UNIFICATION AND CONFLICT

The Church Politics of
Alonso de Montúfar OP,
Archbishop of Mexico, 1554-1572.

Magnus Lundberg
Alonso de Montúfar OP
The Metropolitan Cathedral, Mexico City.
Photo: Magnus Lundberg.
Alonso de Montúfar OP
Santa Cruz la Real, Granada. Photo: Roberto Travesí.
(Huerga 1995:81).
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Magnus Lundberg
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INTRODUCTION

Montúfar, Mission, and Conflicts

The church in sixteenth century New Spain was in no way a monolithic structure, easy to comprehend. Rather it could be described in the apposite words of Adriaan van Oss as a “patchwork of diverse elements working in tenuous co-operation” and sometimes even in blunt contradiction. Conflicts were so common that the history of the church often becomes an “unseemly and unedifying spectacle of petty squabbles, jurisdictional quarrels, injured honor, and childish petulance”. In a concrete historical situation, such as sixteenth century New Spain, the “church” cannot be studied as an unproblematic concept. Rather when studying the history of the church, the researcher must take into account the voices of various groups within the ecclesiastical organisation, in order to avoid hasty generalisations. The most vocal groups within the church in sixteenth century Mexico were bishops, secular priests, and members of different religious orders.

The first missionaries had arrived in New Spain in the early 1520s. Most of them were mendicant friars – Franciscans, Dominicans, and Augustinians – who baptised the indigenous population and built monasteries and churches throughout the province. The first bishops

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1 New Spain (Sp. Nueva España) referred to an area more or less equivalent to today’s Republic of Mexico, and its capital was called Mexico. The closest environs of the capital, a high plateau, is usually known as the Valley of Mexico (Valle de México), an area which comprised the central area of the archdiocese of Mexico. Throughout this thesis I will use the word “Mexico” for the archdiocese and “the city of Mexico” or “Mexico City” for the capital.


4 Though I use the words “missionaries” and “mission”, it should be noted that the term was hardly used in the sixteenth century. Instead, missionaries were known as doctrineros (those in charge of the doctrination of the Indians) or simply ministros (ministers), and “mission” was often called the propagation of the faith or simply ministry. See Juan
arrived a few years after the first mendicant missioners and in the following decades, a diocesan structure was superimposed on the early missionary church. The dioceses in early New Spain were, however, few. Thus, the areas that the individual bishop had to attend were enormous, often comprising an area ten times as large as a normal diocese in Spain, and the influence of the bishop on the daily life of the church was limited. Moreover, members of the secular clergy, who according to canon law were placed directly under the bishops’ jurisdiction, were not that frequent during the first decades of Spanish presence. This was especially true among the indigenous inhabitants, where the mendicants continued their domination throughout the century, even if the influence of the secular clergy grew as the decades passed.

Especially from the 1550s and onwards, disputes on the future of the church in New Spain became common, in particular between the mendicant friars and the bishops, but there were also disputes between bishops and their cathedral chapters. Such conflicts were common all over the Spanish Indies as well as in Europe. The conflicts in sixteenth century New Spain, however, reached an unusual gravity, giving rise to a seemingly unending string of letters and lawsuits. Nevertheless, though such intra-ecclesiastical conflicts were common, one must be careful not to make all bishops in sixteenth century New Spain irreconcilable enemies to all mendicant friars. There were important differences triggered by concrete conditions and not least by individual characters. On a superficial level, these controversies might seem like endless petty conflicts over dignity, honour, and power. On a more profound level, however, the discord often reflected differentiated views of the church and fear of a schism.

In a study on the relations between the bishops and the cathedral chapter in Mexico, the North American historian John Frederick Schwaller has observed that the quarrels between these two institutions constituted “an important process whereby the checks and balances of the ecclesiastical system were defined”. That observation, I think, also goes for other intra-ecclesiastical conflicts of the time. A close study of the


5 During the colonial era, “the Indies” (Sp. *Las Indias*) was the common name for Spanish America.

argumentation and of the persons involved in these squabbles might therefore be of great interest for an understanding of the processes of change in early Mexican church history. An underlying question at the time was if the church in New Spain should be organised in the same way as the church in Spain, or if the church in the New World required new forms of organisation to cope with the special problems there.

One of the main characters in these disputes in mid-sixteenth century New Spain was Alonso de Montúfar. Born outside Granada in Southern Spain just after the Muslims had been conquered in the late fifteenth century, Montúfar had been a Dominican friar in Andalusia for four decades before being elected Archbishop of Mexico, where he resided from 1554 until his death in 1572. His experiences from the recently christianised Granada played an important part in his argumentation on how the church in New Spain should be constituted, emphasising among other things the role of the secular clergy in the Indian ministry. Montúfar’s most palpable contribution to Mexican church history was his summoning of the first two provincial councils in 1555 and 1565, where all the bishops of New Spain gathered to establish concrete norms for the church. Overall, Archbishop Montúfar’s time might be seen as a period of transition before the implementation of Tridentine reforms in New Spain. This implementation began seriously with the celebration of the third provincial council in 1585, during the presidency of Montúfar’s successor on the see, Pedro Moya de Contreras.

This thesis, focusing on the life and works of Archbishop Alonso de Montúfar, seeks to shed light on a number of central questions related to the history of missions. The problems related to the transplantation and accommodation of the church in a given historical context is central to the academic subject known as Missiology. The study of Missions was developed as a separate academic discipline in the late nineteenth century and the beginning of the twentieth century, mainly as an outcome of a renewed interest in evangelising, both on Protestant and Roman Catholic sides. Today the academic study of Missiology focuses especially on processes of religious change and the relationship between different faiths, in both history and contemporary time. The spreading of the Christian faith in a given historical context can hardly be studied without taking into account various other factors, such as the relationship between Christian missions and European colonialism. The age of geographical expansion and conquest in the fifteenth and sixteenth centuries was also an age in which the Christian creed was actively spread. During the age
of conquest, the Crowns of Spain and Portugal sent missionaries to their overseas colonies. Thus, in the Early Modern era the missionary activity was greatly influenced by the active role of the regents. Church planting was considered the main goal of mission. Church planting meant the establishment of a full hierarchical church (with episcopacy and clergy) in a place where it had not been established before. In the Indies, the Spaniards sought to transplant the hierarchical church order with parishes, cathedral chapters, bishoprics, universities, and seminars for priestly education early on.⁷

The literature on the early history of the church in New Spain has traditionally been centred on the activities of the mendicant missionaries. In recent years, a growing number of studies on the interaction between missionaries and Indians have appeared, while the role of the secular clergy and the episcopacy in the mission work is still rather unknown in comparison. Until now, for example, no monograph or indeed any major study has been dedicated to Archbishop Montúfar, despite him being a rather central figure in the sixteenth century Mexican church, and despite the fact that the archival material related to his archiepiscopacy is quite voluminous. Nevertheless, his name and at least traces of his work figure in many general works on the history of the Mexican Church.⁸

Since the 1920s, a number of minor studies devoted specifically to the archiepiscopal administration of Montúfar have seen the light of day. In a pioneering article from 1923, the Spanish church historian, Luciano Serrano OSB, investigated the work of the Archbishop indirectly through royal letters that were sent to the Mexican church regulating its activities, and through some documents found in Mexican archives. Serrano did not study any other letters or other documents written by the Archbishop himself.⁹ A couple of years later, the prolific French Hispanist, Robert Ricard, published a short article on Montúfar in the Bulletin Hispanique, making some important biographical clarifications to Father Serrano’s article. Moreover, in 1931, Ricard also published a brief study of

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Archbishop Montúfar’s letters, publishing a few of them together with a shorter introduction.\textsuperscript{10} None of these works, however, had any pretensions of being a detailed study of Montúfar and his archiepiscopacy, although Ricard thought that such a special study ought to be written, given the central role of the Archbishop in the formation of the institutional church in Mexico.

In the 1960s, the diligent Jesuit historian Ernest J. Burrus published a re-edition of Montúfar’s regulations for the cathedral chapter in Mexico City preceded by a brief note on the life and works of the author.\textsuperscript{11} In the late 1960s, Phyllis Ann Gue of the University of Florida at Gainesville presented a Master’s thesis dedicated to Montúfar’s time as Archbishop, especially focusing on his promotion of the secular clergy and the strengthening of the economical basis of the Mexican church, but restricted to the use of published source material.\textsuperscript{12} More recently, the Mexican historian, Ethelia Ruiz Medrano, published a shorter article on the Archbishop’s great interest in doing business, based on a lawsuit from the mid-sixteenth century.\textsuperscript{13}

Apart from these essays, some monographs examine the work of the Archbishop. Robert Ricard goes into the work of the Archbishop in his \textit{magnum opus} on the early mission, \textit{La ‘Conquête Spirituelle’ de Méxique}. Being, however, a study on the mendicants of New Spain, Ricard especially focuses on Montúfar’s quite stormy relationship with these missionaries, concluding that the tenuous contacts between bishops and friars were among the most important impediments to the “spiritual conquest” of New Spain.\textsuperscript{14} The same type of questions were addressed by Arthur Ennis in his well-documented study on the Mexican Augustinian theologian, Alonso de la Vera Cruz, a most vocal representative of the

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\textsuperscript{11} Alonso de Montúfar OP Ordenanzas para el coro de la Catedral de México 1570. Ed. Ernest J. Burrus SJ (Mexico City 1964).


