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a case record from
the Spanish Inquisition

JOHN E. LONGHURST

The Man Who Read

ON FEBRUARY 11, 1528, A MAN NAMED RODRIGO DURÁN APPEARED before the Holy Office of the Inquisition of Toledo, to volunteer a statement. He had been, he said, on his way from Burgos to his home in Santo Domingo in the New World, when he stopped overnight at an inn in the town of Cerezo. There he had met a stranger whose behavior struck Rodrigo Durán as highly suspicious.

It seems that before dining Rodrigo and the stranger sat down by the fire to chat. The name of Martin Luther came up in the conversation. When Rodrigo condemned Luther as a heretic, the stranger replied that not everything Luther said was bad. The stranger agreed with Luther that there was no need for images in the Church, and that images were for simple people only. In the matter of confession the stranger also agreed with Luther that men should confess to God alone and not to the priest. When Rodrigo told him about miracles that had happened in the Church, the stranger laughed and said there were no such miracles. Among those present during this conversation were the landlady, her son, and a few servants. Rodrigo thought it possible that since these persons kept going in and out of the kitchen, they did not hear the entire conversation.

A search was immediately begun for the stranger. Meanwhile, the Inquisitors at Toledo sent an agent to Cerezo to obtain further evidence. The landlady of the inn was of little help. She did recall two men quarreling about something, but she insisted she knew nothing about their conversation because she kept entering and leaving the kitchen and paid no attention to the discussion.

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The landlady's son was much more helpful. Although he had not been present when the conversation began, he did arrive soon after, and he remembered many of the details. He recalled, for example, that the stranger agreed with some of the things Luther said, particularly that images in the churches were needed only for simple people. He could not recall hearing anything said about the proper mode of confession, although he was certain that the stranger might well have approved what Luther had said on that subject, too.

On Thursday morning, February 27, Diego de Uceda was apprehended at the home of relatives in Córdoba and brought to the Inquisition chambers of that city. Rodrigo Durán, remaining in a separate room, unseen by Diego de Uceda, duly swore that Diego was the stranger in question. Diego identified himself as a servant in the household of the Treasurer of Calatrava, in the service of Emperor Charles V. He had left the Emperor's court at Burgos a month before, on a journey to Córdoba for his employer. Diego was advised by the Inquisitors that he stood accused of "having said, held, and affirmed a certain heretical proposition or propositions held and affirmed by the heretic Martin Luther. Therefore, for the love of Our Lord, he should manifest the truth of his guilt."

The Inquisition notary recorded Diego's reply:

He said that the only thing he had said about Luther is that he is favorably impressed by the latter's statements to the effect that Church officials should be poor. He does not recall having approved any of Luther's other ideas. If he has erred in this, he submits himself to the correction of the Holy Mother Church. Also, he well knows that many wicked things are maintained by Luther, and if he has spoken at all on such matters, it has been during discussions about Luther. However, he does not remember with what persons or in what places he has had such discussions.

Under further questioning that afternoon, Diego stated that he had discussed the subject of confession one evening two weeks before at an inn at Guadarrama with the archpriest of Arjona and the canon of León, and he believed that someone must have overheard and misunderstood what he had said and reported his words incorrectly to the Inquisition. In the matter of images also he must have been overheard and misunderstood, because what he had said on these subjects was

also found in the works of Erasmus, which had been approved by Spain's Inquisitor General. As for Luther, Diego insisted he knew nothing about him and did not wish to, either.

The next day was spent in questioning a number of character witnesses, all natives of Córdoba and old friends of the family, who had known Diego from birth. They all agreed that Diego was an Old Christian, that he had always lived a virtuous life, and had never given the slightest indication of heretical tendencies. One of the witnesses noted that Diego was inclined to read a good deal. He recalled having seen Diego read some of the works of Erasmus, but he was positive that Diego was a very good Christian. Another witness was certain that Diego was more inclined to the religious life than to that of a married man or a courtier. On the major point, that of Diego's orthodoxy and good intentions, the witnesses agreed unanimously.

At noon on March 2, a messenger left Córdoba with a letter addressed to the Inquisition Tribunal at Toledo:

We received the letter of your graces and with it the accusation against Diego de Uceda. We took action as you instructed, as you can see from the examination made of the said Diego de Uceda.

