonymous Portuguese anti-Inquisitorial pamphlet (written around 1673) translated into English: *An Account of the Cruelties Exercised by the Inquisition in Portugal [...] Written by One of the Secretaries to the Inquisition*, London, 1708.¹⁶ The author had a modicum of inside information about the Inquisitorial working and knew some dispositions of the 1640 *Regimento*, yet referred to it as a book he was not able to examine first-hand (see articles 53 and 122 of the *Account* in the 1722 Portuguese version ¹⁷).

8. *The Inquisitorial Trial and the Common Law Trial*

As we have seen at the outset of this chapter, many features of the Portuguese Inquisitorial trial were anticipated by Eymerich's *Directorium Inquisitorum*. Just a few examples: the acceptance by majority vote of a suspect witness; the second interrogation of a suspect witness, done in such a manner as to oblige him to either confirm or revoke his testimony, with all attendant risks; the license granted the Inquisitors to mislead the accused in respect to the number of witnesses for the prosecution; hiding from the defendant the death or disappearance of defense witnesses named by him; etc. Walter Ullmann sums up his dispassionate appraisal of the medieval Inquisitorial trial as follows:

There is hardly one item in the whole Inquisitorial procedure that could be squared with the demands of justice; on the contrary, every one of its items is the denial of justice or a hideous caricature of it [...] its principles are the very denial of the demands made by the most primitive concepts of natural justice [...] This kind of proceeding has no longer

¹⁶ This translation is the earliest printing of the work. It was reissued with a new title: *The History of the Inquisition: With an Account of the Cruelties Exercised Therein*, London, 1713. See below, Chapter Four.

¹⁷ The numeration of the articles into which the text of the *Account* is divided differs in the English and Portuguese versions, no doubt due to their being based on variant manuscripts.

any semblance to a judicial trial but is rather its systematic and methodical perversion.¹⁸

To recapitulate the Inquisitorial (both the medieval and its Portuguese recrudescence) trial's chief divergences from civil jurisprudence:

The Inquisitorial "trial," though it went by that name, denied the accused almost all the basic rights of a common law trial.

In a common law trial scoundrels or criminals could not testify; in the Inquisitorial no fitness tests whatever were required for witnesses: even anonymous denunciations were accepted.

In a common law trial the names of the witnesses for the prosecution, the place and time of the alleged crime were communicated to the defendant; in the Inquisitorial these names and circumstances were studiously withheld from the accused.

In a common law trial the accusations took the form of *facts*, localized in time and space, corroborated by consistent testimony; in the Inquisitorial the defendant had judicial notification thrown at him and that based on disconnected *sayings* of witnesses (from which all indications of name, place and date had been expurgated). These sayings could refer to facts but also to mere presumptions and rumors.

In a common law trial the defendant could choose his lawyer or solicitor; in the Inquisitorial the lawyer for the defense was an Inquisitorial lackey, answerable to the Inquisition. And in contrast with going procedure in the common law trial, the lawyer provided by the Holy Office had no access to his client's files.

In a common law trial the defendant had the right of appeal to higher courts and ultimately to the Crown; the Inquisitorial was always the end of the road — for better or worse.

In common law no defendant, once acquitted, could be tried a second time for the same offense,¹⁹ the Inquisition never *acquitted* defendants, but merely *released* them for lack of *sufficient* proof after an abjuration on a "slight" or "vehement" suspicion of heresy and could at any time reopen proceedings upon receipt of new denunciations.

¹⁸ See Henry Charles Lea, *The Inquisition of the Middle Ages, Its Organization and Operation*, Historical Introduction by Walter Ullmann, 29, 32. Agostino Borromeo attempts to gainsay the opinion that medieval Inquisitorial jurisprudence was *per se* more arbitrary, cruel and unjust than medieval civil jurisprudence. See his article *cit. supra*, n. 10, esp. 537-547.

¹⁹ See Maria de Fátima Coelho, "A evolução do processo inquisitorial e a sua relação com o processo comum (1552-1774)", *Inquisição*, 3, Lisbon, 1990, 1017-1028: 1025 and n. 28.

Let us also note the 1640 *Regimento's* rule that the New Christian defendant was not permitted to name New Christians in his defense. In practice, however, New Christians *were* admitted as defense witnesses, albeit their credibility was rated inferior to that of Old Christians.

Torture, authorized in civil trials by Portuguese codes from the Middle Ages on, was abolished *de facto* by unwritten common law (during the early 18th century?) at a time it was going full blast in the Inquisition.²⁰

Perhaps the most egregious deviation from common law norms in both the medieval and Portuguese Inquisitorial trials were the denunciations registered *after* the arrest of the defendant, either by fellow prisoners or guards. These denunciations counted for "proofs of guilt" although the prison guards were employees of the Inquisition. Leaving prison fare uneaten was automatically denounced by the guards as observance of a Judaic fast. (We shall see how lethal the accusation of cell-fasting could prove.) As for the prisoners, they had every motivation to reciprocally denounce one another.

Now the Inquisitors' decision to spare the life of a particular defendant was not unrelated to the volume of the latter's blabber, as may be gathered from the *Regimento* of 1552:

One of the surest signs that penitents are making a clean breast is when they denounce others guilty of the same errors, especially when these are close family members of whom they are especially fond [...].²¹

9. *The stage setting and props of the Holy Office*

Both Eymereich's *Directorium* and the 1640 *Regimento* use language in a rather distinctive way met up with also in Inquisitorial trial records. We refer to the ubiquitous descriptions of the Inquisitors as patient, charitable benefactors, victims, as it were, of the obduracy of the defendants, whom they try to save with their "mercy."

²⁰ See Marcello Caetano, *História do Direito Português (1140-1495)*, Lisbon, 1981, 388; Cardinal da Cunha's "Prologue" to the last Inquisitorial *Regimento* (1774). The 1539 case of Manuel da Costa (see Chapter Two, n. 25), the 1630 case of Simão Pires Solis (see Chapter Twelve, n. 27) and the 1671 Odivelas episode (see Chapter Nine, n. 68) attest to the continued use of severe torture in civil trials to produce confessions and/or names of accomplices.

²¹ A. Baião, *A Inquisição em Portugal e no Brasil*, Lisbon, 1906, *Documentos*, 34. In Portuguese common law the testimony of parents, grandparents and siblings was not accepted either against or in favor of the accused. See Coelho, *art. cit.*, 1021 and note 5.

Euphemisms and studied antiphrasis may be found on practically every page of Eymereich and the *Regimento*. For instance, they prescribe that when the defendant asks to be told the time and place of his offense, Inquisitors should rule that this communication be made “in the legal form and style of the Holy Office,” which is a way of saying that the information will not be communicated at all, or in such a way as to delude him. This type of inquisitionalese comes into its fulsomest with the formula “transfer to secular justice.” The prisoner would hear his death sentence read out, then his hands would be tied behind his back; within a few days the execution would be carried out. But the sentence ends with this clause:

And [the Inquisitors] transfer him to secular justice, whom they urgently and effectively entreat to conduct itself with him benignly and mercifully and not to proceed with the death-penalty or the shedding of blood.²²

Such unctuously pious expressions are systematic and intentional. The 1640 *Regimento* (I, 1, § 8) devotes an article to appropriate terminology for discussing New Christians:

[The Inquisitors] are to speak so circumspectly about the people of the Nation that the impression should never be given that the hatred everyone must harbor for the offense is extensive to persons but rather they should treat with appropriate compassion the weakness of those who commit offenses against our Holy Faith.

This gem of a text provides a glimpse into the mentality of the *Regimento*'s redactors, inherited from the medieval Inquisition. The obsession with correct window-dressing has its reason: the Inquisitors knew the importance of public opinion and attempted to influence it through a stage setting which comes into its own, as we shall see, with the *autos-da-fé*; and it seems to have impressed not just the gullible masses but some heavyweight 20th-century historians.²³

²² This is the invariable formula in all Portuguese Inquisitorial death sentences. Cf. Nicole Eymereich and Francisco Peña, *Le manuel des Inquisiteurs* (Louis Sala-Molins, ed.), Paris, 1973, 181.

²³ Had they found time for crystal-ball gazing could the Inquisitors have foreseen such far-flung success for their propaganda? Of course they tried their utmost to put their best foot forward at all times, but even so the Inquisitors themselves might be astonished to hear their words reverberating in a Spanish work published in 1963: “It is only fair to recognize [...] that the Holy Office almost always proceeded with rigorous objectivity, not allowing itself to be swayed by popular opinion but judging men and women and punishing them more or less severely on the basis of confirmed and corroborated facts; setting free those whose Judaizing could not be proven if, indeed, their innocence had ever been questioned” (Julio Caro Baroja, *La sociedad cripto-judía en la Corte de Felipe IV*, Madrid, 1963, 45).

Left cold were a few thinking people such as Pope Innocent XI, as we shall see in the next chapter, and the anonymous author of the *Account of the Cruelties Exercised by the Inquisition in Portugal* (to be surveyed anon):

It is obvious that the plethora of people confessing Judaizing is the fault of the trials, and does not correspond to the reality of the fault. There cannot be the slightest doubt about this. Were Old Christians subjected to what New Christians have to endure, the same confessions would result [...], for the form, style and the constant oscillations of precision and confusion are breeders of phoniness down to the invention of delicts in all the defendants.²⁴

²⁴ See *Account of the Cruelties*, 1708, 97. Our quotations are direct English translations from the original untitled Portuguese text as found in *Noticias Reconditas*, 1722 (in this case, p. 107). All page references henceforward will be to the 1722 Portuguese edition.

CHAPTER FOUR

“INSIDE INFORMATION” (*NOTÍCIAS RECONDITAS*): AN ACCOUNT OF THE CRUELITIES EXERCISED BY THE INQUISITION IN PORTUGAL

The *Regimento* of the Holy Office outlines the trial procedures but, obviously, omits the victims' perspective. To catch something of the existential dimension of the trials — albeit screened and filtered by Inquisitorial schematization — we must study the Inquisitorial records themselves.

There is, however, another, independent, source of information, contained in subversive anti-Inquisitorial writings that circulated underground, in manuscript, during the reign of Inquisitorial terror. The best known, but least read by recent historians, was anonymously composed around 1673 to buttress the umpteenth New Christian petition to the pope for the reform of the so-called “styles” of the Holy Office. As already mentioned in passing, it was published for the first time in London, in English translation, in 1708, entitled *An Account of the Cruelties Exercised by the Inquisition in Portugal* [...] *Written by One of the Secretaries to the Inquisition*. In 1722 the original Portuguese version appeared in London, without a title, as the first part of *Notícias Reconditas y Posthumas del Procedimiento de las Inquisiciones de España y Portugal con sus Presos* (“Inside and Posthumous Information Concerning the Procedure of the Spanish and Portuguese Inquisitions with their Prisoners”).¹ The “Secretary [traditionally identified with

¹ A 1750 Venice reprint of this miscellany, under the Portuguese title *Relação Exactíssima Instructiva, Curioza, Verdadeira e Noticioza do Procedimento das Inquisições de Portugal* attributes the original Portuguese version of *An Account of the Cruelties Exercised by the Inquisition in Portugal* to António Vieira (1608-1697). According to the Spanish prologue to *Notícias Reconditas* (London, 1722), which is the same as the English prologue to *An Account of the Cruelties Exercised by the Inquisition in Portugal* (hereafter *Cruelties*), the “secretary to the Inquisition” who authored the Portuguese text left Portugal for Rome in 1672, worked there on behalf of the New Christians for 12 months and in 1674 obtained the Inquisition's suspension, which lasted until 1681. António Vieira, a Jesuit whose sermons are one of the classics of Portuguese Literature, was in Rome around 1673 where, *inter alia*, he was taking up the cudgels for the cause of the New Christians. The hypothetical attribution of the Portuguese text to Pedro Lupina Freire derives from a 1673 letter by Padre Vieira. See António Vieira, *Obras Escolhidas* (António Sérgio and Hernâni Cidade, eds.), 4, 2, Lisbon, 1951, 139-140 (cf. below, note 6). Vieira may have retouched the work and interspersed it with his own writing: some passages allegedly bear the mark of his style. Manuscript copies circulated in various European cities. Some copies, according to the prologue of the printed editions, reached Portugal and were put in the hands of

ex-Inquisitorial notary Pedro Lupina Freire] of the Inquisition,” knew a part — but only a part — of thTribunal’s secrets.² His purpose was to rock the Holy Office and at the same time to provide the necessary evidence to initiate an investigation by the Holy See. To this end he repeatedly invokes the *Regimento* by its title, although he had no direct access to it,³ and above all a number of trial records whose defendants he names and whose contents he summarizes. The work is punctuated by the leitmotiv: “We implore that the trial records be examined.”⁴

Despite its polemical nature, the objectivity of the work had, as of the first edition of this writing (1969), not been called into question.⁵ [Research carried out at the National Archives of the Torre do Tombo in May 1998 corroborates its story. Trial records corresponding to eleven out of seventeen cases (including four executions) cited and summarized by the author, we were able to locate and examine.⁶ Two

various high placed aristocrats. In 1821, the year the Inquisition was abolished, the miscellany was reprinted in Lisbon under the Portuguese title *Notícias Recônditas do Modo de Proceder da Inquisição de Portugal com os seus Presos*, containing on pp. 3-205 a variant, expanded Portuguese version of *Cruelties*. This marked the first time a work critical of the Inquisition was ever printed in Portugal. The 1722 text was reprinted in modernized spelling as an appendix to Vieira, *op cit.*, 139-244; the notes on 248-250 concerning the history of the work’s publication are partially incorrect.

² “After having found out part of the secrets [...] of that Tribunal” (“Preface to the Reader”) (“Después de haver penetrado parte de los secretos desse Tribunal” [Prologo]).

³ In article 122 of the 1722 edition he refers to it as a work he was not able to examine first-hand. See above, Chapter Three, n. 16-17.

⁴ E.g., *Noticias Recônditas*, 1722 (hereafter in the notes: NR) 28, 30, 38, 41, 45, 46, 51, 54, 57, 96, 126.

⁵ Its reliability was contested by I. S. Révah in 1971. See his Surrebutter to A. J. Saraiva (Appendix Three). Cf. Francisco Bethencourt’s call for a critical edition of the work (*História das Inquisições, Portugal, Espanha e Itália*, Lisbon, 1994, 305).

⁶ Maria da Conceição (or de Sequeira), Inquisition of Évora, no. 1369, *auto-da-fé*, April 18, 1660 (NR, 64-66); Manuel Rodrigues da Costa, Inquisition of Lisbon, no. 9948, *auto-da-fé*, June 21, 1671 (NR, 69); Jorge Fernandes Mesas, Inquisition of Évora, no. 326 (document in a state of disintegration), *auto-da-fé*, April 18, 1660 (NR, 95); Jácome de Melo Pereira, Inquisition of Évora, no. 7346, *auto-da-fé*, October 16, 1667 (NR, 97); Afonso Nobre, Inquisition of Coimbra, no. 4385, *auto-da-fé*, October 26, 1664 (NR, 98); João (and António) de Sequeira, Inquisition of Lisbon, no. 5427 (and no. 2416), *autos-da-fé* October 11, 1637 and March 24, 1642 (NR, 100); João Travassos, Inquisition of Lisbon, no. 9781, *auto-da-fé*, August 3, 1637 (NR, 101); Bautista Fangueiro Cabras, Inquisition of Évora, no. 4741, *auto-da-fé*, November 12, 1662 and October 16, 1667 (NR, 104); Friar Diogo de Assunção, Inquisition of Lisbon, no. 104, *auto-da-fé* August 3, 1603 (NR, 112); Francisco de Azevedo Cabras, Inquisition of Évora, no. 2314, *auto-da-fé*, May 31, 1665 and Sala, October 15, 1673 (NR, 113); Manuel Lopes Sotil (trial records not found, but see those of his son André Lopes Sotil and of his daughter Maria Nunes Sotil, Inquisition of Évora, no. 10441 and no. 1975, sentenced respectively on July 16, 1667 and September 30, 1667 (NR, 116); Francisco Lopes Margalho, Inquisition of Évora, no. 7829, *auto-da-fé*, May 31, 1665 (NR, 117); António Gonçalves, Inquisition of Coimbra, no. 1155, *auto-da-fé*, May 23, 1660 (NR, 118). It will be noted that none of the cases postdate 1672, most are from 1660 onwards and that eight of them are from

more trial records of the seventeen had already been identified by earlier researchers: that of Maria Mendes from Elvas, whose encounter with her daughter at the Évora *auto-da-fé* of May 6, 1657 is also reported in a marginal note by Moreira;⁷ that of António Pires from Abrantes, nicknamed “Midnight,” whose pathetic march to the stake at the Lisbon *auto-da-fé* of October 17, 1660, recounted in another marginal note by Moreira, led Lúcio de Azevedo to his trial record.⁸

Cruelties begins by following the steps of a typical defendant from the moment he is arrested, through the *auto-da-fé* from which he emerges penanced, or executed. His house has been sealed, his family ejected from it and deprived of paternal income; adolescent daughters in many cases have no other recourse but prostitution. Already on the way to prison the defendant begins to hear, from the mouth of the constable, the refrain which is to dog him to the end: “confess your offenses against the Faith so that the Reverend Inquisitors may be merciful towards you.” Every prisoner is of course well aware that nearly always those offenses are subsumed under the heading “the observance of the Law of Moses.”⁹

We shall not dwell on the book’s description of the dinginess and stuffiness of the dungeons, on the pestiferous stench exhaled by the pots of excrement, emptied once a week. The author of *Cruelties* knows

the Évora Tribunal. A connection between the author and the Évora Tribunal seems probable and, concomitantly, the authorship of Pedro Lupina Freire, who was a notary of the Lisbon Tribunal from 1648-1655, arrested for revealing Inquisitorial secrets and banished to Brazil 1656-1660, quite unlikely (see Appendix Three, n. 58). A notary whose name appears on all of the above-listed Évora trial records is Simão Thomé.

⁷ See below, note 17. The *auto-da-fé* statistics and marginal notes compiled by António Joaquim Moreira (1792-1865) were included by José Lourenço D. de Mendonça in his *História dos Principais Actos e Procedimentos da Inquisição em Portugal*, Lisbon, 1845, 256-348. Hereafter we cite the Lisbon 1980 edition as “Mendonça and Moreira.” Moreira may have gleaned the Maria Mendes anecdote from *NR*.

⁸ Inquisition of Lisbon, no. 4791, *auto-da-fé*, October 17, 1660 (*NR*, 119-120; Azevedo, *História*, 139). Pires, a rabid New Christian-baiter, was denounced for Judaizing by dozens of New Christian prisoners from Abrantes. He claimed unblemished Old Christian status but the Inquisition’s genealogical inquiry was inconclusive. The members of the Lisbon tribunal voted seven to two that Pires’ heresy had not been proven and that he should be put to the torture but the General Council reversed their decision, accepted as confirmed his New Christian blemish and insisted on the death penalty without further ado. He refused to confess and was heard screaming that he was a “pure Old Christian” while being taken to the stake. Cf. Mendonça and Moreira, 169 but see previous note.

⁹ The expected confessions included not merely *carrying out* “Mosaic” precepts but *believing* in their salvific function and especially *mentioning* them during chance meetings with other New Christians. Such discussions, classified as “reciprocal declaration of belief in the dead Law of Moses to which one looks for salvation” were of and by themselves the principal “Judaic” count in most indictments. Their confession entailed the revelation of the interlocutors’ identity, giving rise to more arrests.

that the prisoners are refused the right to hear mass, go to confession or communion; he does not know, however, that some were under surveillance from secret peep-holes. The human environment within the prisons is worthy of his careful notice. Among the prisoners reigns a kind of solidarity-in-abjection and a degenerate democracy. The weakest and most corrupt do their damndest to fell the stronger. "Those who have already confessed persecute those who have not yet confessed, saying to them: 'there is no other escape and those who deny are no more honorable than those who confessed their way to freedom'. And they speak to them so earnestly as if those who refuse to confess are doing them personal injury; for their whole intent is that all should undergo the same fate, to avoid the disgrace of others putting up a front which *they* did not."¹⁰ Denunciations without reason or cause are common practice among the prisoners. "Solely because he feels himself slighted and shamed, a defendant in his confession will denounce the one who stubbornly maintains his innocence or, if he is more cautious, tries to induce other prisoners to make the denunciation. When they are transferred to another cell and put in the company of other prisoners, they tell their new companions to denounce the one who is about to be released without having confessed, to prevent the latter from feeling superior to them. Thus the denunciations are multiplied and all of them become entangled in the web of denunciations, which even occurs when the cellmates get along well, because those who have confessed resent anyone getting off scot-free."¹¹

During the first interrogation the prisoner is asked if he knows the tenor of the accusation(s) and is then made to sign an asseveration that he will keep his lips sealed about everything he has seen and about his interrogations. Between this first interrogation and the following ones there are often intervals ranging from months to years. The only part of the defendant's declarations taken down by the scribe are the "yes" or "no" with which he replies to the Inquisitor's questions. (Here *Cruelties* hardly adds anything to the *Regimento*.¹²) The prisoners are asked

¹⁰ This psychological pressure was particularly well described by Bento Teixeira (c. 1561-1600), the Brazilian poet, in the autograph account he presented to the Inquisitors on December 30, 1597, included in his trial record (Inquisition of Lisbon, no. 5206). See H. P. Salomon, "Os Primeiros Portugueses de Amesterdão," *Caminiãna*, 8, 1983, 33-104: 79-85 (separately printed with an English translation of the documents, Braga, 1983).

¹¹ *NR*, 16.

¹² Curiously, *Cruelties* claims that during interrogations the Inquisitors required defendants to be on their knees (see *NR*, 26). The trial records, however, always specify that the defendants are to fall to their knees to recite the basic Catholic prayers and affir-

to identify their family members: parents, grandparents, uncles and aunts, both paternal and maternal, cousins, brothers, sisters, brothers-in-law, sisters-in-law, nephews, nieces, wife, children; to state which, if any, have ever been arrested by the Inquisition. Then they are asked point by point (from the Inquisitorial list) which ceremonies of the Law of Moses they have ever observed, even if they answered “no” to the first question (as to whether they had ever practiced Judaism). One prisoner dared ask the Inquisitors:

Sirs [...] why are you teaching these things to one who has never heard of them? There must be many who take from here the practices to which they have to confess in order to get out of their straits.

to which the Inquisitor retorted:

Is it through our questions that you are first apprised of these things? ¹³

The interrogations always close with the admonition to the prisoner to confess his offenses so as to merit the mercy of the Gentlemen Inquisitors. The guards and the *alcaide* (prison director) would tirelessly repeat the same advice to the prisoners during the long intervals (weeks, months or even years) they awaited their call to the Inquisitorial “Desk.” (The same advice, as we have seen, would be exchanged among the prisoners themselves.)

Finally the day arrives when the bill of indictment is read out to the prisoner by the prosecutor. For the first time, the prisoner is made aware of the accusations or, rather, of the denunciations which caused his arrest, presented in the deliberately vague form prescribed by the *Regimento*. Now appears upon the scene a character known to us from the *Regimento*, the lawyer, named by the Inquisitors and held responsible to them. These lawyers, chosen from among *familiares* rancorously hostile to the New Christians:

in truth, do not solicit for the prisoners but against them.¹⁴

The lawyer and the guard sit hatted on their chairs; the prisoner is seated on a little back-less bench, bare-headed, as a serf before his lord. This is the scenario for their meetings. If the prisoner, confronted by the accusations, pleads innocent, the lawyer exhorts him

mations of doctrine and faith, which implies they were not on their knees throughout the questioning. Graphic representations of Inquisitorial interrogation show the defendant seated on a stool. Moreover, Eymeric’s *Directorium inquisitorium* (Peña’s gloss to 2, 18) recommends that the accused be seated on a low, humble bench, contrasting with the arm-chair of the Inquisitor.

¹³ NR, 32.

¹⁴ NR, 46.

to confess “for here there is no other way out [...] he who does not confess remains in prison for many years and at the end will either be executed and burnt or come round to confessing anyway, like all the rest of them.” The defendant may nevertheless decide to maintain his stance. When the moment comes for the defendant and his lawyer to contradict the denunciations and impugn the integrity of the denunciators, the defendant perplexedly inquires:

If I do not know who the denunciators are, how am I to invalidate their testimony?” The legal adviser replies: “Put everyone into your list, prisoners of the Inquisition and free people, because we do not know who has been or is going to be arrested during your imprisonment.

Now the defendant is given the option, as bait to a floundering fish, to name names. He reviews with the lawyer — expressly charged by the *Regimento* with the redaction of the *contraditas*¹⁵— all persons with whom he has ever come into contact in every sphere of his life, from home and hearth down to shady dealings, cuckoldry, assignations. From this motley crew he must pick out those with motives to hate him and therefore likely to be his denunciators. He must, moreover, recount the circumstances that might have given rise to their antipathy. By the end of this exercise of spilling the beans the lawyer has been regaled with the defendant’s whole autobiography. For every recounted incident he must name six witnesses, preferably Old Christians.¹⁶

¹⁵ The “articles of impeachment” (*contraditas*) were the one defense strategy provided the New Christian defendant unwilling to confess to Judaizing, namely to impeach the integrity of the unknown denouncers and the trustworthiness of their denunciations by stating for each one mentioned a plausible reason — deriving from some incident — for their supposed animosity and adding the names of minimally three and up to six preferably male Old Christian witnesses to each recounted incident. In the course of the weeks or months following the presentation of the list the Inquisitors proceeded to examine as many witnesses as possible of incidents involving an impeached person who had actually denounced him. During these cross-examinations the witnesses, intimidated, fearful of damaging or seeming too partial to the defendant, would cautiously substantiate the reported incident read out to them by the Inquisitor. While the cited witnesses might deny (precise) knowledge of the incident and thus dissociate themselves from the defendant, the interrogation of the witnesses almost always produced a ‘confirmation’ of whatever personal animosity was being verified, since the *contradita* was read to the witnesses if they could not guess its contents. Thereupon, if at all favorably inclined to the defendant, they would naturally tend to confirm the defendant’s deposition. The standards by which this ‘evidence’ was evaluated were arbitrarily defined in each case by the Inquisitors. See H. P. Salomon, *Portrait of a New Christian*, Paris, 1982, 106-107.

¹⁶ *NR*, 54-59. The 1722 Portuguese text (p. 59) is defective (“to name witnesses to his Contradictions, six for every article and they must be without exception”). Cf. the 1708 English version: “They bid him name witnesses, telling him beforehand that they must be people of good credit, Old Christians and six to each Article, or at least three.” The 1640 *Regimento* (2, 10, § 2) says “up to six witnesses” and, while requiring them to be Old Christians, leaves a loophole for those who are not. See Salomon, *op. cit.*, 91-92.

It is not enough for the “negative” defendant to call to mind his enemies. He has to hit upon a denunciator who would sometimes be a person he had least reason to suspect:

The defendant [in his imagination] goes up and down the streets of his Lisbon neighborhood or native town, calling to mind the names of all the New Christians from whom a denunciation may have come.

(The author of *Cruelties* fails to indicate that another leap of the “negative” defendant’s imagination was necessary to recall or rather invent the incident causing each named denunciator’s purported enmity.)

If, in the course of the trial, the defendant renounces his negative stance and gives up the almost impossible task of “contradicting and impugning,” he has to prepare his confession which, in order to be considered sincere and complete — sincere because complete — perforce denounces as accomplices all the denunciators; so he is back to establishing a list.

Finally, having learned by rote the lesson of falsehood, he goes — at his own request, “illuminated by the Holy Ghost” — to confess at the Desk, pretending to be “extremely repentant and desirous of telling the whole truth.” He returns again and again to the Desk. He recites names and more names. Occasionally he does not succeed in recalling the names, so he identifies them as “sons, daughters or brothers of so-and-so,” and this often suffices. In order to hit upon fifteen or twenty denunciators in the successive bills of indictment, some of whose names may be totally unknown to him, he might easily denounce a couple of hundred people. To be on the safe side he regularly first denounces his parents, spouse, children, siblings and other relatives, because by doing so (so he is told) the Inquisitors will forgive him those denunciators he does not mention, attributing his failure to faulty memory rather than to heretical malice. But this is a purely arbitrary decision on the Inquisitors’ part. Basing himself on specific trial records, the author of *Cruelties* asserts that the confessions of many defendants who abundantly denounce but do not guess the identity of their denunciators are accepted and that others who denounce their father and mother but not all their denunciators do not escape execution. He provides the example of a certain Maria Mendes, resident of Elvas, widow of a shoemaker, who was arrested in 1657 and “confessed” immediately:

She denounced as many children as she had, grandchildren and other relatives and as many people as she knew by name. She was heard to say that she had denounced more than six hundred persons. In spite of this she was sentenced to death as an ‘incomplete confessant.’ After the announcement of the sentence, she revoked all her testimony, saying the

Judaizing she had attributed to herself and her near and dear ones, in the hope of saving her life, was falsehood. When this woman was paraded in the *auto-da-fé*, one of her daughters, who appeared for sentencing in the same *auto*, yelled to her mother the names of some distant relatives for her mother to denounce then and there [...] The mother yelled back: 'My daughter, there are no names left to denounce in Castile or Portugal. I went through them all and it availed me nothing.'¹⁷

Cruelties goes on to expose the method and consequences of the system of the so-called "singular witnesses," a fertile basis for judicial errors and manipulations. It consisted in *not* testing the truthfulness of sundry depositions by comparing them among themselves to see whether they agree or disagree in respect to the various circumstances of time, place, etc.

Suppose a certain LUÍS is denounced in the confessions of BRÁS, JOÃO and GONÇALO, prisoners of the Inquisition. BRÁS says that LUÍS Judaized with him in Coimbra, ten years earlier. JOÃO says that LUÍS Judaized with Francisco and António, in Castelo Branco, 15 years earlier. Gonçalo says that LUÍS Judaized with Manuel and Francisco in Tomar, six years earlier. LUÍS, Francisco, António and Manuel are arrested. These three denunciations are communicated to Luís in the form of accusations, without names of places or of witnesses. He is merely told that he, the defendant, in the company of "certain persons of his Nation" in a "certain place," so and so many years ago, did or said such and such a thing. Attempting to guess the names of the denunciators, Luís confesses, among a number of names, places and incidents not mentioned in the accusations, that he Judaized with BRÁS, Bernardo and Gil at Golegã six years earlier; with JOÃO in the forest of Buçaco five years earlier; with GONÇALO, Amaro, Silvestre and Lourenço in Coimbra twelve years earlier. Thus, Luís is able to identify his three accusers, BRÁS, JOÃO and GONÇALO by name only, the circumstances of place, time and company being totally different from those of the denunciations. The Inquisitors, instead of comparing these contradictory depositions and confessions, consider LUÍS to have made a complete confession by identifying his three denunciators (BRÁS, JOÃO and GONÇALO). Then they proceed to register the "new"

¹⁷ NR, 96-97. Cf. Azevedo, *Cristãos-Novos*, 136. António Borges Coelho (*Inquisição de Évora*, Lisbon, 1987, 1, 114), who located the trial record of Maria Mendes, 70 (Inquisition of Évora, no. 3963), was unable to confirm from it the gist of the anecdote. He unconvincingly conjectures (*op. cit.*, 224-226) that *Cruelties* confused Maria Mendes with Maria Álvares (80) (Inquisition of Évora, no. 3961), also a resident of Elvas, executed at the same *auto*.

denunciations, by LUÍS, concerning Bernardo, Gil, Amaro, Silvestre and Lourenço (who may be arrested in case of further denunciations against them). But GONÇALO, who had not mentioned Amaro, Silvestre and Lourenço and BRÁS, who had not mentioned Bernardo and Gil, are now faced by “new” accusations of concealing accomplices and heretical acts, which they will have to “confess” to avoid execution as “incomplete confessors” (*diminutos*). If GONÇALO and BRÁS succeed in identifying Amaro, Silvestre and Lourenço, a warrant for the arrest of the latter can be issued, on the basis of the denunciations by LUÍS, GONÇALO and BRÁS.¹⁸

This phase ends with the execution of *negativos* (prisoners who refuse to confess their Judaizing and are unable to identify and discredit their accusers) and *diminutos* (prisoners who confess their Judaizing but are unable or unwilling to identify and implicate all or most of their accusers). Both categories of executed prisoners would die professing to the end their Christian faith. The chaplains (invariably Jesuit fathers) who accompanied the condemned to the place of execution were convinced of the illegitimacy of the accusations against them “in most cases.”¹⁹

Thus would be garroted and burnt a prisoner who was innocent of Judaizing. He died for not being guilty, just as it was for lack of guilt that prisoners had to rot in the Inquisitorial dungeons for months and years on end, while the Inquisitors waited for confirmation of the “crime” through denunciations from related trials:

and all this only for the offense of being innocent [pela culpa de não ter culpa], for this is in fact these unfortunates’ only offense [...], because it is for lack of an accusation that the sentence is delayed, in the hope it will materialize.²⁰

We find the same idea identically formulated in a play by the Brazilian-born dramatist António José da Silva (1705-1739) who was arrested by the Inquisition along with a host of relatives and actually subjected to no fewer than two trials, the second ending in his execution. In his comedy *Anfitrião* (1736) Jupiter is simultaneously the Lord of All, the Chief Schemer and the Vilain. He has Saramago and Amphitrion, both innocent, arrested and jailed. The latter laments:

What misdeed have I committed to have to undergo
the yoke of these harshest of chains
in the horrors of a painful prison

¹⁸ This paragraph summarizes *NR*, 82-93.

¹⁹ *NR*, 74-76.

²⁰ *NR*, 34.

which is the gloomy, lugubrious abode
of confusion and terror?
But if, perchance, Oh tyrant! impious star,
It is a crime not to be guilty [*é culpa o não ter culpa*], then I am guilty.
But if the guilt I bear is not guilt,
pray why do you cruelly usurp
credit, spouse and liberty?

This conformity between *Cruelties*, first published in Portuguese in 1722, and the play of 1736 may be fortuitous. But it could also be due to the current use of the catch-phrase “the guilt of not being guilty” among the victims of Inquisitorial persecution, a *topos* in their orally transmitted repertoire.

The basic point made by *Cruelties* is that the Portuguese Inquisitorial procedure was never intended to distinguish between guilt and innocence but designed to get confessions and denunciations out of any arraigned New Christian. Thus the Portuguese Inquisition was entirely dependent for its survival on a sizable and recognizable New Christian element within Portuguese society. As the contours of this element began to fade, the Inquisition, fearful of losing its grip on terror and power — since the desire to “Judaize,” by the Inquisition’s own definition, was an ethnic phenomenon, transmitted by blood — arbitrarily designated more and more people as New Christians. Had the Inquisition modified this definition and rendered it non-ethnic (*i.e.*, extended it to all Portuguese by disregarding the distinction between Old and New Christians), without modifying its judicial procedure, the persecution would immediately have degenerated into a farce, because the cycle of confessions, denunciations and arrests must needs enmesh the entire Portuguese population, including the Inquisitorial staff. The Inquisitors from the 16th century on were keenly aware of this Achilles’ heel, in that an Old Christian was just as liable to confess to and denounce for “Judaizing” as a New Christian and by so doing expose the “Judaic heresy” for the contrivance it was and the trials for their cynicism. As the pool of “pure” New Christians dwindled (due to emigration and intermarriage), the catchment population had to be broadened. Still before they could qualify as potential victims these new populations had first to be rigged with Jew-tainted pedigrees. Persons whose genealogical records — even after fetching them from Japheth — were found to be immaculate, were of no interest to the Inquisition. Conversely, a drop in a bucket of “Jewish blood” was good enough to admit persons so stained into the New Christian corral. Among the latter were often fanatical Catholics and rabid baiters of New Christians. Just for that reason they became the preferred target of the Inquisition. For the feat of “unmasking” such

unlikely heretics reminded the public of the minefields that threatened them and of the Inquisition's invaluable service in detecting the lethal mines and defusing them. On the other hand, every precaution was taken to prevent New Christians from denouncing demonstrably "pure Old Christians" for "Judaizing," lest those same Old Christians, if "mistakenly" arrested, should confess to it and denounce other Old Christians for the same offense.

No Code of Procedural Rules of the Portuguese Inquisition ever stated in so many words that accusations of "Judaizing" brought against persons of demonstrably "clean Old Christian stock" were not to be retained. A tacit prescript to this effect was made shortly after 1572. This came about as a consequence of an episode known in Portuguese history as "the Conspiracy of Beja," which *Cruelties* erroneously dates between 1591 and 1603.²¹ From the Inquisitorial archives we have ascertained that the events took place in 1572. Five New Christians and a mulatto priest, supposedly "part New Christian," all from Beja, prisoners of the Évora Tribunal, allegedly organized the denunciations for "Judaizing" of twenty-six Old Christians from Beja, one a female Spanish inn-keeper, all of them persons of low social standing, including three clerics. One of the Old Christians, accused of "Judaizing" in thirteen depositions, confessed and, in turn, accused over two hundred Old and New Christians of the same offense. Seventeen New Christians were executed at the Évora *auto-da-fé* of December 14, 1572, including nine from Beja, at least five of whom were implicated in what their sentences called a "conspiracy to destroy all the Old Christians of Beja, impugn the integrity of the Inquisition and defame Portugal among the nations of the world." Revocations of incriminating testimony against and by Old Christians were obtained through persuasion by a Commission of Special Investigators, dispatched to Évora by the Inquisitor General, Cardinal Dom Henrique. The Old Christians who had "falsely" confessed to "Judaizing" were submitted to lashing and deported to Brazil. A half-century later the Dominican historian Frei Luís de Sousa (*História de São Domingos*, Benfca, 1622, 1, 3, 37) gave his version of the story: Eighteen noble heads of Old Christian families of Beja, maliciously denounced by four New Christian prisoners, were arrested by the Inquisition of Évora on the charge of "Judaizing." Only one of the arrested Old Christians actually confessed to having "Judaized" and was deported to Brazil "for endangering the lives of his companions by his false confession." Another

²¹ NR, 103. The author also mistakenly assumes that the prescript was included in the "new *Regimento*." (He presumably means the 1640 edition.)

version of the “Beja Conspiracy” circulated in manuscript in New Christian circles: it was claimed that all the Old Christian prisoners from Beja confessed to “Judaizing,” thereby demonstrating the fundamental injustice of a procedure which accepted the “truth” of such confessions only in the case of New Christians. Still another version, published at Madrid in 1619, claimed that the Old Christians denounced for “Judaizing in 1573” numbered twenty-six, including six priests and that “most of them” confessed under torture.²²

At any rate after 1573 demonstrably “clean” persons denounced for “Judaizing” were almost always acquitted after the genealogical inquiry was completed as having been falsely denounced. If they had meanwhile confessed to “Judaizing” they would be severely punished “for falsely confessing”; the New Christians who had obtained their own “reconciliation” and release from prison by denouncing them would be re-arrested for the crime of perjury and sentenced to lashing, deportation or a stint in the galleys. If the Inquisitors “discovered” however, in the course of genealogical inquiries, that the accused did, after all, have at least one New Christian ancestor (one out of sixteen great-great-grandparents would do just fine to make the accused a “member of the Nation of New Christians”), then no matter how proud and pious a Catholic and antagonistic towards New Christians, his confessions to Judaizing were to be treated not as perjury but as credible truth.²³

The case of the “Bragança perjurers” escaped the attention of the author of *Cruelties*. In 1597, 27 New Christian prisoners of the Coimbra Inquisition hailing from Bragança unanimously denounced as Judaizers four rabid New Christian-baiters from the same town, claiming that they were of Jewish stock and had falsified their Spanish genealogies (the five were the grandchildren of Spanish immigrants). All five were arrested and spent a few years in the Coimbra Inquisitorial jail where at least two wound up confessing their Judaizing while the Coimbra Inquisition was making its genealogical inquiries in

²² See H. P. Salomon, *Portrait*, 24-26 (including source references); Azevedo, *Cristãos-Novos*, 137.

²³ Consider, however (H. P. Salomon, *ibid.*) the case of the emancipated Indian slave Vitória Dias (ANTT, no. 3331), born in China, converted to Catholicism in adulthood, brought to Lisbon via Cochín and Goa by the wealthy New Christian merchant Henrique Dias Milão. She was tried and sentenced for Judaizing and attempting to flee the country with the rest of the family and ultimately joined the Portuguese Jewish community of Hamburg, in whose cemetery she is buried.

Spain. The “conspiracy” was discovered by a Special Investigator and the usual dire consequences ensued for all and sundry.²⁴

Another case missing from *Cruelties* is that of Diogo Rebello, a native of Lamego, one-eighth New Christian, reconciled at the Coimbra *auto-da-fé* of August 16, 1626, executed at the Lisbon *auto-da-fé* of March 24, 1631.²⁵ Of the 642 sentenced persons at three Coimbra *autos-da-fé* in 1626-1629 (29 executed), 299 were from Lamego.²⁶ According to the sentence of his second trial record, Diogo had falsely denounced the latter, many of whom were Old Christians and members of the nobility, as New Christians and Judaizers:

whence ensued most serious harm, reducing the purity of the Holy Office’s justice and its sacred estimation to such bewilderment that it is to be feared with good grounds that mayhap it executed some innocent Old Christians as heretics and that others attributed false offenses to themselves in order to escape from the Inquisition, to the grave detriment of their own conscience and the Christian Republic [...] ²⁷

Diogo possessed a list of all those he had incriminated²⁸ and succeeded, while still in jail, in getting fellow prisoners to volunteer second and third denunciations “in order to protect themselves.” 32 of

²⁴ See Azevedo, *Cristãos-Novos*, 137-138. Cf. Elvira Cunha de Azevedo Mea, *A Inquisição de Coimbra no Século XVI*, Oporto, 1997, 474-485.

²⁵ See his first *auto-da-fé* appearance in Biblioteca Nacional de Lisboa, Cod. 198, f. 15; first trial record, Inquisition of Coimbra, no. 967; second trial record, Inquisition of Lisbon, no. 3389, which provides March 22, 1632 as the date of execution. Public *autos-da-fé* were held in Lisbon on March 24, 1631 (180 victims) and on March 22, 1632 (53 victims). According to Biblioteca Nacional de Lisboa, Cod. 198, f. 60-61 he was executed at the Lisbon *auto-da-fé* of March 24, 1631. On May 24, 1631 Inquisitor General Francisco de Castro (appointed May 20, 1630), writing to King Philip III in response to a report on Portuguese Inquisitorial excesses presented to the king in 1629, clearly refers (though not by name) to Rebello’s false testimony and execution on March 24, 1631. See António Baião, “El-Rei D. João IV e a Inquisição,” *Academia Portuguesa da História, Anais*, 6, 1942, 11-70: 13-15 The sentence of his second trial record was reproduced by Mendonça and Moreira, 369-373 and by Carlos José de Meneses (*A Inquisição em Portugal*, Oporto, 1892, 2, 99-107). Azevedo, *História*, 138 provides the name, the year 1632 and apparently confused his case with that of the Bragança perjurers.

²⁶ See Biblioteca Nacional de Lisboa, Cod. 198, ff. 13-31. On April 13, 1630, availing themselves of a “Period of Grace,” 49 persons from Lamego (41 women and 9 men) presented themselves to the Coimbra Inquisitors to confess to Judaizing and were reconciled behind closed doors without being subjected to the sanbenito or to confiscation of possessions. See *ibid.*, ff. 55-57.

²⁷ Inquisition of Lisbon, no. 3389, f. 215v: “de que seguio danno gravissimo, reduzindo a pureza da justiça do Santo Officio e sua sagrada estimaçam a tal perplexidade que esta receando com muito fundamento se por ventura condenou alguns xptaos velhos innocentes por herejes e se outros se impuseram culpas falsas afim de se livrarem da Inquisição com dano grave de sua propria consciencia e da republica christam [...]”

²⁸ The report on Portuguese Inquisitorial excesses presented to King Philip III in 1629 claims that when Diogo and his two brothers were arrested at Coimbra in 1626 they had been given a list of people to denounce as “accomplices” by an Inquisitor who

these denunciators, wearing “perjurer” miters, were flogged and sentenced to the galleys at the *auto* of Diogo’s execution. At the time of his first trial Diogo was studying medicine at Coimbra; at the time of his second arrest (February 24, 1631) he was residing in Madrid, whence he was fetched by a *familiar* of the Coimbra tribunal, escorted back to Portugal and delivered to the Lisbon tribunal on March 11, 1631.²⁹

For the years 1660-1672 *Cruelties* describes the trial of Bautista Fanguero Cabras, a 35-year old public notary from Elvas, of excellent family, one-quarter New Christian,³⁰ arrested by the Évora Tribunal on May 13, 1657.³¹ Thirty-six persons denounced him, most subsequent to his arrest. He was kept in prison for five and a half years, constantly denying all deviation from the faith, affirming his acts of Catholic piety, such as working on Saturday, steady consumption of pork, lack of personal contacts with “people of the Hebrew Nation” whether related or not, social integration into Old Christian society. Old Christian character witnesses, questioned by the Inquisition, all confirmed this. On July 18, 1662, with the approval of the General Council, it was decided to condemn him to death. When apprised of this decision on November 10, 1662, two days before the *auto-da-fé* at which he was to be strangled and burnt, his hands tied behind his back, he began his “confessions” and denunciations of hundreds of “fellow New Christian conspirators” (practically all the inhabitants of Elvas), including a certain mulatto woman, supposedly the bastard offspring of a New Christian father and an Old Christian mother, whom he also denounced. As a reward for his abundant confessions, at the *auto-da-fé* Bautista’s death sentence was commuted to three years as a galley slave. On July 11, 1663 the remaining part of the galley sentence was commuted to banishment to the city of Chaves in Northern Portugal. In the course of rounding up new prisoners from the lists of the confessions, the Mulatto woman was arrested. She insisted and proved to the Inquisitors’ satisfaction that she was the legitimate daughter of an Old Christian. Bautista Fanguero Cabras was re-arrested on January 30, 1666 and returned to the Inquisitorial prison in Évora on the charge of perjury: “It is not credible that an Old Christian mother

was a friend of their father, Afonso Homem Ferreira, an Old Christian from Lamego, and that Diogo had subsequently lengthened the list to “over 300” on his own initiative. See António Borges Coelho, *Inquisição de Évora*, Lisbon, 1987, 2, 162-181: 171.

²⁹ Inquisition of Lisbon, no. 3389.

³⁰ *NR*, 104-107. According to *Cruelties* he was “one-eighth New Christian, or even less: for the measuring of these degrees is a matter of opinion or, more precisely, malevolent disposition.” According to the trial record his maternal grandmother was his sole New Christian forbear: Whether she was a full or a half New Christian is not stated.

³¹ See Inquisition of Évora, no. 4741.

and daughter should have conspired to Judaize with him.” The mulatto woman was released without a trial after the genealogical inquiry was completed and at the *auto-da-fé* held on October 16, 1667 Bautista, wearing a huge “perjurer” miter and a sanbenito painted with flames, was sentenced to public flogging and five years as a galley slave. The Inquisitors vindicated their verdict as follows:

Considering the harm which results from suchlike falsehoods and the great disorder which they cause in the State, and in the presumption that the accused resented the righteous and unrestricted procedures of the Holy Office and intended to discredit its ministers by giving them occasion to proceed against innocent persons at the risk of their giving false testimony about themselves and others, thereby gravely imperiling their honor and conscience, and considering the necessity, in suchlike cases, to mete out exemplary punishment for such an abominable crime and considering that the defendant did not provide an acceptable excuse [...] ³²

Since galleys had become obsolete, general penal servitude substituted galley service and the rowing force was employed ashore.³³ On December 6, 1667 Bautista was put to work in a chain gang on the Lisbon river-side.³⁴ In March 1668 he successfully petitioned the Inquisitors, alleging his asthma, eight destitute children (three young girls) and the “great humility with which he was carrying out his tasks, laden down with chains” to be temporarily let off from further punishment. By decision of the Duke Archbishop Inquisitor General on April 6, 1673 the rest of his galley sentence was commuted to three years of banishment to the Algarve.³⁵

Another example provided by the Account and confirmed by the Archives of the Torre do Tombo is the trial of Francisco de Azevedo Cabras from Elvas, 25-year old son of André Martins Cabras, army captain and *familiar* of the Holy Office.³⁶ He was arrested on August 14, 1664 along with a sizeable haul of other Elvas denizens, denounced for Judaizing by persons already under arrest on that charge. As it

³² See *Ibid.*, “Acórdão”: “E considerado o damno que resulta de semelhantes falsidades e a grande perturbação que delas se segue à República e se presumir que o reo sentiu mal do recto e livre procedimento do Santo Officio intentando desacreditar seus ministros, dandolhe ocasião a procederem contra pessoas inocentes, pondo-as a risco de porem sobre si e sobre outrem testemunhos falsos, com grave damno de suas honras e consciências e ser necessario em semelhantes casos dar exemplar castigo aos culpados em tão abominável crime e não dar o reo escusa que o releve [...]” (Punctuation supplied.)

³³ See John H. Langlein, *Torture and the Law of Proof*, 29-33.

³⁴ According to *Cruelties* the foreman, João Fidalgo, was rebuked by the Holy Office for sparing him from the more rigorous tasks. The *processo* identifies the foreman as João Fialho.

³⁵ Among the trial records of dozens of nuns and priests he denounced see that of his niece, Soror Violante Batista, Inquisition of Évora, no. 11354.

³⁶ NR, 113-116; Inquisition of Évora, no. 2314.

happened, like his father and even more so, Francisco was a relentless persecutor of New Christians, whom he insulted at every opportunity, especially when they were prisoners of his father. Rumor had it that his mother, deceased 24 years earlier, was partly of New Christian stock through her father, who had come to Elvas from the Algarve. His other three grandparents were pure Old Christians, as well as his father's four grandparents, all natives of Elvas. His mother's sister Brites de Sequeira and he were arrested. At the Évora Tribunal he protested to the Inquisitors, supported by a letter from his father,³⁷ that he was a pure Old Christian and asked to be released. All the same he was remanded to his cell. On October 6 he requested and was granted an audience, where he retracted his earlier protest and declared himself to be "partly New Christian." Beginning on October 7 and at many successive audiences he confessed the standard Judaic actions committed fourteen or more years prior to his arrest, denouncing as accessories hundreds of persons, among them his mother and aunt.³⁸ On November 29, 1664, at his eighth session with the Inquisitors, he declared his genealogy, claiming that, while his father's parents and his mother's father were all pure Old Christians, his maternal grandmother, Caterina de Azevedo, had a partly New Christian mother. At the Évora *auto-da-fé* of May 31, 1665 he was "reconciled to the Holy Mother Church" and sentenced to the wearing of the sanbenito and confiscation of all his worldly goods. Upon his release his father sent him, in spite of the hostilities then raging between Portugal and Spain, to a Spanish monastery, whence he returned to Elvas, after peace was declared, a Franciscan friar. In the meantime, however, his aunt Brites de Sequeira, arrested together with him, staunchly maintained her unstained Old Christian origin, proving to the satisfaction of the Inquisitors that her three Elvas grandparents as well as her one Algarve grandparent were all of pure Old Christian stock. According to *Cruelties* she was declared innocent at an *auto-da-fé* at which all those who had denounced her, wearing "perjurer" miters, were flogged and sentenced to the galleys.³⁹ On May 12, 1672 Francisco was re-arrested, submitted to a new trial and convicted on the following counts: 1) of having falsely confessed to Judaizing "whereas it has become known that he is an Old Christian and thus there is no verisimilitude to his

³⁷ His father suggested in the letter to the Inquisitors that his son had been malevolently denounced by New Christian prisoners whom he had insulted at the time of their arrest.

³⁸ Inquisition of Évora, no. 2314, 41-84.

³⁹ We were unable to retrieve her trial record.

having committed Judaic offenses”;⁴⁰ 2) of having accused his mother and aunt of being partly of “the Hebrew Nation” and Judaizers, whereas they were “neither New Christians nor of any other contaminated and condemned nation”;⁴¹ 3) of “showing that he wanted people to think that in the Holy Office all was falsehood.”⁴² At a private *auto-da-fé* held in the rooms of the Holy Office on December 15, 1673⁴³ Francisco was unfrocked, banished for ten years to the island of Príncipe off the coast of West Africa, later commuted to ten years in Angola. The author of *Cruelties* reports that at the time of writing Francisco was in the public jail, awaiting deportation, whereby he almost precisely dates *Cruelties*. He wistfully asks, as an afterthought, how many wretches were arrested, confined and sentenced by Francisco’s hundreds of denunciations.

Cruelties, accompanied by other documents, produced such an impression at the Vatican, that Pope Clement X saw his way clear to suspend the Portuguese Inquisition (Brief of October 3, 1674). His successor Innocent XI felt it his duty to attempt to verify the extraordinary reports of the little volume. With this in mind and following up the suggestion of *Cruelties*, he requested, in 1676, through the Portuguese ambassador, that four or five sample trial records of executed prisoners be sent him. The Inquisitors resisted for all they were worth. Since the pope was adamant, they offered, instead of the trial records themselves, “authenticated” copies. But the pope declined their offer, arguing that such copies were not trustworthy, betraying withal his faith in the Portuguese Inquisitors. He had historical grounds for his mistrust: during the papacy of Paul IV, in 1549, the nuncio at Lisbon had excommunicated the notaries of the Inquisition for having presented him with falsified trial records. Pope Innocent now summoned the Inquisitors to send him the requested trial records, on pain of suspension. The latter, reckoning on royal support, flatly defied the papal order. On December 12, 1678 the pope, making good on his threat, suspended them. After three years of negotiations and intrigue, compromise was reached. The Inquisitors sent the pope

⁴⁰ Inquisition of Évora, no. 2314: “e que tudo visto e constar ser o reo cristão velho e como tal não ser verosímil cometesse culpas de judaísmo.”

⁴¹ *Ibid.*: “disse falsamente de sua mãe e de tia D. Brites de Sequeira que tinham parte de nação hebreia e que erão judeus [...] nada tinham de Cristão novo ou de outra infecta e reprovada nação.”

⁴² *Ibid.*: “mostrando que queria se entenderem que no Santo Ofício tudo erão falsidades.”

⁴³ The Account states that the private auto, “at which no more than 12 ecclesiastical persons were present who took an oath not to divulge what transpired there,” took place immediately following the Évora *auto-da-fé* of November 26, 1673.

two trial records, dating from 1608 and 1628. For reasons best known to themselves no recent trial was to be scrutinized by impartial eyes.

The trials which Inquisitorial zeal and coyness so darkly enveloped are now part of the archives in Lisbon's Torre do Tombo (National Archives of Portugal) and, luckier than the pope of yore, modern researchers consult and analyze them. In these and hundreds of other trial records we can obtain not only documentary proof of the deposition by the author of *Cruelties*, but of Inquisitorial dealings of which he had no inkling.

CHAPTER FIVE

THREE SPECIMEN TRIAL RECORDS: FRANCISCO GOMES HENRIQUES; MANUEL FERNANDES VILAREAL; ANTÓNIO JOSÉ DA SILVA

Francisco Gomes Henriques (c. 1584-1654) ¹

Francisco Gomes Henriques, nicknamed *Forra-gaitas* (the Niggard), belonged to the business circles of Duarte da Silva, whom the Inquisition was after for reasons which we will set out in a later chapter. He was a wholesale trader, imported Brazil sugar, had invested 6,000 *cruzados* in the General Company for Brazilian Commerce and lent money. Of his nine children, three were in Rome, one of them, António Mendes Henriques, a high ecclesiastical dignitary, titled *monsignor* and a protégé of the pope.² Another son, Gregório Gomes Henriques, who *inter alia* served as intermediary in the purchase of arms and munitions for the Portuguese king, was his father's partner. Francisco appeared as a defense witness in Duarte da Silva's trial, which appearance the Inquisitors could not forgive. He and his son Gregório were separately arrested in 1651, denounced for having sworn falsely as witnesses in Duarte da Silva's trial. Once they had him under lock and key the Inquisitors decided (as we shall see) to square accounts all the way with our man. The Niggard was loose of tongue, a braggart, over-confident and imprudent. The Inquisitors had but the accusation of perjurious testimony to rest their case on and the Niggard was sure the pope, alerted by his son the *monsignor*, would come to his aid. But the Inquisitors' resources were mightier than he thought. To collect evidence for a serious accusation they planted in his cell a succession of spies, under the guise of fellow prisoners. The first was a page of the Inquisitor General; the others, who followed,

¹ See ANTT, Inquisition of Lisbon, no. 10794, summarily analyzed by António Baião, *Episódios Dramáticos*, etc., 1973³, 2, 211-233. On Gregório's trial (Inquisition of Lisbon, no. 1309) see Baião, *op. cit.*, 228-233.

² He had begun his career in the church by obtaining a canonry in Évora, contrary to the purity of blood laws, thanks to his father's connections with the Holy See. Against those who objected to a New Christian holding this canonry it was argued that all the canons of the Cathedral church of Lisbon were New Christians. His father's and brother's arrest may be seen as an Inquisitorial revenge for this New Christian triumph. King João IV's role in the affair appears equivocal. See Azevedo, *Cristãos Novos*, 152-153.

real or bogus defendants. With all of them the Niggard gave free vent to his feelings. He accused the Inquisitors of arresting wealthy people in order to gobble up their fortunes. He rejoiced on learning that the king had done away with confiscation, which deprived the Inquisitors of "well-filled udders"; he mentioned a relative who had been obliged "to confess what she never did" so as to escape execution; he boasted of having plugged the peep-hole through which he was being spied on with a dead mouse and some excrement. What transpires from these accounts is, in the first place, the Niggard's total lack of respect for the Inquisitors, whom he called "thieves." Naturally the informers slipped in between these expletives some indications, however vague, of "Jewish beliefs." The old blighter's faith in his cellmates was so naive that he entrusted them with a message for his son Gregório, of whose arrest he was unaware, and a letter for a friend, which naturally fell into the hands of the Inquisitors.

The Inquisitors put the victim under the observation of guards, charged to watch for Judaic fasting and to report it. (This was, as other cases seem to bear out, a method the Inquisition used sporadically for want of other incriminating evidence.) Thus was mounted within the prison the whole works whereby a defendant apprehended on baseless charges could be condemned as a "Judaizer." In September 1654, some three years after his arrest, the Niggard was informed of the decision, taken seven months before, in February, to sentence him to death. He attempted to appeal to the pope but the General Council of the Inquisition refused to transmit his request. On the threshold of death the Niggard was given paper on which he dictated his farewell to his wife and family: "Light and flame of my eyes, my companion of over 50 years, may you be well, it having not pleased Our Lord Jesus Christ to let me die in your arms and in those of my children." In this piteous letter³ which still today can draw tears, he puts in order his affairs, both material and spiritual. As to the latter, it contains among others the following recommendation: "To all of you, children of my soul and grandchildren, not to forget our many years of devotion to Our Lady of Glory and her affection to the poor who came to our house, so that God will remember my soul." There we have the victim of an Inquisitorial condemnation for Judaism at the hour of his death invoking "Our Lord Jesus Christ" and "Our Lady of Glory." Can this be play-acting? Francisco Gomes Henriques kept his composure until the very end. The haughty tone he employs in the same letter when he tells of the Inquisitors who said to him "that, if I were being executed unjustly,

³ Transcribed *in extenso* by Baião, *op. cit.*, 222-228.

I would enjoy eternal heaven; to which I replied as on the first day: ‘Thus will God allow me to enjoy it, for I conform to His holy faith and mercy.’ Knaves and rogues they are who have brought me to this, evil souls and consciences! May Jesus Christ require account from them and requite them and to me give resignation and fortitude to bear this acute suffering!” He was garroted and burnt at the stake following the *auto-da-fé* held at Lisbon’s Terreiro do Paço on October 11, 1654.

The Niggard intended this letter to reach his family by the intermediary of his cellmate whom he trusted to the point of recommending him warmly to his wife, requesting her, in case this “friend” of his would ever be freed, to provide him with shelter, money and clean clothing, “and a silk jerkin and all the clean linen he may need and sheets and all the rest of better quality than mine for such is my last will.” But the man who thus succeeded in insinuating himself in the gratitude and affection of old “Niggard” delivered the letter to “my lords the Inquisitors.” The family never received it and, for this very reason, we can read it today in the Inquisitorial archives. The Inquisitors knew, then, that the man they had condemned to death as a “Judaizer” was a fervent devotee of Our Lady of Glory... And they buried the proof in their frosty vaults.⁴

Manuel Fernandes Vilareal (c.1608-1652) ⁵

The case we are now going to recount illustrates as well as any the combination of meticulous formalism and intentional arbitrariness which characterized the proceedings of the Holy Office.

It is the case of Manuel Fernandes Vilareal, with whom the Inquisitors had a bone to pick. He had been residing in France from 1638, where he enjoyed a good rapport with Cardinal Richelieu — the French Prime Minister and *de facto* despot whose political support he enlisted ⁶ — and the French Court, with the Portuguese colony in

⁴ Henriques’ “specimen trial” bears comparison with the Évora trial and execution (1625) of Manuel Casco Farelais (no. 6684), analyzed by António Borges Coelho, *Inquisição de Évora*, Lisbon, 1987, 1, 133-136, 349-352, specifically Henriques’ letter to his wife with Farelais’ letter to Father Agostinho Dias and the appended ballad.

⁵ See ANTT, Inquisition of Lisbon, no. 7794; José Ribeiro Guimarães, “1640-1652, Manuel Fernandes Villa Real.” *Summario de Varia Historia*, Lisbon, 1875, 5, 85-146; José Ramos Coelho, *Manuel Fernandes Villa Real e o seu Processo na Inquisição de Lisboa*, Lisbon, 1894; I. S. Révah, “Manuel Fernandes Vilareal, Adversaire et Victime de l’Inquisition Portugaise,” *Ibérica*, 1, 1959, 35-54, 181-207; Iva Delgado, “Manuel Fernandes Vila Real, Polemista da Restauração,” *Revista da Biblioteca Nacional*, 3, 1-2, 1983, 27-46.

⁶ Cardinal de Richelieu untiringly promoted the cause of Portuguese independence as part of his anti-Spanish policy. Moreover, he had acquired in 1633, thanks to the outcome of a monumental struggle between pro- and anti-Inquisition elements within

Rouen (consisting almost entirely of New Christian émigrés) and, after 1641, with the Portuguese embassy in Paris. Vilareal had teamed up with the Portuguese ambassador the Marquis de Nisa,⁷ Father António Vieira and others in a kind of anti-Inquisition cabal to which we will refer by and by. Besides all this, he had published at Rouen in 1643 entitled *El Politico Christianissimo* ("The Most Christian Statesman"), a posthumous panegyric of Cardinal Richelieu (who had died on December 4, 1642), but subtly twitting the Tribunal of the Holy Office, especially as confiscations and secret procedures were concerned. It rattled the Holy Office that these insinuations, which could be grasped by any informed reader and echoed the sentiments of many people in Portugal, should now be readily available in print. Vilareal was, moreover, a protégé of João IV. At the time the Inquisition was on hostile terms with João IV.

As soon as the book came off the press, the Portuguese Inquisitors pounced. Vilareal, without naming the Holy Office, had written: "Is there anything in the world less reasonable than to make prophets of accomplices and to enigmatize crimes?" By this cryptic allusion, transparent enough for the initiated, Vilareal implied that the defendants in Inquisitorial trials had to be prophets to guess their denunciators and that their crimes were elusive as an enigma. The Inquisitors decided that the cap fitted. They submitted the book for appraisal to an Inquisitorial censor, who opined: "[...] the author evidently means to question the methods and secrecy of the Holy Office and with his sneer *it makes prophets of accomplices*, to say that it obliges defendants to guess who testified against them, etc., and by calling the offense an *enigma* he implies that they want the defendant to guess its precise nature." Subsequent to his analysis of this and other passages of the book, the censor concluded that "the purpose of this author is to discredit the Holy Office and to favor heretics, so that he must be tracked down, brought in for questioning and obliged to make plain exactly what he means to insinuate."

At the time Vilareal was out of grasp. But in 1649 he returned from France to Portugal, where King João IV was waiting to reward him for his services and entrust him with new missions. He arrived at Lisbon on April 30. By May 18 a new charge sheet accused the author of

the Portuguese community of Rouen, the reputation of protector of the latter against the predacity of the Peninsular Inquisitions. Curiously, the most rabid members of the pro-Inquisition party were former victims of that same Inquisition. See I. S. Révah, *Le Cardinal de Richelieu et la Restauration de Portugal*, Lisbon, 1950; id., "Autobiographie d'un Marrane," *Revue des Études Juives*, 119, 1961, 41-130: 41-89.

⁷ Vasco Luís da Gama, Count of Vidigueira, Marquis de Nisa (1612-1676) was Portuguese ambassador to France, 1642-1649.

El Político Christianissimo, in addition to taking up the cudgels for heretics (as had been stated in the Inquisitorial charge of 1643), “of having the audacity to cast aspersions on the procedures of the Holy Office in the matters of secrecy of the trials, imprisonment and confiscation; calumniating the ministers of the Holy Office by implying that they are ambitious and greedy, that they proceed hatefully and vindictively, not with a view to mend the ways of the defendants, but because they covet their goods.” He was therefore liable to censure and punishment as a “promoter and defender of heretics and their errors, a calumniator, defamer and obstructor of the Holy Office.” In keeping with the Inquisitorial formulary, a “vehement presumption of guilt” hung over Vilareal.

It was on the basis of this sole accusation that a warrant for his arrest was approved on June 8 by the Inquisitorial Tribunal of Lisbon. But the *Regimento* stipulates that there have to be a minimum of two denunciations against a person for any of the three Portuguese tribunals to issue a warrant. There being no denunciations against Vilareal, only the General Council of the Inquisition had the authority to order his arrest. Probably influenced by protectors and friends of Vilareal, the General Council overturned the order of the Lisbon tribunal. One of the members of the Council, Friar Pedro de Magalhães, in a new report on *El Político Christianissimo*, cleared the work of heresy, by arguing that the procedures of the Portuguese Holy Office did not constitute a matter of faith and, moreover, the Papal curia had expressed its doubts on their legality. The friends and enemies of Manuel Fernandes Vilareal continued their scheming until the Lisbon Inquisitors, a few days before Vilareal’s scheduled departure for France, procured the requisite denunciations.

The first denunciator was a friar, Francisco de Santo Agostinho de Macedo, who knew Vilareal in Paris and had aligned himself with the cause of Inquisition reform. He told the Inquisitors that he had heard rumors to the effect that the accused was not a good Catholic, associated with heretics in Paris and Rouen and carried on correspondence with Portuguese Jews in the Netherlands. He hinted that Vilareal had offered the Portuguese ambassador a treatise on Jewish customs and rituals. No doubt because all this was vague and of little weight, Macedo expatiated on the danger of a man who attacks the procedures of the Holy Office. Only now, so the friar continued, did he see fit to make his denunciation because he had just learnt that Vilareal was going to reside in Portugal; and in this country, because of his connections, he could wreak havoc on the Holy Office.

But Vilareal was about to embark for France and it was precisely because of this that the Inquisitors had to look slippy if they wanted to

get their hands on him. Back at the Inquisitorial “Desk” a week later, the friar confirmed his denunciation, but this time supplied the Inquisition with a new motive for arrest, contradicting the earlier one. The week before the friar had said Vilareal was dangerous to the Inquisition because he was going to remain in Portugal; now that Vilareal was returning to France the friar declared him dangerous to the Inquisition because of his activity in foreign climes. Another friar, mentioned in Macedo’s deposition, came to testify. His name was António de Serpa, a “friend” and Paris associate of the accused. This Serpa was probably terror-stricken by the thought that he might be arrested and brought to trial by the Inquisition. Fear drove him to betray friendship. He repeated more or less what the other friar had said, adding, in order to emphasize the potential peril to the Holy Office, that Vilareal had worked with Padre António Vieira for the reform of the Inquisition’s “styles.” He also mentioned the book about Jewish precepts which the accused was suspected of acquiring and then offering the Portuguese ambassador. The Marquis de Nisa, summoned to the Inquisitorial tribunal, admitted to having conspired in Paris against the Portuguese Holy Office but insisted that the book on Jewish precepts had not been given him by the accused, but by Vicente Nogueira (1586-1654), a Portuguese scholar-prelate-diplomat residing at Rome.

Thus the requisite two denunciations were to hand. The General Council was thwarted from interfering with the arrest, which was ordered October 29, 1649 and made the next day. The only precise “count” against Vilareal was the offer of the notorious book to the Marquis de Nisa. All the rest were mere presumptions, hearsay and calumnies.

When he entered the Inquisitorial prison, Vilareal believed his position to be strong. Right at the start of his trial he identified Macedo as his denunciator. His first interrogation on March 14, 1650 must have confirmed his suspicions, since it dealt with the general nature of his writings, readings and activities in France. But in the second interrogation (*in specie*) after having pursued the same subject for a while, the Inquisitors asked him four questions concerning four Judaic fasts. In keeping with the “styles” of the Holy Office, neither the date nor the place of this alleged fasting were indicated.

Here is where for Manuel Fernandes Vilareal began the “enigma” of which he had spoken in his book. Asked specifically what “fasts of the Law of Moses” he had observed, he denied ever observing any whatsoever. The Inquisitors concluded the interrogation with the third and last admonishment “for the defendant to confess his offenses in order to merit the mercy of the Tribunal.”

The four fasts in question were purportedly observed in prison. They were denounced by spies of the Holy Office. Vilareal was not aware of this type of denunciation, though it had been current practice for decades. His assurance began to founder in the quicksand of the trial. He was so flabbergasted that on the day following the third and last admonishment he was granted a hearing where he stated that many years earlier, after his arrival in France, he had observed Judaic fasts in Rouen. But since the Inquisitors did not consider this confession satisfactory, he went on multiplying, in ensuing confessions, the number of fasts. He wound up conceding that he was a convinced Jew up to the very moment he entered the Inquisitorial prison at which instant he was suddenly illuminated by the Holy Ghost, and that his practice of Catholicism had all this time been nothing but a mask. Yet Vilareal knew full well that in order to save his life he had to convince the Inquisitors that he was hiding nothing from them.

However, with these “confessed” offenses he was sinking deeper and deeper into the quagmire, because the Inquisitors added them to the fasts purporting to have been observed in prison which the Inquisitors held that the defendant was hiding from them. They went further: they argued that after having confessed “his Judaic errors” and reaffirmed his Catholicism the defendant lapsed to fasting “Judaically” in prison, no less than three times according to new depositions by the Inquisitorial spies. This proved that his confession was false and that he had not repented. The prosecutor’s bill of indictment, presented on August 26, 1650, declared that the defendant was maliciously dissembling and maintained his Judaic convictions “because he demonstrably fasted seven times and once ate meat on a Saturday.”

Vilareal attempted to defend himself by “confessing” ever more Judaic rites, but he did not hit upon the seven fasts alleged by the Inquisitors. Finally the tribunal, pondering the four fasts observed by the defendant before, and the three after confessing his Judaism and his failure to mention them, concluded that “as a heretic and apostate of the holy Catholic faith and as a false, fictitious, feigned, incomplete confessant he was to be handed over to secular justice [*i.e.*, executed].”

His death-sentence was signed on March 17, 1651 but only communicated to the defendant 20 months later. During this interval of nearly two years the Inquisitors were able to observe the condemned man at their leisure. Two prisoners from neighboring cells came to make their depositions which may be the only authentic, non-tendentious reports in this sham trial. Vilareal comes through in them as a man of the highest moral caliber. In his hushed conversations with his neighbors he spoke of his life in France, his relationship to kings, princes and cardinals; he asks for news of other prisoners, acquaint-

tances of his; he requested a message to be transmitted to Padre António Vieira, warning him that the Inquisition wants his skin; knowing that a certain prisoner was going to make confessions, he advised him to denounce only persons living abroad and thus out of reach; he accused the Inquisitors of coveting the wealth of the condemned and of handling the trials inequitably. In these entire compromising conversations there is not the slightest confession of Judaic practices. There is a passage, on the other hand, which shows how Vilareal allowed himself to be disoriented by the interrogation concerning his enigmatic fasts. He said that the Marquis de Nisa, pretending to be his friend, persuaded him to return to Portugal and, subsequently, went and denounced him to the Inquisition, rounding up twelve or fourteen Frenchmen who made depositions to the effect that they had seen him in France fasting Judaic fasts and eating meat on Saturdays. For this (said Vilareal) the ambassador had received divine punishment because one of his brothers-in-law had been arrested by the Inquisition. This erroneous identification of the Marquis as the cause of his arrest and misfortune had a certain logic to it because in view of his believing that the accusation concerned fasts observed in France, the former ambassador to Paris was the only one who would have had the means to recruit so many false witnesses. Vilareal continued to localize the fasts of which the Inquisitors spoke in France, because there would have been no possible denunciators for such activity on his part during the six months he had spent at Lisbon in freedom. Never did it enter his mind that it was in his cell that he was supposed to have done the alleged criminal fasting.

In June 1650 another prisoner had been put into Vilareal's cell, in whose company he was to spend the next 29 months. The two prisoners were separated on November 17, 1652 and on the following day Vilareal was informed of his death-sentence. Horrified and probably startled, the condemned man made new and amazing declarations, which will repay careful analysis.

He declared that up to the moment that he was now speaking he had been secretly professing the Law of Moses and that, together with his cellmate, he had observed fasts and other Judaic rites. With this denunciation he was apparently disavowing his ingrained nobility of character. However, we must not forget that every prisoner of the Inquisition suspected in every cellmate a potential denunciator, whom he had to forestall in order not to be considered a *negativo* (denier) or a *diminuto* (incomplete confessant). His companion reciprocated, surely out of the same motives, denouncing Vilareal in turn. Those were the rules of the game.

Vilareal declared, moreover, that he had observed six or seven fasts during the six months preceding his arrest. We note that this number corresponds to the one in the prosecutor's Bill of indictment, which was known to the defendant and saying "six or seven" instead of precisely seven, was a stratagem to simulate imprecision of memory concerning "real" events, instead of simply repeating the accusation, which would sound artificial. We note also that the period of six months during which these seven fasts were purportedly observed corresponds exactly to the period from his arrival at Lisbon to his arrest. Upon hearing his death-sentence, Vilareal finally realized that the fasts indicated by the Inquisitors were not those that he had "confessed" observing in foreign parts. He therefore tried to invent a convincing localization in Lisbon, although he could not and did not try to invent "accomplices" for them. Even at this 11th hour it did not dawn upon him that the purported locale of the fasts was the very prison in which he found himself.

Vilareal further declared that he had bought and offered the Marquis de Nisa a book on Jewish precepts. He had consistently denied this in earlier declarations. We know in effect that this confession was false, not only through the deposition of the Marquis de Nisa but also from extant published letters exchanged between the Marquis and Vicente Nogueira, wherein is stated black on white that the latter bought and offered the Marquis the book in question.⁸

⁸ On January 24, 1650 Vilareal submitted to the Inquisitors an elaborate apology he had composed in his cell, wherein he states that Nisa had charged Nogueira to purchase for him in Rome and that Nogueira had sent Nisa from Rome two distinct books on Jewish ceremonies, but he only identifies "their author" as Menasseh [ben Israel]: "Declaro que mandando o Marquez de Nisa comprar a Roma [...] dois livros das ceremonias judaicas por D. Vicente de Nogueira, lhos enviou o dito D. Vicente [...]." Vilareal goes on to state that he purchased for Nisa in Rouen a number of other books by Menasseh and that Nogueira had sent Nisa a printed list of all Menasseh's books. The document was transcribed in full by José Ribeiro Guimarães in 1875 (*op. cit.*, 90-119) and by Brito Aranha in the continuation of Inocêncio Francisco da Silva's *Dicionário Bibliográfico Português* (Lisbon, 1893, 16, 189-206). Ramos Coelho's transcription (*op. cit.*, 37-48) is an abridgement. Menasseh's Portuguese *Thesouro dos Dinim* ("Treasure of the Precepts") was confiscated from Nisa's baggage by the Inquisition and shown the Marquis during his interrogation. The other book on Jewish ceremonies, Leon Modena's Italian *Historia degli riti hebraici* ("History of Jewish Rites," Paris, 1637; *Historia de riti hebraici*, Venice, 1638), was apparently not found in Nisa's luggage by the Inquisitors. It is probably referred to as "o livro que Vossa Mercê me mandou dos ritos judaicos" (the book you sent me of Jewish rites) in Nisa's letter to Nogueira of July 11, 1649 and as "o livro dos ritos judaicos que Vossa Mercê me mandou" (the book of Jewish rites you sent me) in Nisa's letter to Nogueira of October 4, 1649 (both letters cited by I.S. Révah, *Ibérida*, 1, 1959, 183-184). In the course of his trial Vilareal is left to guess title and author of the incriminating book. On March 29, 1650, during his *in specie* session, he names the *Thesouro dos Dinim* as a book he had seen and returned to its owner, but never owned, nor bought, nor offered to Nisa.

Finally the defendant declared that he had discovered and stopped up the peep-holes in his cell. This incongruous declaration seems to show that Vilareal had completely lost his cool. Of what use was it to him to hide from the Inquisitors' vigilance? This action on his part would merely prove to them that he had condemnable acts to hide. Is it far-fetched to conjecture that in the course of the interrogation the Inquisitors gave him the cue for this new confession?

The only thing he did not confess, for obvious reasons, were the seven fasts he supposedly observed alone in prison: he had never fasted *in prison*. But the accusation was drawn up in a way to suggest that he was being accused of having observed them at another time in another place. It stands to reason that, had he known that the accusation was about prison fasts, he would have "confessed" them as he had "confessed" the others.

Vilareal had been reduced to guessing the Inquisitors' thoughts in order to confirm them. The Enigma had transformed him into a zombie. Having entered the prison without the slightest proof or indication of ever having Judaized, he was now, by his own confessions, weighed down with Judaic practices for his whole adult life. He had also "confessed" to Judaic practices together with his cellmate; he had "confessed" to having given a friend a book he had never given. All these were offenses that the Inquisitors added onto the seven fasts for which they had a denunciation. These seven fasts were registered and not confessed. To be sure, the defendant spoke of fasts practiced in prison. But those were other fasts. The Inquisitors required the defendant to confess (or, rather, tried to keep him from identifying) seven fasts in particular. Since he did not succeed in guessing them, the death sentence was confirmed.

The Inquisitors' decision, which should not be confused with the public sentence, mentioned that the defendant had not confessed fasts observed in prison, subsequent to having confessed other Judaic offenses, thereby demonstrating that he had no intention of making a clean breast. So besides a *diminuto* (incomplete confessant) he was *impenitente* (unrepentant), because he had kept his Judaic convictions although simulating his return to Catholicism. The decision refers to the "faith of the notary" who had registered his declarations. The notary, in effect, had to declare in writing whether in his opinion any given defendant was sincere or lying. In this case the notary opined the defendant's contrition to be merely external: further proof of "impenitence." Yet another proof: the defendant, though he had confessed his former and deeply rooted heretical creed, had not denounced any of his own brothers nor any person living in the city of Lisbon. Finally, the defen-

dant had discovered the peep-holes in his cell and disclosure of this secret was “extremely prejudicial to the Inquisition.”

On December 1, 1652, more than three years after his arrest, Vilareal appeared among those condemned to death on the scaffold of the *auto-da-fé*. He was still not resigned to his execution. Like a fish squirming in the net, he tried a last ploy. He requested the Inquisitors for one more audience, which was granted.

He now declared that he had observed 434 fasts in prison, including 54 of three days’ duration and 35 of two days. This represents an average of more than one fast per every three days he had been in prison, but with the series of three and two day fasts he was trying to cover other hypotheses in connection with the seven enigmatic fasts. He made other small revelations and a supreme confession: he declared himself so obstinately attached to the Law of Moses that after his last confession he had decided to die in its observance (which meant to be burned alive). Now, however, he was finally repentant and truly reconverted to Catholic truth. This repentance, he said, came indeed from the heart, even though it was not accompanied by exterior signs of emotion, because he was tough by nature and did not have the gift of shedding tears.

The Inquisitors met and decided that these confessions were meant to save his life and were not motivated by true repentance: the proof of this was that the defendant was not denouncing persons whom the Holy Office could proceed to arrest. Friar Pedro de Magalhães, who as we have seen was Vilareal’s patron, argued that the defendant had confessed the prison fasts and thus could no longer be considered a *diminuto* (incomplete confessant); accordingly, in his opinion, the death sentence should be suspended. Indeed the 434 “confessed” Judaic fasts performe comprised the seven reported by the peep-hole spies. But the majority opined that the defendant — though no longer *diminuto* — continued “impenitent,” since his contrition was obviously faked. The General Council confirmed that “as an impenitent heretic he be handed over to secular justice.”

This dreadful trial displays the whole bag of tricks at the Inquisitors’ disposal when it is their pleasure to see a defendant dead, including the procedural procrastinations and bureaucratic minutiae. To us it is obvious that all Vilareal’s confessions of Judaic practices are as untruthful as his declaration that he gave the Marquis de Nisa the book of Jewish rites and on a par with his fantastic 434 fasts during a 37 month incarceration which works out at 5 fasts a week. Vilareal, who thought he knew his foe, racked his brains to work out the Enigma.

A most remarkable postscript to this famous trial is that the Inquisitors succeeded in deluding not only the defendant, but also modern scholars who have dealt with it. I. S. Révah, who authored an in-depth study of the Vilareal case, includes him among the martyrs of Judaism.⁹ The 20th-century Spanish scholar Julio Caro Baroja writes: “it does not shock me that Vilareal was condemned to death on the basis of these proofs.”¹⁰ To us it seems that he is simply a “Marrano Manufactured in the Inquisition” (another one of thousands) by a process described two decades later in the *Account of the Cruelties Exercised by the Inquisition in Portugal*.

António José da Silva (1705-1739)

Let us now examine the case of the man known to Portuguese literature as “The Jew.”¹¹

António José da Silva, who lived in Lisbon, was born in Rio de Janeiro into a well-off family of intellectuals. His father, João Mendes da Silva, was a lawyer and poet, author, *inter alia*, of an epic poem entitled *Christiados*, subtitled “The Life of Christ, Our Lord,” as well as other devotional works. António’s uncles and cousins included several priests and friars. In 1711, in a swoop on sugar-plantation owners, the Inquisition apprehended the parents and numerous other relatives of António José da Silva and shipped them off to Lisbon. All of them used the strategy of confessing everything and denouncing everybody. João Mendes da Silva, known as a fervent Catholic in Rio de Janeiro, confessed to practicing all the familiar and publicized Inquisitorial rites of “Judaism” ever since his student days thirty years earlier in Portugal and denounced more than 120 accomplices. The Inquisitors considered him a “good repentant” and he, his wife, siblings and in-laws were all “reconciled” with light penalties at a Lisbon *auto-da-fé* of 1713.

Thereafter João Mendes da Silva settled down as a lawyer in Lisbon and succeeded in keeping the Inquisition off his back. But his wife, Lourença Coutinho, got into scrapes with her neighbors and relatives

⁹ See I. S. Révah, *art. cit.*, 47.

¹⁰ See J. C. Baroja, *Los Judíos*, etc., 2, 129.

¹¹ See ANTT, Inquisition of Lisbon, no. 3464, transcribed and published in the *Revista do Instituto histórico e geográfico brasileiro*, 59, 1896, 5-261 (trial of 1726, 5-51; trial of 1737, 51-261); João Lúcio de Azevedo, “António José da Silva, o ‘Judeu’ e a Inquisição,” in *id.*, *Novas Epanáforas*, Lisbon, 1932, 137-218; António Baião, *Episódios*, 2, 182-205; Claude-Henri Frèches, *António José da Silva et l’Inquisition*, Paris, 1982; José Oliveira Barata, *António José da Silva, Criação e Realidade*, Coimbra, 1985, 1, 133-169.

which led to new denunciations. In 1726 the fiancé of António José's cousin, desirous of breaking off his engagement, could think up no better way than to denounce his fiancée to the Inquisition. Some other members of the family, including António José and two of his brothers for the first time as well as his mother for the second time, were involved in Inquisitorial denunciations and arrests. In the family tradition all of them got off lightly by endless "confessions" and denunciations. However, the mother's situation was more delicate, seeing as how this was her second bout with the Holy Office. It took very little more to be "handed over to the secular arm" as a "relapser" (backslider). That is why during their torture sessions her children did not pronounce her name. The old lady also held up under torture and the Inquisitors, disqualifying two particularly suspect witnesses, allowed her to be once again "reconciled" to the Holy Mother Church.

While his brother Baltasar da Silva took to wife an Old Christian, by definition possessed of a clean Inquisitorial slate, António José married a New Christian — his mistress or former mistress — who had already been once condemned by the Holy Office. He spent his time writing "operas", dramatic dialogues interspersed with arias and performed in a puppet theatre. Two of these operas had been printed in cheap leaflet form. Maybe these plays that got on the wrong side of the Inquisition added impetus to the persecution we are about to witness. If so, perhaps someone had alerted the Holy Officers to a risky verse in the play *Anfitrião* (1736) cited in our preceding chapter: "If [...] it is a crime not to be guilty, then I am guilty [of that crime]." ¹²

This verse, of and by itself, would have been ample to trigger off an implacable persecution, because the Inquisitors did not brook jibes or indeed any references to their procedures, as we have seen in the trial of Vilareal. Since they had spies everywhere, they must have known of the celebrated "puppet operas." ¹³ Yet it is hard to believe that a trial could be based on this recondite allusion, whose meaning would have been intelligible only to the initiated. The author could always claim

¹² This hypothesis is convincingly contested by I. S. Révah in his *Surrebutter* (Appendix Three).

¹³ However, the sole reference (and a problematic one at that) in the Inquisitorial trials to António José da Silva's activity as a dramatist is the testimony on October 15, 1738, of the character witness Diogo Pantoja, an Augustine friar: "Declares [...] that since he came back from his last stay in India, he conversed with the accused because of the compositions that he was making of the sort in the Bairro Alto [...]." It should be noted that all the 18th century editions of da Silva's plays are anonymous. The only indication of his authorship is the acrostyc of a poem introducing all the 18th-century editions.

that such an interpretation was subjective and that the verse applied specifically to the fictional Jupiter of the play. Moreover, the Inquisitors would make themselves ridiculous were they seen to insist that “the crime of not being guilty” could have been applied by any sentient being to their irreproachable system.¹⁴ Be that as it may, the Inquisitors were now hell-bent on getting António José.

António José da Silva was arrested for the second time on October 5, 1737 without a single registered denunciation in the Inquisitorial files and without a written warrant, an anomaly, to say the least. His arrest was by order — not of the Lisbon Tribunal, as might have been expected — but of the General Council, to whose authority all three Portuguese Inquisitorial tribunals (Lisbon, Coimbra, Évora) were subject. On the same day, but with the customary formalities of warrant and registered denunciations the Inquisition arrested his wife, mother and other relatives. The “*familiars* of the Holy Office” who apprehended António were all high-ranking aristocrats: the Marquis of Alegrete,¹⁵ the Viscount of Ponte de Lima, the Marquis of Marialva and the Count of Atougia.

A couple of days before his second arrest António José had voluntarily appeared before the Lisbon Inquisitors. He advised them that a certain slave, whom he had been unwilling to grant a letter of emancipation, in the course of an altercation had threatened to denounce him and his wife to the Inquisition for “Judaizing.” Possibly this move on da Silva’s part gave the Inquisitors ideas. The slave was arrested simultaneously with her masters. The Inquisition certainly expected from her the denunciation which was the *sine qua non* of any procedure and, at her first interrogation, she did not fail them. At the second she recounted the reasons she had for thinking that her masters were observing the Sabbath and the Jewish fasts. The Inquisitors had her locked up and shortly after testifying she died having given birth in her cell. But her deposition, being a slave’s deposition, was considered below par; and totally discounted once she had been identified by the defendants as their denouncer.

¹⁴ As will be pointed out by I. S. Révah in his Surrebutter (Appendix Three), a strong argument against the hypothesis that this verse or indeed any aspect of the dramatic work of António José da Silva was the basis or motivation for the Inquisition’s hatred of him is the fact that the first complete edition of da Silva’s plays (1744, 5 years after his execution) is preceded by an Inquisitorial approbation signed by the Inquisitor General himself.

¹⁵ The same Marquis of Alegrete was the Familiar who arrested António José da Silva in 1726.

António José as well as his mother and wife had been arrested as “relapsers into heresy” and his mother’s arrest was her third. All three were in grave danger. With one difference though: there were denunciations against the two women but not against him and indeed the method of investigation applied to the women differed from the one applied to him.

The women were put to the torture. They held firm throughout their *ordeal* and were granted liberty after several months in prison. Also the denunciations against them were invalidated because they had guessed their nature and discredited their authors.

But this loophole was denied António José da Silva. Instead of torture, he was subjected to a method which infallibly resulted in a death-sentence: the prison denunciations.¹⁶ Various “Familiars” were stationed at the peepholes to spy on the defendant and notify the “Desk” of any fasting. Two prisoner-spies were put in his cell and confirmed the depositions of the “Familiars,” although according to the declarations of one of these prisoners the fasts were not always Judaic (*i.e.*, according to the Inquisitorial definition, Monday, Thursday and the Day of Atonement). One of them added that he had seen the accused spitting on images of the saints, an unusual accusation in Portuguese trials, though common in Spanish American ones. Let us not forget that these spies were creatures of the Inquisitors, in their pay and service.

It was on the basis of these declarations that the trial was constructed once the slave’s denunciation had misfired. The defendant had been brought in on October 5, 1737 and the death-sentence specified that he had been in a state of heresy since April 1738, the time the first of his fasts was registered. Thus he had spent six months in prison “for the crime of not being guilty” prior to committing the purported crime for which he was ultimately to be executed.

That he was treated differently from his mother and wife can only mean that the Inquisitors were bent on his speedy dispatch, and ready to do whatever it takes; whereas in respect of the two women they made do with routine Inquisitorial procedure. The arrest without a denunciation, the omission of torture (with its uncertain outcome), testimony collected in prison, all converge and lead to the conclusion that António José da Silva was somehow a threat to the Inquisition.

The trial records summarized above add a new twist not mentioned in the *Account of the Cruelties*: prisoners denounced by peep-hole observers for fasts carried out in their cells and who did not confess to

¹⁶ See below, note 19.

them were usually (or almost always) executed.¹⁷ Had the author of the *Account* known of this device for legal assassination, how could he have failed to exploit it? And yet, as an Inquisitorial Notary, how could he not have known of it? ¹⁸ In any case the defendants who discovered the peep-holes and their function in the course of the trials and escaped with their lives to “tell the tale” must have been so exceptional that their reports also failed to reach him.

¹⁷ We now know that defendants accused of cell-fasts were not, as a rule, executed. Consider, for instance, the trial records of the three Milão brothers: Gomes Rodrigues Milão, Inquisition of Lisbon, no. 2523; Fernão Lopes Milão, Inquisition of Lisbon, no. 3338; Paulo de Milão, Inquisition of Lisbon, no. 9389: each contains elaborate reports on two or more Monday and Thursday cell fasts, each “witnessed” by two peep-hole observers. None were specifically confessed to by the defendants. All three brothers were “reconciled” with various penances at the *auto-da-fé* of April 5, 1609. Their 80-year old father, Henrique Dias Milão, on the other hand, who was not spied on in his cell, was executed at the same *auto-da-fé* (Inquisition of Lisbon, no. 6677). All were arrested when attempting to flee Portugal on October 28, 1606. A transcription, translation and thorough analysis of some Inquisitorial cell fast reports (authors, contents, technique, verisimilitude) is a desideratum. It is also not the case that the reports of the peep-hole observers are invariably unfavorable to the defendant, even when the Inquisitors are obviously intent on legally assassinating the defendant. See, e.g., *Noticias Reconditas*, 1722, 100-102 (see Inquisition of Lisbon, no. 2416), the case of António de Sequeira, son of a washer-woman from Torres Novas, arrested on October 15, 1637 at the age of 15 or 16, whose maternal great-grandmother was his only New Christian ancestor. He was kept in prison until he was old enough to be executed as a “New Christian who refused to confess his Judaizing.” On October 6, 1641 he was moved to an “observation cell” (i.e., with peep-holes) but the “observer,” Augusto de Góis, a prison warden, reported that he always saw the boy eating at regular hours. On December 7, 1641 the Inquisitors had the baptismal registers of the Church of Santa Maria in Torres Novas ransacked and came up with an António de Sequeira born to the same parents in 1613, not taking into account that this child died in infancy and ignoring the register for 1622 or 1623. Thus they “concluded” that the defendant, by then in reality 18 or 19, was “in fact” 28 and old enough to die. They notified António of his impending execution on March 24, 1642 (the last pages of the trial record are missing). António was one of eight siblings, five of whom had died in infancy. His older brother João, arrested on March 29, 1634, also *negativo*, had been executed on October 11, 1637 (Inquisition of Lisbon, no. 5427). The *Account* reports a sarcastic repartee (which could well explain the Inquisitors’ murderous wrath) made by João (or António) de Sequeira to the Inquisitors in connection with a denunciation against him and his brother. No trace is to be found of this denunciation in either brother’s trial record nor in that of the purported denunciator (Inquisition of Lisbon, no. 9781, Padre João Travassos, former Vicar General of Lisbon, “one-eighth New Christian”).

¹⁸ See I. S. Révah’s well-taken strictures in his surrebutter (Appendix Three). Whereas Saraiva’s hypothesis, viz. that prisoners denounced by peep-hole observers for carrying out fasts in their cells were (almost) always executed, is untenable, the hypothesis that all or most of the defendants who *discovered* the peep-holes and their function in the course of their trials were executed, has not been invalidated by subsequent archival research.

CHAPTER SIX

WHAT WAS A PUBLIC *AUTO-DA-FÉ*?

The sentences of the Tribunal of the Holy Office were read and applied at an elaborate ceremony, which has passed into general history and the English language under its Portuguese name *auto-da-fé* ("Act of the Faith"),¹ although its origins are in 13th-century Toulouse and the first Spanish "*auto de la fe*" took place at Seville on February 6, 1481, predating the first Portuguese *auto-da-fé* by nearly 60 years.² Public *autos-da-fé* were held in a spacious city square but the

¹ Whereas the original Portuguese name obtained universal currency, in the course of the post-Inquisition era *auto-de-fé* ("Act of Faith") became the accepted form in Portugal itself, replacing *auto-da-fé* in dictionaries and encyclopedias. Similarly, in Spanish, "*auto de la fe*" became "*auto de fe*." In recent years, however, *auto-da-fé* (or "*auto da fê*") has made a come-back in Portuguese publications.

² On the medieval French *sermon* or *actus fidei* see Henry Charles Lea, *The Inquisition of the Middle Ages*, New York, 1887, 1, 391-393. Descriptions of 15th and early 16th-century Spanish *autos-da-fé* are scarce, scant and often unreliable. On the Spanish *auto-da-fé* see Joseph del Olmo, *Relación histórica del Auto General de Fe que se celebró en Madrid este año de 1680*, Madrid, 1680; Maria Victoria González de Caldas Méndez, "El auto de fe: modalidades de un ritual," in *Images et représentations de la justice du XVI^e au XIX^e siècle* (G. Lamoine, ed.), Toulouse, 1983, 41-60; id., "New Images of the Holy Office in Seville: the *Auto de Fe*," in *The Spanish Inquisition and the Inquisitorial Mind* (Angel Alcalá, ed.), New York, 1987, 265-300; in that same volume, 249-264; Miguel Avilés, "The Auto de Fe and the Social Model of Counter-Reformation Spain"; Maria Isabel Pérez de Colosia Rodríguez, *Auto inquisitorial de 1672, el criptojudasmo en Málaga*, Málaga, 1984; Consuelo Maqueda Abreu, *El Auto de Fe*, Madrid, 1992; Michèle Escamilla-Colin, *Crimes et châtements dans l'Espagne Inquisitoriale*, Paris, 1992, 1, 57-187; Miguel Jiménez Monteserín, "Modalidades y sentido histórico del Auto de Fe," *Historia da Inquisición en España y América* (Joaquín Pérez Villanueva and Bartolomé Escandell Bonet, eds.), Madrid, 1993, 2, 559-587, reprinted without footnotes: "El auto de fe de la Inquisición española," *Inquisición y conversos*, Madrid, 1994, 203-224. On the Portuguese *autos-da-fé* see Pedro Monteiro, "Notícia Geral das Santas Inquisições deste Reino e suas conquistas," *Collecão dos Documentos e Memórias da Academia Real Portuguesa*, 3, Lisbon, 1723, 392-397; Isaías de Rosa Pereira, "Para a História da Inquisição em Portugal: o que era um Auto-de-Fé," *Os Portugueses e o Mundo*, 2, Oporto, 1988, 173-180; Francisco Bethencourt, "The *Auto-da-Fé*: Ritual and Imagery," *Journal of the Warburg and Courtauld Institute*, 55, 1992, 155-168; António Ribeiro Guerra, "O Auto-Da-Fé," *História de Portugal dos Tempos Pré-Históricos aos Nossos Dias* (João Medina, ed.), 6, 1993, 95-112. The earliest and still useful general study is the chapter "Of an Act of Faith" in Philip Limborch, *The History of the Inquisition translated into English by Samuel Chandler* (London, 1731, 2, 291-319); the most recent is the chapter "O auto-da-fé" in Francisco Bethencourt, *História das Inquisições Portugal, Espanha e Itália* (Lisbon, 1994, 195-257; French translation: *L'Inquisition à l'époque moderne*, Paris, 1995). A book-length study on the Portuguese *auto-da-fé*, such as the one on the Spanish *auto-da-fé* by Consuelo Maqueda Abreu, comparing (or contrasting) it to the latter, is sorely needed.

other variety (called *particular* in Spain and sometimes *privado* in Portugal) “reconciled penitents” at a less spectacular ceremony in a church, a convent, a great hall in the palace of the Inquisition or unceremoniously behind closed doors at the Inquisitors’ “desk.”³ Defendants who were pronounced guilty would be readmitted to the bosom of the Church (“reconciled”) and sentenced to punishments which ran the gamut from “spiritual penance,” to (benign) incarceration, banishment (within Portugal, to Africa or to Brazil), lashing, terms in the galleys. Both at the public *auto-da-fé* on the square and at the private one in the church or convent, there would usually be, in addition to the *reconciliados*, the unfortunate *relaxados* who would be marched off and “handed over to secular justice” for execution at another location.