\textsuperscript{14} Robert Ricard \textit{La “conquête spirituelle” du Mexique. Essai sur l’apostolat et les méthodes missionnaires des Ordres Mendians en Nouvelle Espagne de 1523-24 à 1572.} (Paris 1933).
Mexican mendicants, with whom Montúfar had very strained relations.\textsuperscript{15} In one of his many studies on the Mexican Inquisition, the North American historian, Richard E. Greenleaf devotes a great part to the inquisitorial activities of Montúfar. Before the introduction of a tribunal of the Inquisition in New Spain, the bishops as ordinaries had the right to investigate cases of faith and to supervise and censor published books.\textsuperscript{16} Recently, one of Greenleaf’s students, Jorge E. Traslosheros, presented a doctoral dissertation devoted to the archiepiscopal court of law in Mexico between 1550 and 1630, and it is a valuable contribution to a previously almost unknown area. Traslosheros’ study covers Archbishop Montúfar’s time, but pays more attention to the later period, where the source material is much more abundant. The author has, however, not used any judicial material in Spanish archives, but relied on the notes in the Mexican repositories.\textsuperscript{17}

In an already mentioned study, John Frederick Schwaller dealt with the relationship between the episcopacy and the cathedral chapter in Mexico during the sixteenth century, thus contributing further to the study of Archbishop Montúfar. Schwaller also includes the work of Archbishop Montúfar in his other works on the secular clergy and the economy of the diocesan church in New Spain.\textsuperscript{18} The role of the Archbishop as a promoter of the secular clergy is also mentioned in Francisco Miranda Godínez’ study on Montúfar’s contemporary, Vasco de Quiroga, bishop of Michoacán.\textsuperscript{19}

Moreover, the Swiss theologian Jakob Baumgartner devoted part of his *Mission und Liturgie in Mexiko* to the liturgical reforms during Montúfar’s time and in particular, the *Manuale Sacramentorum* published by the Archbishop in 1560 in order to centralise the liturgy in the church

\textsuperscript{15} Arthur Ennis OSA Fray Alonso de la Vera Cruz OSA (1507-1584). *A Study of his Life and his Contribution to the Religious and Intellectual Affairs of Early Mexico* (Louvain 1957).


\textsuperscript{17} Jorge Eugenio Traslosheros “Iglesia, justicia y sociedad en el arzobispado de México. La audiencia eclesiástica, 1550-1630. PhD dissertation (Tulane 1998).


province. Of great importance for any research on sixteenth century Mexico is María Justina Sarabia Viejo’s *Don Luis de Velasco*, an encyclopaedic study of New Spain’s second viceroy, which includes a good summary of the state of the church during Velasco’s time, that in part coincided with Montúfar’s tenure. The Spanish historian, Antonio Garrido Aranda has published a couple of very interesting monographs on the close relationship between the church in post-conquest Granada in Spain and the church in the Indies. In these studies, he sees Alonso de Montúfar as a particularly important exponent for transplanting the uses and experiences from his native Granada to the process of establishing a hierarchic church in the New World.

As seen from this short research review, there are quite a large number of works analysing the life and works of Alonso de Montúfar. Until now, however, there is no major study covering his archiepiscopal administration, which is the goal of this dissertation. The value judgements reached by most scholars who have approached the life and works of Archbishop Montúfar have been harsh, seeing him as a character obsessed with power, constantly searching for opportunities to quarrel, while exaggerating his own problems and position. Other statements have been filled with pity, arguing that Montúfar was appointed to a position that was difficult to uphold, due to his advanced age and general fragility and thus he had a rather miserable tenure at the mercy of bad counsellors. In his study on Alonso de la Vera Cruz, Ennis described Montúfar as a “kind of tragic figure” and continued to state that though the Archbishop “was a very good man, he was of irascible disposition, one used with authority and already burdened with age.”

In his history of the Mexican church written in the 1920s, Mariano Cuevas termed him a “mediocrity” and in his general Mexican history, Cuevas is even more outspoken. There he writes that Montúfar:

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21 María Justina Sarabia Viejo *Don Luis de Velasco, virrey de Nueva España 1550* (Seville 1978).
was dominated by a certain senile acrimony. This on the one hand and on
the other a group of secular clerics, among the worst in Spain, who he had
taken with him, not only to this new country and church, but into the very
palace of the prelate. These clerics made a deep impression on the poor old
man, who became dominated by a bitterness towards the religious orders
and in particular towards the Franciscans.\textsuperscript{25}

Others have described the Archbishop as “peevish” and “not
particularly troubled by the condition of the Indians”, echoing the views
of his opponents in the sixteenth century.\textsuperscript{26} In his study of the episcopal
Inquisition in Mexico, Richard E. Greenleaf thought that Montúfar was
perhaps “too old and inflexible for the job” and that he had a somewhat
“abrasive personality” and “frequently … exhibited traits of pettiness
when it came to reinforcing his authority in matters of dignity and
position”\textsuperscript{27}. In his article of the metropolitan chapter, John Frederick
Schwaller, wrote that Montúfar “was a vigorous administrator who …
cherished power and attempted to consolidate as much authority as
possible in his person and office”\textsuperscript{28}.

Many of the authors compare the work and personality of Montúfar to
those of his predecessor and successor on the see. Thus, Robert Ricard
for example, has pointed out that even if Archbishop Montúfar did not
possess the:

charm or the clarity of mind of his predecessor Juan de Zumárraga or the rare
and strong administrative and leader qualities of his successor Pedro Moya de
Contreras, he has the merit to be remembered as a man of good will, without
doubt inferior to the enormous and complex task, but who had a high idea of
his duties as a pastor and a profound sense of the responsibilities that these
duties entailed.”\textsuperscript{29}

\textsuperscript{25} “le dominó cierta acrimonia senil; esto por un lado y por otro, una partida de clérigos
seculares, de lo peorcito de España, habiéase colado, no sólo a esta nueva tierra y
cristianidad sino al palacio mismo del prelado y quedó el pobre anciano muy
impressionado y como dominado de amarguras contra los religiosos y en particular contra
los franciscanos.” Mariano Cuevas SJ \textit{Historia de la Nación Mexicana} (Mexico City
\textsuperscript{26} Gue 1967:21-23.
\textsuperscript{27} Greenleaf 1969:118.
\textsuperscript{28} Schwaller 1981a:658.
\textsuperscript{29} “Fr. Alonso de Montúfar n’avait point de la bonhomie charmante ni la clarté d’âme
de son prédécesseur Fr. Juan de Zumárraga; il n’avait point les rares et fortes qualités
d’administreur et de chef de son successeur D. Pedro Moya de Contreras; il mérite de
In his study on liturgical reforms, Jakob Baumgartner shares the view that Archbishop Montúfar was quite a tragic and peevish person, but then claims to know that:

despite these shadows, we must not overlook his contributions: the summoning of the first two provincial councils, the edition of liturgical books, his care for the divine cult, the beginning of the construction of the cathedral; he loved the Indians and the black slaves and visited almost his whole diocese”.

Despite a few positive evaluations, Archbishop Montúfar has become something of a black sheep in early Mexican church history. It is interesting that a person evokes such feelings on the part of scholars. All antipathy has inspired me even more to try to gain a closer acquaintance with the person and archiepiscopacy of Alonso de Montúfar, especially as seen through unpublished archival material. I have myself found Montúfar to be quite a complex and certainly a controversial personality, who often put forward his ideas with breathtaking frankness and outspoken anger, which I think have made him an interesting character. However, before proceeding to a discussion of my concrete research problems and the material upon which I build my study, it is pertinent to reflect briefly on the biographical genre and its possibilities for Church History and Mission Studies.

The Writing of a Life
Particularly during recent decades, biography as a genre has undergone a veritable renaissance. It has even become common to talk of a biography industry, and to interpret the growing interest in the genre as a sign of increasing individualism in Western society. Whether or not this is the case, numerous biographies and autobiographies are currently seeing the

laisser le souvenir d’un homme de bonne volonté, inférieur sans doute à une tâche énorme et complexe, mais qui eut une haute idée de ses devoirs de pasteur et le sens profond des responsabilités qu’ils impliquaient.” Ricard 1931:76f.
light of day and are eagerly devoured by the public. Though, or perhaps because, biography is a popular and widely read genre, for a long time it has been seen as something that should be avoided in serious academic endeavours. Structuralist minded historians have often considered individual people and individual events rather uninteresting compared to the larger themes in history, and have therefore left biography, together with local history, to the so-called amateurs outside or on the borderline of the academia. On the other hand, post-structuralists such as Michel Foucault and Roland Barthes have seen the writing of biography as something impossible to do, as humans, for them, lack inner integrity or unity. The attempts to write lives then become answers to scholars’ yearning to dominate other people, trying to pin them down in an easy manner.31

What is then this thing called biography? Often, even many of those who undertake the complicated task of writing a life of a certain person have not investigated the concept of biography or reflected on its possibilities and limitations. Most reflections on biographical theory and practice have emanated from the pens of literary historians mainly interested in the relations between the life and the work of an author, and how the former reflects the latter. Often literary historians also focus on the active and formative role of the writer of a biography, the biographer, which is perhaps as important as the object of study. However, in recent decades a vivid debate on the place of biographical studies and the theory of biography has taken place also within the academic historical disciplines, as biographies have become a more acceptable way of writing history. In the following notes, I will discuss recent treatments of biographical theory, primarily focusing on contributions from the Scandinavian countries.