He is being held prisoner here, but we have not ordered that his property be seized because his own testimony and the information we have received about the high quality of his person have made us hesitate to take such a step.

This case is essentially a problem in the interpretation of words. In his testimony the accused says that it is customary with him in discussions to say that true confession is the inner lament to God which the sinner makes in his soul. He does not, however, deny the validity of oral confession. It is possible that the witness who made the accusation against him did not clearly understand the intent of the said Diego de Uceda when he accused him of denying oral confession.

For this reason, and also because we have received favorable accounts of his life and habits, and because he is an Old Christian of honorable family, we have suspended proceedings against him here. Having examined the witnesses and ratified their testimony, we are sending this messenger to you to advise your graces of our decision and to determine your wishes in regard to this matter.

Four weeks later, Diego de Uceda, still unaware of the identity of his accuser, was transferred to the Inquisition jail at Toledo.

THE TOLEDO INQUISITORS OBVIOUSLY DID NOT SHARE THE OPINION OF their colleagues in Córdoba that Diego's case warranted no further investigation. April 2, 1528, Diego was brought to the audience chamber where he was directed to state truthfully the guilt he felt for having done or said something against the Holy Faith. In this way, he could clear his conscience and assure himself of mercy.

Diego insisted he had already told the truth to the Inquisitors in Córdoba about his conversation with the archpriest of Arjona and the canon of León. He was certain that someone listening had misunderstood his words. Perhaps he had been out of his head at the time, or drunk, in which case he begged for mercy and asked that he be given proper penance, because he never would consciously say anything wrong.

Two days later, in a letter addressed to the Inquisitors, Diego elaborated on his conversation at Guadarrama with the archpriest of Arjona and the canon of León:

I asked the archpriest if he knew anything about Erasmus. He said he did not, so I told him about the *Colloquies* and the *Enchiridion*, and about another work called *Imensa Misericordia Dei*, and advised him to try to get copies. He said he had heard that these books had been condemned, so I enlightened him on the matter.

At that moment two or three muleteers came in and sat down at a nearby table. I continued talking to the archpriest, urging him to get Erasmus' writings. . . . I told him about some of the clever things in the *Colloquies*, especially about the colloquy of Erasmus [sic] and Gaspar which discusses the proper attitude to take toward holy things. I told him what Erasmus says in the same colloquy about confession — how the most important thing is for the sinner to repent in his soul for having offended God, and how the boy [Gaspar] said that he searched his thoughts every night and if he found that during the day he had offended Our Lord, he begged God's pardon, weeping and rending his heartstrings, and promising to mend his ways in the future. And after this, one must make oral confession to the priest. . . .

Then I turned to the persons sitting at the nearby table and, looking at the one directly opposite me, who was wearing a colored coat, I said: 'Friends, if you wish to go to Heaven, listen to me. The most important thing in confession is for the sinner to repent inwardly for his sins and

to promise to mend his ways in the future. After that he should confess to the priest.' . . .

To all this the man opposite me and the other persons with him never said a word. It seems to me that ignorance combined with an unwillingness to learn is the basis of many evils, and it was the ignorance of these low-spirited men of poor judgment that made them misunderstand my words. Did they not misunderstand my conversation with the archpriest, and say that he reprov'd my words but that I still held to my opinion?

Still under the delusion that he had been accused by some muleteers who had overheard his conversation with the archpriest of Arjona, Diego assailed them for being poor Christians. If they had been men of virtue and good faith, instead of rushing to denounce him, they would have availed themselves of the opportunity to be enlightened. But no, they demonstrated their wickedness and inexcusable ignorance by denouncing him for something they did not understand. They should be made to specify in detail exactly what he said that was heretical; only in this way could the truth be brought out. Diego's honor might then be restored and his wretched accusers punished for their ignorance. Furthermore, any number of persons would testify to Diego's orthodoxy: a licentiate in Valladolid, to whom he had confessed in Burgos on All Saints' Day; a chaplain and an innkeeper with whom he had discussed Erasmus when he stopped in Madrid on his recent journey; the present chaplain of his employer Fernando de Córdoba, with whom he had also discussed Erasmus; all the members of the household of Fernando de Córdoba, as well as Fernando himself, all of whom would testify that Diego was a faithful son of the Church. Indeed, Diego added, his intention had never been other than to live and die in the Catholic Faith.