The Inquisitors would select for prisoners one of the three types of *auto-da-fé* according to a criterion malleable enough to serve their convenience and opportunism. Thus, when they sentenced the great Portuguese humanist Damião de Góis (1502-1574) on the count of “Lutheran heresy” (1572), they decided he would not go to a public *auto-da-fé*:

in consideration of the awkwardness that might ensue in view of the defendant’s high standing and the fact that he is so well known in those countries perverted by heretics who could make political hay out of the

³ Of 97 *autos-da-fé* held by the three tribunals of continental Portugal during the 16th century, 67 were held in a city square; 129 of 330 during the 17th century; 27 of 252 during the 18th century (including those taking place in front of churches [*adros* and *tabuleiros*] rather than inside them). However, printed and manuscript lists of Portuguese *autos-da-fé* often also designate as *públicos* those held in the monastery of Santa Cruz in Coimbra, the convent of São Domingos in Lisbon and the Convent of São João Evangelista in Évora. See Maria Isabel Ribeiro de Faria and Maria da Graça Pericão de Faria, *Inquisição*, Coimbra, 1977, 151-199; Cod. 198 of the Biblioteca Nacional de Lisboa. On f. 271r of this codex (Coimbra *auto-da-fé* of June 18, 1656, held in the monastery of Santa Cruz) the scribe explains that its preparations and ceremonies were comparable to those of an *auto-da-fé* in a city square. Moreira’s statistics may be found in Fortunato de Almeida, *História da Igreja em Portugal*, 4, Lisbon, 1971², 287-318 and in José Lourenço D. Mendonça and António Joaquim Moreira, *História dos Principais Actos e Procedimentos da Inquisição em Portugal*, Lisbon, 1980², 146-279. Moreira’s incomplete list of 71 Goa *autos-da-fé* mentions no public ones. See, however, the dedication to the Inquisitors preceding the sermon preached by Friar Manuel da Encarnação at the Goan *auto-da-fé* of February 7, 1617 in which he states that it was “the first sermon of the first *auto-da-fé* to be celebrated on a public square in this State.” In Spain a full-fledged *auto general* (or: *público*) *de fé* in the open air, attended by high personalities (such as the *auto público* in Portugal), while rampant in the early years, became a rarity much sooner than in Portugal. During the 17th century there were only four such in Madrid, four in Córdoba, four in Seville and five in Granada. See González de Caldas Méndez, “El auto de fe,” 49. Maqueda Abreu’s list of 127 printed Spanish *auto-da-fé* descriptions (*El Auto de Fe*, 482-489) mentions no *auto general* during the 18th century. However, the ten Spanish tribunals totaled c. 400 *autos-da-fé* 1666-1732. See Escamilla-Colin, *op. cit.*

spectacle [of a public *auto-da-fé*] and other considerations of the purity and reputation of this country in matters of faith.⁴

Yet this same zeal for the reputation of the country did not prevent 223 public *autos-da-fé* 1540-1714 (out of a total of 689 registered by Moreira 1540-1781) at Lisbon, Coimbra and Évora⁵ whose victims were overwhelmingly condemned for “Judaism,” thus spreading throughout the world the belief that Portugal was a country peopled by outlawed Jews. In point of fact, at least during the 16th century, the Inquisition pursued different policies towards Judaizers and Lutherans. But if it was loath to advertise the rare instances of Christian heterodoxy, it was far from averse to sensationalizing what it called “Jewish heresy.”

This preoccupation with publicity is already manifest in the oldest known description of a Portuguese *auto-da-fé público*, which we owe to the pen of one of the first Inquisitors, João de Mello, in a letter to King João III dated Tuesday, October 14 (no year).⁶ Reporting the *auto-da-fé* held on that day,⁷ João de Mello tells the king that it had been raining and storming in Lisbon up to the 14th, but on Tuesday the weather turned fair. This, said the Inquisitor, was taken as an omen that God was favoring the Holy Tribunal. After describing the procession of clergy, nobles and other grandees, he comes to the arrival of the penitents. There were about a hundred, arranged by categories

⁴ See Guilherme J. C. Henriques (William John Charles Henry), *Inéditos Goesianos*, 2, Lisbon, 1898, 127.

⁵ Moreira lists 71 *autos-da-fé* held by the Portuguese Inquisition at Goa (India) between 1600 and 1773 registering 4,167 sentences and 57 executions 1685-1773. However, we know of 3,800 persons tried by the Goan Inquisition, 1561-1623. See Appendix Four.

⁶ The signed letter, indubitably autograph, may be consulted at the Arquivo Nacional da Torre do Tombo, Gaveta 2, Maço 2, no. 40. See the facsimilé (minus the signature) in Elias Lipiner, *O Sapateiro de Trancoso e o Alfaiate de Setúbal*, Rio de Janeiro, 1993, 280-287; transcriptions by João Lúcio de Azevedo, *História dos Cristãos-Novos*, Appendix Four, 450-452; António Baião, *Episódios Dramáticos da Inquisição Portuguesa*, 3, Lisbon, 1973³, 147-151; António Ribeiro Guerra, *art. cit.*, 103, 106. Cf. Herculano, *History*, 562-564.

⁷ Suggested year: 1542 (Herculano); 1544 (Azevedo, Baião); 1554 (Guerra, based on the date added to the document in an 18th-century hand). However, out of these three years, only in 1544 did October 14 fall on a Tuesday. Moreira's statistics do not register a Lisbon *auto-da-fé* on an October 14 in any of these years but Baião (*op. cit.*, 153, 155-56) registers, without giving his source, 46 (!) *autos-de-fé* between 1542 and 1597, all unknown to Moreira, held “with a certain solemnity in the Casa do Despacho” (Baião does not further identify this building), including one on October 14, 1544. All the public *autos-da-fé* registered by Moreira were held on Sunday (we have verified a large sampling), but the Casa do Despacho autos registered by Baião, on weekdays. The number of executed prisoners reported by Melo (19) is very large: in fact, this figure is the record for any one *auto-de-fé* in the history of the Portuguese Inquisition. A careful comparison of Melo's letter with Lisbon trial records dated 1544 is a desideratum.

“and they made a pretty sight. They were preceded by a very devout crucifix which I had made especially for the occasion and which will from now on be kept in the audience chamber.” This crucifix (João de Mello continues) aroused devotion in the crowd. The sermon, delivered by a Dominican, was excellent, but it had to be kept short because of “the sheer volume of business at hand.” Indeed there were many trials and no fewer than twenty defendants to be handed over to the “secular arm.” But a certain woman escaped execution because, on the scaffold, “she gave a better accounting of her offenses.” The notaries then and there took down her declarations and she was forthwith remanded to her cell. This was a good example for the people, the Inquisitor opines, “because they now could see with their own eyes that only those were garroted and burnt who did not wish to be Christians.”

João de Mello omits from his letter to the King a description of the executions, which would have taken place the next day in a different location. He does observe that many of those condemned to death had Judaized in their cells, “from which it would seem that with these people moderate punishment is no longer [?] effective and what they need is punishment of a kind that instills fear.” He reports further that many of those condemned to death would be kept in their cells to await another *auto-da-fé*, for various reasons but chiefly because it would be injudicious to give the public any idea of the Holy Office “being a bloodthirsty or sanguinary body.” Still other prisoners, who were also to be sentenced to death, were awaiting notification. Because of this, says João de Mello, “the cells are filled to the brim and a huge amount of work is awaiting us.” What apparently most impressed this Inquisitor is the attitude of the relatives and friends of those to be executed. “Our Lord gave them such resignation that children would see their parents led to their execution and wives their husbands, without so much as speaking, weeping or showing any emotion other than taking leave of one another with their blessings, as if they expected them back the next day.” All such marvels are portents that “these matters are pleasing to Our Lord.”

João de Mello is describing a ceremony he presided over and that he himself helped organize. His letter’s one preoccupation: the public’s response. Popular devotion must be excited with processions, with an impressive artifact. It is furthermore expedient for the people to feel that the very elements are propitious to the Holy Office’s work, and to believe in her indulgent moderation.

With time and experience, the *auto-da-fé público* and its minutely regulated ceremonial grew into a grand and pompous pageant. It was attended by the top brass, often by the king and the royal family and,

much as a carnival, it galvanized the whole city into communal bustle. A number of documents have survived that provide information about this type of ceremony, which permits us to reconstruct it. Without disdaining its sociological significance (an aspect which it would be well to submit to ethnologists), we shall begin by examining the function of the *autos-da-fé* within the political structure of discrimination, of which the Inquisition was the supreme architect.

The principal documents are a list of expenses for the public *auto-da-fé* at Évora on November 18, 1646;⁸ an eye-witness account by a French Franciscan friar of a public *auto-da-fé* at Coimbra on June 14, 1699⁹ as well as the instructions of the General Council for the same *auto*;¹⁰ the account of a chaplain of the British mission in Lisbon, Michael Geddes, who witnessed a public *auto-da-fé* at Lisbon in 1682.¹¹ These documents enable us not merely to visualize the show from inside and out, but also to fathom something of its purpose.

Preparations began some weeks in advance, but the official announcement was made just a fortnight prior. During these two weeks the scaffold and amphitheater were erected and the sanbenitos sewn. Here is the 1982 *Concise Oxford Dictionary*'s definition of the sanbenito:

Penitential scapular-shaped yellow garment with red St Andrew's cross before and behind worn by confessed and penitent heretics under the Spanish and the Portuguese Inquisitions; similar black garment painted with flames and devils worn by impenitent heretics at *autos-da-fé*. From Spanish San Benito, St. Benedict: shaped like scapular introduced by him.¹²

All defendants appearing at *autos-da-fé*, public or private, had to wear a sanbenito. At the Évora public *auto-da-fé* of November 18, 1646, 165 *côvados* (one *côvado* = 0.66 meters) of red and yellow cloth were

⁸ See Baião, *op. cit.*, 158-161, who mistakenly locates this *auto-da-fé* in Lisbon. The document is presently included in ANTT, Inquisition of Évora, Livro 106.

⁹ See Isaías da Rosa Pereira, "Auto-da-Fé de Coimbra de 14 de Junho de 1699, *Clío — Revista do Centro da História da Universidade de Lisboa*, 1995, 99-116.

¹⁰ See Baião, *op. cit.*, 119-142.

¹¹ See Michael Geddes, "A View of the Court of Inquisition in Portugal With a List of the Prisoners That Came Forth in an Act of the Faith Celebrated at Lisbon in the Year 1682," *Miscellaneous Tracts*, 1, London, 1714², 423-519 (first edition 1702), partly based on *Relación Verdadera del Auto General de la Fe que celebró el Santo Oficio de la Inquisición de la Ciudad de Lisboa en el Terreno de Palacio de dicha Ciudad el Domingo 10 de Mayo deste presente Año de 1682*, Madrid, 1682.

¹² Cf., however, the popular etymology current in Portugal reported by Pedro Monteiro ("Notícia Geral das Santas Inquições deste Reino e suas conquistas," *Collecção dos Documentos e Memórias da Academia Real Portuguesa*, 3, Lisbon, 1723, 393): *saccus benedictus* (*saco bento*, "blessed sack"). See also Escamilla-Colin, *op. cit. supra* (note 2), 1, 833-834.

used, *i.e.*, about 87 meters of cloth for 115 penitents and persons to be executed, *i.e.*, costing a total of 62,700 reals at 380 per *côvado*.¹³ On the two sides were painted the insignia corresponding to the offenses. In the case of those on death row, painters called in by the Inquisition had – seeing but unseen – to sketch their features and then paint on one side of the sanbenito their portrait, head engulfed by flames.¹⁴

The day on which a forthcoming *auto-da-fé público* was announced in the palace of the Holy Office was a festive one, as we can ascertain from the quantity of compotes and various pastries, procured from neighboring convents and delivered on that day to the secret chambers of the Inquisition. According to the List of Expenses for the Évora *auto* of November 18, 1646, 64,820 reals were spent on these dainties, hence more than on the 87 meters of cloth for the sanbenitos (62,700 reals) and more than triple the cost of feeding a prisoner during an entire year (20,000 reals). It is worth noting that prison fare included meat, in order to test whether the prisoners were observing Jewish dietary laws. This fabulous quantity and variety of foodstuffs was destined exclusively for higher echelons of lawyers and clergy, *i.e.*, three Inquisitors, four deputies, four notaries and a prosecutor; besides the six Jesuit fathers who confessed the six persons sentenced to death. If we round off to twenty the total of these table companions,

¹³ See Baião, *op. cit.*, 158. Moreira's statistics mention 114 persons penanced (55 men and 59 women) at the Évora *auto-da-fé* of November 18, 1646 but no persons executed. However, the description of this *auto-da-fé* in ANTT, Conselho Geral do Santo Ofício, Book 434 (List of Évora *autos-da-fé*, 1542-1763), ff. 95-99, specifies, among the 114, 12 persons burnt in effigy (including 3 who died in prison).

¹⁴ The list of expenses for the Évora *auto-da-fé* of November 18, 1646 includes 3,600 reals paid to the painter Manuel Fernandes for painting in oil the 12 sanbenitos "for those to be executed," at 300 reals each. In Inquisitorial lingo "executed" could refer to live people ("executed in the flesh") and to dead or otherwise unavailable people ("executed in effigy" or "executed in statue") and in the latter case their effigies ("statues") were to be decked out and then "executed" (*i.e.*, burnt). As to those who died in prison, their bones, in small caskets, accompanied the "statues" and were burnt as well. We know that at this *auto-da-fé* all "those to be executed" had either died in prison or were fugitives from Inquisitorial justice. Now we recognize the cost of 300 reals as that of a full-sized sanbenito. The "statues" representing the deceased and the absent were life-size straw figures with facial masks on a crosspiece of timber, rigged out in a sanbenito and, at least in respect to the sanbenitos of the absentees, bore portraits probably not true to life.. The engraving — presumably of a Portuguese *auto-da-fé* — following p. 303 of vol. 2 of Philip Limborch's *The History of the Inquisition*, reproduced here, shows two such straw figures, held up on sticks, preceding the respective caskets. Four such figures followed by caskets — presumably of a Lisbon *auto-da-fé* — may be discerned in the engraving owned by Lisbon's Museu da Cidade, c. 1741 (reproduced by Francisco Bethencourt in his *História*, Lisbon, 1994, inside the front cover and in *História Religiosa de Portugal*, Lisbon, 2000, 2, 226). See also the details of Francisco Rizi's painting of the 1680 Madrid *auto de fé* reproduced by Maria Victoria Caballero Gómez, "El Auto de Fé de 1680." *Revista de la Inquisición*, 3, 1994, 69-140: 111-112.

it would mean that each one received on a daily basis, during the two weeks preceding the *auto-da-fé*, 215 reals worth of sweetmeats, compotes, and pastries. By way of comparison, each Inquisitorial prisoner consumed, per day, an average total of less than 60 reals in victuals, including meat.

The feasting did not stop there. Since Friday was a “fast” day on which Catholics abstain from meat, six varieties of fish (sole, mullet, eel, pollock, snapper and sardines) as well as flour and olive oil ¹⁵ to cook them in and seasonings for fish-cakes, to the tune of 27,546 reals, were delivered at the Palace of the Inquisition, to be eaten on that day and the left overs on the Saturday preceding the *auto*. This fish was distributed to everyone, including the guards who received also rations of bread, meat, wine and fruit, for a total value of 760 reals. The day of the ceremony proper saw the “*auto-da-fé* supper,” which we are coming to, by and by.

In the meantime the Inquisitors sent out the necessary orders and invitations. The principal judicial magistrate of the city and the other civil servants, such as the *corregedor* and the Justice of Peace were ordered by the Inquisitors in person to take part in the procession, assure the policing and execute the sentences. Cloth to decorate the altars and the benches of the tribune and the scaffold were requisitioned from the Archbishopric. The Prior of the Dominicans was summoned to take his place with other delegates of his order. Notice was sent out to the *familiares* of the city and its outskirts to present themselves. The Superior of the Jesuits was requested to send fathers to confess and accompany those condemned to death to the scaffold and place of execution.

These fathers were designated, not by their respective Jesuit Superior, but by the Inquisitors. They were sternly adjured not to disclose to the prisoners the names of any relatives who might be under arrest. This was, as we have seen, the only occasion the prisoners could go to the confessional, but it was no standard confessional. The Jesuit father went to the door of the cell accompanied by the warden and a notary. The notary called the prisoner and announced to him that on the next Sunday he would hear his death-sentence pronounced and that, for him to come to terms with his conscience and prepare his salvation, a religious person was being allocated him “with whom he could communicate on matters regarding his office.” Thereupon the prisoner’s hands were manacled behind his back. The Jesuit father sat down on a bench in front of the cell door, waiting for the prisoner to

¹⁵ There was apparently no Inquisitorial requirement to cook fish in lard.

speak. If the prisoner spoke, from inside the cell, saying that he had offenses against the faith to confess at the “Desk” of the Holy Office, the father called the warden, who would then conduct the prisoner to the Inquisitors. Thus passed the condemned’s last nights.

On Sunday morning ¹⁶ the procession left the headquarters of the Holy Office on the Rossio and wended its way to the square (Terreiro do Paço) where the sentences were to be read. The friars of St. Dominic headed the procession with the banner of the Inquisition that bore on one side the icon of St. Peter the Martyr and on the other a crucifix between an olive branch and a sword, with the Latin motto: “Justice and Mercy.” Then followed the penitents, according to the gravity of their “crimes,” each wearing the sanbenito, his head covered by the *carocha*, a kind of cardboard miter, a lit candle in hand, barefoot. Each penitent marched between two guards. Behind the penitents, preceded by the crucifix, came the batch of *relaxados* (“those-to-be-handed-over”). These were accompanied by the *familiares*, and also by Jesuit confessors who, from the previous Friday had been ceaselessly exhorting them to confess their transgressions. Thereupon followed the effigies of those who had been tried *in absentia* or died in prison before sentencing. In the latter case the coffin containing their mortal remains, which was also to be burnt, accompanied the effigy. Then followed a troupe of *familiares* on horseback, preceding the high dignitaries of the Inquisition. Bringing up the rear were the Inquisitor General, escorted by the hoity-toitiest. At the Lisbon *auto* of 1682 the Inquisitor General appeared astride a white steed wearing a black hat with a green band. The Inquisitors and deputies were flanked by torchbearers.

Dense multitudes filled the streets and required a sizeable constabulary force of armed soldiers. The fate of the prisoners was depicted on the sanbenitos. Those of the penitents to be “reconciled” bore only a painted crucifix when their offense was considered “light.” Others exhibited flames pointing downwards (*fogo revolto*), emblematic of a death sentence commuted in response to comprehensive confession. Those to be executed exhibited a painting of their own face emerging from upward pointing flames: these were the *negativos* and *diminutos*. They took their place, together with the Jesuit fathers, in the highest rows of the amphitheater — doubly visible with their portraits burning on their habits at the height of their chests.

¹⁶ See above, note 5.

On the other rows of the amphitheater the remaining prisoners took their seats, holding their candles, accompanied by *familiares*. The penanced prisoners plus the ones condemned to death might number anywhere from a few score to a couple of hundred. At the side of the amphitheater there was a huge stage where, in an hierarchic order determined by rigorous protocol, sat the Inquisitors and other senior officials of the Holy Office, ecclesiastic dignitaries, friars of various orders and monasteries and high-ranking guests.

After chanting a few orisons, a priest delivered a sermon on the benefits and indispensability of the Inquisition, the errors of heresy and its baneful effects on Portugal. The preacher was chosen from one of the religious orders; Dominicans and Jesuits were favorites. At the Lisbon *auto-da-fé* of 1624, particularly important because it saw the execution of Coimbra professor of canon law Dr. António Homem, the preacher, Friar António de Sousa began by a refutation of “Judaism,” exhaustively demonstrating that the Messiah had already come. Then he dilated upon the Judaic contamination which, according to him, was swamping Portugal. The preacher drew the moral of the Coimbra University happening: the incorrigible pertinacity of the “people of the Nation”:

[...] the many Jews in all ranks that are daily discovered allow us to presume the worst about the generality [of the Hebrew Nation].¹⁷

The preacher’s next point was the duty to reinforce the Holy Office: he threatened certain unnamed circles which were preparing measures favorable to the New Christians. Finally he warned of imminent divine chastisement of Portugal if the heresy were not duly repressed. We quote:

Sacred Scripture is full of threats and punishments which God gave some monarchs who had neglected to destroy idolaters and of promises and graces extended to those who destroyed them. It is the opinion of many

¹⁷ *Sermam* (cited above, Chapter Three, note 1), 12. Here the preacher uses “Jews” in the sense of “Judaizers” but as he warms up “Jews” become in his mouth a generic name for all New Christians. The same is true of the Évora *auto-da-fé* sermons analyzed by Coelho, (*Évora*, 1, 126-133, 142-145: Friar Manuel dos Anjos (June 21, 1615); D. Francisco da Costa (November 28, 1621), who calls Palestine the Portuguese New Christians’ “fatherland”; Father Manuel Fagundes, S. J. (November 29, 1626). At the Lisbon *auto-da-fé* of September 6, 1705, D. Diogo da Anunciação Justiniano’s sermon not only addresses the victims as “Jews,” “Hebrews,” “members of the Jewish people,” etc., but refers to “your city of Jerusalem,” “your Talmud,” “your schools, improperly called synagogues,” “your rabbis,” “your own Hebrew language,” “your scriptural commentators,” etc. In our cursory perusal of all 66 published *auto-da-fé* sermons we have found but one occurrence of the term “New Christians” (Friar Manuel dos Anjos at Évora on June 21, 1615, unnumbered p. 46): “shamed, abased with this blessed sack on you to mark you a New Christian if indeed you are [a Christian].” Cf. below, note 25.

learned men [...] that one of the causes of the evils and travails which this country has been experiencing for so many years is the glut of Jews that live among us.¹⁸

The *autos-da-fé públicos* seem to have aimed at convincing the population at large of the truth of this assertion.

When the preacher stepped down from the pulpit, another father went up to read the sentences. The latter and successive speakers were chosen and paid on the strength of their voice and diction: a vast audience all agog was to take cognizance of the “crimes” of the penitents and the condemned. The sentences, very lengthy, generally reproduced, word for word, the denunciations as if they were averred facts. Some of them took half an hour to read. Now the collective suspense reaches its climax. Nothing could be more sensational than the detailed narration of “Jewish” ceremonies, spiced with the odd cases of bigamy, impudicity between friars and women, pacts and relations of nuns with the Devil, who bore him children in the form of dogs, cats or monsters. But the sensational soon turned monotonous, because many of the sentences were simply strings of stereotyped formulae, repeated *ad nauseam*, e.g., that the defendant changed shirts on Saturday, abstained from pork or a fish without scales, etc., and “having met with another of his nation, they mutually confided their commitment to the Law of Moses outside of which there is no salvation,” etc.

The prisoner heard his sentence kneeling in front of the altar, facing the pulpit where the priest was reciting it. Having heard it, if penanced, the defendant “made his abjuration.” If condemned to death, he descended a stairway next to the altar, at the bottom of which he would walk into the arms of civil officials who forthwith seized him and pronounced a sham judgment on him. From the moment the Inquisitors “handed over” the defendant to secular justice, impo-rtuning it (as we have seen) to “treat him benevolently and devoutly and not to proceed to the death sentence or the shedding of blood,” the defendant no longer belonged to the Inquisition but to civil justice. In theory the civil magistrate was required to judge the defendants that were “handed over” to his jurisdiction. In fact, however, he was not even permitted to see their Inquisitorial trial record but merely the Inquisitorial sentence and he confined himself to having the death-sentence — implied in the “handing over” — carried out.¹⁹

¹⁸ *Sermam*, 16.

¹⁹ The Hispano-Portuguese Inquisitorial system of “execution by the secular arm” with its ancillary cant was, of course, simply taken over from the medieval Inquisition and is amply described and recommended by Eymerich.

At Lisbon, having been duly “handed over to secular justice,” the condemned were marched half a mile from the site of the *auto* (Terreiro do Paço, also called Ribeira)²⁰ to the place of execution, Campo da Lã (later called Terreiro do Trigo) – the crowds at their heels.²¹ Once there, sanbenitos were removed, leaving them in white surplices. Carrying yellow candles, they were now moved along by armed guards (the *familiares*) to the stakes; as many having been set up as there were people to be executed. Each post was surrounded by pyres of wood. To each post was bound a condemned person who was asked if he²² wanted to die a Catholic or not. If the answer was “yes,” he was immediately garroted by the executioner from behind the stake. The attached corpse would be burnt later. If the answer was “no,” he was unfastened and taken to a higher post, where there was a small wooden platform to be reached only by ladder. On the platform there was a chair onto which the condemned person was tied by the executioner, who came down the ladder again. Then, two Jesuits scaled the ladder onto the platform, where they argued with the condemned, exhorting him to accept reconciliation with the Church. One can imagine the silhouettes of the Jesuits and their gestures, attesting before the crowd that they were doing everything in their power to save the convict’s soul. If the victim capitulated to the Jesuits, he was brought down the ladder, tied to a “regular” post and garroted.

²⁰ The last *auto-da-fé* on this spectacular site was held on August 8, 1683. The reason given for the change of venue was an armed fray that broke out during the *auto* of August 8, 1683, “which could have led to the penitents’ flight.” See Mendonça and Moreira, 174-175. All subsequent public Lisbon *autos-da-fé* were held near the Inquisitorial palace on the Rossio (the last one on October 14, 1714), the private ones either in the Church of Saint Dominic or in the Great Hall (“Sala”) of the Inquisitorial palace. The executions continued as before on the Campo da Lã, involving a somewhat longer march of the condemned than from the Terreiro do Paço. See Alberto Dines, *Vínculos do fogo*, São Paulo, 1992, itinerary and map preceding p. 118.

²¹ The place of execution, called *quemadero* in Spanish, was never identical with the place of the *auto-da-fé* anywhere in the Hispano-Portuguese world. None of the Inquisitors or Inquisitorial officials were ever witnesses to the executions, carried out by the “secular arm.” Paintings and engravings of *autos-da-fé* which depict persons tied to stakes for execution are montages of artistic license. See Isaías Rosa Pereira, *art. cit.*, 179-180. The place of execution in Évora was the Praça Grande or Rossio (now called Praça do Geraldo), where no less than 307 persons (166 men, 141 women) were executed, 304 of them for “judaizing,” 1543-1668. The Évora public *autos-da-fé* were held alternately in front of the Church of the Lóios (next to the monastery, now the *pousada*); on the patio of the Inquisitorial palace; in front of the Cathedral; in front of the Church of Santo Antão; “on Inquisition (or Cardinal) Square with the scaffolding propped up against the balcony of the Cardinal-Infante’s palace”; on the Praça Grande itself, at some remove from the place of execution. See Coelho, *Évora*, 1, 28-29, 105, 124, 140-141, 150-158.

²² We spare the reader “he/she,” “his/her” and “him/her” though the victims were women at least as often as men.

If he remained obstinate, the Jesuits announced, before going down the ladder, that they abandoned him to the devil who was nearby to receive his soul and carry it off to hell. On the ground the multitude felt itself impelled to “do something” about the obstinacy of the “lost soul” and a great clamor went up: “Shave the dogs! Shave the dogs!” Long poles with firebrands tied to the tip were “rented” to volunteer torturers who juggled with them until they touched the faces of the victims and carbonized them. Only after the crowd had enjoyed this sport to the hilt, did the executioner set fire to the pyre at the base of the stake. The Lisbon riverside is frequently windy and a breeze would often deflect the flames. The seated victim was perched at such a high altitude above the pyre that the flames would not reach beyond his feet or legs. The fire would then not choke him but grill him during an hour and a half or two hours until he expired. The victim’s screams, sometimes verbal: “Mercy for the love of God!” excited the crowd’s glee and would be mockingly imitated.

Michael Geddes, the British chaplain who witnessed the executions of the 1682 *auto*, was greatly struck by this scene and had this to say about the crowd’s mood:

And that the reader may not think that this inhumane joy may be the effect of a natural cruelty that is in the [Portuguese] people’s disposition [...] he may rest assured that all public malefactors, besides heretics, have their violent deaths nowhere more tenderly lamented than among this same people; and even when there is nothing in the manner of their deaths that appears inhumane or cruel.²³

When they were done killing, it was time for the “*auto-da-fé* supper,” served at the *estaus*.²⁴ In the Évora account of November 18, 1646 it comprised about 14 kilos of lamb, 20 young chickens and pullets, 12 roasting chickens, 4 ducks, 4 rabbits, 3 turkeys (each one cost more than what was paid to the painter for one portrait of a prisoner condemned to death); one sow “which was divided by the Gentlemen Inquisitors and the notaries” and one large fruit basket, containing Bosc pears, bergamots, chapel apples and rennets. Like the sweetmeats and compotes which had arrived at the palace of the Holy Office a fortnight before the *auto*, this repast was meant for the higher officials, *i.e.*, the three Inquisitors, the four deputies, the four notaries, the prosecutor and six Jesuits. It is a curious thing that there were as many turkeys as Inquisitors, as many ducks and rabbits as deputies and

²³ See “A View of the Court of Inquisition in Portugal,” *Miscellaneous Tracts*, 1, London, 1714, 450 (we have modernized the spelling).

²⁴ Name of the Inquisition Palace on Lisbon’s Rossio. See above Chapter One, n. 29.

notaries. This evokes both the idea of an alimentary hierarchy and a kind of remuneration in commodities. However that may be, the total expense of these men in food on the occasion of the *auto* came to about 110,000 reals (not to mention the porcelain and cutlery), or more than half of the total expense of the *auto-da-fé*. It was a festive occasion not only for the Inquisitors. The whole population was on the streets for days and hours, lest they miss any part of the morbid jamboree. Daily life was interrupted.

Coimbra did things a little different. At the close of the *auto-da-fé* of June 14, 1699, the six persons (three women and three men) condemned to death, plus a coffin containing the mortal remains of a *negativo* who had died in prison and a statue representing him, were conducted in procession through the streets of the city accompanied by forty *familiares* holding lighted torches, until they reached "the shore of the river under the middle of the bridge" where seven aligned wooden huts awaited them. In each of the first six huts a condemned person was tied to a chair and the coffin with effigy put into the seventh hut. The prisoners were then garroted. At midnight fire was set to the huts and when the conflagration had died down the ashes were strewn to the wind.

Depending on the number of victims, the *auto* might last for as many days as it took to duly process them all. When it was all over the Inquisitors and the rest of the Inquisitorial staff, the friars, *familiares* and penitents paraded in reverse order from their arrival. In the Inquisitorial palace arrangements were made for the application of the punishments other than death. The Inquisitors summoned the public whipper, who was on the payroll of the Holy Office and after enjoining him "to execute the said punishment with much gentleness" they handed him a paper which read:

Our lord the king orders such-and-such a person flogged on the recommendation of the Gentlemen Inquisitors.

The prisoners sentenced to banishment were escorted to the place of embarkation by a *familiar* who released them to the skipper to be shipped out to their exile. The galley-slaves (who were usually first flogged), shackled two-by-two, were sent with a *familiar* to an assigned galley, accompanied by papers indicating length of sentence and whether they were to be chained to the oar.

Of the executed persons, after their ashes had been dispersed, their *sanbenitos* with their painted portraits were sent to their home towns and hung in the principal church: at Lisbon in the Church of St. Dominick, in Coimbra in the Church of the Holy Cross at Évora in the Church of St. Anthony. Under each painting a placard was affixed

indicating name, date of execution and crime. This permanent exhibition of paintings and names of the condemned was not just a custom but a requirement of the 1640 *Regimento* (Book 3, title 2, § 2).

The ashes of the dead disappeared more quickly from collective memory than the *auto-da-fé*. Not only the pictures perpetuated the defendants and their “crimes” but also a number of sermons and their invectives were (from 1612 on) preserved for posterity in printed form. *Auto-da-fé* sermons are a peculiarly Portuguese branch of sacred oratory. Sixty-six published pieces, delivered over a period of 137 years (1612-1749) are extant. All but one deal exclusively with the ravages of Judaism.²⁵ It would seem from the editorial exuberance that this *genre* went over well with the populace, like the Portuguese shipwreck stories and accounts of prodigies. On the other hand, it may be that the Holy Office itself promoted these publications, irrespective of demand, as part of their propaganda machine.

And, speaking of orchestrated propaganda, it is indeed one of the most awesome aspects of the public *autos-da-fé*. As their stage they had the principal town square and as their auditorium the entire city and its suburbs. As long as it was in progress, the *auto* was the all-consuming diversion of religious orders, ecclesiastical authorities, civil magistrates, city constables. Except for royal visits during the period of the dual monarchy (1580-1640), the public *autos-da-fé* certainly proved by far the grandest popular attraction. Nothing could rival the procession and array of marked men and women, the revelations of exotic and unspeakable crimes, blazing flames, the lurid fascination of faces carbonizing in full view. It was the show of shows; the theatre and bullfight paled in comparison. And an adequate scenography made evident the reality and persistence of the danger combated by the Inquisitors. Public *autos* were mounted only when enough defendants had accumulated to put on a formidable show. This is one of the reasons so many prisoners rotted for years in their cells. Rarely did a public *auto* comprise fewer than 50 penanced and executed prisoners; frequently there were over two hundred.

²⁵ 24 from Lisbon, 21 from Coimbra, 17 from Évora, 4 from Goa. See Alfonso Cassuto, “Bibliografia dos Sermões de Autos-da-Fé impressos,” *Arquivo de bibliografia portuguesa*, 1, 1955, 293-345; Edward Glaser, “Invitation to Intolerance, a Study of Portuguese Sermons Preached at Autos-da-Fé,” *Hebrew Union College Annual*, 27, 1956, 327-385; *idem*, “Portuguese Sermons at Autos-da-Fé: Introduction and Bibliography,” *Studies in Bibliography and Booklore*, 2, 1955-1956, 53-78, 96. On the exceptional sermon preached at a Goa *auto-da-fé* in 1672 “against Oriental idolatry” see Appendix Four. On three 16th-century *auto-da-fé* sermons preserved in manuscript, compared with the published ones, see Maria Lucília Gonçalves Pires, “Sermões de Auto-da-Fé, Evolução de Códigos Parenéticos,” *Inquisição*, Lisbon, 1989, 269-289.

Another expedient of the public *autos-da-fé* is the opportunity they afforded the Holy Office to show off its ghastly supremacy. During the hours or days that the *auto* lasted, the presiding Inquisitor was the most important man in town. At his heels scampered the flower of the aristocracy, some as *familiares* under the orders of the Holy Office. The civil authorities were at his disposal and, bowing low, the senior attending magistrate, President of the Circuit Court, would receive from his hands the list of death sentences not even the king could commute. *Auto* protocol allowed no one, not even the king, to occupy a place higher than the Inquisitors. If there was a bishop in town, he attended as a guest in a closed box-seat. If the king was around, he watched at a window of the Royal Palace overlooking the square, as a privileged spectator. This was how King Philip I of Portugal attended a Lisbon *auto-da-fé* in 1582 and King João IV attended various *autos-da-fé* at Lisbon around the middle of the 17th century. King Sebastião (in 1575) and King Philip II of Portugal (in 1619) watched an *auto-da-fé* at Évora from the window of the town hall.²⁶ The puissance of the Holy Tribunal, delegated by the Apostolic See, was superior to any civil authority and thus appeared before the masses in all its majesty.

Now one may ask of what advantage to the Inquisitorial cause were the celebrations, the banquets, the jubilations that greeted the blaze which consumed the bodies of the garroted *negativos* and, every now and then, the flames in which an *afirmativo* was being slowly roasted alive? One may further wonder how this behavior squares with the Portuguese people's reputed repugnance to atrocities, horror for bloodshed and indulgent sentimentality. We are probably dealing with a phenomenon that is simultaneously a ritual sacrifice and a collective exorcism of projected evil. If these notions are on the right track then explanations for the *autos-da-fé* must look to anthropological analyses of thaumaturgy.

What seems established beyond doubt is that the populace did not feel the slightest human solidarity with the immolated victims. The latter belonged to a people outside Christian law, beyond the pale of the community. They were a spurious "lineage" (race?) stigmatized by malediction, an inimical breed, bearing misfortune for society. The sufferings through which these people went were counterbalanced by the rejoicing of the true Christians, the *legitimate* members of society, yet at the same time themselves downtrodden wretches, whom the *auto-da-fé* distracted from humdrum cares. The crowds felt themselves

²⁶ See Baião, *op. cit.*, 50-51.

protected and purified by these immolations which unfolded in accordance with a majestic and sanctifying ceremonial.

To sum up, if our explanation is correct, the public *auto-da-fé* was the culmination of a grand illusion — if you like, the catharsis of those affective tensions mentioned earlier. Furthermore it was a cultic rite that bestowed supernatural confirmation on the Inquisition and by association on all Portuguese that identified with it. As for the Inquisitors, their solemn mien and magisterial disdain for human foibles — such as reason and compassion — endowed them with larger-than-life eminence. Their efficacy to discover and combat invisible heresy would fain hold off infernal menaces of an altogether metaphysical order.

The first public *auto-da-fé* was solemnized at Lisbon on September 20, 1540, the last on October 14, 1714. The last public *auto-da-fé* was held at Évora on July 20, 1710; at Coimbra on November 8, 1738.²⁷ During those two centuries, the heyday of modern Portuguese history, the public *autos-da-fé* may be considered the typical and fundamental rite of Portuguese society, in which, from the King at his window down to the barefoot beggar on the pavement of the square, everyone participated, communing in the same horror for the maleficent heretic and the same, no less awestricken respect for the Inquisitor who purged the land and appeased the lowering forces of the unknown.

²⁷ “Private” *autos-da-fé* followed by public executions went on as before. The last *autos-da-fé* altogether were held at Lisbon on October 11, 1778; at Coimbra on August 26, 1781; at Évora on September 16, 1781; at Goa on February 7, 1773. See below, Chapter Thirteen.

CHAPTER SEVEN

CLEANNES OF BLOOD

As we have seen, King Manuel had promulgated in 1502 and 1507 "Affirmative Action Laws," abolishing all distinctions between New and Old Christians, making the former eligible for any position or honor. But Manuel's laws fell by the wayside. With the coming of the Inquisition, laws were enacted and customs introduced, discriminatory to New Christians.

Here too the model was Spain. Already in 1449 (more than half a century after the 1391 mass conversions had created the class of New Christians), the Statutes of Toledo were passed, barring descendants of 1391 converts from certain posts and honors. By the middle of the 16th century proof of "cleanness of blood" was a *sine qua non* to be considered for higher ecclesiastical office, Orders of Knighthood, religious brotherhoods, academic careers, civil service, the army, etc.¹ The "Statute of Siliceo" (July 29, 1547), forever excluding descendants of Jews, Moslems or persons penanced by the Inquisition from holding any ecclesiastical benefice in the Cathedral of Toledo, was signed and sealed by Pope Paul III in 1548, by Pope Julius III in 1550 and by Pope Paul IV in 1555.²

As far as one can tell, it took time for discriminatory laws to take hold in Portugal. In 1546 four New Christians, confidentially consulted by King João III, complained of "the people of the Nation" not being allowed into the charitable institutions called *Misericórdias*, neither into the "Colleges," nor municipal and town guilds, nor accepted for military enlistment heading to India, nor even for honorary posts.³ They implore the king not to tolerate in his realms the introduction of any law or custom tending to separate New Christians from Old. This document marks a watershed in the development of the "cleanness of blood" doctrine. It had as yet not been enacted into law, so that it was still possible to cavil at discrimi-

¹ See Albert A. Sicoff, *Les Controverses des statuts de "Pureté de Sang" en Espagne du XVI^e au XVII^e siècle*, Paris, 1960 and the excellent synopsis of this work by Ellis Rivkin, *Commentary*, 60, 1962, 544-547.

² See *Diccionario de Historia Eclesiástica de España*, 2, Madrid, 1972, s.v. "Limpieza de sangre."

³ See Herculano, *History*, 595-598. Herculano's date is hypothetical, since the document is undated.

natory practices. On the other hand such practices were obviously up and running.⁴

Before being incorporated into general legislation, the statutes of cleanness appeared in the individual rules and regulations of religious and military orders, brotherhoods, etc. Thus, the first “Constitution” drawn up by Father Simão Rodrigues for the Portuguese Jesuits (around 1550), explicitly bars New Christians:

Those who through divine inspiration apply for entry into the College in order to serve their God and Lord according to the rules of the Society, will be examined on the following points [...] 3. If on either side they are of New Christian descent [...] they will not be admitted. If they say they are not and are later found out to be of New Christian descent, they will be expelled.⁵

In 1573 delegates of the Portuguese “province” at Rome vetoed the election of Father Polanco as the General of the Company on the ground of his being a New Christian.⁶

When Philip II of Spain became Philip I of Portugal, the New Christians petitioned him at the legislative assembly (*Cortes*) of 1581 to have their right to all posts and honors respected on a par with other vassals; the same document asks that no obstacles be put in the way of marriages between New and Old Christians. Again this shows that “cleanness of blood” was still not part of the civil code. The petitioners believed the principle of equality of the king’s subjects to be the law of the realm and desired the king to uphold it.⁷ During the ensuing 40 years the New Christians’ position eroded considerably. By 1622, when they petitioned the new king (Philip III) at the legislative assembly to recognize the right to “all posts and honors not dependent on cleanness of blood” it was now only for those whose parents or grandparents had not been penanced by the Holy Office and specifically excepted certain ecclesiastical posts. The exception as regards ecclesiastical posts was based on a stipulation in canon law and the exception denying other posts and honors to children and grandchildren of penanced or executed persons was in conformity with Inquisitorial law.

⁴ The *Santa Casa de Misericórdia* of Lisbon officially precluded New Christians from membership only after 1577. See António Gomes da Rocha Madahil, “A edição de 1577 do compromisso da Misericórdia de Lisboa,” *Boletim Internacional de Bibliografia Luso-Brasileira*, 1962, 3, 3, 445-473: 450. However it is only by a clause of the *Compromisso* of 1618 that New Christians were excluded from this Portuguese Brotherhood in all its branches.

⁵ See *Epistolae* [...] *Simonis Rodericū Societatis Jesu*, Madrid, 1903, 861.

⁶ See Francisco Rodrigues, *História da Companhia de Jesus na Assistência de Portugal*, 2, Oporto, 1938, 345-357.

⁷ Azevedo, *História dos Cristãos-Novos*, 149-150.

Philip III in his response dated July 26, 1627 recognized “the fitness of New Christians for all secular posts and honors, except for the children and grandchildren of those convicted by the Holy Office.” In this way the general principle of equality of all the king’s subjects, while reiterated, had been made subservient to canon law and Inquisitorial legislation.⁸

Pontifical cleanness of blood laws proper, disqualifying New Christians for lucrative or influential functions or sinecures, such as the so-called “benefices” (*i.e.*, the right to collect certain ecclesiastical revenues) begin to be promulgated in Portugal during the reign of Philip I (1580-1598). They kick off with Sixtus V’s notorious brief *De Puritate* (“that no collation or provision of ecclesiastical benefices [...] should be made to persons descended from the race and stock of the Hebrews”), which antedates 1598 and was cited by successive popes.⁹ Already in 1588 Archduke Albert, Prince-Regent, Inquisitor General of Portugal and Apostolic Legate, was charged with seeing to it that this exclusion be enforced.¹⁰ By his brief *Decet Romanum* dated October 18, 1600, Pope Clement VIII ordained:

that henceforth the canonries and allowances and dignities in cathedrals and the principal dignities in the collegiate and parochial churches and the other ecclesiastical benefices relating to the care of souls in the kingdoms of Portugal and the Algarves [...] are not to be conferred on any person descended from the Hebrew race or stock in the paternal or maternal line of either of these up to the seventh degree computed inclusively from the time of their conversion.¹¹

On January 18, 1612 a papal brief of Paul V determined that New Christian priests cannot be vicars or curates.¹² In this way blacklisting infiltrated the Church itself, whereby certain priests could, and others could not, at least in theory, become canons, prebendaries, curates, bishops, etc.

These pontifical briefs were solicited by the king at the proposal of the Inquisitors and in certain cases by dioceses and other ecclesiastical institutions, as part of the segregationist tendency which the Church encouraged. For instance a bull dated January 2, 1630 confirmed the

⁸ *Op. cit.*, 184.

⁹ This brief of Pope Sixtus V (reigned 1585-1590) is no longer extant but alluded to and cited *e.g.* by his successor, Clement VIII, in his brief of October 18, 1600 (*Corpo Diplomatico Portuguez*, 12, 92).

¹⁰ Brief of January 25, 1588 in *Corpo Diplomatico Portuguez*, 12, Lisbon, 1902, 29

¹¹ *Op. cit.*, 91-95: 92-93.

¹² *Corpo Diplomatico Portuguez*, 12, 166-169. Cf. Azevedo, *Historia*, 151-152.

statutes of the Lisbon archbishopric, that required cleanness of blood checks for any benefice or canonry of the diocese.¹³

Civil legislation was going in the same direction, even if keeping a certain distance from Ecclesiastical law. A royal charter dated February 28, 1604 closed the Orders of Knighthood to New Christians, which probably meant enacting what had already been registered in the specific statutes of those orders.¹⁴ Then, in the wake of scandal caused by the trials of professors at the University of Coimbra, two laws, dated respectively November 10, 1621 and February 23, 1623, mandated cleanness of blood to teach at the universities.¹⁵ But we should remember the religious origin of the Knighthood Orders as well as of Coimbra University, so that the legislation being applied to them does not really break new ground. Indeed Portuguese University faculty were predominantly priests, frequently holding church revenues in usufruct. All in all it would appear then that the principle of blood cleanness crept into civil legislation only haltingly and by the back-door.

One of the indirect routes was through the *Regimento*. Under the fictitious authority of the Holy Tribunal to impose civil punishments, the *Regimento* of 1640 prescribes (III, 3 § 12-13) that the child or grandchild of one who was condemned by the Holy Office could not be a judge, bailiff, warden, notary, scribe, prosecutor, factor, tax collector, secretary, controller, chancellor, treasurer, physician, pharmacist, bleeder, controller of royal revenue nor could he hold any public office, nor wear the insignia of any civil or ecclesiastical dignity. Those who had themselves been sentenced at an *auto-da-fé* were, in addition, denied the right to be skippers, gunners, to wear jewelry of gold, silver or other precious stones; to dress in silk, to ride (horseback, in carriages, sedan-chairs). These rulings were endorsed by a decree of the Inquisitor General in May 1672.¹⁶ They do not of course apply to New Christians *per se*, but only to the condemned or their immediate descendants. Formally speaking, we are here in the domain not of General, but of penal law.

In due course the multiple customs and statutes of blood cleanness were implicitly recognized by royal decrees, although the ambiguity

¹³ *Op. cit.*, 216.

¹⁴ Cf. Fernanda Olival, "Para um estudo da nobilitação no antigo regime: os Cristãos-Novos na Ordem de Cristo (1581-1621), *As Ordens Militares em Portugal: Actas do 1º Encontro sobre Ordens Militares*, Palmela, 1991, 233-244; *idem*, "O acesso de uma família de cristãos-novos portugueses à Ordem de Cristo," *Ler História*, 33, 1997, 67-82.

¹⁵ Azevedo, *op. cit.*, 179.

¹⁶ *Op. cit.*, 293.

was never entirely resolved. A royal charter of 1633 orders the ancient precepts concerning the exclusion of persons descended from Jews from public posts and honors to be rigorously observed.¹⁷ What precepts? These are not specified. The extreme limit attained by discrimination in civil law, on the crest of a particularly fierce repression, is the decree of June 22, 1671 which, to satisfy complaints presented in the legislative assembly, prohibited New Christians from instituting or inheriting entails, marrying Old Christians or registering for courses at the University of Coimbra. In a letter written that year to the Portuguese king, Father António Vieira protests the absurdity and illegality of such stipulations.¹⁸

The foregoing bespeaks a dissonance between the law's elemental mandate to evaluate behavior and actions, and the dictates of blood-laws that call for genealogical evaluations of defendants. Nor were these new dictates comparable to what had obtained in Portugal prior to the General Conversion of 1497. Then there were three discrete entities that in many respects functioned as three peoples, three ethnic groups. But their insularity was largely spontaneous and certainly not synthetically enforced from the outside — which was the case under the cleanness of blood laws that ran so jarringly against the natural grain. Hence it had continuously to be harped on and promoted by often unenforceable legislation.

Indeed, the discriminatory laws and statutes were never systematically applied. That is why every time the legislative assembly met, the renewal of their application was petitioned for. There were quasi-permanent exceptions. Before 1598, for instance, the brief *De Puritate* disallowed New Christians from becoming prebendaries or canons. Nevertheless, on February 27, 1622, the Inquisitor Miguel de Castro informed the king that during the previous eight years seven canons had appeared for sentencing at *autos-da-fé*, among numerous other New Christian ecclesiastics.¹⁹

The Inquisitors themselves, moreover, contributed to this “laxity.” A document was circulated accusing the Inquisitor General Dom Fernão Martins Mascarenhas (1616-1628) of protecting New Christians for

¹⁷ *Op. cit.*, 216.

¹⁸ *Op. cit.*, 293; cf. Padre António Vieira, *Obras Escollidas*, 4, 100-108.

¹⁹ Azevedo, *op. cit.*, 185, note. Cf. the document of October 31, 1603, whereby, with express papal consent, King Philip III confirmed the grant to Coimbra mathematics professor André de Avelar of a “Third Part Benefit” of the Coimbra cathedral, “although as a New Christian he was by a papal *motu proprio* solicited by the same king excluded from prebendaryships and canonries, since the word ‘prebend’ did not appear in the grant.” See Teófilo Braga, *História da Universidade de Coimbra*, 2, Lisbon, 1895, 492-493.

the consideration of sums of money received through an intermediary: it was bruited that he was extremely generous with *familiarships* at a fixed price and that he had even named two New Christian Inquisitors: Marcos Teixeira, to the Évora tribunal and Sebastião César (accused in the same document of being a pederast²⁰) to the Coimbra tribunal. We know from another source that Fernão Martins de Mascarenhas intervened in Rome on behalf of Dr. Fernão Velasco de Gouveia, generally known to be a New Christian and nonetheless professor at Coimbra University, in order to secure for him an ecclesiastical benefice.²¹

This Dr. Gouveia is illustrative of the inconsistency and volatility of the statutes of blood cleanness. Years after being granted his benefice, he was arrested by the Holy Office, spent four and a half years in its Coimbra jail, was submitted to torture and penanced at an *auto-da-fé* (August 17, 1631). This did not stop his nomination to the High Court of Appeals (a kind of Supreme Court) by King João IV, in 1650. Seeing that some of the other judges refused to sit with him on the same bench, Dr. Gouveia addressed a protest to the king in which he named no less than nine New Christians (none of whom had been arrested by the Inquisition, unlike the protester, but no notice seems to have been taken of this) who had exercised the same functions during the reigns of João III, Sebastião and Philip I, among them the protester's own father, Dr. Álvaro Vaz, the famous 16th-century chronicler and grammarian Duarte Nunes de Leão and Rui Lopes da Veiga of the important New Christian family of financiers Rodrigues de Évora.²² Rui Lopes da Veiga bequeathed his functions to his son, Tomé Pinheiro da Veiga (the author of *Fastigímia* [1605], a Portuguese classic²³), who became Crown Prosecutor under King João IV: moreover an irreconcilable enemy of New Christians like most of his family, which counted in its ranks numerous priests and even a Jesuit, Father Manuel da Veiga, Dr. Rui's brother. We note in passing that Tomé wore the "habit of the Order of Christ" as his father had worn the "habit of the Order of Santiago," in spite of the strict rule excluding New Christians from the Military Orders. Thanks to these precedents and the king's support Dr. Francisco Velasco de Gouveia took his seat in the High Court.

²⁰ Baroja, *Los Judíos*, etc., 3, 311-315.

²¹ Azevedo, *op. cit.*, 169.

²² Baião, *Episódios dramáticos*, etc., 1972, 1, 165.

²³ For a succinct analysis of this witty comparison of Spanish and Portuguese *mores*, see A. J. Saraiva and O. Lopes, *História da Literatura Portuguesa*, Oporto, n.d.⁶, 533-534.

This, of course, was hardly a typical case. Yet poke around where you will in the intellectual, economic and even ecclesiastical sectors of Portuguese society, and whole clusters of so-called New Christians tumble out, mocking the cleanness of blood laws. It is surprising at first glance that, in view of the innumerable exceptions, the fossilized rule of discrimination was maintained at all. As to which segment of society was to be targeted for discrimination, that choice depended upon whatever end-goal the Inquisitorial institution happened to be pursuing at any given time.

The essential thing was that there continued to exist in Portugal a discrimination of which the archetype was the separation between Christians and Jews before 1497. That is the model present in the mind of Friar António de Sousa when he dedicated a chapter of his *Aphorismi Inquisitorum* (1630) to those who “communicate with infidels.” According to this friar, whose book is a seminal source for the history of the Portuguese Inquisition, the faithful are prohibited by canon law from fraternizing with Jews, living with them under the same roof, sharing meals with them, employing them as physicians except in cases of dire necessity, buying medicines from them, entering the public baths with them, entrusting them with one’s children, serving in their households in whatever capacity, accepting them as public officials. Friar António holds that any such fraternization is punishable by excommunication.²⁴ He is evidently referring to canon law which may have been in force in Portugal when Jews were still freely practicing their religion, but he is putting one over on his audience by pretending that the 17th-century New Christians and the medieval Jews, properly so called, are all much of a muchness.²⁵

Friar António was living anachronistically, applying to his society juridical categories of a world long since defunct. He was interweaving myth with verity.

The cleanness of blood doctrine in 17th century Portugal has but a chimerical substantiality; yet was no less effective for all that.

²⁴ Sousa, *Aphorismi*, 1, 36, 26: “laicus verò excommunicetur, non tamen excommunicationem incurrit ipso facto.”

²⁵ This is in fact the main thrust of all 66 surviving Portuguese *auto-da-fé* sermons (1612-1749). See preceding chapter, note 17.

CHAPTER EIGHT

THE “MARRANO FACTORY” ACCORDING TO AN 18th-CENTURY NEW CHRISTIAN

António Nunes Ribeiro Sanches (1699-1783), a physician of European stature, member of the newly founded Royal Society, converted to Judaism in London (1726), but later on temporarily reverted to Catholicism (1731) and ended up a deist.¹ His religious course is very like that of other New Christian émigrés, who discovered Judaism outside Portugal but ultimately retained only its most essential core — a more or less firmly anchored belief in God, shared by Jews and Christians. In 1735, while in Russia, where he was physician in residence to the Imperial Court of St. Petersburg, Ribeiro Sanches wrote an essay entitled: *Origin of the terms Old Christian and New Christian in Portugal and the Causes for the Continuance of These Names, As Well As of the Jewish Blindness, Combined with a Method for Extinguishing Within a Few Years this Difference Among Fellow Countrymen and the Jewish Blindness, All For the Sake of the Growth of the Catholic Religion and the Profit of the State*. This essay was widely copied and circulated in manuscript, but published only in 1956.²

Ribeiro Sanches' Catholicism at this juncture of his life was, to put it mildly, equivocal. Nevertheless, whether for polemical commodity or to appeal to his Catholic readership, he poses as a typical Portuguese ultra-Catholic, hostile towards Judaism. This was the stance most commodious to his real purpose, because Sanches was one of those Portuguese expatriates whose spirits blossom in foreign parts but whose Lusitanian hearts are never far from the homeland. At a later stage he was to write his *Letters on the Education of Youth*, supporting the pedagogical reforms of the Marquis of Pombal. Sanches saw the Inquisition as the prime cause of Portugal's social, moral and economic stagnation. For this reason one can call his thought consistent when he suggests, already in the title, that his work is about the evils ruining the

¹ See Maximiliano Lemos, *Ribeiro Sanches, A sua vida e a sua obra*, Oporto, 1911; David Willemsse, *António Nunes Ribeiro Sanches, élève de Boerhave et son importance pour la Russie*, Leiden, 1966.

² By Raul Rego (*Origem da denominação de Christão-Velho e Christão-Novo em Portugal*, Lisbon, 1956); by Alvaro Leon Cassuto, *Arquivo de Bibliografia Portuguesa*, 3, 1956, 5-37; by Raul Rego (in modernized spelling), Oporto, 1973 (Cover title: *Cristãos-novos e Cristãos-velhos em Portugal*).

country through a drain of manpower and riches and the State by an insidious split of its population. At the end of the essay he affirms that the questions he addresses are not so much religious as “political.” It is probably another political tincture that colors his homage to the Inquisitors’ impartiality and the Inquisitorial Tribunal’s sanctity. He claims to want only its reform, for the better accomplishment of its set task, which is none other than the ultimate eradication of Judaism. He professes agreement with the Inquisition as to this heresy’s present spread, which he ascribes to wrongheaded laws.

If the Inquisition had not been instituted in Portugal (at least in the form it took) Sanches argues, the “Judaic nation” after its conversion would have dissolved into society at large without leaving a trace, as was the case with the Jews of medieval France and Naples.³ In Portugal — Sanches continues — the progeny of the Jewish children who were baptized and raised in the Alfama or sent to the island of São Tomé were no longer reputed New Christians and one never hears of any of them being arrested by the Inquisition. The progeny of blacks and mulattos who intermarry with white persons pass for white after four generations and Irish and other foreign Catholics who intermarry here pass for pure Portuguese after three or four but native Portuguese, physically, religiously and linguistically indistinguishable from the rest of the population, are forever ostracized:

Only the unfortunate New Christians of Jewish origin are classified as such for all eternity by the rules of the Inquisition and the Judaic heresy is eternalized by the laws of Portugal. Had there not been an Inquisition, the memory of Jews and Judaism would have disappeared from Portugal within three or four generations after the General Conversion.

Ribeiro Sanches attempts a synthesis of the mechanism by which the “race” of the New Christians was maintained and continually increased in numbers in the course of the 17th and 18th centuries. This was the result of the cleanness of blood laws and the so-called “styles” of the Inquisition.

He asks us to imagine a Portuguese whose parents, grand-parents, collaterals, etc., never suffered Inquisitorial arrest, who considers

³ A comparison between the Jews of Portugal, who were forcibly converted, and the Jews of France and Naples, who were expelled (in 1395 and 1541 respectively), would hardly be valid, unless one assumes with Father António Vieira (“Papel a favor dos Cristãos-Novos” [1671], *Obras Escolhidas*, Lisbon, 1951, 4, 106) that the majority of the French Jews expelled in 1395, converted and were not heard from again. Sanches, however, is quite definite about mass conversions of Jews in France during the reigns of Philip Augustus, Louis IX and Louis X and in Naples during the reigns of Charles III and Ladislas.

himself an Old Christian and aspires to an appointment that depends on cleanness of blood. He submits an application for the relevant investigation. Three witnesses testify to his "cleanness" but a fourth says that he heard rumors to the effect that one grandfather of the candidate had Jewish, "Moorish" or mulatto ancestry. This is enough to lose him not only the position he sought, but also any other honorable career. Henceforth he will count for a New Christian, be scorned by his neighbors and acquaintances, excluded from the social sphere in which he was born and grew up. Thus, as a result of the inquiry into their "cleanness," many who had been integrated into Old Christianity were spewed out at the wispiest whiff of "New Christianity." Applications to religious brotherhoods that required proof of cleanness of blood, frequently ended in humiliation.

As for a "confirmed" New Christian (Sanchez continues), whose parents, for instance, had been penanced at an *auto-da-fé*, his life is hell. As soon as he is old enough to play in the street, other children will call him a Jew and ask him if he has a tail. At school, at mass, the teacher and the parish priest will not for a moment let him forget his difference from Old Christian children. As he grows up, the gibes increase. The lower the social status of an Old Christian, the likelier he will be to vilify a New Christian: "The butcher, the local rogue, the drummer, the hangman, the slave are the first to insult him and to rub into him the ignominy of being a New Christian." Even more educated folk do not shrink from subtle innuendoes or gestures, such as "putting a hand to the nose, or making the sign of a tail." If the New Christian wants to buy real estate, he is reminded that his father's property, like that of any condemned New Christian, was confiscated and his house bolted from the outside, his children left on the street, reduced to mendicity. If he asks Old Christian parents for the hand of their daughter, he is snubbed. Thus he is obliged to marry a New Christian and, since New Christians are barred from monastic communities such as seminaries and convents, their growth outstrips the Old Christian population.

To this are added the effects of the Inquisitorial trial. Here again there are two scenarios: the New Christian defendant whose parents and more remote ancestors had never suffered Inquisitorial arrest and the defendant whose parents had been penanced at an *auto-da-fé*.

The former knows nothing about the inner workings of the Inquisitorial trial. He replies at the interrogations that he is a bona fide Catholic and has no offenses to confess. The Inquisitors declare him to be an "impenitent, pertinacious denier" and hand him over to secular justice, *i.e.*, condemn him to death. Then, at the end of his

tether, he has a brain-wave: he remembers “that Judaizing means flogging holy statues and images, tucking bread or a pastry underneath the tail of an animal and then giving it to a poor Old Christian, and similar puerilities that he then confesses to have indulged in” and when these do not suffice, “practices” suggested by the Inquisitors themselves. “Such offenses are well known from sentences read aloud at *autos-da-fé* [...] and, however idiotic, they saved the lives of some parlous wretch — if it pleased the Inquisitors’ magnanimity.”

Different, if no less tragic, is the fate of the prisoner whose close relatives have already known Inquisitorial arrest and imprisonment. From childhood he is primed on how to act when the moment comes. If a relative is arrested (so parents teach their children) the New Christian who is still free must make a bee-line for the Holy Office and

spontaneously declare that he has offenses to confess; and, interrogated as to their nature, declare that there was a time he believed in the Law of Moses, abstained from pork, recited the Lord’s Prayer without pronouncing the name of Jesus at its close.

As “accomplices” in these heinous acts he must denounce preferably persons already under arrest, thus forestalling the imminent denunciations of which he will be the object. He must not, however, incriminate persons who have already been penanced at *autos-da-fé*, because, as recidivists, this would be their death. By confessing his “offenses” spontaneously, the New Christian has a good chance of forestalling arrest. Arrest would mean lengthy imprisonment, confiscation of his assets and real estate and, if he denies the accusation or does not implicate sufficient relatives and friends, execution. If he is arrested all the same, the best thing he can do is to confess his “Judaizing” right from the word go and accuse as accomplices everybody he knows or ever heard of. This is what parents, uncles and aunts teach their offspring, who receive the advice with disgust. The youths reply: “But I am a Christian and believe in the faith of Christ! I would lie if I said I believe in the Law of Moses and abstain from pork.” But their elders insist: “if you want to save your life and your property, this is your only chance when the moment comes.”

The duly rehearsed New Christian, on falling into the hands of the Inquisition, puts his priming into practice: he declares himself a “Jew” and denounces anyone who could conceivably have denounced him or might yet denounce him. But soon he realizes that the number of denouncers keeps swelling because other New Christians who remained free fearing the prisoner will denounce them come of their own volition to the Inquisition to try and pre-empt his expected denunciation. His fellow-prisoners also must denounce the most

recent arrival, if they are to get a head-start on denunciations. On top of this come the allegations of "crimes" committed in prison, such as the observance of "Jewish" fasts. Foreseeing the exponential proliferation of denunciators, the defendant reasons as follows:

I must confess to Judaizing with every man jack I know or ever heard of. For by denouncing them all, I improve the odds of naming my actual denouncers. Let not a stone remain unturned; I shall denounce all those I have ever seen, known or heard of by name, because I want to get out of this coop alive.

Meanwhile the Inquisitorial files wax bulky with denunciation upon denunciation, name upon name, and the cycle chugs on. For when a penanced "confessant" returns home, he recounts his ordeal to his family whom he may have denounced, thus perpetuating that horrible science, called: "How to escape the Inquisitors' claws." With imminent arrest dangling over their head they grab the first opportunity to emigrate, but emigration is fraught with obstacles and, more often than not, unfeasible.

Worse — says Sanches — is the fate of the New Christian, far removed from his kinsmen, wholly blended into the Old Christian scene, when arrested out of the blue. This person has never been initiated into the Inquisitorial arcana. Ingenuously assuming the Inquisition to be interested in truth, he persists in denying the offenses he never committed, winds up executed at the *auto-da-fé* as a *negativo*, his portrait emblazoned "for perpetual infamy" in his parish church. If he is lucky, his family will have got hold of some "initiated" New Christians who can teach him "a useful strategy or two."

In this way, according to Ribeiro Sanches, the number of "Jews" in Portugal increases by leaps and bounds. The question is, does Sanches mean real "crypto-Jews," whose Judaizing the Inquisition simply brought to light, or does he mean spurious "Jews" manufactured by the tortuous machinations of the Inquisition?

Ribeiro Sanches seems to be referring to the spread of Jewish beliefs, to the detriment of Catholicism. These New Christians who have been arrested and released by the Inquisition, are segregated, despised by their betters and hated by the lower classes, left to mix only with other New Christians and, on occasion:

one of them will bump into a fellow New Christian who has been to Amsterdam, Hamburg or Italy where he had contact with normative Judaism and who, either through conversations or perhaps a book about the Old Testament was persuaded in foreign parts of the truth of Judaism. This person, newly returned from abroad, will now in turn divulge his newly acquired knowledge to those who never left home. Other New Christians, likewise repulsed by Inquisitorial injustice and the

contempt and hatred of their Old Christians neighbors, find their own way into the Mosaic error.

On the other hand, for fear of exposing their children to Inquisitorial arrest, Old Christians became ever warier of intermarrying with New Christians — the latter tending in consequence to marry among themselves:

so that if among 50 New Christian families there were but two individuals convinced of the Law of Moses, 50 years on all will have the same beliefs, because as they progressively intermarry and their progeny multiplies, they all communicate to each other the inherited error.

*

As noted, Ribeiro Sanches is not innocent of a polemic agenda. It seems to be his objective to persuade the Portuguese powers-that-be to modify the “styles” of the Inquisition. He therefore embraces the opposing camp’s premises: he is resolved not to reprove the Holy Office, in whose direction he jerks polite bows. He even exerts himself to ward off some “atrocious calumnies,” originating in the camp of heretics (from whom he disassociates himself). Assuming a position at least as anti-Judaic as that of the Inquisitors, he lashes out against Judaism, which is taking off all over Portugal. To target the same goal as the Inquisitors, Sanches would simply advance other means. The spread of Judaism he would attribute to the laws of cleanness of blood and the organization of the Inquisitorial trial. By showing how counterproductive these laws are, Ribeiro Sanches was trying to impress the ruling circles, who claimed to serve the Catholic cause. Thus the Inquisitors’ argument was being turned against them.

Once we have caught his drift we recognize what Ribeiro Sanches has to say about the increase of the crypto-Judaic cult to be tongue in cheek. The 50 families who became “Jews” because two of them Judaized is sophistry since Sanches claims:

there has never been a father or a mother in Portugal who took it upon themselves to indoctrinate their children with Jewish beliefs and practices since they well know that if they impart such teaching to their children and it leaked out they would be doomed.⁴

How then could “Judaism” proliferate if it wasn’t there to start with?

⁴ This of course is another sophism: parents arrested on an hypothetical accusation of teaching “Judaism” to their children would not risk execution if they confessed to the accusation and accused others of crypto-Judaism.

No doubt the “Jews” of Portugal proliferated, granted the Inquisitorial definition of “Jews”: those who confessed at the Tribunal of the Holy Office to having “Judaized” plus all their relatives to the n^{th} degree and their descendants down to the umpteenth generation.

An appraisal of the Holy Office, not dissimilar to Ribeiro Sanches’, was attributed to a Friar-Inquisitor by Dom Luís da Cunha, an enlightened nobleman under the reign of King João V:

Friar Domingos de Santo Tomás, a deputy of the Holy Office, used to say that just as in Lisbon’s Calçetaria there is a building where coins are stamped out of metal, so on Lisbon’s Rossio there is a building where Jews are stamped out of Christians... ⁵

Still further back the idea is adumbrated in an early 17th-century octave, found in a manuscript miscellany compiled by an anonymous Portuguese Jew at Amsterdam:

*Neste horrendo, triste e temeroso
Que o vulgo chama Tribunal Sagrado
Se faz covarde logo o animoso,
E ignorante o que é mais avisado.
Aqui se faz o justo criminoso,
Jurando o que não viu, nem foi sonhado,
Aqui se fazem traças e ardis seus,
Que os Cristãos se convertem em Judeus.*

(In this appalling, dour and doleful
Tribunal, which the people call Holy,
The brave at once turn cowards,
Ignorant the well-informed.
Here the righteous are criminalized,
Swearing things unseen undreamt.
Here such conjuring, such legerdemain,
Christians into Jews transmogrified.) ⁶

⁵ Luís da Cunha, *Instruções inéditas*, Coimbra, 1929, 85-86; cf. id., *Testamento Político*, Lisbon, 1820, 45.

⁶ Cf. H. P. Salomon, *Portrait*, Epigraph.

CHAPTER NINE

“PEOPLE OF THE NATION” OR “MEN OF COMMERCE”

There is no doubt that the “Marrano factory” was proving its efficiency, because in Portugal, in contrast with Spain, the number of those suspected of crypto-Judaism proliferated. Sixty years after the establishment of the Spanish Inquisition, persons convicted of the “Judaic heresy” represented but a small percentage of its victims.¹ But in Portugal eighty, ninety years after the bull of 1536 (and far beyond) they were supplying the *autos-da-fé* with regular consignments of human fodder. In 1623, in Coimbra alone, at two public *autos-da-fé* totaling 222 sentenced, 204 were penanced, 16 executed, two burnt in effigy. 214 of the 222 were New Christians.² In a sermon preached the next year, Friar António de Sousa, whom we met earlier as the author of *Aphorismi Inquisitorum* (Inquisitorial Aphorisms), claimed that from the time of the 1605 amnesty there had been two thousand persons penanced for “Judaism” by the three tribunals of the realm.³

¹ See Francisco Bethencourt, *História das Inquisições: Portugal, Espanha e Itália*, Lisbon, 1994, 272-275. An exceptionally high number of convicted Judaizers is noted at the Granada *autos de fe* of 1528, 1529, 1540 and a recrudescence after the Portuguese influx into southern Spain upon the union of the two countries in 1580. At the Granada *auto de fe* of 1593 out of 127 penitents 85 were sentenced for Judaizing, of whom 6 executed. The *auto* of 1595 was a continuation. See Maria Antonia Bel Bravo, *El auto de fe de 1593, los conversos granadinos*, Granada, 1988. Olivares, who ruled from 1623, to some degree protected the Portuguese New Christians but after his fall from power (1643), Judaizers, now labeled “Portuguese,” once again became the prime target of all ten tribunals of the Spanish Inquisition. According to Michèle Escamilla-Colin’s statistical analysis (*Crimes et châtements dans l’Espagne Inquisitoriale*, Paris, 1992), out of a total of 3351 persons appearing at c. 400 Spanish *autos de fe* 1658-1739, 2317 (7 out of 10) were sentenced for Judaizing of whom over 40% are designated “Portuguese” on the lists. Renewed Inquisitorial persecution of native Spanish (or, rather, Catalán) purported descendants of pre-1492 converts took place on the island of Majorca in 1678 and 1691, affecting 240 persons and permanently damaging the reputation of their descendants. See above, Introduction, note 20. Renewed persecution of Portuguese by the Granada Inquisition chalked up 13 *autos de fe* 1720-1727, totalling 367 sentences for Judaizing, including 36 actual executions. See Rafael de Lera García, “Gran Ofensiva Antijudía de la Inquisición de Granada (1715-1727),” *Inquisição*, Lisbon, 1990, 1089-1108.

² See Fortunato de Almeida, *História da Igreja em Portugal*, 4, 306; Biblioteca Nacional de Lisboa, Cod. 198, f. 12. For the Évora tribunal, out of 8644 trial records 1543-1668, 7269 (89%) pertained to “Judaism” and for the Lisbon tribunal, out of 5503 trial records 1540-1629, 3751. During the first 33 years of the Coimbra tribunal’s operation (1566-1599) all 144 persons executed were New Christians accused of Judaizing. See António Borges Coelho, *Inquisição de Évora*, Lisbon, 1987, 1, 150-158; 2, 73.

³ See *Sermam*, 1624, 13.

This was going on at the same time as New Christians in droves were leaving Portugal especially for Spain and its American empire, with the dynastic union of Spain and Portugal in 1580. To those condemned for Judaizing in Portugal we must add the Portuguese New Christians persecuted by the Spanish and the Spanish American Inquisitions. In 1560 the Portuguese ambassador in Rome, as we have seen, estimated the Portuguese people “of the Nation by now very few in number” and that the abusive practices of the Inquisition, if allowed to continue unchecked, could soon lead to their obliteration. The list of contributors to the payment for the amnesty of 1605 comprised six thousand families,⁴ which represents at most 30,000 individuals. But at the beginning of the 1620’s the Inquisitors discovered that “Judaism” was threatening to devour the whole country. Here is what the Inquisitor General Fernão Martins Mascarenhas reported to the king in 1622:

Since these people were not permitted to leave the country and were not admitted into the religious orders [where celibacy is the norm] [...] and because Old Christian males grew scarce due to their departure for the empire’s newly conquered colonies, so that New Christians married Old Christian women and their progeny multiplied, until of the three Estates theirs has become the most numerous. And, since they do not serve in the armed forces or in government, they thrust themselves into business and commerce, cornering all the country’s wealth.⁵

Friar António de Sousa was even more blatant in his *auto-da-fé* sermon of 1624:

For our sins of the last years people of quality have been cross-breeding with these perverse Jews⁶ to whom I am referring. They became corrupted by their contact with them and have become Jews like they are. Just a few years ago only low-class, trashy Jews were paraded at the *autos-da-fé*. See what now appears for sentencing in the *autos-da-fé* and in this very one at which I am preaching: ecclesiastical personnel, friars, nuns, holders of master’s degrees, licentiates, doctors and professors, with family connections to the nobility, people only half of New Christian origin, or a quarter, or an eighth, all confessing and convicted of Judaism. And let no one think that they were falsely denounced by people already arrested, because every day that goes by many people

⁴ See Azevedo, *op. cit.*, 214.

⁵ “Sobre os Christãos Novos de Portugal,” Biblioteca Nacional de Madrid Ms. 718, no. 66, ff. 77v-78r (For the attribution to Fernão Martins Mascarenhas see Henry Charles Lea, *History of the Spanish Inquisition*, 3, 276).

⁶ As we have noted earlier, Sousa, himself an Inquisitor, refers to New Christian Judaizers as “Jews,” which Inquisitors officially refrained from doing: New Christian defendants are never referred to as “Jews” or “Hebrews” in trial records we have examined, but it is common parlance in *auto-da-fé* sermons. See above, Chapter Six, note 17.

who have but minimal New Christian ancestry come to the Holy Tribunal of the Inquisition to accuse themselves voluntarily, saying that they withdrew from the faith of Christ and passed into belief in the Law of Moses under the influence of relatives and friends who live in the same belief. We see towns and cities whose New Christian populations were discovered to be almost entirely Judaizers, such as Beja, Évora, Tomar, Coimbra, Porto, Escarigo, Freixo de Numão and others.⁷

Friar António de Sousa is rehashing a favorite argument of the Inquisitors of the day. That year 1624 the General Council of the Inquisition submitted a survey of the Portuguese of Jewish origin, to the following effect: after 1497, “when most of the Jews left” (?), only six or at most ten thousand of the poorest and most wretched families converted and remained. But since then “these increased and multiplied to such a pitch that they are now commonly estimated at 200,000 families, each very large.” This, without exaggeration, would amount to 1,000,000 persons, or over half the Portuguese population of the time. Moreover, the Inquisitors add, in the “aristocracy there are many [New Christians] who have been ennobled by Your Majesty and knights of the military orders, not excepting the best positions; they are the only ones who have ready cash, contracts, merchandise and hold all of Portugal to ransom.”⁸

This document is obviously self-seeking and tendentious: the Inquisitors were being irritated by the “Men of Commerce” at the royal court in Madrid, who actually secured in 1627 an “edict of grace” and other privileges. The number of 200,000 sizable families of “the Nation” was meant to shake up the court. In any event it certainly impressed early 20th-century historians, such as João Lúcio de Azevedo, who apropos a similar document, dated 1671, writes:

the plant they wanted to extirpate burgeoned exuberantly, its robust stalks stretching out to the sun; no catastrophe was able to cut down the individuals nor to check the lush vitality of the race.⁹

We ask: what “race?” An apt question, since the million or so New Christians envisioned by the Inquisitors could only have sprouted from the intermarriage of New and Old Christians. In another document an Inquisitor expatiates on mixed marriages:

Although the first New Christians in Portugal were but few, of low standing and poor, they grew apace by cross-breeding with Old Christians, so that this country is now so wearied and oppressed with the multitude of these people who stray from the true faith, that in spite of

⁷ *Sermam*, 12-13

⁸ Document published by Azevedo, *op. cit.*, Appendix Fourteen.

⁹ Azevedo, *op. cit.*, 292.

this Holy Tribunal’s efforts to hinder such manifest harm, nothing suffices [...]. Experience has shown that the marriages of New with Old Christians aggravate the ill instead of curing it. For the offspring turn out Jews even though the amount of this [Jewish] blood running in their veins is in many cases too negligible to quantify.¹⁰

Thus, for these Inquisitors, anyone descending never so remotely from a Jewish ancestor, belongs to “these people.” The Inquisitors’ microscopic lens may be gauged from the proposal submitted to the Governors of Portugal by the General Council of the Inquisition in 1624, to exclude persons of New Christian extraction, up to the seventeenth degree, from all charges, honors, posts and functions.¹¹

By such criteria no wonder half the Portuguese population was New Christian or, to employ Lúcio de Azevedo’s favorite epithet, belonged to the “race.” But one naturally would like to know how he defines those persons of the “Jewish race” the majority of whose ancestors were Old Christians.

If there is a kernel of reality behind the mumbo-jumbo, it is the extent of mixed marriages. Similar demographics transpire from the report of a Jesuit father, Diogo de Arede, who was consulted in 1629 on whether to expel all New Christians from Portugal. Using the figures of a list of New Christian contributors to the 1,700,000 cruzados offered King Philip II for a permanent amnesty in 1601, Father Arede computes that there were then 6,000 New Christians of unmixed Jewish extraction. But these were but a small minority compared with mixed New Christians. In fact, he claims, there is no respectable family in Portugal without Jewish admixture and to carry out a general expulsion would be equivalent to emptying the country of all but the lowest classes.¹²

The question of “mixed marriages” gave rise to interminable wrangles between the New Christians and the Inquisitors. Through the intermediary of their agents at the royal court in Madrid, the New Christians persistently demanded the abolition or revision of laws which indirectly affected their liberty to marry into Old Christian families. They made such representations at the legislative assembly of 1581, when Philip II was acclaimed King Philip I of Portugal. In their submission they complained of Old Christian families who required security for their New Christian daughter-in-law’s dowry, fearing its

¹⁰ *Id.*, *op. cit.*, Appendix Fifteen.

¹¹ *Id.*, *op. cit.*, Appendix Thirteen.

¹² See [Diogo de Arede] *Tratado sobre os varios meyoys que se offerecerão a sua Magestade Catholica para remedio do judaismo neste Reyno de Portugal* [n.p., n.d.], 8, 12; see Azevedo, *op. cit.*, 214-215.

eventual confiscation in case of arrest by the Inquisition.¹³ Philip I turned down this and other New Christian proposals. As for the Inquisitors, when the New Christians asserted the “right to choose one’s spouse,” their response was “the Hebraic species and heresy propagate in tandem.”¹⁴

Likewise the Portuguese bishops assembled at Tomar in 1629 moved that a New Christian bride should not be allowed a dowry of more than 2000 cruzados and that the Old Christian groom be deprived of whatever privileges of nobility or public office he may have held.¹⁵ This motion was upheld by the delegates of the aristocracy in the assemblies of 1641, 1653 and 1668, which seems to show that successive kings had paid no attention to it. Finally in 1671 Prince-Regent Pedro II passed a law proscribing such marriages. But this discriminatory law probably remained a dead letter, like the others promulgated on the same occasion, equally unfeasible.¹⁶

The Inquisitors were fixated on the notion that the so-called mixed marriages were diffusing Judaism and corrupting the Christian fiber of the kingdom. But one must first take leave of one’s senses not to see that the opposite was true. These marriages were simultaneously a proof of and a factor in the process of assimilation that the New Christian community had been undergoing ever since the General Conversion of 1497. Their very possibility demonstrates that no religious frontier separated the partners. Besides, they were not “mixed” marriages at all, because the contracting parties practiced the identical religion, the only one licit in Portugal, namely Catholic Christianity. The canonical prohibition against mixed marriages was irrelevant, despite the Inquisitors’ exertions to make it seem relevant, precisely because the betrothed, whatever their respective genealogy, were not divided by worship or rite. Are we to believe in New Christian partners’ paranormal capacity for dissimulation combined with iron willpower to perpetuate Mosaism and transmit it to the offspring begotten with their Old Christian spouse? It seems to us that such a notion could flourish only in the institutionalized hypocrisy of the Inquisitors or the boundless credulity of certain scholars. Even the delegates to the Episcopal Conference held at Tomar in 1629 did not fall for it. For, contrary to the prevailing Inquisitorial presumption that admixture of “New Christian blood,” no matter how puny, was enough to make any Portuguese person receptive to the “Judaic heresy,” the

¹³ See Azevedo, *op. cit.*, 149-150.

¹⁴ See *id.*, *ibid.*, 187, 472.

¹⁵ *Id.*, *ibid.*, 194.

¹⁶ *Id.*, *ibid.*, 293.

Episcopal Conference assumed that the offspring of so-called “mixed” marriages were being raised as Catholics prim and proper. Thus, while proposing the expulsion of all descendants of Inquisitorial prisoners convicted of Judaizing, they made an exception for those who had either an Old Christian father or mother.¹⁷ Just 17 years later (1646) Father António Vieira considered the so-called “mixed” marriages as the most efficacious means to extinguish once and for all the memory of Judaism in Portugal. This is what he had to say:

If we believe history and take account of experience, we project that unrestricted marriages between Old and New Christians will obliterate the name and memory of the Jews, as has been the case in all other countries of the world.

Vieira also protested Prince-Regent Pedro II’s 1671 prohibition of marriages between Old and New Christians. If the regent’s aim was Judaism’s eradication, pondered Vieira, then he was going about it in a thoroughly counterproductive way:

Experience shows that the most effective means is the integration [of men of the Nation] with Old Christians. Family bonds tying them to immaculate Catholics, will anchor them in the faith (if they are not so already), just as firmly as the purest and cleanest. Thus an end will finally be put to the insulting taunts, the name-calling, the mocking, which by this same method were suppressed in [medieval] France.¹⁸

This is the voice of practical sense, if not of tolerance. But one can go much further than Vieira. The simple fact that marriages between New and Old Christians were contracted all along the line as well as the fact that the New Christians, as a collective entity, were officially demanding the lifting of obstacles to such unions, prove that the “People of the Nation” considered themselves homogeneous with their Old Christian neighbors and had lost their cohesiveness as well as any religious personality they may have had at the beginning of the 16th century. Had they felt loyalty to their ancestral faith, is it conceivable that they would fight for the right to marry Old Christians? Therefore the Inquisitors’ categorization of marriages between Old and New Christians as mixed was meaningless in religious terms.¹⁹

¹⁷ Id., *ibid.*, 199-200.

¹⁸ Vieira assumes (as will António Nunes Ribeiro Sanches in 1735: cf. *supra*, Chapter Eight, note 3) that the majority of the French Jews, expelled in 1395, converted and remained in France. He further assumes that this mass of New Christians (never identified as such) dissipated through intermarriage. See Vieira, “Papel a favor dos Cristãos-Novos” (1671), *Obras Escolhidas*, Lisbon, 1951, 4, 106-107.

¹⁹ Of course to argue against the Inquisition on its own terms sucks one into a sophistic vortex. The Inquisitors believed in their capacity to enforce conformity to their

But there was still the question of blood or ethnicity, so poignantly illustrated by the case of Friar Diogo de Assunção. This Capuchin friar in the monastery of Saint Anthony of Castanheira, near Alenquer, declared he could no longer abide in Catholicism and believed, instead, in “the Law of Moses.” Arrested in 1599, he affirmed his “Jewish” beliefs before the Inquisitors and attempted to convince them to follow his example. Here then someone who was “justly” accused of the “Judaic heresy” decided to dig in his heels and fight back in the only way possible, come hell or high water. But, as we have seen, Old Christians, by a tacit 1572 prescription, could not be held guilty of the crime of Judaism. The Inquisition therefore needed to “prove” that Friar Diogo was partly of Jewish stock. The genealogical inquiry showed that Friar Diogo was of “good Old Christian stock,” but six witnesses (perhaps induced to do so by the Holy Office itself, or by one of their agents or collaborators) declared under oath that they suspected that on his paternal side there may have been a Jewish ancestor.²⁰ This sufficed for the death sentence to state that he was “partly of New Christian blood.” He was burnt alive on August 3, 1603 as an “affirmative, impenitent, pertinacious believer in the Law of Moses.”²¹

In his enthusiasm the would-be martyr boasted that his mother was a Jewess,²² yet the witnesses claimed that only his father’s blood was “unclean.” The reason for this contradiction is probably that his mother’s family was well known but his father’s was not, as can be seen

“higher” requirements. They decided that any New Christian was either an overt or a surreptitious Judaizer. Once one accepts the premise that their decision impacts reality and that reality waits on their wishes, then the “Jewishness” of the New Christians is a religious just as much (or as little) as an ethnic one and no amount of evidence can change this “fact.”

²⁰ It was rumored that Friar Diogo’s paternal great-grandfather Bernardo Dias (the father of Lianor Bernardes who was the mother of Jorge Velho Travassos who was the father of Friar Diogo), from Lorvão, had undergone baptism at the time of the General Conversion. The “Genealogical inquiry” conducted by Inquisitorial agents at Lorvão revealed that Bernardo Dias had a son, Baptista Dias, who in turn had a son, João Baptista Dias. The first of the six witnesses said that Baptista Dias had married Lianor Bernardes, but Lianor Bernardes was Bernardo Dias’ daughter (Baptista’s sister), who married Nuno Velho, a “pure” Old Christian. This led the Inquisitorial agent to inquire whether Bernardo Dias had a son Nuno Velho. The six witnesses were aged, respectively, 60, 68, 65, 80, 75 and 80. See H. P. Salomon, *Portrait of a New Christian*, 31.

²¹ See Inquisition of Lisbon, no. 104. Excerpts from the trial record were published by António José Teixeira, *António Homem e a Inquisição*, Coimbra, 1895, 217-260; a summary may be found in Azevedo, *op. cit.*, Appendix Seven.

²² Friar Diogo declared on December 14, 1599 that he “was the son of a Jewess and a Portuguese.” The wish to improvise a “Jewish” parent betrays, of course, a certain Old Christian reflex, that mixes up beliefs, nationality and blood.

in the genealogical inquiry.²³ It was therefore easier to falsely attribute “uncleanness of blood” to the paternal ancestors. But, according to the *Account of the Cruelties Exercised by the Inquisition in Portugal*, the family of the executed friar protested, not against the sentence itself, since Friar Diogo had proclaimed his Judaism loud and clear, but against the statement made at the *auto-da-fé* to the effect that he was partly New Christian, which would have an adverse effect on his family’s reputation. And being influential the family succeeded in getting Friar Diogo’s blood posthumously cleansed, a galling blow to the Inquisition.²⁴

As usual, the Inquisition was resolute on proving that Jewish beliefs are genetically transmitted. They could thus point to the danger of “mixed” marriage between Old and New Christians: “Because of these bastardizations, Judaism suddenly sprouted in seemingly unpolluted families.”²⁵ This sentence, expressing the Inquisitors’ thought in a nutshell, flowed from the pen of a 20th-century Portuguese historian. João Lúcio de Azevedo allowed himself once again to be duped by the Inquisition’s *mise en scène* and carried away by his own sentiments.

As we have seen, the Inquisitors substituted for the “active Judaizer” the “suspect of Judaizing” or “potential Judaizer,” so that anyone labeled “New Christian” was automatically suspected of an inherent inclination to Judaize.²⁶ The author of the “Treatise on the People of the Hebrew Nation of the Kingdom of Portugal Offered to the Bishops Assembled at Tomar” writes in 1629:

[...] an ounce or even a single bead of this blood is potent enough to corrupt paragons of respectability. This explains how gentlemen that appear perfectly honorable and intelligent will at the drop of a hat fall for the ravings of some wizened Jewess. It is those sprinklings of Jewish blood in his veins that predispose a man to Judaize. Hence you find

²³ His father, Jorge Velho Travassos, born in Cantanhede and raised in the household of the Lord of the town, was of a distinguished Old Christian family. His paternal grandfather, Nuno Velho was related to Pero Travassos da Costa, a high official at the royal court. Jorge Velho Travassos lived for some years in Aveiro, where he married Maria de Oliveira, who gave him at least seven children. At some point he moved to Viana de Caminha (now Viana do Castelo) where he was appointed Steward of the Royal Customs and where Friar Diogo was born, c. 1570, but he was baptised at Aveiro. He was sent to the Seminary in Braga, received the confirmation in Viana where he became a Capuchin friar in 1591, at age 21.

²⁴ *NR*, 112. The author of *Cruelties* refers his reader (*i.e.*, the Pope, or his representative) “to the friar’s *processo*, and to the family’s (appended?) petition.” It would seem he knew both documents first-hand. Whereas the *processo* survives, we have not found the petition.

²⁵ Azevedo, *op. cit.*, 159-160.

²⁶ The Inquisitorial notion of “potential Judaizer” was resuscitated in our times by I. S. Révah.

gentlemen learned and venerable, Christians all their lives, suddenly carried away by the Jewish heresy. It is that molecule of Jewish blood coming out. When arrested and interrogated by the Holy Office they point to blithering idiots as their instructors. Such occurrences are so prevalent that in the *autos-da-fé* out of a hundred persons sentenced eighty have one-fourth or less of this blood.²⁷

Thus the Inquisition switched its definition of “Judaism” from religion to ethnicity (see above, Chapter Four). But what ethnic character had the New Christians as a group? How would it be possible to isolate the ethnic quotient in the “one-eighth New Christian,” the “one-sixteenth New Christian” who appeared more and more frequently in the *autos-da-fé*? Where did the “real” Portuguese end and the “phoney” Portuguese begin? Moreover, miscegenation is the most characteristic feature of the Iberian peoples. The autochthonous tribes of the Peninsula intermarried with Celts, Romans, Berbers, Arabs, Phoenicians so that even in the unlikely event that the Jew of Iberia was ethnically diverse from all these exotic immigrants, he would hardly have stood out as the odd man amidst the melee.

Those modern scholars who, parroting the Inquisitors, speak of the persistence of the “Hebrew race” in Portugal, lay a snare for themselves. Lúcio de Azevedo, after referring to the “exuberant vitality of the [Hebrew] race” in the Portugal of 1671, argues in respect to the same date that the expulsion of the New Christians advocated by some, would amount to depopulating Portugal.²⁸ Does this mean that in his opinion pristine Old Christians were down to a smidgen? Of course, in a way, he is being consistent: Jews are sturdy as weeds and like weeds they soon inundate or rather overrun other plants and even choke less sturdy ones.

The one reality of the Old/New Christian dichotomy existed in the Inquisitorial taxonomy. The religious or ethnic definition of the New Christians was, in the final analysis, merely formal and bureaucratic. What is more, the New Christian tag might rest on rumors originating in dubious genealogies, slander and intrigue. The author of the *Account of the Cruelties* writes that “the label New Christian is based on mere presumptions, padded and puffed out with inventions and lies.”²⁹

Though fuzzy and therefore less than objective and watertight, a veritable distinguishing trait of the “People of the Nation” (as the New

²⁷ ANTT, Ms. 1506 (Portuguese version). We are quoting a Spanish version acquired in 1997 by the Biblioteca Nacional of Lisbon, f. 325.

²⁸ *Op. cit.*, 292-293.

²⁹ *NR*, 109.

Christians came to be designated) will have been the social and economic one.

In a number of official and private documents, as well as in literary works of the 17th century, the expression “People of the Nation” appears initially as a euphemism for New Christians, then as a synonym of “Men of Commerce.”

King Philip III of Spain, who ruled over Portugal as Philip II (1598-1621), was favorable to the Portuguese New Christians. In 1601, in exchange for a corporate payment of 200,000 cruzados, he had granted the “People of the Nation” permission to travel at will between the dual monarchy and foreign countries, threatened with fines, confiscations and imprisonment anyone calling another “New Christian,” “Marrano” or “Jew.” In 1602 the king entered into negotiations with Pope Clement VIII (1592-1605), also sympathetic to the Portuguese New Christian cause. In 1604 Clement endorsed the “General Amnesty for Crimes of Judaism,” forcing the three tribunals of Portugal to free its 410 prisoners. This transaction, worked out between the Duke of Lerma (the king’s unofficial prime minister) and two prestigious Portuguese New Christians, Rodrigo de Andrade and Jorge Rodrigues Solis, involved the canceling of the earlier debt in exchange for the corporate payment of 1,700,000 cruzados to the Crown. Andrade and Solis made sure to see Lerma right — not neglecting members of the High Council for Portugal at Madrid. As an immediate consequence of the Amnesty, many Portuguese New Christians who had emigrated to France in 1601, returned to Portugal. It was widely believed that the nightmare was over.

On September 16, 1605, the Duke of Lerma wrote:

[...] it is well-known that the prime upholders of European trade and commerce are the Portuguese merchants who dwell in all the important money markets, principally Lisbon [...].³⁰

However, in 1606, when the Amnesty expired, the Portuguese Inquisition began making new arrests. That same year a “Commission for the Collection of the 1,700,000 cruzados” was formed in Lisbon, and a royal decree forbade “persons of the Nation” to move from one district to another without a document from the ruling *Junta* showing that they had paid their allotment. In 1610 permission for New Christians to leave Portugal temporarily or permanently was altogether rescinded.

³⁰ Letter cited by J. Gentil da Silva, *Stratégie des affaires à Lisbonne entre 1595 et 1607*, Paris, 1956, 5, n. 27.

Soon it became clear that the Inquisition, far from defunct, was entering a new phase of unchecked brutality.³¹

At the third *auto-de-fé* following the expiration of the General Amnesty, on April 5, 1609, the execution of Henrique Dias Milão, 81, caused a sensation. Milão, a well-known merchant of sterling reputation and the father of nine grown children, whose huge houses were a Lisbon landmark, refused to admit to the “crime of Judaism” until just before his sentencing. Three of his sons, womenfolk, retainers and household staff, arrested together with him on October 28, 1606 while attempting to leave the country, all ultimately “confessed.” They were penanced at the same *auto-da-fé* and subsequently released, except for a “partly Old Christian” servant of the Milão family, who refused to “abjure his confessed heresy” and was therefore burnt alive. In addition, five women unrelated to the Milão group were executed.³²

Starting around the middle of the 16th century, at irregular intervals, Inquisitorial officials selected for “visitation” a city or town under their jurisdiction or an overseas territory which had not yet felt the impact of their authority, installing there a temporary tribunal for the purpose of proclaiming the “Edict of Faith” and taking denunciations.³³ This operation was called “opening up Judaism in places which have lain fallow.” Inevitably, a family quarrel or a commercial intrigue would lead to several series of denunciations, followed by arrests. Arrests led to trials which spiraled into new rounds of arrests and trials, so that, during the first half of the 17th century it was not unusual to see practically an entire urban population vanish; the unlucky, marched off to the Inquisitorial cells and the long-legged, scuttling to Spain.³⁴

³¹ See Salomon, *Portrait*, 41-46.

³² Salomon, *op. cit.*, 46-52.

³³ There were no “visitations” between 1637 (Viseu) and the last one in 1763 (Brazil). Isabel M. R. Mendes Drumond Braga (“A visita da inquisição a Braga, Viana do Castelo e Vila do Conde em 1565,” *Revista de la Inquisición*, 3, 1994, 29-67:29-31) lists Inquisitorial “visitations” (and studies based upon them) within continental Portugal and to its adjacent islands, Brazil and Angola. The reports, preserved in the Torre do Tombo, have been integrally published, excerpted or otherwise analyzed by 20th-century historians. See for example Maria Paula Marçal Lourenço, “Uma Visita da Inquisição de Lisboa: Santarém 1624-1625,” *Inquisição*, Lisbon, 1989, 569-595. Cf. Francisco Bethencourt, *História das Inquisições*, Lisbon, 1994, 188-193.

³⁴ Some examples: at the Lisbon *auto-da-fé* of July 31, 1611, 8 of the 11 persons executed were from Tomar and related to each other and a goodly number of the 88 non-executed victims were their wives, parents, children, uncles aunts, siblings, cousins, nephews and nieces (Salomon, *op. cit.*, 196-199); at Lisbon *autos-da-fé* 1610-1630, 520 of those sentenced were from Leiria (Daniel Lacerda de Leiria and Paris is presently [1999] studying their trial records); At Évora *autos-da-fé*, 1594-1602, 177 persons sentenced, of

In September 1618 the Coimbra tribunal rounded up at Oporto scores of merchants engaged in the triangular commerce between Brazil, Oporto and Amsterdam. The probable economic motivation of this spate of arrests is revealed by the inventories of chests of sugar from Brazil destined for Amsterdam (“Flanders”) confiscated by the Inquisition.³⁵

In 1615 an Episcopal investigation found that five of the most brilliant Coimbra University professors (António Homem, Francisco Vaz [or Velasco] de Gouveia, Duarte Brandão, Manuel Rodrigues Navarro, António Gomes) were partly of New Christian stock, thus inviting denunciations to the Inquisition for Judaizing by jealous colleagues and provoking a chain reaction of arrests and trials. In 1619 the canonist Father António Homem was arrested by the Inquisition on the charges of having created and led an underground Judaic cult in honor of Friar Diogo de Assunção, whose tragic fate was discussed above. For good measure Homem was also accused of pederasty. Armed only with his juridical expertise, Homem heroically defended himself and steadfastly refused to save his life at the cost of his honor.³⁶

whom 18 executed, were from Serpa; 1615-1640, 713 persons sentenced, of whom 62 executed (some in effigy), were from Beja. Out of 8644 Évora trial records, 1543-1668, 1704 (26%) concern persons born or resident in Beja, 591 persons from the small town of Campo Maior, where 288 persons, mostly women, were arrested 1582-1593, of whom 17 were executed; 116 persons were arrested at Elvas in 1655; 115 at Olivença in 1651; 99 at Elvas in 1657; 64 at Serpa in 1600, including 5 girls of 15, 1 of 13 — the daughter of a previously executed man —, 2 boys aged 12 and 13; 40 at Serpa in 1602. Of 438 persons sentenced at Évora *autos-da-fé*, 1635-1637, 215 were from the Algarve; 170 trial records 1633-1640, concern residents of Faro; 40 arrests in 1633; 40 in 1634; 16 in 1635; 11 in 1637; 11 in 1638; 11 in 1639; 6 in 1640; included are a boy arrested at 12 and tortured at 14, 5 girls of 15, a boy arrested age 10 in 1635, sentenced at the *auto-da-fé* of 1640; 12 Faro residents were executed 1635-1651; as of 1760, 1796 persons from the District of Bragança had been sentenced as “Judaizers” (Coelho, *Évora*, 1, 295-303, 305-310, 340, 361-363; Joaquim Romero de Magalhães, “E assim se abriu judaísmo no Algarve,” *Revista da Universidade de Coimbra*, 29, 1981, 1-74, Francisco Manuel Alves, *Memórias Arqueológico-Históricas do Distrito de Bragança*, 5, Bragança, 1977³). In 1639 the Inquisition arrested c. 33 New Christians in Arraiolos (see Anita Novinsky, *Cristãos Novos na Bahia*, São Paulo, 1972, 153). A statistical study such as Borges Coelho’s of Évora Inquisitorial trial records by period, town and region (leading to social and economic analyses) is a desideratum as regards the other two tribunals.