Trying to make a simple typology, I will initially distinguish between some different kinds of biographies. An initial distinction could be made between the “life and works” type of biography and the genre often known as psychobiography. The first is the classic type, placing the person in a historical context, and searching for the background of his or her ideas and acts. The second form emphasises the motives for a person’s action and the hidden agendas in a life, using concepts and

methods from psychology and psychoanalysis. A third type of the writing of a life is sometimes mentioned, the existential biography, focusing on a person’s life project and the driving forces in their life and how they have dealt with ethic and existential questions.32

Another main distinction could be made between the narration of a “flow of life”, and a kind of “problem or theme oriented” biography. In the first kind, which can also be called accumulated biography all parts of a life are given equal or at least similar attention. The main way of organising the material is chronological. It is, however, very common that the narration of a life slows down and almost stops at times which the biographer finds particularly interesting or on which there is an abundance of sources. In the second variant of biography, certain problems are highlighted through the study of a life, and this is perhaps the most rewarding form of biography for scholarly research. In this second type of biography, the material is not necessarily organised in a chronological way, but more often in a thematic way, though with some internal chronology.

According to the Swedish historian of technology Thomas Kaiserfeld, biography may successfully be used as a way to delimit problem-oriented studies. By focusing on an individual as the unifying core of a study, the researcher may delimit the source material, and thus be able to make a close and detailed study, trying to understand historical processes. The problem is thus to find an individual who by his or her life and work can illuminate or mirror problems that are more general.33 In the opposite words of Göran B. Nilsson, the writing of lives “highlights the fundamental problem of cultural sciences: the relations between individual and structure or philosophically formulated, human being’s free will in theory and practice”.34


In biography, the study object is thus often seen as a representative or mirror of the society or the ideas that surround the individual. The famous French historian Fernand Braudel is reported to have thought that he saw the individual events as the surface of the ocean of history or even as a kind of litmus paper. For a structuralist like Braudel, the litmus paper as used by the chemist is not so valuable per se. What is important is the way in which the paper reacts, as its colour informs about the acidity of the liquid that surrounds it. In analogy, the individual event is only important for what it informs of the more slow-moving surrounding reality. Building further on this idea, the Danish historian Sidsel Eriksen has used the analogy of the litmus paper to discuss the relation between history and biography.35

Biography as depiction of a life appears as a row of more or less important events, where the individual appears as the continuous element. The “litmuspaper” is thus not constituted by a single event but by whole series of events. Through the study of the individual’s concrete interaction with the environs, we may “discover” and delimit the individual person’s possibilities of action.36

A very common temptation for the biographer, I think, is a tendency to exaggerate the significance of the person, whose life they have taken as their mission to write. As years of research pass by, it is common that the subject of one’s study consciously or unconsciously becomes one’s hero, so that the biography becomes a monument or an epitaph of that person’s life. In this same line of thought, Göran B. Nilsson has pointed out that a life “is written most easily and most hagiographically if the generality of the unique is not taken into account”.37 Consequently, it is of paramount interest to relate the life and works of the subject to the life and works of other individuals, as well as to institutions and “structures”, in order not

to exaggerate the role and originality of the individual, though the researcher must also look for the special, if not entirely original contribution of the individual studied. Given the complexity of the relations between individuals and ideas, and the fact that the historical context of a given individual is almost infinite, biography is a tricky genre.

In an interesting article on biographical hermeneutics, the Swedish historian of ideas, Kjell Jonsson, has put forward the insights of the Polish scientist Ludwik Fleck as a way to relate the unique individual to the collective in the field of the history of ideas. In a book on the history of scientific explanations, Fleck, in 1935, presented the concepts “thought collective” (Denkkollektiv) and “thought style” (Denkstil) as instruments to relate a person to his ideological background. These concepts have influenced later years’ discussions of paradigms in science. According to Fleck, every human being exists in a thought collective that has a deep influence on the individual. Such a collective appears whenever thoughts are exchanged between at least two individuals.38 Discussing this somewhat further Jonsson claims that:

Thoughts, ideas, conceptions, and attitudes, which are the objects for the biographer, are consequently not the property of any individual person. Thoughts certainly pass through individuals, but change constantly, so that we finally do not know whose ideas that are circulating.39

I think that this could be a very rewarding way of looking on the relationship between the individual and the history of ideas, and not least so in studies on the history of the church, where freethinkers most often have not been appreciated. In relation to this it could be appropriate to speak of a network or web biography, a genre which strives at relating the individual person, who stands in the centre, to other persons and institutions, which have influenced or formed that person’s ideas and actions and which the individual has helped to form.40

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40 Österberg 1996:328.
Another of the biographer’s temptations is to assume that the subject of one’s study always acts consequentially, logically, or coherently. This temptation has led the French author André Maurois, in his classic series of lectures, *Aspects de la biographie*, to speak of a *Homo Biographicus*. This mysterious species is a perfect construction of the biographer, and is a character who, contrary to the real human being, the *Homo Sapiens*, always acts purposefully, accomplishing important things without rest. Biographical Man always writes significant letters, and the biographer often takes for granted that there is a perfect concordance between what a person “is” or “was” and what that person has written down in the course of his or her life.\(^{41}\)

Though it is perhaps obvious, it should be stated that it is not possible to write a *total* biography, meaning a work that covers all aspects of a person’s life. Biographers therefore always have to bear in mind that they only have access to a limited and probably deficient number of sources that most certainly are scattered in many places, some of which they have not been able to trace, despite diligent research. Moreover, other sources, which might be of equal interest, may have been destroyed though conscious or unconscious acts or circumstances during the course of time. In addition, when working with the sources available, biographers always have to select some texts and put them in a context, trying to interpret them according to their particular knowledge of the time, ideas, and historical context at large. Biographers also have to bear in mind that they cannot interpret a person’s life *per se*, but that they can only interpret the sources that are left of a person’s life and acts.

**Questions and Contexts**

The main aim of this study is to investigate the conflicts arising from different views on the future of the church in mid-sixteenth century Mexico, using the thematic biography as a way of delimiting and focusing the subject, thus enabling me to study a limited amount of sources in greater detail. I will do this by studying Alonso de Montúfar’s time as Archbishop of Mexico with special attention to his vision of the church and his church politics. By “vision of the church”, I mean his idea of how the church in Mexico should be organised and how this vision was met by other individuals and groups within the church and in society.

\(^{41}\) André Maurois *Aspects de la biographie* (Paris 1930), in particular pp. 254-260.
By “church politics”, I understand the Archbishop’s attempts to implement his vision of the church in Mexico. To reach my goal, the study is centred on three clusters of questions.

The first cluster of questions relates to the transformation of a “missionary church” to an “institutionalised” or “mature” church with a developed hierarchy. What should be the role of the episcopacy in the church in Mexico, or more precisely, what role did Montúfar want to assume as Archbishop of Mexico and how did he describe his duties and the limits of his jurisdiction? Further, it is vital to investigate how his ideal come into conflict with other persons and groups within the church and society as well as to investigate from what groups and persons he could expect support.

The second cluster of questions deals with the relations between state and church in New Spain, and more concretely and correctly, between the Spanish monarch and the Archbishop of Mexico, as well as the relationship between the Archbishop and the Mexican Viceroy. More specifically, how did the Crown act in the ecclesiastical controversies in mid-sixteenth century New Spain?

The third cluster of questions focuses on the indigenous population in Mexico. According to Spanish law, the bishops in the Indies should have a special concern for religious instruction and temporal wellbeing of the indigenous population. It is therefore interesting to study how the Indians as a group described in the Archbishop’s writings.42

However, before proceeding with a presentation of the basic material that I have used for this study, I would like to discuss three fields that are important for the understanding of the questions outlined above.