For the next month Diego sat in his cell in solitary meditation. Meantime, orders were sent to Córdoba to question the archpriest of Arjona about his conversation with Diego at Guadarrama. The archpriest insisted that he had heard Diego say nothing contrary to the Catholic religion, and nothing about confession. In fact, the archpriest never heard Diego say anything which sounded heretical to him. All he could recall was that Diego had said that Erasmus had written three books which had been printed and approved in Spain, and that he never went anywhere without them.

Ten days later Diego requested an audience, that he might make a

statement. By this time, he was obviously trying desperately to extricate himself from his difficulties. The notary recorded his testimony:

Diego de Uceda stated that he recalled clearly that the two muleteers at Guadarrama, who have denounced him, had overheard his talk with the archpriest. They heard him say that Erasmus spoke well when he said that the most important thing in confession was one's inner feeling, and they confused this with the teachings of Luther. . . .

The accused believes that God has permitted this adversity to befall him in order that his sins might be purged. He praised God that such is the reason for his misfortune, and to God's hands he entrusts the expediting of this affair. . . .

Two days later Diego made a shorter but somewhat more vigorous statement:

Diego de Uceda said that the witnesses who have informed against him not only twisted his words but that they added many more. Especially have the two muleteers twisted the words they heard him speak with the archpriest at the inn at Guadarrama: and they have added many other bad and stupid words which were not spoken between the archpriest and the accused.

THE NEXT SIX MONTHS WERE CONSUMED IN LOCATING WITNESSES FOR questioning. On June 23, Cristobal Juárez, the canon of León, was questioned in his native city. Of Diego's conversation with the archpriest of Arjona at Guadarrama, Juárez said that he knew nothing, because he had gone to bed early. The next morning he had accompanied Diego and the archpriest as far as the town of Bailén, and during the journey he had heard nothing to indicate that Diego was anything but a faithful son of the Church.

Questioned a second time and somewhat more closely, the archpriest of Arjona on July 27, 1528, added some details to his previous testimony. He recalled, for example, that Diego de Uceda had praised the works of Erasmus, saying that they were good and profitable books, and that they had been approved by a congregation of learned men in Valladolid the preceding year. The archpriest also recalled that Diego de Uceda had much to say about Luther and his doctrines, but as Diego spoke a great deal, and the archpriest was praying his hours part of the time, he did not pay very close attention. The archpriest did reprove

Diego for speaking about Erasmus because he did not think it proper to talk about such things among country people and farmers. Diego de Uceda had replied that the works of Erasmus were Catholic and had been approved and that he was not doing wrong in talking about them. In fact, Diego had said that Erasmus was looked on with great favor at the court of the Emperor.

The testimony of Diego's friends among the household of his employer, Fernando de Córdoba, while apparently given with the best of intentions, might well have given Diego some uneasy moments. They all agreed that Diego was a God-fearing Catholic Christian of the purest habits, and that they had never heard him praise the works of Martin Luther. Several witnesses noticed, however, that Diego read a great deal and liked to talk about subtleties. Among the books which Diego read were some of the writings of Erasmus, and, in discussing these works, he would often say things about the Faith which did not seem quite proper. However, none of the witnesses could recall the precise nature of Diego's "not quite proper" remarks.

The questioning of witnesses was completed in October of 1528, with depositions from three friars who testified that they had confessed Diego de Uceda on a number of occasions during the previous year, and he had done nothing to arouse their suspicions of his heresy.

WITH TESTIMONY FROM ALL AVAILABLE WITNESSES NOW IN THEIR HANDS, the Inquisitors of Toledo, on November 6, 1528, held a consultation; and after examining the trial records of Diego de Uceda, they "unanimously stated their opinion and vote to be that Diego de Uceda be put to torture to determine whether he said the words attributed to him, and with what intent he said them."

The trial of Diego de Uceda had reached the point where Diego's whole future hung in the balance, and Diego himself, alone in his cell, sensed the critical nature of the situation. He had done everything possible to clear himself. His friends and neighbors had testified in his behalf. He had tried to recall and explain everything which might have led to his imprisonment. His life, his fortune, and most important of all, his honor — all these were at stake. What more could he do to convince the Inquisitors of his piety and orthodoxy?