³⁵ See Municipal Archives of Amsterdam, Notary Sibrant Cornelisz, 625, ff. 81-83; Notaries Jacob and Nicolaes Jacobs, 382, f. 26; State Archives of The Hague, States General, “Admiralty,” “Documents Concerning Damages Incurred by Portuguese Merchants Who are Dutch Subjects During the Truce Between Spain and the Netherlands (1609-1621).” The claims of the defrauded merchants, for which the Dutch government unsuccessfully attempted to obtain recoupment from the Portuguese Inquisition (!), totaled some 300,000 guilders. We thank Ms. Odette Vlessing of the Amsterdam Municipal Archives for these references.

³⁶ See Inquisition of Lisbon, *Processos* nos. 15,421 and 16,225. Cf. Teófilo Braga, *História da Universidade de Coimbra*, 2, Lisbon, 1895, 473-650; António José Teixeira,

Many observers felt that the Portuguese Inquisition was out of all moral and legal bounds, even by Spanish Inquisitorial standards and that if the Portuguese New Christians' plight were brought to the attention of an influential part of Spanish public opinion — hopefully including the king and the Spanish Inquisitor General — some assuagement might be forthcoming from that quarter.

Commissioned by unnamed Portuguese New Christians, a Spanish barrister, Martín de Zellerigo, published in 1619 at Madrid a work directed to the Spanish Inquisitor General, Dominican Friar Luís de Aliaga (and indirectly to King Philip III), contesting the procedures of the Portuguese Inquisition.³⁷ Zellerigo prides himself on his and his wife's noble, unblemished Old Christian stock. He served the Inquisitorial tribunal of Valladolid for 28 years as lawyer for the accused,

António Homem e a Inquisição, Coimbra, 1895; António Baião, *Episódios Dramáticos*, 1, Lisbon, 1972³, 93-139 (first edition 1936); Mário Brandão and Manuel Lopes de Almeida, *A Universidade de Coimbra, Esboço da sua História*, Coimbra, 1937, 1, 203-207; 2, 25-26. Homem perished, garroted at the stake, a martyr to Catholicism, at the Lisbon *auto-da-fé* of May 5, 1624, at which António de Sousa preached the sermon cited in this work. In the wake of his trial some 131 men and women were arrested and tried on the count of having participated in the "cult," including 4 canons of the Coimbra cathedral, a number of Coimbra University professors, officials and students and 52 nuns from 4 nearby convents. See now João Manuel Andrade (alias João Manuel Almeida Saraiva de Carvalho), *Confraria de S. Diogo*, Lisbon, 1999, based on hitherto untapped archival material at Coimbra as well as 111 trials of the Coimbra and 20 of the Lisbon Inquisitorial tribunals. Saraiva de Carvalho unfortunately ignores the social, economic and political background of the Coimbra witch-hunt and assumes a priori the truth of any Inquisitorial denunciation and confessional inculpation. An unprejudiced evaluation of the material dealt with by Saraiva de Carvalho is a desideratum.

³⁷ *Alegacion en que se funda la justicia y merced que algunos particulares del Reyno de Portugal, que estan dentro y fuera de los confines de España, piden y suplican a la Catolica y Real Magestad del Rey don Felipe Tercero nuestro señor, se les haga y conceda, Dirigida al Illustrissimo señor don fray Luys de Aliaga, Inquisidor General en los Reynos y señorios de su Magestad, su Confessor, y de su Consejo de Estado, por el Licenciado Martin de Zellerigo, juez de bienes confiscados de la Inquisicion de Toledo, Impresso en Madrid año de 1619* (Apology taking as its principle the justice and mercy which a number of individuals from the Kingdom of Portugal, who are residing within and without the Iberian Peninsula, are petitioning and imploring His Catholic and Royal Majesty King Philip III, Our Lord, to do and grant them, directed to His Worship, don Friar Luis de Aliaga, Inquisitor General in the Kingdoms and Dominions of His Majesty, his confessor and a member of his Council of State, by Martin de Zellerigo, Barrister, Judge of the property confiscated by the Inquisition of Toledo, Printed in Madrid, 1619). See the critical edition and introduction by I. S. Révah: "Le Plaidoyer en faveur des 'Nouveaux-Chrétiens' portugais du Licencié Martín González de Cellorigo (Madrid, 1619)," *Revue des Études Juives*, 122, 1963, 279-398. Although only one copy of the original publication is presently known (British Library, Egerton 343, ff. 291-338), it was not inaccessible to contemporaries, for entire passages were borrowed (in Portuguese translation) by the anonymous author of the 1624 "Apology on Behalf of the Christians Surnamed New of this Kingdom of Portugal" (*Apologia em abono dos christãos cognominados novos deste Reyno de Portugal*), addressed to Pope Urban VIII (manuscript in the possession of Roberto Bachmann, Lisbon).

retired to Madrid and returned to Inquisitorial service with the tribunal of Toledo in 1619. Earlier in life he had published papers dealing with the expulsion of the Moriscos from Spain (Valladolid, 1597) and with the restoration of Hispanic grandeur (Valladolid, 1600). The *Alegación* is the first (and only outright) attack on the Portuguese Inquisition to be printed in the Iberian Peninsula and one of two Apologies for the Portuguese New Christian cause to be printed in Madrid during the reign of the Portuguese Inquisition.³⁸

The Spanish Inquisitor General Luis de Aliaga had been the Duke of Lerma's confessor and, on the latter's recommendation, the king's confessor from 1608. Of him it was said "his habit is religious but his spirit secular." The all but omnipotent Duke of Lerma became a Cardinal in 1618 and the same year, due to intrigue, was forced to relinquish his position of *valido* (informal prime minister) to his son Francisco, Duke of Uceda. It was to Uceda that Aliaga owed his appointment as Inquisitor General. In 1621, due to King Philip III's death and the concomitant overhaul of the government, Uceda was dismissed and Aliaga, bowing to political pressure, renounced his Inquisitorial post.³⁹

The year of the Apology's publication (1619) marks King Philip III (II of Portugal)'s State visit to his Portuguese kingdom, undertaken on the advice of and accompanied by Friar Luis de Aliaga, officially to present his son and heir to his Portuguese subjects. But the real reason was the precarious situation of Portugal's economy and its rapidly dwindling population. The king, the royal family and the court arrived at Évora on May 19 where they were treated to the first *auto-da-fé* held there in three years. 120 persons (84 men and 36 women) were penanced of whom 12 (4 men — including a father and son — and 8 women, 11 from Beja) were executed. To his hosts' surprise the king showed displeasure and even disgust. He was reported to have bridled visibly at an intended witticism, whispered in his ear during the *auto*:

the penanced are public Judaizers and (pointing to the crowd of spectators) that lot all under suspicion.⁴⁰

³⁸ See I. S. Révah, "Le Plaidoyer," *passim*. During the entire reign of the Inquisition, no attack on it or apology for the New Christians was ever printed in Portugal.

³⁹ Aliaga's fate after but three years in office strikingly illustrates the difference in clout between a Portuguese Inquisitor, irremovable, and a Spanish Inquisitor General, subject to the vagaries of political fortune. See Joaquín Pérez Villanueva and Bartolome Escandell Bonet, *Historia de la Inquisición en España y América*, Madrid, 1984, 218, 891, 1009, 1032, 1070; *Diccionario de Historia de España*, Madrid, 1968, s.v. "Aliaga."

⁴⁰ See João de Almeida Lucas, "Dilema de um Cristão-Novo em tempos de Sua Majestade Imperial Filipe III de Espanha," *Ocidente*, 24, 1944, 369-370, 377-380. See also Baião, *Episódios Dramáticos*, 3, 45-55; Coelho, *Évora*, 343-346.

The court's return to Madrid was deemed the propitious moment to offer Spain's new Inquisitor General the Apology. It goes straight to the point. The woes of Portugal's New Christians are all the doing of the Inquisition's methods which are also endangering the welfare of the dual monarchy (Spain and Portugal). Unless the king intervenes the economy of both countries will collapse. The author presents a panoramic overview of Iberian Jewish history, recounts the repeated promises of equality of opportunity and freedom of movement made to the Portuguese New Christians since their general conversion, and how these promises were broken; compares the Portuguese Inquisition with the Spanish, citing the episode known as the "Beja Conspiracy" (around 1572), when Old Christians who were maliciously denounced for Judaizing falsely confessed to it, for fear of the death penalty, just as maliciously denounced New Christians falsely confess to Judaizing out of the same fear;⁴¹ argues the absurdity of the label "New Christian" attached to families who have been confirmed Catholics for over 120 years.

Zellorigo proposes a surprising theory as to why in Portugal the assimilation of the New Christians was more resisted than in Spain.⁴² This, says Zellorigo, is due in the first place to the *suavidad* ("gentleness") of the Spaniards and the *asperenza* ("asperity") of the Portuguese. Moreover, in Portugal:

at the time of the General Conversion, there were four Estates [...] and when those of this Nation joined, five. The first is the Ecclesiastical Estate; the second that of the *fidalgos* ('people of rank', which corresponds to Spanish *caballeros*); the third that of the *hombres nobles* ('noblemen', which corresponds to Spanish *hidalgos*); the fourth the *plebeyos* ('commoners', which corresponds to Spanish *pecheros*). And as soon as those of this Nation converted, notwithstanding King Manuel's proclaiming them equal to Old Christians, the populace assigned them a discrete Estate, namely that 'of the New Christians', an assignation that was to bring havoc to this kingdom. For the other Estates singularized its members as distinct and segregated people, so that the Ecclesiastical Estate did not welcome them as clerics, friars or monks; the *Fidalgos* did not accept them in the orders of knighthood; and the two remaining Estates rejected their qualifications for public office. And so the divide

⁴¹ See above, Chapter Four.

⁴² Zellorigo seems to be unaware (or feigns unawareness) of the Spanish Inquisition's violent persecution of the remote descendants of the 1391 converts during the first decades of its activity and of the cleanness of blood statutes that were so rigorously applied during the 17th century, albeit the Inquisitorial persecution of New Christians had abated and apparently did not affect the descendants of the 1492 converts, as stated earlier.

between New and Old Christians has become permanent, in violation of the explicit statutes of that kingdom.⁴³

Thus Zellorigo does not perceive the Portuguese New Christians as religiously distinct from the other Estates. The main arguments of Zellorigo’s Apology are political and economic. The most dynamic members of New Christian families, fearing arrest, are fleeing their fatherland, taking their property and money with them, often leaving children, aged parents and less active kinsmen behind. If the Portuguese Inquisition continues unchecked:

it will spell the ruin of Portugal and even part of Spain. For in all of Portugal there is not a single merchant (*hombre de negocios*) who is not of this Nation. These people have their correspondents in all lands and domains of the king our lord. Those of Lisbon send kinsmen to the East Indies to establish trading-posts where they receive the exports from Portugal, which they barter for merchandise in demand back home. They have outposts in the Indian port cities of Goa and Cochin and in the interior. In Lisbon and in India nobody can handle the trade in merchandise except persons of this Nation. Without them, His Majesty will no longer be able to make a go of his Indian possessions, and will lose the 600,000 ducats a year in duties which finance the whole enterprise — from equipping the ships to paying the seamen and soldiers.⁴⁴

Zellorigo goes on to describe the Portuguese New Christians as the linchpins of the trade with Brazil, Angola, Cape Verde, São Tomé, Flanders, France, Italy and the interior Iberian trade between Spain and Portugal; of the textile, silk, spice trades; as tax-farmers of ecclesiastical domains and orders of knighthood. He repeats that “it is they who bolster and sustain that kingdom [Portugal] by their industry and labor and except he is of the ‘Nation’ nobody knows the ropes of that trade”:

since the high offices and honors go to those considered more honorable, they [of the ‘Nation’] do not compete for them; the others, who are the mechanics and journeymen, have not applied themselves to commerce, nor could they be turned into merchants overnight, because they have neither capital, experience, correspondents, nor other attrib-

⁴³ See I. S. Révah, “Le Plaidoyer,” 367, 369. Cf. Spinoza, *Tractatus Theologico-Politicus*, Chapter Three: “When the King of Spain forced the Jews to either accept the religion of his kingdom or go into exile, very many Jews accepted Papism. Because all the rights of the natural born Spaniards were then granted to them and their right to hold any office was then recognized, they forthwith mixed to such a degree with the other Spaniards that after a short time no trace of them remained, not even the memory; but the opposite befell those who were forced by the king of Portugal to accept the State Religion. They remained ever separate from the others, for all that they converted to that religion, because the king had declared them unworthy of holding any office.”

⁴⁴ See I. S. Révah, “Le Plaidoyer,” 390-392.

utes of the “Nation.” Thus it must be self-evident that if they withered, the entire trade and traffic of the dual monarchy will come to a standstill and then go bankrupt, because devoid of merchants a country is not viable [...] ⁴⁵

Another Apology for the Portuguese New Christians appeared in Madrid nine years later. Its author was the economist Duarte Gomes Solis, son-in-law of Heitor Mendes de Brito, a Lisbon capitalist.⁴⁶ His *Alegación en favor de la Compañía de las Indias orientales* (1628), recommends for Portugal a colonizing company on the model of the Dutch East Indies Company and West Indies Company. It is also, like Zellerigo’s, an Apology for the “Men of Commerce or People of the Nation,” an attack on the discrimination which had victimized them and a plea for their rights as Spaniards or Portuguese. Discussing the New Christians’ 250,000 *cruzado* offer toward King Sebastião’s Moroccan campaign (1579), in exchange for exemption from Inquisitorial confiscation, he writes:

when King Sebastian left for Africa [...] the only ready cash was that offered by the Men of Commerce (*hombres de negocio*).

And a few lines later:

should a similar occasion arise today, I dare say the Men of the Nation (*hombres de la nación*) would come forward, just as they did at that time.⁴⁷

The same author, like his predecessor, takes note of the “intense antagonism felt in Portugal towards the Men of Commerce,” a hate that drags discrimination even into State contracts.⁴⁸ He argues for commerce with the Far East to be channeled through these “men who are as honest as they are wealthy and not through undependable adventurers. For if the nobles and ministers had a modicum of business acumen they could tell a merchant from a tinker.”⁴⁹ He petitions the king to suppress the laws which persecute the “New Christians” (*cristianos nuevos*) after having expelled those who actually prevaricated in matters of faith. He proposes, “so that the good people may enjoy

⁴⁵ I. S. Révah, *art. cit.*, 392.

⁴⁶ See José Calvet de Magalhães, “Duarte Gomes Solis,” *Studia*, 19, 1966, 119-171: 146.

⁴⁷ *Alegación* (ed. Moses Bensabat Amzalak), Lisbon, 1955, 209-210. [A. J. Saraiva confused the 1955 edition of this work with its 1950 analysis by J. Gentil da Silva (see below, Chapter Twelve, note 22) a slip for which he was rapped over the knuckles in I. S. Révah’s “Surrebutter” (Appendix Three).]

⁴⁸ Apparently, between 1619 and 1628, the New Christian monopoly on Portugal’s international trade was being challenged.

⁴⁹ Solis, *Alegación*, Lisbon, 1955, 68.

the privileges which are owing to the native born,” those “of bad conduct and evil presumption” be banished and let the former remain in possession of all rights of the “native born”:

Let laws be promulgated against those New Christians who are penanced with sanbenitos. But those who can boast ancestors with unsullied records, let them enjoy the immunities enjoyed by the native born throughout the world.⁵⁰

Deploping the fact that the talents of the Portuguese “of the Nation” (*de la Nación*), while thoroughly appreciated in the lands of foreign princes, are begrudged in their own country, he urges the king to:

favor them with privileges and immunities consistent with their persons and his expectations of them in his royal service, thereby encouraging them [...] since they are the people most useful to all the realms of the Iberian Peninsula.⁵¹

Gomes Solis, identifying Portugal’s interest with the interest of business, insists on the imperative to abolish discrimination. His proposals will be picked up and developed a century later, as we shall see, by Luís da Cunha and kindred spirits. The thrust of Solis’ book posits for the “People of the Nation” a mercantile mindset, prudent and sensible even when up against gratuitous dilapidation, devastating fanaticism or the ignorance of a backward-looking society.

It is evident that to Duarte Gomes Solis the terms “New Christians,” “People of the Nation” and “Men of Commerce” are interchangeable. We encounter the same identification in contemporary (or slightly earlier) documents from the Simancas archives.⁵² Half a century later Father António Vieira in his letters from Lisbon to Rome refers to the members of the New Christian lobby and their agent in Rome as “Men of Commerce.” Around the same time the Portuguese ambassador in Rome refers to the same agent mediating on behalf of the New Christians as “the agent of the People of the Nation.”⁵³ The usage comes officially of age in the royal letters-patent of 1649 which exempt from confiscation the goods of condemned New Christians, in exchange for their chipping in to launch the “Company for General Commerce in Brazil.” In this document King João IV repeatedly designates these subjects of his “Men of Commerce and People of the Nation”:

The principal expedient for augmenting and preserving the said Company will be through the exemption from seizure and confiscation

⁵⁰ *Op. cit.*, 210.

⁵¹ *Op. cit.*, 209.

⁵² See J. Gentil da Silva, *Stratégie des affaires à Lisbonne*, Paris, 1956, 21.

⁵³ See Baião, *Episódios dramáticos*, 1, 316-317, 322-323, 327.

of the property of the said Men of Commerce and People of the Nation in the event of their arrest or condemnation by the Holy Office of the Inquisition [...] ⁵⁴

Thus it was a widespread perception of 17th-century Spanish and Portuguese writers, crystallized in the jargon, consecrated in royal charters, that the people of Jewish descent being persecuted by the Portuguese Inquisition for alleged Judaizing were identical with the commercial community or, in modern parlance, were the Portuguese mercantile middle class.⁵⁵

This mercantile taxonomy does not coincide with the “lineage identity” of the New Christians. Indeed, as we have seen, many members of the aristocracy had married into wealthy New Christian families, *e.g.* the writer Francisco Manuel de Melo, related to the royal House of Bragança and connected by marriage to a wealthy New Christian family.⁵⁶ The aristocracy was so imbrued with “People of the Nation” that in 1663 a small group of nobles who boasted immaculacy from all New Christian tincture founded a club called “The Confraternity of the Nobility,” purportedly “to expiate the sacrilege of Santa Engrácia.”⁵⁷ Membership was contingent on documentary proof of “clean blood.” The upshot was that most applicants were turned down.⁵⁸

Nevertheless, hardly any of the nobility were arrested or rejected for offices requiring “clean blood.” Quite the contrary. The Inquisition strove throughout its long history to stay in the nobility’s good books. To achieve this it used the institution of the “*familiares* of the Holy Office,” as we learn from Luís da Cunha (and others). To consolidate its authority, the Inquisition “let it be known to the nobility that if it wanted cleanness of blood for its forbears, the Inquisition alone could provide such a thing; and if the nobility cared to demonstrate its zeal for the faith its members might do well to accept the honor of being

⁵⁴ Charter dated February 2, 1649, reproduced by Azevedo, *op. cit.*, Appendix Nineteen.

⁵⁵ A characteristic example is the interrogation at Antwerp on October 1, 1608 of Gaspar Nunes, a 65-year old refugee from the Portuguese Inquisition, and his son Luís Vaz, aged 19 or 20. The latter, “asked why his father had fled Portugal, explained that in Portugal merchants were much harassed and that is why his father came here, to be freer. Told that those who wish to live as Christians are as free there as here, he replied that this was not so, because many are arrested there in spite of being good Christians and are subjected to many tribulations, which is not the case here where there is no Inquisition [...]” (See Brussels, *Archives Générales du Royaume, Office Fiscal de Brabant, Dossier* 529 (71), ff. 64-71:69r.)

⁵⁶ See Baroja, *Los Judíos*, 2, 342.

⁵⁷ See below, Chapter Twelve.

⁵⁸ Azevedo, *op. cit.*, 342.

appointed *familiars* of the Holy Office.” Thus the nobles became, da Cunha continues, the constables of the Inquisition because, in conformity with the orders of the Holy Office, *familiars* execute warrants for arrest and:

are obliged to seize and if necessary tear wives out of the arms of their husbands, sons and daughters from their fathers and mothers, and at times round up entire families together. Resisting arrest would be a crime liable to Inquisitorial prosecution. The Inquisitors persuaded the *familiars* that they were highly favored when entrusted with the trickiest arrests or when, at the *auto-da-fé*, they were to escort the reprobate prisoners to the stake: this was the supreme honor, reserved for the nobility. The *familiars* of the commonalty⁵⁹ were allowed to conduct to the *auto-da-fé* only some hapless witch or impostor.⁶⁰

The commission of “*familiar* of the Holy Office” was a supreme testimonial of cleanness of blood and, by granting it *ex officio* to aristocrats without a preliminary investigation, the Inquisition made them its collaborators and allies. At the *autos-da-fé* the presiding Inquisitor was attended by the patrician élite, and the convicted prisoners who, as we shall see, were nearly all members of the mercantile middle class, marched in the procession and into the amphitheater in the custody of noble *familiars*. Here was a microcosm of a society where the old patrician clans were on the bullying side and the bourgeois the bullied.⁶¹

Indeed, the vast majority of the convicted prisoners were, as far as we can tell, bourgeois.⁶² All statistical probes undertaken so far agree

⁵⁹ Da Cunha’s expression “*familiars* of the commonality” (*mecânicos*) points to the existence of various segments of *familiars*, which included nobles, landowners, artisans, men of commerce (contractors, merchant-bankers and merchants), professionals (physicians, teachers, etc.), members of the legal profession, government officials, the military, etc. This organization, sponsored by and at the service of the Inquisition, thus included all the strata of Portuguese society excluding New Christians. See José Veiga Torres, “Da repressão religiosa para a promoção social, a Inquisição como instância legitimadora da promoção social da burguesia mercantil,” *Revista Crítica de Ciências Sociais*, 40, October 1994, 109-135. See *infra*, Chapter Eleven.

⁶⁰ *Instruções inéditas* (ed. Pedro de Azevedo), Coimbra, 1929, 71-72.

⁶¹ The fact that many *familiars* were themselves bourgeois or commoners did not alter the situation, for though their status of *familiars* purged them of the New Christian blot, non-aristocratic *familiars* remained second class, consigned, as da Cunha states with some exaggeration, to the arrest of witches and thugs.

⁶² See Veiga Torres, *art. cit.*, 119: “[...] the great majority of the New Christian population and, *ipso facto*, the great majority of those sentenced by the Inquisition belonged typologically to that part of the population which in *ancien régime* societies may well be generically designated bourgeoisie: wholesale, retail and in-between merchants, financiers, artisans, physicians, bureaucrats, professionals, etc. [...] The discriminatory specialization based on ‘blood’ made of Inquisitorial activity, objectively speaking, a strategy of containment of the growing importance of the mercantile bourgeoisie on the part of the more traditionalist cultural and social sectors.”

on this point. According to the statistical researches on *autos-da-fé* by António Joaquim Moreira, 1329 New Christians were sentenced by Portugal's three tribunals at *autos-da-fé* between 1682 and 1691; 659 men and 670 women. Of the men 185 were merchants, goldsmiths and silversmiths, 69 public officials (including tax farmers, treasurers, stewards of estates, etc.) and practitioners of the liberal professions and another 129 either of independent means or miscellaneous traders. This gives a total of 383 men who applied themselves to commerce, crafts, the liberal and administrative professions or self-employed. On the same list we further find 129 artisans and handicraftsmen and, finally, 39 farmers, 27 journeymen, 13 soldiers. The professions of the women are not described but it is a fair guess that the majority were occupied domestically. To summarize, of 1329 New Christian prisoners more than half could be said to belong to the middle class; around 30% to mechanical trades; only 12% to the menial professions.⁶³ Not one is upper class. Lists of persons from the region of Bragança sentenced by the Inquisition, compiled by Francisco Manuel Alves in the 1920's, yield comparable results. These lists, covering the entire Inquisitorial period, total 343 men of commerce, 241 artisans in the silk industry, 111 tanners and curriers, 89 shoemakers, tailors, a smattering of farmers, physicians, lawyers and

⁶³ See the statistical chart, based on Moreira, in Azevedo, *op. cit.*, 492. There are discrepancies between the numbers of *auto-da-fé* victims between 1682 and 1691 presented by Lúcio de Azevedo and those for the same period presented by Fortunato de Almeida (*História da Igreja em Portugal*, Lisbon, 1967-1971², 3, 425-426, 4, 286-318). See José Veiga Torres, "Uma Longa Guerra Social: Os Ritmos da Repressão Inquisitorial em Portugal," *Revista de História Económica e Social*, 1, 1978, 55-68. Elvira Cunha de Azevedo Mea (*A Inquisição de Coimbra no Século XVI*, Oporto, 1997, 504-505) presents a list of professions for 811 out of a total of 2203 persons (including Old Christians) sentenced by the Coimbra tribunal during the 16th century. This list has 243 merchants and hawkers, 179 cobblers, 34 tillers of the soil, 29 tax-collectors, 28 shopkeepers, 26 tailors, 25 muleteers, 12 seamstresses, a variety of artisans, three surgeons, one lawyer. According to Isaías da Rosa Pereira ("Notas sobre a Inquisição em Portugal no Século XVI," *Lusitânia Sacra*, 10, 1978, 259-300), out of 1899 persons sentenced by the Coimbra tribunal during the 16th century, 1697 were New Christians and 15 were "half New Christians." Coelho (*Évora*, 1, 365-385) presents a list of professions (701!) for all 8644 persons sentenced by the Évora tribunal, 1543-1668 and a simplified categorization grouping 1182 merchants (over 40%), 734 leatherworkers, 603 textile manufacturers, 911 journeymen, 493 tillers of the soil and cattle raisers, 351 lawyers, physicians, musicians and other intellectuals, 249 military men, 218 administrators, 202 workmen, 124 squires, priests, friars and nuns, 114 transporters, 82 slaves and freedmen, 42 seamen, 36 miscellaneous. See Coelho's list of 93 persons' professions (or their fathers' or husbands') among 139 sentenced at the Évora *auto-da-fé* on November 29, 1626 (*op. cit.*, 139).

scribes. The predominance of mechanics and artisans can perhaps be explained as a local phenomenon.⁶⁴

These figures parallel those that the Spanish historian Julio Caro Baroja evinced from summaries of proceedings against Judaizers in a catalogue of the Toledo tribunal of the Spanish Inquisition (1480-1825), many of whom between 1580 and 1640 were Portuguese who had emigrated to Spain.⁶⁵ There the bourgeois contingent (commerce, contracts and administrations, liberal professions, clergy) account for more than half, with artisans a close second. In the total of 950 we find one nobleman (besides a Commander in the Order of Santiago and some officials of justice) and a farmer along with a cattle breeder. More recently Michèle Escamilla-Colin submitted to statistical analysis two manuscript lists of persons sentenced at Spanish *autos de fe* 1666-1732 and found that of 2317 condemned for “Judaizing” (out of a total of 3260) 57.5 % were engaged in commerce, 15% in administration, 13.75% in mechanical trades, 7.5% in the medical profession (a total of 86.25%) and the rest in soldiery, public service, agriculture and clergy.⁶⁶

The middle class is a country’s principal source of intellectual manpower. This is reflected in the Inquisition’s registers. In 1627 the Inquisitor Miguel de Castro prepared for the king a statistic breakdown of 231 New Christians convicted of heresy during the preceding eight years, including 15 priests (7 of them canons), 44 nuns, 15 holders of Coimbra University doctorates (2 of them professors at Coimbra), 11 holders of Coimbra University Master of Arts degrees, 20 lawyers and 20 physicians. There were also scribes, notaries, *alcaldes*, inspectors of weights and measures, traders and tax farmers. True, the period 1619-1627 is atypical, inasmuch as the trials of professors and officials of the University of Coimbra (including António Homem) were all packed into those eight years.⁶⁷ Still, other

⁶⁴ See Francisco Manuel Alves, *Memórias arqueológico-históricas do Distrito de Bragança*, 5, 1925, CXI.

⁶⁵ See *Catálogo de las causas contra la fe seguidas ante el tribunal del Santo Oficio da la Inquisición de Toledo*, Madrid, 1903. Baroja (*Los Judíos*, 1, 352-355) does not do justice to this extremely interesting source of statistical information, even less so Jean-Pierre Dedieu (“Les causes de foi de l’Inquisition de Tolède [1483-1820],” *Mélanges de la Casa de Velazquez*, 14, 1978, 143-171; id., “L’activité de l’Inquisition de Tolède, Étude statistique, méthodes et premiers résultats,” *Annuario dell’Istituto Italiano per l’Età moderna e contemporanea*, 37-38, 1985-1986, 11-39).

⁶⁶ See Escamilla-Colin, *Crimes et châtements dans l’Espagne Inquisitoriale*, Paris, 1992, 506-515. Over 40 % of the listed “Judaizers” are identified as Portuguese.

⁶⁷ See above, note 36. Until modern times there were but two universities in Portugal. The University of Lisbon (founded in 1290), transferred to Coimbra in 1537 and later known as the University of Coimbra; the University of Évora, founded and staffed by the

facts confirm the New Christian (or Middle Class) monopoly of the intellectual professions. By royal charter of November 20, 1568, King Sebastião instituted scholarships for 30 Old Christian students of medicine. King Philip I increased the stipends and provided them also to Old Christian students of pharmacy.⁶⁸ A sop to Cerberus: by creating competition for the New Christian doctors and pharmacists, these kings were responding to the Inquisition's ongoing campaign against New Christian practitioners whom it accused of systematically killing their Old Christian patients. Royal and Inquisitorial appeals to exclude children of middle class families from the university fell on deaf ears and therefore had to be repeated. A century later, in 1671, following the sacrilege in the church of Odivelas imputed to a New Christian,⁶⁹ the king contemplated legislation that would shut out New Christians from the University of Coimbra and channel them into mechanical trades. Father António Vieira protested:

Put yourself into the shoes of a lawyer, a wholesaler, a physician, a grandee ennobled by the king, as many New Christians have been. Are they about to apprentice their children to cobblers or the like? You have guessed; and so mechanical trades being out of the running, the only alternative is scientific, medical or legal training with a view to careers as doctors and lawyers.⁷⁰

Vieira takes into account the upper crust of the People of the Nation, which made up as we have seen a sizeable proportion of Inquisitorial prisoners. His “grandees” were bourgeois whom the king ennobled for their financial advice or services. But this pinnacle had a broad base of petty tradesmen, hawkers and artisans, also represented in the *autos-da-fé*, albeit in smaller proportions than the merchants.

Jesuits in 1559 and closed exactly two centuries later when the Jesuits were expelled from Portugal. Coimbra University's secular “College of Arts,” opened in 1548, attracted humanists from far and wide. In 1550 the Inquisition arrested its three most notable professors, João da Costa, Diogo de Teive and George Buchanan on the charge of Lutheranism. In 1555 the College (but not the University itself) was handed over to the Jesuits. We are not aware of any Inquisitorial repression at the University of Évora.

⁶⁸ Azevedo, *op. cit.*, 167.

⁶⁹ Odivelas is a village a few miles north of Lisbon. In a replay of the Santa Engrácia episode of 1630 (see below, Chapter Twelve), during the night of May 10 to 11, 1671, the ciborium was “reported” robbed of its consecrated wafers. A purported culprit was found, submitted to torture by the civil court to obtain a full confession, sentenced to death, paraded through the streets of Lisbon to the Rossio where he was hanged from a tall pole after his hands were chopped off and his eyes burnt out. His body was incinerated on a bonfire. It was subsequently “reported” that he was a New Christian. On the consequences, see Azevedo, *op. cit.*, 290-291; Carl A. Hanson, *Economy and Society in Baroque Portugal, 1668-1703*, Minneapolis, 1981, 90-107.

⁷⁰ Vieira, *Obras Escolhidas*, 4, 102.

Between 1668 and 1672 the Holy Office of Granada in Spain rounded up more than 500 Malagans denounced for Judaizing, most of them of Portuguese birth or origin, bringing commerce in the city to a standstill.⁷¹ The archbishop of Málaga, Fray Alonso de Santo Tomás, attempted an intervention on behalf of the city, where an uprising was brewing. He wrote to the Spanish Inquisitor General on November 25, 1670, impugning the trustworthiness of the denunciations, which he attributed to a plot organized by the Portuguese Jews of Amsterdam and Leghorn to destroy their Málaga competitors, as well as of the confessions, produced by the excessive cruelty of the tortures administered in the trials. He concluded:

This matter touches not one or two persons, but the whole republic, whose honor and commerce are being destroyed. If all those who are said to be denounced are arrested, it is quite possible that the damage will be irreversible [...] I assure Your Excellency that I can personally vouch for the faultless Christianity of these people and of their submissiveness when speaking of the Tribunal, even in the throes of terrible affliction.

In reply to a no longer extant letter from the Inquisitor General, he addressed to him a second plea on December 16:

It is unsound to argue that those arrested are not of high lineage; republics cannot comprise upper classes only; middle range and commerce, when wanting, much is wanting. I beg Your Excellency to take this point – which is of the greatest import – under advisement.⁷²

So the identification of the New Christians with the merchants or “Men of Commerce” is amply attested by the documents. Moreover, the perception of the People of the Nation as the mercantile middle class comes across as something deeply embedded in the Iberian psyche. Take for example the letter written in 1602 to a Portuguese archbishop on his way to the royal court in Madrid to try and intercept measures favorable to the New Christians. In the author’s estimation the resentment towards New Christians is because as tax-collectors, administrators of customs and other revenues, and as wholesale

⁷¹ Confiscations over the period 1671-1673 netted the Granada Tribunal 100,000,000 maravedís, the highest revenue in its history. See María Isabel Pérez de Colosía Rodríguez, *Auto Inquisitorial de 1672: el criptojudaismo en Málaga*, Málaga, 1984.

⁷² “No es buen argumento que las personas que están presas no son de los más superiores linajes, porque no se pueden componer las repúblicas todas de personas altas; y, faltando las de media esfera y comercio, falta mucho. Pido a Vuestra Excelencia que cargue la consideración en esto, que es negocio gravísimo.” See Pérez de Colosía Rodríguez, *op. cit.*, 109.

importers and monopolists of high sale commodities, they oppress and despoil “the Old Christian population.”⁷³ In this document, as in many others, the affluent are presented as vile and venial money-grabbers in contrast with legitimate Christians, *i.e.*, the nobles whose ancestors conquered the fatherland from the Moors, the poor tillers of the soil and the sea-dogs who risk their lives in the king’s service. As it appears to our anonymous correspondent “Old Christian population” means traditional groups, living a conservative life-style — the blue-blooded families and the humble agricultural laborers who produce the bread. The outsiders are the *entrepreneurs*, who threaten the whole fabric of the feudal order. This schema is medieval and was already applied to the Jews when they were living in their Jewries, long before 1497. It goes to show the tenacity, against wind and tide, of a received and entrenched ideology, especially when it has vested interest.

A similar schema was applied to the middle class in Western European countries where there was no New Christian or Jewish minority. Groethuysen notes that for the French sermonizers of the 17th and 18th centuries the arch-enemy of the divinely ordained social order is the bourgeois, or “man of commerce.” Within the traditional world-view of these preachers, God created rich and poor, so that wealth and poverty are innate and hereditary conditions. Here follow two citations from French 18th-century sermons:

If there is in the world a rank legitimately entitled to riches, it is the aristocracy. They are born into wealth and it seems that Providence which has raised them up also makes them rich in order to sustain their high estate. Remote from commerce, they are unaware of fraudulence and sordid profits: they owe their fortune exclusively to birth.⁷⁴

The state of poverty is in and of itself a state of salvation. In order to obtain salvation, it is sufficient for the poor to know their place and stay there.⁷⁵

Now the bourgeois, whose wealth is born and grows in full view of his neighbors, upsets this order: God created man, but the bourgeois is self-made. Let the French philosopher Pierre Bayle (1647-1706) have the last word:

Of all occupations none is crasser — considered from the religious point of view — than the commonest, namely working to earn money, either

⁷³ Azevedo, *op. cit.*, Appendix Six.

⁷⁴ Bernard Groethuysen, *Origines de l'esprit bourgeois en France*, Paris, 1927, 232 (English translation by Mary Ilford, *The Bourgeois, Catholicism Vs. Capitalism in Eighteenth-Century France*, New York, 1968, 187).

⁷⁵ Cited by Groethuysen, *op. cit.*, 191 (English edition, 151).

by engaging in commerce or any other honest endeavors. Indeed even the most legitimate means, humanly speaking, contravene the spirit of the Gospel and also literal prohibitions proclaimed by Jesus Christ and his Apostles.⁷⁶

Bayle is quite elucidative of the middle class mentality in contrast not only with the feudal mentality but also, as he sees it, with the spirit of the Gospel, which is a very different matter.

In the Iberian Peninsula the diehards had in their arsenal an argument not usable in France and which was, more than any other, comprehensible to the masses: these people, without a niche in the divinely consecrated hierarchy, were descendants of deicides. Thus an explicit malediction lay heavily and, as it happened, conveniently on the said sector of society, placing it, quasi-theologically, outside Christendom.

The Inquisition's definition of a New Christian as “someone who by dint of his ethnic origin is guilty of Judaizing or prone to Judaize,” was of course bunkum. Yet like most superstitions it was rooted in human experience. The élite was instinctively defending itself against an ever more threatening social and economic upheaval, dooming it. Over against the traditional one, a nascent élite, past master at money-making techniques, was looming. The new élite had in its favor substantiality, but not legitimacy: it was outside the dominating order of values. The traditional élite put up its pseudo-religious fence against the new élite's encroachments and tried to keep it at bay. “New Christian,” “Jew” were, in Portugal, ways of saying spurious, alien, bastard, beyond the pale, pariah. But in Portugal the Law, instead of exercising its normal function of coming to terms with reality, resisted it.

⁷⁶ *Dictionnaire historique et critique*, 5, 755, 4th explanatory note. Cited by Groethuysen, *op. cit.*, 237 (English edition, 192).

CHAPTER TEN

IS THERE SUCH A THING AS A “NEW CHRISTIAN IDEOLOGY?”

We have tried to show in the preceding chapters that the only objective peculiarity of the New Christians was on paper — in the Inquisitorial records. But this peculiarity had existential repercussions and germinated distinctive attitudes and reflexes towards their environment. How to define “New Christian attitudes?” Since we have but two brief autobiographical writings, each with an agenda,¹ both written far from Portugal, we shall never know whether any New Christians while living in Portugal felt marked by Jewish “racial” traits, experienced an intrinsic discomfort or a romantic yearning for Judaism. What we do know is that every New Christian was fair game for the Inquisition. In other words, it was an external calumny foisted on them that they had to contend with. Some tried to adopt disguises, change their name and profession, aim for the escutcheon of a nobleman or clerical orders. But being a pose, it accentuated their otherness. This no-win predicament led some New Christian writers to render problematic the values by which they lived. What is Justice? What is the human condition? These are questions which the New Christian mind of the 16th and 17th centuries would inevitably be impelled to ask. The role of Justice in the world is a central theme in Fernão Mendes Pinto’s subtly iconoclastic *Peregrinação* (“Pilgrimage”: first edition Lisbon, 1614).² As to if and how these preoccupations feature in other New Christian writers such as Francisco Rodrigues Lobo and António José da Silva, the jury is still out.³

¹ Uriel da Costa’s *Exemplar Humanae Vitae* (Amsterdam, 1640) and António Ribeiro Sanches’ *Origem da denominação* (St. Petersburg, 1735).

² See Christovam Aires, “Fernão Mendes Pinto. Subsídios para a sua biografia e para o texto de sua obra,” *História e Memórias da Academia Real das Ciências*, New Series, Class II, Lisbon, 1904. The author cites J. L. Cardozo de Bethencourt to the effect that relatives of Fernão Mendes Pinto were arrested by the Inquisition on the charge of Judaizing. Cf. Rebecca Catz, *A sátira social de Fernão Mendes Pinto*, Lisbon, 1978, 75, 84-88, 297.

³ Exploration of certain Spanish literary works in pursuit of their possible New Christian quiddity (see *inter alia* Marcel Bataillon, “Les Nouveaux Chrétiens dans l’essor du roman picaresque,” *Neophilologus*, 48, 1964, 283-298) has been qualified as subjective and impressionistic (see *inter alia* Eugenio Asensio, “La peculiaridad literaria de los conversos,” *Anuario de Estudios Medievales*, 4, 1967, 327-351; Nicholas Grenville Round, “La ‘Peculiaridad Literaria’ de los Conversos: Unicornio o ‘Snark’?,” in *Judíos. Sefarditas. Conversos. La expulsión de 1492 y sus consecuencias* [Angel Alcalá, editor], Valladolid, 1995, 557-576).

But New Christians are not all passivity. In this chapter we shall cite António Enríquez Gómez and Manuel Fernandes Vilareal on how discrimination was dividing Portuguese society into two factions. This is already a more active, more combative stance. The Old Christians now no longer appear as a historical subject, but as one faction persecuting another — the faction of the New Christians — to the detriment of the collective weal. At the root of all this mischief is the Inquisitorial Tribunal.

Abhorrence for the Inquisition and its flagrant injustice risked rebounding upon the religion it claimed to represent. For many the only brand of Catholicism they knew was Inquisitorial. We here touch upon a fundamental contradiction inherent in the Iberian Inquisition. Its legitimization resided in its sacred character. The name of God was invoked to legitimate confiscations, imprisonments, executions, all directed against the bourgeois sector of the population. But since the combat was being waged in defense of the Christian Faith, proof had to be adduced for each individual defendant's sin or delict. The Holy Office could not admit to condemning a segment of the population because of an ethnic and/or economic quirk. The Inquisitorial sentence had to be announced and publicized: so-and-so committed such-and-such a crime against the Faith and is to be punished for it.

The author who speaks of the "factions which destroy everything," is Antonio Enríquez Gómez (Cuenca, 1600 - Seville, 1663), in *La Política Angélica* (Angelic Politics, 1647) a book on Portugal, composed and printed in the Portuguese New Christian (non-Jewish) emigrant community of Rouen.⁴ Antonio's one-quarter New Christian status was "made in the Spanish Inquisition." I. S. Révah's researches reached his great-grandfather's great-grandfather in the paternal line, Juan González, who died a Christian before 1486. Révah hypothesizes that among Juan González's great-great-great-grandparents there must have been some Jew(s) who converted in 1391.⁵ At the Cuenca *auto-de-fé* of August 12, 1590 Antonio's paternal grandfather, Francisco de Mora, was about to be sentenced to execution on the count of Judaism, together with a niece and a nephew, when he and his niece were set upon by spectators who stoned and clubbed them to death.

⁴ The second part of this work was reprinted by I. S. Révah: "Un pamphlet contre l'Inquisition d'Antonio Enríquez Gómez: la seconde partie de la "Política Angélica" (Rouen, 1647)," *Revue des Études Juives*, 121, 1962, 81-168: 115-168.

⁵ See I. S. Révah, "Un écrivain marrane: Antonio Enríquez Gómez," *Annuaire de l'École Pratique des Hautes Études, Quatrième Section: Sciences historiques et philologiques*, 97, 1964-1965, 274-276. See now Carsten Wilke, *Jüdisch-Christliches Doppelleben im Barok, Zur Biographie des Kaufmans und Dichters Antonio Enríquez Gómez*, Frankfurt, 1994.

Five sisters and six other family members were also sentenced at the same *auto-da-fé*.⁶ In 1622 Antonio's father, Diego Enríquez de Mora, was denounced and arrested for having "mosaically"(?) slaughtered a sheep through the back of the neck eighteen years earlier (whereupon he is said to have fainted).⁷ He was reconciled at a Cuenca *auto-de-fé*.⁸ Antonio's father identified his mother and his wife as Old Christians and himself, accordingly, as half New Christian. Thus Antonio Enríquez Gómez would be one quarter New Christian. António married, in Spain, an Old Christian, before joining the Portuguese New Christian (non-Jewish) expatriates in Nantes, among whom his father was living, remarried to a Portuguese. Antonio was a business man and a prolific writer. He lived successively in the Portuguese New Christian colonies of Nantes, Bordeaux and Rouen. In his *Política Angélica* he argues that:

untold disaster can befall a monarchy, a republic, nobility and even the salvation of souls when people of certain ancestries are singled out for opprobrium. This is the most pernicious and wanton devilry to blight Christendom. Through it the nobility's luster is tarnished; because of it the best families quit the country; infidels mushroom; neighborly love scowls. Communities are torn to tatters; cities impoverished, feuds eternalized. It robs the Church of righteous men; sows infernal discord among folk; on outsiders it showers triumphs; at home it rains down shame; inside churches for the saints it substitutes portraits of hell's denizens roasting in flames; it disinters the dead; dishonors the living; parades effigies of absent people; to the guileless it expounds heresies of the condemned [...]⁹

Another arrow Enríquez Gómez shoots directly at the Inquisitorial fisc, that also chases Men of Commerce away from Portugal. Without commerce, he continues, the royal exchequer is depleted; agriculture declines for lack of *caudal* (capital). Vagrants and bandits infest the country. The field is then clear for *arbitristas*, charlatans who have the

⁶ No less than fifty members of the de Mora family were sentenced on the count of Judaism at Cuenca *autos-de-fé* between 1588 and 1591 at a time when the Spanish Inquisition did not particularly persecute on this count. Between 1540 and 1614 only five percent of all Inquisitorial victims were sentenced for Judaizing. See Henry Kamen, *Spain 1469-1714, a Society of Conflict*, London & New York, 1983, 185.

⁷ According to rabbinic interpretation of Dt. 12, 21 ("you shall slaughter as I command you") animals for consumption must be killed in the swiftest and most painless way by cutting horizontally across the throat, severing the windpipe, esophagus, jugular veins and carotid arteries. Perhaps the Inquisitors got confused with the heifer whose neck is broken in the ravine to atone for the shedding of innocent blood (Dt. 21, 1-9).

⁸ His trial was published by Heliodoro Cordente Martínez, *Origen y Genealogía de Antonio Enríquez Gómez*, Cuenca, 1992, 50-84

⁹ *Política Angélica*, Rouen, 1647, 149. The second part of the book is preceded by an *imprimatur* in French, signed by the Franciscan Friar Guillaume Du Vair.

king believe that they can draw water from a rock. Other vampires are the denunciators and informers who batten on confiscations. In sum, the larceny called confiscation hobbles commerce: “a country bereft of commerce is a body without a soul.”¹⁰

Manuel Fernandes Vilareal, the Portuguese New Christian who moved to France, well known to us by now, was a friend of Enríquez Gómez and of Father António Vieira. In his *El Político Cristianissimo*, which we have already discussed, he goes Enríquez Gómez one better, because he rises to higher ground whence he takes in the whole question of liberty of belief. No doubt economy also comes into it, because his ultimate object is to lift the mortgage which by way of the Inquisitorial confiscation weighs down on the Men of Commerce.¹¹ In his book he alludes but once to Inquisitorial confiscation: a subject of the King, convinced that those trying to save his soul have half an eye on his wallet, may attribute their salvific efforts to motives not entirely free of cupidity. Ostensibly panegyricizing Cardinal Richelieu’s policy towards Protestants, Vilareal writes that the king’s subjects’ road to the true faith must be by way of persuasion and never under duress; a blind soul will not be enlightened “by the obscurity of a trial and the gloom of a long imprisonment.” His book is imbued with bourgeois rationalism, which Vilareal could only have known outside the Iberian Peninsula:

making slaves out of those whom nature has created free is not an act of obedience to God but a negation of His work.

These and other ideas were not the monopoly of New Christians. Everywhere discerning minds were discovering international commerce. By and by we shall come across men such as the Marquis of Nisa, Duarte Ribeiro de Macedo and the ambassador Sousa Coutinho banding together with Vilareal and Enríquez Gómez against the Inquisition, in the economic interest of the State.

In 1646, Father António Vieira is already championing the New Christians. As a Jesuit, he was by definition unstained. At his side, in the same trench, we find Manuel Fernandes Vilareal (whose trial was reviewed in Chapter Five) and Antonio Enríquez Gómez, whom we have just met. Like the latter, Vieira emphasized the importance of commerce in the “Republic.” According to Vieira:

[...] Navigation and commerce had formerly ensured Portugal’s prosperity and it is curbing commerce that has precipitated our present plight [...] The perennial financial insecurity of the Men of Commerce

¹⁰ *Op. cit.*, 159-160.

¹¹ See I. S. Révah, “Manuel Fernandes Vilareal, adversaire et victime de l’Inquisition portugaise,” *Ibérica*, 1, 1959, 35-54, 181-207. Vilareal had access to Zellerigo’s *Alegación*

occasioned by Inquisitorial arrest and confiscation of assets is the principal cause for the commercial decline. What is needed, therefore, is to free commerce by exempting from confiscation the property of the merchants or People of the Nation.¹²

Vieira contrasts the antagonism between two economic policies: the one that lives on tributary oppression and the other that thrives on commercial prosperity:

Here we must point out the difference between income from tributes and from commerce. Tributes are involuntary and therefore dwindle through inertia; income from commerce harms nobody and grows by its own momentum.¹³

The necessities for waging war made the dilemma acute:

Portugal's present campaign will be hampered [...] for want of funds; to obtain which there is no more effective means nor does Portugal have any option other than commerce; but commerce cannot flourish without liberty and security for the merchants' property.¹⁴

These then are grounds, in Vieira's reckoning, for abolishing Inquisitorial confiscation. But Vieira goes further, he recommends knighting merchants on a large scale:

[L]et Your Majesty acknowledge trafficking as praiseworthy so that instead of stigmatizing its practitioners it may earn them laurels. Let all the merchants, not just wholesalers, but retailers too, become nobles. The incentive would attract quality people, including Old Christians, to pursue trade to Portugal's advantage, just as the merchant princes of Venice, Genoa, Florence and their likes with their trading bring prosperity to their republics.¹⁵

Vieira's plutocratic recommendations are understandable against the backdrop of Inquisitorial resistance to the mercantile middle class. The Inquisition, for its part, had good reason to fear that, if the Old Christians were coaxed into commerce, the borderline between Old and New Christians would blur. Vieira's proposal challenged nothing less than the entire Portuguese politico-social framework.

of 1619, discussed in the last chapter. See I. S. Révah, "Le Plaidoyer en faveur des 'Nouveaux Chrétiens' portugais du licencié Martín González de Cellorigo (Madrid, 1619)," *Revue des Études Juives*, 122, 1963, 279-280.

¹² "Razões apontadas a el-Rei D. João IV a favor dos Cristãos-Novos," *Obras Escolhidas*, 4, 63-71.

¹³ *Op. cit.*, 69.

¹⁴ *Op. cit.*, 70.

¹⁵ "Proposta que se fez ao Sereníssimo Rei D. João IV a favor da Genta de Nação," *Obras Escolhidas*, 4, 27-62: 49-50.

Therefore to speak of a distinctive social and economic *Weltanschauung* of the New Christians, colored by their mercantile vocation, yes; but in no way was this a consubstantial ethnic condition.

As Groethuysen remarks in the work cited in the previous chapter, the bourgeois tends to agnosticism. Trade obliges him to read and predict markets rather than leave everything to fate; the trader is prone, as far as humanly possible — to take his individual destiny in hand: “Yearly inventories, just like books on Physics, dissipate mystification.”¹⁶ Even when participating in religious rituals, the bourgeois is assailed by skepticism; the rituals’ underlying beliefs he leaves for those that way inclined. But in the Portuguese case there are additional factors, namely the ancestral religion of many “people of the Nation” and the effects of Inquisitorial repression.

We have indicated how well-nigh impossible it would have been for Judaism to maintain itself in Portugal following the General Conversion of 1497, even before the arrival of the Inquisition. With the Inquisition in jackbooted stride, there surely was reason to get out as long as one could and a number of families indeed joined Portuguese Jewish communities in Turkey and Morocco or Catholic ones in France and the Netherlands. In Italy there were Portuguese communities, both Jewish and Catholic. Many New Christians settling in Italy chose to remain Catholic, an option denied settlers in Morocco (except in the Portuguese fortress towns Ceuta, Tangiers, Mazagan) and Turkey. In Antwerp Judaism was prohibited and punishable by death. Yet the Inquisition in the Spanish Netherlands grew sluggish after the mid-16th century. The Portuguese Nation of Antwerp was on the whole staunchly Catholic and ultimately dissolved into the local aristocracy.¹⁷ Nevertheless, not all New Christians who disembarked at Antwerp remained. For many Antwerp served as a stepping-stone en route to Italy or Turkey. Among those who adopted Judaism in Ferrara (Italy) were Abraham Usque (Duarte Pinel) and Samuel Usque (baptismal name unknown). Abraham Usque published Hebrew, Spanish and Portuguese books (including the first edition of the Portuguese pastoral novel *Menina e Moça*) and Samuel was the author of “Consolation for the Tribulations of Israel” (Ferrara, 1553). After long sojourns in Italy where they did not adopt Judaism, the neo-Latin poet Diogo Pires (Didacus Pyrrhus Lusitanus) and the physician João

¹⁶ Groethuysen, *op. cit.*, 225 (English edition, 181).

¹⁷ See H. P. Salomon, “The ‘De Pinto’ Manuscript,” *Studia Rosenthaliana*, 9, 1, 1975, 1-62; Hans Pohl, *Die Portugiesen un Antwerpen (1567-1648)*, Wiesbaden, 1977, 331-348.

Rodrigues de Castelo Branco (Amatus Lusitanus) finally did so in Salonica.¹⁸

But the citation of Jewish communities established by New Christian emigrants from Portugal as evidence for the persistence of a crypto-Judaism in Portugal, has been exaggerated. The fact that many emigrants of the years 1536-1550 fleeing Inquisitorial persecution joined already established synagogues (not to speak of those who continued as Catholics in foreign parts) does not prove that they were “Judaizing” in Portugal. This is just as true for later periods. Concerning devout or indifferent Catholics in Portugal who joined Portuguese Jewish communities, there is much documentary evidence dating from the 17th century. For the 18th century we have already cited Ribeiro Sanches:

To be safe rather than sorry, the New Christian who has been arrested, if released, will bolt hell for leather. The easiest sea-routes are to Holland, England or France. Foreign tongues and strange faces surrounding him, he gravitates to the Portuguese and Spanish Jews among whom he may even run into relatives and friends from back home. Then, out of enthusiasm, conviction or dire necessity (or a permutation of all three) he joins them.

Lost in an alien environment, then as now, the Portuguese immigrant tends to chum up with countrymen already installed and organized, subjecting himself to whatever laws and customs they live under. The incentive to do so must have been strong during the 17th century when the Portuguese Jews in Amsterdam, Hamburg and London were turning up trumps.

Another report, seldom cited, is to be found in Uriel da Costa’s *Exemplar Humanae Vitae* (“An Example of a Human Life”):

I happened one day to be in company with two men who came from London to Amsterdam, the one a Spaniard, the other an Italian — both Christians and not so much as related to the Jews by descent — who, taking an opportunity to declare to me their necessitous condition, asked my advice touching their becoming proselytes to Judaism.

Uriel, at odds with the Jewish community, but constrained to live in it, tried to dissuade them:

But these perfidious wretches, induced by the hope of filthy lucre, instead of returning to me thanks, went and disclosed all to my dear friends, the Pharisees.¹⁹

¹⁸ This paragraph has been expanded in the light of H. P. Salomon, *Deux études portugaises / Two Portuguese Studies*, Braga, 1991.

¹⁹ See Uriel da Costa, *Examination of Pharisaic Traditions*, Leiden, 1993, 559.

If Uriel's anecdote is to be believed,²⁰ such was the worldly magnetism of the community that even Old Christians, even non-Iberians without Jewish ancestry tried to latch on. The Portuguese Jewish community, leaving aside its religious cornerstone, was also a fraternity or a kind of "Free and Accepted Masons," whose meshes crisscrossed over a wide span. No doubt there was also the odd Portuguese Old Christian cynic who thought, like King Henry IV of France, that "Paris is well worth a mass" — or, in this case, Amsterdam a Passover.

Francisco Xavier de Oliveira (1702-1783), better known as the "Knight of Oliveira," after gadding around Europe, left Portugal for good in 1740. He lived for a few years in Amsterdam and 39 years in London, where he formally embraced Protestantism in 1746. He became personally acquainted with many of the Portuguese emigrants who continued to flock to London.²¹ In his *Discours pathétique* (1756) he reports on their religious beliefs:

These hapless fugitives, wandering from pillar to post, ignorant of the language of the countries where they seek shelter, wanting for life's amenities and sometimes for bread itself [...] fall in with Jews who receive them as proselytes or prodigal sons. Some join the community for material gain, others, religiously inclined, find back in Judaism their originally Catholic aspirations. But what a job for the Jewish teachers to instruct them in a religion whose commandments and precepts are entirely new to them! I knew some who, for all the Jewishness they acquired, were never able to rid themselves of their first preference for the principles of the religion in which they were raised. Some of them actually recited the rosary every day; others still kept and cherished the medals and images of various saints which they had brought from Portugal. One of them confessed to me that if only mass were said in the Synagogue he would become a whole-hearted Jew but that not being the case he was a Jew only outwardly, utilitarianly to relieve his destitution.

²⁰ The community's constitution strictly forbade proselytizing non-Iberians.

²¹ During the first half of the 18th century an unabated flow of families from Portugal, fleeing a persistent economic slump, arrived destitute in London unable to pay their fares to the captains who brought them. The Wardens of the Portuguese Israelite Congregation ordered "that they were not to receive even temporary help unless they adopt Judaism and, subsequent to their circumcision, no further financial help unless they accept to be dispatched at the earliest opportunity to the West Indies, the fare and a lump sum for resettlement to be paid by the Wardens." See R. D. Barnett, "Dr. Samuel Nunes Ribeiro and the Settlement of Georgia," *Migration and Settlement, Proceedings of the Anglo-American Jewish Historical Conference*, London, 1971, 63-100: 89-92. On the other hand there were of course well-to-do Portuguese immigrants to Amsterdam, Hamburg and London. Even among those who had undergone Inquisitorial trials some were able to take their capital out of Portugal. See H. P. Salomon, *Portrait of a New Christian*, Paris, 1982, 152.

Another — whom he knew personally — was a woman called Ana. He relates how she and her husband had been accepted into the community, but

she never stopped reciting the rosary every night as well as the Office for St. Anne, whose image, placed on a table and flanked by two lit candles, she had before her as she prayed.

But, concludes the *Cavaleiro* de Oliveira,

if these miserable creatures had not left Portugal in the nick of time, as night follows day they would have fallen into the clutches of the Inquisitors and might have lost their life at the stake.²²

From these reports it may be inferred that a Portuguese exile's subsequent affiliation with the Synagogue was not necessarily indicative of a long standing acquaintance with Judaism. Even less can such affiliation be invoked in support of your gloating Inquisitor back in Portugal who on learning of a New Christian's proselytization is wont to exclaim: "What did I tell you — there's a Jew lurking in every last New Christian!" No. Take for example the Portuguese Jewish community in Amsterdam. Its founding fathers were, to be sure, stirred by religious zeal for the Mosaic Law, but this was not atavistic. Many had been devout Catholics, totally estranged from Judaism in Portugal, yet persecuted nonetheless. Upon their arrival in Amsterdam at the end of the 16th and the beginning of the 17th century, where Catholicism was outlawed and Judaism not yet introduced, they were crypto-Catholics, in the sense that they openly professed Protestantism while secretly observing Catholicism. No doubt the competence of outstanding spiritual leaders recruited in Emden, North Africa, the Ottoman Empire, Italy, etc., had an input; firing some hearts and souls with a Judaism newly discovered.²³

Much attention has been paid to the multitudes of Portuguese who left for Spain and the Spanish Americas from 1580 onwards, only to be tried by the Spanish tribunals. This, according to some, would tend to prove that they were continuing to practice Judaism as in Portugal, differently from the Spanish New Christians who were by now entirely Christianized. But this evidence has to be reconsidered, taking into account that the victims were in the first place Portuguese, and therefore outsiders and, moreover, occupied privileged economic positions

²² See Cavaleiro de Oliveira, *Discours Pathétique*, Coimbra, 1922, 74-75.

²³ See H. P. Salomon, "Myth or Anti-Myth? The Oldest Accounts Concerning the Origin of Portuguese Judaism at Amsterdam," *Deux Études Portugaises / Two Portuguese Studies*, Braga, 1991, 105-161: 148.

on foreign soil. As we have seen earlier and shall see again, the Portuguese fanned out all over Europe and beyond. Especially in Spain they came to manage the bulk of the State revenues and monopolies, not to mention involvement in banking, money-lending and the sporadic finger in the political pie. It was only a matter of time for this invidious national minority to become the butt of the “native stock”’s envy. Trial records summarized or excerpted by Julio Caro Baroja in his three-volume work on “The Jews” teem with informers, *agents provocateurs*, false witnesses — some in the service of the Count-Duke de Olivares (governed Spain 1621-1643). A case in point is the trial record of João Nunes Saraiva, a Portuguese banker of Madrid.²⁴ Baroja’s analysis suggests that it was his Portuguese identity, political intrigues and commercial rivalries that brought about his downfall. The defendant’s guilt on any of the counts (*e.g.*, Judaizing, contraband, dealing in counterfeit coin, complicity in murder) is extremely implausible. Even more implausible (and, of course, undocumented) is Baroja’s assessment of João Nunes Saraiva as “fundamentally a Jewish fanatic.”²⁵

But the very same emigration to the Americas which comforts some historians’ belief in the New Christians’ Judaism furnishes an argument against it. Many members of the persecuted minority emigrated to Brazil, where for more than a century they enjoyed practical liberty. Up to the 18th century the Inquisition made three or four brief incursions there. If these New Christian emigrants had, in fact, practiced Judaism, Brazil would have become a haven for Judaizers or have developed strong crypto-Jewish traditions. But this did not happen in that country where the encounter between Christian, Amerindian and

²⁴ Baroja, *Los Judíos*, 2, 60-67: 67.

²⁵ João Nunes Saraiva, born in Trancoso, *c.* 1580, spent most of his life at the court in Madrid. In 1627 he was one of 10 Portuguese financiers who conjointly advanced a loan of 2,159,438 ducats to Philip IV. In 1632 he and his brother Henrique were arrested by the Inquisition, which had just won a power struggle against the king and his prime minister (see below, Chapter Twelve). The Spanish Inquisitors seemed to vacillate between the death sentence and torture (*cf.* the similar case of Duarte da Silva in Portugal, to which we shall return). Opting for torture meant giving him the chance to save his life: perhaps it was the defendant’s wealth that decided them. After more than four years in prison he was put to mild torture but did not confess to any of the accusations. On October 13, 1637, he appeared with his brother at an *auto* in Toledo, abjured *de vehemente* and was sentenced to a fine of 20,000 ducats; his brother, however, was “reconciled” and sentenced to confiscation which netted the Inquisition over 300,000 ducats. *Cf.* the independent study of the case by Antonio Domínguez Ortiz, “El proceso inquisitorial de Juan Nuñez Saravia, banquero de Felipe IV,” *Hispania*, 61, 1955, 559-581; James C. Boyajian, *Portuguese Bankers at the Court of Spain*, New Brunswick, 1983, 118-119, 251.

African cultures did indeed produce “heretical” movements and where even to this day African rituals flourish. Yet there is absolutely no Brazilian crypto-Judaic tradition. During the reign of the Inquisition in Portugal, the only known Jewish presence in Brazil was represented by Dutch emigrants of Portuguese extraction from Amsterdam, born and bred in the Jewish faith, who settled in the part of the country occupied by the Dutch invaders in the 1630s. On the occasion of the “Inquisitorial visitation” of 1591 there were many New Christian settlers in Brazil, but the denunciations did not include any for “Judaizing.” The prejudiced Portuguese historian Lúcio de Azevedo, recognizing the fact that the Visiting Inquisitor received few denunciations “in which the practice of Judaic ceremonies clearly appear,” snidely insinuates that “the observers [of crypto-Judaism] were on their guard.”²⁶ It would be simpler and more logical for us, whose prejudices (if any) are not those of Lúcio de Azevedo, to assume that there were no “observers,” especially when we consider that Brazil was a land where people lived more freely and with less precautions than in Inquisition-ridden Portugal. The long and the short of it is that Brazil’s middle class had not yet consolidated enough to attract the attention of the Inquisitors.

Such a middle class did develop at the beginning of the 18th century and that is when the Visiting Inquisitors began to discover Judaizers galore among Brazil’s sugar producers and other bourgeois. They went so far that King João V, in 1728, stepped in to prohibit the confiscation of sugar mills by the Inquisition.²⁷ Antônio José da Silva, the playwright whom we discussed in Chapter Five belonged to this crop of “Judaizers.”

But, having dismissed Inquisitorial Judaizing for the fiction it is, we cannot deny the New Christians a specific religious dimension. Its definition calls for a search. The bourgeois condition itself implies certain attitudes, a *Weltanschauung*, even the tendency to incredulity, if

²⁶ See Azevedo, *op. cit.*, 225.

²⁷ This prohibition is referred to by Luís da Cunha, *Testamento político*, Lisbon, 1943², 86 and Antônio Ribeiro Sanches, *op. cit.*, *ed. cit.*, 32-33; documentary evidence is, however, unavailable. Lina Gorenstein Ferreira da Silva (*Heréticos e impuros, a Inquisição e os cristãos-novos no Rio de Janeiro século XVIII*, Rio de Janeiro, 1995) presents the following statistics: during the period 1700-1730, of 398 inhabitants of Rio de Janeiro denounced for Judaizing, 277 were sent to Lisbon for trial but during the entire 17th century 3 persons. At Lisbon *autos-da-fé* 57 persons from Rio were sentenced in 1710, 75 in 1713, 25 in 1714, 30 in 1716, 22 in 1717, 18 in 1720, 13 in 1723. Gorenstein Ferreira da Silva calculates that 30 % were related to the sugar industry, including 30 New Christian owners of sugar mills; 9 % military men; 8 % lawyers; 7 % traders; 5 % students; 3.5 % medical men; 3.5 % carpenters and musicians; 3 % priests. Cf. João Lúcio de Azevedo, “Notas sobre o Judaísmo e a Inquisição do Brasil,” *Revista do Instituto Histórico e Geográfico Brasileiro*, 91, 1922, 679-697: 688-697 and Anita Novinsky, *Inquisição*, Rio de Janeiro, 1977.

we are to believe Groethuysen. But economists and commodity brokers are human beings not robots and the personal convictions of any individual are very deep waters in which it is presumptuous to douse. Nevertheless the outward expressions of a religion, being visible, can be noted and studied. In the spiritual tragedy of the New Christians in Portugal the records intimate the following evolution: the General Conversion was the “big bang,” as we have seen, for a progressive assimilation. But the first generation, who felt the blow in their skins and souls will no doubt have borne their psychological scars to the grave. One of the scars might be called schizoid dysfunction. There certainly must have been those who, under the cloak of Christian devotions remained at heart faithful to the ancestral religion of childhood. This minority was on the way to becoming extinct through death and emigration. Others manifested a variant of the all too familiar “contrariness syndrome,” that precipitated them into fanatical Christianity, the more to distance themselves, as it were, from a proscribed option. In either case some practices and traditional customs must have subsisted which, because they had lost their religious significance, did not obstruct marriages between descendants of “Old Jews” and Old Christians and could sometimes be transmitted from the New to the Old Christian partner and so catch on among people wholly oblivious to their Jewish provenance. Olive oil is a case in point. In Spain and Portugal olive oil was used for frying by Jews whereas Christians exclusively used lard. Use of olive oil was in fact the single ground for denunciation in many Spanish and Portuguese Inquisitorial trials. Yet eventually olive oil became Portugal’s standard frying fat.²⁸

The mass force-feed baptism rammed down the throats of the Portuguese Jews in 1497 is bound to have traumatized them. But trauma can produce different symptoms — depending on temperament and a myriad other factors. In the case of the horror called the General Baptism, two broad reactions seem discernible: The first generation, who had been Jews and had therefore experienced two formulations of religious sentiment, tended to downplay precarious and changeable rituals, searching instead for the spiritual essence which externals often hide and degrade. Under the dead letter the spirit resuscitates. The French scholar Marcel Bataillon (1895-1977) in his monumental “Erasmus and Spain” called attention to the importance of New Christians in the mystical movements of the

²⁸ Displaced to some degree during the second half of the 20th century by butter, sunflower and other oils. See Isabel Margarida de Sousa, “O fio da vida,” *Revista Expresso*, no. 1474 (January 27, 2001), 40-53: 48.

“enlightened” (*alumbrados*) and the quietists (*dejados*) in Spain around 1525²⁹ and Saint Theresa of Ávila (1515-1582) was of course of New Christian (1391 vintage) descent. What emerges is a kind of “a plague on both your houses” attitude; an air of hauteur and aloofness towards religion and life. The other outgrowth: vain formalism, relativism. It is at first blush surprising that the Portuguese Renaissance author João de Barros in 1534 polemized with “Averroism,” the 12th-century Arabic Aristotelian philosopher’s denial of both the soul’s immortality and of an afterlife. However, according to I. S. Révah, it would seem that João de Barros had in view a similar doctrine which was gaining adherents among former Portuguese Jews of the early 16th century.³⁰ Friar Pantaleão de Aveiro’s famous travelogue gives a good example of this kind of skeptic. In Tripoli he is accosted by a physician from Santarém, who “practiced Judaism but thought as a gentile,” denying a Messiah and resurrection of the dead.³¹ For four centuries Averroes gained admirers among the Jews of Spain, who by their translations and commentaries preserved his writings and, as “middlemen” between two religions (and languages) that claimed a monopoly on truth, transmitted them to the Christian world. Called “Averroistic materialism” in its philosophic form, it assumed a more popular expression in the doctrine of the “three impostors,” the founders of the three chief religions of the Iberian Peninsula, Christianity, Islam and Judaism.³² It is not inconceivable that these doctrines were carried by the Spanish exiles of 1492 and found in post-1497 Portugal a hospitable environment.³³

Needless to say the Tribunal of the Holy Office has a major bearing on the following questions: In what religious direction did the discrimination propel the victimized group and to what extent did it estrange it from Catholicism? How far-reaching was the process of dissimulation with which the Inquisition attempted to invert the process of assimilation (launched by King Manuel), and what were its long-term effects?

²⁹ *Erasmo y España*, Mexico, 1966², 166-190. Bataillon does not always make it clear whether he is dealing with descendants of 1391 or of 1492 *conversos*.

³⁰ “Le ‘Colloque Ropica Pnefima’ de João de Barros,” *Bulletin hispanique*, 64 bis, 1952 [*Mélanges offerts à Marcel Bataillon*], 572-592, reprinted in I. S. Révah, *Études portugaises*, Paris, 1975, 99-120.

³¹ See *Itinerário da Terra Sancta* (António Baião, ed.), Coimbra, 1927, 531..

³² For the legend that Averroes had embraced and rejected Judaism, Christianity and Islam and authored the notorious but non-existent *De Tribus Impostoribus*, see *The Jewish Encyclopedia*, s.v. “Averroes.” See also Jacob Presser, *Das Buch “De Tribus Impostoribus,”* Amsterdam, 1926; Léon Poliakov, *op. cit.*, 133.

³³ See Francisco Márquez Villanueva, “‘Nascer e Morir como Bestias’ (Criptojudaísmo y Criptoaverroísmo),” *Los Judaizantes en Europa y la Literatura Castellana del Siglo de Oro* (Fernando Díaz Esteban, Editor), Madrid, 1994, 273-293.

At present we are not equipped to reply to these two related questions, but we can at least piece together the few available leads and pointers.

According to Ribeiro Sanches in his pamphlet on the “Origin of the Designation New Christian in Portugal,”³⁴ families that felt threatened by the Inquisition, either because they had remote Jewish ancestors or because their relatives had been penanced or executed, learnt the defense mechanism of clamming up. Furtiveness reigned supreme. The same motives impelled them to make common cause and marry among themselves, creating a propitious terrain for what Ribeiro Sanches called “Jewish seed.” In small towns and villages far from Lisbon such as Penamacor (Beira Baixa Province), where Ribeiro Sanches grew up, it was difficult — unless by moving away — to discard one’s hereditary label and the neighbors’ vigilance. As a result of this a solidarity among affected families developed, which in a number of towns and villages lasted up to and into the twentieth century. Father António Vieira tells us that in his day there were villages in the proximity of the Spanish border inhabited exclusively by New Christians.³⁵ One of them must have been Carção in the District of Bragança, whose “Jewish” personality is even today common knowledge in neighboring villages. Also far from Lisbon, in the town of Belmonte (Beira Baixa province), families were discovered by Samuel Schwarz in 1920, practicing Pentateuchal rituals. This is a fossilized, albeit by now somewhat adulterated, sector of Portuguese society, one of those stones which the throb of history did not have time to grind and digest.³⁶ In the high and middle urban bourgeoisie, on the other hand, especially at Lisbon, family mobility was easier, changes of fortune more common, trysting and so-called mixed mating more frequent. Dissolving — chameleon-like — into different circles, made it impos-

³⁴ See above, Chapter Eight.

³⁵ Vieira, *op. cit.*, 91.

³⁶ They became ever more studied, visited and written about and their subculture ever richer and more publicized, culminating in a somewhat sensational French Television program (Frédéric Brenner, *Les derniers marranes*, Paris 1992), when they became a Jewish tourist attraction *par excellence*. Proper adoption of Judaism, which they had somehow avoided until the 1990s, then became ineluctable, at least for a part of the group that is now (2001) into its third rabbi (designated and paid by an Israeli organization) and has a synagogue (built by an Israeli Maecenas). Another part of the group is still holding out, claiming that its clandestine rituals are superior to the normative ones. See Samuel Schwarz, *Os Cristãos-Novos em Portugal no Século XX*, Lisbon, 1925 (off-print from *Arqueologia e História*, 4); José Leite de Vasconcellos, *Etnografia Portuguesa*, 4, Lisbon, 1958, 162-235; Lucien Wolf, *Report on the “Marranos” or Crypto-Jews of Portugal*, London, 1926; David Augusto Canelo, *The Last Crypto-Jews of Portugal*, Belmonte, 1985 (revised edition, 1990); Maria Antonieta Garcia, *Os Judeus de Belmonte*, Lisbon [1993?]; José Miguel Sardo, “Um ‘Shabat’ em Belmonte,” *Pública*, November 17, 1996, 44-52.

sible to mould into fixed and durable form the tenacious structure which modern historians designate by the term “crypto-Judaism.”

It would be intriguing to study Old and New Christians “converting” to (Inquisitorial) “Judaism.” We have already encountered Friar Diogo de Assunção, the Old Christian Capuchin monk whose religious awakening seems to have been brought about by theological and scholastic discussions. Friar Diogo was burnt alive proclaiming his Judaism.³⁷ Perhaps, with rationalism out of reach and Protestantism unknown, Judaism, constantly called to mind by trials, *autos-da-fé*, the books of anti-Jewish propaganda, appeared as the sole alternative for those who had given up on the Inquisitorial brand of Catholicism. The victims burnt alive at the *autos-da-fé* provided Judaism with the additional argument of “abundant martyrdom.”

Uriel da Costa can perhaps be explained in the light of this hypothesis rather than by an alleged Jewish tradition in the family. Uriel, baptized Gabriel, was born in Oporto *c.* 1584. According to his autobiography, written in Amsterdam, his father was a fervent Catholic. His paternal family seems to have been unscathed by Inquisitorial arrests. The researches of Prof. Révah have uncovered that his maternal grandfather and great-grandmother were arrested in 1543 and 1544, respectively, before his mother’s birth. His grandfather (who had taken minor orders in the Church and received the tonsure) was sentenced to abjure *de levi* (“on a slight suspicion”) and his great-grandmother was acquitted. One of his grandfather’s sisters, however, was executed by the Inquisition in 1568 as an “incomplete confessant” (she refused to denounce her husband). One of his mother’s brothers emigrated to Amsterdam around 1597 where he was the first to be buried in the newly opened Jewish cemetery.³⁸

Uriel’s father was on the way to full integration into Old Christian society, having earned a title of lower nobility. Uriel himself studied Canon Law at Coimbra and, like his maternal grandfather, took minor orders, the first step in an ecclesiastical career, which landed him an extremely lucrative benefice.

However, around his twentieth year, Uriel experienced a religious crisis. Endowed with a penetrating, audacious mind, straight as a die, as he would show during the rest of his life, it suddenly seemed to him

³⁷ Cf. the case of a Galician priest, Vasques de Araújo, who in 1687 declared himself a convert to Judaism, which he only knew through Catholic writings attacking it. See Baroja, *op. cit.*, 1, 510-513.

³⁸ See I. S. Révah, *Des Marranes à Spinoza*, Paris, 1995, 119-168.

that there were insoluble contradictions in Christian doctrine. Some of the dilemma he describes in his autobiography:

It was a very difficult thing to shake off at once a religion in which I had been educated from my infancy and which by a long implicit faith had taken deep root.³⁹

How to solve, in early 17th-century Portugal, a crisis of faith? If one of the two religions known in the country was not the true one, then the other had to be — this was the reasoning which occurred naturally to one whose horizons stopped short of secularity. The Jewish alternative would appear all the more cogent to Uriel inasmuch as he had but confused notions, shaped by Scripture, Inquisitorial definitions, hearsay, his imagination and his reason, as to what Judaism consisted of.

Nevertheless he set himself to explore this proscribed and dangerous religion, that he felt to promise salvation. The means of approach most readily available to him was the Vulgate, to which he may have had access while studying canon law at Coimbra. By way of a personal interpretation of these Scriptures, at his own risk, he attempted to reconstruct an ideal Judaism, which he expected to find among the living adherents of those Scriptures. Did Uriel set any store by the crypto-Judaism to which the prisoners of the Inquisition had to confess? He does not mention it in his autobiography.⁴⁰ In 1614 Uriel da Costa, his mother, his wife, three of his brothers and one sister-in-law secretly embarked for Amsterdam. Only his sister Maria and her husband stayed behind at Oporto.

While his younger brothers remained in Amsterdam, Uriel, his older brother, accompanied by their wives and their mother left the Dutch capital for Hamburg in Northern Germany, where Uriel joined the Portuguese Jewish community. It was not long, however, before the Judaism of Uriel's ideal collided with the organized variety. He balked at its ritualism, its formalism and, above all, its intolerance, and a new spiritual evolution began for him. In 1618 he was excommunicated. He went to Amsterdam to publish a book which rejected the divine origin and validity of the rabbinical tradition and denied the immortality of the soul. The Jewish authorities of Amsterdam could not dissuade him and confirmed his excommunication. In 1624 his book, "Examination of Pharisaic Traditions Compared with the

³⁹ Da Costa, *Examination*, 557.

⁴⁰ See H. P. Salomon, "Uriel da Costa, marrano?" to be published in *A Literatura Judaico-Portuguesa (Cursos da Arrábida*, July 21-July 25, 1997), Lúcia Liba Mucznik, coordinator. This study attempts to refute I. S. Révah's credence in such an intermediary stage in da Costa's religious road from Catholicism to Judaism.

Written Law,” came from the press and was immediately impounded and condemned to public burning by the Jewish authorities, although, as we now know, at least one copy escaped the flames.⁴¹ In 1628 he was reconciled with the Amsterdam Portuguese Jewish community but, denounced four years later for not conforming to dietary and other precepts, he was summoned by the authorities. Refusing to bend he was once again excommunicated. For seven years he lived in Amsterdam sequestered from the community and frequently the object of harassment, until, in 1639, he applied for re-admission. In the long run, life was impossible in Amsterdam for an exiled Portuguese former New Christian outside the congregational framework. Uriel had to submit to a humiliating penance as a condition for lifting his ban. This involved a public but symbolical flogging inside the synagogue and then lying down at the door of the synagogue to be stepped over by the congregation. In April 1640, supposedly in a fit of melancholy brought on by his degradation, he committed suicide in his room. On a table near his body was found his spiritual autobiography, written in Latin. In this brief work he abnegates all revealed religions and confesses a deity whose only requirement of human beings is to lead moral lives.⁴²

The story just told⁴³ contradicts those who believe in the persistence of the Judaic cultic traditions among the Portuguese New Christians. What really happened was that the Jewish tradition disappeared in the family of Uriel da Costa and he would probably never have thought about Judaism, let alone reconstructed his utopian version, if not for the Portuguese Inquisition. This institution was a permanent reminder of the presence of Judaism and thus offered frustrated Christian believers an alternative. It finally drove Uriel da Costa, a man of systematic thought, to a distrust of all forms of religious dogmatism, whether Christian or Jewish. It is perhaps not fortuitous that the most radical modern condemnation of religious myths appeared in the bosom of the Portuguese “New Christian-turned-Jewish” community of Amsterdam and that its celebrated author, Bento (Baruch) de Espinosa, very likely meditated on the work and example of Uriel da Costa.

⁴¹ Published in facsimile and English translation by H. P. Salomon and I. S. D. Sassoon. See above, note 20.

⁴² See the English translation of the *Exemplar Humanae Vitae* in Uriel da Costa, *Examination*, 556-564.

⁴³ Cf. the Introduction by H. P. Salomon and I. S. D. Sassoon to their edition of Uriel da Costa, *Examination of Pharisaic Traditions*, Leiden, 1993.

CHAPTER ELEVEN

THE INQUISITION AS AN INSTITUTION AND AS A CENTER OF POWER

Born of a combination of papal and royal powers, the Portuguese Inquisition (even more so than the Spanish) soon broke loose of its godfathers and turned into a third, independent power, appointing its own staff, possessed of its own retainer-class (the *familiares*) and subjects (the potential prisoners), living off its own revenues, in short, a State within the State and, on occasion, above the State.

The liaison between the Inquisition, the king and the pope was the Inquisitor General. Except for rare contacts with this august intermediary, the three Inquisitorial fortresses lowered inaccessible, secluded and inviolable. The Inquisitor General had the rank and authority of a papal legate; even to excommunicate (otherwise the prerogative of the Holy See). Yet it was the king who named him to his post, the pope ratifying the nomination.¹ Once the Inquisitor General was appointed and confirmed, the king, in matters of faith, no longer had the slightest control over this subject of his. So, even though he appointed the Inquisitor General, the king did not have the authority to dismiss him, under any circumstances. When, in 1641, the Inquisitor General Francisco de Castro was implicated in a conspiracy against King João IV with a view to restoring the union with Castile, the king had him arrested as a rebellious subject and kept him in prison for a year and a half, but dared not relieve him of his duties. No sooner was he freed, than Francisco de Castro resumed his erstwhile functions both as Inquisitor General and Member of the Council of State.² The pope,

¹ For the documents concerning the Inquisitors' status and functions, see the *Collectorio de diversas letras apostolicas, provisões reaes e outros papeis, em que se contem a instituição & primeiro progresso do Sancto Officio em Portugal & varios privilegios que os Summos Pontifices & Reys destes Reynos lhe concederão*, Lisbon, 1596; second edition, *Collectorio das Bullas e Breves Apostólicas*, etc., printed by order of the Inquisitor General Francisco de Castro, Lisbon, 1634.

² He owed both appointments to King Philip III. See below, Chapter Twelve, note 2; Azevedo, *História*, 240-241. Of the many conspirators, three members of the high nobility (including a father and son) and a major official were beheaded; six commoners were hung and quartered. Cf. Conde de Ericeira, *História de Portugal Restaurado*, Oporto, 1945² (first edition, 1710), 1; 304, 308-309, 312, 322. Pp. 503-505 of this work contain three servile letters of self-exoneration to João IV from de Castro, written shortly after his arrest, throwing all the blame on the Archbishop of Braga (who died in prison) and casting an aspersion on the loyalty to the Portuguese king of "the Men of Commerce."

for his part, had no more control over the Inquisition than did the king. His role was limited to delegating his authority to the Inquisitor General. The pope was unable to meddle in the trials, act as court of appeal, etc. The only way he could intervene was to alter the Inquisition's statutes. But the Crown opposed any such initiative on the part of the Holy See, as interference in Portuguese affairs.

Thus perched between two opposing poles, removable by neither and in practice not answerable to either, the Inquisitor General appointed all other Inquisitors, devolving upon them the authority he himself had received from the pope. Similarly he named all the officials and the so-called *familiars*, whom we shall soon be coming to.

He was assisted by a Council General of Deputy Inquisitors (*deputados*), appointed and presided over by him, which functioned as a court of last appeal. The Council could order arrest without prior denunciation. It also served the king as an advisory body on matters of faith and morals, thus functioning as a Royal Council and composing, with the king's other councilors, the Portuguese Court.

Under the Council General's supreme authority the three Portuguese Inquisitorial tribunals of Lisbon, Coimbra and Évora operated. The first had jurisdiction over the Portuguese possessions in Brazil, Western Africa and, until 1560, Eastern Africa and India. In 1560 the only tribunal outside of Portugal was established in Goa, capital of Portuguese India, which was given jurisdiction over the entire "Orient" from Eastern Africa to Timor.³ Each of these tribunals was made up of a *mesa* (the administrative "desk"), of three Inquisitors, plus a varying number of "deputies" who would be called upon to vote, at the beck of the three permanent Inquisitors when important decisions had to be reached. Decisions were always by majority vote, five suffrages being the minimum quorum. Each tribunal had at its disposal a bureaucratic and judicial staff (notaries, bailiffs, prosecutor, lawyers, etc.) and its own prison with its staff of guards, wardens, sheriffs, barbers, physicians, chaplains, etc.⁴

In the port cities the Inquisition employed "inspectors (*visitadores*) of foreign ships," including a scribe, a guard and an interpreter, who were charged with searching all incoming ships for indexed books;

(The letters were reproduced also by António Baião, "El-Rei D. João IV e a Inquisição," *Academia Portuguesa da História, Anais*, 6, 1942, 11-70: 26-28.) On the executions and de Castro's release from prison see Francisco Manuel de Mello, *Tacito Portuguez* (1650), Rio de Janeiro, 1940, 93-95, 216-217.

³ See Appendix Four, "The Portuguese Inquisition in Goa (India)."

⁴ See *Regimento do Medico, Cirurgião [sic] e Barbeyro do S. Officio*, printed undated broadside in Biblioteca Nacional, Lisbon.

preventing foreign heretics from communicating on matters of religion with native-born Portuguese, taking note of the names and addresses of new arrivals from foreign parts. In addition to all this, in the most important towns, there were “commissioners of the Holy Office.” These were priests empowered to make arrests, receive denunciations, set up interrogations and do what it takes to “protect the Faith.”⁵

Any temerarious enough to carp at the plethora of “ministers” of the Holy Office were soon put in their place. Friar António de Sousa in his *auto-da-fé* sermon of 1624 felt constrained to refute such murmuring:

Some people have commented on the great number of ministers [...] Is having many ministers unreasonable when heretics abound? They ought rather to supplicate God for more workers and a Tribunal in every town.⁶

Another important cog in the Inquisitorial machine was the *familiar*, not an official proper, but an auxiliary of a “third order.”⁷ It was the Inquisitor General who issued the diploma of *familiar* and the government had no say in the matter. According to the 1640 *Regimento* the *familiares* were supposed to have an outside income but for each day they carried out chores for the Holy Office they were to receive 500 reals. They effected the arrests by order of the Tribunal; reported to the Inquisition local incidents which might fall within its competence, etc. They had a habit or uniform to be worn only for “official business,” such as making arrests or escorting prisoners at *autos-da-fé*. In addition to the 500 reals, the *familiares* enjoyed perquisites which raised them to a preponderant and enviable social position. Their blood having been pronounced clean by the Inquisition, it was unassailable. There were *familiares* from every social stratum: nobility, landed gentry, bourgeoisie (craftsmen, tradesmen and merchants).⁸

⁵ Concerning the tribunals’ staff, see the 1640 *Regimento*, I, 10-12.

⁶ Sousa, *Sermam*, 14.

⁷ Concerning the *familiares*, see the 1640 *Regimento*, I, Title 21, amplified by *Regimento dos Familiares do Santo Officio*, printed undated broadside in the Biblioteca Nacional of Lisbon; *Treslado autentico de todos os privilegios concedidos pelos reys destes Reynos & senhores de Portugal aos Officiaes & familiares do Sancto Officio da Inquisição*, Lisbon (Pedro Crasbeck), 1608 (second edition, with the first word of the title spelled *Traslado*, Lisbon [Miguel Manescal], 1685; third edition, Lisbon [Miguel Manescal], 1691). Cf. the Latin translation by Diogo Guerreiro Camacho de Aboim, *Opusculum de privilegiis familiarum officialumque Sanctae Inquisitionis*, Lisbon, 1699 [various 18th-century reprints].

⁸ In 1592 the principle of exclusive recruitment of non-aristocrats was established but not maintained for long. For comparative statistics, see José Veiga Torres, “Da repressão religiosa para a promoção social,” *Revista Crítica de Ciências Sociais*, 40, 1994, 133, 135. Torres reckons that out of a grand total of 20,057 *familiares*, 1571-1820, 1032 were aristocrats, 5851 merchants.

If conferred on a man of lowly birth (as it was on occasions few and far between) the title of *familiar* instantly upgraded his status and brought with it a feeling of superiority *vis-à-vis* the squire whose cleanness of blood was insufficiently attested for a diploma. Thus it was particularly prized by the minority of Old Christian merchants whose profession linked them with New Christians, for without it any merchant stood in danger of arrest by the Inquisition. Moreover, the diploma paved the way to a merchant's ennoblement, allowing him to abandon his despised profession.⁹ *Famíliares* were exempted from the jurisdiction of the civil law courts: in criminal cases (except for certain egregious crimes) they could only be judged by the Inquisition itself, even when they were the plaintiffs rather than the defendants. They were also exempt from paying taxes and from mandatory service as municipal councilors. Besides all these fringe benefits they had the right to wield:

offensive and defensive weapons [...] offensive weapons such as sword and long dagger, or just a short dagger and any defensive weapons of their choice [...] but when they go out to make an arrest or carry out an act of justice which might require other offensive weapons, they can arm themselves with any that suit their fancy and need.¹⁰

Their numbers were at first limited. The *Regimento* laconically states that there should be “sufficient *famíliares*” in any given place. The total number dispersed throughout the country finally ran into thousands. A royal rescript of 1693 that attempted to cut back their number to 601 and limit them to the main towns was not enforced.¹¹ *Famíliares* seconded the Inquisitors not only as captors and wardens, but also in more confidential assignments. In 1673 the Inquisition was teetering in the balance. A movement was afoot (armed with the anti-Inquisitorial pamphlet *An Account of the Cruelties Exercised by the Inquisition in Portugal*) to “change the styles” of the Portuguese Inquisition, which

⁹ See David Grant Smith, *The Mercantile Class of Portugal and Brazil in the Seventeenth Century, a Socio-Economic Study of the Merchants of Lisbon and Bahia*, unpublished doctoral thesis, University of Texas (Austin), 1975, 330. For the period 1620-1690 Smith sampled 364 Lisbon merchants of whom he found 201 to be New Christians, 56 Old Christians and 107 indeterminate.

¹⁰ *Traslado*, etc., Lisbon, 1685, unnumbered p. 2.

¹¹ See *Arquivo Nacional da Torre do Tombo, Conselho Geral*, Book 381, folios 1v-2. The decree was reproduced by Aboim, *op. cit.* According to Veiga Torres (*art. cit.*, 109-135: 127, 135) there were 702 *famíliares* from 1570 to 1620; 2,285 from 1621 to 1670; 5,488 from 1671 to 1720; 8,680 from 1721 to 1770; 2,746 from 1771 to 1820. According to António Borges Coelho (*Inquisição de Évora*, Lisbon, 1987, 1, 71-72) in 1693 there were 211 *famíliares* in the Alentejo, 236 in the area covered by the Coimbra tribunal, 187 in the area covered by the Lisbon tribunal, for a countrywide total of 634.

would have sounded its death-knell.¹² Polemics raged in Rome and Lisbon between partisans and opponents of the Portuguese Inquisition. The leader of the anti-Inquisitorial party in Rome was Padre António Vieira. We know from a letter he sent to Lisbon on September 9, 1673 that the Inquisition had summoned its *familiars* to come forward and cough up capital to pay for its lobbying.¹³ During six months of 1674 the legislative assembly (*Cortes*) was held in Lisbon. Its Three Estates (the People, the High Clergy, the Nobility) wrote to Pope Clement X accusing the New Christians of Judaizing and calling for the severest Inquisitorial repression. A New Christian spokesman protested to the pope that “the letter is not the work of the Three Estates but of the Inquisitors, for the ‘popular arm’ has been packed by *familiars*, the ‘spiritual arm’ riddled with former Inquisitors and as for the ‘temporal arm’ only thirty nobles vote on all proposals, and they are either *familiars* or close relatives of the Inquisitors.”¹⁴ Luís da Cunha, as we have seen, attributed to the Inquisitors the idea of using the *familiar* diploma as a bait to enlist the support of the nobility. But none of this pressure could shake Pope Clement X’s resolve to suspend the Portuguese Inquisition, which he did with his brief of October 3, 1674.

Luís da Cunha was not the only contemporary of the Inquisition to be awed by the *familiars*. The Knight of Oliveira, in his *Discours pathétique* (1756) describes them somewhat quaintly:

They are a body similar to a Parliament whose upper chamber is composed of the nobility and House of Commons of the richest bourgeois.

But this Parliament, according to Oliveira, had neither a consultative nor a deliberative voice:

Their Role is limited to carrying out the orders of the Inquisitors, either to arrest the culprits [sic] or to watch over them at the *autos-da-fé* [...] This body of men, which is quite numerous, is the main upholder of the Inquisitorial party [...] They swear to it an oath of fidelity and blind obedience.¹⁵

Modern historians tend to underestimate the *familiars*’ impact.¹⁶ Patrician *familiars* in particular lent the Inquisition respectability — something the Holy Office was well aware of when recruiting them.

¹² See above, Chapter Four.

¹³ See Baião, *Episódios Dramáticos* (third edition), 1972, 1, 250; cf. *Corpo diplomático português*, 14, 159.

¹⁴ See Baião, *op. cit.*, 260; cf. *Corpo diplomático português*, 14, 234.

¹⁵ Oliveira, *Discours pathétique*, 131-132.

¹⁶ The very word *familiar* does not appear in the alphabetical index to Azevedo, *História*. See now Veiga Torres, *art. cit.* (1994).

Prime targets — such as former detainees of the Inquisition — lived in constant dread of the *familiares*' knuckles on their front door. But fear in some degree pervaded everyone, inasmuch as all Christians knew what awaited them should they under-perform in collaborating with the Holy Office. Year in year out, come first Sunday in Lent, priors, vicars, rectors parish priests of all the churches in the land announced from the pulpit the list of doctrines and actions susceptible to Inquisitorial condemnation. The faithful were exhorted not merely to confess their own offenses but also to report any and everybody else's. Not to do so meant major excommunication. The *Regimento* enjoins that the Edict of Faith be read

with perfect enunciation so that all may be thoroughly familiar with its every syllable and none can plead ignorance.

The first known Portuguese Edict of Faith, published in the name of D. Diogo da Silva in 1536, starts its list of heresies with a one-line reference to “Lutheran errors which are circulating in some parts.” This reference seems to have been a hasty interpolation because the preceding general introduction presents the Edict as directed exclusively against “Mosaic heresies.” Following immediately upon the “Lutheran errors” is the enumeration of “Judaic” rites and customs.¹⁷ Mosaic, rabbinic and superstitious practices were all lumped together under the denominator of “the Law of Moses,” although some of them are not peculiarly Jewish or characteristic of Jews. The list was to be but slightly modified in the course of the ensuing centuries, but most of the Edict of Faith practices for which New Christians could theoretically be arrested and prosecuted, reappear only in the statutory interrogation *in genere*, never in denunciations or confessions.¹⁸

According to the Edict:

every Friday crypto-Jews put on festive clothing; wash and clean and prepare food for the Sabbath and, earlier than on other days, light lamps with fresh wicks which are then allowed to burn the whole night until they go out by themselves. They do not work on the Sabbath. They slaughter animals and poultry for their own consumption in the Jewish

¹⁷ See *Collectorio* (1596), 4r-6v, reproduced in facsimile and commented by H. P. Salomon, “The ‘Monitorio do Inquisidor Geral’ of 1536, Background and Sources of Some ‘Judaic’ Customs Listed Therein,” *Arquivos do Centro Cultural Português*, 1982, 41-64 + 9 of illustrations.

¹⁸ There were Spanish and Catalan Edicts of Faith dated 1484, 1512, 1524 and 1525. The analogies in contents and wording between the first Portuguese one and its Spanish forerunners suggest textual borrowing rather than empirical knowledge of any Judaic practices on the part of Portuguese New Christians. Cf. Salomon, *art. cit.*

way, by slashing the throat,¹⁹ after first testing the knife with their fingernail and the blood they cover with earth [cf. Leviticus 17, 13-14]. They abstain from lard, hares, rabbits, choked birds,²⁰ eels, octopuses, congers, skates, fish lacking scales and other things forbidden to Jews in the old dispensation.²¹

The Edict enumerates Jewish ritual fasts:

the principal one falling in September when they go without shoes and ask each other's pardon; the fast of Queen Esther and the Monday and Thursday fasts.²² They celebrate the Jewish festivals, to wit Passover, Tabernacles and the Festival of the Horn; on Passover they cook in new pots and pans and eat on new plates. They recite Jewish prayers, such as the penitential psalms²³ without the doxology *Gloria Patri et Filii et Spiritu Sancto*, praying in front of a wall while bobbing the head and wearing *atafalís* which are some straps strung on the arms or put on the head.²⁴

The Edict dwells at some length on funereal customs:

They bathe the dead²⁵ and dress them in cloth breeches and a long shirt and over it a shroud folded like a cape [...] and in their mouth placing a

¹⁹ This condemned method of slaughtering for food is at present the only one practiced in Portugal.

²⁰ The implication is that in those days throttling must have been the common method of killing birds.

²¹ These words imply that the new dispensation permits sea creatures lacking fins and scales, yet the New Testament nowhere explicitly overturns the prohibition on this class of creatures (as it allegedly does for beasts and birds: see Acts 11, 5-11 and Origen, *Contra Celsum*, 2, 1-2).