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42 Though I will use such concepts as “Indians”, “indigenous population”, and “native population”, it must be pointed out that the “Indians” hardly ever spoke about themselves as “indios”, as part of large indigenous group. In Nahuatl documents the concepts “nican tlacatl” (local person) or “macehualli” (commoner) were often used as opposition to the Spaniards. Even if I use the term “Indian”, it must remembered that this group, even in such a geographically limited area as Central Mexico, included many linguistically, ethnically, and culturally diversified groups, although a great majority spoke the Nahuatl language. See James Lockhart The Nahuas after the Conquest. A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries (Stanford 1992).
Reform movements within the Catholic church started well before the Protestant reformation, were manifestly expressed in the General Council of Trent (1545-1563). This council strove towards a clear formulation of the creed of the Roman church over and against the creeds of the nascent Protestant churches, anathematizing their basic doctrinal stands. Centralisation of ecclesiastical authority and uniformity of creed and liturgy are catchwords for the movement, and in particular the acts of the Council of Trent. The church should stand uniform under the central leadership of the Pope and the collective of the diocesan bishops. On the other hand, the frontiers of the church should be advanced both by trying to win back what the Roman church had lost through the Protestant reformation and by active mission in heathen lands. It must though be stated that the conciliar acts from Trent never spoke explicitly about mission, but were centred on the parish church in Europe. Hence, on the one hand we can talk of the Catholic reformation or reform, the internal movement that began well before Trent. On the other hand, we may speak of a Counter-reformation, the external movement against the Protestants in Europe that got its strength especially after the peace treaty at Augsburg in 1555. These are two important, if not the only, aspects of Early Modern Catholicism.43

On the Iberian Peninsula, a reform movement started in the fifteenth century. The “Catholic monarchs”, King Ferdinand of Aragón (r. 1479-1516) and Queen Isabella of Castile (r. 1474-1504) engaged themselves actively in church politics, not least as a means to unite the different parts of their countries. They tried to assume control over the Iberian church in manifold ways and to direct the reform movements within their kingdoms. In some recently conquered parts, such as the Muslim kingdom of Granada and the Canaries, they received patronage rights as early as the 1480s, a fact that enabled them to get an even closer grip on the church and mission there.

There were several layers in the reform of the fifteenth and sixteenth century church in Spain: the episcopacy, the secular clergy, the religious orders, and thereafter the people at large. A perennial problem of the Spanish episcopacy that was often reported in contemporary sources was

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43 For a particularly useful study of these and other terms, see John W. O’Malley SJ *Trent and all that: Renaming Catholicism in the Early Modern Era* (Cambridge, Mass & London 2000).
absenteeism. This concept implied that bishops never or rarely attended their sees. Clerical morality was reported to be at low ebb. Thus, chastity was often not observed by clerics, and public concubinage was common both among the local parish clergy and diocesan bishops. Moreover, the clergy’s knowledge of even the most basic contents of the creed was often deficient. The reforms in Spain were therefore focused on heightening the intellectual standing as well as the mores of the clergy, starting from the top with the bishops (reformatio in capite), hoping that these reforms in their turn would influence the local clergy and the people (reformatio in membris). The religious orders in Spain also underwent reforms, focusing on a strict adherence to their respective rules of life and their stricter interpretation of the vows of poverty, chastity, and obedience.44

Many Spanish theologians before, during, and after the Council of Trent dealt with the theme of the ideal bishop. In particular, this was the case for a number of Dominican theologians, as Francisco de Vitoria, Bartolomé de Carranza, Domingo de Soto, and Bartolomé de los Mártires. According to these Spanish theologians, the ideal bishop should be the true pastor who was awake and present in his diocese to attend to his sheep, the parishioners, and at the same time keep them within the fold, especially through continual visitations of all realms of their diocese. As an integral part of their office, the bishops should preach, explain, and defend the contents of the Catholic creed, and choose good ministers to help them fulfil these tasks within the borders of their diocese. All these ideas were emphasised at the Council of Trent.45

Another feature of the reform church in Spain was the celebration of diocesan synods and provincial councils, focusing precisely on the reform of the clergy and the faithful. The synods, celebrated between the mid-fifteenth century and the latter part of sixteenth century, were meetings of the bishops and the clergy of the diocese, whereas the provincial councils summoned an archbishop and his suffragan bishops. However, some of the latter councils were national in practice, gathering bishops from all parts of the kingdom. Some of these councils were also especially

44 Tarsicio de Azcona OFM Cap. La elección y reforma del espiscopado español (Madrid 1960).
important for the church of the Indies, as they became sources for the synods that were celebrated there in the sixteenth century.46

Royal Power and the Church in the Indies

In 1492, Christopher Columbus arrived in the Caribbean Antilles, an event that came to mark the beginning of Spain’s centuries long colonial empire in the Americas. The discovery of the Indies was seen as proof of God’s appreciation of the deeds of the Catholic Monarchs, having crushed the Muslim rule on the Iberian Peninsula that same year. Hence, shortly after the return of Columbus to Europe, Spanish born Pope Alexander VI donated the lands, which had been discovered in their name, to the Catholic monarchs. Moreover, the monarchs were assured that they could conquer more land in the future, on the condition that these lands were not subject to any other Christian sovereign.

The other nation on the Iberian Peninsula, Portugal had begun its explorations and conquests on the West African coast as early as in the mid-fifteenth century. When the Spaniards too had entered in the quest for new territories overseas, a clear-cut division between the Portuguese and Spanish realms of power was necessary. After various diplomatic manoeuvres, in the treaty of Tordesillas (1494), a line was drawn 370 leagues west of Cape Verde, marking the limits between Portugal and Spain. A most important consequence of this treaty, unknown to the regents at Tordesillas, was that Portugal, somewhat later, could claim parts of the South American continent – the land known as Brazil.47

The Spanish monarchs wanted to have patronage rights over the church in the Indies, just as in Granada and on the Canary Isles. It is unknown why they did not succeed in receiving these rights during the pontificate of Alexander VI, who otherwise was most generous towards them. However, after many years of lobbying, and after the death of the Queen, King Ferdinand was granted the patronage of the church in the Indies through the bull *Universalis Ecclesiae*, dispatched by Pope Julius II in 1508. The gist of the idea of the royal patronage was that the kings held the right to present candidates to all ecclesiastical benefices, including the bishoprics. Through the royal interpretation of the patronage, the Pope became quite marginalized from the church in the

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Indies, as the system also impeded direct contact between the New World and the Holy See. Consequently, all papal letters destined to the Indies had to be checked beforehand by the Royal Council of the Indies, since the King had the right to veto papal bulls and briefs before publication overseas (pase regio). Likewise, all letters from the ecclesiastics in the Spanish Indies had to be revised by the Council before being remitted to Rome. Violations of this decree, on the part of the ecclesiastics, were considered very grave transgressions of the patronal rights of the monarch.

Apart from these conditions, other circumstances contributed to marginalize the ecclesiastics in the Indies from the Holy See. For example, no American bishops attended the Council of Trent. Emperor Charles’ answer to the Mexican bishops who wanted to leave for the general council is most illustrative. The Emperor thought that the Mexican prelates did not have to go to the ecumenical council, as he should inform the Spanish conciliar fathers of the problems of the Mexican church of which he had received information. Nor did any Spanish American bishops go on ad limina visits to Rome, due to the enormous distances between the Indies and Europe. All these factors led to a further marginalisation of the church in the Indies from the Holy See, so that for the Indies, the Council of the Indies replaced the curia in many ways.48

The prerequisite of the papal grants was that the Spanish Monarchs should send ministers to instruct the indigenous population in the Christian doctrines and to administer the sacraments to them. If the kings did not fulfil this duty, they could, at least theoretically, lose their rights to the territories with which they had been entrusted by the Pope. In this context, contemporary sources often use a certain rhetorical figure to describe the King’s position. The plight to mission constituted a “burden of the royal conscience” (cargo de la real conciencia). The explanation of this figure of speech was that the Pope, through the concession of the patronage of the Indies, had “unloaded” parts of his “evangelising burden” on the Spanish King’s shoulders. Unable to fulfil this duty himself, the King, in turn, delegated it to the ecclesiastics he appointed to carry out the ministry in the New World. By this and by making just decrees on the church, he unloaded his royal conscience (descargo de la

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As a part of relieving his burdened conscience, the monarch made laws and administered justice. He held the supreme legislative, judicial, and executive power. The aim of the legal system was, according to scholastic tradition, the common good (bien común) in temporal as well as in spiritual matters. This aim was to be achieved through good government (buen gobierno). Separate laws were often given to different ethnic groups, such as Indians, Spaniards, meztisos and blacks.50

The King’s main representatives in the Indies were the Viceroy and the royal audiencia, which should implement the laws made by the King. The audiencia was the regional high court, and was formed by a number of judges (oidores), who held judicial, as well as legislative and executive powers. The audiencia’s consultations were looked upon as laws unless disallowed by the Council of the Indies, which was the highest court of appeal in the colonial administration. During the early colonial times, there were only two viceroyalties in Spanish America, that of Mexico and of Peru, with the border through Panama. The Viceroy can be described as the King’s alter ego, who was appointed for a fixed time or at the regent’s discretion. The Viceroy represented the King in various ceremonies in the colony and was president of the audiencia in the viceregal capital as well as the executive governor of the viceroyalty. His position also implied that he was the Captain general, that is, head of the military forces within the viceroyalty. Finally, he was the vice-patron, and as such held the right of presentation to lesser ecclesiastical benefices, such as curates.51

Bishops and Indians

According to the royal laws of the Indies, the main duty of the bishops was to preach and to defend the Catholic creed within the limits of their diocese. In complying with this, the bishops should pay special attention to the teaching of the faith to the newly christianised population, the Indians. This duty was, however, not restricted to the episcopacy, but included the clergy at large as well as civil authorities and even individual conquerors. The other side of the exhortation of the faith was known as extirpation of idolatry, meaning the active counteraction of pre-