He would make a last great effort. On November 10 he sent a long letter to the Inquisitors, in which he discussed in great detail all the articles of the Catholic Faith, with particular emphasis on oral confession, and begged the Inquisitors to recognize him as a true believer.

He concluded his letter with the following appeal:

I beg you sirs, to give me my freedom. . . . Being here is a living death for me, being held here for so long, like an animal in a cage, always locked in except when your jailer brings me to the audience chamber and leads me before you like someone leading cattle to the slaughter, or like those who observe the Law of Moses. Since we are all Old Christians, for love of Our Lord, make all possible haste. . . .

Had his letter convinced the Inquisitors of his orthodoxy? Perhaps they were still wondering about some inconsistency in his testimony. Perhaps they did not appreciate the mitigating circumstances under which he had been required to testify. The following day, Diego addressed another letter to the Inquisitors. He was, he said, greatly distressed and tormented over the delays in his case. He could not understand why the Inquisitors refused to believe him. His present predicament marked the first time he had ever been involved in a lawsuit. Never having had any experience with the law, he was naturally very upset and fearful of what might happen to him. In such a state of fear and confusion he naturally had contradicted himself, which was probably why the Inquisitors doubted the validity of his testimony. Of one thing, however, he was absolutely certain: he had never said the things of which he stood accused; he had always observed the sacraments of the Church; he was a man of honor and an Old Christian; and if he had unintentionally erred in anything at all, he begged their graces for mercy.

After reading this letter, the Inquisitors had Diego brought to the audience chamber:

Their graces instructed the accused to tell the truth about what he had done and said against our Holy Faith, and they warned him once more to tell the truth. The accused replied that he had nothing to add to what he had already stated. Their graces then said that his case had been studied and it was agreed he should be put to torture; therefore they admonished him to tell the truth.

The accused replied that in that case he would confess he had said it, although he really had not. He was told by their graces that he should hold to the truth, and that if he had said what he was accused of, to confess and clear his conscience by telling the truth. However, if he was

sure he had not made such statements, he was not to testify falsely by saying that he had. The accused replied that if they were going to torture him, he would now state that he had said it, and that he had told the truth on oath before the Inquisitors of Córdoba. The Inquisitors then pronounced sentence of torture. . . .

The accused was taken down to the torture chamber. Their graces admonished him to tell the truth, declaring that if, under torture, he should die or be wounded, or shed blood, or be mutilated, it would be his own fault and responsibility. Diego de Uceda replied that he had never been in error, that if he had said it, he had done so inadvertently and through ignorance, as the witnesses had accused him, and that he could say no more.

Asked where he had said it, he replied that he had said it when talking with the archpriest of Arjona, and also in Madrid, in a conversation with the cleric who was in the service of the *maestrescuela* of Toledo, and that he might have said it in other places; if the witnesses had said that such was the case, then it was true that he had and he could do no more; and if the witnesses were Christians they were telling the truth, and he admitted that he had said it.

He was asked with what intent he had spoken about confession, what words he had used, and in what way he had used them. He replied that since the witnesses had said so, and if they were Christians, then he admitted that he had said it in many places, and that he had said it is not necessary to confess to the priest. He said this sighing and moving his arm as if his words were forced out of him.

Being admonished to tell the truth, he replied that he had said it. He was then stripped down to his undershirt. He said it was true that he had said it; then he asked how he could confess to saying something he did not recall. His arms were then tied with a hemp cord and he was stretched out on a wooden trestle. While his arms were being tied, he was admonished to tell the truth. He replied that he had said what the witnesses had claimed. He was told to state in what way he had said it. He replied that as God was his witness he could not recall, but he confessed to having said it, and that he had erred in having said it; he had thought at the time that he was speaking well, but he had spoken wrongly, and his bad speech now weighed more with their graces than his good thought, and he asked that they have pity on him.