²² The Monday-Thursday fasts became the single most characteristic "Judaic" offense attributed to all New Christian defendants in Portuguese Inquisitorial trials. The codifier Jacob ben Asher, Chief Rabbi of Toledo (c. 1270-1340), refers to them (cf. *Tiv. Orah Hayim, hilhot nefilat 'apayim*, 134: "Monday and Thursday are days of grace, since Moses went up the mountain on a Thursday and came down on a Monday and therefore we have the custom of fasting on them"). Their earliest inclusion in a Spanish Edict of Faith dates from 1524 (Las Palmas, Grand Canary Island). They may derive from the Christian erudition of its redactors. The pseudepigraphic *Didache* bids Christians not to fast with the "hypocrites" (i.e., Pharisees = Jews) on Monday and Thursday. Cf. Luke 18, 12. In 17th-century trial records (e.g., Inquisition of Lisbon, no. 8051, Fernão Álvares Melo, July 30, 1609) the Inquisitor asks the defendant, among other statutory questions, "how many fasts of the *thamis* [*ta'amit* (rabbinic Hebrew) = fast] of Mondays and Thursdays he carried out, not eating the whole day until nightfall, after the star appears, in keeping with and in observance of the Law of Moses" (see Salomon, *Portrait*, 217). The 1640 *Regimento* lists (p. 156) as Judaic heresies: "the keeping of the Passovers of the Jews which occur in the lunar month of March; of the fasts of the *thamis* of Mondays and Thursdays or of the *quipur* [Hebrew: atonement], which occurs on their great day of September; the observance of Sabbaths." See below, note 29.

²³ A Catholic selection of seven psalms. Their combination is unknown in Jewish liturgy.

²⁴ The word *atafalís* is a strange corruption of Hebrew *tefilin*, meaning phylacteries. Until now no Portuguese Inquisitorial trial record is known wherein anyone is denounced for, interrogated about or confesses to possessing or using phylacteries.

²⁵ As is the present-day custom in Portugal among all non-Jews.

pearl or gold or silver coin, saying that is to pay the first night's lodging. They mourn their dead by eating at low tables the mourners' meal of fish, eggs and olives. They pour out the water from pitchers and jars saying that the departed's soul comes to the water to bathe or that the Destroying Angel washes his sword in the water. They cut and keep the deceased's nails. The corpses are buried in virgin soil and in very deep graves, while those attending bewail them and sing their dirges as the Jews do.

Other customs listed include throwing iron, bread or wine into jugs and pots filled with water during the nights of Saint John the Baptist and Christmas. The Edict concludes with the necessity of verifying whether parents bless their children by putting their hands on their head and lowering them along their cheeks without making the sign of the cross,²⁶ whether they have their sons circumcised or their children secretly given Jewish names.

Following this fairly long list of "Judaic" practices we find a very short description of the principal elements of Islam and various non-classified heresies, deriving either from Protestantism or 16th-century Spanish mystical movements. One such heresy supposedly denies that "there is either paradise and glory for the righteous or hell for the wicked, it is all just a matter of being born and dying." We have already seen that denial of immortality, which goes all the way back to the Sadducees, seems to have been an undercurrent in 16th-century Portugal (Spain?) and surfaces with a bang in the da Costa - da Silva polemic in Amsterdam (1623-1624).²⁷ Another heretical opinion is metempsychosis, which in Spain goes back to 13th-century Jewish cabalism.²⁸

In time the "Edicts of Faith" were systemized, refined, added to, pruned. A short, undated Edict, replacing the one of 1536, is included in the 1640 *Regimento*.²⁹ Among items eliminated are circumcision, the Jewish manner of slaughtering poultry and the ceremonies of the nights of St. John and Christmas. But ominously this Edict's list of Judaic practices ends with the formula; "or by doing any other action which might seem to be in observance of the Law of Moses." This word

²⁶ To slide one's hands down one's own face was a "Judaic practice" confessed by numerous New Christians who misunderstood the nature of the practice they were required to confess. See H. P. Salomon, "The Portuguese Background of Menasseh Ben Israel's Parents as Revealed Through the Inquisitorial Archives at Lisbon," *Studia Rosenthaliana*, 17, 2, 1983, 105-147: 121.

²⁷ See the previous chapter.

²⁸ Menasseh Ben Israel (*De Resurrectione Mortuorum*, Amsterdam, 1636, 117) claims that Lisbon-born Isaac Abravanel (1437-1508) believed in metempsychosis.

²⁹ Pp. 207-210.

seem allows any action which by its singularity might attract attention or suspicion of neighbors to be a “matter for denunciation.”³⁰ The list preserves — if less extensively — the reference to those who deny immortality of the soul “averring that there is nothing but birth and death”; metempsychosis has fallen by the wayside. On the other hand Protestant deviations are augmented with references to Luther and Calvin and their faith-above-good-works doctrine, criticism of indulgences and papal supremacy, etc. The doctrine that holds “usury and simple fornication not to be mortal sins” makes its first appearance as do seduction of males or females by priests in the confessional and “the nefarious and abominable sin of sodomy.” Another important innovation: any former Inquisitorial prisoner overheard confiding that “he had falsely confessed offenses he had never committed” or denigrating or defaming “the procedure and righteous ministry of the Holy Office” must be denounced. This disposition implicitly makes the righteous procedure of the Holy Office an article of faith (something that was denied by a member of the General Council of the Inquisition who opposed the arrest of Manuel Fernandes Vilareal in 1649³¹), and to divulge the secret of the Inquisitorial trial now becomes an offense tantamount to pacts with the Devil or bigamy. Failure to denounce these offenses entails major excommunication, *ipso facto incurrenda*.

To the categories of potential Inquisitorial defendants, not listed in the new Edict nor in the 1613 *Regimento*, the 1640 *Regimento* (III, 9) adds “supporters of heresy” (defined as those who refuse to testify against heretics) and “impeders of the Holy Office.” The latter, besides incurring excommunication and other penalties, were to be publicly flogged or sentenced to the galleys. State or court officials, who, in the exercise of their jurisdiction oppose — in any manner or by any means — the activities of the Inquisition; also “persons of whatever rank or eminence who promulgate any statue or decree that encroaches upon the jurisdiction of the Holy Office,” all of these are

³⁰ Three manuscript versions of the Edict, dated 1594, 1597 and 1611, are extant in the National Archives of the Torre do Tombo. The 1594 version we have consulted includes “removing the sinew from the hindquarter” (*tivar a lânda do quarto traseiro*) (see Genesis 32, 32) and “casting three rounded balls of dough into the fire” (a practice related to Jewish ritual when baking bread). The two we have not consulted may include practices which were standard accusations and confessions, such as “sweeping the house the wrong way” (*varrer a casa às avessas*: See Edward Glaser, “Invitation to Intolerance,” Hebrew Union College Annual, 27, 1956, 327-385: 353-355); “cutting away the fat and drawing the blood from the meat that comes from the butcher”; “adding onion fried in olive oil to cooked meat”; “mentioning Abraham, Isaac and Jacob when blessing one’s children.”

³¹ See above, Chapter Five.

liable to arrest and trial. “Whatever rank or eminence” included secular potentates and the monarch himself, as spelt out in Friar António de Sousa’s “Inquisitorial Aphorisms” (1, 49).

Prerogatives, universally associated with the Crown, now devolve upon — or more accurately are usurped by — the Holy Office, giving it the airs of a virtual sovereignty. This explains how the 1640 *Regimento* which regulated a Portuguese tribunal, was promulgated and approved, not under the king’s auspices, but under the Inquisitor General’s, whose approbation is a legislative charter. In May 1672 the Inquisitor General reiterated the 1640 *Regimento*’s stipulations (III, 3, § 12-13), prohibiting all those sentenced by the Holy Office on the count of “Judaism” as well as their children and grandchildren from exercising public office, or using insignia, civil, military or ecclesiastic; from riding in carriages, sedan-chairs or on horse-back; from wearing silk, jewelry or any ornaments of precious metal.³² These decrees were of course canonical and identical to those applied by the Spanish Tribunals. But in Spain the Inquisition was not a State within the State, the Inquisitor General was not a sovereign in his own right and there was no Inquisitorial Great Charter even remotely comparable to the high-faluting *Regimento do Santo Offício da Inquisição dos Reynos de Portugal*. Nor did the Portuguese Holy Office confine its purview to the civil service, transportation and dress. One might be shopping from a costermonger and fall foul of the Tribunal for choosing the wrong apples.

The following example will show how this translated into practice. In 1642, during a fair in Évora, a student from the Jesuit University wanted to purchase a basket of apples. At the moment he pointed to the basket a servant of a deputy Inquisitor pointed to it as well. A scuffle ensued. The university’s *almotacé* (commissary) called to the scene by the Jesuits, decided in favor of the student’s priority. The same day this clergyman, appointed by the Rector of the University, was arrested by the Inquisition on the charge of “impeding the Holy Office.” Brought to trial, he was found guilty, fined, sentenced to a year’s banishment and deprived of his position for the rest of his life. The Jesuits criticized the Inquisitors in private, whereupon the latter had the following proclamation posted:

Certain persons, forgetful of their dutiful obligation to the Holy Office and its Tribunal, have with audacity and temerity caused its authority to be held in contempt, falsely accusing it and its ministers of exceeding,

³² Azevedo, *História*, 293. See above Chapter Seven.

under Inquisitorial cover, the bounds of justice and of adjudicating beyond its brief. Wherefore such persons must be denounced by the faithful, on pain of major excommunication for those who withhold knowledge they have of such impudence.

At the private *auto-da-fé* where the inspector was sentenced, a Jesuit father appeared who announced he was going to appeal the sentence. The Jesuit was arrested and charged with publicly offending the Holy Office, perturbing its ministry and criticizing its ministers.³³

No sovereignty can maintain itself without revenues. The Inquisition was no exception. Property confiscated from heretics was one source of revenue that the Inquisition tried to channel its own way. But the king also had his eye on it and it was too glittering a prize for either to forgo without a fight. Moreover, the legal basis for confiscation was quite tricky, so that the rounds would be hard fought.

Confiscation goes back at least to medieval legislation as a penalty befitting the crimes of *lèse-majesté*, heresy and sodomy. The confiscated property accrued to the king. With the advent of the tribunal of the Holy Office, the investigation and judgment of crimes which entailed confiscation became its province. The confiscation was carried out, however, by civil justice and the ownership of the product continued to pertain to it. This principle was expressly cited in Queen regent Catarina's letter-patent of 1558, concerning the exemption from confiscation of the property and personal estate of New Christians:

the said estates, by the dispositions of Portuguese law, are to be confiscated to the benefit of my Royal Treasury.³⁴

But the pope's say in these matters was accepted as a matter of course. By his brief of June 7, 1548, the pope had conceded the New Christians of Portugal a ten-year exemption from confiscation. Yet from Queen Catarina's charter of 1558 it would seem that the initiative for such exemption is a royal prerogative. It was explained that the 1548 brief had been solicited by King João III, "whose intention and will it was to favor those of the said Nation in the matter of the said estates, which in those cases continue to belong to them." The 1558 charter, which extended the 1548 exemption for another ten years, was a royal

³³ The case, which dragged on for years, was finally settled by the king in favor of the Inquisition. See Rodrigues, *História dos Jesuítas em Portugal*, 3, 1, 479-483.

³⁴ This document concerning Inquisitorial confiscation and those cited below were published by António Baião, "Estudos sobre a Inquisição Portuguesa," *Boletim da Segunda Classe, Academia das Ciências de Lisboa*, 13, 1918-1919, 784-827. For the history and mode of Inquisitorial confiscations in Spain, see José Martínez Millán, *La Hacienda de la Inquisición (1478-1700)*, Madrid, 1984, 59-81. A comparative study of Spanish and Portuguese Inquisitorial confiscation is a desideratum.

order issued to the Inquisitors. However, “to make everything more explicit,” the regent indicated that she had requested from the pope a confirmation of the exemption and authorized the New Christians to do the same.

In sum, the confiscation of property and estates belonging to convicted heretics and sodomites (like those of persons convicted of *lèse-majesté*) was a matter for the king, but in the case of heretics and sodomites at the discretion of the spiritual arm (the pope? the Inquisition?): a bewildering tangle indeed.

In spite of the 10-year exemption, half-way through, in 1563, confiscation began to be imposed. In his capacity as Inquisitor General, João III’s brother, the Cardinal-Infante Henrique (at that time, subsequent to his brother’s death, regent of Portugal) directly ordered the Judge of Confiscation to have all estates of those executed by “secular justice” confiscated retroactively as of July 7, 1558. Now the exemption had been the result of an agreement between Queen regent Catarina and the New Christians. In exchange for this exemption the affected parties had advanced values and services, as the charter stated: “taking into account services they have rendered me, for my armadas as well as for other necessities of my Exchequer.” The Inquisition was strong enough to have this contract annulled without indemnifying the New Christians for funds they had already advanced. It was an Inquisitorial principle that a Christian potentate is not obliged to honor contracts made with heretics. The Cardinal’s order refers exclusively to those condemned to death, because the latter’s possessions were always presumed liable to confiscation. Thus a part of the capital sentence (namely the ineluctable confiscation of property attendant upon it) was suffered by the heirs.

The 1558 exemption and its subsequent annulment were the preludes to a long drama whose dramatis personae are the Inquisitors, the king and the New Christians.

Although, as we saw, confiscated estates legally belonged to the king, they were *de facto* administered and usufructed by the Inquisitors. According to the *Regimento do Juízo das Confiscações pelo Crime de Heresia* (“Rule Book for Judges of Confiscations for the Crime of Heresy,” published with royal approval on July 26, 1572),³⁵ at the moment a person was arrested his house was sealed and all his movable and immovable property was registered, inventoried and put under the administration of the Judge of Confiscation. This official, of equal standing to a High Court (Supreme Court) Judge, was designated by

³⁵ Document reprinted by Baião, *art. cit.*, 795-814.

the Inquisitor General, although the decree of appointment was given by the king and bore the royal seal. The revenue-yielding parts of the victim's estate were put up at public auction. Gold, silver, gems and precious objects were entrusted with the Inquisitorial Treasurer. If the accused had debts, the creditors could claim from the Inquisition. Subject to confiscation was not only property which the accused had at the time of his arrest but all he possessed from the date on which he began practicing heresy (which could be decades before the arrest). In the case of a discrepancy, according to the rule book, all sales and other forms of alienation were annulled so that property which had already gone into the possession of other owners reverted to the Inquisitorial Fisc. Moreover, if the accused had fled or died and his trial ended with his symbolic execution, the property of his heirs was subject to sequestration and eventual confiscation.

As long as the accused was in prison the Inquisition administered his property and drew the yield, through the Judge of Confiscation. If his trial ended with an acquittal, his property was to be restituted to him after the expenses for his upkeep in prison and the costs of his trial had been deducted. If he was executed or condemned to the punishment of confiscation, his immovable property was sold at public auction. In the case of hereditary Church property, the Inquisition acted as heir to the confiscated property.

Within the legal fiction which made the confiscated estate property of the Crown, the treasurers of the Fisc had to present yearly accounts to the purveyor of the accused's district, a royal official. But nothing could be transferred to him without an order of the Judge of Confiscation who, as we have seen, took his orders from the Inquisitor General.

With a few technical emendations, the provisions of the 1572 "Rule Book for Judges of Confiscations for the Crime of Heresy" were again given royal approval on July 10, 1620 and reprinted that same year in Lisbon by Pedro Crasbeck.³⁶

Even within the general legislation giving the Inquisition first pick, it should be understood that after abating the Inquisitorial expenses (salaries, "visitors'" voyages, pensions, *autos-da-fé*, etc.) whatever remained was to be remitted to the royal treasury. In practice, however, the king saw not a penny of the product of confiscation and, whenever he staked a claim to it, met with the stock riposte that there was no remainder. In 1627, for example, King Philip II, alleging the

³⁶ A third edition was printed by Miguel Manescal, Lisbon, 1695.

straits of the treasury, ordered an inspection of the fiscal services of the Inquisition. The Inquisitor General demurred, arguing that the Inquisition had a deficit and “the Inquisitors are hard up.”³⁷ Moreover:

Never have the said monarchs [Philip II’s predecessors] wished to appropriate these revenues; rather did they apply them to the expenses and salaries of the Holy Office [...] thereby giving evidence of their great hatred for such heretics, by not desiring to make use of these contaminated people’s wealth.³⁸

The product of confiscation must have run into dizzy figures. Of the some 18,000 people put on trial by the Inquisition at Lisbon between 1540 and 1760, the great majority were bourgeois. The intense persecution of New Christians that took place between 1660 and 1685 (even though the Inquisition lay dormant from 1674-1682) netted 2,402 victims in Évora (55 executed), 1,621 in Coimbra (77 executed) and 871 in Lisbon (18 executed), a grand total of 4,894 victims (150 executed). During 1672-1674 the Inquisition of Lisbon fairly decimated the merchant-bankers. To take just a single example. In 1672 the financial magnate Fernão Rodrigues Penso was arrested. He lived on the Rossio in a “large house” filled with precious furniture, rare and inlaid woodwork, paintings, silver tableware and more than 40 silver decanters and cups. In addition, he owned a bag of brute diamonds, jewelry of gold and other precious stones, doubloons, etc. The total value of his house’s contents was estimated at the time of confiscation at 9,000,000 reals. Outstanding debts of individuals as well as the State totaled 90,000,000 reals. In addition, he owned a country estate at Palhavã, sedan-chairs, horses, etc. To gain some perspective on these figures, one might compare them with Mauro’s in his book on “Portugal and the Atlantic.” In 1665 the total expenses of the Lisbon Municipality (200,000 inhabitants) were approximately 9,600,000 reals.³⁹ This Fernão Rodrigues Penso belonged to the category of “big fish” caught by the Inquisition, but he is only one among many and far from the plumpest.

The figures of confiscated material can be inferred also from the successive financial bids made by representatives of the New Christians for the suspension or abolition of confiscation and an amnesty. In 1577 they negotiated for 9,000,000 reals (= 225,000 cruzados) a ten-year

³⁷ Baião, *Episódios Dramáticos*, 1, 167; Azevedo, *Cristãos Novos*, 190.

³⁸ See Coelho, *Évora*, 1, 91-92.

³⁹ See Frédéric Mauro, *Le Portugal et l’Atlantique au XVII^e siècle, 1570-1670, Étude économique*, Paris, 1970, 471.

exemption from confiscation.⁴⁰ In 1605 they bought from King Philip II the “general amnesty for offenses of Judaism” for 680,000,000 reals (= 1,700,000 cruzados).⁴¹ In 1649 they offered, in exchange for the abolition of confiscation, to support the General Company of Brazilian Commerce with 1200 cruzados.⁴² In 1673, in exchange for an amnesty and alterations in the trial norms, they proposed to equip and transport an army of 5000 men to Goa, and every year thereafter 1200 men; contribute 20,000 cruzados (800,000 reals) annually to maintain these troops; pay the voyages and stipends of missionaries; create a commercial Company of Indian Navigation. This proposal was turned down, for the king heeded the advice of the Bishop of Leiria, “that while the New Christians promised 500,000 cruzados for the General Amnesty, Your Highness⁴³ has just and saintly laws by means of which, through the Fisc, you can gain much more than that.”⁴⁴ The bishop was insinuating that confiscation could bring in more than a paltry 200 contos (1 conto = 2,500 cruzados).

It is easy to understand why the Inquisitorial coffers were endemically empty. From the economic point of view, the Inquisition was not a commercial enterprise but a vehicle for distributing money and other property to its numerous personnel — a form of pillage, as in war, albeit more bureaucratized. The Inquisitorial army, whose members shared the seigniorial and warrior mentality of the Portuguese *fidalgos* in India, maintained themselves by plundering the property of wealthy bourgeois. That is what it all boiled down to, so that expecting the Inquisition to skim liquid cash from the confiscation to help out the royal treasury was wishful thinking on the part of the king and the bishop of Leiria.

The distribution of the confiscated belongings proceeded along several more or less legal lines. The Inquisitors, deputies, visitors, notaries, prosecutors, lawyers, *familiares*, etc. had salaries, living-allowances, fees and other forms of gratuities. *Auto-da-fé* expenses, as

⁴⁰ Azevedo, *Cristãos-Novos*, 131.

⁴¹ *Id.*, *op. cit.*, 155-156; Joaquim Mendes dos Remédios, *Os Judeus em Portugal*, 2, Coimbra, 1928, 70-78, 108-111, 133-138; Antonio Domínguez Ortiz, *The Golden Age of Spain*, London, 1971, 166-172, 218; R. Trevor Davies, *The Golden Century of Spain, 1501-1621*, New York, 1961², 242-256.

⁴² Azevedo, *Cristãos-Novos*, Appendix Nineteen.

⁴³ Portuguese kings (and Spanish kings up to Charles V) were generally referred to by the title *Alteza* (“Highness”). However, King Manuel preferred *Senhoria* (“Lordship”), the Habsburgs *Majestade* (“Majesty”); King João IV alternated between *Alteza* and *Majestade*. After King João V received from the pope for himself and all his successors the title *Majestade Fidelíssima* (“Most Faithful Majesty”) *Alteza* fell into disuse as a title for the Portuguese monarchs.

⁴⁴ *Id.*, *op. cit.*, 249-299.

we have seen, included bumper quantities of food and dainties. We may suppose that a part, instead of being consumed on the spot, was transported to the larders of the beneficiaries. Moreover we read on the lists of *auto-da-fé* expenses such entries as “torch and chickens” or “supper and torch” for His Honor the Inquisitor or for Deputy So-and-so. At the Lisbon *auto-da-fé* of October 20, 1748 we hear of six Gentlemen of the General Council who each received 15,000 reals for this “torch and supper.” Just for the “Gentlemen” of the Council, Inquisitors, prosecutor, secretary, deputies and notaries these “suppers and torches” cost 265,000 reals, the equivalent of over one-third of the total cost of the *auto-da-fé*: 634,000 reals. The rest went on salaries of minor personnel, bunting for the ceremony, cloth and tailor for the sanbenitos, printing the list of the sentences, paintings on the sanbenitos, transportation, etc.⁴⁵ As to the *auto-da-fé* of November 18, 1646 at Évora, referred to in Chapter Six, which cost close to 230,000 reals, we find that each Inquisitor received 3,000 reals for “chicken and torches,” each deputy 1000 reals over and above the supper and confectioneries.⁴⁶ It seems that these gratuities were in addition to the customary fees collected by the Inquisitors, deputies, notaries, prosecutor, etc., because the instructions for the *auto-da-fé* of June 14, 1699 stipulate that “for the *auto-da-fé* each Inquisitor collects a fee of 11,000 reals; each deputy 3,500; the prosecutor, 6,500; each Notary, 4,000,” etc.⁴⁷ We repeat: more than a third of the total cost of the *auto-da-fé* went into the pockets of the Inquisitors and their immediate associates.

There were other means of confiscation. In 1627, as was said earlier, King Philip II ordered an investigation into the “excesses, disorders, irregularities and embezzlements” of the Inquisitorial fiscal. In respect to Coimbra the government wanted to know what properties, objects and monies had been sent from there to Lisbon and elsewhere; who were the recipients of the cargoes of sugar and other colonial produce that had been shipped from Brazil and Portugal’s other overseas domains to prisoners and fugitives from the Inquisition; what collu-

⁴⁵ Azevedo, “Os Processos da Inquisição,” 25. According to Mendonça and Moreira (*História dos principais actos*, 190-191) at this *auto-da-fé* in the church of St. Dominic 36 persons were penanced, 3 men were executed and an effigy was burnt. Moreira comments that one of the three executed was a 20-year old whose mother had been executed at the *auto* of October 16, 1746 and whose brother had been executed at a 1745 *auto*. Queen Maria Ana and her daughters viewed the proceedings on the Rossio from the window of the Inquisitorial palace.

⁴⁶ Baião, *Episódios Dramáticos*, 3, 159. The rise in cost from 230,000 reals for the 1646 *auto* to 634,000 for the one 102 years later may be due to overall inflation, or to *autos* having grown more grandiose.

⁴⁷ Id., *op. cit.*, 3, 138.

sion had gone on between Inquisitors and relatives of prisoners in respect to confiscated property and what misappropriation of the property of New Christian fugitives, especially from the city of Trancoso. The inquiry turned up some strange hanky-panky.⁴⁸

A number of confiscated or, as it was termed, deposited libraries, such as those of Dr. António Homem, Dr. Francisco Vaz and other arrested Coimbra professors had come into the possession of Inquisitors. An Oporto lawyer, Álvaro de Azevedo, whose case had been dismissed, requested the return of his books but to no avail, because they had not been listed in the inventory. These books had, in fact, been incorporated into the library of the Inquisitor General Fernão Martins Mascarenhas and only surfaced at the time of the latter's death, when his property was auctioned. However, of Azevedo's 140 appropriated volumes, only some ninety could be identified.

Among the Inquisitor General's immense collections auctioned off over twelve years, there also appeared a small golden basket that had belonged to a prisoner of the Coimbra Inquisition. Another Inquisitor whose house was filled with precious confiscated or simply sequestered objects was Sebastião de Matos de Noronha, who afterwards became Bishop of Elvas and Archbishop of Braga. The latter had given a number of silver pieces to a Coimbra silversmith to be cleaned, re-silvered and repaired, binding him to secrecy. Among those pieces there was a large embossed plate and a jug, both of which the silversmith recognized as the work of his master, which had been sold to and then confiscated from a man arrested by the Inquisition. Still another Inquisitor was implicated in this investigation: Sebastião César de Meneses, afterwards Bishop of Coimbra. This ecclesiastic had found room in his home for the books of Dr. Francisco Vaz. We have an additional piece of information about this bishop-Inquisitor's collecting methods: Francisco Gomes Henriques, whose trial we have discussed earlier, recounted in 1653, in the course of his trial that Sebastião César, the bishop of Coimbra, had sent word to the wife of the tycoon Duarte da Silva, then in the Inquisitorial jail, that he was willing to let him out for a consideration of 10,000 cruzados. According to Henriques, Duarte da Silva advised his wife to reject the proposal, saying: "the Bishop of Coimbra was only interested in money but would not be able to deliver the goods." In order to understand transactions such as these we have to realize that wealthy New Christians had developed a strategy for squirreling away part of their property.

⁴⁸ We summarize the results of the Royal Inquiry as reported by Baião, *op. cit.*, I, 167-193.

The king's inquiry also reveals that more than sixty silver pieces of Dr. António Homem had been taken by Pedro Homem de Resende, treasurer of the Coimbra Tribunal, to a silversmith, to erase the Homem escutcheon and replace it with the Resendes'. The silversmith, Pero Mendes, did the work and had a good reason for doing so: he himself had just left the Inquisitorial prison after being penanced at an *auto-da-fé*. Later in the course of the inquiry it transpired that the same Resendes clan had also appropriated real estate that had belonged to Dr. Homem.

These are just a few of the findings of the 1627 inquiry. They go beyond "cutting corners" or even "violations of rules." Let us first of all take note of the infringers' identity: an Inquisitor General, several other Inquisitors, a Treasurer of the Holy Office. These men, despite what the inquiry unearthed, continued their careers and even, in the case of the Coimbra Inquisitors, went on to become bishops. The king did not have leave to dismiss them. It would seem that the investigation was prompted less by the scandal than the king's curiosity as to his share of confiscations and that for once he would not be slaked by the Inquisitors' stock-in-trade explanation, that the product of the confiscation did not cover their expenses. What comes out of this investigation is that the "irregularities" were, in fact, "regular" and practiced, not by mischievous subordinates, but by those who made and enforced the rules. The embezzlement of the confiscated estates was institutional. It was governed not by law but by custom, just as customary as supercilious replies to requests for legal restitution, made by former prisoners. In a formal appeal to the Holy See in 1628, the New Christians protested that when an entitled party came to reclaim his belongings,

he was told by the Judge of Confiscation that no ready cash was available; that he should wait until other Jews were arrested and with their money he would be reimbursed.⁴⁹

The product of the confiscations disappeared into a bottomless pit and the Tribunal of the Holy Office was perpetually scrounging for new revenues. Starting in 1708 a wave of persecutions was unleashed in Brazil where at that time the sugar producers were prospering. As was mentioned in the preceding chapter, the depredations were of such magnitude that King João V, in 1728, reportedly forbade the confiscation of sugar mills.⁵⁰

⁴⁹ The document was published by Azevedo, *Cristãos-Novos*, Appendix Eighteen, 477.

⁵⁰ It seems hard to believe the king had the power to do this. See above, Chapter Ten, note 27.

All considered, the proposition that the Inquisitors showed a propensity to indict is fairly borne out. The question is: why the propensity? Judges and prosecutors do not work on commission. Yet the confiscation system was just that: the more found guilty and the pickings multiply proportionately. Unless the Inquisitors were angels and above human frailty, it is hard to see how the lure of confiscation could have left them unscathed. The advantage of the system was that estates would never have to be restituted. In any event, our hypothesis is more plausible than the one held by those who credit the Inquisitors with a total disinterestedness and impartiality in their sentences.⁵¹ Those contemporaries who attributed avarice to the Inquisitors were not wrong, but neither was gain the real propellant; even if it was an *ex post facto* one, once the Inquisition was rolling. The deeper motive for the calculated sadism that is called the Iberian Inquisition cannot be explained away in terms of greed or any other human proclivity, for — and in this respect António de Sousa was right — it let inhuman dogmatism supplant humanity.

⁵¹ Cf. Friar António de Sousa's words, cited above, Chapter Three, n. 1: "[The Holy Office] is an angelic tribunal devoid of passions and of regard for human considerations and it is with our eyes fixed on God and on the weal of the Faith that its affairs are conducted."

CHAPTER TWELVE

KING, INQUISITORS AND MERCHANTS

We have seen how the Portuguese Inquisition, no less than the Spanish, was from its inception closely linked to royal power. As also noted such royal involvement represents a trend towards amalgamating two authorities: the spiritual and the temporal. This concentration of the two naturally disparate spheres is blatantly personified by the king's brother Cardinal Henrique, for many years Inquisitor General, even after he assumed supreme temporal power as regent of the kingdom. On ascending the throne, to be sure, he relinquished the position in favor of the Archbishop of Lisbon.¹ But just a few years later the Cardinal Archduke, brother of King Philip I and Viceroy of Portugal was in turn named Inquisitor General.² This is the acme of royal and Inquisitorial collaboration; it is also the heyday of aristocratic ascendancy cresting in a monarch who held the purse strings of both the feudal wealth of the Church and of the booty from the colonial enterprise. Yet the meridian was soon to be passed: early in the 17th century the two powers drifted apart. By mid-century forced unification dislocates, reverting to its whilom rivalry.

Paradoxically the very King João III — in the heat of his negotiations with the pope to obtain the Inquisition that was to repress the middle class — testified to that selfsame class' indispensability to Portugal's economic Renaissance. Writing to the pope on December 10, 1539, perhaps to deflect the accusation of avarice, he brings up his saintly willingness to sacrifice his most profitable New Christian subjects for the greater good of the country's Catholic purity. In this context he alludes to the losses that the country was incurring through the emigration of New Christians, scared away by the specter of an Inquisition:

[The New Christians] in my country make up a large proportion of my subjects, far more useful than all the rest, serving me in every manner of

¹ The transfer occurred on November 16, 1579. See Baião, "Estudos," Document 3.

² Cardinal-Archduke Albert of Austria, Viceroy of Portugal 1583-1593, was Inquisitor General 1586-1596; Pedro de Castilho, Inquisitor General 1604-1614 was simultaneously Viceroy of Portugal 1605-1608, 1612-1614; Fernão Martins Mascarenhas was Inquisitor General 1616-1628 and also Member of the State Council; Francisco de Castro was Inquisitor General 1630-1653 and also Member of the State Council, both under King Philip III (1633-1640) and under King João IV (1640-1653).

transactions, so that my revenues and those of the nobles [...] and other profitable contracts prospered in their hands [...] ³

In this letter to the pope the king added that New Christian emigration to Flanders was depriving the Crown of revenue.

As already noted, Inquisitorial oppression tightened ever further the nexus between New Christians and business, to the extent that it excluded them from all other careers. In a memorial addressed to King Philip II by the “People of the Nation of Portugal” around 1601, they make the point that shutting them out of the professions narrows their scope, fairly shoving them into the financial arena. This, they go on to explain, is how they have come to be the wheelers and dealers of the Portuguese empire’s thriving sugar trade. Moreover, their role as intermediaries between the Portuguese and Spanish empires boosted the Royal Customs revenues.⁴ As we have seen in Chapter Nine, Martin de Zellerigo in his “Apology for the Portuguese New Christians” (Madrid, 1619) attributed the People of the Nation’s near monopoly on commerce to the fact that all other avenues of advancement were blocked to them. The same explanation is given in the other “Apology” analyzed in Chapter Nine, by the Portuguese economist Duarte Gomes Solis (Madrid, 1628): for lack of rewards and honors the New Christians turn their energies to trading “because commerce is the one profitable area open to them in Portugal.” ⁵

Another side-effect of persecution was the New Christians’ dispersal, members of the same family often forming networks of world trade. The web spun out of family relationships facilitated international trading so that a prodigious slice of overseas trade became the perquisite of the Portuguese New Christians. The Rodrigues de Évora family furnishes an example. This family descended from the Spanish court rabbi Abraham Seneor (baptized in 1492, taking the name Fernando Pérez Coronel), and from Master Tomás da Veiga, physician in ordinary to King Manuel, scion of a family (original Jewish name unknown) that had entered Portugal in 1492.⁶ In their new Portuguese home they became the mainstay of a world trade center. At the close of the 16th century Manuel Rodrigues de Évora, great-grandson of Abraham Seneor, installed himself at Antwerp where he created a mercantile enterprise together with a nephew

³ See *Corpo Diplomatico Portuguez*, 4, 231-234: 231; the king’s letter of January 13, 1545: 5, 330-343: 337.

⁴ See Baroja, *Los Judíos*, 2, 37.

⁵ See Solis, *Alegación en favor de las Indias Orientales*, Amzalak editon, 211.

⁶ See José Gentil da Silva, *La Stratégie des Affaires à Lisbonne*, “Introduction.”; Rodrigues, *História dos Jesuitas*, 2, 1, 341-343.

Fernando Ximénez, a man connected through his mother with the noble Ximénez de Aragón. Manuel Rodrigues had four sons, whom he stationed in strategic spots: Simão and Nicolau headed the Antwerp branch of the firm; the other two, Lopo and Rodrigo, remained in Lisbon. To this geographical factor in their financial success we must add the marriage factor: Simão Rodrigues of Antwerp married Ana Ximénez de Aragón, a daughter of his father's partner. Lopo Rodrigues, in Portugal, married into the Gomes de Elvas Coronel family, among the wealthiest New Christian merchants.⁷ In partnership, the Ximenez and the Rodrigues de Évora leased from the government the lion's share of the pepper and spice contract, succeeding the Fugger family. Nicolau da Veiga Pinheiro, nephew of one of the Rodrigues de Évora, was lord of the island of Príncipe, supplying raw sugar to refineries in Portugal, whence it was exported to Northern Europe. The Ximénez family traded in Brazil and Asia. The Coronel family also had establishments in Brazil. Thus much of the sugar consumed in Europe, as well as most of the spices, transited through this family network. In addition they imported diamonds from Asia into Antwerp. Finally there were the banking and exchange transactions. The Rodrigues de Évora had agents in Medina del Campo, Seville, Florence, Venice, Rome, Amsterdam and Frankfurt, not to speak of their representatives in Brazil, the Spanish Americas, Africa and India.

However, this family remained aloof from Portuguese Jewish communities in the Dispersion. The Rodrigues de Évora clan produced clergymen and friars aplenty. Simão Rodrigues served King Philip I in the Flanders war against the rebellious provinces. His uncle, Master Tomás Rodrigues da Veiga, brother of the Manuel Rodrigues just mentioned, was a professor in Coimbra and a friend and champion of the Jesuits. We have also spoken of⁸ his grandson Tomé Pinheiro da Veiga, who was a furious enemy of the New Christians.⁹ Related to this same family was the archdeacon Fernão Ximenes de Aragão, dean of Braga Cathedral, who published anti-Jewish books at Lisbon in 1625 and 1628.¹⁰ Even though no members of this family

⁷ See Salomon, *Portrait*, 94.

⁸ See above, Chapter Seven.

⁹ See I. S. Révah, "Les Jésuites portugais contre l'Inquisition," *Revista do Livro*, 34, 1956, 29-53: 53, reprinted in id., *Études portugaises*, Paris, 1975, 155-183).

¹⁰ *Doutrina Catholica para Instrução e confirmação dos fieis e extinção das seitas supersticiosas e em particular do judaismo*, Lisbon, 1625; *Compendio da verdadeira fee que Deos revelou aos homens pera por ella serem salvos*, Lisbon, 1628. Cf. Azevedo, *Cristãos-Novos*, 180; Baroja, *Los Judíos*, 2, 418.

are known to have been arrested by the Inquisition,¹¹ Manuel Rodrigues apparently thought it prudent to absent himself from Portugal, settling first at Lyons, then at Antwerp.

The union of the two Peninsular crowns in 1580 opened up wider horizons to the enterprising spirit of the Portuguese "Men of Commerce." During the last decades of the century there was massive emigration of Portuguese New Christians to Spain, a movement which increased between 1620 and 1630. This emigration was due to the fact that in Spain — where Inquisitorial trials on the count of "Judaism" were on the wane after 1520 — the fugitive New Christians felt less vulnerable than in Portugal and there was far more anonymity in the larger country. Moreover the border between the two countries had been scrapped and there was free movement throughout the Peninsula. A further allure was the ampler trade opportunities that Spain and its Empire (still separate from the Portuguese Empire) had to offer. From Madrid, from Seville, from Alicante, the Portuguese (a name which became practically synonymous with New Christians or, contemptuously, Jews), cornered a goodly part of the West Indies commerce, provided transit for American silver to markets outside Spain; made loans to the Crown; farmed out contracts and State monopolies. In the Spanish Americas as well, they occupied key positions in finance and the sugar trade — and yes, also the slave trade. As a result of this mass immigration the number of Inquisitorial trials for Judaizing begins to increase again in Spain and the Spanish Americas, from the beginning of the 17th century, especially after 1620.

Far from experiencing a slump, the fortunes of the Men of Commerce seemed to ride high.¹² Trade with Asia gave way to the more lucrative trade with Brazil. Put more piquantly, sugar supplanted spice. This development had its social ramifications. As we have pointed out, trade with the Orient relied heavily on the Crown, on war, on administration, on diplomacy and was, in respect to produce, strictly a royal monopoly. Trade with America, on the other hand, was free and depended on the adventurousness of settlers, cultivators and intermediaries. Besides the triad of settlers, cultivators and intermedi-

¹¹ David Grant Smith (*op. cit.*, 204) mentions other wealthy New Christian families apparently immune from Inquisitorial persecution and whose New Christian origins were ignored in their rise to entailed estates and minor nobility: Serrão de Oliveira, Rodrigues de Matos, Botelho Chacão, Dias de Mesquita: all eminent merchant-bankers who, *inter alia*, directed the Brazil Company.

¹² See Vitorino Magalhães Godinho, "Crises et changements géographiques et structuraux au XVI^{ème} siècle," *Studi in Onore di Armando Sapori*, Milano, 1957, 981-998, reprinted in *Revista de Economia*, 11, 1, 1958, 1-14.

aries, there were the traders in manpower, who shipped slaves from Africa to Brazil, not to mention all kinds of contraband. But for the New Christians this was not their only avenue of income. Other sources included contracting to the State and loan-banking, inherited, as it were, from their remote Jewish ancestors. The importance of such loans to the State or to individuals, transpires from inventories included in the Inquisitorial trial records that frequently list debts owed the defendants by nobles, religious institutions and even convents.¹³ From an exhaustive study of these inventories (allowing for the compilers' tendency to leave undeclared some of their assets, shielded from the Inquisition's insatiable confiscatory guzzlers) it might be possible to follow the economic decline of many an aristocratic house and the redistribution of their wealth, including entails, among the commercial classes. The State debts were crucial in the economy of the 16th and 17th centuries. Sometimes they are direct loans, then again open credit and the advancement of funds, often for the purchase of arms and other military supplies. These loans were not always paid in cash, but in advantages, royal privileges and graces, whether collective or individual. We shall return to this point. Another activity that passed from the medieval Jews to the 16th and 17th-century New Christians was the collection of duties and State taxes.

So the Portuguese Dispersion developed into one of the financial organs of Europe. Duarte Gomes Solis, in his previously analyzed *Alegación en favor de las Indias Orientales*, picturesquely portrays these Portuguese in action: "In the *Rua Nova* of Lisbon, without getting off their bobtail mules, these merchants, the most trusted financiers of Europe, scribble on scraps of paper letters of credit honored in all European cities, payable in local coin." Duarte Gomes weighs the relative success of the 16th-century Genovese and the current Portuguese traders. In his reckoning the latter have the edge because their grid of kinsmen and associates that hyphenates the cities, ports and isles of northern Europe had enabled them even a century earlier, in partnership with Lombards, to regulate the spice and other India trade.

In Antwerp alone there were at one time more than 200 substantial Portuguese merchant families [...] The Genovese concentrated their activity in a few select cities; the Portuguese merchants are all over Europe and have credit everywhere.¹⁴

¹³ See Smith, *op. cit.*, passim. Smith studied the inventories included in the Inquisitorial trials of c. 50 New Christian merchants.

¹⁴ See Gomes Solis, *op. cit.*, Amzalak edition, 67-69, 210-211.

It will be recalled that these men classified in Portugal as “People of the Nation” or “of the Hebrew Nation” were known in foreign countries as “People of the Portuguese Nation,” and not inaptly: because they had made good through their national solidarity as Portuguese. Nor is it easy to decide (as we have seen) whether the persecutions to which they fell victim in Spain and the Spanish Americas stemmed from their being Portuguese or from the presumption that they were crypto-Jews.¹⁵

The situation was neatly summarized by the Duke of Lerma in 1605:

It is well-known that the upholders of European trade and commerce are the Portuguese merchants who dwell in all the prime money markets, principally Lisbon.¹⁶

Forty years later Father António Vieira repeated the assessment:

Throughout the length and breadth of Europe Portuguese merchants, men of substance, are the ones handling most of the commerce and riches of the world.¹⁷

This economic power-station might be compared to a meteoric, gravitational movement, impacting from afar. At the outset superficial and cyclical, in due course it transforms and restructures the whole system which it penetrates. The Inquisitorial plunder, on the other hand — under pretense of lawful confiscation — might have been interpreted, at the time of its institution, as a primitive precursor of a capital gains tax on assets which escaped the traditional forms of feudal appropriation. Yet, as we know, the royal power (the government) was defrauded of its cut of the spoils. Instead this vast revenue stagnated in a sterile enterprise — the Inquisition. We shall now show how the Inquisition and royal power came to bifurcate.

The question was who would benefit by the impounded assets of the New Christians. As we have seen, the product of confiscation legally belonged to the king but, administered by the Fisc (an appointee of the Inquisitor General), it was, in fact, appropriated by the Tribunal of the Holy Office. Nevertheless, quite early on, the royal power found a way of getting round the Inquisition: by selling the interested parties a dispensation or suspension of the confiscation, or other collective or

¹⁵ See Lorenzo de Mendonça, *Supplicacion a Su Magestad Catolica [...] en defensa de los Portugueses*, Madrid, 1630; Gonçalo de Reparaz, *Os Portugueses no Vice-Reinado do Peru*, Lisbon, 1976.

¹⁶ Cited above, Chapter Nine.

¹⁷ Gentil da Silva, *La Stratégie des Affaires*, 5.

individual favors, such as amnesties, authorizations for liberty of travel from and to Portugal, positions and honors which normally required cleanness of blood, etc. The net result of such deals was that as the king's coffers filled up, the Inquisition's were emptying. When in 1558 the Queen regent Catarina granted the New Christians a ten-year exemption from confiscation in exchange for unspecified "services," she set a precedent and took the first step on a long road. We have shown that when Cardinal Henrique, who was at odds with the queen, took over the regency, he annulled the exemption without indemnifying the parties concerned. But Portugal's finances were in such dire straits that in 1577 King Sebastião, to fund his Moroccan campaign, once again suspended confiscation for ten years and granted the New Christians the right to leave or re-enter the country at will, for a consideration of 250,000 cruzados. Cardinal Henrique, who was then still Inquisitor General, protested this arrangement. When King Sebastian fell in battle (1578) Cardinal Henrique ascended the throne and immediately annulled the contract but this time with a promise (never honored) to refund the 250,000 cruzados.

During the reign of Philip II playing off the king's New Christians against the Inquisitors went further still. This was inevitable inasmuch as the appetite of the royal treasury grew at the same rate as the wealth of the Men of Commerce. It became a rule of Portuguese history that every time there was a financial crisis, there would be a contract between the king and the New Christians. We have seen in Chapter Nine how in 1601-1605, in exchange for successive corporate payments, the king granted them a General Amnesty for crimes of Judaism and various fringe benefits. It was a magnificent — if short-lived — victory for the New Christians over the Inquisition. The Inquisition counterattacked and by 1610 got the right of free travel rescinded and the king to sign a charter barring his successors from ever again interfering with Inquisitorial confiscation. Still, the fact remained that the material interests of Crown and New Christians largely overlapped.¹⁸ At the beginning of Philip III's reign (1621) the New Christians presented new requests: an Edict of Grace for three months, access to all positions and honors, suppression of the labels "New Christian" and "People of the Nation," liberty of movement, reform of the Inquisitorial trial procedures, etc.¹⁹ To foil these requests the Inquisitors stepped up their lobbying and spread rumors that

¹⁸ See Azevedo, *Cristãos-Novos*, 165.

¹⁹ *Id.*, *op. cit.*, 180-181.

Portugal was falling prey to Judaism. While this tug-of-war was going on, the Inquisitor António de Sousa from the pulpit of an *auto-da-fé*, warned the high-placed protectors of the New Christians that:

The impudence of these people far removed from the Faith has broken all bounds in this country, where they have received such great benefits. They dare publicly to oppose the Sacred Tribunal of the Holy Inquisition, attempting to defame it by means of false depositions and to destroy the Faith itself with their iniquitous contentions [...] I ask you, therefore: when we pray for the discomfiture of the Jewish perfidy, who is it that grumbles? Is it the Christian or the Jew? Obviously: the Jew. The Holy Tribunal of the Inquisition proceeds against many crimes and its manner of proceeding is always the same.

Gathering momentum, Sousa implicates the king himself:

The Holy Theology and the Sacred Canons teach us that kings are not merely responsible for the temporal weal of their people but in spiritual matters concerning the Faith they are under the obligation to succor the prelates and ecclesiastical ministers when these cannot go it alone.

He concludes, citing canon law:

Let earthly princes hear and be assured that God will call them to strict account for any breach of Faith and morals which result from their failure to step in when the gentleness of the Church did not suffice.²⁰

The king and Men of Commerce ignored these admonitions. Around 1627 times were once again bad for the Spanish and Portuguese treasury. In that year (June 26) the king proclaimed an “edict of grace” (= temporary respite from arrests) for all offenders guilty of “Judaism,” and declared New Christians fit for secular positions and honors. The next year (March 11, 1628) he decreed liberty for anyone to marry the partner of his/her choice as the prerogative of all his subjects and the application in Portugal of the rules governing Spanish Inquisitorial trials, reputedly more equitable than the home-grown variety.²¹ The New Christians granted a loan to the Crown, guaranteed by some of the most sterling merchants resident in Madrid, such as Nuno Dias Mendes de Brito and João Nunes Saraiva.²² On August 27 of that same year, 1628, the royal charter was proclaimed instituting a

²⁰ *Sermam*, 1624, 14-16.

²¹ See Azevedo, *Cristãos-Novos*, 187-188. The latter provision may have been the result of an eloquent report concerning Portuguese Inquisitorial excesses presented to the king earlier that year. It was published (conjecturally dated 1629) by António Borges Coelho (*Inquisição de Évora*, Lisbon, 1987, 2, 162-181).

²² Baroja, *La Sociedad Cripto-Judía en la Corte de Felipe IV*, Madrid, 1963, 41.

Portuguese Company of Commerce for the East Indies on the model of the British and Dutch East India Companies,²³ whose administrators included Francisco Dias Mendes de Brito, son of the famous capitalist Heitor Mendes and brother-in-law of Duarte Gomes Solis, who had published also that same year his “Apology in favor of the East India Company and the Men of Commerce.”²⁴ Chapter Ten of the rule book of the Company enacts that, in case of Inquisitorial confiscation, the confiscated assets would continue to belong to the Company and would revert to the heir of the convicted person in the third generation. The subscribers of the capital investment who furnished more than a specified sum were to be ennobled. The following year, 1629, freedom of movement was restored to the New Christians, that forthwith escalated migration to Spain.

The king and the Portuguese Inquisitors were approaching the brink of pitched battle. In 1627 the king ordered an investigation of the Fisc’s records, which turned up the scandals referred to in the last chapter. The king wanted to prolong that year’s Edict of Grace for three more months and have the next *auto-da-fé* suspended indefinitely. The Inquisitor General, Fernão Martins Mascarenhas, invoked the doctrine of Inquisitorial non-impugnability:

The affairs of the Holy Office are of a spiritual nature and it is therefore not lawful for Your Majesty to take such cases under his own jurisdiction or to use his authority to intervene in whatever manner.²⁵

Around this time the church hierarchy went into action. A junta of bishops meeting at Tomar between May and August 1629 submitted to the king a shopping-list of policies relating to New Christians. High on the agenda was the proposal to expel anybody penanced at an *auto-da-fé* for Judaizing. At the same time a junta in Madrid (presided by the king’s confessor Friar Antonio de Sotomayor, named Spanish Inquisitor General in 1632) was examining the recriminations of the

²³ The royal decree of August 27, 1628 founding the Company as well as its 68-clause *Regimento* were published by José Gentil da Silva, “Alegação a favor da Companhia Portuguesa da Índia Oriental,” *Associação Portuguesa para o Progresso das Ciências*, 13.^o Congresso, Lisbon, 1950, 8, 465-537: 486-528. The Company did not prosper and was dissolved in 1633. See Chandra Richard de Silva, “The Portuguese East India Company, 1628-1633,” *Luso-Brazilian Review*, 11, 1974, 152-205; Anthony R. Disney, *Twilight of the Pepper Empire, Portuguese Trade in Southwest India in the Early Seventeenth Century*, Cambridge (Mass.), 1978, 71-100.

²⁴ *Alegación en favor de la Compañía de la India Oriental*. See above, Chapter Nine.

²⁵ Letter to the king of December 6, 1627. See Azevedo, *Cristãos-Novos*, 190; Coelho, *Évora*, 2, 50.

Portuguese New Christians and considering more concessions to alleviate their plight and facilitate their access to public office.²⁶

To pep up their counter-attack the Inquisitors (whose agenda did not coincide with the bishops') mobilized popular sentiment; and luck — not necessarily unaided — was on their side. On January 16, 1630 news swept Portugal that the sacarium in Lisbon's church of Santa Engrácia had been burglarized during the previous night and that the thief had made off with its consecrated wafers.²⁷ The next day posters appeared on walls all over the city reading: "May the Holy Sacrament

²⁶ Azevedo, *Cristãos-Novos*, 183-210. On the Episcopal Meeting of Tomar see also above, Chapter Nine.

²⁷ See the entry in the volume *Nomes dos homens culpados depois do Perdão Geral que se publicou em 15 de Janeiro do anno de 1605* (Arquivo Nacional da Torre do Tombo): "Sacrilégio que se cometeo na Igreja de Sancta Engrácia de Lisboa na noute de 15 para 16 de Janeiro de 1630, e roubo que se fez do S.^{mo} Sacramento, levando-o em hum cofre de tartaruga que foi achado no rio Seco junto a Alcantara em hua pedreira em 29 de Janeiro de 1631 por Dom João de Castello Branco, filho do Conde do Sabugal o mais velho" (Sacrilége committed in the Church of Santa Engrácia of Lisbon during the night of January 15 to 16 and the theft of the Most Holy Sacrament, removed in a tortoise shell ciborium which was found in the Seco river near Alcantara in a quarry on January 29, 1631 by Dom João de Castello Branco, oldest son of the Count of Sabugal.) This incident, the first of two of its kind in Portugal (the second is the Odivelas sacrilege of the night of May 10 to 11, 1671: see above, Chapter Eleven) is known as "O Desacato de Santa Engrácia" (The Profanation of Santa Engrácia). The Inquisitors no doubt adapted their fabrication from the celebrated murder of the mythical "Holy Child of La Guardia," concocted by Spanish Inquisitorial propagandists around 1488 to prepare public opinion for the expulsion of the Jews. Six New Christians were accused of robbing a consecrated wafer from a church near Toledo and stamping it into a potion with a murdered child's heart in order to put the newly founded Inquisitorial Tribunal of Toledo under a spell. The six New Christian "perpetrators" and two Jewish "acolytes" (a father and son) were tried by the Inquisition and executed at Ávila on November 16, 1491, the two Jews being burnt alive. See Fidel Fita, "La verdad sobre el martirio del Santo Niño de La Guardia," *Boletín de la Real Academia de la Historia*, 11, 1887, 7-134; Isidore Loeb, "Le saint enfant de La Guardia," *Revue des Études Juives*, 15, 1887, 203-232; Henry Charles Lea, *Chapters from the Religious History of Spain*, Philadelphia, 1890, 437-468. The rabble-rouser Vicente da Costa Mattos, citing from Rodrigo de Yepes' *Historia de la muerte y glorioso martirio del sancto innocente que llaman de la Guardia* (Madrid, 1583), recounts the episode in his *Breve discurso contra a heretica perfidia do judaismo* (with approbation by 3 Inquisitors Lisbon, 1622; reprinted with approbation by 6 Inquisitors, Lisbon 1623, 58-60). In 1629 an unidentified Portuguese (Inquisitor?) advising King Philip III against granting the New Christians a new General Amnesty, specifically mentions the Holy Child of La Guardia (citing from Juan de Pineda, *Monarquía eclesiástica*, Salamanca, 1588; Barcelona, 1620²) as one of two instances in which they [*sic*] stole a consecrated wafer, reduced it to powder and mixed it with a human heart in order to poison with that potion the Inquisitors and the faithful. The author goes on to mention, without further details, a child kidnapped "by them" at Coimbra on Maundy Thursday of 1569 to be crucified on Holy Friday. This suggests that the Sacrilége of Santa Engrácia was intended to consist — like the La Guardia story — of two parts: the stealing of wafers and the disappearance of a child but the organizers were unable to bring off the second part of the scenario. See Elkan Nathan Adler, "Documents sur les marranes d'Espagne et de Portugal sous Philippe IV," *Revue des Études Juives*, 49, 1904, 51-73: 66-67.

forever be praised.” That night some people saw or claimed they saw armed men, holding lanterns, ripping off the posters or scrawling over them “Long live the Law of Moses.” In the town of Portalegre a dead dog was found transpierced on a crucifix. Public opinion was conditioned to demand a New Christian scapegoat. In Coimbra, Lisbon, Évora and Braga students boycotted classes, demanding the screening and expulsion of New Christian students. The University of Évora, which had many New Christian students, was temporarily closed.²⁸ Finally a certain Simão Pires Solis,²⁹ who had been seen riding home in the vicinity of Santa Engrácia on the night of January 16 to 17, was arrested, tried, repeatedly subjected to severe torture “to reveal accomplices” and condemned to death a year later by a civil tribunal³⁰ for the purported crime, on the counts of “being a restless man [he had a history of breaches of the peace] and a New Christian.” The motive given in the sentence is revenge for good friends arrested by the Inquisition.³¹ Solis was killed on Monday, February 3, 1631.³² First his hands were amputated and then he was consigned alive to the flames. The sham trial and judicial murder of Simão Pires Solis gained new enthusiasm for the Inquisition among the masses.³³ The “real” author of the

²⁸ See Azevedo, *Cristãos-Novos*, 203.

²⁹ Simão Pires Solis was the nephew of Jorge Rodrigues Solis, who, together with Rodrigo de Andrade had negotiated in 1601 Letters Patent favorable to the Portuguese New Christians from King Phillip II in exchange for the promise of a corporate payment of 200,000 cruzados. See José Ribeiro Guimarães, “O Desacato e as Obras de Santa Engrácia,” *Sumário de Vária História*, 1, Lisbon, 1872, 74-88: 83. See above p. 139.

³⁰ Francisco de Castro, appointed Portuguese Inquisitor General in 1630, writes King Philip III in 1631 that appeals were repeatedly made to him by Solis and his agents to have the case transferred to the Inquisition (cf. Guimarães, *op. cit.*, 81). De Castro’s letter, an anti-Portuguese New Christian barrage, was published by Coelho (*Évora*, 2, 182-202: 192) and is reproduced here as Appendix Five.

³¹ The unstated implication, connecting it with the Spanish precedent, is the intended use of the wafers in magic potions directed against the Inquisition. The sentence, pronounced on January 31, 1631, was published by Manuel Alvares Pegas (*Tratado histórico do desacato de Odiveelas*, Lisbon, 1710, 34-38) and reprinted without a source reference by Guimarães, *op. cit.*, 84-88.

³² The presiding judge was Gabriel Pereira de Castro (1571-1632), an eminent jurist, the author of three Latin treatises on Portuguese law and a posthumously published epic poem on the founding of Lisbon (*Vlyssæa ou Lysboa edificada*, Lisbon, 1636 [reprinted without a place or year, probably by Menasseh Ben Israel at Amsterdam in 1642 or 1643 (cf. Alfonso Cassuto, “Seltene Bücher,” *Studia Rosenthaliana*, 6, 2, 1972, 215-223: 218-219)]).

³³ Solis had three sisters who were nuns in the convent of Santa Clara, two of whom lost their mind on the day of the execution. Solis’ brother Henrique, a Franciscan friar, fled to Amsterdam where he adopted Judaism and the name Elazar Solis. He was burnt in effigy by the Inquisition of Lisbon on March 11, 1640. See ANTT, Inquisition of Lisbon, no. 10536; Lisbon, Biblioteca Nacional, Cod. 198 (“Listas dos Autos-da-Fé”); Menasseh Ben Israel, *Vindiciae Judaeorum*, London, 1656, Section 13.

profanation, arrested “some years later” for stealing silver candlesticks from a church in Orense, Spain, supposedly owned up at the foot of the gallows to having perpetrated the Lisbon sacrilege.³⁴ In 1631, on the first anniversary of the “Sacrilege of Santa Engrácia,” shortly before Solis’ sentencing and execution, the Carmelite Friar Timóteo Seabra Pimentel composed five sermons in which he suggested that the entire Portuguese State, including the government, the aristocracy and the Inquisition itself, had been infected, corrupted and subverted by Jewish blood. Pimentel proposed that the greater part of the Portuguese population should be expelled. Pimentel had gone too far. Due to the presence of an Apostolic Delegate in the Lisbon church where he delivered the first of these sermons, Pimentel was fined, forbidden to preach and temporarily banished from Portugal. As a result, he published his scurrilous invectives in Spanish translation, in Barcelona, although soon enough he was rehabilitated and back in Lisbon.³⁵

The “profanation of Santa Engrácia” took place on January 16, 1630. While Solis was on trial, its effect was reinforced by a sacrilege in Spain, a *cause célèbre* which has come to be known in Spanish history as *El Cristo de la Paciencia* (“The Suffering Christ”).

At the end of August 1630 a group of Madrid residents newly arrived from Portugal, of low social standing and mostly illiterate, denounced for having Judaized by abstaining from pork, were arrested by the Spanish Inquisition and sent to Toledo to await trial. On September 4 a certain Augustín de Vergara brought a little boy, looking about 9 or 10 but actually 7, to the Madrid Inquisitor. Augustín explained that on the morning of that day the boy, abandoned when his family were arrested by the Inquisition, had been brought to his house for temporary adoption. Asked why his parents had been arrested the boy told him that in their apartment, together

³⁴ According to Guimarães (*op. cit.*, 82-83) he was “a Portuguese boy who had been a servant in a Lisbon monastery.” Guimarães cites but does not disclose the whereabouts of an “authenticated document” sent to Lisbon containing his confession and other details.

³⁵ See *Honda de David con Cinco Sermones o piedras [...] contra Hereges Sacramentarios y Judios baptizados en el Reyno de Portugal [...] por la ocasion del robo sacrilego cometido en la Iglesia Parroquial de Santa Engracia en la Ciudad de Lisboa, predicados y compuestos por el Doctor Timotheo de Ciabra Pimentel Portugues, Predicador en la dicha Ciudad y Reyno de Portugal*, Barcelona, 1631, cited by Helga Bauer, “Die Predigt als Spiegel politischer und sozialer Ereignisse: Zur ‘Judenfrage’ im Jahre 1630 in Portugal,” *Aufsätze zur Portugiesischen Kulturgeschichte*, 11, 1974, 26-67: 50-63. Sermons, boringly anti-Jewish, were delivered in Lisbon every year between 1630 and 1747 on the anniversary of the “Sacrilege of Santa Engrácia”; of these, no less than 73 were published. See Helga Bauer, “Sühnungspredigten im 17. und 18. Jahrhundert in Portugal,” *ibid.*, 12, 1975, 12-77.

with other Portuguese, they would scourge and pass through fire a statue of Christ. Interrogated by the Inquisitor, the boy gave his name: Andrés Nunes (“Andresillo”), said his parents had been denounced for not eating pork but that in reality they tied a Christ with a rope and scourged him with thorns. Then his father would hold the figure by the feet and his mother by the head as they passed it through fire. This they would do secretly in the kitchen but he had seen it through a crevice. On September 8 the Inquisitor took the boy to his parents’ home and convinced himself that he could have peered into the kitchen from the garden of the patio. There was a rosebush which the boy said had furnished the thorns for the flagellation. On September 10 this information was forwarded to Toledo. A search in the apartment failed to discover an image of Christ. On September 17 Andresillo was brought back to his parents’ home by *don* Pedro Pacheco, a member of the Council of the Inquisition. Asked to describe the size, color and material of the whipped image, he pointed to Pacheco, said the image looked and was dressed just like him and that he could not remember whether it was made of wood or another material. He showed Pacheco where the image had been suspended, but Pacheco retorted that “there was not enough room there to hold a Christ of the size described.” Andresillo became flustered and was returned to prison. Pacheco described him as “of low intelligence.” On June 28, 1631 Andresillo formally ratified his testimony and spontaneously added that the thorns had been brought from Portugal. He had evidently forgotten about the rosebush in the back of the garden. His parents, he added, would first attach pins to the thorns. During the flagellation the statue spoke and asked why they were whipping it and his parents replied that they had to do it. On September 5, 1631 Andresillo’s sister Ana Rodrigues, 12, was brought from Madrid to Toledo and, still apparently unacquainted with the central charge, confessed on September 17 only that some years earlier she had been “initiated into the Law of Moses.” On September 24, however, she asked for a hearing and confessed that her parents “had whipped a Christ a few times and once it spoke.” On May 15 she confessed that her father had twice ordered her and her sister to hold the Christ while he and others beat it. Andresillo’s testimony and details culled from others’ confessions (the statue had regularly bled as well as spoken; other images had been whipped and wept) were used to convict all the members of the group for complicity. Yet on November 26, 1631 the Madrid Inquisitor who had interrogated Andresillo in 1630 informed the Toledo Inquisitors that the Council of the Inquisition in Madrid had found the boy’s testimony unsubstantial.

Two members of the Portuguese group were severely tortured in the course of their trial. One of them, Fernão Vas, 66, confessed under torture to keeping the Sabbath, abstaining from pork, observing the Fast of Esther, etc., but steadfastly, at the cost of his life, denied flagellating the Christ. Vitória Mendes, 29 and mother of five, first denied all accusations. In the torture chamber she confessed to “having observed the Law of Moses in Portugal.” During excruciating torture she confessed no more. Subsequently she was visited in her cell by an Inquisitor, but added nothing, consistently denying whipping any image. Faced by the impending death penalty she finally agreed to confess. Andresillo’s mother confessed to the flagellation charge in the torture chamber. Andresillo’s father confessed at his second hearing to Judaizing since the age of 14 but steadfastly denied the flagellation. Eight months later, brought to the torture chamber, he confessed to flagellations, but continued to deny their number, passing the image through fire, whipping it in another house, or that it had spoken.

On Sunday, July 4, 1632 the Plaza Mayor of Madrid witnessed the most majestic and solemn *auto de fe* ever held in the city until then, in the presence of Their Majesties, the Infante Don Carlos, the prime minister Olivares, the Inquisitor General Cardinal Antonio Zapata, the entire councils of Castile, Aragón, Italy, Portugal, Flanders and the Castilian Indies, many other notables, their wives and attendants and a vast concourse of spectators.³⁶ The sermon was preached by Friar Antonio de Sotomayor, the king’s confessor, who had supported the king’s efforts to moderate the Portuguese Inquisition, and was soon to become Spanish Inquisitor General. Of the 40 victims, 15 were Portuguese sentenced for Judaizing, 24 Spaniards and one Italian for other crimes. Four Portuguese — two who had died in prison and two fugitives from justice — were burned in effigy. Six of the seven executed were Portuguese, including Andresillo’s parents. Two days after the *auto* the house in which they had lived was torn down “and the crowd tore out stones and blocks from the foundations with their bare hands.” On its site was erected in 1639 the Capuchin Convento de la Paciencia to which was added in 1651 the Church of the Paciencia.³⁷ *Fiestas* in honor of Suffering Christ, some lasting eight days, were held throughout Madrid late into September 1632. Several printed *relaciones* provided every detail of the *auto*. Poems and books

³⁶ This was the third full-fledged *auto general de fe* in the open air, out of four held in Madrid during the 17th century. On the rarity of such celebrations in 17th-century Spain, in contrast with their frequency in Portugal, see above, Chapter Six, note 3.

³⁷ Both were pulled down in 1837 to make room for the Plaza de Bilbao.

on the scandal were published as late as 1637, the most noteworthy a hundred and one stanza poem by Spain's greatest dramatist, Lope de Vega.³⁸

The combined effect of the *Desacato de Santa Engrácia* in Lisbon and the *Cristo de la Paciencia* in Madrid was what appeared to be a mounting and irrepressible tide of bi-national clamor. The king wavered³⁹ but finally buckled. He confirmed the powers of the Portuguese Holy Office, the "styles" of the trial, the laws of blood cleanness, etc., and ordered, in conformity with the bishops' suggestion, the general expulsion of all persons guilty of "Judaizing."⁴⁰ But this expulsion never materialized, neither collectively nor individually, because the Inquisitors were not of a mind to lose the raw material of trials and *autos-da-fé*. They argued that the exodus of "Judaizers" would deprive the Holy Tribunal of witnesses and denunciators for new trials. Instead, inquisitorial militancy was redoubled. Between 1633 and 1640 some 2000 persons appeared at *autos-da-fé* held in Portugal's three Inquisitorial centers, which averages out at 280 plus per year.⁴¹

A corollary of this Inquisitorial clampdown was a renewed upsurge in Portuguese emigration to Spain, France, the Netherlands and Hamburg, facilitated by a royal decree authorizing freedom of movement from and to Portugal for all Portuguese. In this way, the liquid assets of the Portuguese Men of Commerce flowed into Spain to the glee of the Spanish prime minister Olivares until the very eve of the Restoration of Portuguese Independence (December 1, 1640). Promptly following the Restoration the Spanish government moved to

³⁸ See for the *Cristo de la Paciencia* episode Yosef Hayim Yerushalmi's well documented and personally researched account in his *From Spanish Court to Italian Ghetto*, New York, 1971, 105-122.

³⁹ For a General Amnesty and the modification of the Portuguese Inquisition's "styles," in 1630 a corporate payment to the Crown was offered and apparently accepted, variously reported as amounting to 150,000, 200,000 and 240,000 ducats. As late as March 25, 1631, in a letter oozing human sympathy and cordiality towards the Portuguese New Christians, Philip III expressed his opinion that a General Amnesty could not be denied them and affirmed his belief in their Catholic piety. It was published by Antonio Domínguez Ortiz, *Los Judeoconversos en España y América*, Madrid, 1971, 68-69. Cf. Appendix Seven.

⁴⁰ Azevedo, *Cristãos-Novos*, 216-217. Azevedo's treatment of the period of conflict between King Philip III and the Portuguese Inquisition (1627-1631), ending with the latter's triumph, is heavily indebted to the sheaf of documents purchased by Elkan Nathan Adler in Madrid and published by him in the *Revue des Études Juives*, 48-51, 1904-1906. The originals, consisting of 103 numbered leaves, are preserved in the Library of the Jewish Theological Seminary of America (Ms. Spanish 31). The unpublished continuation of the documents, numbered 104-623 (leaves 458-507 are missing), unknown to Adler and Azevedo, is in the Library of the Hispanic Society of America (Ms. HC: 363/141). It awaits analysis.

⁴¹ Azevedo, *Cristãos-Novos*, 180-192.

protect and reassure Portuguese New Christian residents of Spanish cities. Wealthy ones were the preferred targets of popular rage at Portugal's breakaway from Spanish hegemony. A decree of December 28 proclaimed that "in view of the good services and demeanor of the Portuguese residents of Spain" these Spanish subjects would henceforth be considered and treated in all respects as native-born Spaniards, and be fully protected by law from oppression and persecution. Moreover it was reported in Lisbon, in January 1641, that the Spanish Crown was negotiating another contract with the Portuguese New Christians, which provoked a protest at Rome by the new Portuguese King João IV. But in Madrid it was reliably reported that João IV was secretly negotiating a "deal" with New Christians in Lisbon. Thus each of the two kings accused the other of subordinating spiritual interests to venality.⁴²

João IV's behavior was ambiguous. One of the shrillest battle-cries of the anti-Spanish campaign was: stop Madrid's protection of "heretics." The new king had to cater to popular sentiment. At the legislative assembly of January 1641 he promised to maintain the discriminatory laws. But expediency obliged him to move in an opposite direction. He ruled over a country that had radically changed since Philip I. With no treasury, Asiatic commerce in a shambles, the steady stream of gifts and emoluments from former Spanish kings now dried up, the only remaining resources for financing the war of independence were the Brazil trade in sugar, tobacco, etc., and ready cash. Both were in the hands of the Men of Commerce. At last it dawned on the king and his counselors that the Inquisition was an impediment to the national good and an enemy of the reborn nation. For the first time the imperative to choose between the Men of Commerce and the Inquisition was clearly delineated and became ever more sharply focused. Thus the reign of João IV marks a milestone in the history of relations between monarch and Holy Office: it was the reign that saw the formal separation of the two powers.

An illustration of the changed balance of powers is provided by the post-Restoration attitude of the Society of Jesus towards the Holy Office. Until then, in Portugal, the Jesuits and the Inquisition had cooperated. In 1555 Father Ignacio of Loyola showed interest in having a Jesuit named Inquisitor of the Lisbon tribunal (letter to Father Miron, June 20).⁴³ On the other hand, as we have seen, the Portuguese Jesuits, even

⁴² Id., *op. cit.*, 236-237; Baroja, *Los Judíos*, 2, 46; Id., *La Sociedad Cripto-Judía*, 52; Azevedo, *História de António Vieira*, 1, 83.

⁴³ See F. Rodrigues, *História dos Jesuítas*, 1, 1, 693-697.

at the risk of opposing Father Ignacio, were from the inception of the Jesuit order in Portugal zealous defenders of the cleanness of blood doctrine. We know the role reserved for the Jesuits in the *auto-da-fé* as confessors to the condemned. Jesuits also carried out Inquisitorial functions at the *mesa* (Manuel Álvares Tavares, S.J., Head Inquisitor of the Lisbon Tribunal from about 1590 until his promotion to the General Council in 1610 was known as the most methodical and cruel Portuguese Inquisitor of all times ⁴⁴) and as Book Censors, such as Father Baltasar Álvares, S.J., who drew up the Portuguese Index of forbidden books in 1624. The Inquisitors General Pedro de Castilho (1604-1614) and Fernão Martins Mascarenhas (1616-1628) were protégés of the Jesuits whose emblem was reproduced on the title-page of the rule book of 1613. By 1643 this alliance was dissolved.

1643 was the year of the renowned kerfuffle over apples (described in Chapter Eleven) in the Évora market, between Jesuits and Inquisitors. On that occasion the king sided with the Inquisitors, but the Jesuits appealed to the pope and, from one wave to another were by 1644 pressing the pope for reforms to the Tribunal. The apple basket was the catalyst for the Jesuits to come of age and disengage from Inquisitorial hegemony. This evolution could not have come about without the wider re-structuring we are trying to characterize.

The first to raise openly at court the New Christian issue was a Jesuit and an intimate advisor of João IV: Father António Vieira. In 1643 he drafted his first tract in favor of the New Christians. Identifying them, as we have seen, with the mercantile bourgeoisie, he recommended liberty of commerce and the ennoblement of merchants as a way of enticing funds into the war chest of the Spanish campaign. He published this tract the following year. On August 21, 1644, in a sermon preached in the Church of Saint Roch, Vieira presented a plan for the formation of trading companies to be financed by New Christians.⁴⁵ Vieira summarized the plight of the newly independent kingdom: all resources had dried up, including confiscation, minting and other sources of extraordinary revenues. The war chests were empty; the country was virtually unarmed, pregnable should Spain invade, as invade she must — once she has made peace with France. The income from Brazil was down to a trickle and would soon dry up because Angola had been taken by the Dutch,

⁴⁴ See Salomon, *Portrait*, 112.

⁴⁵ See Azevedo, *História de António Vieira*, Lisbon, 1931², 1, 88; Révah, "Les Jésuites Portugais contre l'Inquisition," see above, note 9.

making it impossible to supply Brazil with slaves in exchange for sugar. Foreign governments, judging the Portuguese cause to be a lost one, refused to recognize the new king. Only New Christian money could come to the rescue. Vieira's proposals were not immediately adopted. But their author took advantage of a trip to Paris and The Hague to contact the Portuguese New Christian colony in Rouen and the Portuguese Jewish community in Amsterdam and try to interest them in a project to buy back for Portugal the Brazilian territory which the Dutch had captured in 1630. These contacts encouraged Vieira to draft a more radical document on his return to Lisbon. The 1646 tract proposed, besides the suppression of the Fisc, a reform of the Inquisitorial trial procedure and the abolition of discrimination against New Christians. These demands had for a long time been those of the New Christians, but Vieira remonstrated loud and clear that he was not acting as their mouthpiece.

Developments gave urgency to his proposals. The Dutch had surrounded Bahia in Brazil while the Portuguese government, for lack of funds, stood by helpless and resourceless. In a matter of hours Vieira requisitioned from two Lisbon New Christians the funds that enabled the Bahians to repulse their attackers. By April 1647 the city was regained for the Portuguese. His triumph emboldened Vieira to broaden his campaign and in a third tract he pleaded for exemption from confiscation for the movable assets of merchants sentenced by the Inquisition. This paper he composed at the king's behest and it was submitted to the General Council of the Inquisition. It was no longer simply a personal initiative on the part of the Jesuit, but a text the king officially backed. The Inquisitors not only dismissed the paper; they threatened to charge with heresy anyone meddling with Inquisitorial legislation. But the Vieira party steadily grew, the Jesuits taking pride of place. The Rubicon was crossed with the reversal of the king's confessor, an Augustinian friar who, though initially opposed, ultimately came round to the Jesuits' arguments at the end of 1647.

Newly sent out to France and to the Netherlands, that same year 1647, Vieira tried, from foreign parts, to put pressure on the Portuguese government. His chief partner in this anti-Inquisitorial conspiracy of sorts was our old friend Manuel Fernandes Vilareal;⁴⁶ in cahoots with Vilareal was the Portuguese ambassador to France, the

⁴⁶ See above, Chapter Five.

Marquis de Nisa who commissioned Vilareal to pen a report for the king based on Vieira's proposals. It was then that the Marquis de Nisa wrote King João IV:

This is not the time, Sir, to be putting impediments in the way of merchants' trade and transactions [...] Let Your Majesty enhance trade and favor the Men of Commerce, increasing their liberty. Should they be Jews, let them be burnt [...] but leave their property alone so that Your Majesty's customs may reap the profit that the Fisc does not yield Your Majesty.

As far as the burning of the (true) Judaizers was concerned, in our opinion the Marquis was simply repeating the old saw of Duarte Gomes Solis which was later to be adopted by Luís da Cunha. These anti-Inquisition agitators paid only lip-service to the central tenet of the Inquisition, to wit that "real" heretics are deserving of death and worse. This means they did not venture to disclose the full extent of their liberalism or enlightenment, which in fact negated that tenet. Their dissembling demonstrates how dangerous it still was to air such advanced views openly.

The Marquis's efforts were seconded by the two embassy chaplains, Friar Francisco de Santo Agostinho de Macedo and Friar António de Serpa. Nisa and the two friars had been in times gone by defenders of the Inquisition and Father Vieira, in a letter dated October 25, 1647 to the Secretary of State Pedro Vieira da Silva, ascribed their sudden volte-face to breaths of foreign air: "going out into the world has opened the Marquis' and Friar Francisco de Macedo's eyes so that both have come to their senses." Father Vieira's letter apparently wanted to rub into his addressee the parochialism of those stick-in-the-muds who had still "not seen the world."⁴⁷

Parallel to the negotiations in Lisbon between king, Inquisitors and Jesuits, to which Vieira was contributing from afar, others were going on in the Netherlands, where the ubiquitous Jesuit was trying to purchase ships and arms. To bring off this deal Vieira had secured the credit of the Portuguese capitalist Duarte da Silva, principal intermediary in the Portuguese-Brazilian-Dutch sugar trade, money-lender to the Crown, with correspondents in Hamburg, Antwerp, Rouen, Venice, London and other European market-places. This man was personally acquainted with Father Vieira and Manuel Fernandes Vilareal.

For about 15 years denunciations had been outstanding against Duarte da Silva, albeit very vague and without reference to Judaic

⁴⁷ *Cartas do Padre António Vieira* (ed. J. Lúcio de Azevedo), Coimbra, 1925, 1, 102.

practices. Because of this, until December 1647, the General Council had not authorized his arrest. Duarte da Silva had, moreover, friends in very high places, even within the Inquisition itself and moles at his beck and call. Although nothing had been added to his dossier, new denunciations had been brought to the *mesa*, so that the General Council ordered Duarte da Silva arrested on December 4, 1647.⁴⁸ Vieira had sailed for France on August 13 and was in the Netherlands on December 17, where he met with a certain André Henriques, who had arrived from Lisbon armed with a letter of credit guaranteed by Duarte da Silva. News of Duarte's arrest came just in time to wreck the transaction. It is difficult to avoid the impression that the principal (or sole) motive for Duarte da Silva's arrest was to sabotage the purchase of the frigates. This was the impression of the Portuguese ambassador in the Netherlands, Francisco de Sousa Coutinho, who wrote the Portuguese queen ten years later:

I was in the Netherlands when Duarte da Silva was arrested. Even though this individual had spent his whole life in Lisbon, he only became a Judaizer at the moment he extended credit to the tune of 300,000 cruzados to have some frigates built in Dutch shipyards for our navy.⁴⁹

It was a tough blow. The merchants of Amsterdam recoiled into their shell, not only dropping the deal struck with Duarte da Silva (whose declared assets were henceforth to be administered by the Inquisition) but refusing to do business with any merchant of the Lisbon market. Vieira came home empty-handed. This plot of the Inquisition was obviously part of a larger anti-Vieira offensive. The country was at bay, cut off from Brazil, awaiting an imminent Spanish invasion, her magazines and arsenals depleted by the sabotaging of the Amsterdam negotiations. But more than that, the Inquisitors were sending a message: that they still had the muscle to hold king and country to ransom. But the weapon they had brandished was double-edged; it showed up the urgency of making merchants' assets safe from Inquisitorial caprice. There was an interval of but a few days between Duarte da Silva's arrest (December 9) and the adoption of the pro-Vieira stand by the court confessor (December 13). Behind-the-scenes battles raged for more than a year. Jesuit theologians and the Inquisitors debated as to whether the king could or could not legitimately suspend the penalty of confiscation in the case of heretics. When

⁴⁸ Summary of and excerpts from the trial record of Duarte da Silva in Baião, *Episódios Dramáticos*, 2, 253-347.

⁴⁹ Letter of August 13, 1657. See *Corpo Diplomático Português*, 13, 450-456.

enough theologians had reassured the royal conscience, the project of suspending the Fisc took shape, to be replaced by a commercial company financed by the “People of the Nation and Men of Commerce.” The text of the charter, whose final redaction was the work of the king’s confessor, was prepared in secret by Jesuit and Augustinian fathers. Its registry with the Exchequer was effected in stealth, as its members later put it.⁵⁰ Throughout we find the king acting in hugger-mugger, mistrusting even his own ministers; a pretty kettle of fish.

The paranoia paid off. The General Council of the Inquisition was received at its own request by the king on February 6, 1649. Desiring to discuss some routine business, it was startled by an invitation, not to speak, but to listen to the text of the charter.⁵¹

Having come to realize that free trade was his only means of sustaining the war effort, the king accepted the proposal of the “Men of Commerce and People of the Nation” to organize a Company that would launch 36 galleons to convoy goods and commodities to Brazil. King João IV decreed that:

Goods and property of whatever sort belonging to people of the Nation in all my lands and territories, native as well as foreign-born, who might be arrested and condemned by the Holy Office for the crimes of heresy, apostasy or Judaism, are not to be sequestered nor submitted to inventory at time of arrest, nor to be confiscated by the Crown treasury at the time of sentencing.

This was to be accomplished by a gentleman’s agreement, whereby the penalty of confiscation would be set out in the sentence in conformity with canon law but the king would restitute to the convicted persons their nominally confiscated goods which by law (but not *de facto*, as we have seen) belonged to him.

The following years, until the king’s death in 1656, saw the incessant sparring of Crown and Inquisition.⁵² The latter obtained from the pope a brief annulling the royal decree. After a sharp exchange, in the course of which the Inquisitor General solemnly declared himself ready to undergo martyrdom, the king, pretending to submit to the papal brief, altered the formalities, but in such a way as to further undermine the Inquisitorial position. From now on the depositors of

⁵⁰ Azevedo, *Cristãos-Novos*, 260-261.

⁵¹ Id., *op. cit.*, 253. For the full text of the charter see above, Chapter Nine, note 53.

⁵² The principal documents were published *in extenso* by António Baião, “El-Rei D. João IV e a Inquisição,” *Academia Portuguesa da História, Anais*, 6, 1942, 11-70: 31-57.

the confiscated goods were to be named by the king, no longer by the Inquisitors. Moreover, he ordered the administering of the Confiscation transferred to the Exchequer. The decree contained sarcastic jibes: "that it would be best for the Inquisitors to be relieved of chores unrelated to their principal function" and: "the necessity of restoring public confidence, seeing that there are persons who audaciously have expressed doubt as to the scruples observed in the management of the sequestered goods and monies." Perhaps the author of this insinuation knew the quip attributed to Father António Vieira: "the difference between the Jesuits and the Inquisitors is that the former die for the Faith while the latter live off it."⁵³

To compensate for this monumental loss of revenue, the Inquisitors resolved to increase a hundred-fold the pecuniary penances, which could amount to as much as a third of the defendants' worth. Confiscation differed from pecuniary penance in that the first was imposed by the secular authorities; the latter classified as a spiritual penalty.

The tussle between Inquisitors and king was hotting up. The imprisonment and trial of Manuel Fernandes Vilareal only added fuel. He was a protégé and a confidential agent of the king. As we saw, this man was a mover and shaker in the anti-confiscation movement. Other members of this conspiracy, on returning to Portugal, went over to the Inquisitors, who still knew how to instill terror. The Marquis de Nisa, for example, put his signature to a document protesting and even impugning the king's decree on Confiscation, although the same Marquis had written from Paris urging the abolition of Confiscation.⁵⁴ The two chaplains from the Portuguese embassy in Paris, Friar Francisco and Friar António, whose eyes Father Vieira had observed dilating on foreign soil, were the ones to denounce Vilareal to the Inquisition the moment he set foot in Lisbon. Contemporary with Vilareal the merchant Duarte da Silva was an inmate of the Inquisitorial jail. For a while Duarte's fate hung in the balance. The Inquisitors were split: some were for handing over to the secular arm, some for torture. The torture camp prevailed, which saved his life.⁵⁵

The *auto-da-fé* at which Manuel Fernandes Vilareal and Duarte da Silva were respectively condemned to death and penanced, was that held on

⁵³ Id., *op. cit.*, 243.

⁵⁴ Id., *op. cit.*, 261. For the text of the Marquis' letter from Paris, see id., *op. cit.*, Appendix Seventeen.

⁵⁵ Baião, *Episódios Dramáticos*, 2, 371-372. Cf. above, Chapter Ten, our note on João Nunes Saraiva, also saved by torture.

December 1, 1652. It was the twelfth anniversary of the Restoration of Portugal's Independence from Spain, which had brought the Duke of Bragança to the throne. The choice of date was hardly accidental: the better the day, the better the deed. On this anniversary of his accession João IV was obliged to attend, amid pomp and ceremony, the sentencing of his friends and protégés. In the privacy of his cabinet, to be sure, he might dismiss the Inquisitors as "a gang of crooks" and tell his intimates — as Father António Vieira claims — that after regaining Portugal from the Spaniards it still remained for him to seize the fortress of the Rossio.⁵⁶ But he had to show his solidarity in public with an institution wherein crystallized the national psyche.

The Inquisitors' revenge did not stop there. From 1650 until the death of João IV in 1656 *autos-da-fé* proliferated, with bumper-crops of offenders per *auto*. Just before his death the Inquisitors prevailed on the pope to excommunicate the king. At least that is what we are told by Luís da Cunha, a nobleman-diplomat of the next generation who was privy to State protocol. It seems that the excommunication was not officially proclaimed because the king died in the nick of time.⁵⁷ But no sooner was he dead than the Inquisitors, off their own bat, posted throughout Lisbon an Edict excommunicating all who had worked for the law which suspended Inquisitorial confiscation as "impeders of the Holy Office's ministry and promoters of heresy."⁵⁸ Of course this amounted to the same thing: an excommunication of King João IV without actually naming him.

By the same Edict (January 8, 1657) the Inquisitors revoked, also on their own initiative, the charter creating the Company of Brazil, ordered confiscation reinstated and decreed excommunication against anyone removing the placard. Thus they outmaneuvered the Crown and arrogated authority to override royal decrees. The queen regent gave in and the *statu quo ante* was restored.

This procedure of the Inquisition illustrates the decisive split between the two former allies. Both now cast around for partisans: on the crown's side the Jesuits and the intelligentsia; in the Inquisitors' camp, the mass of the clergy and nobility as well as the *hoi polloi*. The Crown vacillated between the interests of the mercantile bourgeoisie,

⁵⁶ See Padre António Vieira, *Cartas*, 3, letter dated May 5, 1674 to Padre Manuel Fernandes.

⁵⁷ Cunha, *Instruções*, 71, 87; Azevedo, *op. cit.*, 363.

⁵⁸ *Id.*, *op. cit.*, 276. The original printed Edict was reproduced by Baião, *art. cit. supra*, n. 52.

which often coincided with its own, and the Inquisitorial ideology, to which it was forced to pay lip service or even vassalage. The Inquisition was exploiting the latent antagonism between king and pope. During King João IV's reign it had extracted from the pope briefs that annulled royal orders; during the regency (1668-1683) and reign (1683-1706) of Pedro II, it suited the Inquisition to egg the king on to resist the pope's interference and even disobey papal bulls.

The last phase in the ding-dong between New Christians and Inquisition plays out in the years 1673-1681. On the initiative and through the mediation of the Jesuits, the New Christians offered to finance once again an "East India Company" on the model of the British and Dutch East India Companies, in exchange for a general amnesty and drastic reforms in Inquisitorial procedure.⁵⁹ The proposal was drawn up at the beginning of 1673 by a Jesuit, Father Baltasar da Costa, Provincial of the Malabar coast of India and presented to the king by another Jesuit, his confessor, Father Manuel Fernandes. Father Vieira, in Rome at the time, was lobbying for the proposal together with other Jesuits and New Christians. The regent Pedro, after consultations with his confessor, gave his consent and informed the pope and the Portuguese ambassador in Rome that he was supporting the New Christians. But the shakiness of his throne which he had usurped from his brother Afonso VI along with Queen Maria-Francisca, who became Pedro's wife after her marriage to Afonso VI had been annulled, gave the Inquisitors some welcome leverage. As soon as the news reached Lisbon, riots broke out, stirred up by Inquisitors and partisans of the dethroned and de-wived king, now in Azorean exile. A report was spread to the effect that the regent had been kidnapped. The army was called in to prevent an insurrection at Lisbon. Pedro, intimidated, thought it the better part of valor to kowtow ever more to the Inquisitors. While this was going on the Legislative Assembly was convoked in order to acknowledge as heir apparent to the throne Pedro's and his sister-in-law's daughter, conceived — so it was bruited — before their legal marriage.⁶⁰ The Inquisitors did not throw away the opportunity

⁵⁹ The "New Company for East India" was finally launched in 1687 but, beset by dissension and commercial failures, it was dissolved in 1699.

⁶⁰ On March 27, 1669 Maria-Francisca-Isabel of Savoy's marriage with Afonso VI was annulled. On April 2, 1669 Pedro II married her. Their daughter's birth was announced nine months and four days later, on January 6, 1670. Baptism was delayed until March 2, awaiting Papal confirmation of the Infanta's legitimacy, which did not, however, stifle the rumors. The Legislative Assembly was convened to declare the Infanta Isabel heir presumptive on January 20, 1674.

to put a price on their support of the child's legitimacy. The Three Estates claimed jurisdiction over the issue of the New Christians and forced the regent to pledge his word not to favor them in Rome. As to the voting in the Assembly, the New Christians notified the pope (as we have seen in the previous chapter) that

the "popular arm" has been packed by *familiares*, the "spiritual arm" riddled with former Inquisitors and as for the "temporal arm" only thirty nobles vote on all proposals, and they are either *familiares* or close relatives of the Inquisitors.⁶¹

So feeble was the position of the Regent Pedro, or of his character, that he did not object when each of the three Estates, undercutting his authority, wrote directly to the pope recommending the Inquisitorial delegation. He himself wrote in the same tenor; so did the Queen, supposedly of her own accord. The Portuguese "resident" in Rome, caught between the representatives of the Inquisitors and those of the New Christians, who also carried recommendations from Pedro, was in a quandary. The pope and his cardinals inclined towards the New Christians, believing or dissembling belief that the latter were backed by Pedro.

The *Account of the Cruellies* and similar writings having registered, the pope issued a brief on October 3, 1674 suspending the Portuguese Inquisition and ordering all cases of heresy in Portugal referred to himself. The regent was neither consulted nor advised so that this foreign interference piqued his pride (or *amour propre*) enough to make him rush to the defense of "his" Inquisition. The occasion presented itself almost immediately. The post of Inquisitor General fell vacant. The partisans of the New Christians espoused the candidacy of the king's confessor, Father Manuel Fernandes, with his pro-New Christian record. Instead the appointment went to Dr. Veríssimo de Lencastre, of the House of the Dukes of Aveiro, a man inimical to New Christians and zealous for the Tribunal's prerogatives. The route may have been serpentine but the outcome straightforward enough: the Inquisition got its way.

In these shifted alignments it was now Holy See versus King and Inquisition, odd brothers-in-adversity. Their game of defiance reached its zenith with the pope summoning the Portuguese Inquisitors to submit some trial records to him. The regent, deploring this further interference in national affairs, confiscated the keys to the Inquisitorial archives. The Inquisitors supported him, even though they may not

⁶¹ See Chapter Eleven, note 14.

have initiated this act of disobedience towards the Supreme Pontiff. The three Estates, meeting once again, besought the pope for the restoration of the Tribunal, which request was granted in 1681, with the pope giving them back their Inquisition.⁶²

⁶² See Azevedo, *op. cit.*, 313-323. It is perhaps not a coincidence that 1680 marked the climax of the Spanish Inquisition's persecution of Portuguese New Christians. At the *auto general de fe* on June 30 of that year, held on the Plaza Mayor in Madrid in the presence of the young Charles II and his bride Louise Marie d'Orléans, newly arrived from France, 118 persons were sentenced in actuality or in effigy. Of these the 86 (mostly interrelated) Judaizers were identified as Portuguese (born in Portugal, of Portuguese parents or origin). No less than 21 persons were executed (an all-time record) of whom 8 (including one "Islamizer") burnt alive. A 308-page book by Joseph del Olmo (who was its major-domo) triumphantly describes every ghastly detail of this, the grandest aristocratic Court happening in Spanish history, probably the last *auto general de fe* held in Madrid (see above, note 36). The unique book (*Relacion historica del auto general de fe que se celebró en Madrid este año de 1680 con asistencia del Rey N. S. Carlos II y de las Magestades de la Reina N. S. y la augustissima Reina Madre*, Madrid, 1680) awaits a modern annotated edition and an anthropological analysis. (On the book and the famous painting of the event by Francisco Rizzi in Madrid's Prado Museum, see Maria Victoria Caballero Gómez, "El Auto de Fé de 1680. Un lienzo para Francisco Rizzi," *Revista de la Inquisición*, 3, 1994, 69-140.) A close second in the perverse gongorism of its description is the shorter *Relación del auto de fe de 1672*, Granada, 1672, reprinted by Maria Isabel Pérez de Colosia Rodríguez (*Auto inquisitorial de 1672, el criptojudaismo en Málaga*, Málaga, 1984). At this Granada *auto general de fe*, out of 90 penitents, 79 were sentenced for judaizing, six of them executed, one burnt alive. Of the 79 Judaizers 76 are described as residents of Málaga, 57 are identified as Portuguese, of whom 32 actually born in Portugal.

CHAPTER THIRTEEN

HOW AND WHY THE NEW CHRISTIANS PETERED OUT IN PORTUGAL

The tug of war dragged on between royal and Inquisitorial power, the latter winning most rounds, until the Enlightenment and the advent of Sebastião José de Carvalho e Melo (1699-1782: from 1755 Count of Oeiras, from 1770 Marquis de Pombal). He became Minister of Foreign Affairs, then Prime Minister of King José (reigned 1750-1777). In 1755 he assumed dictatorial power, relegating the king to the position of figure-head. The *Marquês* de Pombal (as he is known in Portuguese history), an enlightened despot, combined ruthlessness with liberalism. After the earthquake of 1755 he single-handedly rebuilt a modern Lisbon out of the smoldering rubble. He saw his mission to lift Portugal out of its medieval quagmire by reforming education, agriculture, industry and commerce and easing the country once and for all out of its clerical suffocation. Wielding as a weapon the principle of “absolute monarchy,” Pombal squashed the might of the Inquisition. In this final chapter we shall see how public opinion developed to accept and, in some circles, to welcome this belated but none the less dramatic *dénouement* and what events precipitated it.

It is a paradox of eighteenth-century French history that the Revolution which was to sweep away the privileges of the nobility and to destroy its political power was engendered largely within the “enlightened” faction of that same nobility. In the Spain of Charles III (1759-1788) the program of the French Enlightenment — universal criticism, triumph of reason, denial of revealed truth, philosophical optimism, eudemonism, scientific spirit, satiric literature, etc. — filled the religious void made by centuries of Inquisitorial fanaticism and melded members of the aristocracy and the upper crust of the bourgeoisie into a cultural elite (*los ilustrados*), challenging all received values. Similarly in Portugal, where the aristocracy had been the prime enemy of change, aristocratic and bourgeois readers of Montesquieu, Voltaire, Diderot and Rousseau learned to think independently and critically. A grouping emerged that was socially heterogeneous but culturally homogeneous, a convergent elite that was to become the dominant political force in the nineteenth century.

The Inquisition's triumph over the New Christians and Jesuits in 1681 did nothing to alter the feeling in the minds of many in the ruling classes that the Holy Office was but a fossilized carcass. There is an unresolved duality here: on the one hand the Inquisition's ostentatious displays of limitless puissance; the recrudescence of the *auto-da-fé* terror, going after victims hammer and tongs during the reign of João V (1706-1750); the cringing and cowering of the population, from king down, before the Holy Tribunal. On the other hand, in the back rooms of the high and mighty, in the cells of the convents and even in the royal confessional, indignation at this vulgar anachronism was voiced, in whispers perhaps, but articulated nonetheless. Father Vieira used to say that the Inquisition plunged Portugal into a benighted retardation, more arid than Brazil's bleakest savanna.

This aristocratic attitude is attested again in the *Discours pathétique* (1756) by Francisco Xavier, "the Knight of Oliveira." He recounts that in spite of his Catholic upbringing, before leaving Portugal in 1734 he was assailed by misgivings about the Inquisition but, knowing what was good for him, he had to keep it mum, except when the coast was doubly clear. Then:

Among tried and true friends I did not hide my feelings and, as time went on, I spoke with several acquaintances whose discretion was assured.

What was confided at those covert conclaves?

Many of these honorable colleagues shared my thinking on the matter and we swapped expressions of loathing and abhorrence for this nefarious tribunal.¹

Francisco Xavier de Oliveira was a "noble of the Royal House," knight of the Order of Christ, headed for a career in diplomacy, nephew of an up and coming priest in the Congregation of the Oratory and, to top it off, an enemy of the Inquisition. Starting out with doubts, he was soon looking for an ally in his questioning. His search led him to Father António Vieira's unpublished anti-Inquisitorial writings of a century earlier (available in manuscript copies, some in the Royal Library). The royal librarians knew what they were doing, preserving — rather than pulping as the Inquisitors would have preferred — writings so unflattering to the Holy Office.

But, as we have seen, disdain for the Holy Office predates the Knight of Oliveira. We met the Marquis de Nisa, who while ambassador to France wrote to advise his king of the damage it was doing the

¹ *Op. cit.*, 35. See above, Chapter Ten.

country to trammel the “Men of Commerce.” Another emissary, Francisco de Sousa Coutinho, ambassador to the Netherlands, also an acquaintance of Vieira’s, took the liberty of writing a letter to the queen regent in 1657, formally accusing the Inquisitors of thievery and hindering Portugal’s independence. Vieira’s circle included Duarte Ribeiro de Macedo, another ambassador to Paris, author of a “Discourse on the Introduction of the Arts into Portugal.” This book advocates a Colbertian economic policy (after the French statesman Jean-Baptiste Colbert, 1619-1683, originator of the mercantile theory). Macedo must have been reckoned a sworn enemy of the Inquisition,² because during the war on its “style,” around 1673, Father Vieira had made him privy to what was brewing in Rome. Others in the know were aristocrats such as Rodrigo de Meneses, the Marquis de Fronteira and the Duke of Cadaval.³

A generation later the anti-Inquisitorial faction attracts even higher profile figures. The Knight of Oliveira mentions the philosopher Martinho de Mendonça Pina e Proença, who died in 1743, widely traveled in Europe. He was chief archivist of the Torre do Tombo National Archives and librarian to King João V. He polemized with the Spanish rationalist Father Feijoo (1676-1764), but is remembered chiefly as the first Portuguese to publicly question Aristotle. He was the author of “Notes for the Education of a Scion of the Nobility” (1737), that went through several reprints. It proved to be the precursor of another work on the same subject by Ribeiro Sanches. It would be nice to imagine Pina e Proença allowing — perhaps gently nudging — his young friend Oliveira to read Father Vieira’s manuscripts which were in his custody at the Royal Library. Our informant also names some priests who were critical of the Inquisition, even while in its service: Father Hipólito Moreira, S.J., member of the Royal Academy; Father Manuel Guilherme, O.P.; Father Manuel Ribeiro of the Congregation of the Oratory of Saint Philip of Nery.⁴ We are well aware of the Jesuits’ anti-Inquisitorial orientation, ever since the Restoration, and suspect a similar tendency in the Congregation of the Oratory, breeding ground of religious and pedagogical modernizers, future associates of the Marquis de Pombal. Speaking of the Congregation of the Oratory, Luís Mendes de França, a Lisbon merchant, before his arrest in 1683, asked Father Bartolomeu do Quental, founder of this order in Portugal,

² The idea that Macedo was opposed to the Inquisition is contested by I. S. Révah in his surrebutter (Appendix Three).