49 Rafael Gómez Hoyos La iglesia de América en las leyes de Indias (Madrid 1961).
Hispanic religious expressions, through preaching and investigations of cases of idolatry. According to the laws, the bishops’ preoccupation with the King’s indigenous subjects should not, however, be restricted to their spiritual well-being, but should also include their temporal well-being and their protection from abuse on the part of the Spanish colonists.52

In Hispanic discourse, the Indians were most often looked upon as fragile minors or rather perpetual children. This view was omnipresent among the missionaries, theologians, and jurists of the time, implying that the Indian subjects of the King were easily led astray, lacking full intellectual capacity and the character of grown-ups. Therefore, they needed constant supervision like infants. The frailty of the Indians was also evidenced by their vulnerability to the European diseases that severely decimated the indigenous population. Therefore, the Indians were in great need of protection and should be treated well by the bishops, who should be their fathers par excellence. In addition, the Indians were considered miserable people (gente miserable). This concept has biblical roots, including groups such as widows, orphans, children, and poor people at large, and as members of this group the Indians were ensured certain privileges.53

The bishops in the Indies should thus be defenders of the Indians (protectores de indios). This concept emerged as a special title conferred to various early-sixteenth century bishops in the Indies, for example Vasco de Quiroga, Juan de Zumárraga, Bartolomé de las Casas, and Jerónimo de Loaysa, but it was also seen as an integral part of the episcopal office per se. However, the bishops who were given the special office of protector were also given jurisdiction to persecute the Spaniards who abused the Indian subjects of the Spanish regents. The main reason for the introduction of this office was to implement the royal laws and defend the native population from abuses by the encomenderos, and from bad treatment in general.54

52 Dussel 1970.
Remarks on Sources

From the late sixteenth until the early eighteenth centuries, a number of short biographical notes on Archbishop Montúfar were written. Most of these notes formed part of various episcopologies and chronicles of the Dominican order. Agustín Dávila Padilla’s work on the Mexican Dominican province: Historia de la fundación y discurso de la Provincia de Santiago de México, was the first, written in 1596. Following this chronicle was a number of works by Spanish Dominicans more or less reproducing or at least building on the text of Dávila Padilla. Thus, Alonso Fernández wrote a note on Montúfar in his Historia eclesiástica de nuestros tiempos (1611), sometimes thought to be the first “modern” universal church history, which includes many facts on Mexico.55

There is also a passing note on the Archbishop of Mexico in the general history of the Order of Preachers compiled by Juan López as Quarta parte de la historia general de Santo Domingo, y de su orden de predicadores, (1615), followed among others by Vicente Maria Fontana in his Sacrum Theatrum Dominicarum (1666). Of paramount importance for all later studies on Montúfar is Gil González Dávila’s OP episcopology Teatro Eclesiástico de la primitiva Iglesia de la Nueva España (1649-1655), which included a relatively long note on Montúfar’s time as archbishop, including information not found in the earlier works. Finally, in this sequence of chronicles, there is a biographical notice on Montúfar in a work on the history of the college of St. Thomas Aquinas in Seville, where the future archbishop studied and taught during a couple of years in the 1510s and 1520s. This chronicle, based on documentation in the college’s archives, was compiled by Diego Ignacio de Góngora in the late eighteenth century, but remained unpublished until the end of the nineteenth century.56

Most of the above mentioned chronicles start by giving a short account on Montúfar’s Spanish background before embarking on his work as the archbishop of Mexico. They give a hagiographic bias, as one

55 Agustín Dávila Padilla OP Historia de la fundación y discurso de la Provincia de Santiago de México de la Orden de Predicadores por las vidas de sus varones insignos y casos notables de Nueva España [1596] (Mexico City 1955) and Alonso Fernández OP Historia eclesiástica de nuestros tiempos (Toledo 1611).
56 Vicente María Fontana OP Sacrum Theatrum Dominicarum (Rome 1666); Gil González Dávila OP Teatro eclesiástico de la primitiva iglesia de la Nueva España en las Indias Occidentales [1649-1655] 2 vols. (Madrid 1959); and Ignacio de Góngora Historia del Colegio Mayor de Sto. Tomás de Sevilla, 2 vols. (Seville 1890).
of the main purposes of the genre was to present worthy and holy men who could serve as models for the readers or glorify the history of a certain order or bishop, or the evangelisation in the area. The chronicles also present history as salvation history, as God’s action in concrete situations for the salvation of humankind. However, the chronicles do not give any detailed insights into Montúfar’s archiepiscopal administration, which is of particular interest to me, but are rather laconic on that matter, often only comprising just one or a few pages. In any case, the chronicles are interesting and, I think, indispensable sources, but they certainly have to be supplied with other types of material to give a broader and deeper view of Montúfar’s archiepiscopacy.

Therefore, various types of contemporary sources, some published, others unpublished, constitute the backbone of this dissertation. These documents, as veritably all material on colonial Spanish America, are found scattered in various archives and libraries on both sides of the Atlantic Ocean, but chiefly in a number of Spanish and Mexican repositories. The most common type of records that I have employed is letters. Unlike his predecessor on the see, Juan de Zumárraga, but like most other bishops in the Indies, Montúfar did not write any theological works. He was, however, a very prolific writer of letters. In fact, Archbishop Montúfar’s epistolary seems to be one of the most voluminous of any sixteenth century ecclesiastic in the Indies. Apart from letters, various types of protocols have also been used in this study as well as judicial records. Throughout the dissertation, I will of course discuss and appraise the individual records when utilised. Here, I will just comment on the main types of sources, as well as on the different institutions where I have done research, and mention some of the most important published source collection.

Among the Spanish archives, the Archivo General de Indias, (AGI) in Seville is of particular interest for a study such as this, as it houses great amounts of records, originating from the civil and ecclesiastical administration overseas and sent to the Spanish King and his council. In the AGI, I have above all perused documents from the section of the Audiencia de México (in notes abbreviated as M). One of the volumes in this section, the legajo 336A, deserves a special comment, as it is filled

57 For a study of the theological content of the chronicles, see Josep Ignasi Saranyana (ed.) Teología en América Latina. Vol. 1: Desde los orígenes a la Guerra de Sucesión (1493-1715) (Frankfurt am Main & Madrid 1999), in particular pp. 531-550.
with correspondence from the archbishops and cathedral chapter of Mexico in the years 1539-1581, including no less than eighty letters from Montúfar.\textsuperscript{58} However, I have also been able to find a large number of letters from the Archbishop in other sections, each letter constituting between one to over fifteen closely written folios, and well spread out between the years 1554 and 1570.\textsuperscript{59}

The Archbishop’s letters were usually directed to the Spanish monarch and the Council of the Indies, and were frequently answers to allegations, reports on the “state of spiritual and temporal matters” of the archdiocese; or various kinds of solicitations (for ministers, improved economical conditions for the church etc.). They often tend to be lengthy and quite verbose; frequently the same lines of argumentation are repeated various times, only slightly altered. From the repositories of the AGI, I have also used letters and reports from other ecclesiastics (suffragan bishops, friars, secular clergy, and members of the cathedral chapters) as well as civil authorities (above all the Viceroy and the \textit{audiencia}), and indigenous communities or individuals. Apart from letters, another important type of records in the AGI ought to be mentioned. These are the judicial acts – which are part of the section \textit{Justicia}. These acts are notarised statements taken by either the civil court in Mexico – the royal \textit{audiencia} – or an ecclesiastical court of law, that were sent to the Council of the Indies for revision and final decision.

The responses from the King and the Council on all these letters, reports and lawsuits are also found in the AGI, but also in various archives and libraries in Mexico and the United States. A large body of royal dispositions, called \textit{ordenanzas}, \textit{instrucciones}, \textit{provisiones}, and \textit{cédulas}, made up the colonial laws of the Indies. The most common form was the \textit{real cédula} (royal decree), which was addressed to a person or an entity in the Indies. The \textit{cédulas} followed a similar pattern starting with a short summary of the antecedents of the law, based on reports that the

\textsuperscript{58} Most of these letters are found in a leather bound book in AGI, M 336A that is marked “Cartas escritas a S[u] M[ajestad] por el Arzobispo y Cabildo desta Iglesia de Mexico de los Años 1554 hasta el de 1572” and it is also known as the “Tomo de Montúfar”.

\textsuperscript{59} A large number Montúfar’s letters in the AGI were transcribed by the Mexican scholar Francisco del Paso y Troncoso during his archival mission to Europe at the turn of the nineteenth century. They were later published among other documents from the AGI as \textit{Epistolario de la Nueva España 1505-1818} (16 vols., Mexico City 1939-1943), hereafter abbreviated PT. When referring to this work I will only mention the number of the letter and not the volume and page.
King had received from the Indies, often using the standard formula “it has been reported…” Earlier decisions on the individual matter were also summarised in the preamble. This introductory part was followed by the reasons for the new royal response to a question. Thereafter, the decisions were outlined and terminated by an exhortation that the decisions should be obeyed and a suggestion on how they should be implemented. 

Various royal letters were published already during the sixteenth century. In 1563, one of the judges of the Mexican audiencia, Vasco de Puga, published a collection of the letters that were sent to New Spain and by the end of the century Diego de Encinas published a more structured compilation, dealing with all of Spanish America. In addition, I have consulted the twentieth century editions of royal letters by García, Carreño, and González de Cosío.