His thighs and arms were then tied and the cords being twisted, he was admonished to tell the truth. He cried: 'Stop it, I'll tell; I'm dying; stop it, I'll tell.' And then he said that he had said it fifteen hundred

times, and that Martin Luther had said that it was not necessary to confess, and that there was no need for images, and that contrition was sufficient; he had said this to the archpriest of Arjona, and in Madrid to the cleric in the service of the *maestrescuela* [of Toledo]. Also, on the road from Burgos, he had said these things to some people and particularly to two people whose names he did not know. Also, in Cerezo he had spoken with a one-eyed man who had said he was on his way to the Indies. He had told this man that Our Lady the Virgin Mary, after She had gone to Heaven, had not come back down to earth. This man said that Our Lady had brought a chasuble to Saint Ildefonso and that an archbishop who had insisted on wearing it had blown up. The accused had replied that this was a joke and that he did not believe a word of it.

He was asked how this discussion had started. He said that in the name of God he could not remember, and that it was true that he had said it and that he had believed oral confession was unnecessary and that it was necessary only to feel contrition in the soul. . . .

He was asked how long he had held this error. He replied that he had held this error until he had been seized and admonished in this Holy Office, and that now he believed oral confession to the priest is necessary. . . .

He was asked if he knew of any person who had held the same error. He said he knew of none. He was asked for what reason he had not confessed to this error when questioned under oath by the Inquisitors, or during the time of his imprisonment. He said he had not been able to remember what to say and he had been afraid. Asked what he had been afraid of, he said that he had feared penance, punishment, and torture. They asked him if he was saying what he now said and confessed through fear of torture or because it was the truth. He replied that he was saying it because it was the truth. He was admonished to hold to the truth and not to give false testimony through fear, but to tell only the truth and to hold to it. He said that it was all true.

He was asked if during the time he had held the belief that one could be saved merely by repenting his sins without confessing them to his confessor, he had known and believed that the Church held the contrary. The accused failing to reply, his bonds were loosened. He then said that he had known it. He was asked if he had decided to hold to his belief even though the Church taught the contrary. He replied that he had not, and that he had known that the Church taught the contrary.

It was ordered that the torture be ended.

Two days after his confession under torture, Diego de Uceda requested an audience:

He said that everything he had admitted concerning oral confession he had said because of fear of torture. . . . He had never denied the sacrament of penance. He never had spoken of nor praised the teachings of Martin Luther. . . . Whatever he had said, he had said nothing against our Holy Catholic Faith.

Their graces ordered that his confession under torture be read to him. . . . He was asked if what was read and what he had confessed and stated under torture were true. He said he swore to God and His Blessed Mother that it was not true, and that it had all been said through fear of torture. He never had denied oral confession; rather he had praised it. Everything he had said under torture was said to give the expected answers to the questions which were asked him so often by Inquisitor Juan Yáñez, and he now renounced his confession under torture. If necessary, he was prepared to die for the truth, and he never had denied the said sacrament of penance.

Diego was returned to his cell. For the next three months his case rested.

ON FEBRUARY 12, 1529, THE INQUISITORS UNANIMOUSLY VOTED THAT Diego de Uceda should appear on the scaffold as a penitent on the day of the *auto de fe*, where his sentence would be publicly read, and Diego would publicly abjure his heresy.

On the morning of July 22, seventeen months after he had been denounced by Rodrigo Durán, Diego de Uceda, barefooted and bare-headed, with a wax candle in his hand, appeared at the *auto de fe* in the public square of Toledo. Here the charges against him were read and punishment was pronounced. Diego was directed to abjure all crime of heresy. He was further required to make seven Saturday pilgrimages to a shrine of his choice, there to recite the *Pater Noster* and the *Ave Maria* fifteen times each. On any three Fridays he was to fast on a Lenten diet. He was to confess and take Communion on the next three major Church festivals of Whitsuntide, Christmas, and Easter, and was required to submit evidence of having done so. He was also fined sixty ducats.

EIGHTEEN MONTHS LATER, ON JANUARY 16, 1531, THE INQUISITORS OF the Holy Office of Toledo received a letter from Córdoba:

Most reverend sirs: I was ordered by your Holy Office to confess and take communion on the next three major Church festivals, and to send you evidence to this effect. I am sending this evidence by way of the Holy Office of this city. The pressure of work has delayed its arrival until now.

May your graces make up for our defects, and may Our Lord keep and favor your most reverent persons with the prosperity you desire. Córdoba, December 24, 1530.

I kiss the hands of your graces,

DIEGO DE UCEDA

Three years after being denounced, Diego de Uceda had been purged of his heresy.