³ See J. Lúcio d’Azevedo, *História de António Vieira*, 2, 1931, 166-167.

⁴ For these names, see Oliveira, *op. cit.*, 33-35.

please to hide his gold coins safe from Inquisitorial confiscation. Father do Quental excused himself, but referred Mendes de França to somebody who could help.⁵

Diplomats abound in this group. Besides those already mentioned, the Knight of Oliveira names José da Cunha Brochado, plenipotentiary to the Court of St. James and member of the Academy of History; the Count of Taroca, João Gomes da Silva (1671-1738) who represented the Portuguese king in England, the Netherlands and Austria (where he died).⁶ He was a close ally of Luís da Cunha. The latter, whom the Marquis de Pombal was to claim as his mentor, is perhaps the most articulate voice of anti-Inquisitorial sentiment within the diplomatic corps.

Luís da Cunha (1662-1749) will have been acquainted with international outrage at the Inquisition and cites Charles Dellon's famous "Inquisition of Goa."⁷ He picks up some of the well known complaints: that the Inquisition scares away people most apt for commerce and good old capital; that the Inquisition condemns pious Christians as Judaizers; that, instead of extirpating Judaism, it promotes and disseminates it. Da Cunha bemoans the decadence of textile manufacture in the Beiras and Trás-os-Montes provinces, the decline of sugar production in Brazil — laying the blame at the Inquisitors' door. He blasts *autos-da-fé* as savagery that demeans Portugal in the eyes of civilized Europe. He analyzes Inquisitorial institutions, such as the *familiares*, which reduced nobles to lackeys of the tribunal. But Luís da Cunha has moved ahead of Father António Vieira and, for that matter, the Knight of Oliveira. His criticism is blatantly anticlerical: it is Pombaline *avant la lettre*. Portugal is being bled to death and among the fattest leeches are the monks, who vegetate in the monasteries. He alludes to the "sordid" ignorance of the Portuguese clergy and insinuates that the Jesuits were responsible for the death of King Sebastião at the battle of Alcácer-Quibir (1580). He recommends subordinating the Inquisitors to royal authority, something the Marquis de Pombal will not forget. The philosopher-diplomat da Cunha, who judged the Inquisition by the criterion of

⁵ Arquivo Nacional da Torre do Tombo, Inquisition of Lisbon, no. 1232, Luís de França (1683). This Luís Mendes de França was the direct ancestor of the French Prime Minister Pierre Mendès-France (1907-1982). See Luís de Bivar Guerra, "A Investigação Histórica, Suas Dificuldades, Seus Problemas e Alguns Exemplos," *Academia Portuguesa da História, Anais*, 25, 1979, 47-84.

⁶ Oliveira, *op. cit.*, *loc. cit.*

⁷ He refers to "10 or 12 Paris printings" of the work. See his *Instruções inéditas*, 98. Cf. *Inquisition de Goa: La relation de Charles Dellon (1687)* (Étude, édition & Notes de Charles Amiel & Anne Lima), Paris, 1997.

public and State interest, called for a total overhaul of the Tribunal of the Holy Office, freedom of conscience in Portugal, the re-creation of a Jewish quarter in Lisbon; the execution of those who opt for Christianity but then “Judaize”; the substitution of civil procedure for the Inquisitorial one; the suppression of confiscation and the transfer of money and property of condemned persons to their heirs. Da Cunha warned his reforms would be slow to implement; why, even the royal children’s preceptors, imbued with terror of the Holy Office, were still transmitting that fear to their young charges.⁸

Change loped with longer strides than da Cunha had envisaged. King João V, staunch patron of monks and nuns, had engaged as private secretary Father Bartolomeu de Gusmão (1685-1724) an adept of mechanical science who spent his free time experimenting with flying machines. This priest was denounced as a Judaizer, although in fact he had Protestant sympathies and was to be arrested on this count by the Inquisition. He fled to Toledo where he died.⁹ The king, as if having lost his scruples through contact with a heretic, replaced Bartolomeu with his brother Alexandre de Gusmão, who made it a habit to snub the Inquisitors. Now the myth of blood purity was becoming a subject of pendulous and grotesque research. Scholars were falling over themselves crafting pure genealogies in which families who paid for them might gleefully ogle their Jew-free lineage. Luís da Cunha held the Inquisition responsible for the genealogical mania that was seizing Portugal. Alexandre de Gusmão, making some calculations, waggishly asked the members of the “Confraternity of the Nobility” whether all the 32,530,432 ancestors in the twentieth degree of each Portuguese applying for membership had to be of pure blood or have been a Familiar of the Holy Office.¹⁰

Luís da Cunha speaks with the voice of the New Christians themselves. There are so many common features between da Cunha’s criticisms in his “Instructions to Marco António de Azevedo Coutinho” and those of the emigrant António Nunes Ribeiro Sanches’ pamphlet “Origin of the Labels Old Christian and New Christian in Portugal,” that one may wonder whether these two Portuguese who had known each other outside Portugal had not cooperated on a program for Inquisitorial reform. Both proposed the suppression of discrimination, adoption of civil procedures and, most insistently, an end to *autos-*

⁸ Luís da Cunha, *Instruções*, 77-79.

⁹ J. Lúcio de Azevedo, *Novas Epanáforas*, 161-162.

¹⁰ Id., *Cristãos-Novos*, 343.

da-fé. Both attributed to the Inquisition the function of fabrication rather than extirpation of “Judaizers.”

In any event, the New Christians and progressives of the ruling elite were incontestably on the same wavelength. Father Vieira’s affinity with the New Christian Vilareal was an early harbinger. What was happening is that the better informed, especially those whose “eyes had been opened” in foreign parts, were becoming conscious that the ambience was no longer that of King João III and looked to meet the needs of the hour. The aristocratic life-style and its economic basis had grown subaltern and archaic; utilitarian liberalism was waiting in the wings to replace it. Duarte Ribeiro de Macedo was proposing the Introduction of Arts into Portugal to help stanch the outflow of money. Luís da Cunha was criticizing the Methuen Treaty (1703), whereby Portugal had renounced her national textile industry in favor of British imports. Ribeiro Sanches considered the drain of New Christian capital the cause of the country’s impoverishment. All three were, in economic jargon, mercantilists. They also, like Father Vieira in his day, sensed a certain tardiness about the Portuguese mentality. As the Knight of Oliveira put it:

Portugal is like a clock that falls ever more behind. New fashions only arrive there when they are long passé in France or England.

The twin reforms of mentality and the economy, head and tails of the same coin, became the national objective once stagnation was identified as the country’s arch-predator.

Much water had flowed under the bridge since Vieira had advocated, in vain, the ennoblement of the merchants. Now all those in Portugal who thought of themselves as Europeanized agreed that “commerce” was the most useful and beneficial activity for the State. But this still represented neither official doctrine nor the sentiments of the obscurantist circles where public opinion was molded. The *autos-da-fé* continued imperturbably. Luís da Cunha had already written his diatribes on the Inquisition when on October 8, 1739 the playwright António José da Silva, whose bout with the Inquisition we have discussed at length, and ten others (including a father and daughter) were executed. There were to be 36 more *autos-da-fé* at Lisbon including the last one on August 7, 1794 (one woman sentenced). On June 18, 1741, eleven were executed; on November 4, 1742, ten; on June 24, 1744, eight; on September 26, 1745, seven; on October 23, 1745, seven; on September 24, 1747, two; on November 20, 1748, three; on November 16, 1749, two; on November 8, 1750, five; on September 24, 1752, four; on May 19, 1754, one and on September

20, 1761, one was executed (the hapless Italian Jesuit Father Malagrida, aged 71).¹¹

Nor had the Inquisitorial stream of anti-Jewish publications run its course. In 1748 yet another vituperative tract appeared in Lisbon, “Catholic Invective Against the Obstinacy and Perfidy of the Hebrews,” by an obscure Capuchin friar.¹² The mass of friars and nobles, as well as the lower classes, were still expected to grope through life in a miasma of apparitions, hobgoblins and terror of the Rossio fortress. Little did they dream that the menacing fortress was but a handful of dust sustained by inertia, waiting to crumble.

It was left to the Marquis de Pombal to implement the enlightened projects. He himself was one of the diplomats and high officials who, during the long reign of João V had been noiselessly planning for the modernization and Europeanization of Portugal. In his library were to be found the works of Duarte Ribeiro de Macedo, including the “Discourse on the Introduction of Arts into Portugal,” as well as those of Luís da Cunha, who, as noted, was his acknowledged mentor. Ribeiro Sanches was one of his counselors, especially as regards the founding of the “Boarding School for the Sons of the Nobility.” Like this whole clique, the Marquis considered commerce the mainstay of national health. The poet Pedro António Correia Garção (1724-1772), one of the Marquis’s panegyrists, on the occasion of King José’s recovery after the attempt on his life, composed a discourse in the name of the “Lusitanian Literary Academy,” congratulating Pombal for his appreciation of the merchant class, which “is the most useful and distinguished sector of the Portuguese people.” Garção and fellow poets attributed their country’s grandeur and heroic past not to its wars but its commerce. Propitiously Lisbon’s elegant square, where the royal palace had stood before the earthquake and most *autos-da-fé* were held until 1683, had its name changed under Pombal from *Terreiro do Paço* (“Palace Place”) to *Praça do Comércio* (“Commerce Square”).¹³

¹¹ See Fortunato de Almeida, *História da Igreja em Portugal*, 4, Oporto, 1971², 286-318. All 71 persons executed at Lisbon *autos-da-fé* between October 10, 1739 and May 19, 1754 were designated New Christians. The last Lisbon *auto-da-fé* including New Christians sentenced for Judaizing was October 27, 1765, the last altogether (one person sentenced) on August 7, 1794. At Évora 1739-1781 there were 26 *autos-da-fé* including eight executions; at Coimbra 25, no executions.

¹² Francisco Xavier Serafins Pitarra, *Invectiva Catholica contra a obstinada perfidia dos Hebreos*.

¹³ See Pedro António Correia Garção, *Obras Completas*, 2, Lisbon, 1957 (A. J. Saraiva, ed.), Introduction.

The influential theoretician of educational reforms, Father Luís António Verney (1713-1792), recognized in the Marquis the Inquisition's nemesis. Verney wrote a letter to the Portuguese plenipotentiary in Rome, intended for Pombal's eyes, proposing a reform of the Tribunal of the Holy Office, in conformity with humanitarian rationalism. As examples of Inquisitorial vileness Verney cites the sanbenitos with pictures of the executed persons still hanging in the church of St. Dominic in Lisbon, "an eternal monument to the dishonor of our nation" and the condemnations for pacts with the devil. "The observation has been made," notes Father Verney, "that the devil is most afraid of countries where Philosophy, Medicine, Law and Theology are properly taught, so that he dare not set foot in such places in order to make pacts with people." The Tribunal of the Inquisition is a "mighty obstacle to good taste, science, progress and the useful arts." To render it innocuous Verney proposes a new Book of Rules (*regimento*) that will substitute common law procedures for the Inquisitorial ones, abolish secret denunciations, torture, *autos-da-fé*, etc. and transfer control of the tribunal to the civil authorities. Portentous are his naming Pombal man of the hour capable of reforming the Inquisition and the urgency he presses on his correspondent. "Pombal is getting on in years and won't be ruling the country for much longer." To Verney the Marquis's appointment was a stroke of rare good fortune "to be seized by the forelock."

Whether or not Pombal saw the letter we do not know. Nor does it really matter, for his reforms were the outgrowth of seed sown by Verney and his likes. Their ideas, particularly those of Ribeiro Sanches, were elevated under Pombal's rule from subversive into official yearnings.

Pombal's plan for the Inquisition, which he pursued as "Minister Responsible for the Affairs of the Holy Office," rested on two principles. The first was that the Tribunal of the Holy Office depends on the Crown and not the papacy. The Knight of Oliveira, in his *Discours Pathétique*, and in his pamphlets against the Holy Office, had argued that the Tribunal's abolishment or reform, a task seemingly so Herculean and awesome, had been legally speaking all along at the discretion of the Crown.¹⁴ Ribeiro Sanches, shoring up his arguments

¹⁴ As we have seen in Chapter Two and *passim*, King João III, like his grandfather Ferdinand of Aragon, had wrested the Inquisition from the mitigating authority of the Pope, intending it to be an instrument of political absolutism, but in the course of time the Inquisition became a State Within the State, opposing any royal interference on the pretext of Papal prerogatives. In fact the Portuguese Inquisition had emancipated itself from both Royal and Papal authority and played off one against the other.

with various documents, held the same opinion: "The Portuguese Inquisition is an offshoot of royal power, according to the Legal Codes (*Ordenações*) of the kingdom," which allows for hope that "the king, sole Lord and Father of the people will put paid to this abuse of papal authority."¹⁵ This interpretation of the Legal Codes was of course in keeping with the theory of royal absolutism of which Pombal was so ardent a proponent. After designating his own brother, Paulo de Carvalho, Head Inquisitor,¹⁶ the Marquis declared the Inquisitorial tribunal a royal one (decree of May 30, 1769) and transferred it from pontifical to royal aegis, giving it the title "Majesty," peculiar to the king's councils (decree of June 20, 1769).

The other principle that guided Pombal was rejection of the distinction between New and Old Christians, which he recognized for what it was, a fiction of the blood-cleanness laws and bigotry. Pombal adopted as his own the doctrine of Sanches, Cunha, etc., for whom the Inquisitorial legislation was not the consequence but the cause of all those "Judaic heretics" (called "Jews" in Inquisitorial propaganda). Thus even before embarking on the reform of the Inquisitorial status, he launched measures to suppress discrimination. By a royal letter-patent of May 22, 1768, Pombal ordered all lists of New Christians who had contributed to the price of amnesties and other benefits, torn and shredded. Ribeiro Sanches had made the point that, in order to collect the contributions to the Exchequer in exchange for the amnesties, all *supposed* New Christians were taxed,

with the result that either through malice or greed of those who put together the lists, many families not of Jewish origin were forced to pay and thenceforth considered to be of the Hebrew Nation.¹⁷

Developing this idea, the preamble of the letter-patent declares:

the harm caused by the New Christian tax registers has plagued my kingdom during the last two centuries, in as much as those registers listed names that did not belong on them; some given by contributors who sought by adding names to spread out more thinly their tax burden. Other extraneous names were volunteered by persons with grievances against the bearers of those names. In some cases Old Christians who had wrongly gotten on the lists in the first place, unable to have their

¹⁵ Ribeiro Sanches, *Origem*, 34-35.

¹⁶ From August 4, 1760 until August 23, 1770 relations were broken between the Roman Curia and Portugal, so that no Inquisitor General could be appointed. The Inquisition was governed by its General Council, of which Pombal's brother was a member. In 1766 he was named "Court Inquisitor." See Tereza Sena, "O irmão do Futuro Marquês de Pombal, Deputado do Conselho Geral do Santo Ofício," *Inquisição*, 3, Lisbon, 1990. 1167-1188.

¹⁷ *Id.*, *op. cit.*, 14.

names removed, contrived to get other Old Christians onto the lists that they might suffer their stigma at least in good company [...].

The letter-patent imposed stiff penalties for anyone keeping copies of these “pernicious” lists. At the same time it still maintained the illusion of a “real” group of New Christians. It implied that if the latter had been the only persons on the lists, it would have been quite proper and such lists would have been impeccable. Its stated concern was that many Old Christians were falsely made out to be New Christians and, moreover, that the lists in question were unauthenticated copies of copies. But the motive of the legislator, as the later laws show, was the elimination of one of the principal props of discrimination.

It will be recalled that King João V’s secretary Alexandre de Gusmão had ridiculed the ethnic “purity” flaunted by certain aristocratic families who made up the “Confraternity of the Nobility.” A letter-patent of October 5, 1768, not immediately publicized, rang down the curtain on this most exclusive of clubs. Marriages were to be arranged, by royal command, between “pure” and “impure” families. The same letter-patent ordered any and all references to Jewish ancestry excised from genealogical treatises.¹⁸

These partial measures became law of the realm on May 25, 1773, when “the seditious and impious distinction between New and Old Christians” and the concomitant proofs of cleanness of blood required until that day for all public positions of honor were nullified. Still to be excluded from such positions, however, were those sentenced by the Inquisition as well as their children and grandchildren. At the same time penalties were imposed (such as public flogging and banishment from one’s home locality, loss of employment and allowances, expulsion from Portugal, all according to the social rank of the accused: plebeian, noble or clergyman) for anyone calling another “New Christian” or any discriminatory name. King José declared (in Pombal’s words) that he had decided

to restore to all the estates of my kingdom and territories the peace and harmony [...] which have been disrupted with sinister intent by the stratagem of the unprecedented distinction between New and Old Christians, devised for the ruin of Christian unity and the body politic.

To accomplish this he reinstated the laws of Kings Manuel (March 1, 1507) and João III (December 16, 1524) which, according to the text accompanying and justifying Pombal’s law, had prohibited “the sedi-

¹⁸ The text of the Letter-Patent (*Alvará*) and three related subsequent documents was published by Samuel Schwarz in *O Instituto*, 119, 1957, 171-186.

tious and impious distinction between New and Old Christians.” Here we seem to hear Ribeiro Sanches:

It is certain that neither in Portugal nor in Spain at the time of the mass conversions to Christianity were there ever among the newly converted as many apostates as today among the Portuguese New Christians, until the [cleanness of blood] investigations and the Inquisitions began.

The preamble to Pombal’s law further states that comparative statistics had been drawn up as to the number of people penanced before and after the introduction of the cleanness of blood laws and it turned out that prior to those laws condemnations were very rare “but with those doleful and gloomy laws, the number spiraled from year to year.”

So Pombal’s legislation did not remain a dead letter. Its implementation must have been punctilious for until today not a single “List of New Christian Contributors,” ordered destroyed by the decree of May 22, 1768, has surfaced.¹⁹

The new *Regimento* of the Inquisition, promulgated by a letter-patent of September 1, 1774, simply legalized and systematized the new *de facto* situation.²⁰ Nine years had elapsed since the last public *auto-da-fé* (1765) and thirteen (1761) since the last execution. The relatively brief *Regimento* prohibits public *autos-da-fé* but it maintains the penalty (subject in each case to review by the Crown) of “death at the hands of secular justice” for the Inquisition’s traditional list of capital offenses,²¹ to which is added a new one: the violation by a priest of the secret of the confessional. The *Regimento*’s preface starts from the principle that all those hitherto condemned for “Judaizing” were, in fact, innocent, the victims of iniquitous legislation. To prevent future miscarriages of justice, the Inquisition henceforth must follow common law procedures, putting an end to non-identified denunciators, condemnations on the word of a single witness, the use of torture (except in the case of “sectarians” [*Jacobus?*]), the mark of infamy imposed on persons arrested and tried by the Holy Office. The 1774 preface also states that these procedures were all “errors,” contrary to

¹⁹ Pombal’s decrees concerning New Christians are included in the volume *Collecção das Leys, Decretos e Alvarás que compreende o Feliz Reinado de El-Rei Fidelíssimo, D. José, o I.*

²⁰ *Regimento do Santo Officio da Inquisição dos Reinos de Portugal [...] pelo [...] Cardeal da Cunha*, Lisbon, 1774; reprinted in modernized spelling with an Introduction by Raul Rego: *O Último Regimento da Inquisição Portuguesa*, Lisbon, 1971. Inquisitor-General Cosme da Cunha’s request to the king of April 6, 1773 to abolish the Goan Inquisition was implemented by Pombal on February 10, 1774. See Appendix Seven.

²¹ While Judaizing is listed as a capital offense, the practice of non-Catholic religions by foreign residents is authorized, thus legalizing the holding of worship services by Jewish immigrants from Gibraltar, who were British subjects.

Natural, Divine and Human Law, to the Fundamental Laws of the country or — in the case of torture — to unwritten law, codified in Portugal by custom.²² The right of appeal to the Crown was instituted and the Holy Office was made a royal tribunal. Confiscated property was to revert to the Crown. The same preface dismisses “pacts with the devil” as “a superstition unworthy of an enlightened century” (Verney’s expression), and it goes on to say that those who continue to believe in such pacts may need treatment in a lunatic asylum.

The law of May 25, 1773 was supplemented by a rider of December 15, 1774, making children and grandchildren of those sentenced by the Inquisition apt for public office and even the sentenced themselves, unless they had been condemned to death *in absentia*. Indeed, the very next year the king awarded the “habit of the Order of Christ” to a merchant, António Soares de Mendonça who, 29 years earlier, in 1746, had appeared at an *auto-da-fé* in the opprobrious sanbenito. The same rider abolished confiscation in the case of all those reconciled by a confession.

The most astonishing thing about the new “enlightened” (and disarmed) Inquisition was its continued existence. Pombal, a liberal and at the same time sworn enemy of freedom of thought, rather than give it up, went about adapting it into a constabulary for uncovering so-called “delicts of opinion” or “ideological crimes.” He deemed it especially useful for controlling the Jesuits, which is why he had a reference to the *Jacobeus* (members of a late 18th-century political and religious sect) included in the 1774 *Regimento*. Pombal was convinced that this sect was a product of the machinations of “the so-called Jesuits.” Perhaps he was turning to advantage da Cunha’s advice that the “Holy Office” go after “quietism” and other doctrines “which authorize sensuality.” In short, both men agreed that a modified Inquisitorial machine was expedient and one of its uses might actually be to hoist the old obscurantism with its own petard. In Pombal’s thinking the “Holy Tribunal” could, in any case, be turned to good account under the direct control of the State. It might continue to defend Catholicism purified of superstitious dross and mystic overtones and redefined as a public cult, compatible with lay rationalism, conducive to national unity under the sway of absolute monarchy that incarnated the majesty of the law.

As mentioned, the last person executed at a Lisbon *auto-da-fé* was the Jesuit Father Gabriel Malagrida. This occurred on September 20,

²² See above, Chapter Five, note 18.

1761. At the same *auto* the Knight of Oliveira was burnt in effigy.²³ The Jesuit Father was condemned to garroting and burning for saying that the Lisbon earthquake of November 1, 1755 was divine retribution because the Portuguese instead of attending church were wasting their time at bull-fights, dances, theatres and other entertainment:

Know, Lisbon, that the sole destroyers of so many houses and palaces, the ravagers of so many temples and convents, slayers of so many of its inhabitants, that the fires which have devoured so many treasures, are not comets, not stars, not vapors or exhalations, not natural phenomena, not chance occurrences, but solely our intolerable sins [...] Is there anyone — not to speak of Catholics — but a heretic, a Turk or a Jew who dares to maintain that this great scourge was simply the effect of natural causes and not thundered forth by the deity specifically for our sins? ²⁴

The Knight of Oliveira also fell foul of the Tribunal because of comments about the earthquake. His sentence read that he had become a Protestant in London and in his *Discours pathétique*:

wished to persuade all the Portuguese and especially His Majesty that the great calamities the kingdom suffered beginning on November 1, 1755 were divine punishments for the sins of the Portuguese, namely the superstitious and idolatrous cult of graven images; absurd devotions and vain orisons to free souls from a non-existent Purgatory; the prohibition to read the Bible in a modern tongue; the submission of the entire population to the diabolical and infernal Tribunal of the Holy Office and the failure of the king to do away with it; the unjust persecution of the Jews [...].²⁵

The Head Inquisitor, who was Pombal's brother, drafted and read out the sentence at the *auto-da-fé*: Both condemned men were heretics, because earthquakes had a geological explanation, unrelated to divine punishment. Two centuries earlier, in 1531, Gil Vicente had preached to the friars of Santarém that an earthquake is a natural phenomenon that had nothing to do with the Portuguese allowing the Spanish Jews into their midst.²⁶ Thus Pombal's arguments with Malagrida and

²³ The list of those sentenced at this *auto-da-fé* was published *in extenso* in *Arquivo Histórico Português*, 2, 8, 1904, 315-320. Among the 57 victims were 15 full or partial New Christians sentenced on the count of Judaism: two women among them, deceased in prison, were burnt in effigy along with the Knight of Oliveira.

²⁴ *Juízo da verdadeira causa do terremoto* ("Judgment of the True Cause of the Earthquake") cited by João Lúcio de Azevedo, *O marquês de Pombal e a sua época*, Lisbon, 1909, 187. The pamphlet, bearing the Inquisition's imprimatur (and praise) was printed in October 1756 to mark the first anniversary of the earthquake. The Jesuit personally presented Pombal with a copy, little suspecting that it was ultimately to cost him his life.

²⁵ The full text of Oliveira's trial record was published in *Arquivo Histórico Português*, 2, 8, 1904, 281-314 (the sentence on pp. 313-314).

²⁶ See above, Chapter Two.

Oliveira have come full circle, picking up where Gil Vicente's quarrel with the friars of Santarém left off. All in all this seems to indicate that 16th-century unbelief in the supernatural is closer to 18th-century rationalism than Lucien Febvre thought.²⁷ Both the Jesuit Malagrida and the Protestant Oliveira were sentenced to death.²⁸ The agnostic Marquis, besides being a freemason, was possessed of an impish humor. The irony of a Jesuit garroted and burnt at the stake could not have escaped Pombal, who consistently accused the Jesuits of abetting the Inquisition.

Whatever opposition his laws may have encountered, Pombal, with his characteristic *aplomb*, made short shrift of it. Pursuant to a royal decree of March 11, 1774, some New Christians, citing the laws which had abolished discrimination, asked to be admitted to philanthropic Brotherhoods such as the *Misericórdias*. The Boards, however, rejected their applications on the authority of the restrictive dispositions of the Statutes adopted in 1577. Promptly corregidores were instructed by royal decree to examine these statutes and eliminate all references to New Christians "so that the memory of this irreligious, tyrannical and abusive distinction may be erased once and for all." Any trustees of *Misericórdias* or other Brotherhoods and Confraternities denying admission to "persons formerly called New Christians" or refusing to excise references to them from the statutes would be liable to arrest and penalties.

Meanwhile, in Paris, António Nunes Ribeiro Sanches copied out into his diary this royal decree. But about some of the legislation he is cynical, even as he was its godfather:

Can laws excise from memory ideas acquired in childhood when one heard fathers and mothers calling Christians descended from Jews shameless betrayers of Christ Our Lord, who caused his scourging²⁹ and crucifixion? Can the adolescent and the adult forget the sermons heard on Good Fridays? or those garroted and burnt for not confessing to apostasy? or the sermons of parish priests preaching in pulpits and confessionals that Christians descended from Jews, even if baptized at birth, always remain Jews because they retain in their impetuous blood an ever Jewish soul which obliges them to deny the Christian faith?³⁰

²⁷ See Lucien Febvre, *Le problème de l'incroyance au XVI^e siècle*, Paris, 1968³.

²⁸ Azevedo, *Cristãos-Novos*, 349.

²⁹ Sanches writes: "qu'ils [*i.e.*, les Juifs] ont fouetté (whom [the Jews] scourged), but from the Gospels it would seem that the scourging was carried out on Pilate's order by Roman soldiers.

³⁰ See David Willemsse, *António Nunes Ribeiro Sanches et son importance pour la Russie*, Leiden, 1966, 11.

He answers his own rhetorical questions with a resounding “No.” The hatred for New Christians would only intensify as a result of Pombal’s legislation and once the king was dead those arrested and fined for discriminating against New Christians may be expected to turn on them in revenge. “Other means are needed,” is Sanches’ cryptic verdict.

But history has vindicated Pombal’s intuition about the country he governed. Subsequent to his laws and rule, under successive governments, the Inquisition arrested, persecuted or collected denunciations concerning freemasons and partisans of the French Revolution (1789), such as the poets Bocage, Filinto Eliseo, the lexicographer António Morais Silva, the mathematician José Anastácio da Cunha, etc. Pombal himself was denounced to the Inquisition as a freemason.

Never again, however, on Portuguese soil was anyone tried or punished for “Judaizing” or “Judaism.” The New Christian “Nation” or “heresy” melted away like snow in the sun. The only vestige of a 238 year national obsession are the endless Inquisitorial archives, reams of documents which, lucky for historians, escaped the Lisbon earthquake of 1755 and were deposited in the Torre do Tombo after the Inquisition was formally abolished (March 31, 1821).

How to explain the virtually overnight cessation of Judaizing? Why were there legions of confessed Judaizers up until Pombal; but come Pombal’s reforms and hey presto! it is all over?

João Lúcio de Azevedo, in his “History of the New Christians” allowed himself to be taken in by the Inquisitorial *mise-en-scène*. He tried to find reasons for their sudden disappearance from the stage of history: among others he advanced that “mass instinct varies”; that the “hostility” against the New Christians was by this time “an effect of acquired habit rather than of reasoning”; that “monetary predominance had passed into the hands of clean Christians”; that “the New Christians, tired out, had given up reacting,” etc.³¹ These reasons show inconsistency. What school of sociology teaches that “mass (?) instinct” shows abrupt variations or that a collective sentiment weakens through becoming habitual? Why should the New Christians have given up “reacting” at the very moment their allies were winning? Where is the documentation that “monetary predominance” had passed into the hands of the Old Christians?

³¹ *Op. cit.*, 356. Azevedo’s theories about the New Christians may have been influenced by those of the German economist Werner Sombart (1863-1941), his junior by 8 years. Be that as it may, tribute is abundantly due to this remarkable historian’s talent, immense erudition, probity and gift for synthesizing. His work is indispensable for any further investigation of 17th-century Portugal.

The fact that the New Christians vanished like a mirage when touched by Pombal's magic wand proves that this astute statesman started out from a much more likely theory than the one the Inquisitors had adopted out of self-interest: Pombal believed the New Christians to be the product of arbitrary discrimination; that the only line of demarcation between Old and New Christians were the blood cleanliness prescripts, the lists of contributors to the obtainment of amnesties, of people sentenced at *autos-da-fé* and, last but not least, the *autos-da-fé* themselves. As soon as these prescripts were revoked, the registers burnt, the ritual killing of New Christians abolished, there were no longer any New Christians in Portugal.³² The aftermath of Pombal's legislation vindicates Enlightenment figures such as Sanches and da Cunha, who contended that the Inquisition was a "Jew-Factory." When, after an hiatus of some three centuries, authentic Jewish communities sprang up once again on Portuguese soil (at Lisbon; Faro [Algarve]; Ponta Delgada and Angra do Heroísmo [Azores])³³ their membership were all immigrants from Gibraltar and Morocco. Indigenous Portuguese families were conspicuous by their absence.³⁴

³² Here and there, to be sure, in remote towns and villages, there are vestiges of the pre-1497 Jewish quarters and persons who are regarded, or regard themselves, as descendants of their medieval Jewish denizens. See above, Chapter Ten, the case of "the Jews of Belmonte."

³³ Although *de facto* freedom of religion was not formally proclaimed until the one-year reign of Pedro IV (1826), Gibraltarian Jews of British nationality had been holding private worship services at Lisbon undisturbed from the time of Pombal. On November 11, 1797, Prince João (the future João VI), governing in the name of his mother Queen Maria I, sent David Nassy "and the other members of the Portuguese Jewish Nation of Surinam" a letter stating that "it would be most agreeable to him that any and all members of that Nation would settle in Portugal where they will enjoy the greatest security and tranquillity because none of the reasons that motivated their Nation's emigration presently obtain under his august and enlightened regency" (see Azevedo, *Historia*, 494-496). João Ferrão de Mendonça e Sousa, a deputy, on February 16, 1821, made a motion to the Cortes (Legislative Assembly) inviting all Jews in the world to settle in Portugal, but the motion was not put to the vote (see *Diário das Cortes Gerais da Nação Portuguesa*, no. 17). Article 6 of the constitution of 1826, signed by King Pedro IV on April 29 of that year, reads: "Roman Catholicism remains the religion of the kingdom, all other religions being allowed to foreigners," but article 145, § 4 of that same constitution declares that "no Portuguese may be prosecuted on the count of religion, provided he respects that of the State and does not offend public morality." This constitution was in force until 1910. On April 20, 1911 the parliament of the Portuguese Republic decreed total separation of Church and State and equal status for all religions.

³⁴ In 1801 the "new" Jewish community of Lisbon purchased a piece of ground for a cemetery at no. 6, rua da Estrela, next to the English cemetery. The oldest legible inscription (Hebrew and Portuguese) is that of Joseph Amzalak, died February 26, 1804. By 1810 there were three places of Jewish worship in Lisbon. The oldest congregation, called *Sha'ar Ha-Shamaim* (Gate of Heaven), whose rabbi was Abraham Dabella (died 1853), held services attended (in 1815) by 40 to 50 worshippers in the rabbi's own quarters of a house belonging to a Gibraltarian Jew, 194 Rua do Ouro, 4th floor (see ANTT,

Why did it all happen so late, only under the government of the Marquis de Pombal? Because together with him came to power the very families whom the Inquisition had hounded, namely the mercantile middle class, as well as the enlightened aristocratic elite. Until then this alliance had been in a clinch with a reactionary society which ever more despairingly clung to the New Christian myth. Pombal's government marked the moment of a qualitative mutation, which wrested power, or its shadow, from its century-old stronghold.³⁵ As ghosts etherealize with the collapse of the house they haunt, so the traditional upper class, when it toppled, the myth of the New Christians went down with it, leaving nary a trace.

Inquisition of Lisbon, no. 15266). The community around this time acquired a proper synagogue in the Beco da Linheira. The second congregation, *Hes Haim* (Tree of Life) acquired a synagogue in 1826 in the Travessa da Palha. See João Leão Cardozo de Bethencourt, "The Jews in Portugal from 1773 to 1902," *The Jewish Quarterly Review*, 15, 1903, 251-274; Samuel Schwarz, "História da moderna comunidade israelita de Lisboa," *O Instituto*, 119, 1957, 163-201; 120, 1958, 140-200. The "new" community of Faro (Algarve) acquired its first cemetery in 1820 and its first synagogue in 1830. The elegant synagogue in Ponta Delgada (Azores) dates from 1836.

³⁵ Pombal's government was the training ground for many of the men of letters who fomented the liberal revolution of 1820.

APPENDIX ONE

POLEMICAL DEBATE ON “INQUISITION AND NEW CHRISTIANS” BETWEEN ISRAEL SALVATOR RÉVAH AND ANTÓNIO JOSÉ SARAIVA

Professor Israel Salvator Révah interviewed by Abílio Diniz Silva
for the *Diário de Lisboa* (First Installment; May 6, 1971)

A.D.S.: *What was your reaction to the book “Inquisition and New Christians” and to what do you attribute the high volume of over-the-counter sales, rarely if ever attained in Portugal by a specialized work of this kind?*

I.S.R.: My reaction to the book was and continues to be one of indignation. It is a piece of demagogy against the Inquisition. Anyone acquainted with me and my preferred areas of research will hardly be inclined to suspect me of the slightest sympathy for the Inquisition. Nevertheless I must point out that in my historical studies I have always tried to apply Alexandre Herculano’s principle: “The most absurd Institutions and the worst criminals are entitled to historical impartiality.” I have striven to live up to this principle even more strictly than Herculano himself and with relative ease because for me the bottom line has always been: “How and to what degree can the Inquisitorial records be used to reconstruct the lives of its victims?”

To show up Saraiva’s utter incompetence in the field, suffice it to say that he has not examined first-hand a single trial record in the Iberian Inquisitorial archives, whose fabulous abundance is enough to dampen the enthusiasm of the most courageous researcher. This author is more concerned with ideological dogmatism — which is of-course in a constant state of flux — than with the close reading and interpretation of historical documents. As it happens, when Saraiva, in 1953, took up the subject of Inquisition and New Christians he labored under the delusion that everything, in the history of humanity, can be explained by class struggle.

So you think a theory influenced by a materialistic conception of history is constitutionally incapable of explaining the New Christian phenomenon and the various reactions it provoked in Portugal?

The simplistic application of such a schematic theory to the complexities inherent in the existence of a New Christian ethnic group and a crypto-Judaic religion which, from 1497 and *for many centuries thereafter*

united people who belonged to very different classes of Portuguese society, does indeed constitute a very serious drawback. But this obstacle did not stymie our Saraiva of 1953. To surmount it, he simply jettisoned the New Christian ethnicity and the crypto-Judaic religion overboard. They were naught but abominable myths invented by the Portuguese Inquisitors (tools of the ruling seigniorial class). The label “New Christian” he dismisses as an invention of the ruling class and its Inquisitorial agents to keep the mercantile bourgeoisie and its allies out of power. An added advantage of these conjectures for our hurried essayist not particularly attracted to archival dust was that it disguised his personal incompetence as an “historic method,” allowing his readers to believe that the immense Inquisitorial documentation is without the slightest value for the historian: in a word, sour-grapism.

Do you think Saraiva changed his ideological scheme when, in 1969, he devoted a full-size book to the New Christians and the Inquisition?

“Inquisition and New Christians” is nothing but a rehash of his 1953 conjectures dressed up in a horribly polemical and tendentious style and elaborated into absurd and demagogical theses. Now, his original conjectures were the butt of published and signed criticism which, in 1969, Saraiva tried to dismiss by passing it off as stray anonymous remarks. Thus, the readers of “Inquisition and New Christians” are unaware that:

1.º — José Alcambar’s pamphlet: “State and Inquisition” (Régua, 1956) which he does cite in a note on Chapter Ten without, however, revealing its true import, has a telling subtitle: “Critical Notes to António José Saraiva’s ‘The Portuguese Inquisition’.”

2.º — I myself criticized those conjectures without any acrimony in my lecture: “What are the Marranos?,” published in *Les Cahiers de l’Alliance Israélite Universelle*, no. 120, 1958 and in an article entitled “The Marranos” (*Revue des Études Juives*, vol. 118, 1959-1960).

Allow me to dwell on my earlier question: if the book is so weak, how to explain its enormous success?

I think that Saraiva himself already partially answered your question in an interview he granted you (*Diário de Lisboa*, July 24, 1969). You had asked him about the rising popularity of historical essays, as exemplified by the success of his book. Saraiva replied by propounding his conception of historiography and suggested a possible, rather pessimistic, interpretation of the said success:

On the other hand, there may be a negative aspect to this popularity, because history is a most propitious field for ideologies and utopias

projected into the past. All too often, history books consist of past facts classified according to an ex post facto ideology. Then they are but ways of endowing ideologies with a scientific appearance. Seen in this light the commercial success of historical works may not always be indicative of a broadening intellectual curiosity on the part of their readers.

I should like to add that the book's appeal — which may be ascribed in major part to its demagogical presentation and ideological implications — profoundly saddens me, because the issues and events it presumes to pontificate on and dares to trifle with are seminal to Portuguese history and deserve better. I am astonished, moreover, by the silence of professional historians. Perhaps they have been numbed by the patronage bestowed on the book by certain high-placed French worthies. This patronage exacerbates the extremely pernicious effect the book will no doubt have on the sorely needed development of Portuguese New Christians and Inquisition research.

To better situate the debate before undertaking the actual analysis of the book, I should like to ask you: why, in your opinion, is the spiritual and material history of the New Christians so important for a correct understanding of Portuguese civilization? Another question: Saraiva claims in his Introduction that Révah uses the terms "Jews" and "Crypto-Jews" to designate "the Spanish New Christians." Do you consider these realities to overlap?

I shall answer your second question first. In order to appraise the good faith of polemicist Saraiva, suffice it to quote a passage from a book of mine published in 1950 which he read and even quotes: my introduction to the edition of an unpublished manuscript by the great classical author João de Barros entitled "Evangelical Dialogue on the Articles of Faith Against the Talmud of the Jews."¹ In this passage I emphasized "the profound difference between the spiritual situation of the New Christians of Spain and those of Portugal":

In Spain militant conversion went on steadily from 1391. During the entire 15th century the anti-Jewish polemic did not slacken for a moment. The invention of printing increased ten-fold the controversialists' influence. The expulsion of the Jews in 1492 eliminated the possibility of the neophytes' contagion by professing and practicing Jews. The Spanish New Christians constituted within the midst of Spanish Catholicism a restless mass, extremely sensitive to religious innovation but, when all is said and done, rotating within the orbit of the Christian creed.

¹ João de Barros, *Diálogo Evangélico sobre os Artigos da Fé contra o Talmud dos Judeus* (Introduction and Notes by I. S. Révah), Lisbon, 1950. [All footnotes by translators.]

In Portugal the situation is completely different. Nonetheless, even as far as this country is concerned, I have been extremely careful not to confuse the purely ethnic concept of “New Christian” (applied to all descendants of Portuguese and Spanish Jews forcibly converted to Catholicism in 1497) with the religious concept of “crypto-Jews” or “Marranos,” which applies to those Portuguese who, from 1497 until our own days, although officially Catholics, clandestinely adhere to the essential dogmas of Judaism of which they observe some precepts. The ethnic concept of New Christian was susceptible to arithmetic valuation. The Inquisitors would refer to a person as New Christian, Half New Christian, One Fourth New Christian, etc., even up to... “One Half of an Eighth New Christian.” So, not all Portuguese Judaizers and Jews were “pure” New Christians, from the ethnic viewpoint.

Now to your first question. The reason, in my opinion, for the extreme importance of the New Christians in the history of Portuguese society and culture, especially between the end of the 15th and the end of the 18th centuries, is the enormous mass of people who were affected by the General Conversion of 1497. Any figures which have been suggested remain, to be sure, conjectural and problematic but I do not think it is an exaggeration to state that in 1497 the New Christians made up approximately ten percent of the total Portuguese population, an absolutely astounding proportion in comparison with the percentage of converts from Judaism at any given moment in the population of the other States of Western Europe.

An important point to clear up is the historical destiny of this New Christian community, created by the General Conversion of 1497, in the midst of Portuguese society. Did it assimilate entirely or did it maintain some individuality and personality?

One really has to be endowed with exceptional dogmatism to suppose that this enormous mass of Jews, whose average cultural level was fairly high, having been converted by horrible means, could have merged within one generation into Old Christian society, whose dominant trait was illiteracy. Moreover, no special effort was made to catholically catechize this profoundly Jewish population which, until 1531, may have been under the impression that as long as elementary rules of prudence were respected it could tranquilly continue to practice Judaism.

For my part, I have never denied that, beginning in 1497, some New Christians attempted to assimilate totally into Portuguese society. However, by 1531 only a small fraction of the New Christians could have attained that goal. Clearly this process was seriously hampered by

the outbreak of Inquisitorial repression which, in many cases, produced an effect diametrically opposed to the goals of the Holy Office. These complexities can disconcert the historian of this originally homogeneous ethnic-religious group of New Christians. It is a complexity — evidently beyond the grasp of ideological dogmatists — that results from the interaction of four factors, whose proportional influence on individual destinies varied from New Christian to New Christian:

1.^o — sincere adhesion to one of two faiths: Catholicism or Crypto-Judaism.

2.^o — psychological reaction to the effects of Inquisitorial repression of crypto-Judaism.

3.^o — the tenacity of attachment to one's native soil.

4.^o — the degree of submission to economic and social pressures.

Through the consultation of documents I have been able to follow the history of numerous neo-Christian families through at least two centuries and determine the progressive — oftentimes painful — integration of many of their members into Catholic society. Yet I have also been able to determine in many other members of the selfsame families the perpetuation of the crypto-Judaic faith and, following hard upon their expatriation, their entry into openly Jewish communities or, where these were not tolerated, into Marrano conventicles.

So, to return to an earlier question, I would say that the importance of the material and spiritual history of the New Christians goes way beyond the Portuguese framework and affects also the cultures of nations who accepted these fugitive Portuguese into their midst.

Be that as it may, one of Saraiva's essential theses is that the identifiable groups of Iberian New Christians during the 16th, 17th and 18th centuries were possessed neither of an "ethnic quotient" nor of a "religious identity" but that their profile, if any, was "above all the product of their predominant economic activities and of a particular group-consciousness which tended to take shape among them as a result of their situation vis-à-vis other social groups" (Introduction). How do you view this thesis and how would you define the presuppositions it implies?

I have already replied that Saraiva's 1953 ideology (dates are important here), which was a simplistic application of the class struggle theme to the problem at hand, could not be squared with over three centuries of Portuguese New-Christian ethnicity and practice of Marranic (crypto-Jewish) religion. The simplest way out for our ideologist was to deny the latter's reality and thus sacrifice to ideological

dogmatism, in all its immaculate splendor, the heaps of duly established historical facts.

It is profoundly distressing that, except for the rarest of exceptions, no one has noticed that the absurdity of these nihilistic theses can be demonstrated by two rather elementary historical givens:

1.^o — from the end of the 15th to the end of the 18th centuries tens of thousands ² of New Christians left their homeland to join existing Jewish or crypto-Jewish communities or to found and maintain new Jewish communities, notwithstanding the more or less tenacious hostility shown them by the dominant Christian establishment (Catholic or Protestant, depending on the area of settlement) and notwithstanding the social and sometimes economic handicaps to which membership of a Jewish community exposed these refugees.

2.^o — crypto-Judaic groups of a notably homogeneous ethnic and religious character have been discovered during the twenties of the present century in a number of localities in the country's interior.

The 1953 conjectures were entirely wrong-headed but the 1969 thesis, which picked them up and embellished them, is arrant nonsense. We may ask ourselves to what extent Saraiva, who read José Alcambar's objections as well as mine, really believes in his own theses. Indeed he contradicts in one place what he affirms in another, sometimes at a distance of only a few pages. For instance, when he wants to demonstrate that in Portugal there never existed either a neo-Christian ethnic group or a crypto-Jewish religion, Saraiva bases himself on the writings of authors such as Father António Vieira, Luís da Cunha, António Ribeiro Sanches, etc., who firmly believed in the existence of that ethnic group and that religion and who aimed at their peaceful and gradual absorption into the Old Christian mass. The result of this ambiguity (*i.e.*, using the writings of those who do not share his thesis to shore up his thesis) is that in the course of his demonstration Saraiva sometimes uses the word "New Christians" to designate bourgeois with no known ethnic or religious link to Judaism (persons deprived of political power by the seigniorial aristocracy and its Inquisitorial agents), then again to designate authentic descendants of the Jews forcefully converted in 1497 (many of whom did indeed adhere to crypto-Judaism).

Were the author consistent with his thesis it would require:

1.^o — all "pseudo-New Christians" to have belonged to the high mercantile and financial bourgeoisie. Unfortunately for Saraiva, a majority of the New Christians — actually the majority of those who

² We do not know the source for Révah's figure.

were persecuted for crypto-Judaism — were not wealthy. The Holy Office, which immediately impounded all the possessions of its prisoners, had to pay for the upkeep of many *indigent prisoners*. Ledgers containing their names and what the Inquisition spent on them have been preserved. Among the New Christians the upper and lower middle classes are represented; members of the liberal professions, artisans, clerics and many *poor people*.

2.^o — all “pseudo-New Christians” to have constituted the high mercantile and financial bourgeoisie from the thirties of the 16th century until “their triumph” in Pombal’s time. Unfortunately for Saraiva’s thesis, the documents prove (and Luís da Cunha and António Nunes Ribeiro Sanches confirm) that the authentically New Christian high mercantile and financial bourgeoisie which, when it did exist, represented but a minimal part of the total New Christian population, was really powerful only from the reign of King João III (1521-1557) through the reign of King Pedro II (1683-1706)³ and had practically ceased to exist by Pombal’s day.

3.^o — the “pseudo-New Christians” who joined Jewish communities in foreign parts not to have been Judaizers in Portugal. According to Saraiva, by adopting Judaism outside Portugal they were merely entering, for their own benefit, the “nuclei of rich and powerful Portuguese” who constituted these communities. Unfortunately for Saraiva’s thesis, the Judeo-Portuguese communities of Amsterdam and Bayonne supported, during the 18th century, a considerable number of indigents, who would have been better off in their homeland if not for the religious obstacle.

The crux, posed by the theses sustained in the book, seems to concern the value of the Inquisitorial trials as a trustworthy historical source. For Saraiva, this whole documentation “is an Inquisitorial product, designed to justify the existence of the Holy Office.” Thus “the outward trappings of the trials, the procedural norms, the system of delation, the genealogical inquiries, all conspire against the scrupulous historian who takes the Inquisitorial documentation at face value (A Word to the Reader).” What is your position in respect to this problem and Saraiva’s thesis?

You are quite right in identifying this as the seminal problem. Saraiva’s book manifests a relentless aggression towards historians who dare to use the Inquisitorial archives. These historians are lambasted for allowing themselves to be fooled (at a distance of several centuries) by the Inquisitors, then again individually ridiculed (João Lúcio de

³ *I.e.* a period of 185 years.

Azevedo, Israel Salvator Révah, Julio Caro Baroja) in respect to their own works. Saraiva is so convinced of their stupidity that he didn't even bother to consult the documents used by these "ridiculous" historians.

Armed with his boundless impudence, Saraiva imperiously lays down the law in respect of a documentation *of which he is blithely ignorant*. Moreover, as I have already pointed out, he is not averse to refuting his own theories, sometimes just a couple of pages after propounding them.

In his "Word to the Reader" he formulates a thesis whose grandiloquence is hard put to dissimulate its absurdity:

Concerning this documentation which has until now been explored in a most unsystematic fashion — fished haphazardly as with line and sinker— it is important to remember that it is an Inquisitorial product, designed to justify the existence of the Tribunal of the Holy Office. The Inquisitors were both judges and party, not only in all the proceedings against New Christians on the charge of 'Judaism', but also in the larger trial unfolding before what we might call without risk of over-dramatization the Tribunal of History.

But in Chapter Four he recalls how the Portuguese Inquisitors dragged their feet when summoned by the Pope (theoretically their supreme head) to submit a few trial records to his examination, even though the selection was left to the Inquisitors' discretion. Forgetting what he said in his "Word to the Reader," Saraiva does not hesitate to write:

After three years of negotiations and intrigue [...] the Inquisitors sent the pope two trial records, dating from 1608 and 1628 [...] [...] For reasons best known to themselves no recent trial was to be scrutinized by impartial eyes.⁴

Concerning an article in the *Regimento* of 1640 in which the Inquisitors are ordered "to speak so circumspectly about the people of the Nation that the impression should never be given that the hatred everyone must harbor for the offense is extensive to persons, but rather they should treat with appropriate compassion the weakness of those who commit offenses against our Holy Faith," Saraiva treats us to a commentary whose absurdity he himself had already caught:

This gem of a text provides a glimpse into the mentality of the Regimento's redactors, inherited from the medieval Inquisition. The obses-

⁴ To establish the contradiction (which is otherwise not patent) Révah interprets Saraiva's words "designed to justify the existence of [...] the Holy Office" to mean that according to Saraiva the trial records were written up in a way to win over those most convinced of their iniquity. The words could just as well mean, however, that the trial records were written up in a way to lend the procedure a semblance of legal respectability.

sion with correct window-dressing has its reason: the Inquisitors knew the importance of public opinion and attempted to influence it through a stage setting which comes into its own, as we shall see, with the *autos-da-fé*, and it seems to have impressed not just the gullible masses but some heavyweight 20th-century historians. Had they found time for crystal-ball gazing could the Inquisitors have foreseen such far-flung success for their propaganda? (Chapter Three).

To demonstrate most peremptorily the sheer nonsense of this thesis — that imputes to the *Regimento* of the Holy Office the prescribing of stage settings to influence public opinion — all we need to do is to confront this quotation with what the author wrote three pages earlier:

The 1640 *Regimento* was issued in a very limited edition, strictly for internal use. The copy in the National Library of Lisbon, with an Inquisitor’s marginal annotations, was obviously for the exclusive use of the judges and prosecutor of the Inquisition. The *Regimento* was unavailable not only to the general public, but to the defendants, lawyers and no doubt to the majority of the Inquisitorial staff.

Thus, according to Saraiva, the Inquisitors intended to strongly influence public opinion by means of a rule book whose existence they kept rigorously hidden from all outsiders and even from most of their own staff.⁵

Having registered your disagreement with Saraiva’s theses, what can you offer in their stead?

Such folly could have germinated only in the mind of a publicist nescient of the Inquisitorial documentation. It would be well to remind the unfortunate readers of Saraiva’s “Inquisition and New Christians” that “Inquisitorial documentation” consists of *secret* archives, governed by a *secret* set of rules, using a *secret* procedure, according to a *secret* formulary. Of all this immense documentation, removed from the inquisitiveness of persons unconnected to the Holy Office, whether they be the Portuguese king or the pope, only the sentences read out at the *autos-da-fé* reached the ears of the public. Even these publicly proclaimed sentences were preceded by secret decisions which often give the true justification of the Inquisitors’ choice of punishment or penance, in any particular case, among several available options. Inquisitorial documentation was reserved for internal use. Each official of the Holy Office when adding his bit had only one objective in mind:

⁵ Was it the text of the 1640 *Regimento* that Saraiva saw as the means of influence or the stage setting and other Inquisitorial practices recorded in the book?

to convince his hierarchical superior (or his successor in the mechanism of the trial) of the correctness of his procedures.

The archives were so secret and the authorities of the Holy Office so confident that they would perpetually remain so that they preserved documents inimical to their reputation. It obviously never remotely occurred to them that one day the Tribunal of the Holy Office would be required to justify itself before the “Tribunal of History.” Among such documents are:

1.^o — those proving that the Inquisition had condemned innocents, arrested on testimony of witnesses whose denunciations were later found to be false;

2.^o — those proving that mutual surveillance and denunciations within the Inquisitorial staff were encouraged;

3.^o — those proving that certain officials, notaries in particular, accepted bribes from potential Inquisitorial victims;

4.^o — those proving that functionaries, even those occupying the highest echelons, on certain occasions behaved as common thieves, unduly appropriating the convicted prisoners’ goods;

5.^o — those proving that on occasion Inquisitorial judges, those of the three regional tribunals as well as those of the General Council, had committed slight or severe infractions of the spirit or letter of Inquisitorial jurisprudence.

Do such writings as An Account of the Cruelties Exercised by the Inquisition in Portugal (which Saraiva considers to be a collaborative effort of a former Inquisitorial notary and the Jesuit Father António Vieira) and the very Inquisitorial rule book printed in 1640 (Regimento do Santo Ofício da Inquisição dos Reinos de Portugal), often cited by Saraiva, not amply and definitively expose the partiality, bias and injustice upon which the sentences are based? Did not this Regimento give the Inquisitors “practically absolute discretion to condemn or absolve,” thereby vitiating the value of the trial records as historical evidence?

In spite of all his demagoguery, Saraiva does not succeed in putting due emphasis on the most scandalous aspects of “Inquisitorial justice.” The explanation is simple: the responsibility for these monstrous miscarriages of justice rests with no given *Portuguese* social class (whence the absurdity of his simplistic application of the “class struggle” scheme): they are the normal application of canon law, valid for all nations.

Canon law grants Inquisitors the sovereign power to evaluate the sincerity or lack of sincerity of the confessions made by heretics seeking reintegration into the Church. Sincerity would justify “the mercy of the Holy Mother Church” and the consequent “reconcilia-

tion" of the heretics. This means that canon law attributed to the Inquisitors a near superhuman power, to infallibly detect the most intimate spiritual pangs within a prisoner's soul.

It hardly needs stating that the evaluation of such imponderables is almost totally subjective and, consequently, arbitrary. In practice the Inquisitors were obliged to employ more objective criteria which, though rarely explicitly set out in the *Regimento* (which is why hasty ideologists are mostly unaware of them), can be deduced from the study of the trial records and other Inquisitorial documents. For instance:

1.º — when the accused denied the charges and when the indications of guilt were feeble, he was submitted to a graduated torture, the degree depending on the number of accusations; if the defendant overcame the torture without confessing (a frequent occurrence) he was considered to have "purged" the presumptions of guilt and was required to abjure *de levi* (on a light suspicion of heresy) or *de vehementi* (on a vehement suspicion of heresy) according to the weight finally given the accusations by the Inquisitors. Real villains (by Inquisitorial definition) if they held their own through the torture could not be indicted for heresy; innocent victims of calumnious denunciations, if they cracked under torture and confessed non-existent offenses, would be treated as guilty.

2.º — when the accused denied the charges he was generally put into a "watched cell," where his behavior would be observed by the prison guards and *familiares* of the Holy office, stationed at little holes in the walls or ceiling of the cell, imperceptible to the prisoners. If he abstained from Catholic religious practices and practiced Jewish or Marrano rites (*e.g.*, Jewish fasts, praying in a typically Jewish way, making Judaizing remarks to a cell-mate), his culpability would be considered undeniable. Even were he finally to confess, if his confession did not include his cell heresy, it would be considered insincere and he would be handed over to the secular authority for execution. The system of "watched cells" was certainly a diabolical invention but a most useful and efficacious tool for the repression of heresy and the watchers' reports present a guarantee of reliability. In the course of the 1673-1681 controversy on the abuses practiced by the Portuguese Inquisition, the Roman Pontifical commission, *orally* informed of this system by the Portuguese Inquisitorial delegate, did not raise any objection to it nor did the agent in Rome of the New Christians make an issue out of it.

3.º — when the accused admitted to the charges but failed to name the person who initiated him into the heresy and his accomplices

(especially his near relatives) he was considered a *diminuto*, the author of an incomplete and therefore insincere confession. If torture failed to refresh his memory or to fill in relatively unimportant omissions of names not belonging to family members (*purgar diminuições*), he could be handed over to the secular arm (executed). Now the “forgetfulness” could be intentional (and, consequently, of a malicious nature) but it could also represent, especially in the cases of elderly people, a real lapse of memory. Moreover, some New Christians might have adhered to the Judaizing heresy on their own initiative, without undergoing any catechization by relatives or fellow New Christians, but this possibility was never envisaged by the Holy Office.

On the other hand, insufficient attention has been paid to the following aspects of Inquisitorial injustice:

1.º — the inconsistent use of single denunciations. Many suspects were arrested (if never convicted) on a *single* denunciation. Many others with only one denunciation pending against them were left alone. As it happens, this “modern historian” has found proof that not a few of those never arrested were indeed Judaizers.

2.º — a prisoner who after being informed of his death sentence and then makes a last-ditch confession, whether he is spared or killed hangs on nothing more objective than the Inquisitors’ evaluation of his sincerity. Was the condemned person truly repentant and desirous of reintegrating Catholicism or merely trying to save his/her skin? On their mere opinion rested their decision to offer the condemned person “reconciliation” and eventual freedom or to hand him/her over to the secular authority for garroting and burning.

But are not these precisely the arguments which once again prove the arbitrary character of the Inquisitorial Tribunal’s trials and sentences?

There is no sense in denying the Inquisitors’ institutional omnipotence but what needs documentary elucidation is the extent to which the “Judges of the Faith” used or abused their powers.

Saraiva gets his idea about the iniquity of the approximately 35,000 sentences pronounced by the continental Portuguese Inquisitors [excluding 17,000 in Portuguese India] against “purported” Judaizers from his tendentious citations of the 1640 *Regimento*, from the anti-Inquisitorial pamphlet *An Account of the Cruelties* and from a few off-handedly interpreted trial records which he doesn’t even know first-hand. His attitude is expressed in three demagogical theses which go a long way toward explaining the book’s popularity:

1.º — “the Inquisitors were administering a formalized justice whose goals were incompatible with impartiality; its judicial rules were

geared to produce results other than the objective truth about the accused” (Chapter Three).

2.º — “prisoners denounced by peep-hole observers for fasts carried out in their cells and who did not confess to them were usually (or almost always) executed” (Chapter Five).

3.º — “the proposition that the Inquisitors showed a propensity to indict is fairly borne out [...] the confiscations system was just that: the more found guilty and the pickings multiply proportionately [...] the advantage of the system was that estates would never have to be restituted” (Chapter Eleven).

However, since Saraiva believes all defendants to have been equally innocent of the charges it would have been nice of him to tell us by what criteria the Inquisitors chose:

- a) those they exonerated;
- b) those they sentenced to a *de levi* or a *de vehementi* abjuration (without confiscation of goods and property);
- c) those they “reconciled” (whose goods and property, after 1568, were confiscated);
- d) those they decided to judicially murder by means of the system of purported “cell-fasts.”

An Account of the Cruelties certainly does bring out various ways in which the Inquisitors condemned innocents, but Saraiva’s claim, not backed by personal consultation of a single trial record, that the Inquisitorial trial was not designed to distinguish between guilt and innocence is one an historian conscious of the obligations of his trade will always refuse to buy.

Any responsible historian, be he ever so tempted by facile demagogy, if he takes the trouble to study say a thousand Portuguese Inquisitorial trial records of the 16th and 17th centuries, will have to admit that:

1.º — the judges of the three regional tribunals often felt that the prosecutors had not juridically justified either their requests for arrest or for conviction;

2.º — the deputies of the General Council would often modify the (intermediary or definitive) decisions of the regional tribunals, either by applying greater severity or greater clemency;

3.º — the judges of the regional tribunals, on the one hand, and the deputies of the General Council, on the other, at times had a *profoundly* different approach to the decision at hand, whereby each body would expound *at length* by what considerations it had arrived at the secret sentence, definitively adopted by a majority of votes;

4.^o — the courts of both jurisdictions in a number of cases *publicly* acknowledged that innocents had been falsely accused and convicted; perjurers and false witnesses were, in general, *publicly* chastised.

A LETTER FROM ANTÓNIO JOSÉ SARAIVA

Diário de Lisboa, May 5, 1971

To the Editor:

I always feel embarrassed when confronted by obtuse opponents. The lengthy interview granted one of your reporters by Mr. I. S. Révah is a confused hodgepodge, couched in a pedestrian style, full of repetitions, without a beginning, middle or end, but studded with solecisms (quite surprising in one who teaches Portuguese language and literature at the Collège de France).⁶ In order to bestow upon this hopeless mess some sort of unity and animation, Mr. Révah incessantly repeats three or four insulting epithets (*ideologist, demagogic, dogmatist, absurd*), thus revealing, simultaneously with the poverty of his imagination, the suffocating rancor hidden under his purported ardor for scientific truth. To think that the author of this prose has taken it upon himself to evaluate the quality of *my* Portuguese style, describing it as “horribly polemical and tendentious...”

It is likely that the emotional distress Mr. Révah was obviously undergoing during the interview dulled his wits, by dint of which, in times gone by, stimulated by a 1942 book of mine, he produced some limited works, albeit not without merit, on Gil Vicente.

Mr. Révah repeats ideas which I had already expressed as if they were arguments against me. He acrimoniously belabors the obvious. He points out contradictions which he is the only one to notice because he fails to understand what I wrote. He makes pronouncements on class war, a concept with which he is acquainted only by hearsay. But he speaks with a French University Professor’s hauteur. He claims authority because he has studied 1,000 manuscript Inquisitorial trial records and denies me authority because I have not carried out fresh archival research. Since there are approximately 35,000 manuscript *processos* (trial records) in the Torre do Tombo Archives in Lisbon, Mr. Révah, in order to live up to his standards, should study the

⁶ In our translation we have not attempted to preserve the flavor of the solecisms (in fact, Gallicisms) alluded to by Saraiva, which, after all, may conceivably be attributed to the interviewer, a long-time resident of Paris.

remaining 34,000 before attempting to discuss general ideas about the Portuguese Inquisition.

My standards are different. I do not carry out archival research because that is not my specialty. I have studied in detail only the hitherto published trial records but that does not prevent me from trying to understand what was going on. In comparing the known trial records (including those which Mr. Révah cites or summarizes) with other documents and with a complex whole of cultural, political, social and economic elements of which the Inquisition was but one, I am looking for an all-encompassing hypothesis which lets them explain each other. The essential task, as I see it, is to establish intelligible relationships using the material at hand.

Paleontologists who reconstruct the skeleton of the dinosaur do not have all its bones. All they have to go on are some fragments on the basis of which they reconstitute the rest. Mr. Révah, on the other hand, is like a scientist who collects a thousand bones of an extinct animal which originally had 35,000 but, unable to extrapolate, heaps them up without order or method into a pile. To date the one thousand trial records he has collected have not inspired *a single idea*.

In my humble opinion Mr. Révah should confine himself to his role of compiler and documentalist, which is a very useful one. Let him continue to study trial records, since his lungs get along so well with "archival dust." But let him not stage public displays of envy when others, whose vocation is different, accomplish a piece of work for which nature did not equip him. He still has 34,000 trials to go: by Jove, my good man, don't lose time!

These thoughts, dear Editor, may temporarily serve in lieu of a refutation of Mr. Révah's intricate prose, of which you were kind enough to send me the galley. Considering the length of the interview and the inevitable fatigue experienced by those who read it to the very end, I would appreciate it if you would kindly print my letter in the same issue as the first part of the interview. However, I do reserve the right to comment in detail once it has been published in full. I shall read or re-read the text, armed with all the necessary attention and patience. I may even glean from it some useful information which could enrich a future edition of my book.

Thanking you in advance, I beg to remain,

Yours very truly,

ANTÓNIO JOSÉ SARAIVA

Professor Israel Salvator Révah interviewed by Abílio Diniz Silva for the the *Diário de Lisboa* (Second Installment; May 13, 1971)

Apropos of the “device for legal assassination” which, according to Saraiva, the Inquisition could always arbitrarily utilize, do you not feel that the case described by him of Manuel Vilareal starkly confirms its utilization for that purpose?

Concerning the particularly demagogic thesis of “legal assassination” of certain of its prisoners by the Inquisition the following observations are in order:

1.º — sometimes the watchers at the peep-holes reported instances of orthodox Catholic behavior;

2.º — numerous prisoners who had been caught in the act of Judaizing in the “watch-cells” were nevertheless “reconciled” and freed because, in the course of their confessions, they had properly declared the “Judaic ceremonies” they had kept in the prison cell;

3.º — the “Judaic ceremonies” performed in the cells were described in the sentences publicly read out during the *autos-da-fé* not only in the case of those sentenced to death but also in the case of those to be “reconciled.” Thus, the “secret”⁷ did not die with those who were garroted and burnt.

The thesis of “legal assassination” is the culmination of a chapter in which Saraiva thinks he has demonstrated my complete stupidity. It is the one about the trial of the unfortunate Manuel Fernandes Vilareal, executed by order of the Inquisition on December 1, 1652. Saraiva opines:

The Inquisitors succeeded in deluding not only the defendant, but also modern scholars who have dealt with this famous trial. I. S. Révah, who authored an in-depth study of the Vilareal case, includes him among the martyrs of Judaism [...] To us it seems that he is simply a “Marrano Manufactured in the Inquisition” (another one of thousands) by a process described two decades later in the *Account of the Cruelties Exercised by the Inquisition in Portugal*” (Chapter Five).

⁷ (“as ‘cerimónias judaicas’ assim celebradas eram descritas nas sentenças lidas publicamente durante os *autos-da-fé* não só em relação aos relaxados como também em relação aos reconciliados. O ‘segredo’ não morria, pois, com os relaxados.”) Révah seems to imply that a prisoner’s “having been watched through peep-holes” was not a secret (as Saraiva claims) but a matter of common knowledge through the divulgation of cell-fasts in the sentences at the *auto-da-fé*. However, the sentences never elaborate on the means whereby fasting was discovered or how any other information on cell behavior was gathered. The audience hearing that so-and-so fasted in his cell could assume the Inquisition to have found out by reports of the prison staff when delivering meals or collecting garbage, etc. — not from peeping Toms. See Chapter Five, note 19.

Having begun to study Vilareal’s trial in 1939, I have every right to assert that the pages devoted by Saraiva to this trial are among the most ridiculous in the book. According to our publicist, the falsehood of all the successive confessions made by Vilareal and the non-existence of all the heresies confessed by him may be demonstrated by the following fact: among the accusations which prompted his arrest is his having offered the Marquis de Nisa a book about Jewish ritual. It is, however, possible to prove that the book in question was in reality offered the latter by Vicente Nogueira, a Portuguese resident of Rome. According to Saraiva, who only has second-hand knowledge of Vilareal’s trial record, Vilareal, after having persistently denied being the one who offered the Marquis de Nisa this book, when his death sentence was announced to him, declared “that he had bought and offered the Marquis de Nisa a book on Jewish precepts.” Well, “we know that this confession was false” [*Saraiva dixit*] and, by analogy, all of Vilareal’s confessions are false. Saraiva’s study of this trial does not merit a long refutation. Suffice it to say that Vilareal was maliciously accused of having offered the Marquis de Nisa the “Treasure of Precepts” (*Thesouro dos dinim*), a book in Portuguese by the Amsterdam rabbi Menasseh ben Israel (alias Manuel Dias Soeiro). Vilareal consistently denied this calumnious accusation. On November 18, 1652, after being notified of his impending execution, “he declared in addition that during his sojourn in France, in 1648, he had bought, among other works, a very small and thin Italian book entitled “Hebrew Rites” (*Riti hebraici*). When the Marquis de Nisa saw it, he asked him for it and the confessant gave it to him.” Rabbi Leon Modena’s Italian *Riti hebraici* has nothing to do with Menasseh ben Israel’s Portuguese *Thesouro dos dinim*. Thus, Vilareal’s last-ditch confession does not contradict his denials regarding Menasseh’s book and therefore could very well be true, because the Marquis could have been given two books about Judaism: one by Vicente Nogueira, another by Vilareal.⁸

⁸ As was pointed out above (Chapter Five, n. 8) Vilareal was aware of two distinct books and testified in his written apology of January 19, 1650 that they were both obtained for the Marquis de Nisa by Vicente Nogueira. An Italian letter written by Leon Modena to Vicente Nogueira c. 1639 – apparently unknown to both Révah and Saraiva – published by Cecil Roth in *Israel Abraham Memorial Volume*, Vienna, 1927, 395 (reprinted in id., *Studies in Books and Booklore*, Westmead, 1972, 196), reveals that the two men had met and conversed in Venice and that Nogueira had acquired a copy of the rabbi’s *Riti hebraici* which he much valued. Thus Saraiva’s instincts turn out to be sounder than he himself realized. The falsehood of Vilareal’s *in extremis* confession that he bought the *Riti* in Paris and then gave it to Nisa is now all but demonstrated by the Modena letter.

Saraiva does not know or, at least, does not tell his readers that:

1.^o — Vilareal was befriended with all the Judaizing New Christians in the French city of Rouen, whose families were to join the Jewish communities of Amsterdam, Hamburg and London.⁹

2.^o — Vilareal was the sworn enemy of the few New Christians of Rouen who remained Catholic.¹⁰

3.^o — Vilareal carelessly blurted out to the Inquisitors, who knew nothing of this matter, that his wife and daughter had “reverted” to Judaism and were members of a constituted Jewish community.

4.^o — Vilareal, in a book published and reprinted time and again in France and translated into many languages, had called for freedom of religion in the countries of the Iberian Peninsula.

Does the lure of confiscated property and the cupidity of the Inquisitorial judges not render even more difficult an objective evaluation of the trials and do these factors not lend credence to the claim that, during certain periods, plunder was the Inquisitors’ principal motivation for prosecution?

The confiscation of property, decreed in 1563 for those who were sentenced to death, was extended in 1568, *on the basis of canon law*, to all self-confessed heretics who were “reconciled” to the Church at the *auto-da-fé*. Had cupidity and the desire for plunder been the sole motivations of the Inquisitors, why would there have been (as there were) so few prisoners sentenced to death between 1563 and 1568 and why, after 1568, were so many prisoners considered to be “insincere, incomplete confessants” (*diminutos*) and, accordingly “handed over to the secular arm” for execution, even though their property would in any case have been confiscated, since they had confessed?

Naturally I do not for a moment believe in the impartiality of the Inquisitors. Many contemporary adversaries of the Inquisition empha-

⁹ “Judaizing” in the context of the Rouen Portuguese community did not imply the observance of Jewish precepts but an anti-Inquisitorial political stance. Révah’s assurance that Portuguese left Rouen for the Jewish centers in London and Hamburg contrasts with his tentative position of 1961: “It is however possible that the [Rouen] Marranos when presented with the choice between the economic advantages of the French ports and the uncertainties of an equivocal juridical situation, a pretty sizeable number might have been led to prefer cities such as Amsterdam, Hamburg or London where the practice of Judaism was authorized.” (See *Revue des Études Juïves*, 119, 1961, 83). In point of fact, there is no shred of evidence that any Portuguese New Christians of Rouen apostatized from Catholicism while residing there and only one, the poet João Pinto Delgado, originally a fervent Catholic, is known to have ultimately adopted Judaism in Amsterdam.

¹⁰ By the words “remained Catholic” Révah apparently alludes to their denouncing their fellow Portuguese to the French government as Judaizers. However, the latter’s Catholicism was ultimately vindicated and their delators forced to flee the country. See I. S. Révah, “Autobiographie d’un Marrane,” *Revue des Études Juïves*, 119, 1961, 41-130: 80-85.

sized the indecency of "Justices of the Faith" whose primary interest and object of most urgent concern were the material goods of the prisoners. We should, however, take note of the following:

1.º — at no time did extreme poverty and total indigence shield anyone from Inquisitorial persecution. The Inquisition, I repeat, maintained at its expense during long, drawn-out trials a throng of poverty-stricken prisoners.

2.º — the Inquisition had in its prison two of the most affluent men in Portugal: Heitor Mendes "the wealthy" from 1599-1602, Duarte da Silva from 1647 to 1652 and in neither case was a "device for legal assassination" or other "technical" means used to oblige them to confess heresies, whether real or imaginary, in order to confiscate their wealth and have them executed. On the other hand Francisco Gomes Henriques, a friend of Duarte da Silva far less wealthy than he, to whose trial Saraiva devotes a number of pages, which I also consider absurd, was executed. Yet Duarte da Silva was a "real" Judaizer, whose siblings and children left Portugal to become members of Jewish communities.

An important point remains to be duly clarified, to wit the firm position taken by the Portuguese Jesuits in denouncing to the Pope, in the pamphlet Account of the Cruelties, the iniquities and falsifications committed by the Portuguese Inquisitors. Does this not once again call in question the value of the trial records and of Inquisitorial justice as historical evidence?

From 1953 onwards, the document which was most responsible for misleading Saraiva was the anti-Inquisitorial pamphlet *An Account of the Cruelties Exercised by the Inquisition in Portugal*, probably composed in 1673-1674, to whose every syllable Saraiva clings with a mystic faith. The work belongs to a genre of polemical literature composed by or for the Portuguese Jesuits and is based on information desultorily gathered among New Christians. The Jesuits, as is revealed by their private correspondence, were perfectly aware of the religious reality of Portuguese crypto-Judaism. However, they decided to consciously distort the facts in order to resolve the New Christian problem in a more humane fashion than the Inquisitorial one and also to get rid of an institution which, during that period, they had come to hate, although their 16th-century predecessors were among its chief champions. Our contemporaries should be most beholden to those late-17th-century Jesuits, to the extent that their distortions of reality served the purpose of obtaining the triumph of a less barbarian and more humane conception of Catholicism.

Nevertheless, a responsible historian cannot accept the principle of the end justifying the means: falsifications are just that, falsifications.

A judge who proclaims himself a member of the “Tribunal of History,” such as Saraiva, should have taken the trouble to verify the accusations formulated by the Jesuits in their proceedings against the Holy Office.

Indeed, the late-17th-century Jesuits could hardly call in question (especially before the Roman Curia, where the conflict had gone) the canonical *legitimacy* of Inquisitorial repression of crypto-Judaism. Their only recourse was to try and prove that the “holy” rules of the Universal Inquisition were being perverted by its Portuguese branch to the point of solely implicating innocent people whose misfortune it was to belong to the New Christian race. To effect this demonstration they made capital of a few judicial errors known to have been committed by the Portuguese Inquisition, invented other ones and described Portuguese Inquisitorial procedures in a tendentious manner so as to prove that these procedures constituted the mechanism by which innocent persons were convicted.

Within this entire literature, *An Account of the Cruelties* represents the most extreme expression of this tendency. Indeed, the possibility that a few rare defendants may actually have been truly guilty of “Judaizing” is evoked in but one brief sentence. Among the most notorious falsifications contained in this literature, not to be attributed to Inquisitorial notaries but rather to persons who had but the scantiest knowledge of the secret mechanisms of the Holy Office, we find the invention of a “statute,” attributed to the Portuguese Inquisitors but which (as is well known) never existed, prescribing that denunciations for “Judaizing” made by New Christians against Old Christians were without legal validity. It hardly needs to be stated that Saraiva piously believes in this fiction.

Contrary to Saraiva’s claim, it seems that *An Account of the Cruelties* was never presented to the pope. In any case, the tough, meticulous discussions between, on the one hand, the Roman Congregation of the Holy Office, the agent of the New Christians (secretly seconded by the Jesuits) and, on the other, the delegate of the Portuguese Inquisition, centered on texts, albeit written with the same purpose in mind and often using the same historical examples, quite different from and of much greater verisimilitude than *An Account of the Cruelties*. Despite their intense desire to reduce the insolent Portuguese Inquisition to papal obedience, the members of the Roman Congregation of the Holy Office and the pope himself were endowed with a somewhat more critical acumen than Saraiva. They remarked that a sizeable number of these Portuguese New Christians, whom their advocates declared to be innocent to a man and the victims of unwarranted persecution by the Portuguese Inquisition, upon emigrating to Italy joined Jewish communities where they cozily

Judaized, in some cases after feigning Catholicism in that country for a number of years, participating and exercising important functions in Italian Catholic society.

Is there some fool-proof way for the modern historian to confirm or deny the Judaizing for which New Christians were condemned by the Inquisitorial tribunal with evidence from some other source? Is there any possibility of defining criteria of authenticity to be applied, with historical rigor, to the Inquisitorial documentation?

Before going any further, let us enumerate possible examples of lack of authenticity in Inquisitorial trial records:

1.^o — irregularity (really quite unimportant) of means by which certain confessions were elicited by the Inquisition;

2.^o — total falsehood of certain denunciations made by ignoble calumniators;

3.^o — total falsehood of certain confessions, incriminating innocent persons as accomplices;

4.^o — total falsehood of protestations of innocence and denials of friends' and relatives' complicity;

5.^o — partial falsehood of certain confessions in the course of which the culprits hide the names of (some of) their accomplices;

6.^o — partial falsehood (the most serious in view of the dire consequences) of certain confessions in the course of which the culprits, in addition to their real accomplices, denounce innocent New Christians (or even Old Christians) as part of a vendetta.

But isn't this multiplicity of sources of falsification a powerful argument for Saraiva's thesis, that the credibility of Inquisitorial trial records is limited or even nil?

The sources of possible falsification are, to be sure, very numerous indeed. However, two of these sources, namely the 4th and the 5th, destroy the thesis of "automatic conviction of innocent persons": in a number of cases, notwithstanding the efficacious means at its disposal, the Holy Office was unable to elicit from real heretics a correct or complete confession of their heresies. I have already indicated that the first source is of very little importance. It is, however, absolutely essential to emphasize that a responsible historian is far from disarmed when faced by his indispensable critical task and need certainly not risk getting bogged down in a quagmire of sophistication.

Let us begin by considering the numerous documents which concern the Jewish or Marrano communities outside Portugal, for whose history the Iberian Inquisitorial archives are of *absolutely extraor-*

dinary importance. The authenticity of the facts gathered in the trial records and other Inquisitorial documents concerning Portuguese individuals prior to their emigration, may be verified by confronting them with information about the same individuals in Jewish and other foreign (non-Portuguese) archives. Or, starting the other way round with the non-Portuguese archives, their information is often corroborated and particularized by the Inquisitorial archives in a most notable manner. The authenticity of information picked up in, say, Jewish Congregational records, which gave rise to my earliest researches in the Inquisitorial archives, has never been seriously called in question.

There are several other controls to check the authenticity of Inquisitorial documentation:

1.^o — The study of a trial record in isolation sometimes suffices to demonstrate the authenticity of its documents, if they contain precise descriptions of aspects of the culprit's theology or of his Judaic (if you will, Marrano) home liturgy. These aspects cannot have been fraudulently suggested by the Inquisitors, who confined themselves to their deficient official definitions of the Judaizing heresy, and never attempted to find out about normative Judaism.¹¹ I have begun to cull the elements of a history of Judeo-Marrano liturgy, tracing certain traditional prayers recorded *during the 20th century* in remote corners of Portugal *to trial records going back as far as the 16th century*. Even though the trial records that incorporate versions of such prayers originate in the most geographically divers tribunals, including Lisbon, Coimbra, Évora, Toledo, Logroño, Mexico, Lima, Cartagena, there is nothing in the rule books of the Portuguese and Spanish Inquisitions that can explain this uncanny convergence: a supreme guarantee of authenticity.¹²

¹¹ This assertion is incorrect. The Portuguese Inquisitors regularly solicited from Moroccan and Italian immigrant neophytes descriptions of normative Judaism, of which a number have been preserved in the Inquisitorial archives of the Torre do Tombo. See, for instance, *Capítulos sobre as sermónias e jejuns dos Judeus* ("Chapters on the ceremonies and fasts of the Jews"), a late 16th-century 44 page description of Judaism by an insider (Conselho Geral do Santo Ofício, Maço 7, no. 2542, including additional information on Jewish fasting by three Moroccan immigrants). C. 1610 the Inquisitors commissioned João Baptista d'Este, a convert from the Portuguese Jewish community of Ferrara, to draw up a list of Jewish ceremonies, festivals and fasts. See Joaquim Mendes dos Remédios, *Os Judeus em Portugal*, 2, Coimbra, 1928, 302-308. However, these and other faithful descriptions commissioned by the Inquisitors hardly enriched (if at all) the fossilized lists of Judaic and pseudo-Judaic practices encountered in Edicts of Faith and trial records.

¹² While Révah's collection has not been published and was not found among his papers after his death, an anthology of prayers recorded in Coimbra trial records dated 1568-1596 has been published by Elvira Azevedo Mea ("Orações judaicas na Inquisição portuguesa," in *Jews and Conversos, Studies in Society and the Inquisition* (ed. Y. Kaplan), Jerusalem, 1985, 149-178). For prayers in Lisbon trial records dated 1590-1593 see H. P. Salomon, "The Portuguese Background of Menasseh Ben Israel's Parents," *Studia*

2.^o — Very often the case of a denounced or arrested New Christian can be integrated into a family history. The present-day historian thus finds himself more comfortably situated than the Inquisitors of yore, whose individualized decision had to be taken at a given date. The historian can use documents of later vintage than the given trial record as well as other documents not available to the Inquisitors. How useful it would have been for the Inquisitors to know, for instance, that the individual whom they were about to sentence to an abjuration "on a slight" or "on a vehement" suspicion of Judaism, or, if convicted and repentant, to "reconciliation," would, a few years later be an active member of a Jewish community! ¹³ I systematically apply this method of "control" to documents related to the families of New Christian authors whose works I undertook to study in order to explain their true meaning. In this respect, it will be quite easy for me to demonstrate the lamentably low quality of scholarship evinced by Saraiva in the pages he devotes (Chapter Ten) to the story of Uriel da Costa and his family.

Rosenthaliana, 17, 1983, 105-146: 119-123; for the Inquisition of Évora, id., *Portrait*, 313-315. 20th century "Marrano" prayers have been published by Samuel Schwarz, *Os Cristãos-Novos em Portugal no século XX*, Lisbon, 1925, 47-110; Casimiro de Moraes Machado, "Subsídios para a história de Mogadouro," *Douro Litoral*, 1, 1952, 17-49: 22-49; Manuel da Costa Fontes, "Orações criptojudias na tradição oral portuguesa," *Hispania*, 74, 1991, 511-518 (expanded English version "Four Portuguese Crypto-Jewish Prayers and their 'Inquisitorial' Counterparts," *Mediterranean Language Review*, 6-7, 1993, 67-104). In view of the relatively large number of "New Christian" prayers culled in Eastern Portugal by 20th-century ethnologists, it is surprising that so many 16th-century Inquisitorial prisoners from the same areas even to save their lives could produce but one prayer before the Inquisitors... the "Our Father." A number of *processos* do, however, provide prayers in the vernacular, which are similar to those recorded in the 20th century. Their most salient feature is their derivation from the Apocrypha, which is not part of Judaism, or from the "Seven Penitential Psalms," a strictly Catholic selection. Of manifest Jewish derivation are a combination of verses from Psalms 90 and 91 known to some New Christian prisoners by the word *fermosura*, translating the word *no'am* (Ps 90, 17), used as an incantation from high Jewish antiquity. Fragments constituted or introduced by a corruption of the Hebrew words of Psalm 90, 17 were produced as a "Jewish prayer" by confessants in a goodly number of Portuguese *processos* from 1566 to 1726, and also in Spanish and Spanish American trial records. We have shown (*art. cit.*, *Studia Rosenthaliana*, 116-117) that the *fermosura* in its Portuguese manifestations is an adaptation of a Spanish version found in a Hebrew-Spanish prayer-book published at Venice in 1552. One should not lose sight of the fact that the Inquisitors considered a confessant's recital of crypto-Judaic prayers (preferably accompanied by tears of remorse and the denunciation of the person who "taught" them) to be the most convincing form of sincere contrition and the surest way to speedy release; often the only way to avoid the death penalty as a *diminuto*. Texts of such prayers (whether improvised or from published sources) must accordingly have been in great demand, both within and without the Inquisitorial prison.

¹³ Whereas Saraiva suggests that some may have abandoned the Church in disgust — or for a myriad other reasons — after the trauma of an Inquisitorial trial, Révah claims that their later actions reveal and confirm their earlier state of mind ("retroactive evidence").

3.^o — Frequently the case of an arrested or denounced New Christian can be inserted into the history of his environment. In most cases the judges of the Holy Office carried out numerous arrests which all originated in a single denunciation or spontaneous confession leading to a first arrest which in turn would spawn others, each of which would again spawn others. As a rule, Inquisitorial trial records are linked-up like cogs in a wheel. It is easy to understand how the simultaneous study of all the denunciations and all the trial records related to a single milieu and a single period permits an effective control of the global historical value of documents relating to individual members of this milieu. All the more so when it is possible, as occurs from time to time, to apply other methods of control such as I have enumerated earlier on. The combined application of two of these methods led the Portuguese historian João Lúcio de Azevedo to change his opinion, between 1921 and 1932,¹⁴ concerning the trial of António José da Silva, “the Jew,” to whom Saraiva regrettably devotes pages (Chapter Five) as distressing as those he devotes to Uriel da Costa. I was able to verify the efficacy of this third method of “control” when I applied it to the 150 trial records of New Christians from Oporto arrested between 1618 and 1625.

4.^o — In certain cases it is possible to check the historical value of Inquisitorial documentation by comparing it with printed or manuscript declarations made by New Christians who had joined Jewish communities in foreign parts, concerning their adoption of crypto-Jewish practices before leaving Portugal or Spain, specifically in cases where there had been Inquisitorial proceedings against them. I have already a number of times called attention to the importance of these declarations when they emanate from men such as Elijah Montalto, Uriel da Costa, Isaac de Pinto, Isaac de Mathatias Aboab, Dr. António Nunes Ribeiro Sanches. I have recently shown that a book of poetry published in 1626, no doubt in Hamburg, by David Abenatar Melo, permits us to verify the authenticity of the denunciations/declarations, confessions and denials concerning the crypto-Judaism of members of his family and of himself.¹⁵

The Portuguese Inquisitors, although they put him to the torture, were unable to convict him of Judaism: so they made him abjure “a

¹⁴ Cf. João Lúcio de Azevedo, *História dos Cristãos Novos Portugueses*, Lisbon 1921, 343-345 and id., “O poeta António José da Silva e a Inquisição,” *Novas Epanáforas*, Lisbon, 1932, 137-218: 152-153 (this study was actually first published in *Portugalia*, 1926).

¹⁵ At the time of the interview Révah was teaching a course at the Sorbonne on Fernão Álvares Melo, alias David Abenatar Melo. See *Annuaire de l'École Pratique des Hautes Études-IV, 1970-1971*, 482-483. Cf. H. P. Salomon, *Portrait*, 8-9.

vehement suspicion of Judaism." Yet, according to his own autobiographical declaration published in his book of 1626, long after his expatriation, he had been initiated into crypto-Judaism by his parents from the age of 8 or 9, as were his siblings. His mother died in the Holy Land, in Safed.¹⁶

Do you agree with the thesis formulated by Ribeiro Sanches and Luís da Cunha, taken over by Saraiva, that the Inquisition was a "Marrano Factory?" Or do you believe that, subsequent to the spectacular General Conversion of 1497, — had there been no Inquisition — there were strong motives for a Judeo-Christian or Judaizing Nation to assert itself in Portugal, as an individualized ethnic group endowed with a specific spiritual evolution?

The phrase "the Inquisition, a Marrano Factory" is equivocal and susceptible to two interpretations:

1.º — The author of *An Account of the Cruelties*, piously followed by Saraiva, asserts that New Christians innocent of crypto-Judaism (Saraiva is even more categorical: innocent Old Christians), were locked up in the Inquisitorial dungeons and, when the time came for them to appear at the *auto-da-fé*, emerged, diabolically transformed into Marranos after repeatedly being made to falsely confess crypto-Judaism and incriminate purported accomplices who, in turn, landed in the dungeons of the Holy Office to undergo an identical transformation. While this interpretation, flowing from the pen of the author of *An Account of the Cruelties* is, as we have seen earlier, explicable, it can hardly pass muster coming from an author writing in 1969;

2.º — according to Ribeiro Sanches and Luís da Cunha, it was Inquisitorial persecution and racial discrimination (as between Old and New Christians) that preserved, well into the 18th century, *an authentic crypto-Judaism* in Portugal and were rendering impossible the total fusion of the two ethnic strata of the Portuguese population, by continually impelling toward crypto-Judaism New Christians who were well on the way to complete assimilation.

¹⁶ Melo successfully maintained his Catholic stance throughout his trial and severe torture. He abjured *de vehementi* at the Lisbon *auto-da-fé* of July 31, 1611. Dismissed from the College of Penitents on August 22, 1611, by October 1612 he was a practicing Jew in Amsterdam and an active member of the community. In 1626 he published a Spanish verse adaptation of the Psalms which, according to Révah, clinches the falsehood of Melo's declarations of attachment to Catholic Christianity made during his trial and the truth of the denunciations that got him arrested. Our book-length study of the trial and analysis of Melo's poetical work, however, convinced us of just the opposite, namely that Melo had been a staunch Catholic who lost his original faith in the course of his trial (Inquisition of Lisbon, no. 8051). See H. P. Salomon, *Portrait*, 195.

I subscribe to the second interpretation. If King Manuel's policy, characterized by the absence of an Inquisition and of racial discrimination had been maintained by his successors, I am convinced that after a few generations the New Christians would have dissolved into the mass of Portuguese. The Inquisition and racial discrimination seriously jeopardized this assimilation by favoring the perpetuation of New Christian ethnicity, by permanently calling to mind the Jewish religion, by engendering — in some instances — a repugnance for a religion as inhuman as that of the Inquisitors and by attracting to crypto-Judaism some who were not even of purely New Christian ancestry.

Saraiva, without drawing any consequence from it, makes the following correct assessment (Chapter Ten):

The victims burnt alive at the *autos-da-fé* provided Judaism with the additional argument of “abundant martyrdom.”

Two executions which attained notoriety attracted numerous New Christians to crypto-Judaism: that of Diogo da Assunção, a Franciscan friar who, unaware of his one New Christian great-grandparent, was burnt alive in 1603, “proclaiming loud and clear the truth of the Law of Moses” and that of Dr. António Homem, a Catholic priest and professor of Canon Law at the University of Coimbra, whose ancestors were not all New Christians,¹⁷ and who was garroted and burnt in 1624 without confessing any heresy or incriminating any of his numerous accomplices (one of whom was later to become the father-in-law of Spinoza's sisters).¹⁸

Subsequent to the establishment of Jewish or Marrano communities in Amsterdam, Hamburg, Leghorn, Bordeaux, Bayonne, Rouen, London, etc. (not to mention the more ancient center in Antwerp), many New Christians resident in Portugal came to have Jewish or Judaizing relatives in foreign parts, with whom they maintained constant contact and whom they could easily join if and when they felt under the immediate threat of Inquisitorial arrest or when they felt the time had come to “abandon idolatry and adopt the pure cult of the God of Israel.” These family relationships were an additional factor rendering impossible the total disappearance from Portugal of New Christian ethnicity and crypto-Jewish religiosity.

¹⁷ Actually, two out of sixteen great-great-grandparents.

¹⁸ The reference is to Miguel Gomes “o Manco” (b. at Aveiro, 1579) (Inquisition of Lisbon, no. 11998) who was sentenced to the galleys at the Lisbon *auto-da-fé* on May 5, 1624 from which he was released in October of the same year. In 1626 he emigrated to Amsterdam where he adopted Judaism and the name Daniel de Casseres, married Branca de Pina and sired Samuel de Casseres (b. 1628) who successively married Miriam de Espinosa, Baruch de Espinosa's sister and Ribca de Espinosa, Baruch's half-sister. See I. S. Révah, *Annuaire de l'École Pratique des Hautes Études*, VI^e Section, 1964-1965. 135-138, 1965-1966, 136-138.

That being the case, what was the precise role of the Portuguese Inquisition and, above all, what were the consequences of its effect on Portuguese society during the 16th, 17th and 18th centuries?

To provide a direct answer to your question, I would state my conviction that, without the Inquisition and racial discrimination, the fundamental problem of Portuguese society during the 16th and 17th centuries would not have existed. Only by some intellectual quirk is one to explain the establishment and activity of the Portuguese Inquisition from 1536 to 1820 as the normal result of a class struggle within Portuguese society. The Holy Office constituted *an omnipotent bureaucracy* (it had authority to condemn to hell) *which from its inception eluded the control of its theoretical heads* (the Portuguese monarch and the supreme pontiff) and which, *desirous above all of perpetuating its own power, did not attribute the slightest importance to the religious, economic and social consequences of its actions*. Thus it perpetuated during nearly three centuries *an authentic Portuguese crypto-Judaism*. It forced an enormous number of Portuguese to emigrate and, during the 16th and 17th centuries, *impeded the development of a lower and upper national middle class* which would have invested its capital in Portugal. During at least two centuries *it stunted the economic development of the country and favored the installation of foreign merchants*, whose property was protected from Inquisitorial confiscation by commercial treaties, and who thus came to occupy numerous positions abandoned by the New Christians.

Apropos of what he calls the disappearance of the "race" or "religion" of the New Christians at the time of the Marquis de Pombal, Saraiva formulates the following questions: "How to explain the virtually overnight cessation of Judaizing? Why were there legions of confessed Judaizers up until Pombal, but come Pombal's reforms end hey presto! It is all over?" "Why did it all happen so late, only under the government of the Marquis de Pombal?" To these questions, Saraiva replies: "Because together with him came to power the very families whom the Inquisition had hounded" (Chapter Thirteen). Do you agree with this thesis?

This thesis of his contradicts all the known realities of Pombal's time as well as of the preceding and following periods:

1.^o — crypto-Judaism was prosecuted by the Holy Office in Portugal until December, 1768.¹⁹

¹⁹ The last Lisbon *auto-da-fé* involving Judaizers (2 out of 40 sentenced) took place on October 27, 1765. There were no known *autos-da-fé* at Évora 1763-1781 and Coimbra 1762-1781. Goa had seven 1761-1769, which included no Judaizers.

I do not know whether the very families whom the Inquisition had been persecuting came to power with Pombal, but I do know that during the first ten years of Pombal's government — from 1750 to 1760²⁰ — the Inquisition sentenced 1,138 persons of whom 18 were executed.²¹ The fact that Paulo de Carvalho, Pombal's brother, presided over the General Council of the Holy Office from 1760 on did not prevent the sentencing of 21 Judaizers at the public *auto-da-fé* of 1761²² and of many others at private and public *autos-da-fé* up to December 1768.²³ In 1763 a large family from Bragança adopted Judaism in Bordeaux²⁴ and similar cases abound. It was only in 1773, 23 years after having come to power, that Pombal abolished the distinction between Old and New Christians. Saraiva says that the Marquis' reforms were especially influenced by Ribeiro Sanches.²⁵ Well now, in the Inquisitorial archives I have discovered proof that Ribeiro Sanches' account was delivered in 1756 to two *calificadores* (censors) of the Holy Office (one was Fr. José Malaquias), who concluded that the author of the account should be arrested and punished by due process of law.²⁶ It seems that the punishment was not applied;

2.^o — the persecution of crypto-Jews progressively diminished in intensity during the first half of the 18th century and, as Luís da Cunha

²⁰ Sebastião José de Carvalho e Melo (1699-1782) was made Marquis of Pombal in 1770. He became Presiding Minister and Minister of War and Foreign Affairs in 1750, Dictator in 1755.

²¹ According to the statistics furnished by José Lourenço Domingues de Mendonça and António Joaquim Moreira (*História dos Principais Actos e Procedimentos da Inquisição em Portugal*, Lisbon, 1980, 146-279) during this decade the three tribunals of Portugal sentenced 670 persons of whom 18 were executed; the tribunal of Goa sentenced 509 persons of whom 5 were executed. This would bring the total to 1,179 persons sentenced (including absentees and deceased) of whom 23 were executed.

²² At the *auto-da-fé* of September 20, 1761, at which the Jesuit Father Malagrida was executed (the last actual *auto-da-fé* execution in continental Portugal), of 61 persons sentenced (11 on the count of Judaizing), 19 were designated as New Christians (or partly New Christians). The List was published in the *Arquivo Histórico Português*, 2, 1904, 315-320.

²³ This is incorrect. See above, note 18.

²⁴ See Gérard Nahon, "Un Portugais se penche sur son passé: la note didactique de Benjamin [alias Francisco Henriques Nunes] Raba (1821)," *Hommage à Georges Vajda* (Gérard Nahon and Charles Touati, editors), Louvain, 1980, 505-529. The progenitor Francisco Henriques Nunes' Inquisitorial trial record (Inquisition of Coimbra, no. 166, 1709-1711) will shortly be published. See Maria Ignez Correia de Novaes, "Gabriel Salomão Henriques Raba, Cônsul de Portugal em Bordéus, Ex-fugitivo da Inquisição," *Inquisição*, Lisbon, 1990, 1337-1346.

²⁵ Saraiva conjectures but nowhere asserts this.