Among the Spanish archives, I have also done some research in the Archivo Histórico Nacional (AHN) in Madrid, searching for notes on Alonso de Montúfar in the records of the Spanish Inquisition, where he was active as a theological expert before his election to the Mexican see. The fruits of this research have, however, been scarce. In the AHN, I also searched through the collection known as “Documentos de Indias”, containing sixteenth century letters from the Indies, some of which remain unpublished. Among the minor Spanish archives, I have also had the privilege of working in the Dominican monastery of Santo Tomás de Aquino in Seville, which treasures a few important documents and manuscripts relating to Montúfar’s many years in the monastery of Santa Cruz la Real in Granada.

On the other side of the Atlantic, in Mexico, I have done research in the Archivo General de la Nación (AGN) in Mexico City, where part of the documents from the colonial institution in New Spain are to be found. Here I consulted documentation from the episcopal Inquisition of

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62 For the published letters from AHN, see Cartas de Indias. (Madrid 1877).
Mexico. Apart from the Inquisition acts, the ecclesiastical documentation from the mid-sixteenth century in the Mexican National Archive is rather scarce. I have, however, consulted individual documents in the documentary groups known as “Bienes Nacionales”, which includes ecclesiastical material, and “Mercedes”, which contains letters from the Viceroy.

In Mexico City, I also spent time in the Archivo del Cabildo Catedral Metropolitano de México, (ACCMM), which among other things includes a series of protocols from the cathedral chapter, that is of utmost importance for a study of the Archbishop’s relations with this institution. In this repository, I have also found letters and other documents from the sixteenth century scattered in various series of the archive. The third Mexican repository in which I have done research is the Archivo Histórico del Arzobispado de México (AHAM), where a small number of interesting records from the Montúfar years are found, especially dealing with ecclesiastical tithes.

In addition to the archival institutions in Spain and Mexico, I have made use of some records in the Vatican, as well as in France, and the United States. In the Archivio Segreto Vaticano (ASV), I was able to consult some documents regarding Montúfar’s election to the Mexican see.63 I have also used some documentation from the Bibliothèque Nationale (BNP) in Paris. Its “Fonds espagnols” include an important volume of letters and other documents that probably had been in the possession of the Augustinian theologian Alonso de la Vera Cruz, and which among other things deal with his conflicts with Montúfar.

Finally, in the United States, there are a couple of manuscript collections, which should not be overlooked in a study of early Mexican Church History. The originals of the first three provincial councils that were celebrated in Mexico during the sixteenth century, two of which were celebrated during the time of Montúfar are in the Bancroft Library (BL) of the University of California at Berkeley. Moreover, the Benson Latin American Collection (BLAC) in the University of Texas at Austin now owns many important colonial manuscripts from Latin America. Among the unpublished documents, I have studied a couple of

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63 Papal letters have been consulted in Josef Metzler (ed.) America Pontificia Primi Saeculi Evangelizationis 1493-1592, 2 vols. (The Vatican 1991). Some of the more important letters are translated into English in Shiels 1961.
manuscripts by the Franciscan theologian Juan Focher, which I have used as a counterpart to the argumentation of the Archbishop.

Taken together, these different kinds of documents will be used to investigate both the archiepiscopal administration of Montúfar and his relations to other individuals and institutions. Graphically, the creators and receivers of documents involved in this study could be described in the following way:

When referring to unpublished documents, such as letters, I have chosen to give rather thorough information in the respective footnotes. Generally, I start every note by giving the name of the author of the letter and the addressee, followed by the place and date of dispatch. If not otherwise stated, the letter was dispatched in Mexico City. When it comes to the archival origin, I also pass on a number of data. Hence, I always note 1) the name of the archive, using the abbreviations found above and in the bibliography, 2) the section or area of the archive, and 3) the volume number. If possible I also note 4) the part of the volume where the document is found (number, ramo, or the like), and finally 5) the folio number, noting the front and back page with the usual r and v, for recto and verso.

Quotations in “foreign” languages are generally translated in the running text. For longer quotes, the original wording is found in the respective footnotes. If not otherwise stated, the English translations are mine.

**The Structure of the Dissertation**

Apart from this introduction and the concluding remarks, this dissertation consists of eight chapters. The first two chapters (I to II) have an
introductory character. The first of them follows Alonso de Montúfar from his youth, through many decades in Dominican monasteries in southern Spain, and finally on his way to the Indies. This chapter ends with the arrival of the newly consecrated archbishop in Mexico in 1554. In the second chapter, I describe the church in Mexico at the time when Montúfar arrived there, some thirty years after the Spanish conquest and the entry of the first missionaries. Here, I emphasise the missionary methods used in the christianisation and their effects on the indigenous population, mainly using secondary literature, making this the only part of the thesis in which the use of archival material is not prevalent.

In chapter three, I begin the study of Archbishop Montúfar’s view of the church and his church politics. Here I specifically focus on the two provincial councils that were summoned by Archbishop Montúfar in 1555 and 1565. I also emphasise the Archbishop’s attempts to implement the decrees of the councils, especially through the archiepiscopal court of law and visitations, but also through the publication of manuals that attempted to homogenise the cult and the liturgy in the archdiocese. Here, I will also relate the Archbishop’s work to some of his closest co-workers.

The four chapters that follow (IV to VII), I underline Montúfar’s conflicts with different sectors of the church and the civil administration, arising from his attempts to implement his view of the church. In these chapters, I hope that Montúfar’s vision of the church and his church politics will appear more clearly, when contrasted with the views of his adversaries. Chapters four and five address Montúfar’s often very stormy relations with the friars, who since the very beginning of the Spanish presence in Mexico had dominated the christianisation of the indigenous population. From his arrival, the Archbishop sought, in various ways, to delimit the influence and power of the mendicant missionaries in the church. This was done above all through the promotion of the secular clergy that stood firmly under episcopal jurisdiction. Given the importance and complexity of these conflicts between the episcopacy and the religious orders, I have found it useful to devote two separate chapters to these matters, although the questions are intertwined. In the fourth chapter, I emphasise the conflicts on jurisdiction between the bishops and the friars, especially regarding the Indian ministry and the administration of the sacraments to the indigenous population. In chapter five, on the other hand, I study the disputes between friars and bishops on whether the Indians should be subject to the payment of ecclesiastical tithes, the main
source of income for the prelates and the secular clergy, something which the friars firmly opposed.

In the sixth chapter of the thesis, I deal with the sometimes equally strained relations between Archbishop Montúfar and the chapter of the metropolitan cathedral of Mexico, another powerful group in the colonial church. The seventh chapter is somewhat different. Here I deal with questions related to the nascent cult of Our Lady of Guadalupe at Tepeyac in the northern outskirts of Mexico City. The goal of this chapter is to try to establish the role of Montúfar in the promotion of this popular cult and the conflicts implied in this promotion. The cult of Guadalupe is also intertwined with the quarrels between the Archbishop and the religious orders as well as between him and the cathedral chapter. All these four chapters (IV-VII) share a common structure, as they include a chronological review of events as well as an analysis of the partisan argumentation together with an analysis of the role of the Spanish Crown and the Holy See in the intra-ecclesiastical conflicts.

While most of the previously mentioned chapters (III-VII) deal with the archiepiscopal administration of Montúfar between 1554 and 1569, the last chapter of the thesis (VIII) is an epilogue, dealing with the last years of Montúfar’s archiepiscopacy, when the prelate was almost permanently bedridden and at the mercy of his counsellors even more than before.
CHAPTER I

A FRIAR BECOMES ARCHBISHOP

Andalusian background

In a mountainous region northwest of Granada in Southern Spain, on the shores of river Genil, lies the small town of Loja. In the year 1486, the town, known to the Arabs as Medina Laws, was taken by troops under the Catholic monarchs. This victory was of great strategic value for the Castilians in their subsequent conquests of what remained of the Muslim Al-Andalus, since the town had been a stronghold close to the border between the kingdoms of the Arabs and the Castilians. In fact, the Castilians had tried to capture Medina Lawsa on two prior occasions without success, but on the third occasion, in 1486, the Muslim leader Boabdil surrendered and was taken captive after a bloody battle. After the surrender, the intruders expelled the Muslim inhabitants and their lands and houses were divided between Castilians according to the custom of the re-conquest. In the years to follow five hundred families arrived in Loja in order to repopulate the town.1

One of the early settlers in Loja was Alonso Martín Montúfar, who had arrived in September 1487 together with his wife from a village called Fuente de Corcho near Huelva and the Portuguese border.2 By the late fifteenth and early sixteenth century, members of the Montúfar family also lived in Madrid as well as in the village of Tamajón in the province of Guadalajara. It is, however, not known how these branches of the family were connected with the Montúfars living in Loja.3 From