²⁶ Friar José Malaquias' appraisal, apparently made at the behest of the Dictator, is appended to a copy of Sanches' manuscript *Origin of the terms Old Christian and New Christian in Portugal* in the *Arquivo Nacional da Torre do Tombo*. It was reproduced with a Dutch translation by David Willemse, "De Inquisitie en haar aanwezigheid in de Bibliotheca Rosenthaliana," *Studia Rosenthaliana*, 14, 2, 1980, 206-227: 206.

indicates, during this period affected only people of moderate means. The New Christian mercantile and financial bourgeoisie had disappeared as a consequence of the convictions and expatriations. To claim that the New Christian bourgeoisie came to power with the Marquis de Pombal sounds to me a "sick joke," because I am of the opinion that such a bourgeoisie had ceased to exist;

3.^o — convinced crypto-Jews persisted in Portugal even after Pombal's measures had taken effect. In 1791 New Christians from Lisbon and Lamego were circumcised in Bordeaux.²⁷ *During the 20th century* in several Portuguese cities and towns, e.g., in Bragança, Vila Real, Chaves, Covilhã, Pinhel, Belmonte (not just in "remote towns and villages" as Saraiva claims [Chapter Thirteen]), homogeneous nuclei of crypto-Jews were discovered which, in some instances, appealed, at one point in time, for public recognition of their Jewish communities. José Leite de Vasconcelos, the greatest Portuguese ethnologist, after his visit to the Bragança synagogue in 1932, wrote the following note (emphasis supplied):

I visited the synagogue or *esnoga* and was favorably impressed with the excellent decorum observed during the worship service, *remarkable from the historical point of view. I find it astonishing how this ethnic group has been able to maintain itself steadfastly, without any signs of desiccation, through so many almost always tumultuous centuries.*

From the wording of these statements, which could bear further development, one may easily gather the impossibility of my agreeing with Saraiva's final thesis. To complete this interview by summing up my thought on the matter, I believe I can safely state that Saraiva's interpretation of the complex whole of Portuguese New Christian history, from 1497 on and into the 20th century, is wishful thinking and devoid of any relationship to historical reality.

²⁷ We have not been able to locate the source of this information. According to Isaac S. and Suzanne A. Emmanuel (*History of the Jews of the Netherlands Antilles*, Cincinnati, 1970, I, 120) as late as 1822 one J. Fonseca with his three children arrived at Curaçao directly from Portugal to join the Portuguese Jewish community.

APPENDIX TWO

DIALOGUE ON THE SILVA-RÉVAH INTERVIEW

by António José Saraiva

(Published in the *Diário de Lisboa*, May 27, 1971;
June 3, 1971; June 17, 1971)

AFONSO: Révah's comments on Saraiva's book kick off in an odd way: "My reaction [...] was one of indignation." Thus Révah introduces himself to his readership as a man aggrieved. This would seem, straight away, to prejudice his arguments, unless it is a tactical ploy.

DAVID: No, it's not tactical, it's emotional. Révah reacts passionately. It's just that he didn't find the right word to describe his reaction. Nor is it simply indignation, but fury, rancor, resentment and heaven knows what else. This quite patently affects his play in the polemical game of skittles and even his plain common sense.

AFONSO: There must be a very compelling cause for this state of mind...

DAVID: To be sure. But this is neither the time nor the place. The most urgent matter at hand is to put some semblance of order into the entangled clew of his arguments, in order to attempt a reply.

AFONSO: That is the main difficulty: to reply in an orderly fashion to a zigzag assault. But let's take a stab. If one can discern a line of argument then one might isolate the principal themes and, finally, get into the details.

DAVID: Let's go for that method. So what is the line of argument?

AFONSO: It could be summarized as follows: Révah is at home in the Inquisitorial archives; he studied a thousand trial records. Saraiva doesn't frequent the Torre do Tombo, so he talks through his hat. If it's valid, it makes for a whopping argument.

DAVID: The facts are there, but the corollary is flawed.

AFONSO: Let's consider the two sides of the question: 1º, does the fact that he read a thousand trial records confer some sort of authority on Révah?; 2º, does the fact that Saraiva never visits the Torre do Tombo preclude him from working out a plausible theory to explain the Inquisition?

DAVID: As to the first question, I'd say that the value of the thousand trial records depends on what the researcher does with them. To date, Révah hasn't extracted from them a single idea that moves ahead

of his predecessors. Everything Révah has said up to now may be found in Lucio de Azevedo's "History of the New Christians" (1922), Lucien Wolf's *Report on the 'Marranos' or Crypto-Jews of Portugal* (1926) and Cecil Roth's *A History of the Marranos* (1932), not to mention Heinrich Graetz's seminal "History of the Jews" (1853-1876). To anyone familiar with these works Révah must seem old hat.

AFONSO: You mean to say that the sacrifice of years ensconced in the dust of the archives availed him nothing?

DAVID: Well, they allowed him to fortify with oodles of documents conclusions reached by his forerunners.

AFONSO: Are you saying Révah has not submitted to critical analysis the conventional wisdom concerning the Inquisition and Judaism in Portugal?

DAVID: That's right. He just confirms the views held once upon a time by the Inquisitors and passed from them to Lúcio de Azevedo and Jewish historiography. Were Lúcio de Azevedo to resuscitate and prepare a new edition of his book, he would merely have to increase his bibliographical references, without altering the text.

AFONSO: Just the same, you can't tell me that within the 40,000 or so Inquisitorial trial records in the Torre do Tombo there isn't tucked away a storehouse of historical information!

DAVID: Of course there is, and it awaits a competent researcher who can turn it to advantage. The first thing to be done is systematically and statistically to digest and chart in chronological sequence the raw data of 35,000 trial records: the defendants' social class, age, gender, genealogy, economic activities and relations, geographical distribution, offenses and respective punishments, use of torture to extract confessions, etc. From that point onwards it will be possible to try out hypotheses, establish correlations, map out diachronic graphs or select complex wholes. Until such time trial records fished up by this or that researcher have the value of haphazard samples, whose historical worth depends on the researcher's perspicacity.

AFONSO: Yet one has to admit that a thousand trial records is a respectable sampling!

DAVID: In Révah's case, not even that. A proper sampling must conform to certain rules. With a random handful of sand I may have a representative sampling of a whole beach but if I select only the white grains I can accumulate tons of sand to "prove" a false thesis.

AFONSO: Are you implying that Révah picked and chose his documents?

DAVID: Obviously he did. As far as I can tell, the theme of his research — which may have suggested itself by his reading of L. Wolf's

pamphlet — is the phenomenon of Marranism: the study of a certain number of families — New Christian in and Jewish outside Portugal — always with a view to determine their genealogical continuity and persistent attachment to Jewish religious practices. For him the Inquisitorial archives are a chancery of documents to back up these givens. That's why he's not very keen on questioning the reliability of trial records on the count of Judaizing. Nor is the Inquisition *per se* or its historical significance the focus of his preoccupations.

AFONSO: I see. Now to my second question: is Saraiva entitled to present a theory of the Inquisition without having studied the trial records in the Torre do Tombo?

DAVID: Saraiva tells us in the Introduction to his “History of Culture in Portugal,” that in the course of his writing he asked himself: why did the Inquisition descend on Portugal? He searched for a solution in the two foremost books on the subject: Herculano’s “History of the Origin and Establishment of the Inquisition in Portugal” and Lúcio de Azevedo’s “History of the Portuguese New Christians.” These two monuments of erudition and critical history have not yet been superseded. But the answer they provided to Saraiva’s question was unsatisfactory. Herculano saw in the Inquisition the product of an unholy alliance between monarchical centralization and the clerical thirst for power: “despotism and intolerance,” a concept in line with liberal combativeness during Portugal’s period of spiritual renewal. Lúcio de Azevedo, his intelligence and prodigious erudition notwithstanding, allowed himself to be infected, like his mentor Werner Sombart, by pseudo-ethnic prejudice and accordingly sought to rehabilitate the Inquisition by presenting it as a “tool for national unification directed against corrupt and corrupting elements”,¹ namely the Christian descendants of the Jews. Saraiva’s critical reading of these books suggested a more rational explanation. It seemed important to establish a relationship between the documentary legacy of the Inquisition and the known facts regarding the economic, social and cultural environment in which it originated and developed.

AFONSO: So you think the hitherto published documents are sufficient to sustain a theory?

DAVID: Numerous trial records have been published by Alexandre Herculano, João Lúcio de Azevedo, António Baião, António José Tei-

¹ The text refers to “p. 200 of the first edition” of Azevedo’s “History of the New Christians” but we are unable to locate there or elsewhere the quoted expression. [All footnotes by the translators.]

xeira, José Ramos Coelho, António ² Henriques, Teófilo Braga, more recently by Julio Caro Baroja, Israel Salvator Révah and others. Then there are published “institutional texts,” which Saraiva considers paramount, such as rule books of the Holy Office, Rules for the Confiscation of Convicted Prisoners’ Goods, Inquisitorial Edicts of Faith, Privileges Granted to Officials of the Holy Office, Fr. António de Sousa’s “Inquisitors’ Aphorisms.” Some of these documents had never been properly tapped by historians, prior to Saraiva. Suffice it to say that the 1640 rule book is not even listed in J. Caro Baroja’s careful and accurate bibliography to his work on the Spanish crypto-Jews: three volumes which read pleasantly enough, but contain a hurried and superficial analysis of the data. Finally there are the published works pro and con the Holy Office, such as the anonymous *Account of the Cruelties Exercised by the Inquisition in Portugal*; Ribeiro Sanches’ booklet on the origin of the label “New Christian”; Vieira’s, Luís da Cunha’s and the Knight of Oliveira’s reports and commentaries; the New Christians’ petitions published in the *Corpo Diplomático Português* and the Inquisitors’ indictments of them published by Lúcio de Azevedo and in the *Corpo Diplomático Português*; etc. This material allows the contemporary historian to critically evaluate Herculano’s and Azevedo’s theses and propose a new interpretation of the facts.

AFONSO: But would this new interpretation not be enriched if it were documented by archival research?

DAVID: Yes, to be sure. The book is wide open to criticism because of Saraiva’s failure to perform it, even on aspects not directly related to Inquisitorial trial records. For instance, from the economic point of view it would be useful to know whether the qualitative and descriptive data put forward by Saraiva are confirmed by coinage, prices, landed and monetary estates, etc.

AFONSO: Révah claims that it is dogmatic.

DAVID: Because he voluntarily forgot what is said in its “Word to the Reader”: “So we shall pose these questions and offer answers to them, all the while attempting to avoid peremptoriness and triumphalism. But even if our formulation smacks of such defects, let the questions

² Révah will take David to task for his slip of the pen (“António” for “Guilherme”) in his surrebutter. Guilherme J. C. Henriques published the Inquisitorial trial records of the humanists Damião de Góis (Lisbon, 1896) and George Buchanan (Lisbon, 1906), both Old Christians. Révah will also point out that the other scholars mentioned by David published excerpts and paraphrases of trial records on the count of Judaizing, but no full transcriptions.

remain to provoke others to formulate new answers, and our cause will have been well served.”

AFONSO: However (excuse me for harping on this), Révah accuses Saraiva of dismissing Inquisitorial documentation as “devoid of the slightest value for historians” and that his dismissiveness is his way of making a virtue out of ignorance or a methodology out of incompetence.

DAVID: This accusation tells us more about Révah than about Saraiva. We could respond in kind that Révah, incapable of anything except compiling and summarizing arbitrarily selected documents, makes believe that he follows a scientific method. But let us not stoop to that gimmick. Saraiva never said anywhere in his book that the Portuguese Inquisitorial records were worthless for historians. You don’t even have to be half as astute as Saraiva to see that they provide the indispensable raw material for any meaningful history of Portuguese society. What he did say was that *as far as the accusation of heresy is concerned* Inquisitorial trials are extremely suspect, just as are all trials for ideological deviance. That’s quite a different matter.

AFONSO: But on this note we take leave of generalities and begin to tackle more specific problems. Let’s concentrate our attention on the principal themes, which I see as the following:

- 1) class war
- 2) the Inquisitorial trial *per se*
- 3) Judaism’s persistence in Portugal from the 16th century to the present, among the descendants of those converted in 1497
- 4) the Portuguese Jewish communities in foreign parts

DAVID: These related but distinct questions are twisted and twined in the Silva-Révah interview, and plaited with supplementary ones, such as the value of the anonymous work *An Account of the Cruelties Exercised by the Inquisition in Portugal*, Manuel Fernandes Vilareal’s trial, Inquisitorial stage effects, etc.

AFONSO: So let us untwist and untwine them, leaving particular questions aside for the nonce.

DAVID: The question of the Portuguese Jewish congregations in foreign parts is now tied up with that of the Inquisitorial trial, then again with that of Judaism’s persistence in Portugal. We must examine whether it isn’t best treated separately. Where to begin?

AFONSO: Let’s start with the Inquisitorial trial. Saraiva says, in sum, that the Inquisition had a vested interest in proving that there were hosts of Judaizers in Portugal; that the Inquisitors were simultaneously judges and policemen; they investigated, arrested, judged and sentenced in secret; were accountable to no higher court. The very

defense lawyer was a functionary of the Holy Office. Moreover, the rules governing the trial were arranged in such a way that the defendant, whether convicted or not, always ended up a “Jew,” if he confessed he had to go through a public “reconciliation” and if he denied the accusations he was sentenced to death as a “negative” Judaizer. Saraiva further shows that the only way for a “negative” defendant to get out of the trial alive (and in possession of his worldly goods) was to successfully resist the judicial torture, but this opportunity was only granted him at the arbitrary pleasure of the Inquisitors and, even then he had to “abjure” a “vehement” or “slight” suspicion of Judaism, participate in the *auto-da-fé* and, holding a candle, promise “never again to engage in heretical practices,” go through a period of Catholic re-education in the College of Penitents and live in constant terror of re-arrest.

DAVID: And what does Révah have to say to this?

AFONSO: It is hard to summarize, because this is the most muddled part of his account.

DAVID: Perhaps the confusion is significant...

AFONSO: Who knows? But let it not detain us because it seems to me that Révah does not contest the Inquisitors’ subjectivism and arbitrariness in arraigning and judging their prisoners: what he calls (taking his cue from Saraiva’s book) “the institutional omnipotence of the Inquisitors.” But he seems to think that *in practice* they followed certain rules of equity, so that Saraiva’s skepticism is “a lampoon against the Inquisition.”

DAVID: Interesting, this expression... I have the feeling that I am hearing a prosecutor of the Holy Office... Révah says: “In practice the Inquisitors were obliged to employ more objective criteria which, though rarely set out explicitly in the *Regimento*, can be deduced [= ? inferred] from the study of the trial records and other Inquisitorial documents.” Now let’s see from where Révah deduces “objective criteria” which upon occasion led Inquisitors to an impartiality of judgment.

AFONSO: You heard him! He says he infers them from trial records that he studied.

DAVID: From some of them? Which ones and how many?

AFONSO: He doesn’t tell us.

DAVID: But couldn’t we at least try to reconstruct his arguments?

AFONSO: Perhaps in the following way: Révah points out three “objective criteria,” having to do with judicial torture, “observation cells” and “insufficient confessants”;

a) we know that often there was disagreement between local judges, deputies, prosecutors and the General Council as to arrests and punishments;

b) sometimes the judges publicly recognized that innocent people had been unjustly accused and even sentenced, whereupon the perjurers were punished;

c) we have methods for confirming defendants' depositions and confessions concerning Jewish liturgy by comparing them with 1) depositions made subsequent to the trial; 2) depositions made in other trials from the same locale and approximate period; 3) public declarations made outside Portugal by former prisoners of the Portuguese Inquisition.

DAVID: So we have here an argument concerning the general norms of the trial as applied in practice; an argument which demonstrates the Inquisitors' scruples; an argument concerning a second proof of the accusations, from outside the trial.

Looking at the first, I think it is absolutely essential to know by what criteria the Inquisitors decided whether to put a prisoner to the torture. In the 1640 rule book this decision is left to the discretion of the Inquisitors. Révah claims that a defendant was put to the torture "when he denied the accusations and the indications of guilt were weak." What the rule book states, however, is that the defendant *may* be put to the torture either because the crime has not been proven or because the defendant has made incomplete confessions but the final decision was the Inquisitors'. Saraiva points out that António José da Silva was not tortured, even though there was not a single proof or deposition against him and he denied the accusations. Saraiva also pointed out the reason for this, namely that torture was the only route for a *negativo* to escape with his life and in this case the Inquisitors had decided in advance to liquidate him. *António José da Silva was sentenced to death for a "crime" committed six months after his arrest* and he had been arrested without any denunciation pending against him. On the other hand his wife and mother, "relapsed heretics" arrested at the same time on the basis of denunciations, were tortured and thus enabled to escape with their lives.

AFONSO: Was there a reason the Inquisition was so keen to see António José bumped off?

DAVID: Saraiva proposed a hypothesis: In one of his plays António José da Silva had the gall to fling a quip at the Inquisitorial trial procedure, cryptic and veiled to be sure, but telling, and borrowed from the pamphlet *An Account of the Cruelties of the Inquisition in Portugal*.

AFONSO: Révah says that Saraiva's analysis of António José da Silva's trial is "distressing."

DAVID: A convenient adjective and, as the French say, "*qui n'engage à rien*." You know, one of those little insults... But, to return to the trials, there are other cases in which it is obvious that *the accused was put to the torture when the Inquisition did not want to assassinate him*. During the trial of Duarte da Silva the votes were divided: some Inquisitors were for death; others for torture. The question was submitted to the General Council and they plumped for torture. That is how Duarte da Silva escaped with his life.

AFONSO: How to explain this discussion within the Inquisition, if the Inquisitors could do as they liked?

DAVID: Duarte da Silva was an extremely influential man, one of the foremost credit providers to the Crown, a bigwig in international commerce. He apparently had spies at his service within the Inquisition and for all we know the Inquisitors may have granted him life in exchange for money. We do know that he enjoyed special treatment in prison.³

AFONSO: But couldn't they have simply confiscated his fortune?

DAVID: The wealthiest merchants took steps to dodge Inquisitorial confiscation. Moreover Duarte da Silva had connections — including the king, who made use of his services anew after his release from the Inquisition. At the crucial moment, when his life hung by a thread, the banker's protectors may have tipped the balance.

AFONSO: I could cavil, as you do, that these are individual cases and one swallow doesn't make a summer.

DAVID: But the cases invoked by Saraiva are known and published trial records that can be verified by anyone. He moreover explores all the circumstantial motivations which might have produced the Inquisitors' decision, whereas Révah, limiting himself to cases with which he alone is acquainted, omits all specifications.⁴ Yet it is the knowledge of these circumstances which is essential, because the institutional rules of the trial were but window-dressing, fashioned in such a way as to

³ One wonders what the source of that knowledge may be.

⁴ David's suggestion that "known and published trial records" (he must mean trial records that have been excerpted in Baião's *Episódios Dramáticos*) somehow carry more weight, are more typical and convincing in respect to the arbitrariness of Inquisitorial justice than the manuscript trial records alluded to by Révah, is somewhat ludicrous. Even sillier is the suggestion that only Révah has access to trial records kept in the Torre do Tombo archive, that is open to the public Monday through Friday 10-7:15 and Saturday 9:30-12:15.

leave the defendant's fate to the arbitrary whim of the judges, as Révah indeed recognizes.

AFONSO: So, if the Inquisitors had wished to sentence to death all defendants who denied the accusations or whose confessions they considered insufficient, they had in their arsenal a simple tactic: not to put them to the torture. Doesn't this prove that, when all is said and done, they didn't want to murder indiscriminately?

DAVID: The Inquisition was not interested in wiping out the New Christians. On the contrary, the more New Christians the merrier. Duly identified New Christians were the Inquisition's "fish-pond." That's why the Inquisitors, more than once, opposed the Crown's proposals to have confessed Judaizers expelled from the country. This policy explains the relatively low proportion of executions: probably not more than one-half percent of those appearing for sentencing at the *autos-da-fé*. Révah, who seems incapable of comprehending a general idea, didn't grasp this. That's why he infers the Inquisitors' impartiality from the trial of António Bocarro's relatives, who were submitted to torture in order to save them from execution.⁵

AFONSO: Hold on. When the Inquisitors had insufficient proof for a conviction, was torture not used as a means of investigation?

DAVID: That depends. If they wanted to condemn someone to death they had an infallible expedient: having the prisoner observed through peep-holes.

AFONSO: Révah says that this system "was certainly a diabolical invention, but a most useful and efficacious tool for the repression of heresy and the watchers' reports present a guarantee of reliability."

DAVID: What do you say to such an argument?

AFONSO: That Révah may be suffering from "angelitis." Unless "indignation" has muted his common sense.

DAVID: ...These watchers were paid by the Inquisition, poor devils who had to stand or crouch for hours in the same spot, one eye glued to a tiny hole, on the lurk for Judaic behavior inside a poorly lit cell. What trust can be invested in these institutional sneaks and their reconnaissance? Even if their findings were not suggested by Inquisitorial coaching, most of them must have known the kind of tidbits their bosses liked to hear. As we see in the case of Vilareal, two watchers would be assigned to the peep-hole, at which they took turns, so they could communicate their depositions to each other, compare and conflate them. These experts on cell-Judaizing worked six-hour shifts.

⁵ The reference is to I. S. Révah, "Le retour au catholicisme d'António Bocarro," *Colóquio*, no. 10, 1960, 58-60.

Why these squinting spies and their scuttle-butting should so captivate Révah may have to do with their congeniality to his own positions, for he uses them to document his stories of secret Judaism.

AFONSO: But he says that in certain cases the watchers testified to the orthodox Catholic behavior of the accused.

DAVID: Let him publish or summarize such trials and then we shall be able to form an opinion.⁶

AFONSO: It is useless to dwell on this point.⁷ But what of Révah's pronouncements on discussions going on inside the Inquisition, weighing the sentences and even the arrest of the accused?

DAVID: I have tried to test this theory for Duarte da Silva. A group of policemen-judges may be divided on means and punishments without equity being the issue for either side. Need I mention that each one has personal relations and, naturally, protégés? We must also take into account the endemic corruption of the Holy Office. A particularly venal Inquisitor-General was actually accused of protecting certain New Christians in return for gifts of money and even of naming two New Christians to the post of Inquisitor. Finally — as in the case of Duarte da Silva — allowance must be made for outside influences and pressures. Is it conceivable that Révah doesn't realize these elementary facts of life?

AFONSO: And what about the cases where the Inquisition publicly recognized the injustice of its condemnations and convicted the false witnesses?

DAVID: There were innumerable perjurers who used the Inquisition to satisfy personal ambitions and to settle scores. At one point a group of New Christian prisoners decided to get even with their Old Christian persecutors by accusing them of Judaizing, thus turning the tables on the Inquisitorial system. The Inquisitors made short shrift of the plot that had not been foreseen by the *Regimento* and prevented its recurrence by introducing a tacit rule to the effect that accusations of Judaizing directed at Old Christians were not to be entertained, thereby rendering the prosecution for Judaizing even more arbitrary than it appears in the *Regimento*.⁸

⁶ See above, Chapter Five, note 7 and Révah's "surrebutter" on this point, which he seems to win.

⁷ "Useless" because David (and his progenitor), to "justify" their failure to do research, pretend that Révah sits on the key to the archives and allows nobody access! We will see that Saraiva's unfamiliarity with trial records will cost him a victory over Révah which could easily have been his in the crucial peep-hole debate. See Chapter Five, note 19; Appendix Two, note 20; Appendix Three, note 36.

⁸ See above, Chapter Nine.

AFONSO: Should we not therefore conclude that the Tribunal worked to rules?

DAVID: There were “rules” all right, not all listed in the *Regimento*. But the formulation of these “rules” is elastic enough to espouse the contours of the Inquisitors’ inclination.

AFONSO: But in that case the rule book and tacit custom constitute the law.

DAVID: Not at all. The *Regimento* is not a code of law, but a codified compilation of practical and empirical guidelines, accumulated by long experience and written in juridical jargon, on how to extract confessions from recalcitrant prisoners and how to use them in the verdict. Its juridical terminology is a façade.⁹

AFONSO: Let’s proceed to the third type of argument: the possibility of establishing a second proof of the accusations by means of documents unknown to the judges, such as another trial with other judges at a slightly later date or declarations made by Portuguese refugees in foreign parts who claimed that they had Judaized while they lived in Portugal although they had not confessed to doing so during their Inquisitorial trial.

DAVID: This second proof is important. In certain cases it shows that the Inquisitors had hit the mark; in other cases that the accusations and sentences were sham; still other cases are inconclusive. What seems to me a polemical trick on Révah’s part, however, is for him to speak *ex cathedra* about the “second proof,” as if just by its mention the “authenticity” of the accusations is in the bag. This is throwing dust into the unsuspecting readers’ eyes.¹⁰

AFONSO: So you are admitting that among those convicted by the Inquisition there were authentic Judaizers and that by checking the trial record against other documents, unknown to the judges, it is possible to authenticate their Judaizing?

DAVID: Saraiva never said there were no Judaizers in Portugal. He only said that, in a general way, the former Jewish population assimilated and that clandestine resisters must have been few and far between, just the opposite of what the Inquisitors claimed.

AFONSO: And is there independent proof that the Inquisitors sentenced on false evidence?

⁹ David was on the brink of a semantic pitfall when he was saved by the term “empirical guidelines” as a substitute for rules or “rules.” The problem is the term “rule book” as translation of *Regimento*, which makes it sound like a book of laws. Torquemada’s Spanish term *Instrucciones* was probably more apt. David’s last sentence sums up the problem in a nutshell.

¹⁰ See above, Appendix One, note 4.

DAVID: Plenty. Révah himself in one of his monographs tells us about a certain Paulo de Lena who, hands tied behind his back and on the verge of being handed over to the executioner, decided to “confess” his Judaism and abjured at the *auto-da-fé*. Later on he succeeded in escaping to France where he remained an indefectible Catholic, engaged in a continuous battle with the Judaizing elements of the Portuguese colony in Rouen.¹¹

AFONSO: By way of proof of Inquisitorial justice Révah brings up Portuguese Jewish congregations in foreign parts whose membership was largely ex-prisoners of the Inquisition. For Révah what makes these fugitives’ Jewish resolve even more evident is the tenacity that it took to be Jewish “in the face of the hostility shown them by the Catholic or Protestant establishment [...] and notwithstanding the social and sometimes economic handicaps to which membership of a Jewish community exposed these refugees.”

DAVID: This “notwithstanding...” is suspect, because Révah has first-hand knowledge of texts by Ribeiro Sanches and the Knight of Oliveira which state that many Portuguese fugitives of the Inquisition who had absolutely no previous connection to Judaism became members of Jewish communities as a means of survival and eking out a livelihood. Ribeiro Sanches says that anyone let out by the Inquisition “will bolt hell for leather. The easiest sea-routes are to Holland, England or France. Foreign tongues and strange faces surrounding him, he gravitates to the Portuguese and Spanish Jews among whom he may even run into relatives and friends from back home. Then, out of enthusiasm, conviction or dire necessity (or a permutation of all three) he joins them.” Commenting on this text Révah writes on pages 57 and 58 of his monograph *Les Marranes*: “Once settled in the foreign country and isolated from the local population by language and customs, these New Christians, whose Catholicism was at best lukewarm, were often won over by the active propaganda of the [...] Jewish communities.”¹² What Saraiva is arguing is that the Portuguese congregations in foreign parts were founded by those few New Christians whose yearning for Judaism had somehow resisted assimilation or had been kindled by Inquisitorial persecution. These Portuguese nuclei, bound together by their own common ideology, were able to survive as organic collectivities amidst a foreign environment, holding fast to the customs and language of their country of origin. One of the

¹¹ See I. S. Révah, “Autobiographie d’un Marrane,” *Revue des Études Juives*, 119, 1961, 41-130: 61-62.

¹² “Les Marranes,” *Revue des Études Juives*, 118, 1959-1960, 29-77.

most important facts of the history of the Marranos is that Portuguese rather than Spanish was the official language of the Sephardic community of Amsterdam well into the 19th century. That was the language in which Spinoza (who was born in Amsterdam) uttered his first words. Naturally for this simple reason any Portuguese person, however weak, strong or non-existent his original attachment to Judaism may have been, gravitated to the congregation, which promptly embraced him, because it sufficed for one to be Portuguese and persecuted by the Inquisition to be presumed a New Christian. Even today this is well known in Amsterdam. The real social handicap consisted in remaining outside the congregation, without protection or relations, adrift amidst a babble of strange tongues. The congregation was, in a way, a fatherland and a motherland.

AFONSO: What about the economic handicap?

DAVID: Yet another sophism! I shall limit myself to citing a recently deceased Jewish scholar:

One must not forget the role played in yesteryear's commercial world by the ties of family and clan. To be a Marrano also meant that one was affiliated with a huge secret society of mutual protection and succor; to proceed later on, in Salonica or Amsterdam, to full membership of a Jewish congregation also meant joining a powerful commercial consortium (L. Poliakov, *Histoire de l'antisémitisme*, 2, Paris, 1961, 239, 248).

AFONSO: Is it conceivable that Révah doesn't know this?

DAVID: Of course he knows. He even refers in his interview to the fact that "the Judeo-Portuguese communities of Amsterdam and Bayonne supported, during the 18th century, a considerable number of indigents...." If these unfortunate exiles had not been protected by their congregation they would have been reduced to mendicity in a foreign land.

AFONSO: So we have floated into the theme of the expatriate Portuguese communities. And we may conclude that for a Portuguese (or Spanish) fugitive to fall in with these Jewish congregations does not prove he lived a Jewish life back in Portugal (or Spain).

DAVID: Just a moment! We have to add that declarations by expatriates also require proof. It would be only human if to look good before their Jewish countrymen, they had embroidered their stories. In this respect a bizarre episode in the Spanish novel "The Life of Estebanillo Gonzalez" springs to mind. Having arrived in Rouen, the picaroon fetches some ashes which he puts into a little bag. He goes to the Exchange to make contact with the local New Christian colony, greets them in faultless Portuguese and tells them he fled from the Inquisition, showing them the ashes which, he says are those of his

father, whose body was burnt at an *auto-da-fé*. The Portuguese are moved to tears, beg him for a small quantity of this precious relic, quickly collect 25 ducats which they give the lad, along with a letter of recommendation for a correspondent in Paris. "I took my leave of them," says the rogue, "proud of having taken for a ride people who always cheat others, but never allow themselves to be cheated." Though reeking of gunk, the tale's core probably reflects a sociological reality. We chance upon similar cases in Portuguese emigrant circles of our own days, where there is always someone who attempts to solve personal problems by attributing ideological motives to his emigration. All in all, descriptions by emigrants of their crypto-Jewish practices in Portugal are hardly the impartial second proof necessary to establish the veracity of Inquisitorial accusations. Révah tends to forget that.

AFONSO: Let's move on to another theme, related to the practice of crypto-Judaism in Portugal. Révah says that "crypto-Jewish groups, of a notably homogeneous ethnic and religious character" which "have been discovered during the 20th century in the interior regions of the country" attest to the persistence of Judaism in Portugal and thus show that the Inquisitors were right.

DAVID: Saraiva considers these groups a residual phenomenon which does not affect the general lines of assimilation of the pre-1497 Jewish population which remained in Portugal. The phenomenon should be reduced to its true proportions. The engineer Samuel Schwarz published in 1925 a book called "The New Christians in Portugal in the 20th century" which recounts his discovery in Belmonte of families who were secretly practicing some very disfigured relics of what might be termed a Judaic cult. He also found some people conscious of Jewish ancestry in towns such as Covilhã, Fundão, Guarda, Bragança and others. As a result, the Jewish Community of Lisbon launched an international appeal for the creation of a boarding-school where Marrano boys were to be taught authentic Judaism. In order to study the situation *in loco*, the Anglo-Jewish Association and the Alliance Israélite Universelle sent an emissary to Portugal in the person of Lucien Wolf, a distinguished historian of Sephardic Jewry. He spent four weeks in Portugal, visiting Oporto, Coimbra, Guarda, Covilhã, Belmonte, Curia, and interviewed high-ranking personalities including the President of the Republic, who promised him every possible support. His *Report on the Marranos or Crypto-Jews of Portugal* appeared in London and, in French translation, in Paris, in 1926: 17 dense pages, remarkably lucid and powerfully synthesized, which came to have a decided impact on the study of Marranism. Wolf arrived at conclusions which did not coincide with

those of the Jewish Community of Lisbon. According to him the great mass of descendants of the pre-1497 Jews of the Beira and Trás-os-Montes provinces had totally assimilated to fervent or humdrum Catholicism, in spite of being called Jews behind their backs by some local elements. In Pinhel, for example, a place still popularly considered Jewish, he was unable to locate “a single Marrano.” As far as those he met who were willing to identify with this label (when he explained it to them, for the word is not current in Portugal), he found it impossible to establish whether they had a precise notion of Jewish doctrine and ethnicity, even though they might maintain some very garbled traditions or rites. It was primarily old women who transmitted these traditions and thanks to them Marranism had been perpetuated. (Révah was later to appropriate this idea in connection with Uriel da Costa’s family.) In spite of the institution of civil marriage by the laws of the Republic, most couples continued to marry in church; Wolf met at most one or two families of those who claimed, or were considered, to be of Jewish origin, who had not been married in church. As for their numbers, Wolf considered the figure advanced by Schwarz of 10,000 families to be “vastly exaggerated,” if one were to understand by Marranos those who secretly performed Marranism, but “probably below the true figure” if it were to comprise all those persons, including convinced Catholics, Protestants or agnostics, who were conscious of their Jewish roots. Despite Wolf’s missionary zeal, no more than a handful of these Marranos expressed interest in “joining the Jewish fold,” but even they did not follow up on it. To sum up, Wolf considered impracticable the project of establishing a boarding-school in Lisbon for Marrano boys. Instead he proposed, with the help of imported pedagogues, a center for adults in Oporto, where a small congregation had been founded and was led, said Wolf, by the “sole Marrano to have converted to Judaism during the last 150 years,” namely the Portuguese army captain Artur Carlos de Barros Basto (1887-1961).¹³ The membership of this congregation consisted of 17 families of East European immigrants. That was the state of things in 1925.

AFONSO: That’s not the impression I gather from Révah’s words. He speaks of the Bragança synagogue which Leite de Vasconcelos visited in 1932 as if it had survived three centuries of Inquisitorial persecution.

¹³ In point of fact, Captain Barros Basto was not of New Christian descent, except in his own fantasy. See Elvira de Azevedo Mea and Inácio Steinhardt, *Ben-Rosh, Biografia do Capitão Barros Basto, o Apóstolo dos Marranos*, Oporto, 1997.

DAVID: He's putting one over on his readers. The Bragança synagogue referred to was founded by Captain de Barros Basto in 1927.¹⁴ And even though the latter was an ardent apostle, his efforts don't seem to have had much success. The same Leite de Vasconcelos records that "since 1910 the number of Israelites have gradually diminished" in Portugal (*Etnografia*, 4, p. 237).¹⁵

AFONSO: In any case these survivals, scanty as they may be, testify to the existence of a clandestine Judaism in times gone by. One may suppose that in Pombal's time crypto-Judaism was stronger and more viable than now. At least that is what Révah seems to think when he discusses the trials for Judaism during the 60's of the 18th century.

DAVID: As I've already said, Saraiva does not dispute that underground Judaizers held out — in progressively diminishing number — throughout the reign of the Inquisition. The Inquisition of course pretended that this Judaizing was ever on the increase. But as Saraiva has shown, at the time of Pombal's reforms it was no longer a viable entity and what Marranism had survived was a fossil without religious significance, more or less what Lucien Wolf discovered.

AFONSO: How is that?

DAVID: With Pombal's reforms, arrests for Judaizing came to a halt. Indeed, the last decades of the 18th century saw practicing Jews (whether or not of remote Portuguese origin) organize themselves communally in Portugal. The Amzalak family of Jerusalem settled in Portugal during the last decades of the 18th century. A synagogue was inaugurated at Lisbon in 1813 (until then, from about 1780, worshippers had gathered in private homes), and a Jewish cemetery was acquired in 1801 (until then Jews were buried in a plot set aside in the British Protestant cemetery). When the persecution ended, had Judaism still been alive in Portugal — even in deepest hibernation — that was the moment for it to come out into the daylight. However nothing of the sort occurred. The initiative for all the synagogues built in mainland Portugal and the Azores after 1813, in Lisbon, Faro, Ponta Delgada, Angra de Heroísmo, etc., was taken by outsiders. The exceptions are Captain de Barros Basto and José António Furtado Montanha, director of the Bragança branch of the Bank of Portugal

¹⁴ M. Viegas Guerreiro's edition of the fourth volume of *Etnografia Portuguesa* (Lisbon, 1958, 179-181) makes this quite clear and puts Leite de Vasconcelos' romantic note of 1932 in proper perspective.

¹⁵ This unfortunate sentence, which will be pounced upon by Révah in his "surrebuter," misleads the reader into thinking that Leite de Vasconcelos is referring to "Marrano" communities in the outlying provinces, whereas in reality it refers to the members of the Faro and Lisbon authentically Jewish communities, made up mainly of second- and third-generation descendants of immigrants from Gibraltar and Morocco.

and the moving force behind the revival of Judaism in Bragança, who entered the bond of Abraham together with seven of his friends during a “pastoral visit” by Captain de Barros Basto and his official circumcizer in October 1927. This “mass conversion” to Judaism and concomitant establishment of a (short-lived) congregation was not, however, the culmination of atavistic crypto-Judaism but rather the result of Barros Basto’s missionary enthusiasm and charisma given a helping hand by an eccentric Catholic priest named Francisco Manuel Alves (1865-1947), better known as the *Abade* of Baçal, a religious relativist, who believed Judaism to be “in many respects superior to Catholicism” and welcomed the establishment of a Jewish congregation in Bragança.¹⁶ All this circumstantiates that during Pombal’s time it was only the Inquisition that kept up the fiction of a thriving crypto-Judaism. Pombal must have been aware of this, for otherwise he would not have risked occasioning a religious split within Portugal — he of all people who, though an agnostic, valued the Catholic cult as a tool for the unification of the State. Révah’s expatiation on the trials for Judaizing during the Pombaline era (to which Saraiva also refers) isn’t worth a farthing. Furthermore, when he says that he discovered that Ribeiro Sanches’s account (which, according to Saraiva, inspired Pombal’s reforms) was denounced to the Inquisition in 1756, he is simply playing the peacock. Pombal himself, though first minister and favorite of the king, was denounced to the Inquisition.

AFONSO: Révah seems not to have grasped Saraiva’s thesis concerning the significance of the Pombaline reforms. He says that to claim that the persecutions ceased because the persecuted class had come to power is “a sick joke.” He believes that quite on the contrary the New Christian mercantile and financial bourgeoisie had disappeared from the scene due to emigration and persecution. “It had practically ceased to exist” [*sic*].

DAVID: Révah seems a little short on humor, if this interview is anything to go on. How could the New Christian bourgeoisie have disappeared when he himself, in his above-cited monograph “The Marranos” (p. 48) accepts “*presque entièrement*” (citing Saraiva’s first book) that “the history of the New Christians, until the rule of the Marquis de Pombal is, up to a point, the history of the Portuguese financial and mercantile bourgeoisie?” Moreover he himself, in the same study and on the same page cites, in support, Frédéric Mauro’s view that “Portugal is not the only country which in the 17th century

¹⁶ Cf. H. P. Salomon, “The Captain, the Abade and 20th-century ‘Marranism’ in Portugal,” *Arquivos do Centro Cultural Português*, 10, 1976, pp. 631-642.

has a bourgeoisie and a group of New Christians: what makes for its originality is the *de facto* confusion between bourgeois and New Christians.” He himself ascertains that during the 17th century, in Portugal, the expressions “*Men of Commerce*” and “*Men of the (Hebrew) Nation*” were synonymous, even in official documents. To suppose that the Portuguese mercantile and financial bourgeoisie, which was on the whole “New Christian,” “had ceased to exist” by Pombal’s time, is so risible that it must be Révah’s humor finally coming on with a vengeance.

AFONSO: Doesn’t Révah realize that he’s inviting ridicule?

DAVID: I would wager that as soon as he leaves the archives he is a fish out of water. Who else with one thousand trial records in his cap would conclude that the Portuguese mercantile and financial bourgeoisie had already vanished from the scene by Pombal’s day!

AFONSO: Perhaps he read this somewhere...

DAVID: The abrupt end to a “Jewish question” in Portugal immediately the Pombaline laws were promulgated has impressed historians from Lúcio de Azevedo to Lucien Wolf. Révah confines himself to regurgitating their explanations. But during the period when they were writing the terms of the problem were different, because the identification of the Portuguese bourgeoisie with the New Christians had not yet been made plain. By doggedly dishing up the same stale argument even after the publication of Saraiva’s book Révah makes himself a laughing stock.

AFONSO: It’s the context of the class war. By now we are tackling the last main theme of the Révah-Silva interview. Révah challenges Saraiva’s “simplistic application” of this theory to the Portuguese New Christians.

DAVID: I suspect that Révah knows little more about the theory of class war than that it’s a touchy subject in the present university upheaval in France. That’s why he prudently refrains from discussing the theory itself, but only its “simplistic application,” without bothering to explain what the *over-simplification* consists of.

AFONSO: That’s not strictly true. He gives the following synopsis of the thesis of Saraiva’s first book on the subject (1953): “that the neo-Christian ethnicity and the crypto-Judaic religion were abominable myths invented by the Portuguese Inquisitors (tools of the ruling seigniorial class) and that the label ‘New Christian’ was an invention of the ruling class and its Inquisitorial agents in order to keep the mercantile bourgeoisie and its allies out of power.”

DAVID: That’s not exactly what Saraiva said, but rather: that the rapid assimilation of the converted Jews (which took effect especially

in the circles of the high bourgeoisie), gave the complex whole of the Portuguese bourgeoisie a force which threatened to shake up the old guard, nobility and clergy. To obviate this situation the ruling classes thought up a form of discrimination (which had been legally abolished in 1496), that would pen up and separate from the rest of society by a sanitary cordon virtually the whole Portuguese bourgeoisie. The Inquisition, not merely by its *autos-da-fé* but also by its cleanness of blood archives, was the tool for imposing this discrimination.

AFONSO: Was this also the thesis of the 1969 book?

DAVID: Yes, but in this second book Saraiva carefully avoided the schematization that characterized the first, wherein the bourgeoisie and the ruling class might appear as homogeneous, rigid blocks. That is why he gave the breakdown of the governing class: king, clergy, traditional nobility. He descried the motivations of the low and high clergy; specified those of the intellectual bourgeoisie; described the state of mind, favorable to the Inquisition, of the so-called plebeian classes. He stressed the socio-psychological aspects of the problem. Above all, he developed a theme that had already been sketched in 1955: phases of the Inquisition which correspond to different types of relations between it and the ruling élite. There is a phase when the two powers are intimately allied, another when they dissociate, a third when they go at each other no-holds-barred. These different phases correspond to the progressive alteration in the balance of forces in Portugal. By the time Pombal reformed the Inquisition it had been reduced to a scarecrow because the center of economic and cultural gravity had already passed, for the most part, to the high bourgeoisie. This doesn't look like a simplistic application of the theory of class war and even though Saraiva nowadays goes around proclaiming that this theory has been abused, the scheme he proposed in 1953 and developed in 1969 still seems to me the best key for explaining the appearance and the history of the Portuguese Inquisition.

AFONSO: Révah challenges this thesis, if I understand him correctly, with the following argument: to assume that the Inquisition was created as an instrument of combat against the mercantile and financial bourgeoisie one would have to accept the idea that "all the 'pseudo-New Christians' belonged to the high mercantile and financial bourgeoisie" and that they belonged to it "from the 16th century until its 'triumph' during the Pombal era." However, in the first place, many of the New Christians weren't wealthy; secondly the so-called high bourgeoisie's heyday lasted only from the reign of King João III through that of King Pedro II and "had practically disappeared from the scene during Pombal's time."

DAVID: A childish argument indeed. Everyone knows that many New Christians weren't bourgeois. Saraiva emphasizes in his book, replying to Caro Baroja, that medieval Portuguese Jews quite commonly took up "mechanical trades" — trades which all things being equal could have passed from father to son. But from the beginning of the 16th century on the Portuguese mercantile and financial bourgeoisie was so dominated by the descendants of the former Jews that it was perceived by the ruling classes as a complex whole, isolated from the rest of the population, which could be discriminated under the cloak of an ethno-religious argument. Not all New Christians were bourgeois, says Révah (he might have added that not all bourgeois were New Christians); but from the viewpoint of the class war, the salient fact is that the overwhelming majority of the bourgeois were New Christians. In the struggle of the ruling group against the bourgeoisie this was the decisive argument. But is it worth while pursuing the discussion on such a low plane?

AFONSO: It can't be helped... Révah harps on the many humble folk that were also persecuted by the Inquisition.

DAVID: And how could it have been otherwise? Once put into place, a system of persecution tends to run on its own momentum. In every Portuguese village there will have been grudges or people who welcomed the chance to exact satisfaction at the behest and under the auspices of holy directives, waiting to get a neighbor. Not to mention the *familiars* who earned a premium for their every denunciation and arrest. Even so, the statistics drawn up by António Joaquim Moreira for the years 1682-1691 show that more than 50% of the 1300 persons convicted, including those executed, belonged to the bourgeoisie, 30 percent to craftsmen and only 12 percent to the lower class.¹⁷

AFONSO: Are these statistics a valid sampling?

DAVID: For the present we don't know. But there is a good chance that their lobby's influence on the government grew in inverse ratio to the Inquisition's ability to indict high-ranking bourgeois. There are indications that during the 18th century, or even earlier, the Inquisitorial net was already unable to hold the whales and had to content itself with the minnows: poor Marranos of the interior provinces, who were petty merchants and artisans. In the big cities the New Christian bourgeoisie had often mixed with the high nobility. Perhaps it is this phenomenon that gave José de Alcázar the idea that the Marranos were lower middle class. However, the latter's criticism of Saraiva's first book on the Inquisition is infinitely more penetrating than anything

¹⁷ See João Lúcio d'Azevedo, *História dos Cristãos-Novos Portugueses*, Lisbon, 1922, 492.

Révah has written and he is perhaps right as regards a very late period in the history of the Inquisition.

AFONSO: But leaving aside for a moment Révah's arguments, I myself should like to venture an objection to Saraiva's book: are we to believe that the Jews, who retained their religious identity during thousands of years in all the countries of the the Diaspora, would have allowed themselves to lose it in little Portugal?

DAVID: This is a tough nut to crack. But one answer already occurs to me. The present-day Jews of Western Europe are a handful of survivors of a "long march" strewn with dead and missing persons. Those who have made it into the present are the ones who successfully resisted or escaped massacres, pressures, temptations and assimilation. This historic process of natural selection no doubt contributed to the tempering of the extraordinary quality of these people, from the economic, literary, technical, scientific and spiritual viewpoint, although the annihilation of the 1940's left no room for tempering. As to the Portuguese Jews, the few who resisted conversion left for alien shores. From among the persecuted later generations of Portuguese New Christians, those who shed their Christian beliefs, readopted their ancestors' Jewish beliefs and maintained their Portuguese identity in new areas of settlement, a majority of their conscious and identifiable European descendants were to be murdered in the Nazi gas chambers; others in the course of centuries migrated to the Americas and some live today in Israel. Those who remained in Portugal (the overwhelming majority) dissolved into the Portuguese population, sharing, along with everything else, its fervent, lukewarm or non-existent Christianity.¹⁸ What remains to be ascertained is the extent to which they introduced Judaic cultural elements into every-day Portuguese life.

AFONSO: This is no doubt a theme for future research and it would be well for Saraiva not to lose sight of it. But we still have to clear up certain questions of detail. Let's consider a few of them: the cases of Francisco Gomes Henriques and Uriel da Costa. Révah reckons the pages Saraiva dedicated to the former "absurd."

DAVID: He should explain how it is that Gomes Henriques, according to Révah a "convinced Judaizer," attempted, just before his execution, to smuggle a letter to his wife, in which he refers to "Our Lord Jesus Christ" and recommends to his family, in memory of his soul, devotions to "Our Lady of Glory."

¹⁸ On the post-18th-century partial "dechristianization" of Portugal, see Robert Ricard, "La dualité de la civilisation hispanique et l'histoire religieuse du Portugal," in id., *Études sur l'histoire morale et religieuse du Portugal*, 13-31: 24-31 (originally appeared in *Revue Historique*, 1956).

AFONSO: Saraiva's study on Uriel da Costa, Révah pronounces "the quality of its scholarship" to be "lamentably low."

DAVID: This is a lament of his own. Because Révah dedicated years of his life to the study of Uriel da Costa's family, without making head or tail of the story. With all his documents and dust inhaling, Révah has added nothing to the essential fact, which is that Uriel da Costa was raised a full-blooded Catholic and given an unabridged Catholic education, as we learn from the autobiography he penned before committing suicide. Da Costa came to reject contemporary rabbinical Judaism (which he got to know only after his emigration), because he found in it the same elements of religious intolerance he had rebelled against in his native country. That is the heart of the matter and not the trial records of the maternal grandfather, great-grandmother, great-aunt and second cousins. Saraiva's study on Uriel da Costa is one which must have got under Révah's skin, and for good reason.

AFONSO: There is another one which must have made him quite indignant, because he also calls it "absurd": the one on Manuel Fernandes Vilareal.

DAVID: Révah seems to have taken personally Saraiva's analysis of Vilareal's trial. That's why, in order to confirm the authenticity of the Inquisitorial accusations against him, he offers three perfectly frivolous arguments: 1.^o and 2.^o: "*Vilareal was the friend of all the Judaizing Portuguese of Rouen and the mortal enemy of the few faithful Catholics who resided in that city.*" Even assuming this "all" and this "mortal" to be true, it wouldn't mean anything, because only the "Judaizing" group was of interest to Vilareal as far as his personal affairs and those of the Portuguese king (whose agent he was) were concerned. It was with the "Judaizing" majority, not with the "few Catholic faithful",¹⁹ impecunious, that Father António Vieira established contact when he passed through Rouen in 1646, seeking out credit for the Portuguese king. 2.^o: Vilareal "carelessly blurted out" to the Inquisitors, "who knew nothing of this matter" that his wife and daughter had "reverted" to Judaism. Révah omits to remind us that these ladies were not residing in Portugal at the time and that Vilareal was following the discreet method of denouncing only people out of reach of the Inquisition and that a confessant's denunciation of close relatives was considered by the Inquisitors the greatest proof of sincere contrition. Besides, if we are to believe his declarations, he had in fact been living separated from his wife for many years previous to the trial. Perhaps it was for this very reason that she moved away from Rouen to Italy, in the company of

¹⁹ See Appendix One, note 8.

another New Christian, while Vilareal was in Lisbon. One of his principal enemies was his brother-in-law, his wife's brother. In the game of blind man's buff (which is what an Inquisitorial trial amounted to), Vilareal suspected, among other things, that his wife, not over keen to have him back, was indirectly responsible for his arrest.

AFONSO: Hold on! Don't tell me all this escaped Révah!

DAVID: Of course not. But he is keeping it from his readers.

AFONSO: So that's the use he makes of the documents? But let's proceed to Révah's third argument. 3^o: *Vilareal, in one of his books, had called for freedom of religion in the countries of the Iberian Peninsula.*

DAVID: This proves absolutely nothing. The book in question, *El Político Christianissimo*, published in 1642, is a panegyric upon the French prime minister Cardinal Richelieu (1585-1642) and, by association, upon religious liberty at large. It refers especially to the French wars of religion between Catholics and Protestants and it alludes but obliquely, here and there, to the Inquisition. Father António Vieira and others espoused Vilareal's criticisms on this point. Saraiva, analyzing *El Político Christianissimo*, shows that Vilareal was in reality a precursor of "toleration" [in the sense of John Locke's *Letter on Toleration*, 1689], no more Jewish or Protestant than he was Catholic, like Uriel da Costa²⁰ and the French free-thinkers of his time.

AFONSO: They really are pretty weak, these supplementary arguments adduced by Révah to support his (and the Inquisitors') theory that Vilareal was a "Judaizer." And yet he is acquainted with all 3000 folios of the trial record.²¹

DAVID: He is, but he picks and chooses what to use. There is, for example, a letter written by Menasseh Ben Israel to Vilareal in 1648, in reply to the latter's query concerning Scriptural chronology.²² In this letter, amiable and courteous, Menasseh complains of pressure of time, explaining that, for lack of a personal fortune, he has to give lessons in Talmud. The passage runs as follows: "I am resigned to

²⁰ It is surprising to find Uriel da Costa exemplified here as a "free-thinker," since he passed, according to his own account, from the most exacting Catholicism to the strictest adherence to the Mosaic Law and, finally, to the Law of Nature. While an adherent of each of these successive faiths, Uriel negated all others. See Uriel da Costa, *Examination of Pharisaic Traditions*, translation, notes and introduction by H. P. Salomon and I. S. D. Sassoon, Leiden, 1993.

²¹ Afonso will be taken to task in the surrebutter (Appendix Three) for multiplying the actual number of folios by 10.

²² Reproduced, commented and translated by Elkan Adler, "A Letter of Menasseh Ben Israel," *The Jewish Quarterly Review*, 1904, 562-571. The letter was apparently removed from Vilareal's trial record and sold to Adler in Lisbon. Curiously, the two Portuguese corresponded in Spanish.

being a schoolmaster and I teach the Talmud, which is our theology.” Menasseh considered his correspondent so unfamiliar with Judaism that he thought it necessary to explain the word Talmud to him in Catholic terms. And yet this Portuguese rabbi, who was familiar with all the Portuguese in Amsterdam and held personal conversations with Father Vieira, knew Vilareal’s writings and certainly of his fame. Révah doesn’t see the forest for the trees.

AFONSO: Nevertheless, with his attention to detail, he seems to have caught Saraiva out. In the course of the trial two books about Jewish ceremonies are mentioned, one by Menasseh and the other by Leon Modena. Saraiva thought they were one and the same and concluded from this that at a certain point in the trial Vilareal confessed something he had denied earlier. This is an important element in Saraiva’s thesis, because the denial is confirmed by a witness and Vilareal’s confession would then be demonstrably false.

DAVID: It’s true that Saraiva made a bad blunder. Révah with predictable gusto jumps on it. But Révah is off target too. The book *Riti Hebraici* is Vilareal’s last hope — along with the 434 prison fasts. He knows he must confess all offenses that might be imputed to him by every kind of accuser. Now he had already denied giving the Marquis de Nisa Menasseh Ben Israel’s *Tesouro dos dinim*, a compilation of Jewish precepts; yet he suspected that this or a similar accusation had been made against him. Not to become a *diminuto* and neither have to contradict his earlier attestation (both stances liable to the death penalty), he needed an alibi. There was a book published in Paris in 1637 — which must have been well known to the French court for it is dedicated to the French ambassador in Venice — entitled *Historia degli Riti Hebraici*, a handbook of contemporary Jewish rites, dogmas and customs, by rabbi Leon Modena (1571-1648). The Venice edition appeared in 1638 and it is not out of the question that it was sent to the Marquis de Nisa from Italy by the same Vicente Nogueira who supplied the *Tesouro dos dinim*. Indeed, one of Vilareal’s earliest depositions refers to the Marquis ordering from Rome “two books of Jewish ceremonies,” which together with other books the confessant, in a garbled sentence, attributes to Menasseh.²³ The latter, however, aside from the *Tesouro dos dinim*, had not written any other book on “Jewish ceremonies.” The second of the two books might well have been Leon Modena’s. In any case, the whole matter is far too obscure

²⁰ See above, Chapter Five, n. 8. It seems strange that Révah ignored these words of Vilareal’s, since elsewhere he quotes other parts of the apology. See *Ibérica*, 1, 1959, 185, n. 8.

to justify Révah's doctoral assurance; moreover *anything* confessed to at the brink of a scaffold is as suspect as the 434 fasts. Suffice it to recall that he now declared that he had said to the Marquis de Nisa and to another nobleman that he was a prophet and a descendant of the tribe of Levi. However, in the course of an earlier deposition Vilareal had replied to this accusation that it was only in the way of a joke that he said he descended from prophets. Indeed, the Marquis de Nisa, questioned about this, testified that Vilareal had only facetiously said he descended from prophets and it was on the occasion of his foretelling events. This then was the truth, attested to *by the only trustworthy witness in the trial*. But, at the sight of the scaffold, his hands tied behind his back, Vilareal now beats his breast for what earlier on he had called a "witticism." It is at the same extremity that it occurs to him to mention the *Riti Hebraici*, which was, moreover, a book printed and read in a Catholic country, authorized by the Venetian Inquisition. And Révah gravely takes note of yet another offense against the faith, like the Inquisitorial notary. One more *document*. He's as intent as the Inquisitors to prove Vilareal's Judaism and we are already aware of his high regard for the peep-hole watchers, who provide the principal exhibits of the trial.

AFONSO: In other words Révah did not succeed in demolishing Saraiva's thesis in this case.

DAVID: The weakness of his arguments and his game of hide-and-seek seem to show, on the contrary, that he is in trouble, for all his professorial airs. *The American Sephardi*, a journal published by Yeshiva University in New York, in its Autumn 1970 issue [4, 1-2, p. 103] published a very upbeat review of Saraiva's book. The reviewer said it all in a nutshell:

"Vilareal was unlucky; he confessed to 434 Jewish fasts, but unaware that he was accused of seven prison fasts, did not specifically confess to those. He was garroted and burnt at the stake."

AFONSO: To move on: Révah accuses Saraiva of falling for an unreliable text: *An Account of the Cruelties Exercised by the Inquisition in Portugal*.

DAVID: Concerning *An Account of the Cruelties* I give the floor to Lúcio de Azevedo, who had an intimate knowledge of the Inquisitorial Archives and can hardly be called an adversary of the Inquisition:

"The document *par excellence* concerning the Portuguese Inquisition is the famous pamphlet *An Account of the Cruelties Exercised by the Inquisition of Portugal*. [...] A surprising feature, considering its *genre*, is that it does not contain a single allegation which recourse to the trial records fails to confirm. Never has a charge been based on more positive proof and anyone desirous of acquiring a detailed knowledge of

the practices of the Holy Office may confidently quench his thirst at this source” [“History of the New Christians,” Preamble, p. vii].

“A first-rate testimony which has never been surpassed, as far as the subject goes, in design and clarity. From the time the wretched defendant is arrested until he is sentenced to death and executed not a single stumbling-block or anguish which he meets up with in the course of his trial is missing from the narrative. Everything *The Account of the Cruelties* exposes about the prison routine, the Inquisitors’ and the defendants’ crafty devices (the former’s to obtain confessions, the latter’s to escape death) is the absolute truth” [“History of the New Christians,” p. 309].

AFONSO: Is it worth while replying to Révah’s remark about the effect of the theatrical *scenario* which, according to Saraiva, the Inquisitors organized?

DAVID: His reasoning is so infantile...

AFONSO: “Infantile” doesn’t fit, because kids in general are smart.

DAVID: The *scenario* was intended for the crowds at the *autos-da-fé*; for the defendants at the interrogatory and declaratory sessions, always mounted according to a strict formulary with juridical pretensions; for the Inquisition’s own staff who pranced and went through the motions of a dance whose choreography they did not grasp; for the very Inquisitors, who wished to see themselves in the mirror of legitimacy and Christian charity. Révah knows perfectly well that even in confidential meetings we are on stage and play out parts. The 1640 rule book systematically organized the whole stage effect for the various audiences and is itself a model of stylized virtuosity. There is perhaps no other work like it in the bibliography of ideological totalitarianism and, as such, might lend itself to a formidable study.

AFONSO: Are there any other points to focus on in the Silva-Révah interview?

DAVID: To be sure, but I’m weary. Moreover there is a Portuguese proverb which says: “You can tell the cloth from the sample.” We haven’t sufficiently dealt with Révah’s intentional omissions. He argues, for instance, that the discovery through the peep-holes of Jewish fasts was not a secret procedure, but was publicly revealed at the *autos-da-fé*.²⁴ But he forgets to add that in these publicly read-out

²⁴ Révah, in the interview, did not say in so many words that peep-holes were mentioned in the sentence. Yet David seems to understand Révah to have said precisely that. As we pointed out in our footnote 7 to the interview, peep-holes were never referred to in the sentences (the sentence read out at the *auto-da-fé* was the Inquisitors’ summary at the close of each trial record, beginning with the word “Acórdão”). Thus,

sentences, as with the accusations read out to the defendant in the course of the trial, the time and place when these ceremonies were carried out were never specified. Révah's readers are taken for a ride.

AFONSO: So let's wrap it up.

DAVID: Not before I take one swipe below the belt. Révah deploras "the patronage bestowed on the book by certain high-placed French worthies." Having attained the highest rank to which a French academic can aspire, Mr. I. S. Révah forgets the respect he owes the intellectual and moral caliber of generous persons who helped him in his career. Another Portuguese proverb says: "To tell a despicable man, put the Field Marshal's baton in his hand."

LETTER TO THE EDITOR OF THE DIÁRIO DE LISBOA
FROM PROF. RÉVAH

(*Diário de Lisboa*, June 17, 1971)

Paris, June 2, 1971

Dear Sir,

I beg you kindly to publish the following:

The *Diário de Lisboa*'s Literary Supplements of May 6 and 13, 1971 carried an "Interview with Prof. I. S. Révah, conducted by Abílio Diniz Silva" on Mr. António José Saraiva's book "Inquisition and New Christians."

The first of these Supplements also included a letter by Mr. Saraiva to whom — according to a note by the Editor — were sent "galley proofs of the interview with Dr. I. S. Révah so that he could immediately take cognizance of it and, if he saw fit, to exercise his good right and prepare a reply."

I thought the Editor's handling of the matter excellent. My only reservation is not having myself received galley proofs of the interview, which would have permitted me to correct several typographical errors.²⁵

Saraiva's hypothesis that all or most of the defendants who *discovered* the peep-holes and their function in the course of their trials were executed, stands and Révah — whether he implied or (according to David) actually said that peep-holes were mentioned in the sentences — suffers a heavy blow. See Chapter Five, note 19.

²⁵ The translators have not been able to locate these in their copies of the *Diário de Lisboa*.

In his letter Mr. Saraiva tried to dismiss my criticism with attacks tangential to the subject under review, making this extraordinary disclaimer: "I do not carry out archival research because that is not my specialty." Since Mr. Saraiva asserts, alluding to the interview: "I do reserve the right to comment in detail once it has been published in full," I awaited the appearance of the announced commentary, fully expecting the editors to send me the relevant issue of their Literary Supplement. Regrettably they did not live up to my expectations.

However, a Portuguese friend of mine, resident in Paris, today lent me a copy of the *Diário de Lisboa* dated May 27, 1971, with the first part of a "Dialogue about the Silva-Révah interview," authored by Mr. Saraiva. In the Dialogue Afonso and David, chimeras fabricated by that gentleman, attack the text of the interview with the lack of good faith characteristic of their procreator and attempt to justify the unspeakable "method" of a pseudo-historian who, without personally consulting a single document in the Inquisitorial archives, relies exclusively on the summaries contained in the secondary literature, yet dogmatically utters absurd and dogmatic theses about the New Christians and the Holy Office. The two imaginary characters accumulate calumnious attacks, misrepresentations of texts and theses, factual errors and proofs of their supine ignorance of the subject at hand.

All this explains why, as Mr. Saraiva would say, I "reserve my right to comment" on the Dialogue in detail once it has been published in full. It is moreover hardly necessary to mention the right of reply, seeing that the Editor of the *Diário de Lisboa* announced, in the "Literary Supplement" of May 20, 1971 his intention of continuing to "host the debate," maintaining "an impartial stance before the polemical positions in confrontation."

Thanking you in anticipation, I remain,

Very sincerely yours,
I. S. RÉVAH

COMMENT ON THE ABOVE
BY THE EDITOR OF THE *DIÁRIO DE LISBOA*

The publication of the preceding letter by Prof. I. S. Révah is itself evidence of the fairness and impartiality which we have observed respecting the polemics between Dr. Révah and Dr. António José Saraiva.

We must, however, clarify the following points:

1 — We did not raise any objection to the publication of the interview with Prof. Révah although we feared that it would probably not be

of great interest to the majority of our readership. Since Prof. Révah's comments implicate the theses and methods of António José Saraiva, we submitted the galley proofs of the interview to him, to allow him his right of reply, for he was being attacked and Révah was the attacker.

2 — The galley proofs of the interview were also submitted to the interviewer, Dr. Abílio Diniz Silva who, at our request, divided it into subsections, to which he gave titles.

3 — We did all we could to eliminate typographical errors. We ourselves carefully went over the page proofs. Despite all this, a few typos escaped our attention. We are so bold as to congratulate ourselves on their paucity.

4 — We sent Prof. Révah 50 copies of the "Supplements" containing the interview, thus concluding our responsibility towards the interviewed personality.

Prof. Révah now accuses us of not having sent him the "Supplements" containing A. J. Saraiva's reply. It is true that we did not send them to him. It just so happens that the multiplicity of tasks to which we have to attend as Editor of this "Supplement" was not compatible with the illustrious scholar's "expectations." Please pardon the vulgarity of the expression, but we did have "other fish to fry." The fact of the matter is that the publication of these polemics (which are seemingly far from over and done with) has monopolized a great part of our energy.

5 — We are continuing to host the debate and to maintain our impartial stance. But only as long as things don't get out of hand. "Polemics," by all means, but in reasonable doses and to the extent that there is sufficient general interest.

LETTER FROM ANTÓNIO JOSÉ SARAIVA
TO THE EDITOR OF THE *DIÁRIO DE LISBOA*

Paris, June 27, 1971

To the Editor of the *Diário de Lisboa*

Dear Sir,

I herewith express my thanks for the hospitality you have afforded me in the columns of the "Supplement" in connection with my reply to Mr. I. S. Révah, which has turned out longer than I had originally planned. At the same time I wish to state that, as for me, I now consider closed the polemic with this great scholar, on whom I have spent much time and patience.

As to his letter published in the "Supplement" of June 17, 1971, its only novelty is his discovery that the interlocutors of my Dialogue, Afonso and David, are "chimeras," "fabricated" by me. To have arrived at this conclusion without the help of documents bespeaks a formidable perspicacity on his part. Yet, in the same paragraph, Mr. Révah credits me with being the "procreator" of these "beings" and, consequently, guilty of the "lack of good faith" evinced by them. The honorable genealogist has so far failed to provide proof of the "procreation" or of the bad faith hereditary in their family. He will no doubt develop this subject in one of his future luminous studies.

With compliments I beg to remain, Sir,

Cordially yours,
ANTÓNIO JOSÉ SARAIVA

LETTER TO THE EDITOR OF THE *DIÁRIO DE LISBOA*
FROM PROF. RÉVAH

Paris, June 30, 1971

To the Editor of the *Diário de Lisboa*

Dear Sir,

In its "Literary Supplements" of May 6 and 27 and June 3 and 17, 1971, the *Diário de Lisboa* published a "Letter to the Editor" and a "Dialogue on the Silva-Révah Interview," authored by Mr. António José Saraiva. Making use of my right of reply, I herewith request you to publish the integral text of my surrebutter, which please find enclosed.

Like other Portuguese and foreign historians, I have been attacked in Mr. Saraiva's libel entitled "Inquisition and New Christians." To have stayed out of this, it would have sufficed for the *Diário de Lisboa* not to accept for publication the "Silva-Révah Interview." But at one point you must have thought that all Portuguese of today would be interested in having a clear idea of what the Inquisition was about and, to shed light on that topic, you had Professor Révah interviewed and you published the text of the interview. Having gone this far, it would be a lapse of objectivity and impartiality on your part to leave the readers of your paper with the impression that the professor in question was at a loss for a reply to what Mr. Saraiva had to say about him in the "Letter" and Dialogue published in the *Diário de Lisboa*.

In most instances, the attacks and arguments aimed at me by the imaginary creatures who hold forth in the Dialogue appear for the first time in Mr. Saraiva's writings. Since I am not a soothsayer, I was not able to foresee them and, during the interview, in each case re-establish *in advance* the historical truth and defend my scholarly integrity. Just one example: I could hardly foresee that I would be simultaneously designated "the representative of Jewish history" and "the historian who only tries to confirm the viewpoints of Inquisitors and anti-Jewish authors."

In contrast with Mr. Saraiva I totally believe in the existence of a historical science which is unrelated to the ideologies of its divers cultivators. I cannot allow my work as a historian to be misrepresented with impunity in the columns of the *Diário de Lisboa*. I must insist that that selfsame newspaper publish the indispensable refutation of these misrepresentations.

You will certainly note that in my surrebutter 1.º, I do not answer any attack or insinuation that is not closely connected to the problem under discussion; 2.º, I only refute (and even then not exhaustively) Mr. Saraiva's "general ideas" and "work methods" as well as *one* of the theses sustained by the imaginary creatures of the Dialogue published in your paper.

I do believe that, with the publication of my surrebutter, the readers of the *Diário de Lisboa* will have sufficient material to form their own opinion. Once the surrebutter has been published I consider my participation in the polemics appearing in the columns of your excellent newspaper to be at an end. After that you may publish any Dialogue or Colloquy you please on "Inquisition and New Christians" and there will be no reply from me.

Assuring you in advance of my gratitude I beg to remain,
Very faithfully yours,

I. S. RÉVAH
Professor at the Collège de France

APPENDIX THREE

THE PORTUGUESE NEW CHRISTIANS AND THE INQUISITION

Surrebutler to Mr. António José Saraiva

by Israel Salvator Révah

(Published in the *Diário de Lisboa* on July 15, 1971; July 22, 1971;
July 29, 1971; August 5, 1971; August 8, 1971; August 19, 1971;
August 26, 1971; September 2, 1971¹)

The detailed criticism to which I submitted “Inquisition and New Christians” in an interview conducted by Dr. Abílio Diniz Silva was published in the *Diário de Lisboa* on May 6 and 13, 1971. Saraiva, the author of the book, replied in a “Letter to the Editor” printed in the *Diário de Lisboa* of May 6, 1971 and by way of a “Dialogue on the Silva-Révah interview” published in the same newspaper on May 27 and June 3 and 17, 1971.

It is not my intention to answer the calumnies and the gratuitous insinuations which the said publicist bestowed upon me. Indeed I feel positively honored to be the target of such attacks, coming from such a person. In his “Letter to the Editor” he describes “the suffocating rancor hidden under [my] purported ardor for scientific truth.” Such a judgment, formulated and signed by the author of that monument of improbity which goes by the title of “Inquisition and New Christians,” is the highest commendation of my humble scholarly work.

The Editor of the *Diário de Lisboa*, in an introductory paragraph to the Silva-Révah interview, expressed an idea which deserves to be pondered: “[...] just exactly what was the Inquisition? what was its role in religious, ideological and political repression during three long centuries? what means did it employ? what was the identity of those persecuted by it and why were they persecuted? finally, what scars has

¹ The translation includes the July 29, 1971 installment, accidentally omitted from the Appendix to the 5th edition (1985) of *Inquisição e Cristãos-Novos*. A number of paragraphs erroneously printed in the August 19, 1971 installment have been moved to their proper place and a repetition eliminated. All footnotes are by the translators. The original titles of Portuguese works whose titles are translated into English in the text may be found in the Bibliography. The words “diatribe” and “lampoon” are both our translation of the word *diatribe* regularly used by Révah to designate A. J. Saraiva’s *Inquisição e Cristãos-Novos*.

it left on today's Portugal? these are questions of interest to all of us Portuguese and not merely to ivory tower scholars." Indeed, to find out just exactly who the Portuguese New Christians were, from 1497 until our own times; to find out just exactly what the Iberian Holy Office was, which persecuted so many New Christians during 230 years, these were and are the only objectives of my archival research, of my teaching in several Parisian centers and of my publications on this subject. The Silva-Révah interview sprang from the overlapping of the *Diário de Lisboa's* "interest" and my own "objectives." The present surrebutter should be seen in the same light.

In reality, "Inquisition and New Christians" is a scurrilous diatribe against the Inquisition, written by a weathervane ideologist, totally incompetent to deal with matters of religion. By systematically distorting a number of texts and documents (of which he generally has but second-hand knowledge), he offers a distortion of Portuguese New Christian history. He intentionally suppresses all of scholars' serious objections to the conjectures he first came up with in 1953. Subsequent to the Silva-Révah interview, which called attention to these objections, it no longer made any sense for him to pretend they didn't exist. That explains why the two interlocutors of the Dialogue, Afonso and David, with the cynical bad faith facilitated by their phantasmagoric nature, befuddle the issues by bringing in and juggling with a large number of important texts and theses which, in the 1969 book-length diatribe, had been passed over in silence. In the Dialogue the distortions are so manifold that it is no longer possible to deal with them exhaustively in the columns of a newspaper. For each point at issue one would need: 1.^o to re-establish the tenor of what Mr. Saraiva *really* wrote in 1953 and expose the Dialogue's befuddling; 2.^o — to re-establish the tenor of what the critics of Saraiva's 1953 theses actually wrote and put in proper perspective studies which he ignored in 1953, again in 1969 and that now make their first appearance in the Dialogue. The Dialogue cites a "very favorable review of Saraiva's book" (in fact *an anonymous 28-line review*)² but, as we have seen, glosses over quite apposite critical remarks and queries about his 1969 lampoon, even when such criticisms are part of "favorable" or even "very favorable" reviews. Why? Because Mr. Saraiva would rather lose the benefit of generally favorable reviews than let the *Diário de Lisboa* readers on to some reviewers' audacity not to agree with every single one of his absurd and demagogic theses.

² By H. P. Salomon, *The American Sephardi*, 4, 1-2, 1970, 103.

Historiography and Ideology

The absurd and demagogic character of the diatribe can easily be explained by Mr. Saraiva's deplorable concept of historiography which he spontaneously defined, though no one had asked him for such a definition. In July 1969, when "Inquisition and New Christians" was riding high, Dr. Abílio da Silva published in the *Diário de Lisboa* the following words, uttered by Mr. Saraiva: "[...] history is a most propitious field for ideologies and utopias projected into the past [...] history books consist of past facts classified according to an *ex post facto* ideology [...] they are [...] ways of endowing ideologies with a scientific appearance."³ This means that, according to Mr. Saraiva, it's as if each ideology engages and integrates into its department of propaganda a certain number of officials called "historians," who are then given the task of lending a scientific appearance to that ideology by means of a tendentious grouping of facts taken out of historic context. Obviously I am not about to waste my time and the readers' patience with a refutation of this shocking definition of historiography and even less with a competent definition of "historical science," that science in which Mr. Saraiva pretended to believe for so many years.

It is more worth while to show how the concept of a "historiography enslaved to ideologies" can generate great complications in the mind and "work" of a pseudo-scholar suffering from a dangerous disease: chronic ideological instability. In 1953 Mr. Saraiva published his first book on the Portuguese Inquisition, in which he applied the theory of class war in a simplistic and ridiculous way to the history of the New Christians and in 1969 this second book, in which he deliberately attacks the ideological and, consequently, historiographic validity of the class war theory. This obvious contradiction which I noted is an irrefutable fact which can be verified by any and all and only goes to show that Mr. Saraiva equally despises ideology and historiography. In spite of this the phantasmic David, mouth-piece of his procreator's fine sentiments, came upon a very noble explanation of my observation: "I suspect that Révah doesn't know any more about the theory of class war than that it's a touchy subject in the present university upheaval in France. That's why he prudently refrains from discussing the theory itself, but only its 'simplistic application', without bothering to explain what the *over-simplification* consists of." I say to Mr. David's

³ Whereas Saraiva in the interview was defining and condemning an all too prevalent type of historical writing, Révah is here presenting Saraiva — out of context — as its advocate and representative.

procreator: 1.^o — that the university upheaval has left the Institutions (which are not part of the French University system) where I have been teaching since 1955 and 1966 intact; 2.^o — that I have always considered and continue to consider the class war theory incapable of explaining the totality of the history of human civilizations and, in particular, the totality of the history of Jewish civilization; 3.^o — that it would be unfair on my part to judge the explicative value of any theory by its application in ridiculous, demagogic and worthless little books such as “The Portuguese Inquisition” and “Inquisition and New Christians” by Mr. Saraiva.

The Simplistic “Historiography” of Mr. Saraiva and the Critics (1953-1969)

It is easy to explain (and I have already explained a number of times) what the *over-simplification* of Mr. Saraiva’s application of the class war theory to the history of the New Christians and the Inquisition consists of. In the book (really just a preliminary chapter) which appeared in 1953 and in the 1969 book this *over-simplification* is expressed by the following ideas:

1.^o — The Jews converted in 1497 were rapidly assimilated into Old Christian society;

2.^o — The “race” of New Christians was a myth created by the Inquisitors themselves and by the forces whose agents they were: the seigniorial class;

3.^o — The “crypto-Judaic religion” was an invention of the Holy Office; it was not a reality in Portugal. Already by 1524 the Jewish rites, preserved if at all by “a small minority,” “were progressively shedding their religious significance”;

4.^o — The label “New Christian” was a demagogic appellative misused after the middle of the 16th century by the dominant group in Portugal to keep the bourgeoisie away from the political control of the State and from economic hegemony;

5.^o — The disappearance of the “caste” of New Christians at a touch of Pombal’s conjurer’s wand simply shows that the bourgeoisie had become, under his rule, the dominant class and that the seigniorial aristocracy had lost the game.

I must point out that in 1953 Mr. Saraiva, author of a simplistic, one-sided dogmatic work on the New Christians, was completely unaware of the existence of a literature on the 20th-century Portuguese Judaizers, which includes such notable contributions as those of Samuel Schwarz (1925), the learned abbot of Baçal, Francisco Manuel Alves (1924-1926, 1931, 1947), Lucien Wolf (1938) and the contribu-

tors to the Portuguese periodical *Ha-lapid*, published by the Jewish community of Oporto (I know of 139 issues between April 1927 and November 1947; there are more but I haven't seen them). To evaluate the extraordinary importance of the discovery of 20th-century crypto-Judaic Portuguese clusters we need but contrast them with the Chuetas of Maiorca, whose ethnic homogeneity was maintained through the ostracism of their neighbors into the 20th century but who had lost every vestige of a religious bond with Judaism. It is not a polemic exaggeration to call "ridiculous" an opuscle of 1953 which claims that by 1524 the Jewish rites were fast losing their religious significance in Portugal, when modern observers demonstrate that these rites have maintained their religious identity among the descendants of the 1497 converts up to this very day.

Mr. Saraiva didn't have much luck. The first attack directed against his simplistic and ridiculous theses came from a critic very much at home in the history of social struggles, José Alcambar (see his "Statism and the Inquisition, Critical Notes to the Book 'The Portuguese Inquisition' by António José Saraiva," *Régua*, 1956). This critic showed that it is possible to apply the "class war diagram" to the problem under discussion in a non-simplistic way, without making oneself ridiculous by dogmatically denying the existence, from the 16th century to the present, of a New Christian ethnic group and a crypto-Judaic religion in Portugal. José Alcambar states, contrary to Mr. Saraiva, that it was not the high New Christian bourgeoisie which was the principal victim of the Inquisition: "It was the lower middle class that maintained the New Christian ideal and gave the Inquisition its raw material for the trials" (Alcambar, p. 11). In my own view, any *narrow* relationship established between a social class and a religious faith is a dogmatic and subjectivist assertion, unrelated to New Christian historical reality. There were New Christians among the nobility, in the high bourgeoisie and among the common people. Among them were crypto-Jewish Catholics (who often, after their expatriation, turned into Jews) and whole-hearted Catholics but the truth is that Judaizers were few and far between among the New Christians who acceded to the Peninsular aristocracy. I give credit, however (I already did so in 1958 and in 1960) to Alcambar for being the first to smash into smithereens Mr. Saraiva's ridiculous assertions. He used Schwarz's book to good advantage and opportunely recalled the examples of the Portuguese New Christians who founded the Jewish community of Amsterdam *at the end of the 16th century* and of those who fought *during the 17th and 18th centuries* to obtain, with great difficulty and in spite of the Church's

opposition, official recognition for the Jewish communities established in south-western France.

The chimera called David opines in the last part of the Dialogue: “Alcambar’s criticism of Saraiva’s first book on the Inquisition is infinitely more penetrating than anything Révah has written and he is perhaps right as regards a very late period in the history of the Inquisition.” This is a perfect example of Saraiva’s favorite tactic in the Dialogue: to disorient the reader. But good gracious! If Alcambar’s opinion is *perhaps* correct as regards a very late period in the history of the Inquisition, it is *surely* correct, *a fortiori*, as regards the preceding periods. Therefore Mr. Saraiva’s theses must perforce be rated ridiculous.

Indeed, if the possibility exists that Alcambar is right as regards a very late period in the history of the Inquisition, how is it that chimera David, has the nerve to uphold, in the first part of the Dialogue, the opinion that: “simple common sense shows that already at the time of Pombal’s reforms Marranism represented but a fossilized survival *without religious significance* [emphasis supplied]?” After reading Alcambar’s opuscle, one has to be of bad faith to write: “We have indicated how well-nigh impossible it would have been for Judaism to maintain itself in Portugal following the General Conversion of 1497, even before the arrival of the Inquisition. With the Inquisition in deadly motion, there surely was reason to get out as long as one could and a number of families indeed joined Portuguese Jewish communities in Turkey and Morocco or Catholic ones in France and the Netherlands” (“Inquisition and New Christians,” Chapter Ten).⁴ The bad faith consists in failing to mention the founding — at least a century after the General Conversion of 1497 — of Portuguese Jewish communities in Hamburg, Amsterdam, Leghorn and London — which only began to be organized some 100-150 years after the conversion;— in south-western France which were officially recognized some two centuries after the conversion. All these communities were reinforced until the end of the 18th century — three centuries after the conversion — by the constant influx of New Christians from Portugal or Spain.⁵

⁴ See Chapter Ten, note 19.

⁵ The fact that New Christians were emigrating from Portugal decades or centuries after the establishment of the Inquisition to join newly founded Portuguese Jewish communities demonstrates, according to Révah, the emigrants’ attachment to the Jewish faith even when they were still living in Portugal. Saraiva, on the other hand, was basing the contrary argument on the fact that even among the earliest New Christian emigrants from Portugal there were many who continued practicing Catholicism in places where Judaism was tolerated or who settled permanently and by choice in places where Judaism was not tolerated.

In 1958 Mr. M. Viegas Guerreiro published the fourth volume of "Portuguese Ethnography" by the great José Leite de Vasconcelos (1858-1941), based on the deceased ethnographer's notes, supplemented by new research. Right at the start of the chapter entitled "New Christians of Our Own Times in the Trás-Os-Montes and Beira Provinces and their Judaic Practices" he disagrees with Mr. Saraiva's "ideas." I quote: "When [the Holy Office] put its repressive machinery in place throughout the country [1537-1540], the pseudo-converts had been secretly practicing the precepts of their religion for the preceding four decades and this clandestine cult had become organized and taken root. We must of course not forget that many were those who identified with the entire Christian life-style but *it is a mistake to assert that the assimilation was well-nigh complete, that the Portuguese Inquisition's self-proclaimed religious zeal was senseless and but a mere pretext for the annihilation of a moneyed Luso-Judaic middle class*" (pp. 162-163; emphasis supplied). After summarizing Saraiva's opuscle on the Inquisitorial trial and the *autos-da-fé*, Mr. Guerreiro writes: "Despite all this and the host of convicted heretics who year after year paraded before their eyes, friends and relatives, siblings, children and parents, many were the New Christians who remained faithful to their beliefs. Not even the Inquisitorial sermon which was held more for conscience's sake or as a mere formality than from a belief in the possibility of a successful indoctrination, nor the most horrible tortures were sufficiently powerful to dislodge from the pseudo-converts' heart their love for the Jewish ideal. *They were forever Judaizing, as their judicial trials copiously demonstrate.* The terror under which they lived was so fierce and so prolonged that even after the abolition of the Inquisition their religious practices were still carried out in secret. This holds as true for the period immediately following as for the subsequent periods right up to our own days and, what is most astonishing, during the very height of Republican agitation and triumph" (pp. 163-164; emphasis supplied).

Guerreiro's whole chapter (pp. 162-235) is an excellent *scholarly* study of Portuguese crypto-Judaism in the 20th century. I already cited in the Silva-Révah interview José Leite de Vasconcelos' categorical judgment after visiting the Bragança synagogue in 1932: "I visited the synagogue or *esnoga* and was favorably impressed with the excellent decorum observed during the worship service, *remarkable from the historical point of view. I find it astonishing how this ethnic group has been able to maintain itself steadfastly, without any signs of desiccation, through so many almost always tumultuous centuries*" (emphasis supplied). This statement by the greatest authority on Portuguese ethnography sets off the

ridiculous character of Mr. Saraiva's "ideas."⁶ Yet the brazen-faced Mr. David deems that my quoting this text is "putting one over on [my] readers" and comes up with this "decisive" argument: "Leite de Vasconcelos himself notes that *since around 1910 the number of Israelites has steadily diminished in Portugal (Etnografia, 4, 237*" [emphasis supplied]. To prove the coarseness of Mr. David's bad faith suffice it to say that this partially cited sentence of Leite de Vasconcelos' is to be found in the chapter entitled "New Jewish immigration into Portugal from the mid-18th century onwards" and *is totally unrelated to the history of the Portuguese New Christians. Nor is Leite de Vasconcelos here referring to all of Portugal (as the phantasmagoric forger claims), but to the number of Jews... in the city of Faro (Algarve), which diminished due to the "emigration of large families to other centers, mainly Lisbon and Gibraltar"* (p. 238).

The Simplistic Historiography of Mr. Saraiva and the Critics (1969-1971)

David, a creature of reason, or unreason, asserts that, in his 1969 book "Saraiva carefully avoided the schematization that characterized his first book, wherein the bourgeoisie and the ruling class might appear as homogeneous, rigid blocks." After making an inventory of non-existent differences between the two books as far as their dogmatic character is concerned, Mr. David concludes: "This doesn't look like a simplistic application of the theory of class war and even though Saraiva nowadays goes around proclaiming that this theory has been abused, the scheme proposed in 1953 and developed in 1969 still seems to me the best key for explaining the appearance and history of the Portuguese Inquisition." I don't know if many readers of the *Diário de Lisboa* will fall for this wonderful reasoning: a theory which has been abused (because a great part of historical reality doesn't fit into it) is still the best key for explaining the appearance and the history of the Portuguese Inquisition! What I do know, on the other hand, is that the simplistic nature of the scheme "developed in 1969" was picked up by a number of critics, some of whom, because of their limited compe-

⁶ Révah once again fails to mention that it was Guerreiro himself who pointed out in his chapter (p. 179) that the Bragança community did not "survive two and a half centuries of Inquisitorial persecution" but was created in 1927 from scratch thanks to Captain Artur de Barros Basto's proselytizing. See above, Appendix Two, note 14. Leite de Vasconcelos was in his dotage when he wrote up his note on the modern Jews of Bragança. Throughout the fourth volume of *Etnografia Portuguesa* Guerreiro carefully corrects, modifies or contradicts Vasconcelos' notorious aberrations.

tence, allowed themselves to be led astray by other deceitful aspects of Mr. Saraiva's demagogic lampoon.

In number 310 of the monthly journal *Vértice* (July, 1969), Mr. Jofre Amaral Nogueira analyzed the "maze of new ideas" contained in "Inquisition and New Christians" and stated: "The manner in which they are expressed is direct and clear-cut thanks to a perfect distribution of subject-matter and to a natural and convincing utilization of the documentary apparatus, without the aspect of heavy erudition" (p. 489). Thus, Mr. Saraiva's demagogic description of the working of the Inquisition convinced Mr. Nogueira: "After this analysis there can be no doubt left in our mind about the way in which many who in fact were not New Christians were artificially turned into such" (p. 491). However, after paying it this lip service, Nogueira annihilates the rest of Mr. Saraiva's diatribe, wherein he repeatedly discerns simplism: "We somehow get the feeling that António José Saraiva adopts *very extreme positions which oversimplify reality* whenever he tries to couch his theses in neat and brief wording" (p. 493; emphasis supplied); "that there are truthful images in the author's representations of those times is undeniable but at the same time we can't help suspecting that *in many cases he allows himself simplistic exaggerations*" (p. 494; emphasis supplied). Without the benefit of the enormous Inquisitorial documentation which could have abundantly confirmed his intuitions, Mr. Nogueira doesn't buy the main Saraivian theses: "the exaggeratedly absolute identification [...] of unrestrained capitalism with the New Christians" (495-496); the supposed "disappearance of the New Christians, as such, thanks to Pombal's reform of the Inquisition" (p. 496). The critic opportunely reminds us that "an historical theory which is exclusively based on economic or even socio-economic developments can attain but a partial view of the facts" (p. 498). The bottom line of his critique could be summed up this way: "For all his 'wringing' the author doesn't succeed in subordinating the Inquisition to the tension of economic forces or in making us believe that the one was dependent upon the other" (p. 499).

*

Mrs. Anita Novinsky, an expert on Brazilian aspects of Inquisitorial documentation (my use of the word "expert" does *not* imply that I approve in advance whatever conclusions she may come up with from her study of this documentation), enthusiastically exalts Mr. Saraiva's lampoon in a brief review which she published in the Brazilian Jewish journal *Comentário* (10, 4, 1969, 381-382). She writes: "Saraiva's thesis

is no doubt, by its approach, by its method and by its penetrating insights the best thing so far written on the subject.” Nevertheless, at the expense of logic, the Brazilian historian writes *immediately after*: “Still, it seems to us that what he says respecting the non-identification of ‘New Christian and Jew’ is somewhat of an overstatement. Discriminated against by the society of which they were a part, the New Christians, even the non-Judaizers, experienced the same condition as the people from which they stemmed: the Jews. The New Christians, like the Jews, created an inner resistance extracted from the divers values which they inherited from their traditional culture. Without this inner force, deriving from an identification with the persecuted Jewish people, it would be impossible to comprehend the resistance” (emphasis supplied).

In 1970 there appeared in Oporto a monograph by Mr. Amílcar Paulo, entitled “The Crypto-Jews,” in which the author conveniently brought together some documents from various dispersed sources not easily accessible. His motivation for doing so was the denial (which he considered ridiculous) of the existence in Portugal of a neo-Christian ethnicity and crypto-Jewish religion, the very denial formulated in “Inquisition and New Christians.” Mr. A. Paulo’s conclusion reads as follows: “While it is true that António José Saraiva has presented us with a masterly work on the Inquisition and the Inquisitorial trials, *it still seems to us that his treatment of the “Jew/New Christian” dichotomy is almost a reductio ad absurdum.* Truly, the New Christian maintained his cultural heritage, kept it inside him; and thus the New Christian condition cannot be isolated from the Jewish condition. The New Christian, like the Jew, searches in the cultural and religious traditions inherited from his ancestors the inner force he needs to resist the persecutions and injustices of which he is a victim and which impel him to search for a lenitive in the secret practices which to this very day and in spite of everything are maintained in certain Marrano clusters of the Trás-os-Montes and Beira provinces” (p. 109; emphasis supplied).⁷

Mr. Jorge Reis, an amateur whose knowledge of Jewish history and culture is a hundredfold greater than that of *Dr.* (I beg your pardon: *Professor Dr.*) António José Saraiva, heaped ridicule on the essential thesis of “Inquisition and New Christians” (see his articles in the Lisbon daily *A Capital* of December 17 and 24, 1969). In contrast with

⁷ Révah is presenting Amílcar Paulo’s assessment as corroborative of Anita Novinsky, whereas in fact Paulo is in part merely citing and paraphrasing her. Cf. Amílcar Paulo and Anita Novinsky, “The Last Marranos,” *Commentary*, 1967, 5, 76-81.

the three critics whom I have just quoted, Mr. Jorge Reis didn't fall into the trap set by Mr. Saraiva's demagoguery. He recognizes the worthlessness of that gent's description of Inquisitorial justice because he knows that the crypto-Jews were not "invented" by the Inquisition; just as he knows that there is a religious continuity between the medieval Jews and the modern crypto-Jews of Portugal, that there is an ethnic continuity between those Jews and these New Christians and that, for a true historian, the words "New Christians" and "bourgeois" are not synonymous. Mr. Saraiva dogmatically denies the existence of the slightest relationship between Judaism and Neo-Christianity. Mr. Reis is astonished that the author of such a dogmatic thesis has completely neglected the study of pre-1497 Judaism in Portugal. He writes: "If the author had cast a glance in that direction — which would have been the normal way of proceeding, since we are dealing with people accused, rightly or wrongly, of persisting in the practice of the 'earlier religion' and who belonged to all levels of Portuguese society — we are convinced that he would have been the first to perceive the bond which unites the pre-1497 Jews and the New Christians (or "persons of the Nation") who took their place; thus he would have perceived that the former's Judaism could not simply vanish into thin air by the miraculous intervention of his highly acclaimed 'assimilation'; and he would also have understood that the "General Conversion" was not a cocoon in which the caterpillar metamorphoses into a butterfly... and that material "advantages" might just not have produced "calming and compensatory effects" on all human beings — even *Jews*."

I am convinced that an imminent masterpiece by Mr. Saraiva will apprise us of the ideologies which Alcambar, Leite de Vasconcelos, Viegas Guerreiro, Amaral Nogueira, Novinsky, Paulo, Reis attempted "to array with scholarly trappings" when they wrote on the history of the Inquisition and the New Christians. In my own case the problem is solved: my ideological biography was masterfully outlined in the Dialogue that the *Diário de Lisboa* was privileged to publish. In great earnest, albeit with little respect for the readers of the paper, the two chimeras Afonso and David observe that "the sacrifice of all those years of his life spent in the dust of the archives availed I. S. Révah nothing. He just confirms the views held once upon a time by the Inquisitors and passed from them to Lúcio de Azevedo and Jewish historiography. Were Lúcio de Azevedo to resuscitate and prepare a new edition of his book, he would merely have to increase his bibliographical references, without altering the text."

The Inquisitors' opinion of Judaism and crypto-Judaism is well known. "Lúcio de Azevedo," says the phantom David, "his intelligence

and enormous erudition notwithstanding, allowed himself to be infected, like his master Werner Sombart, by pseudo-ethnic prejudice and accordingly sought to rehabilitate the Inquisition by presenting it as a 'tool for national unification directed against corrupt and corrupting elements,' namely the Christian descendants of the Jews."

Chimerical being that he is, Mr. David shows throughout the Dialogue that he has a screw loose, perhaps the fault of a certain pseudo-historian of flesh and bones, well-known to us. But if Mr. David believes that the pseudo-ethnic prejudice characteristic of the Inquisitors and Azevedo has also befallen the "Jewish historians" and, consequently, rendered "Jewish historiography" as "useless" as Lúcio de Azevedo's, how wrong he is! ⁸ May I remind the reader that Azevedo's "History of the Portuguese New Christians" is cited *some sixty times* in "Inquisition and New Christians." Mr. Saraiva generally limits himself to giving an interpretation of the facts adduced by this historian only slightly different from the latter's. Mr. Saraiva is totally ignorant of the central thesis of Sombart's work on "The Jews and Economic Development." ⁹ Nor is he aware that Azevedo, until the last months of his life, never lost an opportunity to criticize, as far as Portugal and its Empire were concerned, Sombart's theories.¹⁰

Is it possible that the *Diário de Lisboa* has readers gullible enough to piously swallow the *canard* that "Jewish historiography," examining "the generally accepted ideas about the Inquisition and Judaism in Portugal" had as its sole objective the confirmation of the Inquisitors' and Azevedo's points of view? I should like to call the attention of such readers, if they really exist, to João Lúcio de Azevedo's letter of June 13, 1933 (he died on November 3, 1933) to Coimbra Professor Joaquim de Carvalho (1852-1934), the famous historian of thought. This letter, published in Azevedo's Portuguese translation of J. Colerus's Dutch "Life of Spinoza" (Coimbra, 1934), must certainly have made an immediate and lasting impression on "Jewish historiography":

I feel the urge to write an article about the [Portuguese] Jews of Amsterdam, inspired by Spinoza's case. I must emphasize that we Portuguese managed very well without the New Christians who emigrated to elsewhere. Unlike the persecuted Flemish Protestants who went to Holland and England and the Huguenots who went to Holland, Germany and England, [the Portuguese New Christians] didn't take any

⁸ Saraiva never claimed that Azevedo's regrettable prejudice rendered useless his "History of the Portuguese New Christians," quite the contrary. See Chapter Thirteen, note 27.

⁹ *Die Juden und das Wirtschaftsleben*, Leipzig, 1918.

¹⁰ See, for example, Azevedo's 1933 letter cited anon.

arts and crafts with them, since there were none to take. Unlike the Moriscos, expelled from Spain by Philip III, they weren't farmers. What were they then? A couple of medicasters [sic] and the rest usurers or merchants whose function is generally that of parasites, not to forget the miserable throng of plebeians, devoid of trade or skill, who kept body and soul together in Amsterdam with the charity of the Congregation. Spinoza, expelled from the clan for not respecting the Bible was a great man because at heart he was not a Jew: modesty and detachment are hardly qualities which characterize the Children of Israel. When the multitude of Jewish fanatics came to Brazil at the time of the Dutch invasion they scandalized by their greed and ambition not only the local Portuguese, the original settlers, but the Dutch themselves. It was in Brazil that they picked up from the locals the sugar industry, which they later took along to Surinam and the Antilles; it was certainly not they who introduced it, as Sombart claims. The latter, due to his impassioned attachment to Jewry, states that Tomé de Sousa was a Jew and that because of this the colonization of Brazil proceeded rationally. He bases his theory on the name. Well, if all Sousas were Jews..." (30-31 of the Introduction).

In spite of my work being proclaimed, by a Saraivian Order in Council, part of "Judaic Historiography," I do not have the slightest desire to "confirm" Lúcio de Azevedo's charming "point of view."¹¹ I prefer to "confirm" the "points of view" of Father António Vieira who said to the king: "Truly, it is most difficult to understand the Portuguese Reason of State, because this country, based as it is upon commerce, casts out its own merchants who are thus constrained to settle in foreign parts, whereas it attracts foreign merchants and admits them into its bosom, with the result that the entire profits of our trading and commerce goes to foreigners and nothing remains for our own." The same Jesuit said: "the persons of the Nation, whom punishment or fear drove out of Portugal, took out with them money, trade and a part of our overseas territories." By 1933 Dutch documents had been published which "confirmed the point of view" of António Vieira and the Portuguese role in Amsterdam, the city where so many New Christians of the high bourgeoisie settled. How numerous they were in early 17th-century Portugal and how rare did they become in early 18th-century Portugal! In 1609 Amsterdam's *Wisselbank*, counted 24 Portuguese Jews out of 731 holders of accounts; in 1674 the proportion was 265 out of 2031. The Portuguese represented merely *one-and-a-half percent* of Amsterdam's population, but thirteen percent of the holders of accounts in the *Wisselbank*.

¹¹ According to Saraiva it is Azevedo's belief in a perennial Jewish quiddity of the New Christians — not Azevedo's disparagement of them — that has remained part and parcel of Jewish historiography.

A Pseudo-Historian With No Archival Specialty

There do exist areas in historiography where documentation is rare. Unfortunately for pseudo-historians the theme “Inquisition and New Christians” is not one of them: documentation, here, is super-abundant and, to make things more difficult yet, it is confusedly arranged. It is, for instance, difficult to ascertain whether 25,000, 30,000 or 35,000 sentences were actually pronounced against purported or real Judaizers. On the other hand to imagine the study of the Portuguese Inquisition to be limited to the some 35,000 trial records is yet another illusion. Portuguese documentation of Inquisitorial origin is far more abundant and varied than just trial records.

I do not recall having encountered anywhere in “Inquisition and New Christians” the term *Cadernos do Promotor* (“Prosecutor’s Notebooks”), well known to us simpletons who frequent the National Archives of the Torre do Tombo, instead of imitating Mr. Saraiva who constructs, in the comfort of his study, definitive theories about the Inquisition and the New Christians. There are hundreds of these “Prosecutor’s Notebooks” in the Torre do Tombo, as there are scores of “Registers of Denunciations,” “Books of Visitations of the Holy Office” to various places in Portugal or her overseas territories. These Notebooks, Registers and Books are stuffed chock-a-block with denunciations and declarations which in many cases turned out useless to the Inquisition because the concerned persons were deceased or absent. But to the historian these documents are invaluable.

Among the thousands of Portuguese New Christians who left their native land, many selected Spain and the Spanish Empire as their (at least provisional) refuge. There awaited them the numerous tribunals of the Spanish Holy Office, whose repressive militancy resulted in thousands of trials and thousands of denunciations (the latter making up the *libros de testificaciones*) which the historian of Portuguese neo-Christianity is absolutely obliged to consult. It is of course of no importance to Mr. Saraiva that many of these Portuguese who settled in Spain were poor or poverty-stricken: or that during the dual monarchy (1580-1640) the Portuguese New Christians incessantly pleaded with their king that the “iniquitous” Portuguese Inquisition be remodeled on the “equitable” Spanish Holy Office. Mr. Saraiva discounts the value of this immense documentation *in three lines*: “taking into account that the victims were in the first place Portuguese and therefore outsiders and, moreover, occupied privileged economic positions on foreign soil” (“Inquisition and New Christians,” Chapter Ten).

It almost goes without saying that for the history of the descendants of the Jews converted in Portugal in 1497 as, indeed, for the history of any large segment of the Portuguese people, the historian must consult the parish registers, the notary, municipal, district, national archives of Portugal, Spain and of the countries which received the fugitive New Christians in their midst and granted them, sooner or later, the right to practice the Jewish religion.

The learned António Ribeiro dos Santos (1745-1818) wrote in 1792: "The Christian religion has not had during the last centuries a more cruel and obstinate enemy than Oróbio." As it happens, this Baltasar Álvares Oróbio de Castro, born in Bragança c. 1617-1618, was educated in Spain (at the Universities of Osuna and Alcalá), whence he emigrated to Toulouse in 1660. In 1662 he arrived at Amsterdam where he wrote a number of treatises against all Christian denominations. Obviously an historian dealing with this thinker must attempt to situate him in his native environment and study, *in conjunction with* his works, the numerous trial records of members of his family arrested at the end of the 16th century by the Coimbra Tribunal of the Portuguese Inquisition and records of his own trials (1640-1642; 1654-1656) by the Spanish Holy Office.¹²

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Mr. Saraiva summoned his chimeras and entrusted them with a seemingly unfeasible task: to convince the readers of the *Diário de Lisboa* that he was right not to have personally perused a single Portuguese or Spanish Inquisitorial document before sitting down to write "The Portuguese Inquisition" (1953) and "Inquisition and New Christians" (1969). There it is, this extraordinary profession of faith: "My standards are different. I do not carry out archival research because that is not my specialty." One really has to see this, black on white, to believe that such a profession of faith is possible. I am not even going to try to harmonize this declaration with Mr. Saraiva's biography and bibliography.

¹² At the time of the surrebutter Révah was devoting his *Collège de France* lectures to this "Jew made in the Spanish Inquisition." Baltasar Alvarez de Orobio's first publication, age 17, was a fervently Catholic poem on the occasion of the plague in Málaga (1637). Until his arrest in 1654 by the Seville Inquisition as part of a crack-down on "Portuguese," he had been a model of Catholic piety. In Amsterdam, after 1662, he became a militant apostle of Judaism and a redoubtable anti-Catholic polemicist. See H. P. Salomon, "Baruch Spinoza, Ishac Orobio de Castro and Haham Mosseh Rephael d'Aguilar on the Noachites: A Chapter in the History of Thought," *Arquivos do Centro Cultural Português*, 14, 1979, 253-286; Yosef Kaplan, *From Christianity to Judaism, the Story of Isaac Orobio de Castro*, Oxford, 1989.

This pseudo-historian goes further than just voluntarily ignoring the enormous Iberian (Peninsular and extra-Peninsular) Inquisitorial archives: he attempts to prove the congenital and radical lack of reliability inherent in their documentation. Thereby he successfully puts one over on the public at large and on many critics who should have more closely examined the value of Mr. Saraiva's theses. With the cynical bad faith inherited from his procreator, the phantasmic David has the gall to assert: "Saraiva never said anywhere in his book that the enormous Portuguese Inquisitorial records were worthless for historians. You don't even have to be half as astute as Saraiva to see that they provide the indispensable raw material for any meaningful history of Portuguese society." Since David's deceitfulness (pardon the term) knows no bounds, he sets out a program of tasks to which "future" researchers of the Inquisitorial documentation must keep: the same, naturally, which the few serious historians who have dealt with the Portuguese Inquisition and the New Christians have been following for the last couple of decades: "The first thing that has to be done is systematically and statistically to digest and chart in chronological sequence the raw data furnished by 35,000 trial records... " Mr. Saraiva is unaware, of course, that a manuscript epitomé, uneven but at times quite useful, of all the trial records of one of the three Portuguese tribunals (Évora) has been at the researchers' disposal for these many years.¹³ The second *desideratum* of the "systematic digest of trial records" dreamt of by David concerns the *genealogy* of the defendants.

To show up the bad faith of these assertions and programs, it is enough to call to mind the "Word to the Reader" of "Inquisition and New Christians," where the author explains that the Inquisitorial documentation was "designed to justify the existence of the Tribunal of the Holy Office." Part of its mission was "to convince the public that the 'Judaic Heresy' was threatening to subvert and undermine Christian society"; "not only the outward trappings of the trials, but the very procedural norms, the system of delation, *the manner of conducting the genealogical inquiries*, all conspire to deceive the gullible historian

¹³ The 19th-century manuscript catalogue of the Évora Tribunal's 11,767 trial records on the open shelves of the Torre do Tombo is alphabetical — not chronological — and provides the scantiest imaginable — often incorrect and almost illegible — summary of the final sentence, practically uniformly worded, almost all on the count of Judaizing. As of 2001 the Torre do Tombo offers computerized indices, providing minimal or less than minimal essentials, to the c. 42,000 numbered documents of the three tribunals (Lisbon, Coimbra, Évora).

who accepts the Inquisitorial documentation at face value” (emphasis supplied).

The lampoon’s unfortunate ¹⁴ readers naturally don’t know that in the overwhelming majority of cases *no genealogical inquiries were carried out*. The notaries simply registered the genealogies furnished by the defendants. The only time there would be inquiries was when a defendant accused of Judaism asserted he was an Old Christian or when an Old Christian proclaimed his Jewish beliefs. Mr. Saraiva provides a sole example of what he considers to be an Inquisitorial falsification of genealogy: the case of Friar Diogo da Assunção, executed (burnt alive) in 1603. The pseudo-historian is convinced that the author of the 1673-1674 anti-Inquisitorial pamphlet, *An Account of the Cruelties*, “had first-hand knowledge” of Friar Diogo’s trial record and criticizes Azevedo for not having used the information furnished by *An Account of the Cruelties*. Mr. Saraiva has such a great aversion to archival research that it never occurred to him that it might be more advantageous to read the friar’s trial record at the Torre do Tombo instead of consulting *An Account of the Cruelties* or A. J. Teixeira’s insufficient summary of the genealogical inquiry. A reading of the trial record proves that 1.^o — the author of *An Account of the Cruelties* did not “have first-hand knowledge” of it and makes many incorrect assertions concerning it; ¹⁵ 2.^o — that the genealogical inquiry concerning Friar Diogo’s ancestry is completely reliable: of seven persons interrogated in Aveiro, two said that the friar “was racially tainted”; a nobleman, interrogated in Coimbra, declared that the friar’s paternal grandmother was the daughter of a baptized Jew from Lorvão. Six witnesses, interrogated in Lorvão, said that this great-grandfather of the friar’s was a baptized Jew. It is true that the Inquisitors needed the monk to be not entirely “clean” but, on the other hand, if they were inducing witnesses to give false testimony (a suggestion dubitatively dropped by the demagogue Mr. Saraiva), they could have arranged a “dirtier” genealogy with more than one Jewish great-grandparent.¹⁶ *On the basis of this sole example, among thirty thousand possible ones* and, what is more, an example tendentiously exploited, Mr. Saraiva, author of “Inquisition and New Christians,” minimizes the credibility of the genealogies

¹⁴ Perhaps “uninitiated” is intended.

¹⁵ A list of at least the most salient discrepancies would have been a useful contribution of this surrebutter. Our study of Friar Diogo’s complete trial record did not reveal any, unless Révah is referring to the family’s petition. See above, Chapter Nine, note 24.

¹⁶ This argument bespeaks a certain lack of understanding of the limits beyond which the Inquisition could not go without imperiling its reputation.

registered by the Holy Office. Yet David, spiritual son of Mr. Saraiva, reminds “future” summarizers of Inquisitorial archives to make good use of the defendants’ genealogy.

In the 319 pages of “Inquisition and New Christians” there is not a single suggestion of any positive value inherent in the Inquisitorial documentation or about its possible authentic ingredients, but there are many arguments against the reliability of these documents. Nevertheless, the cynical David asserts that “Saraiva never said anywhere in his book that the enormous Portuguese Inquisitorial documentation was worthless for historians [...] What he did say was that *as far as the accusation of heresy is concerned* Inquisitorial trials are extremely suspect, just as are all trials for ideological deviance. That’s a horse of another color.” Saraiva’s diatribe is dedicated to Marcel Bataillon, the author of “Erasmus and Spain,” in which judicious use was made of a dozen Spanish Inquisitorial proceedings instituted against persons accused of heresy,¹⁷ *i.e.*, “extremely suspect [documents], just as are all [those produced by] trials for ideological deviance.” I have already publicly admitted that, when I was 20, it was Prof. Bataillon’s book which completely convinced me of the extraordinary importance of the Iberian Inquisitorial archives for the history of Peninsular cultures. Could Bataillon have surmised, around 1937, to what dangers his methodology was exposing him and what possible means there were to avert them? These dangers and means were discovered by Mr. Saraiva’s “astuteness” in “Paris, June 1968,” viz: “[...] the outward trappings of the trials, the procedural norms, the system of delation, the genealogical inquiries, all conspire against the scrupulous historian who takes the Inquisitorial documentation at face value. His only safeguard is constant vigilance against *a directive intention pervading the Inquisitorial archives*. This tendentiousness can be elucidated only by treating the Inquisition, *not as a source of formally reliable documents*, but as a phenomenon within a certain historic context” (“Inquisition and New Christians,” “A Word To the Reader,” emphasis supplied).

The distaste for archival research manifested by Mr. Saraiva gave birth to the most extravagant idea to be found in “Inquisition and New Christians,” viz. that the Inquisitorial documentation was produced with the purpose of justifying the existence of the Tribunal of the Holy Office; this end-result was so perfect that it succeeded in mystifying 20th-century scholars: “Had they found time for crystal-ball gazing,

¹⁷ None, however, concerning “Judaizing.” Cf. Marcel Bataillon, *Erasmus y España*, Mexico, 1950.

could the Inquisitors have foreseen such far-flung success for their propaganda?" ("Inquisition and New Christians," Chapter Three). Since everything I myself have had to say on the subject until today is, according to the shrewd David, to be found in the works of Azevedo, Wolf and Roth, "not to mention Graetz's seminal History," I might as well confess that it is from António Baião that I lift the following:

In respect to the Inquisitorial Archives, Joaquim Heliodoro da Cunha Rivara [1809-1879] correctly states: "We cannot form a well-founded and impartial opinion on the Inquisition as long as historians don't frequent the Torre do Tombo to rummage the Inquisitorial trial records." Indeed, there can be no surer guide for the scholar, taking into account that the Inquisitorial Archives, all of which fortunately escaped destruction during the earthquake of 1755, were secret and, for that very reason, whatever was written in those documents was truthful and never intended to deceive.

Inquisitorial documentation even reveals cases in which the judges of the Faith infringed the adaptation of canon law which was in force in their institution:

1.^o — Manuel Fernandes Vilareal was executed, essentially, because he had discovered the secret of the "observed cells"; eight judges of the Lisbon Tribunal *signed* an order for "assassination" which was not, as Mr. Saraiva claims, "legal," but completely "illegal." Nothing in the rule book authorized this condemnation. But it was not their intention to deceive whomever would read the trial record, since they wrote out in all particulars that they were condemning the defendant to death because

he had been crafty enough to hit upon the peep-holes of the observation cells [...] whereby he would cause serious prejudice to the ministry of the Holy Office were he to publish and discover the secret of the peep-holes; a consideration of great moment, because one has every reason to fear that if the defendant were to escape with his life he could do very great damage to the tribunal of the Inquisition and its righteous proceedings [...]" (entry dated November 21, 1652).¹⁸

2.^o — António José da Silva, "the Jew," was "illegally" arrested in 1737, because there were no formal charges to justify his arrest, merely a very strong suspicion; "the order for arrest was orally transmitted to

¹⁸ The decision was in fact within Inquisitorial legality since it was approved by majority vote, despite a dissenting opinion, also recorded. But for Révah to admit this would mean throwing in the towel in his debate with Saraiva. See below note 36. Cf. Chapter Five, note 19; Appendix Two, note 20.

the Desk by the Inquisitor General Cardinal Nuno da Cunha, but “*this extraordinary procedure is mentioned in the trial record, to unburden the conscience of the Inquisitors at the Desk*” (J. Lúcio de Azevedo, *Novas Epanáforas*, 199-200). The slave Leonor, against whom there were also no charges, was arrested and taken to the Penitentiary (not to the Inquisitorial prison) because she was expected to denounce members of “the Jew”’s family. This is not a unique case in the history of the Portuguese Inquisition but its “*illegality*”¹⁹ was registered in the trial record.

*The Historical Sources Used by a Pseudo-Historian
With No Archival Specialty*

Mr. Saraiva and his “creatures of reason,” with unheard of contempt for their readers, tried to convince them that it is quite possible to write the history of the Inquisition and the New Christians by shirking the Torre do Tombo.

A — *The “published” trial records*

In his “Letter to the Editor” the pseudo-historian writes: “I have studied in detail only the hitherto published trial records but that does not prevent me from trying to understand what was going on, by comparing the known trial records (including those which Mr. Révah cites or summarizes) with other documents [...]” In the Dialogue the phantom named David is much more erudite than his procreator: true, it’s merely for show. To Afonso’s question: “So you think the hitherto published documents are sufficient in number to sustain a theory?” David replies: “Numerous trial record documents have been published by Alexandre Herculano, João Lúcio de Azevedo, António Baião, António José Teixeira, José Ramos Coelho, António Henriques, Teófilo Braga, more recently by Julio Caro Baroja, Israel Salvator Révah and others.”

These deceptions (pardon the word), attempt to inculcate the idea that many trial records of Portuguese Judaizers have been published when, in reality, what we have up to now are:

- a) summaries consisting of a few lines or a couple of pages;
- b) excerpts or extracts of short length;
- c) partial studies of trial records.

¹⁹ Perhaps Révah means “irregularity.” By the Inquisition’s own terms of reference there was nothing “illegal” about the “Jew”’s arrest: or, put another way, it was no less “legal” than all the other Inquisitorial arrests.

To refute the said deceits we shall make the following remarks:

a) *up to now I. S. Révah has not published a single trial record.* What he has done is *to make use*, for his articles and university courses, *of a great many Portuguese and Spanish Inquisitions trial records and to publish extracts of some of them;*

b) *A. Herculano never published any trial record and consulted but a few in the Inquisitorial archives “which were not yet well known in the Master’s time” (António Baião dixit).* The author of “Inquisition and New Christians” *did not use the trial records known to A. Herculano;*

c) *the same author never used the trial records studied but not published by António José Teixeira and Teófilo Braga;*

d) *the same author did not use any trial record concerning Judaizing published by any “ANTÓNIO Henriques” whose existence is probably confined to the mind of Mr. David.* The Inquisitorial trial record of Damião de Góis was published at Lisbon in 1899 by GUILHERME J. C. Henriques (*Carnota*),²⁰ who also published the trial record of George Buchanan (Lisbon, 1906, with an English introduction and a full English translation). But Damião de Góis and George Buchanan were Old Christian humanists tried on the charge of Lutheranism. Is it possible that a phantom as “erudite” as David imagined Damião de Góis and George Buchanan to be miserable adepts of the Law of Moses?

e) *of the few trial records concerning Judaizing referred to in “Inquisition and New Christians” the only ones published are the two of António José da Silva, nicknamed “the Jew”;*

f) *Mr. António José Saraiva did not consult directly the published transcription of “the Jew”’s two trial records, but only their summary by João Lúcio de Azevedo in *Novas Epanáforas* (Lisbon, 1932).* In Chapter Five of the lampoon he cites one of Azevedo’s *erroneous* references to the “Trial [sic] published in the *Revista Trimensal do Instituto Histórico e Geográfico Brasileiro*, vol. 58 (1859) [...].” In reality, the two trials were published in vol. 59 of the *Revista Trimensal*, 5-261;

g) *even as regards published extracts, summaries and studies of trial records David’s list is deplorably deficient.* Missing are names of historians who worked on the trial records deposited in the Torre do Tombo and published their findings, such as: the Portuguese José Ribeiro Guimarães, João Correia Aires de Campos, Joaquim Martins de Carvalho, Pedro Augusto de Azevedo, Maximiliano de Lemos, Carlos

²⁰ William John Charles Henry (alias Guilherme João Carlos Henriques) (London, 1846 — Alenquer, ?) came to Portugal age 14 where he was adopted by the Anglo-Portuguese historian John Smith Athelstone, Count of Carnota (1813-1886), who bequeathed him his estate by that name, near Alenquer.

Alberto Ferreira, Augusto da Silva Carvalho, Eugénio da Cunha e Freitas, José Lopes Dias, Luís de Bivar Guerra, Samuel Schwarz; the Brazilians José António Gonçalves de Mello, José Gonçalves Salvador, Anita Novinsky; the British Lucien Wolf and Cecil Roth (I am referring to the latter's individual studies of Inquisitorial trial records, not to the books mentioned in the Dialogue); the American Arnold Wiznitzer;

Mr. António José Saraiva, author of a 319-page book on "Inquisition and New Christians" has not read the whole text of a single Portuguese Inquisitorial trial record of a purported or real Judaizer. Moreover, he has superciliously scorned the entire bibliography concerning Portuguese on trial for Judaizing before the three Tribunals of the Holy Office in the Spanish Americas.

B — *The "Institutional texts"*

The chimerical hawker David goes on and on exalting the portentous erudition of his procreator: "On the other hand we have at our disposal published 'institutional texts', which Saraiva considers fundamentally important, such as rule books of the Holy Office, Rules for the Confiscation of Convicted Prisoners' Goods, Inquisitorial Edicts of Faith, Privileges Granted to Officials of the Holy Office, Friar António de Sousa's 'Inquisitors' Aphorisms.' Some of these documents had never been put to proper use by historians, prior to Saraiva." To justify this impudent claim of priority, Mr. David makes use of the singular argument already used by the author of "Inquisition and New Christians," to wit: Julio Caro Baroja in his three tomes on the crypto-Judaism of *Spain* did not mention the 1640 Portuguese Inquisitorial rule book.

This is not the place to present a bibliography of all that has been written on the rule books (*Regimentos*) of the Portuguese Inquisition. The one of 1640, kept secret like all the others as long as the persecution of the New Christians lasted, was the first one to become publicly known. It was reproduced in its entirety, accompanied by an English translation, in the second volume of an anonymous work printed in London (1811) by a Portuguese resident of that city, entitled "Narrative history of the persecution of Hippolyto Joseph da Costa Pereira de Mendonça." But, before Mr. Saraiva, no demagogue got it into his head to indict for judicial crimes the Portuguese Inquisitors who officiated from 1536 to 1639, using as evidence a rule book which went into effect on October 22, 1640. Up to 1640 Inquisitorial repression of crypto-Judaism was successively determined by:

1.º — hypothetical (perhaps oral?) instructions transmitted in 1536 by the first Inquisitor General, Dom Diogo da Silva;

2.^o — the Instructions of 1541, discovered, studied and published by I. S. Révah in 1966;

3.^o — the rule book of 1552, studied and published by António Baião in 1907 (Mr. Saraiva, in Chapter Three of his diatribe, noted its publication in the *Arquivo Histórico Português*, vol. 5, 1905, 272-298, but failed to provide Baião's name and the title of the journal in which it was published);²¹

4.^o — the rule book of 1613, printed by order of the Grand Inquisitor Dom Pedro de Castilho (Saraiva writes "Dom Pedro de Mascarenhas," "Inquisition and New Christians," Chapter Three).²²

It goes without saying that there are *extremely important differences* between the various compendia of Inquisitorial rules of procedure. *We can be absolutely certain that at least half of the New Christians indicted on the charge of crypto-Judaism by the Portuguese Inquisition did not come under the jurisdiction of the 1640 rule book.* The Inquisitors' own statistics show that:

1.^o — between 1548 and 1632 the Lisbon Tribunal indicted more than 3,565 New Christians;

2.^o — between 1567 and 1631 the Coimbra Tribunal indicted at least 3,918 New Christians;

3.^o — between 1536 and 1633, the Inquisition of Évora indicted at least 4,452 New Christians.

The Portuguese Inquisition's rule books have been analyzed in two works, *absolutely essential* for an understanding of the Portuguese Holy Office and the New Christians, to which no reference is made in Saraiva's "Inquisition and New Christians."

1.^o — António Baião, "The Inquisition in Portugal and Brazil: Material for its History," Lisbon, 1920, 2 vols. (288 pp. and 81 pp.) of highly important raw documents. This is a reprint of a series of articles originally published in the *Arquivo Histórico Português*, starting in vol. 4, 1906. Whereas Saraiva disdains this excellent work by A. Baião, the first competent and objective study of the Portuguese Inquisition, he misrepresents many chapters of another work by A. Baião, the 3-volume, much too anecdotic "Dramatic Episodes of the Portuguese Inquisition" [vol. 1, Oporto, 1919, Lisbon, 1936, 1972; vol. 2, Rio de Janeiro, 1924, Lisbon, 1953, 1973; vol. 3, Lisbon, 1938, 1973]. For some mysterious reason Mr. Saraiva never attacks Baião, although many of the latter's ideas were later appropriated by Azevedo, Roth and Révah, three authors assaulted and battered by Mr. Saraiva. In his numerous books and articles Baião gave much evidence to sustain his

²¹ This failure has been tacitly corrected in the English translation.

²² This error has also been tacitly rectified in the English translation.

conviction that there existed in Portugal, for many centuries, a New Christian ethnic group and a crypto-Jewish religion. However, in contrast with Azevedo (from whose "History of the Portuguese New Christians" [Lisbon, 1922] Mr. Saraiva lapped up practically all his second-hand information), he was entirely free of pseudo-ethnic prejudice.²³

2.º — Joaquim Mendes dos Remédios, "The Jews in Portugal, vol. 2, Vicissitudes of their History from the Time they were Expelled Until the End of the Inquisition," Coimbra, 1928. This is a reprint of a series of articles originally published in *Biblos*, 1-4, 1925-1928. It too reproduces many important documents, mostly preserved in Coimbra public or private collections.

C — *The Polemical Texts*

The phantom called David concludes the description of his procreator's astounding erudition as follows: "Finally there are the published works pro and con the Holy Office, such as the anonymous *Account of the Cruelties Exercised by the Inquisition in Portugal*; Ribeiro Sanches' booklet on the origin of the label "New Christian"; Vieira's, Luís da Cunha's and the Knight of Oliveira's reports and commentaries; the New Christians' complaints published in the *Corpo Diplomático Português* and the Inquisitors' petitions against them published by L. de Azevedo and in the *Corpo Diplomático Português*; etc."

David should have mentioned Verney, an important author, because he gave his opinion in 1765-1766 (*i.e.*, two or three years before the end of Inquisitorial persecution of crypto-Judaism) in Italy (*i.e.*, a country where, at this late period, many New Christians hailing from Portugal continued to arrive, the majority of whom opted for membership in the established Jewish communities while others, sometimes relatives of the former, kept on their Christian mask in order to continue to usufruct or to obtain ecclesiastical benefits, pensions, powers of attorney for Portuguese bishops, etc.).²⁴

²³ *Pace Révah*, Baião's "Episodes" are regrettably studded with asides disparaging New Christians, whom he regularly calls "Jews." For instance, referring to the inventory of his possessions made by the Inquisitorial prisoner Francisco Gomes Henriques ("the Niggard"), Baião drops the snide remark: "The assets of Francisco Gomes Henriques' commercial establishment were not to be sneezed at, in spite of the omissions and sophisms in which the Jews were fertile" (vol. 2, 220, 1973 edition).

²⁴ So Révah allows ulterior motives to Portuguese New Christian emigrants who opt for Catholicism but not to those who adopt Judaism.

Mr. Saraiva's strategy is very simple: by suggesting that these polemicists main theses were but tactical contrivances he deliberately misrepresents the texts of the Inquisition's adversaries. Nearly all the authors of tracts against the Inquisition (an exception is the author of *An Account of the Cruelties*) thought that:

a) there was a New Christian ethnic reality, whose perpetuation was stimulated by Inquisitorial persecution and racial discrimination;

b) there was a crypto-Judaic religious reality, favored by the same causes, which was provoking an intense emigration from Portugal of Judaizing New Christians.

Nearly all the authors proposed (more or less clearly, as the case may be) the following remedies:

a) abolition of legal and real discrimination as between the two Portuguese "races";

b) reform or abolition of the Inquisition which should in any case adopt the procedures of civil law, abandon the secret proceedings and the *autos-da-fé*;

c) *toleration of the public exercise of the Jewish religion in Portugal*. Mr. Saraiva gives a one-sided interpretation of certain assertions by the Knight of Oliveira, a generally untrustworthy author, hiding the fact that Oliveira *repeatedly* asked for this measure, sometimes in a provocative manner: "Portugal will only become a prosperous and progressive country when the Holy Office is abolished for good. Not before. Moreover, nothing will have been accomplished until the Jews set up a synagogue on the very site of the present Palace of the Inquisition" (*Récréation périodique*, translated from the original French into Portuguese by Aquilino Ribeiro, Lisbon, 1922, vol. 1, 115).

These authors believed that the setting up of officially authorized synagogues would produce a cleavage between convinced or lukewarm Judaizers and sincerely Catholic New Christians, thus avoiding the infection of the latter by the former. Catholics would no longer be led back to crypto-Judaism by the cruelty (and, at times, injustice) of Inquisitorial persecution and by the injustice of racial discrimination. This appeal for officially authorized synagogues suggests the existence of a genuine crypto-Judaism in Portugal between the middle of the 17th and the middle of the 18th centuries.²⁵

With his usual capriciousness Mr. Saraiva has decided to increase the number of the Inquisition's adversaries. In Chapter Thirteen of "Inquisition and New Christians" we read: "Vieira's circle included

²⁵ Révah's conception of Judaism apparently discounts the possibility of Old Christians voluntarily joining a synagogue were that option open to them.

Duarte Ribeiro de Macedo, another ambassador to Paris, author of a “Discourse on the Introduction of the Arts into Portugal.” This book advocates a Colbertian economic policy (after the French statesman Jean-Baptiste Colbert, 1619-1683, originator of the mercantile theory). *Macedo must have been reckoned a sworn enemy of the Inquisition, because during the war on its “style,” around 1673, Father Vieira had made him privy to what was brewing in Rome* (emphasis supplied). This appeared in 1969 but the year before, in 1968, Prof. Virgínia Rau had published (in the journal *Do Tempo e da História*, 2, 24-25) a letter dated September 12, 1671, from Duarte Ribeiro de Macedo to the Secretary of State Francisco Correia de Lacerda, which proves that Ribeiro de Macedo was a furious enemy of the New Christians, whose expulsion from Portugal seemed to him to be the only solution which would satisfy the interests and Catholic piety of the Portuguese (see also Virgínia Rau’s note in *Do Tempo e da História*, 3, 197-200).²⁶

From the bulk of the above-mentioned anti-Inquisitorial pamphlets we must separate *An Account of the Cruelties of the Inquisition in Portugal*, part of the fierce 1673-1681 controversy which moved back and forth between the Portuguese Court and the Holy See. My critical study of this pamphlet (*of which we no longer have the original, complete version*), my comparison of it with other documents — either pro- or anti-Inquisitorial — produced by the controversy as well as with the Inquisitorial trial records referred to in the pamphlet, led me to abandon the generally accepted view concerning its essential objectivity. Mr. David replies that Azevedo had exalted the pamphlet’s veracity. Well, I’m afraid that this is one of Azevedo’s opinions to which I don’t subscribe and, instead, put forward a non-Azevedian idea which is based on the trial records I have studied. Some of these prove that the pamphlet falsifies Inquisitorial realities.²⁷

Contrary to what Mr. David claims, his progenitor’s diatribe does not examine the Portuguese Inquisitors’ replies to the accusations brought against them by a coalition of New Christians and Jesuits. As

²⁶ Virgínia Rau’s note suggests that Macedo’s anti-New Christian stance may have been pragmatic: his candidacy for a “*familiar-ship*” had just been rejected by the Holy Office due to rumors that one of his grandmothers might have been of partly New Christian origin. His letter of a month later to Father António Vieira equivocates on the same issue.

²⁷ Révah’s “critical study” of *An Account of the Cruelties* was not published during his lifetime and has not come to light since his death, so we do not know what impels him to think that the text we have is incomplete. As to its reliability, see above, Chapter Four, note 6, in which are identified thirteen out of the seventeen trial records cited and summarized (quite correctly as it turns out from a rigorous comparison) by the author of *Cruelties*.

a matter of fact these replies are still available only in manuscript so they would of course not have been consulted by the author of “Inquisition and New Christians.”

I was very much surprised to see that the interlocutors of the Dialogue don’t refer to the works, used as source material for “Inquisition and New Christians,” of three Peninsular New Christians: the Portuguese Manuel Fernandes Vilareal (who wrote in Spanish), the Spaniard Antonio Enríquez Gómez and the Portuguese Duarte Gomes Solis (who also wrote in Spanish). In the case of the first two, Mr. Saraiva confines himself to distorting to his heart’s content my studies on them. Interlocutor David announces in a doctoral tone one of the Dialogue’s most absurd theses: “Saraiva, analyzing the significance of *El Político Christianissimo*, shows that Vilareal was in reality a precursor of ‘toleration’ [in the sense of John Locke’s *Letter on Toleration*, 1689], no more Jewish or Protestant than he was Catholic, like Uriel da Costa and the French free-thinkers of his time.” Interlocutor Afonso goes him one better: “They really are pretty weak, these supplementary arguments adduced by Révah to support his (and the Inquisitors’) theory that Vilareal was a ‘Judaizer.’ And yet he is acquainted with all 3000 folios of the trial record.” Truly, Mr. Afonso’s dishonesty is unsurpassable! Manuel Fernandes Vilareal’s trial record has $200 + 14 + 184 = 398$ (three-hundred-ninety-eight) folios.²⁸

Let us consider the friendships of and books read by our “free-thinker in the tradition of Uriel da Costa and the French *libertins*”: Vilareal is ambling along the Lisbon streets in 1649 carrying in his pocket an autograph letter from Rabbi Menasseh Ben Israel of Amsterdam, a rather imprudent thing to do, even for a “free-thinker.” In his letter the famous rabbi writes Vilareal in Spanish: “[...] then I shall be able more liberally and satisfactorily to serve my friends, and particularly your good self, whose talent I admire after reading those clever ‘Discourses’.” (the subtitle of Vilareal’s book on Richelieu ran *Discursos Políticos sobre algunas acciones de la vida del Eminent. Señor Cardenal Duque de Richelieu*). On March 14, 1650, the defendant Vilareal, denying the accusations of Judaizing, replied as follows to one of the Inquisitor’s questions (reply put into the third person by the Inquisitorial scribe): “Said he had never read books that treated of Judaism or of ceremonies of the Law of Moses, except for parts of

²⁸ Révah, construing Afonso’s mistake as dishonesty, implies that Saraiva has some hidden agenda for wanting to exaggerate tenfold the length of the trial record, but does not intimate what that agenda could be. To the translators it seems more like a slip of the pen (adding a zero to 300).

certain works composed by a Portuguese Jew who, by his Jewish name is known as Menasseh ben Israel. As to his Christian name, he does not know it; and he lives in Amsterdam where he is *Gagão* [Sephardic Hebrew title = rabbi]. And the books are entitled ‘The Conciliator, A Reconciliation of the Apparent Contradictions in Holy Scripture’ and ‘Of the Resurrection of the Dead,’ both in Spanish, another, in Latin, entitled ‘Of the Limit of Life.’ And even though the author is a Jew, the doctrinal content of these books is not heretical, howsoever he has recourse in them to rabbinical opinions and propositions contrary to our holy faith. And he, the accused, had these books and gave them (to the Marquis of Nisa): the ‘Conciliator’ in Paris and the others he sent him from Rouen.” Everybody knows that Menasseh’s “Resurrection of the Dead” is mainly directed against... Uriel da Costa’s theses. Vilareal steadfastly denied having given the Marquis of Nisa Menasseh’s Portuguese handbook of Jewish instruction entitled “Treasure of the Precepts” and we know that this accusation was a calumny. Yet, on March 29, 1650, Vilareal, still denying his crypto-Judaism, said to the Inquisitor: “[...] that he, the defendant, saw [Menasseh’s] Book of Precepts, lent to him by Gaspar Gomes de Almeida, to whom he returned it, and never had or saw it since.”²⁹ The trial record incorporates an absolutely trustworthy testimony,³⁰ according to which

²⁹ Révah is apparently insinuating – in order to prove Vilareal a Judaizer – that since Vilareal admitted procuring some of Menasseh’s works for Nisa (an admission already made spontaneously in the apology he handed the Inquisitors on January 24, 1650: see above, Chapter Five, n. 8), his denial of owning or offering Menasseh’s “Treasury of Precepts” is not to be taken seriously.

³⁰ Révah is referring to the testimony of João de Águila, 1/16 New Christian, given between January 12 and 19, 1650. João de Águila had been expelled by Haham S. L. Mortera from the religious school of the Amsterdam Portuguese Jewish community. The Lisbon tribunal of the Portuguese Inquisition, which wanted to destroy Manuel Fernandes Vilareal but did not have enough testimony against him, sent a delegation headed by Father Diogo César to Amsterdam, where they suborned João de Águila and induced him to go to Lisbon and testify against Vilareal. Águila arrived in Lisbon between January 11 and 12, 1650 and presented himself to the Inquisitor Pedro de Castilho the day of his arrival to make his carefully prepared deposition, woven through with “believable” fabrications, including his nostalgic longing for Catholicism, his debate with and “excommunication” by Haham Mortera, his visits to Nantes (which he confused with Rouen) “and although he had never spoken with Manuel Fernandes Vilareal, nor had ever seen him, he knows with absolute moral certainty that Manuel Fernandes Vilareal is a believer in the Law of Moses” (*e ainda que elle confitente não fallou nunca ao ditto Manoel Fernandez Villa Real, nem o viu, sabe com toda a certeza moral que o ditto Manoel Fernandez Villa Real tem crença na Ley de Moyses*) [ANTI, Inquisition of Lisbon, no. 7,938, on January 21, 1650]. While the Inquisitors naturally swallowed Águila’s patent fabrications, one is hard put to grasp how Révah fell for them to the point of calling them “absolutely trustworthy.” See H. P. Salomon, “Les procès de l’Inquisition Portugaise comme documents littéraires ou du bon usage du fonds inquisitorial de la Torre do Tombo,” *Estudos Portugueses — Homenagem a António José Saraiva*, Lisbon, 1980, 151-164.

another Amsterdam rabbi, Saul Levi Mortera, the true spiritual leader of the Portuguese Jewish community, showed great appreciation for the works published by the two friends, Manuel Fernandes Vilareal and Antonio Enríquez Gómez. It is hardly necessary to cite other elements which prove the utter absurdity of claiming that “Vilareal was in reality a precursor of ‘toleration’ [...] no more Jewish or Protestant than he was Catholic, like Uriel da Costa.”

The interlocutors of the Dialogue do not mention Mr. Saraiva’s use of the New Christian Duarte Gomes Solis’ Spanish work: “Arguments in favor of the East India Company.” Gomes Solis’ book is quoted *eight times* in “Inquisition and New Christians.” For the first quotation (Chapter Nine), Mr. Saraiva provides the following reference: “*Alegación*, Gentil da Silva edition with commentary, Lisbon, 209-210.” But Mr. José Gentil da Silva never produced any edition, with or without commentary, of the *Alegación*; his analysis of this work appeared in vol. 8 of the Proceedings of the “13th Luso-Spanish Conference for the Advancement of Sciences” (465-537). Mr. Saraiva’s eight quotations from the *Alegación* were taken from Moses Bensabat Amzalak’s edition of Gomes Solis’ book (Lisbon, 1955; offprint from the *Anais do Instituto Superior de Ciências Económicas e Financeiras*).

Three Specimen Trial Records

The *cynical* David exalts Mr. Saraiva’s scholarly integrity: “But the cases invoked by Saraiva are known and published trial records that can be verified by anyone. He moreover explores all the circumstantial motivations which might have produced the Inquisitors’ decision, whereas Révah, limiting himself to cases with which he alone is acquainted, omits all specifications.” But the integrity is but sham integrity.

The cases invoked by Saraiva are not published trial records because, even the one which enters into this category (of published trial records), was not consulted in the published text by our pseudo-historian. Mr. Saraiva confined himself to the use of ready-made summaries he found of some trial records, picking, choosing and juggling with the facts that appear in these summaries. To prove that New Christian defendants in Inquisitorial trials were all falsely accused of Judaizing, he applied this methodology to *three* trial records which he calls “specimens.” To refute my 1962 discovery of a crypto-Jewish tradition in Uriel da Costa’s family, it suited his book to disregard, in his ridiculous analysis of Uriel’s convictions, my summaries of the trials of Uriel’s relatives. His “creature of reason” David *nullifies completely* the value of “Uriel’s maternal grandfather’s, great-grandmother’s, great-aunt’s

and second cousins' trial records," thus simplifying my task of pointing out his misrepresentations of Inquisitorial trials. In the 210 pages of his "Inquisition and New Christians" *three trial records* remain standing, like pins after a game of skittles, about which Mr. Saraiva specifies some circumstances. Let us examine, in the light of this demagogy, the "three specimen trial records" and the "circumstantial motivations" narrated by the author of the diatribe.

A — *Francisco Gomes Henriques, "the Niggard"*

Mr. Saraiva tendentiously summarizes A. Baião's synopsis of this trial. On the basis of this summary of a summary it is impossible to understand what is going on. In reality, "the Niggard" was betrayed by a cellmate who had entered into his confidence. This betrayer, a Catalan priest, arrested for unprecedented blasphemy and heresy, gave the Inquisitors a minute description of everything "the Niggard" had told him (these reports could have led to new arrests, but the Inquisitors did not proceed in that direction) and announced in advance on which days "the Niggard" would fast or carry out other Judaic ceremonies. *Thus we are in possession of depositions from inside and outside the cell.* "The Niggard" was quite imprudent (as Mr. Saraiva is well aware); he made compromising declarations to free persons who lived in a room near his cell and gave vent to his feelings to two other cellmates, who reported them to the Inquisitors. But the priest's denunciations and the peep-hole observers' confirmation were sufficient proof of his offenses (which he denied to the bitter end).

Mr. Saraiva asserts: "the informers slipped in between these expletives some indications, however vague, of 'Jewish beliefs'." It is quite possible that some readers will not believe in my integrity if I tell them that the pseudo-historian thus concluded a thirteen line-summary of 240 folios (480 pages) of depositions and denunciations against "the Niggard," which contain so many *indicia* — vague my foot! — of Judaic beliefs.³¹ Yet, dear readers, this is the absolute truth. Mr. Saraiva himself must have

³¹ The initial denunciation leading to "the Niggard"'s arrest in 1651 was made by Bento da Costa Brandão (the son of Uriel da Costa's sister Maria). In the course of his carefully rehearsed appearance before the Inquisitors on October 10, 1646 Bento, then 24, confessed that "on a Day of Atonement 8 or 9 years earlier" he went to fetch his father and met him in the company of Francisco Gomes Henriques and Manuel Machado, walking towards the Rossio. When all four arrived there these gentlemen took leave of his father "because it was getting time" and his father agreed. Bento had then asked his father "if they were also fasting" and his father had said "yes." Whereupon he and his father went home to break their fast. See ANTT, Inquisition of Lisbon, no. 10794 (Francisco Gomes Henriques), transcribed from ANTT, Inquisition of Lisbon, no. 1772 (Bento da Costa Brandão). Cf. Uriel da Costa, *Exame das tradições farisaicas* (edited by H. P. Salomon and I. S. D. Sassoon), Braga, 1995, 38-39.

decided that his summary of a summary was a bit gaunt and, to pad it out, appends the following decisive argument (Chapter Five):

[Informed of his death sentence in November 1654, the Niggard addressed a letter of farewell to his wife and family.] The Niggard intended this letter to reach his family by the intermediary of his cell-mate whom he trusted to the point of recommending him warmly to his wife, requesting her, in case this “friend” of his would ever be freed, to provide him with shelter, money and clean clothing, “and a silk jerkin and all the clean linen he may need and sheets and all the rest of better quality than mine for such is my last will.” But the man who thus succeeded in insinuating himself in the gratitude and affection of old “Niggard” delivered the letter to “my lords the Inquisitors.” The family never received it and, for this very reason, we can read it today in the Inquisitorial archives. The Inquisitors knew, then, that the man they had condemned to death as a “Judaizer” was a fervent Christian, a devotee of Our Lady of Glory... And they buried the proof in their frosty vaults.

This argument appeared so good to the chimera David, that he asked I. S. Révah “to explain how it is that Francisco Gomes Henriques, according to Révah a ‘*convinced Judaizer*’, attempted, just before his execution, to smuggle a letter to his wife in which he refers to ‘Our Lord Jesus Christ’ and recommends to his family, in memory of his soul, devotions to ‘Our Lady of Glory’.”

Take a look at the trial record. On the first folio the notary Joseph Cardozo wrote, without mentioning the year, 1654, that: “*on the first day of October a quire of paper was given the accused, with the compliments of the Desk.*” As was the rule in these cases, the notary wrote “Cardozo” at the top of each of the leaves he gave “the Niggard,” so that he could write to his wife.³² There was nothing clandestine about the letter. The paper was furnished “the Niggard” *with the compliments of the Desk*; ‘the Niggard’ handed the Inquisitors the letter for his wife.³³ Since he had

³² Révah’s original Portuguese text reads: “o notário escreveu *Cardozo* no alto das páginas que entregou ao Forra-gaitas para este escrever à mulher.” However, the trial record gives no indication of the use to which the paper was to be put.

³³ Révah’s original Portuguese text reads: “o Forra-gaitas entregou a carta para a mulher *aos inquisidores.*” However, the trial record contains no indication that “the Niggard’ handed the Inquisitors the letter for his wife.” In his independent study of the trial record, David Grant Smith (“The Mercantile Class of Portugal and Brazil in the Seventeenth Century: A Socio-Economic Study of the Merchants of Lisbon and Bahia, 1620-1690,” Ph.D. Dissertation, The University of Texas at Austin, 1975, 224-225, 264) ascertained that Francisco Gomes Henriques dictated his letters to one of his cell-mates because he was illiterate and capable only of making his sign (see his “Genealogy Session” on Octobre 13, 1651: “e que ele declarante não sabe ciencia alguma, nem ler, nem escrever, nem faz mais que seu sinal [he had no formal education and can neither read nor write but merely makes his mark]”). It is amazing that neither Baião nor Révah, who consulted the trial record directly, noticed this. Furthermore, Révah fails to take into account that ‘the Niggard’ had previously entrusted cellmates with a message for his son

denied the reality of the offenses attributed to him and he had no interest in ruining his relatives' lives it is absolutely to be expected that in an *open* letter to his wife he feigns to believe in "Our Lord Jesus Christ" and in "Our Lady of Glory."³⁴

Let's forestall Mr. Saraiva's reply, sure to be forthcoming.³⁵ *Antônio Baião*, Mr. A. J. Saraiva's only source, did not make the same slip, since he explains: "Francisco Gomes Henriques realized that his case was now hopeless and, in a comprehensible and easily imaginable state of affliction asked for a quire of paper and here is what he wrote." Let us also see the "rewards" received by "the Niggard"'s cellmates. The Catalan priest was banished from Portugal and taken directly from prison to the ship. The bigamist Amaro Gonçalves was flogged through the streets of Lisbon *citra sanguinis efusionem* ("short of shedding blood") and sentenced to five years as a galley-slave. Manuel Godinho, who had perjured himself in another case of bigamy, was banished to Castro Marim for three years and had to pay the costs of his trial.

B — Manuel Fernandes Vilareal

The only proof in favor of his thesis [that all Vilareal's Inquisitorial confessions of Judaizing were false], provided in "Inquisition and New Christians," is that Vilareal "had confessed to having given a friend a book which he had never given him" (Chapter Five). Mr. Saraiva writes: "To us it is obvious that all the confessions of Judaic practices made by Vilareal are as untruthful as his declaration that he gave the Marquis of Nisa the book of Jewish rites [...]" (*Ibid.*). In my interview I showed that Mr. Saraiva confused two completely different works: the "Treasure of Precepts" [by Menasseh Ben Israel] of which Vilareal denied having given a copy to the Marquis of Nisa (but which he admitted having read) and the "Jewish Rites" [by Leon Modena], which he confessed to having spontaneously offered the Marquis. The phantom named David concedes: "It's true that Saraiva made a bad blunder." But was it really a "blunder?" Since this kind of thing recurs in his treatment of the other two "specimen trial records" we would have to conclude that Mr. Saraiva doesn't know enough Portuguese

Gregório (of whose arrest he was unaware) and one for a friend, which also fell into the Inquisitors' hands. See Saraiva's summary (Chapter Five), gleaned from Baião's account of the trial record.

³⁴ One wonders what advantage 'the Niggard' could have hoped to gain from the Inquisitors by his profession of Catholic piety. On the contrary, the only way for him to save his life would have been to own up to Judaizing.

³⁵ It is not clear how the following remarks would forestall Saraiva's potential rebuttal to the preceding ones.

to understand Ramos Coelho's, Baião's and Azevedo's summaries: an unlikely hypothesis. Well now, *Ramos Coelho's monograph* — *Mr. Saraiva's sole source* — *carefully distinguishes between the "Treasure of Precepts" and the "Jewish Rites."*³⁶

Since Mr. Saraiva asserts that the cellmates were "creatures of the Inquisitors, *in their pay* and service" it would not be amiss to point out that Manuel Fernandes Vilareal's cellmate, Francisco Gomes Neto, received the supreme "reward" that the Inquisitors could offer him: he was *executed at the same auto-da-fé* as Vilareal. The pseudo-historian summarizes and comments upon Vilareal's confession of November 18, 1652:

He declared that up to the moment that he was now speaking he had been secretly professing the Law of Moses and that, together with his cellmate, he had observed fasts and other Judaic rites. With this denunciation he was apparently disavowing his ingrained nobility of character. However, we must not forget that every prisoner of the Inquisition suspected in every cellmate a potential denunciator, whom he had to forestall in order not to be considered a *negativo* or a *diminuto*. His companion proceeded in the same fashion, certainly for the same motives, denouncing Vilareal in turn for the same motives. Those were the rules of the game ("Inquisition and New Christians," Chapter Five).

Well, it just so happens that Francisco Gomes Neto did not completely "proceed in the same fashion." On November 21, 1652 he confessed that he had carried out in his cell Jewish ceremonies with Vilareal. But on November 24 he deposed that it was he who had prevented Vilareal from going to the "Desk" to confess his offenses and, on December 1, at the *auto-da-fé*, he stated: "He now remembers in addition that he, the confessant, was the principal cause of his cellmate's Manuel Fernandes Vilareal's committing the offenses which he, the confessant, has specified in his confession. And he said no more." What's the use of pointing out that the family of the noble Francisco Gomes Neto fled to Amsterdam? Mr. Saraiva will reply that this falls short of proof that Francisco Gomes Neto and his own were Judaizers in Portugal:

The Portuguese Jewish community, leaving aside its religious cornerstone, was also a fraternity or a kind of 'Free and Accepted Masons', whose meshes crisscrossed over a wide span. No doubt there was also the odd Portuguese Old Christian cynic who thought, like King Henry IV of France, that 'Paris is well worth a mass' — or, in this case, Amsterdam a Passover ('Inquisition and New Christians,' Chapter Ten).

³⁶ How odd that Révah, familiar as he was with Ramos Coelho's study, forgot that it is but an abridgement and that it skips Vilareal's reference (cited by the "phantom named David") to the two books.

Were I now to say that I believe the depositions concerning the fasts and Jewish ceremonies carried out in their cell by Fernandes Vilareal and Gomes Neto, because I have compared these depositions with the two defendants' confessions and with everything I know about their biographies,³⁷ the cynical phantom David would no doubt retort:

Révah's belief in the depositions of the peep-hole watchers can be explained only by the fact that he needs them to support his crypto-Judaism theory.

C — *António José da Silva, "the Jew"*

Since we are dealing with such a famous victim of the Portuguese Inquisition it is impossible to imagine that here also Mr. Saraiva "made a bad blunder." He had before him J. L. de Azevedo's excellent study³⁸ of the trial, included in his *Novas Epanáforas* (Lisbon, 1932), an outstanding example of the usefulness, in the historiography of the New Christians and the Inquisition, of *the complete study of families and social environments* in order to arrive at critically established conclusions concerning *specific* trials. The author of "Inquisition and New Christians" purposely disdained in Azevedo's study almost everything that explains the arrest and conviction of "the Jew." In the first place the absolutely essential fact that, as was so frequently the case in the Portuguese and Spanish Inquisitions, *the initial denunciation which brought about the misfortune of several families did not derive from a malicious Old Christian but from a contrite or terrorized New Christian who, like his parents, had been penanced by the Holy Office on the count of crypto-Judaism.*³⁹

³⁷ Alas Révah chose to withhold the source of his biographical information.

³⁸ Since Azevedo's study provides no source references it is much to be regretted that Révah takes his following paraphrase from Azevedo's imprecise retelling of Simão Rodrigues da Fonseca's and the slave Leonor Gomes' denunciations and the *familiares'* reports, rather than directly from the original Inquisitorial documents in the National Archives of the Torre do Tombo. Claude-Henri Frêches (*António José da Silva et l'Inquisition*, Paris, 1982), while more elaborate than Azevedo, also fails to provide source references, even for the documents he reproduces in facsimile.

³⁹ See ANTT, Inquisition of Lisbon, no. 2919, Simão Rodrigues da Fonseca. A 22 year old student at the Jesuit College of Olinda, he was brought from Brazil to the Inquisitorial prison in Lisbon on August 6, 1736. Although his parents had both suffered Inquisitorial arrest and sentencing for Judaizing (mother penanced in 1731, father in 1732) he identified his father as an Old Christian and his mother as a New Christian. His father had denounced him in the course of his trial. A year and a half after her release his mother spontaneously denounced her son Simão, then still in Brazil, which was the immediate cause of his arrest. The day of his arrival at the Inquisitorial prison he confessed to having been a crypto-Jew since the age of 14, reciting for the Inquisitors doggerel passed off as "Judaic prayers." He was "reconciled" at the *auto-da-fé* of September 1, 1737 at which (as we learn from Moreira) 12 persons out of 58 were executed, including a mother and her son and a mother with her two daughters. He was

In Mr. Saraiva's pitiful and ridiculous "study" we don't even meet up with the name of Simão Rodrigues da Fonseca who was the immediate cause of the arrest of a dozen persons, most of whom belonged to the family of the author of "Portuguese Operas." Simão and his mother were generously sheltered (after the *autos-da-fé* at which they had been penanced) by Páscoa dos Rios, sister-in-law of "the Jew." The latter and his brother André had married two sisters, Leonor Maria de Carvalho and Páscoa dos Rios (or: dos Reis), who had a brother, António Fróis. Simão Rodrigues da Fonseca denounced the members of these families for crypto-Judaism to the Inquisitor on duty at the Lisbon tribunal. In the first delation he forgot "the Jew" but neither António José's mother nor António José's wife.⁴⁰ "During this period the author of the Opera committed an imprudent action." He came upon his little daughter's nurse trying to convince a slave of his mother's "to go to the Holy Office to accuse the whole family of Judaizing. António José decided to steal a march on her and he went to the 'Desk' of the Tribunal to disqualify the slave's and the nurse's eventual denunciations, for he had reasons to suspect their integrity" (*Novas Epanáforas*, 198). When the delator Simão came to advise the Holy Office that the members of the families, whom he had previ-

released on September 11, 1737. In the course of his interrogations he claimed ignorance as to the whereabouts of his parents or indeed as to whether they were still alive. In fact, his father, deprived of all his worldly goods, had returned to Brazil; his mother, also poverty-stricken as a result of Inquisitorial confiscation, had remained in Lisbon, sheltered by Páscoa dos Rios, before and after the latter's marriage to André Mendes da Silva, the playwright's brother. Upon his release from the Inquisition on September 11, 1737, Simão Rodrigues da Fonseca joined his mother in Páscoa's house.

⁴⁰ Simão Rodrigues da Fonseca's initial deposition on September 28, 1737 — 17 days after his release from the Inquisitorial prison — is his denunciation of his mother, Maria de Valença, for Judaizing. According to the document studied and partially reproduced in facsimile by Frêches, which we have not been able to locate in the Archives, Simão first confessed his information to the rector of the Jesuit college Santo Antão, who advised him to impart it to the Inquisition. The trial record of his mother (Inquisition of Lisbon, no. 1530, Maria de Valença) includes a transcript of all of Simão Rodrigues da Fonseca's depositions which jibe with the document consulted by Frêches, minus the confession to the rector of the Jesuit college. Simão presented to the Inquisitors a 13-line crypto-Judaic prayer with authentic, albeit muddled Jewish elements, transcribed at his request by Maria de Valença (garbled by Frêches, *op. cit.*, p. 50, but the original in Maria's hand is reproduced in facsimile facing p. 51) and the date (October 5, 1737), also learnt from his mother, of the Day of Atonement. The descriptions of the Day of Atonement gathering are part of Simão's second deposition on October 7, third deposition on October 11, fourth deposition on October 16. The breaking up of the Day of Atonement gathering is described in the depositions of the *familiares* Francisco dos Reis Campos and Maximiliano Gomes da Silva who carried out the arrests. The depositions are briefly summarized by Frêches (who does not provided the *familiares'* names [*op. cit.*, 53]) and are to be found *in extenso* in Maria da Valença's *processos*.

ously⁴¹ denounced, were going to celebrate the Day of Atonement on Saturday, October 5, 1737, the Inquisitors scheduled for that day the arrest of all the denounced parties and also ordered, at the special, orally transmitted, behest of the Inquisitor General, the arrest of António José da Silva.⁴² Against him there was actually no arraignment but solely presumption, gleaned from the accusations against very close relatives and from his own appearance before the Tribunal to contradict eventual denunciations on the part of the nurse and the slave.

On Saturday, October 5, “around 5 o’clock in the afternoon the Familiars knocked at António Fróis’ door, which was opened, according to prior arrangement, by Simão da Fonseca. Passing into the living-room they discovered six women seated on the floor, around a lighted candle, their heads covered with white cloths, proof positive that they were practicing Judaic rites. In the kitchen the light had been extinguished and nowhere in sight were there any preparations for or leftovers from a meal” (*Novas Espanáforas*, 200).⁴³ Arrested together with

⁴¹ The denunciation and the announcement of the Day of Atonement celebration on October 5 are part of Simão’s first denunciation on September 28.

⁴² The order for the arrest of António José da Silva was signed on Thursday, October 3, 1737 and was thus not motivated by the Day of Atonement celebration which was to take place on October 5.

⁴³ Azevedo is here paraphrasing the report of the *familiares* Francisco dos Reis Campos and Maximiliano Gomes da Silva, whose arrival purportedly put an end to the celebration. An “insider’s” report (not mentioned by Azevedo) was furnished by Simão Rodrigues da Fonseca, beginning with his second deposition before the Inquisitors on Monday, October 7, paraphrased in French by Frêches (*op. cit.*, 51-53), reproduced in Maria de Valença’s trial record, which we have consulted. It includes two brief doggerel ditties and a prayer to God to save them from the Inquisition and their enemies. In addition Páscoa dos Rios, who purportedly led the service, “spoke words in Hebrew which he, the denouncer, could not understand.” This supposedly constituted the Day of Atonement liturgy. That the celebration is at least partially Simão Rodrigues da Fonseca’s concoction can be shown, in our opinion, by the following totally unbelievable (but for the Inquisitors supremely believable) dialogue reported by Simão as having taken place during the service between one of the participants, António Fróis (Páscoa dos Rios’ recently widowed father) and himself: “Quer você, Sô Simão, que queimemos esta canalha?” (“Do you want us to burn this riff-raff, Master Simão?”) [“He was referring to the Old Christians” Simão explains to the Inquisitors]. To which Simão replied [“to avoid suspicion,” Simão elucidates], “Quem pudera, Senhor António Fróis” (“A wonderful idea, Mr. António Fróis!”). As a result of Simão’s denunciations, all those accused of participating in the Day of Atonement ceremony were arrested, namely Páscoa dos Rios, António Fróis, Maria de Valença (Simão’s mother), Guiomar de Valença (Simão’s aunt), two visiting ladies, a slave Maria Joaquina. (It is much to be regretted that the trial record of Páscoa dos Rios, who was banished for five years to Angola at the *auto-da-fé* of June 18, 1741 [12 out of 43 executed, including a husband and wife and a father and son], has disappeared from the Archives of the Torre do Tombo, as was noted on March 30, 1956.) From his *processo* we learn that Simão was kept in the custody of the Holy Office until March 27, 1738. On October 30, 1739 he embarked for Brazil, the

“the Jew,” his mother and his wife, the slave was taken to the “penitential prison” (not to the “secret” cells reserved for Judaizers) where the Inquisitors hoped she would accuse her masters. At her second interrogation, on October 10, 1737, the slave “told her story” which Azevedo summarized without realizing its importance, but which António Baião published in volume 2 of his “Dramatic Episodes,” where he twice reproduced the part which concerns the “Jew.” *From it we learn that the “Jew” and his wife had washed and had the house cleaned before sunset on Friday, October 4, 1737; had not supped and had under various pretenses tried to conceal the fact that they fasted the whole day on Saturday, October 5.*

In his diatribe and in the Dialogue Mr. Saraiva gives ample proof that he shares the Inquisitors’ impertinence in assuming that he knows more about the Jewish or the crypto-Judaic religion than the Jews and the crypto-Jews themselves. During centuries the Edict of Faith, read out at regular intervals in Portuguese churches by order of the Holy Office, proclaimed that “the principal Jewish fast, the fast of the great

Inquisition paying his passage, but on board ship he was repeatedly heard blaspheming Christ and the Trinity, professing devotion and marriage to the devil and distributing relics of those executed at *autos-da-fé*. Arrested in Rio de Janeiro on April 1, 1740 he was back in the Inquisitorial prison of Lisbon by May 20 and made his confession at the desk on February 13, 1741, describing his actions and words as “diabolical hallucinations.” On March 13, 1741 he was absolved and released. Meanwhile his mother, Maria de Valença, arrested as we have seen at the purported Day of Atonement ceremony on October 5, 1737, immediately confessed her participation whereby, as a relapsed heretic, she was liable to the death penalty. On February 15, 1738, however, she revoked all her confessions, attributing them to hallucinations (“*lhe andou o miolo arvoado*”), claiming never to have strayed from the Catholic faith. She identified her son as her denunciator, attributing his accusation to enmity and maintained her *negativa* stance (which could also but result in the death sentence) throughout stringent examinations and cross-examinations. On March 20, 1739 she revoked her revocation, reaffirming her earlier confessions (including the fast of the Day of Atonement and another fast eight days prior to it which, however, she had broken). She also admitted to having once stated that “it was a misfortune that the People of the Nation were baptized because by and that they would all be imprisoned by the Holy Office to pay for their sins in this world.” On April 11, 1739 she confessed to having lied when she said she had broken the earlier fast. Confessing and recanting went on periodically until May 30, 1739. Thenceforth the Inquisitorial prison was her home, because the Inquisitors could not find their way to sentence her to death, which was the only possible punishment for one who had relapsed into heresy and revoked earlier confessions. On September 11, 1744 they sent Pope Benedict XIV a copy of her trial record for his opinion as to what to do with her, but no reply was forthcoming. On May 29, 1751 she was transferred to the Inquisitorial prison in Évora. On May 24, 1755 the pope belatedly replied to the letter of 1744, leaving the decision up to the Inquisitors. She was reconciled at the Évora *auto-da-fé* of June 20, 1756 where she was sentenced to perpetual reclusion and the unremitting wearing of the sanbenito. On July 30, 1756 she was released but enjoined not to leave Évora. Her second Inquisitorial imprisonment had lasted for almost 19 years. Cf. Azevedo, *op. cit.*, 214-215 and Maria de Valença’s *processos* (Inquisition of Lisbon, no. 1530).

day [*i.e.*, the Day of Atonement] falls in the month of September” (at times, particularly in sentences, more specifically “on the tenth of the lunar month of September”). These gentlemen were and are unaware that Jewish feasts do not fall every year on the same day of the Julian calendar.⁴⁴ Thus the Day of Atonement, celebrated “on the tenth day of the seventh month” [Leviticus 23, 27], also called *tishri*, sometimes falls in October. In the “year of creation” 5498, which began on September 27, 1737, the tenth day of *tishri* coincided with Saturday, October 5. The Inquisitors and Mr. Saraiva were and are unaware that in the Bible a “day” begins on the previous day, at nightfall.⁴⁵ Thus, in 1737, the Day of Atonement began on October 4. Moreover the Inquisitors and Mr. Saraiva (and, before the latter, João Lúcio de Azevedo) were and are unaware that any fast which falls on the Sabbath is transferred to Sunday, except the Day of Atonement and the Fast of Esther which may be celebrated on the Sabbath [*sic*].⁴⁶

The Inquisitors did not establish any connection between the indication of Simão Rodrigues da Fonseca, who informed them that the Day of Atonement would fall on Saturday, October 5, 1737 and the declaration of the slave who asserted that “the Jew” and his wife had fasted at the end of Friday, October 4 and on Saturday, October 5, 1737. The Inquisitors, the Prosecutor and the historian João Lúcio de Azevedo thought it perfectly normal for the Judaizer António José da Silva to have fasted on October 5, 1737 “since it was a Saturday” as the bill of indictment against “the Jew” states. The Prosecutor did not precisely accuse him of having celebrated the Day of Atonement. He summarizes the slave’s deposition, omitting the names of the implicated persons, then vaguely asserts that “all these ceremonies and the fast were in observance of and in keeping with the Law of Moses.”⁴⁷ The pseudo-historian Saraiva asserts that, by 1524, “the Jewish rites,” practiced “by a small minority” of New Christians, were progressively losing their religious significance.” A genuine historian might assert

⁴⁴ Does the designation “lunar month” not indicate awareness on the Inquisitors’ part that the two calendars do not coincide?

⁴⁵ The Edicts of Faith and the Inquisitorial interrogations invariably state that the Sabbath begins on Friday evening.

⁴⁶ Actually the only fast in the Jewish calendar which may be observed on the Sabbath is the Day of Atonement. This is explicitly stated in the list of Jewish ceremonies, festivals and fasts prepared for the Inquisitors by João Baptista d’Este *c.* 1610: “even though this fast falls on the Sabbath they hold it [on that day]” (e ainda que o tal jejum venha no sabbado o poem em execussão). See *op. cit. supra*, Appendix One, note 10, 304.

⁴⁷ This imprecision may be due to the slave’s deposition of October 10, 1737 (clearly prompted) having been invalidated. It could not be used to condemn António José da Silva, which explains the Inquisitors’ need of the cell-fasts.

that in 1737 (240 years after the General Conversion of 1497 and 30 years before the Marquis of Pombal put a definitive stop to the persecution of the New Christians) there were families in Lisbon who knew the religious significance of Jewish rites rather well and succeeded in obtaining precise information concerning the dates on which the most important of these rites was to be performed. The writer António José da Silva belonged to one of these families and posterity correctly nicknamed him “the Jew.”

The Inquisitors did not know certain fundamental principles of the Jewish religion, but they attributed enormous importance to a few Jewish ceremonies (especially Monday and Thursday fasts) purportedly performed in the Inquisitorial prison as described by the observers at the peep-holes, which depositions they could employ as exhibits for the prosecution. The differences between Jewish and Catholic fasts are so great that, generally speaking and from their point of view they were right in considering to be impenitent heretics the defendants (*e.g.*, deniers, *diminutos*, confessants) who carried out Judaic fasts in their cells. As a matter of fact a defendant whose “cell fasts were proven” was considered *ipso facto* convicted and was never put to the torture to be made to confess these cell-fasts. Indeed, the 1640 rule book indicates that a defendant is to be tortured either because his crime is not proven or because of the lacunae in his confession. In the same manner a “convicted denier,” *i.e.*, a denier whose crime was considered proven by the Inquisitors, was not put to the torture. Mr. Saraiva, who claims to be the first to make proper use of the 1640 rule book, did not understand or chose not to understand any of this and came up with an absurd idea: the Inquisitors had those they wanted to save from death put to the torture. How extraordinary!

“The Jew” and all the members of his family arrested in 1737 were accused of relapsing into Judaic practices (his mother had already been arrested twice before on this accusation). António José was the only one convicted for keeping Judaic fasts in his cell and, consequently, was the only one to be executed (garroted and burnt) without having been put to the torture. Proof of his misdeeds was produced by the observation system and by the testimony of the two cellmates who had been assigned to him. Speaking of the “Jew”'s cellmates, who denounced him to the Inquisitors, the pseudo-historian writes: “Let us not forget that these spies were creatures of the Inquisitors, *in their pay and service*” (Chapter Five, emphasis supplied).

So the pseudo-historian Saraiva asserts that these cellmates “were creatures of the Inquisitors, in their pay and service” (Chapter Five) — without the slightest evidence for his assertion. Azevedo who, as an

historian, deserves more confidence than Mr. Saraiva, says that the two cellmates were penanced at the same *auto-da-fé* at which “the Jew” was executed: since one of them confessed to having joined António José in one of his Judaic fasts, he must certainly have been sentenced to confiscation of his worldly goods. Azevedo notes that the second one requested a new audience at which he modified his previous denunciation: “From those scruples we may infer that the denunciator was not, at least not consciously, a calumniator” (*Novas Epanáforas*, 207). The phantom named David says of the persons who spied on the prisoners in the observation cells: “Even if their ‘findings’ were not spelled out for them in advance by the Inquisitors, it was in their interest to justify their miserable pittance with ‘interesting tidbits’.” The peep-hole watchers of “the Jew,” among many interesting things, recounted facts which the Inquisitors had certainly not suggested to them, such as “he crossed himself”; “he crossed himself rapidly”; “at the end he crossed himself rapidly”!

The imaginary beings of the Dialogue sustain the absurd conclusion of Mr. Saraiva’s lampoon. “The arrest without a denunciation, the omission of torture (with its uncertain outcome), testimony collected in prison, all converge and lead to the conclusion that António José da Silva was somehow a threat to the Inquisition” (Chapter Five). The impudent David even has the nerve to stake a claim of priority on behalf of his progenitor: “Saraiva proposed a hypothesis!” (Saraiva of course found the hypothesis in Azevedo’s book.) “Saraiva proposed a hypothesis: António José da Silva had dared, in one of his plays, to make an allusion to the Inquisitorial trial procedure, cryptic and veiled to be sure, but penetrating, because it summed up its public reputation and was already known from the pamphlet *An Account of the Cruelties of the Inquisition in Portugal*.

In reality, Mr. Saraiva had but one purpose in mind in completely distorting Azevedo’s remarkable analysis of this trial: to resuscitate the thesis of the 19th-century polemicists (who did not consult the Inquisitorial archives): “The ‘Jew’ was murdered by the Holy Office because of a line in his play “Amphitryon”: ‘But if perchance O tyrant, impious star, / It is a crime not to be guilty, then I am guilty’.” The pseudo-historian knows very well that Azevedo overthrew this thesis with a decisive argument: the *imprimatur* for “Amphytrion” was given in 1743 in the name of the very same Inquisitor General who had, in 1737, orally instructed the Lisbon Tribunal to have António José da Silva arrested (*Novas Epanáforas*, 193).

The Non-existent "Device for Legal Murder"

The jolly phantom named David states, at the close of the Dialogue: "We haven't sufficiently dealt with Révah's intentional omissions. He argues, for instance, that the discovery through the peep-holes of Jewish fasts was not a secret procedure, but was made public knowledge at the *autos-da-fé*. But he forgets to add that in these publicly read-out sentences, as with the accusations read out to the defendant in the course of the trial, the time and place when these ceremonies were carried out were never particularized. Révah's readers are taken for a ride." David's impudence is explained by his need to defend his procreator's thesis: defendants who carried out fasts in their cells "were almost always executed."⁴⁸ Mr. Saraiva's thesis may be impugned on two counts:

1.^o — until the 1613 *Regimento*, *i.e.*, from 1536 to 1613, mention of Judaic ceremonies practiced in the cells, proven and ratified by witnesses for the prosecution, was made in the course of the publicly read-out sentences, both for those to be executed and for those to be "reconciled." The following two examples are taken from the history of Uriel da Costa's family: at the Coimbra *auto-da-fé* of August 1, 1568 Guiomar Rodrigues was executed⁴⁹ and her niece Dionisia de Vitória was "reconciled":⁵⁰ in both sentences cell ceremonies are mentioned. Here is a passage from Guiomar Rodrigues' death sentence: "[...] and the depositions for the prosecution were formally ratified, by which it has been proven that the defendant since the last General Amnesty observed some sabbaths by abstaining from work and, *after her arrest, as a very erring observer of the Law of Moses, with great temerity and a lack of the fear of God, dared to Judaize in the very prison of the Holy Office*" (emphasis supplied: there follows a *detailed* description of the Judaic ceremonies by the guards);

2.^o — the 1613 *Regimento* [19v] decreed: "In the sentences which include torture the circumstances in which it was given to the defen-

⁴⁸ Surely Révah is aware that David (mis?)understood him to imply that peep-holes were mentioned in the sentences and that David is unable to contradict him because of Saraiva's failure to consult Inquisitorial sentences which (as Révah well knows) never mention peep-holes. Yet Révah does not disabuse him. Had he done so, he would have had to concede Saraiva's hypothesis (which Saraiva is no longer able to uphold because Révah fooled him into believing that peep-holes were mentioned in the sentences) that all or most of the defendants who discovered the peep-holes and their function in the course of the trial were executed. Révah is here sacrificing academic integrity to the Inquisition's and his own reputation. See Chapter Five, note 19; Appendix Two, note 20.

⁴⁹ Inquisition of Coimbra, no. 5252.

⁵⁰ Inquisition of Coimbra, no. 4940.

dant must not be revealed *nor should it be made known, if there were cell fasts within the prison of the Holy Office, that the defendant did not confess the place where they were carried out.*" When this circumstance of place is not missing from the defendant's confession (whether he was to be executed or "reconciled") *the sentence provides absolutely all the information about the "cell ceremonies."* The pseudo-historian Saraiva might have taken note of this had he read the sentence of the executed Manuel Fernandes Vilareal. He didn't even have to go to the Torre do Tombo: he could have read it in the appendix to Camilo Castelo Branco's novel *O Olho de Vidro* ("The Glass Eye") (first edition, Lisbon, 1866, reprinted many times since), which reproduced *the sentence containing a detailed description of the ceremonies practiced in his cell by Vilareal and his cellmate Francisco Gomes Neto* ⁵¹ (Camilo's transcription was included by Inocência Francisco da Silva in his *Dicionário Bibliográfico Português*.⁵²)

In the Dialogue we encounter the following passage:

AFONSO: But [Révah] says that in certain cases the watchers testified to the orthodox Catholic behavior of the accused.

DAVID: Let him publish or summarize such trials and then we shall be able to form an opinion.

It's hardly worth the trouble, for such a small challenge, to publish or summarize any manuscript trial record. We simply open up a book much used by Mr. Saraiva, António Baião's "Dramatic Episodes of the Portuguese Inquisition," 2 (1924, 315-316). The subject is Catarina da Silva, daughter of the extremely wealthy Duarte da Silva, Baião writes: "On September 12, 1652 the General Council decided that the accused be placed in an observation cell, but the physician did not consent [...] Nevertheless she was placed in an observation cell on October 14, 1652." Since Catarina abjured *de levi* (a slight suspicion of heresy) *we may be absolutely certain that the watchers did not discover any heterodox behavior in the cell on the part of the accused between October 14 and December 1, 1652 (date of the auto-da-fé) and that they told the Inquisitors as much.* Thus the peep-hole watchers do not deserve the contempt which the phantasmagoric demagogue David heaps upon them. We know that Catarina was placed in an observation cell *on the orders of the*

⁵¹ Vilareal's lengthy sentence includes the following stealthy rather than overt reference to his confessed cell fasts: "[...] and to such an extent did he keep [the Law of Moses] after his arrest, that he decided to die for its observance with such zeal that after being notified of the decision concerning his case, he readied himself for death with whatever ceremonies known to him, washing and putting on a new shirt that he had made for this purpose and still fasting as a Jew."

⁵² Lisbon, 1893, Vol. 16, Supplement 9, 206-209.

General Council of the Inquisition. But in numerous cases where there is no such intervention, even if the defendant were placed in an observation cell, there would be no mention of this decision in the trial record and, consequently, when nothing heterodox was discovered in respect to the defendant's behavior, the warden's negative report would not be included. It would be interesting to find out where the "observation cells" of each tribunal were located and then, by studying the prison plan found at the beginning of each trial record, it will be possible to know the number and names of the prisoners who were watched in those cells.

In the Dialogue the demagogical David inserts a tirade:

These watchers were paid by the Inquisition, poor devils who had to stand or crouch for hours in the same spot, one eye glued to a tiny hole, on the lurk for Judaic behavior inside a poorly lit cell. What trust are we to put in such people's reports? Even if their findings were not spelled out for them in advance by the Inquisitors, it was in their interest to justify their miserable pittance with interesting tidbits.

It is necessary to point out to the demagogical Mr. Saraiva that in the Torre do Tombo he will find countless account books of the Portuguese Inquisition which would have included, of course, assuming his thesis to be true, mention of the "miserable pittance" paid out for recounting "interesting tidbits," not just to guards, but also to wardens, bailiffs, solicitors, *familiares* of the Holy Office and other "poor devils" who spied on the defendants at the peep-holes of the observation cells to denounce fasts and other cell ceremonies. In point of fact, many of these "poor devils" enjoyed an excellent socio-economic status.⁵³

From time to time a report from the peep-hole watchers appears in the trial records wherein it is stated that "no Judaic practices have been observed." The canon of the Coimbra cathedral, Father Fernão Dias da Silva, was arrested as a member of the famous "Judaizing confraternity of the University and the Cathedral" and was executed. Together with him were arrested his brother and five sisters, all of them nuns. Of the latter, three were "reconciled," having confessed their crypto-Judaism; one was executed as a "convicted denier" and the fifth, Simoa da Silva, abjured *de vehementi* (a vehement suspicion of

⁵³ Révah appears to imply that payments to watchers do not occur in the unspecified account books, but leaves the reader in the dark as to how their "excellent socio-economic status" is to be inferred from this silence. Nor does he say in so many words that payment (whether small or large) to watchers is nowhere to be found in any of the "innumerable" extant account books. Moreover, if there is indeed no mention of watchers' wages in any account book, why was Saraiva wrong to suggest that these "unpaid" volunteers devoted to the Inquisitorial cause *were* accepting filthy lucre?

Judaism) at the *auto-da-fé* held at Coimbra on March 14, 1627. On December 14, 1626 the warden Heitor Teixeira appeared before the Inquisitors and declared that Simoa “had been watched by him and the guards and they never saw her commit any action which merited denunciation.” In spite of having at their disposal such an extraordinary “device” Simoa’s judges, far from “legally murdering” her, were incapable, in the absence of an incriminating report from the peep-hole watchers, of convicting her of heresy.⁵⁴

The demagogical Mr. Saraiva chooses three *executed* prisoners who had been convicted of carrying out Judaic ceremonies in the observation cell and concluded that there existed a device by which the Inquisitors could legally murder the accused and that the secret died with them at their execution. *In a random selection of trial records known to me of defendants purportedly carrying out “Judaic ceremonies in their cell” the number of those who are ultimately “reconciled” far outnumbers those executed.* Mr. Saraiva needn’t take my word on trial records that I was the first historian to look at. Without going to the Torre do Tombo he could have ascertained from well-known published research that:

1.º — Brites Henriques (a relapsed Judaizer) and her daughters Maria Henriques and Francisca da Silva were arrested at Lisbon in 1644. They were accused of carrying out Judaic ceremonies in their cells, alone or with cellmates who denounced them. Brites was executed but her daughters were “reconciled” (“Dramatic Episodes,” 2, 1924, 315-316).⁵⁵ In 1654 the Inquisitors learned that Maria Henriques was practicing Judaism in Hamburg.

2.º — Domingos de Medeiros was arrested in 1644. Placed in an observation cell, he was observed to engage in Judaic fasts. In spite of this, he was “reconciled” in 1650 (*op. cit.*, 273-274).

3.º — The Prosecutor of the Inquisition of Évora composed for his own use in 1620 a calendar entitled “Bills of Indictment and Proceedings Against All Types of Offenses of Which this Tribunal is Aware in Order To Enable us to Reproduce Them and Proceed Against and Judge Similar Cases.” In Paragraph 44 “Defendants accused of fasting in their cells” he enumerates five cases of women: one reconciled in 1615, a second executed in 1612, a third reconciled in 1586, yet another executed in 1621 (for denying the said fasts), one reconciled

⁵⁴ For an even more telling example see above, Chapter Five, note 18 (the trial record of António de Sequeira).

⁵⁵ There is no indication by Baião (*Episódios Dramáticos da Inquisição Portuguesa*, 2, Lisbon, 1973, 3d edition, 253-258) that Brites Henriques was put into an observation cell.

in 1620 (first denied then confessed the said cell fasts). About this last case the Prosecutor wrote: “This trial of Brites Manuel is remarkable in the following respects: by the decisions of the Desk of this Holy Office which steadily shied from condemning her to death; by her excellent confessions as regards all her Judaic practices except the cell-fasts” (J. Mendes dos Remédios, “The Jews in Portugal,” 2, 19, 28-29).

Mr. Saraiva’s aversion to archives deprives him of the acquaintance with manuscripts from which Inquisitors, deputies, prosecutors, notaries learned their trade. For example, the “Guide-lines for indicting for the fasts and other offenses which the prisoners commit in the cells.”⁵⁶ Moreover, in order to construct his egregiously demagogic thesis about the device for legal murder of prisoners by the Inquisitors, a device so meticulously concealed that not even the notaries of the Holy Office knew about it, Mr. Saraiva had to deliberately forget many important paragraphs of the 1640 *Regimento* (the very one our “scholar” boasts of being the first to properly make use of). *These paragraphs foresee every possible contingency. In them we see that for the Inquisitors the essential point was whether the prisoners confessed to or denied the heretical ceremonies they performed in their cells and not a desire to legally murder certain defendants.* All imaginable cases are listed in Book 3 of the *Regimento*. (“On the penalties to be inflicted on those convicted of crimes of which the Holy Office has direct knowledge”), more precisely title 3, § 9 (“On confessants”) and especially title 4, § 2 (“On incomplete confessants”). Yet Mr. Saraiva asseverates:

The trial records summarized above add a new twist not mentioned in the *Account of the Cruelties*: prisoners denounced by peep-hole observers for fasts carried out in their cells and who did not confess to them were usually (or almost always) executed. Had the author of the *Account* known of this device for legal assassination, how could he have failed to exploit it? And yet, as an Inquisitorial Notary, how could he not have known of it? In any case the defendants who discovered the peep-holes and their function in the course of the trials and escaped with their lives to “tell the tale” must have been so exceptional that their reports also failed to reach him [...] The ‘Secretary [= ? ex-Inquisitorial notary Pedro Lupina Freire] of the Inquisition’, knew a part — but only a part — of the Tribunal’s secrets. His purpose was to rock the Holy Office and at the same time to

⁵⁶ *Directório para se processarem os jejuns e mais culpas que os presos comerem nos cárceres.* Unfortunately Révah does not give the location of the manuscript thus entitled, nor does he tell us how its contents — obviously crucially important — support his arguments against Saraiva. A systematic search in the 27 volumes of manuscripts listed by Maria do Carmo Jasmíns Dias Farinha under the subtitle “Formulários” [*Os Arquivos da Inquisição*, Lisbon, 1990, 99-10] might track it down.

provide the necessary evidence to initiate an investigation by the Holy See (“Inquisition and New Christians,” Chapters Four-Five).

Despite his prodigious erudition, despite being the first to have made proper use of the Inquisitorial rule book of 1640, our pseudo-historian hasn’t the foggiest as to how (what he demagogically calls) “the device for legal assassination” actually worked. *All the documents concerning the depositions and denunciations through which the reality of the “Judaic cell ceremonies” was proven, were drawn up by the Inquisitorial notaries.* Indeed, what other officials could have accomplished this paperwork? Canon law, which governed the activities of the Holy Office, demanded that these depositions and denunciations be ratified in the presence of “two honest and devout persons,” who would normally be priests. In the case of these depositions and denunciations, which were to be kept inviolably secret, *the Portuguese Inquisitors evaded the disposition of Canon law and “permitted” the notaries of the Holy Office to be the “honest and devout persons” whose presence was required in the act of ratification.* In practice the notaries dealt with all the cases dispatched at their Tribunal that involved heretical cell ceremonies, because the *Regimento* introduced the following rule: the notary who wrote up the act of ratification could not be considered an “honest and devout person.”⁵⁷

Assuming that Pedro Lupina Freire (or any later Inquisitorial notary) was the author of *An Account of the Cruelties*, would it have been imaginable for the “device” to escape his attention? Pedro Lupina Freire, as it happens, *was Inquisitorial notary in Lisbon from 1648 to 1655* and participated, both as redactor of documents and as “honest and devout person” in the “legal assassination” of Manuel Fernandes Vilareal (whose trial lasted from 1649 to December 1651) and of Francisco Gomes Henriques (whose trial lasted from 1651 to 1654).⁵⁷ Let’s look at the “Certificate of credibility” which this same Lupina Freire wrote in Manuel Fernandes Vilareal’s trial record after the latter’s ulti-

⁵⁷ See the 1640 *Regimento*, I, 7, § 16: “When the Inquisitors order the Notaries to witness any ratification, the Notary who writes it up will declare the reason why the persons approved by us for this purpose were not called in and in no case will the Notary who wrote up the confession or the denunciation be considered the honest and devout person during its ratification.” Révah rightly interprets this as double-talk: the Notary may not be considered the “honest and devout person” but may act as such!

⁵⁸ Arrested and tried for violating Inquisitorial secrets, on February 28, 1656 Pedro Lupina Freire was sentenced to Brazilian banishment. He lived in Bahia April 5, 1657-February 17, 1660. On November 15, 1672 he was reprimanded by the Lisbon Inquisition for divulging details of his experience as an Inquisitorial prisoner. See ANTT, Inquisition of Lisbon, no. 4411, cited by Geraldo Pieroni, *Os excluídos do reino*, São Paulo, 2000, 240-241.

mate confession made “in public on the scaffold” at the *auto-da-fé* of December 1, 1652: “to me, notary, it appears that what he confesses of his Judaism is true; however, for the rest I put little faith in his credibility; he is merely trying to find ways and means of escaping with his life. In Lisbon, at the *auto-da-fé*, on the first day of December, 1652” [signed:] “Pedro de Castilho” [*i.e.*, the Inquisitor], “P. Lupina Freyre.” The only possible conclusion (if the author of *An Account of the Cruelties* was indeed an Inquisitorial notary), is that there was no “secret device for legal assassination put into play when the Inquisitors wanted to destroy a prisoner,” for such a “device” could indeed not have escaped an Inquisitorial notary’s attention.

There would be much more to say against this thesis of our pseudo-historian, the only one which I have refuted at some length in my surrebutter. It’s the most important one in the book wherein it takes a place of honor, the most demagogic, the most pseudo-documented (it is really only to sustain it that the author provides the three long trial record summaries which make up Chapter Five of his diatribe). It’s also the one that the chimeras who spout three Literary Supplements’ worth of dialogue in the *Diário de Lisboa* are the keenest to uphold. The other theses contained in “Inquisition and New Christians” and defended by the chimeras of the Dialogue deserve a similar refutation but, with this surrebutter, the readers have in hand sufficient material to evaluate the scholarly honesty or, rather, dishonesty, so conspicuous in “Inquisition and New Christians” as well as the polemical good faith or, rather, bad faith, which informs the Dialogue.

APPENDIX FOUR

THE PORTUGUESE INQUISITION IN GOA (INDIA), 1561-1812 ¹

*This is the story of heroes
Who leaving their native Portugal behind them
Opened a way to Ceylon and further
Across seas no man had ever sailed before.
They were men of no ordinary stature,
Equally at home in war and in dangers of every kind.
They founded among distant peoples
A new kingdom which they raised to such an exalted height.*

(Luís de Camões, *The Lusiads*, 1572)

1. The Portuguese “State of India”

On July 7, 1497, a fortnight after the General Conversion of all the Jews in Portugal, the Portuguese adventurer Vasco da Gama (1469-1524) sailed from Lisbon with 148 men on three ships and a boat carrying supplies for three years, intending to pass the Cape of Good Hope and head for the Orient. On March 18, 1498 they sighted Calicut on the Malabar (western) coast of India, about 250 miles up from Cape Comorin, the southernmost point of the Indian subcontinent. Thus these Portuguese were the first Europeans to reach India by

¹ See Harold V. Livermore, *A New History of Portugal*, Cambridge, 1967; António Baião, *A Inquisição de Goa, Tentativa de História da sua Origem, Estabelecimento, Evolução e Extinção*, 1, Lisbon, 1945; *O último Regimento e o Regimento da Economia da Inquisição de Goa* (edited and prefaced by Raul Rego), Lisbon, 1983; Anna Cannas da Cunha, *A Inquisição no Estado da Índia, Origens (1539-1560)*, Lisbon 1995; James C. Boyajjian, “Goa Inquisition, A New Light on First 100 Years (1561-1660),” *Purabhilek-Puratatva*, 4, 1986, 1-40; José Alberto Rodrigues da Silva Tavim, “Os Judeus e a expansão portuguesa na Índia durante o século XVI: o exemplo de Isaac do Cairo: Espião e ‘língua’ e ‘Judeu de Cochim de Cima’,” *Arquivos do Centro Cultural Calouste Gulbenkian*, 33, 1994, 137-260; id., “Um inquisidor inquirido: João Delgado Figueira e o seu *Reportorio* no contexto da documentação sobre a Inquisição de Goa,” *Leituras: Revista da Biblioteca Nacional de Lisboa*, 3, 1, 1997, 183-193; id., “A Inquisição no Oriente (século XVI e primeira metade do século XVII) algumas perspectivas,” *Mare Liberum*, 15, 1998, 17-31; Maria de Jesus dos Mártires Lopes, “A Inquisição de Goa na segunda metade do século XVIII, Contributo para a sua história,” *Studia*, 48, 1989, 237-262; id., “A Inquisição de Goa na primeira metade de Setecentos, uma visita pelo seu interior,” *Mare Liberum*, 15, 1998, 107-136; Fina d’Armada and Claro Fângio, “Morrer em Goa,” *Expresso-Magazine*, October 18, 1997, 88-96.

rounding Africa. On August 29 Gama left Calicut, coasted 320 miles northwards to Goa and on October 5 sailed for East Africa, returning to Lisbon on July 10, 1499. The holds were stuffed with pepper, cloves, nutmeg, cinnamon and precious stones. New expeditions, in far larger fleets, left Lisbon for India in rapid succession. In 1502 Gama made his second voyage to India, commanding a fleet of fifteen ships. On reaching India he bombarded Calicut and strengthened Portuguese garrisons at Cochin (a hundred miles down the Malabar coast) and nearby Cranganore (Kranganur). In 1505 Francisco de Almeida (1450-1510), appointed Portuguese Viceroy of India, arrived at Cochin with a fleet of twenty-two ships and 2500 men. He built there a stone fort and beat off the Samorin of Calicut. On February 2, 1509 a fierce battle was fought off Diu (400 miles north of Goa as the crow flies), between 1600 Portuguese on nineteen men-of-war commanded by Almeida and an Egyptian Gujarati armada. Almeida destroyed the enemy fleet and retained command of the sea. Almeida's successor was Afonso de Albuquerque (1453-1515), appointed Viceroy in 1509. On November 10, 1510 he defeated the local ruler (the "Hidalcão") and proclaimed Goa, an island, the capital of Portuguese India. By the end of the year he had the city garrisoned and fortified. Upon his death at Goa in 1515 the city had a permanent Luso-Indian population, an administration and divers industries. The supremacy of Portuguese sea-power in the Indian Ocean and the Portuguese spice-trade monopoly were assured for over a century. King Manuel who had already in 1499 proclaimed himself "Lord of the Navigation, Conquest and Commerce of Ethiopia, Arabia, Persia and India" was now the wealthiest ruler in Europe. The Crown monopolized the import of pepper, cloves and cinnamon and farmed it out on a yearly basis to private enterprise. Cochin was subdivided into an upper and a lower town. Only the latter was under direct Portuguese rule from 1505 until its loss to the Dutch in 1663 (who simultaneously occupied other Portuguese strongholds such as Cranganore and Cannanore, 50 miles north of Calicut).² The island of Goa, plus some bordering territories conquered during the 18th century and distant enclaves to the North (Diu, Daman, Dadra, Nagar Aveli) constituted "The Portuguese State of India" at the time they were overrun and annexed by the Indian Union in 1961-1962 (Dadra and Nagar Aveli were occupied in 1954).

² The island of Bombay, site of the present city by that name, *c.* 100 miles south of Daman, was also under Portuguese rule, 1534-1665 (ceded to Great Britain in 1661, along with Tangiers in Morocco, as part of Catherine of Bragança's dowry on the occasion of her marriage to King Charles II).

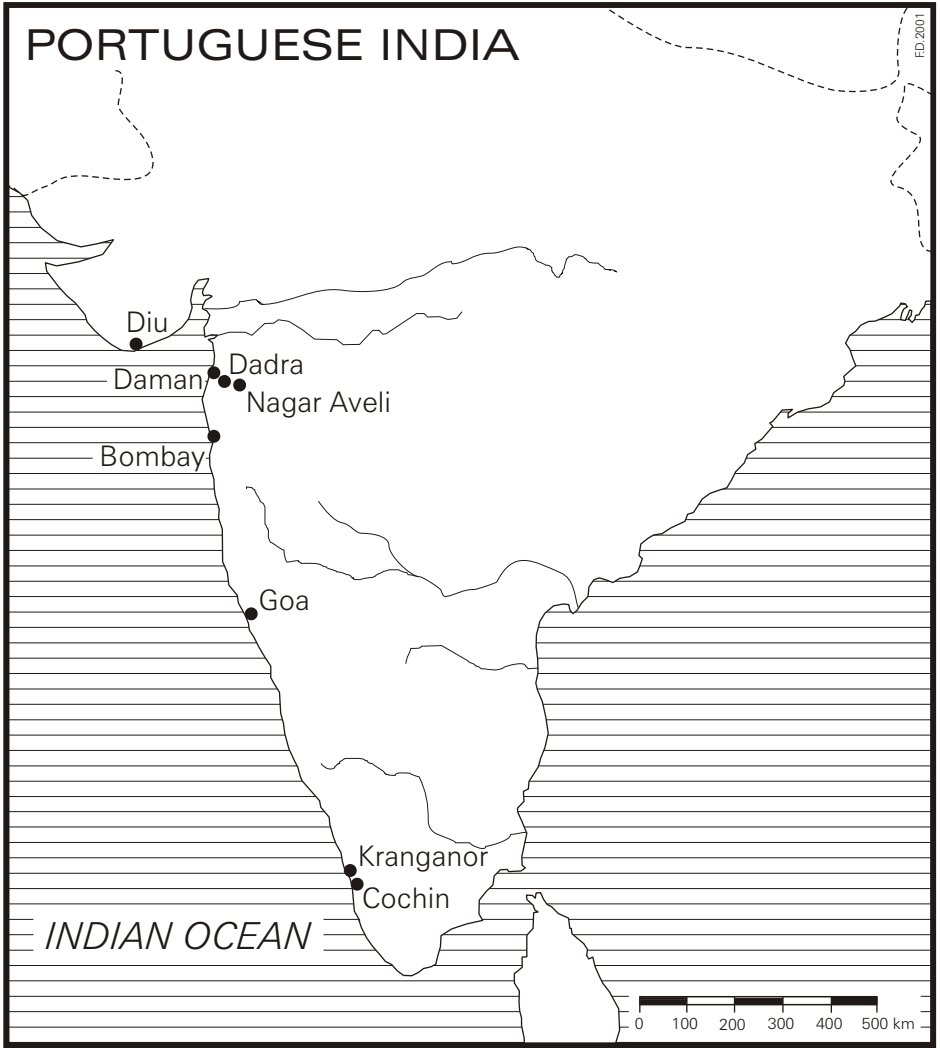


Figure 3: Former Portuguese Possessions in India.

2. *The Goan Inquisitorial archives*

On March 2, 1560 a branch of the Portuguese Inquisition, the only one outside of continental Portugal, was established in Goa. It held its first formal *auto-da-fé* in 1562. (The Lisbon tribunal held its first *auto-da-fé* in 1540, the Évora tribunal in 1542, the Coimbra tribunal in 1567.) Figueira lists 27 *autos-da-fé* held at Goa from 1561-1623 at which 3800 persons were sentenced; Moreira lists 71 *autos-da-fé* held in Goa 1600-1773, at which 4046 were penanced, 57 executed in person, 64 executed in effigy, totaling 4167, obviously a much too low figure considering the 13,957 complete trial records at one time extant, 1561-1774. By way of comparison, in round figures, some 13,000 complete manuscript trial records survive from the Lisbon Tribunal, some 11,800 from the Évora tribunal and some 10,500 from the Coimbra tribunal (all to be found in Lisbon's National Archives of the Torre do Tombo), but none of people sentenced in Goa by the Goa tribunal.

On February 10, 1774, the Marquis de Pombal transmitted to the Governor General of Portuguese India the royal decision to abolish the Goan Inquisition. All its prisoners were released and, at the behest of Pombal, the entire archives were sent to Lisbon. The Torre do Tombo holds a manuscript catalogue accompanying the archives, dated 1774, entitled "Inventory of all the complete and incomplete trial records, denunciations, voluntary appearances before the Inquisitors, repertoires, notebooks, rule books, books and other documents constituting the Secret Registry and Archive of the Goa Tribunal" (Manuscrito da Livraria, no. 2773) which, *inter alia*, lists 13, 957 complete trial records in chronological order: 1243 (1561-1599); 8940 (1600-1699), 3774 (1700-1774) and 2245 incomplete trial records (1561-1774): a total of 16,202.

However, after Pombal's resignation (March 1, 1777), the Goan Inquisition was resuscitated (April 4, 1778) and the archives reshipped to Goa. By a decree of June 16, 1812 the Inquisition was abolished in Goa for all time. The Portuguese Viceroy of India Count of Sarzedas in a letter to the Prince Regent João, then in Brazil, dated December 20, 1812, suggested that the archives be burnt. João replied on September 27, 1813, that a former official of the Inquisition, Friar Tomás de Noronha, would be sent to Goa "to select the documents worthy of preservation" after which the rest would be burnt. The Prince's satisfaction with the Friar's diligence "in reviewing, examining and selecting the documents" was communicated to the Viceroy on January 27, 1816. Friar Tomás selected some 2000 documents for preservation,

including the correspondence between the General Council of Lisbon and the Goan Inquisitors. These were sent to Rio de Janeiro and are now in that city's National Library, where they were duly identified and classified only in 1987. The rest of the documents were condemned to the flames, including all the complete and incomplete trial records. We do have some knowledge of the Goan Inquisition from documents not included in the "Inventory," which reached Lisbon at other moments in time.

The National Library of Lisbon owns a hefty manuscript volume (cod. 203; 763 folios), dated 1623, authored by João Delgado Figueira (from 1625 Inquisitor in Goa), entitled "General Repertory of 3800 trial records dispatched in Goa and elsewhere in India, 1561-1623, with lists of the Inquisitors and of the *autos-da-fé* held at Goa during this period." This provides in chronological and alphabetical order, systematically indexed, the names, ages, offenses and sentences of all those tried. In addition the National Library owns "Lists of persons tried by the Goan Inquisition, 1685-1764" (cod. 201), "Lists of persons tried by the Goan Inquisition, 1765-1805" (cod. 202) and António Joaquim Moreira's "Lists of public and reserved *autos-da-fé* held by the Goan Inquisition, 1600-1773" (cod. 866). The National Archives of the Torre do Tombo in its section "General Council of the Holy Office" holds the following manuscripts: "Consultations of the Goan Inquisition, 1572-1671" (no. 207); "Correspondence sent out by the Goan Inquisition, 1580-1625, 1631-1671, 1672-1749, 1750-1804" (nos. 100-103); "Correspondence received by the Goan Inquisition, 1569-1630" (no. 96); "Disbursements of the Goan Inquisition, 1647-1649" (no. 500); "Visitation of the Goan Inquisition, 1632" (nos 184-185). The Torre do Tombo's section "Inquisition of Lisbon" holds "Provisions to be sent out, 1550-1570" (book no. 840) containing the memoranda for the establishment of the Goan Inquisition. Finally, there are a number of trial records of the Inquisition of Lisbon which were initiated in 1557 at Goa but finalized in Lisbon and others which contain partial copies of Goan trial records.