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1 For the battles of Loja, see Miguel Ángel Ladero Quesada La guerra de Granada (1482-1491) (Granada 2001). Cf. Ester Galera Mendoza Loja (Granada 2000):39-50 for notes on Muslim Medina Lawsa.
3 For notes on the Montúfars, see Alberto and Arturo García Caraffa Diccionario heráldico y genealógico de apellidos españoles y americanos, vol. 58:229-239 (Salamanca 1936). Cf. Edgar Juan Aparicio y Aparicio “Los Montúfar”, Anales de la
the *Libro de los Repartimientos de Loja*, a comprehensive list of the settlers in the town and the royal concessions made to them, it is possible find out that after his arrival in Loja Alonso Martín Montúfar had received “a couple of houses” in the Jaufin neighbourhood, close to the mosque that was rebuilt as the church of San Gabriel. He was also given plots of land in the surrounding areas.⁴

It was in this re-conquest environment that the future archbishop of Mexico, Alonso de Montúfar, was born, shortly after the arrival of his parents in Loja.⁵ Montúfar’s year of birth has been under some discussion.⁶ We know for sure that his parents moved to Loja in September 1487, and if this town is his place of birth, as the chroniclers unanimously state, this is the earliest possible year. Some chronicles render 1489 as Montúfar’s year of birth and such is the case in Góngora’s *Historia del Colegio Mayor de Santo Tomás en Sevilla*, a manuscript from the late eighteenth century that used material from the archives of the monastery, which now have disappeared.⁷ Most other chroniclers do not mention the Archbishop’s year of birth, or following Gil González Dávila’s episcopology they render 1498 as an alternative. This date is perhaps just a misprint, reversing the two numbers eight and nine. González Dávila also contradicts himself when stating that Montúfar was eighty years old, when he, erroneously, stated that Montúfar died in 1569.⁸ Apart from this, there is another interesting note concerning Montúfar’s date of birth; when his good friend and assistant Bartolomé de Ledesma, in a eulogy to the Archbishop, writes that Montúfar had accepted the archbishopric in 1551, though he was over sixty years old. This note, together with the other evidence, indicates that Montúfar was born as early as 1489 or at least around that date.⁹

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⁴ Barrios de Aguilera 1988, fol. 21r, 46v, 63v, 85v, 103r, 165v. Cf. Galera Mendoza 2000:90-95 for a description of the town at the time of the conquest.
⁵ According to García Carraffa 1936, vol. 58:237, the family name of Alonso de Montúfar’s mother was Bravo de Lagunas, but the authors give no source for this assertion, which is not found in any sources known to me.
⁶ See in particular Ricard 1925:243-245.
⁷ Góngora 1890, vol. 2:44.
⁹ Bartolomé de Ledesma OP *De Septem Nove Legis Sacramentis Summarium*…(Mexico City 1566):fol. 3r.
Not that much is known about the life and works of Alonso Montúfar prior to his arrival in Mexico in 1554, but at least fragments of his *curriculum vitae* can be reconstructed from the works of a number of chroniclers, supplemented with archival records. Despite the relative lack of sources, it is, however, known that Montúfar left his hometown at an early age for the city of Granada. There, he took the Dominican habit in the monastery of Santa Cruz la Real and professed, that is, took his solemn and eternal vows of poverty, chastity, and obedience, on May 14, 1512 in the presence of the prior, Fr. Lope de Ovalle.10

Santa Cruz la Real had been founded twenty years earlier, only three months after the final surrender of the city of Granada to the Catholic monarchs. For the foundation of the monastery, Ferdinand and Isabella donated part of the land estate and house of Queen Fatima Dal-Horra to the Order of Preachers. The monastery was first situated in this house, until a separate monastery with an adjacent church was built in the early 1510s. The main goal of the new monastery, according to its letter of foundation, was to educate friars who could function as preachers amongst the newly christianised Arabs in the city and its environs. Initially, Dominican friars were sent there from the monastery of San Pablo in Córdoba to fulfil the necessities of the new foundation.11

However, in the following years, as chairs in Grammar, Theology and Philosophy were inaugurated within the walls of the monastery, the number of friars increased constantly. By the time Montúfar professed, Santa Cruz la Real had been granted the status of a *Studium Generale*, a main centre of education within the order, and as a visible result of these educational efforts an increasing number of friars brought up inside its walls were later sent as missionaries to North Africa, as well as to the Spanish Indies and East Asia.12 As I have already hinted, the early history of the Dominicans in Andalusia is quite unknown. Most of the manuscripts that could have been used to write their history have been destroyed or have disappeared during Spain’s turbulent nineteenth and

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11 The letter of foundation was dated April 5, 1492. The text is reproduced in Álvaro Huerga OP *Santa Cruz la Real: 500 años de historia* (Granada 1995):11-13, cf. CST, Páramo “Compendium…”, fol. 8v.
twentieth century history, which severely affected many monasterial archives and libraries.\textsuperscript{13}

By the end of the year 1517 the recently professed Alonso de Montúfar was summoned to Seville. The reason for his transferal was that the Dominican Archbishop Diego de Deza wanted him as one of the first \textit{colegiales} (fells) of the newly founded college of Santo Tomás de Aquino.\textsuperscript{14} The monastery was given the status of university by the Pope and \textit{studium generale} of the order and could consequently confer higher academic degrees in both Theology and the Arts. This educational institution, which in fact was the first university in Andalusia, was part of Archbishop Deza’s efforts to reform the life and intellectual standing of the clergy and episcopacy in southern Spain. According to Álvaro Huerga, the college became a stronghold of “pure Thomism” in southern Spain, which would have a great influence on the Dominican mission in the New World as well as becoming a theological centre of Andalusia.\textsuperscript{15} Lectures were given in Sacred Scripture with commentaries of the Fathers of the Church and a chair in the Summa of Peter Lombard with the commentaries of Thomas Aquinas was founded. Later a chair in Aristotelian Philosophy was installed together with chairs in Logic and Moral Theology.\textsuperscript{16}

According to its letter of foundation, the college should include twenty \textit{colegiales}. Eight of these fellows should remain at the college for a limited period of ten years and then return to their home monasteries, whereas the remaining twelve should stay there until their death.\textsuperscript{17} Following the foundation of the College, Dominican friars from all over Southern Spain came to Seville to study and teach Theology and the Arts. Being accepted for a fixed period at first, Alonso de Montúfar was, however, by October 8, 1520 elected a life fellow of the College of Santo Tomás de Aquino. During this time, Montúfar taught Philosophy at the college, and was consequently granted the degree of Master of Philosophy. Despite being elected a life fellow of the college, Montúfar

\textsuperscript{13} Álvaro Huerga \textit{Los dominicos en Andalucía} (Seville 1992), here in particular pp. 24-28.
\textsuperscript{14} Alonso de Montúfar was nominated on November 28, 1517 (Góngora 1890, vol. 1:94, 99, 104).
\textsuperscript{15} Álvaro Huerga “Proyección de Santo Tomás de Sevilla en la cultura hispana”, \textit{Communio} 12 (1979):265-289.
\textsuperscript{16} Góngora 1890, vol. 1:94, 105, 143.
\textsuperscript{17} Góngora 1890, vol. 1:85-89.
was sent back to his old monastery in Granada in August 1524, after seven years in Seville.\(^{18}\)

At Santa Cruz la Real, he continued his educational efforts, teaching Theology to the candidates for priesthood among his co-friars. In 1530, the General Chapter of the order installed him as Bachelor of Theology at the monastery for a period of two years and then conferred to him the degree of Master of Theology for three years from 1532.\(^{19}\) Among Montúfar’s pupils during this period was Luis de Granada, later to become one of the most influential Spanish theologians of that century. Following these years of teaching, Montúfar was elected prior of Santa Cruz la Real in 1535.\(^{20}\) At the end of his priory, in 1536, he went to Lyon to attend the General Chapter of the Dominican Orders, as a representative (definidor) of the Andalusian province, which had been separated from the Spanish province of the Order of Preachers. The province of Bética, as the Andalusian province also was called, was still vast, covering the regions of Seville, Córdoba, Granada, Jaen, and Murcia, as well the Southern parts of La Mancha and Extremadura, Northern Africa and even the Canaries.\(^{21}\)

Shortly after his return to Spain from the General Chapter in France, Montúfar left Granada and moved around to some other Dominican monasteries in the province, taking leading positions in them. Thus from 1538 he was prior of Santo Domingo el Real of Almería, on the barren south-eastern coast of Andalusia, which had also been founded just after the fall of the kingdom of Granada. After this period in Almería, from 1541 he was prior for two years in the monastery of Santo Domingo in the city of Murcia, which in comparison to the aforementioned monasteries within the kingdom of Granada was old, founded as early as the thirteenth century.\(^{22}\) After almost a decade long tour around the province of Bética, by 1546, Alonso de Montúfar was back in his old monastery in Granada, where he was elected as prior for yet another

\(^{18}\) Góngora 1890, vol. 1:105:117; vol. 2:44.
\(^{20}\) CST, Monastery of Santa Cruz la Real, “Book of Professions” fol. 204-205, cf. AHN, Clero, lib. 3672, which includes a list of the priors of the monastery.
two-year-period. By then, the number of friars living in the Santa Cruz la Real had grown to about fifty.