The corner-stone for analytical studies of the Goan Inquisition, in view of the destruction of the 16,202 trial records, is of-course Figueira's "General Repertory [...] 1561-1623." From it we learn that whereas Portuguese New Christians made up 9% of the Goan Inquisition's 3800 victims between 1561 and 1623, after 1590 they almost disappear from the lists: 321 from 1561-1590; ³ 12 from 1591-1600; 5 from 1601-1610;

³ Two of them were Catarina de Orta and her brother the famous botanist Garcia de Orta (1500-1568). Arrested on October 28, 1568, after the death of her brother, Cata-

4 from 1611-1620. The remaining victims were Indian converts to Catholicism and their descendants, accused of crypto-Hinduism and, to a much lesser extent, of crypto-Islam. Of the 342 Portuguese New Christian victims accused of crypto-Judaism from 1561 to 1623, 103 (30%) were condemned to death: 68 being executed, 35 burnt in effigy. Among the far larger number of those convicted of crypto-Hinduism and crypto-Islam, on the other hand, "only" 46 were sentenced to death. Thus, between 1561 and 1623, Portuguese New Christians, who represented 9% of all those convicted, made up 69% of the 149 persons sentenced to death by the Goan Inquisition.

3. *The Goan Inquisition versus Judaism, Hinduism and Islam*

King Manuel theoretically abolished discrimination between Old and New Christians by the law of March 1, 1507 which permitted the departure of New Christians to any part of the Christian world, declaring that they "be considered, favored and treated like the Old Christians and not distinct and separated from them in any matter." Nevertheless, in apparent contradiction to that law, in a letter dated Almeirim, February 18, 1519, King Manuel promoted legislation henceforth prohibiting the naming of New Christians to the position of judge, town councilor or municipal registrar in Goa, stipulating, however, that those already appointed were not to be dismissed. This shows that even during the first nine years of Portuguese rule, Goa had a considerable influx of recently baptized Spanish and Portuguese Jews.

After August 1531, when the establishment of the Inquisition in Portugal was in the offing and especially after June 14, 1532 when New Christian emigration from Portugal became a capital offense, anti-New Christian sentiment surged on all sides. The New Christians were panic-stricken and emigrants, legal or clandestine, headed for Flanders, Italy, the Ottoman Empire, the Portuguese possessions in India, North Africa. After the middle of the century, England, France, the Spanish Americas and Brazil were the favorite destinations, not necessarily in that order. While figures are not available, there is evidence that New Christians from Portugal flocked to both Cochin and Goa,

rina was executed at the Goa *auto-da-fé* of October 25, 1569. Copies of parts of her trial were sent to Lisbon (Inquisition of Lisbon, no. 1283) of which, in turn, excerpts were published by Augusto da Silva Carvalho, "Garcia d'Orta," *Revista da Universidade de Coimbra*, 12, 1934, 61-246: 202-215. On the basis of her denunciations of her late brother (which she revoked in the course of her trial), the latter was tried and sentenced to death *post mortem*. His mortal remains were exhumed and burnt with his effigy at the Goa *auto-da-fé* of December 4, 1580.

1530-1560. After 1542, when the Portuguese Inquisition was in full operation, equipped by the king to imprison indefinitely New Christians arrested on the charge of Judaizing, torture and kill them and confiscate their possessions without respect to common law, emigration was exacerbated.

The situation in Cochin was particularly complex. The upper town, which was not under direct Portuguese rule, had a sizeable Hindu, Moslem and Jewish population, the latter divided into "white" Jews (of Spanish, Syrian, Ottoman and other origins) and "black" (or Malabar) native Jews. There were many synagogues in and around Cochin. The "white" community was flourishing and the place became a center of "return" to Judaism for a number of Spanish and Portuguese New Christians. On the part of Portuguese New Christians who settled in the lower town (Santa Cruz de Cochim) there was much curiosity about the Jewish (and indeed about the Hindu) way of life and religious observances. Socializing ensued, at first condoned by the Portuguese lay authorities, but condemned by the Catholic clergy, which at all costs wanted to nip in the bud the development of a free and pluralistic society in the Portuguese possessions. Voices were raised urging the immediate establishment of a branch of the Portuguese Inquisition in Goa. In the meantime the clergy applied lynch law: an unnamed New Christian was executed at Goa in 1539 for "heretical utterances" and in 1543 the higher clergy with the connivance of the governor actually had a young medic, one Jerónimo Dias, garroted and burnt on the count of Judaizing. In 1545 a prominent Goa New Christian was denounced for keeping a Tora scroll in his house and, although a search found nothing, he was nevertheless arrested and kept in prison on this accusation for twelve years, and then shipped to Lisbon for trial. In a letter dated March 8, 1546 King João III ordered the Viceroy to forbid Hinduism ("Gentile idolatry") in all the Portuguese possessions of India, destroy Hindu temples, prohibit the celebration of Hindu feasts, expel all Brahmins and severely punish anyone making a Hindu image.

On May 16, 1546, the Apostle of the Indies Francis Xavier in a letter to João III from Amboina, insisted on the necessity of an Inquisition in the Portuguese Indies to repress "many who shamelessly and without fear of God live by the Mosaic Law and the Moorish sect." But despite Inquisitor General Cardinal Henrique's go-ahead various factors impeded its implementation at this time.

A Jewish "attack" on Catholicism provided the Cochin clergy with a pretext for breaking up the fraternization of the upper town's Jews with the lower town's New Christians. This was to be a decisive step in the latter's destruction and a harbinger of the Goan Inquisition. An

official inquiry (“devassa”) was held in 1557-1559, as part of judicial proceedings against one Leonor Caldeira, over 70 years old, born in Spain of Jewish parents, baptized in Lisbon at the time of the General Conversion. She had come out to Cochin on 1533 with her husband (who had since died) and three children (who had since married). Her profession was selling sweetmeats. She was accused, when delivering her goods to the upper town, of visiting the synagogues and Jewish homes, of partaking of Jewish foods (specifically *adafina*, kasher wine and unleavened bread) and of participating in the feast of Purim (described but not named). On that day the Cochin Jews would produce dolls or statues of Haman, which they would crucify, make sport of and finally burn. Apparently they also got up dolls of Haman’s ten sons and labeled each one with his name before committing them to the flames. According to two crown witnesses (a Jewish notable’s daughter and nephew who had “just” converted to Catholicism; they are not known from any other source), all these dolls were in fact replicas of Jesus, whose title in Portuguese *filho de homem* (“Son of Man”) was parodied by the title *filho de Hamam* (“Son of Haman”), it being explained that “Hamam” means “devil” in Hebrew. The names of Haman’s sons (from Esther 9, 7-9, but apparently unknown to the Inquisitors) on the labels were assumed to be blasphemous taunts at Jesus.⁴ The upshot of the investigation was that Leonor Caldeira and 19 other Portuguese New Christians (9 from Cochin and 10 from Goa)

⁴ See Tavim, “Os Judeus e a expansão portuguesa,” *art. cit. supra*, n. 1, 213-225, 253-260. Christian accusations of a connection between Jewish “making sport of Haman” and “making sport of Jesus” go back at least as far as the reign of Theodosius II, ruler of the Eastern Roman Empire (408-450). His *Codex Theodosianus* (16, 8, 1-29) speaks of a Jewish custom “to burn (*incendere*) (cf. *inscendere*: to lift up) an image similar to the holy cross and to sacrilegiously burn (*exurare*) it out of contempt for the Christian religion on their Haman day.” See Iacobus Gothofredus, *Codex Theodosianus 16,8, 1-29*, German translation by Renate Frohne, Bern, 1991, 132-136. There was apparently an Oriental Jewish tradition that Haman was crucified by the Persian king, interpreting the word ‘*es* [normally “tree”] in Esther 5, 14; 7, 9; 8, 7 to mean “wooden cross,” confirmed by the frequent reference to the cross in the New Testament as a tree (*xulon*), that being the Septuagint’s Greek translation of the Hebrew ‘*es*. (Crucifixion was certainly not unknown in the ancient Orient long before the Romans adopted it.) The persistence of the interpretation of Haman’s hanging as a crucifixion is attested in Al-Biruni’s *Chronology of Ancient Nations* (c. 1023; English translation by Edward Sachau, London, 1879, 274) where he states that “Esther asked [the king] to have [Haman] crucified on the same tree which he had prepared for [Mordecai]” and that “on the Feast of Megilla or Haman-Sur [the Jews] make figures which they beat and then burn, imitating the burning [*sic*] of Haman.” Note that Al-Biruni says nothing about crucifying the figures. In any case there is no record of “executing” and burning Haman in effigy on Purim by the Jews of medieval Christian Europe, perhaps because it was banned by the Church for the above-stated reason. See Marsha B. Cohen, “Jews and the Jewish Calendar in Al-Baruni’s *Chronology of Ancient Nations*,” unpublished M.A. dissertation, Florida State University, 2000.

were shipped to Portugal for trial by the Lisbon Inquisitorial tribunal and ultimately sentenced to the usual penances for stereotyped “Judaic” offenses: 18 at the *auto-da-fé* of March 16, 1561; 2 on July 13, 1561. Leonor Caldeira was the only one executed. All these trials are extant and have been studied by Ana Cannas da Cunha. Their originality is that the groundwork for each of them was laid in Goa or Cochin and that they reflect a society in which Portuguese New Christians and Sephardic Jews temporarily co-existed and fraternized.

In the meantime 570,000 Indian reals were collected among the New Christians of Portugal and sent via Medina del Campo and Antwerp to Pope Paul IV (Caraffa) in order to obtain from him an amnesty for the Portuguese New Christians of India. Whereas Paul accepted the money, he (according to one source his successor Pius IV) rejected the request, explaining that without the Portuguese Crown’s endorsement his hands were tied.

So on March 2, 1560 the Goa Tribunal of the Portuguese Holy Office was finally set up. It was housed in the Sabaio Palace (“Orllem Gor”), until then the residence of the Viceroy, prior to 1510 the seraglio of the “Hidalcão.” The *autos-da-fé* were usually held in the Great Hall of that palace, otherwise in various churches; executions and burnings on the Campo de São Lázaro, facing the sea. The two first Inquisitors, sent out from Portugal, were Aleixo Dias Falcão and Francisco Marques Botelho. The decree of establishment specified as their prime activity the severe repression of Portuguese New Christians and a somewhat gentler approach to recent converts from “Gentility” (Hinduism). Advice from some Jesuits to temporarily exempt the latter was thrown to the wind.⁵

As stated above, not a single one of the 14,000 odd complete trial records of the Goan Inquisition (1561-1812) survives to let us hear the voice of its unfortunate Indian victims. Among them were not only converts to Catholicism from Hinduism and Islam as well as their immediate and remote descendants (“crypto-Hindus” and “crypto-Moslems”) but also those who never converted to Catholicism and were arrested for carrying out Hindu or Moslem practices or transmitting the doctrine of these faiths. (All non-Catholic faiths were prohibited in Portuguese India until 1812, although there was no

⁵ An extensive analysis of Hinduism — neutral if not sympathetic — was composed in 1616, in Portuguese, by Gonçalo Fernandes Trancoso, S.J. (Lisbon, 1541-Cochim, 1621), while a missionary at Madurai, 120 miles east of Cochin. It was published in 1973 from the original manuscript preserved in the Roman archives of the Society of Jesus. See *Tratado do P.^o Gonçalo Fernandes Trancoso sobre o Hinduísmo* (critical annotated edition by José Wicki, S.J.), Lisbon, 1973.

forcible mass conversion to Catholicism and the majority of the population remained unbaptized). Non-Christians could also be arrested by the Inquisition for attempting to dissuade countrymen from converting to Catholicism, aiding and abetting the flight of Christian Goans to non-Portuguese areas or for hiding Hindu or Moslem children from the Catholic authorities. Laws were periodically passed (despite voiced misgivings from the local government) that illegitimate and orphaned non-Christian children, even when living with a parent or other relative, must be forcibly converted to Catholicism and be given a Spartan upbringing in Catholic orphanages (“Pai dos Orfãos”), where the use of the native Goanese *Concani* language was strictly forbidden. Anyone withholding or conspiring to withhold such a child from seizure was subject to Inquisitorial arrest, as was anyone denounced for singing *Concani* songs, celebrating the birth of Krishna, wearing a *pudivem*, growing certain plants, playing native musical instruments, exchanging betel nuts and flowers at weddings, etc.⁶

At present the surviving repertoires and other documents have not yet been exhaustively studied. We learn from them of the extraordinary corruption and cruelty of the Goan Inquisitorial staff, far outdoing even their counterparts in Portugal. The Goan Inquisition had authority over all Portuguese possessions in East Africa, India, China and the East Indies. We hear of commissioners stationed as far as Macao in China and Timor in the East Indies but we still do not know if any backsliding converts from Confucianism, Hinduism or Animism were arrested in these remote places and brought to Goa for trial. Research on the 17th century has not been completed as far as quantitative and statistic studies are concerned. What, for instance, was the respective percentage of Portuguese New Christians, converts from Hinduism and those from Islam (or their Catholic descendants) among the victims of the Goan *autos-da-fé* of 2-7-1617, 8-26-1635, 9-4-1644 and 3-27-1672, the only ones of which the sermons were printed? ⁷ We are in the dark. Aside from a few passing references (“the heresies of Idolatry and the vile sect of Mohammed represented in the present audience,” “Jews, Moors and idolaters,” “worshippers of pagodas” [1617]; “superstitions, sorcery, sodomy” [1635]; “backsliders

⁶ See Carlos L. S. Xavier, “A Inquisição e a Sociedade Indo-Portuguesa,” *Inquisição*, Lisbon, 1989, 386-393.

⁷ *Sermão que pregou o P. Fr. Manoel da Encarnação* (1617), Lisbon, 1628 (32 pp.); *Sermão [...] pregado pello Padre Fr. Gaspar de Amorim* (1635), Lisbon, 1637 (40 pp.); *Sermão que o Padre Diogo de Areda da Companhia de Jesus pregou* (1644), Goa, 1644 (48 pp.) (the only Portuguese *auto-da-fé* sermon printed outside of continental Portugal); *Sermam [...] Contra a Idolatria do Oriente pregado [...] pelo P. Fr. Antonio Pevryra* (1672), Lisbon, 1685 (70 pp.).

into gentile abominations,” “caste marks and sorcery,” “paganism and the *mourama* (Moorish rabble)” [1644]), the first three (except for an excursus by the Jesuit Diogo de Areda in 1644 to show that God sides with the Portuguese “who are now burning Castilian towns in the war with Castile”) are filled only with erudite and original anti-Jewish ranting, *e.g.*, Diogo de Areda: “the Jews’ malice is not merely a legacy of blood but a result of Nature, so that as long as Nature remains in them so shall malice and only when they cease from being human beings shall they cease from being wicked.”⁸ The sermonizer of 1672, the only one to deal exclusively with “abominable Idolatry” rather than “Judaic perfidy” (as the preacher explains in his preface) treats Hinduism and the paganism of the ancient Greeks and Romans as all much of a muchness, to the point of invoking Virgil as “your poet” in addressing the penanced Goans making up his captive audience, while reprimanding them for their clandestine travel to and contacts with the inhabitants of mainland India, whom he calls “of all the world’s gentiles the most superstitious and zealous practitioners of the blind and baneful cult of pagodas.”

A Portuguese historian, Maria de Jesus dos Mártires Lopes, distilled from her doctoral thesis an article on the Goan Inquisition’s activities, 1700-1750 and another on the period 1750-1777. While some Brahmins became Catholic priests, a letter from an Inquisitor dated 1729 tells us that Inquisitorial posts had always been exclusively reserved for white Portuguese and that the *familiares* (as in Portugal) were recruited among the Portuguese nobility and notabilities. A total of 2452 Indian persons were sentenced by the Goan Inquisition 1700-1750, of whom 705 (29%) were non-Catholics who did not appear at *autos-da-fé*. Of the Catholics 1076 were “reconciled,” 21 executed and 30 burnt in effigy. The victims are listed by caste as Bandarís, Baneanés, Brahmins, Chardos, Colís, Curumbíns, Farazes, Gauddés (or Agrís), Sudras and Vaníos. The most affected sectors of the native population were the Curumbíns (farmers: 35.5%), the Bandarís (extractors of sura and producers of urraca (19.2%) and the Sudras (12.4%: inferior castes). Brahmins and Chardos made up 9.5 and 9.2% of those arrested, respectively. Mártires Lopes also provides tables of professions. The majority of victims were from the least educated sectors of the population.

⁸ The fulsome praise heaped in 1644 by this Jesuit (undeservedly reputed a moderate by some historians, *e.g.*, Helga Bauer, “Die Predigt, etc.,” 63-66) upon the Inquisition, of which this sermon — dedicated to the Inquisitor General Francisco de Castro — might be considered the apotheosis, shows that the effects of the “war of the apples” (1642: see above Chapter Eleven) had not made themselves felt in India.

Catholic “backsliders” into Hinduism (always called Paganism or Gentility in Inquisitorial repertoires) or Islam (the term for Islamic was “Moorish”) had to “abjure their heresy” at the *autos-da-fé* in accordance with the 1640 *Regimento* as in Portugal and received the chastisements well-known from the Lisbon, Coimbra and Évora tribunals (wearing of the sanbenito, an indeterminate period of forced residence, re-catechization, execution by the secular arm, including the burning in effigy of those who had fled or died in prison, flogging, galley service, banishment to Mozambique, etc.). The only punishments meted out to non-Catholic Inquisitorial victims were flogging and banishment, which would be forgiven if they accepted conversion.

There were 17 *autos-da-fé*, 1750-1773, at which 1234 persons were sentenced, 16 executed. A total of 763 persons were sentenced 1782-1800, when there were no longer any *autos-da-fé* (the last one took place on February 7, 1773, with 124 sentenced, of whom 3 were executed and 5 burnt in effigy). We know the social origin of only 57% of those sentenced during this period, the profession of only 10%. As to castes, Sudras make up 18.5%, Curumbins 17.5 %, Chardos 7% and Brahmins 5%. 74% were sentenced on the counts of crypto-Hinduism, discouraging persons from converting to Catholicism, blasphemy, etc.; 1.5% for crypto-Islam and 1.5% for perturbing the activity of the Holy Office. The punishment of “forced residence” disappears after 1750. In 1778 the resuscitated Goan Inquisition was given its “own” *Regimento*, a variant of Pombal’s 1774 *Regimento*, which had done away with killings, forced residence and sanbenitos. The Goan Inquisition only began to function again in 1782, so there was an 8-year hiatus. During the period 1782-1800, among 575 persons condemned for crypto-Hinduism (all practices specified in detail), the tribunal banished 48, the rest were given “absolution from excommunication” subject to “spiritual penances.” During this same period 6 Europeans were sentenced, among whom 3 for atheism, one for deism and one for freemasonry. It is apparent from the geographic origin of the “culprits” that the “New Conquests” (territory adjacent to Goa occupied by Portugal in 1749) were never affected by Catholic conversion activity or Inquisitorial persecution and that religious freedom obtained there. The last phase of the Goan Inquisition, 1801-1812, which saw 202 persons sentenced, has not yet been properly analyzed.⁹

⁹ Lists describing 68 persons sentenced by the Goan Inquisition 1802-1804 were reproduced by Aniceta Afonso and Marília Guerreiro, “Subsídios para o Estudo da Inquisição Portuguesa no Século XIX,” *Inquisição*, Lisbon, 1989, 1243-1346: 1315-1324.

APPENDIX FIVE

REPORT BY INQUISITOR GENERAL FRANCISCO DE CASTRO ON A MEMORIAL ADDRESSED TO KING PHILIP III OF PORTUGAL BY THE “PORTUGUESE MEN OF COMMERCE RESIDING IN SPAIN” IN 1630 ¹

In their memorial that the New Christians are submitting to Your Majesty they portray themselves as put upon by affliction, innocent victims of incessant arrests by the Holy Office. They would like to persuade you that the arrests are initiated by false witnesses. They allege that indictments are often due to hatred and jealousy and to the habit of defendants to denounce right and left in order to forestall denunciations made against themselves lest they be executed as “incomplete confessants” (*diminutos*).

They allege that the departure of Men of Commerce harms Portugal and diminishes the vital forces of this kingdom, while those of the Crown’s enemies — who admit them into their bosom — are augmented.

They claim that those who leave Portugal live as Christians in the countries where they settle, are loyal and do not aid or abet the enemies’ forays into Brazil or the East and West Indies.

On the premise of these submissions they implore Your Majesty to remedy the alleged abuses by means of those remedies applied in times past by the sovereign pontiffs and Your Majesty’s predecessors. This sums up the memorial.

In a letter attached to the memorial Your Majesty’s confessor² relays Your Majesty’s desire to remedy the situation described in the memorial by such legal means that would not afford these people occasion to transgress in matters of faith.

¹ Biblioteca Nacional de Lisboa, Codex 868, ff. 138-157, bearing his signature. The document was cited and integrally published for the first time by António Borges Coelho, *Inquisição de Évora*, 2, Lisbon, 1987, 182-202. It is apparently an expanded version of his brief report to King Philip dated May 24, 1631, reproduced by António Baião, “El-Rei D. João IV e a Inquisição,” *Academia Portuguesa da História, Anais*, 6, 1942, 11-70: 15-16. A few egregious factual errors are pointed out in our footnotes but the abundant innuendoes and bad faith permeating practically every page are hardly susceptible to annotation.

² On Antonio de Sotomayor, named Inquisitor General of Spain in 1632, see above, Chapter Twelve.

It appears to me that Your Majesty's duty is to turn down this memorial outright and to consign it and all similar recriminations to perpetual silence, as I shall now proceed to demonstrate.

1. Where ordinary means are available, extraordinary ones are to be eschewed because of the danger of grave consequences. The danger is all the greater in the case at hand, where experience has shown what mischief comes of extraordinary means, as will be presently detailed. In these matters the ordinary means are that the guilty confess their crimes and are shown clemency proper to full confessants. Those who have committed no crime may return to Portugal with nothing to fear and enjoy the same security as those numerous members of that Nation who live here, find employment in all walks of life and do not contemplate emigration. Now if the authors of the memorial do not like these terms for themselves and for their associates, let them state their objections and we shall decide what is most in keeping with the service of God and of Your Majesty.

2. Even if at some time in the past this kind of proposal might have merited a hearing, in our present predicament it is quite out of the question to countenance, much less adopt it. For now enemies of the faith all over the country are committing public sacrileges against the images of Christ our lord and against his very person in the most divine sacrament of the altar (outrages which Your Majesty's Catholic and holy zeal will want thoroughly investigated, promising rewards to whoever discovers their perpetrators). It would gravely scandalize the faithful and indeed the whole world to see that at the very instant this is going on, favors and recognition are being bestowed on the prime suspects of the desecrations. The high probability (not to say certainty) that the People of the Hebrew Nation committed these offenses cannot be open to doubt. Crimes against the faith, crimes so heinous, are not committed by Catholics, but by enemies of the faith. Their authors have to be either Moslems, Protestant heretics or Jews. But Moslems are ruled out, because there are none in this country; heretics? they are humble, poor folk, of low caliber, who would not dare to risk an outrage like the one on Santa Engracia.³ Even were we — for argument's sake — to suppose this thing to be their doing, what about the sacrileges at Évora, Portalegre, Coimbra, Santarém and other places, where there are no Protestant heretics? One cannot escape the conclusion therefore that the authors of these crimes are Jews, ubiquitous and oh so powerful in this country. With the blood of Christ our god

³ See above, Chapter Twelve.

still fresh and we with tears in our eyes to see him thus maltreated, what is the world to think when it sees favored the very people who (the public is convinced) shed this blood and who are already beginning to be punished for the strong probability of their guilt? Moses drew his sword and killed 22,000 idolaters.⁴ God forbid that Your Majesty ever open your arms to them and favor them. That God forgives the injuries we do Him is not astonishing, for He is infinitely merciful and pardons personal injuries. But what reason can approve *our* letting them get off lightly? What reason for *us* to favor those who thus offend Him and multiply their offenses at the very time they are soliciting favors?

3. Decisions reached with adequate deliberation should not be overturned or challenged without developments or very pressing cause, lest great confusion and perturbation ensue. Authentic documents show that everything the People of the Hebrew Nation propose in this memorial of theirs, they had already submitted a number of times to King João III. He ordered them duly examined by men of letters, experience and good conscience, whose considered decision was that New Christians' pretensions are to be rejected. In 1545, among other things that they collectively solicited from King João III was a General Amnesty and that their property should not be subject to confiscation. If this were granted they would undertake not to leave the country, those who had emigrated would return, trade and commerce would revive. They alleged abuses in proceedings against them, such as false denunciations by prisoners of the Inquisition who confess and denounce in order to preempt the charge of *diminutos* and depositions made in spitefulness against innocent people. In 1557 they carped at the same abuses to the same king and proposed substantially the same reforms as are contained in the present memorial. Each time their complaints were judged unfounded and their pretensions unjust and contrary to the good of the faith. Their petitions were not granted. They repeated their demands a number of times. Now they are once again pressing those same demands, in the same old formulation; nor have they changed in such a way that could dispose to their securing by importunity that which reason and justice saw fit to refuse them. It is a lesson to be earnestly pondered that in those bygone times, so close to the General Conversion, when forbearance with them was far greater; it was judged meet and necessary not merely to reject these

⁴ Marginal note: "Exodus 22," an error for Exodus 32. The Hebrew Bible, however, says nothing about Moses drawing a sword nor does it mention this figure. The Levites armed themselves with swords and killed "about 3000 people" (Exodus 32, 26-29).

proposals, but to mould Inquisitorial proceedings into their present form. Now, 95 years removed from the Inquisition's beginning, with so little hope remaining of these people's improvement in the faith, as these 95 years have shown, during which despite the many favors granted them they sank ever deeper into their errors, why should we shrink from doing what we have to do? Or else let them tell us what justification there is for kowtowing to the present petitioners, since it has been shown by authentic documents that of the authors and presenters of identical petitions in time past some of their number fled to Africa and Turkey where they formally adopted Judaism, others were sentenced by Pope Paul III; still others were punished by the Inquisition for the same crime of Judaism.

If their persistence in petitioning for the same reforms, if their importuning by repetition of the same sham complaints makes for justice and provides a reason for giving in to them and casting doubt on the cogency of what has so consistently been resolved, then it would be proper not merely to concede all their demands but to extend a *carte blanche* concession for all they might ever ask in the future. For, seeing that the basis of justice in this matter consists in repetition, from now on every petition will simply have to be repeated often enough to be considered just. This will result in their Judaizing with total abandonment, which is what they are really after according to learned and pious gentlemen who have had experience with these people.

4. Even though, as stated above, this proposal is the same as the ones they drew up several times in the past (and though one may take it for granted that the spirit behind them is no different now from what it was then and that all of them were intended to weaken and impede Inquisitorial justice), nevertheless there is a difference in this one which warrants attention. For in all the past proposals, among some material considerations they alleged spiritual ones, namely that thanks to indulgence used with them those who were still weak in the faith would be fortified; those who had strayed would return to the fold; those living in Portugal would be secure in the faith; those residing in foreign parts among infidels would rid themselves of the danger of losing it. By means of this outward pretext (even though sham) some pious souls were moved to compassion. Among those so moved was the late king, Your Majesty's father, as is set out in the General Amnesty of 1605. But now all spiritual considerations have been jettisoned (which in truth could anyway not be hoped for), leaving only temporal ones such as increase of Royal Duties resulting from their international trade and contracts, as if they would purchase in the market place the slackening of the reins of the Holy Office and buy the security to

Judaize for the price of merchandise on which import duties are paid Your Majesty.

When the economy is in the doldrums and the royal coffers at their leanest, that is when they come up with their proposals looking to exert leverage by proffering their assistance, making collective payments to the Crown in exchange for liberties detrimental to the faith. These occasions they deem propitious for persuading you that the denunciators are perjurers; the severities applied to them excessive and they themselves innocent. Nor should it surprise us that they dare to thus approach Your Majesty and his ministers when we recall that the devil, whose henchmen are the Jews, dared to approach God's very son, openly demanding that he worship him, offering to make him lord of the whole world. Other tempting offers may dissimulate their diabolical provenance but with the one of temporal benefits he throws off the mask and gives his fiendish self away. But one may depend on the zeal and Christianity of Your Majesty, delegated by God to govern on earth, and of the ministers who assist you, that just as Christ violently cast aside the devil, you too will forego his venial blandishments and not brook any transaction odious to the faith or discrediting the Inquisition.

5. Whether God is pleased or displeased with our actions can often be inferred from the sequels; that is His way of speaking to us. In this case we see that the favors done to these people may have produced some temporal benefits, but was followed by grave harm, both to their consciences and to the affairs of the country. Pope Paul III gave in to their pretensions, delayed the brief establishing the Inquisition (which had already been granted by Pope Clement VII) until 1536. Even then he allowed them many years of exemption from confiscation; the names of their denunciators revealed to them; prisons accessible; Judaizing to be prosecuted in the same manner as any crime in the civil courts. He granted them two General Amnesties and many other favors, all of which he revoked by his brief of July 15, 1547, explaining that they had used and claimed them in order to Judaize more brazenly.⁵

King Sebastião obtained from the pope a ten year moratorium on confiscation. This was extended a number of times, in the hope that this favor would coax them into confessing their crimes. Pope Gregory

⁵ The brief actually states "lest under the cover of the amnesty these New Christians be given occasion to return to their vomit and sinning" ([...] ne ipsis novis christianis sub praetextu exemptionum [...] ad vomitum redeundi et deliquendi occasio tribuatur [...]). See *Corpo Diplomatico Portuguez*, 6, 164-166: 164.

XIII ended the moratorium at the behest of King Henrique who with his 40 years experience as Inquisitor General knew exactly what he was doing. In a provision redacted at Almeirim on December 19, 1579, he affirms that he duly consulted with legal experts, and all agreed that it was necessary and obligatory in the interest of the faith to bring back confiscation. On October 6 of that same year Gregory XIII published a brief to that effect, which states: *Praehabita super remissione poenae publicationis bonorum hujusmodi cum viris doctrina, religione et fidei zelo praestantibus, ac in rebus Sancti Officii hujusmodi plurimum versatis, matura deliberatione censeas remissionem praedictam non modo nihil profecisse, quo facilius criminosi per humilem peccatorum suorum confessionem ad catholicam fidem redirent, sed ansam eis potius praeuisse liberiori delinquendi et pertinacius in erroribus et haebraica perfidia, ac judaicis suis ritibus et caeremoniis permanendi, et eosdem errores inter filios, propinquos et familiares eiusdem gentis disseminandi.*⁶ [After prior mature deliberation concerning confiscation with men distinguished by their learning and zeal for the faith and exceptionally well versed in the affairs of the Holy Office, Your Majesty thinks that the said moratorium not only had no effect in making it easier for the criminals to return to the Catholic faith through the humble confession of their sins, but rather gave freer reign to their pertinacious obduracy and Hebrew perfidy and their Jewish rites and ceremonies and to disseminate the same errors among these people's children, relatives and kinsmen.]

But it is the way of these people: the more clemency they are shown the worse they regress in the faith and in their deportment. Holy Scripture tells us how with all the favors God granted them they abandoned Him and followed idols and returned to Him only after being chastised.

Subsequent to a General Amnesty granted the New Christians of Majorca in 1489, Arnaldo Albertino remarks (*De haereses*, 6, 12, 4) that there were many more arrests and punishments for Judaizing after it than before. This is precisely what we experienced in this country, where the General Amnesties and clemencies only served to foment Judaism. They were always Judaizers everywhere. To hope that they will now improve in response to increased favors amounts to fooling ourselves: but God cannot be fooled.

King Sebastião, sojourning in Sintra, promulgated a law on June 30, 1567, ratified at Évora on June 1, 1572, prohibiting the New Christians from leaving the country and selling their property, because of

⁶ The complete text of this brief appears in *Corpo Diplomatico Portuguez*, 10, 556-559.

the economic drain their departure would cause. But his Letters Patent of May 21, 1577 overturned the prohibition. His successor King Henrique revoked these Letters Patent in part on January 18, 1583,⁷ prohibiting New Christians from leaving any bishopric where a visitation of the Holy Office was in progress, both during the visitation and six months after its termination. His reason for modifying the Letters Patent of May 21, 1577 was that experience had shown them to be an impediment to the ministry of the Holy Office. His successor King Philip I, the grandfather of Your Majesty whom God preserve, re-introduced the former laws of King Sebastião and revoked these Letters Patent in their entirety. In an appended provision, dated Lisbon, January 26, 1587, he wrote: "Because time and experience have demonstrably proved the damage and injury produced by the Letters Patent inasmuch as they reversed the law of 1567 and its confirmation of 1572, thereby giving permission and liberty to the New Christians (who subsequently emigrated, some with their movables and family, some without) to abandon the faith of Our Lord Jesus Christ which they had professed and to freely Judaize in foreign parts and follow the perverse rites and customs of the Jews." Thus there is no need to go into further particulars, to show the enormous spiritual damage that would ensue from giving in to the pretensions of the New Christians.

The following temporal evils resulting from the past two concessions made to these people were generally remarked upon by all whose attention was drawn to them. Because of the grace extended to them by King Sebastião in authorizing them (in return for a certain collective payment made to him) to leave the country and sell their possessions, he fell in the battle of Alcacer-Quebir and the Portuguese crown was transferred to Castile; due to the General Amnesty that King Philip II obtained for them from Pope Clement VIII, for the consideration of 1,700,000 cruzados, many evils resulted, the least of which was the loss of two armadas, some ships of the India fleet and other large vessels that were fitted out for a part of this money and four galleons of the India fleet (not to mention other disasters and deaths generally taken to have ensued from the same cause). That it is only the most recent concessions, made to them by King Philip, whose consequences have received due attention, could have several reasons. Either they are the last in a long line so that their cumulative effect was what made clear that God disapproved them. Alternatively, it was the intervention of these people's monetary gifts (or whatever you care to call them),

⁷ Cardinal King Henrique died on January 31, 1580.

which were not to divine satisfaction. Thus one may not presume that granting new concessions without new and most urgent cause will be pleasing to God.

6. To repeat the kind of concessions made during that period runs a serious risk of abetting Judaism — assuming as one must that the authors of this memorial are promoters of Judaism — even if not Judaizers, as those who drew up an earlier similar one were discovered to be. It may further be assumed that the authors of this and other memorials containing similar pretensions were and are private persons and not the entire Nation.

Our suspicions as to the authors' motives are amply supported by the record; all these many years the People of the Hebrew Nation always tried to put spokes in the wheels of the Inquisition and its procedures. The Inquisition began operations in this country 95 years ago, but the New Christians have been hampering its course for the last 110 years. In 1521 King João III began to canvas for an Inquisitorial tribunal for Portugal to help him deal with the newly converted Jews and their flagrant affronts to the faith. The negotiations were so drawn out, the bribes and lies (their usual methods) so brazen, that they managed to delay its establishment for ten years and even after Clement VII finally granted it, they would not give up until Paul III suspended it. But the latter, once he saw through these people and their subterfuges and realized their goal was none other than to gain the freedom to practice Judaism, changed his mind and confirmed the Inquisition. Even then their wrangling — deceitful as ever — did not stop. Now if those who were the first to have these pretensions and kept harping upon them for such a long time were discovered to be Judaizers, as stated above, and these present ones employ the same pretensions, gotten-up for the conservation of Judaism and to hinder the just proceedings of the Inquisition, what is one to suppose concerning those who are today so glowingly introducing and endorsing them?

Neither is the timing of the present importuning fortuitous. The recent arrests by the Inquisition of some of their close relatives and confidants is just the kind of thing that gets their wind up. This is what transpired at the time of the General Amnesty of 1605 and what we are seeing today is undoubtedly a repeat performance; in other words the authors of this present stunt — no less than their predecessors — are attempting either to free Judaizers or to cover themselves up for having surreptitiously confided their own Judaizing to them. Confirmation of this presumption is Your Majesty's letter of May 19, 1624, attesting the presence in Madrid of many New Christians who having

fled the Portuguese Inquisition were there committing crimes against the faith.

Further proof that these novel pretensions have the perpetuation of Judaism as their real target is their effect of raising the hopes of those of their Nation in respect to attaining amnesties, favors and benefits. Because with the guarantee that punishments will cease or become more difficult to apply, the only check on incorrigible Judaizers perverting great numbers of fellow New Christians falls away. For Sacred Scripture, Holy Canons and Imperial Laws teach us that fear of punishment is the Jews' sole deterrent. Indeed we see that prisoners of the Inquisition no longer confess the crimes for which they are indicted or procrastinate with their confession because they have heard rumors that an amnesty is in the offing. With these high hopes they embolden one another. (A letter was intercepted from one of their agents to another. Complaining of his correspondent's lack of diligence he writes: "Since many are out of the country we have to keep up their spirits with a sop. I, being more well-known, am charged with most of that.") All this stems from their being encouraged by the power and industry of the authors of the pretensions, which can be attributed, not to zeal for the faith, but to love of Judaism. Thus we may be sure that as long as there are Judaizers in Portugal and an Inquisition which arrests and punishes them, there will always be complaints and pretensions.

All of the preceding goes to show that the authors of the memorials are promoters and defenders of heretics and obstructers of the ministry of the Holy Office. For one may safely claim that persons who in any way encourage heretics in their errors are promoters of heretics; that those who in any manner shelter heretics are defending them and cause them to live in their heresy with greater security and less fear of being molested for it; that those who search for ways and means to delay or do away with proceedings against heretics and impede their discovery are obstructers of Inquisitorial justice.

These People of the Hebrew Nation allege in their memorial that those of them who emigrated lead Christian lives in foreign parts. Nothing could be further from the truth. For we know for sure (aside from what Your Majesty says in the document cited above) that the New Christians who leave Portugal for foreign parts where there are synagogues and freedom of conscience, publicly profess the Law of Moses; those who went to Holland brought rabbis from other countries to teach them and many had themselves circumcised hard upon arriving. In places where they do not have this liberty they confide to one another that they are Jews and in Castile they are already being

arrested as such, not, as they falsely state in their memorandum, due to denunciations sent there from this country, but rather because wherever they go they are the same. Many of those who now left Portugal thanks to the provision Your Majesty granted them had been charged here with Judaizing by the Inquisition and, through fear of arrest, left for parts where it seemed to them that they would be more secure. Indeed, it seems clear that it was with this very purpose in mind that they petitioned. The objections to it were not manifest to Your Majesty nor to your ministers, for otherwise, it would surely not have been granted, nor would Your Majesty have forgiven them more than 50,000 cruzados in goods up for confiscation that could have covered a part of the present necessities: this still further confirms their true motivation. To justify their conduct as far as Portugal is concerned, they pledge in their memorial their loyalty to Your Majesty and state that they have never been traitors, that they never aided the Dutch in their campaigns against Brazil and the East and West Indies. Yet the grounds for this assertion are as false as the preceding one, for it is common knowledge that as partners they have vested interests in all the Dutch contracts. Men who were prisoners of war in Holland tell of chests full of merchandise belonging to New Christians, who deposit them with their correspondents. Many seizures have been effected in the customs house of our city of merchandise from this country's overseas conquests, with forged labels, certainly addressed to no one else but these same New Christian merchants, stuck away among other commodities. A letter has been intercepted from a New Christian residing in Antwerp, dated December 1, 1630 in which he informs a New Christian resident of Portugal that the latter's son could safely embark for foreign parts, because if he were captured by the Dutch things could easily be arranged with them. He goes on to ask particulars about the armada that is being organized here with all its requisites and its date of departure. It is known, moreover, that when Bahia was taken by the Dutch, New Christians secured for the Dutch the main entry and collaborated with them, for which act some were tried and sentenced. All this clearly shows that their declared fidelity is sham and in keeping with their customary behavior in respect to the nations that harbored them (of which there are many historical examples in Spain).

They grumble to Your Majesty about the distress caused them by incessant Inquisitorial arrests. Because the pitiful nature of this complaint might move Your Majesty to sympathize with these people, it is well to inquire first whether the distress arises from just or unjust persecution. If it is a just persecution that they are suffering for their

crimes, it cannot be right to devise means for freeing them from it, for compassion — which does well to shine in princes — must never oppose justice, particularly in matters impinging on the Christian religion. Moreover, in this case they have the remedy within themselves: let the crimes cease and so shall the punishments and persecutions.

7. That they are not being unjustly persecuted, as they proclaim, can be clearly shown. For “unjust persecution” derives from two causes: either from not observing with its victims the rules of justice, or from applying them with excessive astringency. To invoke either in their case is an utter falsehood. For were all the trial records that have been accumulated from the beginning of the Inquisition until now and kept in the secret vaults of the tribunals to be examined, it would be seen that no one has been arrested without solid incriminating evidence. When upon rare occasions arrests are carried out on the basis of a single denunciation, that testimony is so convincing and so many circumstances, clues and presumptions corroborate it, that to desist from arresting would be a denial of justice. In the course of the trial the accused are provided with all the means of defense to which Inquisitorial jurisprudence and practice lawfully entitles them.

Where the accused neglect to make use of such means of defense as are available to them, the Inquisitors act on their behalf *ex officio*, by carrying out many inquiries, above and beyond those requested by the accused, so that the truth may come out and justice be done equally to both parties. In the administration of torture severity is kept to a minimum. Prisoners are handed over to the secular authorities only on the basis of overwhelming proof; the Inquisitors pretend as far as possible not to notice the failure of *diminutos* to confess fully or to denounce all their accomplices. At the *auto-da-fé* all those who leave the Inquisition unpunished by “abjuring a vehement suspicion” have sufficient proof against them to lead to their condemnation in any secular tribunal; rare are those who get off scot-free by “abjuring a slight suspicion” against whom proof almost as convincing is not available. Resipiscents are reconciled with much charity, many a time when they are already at the *auto-da-fé* or about to appear there. Sentences to penances are remitted with abundant mercy; rare are those whose penances are not in part alleviated. The compassion exercised by the Holy Office in regard to these people is so well-known that in the case of Simão Pires Solis, recently sentenced ⁸ in connection with the sacrilege of Santa Engrácia, whose judges, appointed by Your Majesty, were

⁸ The execution of Simão Pires Solis took place on February 3, 1631. See above, Chapter Twelve.

scholars and men of integrity, persistent and urgent entreaties were made by him and his agents to have the case transferred to the Inquisition, convinced as they were that it would be handled there with greater magnanimity. So when these people complain about the harshness of the Holy Office, their complaints are not only baseless but also contradict what they themselves believe.

8. Other extraordinary favors have been granted them, including three General Amnesties whereby they were given absolution which let them off all confessing (except sacramentally in the confessional) and the law-courts cancelled all penalties they had incurred, including confiscation. They were also granted many periods of grace during which they were similarly absolved by merely confessing before the Inquisitors, without a public display of their crimes or their crimes being brought to the attention of an Inquisitorial tribunal. A period of ten years exemption from confiscation was granted and repeatedly extended. During 1536-1547 Judaizing was prosecuted just like any other crime. Although (as we are now experiencing) it was neither appropriate, nor in the interest of piety, nor in the interest of the general weal to allow them to emigrate and sell their possessions, nevertheless permission to freely emigrate was given them on two occasions, perhaps through failure to realize the inopportuneness of such permission. Every day that goes by they submit memorials which are accepted and transmitted to the Inquisitorial Desk. With all these favors being given to them, how can they call themselves "afflicted" and "persecuted," terms that imply, at the very least, victimization and excess? The saints tell us that during the tyrants' persecutions, Catholics were "afflicted by so many persecutions." The authors of the memorials evidently presume to compare themselves and the whole Nation to the Catholic saints when describing their woes, as afflicted and persecuted in their case because they are Jews. But since there is an unbridgeable chasm between the latter, who are Jews, and the former, who were Catholics, it would be shameful for a Christian spirit to equate them, even if only verbally.

If it is arrests that cause them exasperation, then they will never quieten down until they are allowed to practice Judaism freely. Now, since past experience has shown that with all the favors reviewed above Judaism waxed apace, granting new favors now would be inviting them to become out and out Jews (not something Your Majesty wants).

They dwell on the witnesses who denounce them. If they fear and dread such witnesses because their conscience accuses them, then they are surely Judaizers (which they deny) and as such disqualified for the favors to which as Christians, they would aspire. Even if, on the other

hand, their terror results from the witnesses being false, in line with the presumptions stated in the memorial to the effect that many of the witnesses denounce others falsely out of hatred, jealousy, in order to coincide with the crime attributed to them or in order not to be executed as *negativos*, they are still not free of the presumption that they are Judaizers and that their terror is due, not to the witnesses being false, but to the prospect that they may be telling the truth. For we see that whereas this terror (if their presumption were true) should be common to all of them, there being no special reason why they should falsely denounce some rather than others, many members of that same Nation, for all that they too have their enemies, not only do not stand in terror of the Holy Office and consider themselves secure, but do not participate in drawing up these kinds of proposals and, in fact, loathe them, protesting to the Inquisition and to the government that they do not wish to benefit from any favors sought after by these people specifically as regards the Inquisition and that they renounce them all in advance.

To this may be added that the authors of the memorial themselves do not vitiate indiscriminately all the testimonies against them. Nor do they affirm certainty, but merely presumptions, for in their memorial they say that “presumably” many perjure themselves. Thus the presumption of falsehood, even in their opinion, is limited to some and is a matter of opinion, but in others there is certainty of truth. Now, since we do not know who are the some and who the others, we must form a moral judgment as regards the truthfulness of such witnesses and judge in accordance with human prudence that they are truthful witnesses and that the presumption which makes some uncertain does not destroy the truth in others. And even though the former are not fully accredited they should not be declared invalid and they retain whatever credit the prudent judge decides to attribute to them.

This much assumed, we may ask: what reason can the New Christians allege for their fearing false witnesses more than true ones? Especially since the argument as to their falseness is either based on the statements made by some of those condemned that they perjured themselves (a reason previously alleged and shown to be false) or on their professed astonishment concerning the great number of Judaizers of such varied alloy (whereas we well know all about the extensive communication they maintain among themselves due to their belief that they are living in the midst of enemies who observe a different religion). We have moreover on our side juridical proofs, along with collation of testimonies and circumstantial evidence, which

render the denunciations credible, principally coming, as they do, from their relatives and friends.

All the more so because this same proposal based on identical arguments with the memorandum concerning false witnesses was already submitted various times in the past, as was stated at the outset. After it was all reviewed and examined, not merely by the ministers and jurists whom King João III summoned for this matter but also by the Sovereign Pontiff, it was rejected on the grounds that it was nothing but wiles and deceits meant to destroy and discredit the Holy Office. It is certain that they are out to impugn the testimony (not denying, on our part, that one or another denunciation may have been false, given the dishonorable nature of the witnesses but not as, nor in the form, that the authors put it). Whereas indeed according to records of the Inquisitorial tribunals many New Christians falsely denounced Old Christians for having declared to them their Judaic beliefs and, the falsehood of their accusations exposed, confessed that they had perjured themselves in order to discredit the Inquisition by thus suggesting that all the denunciations are false, denunciations of New Christians by New Christians have never, or rarely ever been found false, despite their having been subjected to the most diligent control.

These same People of the Hebrew Nation submitted yet another memorial which Your Majesty was pleased to transmit to us in the General Council of the Inquisition, in which they petition to have the truth of denunciations verified, and with that the reality of the crimes. "They are requesting this (they say) as the sole solution, there being no other." This, in fact, is so: in human justice there are no other means to find out the truth. Thus it is meet that the witnesses be very stringently cross-examined and interrogated on all salient points. They should not be given more credit than justice allows and the briefs of the Sovereign Pontiffs accord them in matters of faith. It is also necessary that perjurers be severely punished. Now this is precisely the Inquisition's standard procedure. It is what the regular Visitations are all about. And so far not a single case of falsehood or an instance that might deter an impartial judge from proceeding in the usual way has ever come to light. Therefore the system cannot be said to warrant change. If any Judaizer sneaked in false testimony, he is to be left to divine judgment, for it is beyond human judgment to detect such falsehoods.

These are the legitimate means which are available in the situation at hand. As to others which in times gone by were offered the New Christians owing to their being neophytes, these means were seen, during the same period, to be opposed to the faith and thus revoked.

That they are now petitioning for others which involve slackening the procedures of the Holy Office, what better proof that those who are now appealing for this are not suited and should not be permitted to reside in a Catholic country? If brigands would complain about Your Majesty's justice (though it proceeds against them in conformity with the laws of Spain, using the established means and practices to expose their heinous acts) and petition for moderation of these procedures, who would not be suspected of complicity with them if he were so rash as to advise Your Majesty to lend your ear and give in to them? By petitioning Your Majesty to moderate (or perhaps better said: to trample underfoot) the stipulations of Canon Law in the proceedings against Judaizers, as well as the uses and customs practiced for the last 95 years by the Inquisitorial tribunals of this country, examined by so learned, experienced, pious and zealous gentlemen, including many an Inquisitor General, men of high quality and competence, above all King Henrique, Inquisitor General for 40 years, and His Serenity Archduke Albert, what else are the authors of the present memorial doing, if not demonstrating how interested they are in the maintenance of Judaism? And if brigands are not to be given into, how much more reasonable is it to expect from so Catholic a Monarch, so zealous of the faith, son and grandson of parents and grandparents who labored so tirelessly for it, a scion of the Habsburgs who were so prospered by their devotion to and veneration of the most divine Sacrament of the Altar, that he causes to entomb in perpetual silence such impudent pretensions, so many times rejected?

The People of the Hebrew Nation's perennial argument to secure Your Majesty's favor is the fear lest by their exodus duties and excise will accrue to the enemies of the Crown. This argument has made governments wary of alienating them and hereon rests the fulcrum of their leverage. Were royal favor to entice those who have emigrated to return, the result will be profit and increase of duties from growing trade. What I do know is that were this country to be less wealthy due to the emigration and absence of the New Christians, it would be more Catholic. And if the permission granted to them (which should of necessity be revoked) to emigrate and sell their possessions were the cause of the country having less money, the permission to return, now asked to be granted to those outside the Iberian Peninsula, will be the cause of greater Judaic corruption. For seeing that they learn Jewish rituals and ceremonies outside the Iberian Peninsula, to take these people back will amount to nothing more nor less than to fill the country once more with as many teachers of Judaism as there are repatriates. We saw and experienced the same phenomenon with those

who returned consecutive to the General Amnesty of 1605. Whereas until then all the New Christians knew was cleaning lamps and keeping the Sabbath, after that date they knew and practiced all the Jewish rituals and ceremonies with which only those brought up in the Jewish faith are acquainted. What Catholic can deny that the consideration of this spiritual damage is more important and must be put ahead of increased customs duties? Sacred Scripture teaches that God never fails to provide temporal goods to those who put little value on them for the sake of serving Him and vest their hopes more on His mercies than on their own industry. Among innumerable examples one very close to us is the Catholic monarchs Ferdinand and Isabella whom He so prospered for having expelled the Jews, spurning all the benefits accruing from their presence, solely in order to keep the Hispanic kingdoms pure in the faith.

The authors of the memorial say that because of the great number of arrests made by the Inquisition the People of the Hebrew Nation are emigrating and taking commerce with them, yet it could come back if they returned. As to the reason for their emigration, to us it seems that persons with the most considerable amount of capital at their back and highest credit ratings left the country because Your Majesty summoned them to Flanders in connection with the army contracts. Some family members and other allied persons followed them, all of whom usually justify their emigration by the excessive loans, taxes and corporate payments with which they are burdened here for the country's necessities. So, seeing that they were being financially incapacitated, afraid of new demands looming on the horizon and foreseeing that at this rate they would go bankrupt, they made up their minds to emigrate. This is quite obviously the principal reason, for arrests by the Holy Office have always been going on and it is only now when the country's needs are increasing that they applied for authorization to leave the country. And as to their supposedly having taken their money out of the country prior to emigrating, well, that money was always kept where it is now and this was to facilitate business in all the marketplaces and because of their correspondents. Fear of the Inquisition fetters their commerce merely to the extent that they put their assets under someone else's name, so that (being people whose conscience accuses them) in case of arrest they won't be confiscated. Now were we to suppose, contrary to the truth of the matter, that the capitals were indeed kept only in these people's place of residence, within Your Majesty's domains; there they will respond to Your Majesty's appeal with the profits that are lacking here and God will come to the help of Portugal as He did of Spain when the Moriscos were expelled, thus

favoring the holy zeal of the late king. While it was they who tilled the land, worked the silk and increased with their industriousness public and private revenues, yet God soon provided replacements who took over their tasks. In the same way He will succor Portugal. And if Spain did not have to wait long to be compensated for the loss of nearly 45,000⁹ persons, all the sooner will Portugal make up for the fifty or so emigrants of considerable capital.

It is also erroneous to think that the decline and recovery of commerce in this country is dependent respectively on the People of the Nation's exodus and return. The truth is that the health of Portuguese mercantile commerce is not determined by the Hebrew people's presence or absence, but (as they themselves admit and is well known to all merchants) by the regularity or diminution of shipping. At present our merchant navy is in decline due to war and pirating, not to mention smuggling. Such conditions are not conducive to commerce that requires liberty and security to flourish; when these are restored, prosperity will return to Portugal. But the People of the Nation have nothing to do with it, as witnessed by the fact that prior to their emigration everyone was already commenting the decline and near demise of commerce and trade, whereas now that peace has been declared and shipping looks to recover, these people are suddenly pressing to come back to this country. It is known from the letter of a New Christian residing in Flanders that trade outside the Iberian Peninsula is presently very slow and he advises Lisbonians to earn here, and then enjoy the proceeds there in greater freedom.

The economic benefits the memorial holds out (but does not guarantee, nor could it possibly guarantee) depend, as its authors themselves say, on the émigrés' return to Portugal. Here some considerations are in order.

(1) What is the guarantee that as a result of the favors to which they aspire all the émigrés will indeed return? For one may be sure, as will be shown further on, that many will not want to return. Thus it is not proper to accord favors potentially inimical to the faith in exchange for doubtful benefits.

(2) The argument for these people's return is the promise of increase in trade and royal excise. But it is an empty promise since it is well-known (and the memorial itself confirms) that these people are discredited by their reputation as an arrest-prone community, so that no one relies on them, and this attitude must continue as long as the Inquisition is not abolished. Not all the émigrés, moreover, produce

⁹ The expelled Morisco population of Spain numbered some 300,000.

wealth. Most of them are poor or worth very little. Furthermore many of those who engaged in trade merely retailed the merchandise supplied by the wealthier ones. The return of such middlemen will not enhance Your Majesty's revenues, for it is not they who import taxable merchandise, nor is the commonwealth improved through them. As far as New Christians selling on behalf of others, Portugal still has plenty. It is therefore not meet to make any changes in order to attract the kind of people we have wanted to be rid of.

(3) There is little likelihood of those with considerable capital and trade relations pouring back to Portugal. Why would they uproot themselves after so many years of making their home elsewhere? Besides, as long as the Inquisition remains in force and proceeds against the guilty, the same fear which caused them to emigrate would deprive them of the security they enjoy in the regions where there is no Inquisition and everyone lives as he pleases. As to those who emigrated for other reasons one may be sure they will not move. A clear proof of this is that following the General Amnesty of 1605 no one of substance returned to Portugal.

(4) Even if financial exigencies dictate that part of these people's request be given into, it is imperative that they be made to list the names of the persons who intend to return to this country and the precise amount of each one's capital, show proof of their intent to return and the dates by which they will do so. At that point a decision may be reached as to whether it is in keeping with the service of God and the weal of the country to grant these individual cases. For (as was already stated) it is only some private individuals who for ends of their own have composed this and other similar memorials and whereas the pretensions are theirs they ascribe them collectively to the People of the Nation; making the cause of the few the cause of all. This was done once before at the time of the last General Amnesty [1605] and, as we know, for what was the interest of a very few individuals, the whole Nation of New Christians was taxed, affronting those who were good Catholics, causing grave scandals and endless mischief. While passing themselves off for mandataries of the Hebrew people at large, they were, in fact, merely those of a limited group, and should not have been permitted to prejudice the interests of the majority.

It is a matter of common knowledge among the New Christians of this city that to achieve the pretension of this memorial, its authors are offering Your Majesty 600,000 cruzados, compared to the 1,700,000 cruzados given to obtain the General Amnesty of 1605. Thus we see that the ease of concession diminishes the value of what is being conceded. This cheapens the faith, everything we stand for; not of

course the esteem in which *we* hold matters of faith (which is beyond dispute), but the impression the *New Christians* have of our esteem for matters of faith, since they evidently believe that we have lowered our price so much in 25 years. Surely no one will offer much to purchase something he is convinced the seller values little. This must be the New Christians' perception (though erroneous) as far as religious matters are concerned, for all that they disguise the word "purchase" with "collective payment to the Crown," or "compensation for confiscation" (which in this case is not even accurate). And if it is due to their reduced circumstances that they are offering so little, then what use are poor New Christians to Portugal (always assuming they were solvent enough to make good on their miserable pledge)? But it is quite apparent that those of the Hebrew Nation who have remained in the country are financially so weak that they could not possibly scrape together even the paltry 600,000 cruzados.

So money is proffered. Now, even supposing its offer and acceptance legitimate, which it is not, one is still duty-bound to ascertain who precisely its underwriters are; the authors of the memorial are obliged to show their authority. It cannot be that they speak for the whole Nation, since it has become apparent that many of those who would shoulder the greater part of the payment do not subscribe to the proposal and it may be presumed that others of less financial capacity are in the same category. If the authors represent individuals, whose proxy was given them only for this occasion, then the payment falls only on the latter. For it is against every divine and human law to oblige those who do not consent to this allotment to pay for other people's designs; people, moreover, whose religious orthodoxy is questionable.

Nor would it follow that were the majority of the People of the Hebrew Nation to be found to consent to this contribution, the others must conform to their decision, just because they are members of this occult body. For even were we to admit that the Hebrew People of Portugal constitutes a corporation, one has no right to assume that it forms a united front as regards this memorial until an investigation is made, asking each one in turn whether he concurs with it and wishes to contribute. This inquiry should be carried out by persons of moral integrity who will be sure to exert no pressure on their subjects. Pursuant to this inquiry those who voluntarily consent would pay, if it were licit for them to do so.

In reality, however, one cannot say that these people constitute a corporation, inasmuch as a corporation must be an hierarchical structure held together under a head by organizational links, which is not

the case with the New Christians. They do not have their own head other than the commonwealth by definition common to all citizens of this country, Old and New Christians alike. Nor do they have among themselves any kind of organization, so that any collective action, if it does not originate in a law which is obligatory upon them, must of needs proceed from each one's free will, which on occasion brings them together in an alliance of convenience. Now there is no specific law which constrains them to be united in a corporation, nor is there any uniformity among their free wills, for we see that some are Judaizers, others faithful Christians; some solicit these amnesties, privileges and favors, others want nothing to do with them, which is to say that in these particular matters there is no unified collective will. For that very reason there can be no corporation and, since there is none, the consent of some (even a majority) cannot be imposed upon the rest. It would therefore be manifestly unjust to force those who did not give their consent to pay any part of the money which, under the guise of "price," "collective payment" or "compensation" is being offered.

The memorial is vague as to the measures whereby the Judaic heresy is henceforth to be repressed. Its authors implore the return of those applied by Sovereign Pontiffs of yore and Your Majesty's predecessors. But there were so many measures and of such varied character, and some of them so objectionable, that the authors ought to specify which ones they now hope to see reinstated. One suspects that their silence on this score is no oversight, for people who have been engrossed in these matters for so long and who are so adept in coming up with bids in their favor and interest, do not go to work without due reflection. If their diffidence is to be explained by their desire to leave it up to Your Majesty, then they will have shown some good judgment. If it is up to you, then no doubt you will want the guilty to go on as before confessing their crimes to the Inquisitors so as to obtain the latter's mercy and those who are innocent to be content with the Inquisition's diligent pursuit of the truth. These may rest assured that no injury will come to them.

But if this deliberate vagueness of theirs is to allow them leeway to pick and choose among the measures, then one has every reason to anticipate that they will select only those that provide them liberty to live without or with little fear of exposure and punishment: that is the end towards which their pretensions tend, now and always. This can be proven by the fact (and we of course allow ourselves to borrow proofs on credit, so to speak) that modify the Inquisition any way you might, their mutterings will never cease. Let the following example out of many suffice: in 1557 they complained to King João III that the

measures taken against them were those of Castile and they began their petition with these words: "The New Christians of the realms and territories of Portugal have just cause and reason to oppose proceedings brought against them by the Holy Office of the Inquisition in the manner of Castile." And yet but a very few years ago they submitted memorials to Your Majesty imploring that the Portuguese Inquisition follow the same laws and modes as the Castilian Inquisition. Seeing this, who can doubt but that these people desire neither type of proceedings; all they want is to stop the outflow of denunciations and switch Inquisitorial procedures so that the lack of experience will make it harder to prosecute them and to discover their crimes.

The present protest memorial has in the main been refuted. When and if they come up with specifics, we shall address each proposal in a manner suitable to the service of God and of Your Majesty. One procedure, however, is imperative as a conclusion to all that has been said. Considering that all these pretensions and alterations resulting from them have always been and are clearly at the present time the work of very few; and that, moreover, it appears from a letter written by its instigators, that they are keeping alive the hopes of those who have emigrated, inciting them to unite and take steps to realize their dreams, Your most Catholic Majesty is under the obligation to put a stop to such evils, not merely by rejecting these new solicitations, but by punishing their authors as disturbers of the public weal by inciting the wretched multitude who, but for these rabble-rousers, would calm down. The reign of Your Majesty is the opportune time to be firm with them which firmness will rank as an achievement to be added to the other splendors of your reign and, being for the honor of God, the increase of the Faith and the preservation of the Inquisition and your realms, it will stand out as the most glorious of all.

Nor will the material well-being of this country suffer as a result of this action. For the confluence of durable merchandise does not flow into a country because of the presence of merchants, but because of the necessity of merchandise. And because it is worth more when scarce, its arrival will attract merchants from far and wide. We still have in this country and in this city many commercial houses belonging to native Old Christians as well as to foreigners: Spaniards, Germans and Italians, with very large capitals. If Your Majesty would grant favors to these and to Old Christian traders, the country will regain its former prosperity and nobody will feel deprived of people whose presence engendered so many other deprivations, of so different a nature.

APPENDIX SIX

A PLEA TO KING JOÃO IV FOR THE REINSTATEMENT OF INQUISITORIAL CONFISCATION ¹

Sire:

The principal obligation of our ecclesiastical condition is to be zealous for the spiritual health of the nation and to strive with all our might to maintain the holy Catholic faith in its pristine purity as God Our Lord founded it.

It is this consideration together with our conscience that compels us to bring to Your Majesty's attention the grievous and irreparable harm posed to the weal of that same faith by the decree of February 6, 1649 abolishing confiscation of goods and property imposed by sacred canon law on those convicted of the crime of Judaism.

The holy Church introduced this punishment in order to repress heresy, because chastisement is the only check on transgression. Since heretics upon committing their first offense receive no other punishment but confiscation, its abolition readily gives the impression of favoring Judaism. The scandal and outrage are exacerbated by that clause which has caused such dismay, namely the one that grants a convicted and pertinacious Jew, condemned by Your Majesty's laws to be reduced to dust and ashes as a punishment for his abominable crime, the right and privilege to bequeath and leave his possessions to his offspring. It is a provision that runs counter to equity and to what divine and human laws prescribe in every Christian commonwealth.

There is another respect in which this edict caters to crime, for the confiscated property was earmarked by His Holiness for the ministry of the Holy Office, while the edict deprives the Holy Office of the means for carrying out its work and other procedures essential for the preservation of the Faith are impeded, and when funds dry up heretics go unapprehended.

Above all, Sire, how is one to justify before the tremendous majesty of the divinity the slight inherent in the double standard of confiscating the property of those guilty of treason against earthly kings and

¹ ANTT, Ms. 1458, f. 402, published by António Baião, "El-Rei D. João e a Inquisição," *Academia Portuguesa da História, Anais*, 6, 1942, 56-57. On the *Alvará* of February 6, 1649, rescinded on January 18, 1657, see above, Chapter Twelve.

princes, yet not imposing the punishment on those who are and were traitors to the King and Lord of these princes and kings?

The Catholic faith is a most fair and comely damsel, craving to be finely treated and regaled wherever she dwells. Persecuted in Asia, she fled to Europe. And because in some parts of that continent too they abused her, she took shelter in Portugal, under the succor and protection of the kings of this realm. The latter, out of gratitude for the gracious confidence she deigned to place in them, instituted in this country the Tribunal of the Faith — that tower of the Lord's vineyard referred to in the Gospel — which alone preserves and defends it in its purity. Look what happened to England, France and Germany, where its establishment was rejected.

If then the sacred bulwark should be undermined in our land, we have reason to fear that the Faith will flee hence as it has fled the other lands.

Wherefore we beg Your Majesty by the entrails of Christ Jesus, son of the living God, to have this decree — so inimical to Faith, Religion and Justice — revoked and to maintain the Holy Office in its sovereign preeminence and jurisdiction. For, as long as Your Majesty's empire remains founded on this solid rock, we shall be secure in the certainty that it will last eternally in Your Majesty's offspring and descendants. That, second only to God's honor, is all we aspire to in this our memorial and petition.

APPENDIX SEVEN

CHRONOLOGY OF RULERS OF PORTUGAL, 1128-1910

HOUSE OF BURGUNDY

- Afonso Henriques, “The Conqueror,” born *c.* 1109,
reigned 1128-1185
- Sancho I, “the Colonizer,” born 1154, reigned 1185-1211
- Afonso II, “the Plump,” born 1186, reigned 1211-1223
- Sancho II, “the Hood,” born 1209, reigned 1223-1245
- Afonso III, “the Bolognian,” born 1210, Regent 1246-1248,
King 1248-1279
- Denis, “the Husbandman,” born 1261, reigned 1279-1325
- Afonso IV, “the Brave,” born 1291, reigned 1325-1357
- Pedro I, “the Inflexible” or “the Cruel,” born 1320,
reigned 1357-1367
- Fernando I, “the Comely” or “the Fickle,” born 1345,
reigned 1367-1383

HOUSE OF AVIS

- João I, “of Happy Memory,” born 1357, Defender and Ruler,”
1383-1385; King 1385-1433
- Duarte, “the Eloquent,” born 1391, reigned 1433-1438
- Afonso V, “the African,” born 1432, reigned 1438-1481
- João II, “the Perfect Prince,” born 1455, reigned 1481-1495
- Manuel I, “the Fortunate,” born 1469, reigned 1495-1521
- João III, “the Pious,” born 1502, reigned 1521-1557
- Catarina, Regent, born 1507, reigned 1557-1562
- Cardinal Henrique, born 1512, Regent, reigned 1562-1568
- Sebastião, “the Desired,” born 1554, reigned 1568-1578
- Cardinal Henrique, King, reigned 1578-1580

HOUSE OF HABSBURG

- Philip I, “the Prudent,” born 1527, reigned 1581-1598
- Philip II, born 1578, reigned 1598-1621
- Philip III, born 1605, reigned 1621-1640

HOUSE OF BRAGANÇA

- João IV, “the Restorer,” born 1604, reigned 1640-1656
 Luísa de Gusmão, Regent, born 1613, reigned 1656-1661
 Afonso VI, “the Victorious,” born 1643, reigned 1661-1668
 Pedro II, “the Pacific,” born 1648, reigned 1683-1706
 João V, “the Magnanimous,” born 1689, reigned 1707-1750
 José, “the Reformer,” born 1714, reigned 1750-1777
 (figurehead after 1755)
 [Marquis of Pombal, born 1699, Dictator 1755-1777]
 Maria I, “the Pious,” born 1734, reigned 1777-1799
 João VI, “the Clement,” born 1767, Prince Regent 1799-1816,
 King 1816-1826
 Pedro IV, “the Liberator” or “the Soldier King,” born 1798,
 King during 1826, Emperor of Brazil 1822-1831
 Miguel, born 1802, reigned 1828-1834
 Maria II, “the Educator,” born 1819, reigned 1834-1853
 Fernando II, born 1816, entitled King Consort in 1837 but did not
 reign
 Pedro V, “the Promising,” born 1837, reigned 1855-1861
 Luís, “the Popular,” born 1838, reigned 1861-1889
 Carlos, born 1863, reigned 1889-1908
 Manuel II, born 1889, reigned 1908-1910

APPENDIX EIGHT

PORTUGUESE INQUISITORS GENERAL, 1536-1821

(During interregnums the General Council directed operations)

Friar Diogo da Silva (Franciscan), 1536-1539 (d. 1541)

Cardinal Henrique, 1539-1579 (d. 1580)

Jorge de Almeida (Archbishop of Lisbon), 1579-1585 (d. 1585)

Archduke Cardinal Alberto (Viceroy of Portugal, 1583-1593), 1586-1593 (d. 1621)

António de Matos de Noronha (Bishop of Elvas), 1596-1602 (d. 1610)

Alexandre de Bragança (Archbishop of Évora), 1602-1604 (d. 1608)

Pedro de Castilho (Bishop of Leiria), 1604-1614 (d. 1614)

Fernão Martins Mascarenhas (Bishop of Algarve) 1616-1628 (d. 1628)

Francisco de Castro (Bishop of Guarda), 1630-1653 (d. 1653)

Pedro de Lencastre (Duke of Aveiro), 1671-1673 (d. 1673)

Veríssimo de Lencastre, 1676-1692 (d. 1692)

Friar José de Lencastre (Carmelite), (Bishop of Miranda, then of Leiria), 1693-1705 (d. 1705)

Nuno da Cunha de Ataíde e Melo, 1707-1750 (d. 1750)

José de Bragança (Illegitimate son of King João V; Archbishop of Braga), 1758-1760 (d.1801)

[Paulo de Carvalho e Mendonça (brother of the Marquis de Pombal), member of the Council General, directed the Inquisition 1760-1770 without the title of Inquisitor General; named "Court Inquisitor" in 1766 (d. 1770)]

Cardinal João Cosme da Cunha (Bishop of Leiria, then of Évora), 1770-1783 (d. 1783)

Friar Inácio de São Caetano (Carmelite), 1787-1788 (d. 1788)

José Maria de Melo, Bishop of Algarve, 1790-1818 (detained in France 1808-1814) (d. 1818)

José da Cunha de Azevedo Coutinho (Bishop of Pernambuco, then of Elvas), 1818-1821 (d. 1821)

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No. 4385, Trial of Afonso Nobre (1664)

Inquisition of Évora

No. 1369, Trial of Maria da Conceição (or de Sequeira) (1660)

No. 326, Trial of Jorge Fernandes Mesas (1660)

No. 7829, Trial of Francisco Lopes Margalho (1665)

No. 4741, Trial of Bautista Fanguero Cabras (1662 and 1667)

No. 7346, Trial of Jacome de Melo Pereira (1667)

No. 4741, Trials of Bautista Fanguera Cabral (1657 and 1666)

No. 10441, Trial of André Lopes Sotil (1667)

No. 1975, Trial of Maria Nunes Sotil (1667)

No. 2314, Trial of Francisco de Azevedo Cabras (1665 and 1673)

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LIST OF ILLUSTRATIONS

1. King João III (1502-1557). Courtesy Biblioteca Nacional de Lisboa
2. Title-page of the first *Regimento* of the Portuguese Inquisition, 1552. Courtesy Bibliotheca Rosenthaliana, Amsterdam
3. "Privileges of the *familiares*," first edition, Lisbon, 1608. Courtesy Bibliotheca Rosenthaliana, Amsterdam
4. Title-page of the second *Regimento* of the Portuguese Inquisition, Lisbon, 1613. Courtesy Hispanic Society, New York
5. João Delgado Figueira, "General Repertory of 3800 Inquisitorial Trial Records Dispatched in Goa and Elsewhere in India, 1561-1623," Goa, 1623, title-page. Courtesy, Biblioteca Nacional de Lisboa
6. *Aphorismi Inquisitorum*, first edition, Lisbon, 1630. Courtesy Bibliotheca Rosenthaliana, Amsterdam
7. Title-page of the third *Regimento* of the Portuguese Inquisition, Lisbon, 1640. Courtesy Bibliotheca Rosenthaliana, Amsterdam
8. Portrait of Inquisitor General Francisco de Castro (from *Retratos e Elogios dos Varões e Donas*, Lisbon, 1827). Courtesy New York Public Library, New York
9. *An Account of the Cruelties*, first edition, London, 1708. Courtesy University of Pennsylvania Library, Philadelphia
10. First page of *An Account of the Cruelties*. Courtesy University of Pennsylvania Library, Philadelphia
11. *Noticias Reconditas*, [London] 1722, title-page. Courtesy Bibliotheca Rosenthaliana, Amsterdam
12. "Procession of an Act of the Faith." Philip Limborch, *The History of the Inquisition*, London, 1731
13. D. Luís da Cunha (1662-1749). Oil painting attributed to Louis Michel Van Loo (1707-1771). Courtesy, Fundação Ricardo Espírito Santo, Lisbon
14. Marquis de Pombal Monument, Lisbon, inaugurated 1934. Photo José António Silva
15. Marquis de Pombal Monument, Lisbon, detail concerning New Christians. Photo José António Silva
16. António José Saraiva (1917-1993)
17. Israel Salvator Révah (1917-1973)
18. National Archives of the Torre do Tombo, Lisbon (1990)

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INDEX

- Aboab, Isaac II, 8,9
Aboab, Isaac de Mathatias, 258
Abravanel, Isaac, XVI, 26 180
Affaitati, Giovanni-Carlo, 24
Afonso V, XV, 8
Afonso VI, 215
Águila, João de, 322
Albert, Archduke, 118, 192
Alarico II, XXIV
Albertino, Arnaldo, 359
Alcácer-Quibir, Battle of, 24, 221
Alcambar, José, 236, 283, 299, 300, 305
Alexander VI, XXXIV
Alfonso I, XXVIII
Alfonso X, XXVIII, XXIX, 7
Aliaga, Luís de, 142-144
Almanach Perpetuum (Abraham Zacuto), 5, 96
Almeida, Francisco de, 343
Almeida, Gaspar Gomes de, 322
Álvares, Baltasar, 29, 208
Álvares, Pero, 26, 45
Alves, Francisco Manuel, 150, 280, 298
American Sephardi, The, 288, 296
Amzalak, Joseph, 233
Amzalak, Moses Bensabat, 323
Andrade, Rodrigo de, 139, 202
Alegación ("Apology on Behalf of the Portuguese New Christians" by Martín de Zellorigo) (Madrid, 1619), 142-146, 193
Anfitrião (António José da Silva), 74, 75, 234
Aphorismi Inquisitorum (António de Sousa), 48, 122, 182
"Apology on Behalf of the Portuguese New Christians" (Ms., 1624), 142
Alegación ("Apology on Behalf of the Portuguese East India Company" by Duarte Gomes Solis) (Madrid, 1628), 146-148, 196, 210
Aragão, Fernão Ximenes de, 194
Arame, José, 8
Aranda, Count of, XXXIV
Araújo, Vasques de, 170
Areda, Diogo de, 133, 352
Arias, XXIV
Aristotle, 220
Assunção, Diogo de, 136, 137, 170, 260, 311
Attack on Great Jewry of Lisbon (1449), 7
Aveiro, Pantaleão de, V, 168
Averroes, 108
Ávila, Theresa of, XXXVI, 168
Azambuja, Jerónimo de, XIII
Azevedo, Caterina de, 81
Azevedo, João Lúcio de, XX, 3, 68, 132, 138, 166, 232, 241, 242, 258, 265, 266, 267, 281, 288, 305-307, 311, 313-315, 317, 318, 320, 327, 328, 332, 334
Azevedo, Pedro Augusto de, 315
Bachmann, Roberto, 142
Baião, António, 313-315, 317, 324, 326, 327, 331, 336
Bandarra, Gonçalo Anes, 34, 35
Barros, João de, 168, 237
Basto, Artur Carlos de Barros, 278-280
Bataillon, Marcel, V, 167, 312
Bayle, Pierre, 154, 155
Beatriz, D., XV, 2
Beinart, Haim, XXXV
Beja, Conspiracy of, 76, 77
Belmonte, Jews of, 169, 233
Benedict XIV, 331
Benveniste, Diogo Mendes, 24, 29
Benveniste, Francisco Mendes, 24
Bocage, 232
Bocarro, António, 272
Bookshops, Raids on, 28
Borromeo, Agostinho, 62
Botelho, Francisco Marques, 350
Braga, Teófilo, 267, 314, 315
Bragança, Perjurers of, 77, 78
Bragança, Queen Catherine of, 343
Brandão, Bento da Costa, 324
Brandão, Duarte, 141
Brito, Francisco Dias Mendes de, 200
Brito, Heitor Mendes de, 146, 252
Brito, Nuno Dias Mendes de, 199
Brochado, José da Cunha, 221
Buchanan, George, 152, 315
Cabral, Pedro Álvares, 5
Cabras, André Martins, 80
Cabras, Bautista Fangueiro, 79, 80
Cabras, Francisco de Azevedo, 80, 81
Cadaval, Duke of, 220
Caldeira, Leonor, 349, 350
Caminha, Álvaro, 10

- Camões, Luís de, 342
 Campos, Francisco dos Reis, 329
 Campos, João Correia Aires de, 315
 Capodiferro, Geronimo Recanati, 32, 37
 Capsali, Elijah, XXXIII
 Cardozo, Joseph, 325
 Carlos, 205
 Caro Baroja, Julio, XXI, 3, 95, 151, 165, 242, 267, 283, 314, 316
 Carvalho, Augusto da Silva, 316
 Carvalho, Joaquim de, 306, 315
 Carvalho, Leonor Maria de, 329
 Carvalho, Paulo de, 226, 230, 262
 Casseres, Samuel de, 260
 Castelo Branco, Camilo, 336
 Castelo Branco, João Rodrigues de, 162
 Castilho, Pedro de, 44, 192, 208, 317, 341
 Castro, Baltasar Álvares Oróbio de, 309
 Castro, Francisco de, XI, XIII, XIV, 44, 84, 173, 192, 202, 352, 354-374
 Castro, Gabriel Pereira de, 202
 Castro, Miguel de, 120, 151
 Catarina, Queen, 183, 198
 Catherine of Castile, XXXI
 Catholic Monarchs, title, XXXIV
 Censorship, Inquisitorial, 28, 29
 César, Diogo, 322
 César, Sebastião, 121, 189
 Chintila, XXV, XXVI
 Charles II, 217, 343
 Charles III, 218
 Charles V, 29, 32, 40
 Clement VII, 17, 31, 32, 39, 40, 358, 361
 Clement VIII, 118, 139, 360
 Clement X, 82, 177
 Coelho, António Borges, X
 Coelho, José Ramos, 267, 314, 327
 Colbert, Jean-Baptiste, 220
 Colerus, Johannes, 306
 Common Law, Portuguese, 35
 Company of Commerce for the East Indies, 200, 215
 Confiscation, 183-191, 197, 213, 375, 376
 Confraternity of the Nobility, 222, 227
Consolation for the Tribulations of Israel (Samuel Usque), 161
 Constantine, XXIV
 Coronel family, Gomes de Elvas, 194
 Costa, Baltasar da, 215
 Costa, João da, 152
 Costa, Manuel da, 33, 63
 Costa, Uriel da, 162, 163, 170-172, 186, 258, 278, 284-286, 321-324
 Coutinho, Fernando, 13
 Coutinho, Francisco de Sousa, 159, 211, 220
 Coutinho, Lourença, 96, 98
Cristo de la Paciencia, 203-206
 Crypto-Judaic practices, 32, 38, 166, 178, 179, 186, 236
 Crypto-Judaic prayers, XII, 256, 257
 Cunha, Ana Cannas da, 350
 Cunha, João Cosme da, 228
 Cunha, José Anastácio da, 332
 Cunha, Luís da, V, 12, 129, 147, 148, 149, 177, 210, 214, 221-224, 226, 229, 240, 241, 259, 262, 267, 318
 Dabella, Abraham, 233
 Deza, Diego de, 44
 Dias, Jerónimo, 348
 Dias, José Lopes, 316
 Dias, Luís, 34, 37
 Dias, Vitória, 77
 Diderot, Denis, 218
 "Discourse on the Introduction of the Arts into Portugal" (Duarte Ribeiro de Macedo), 220
Discours pathétique (Cavaleiro de Oliveira), 219, 223, 225, 230
 Duarte, King, 5
 Earthquake of 1755 (Lisbon), XXI, 230
 Ecclesiastic domination of Portugal, 26, 27
 Edicts of Faith, 40, 178-181
 Egica, XXVII, XXVIII
 Eliseo, Filinto, 232
 Enlightenment, French, 218
 Enríquez Gómez, Antonio, 157-159, 321, 323
 Enríquez de Mora, Diego, 158
 Ervig, XXVII
 Escamilla-Colin, Michèle, 151
 Espina, Alonso de, XXXV
 Espinosa family, 260
Estatus, 12, 13
 Este, João Baptista d', 256
 Ethnicity, New Christian, 137-139, 155, 161, 236
 Évora family, Rodrigues de, 193, 194
Exemplar humanae vitae (Uriel da Costa), 170-172
 Expulsion of the Jews from Portugal, 11, 12
 Expulsion of the Jews from Spain, XXXIII-XXXV, 26, 29, 30
 Eymerich, Nicola s, 45, 61, 63, 64, 70, 109
 Falcão, Aleixo Dias, 350
Familiares, 110, 148, 149, 173, 175-178, 216

- Fastigímia* (Tomé Pinheiro da Veiga), 121
 Feijoo, Benito Jerónimo, 220
 Ferdinand of Aragon and Isabella of Castile, XXXII-XXXVI, 8, 10-12, 14, 15, 29, 40
 Fernandes, Manuel, 215, 216
 Fernando, King, 4, 6
 Ferreira, Carlos Alberto, 316
 Figueira, João Delgado, 346
 Fonseca, Simão Rodrigues da, 328-330
 França, Luís Mendes da, 220, 221
 Francis I, 27
 Freire, Pedro Lupina, 66-68, 339-341
 Freitas, Eugénio da Cunha e, 316
 Fróis, António, 330
 Fronteira, Marquis de, 220
 Fugger family, 194
- Gama, Vasco da, 4, 342, 343
 Garção, Pedro António Correia, 224
 Geddes, Michael, 104, 111
 General Amnesty for Crimes of Judaism (1602), 33
 General Conversion (1497), XV, 1, 5, 12
 Gibraltarian Jews in Portugal, 233
 Godinho, Manuel, 326
 Góis, Damião de, 9, 10, 12, 20, 21, 101, 315
 Gomes, António, 141
 Gomes, Leonor, 328
 Gomes "o Manco", Miguel = Daniel de Casseres, 260
 Gómez de Toledo, Diego = Semuel Abulafia, XXXVI
 Gonçalves, Amaro, 326
 González, Juan, 157
 Gouveia, Fernão Velasco [Váz] de, 121, 141
 Graetz, Heinrich, 265, 313
 Granada, Inquisitorial Persecution of New Christians in, 130, 153
 Gregory of Elvira, XXIV
 Gregory XIII, 354, 358
 Groethuysen, Bernard, 154, 161, 167
 Guedaliah, Master, 5
 Guerra, Luís de Bivar, 316
 Guerreiro, M. Viegas, 301, 302, 305
 Gui, Bernard, XXXI
 Guilherme, Manuel, 220
 Guimarães, José Ribeiro, 315
 Gusmão, Alexandre de, 222, 227
 Gusmão, Bartolomeu de, 222
- Haman, 349
 Henrique, Cardinal King D., 27-29, 33, 37, 40, 41, 44, 76, 184, 192, 198, 359, 360, 368
 Henrique, Infante D., 8
 Henriques, André, 211
 Henriques, António Mendes, 84
 Henriques, Brites, 338
 Henriques, Francisco Gomes, 84-86, 189, 284, 318, 324-326, 340
 Henriques, Gregório Gomes, 84, 326
 Henriques, Guilherme J. C., 267, 314, 315
 Henriques, Maria, 338
 Henri IV, 163
 Henry VIII, 27, 39
 Herculano, Alexandre, XIX, 8, 30, 266, 314, 315
 Homem, António, 108, 141, 142, 151, 190, 260
 Huizinga, Johan, XII
- Innocent IV, 65, 146
 Innocent XI, 82
 "Inquisition of Goa" (Charles Dellon), 221
 "Instruction to Marco António de Azevedo Coutinho" (Luís da Cunha), 222
 Isidore of Seville, XXV
- Jacobus*, 228, 229
 Jesuits and Inquisition, 182, 183, 208
 João I, 7, 8
 João II, XVI, 6, 8, 9
 João III, 21-35, 39, 44, 102, 116, 121, 183, 184, 192, 223, 227, 241, 282, 348, 356, 361, 367
 João IV, 84, 87, 114, 121, 147, 175, 187, 192, 207, 208, 210, 212, 214, 215
 João V, 187, 191, 219, 220, 222, 224, 227
 João VI, 345
 John II, XXXI, 4
 José, King, 218, 227
Judarias, 1, 6, 7, 20
 Julius III, 116
 Justin Martyr, XXVI
 Justiniano, Diogo da Anunciação, 108
- Kafka, Franz, XI
- Lacerda, Daniel, 140
 Lacerda, Francisco Correia de, 320
 La Guardia, Holy Child of, 201
 Lainez, Diego de, XXXVI
 Lena, Paulo de, 275
 Leão, Duarte Nunes de, 121
 Leão, Master Jorge, 16, 34, 35
 Lemos, Maximiliano de, 315
 Lencastre, Filipa de, 5
 Lencastre, Veríssimo de, 216

- Lerma, Duke of, 139, 143, 197
 Life of Estebanillo González”, “The, 276
 Lippomano, Luigi, 26
 Lobo, Francisco Rodrigues, 156
 Locke, John, 280, 321
 Lopes, Fernão, 6
 Lopes, Maria de Jesus dos Mártires, 352
 Loyola, Ignatius of, 207, 208
 Luís, António, 33
 Luna, Álvaro de, XXXI
- Macedo, Duarte Ribeiro de, 159, 220, 223, 224, 320
 Macedo, Francisco de Santo Agostinho de, 88, 89, 210, 213
 Machado, Manuel, 324
 Magalhães, Joaquim Romero de, XIII
 Magalhães, Pedro de, 88, 94
 Majorca, *Chuetas* of, XXXVII, XXXVIII, 130
 Malagrida, Gabriel, 224, 229-231
 Malaquias, José, 262
 Manuel, Brites, 339
 Manuel I, XV, 1, 10-15, 21, 23, 28, 39, 44, 116, 168, 187, 193, 227, 259, 343, 347
 Maria I, 233
 Maria Ana, Queen, 188
 Maria-Francisca, Queen, 215
 Marr, Wilhelm, 19
 Martins, Joaquim Pedro de Oliveira, XXI
 Mascarenhas, Fermão Martins, 120, 131, 186, 189, 192, 200, 208
 Mascarenhas, João Rodrigues, 20
 Mauro, Frédéric, 280
 Mea, Elvira Cunha de Azevedo, X
 Medeiros, Domingos de, 338
 Mello, João de, 102, 103
 Mello, José António Gonçalves de, 316
 Melo, Fernão Álvares = David Abenatar, 258, 259
 Melo, Francisco Manuel de, 148
 Melo, Nuno da Cunha de Ataíde de, XIV, 314
 Menasseh ben Israel = Manuel Dias Socero, 92, 251, 286, 287, 321, 322, 326
 Mendes, Francisco, 34
 Mendes, Heitor (see Heitor Mendes de Brito)
 Mendes, Maria, 68, 72, 73
 Mendes, Vitória, 205
 Mendès-France, Pierre, 221
 Mendonça, António Soares de, 229
 Mendonça, Hyppolyto Joseph da Costa Pereira de, 316
 Meneses, Rodrigo de, 220
Menina e Moça (Bernardim Ribeiro), 161
- Milão, Fernão Lopes, 99
 Milão, Gomes Rodrigues, 99
 Milão, Henrique Dias, 99, 140
 Milão, Paulo de, 99
 Modena, Leon, 92, 251, 287, 326
 Montalto, Elijah = Filipe Rodrigues, 258
 Montanha, José António Furtado, 279
 Montesquieu, 218
 Mora, Francisco de, 157
 Moreira, António Joaquim, 68, 102, 105, 150, 328, 346
 Moreira, Hipólito, 220
 Mortera, Saul Levi, 322
- Nahmanides, 5
 Nassy, David, 233
 Navarro, Manuel Rodrigues, 141
 Negro, Abraham, 8
 Negro, Judah, 5
 Neto, Brás, 30
 Neto, Francisco Gomes, 327, 328
 Nisa, Marquis de, 35, 87, 88, 89, 91, 92, 94, 159, 210, 213, 219, 251, 287, 288, 322
 Nogueira, Jofre Amaral, 303, 305
 Nogueira, Vicente, 89, 92
 Noronha, Sebastião de Matos de, 189
 Noronha, Tomás de, 345
 “Notes for the Education of a Scion of the Nobility” (Martinho de Mendonça Pina e Proença), 220
 Novinsky, Anita, 166, 303-305, 316
 Nunes, Andrés = Andresillo, 204
 Nunes, Francisco Henriques = Benjamin Raba
 Nunes, Gaspar, 148
 Nunes, Pedro, 5
 Nuñez Coronel, Fernando = Meir Melamed, XXVI
- Odivelas, Profanation of the Church of, 152
 Olivares, Count-Duke de, 165, 205-206
 Oliveira, Francisco Xavier de, 163-164, 177, 219, 220, 225, 230, 231, 269, 275, 318, 319
 Oliveira, Nicolau Rodrigues de, 127
 Onkelos, 5
 Origen, XXVI
 Orta, Catarina de, 346
 Orta, Garcia de, 5, 346
 Osório, Jerónimo, 13
- Pacheco, Pedro, 204
 Pantoja, Diogo, 96
Partidas (Alphonse the Wise), 7

- Paul of Tarsus, XXVI
 Paul III, 32, 37-41, 116, 357, 358
 Paul IV, 82, 116, 350
 Paul V, 118
 Paulo, Amílcar, 304
 Pedro II, 134, 135, 215, 216, 241, 282
 Pedro IV, 233
 Penso, Fernão Rodrigues, 186
 Peña, Francisco, 45, 70
Peregrinação (Fernão Mendes Pinto), 156
 Pérez Coronel, Fernando = Abraham Se-
 neor, XXXVI, 193
 Pestana, Álvaro de Brito, XV, XVI
 Philip II (I of Portugal), XVI, 25, 44, 114,
 117, 118, 121, 133, 134, 152, 194
 Philip III (II of Portugal), XI, XIII, 114,
 133, 139, 143, 173, 185, 187, 188,
 192, 198, 206, 360
 Philip IV (III of Portugal), 117, 118, 198-
 202, 354
 Pimentel, Timóteo Seabra, 203
 Pina, Branca de, 260
 Pinheiro, Nicolau da Veiga, 194
 Pinto, Fernão Mendes, 156
 Pinto, Isaac de, 258
 Pires, António, 68
 Pires, Diogo, 161
Política angélica, La (Antonio Enríquez Gó-
 mez), 157, 158
Político Cristianíssimo, El (Manuel Fernan-
 des Vilareal), 159
 Pombal, Marquis of, XXI, 43, 218, 221,
 224-234, 241, 261-263, 279-282, 333,
 345, 353
 Posters, Affair of the (Paris, 1534), 33
 Posters, Affair of the (Lisbon, 1539), 33
 Proença, Martinho de Mendonça Pina e,
 220
 Quental, Bartolomeu do), 220, 221
 Rashi, 5
 Rau, Virgínia, 320
 Rebello, Diogo, 78, 79
 Recared, XXV
 Receswinth, XXVI
 Rechiarius, XXV
Récréation périodique (Cavaleiro de Oli-
 veira), 319
 Reis, Jorge, 304, 305
 Remédios, Joaquim Mendes dos, 318
 Remismund, XXV
 Resende, Garcia de, XVI
 Resende, Pedro Homem de, 190
 Reubeni, David, 37
 Révah, Israel Salvator, X, XI, XIX, XX,
 XXXIX, 67, 95, 97, 99, 137, 157, 168,
 170
 Ribeiro, Manuel, 220
 Richelieu, Cardinal de, 86, 87, 159, 286,
 321
 Rios, Páscoa dos, 329, 330
Riti hebraici (Leon Modena), 92, 251, 287,
 326
 Rodrigues, Ana, 204
 Rodrigues, Guiomar, 335
 Rojas, Fernando de, XXXVI
 Rodrigues, Simão, 117
 Roth, Cecil, X, 265, 313, 316, 317
 Rouen, Portuguese New Christians of, 87,
 88, 251
 Rousseau, Jean-Jacques, 218
 Saba, Abraham, 13
 Salvador, José Gonçalves, 36
 Sanbenito, 104, 105
 Sanches, António Nunes Ribeiro, XI, 12,
 123-129, 162, 169, 220, 222, 225, 226,
 228, 231, 240, 241, 250, 259, 262,
 267, 275, 280, 318
 Santa Engrácia, Profanation of, 201-203
 Santarém, Earthquake at (1531), 21, 22,
 230, 231
 Santo Tomás, Alonso de, 153
 Santos, António Ribeiro dos, 309
 Saraiva, João Nunes, 165, 199
 Sarcedas, Count of, 345
 Sartre, Jean-Paul, XXXIX
 Schwarz, Samuel, 169, 277, 290, 299
 Sebastião, King, 114, 121, 146, 152, 198,
 358-360
Seder Elyahu Zuta (Elijah Capsali), XXXIII
 Sequeira, António de, 99
 Sequeira, Brites de, 81
 Serpa, António de, 89, 210, 215
 Setúbal, Messiah of, 34
 Silva, Abílio Diniz, 235, 250, 281, 291,
 292, 295-297
 Silva, André Mendes da, 329
 Silva, António José da, 74, 95-99, 156,
 166, 223, 258, 271, 313, 315, 328-334
 Silva, António Morais, 232
 Silva, Baltasar da, 96
 Silva, Catarina da, 336
 Silva, Diogo da, 31-33, 178, 316
 Silva, Duarte da, 84, 189, 210, 211, 213,
 252, 253, 271, 273, 336
 Silva, Fernão Dias da, 337
 Silva, Francisco da, 338
 Silva, Inocêncio Francisco da, 336
 Silva, João Gomes da, 221

- Silva, João Mendes da, 95, 96
 Silva, José Gentil da, 323
 Silva, Maximiliano Gomes da, 329
 Silva, Pedro Vieira da, 210
 Silva, Semuel da, 186
 Silva, Simoa da, 337, 338
 Simancas, Diego de, 45
 Sisebut, XXV, 14
 Sisenand, XXV
 Sixtus IV, XXXV, 40
 Sixtus V, 118
 Slaughter of the New Christians (Lisbon, 1506), 18, 20-22
 Smith, David Grant, XIII
 Solís, Duarte Gomes, 146, 147, 193, 196, 200, 210, 321, 323
 Solís, Henrique de = Elazar, 202
 Solís, Jorge Rodrigues, 139, 202
 Solís, Simão Pires, 202, 364
 Sombart, Werner, 232, 306
 Sotomayor, Antonio de, 200, 205, 354
 Sousa, António de, 43, 48, 50, 108, 122, 130-132, 142, 175, 191, 199, 267, 316
 Sousa, João Ferrão de Mendonça e, 233
 Sousa, Luís de, 76
 Spinoza, Baruch, 260, 276
- Taroca, Count of, 221
 Tavares, Manuel Álvares, 208
 Tavares, Maria José Pimenta Ferro, 1, 10, 11, 16
 Távora, Lourenço Pires de, 41, 42
 Teive, Diogo de, 152
 Teixeira, António José, 266, 267, 311, 314, 315
 Teixeira, Bento, 69
 Teixeira, Heitor, 338
 Teixeira, Marcos, 121
 Terreiro do Paço (Praça do Comércio) (Praça da Ribeira) (Black Horse Square), 224
 Theodosius I, XXIV
Theouso dos Dinim (Menasseh ben Israel), 92, 251, 286, 287, 321, 322, 326
 Thomé, Simão, 68
 Tomar, Synod of (1629), 134
 Tomás, Domingos de Santo, V
 Torquemada, (Tomás de, XXXIV, 40, 44, 274
 Torres, José Veiga, XIII
 Travassos, Jorge Velho, 137
- Uceda, Francisco de, 143
 Urban VIII, 142
 Usque, Abraham = Duarte Pinel, 161
 Usque, Samuel, 9, 16, 161
- Valença, Maria de, 329-331
 Vas, (Fernão, 205
 Vasconcelos, José Leite de) 263, 278, 279, 301, 302, 305
 Vaz, Álvaro, 121
 Vaz, Francisco, 189
 Vaz, Luís, 148
 Vega, Lope de, 206
 Veiga, Manuel da, 121
 Veiga, Rui Lopes da, 121
 Veiga, Tomás da, 193
 Veiga, Tomé Pinheiro da, 121, 194
 Vergara, Augustín de, 203
 Verney, Luís António, 225, 229
 Vicente, Gil, 4, 20, 21, 27, 230, 231, 248
 Vidal of Elvas, 5
 Vieira, António, 66, 87, 89, 91, 120, 124, 135, 147, 152, 159, 160, 169, 177, 197, 208, 209, 211, 213, 215, 220, 223, 240, 244, 267, 285, 286, 307, 318-320
 Vilareal, Manuel Fernandes, 86-95, 157, 159, 181, 209, 213, 223, 250-252, 268, 285-288, 313, 321-323, 326-328, 336, 340
 Visigoths, XXIV-XXIX, XXXIV, XXXV
 Visitations ("Opening Up Judaism"), 140
 Vitória, (Dionisia da, 335
 Vives, Juan-Luís, XXXVI
 Vizinho, Joseph, 5, 7
 Vlessing, Odette, 141
 Voltaire, 218
- Wiznitzer, Arnold, 316
 Wolf, Lucien, 265, 277, 278, 279, 281, 298, 313, 316
 Zacuto, Abraham, 4, 5, 9, 13
- Xavier, Francis, 348
- Zapata, Antonio, 205
 Zellorigo, Martín de, 142-146, 193

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António José Saraiva (1917-1993) was at the time of his death professor emeritus of Portuguese literature at Lisbon University. The “Bibliography of António José Saraiva” included in the *Festschrift* offered him in 1990 lists 41 book-length studies; 250 articles in Portuguese and 11 in French on Portuguese and general literature, literary criticism, history and politics; 12 critical editions of Portuguese literary works; 32 published interviews; 6 critical reviews; 2 books translated from French into Portuguese; 19 encyclopedia articles.

Withal, the list is incomplete even as of 1990. Among his major works the following deserve special mention: a 4^o three volume “History of Culture in Portugal,” totaling over 2,000 pages (1950-1962); a one volume “History of Portuguese Literature” (c. 1,200 pages) written in collaboration with Oscar Lopes, used in practically all Portuguese high schools. This work had 16 editions between 1954 and 1993 and underwent continual revision. Saraiva’s pocket-size “History of Portuguese Literature,” also revised over and over, went into 21 editions between 1949 and 1994 and has been translated into Spanish, Romanian and Chinese. *Inquisição e Cristãos-Novos* had four printings in 1969 and sold approximately 20,000 copies in Portugal within the year of publication.

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