It thus seems that Fray Alonso became quite an important figure in the Dominican province of Bética, both as a prior in various places and as a teacher of both Arts and Theology. He was also reported to have a vast knowledge of scholastic theology, as well as of Canon Law and Philosophy and he was a frequently consulted confessor in Granada. It is interesting to read the eulogies of his virtues and knowledge in the words of two of his hagiographers/biographers.

His religiosity was great, his reading was extensive, his prudence was singular and his resolutions were precise; and in this way, he became the oracle of Granada.

In serious cases that needed knowledge and advice, he was often consulted by the chancellors of the city as well as of the ecclesiastical chapter. … Upper class people, gentlemen, jurists, and prosecutors, and all those who wanted rectitude in their conscience from a man of letters who feared God, confessed to him.

Apart from the appointments within the Order of Preachers and his work as a spiritual counsellor, Montúfar served for a long time as a qualifier (calificador) of the Holy Office of the Inquisition. The qualifiers were theological consultants and were often members of the regular clergy and in particular Dominicans. These officials were not members of the Inquisition tribunals, but appointed by the tribunals to search through testimonies and peruse suspect books for heretical propositions and other transgressions of what was considered sound doctrine. In this position, as trained theologians they helped the

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23 CST, Monastery of Santa Cruz la Real, “Book of Professions”, fol. 206, 363f. See also AHN, Clero, lib. 3672.
24 Huerga 1995:96
26 Góngora 1890, vol. 2:44 “Fué grande su religiosidad, mucha su literatura, singular su prudencia, y acertada su resolución; y así llegó a ser el oráculo de Granada.”
27 Dávila Padilla 1955:511 “En los casos graues que pedian letras y consejo, era de ordinario consultado por parte de la Chancelleria de aquella ciudad, como por el Cabildo de la Iglesia. … Confessauanse con el personas de calidad, señores, letrados, pleyteantes, y los q[ue] pretendian en su consciencia acertamiento de letrado temeroso de Dios.”
inquisitorial judges to reach verdicts in suspect cases of heresy. In 1558, Montúfar wrote about his previous experiences in the service of the Spanish Inquisition.

In Spain, I was a consultant to the Holy Office of the Inquisition for more than twenty years, and I was entrusted with cases of faith by the Inquisition [tribunals] in Granada, Murcia and Toledo. Further, by the most illustrious and reverend Archbishop of Seville, the grand inquisitor [Hernando de Valdés], I was specially nominated in Seville to affairs concerning the Holy Office, where he occupied me for a long time.”

Despite research in the archives of the Spanish Inquisition, I have not been able to find out much information on Alonso de Montúfar’s concrete services to these tribunals. This depends partially on the fact that the qualifiers sometimes acted anonymously. At the current state of research, it is at least known that during his later years in Spain, in 1550, Montúfar was involved in the initial qualification of the case of Juan Gil, who also was known as Doctor Egidio. Doctor Egidio was a magisterial canon in the cathedral of Seville and bishop-elect of Tortosa, when he was suspected of and later convicted for Lutheran or at least Erasmist tendencies, and for being the leader of a Protestant community in Seville. He was especially influential through his preaching in the cathedral as well as in various monasteries of the city. Because of the hearings, Doctor Egidio was convicted in 1552, but was only sentenced

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29 “… en España, donde he sido consultor del Santo Oficio de la Inquisición más de veinte años, y se me han cometido negocios de la Inquisición tocantes a la fe en Granada, Murcia y Toledo. Y por el ilustrísimo y reverendiísmo señor arzobispo de Sevilla, general inquisidor, [Hernando de Valdés] fui señademente nombrado en Sevilla para negocios tocantes al Santo Oficio, donde su Señoría me ocupó muchos días.” (Montúfar to the Supreme Council of the Inquisition, Jan 31, 1558, Ernest J. Burrus SJ (ed.) The Writings of Alonso de la Vera Cruz, (hereafter abbreviated VC), 5 vols. (Rome - St. Louis 1968-1976), vol. 4:733. The original text is found in AHN, Inquisición 4427, no. 5.
30 Ricard 1931:69, note 4., referring to a letter from the Supreme Council of the Inquisition to the general inquisitor Valdés, dated in Valladolid on December 29, 1550 (AHN, Inquisición, lib. 323, fol. 132v.)
to one year of imprisonment. After his death a couple of years later, he was, however, burnt in effigy as a heretic.31

Apart from Montúfar’s work within the order and the services rendered to the Holy Office, there is an inscription on the portrait of the future Archbishop of Mexico found in the sacristy of Santa Cruz la Real, where Montúfar is entitled “preacher of Emperor Charles V”. If this assertion is true, it probably just meant that he preached for the Emperor during his honeymoon stay at the Alhambra in Granada during 1526.32

The Making of an Archbishop

During his almost forty years in the Dominican order in Andalusia, Alonso de Montúfar took many high positions, both as prior in different monasteries and as lecturer of Arts and Theology both within and outside the order. However, when over sixty years old, he was to leave his monastery life in Southern Spain for the New World, taking possession of the archbishopric of Mexico. When the Franciscan Juan de Zumárraga, Mexico’s first bishop, died in June 1548 letters requesting a new prelate were promptly sent to the Emperor, who as King of Spain was patron of the church in the Indies, and therefore had the right to nominate the bishops there.33 The diocese of Mexico had been elevated to the rank of archdiocese, but Zumárraga died as a bishop before the bulls had reached him from Rome.34 Therefore Montúfar was to become the first resident archbishop of Mexico. The process of creating a new bishop or archbishop required several years, due to the complicated relations between the regal and pontifical bureaucracies and the slow communications and long distances between the Old and the New World, as well as between Spain and the Holy See.

32 Nothing is however mentioned of Montúfar in a recent study devoted to the emperor’s stay in the city, Juan Antonio Vilár Sánchez 1526:La boda y luna de miel del emperador Carlos V (Granada 2000).
33 The royal officials of Mexico to the Emperor July 13, 1548 (PT 272). Other letters of petitions in the years to come: The cathedral chapter to the Princes of Bohemia Feb 28, 1551; ibid. to the Council of the Indies June 20, 1551(PT 319); ibid. to the King June 20, 1551 (PT 320), ibid. to the King Aug 7, 1551 (PT 324); ibid. to the Council of the Indies, Feb 21, 1552 (PT 343).
The first step in the process towards the making of a bishop was the selection of a number of candidates by the Council of the Indies, candidates who they considered apt for the office. Thereafter, the Council sent their list the King, who chose one of them. This candidate was then presented to the Pope and his consistory by the King’s ambassador to the Holy See. The pontifical consistory nominated the candidate and remitted its decision back to the Council of the Indies, who sent the bull to the King. As the monarch had the privilege to veto all papal letters that were to be sent to the Indies, he had to sign all bulls personally in order to ratify them. The bulls were then sent with the now formally confirmed bishop to his new see, where they were presented to the chapter of the cathedral and the civil authorities. In the case of Montúfar, this process took no less than six years. In the meantime, the see of Mexico remained vacant (sede vacante) and was thus administered by the chapter of the cathedral.35

Why and how, then, was Alonso de Montúfar appointed archbishop of Mexico? It seems that at least two candidates were proposed for the dignity before him, but that these, both Franciscan friars with a long experience of mission in New Spain, declined it. One of them was Fr. Francisco de Soto, provincial of the order in Mexico. The other was the famous missionary Pedro de Gante, who was to remain a Franciscan lay brother during the rest of his life and thus also turned down the offer.36

When the two Franciscans had refused the mitre the Dominican, Alonso de Montúfar, came up as a candidate. The recommendation of Montúfar as a candidate to the Mexican see seems to have come from the marquis of Mondejár, Luis Hurtado Mendoza, who at the time was president of the Council of the Indies. According to the chroniclers the marquis knew Montúfar personally, since he had been his confessor for some time.37

The new candidate for the archbishopric of Mexico was certainly a well-educated philosopher and theologian, but he had no actual experience of the New World. On the other hand, he had longtime experience of another recently christianised environment, Granada, and

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35 On the process in general see Dussel 1970:32-57 and Gómez Hoyos 1961: 179-181. The average time of sede vacante in the Spanish Indies (in the period 1504-1620) was no less than 56 months, according to Dussel 1970:42.
the missionary methods used there among the Muslim population. It is, however, not known if he had any direct missionary experience even with the former Muslim population. The bishops’ lack of direct experience of the particular context was a perennial problem for the colonial church in the Indies. And this circumstance certainly lay behind many of the conflicts between the missionaries, who had these experiences whereas the bishops often did not. Contrary to most other Dominican bishops in the Spanish Indies during the first century of the Spanish presence, Montúfar was not educated at the well-known college of St. Esteban in Salamanca. This college was the foremost centre of the sixteenth century theological renaissance in Spain, where traditional scholasticism was used to enlighten questions of immediate interest such as human rights, the status of the people of the New World, the justice or injustice of the conquest and the like.38

At the beginning of 1551, the Council of the Indies sent its list of candidates for the archbishopric of Mexico to the Emperor, who at the time resided in Augsburg in Germany. After seeing the list, the Emperor complained that it did not include a single secular priest, arguing that there were many apt candidates among the secular clerics in his kingdoms. Nevertheless, the Council thought that friars should be preferred even in the future, due to their generally higher moral and intellectual standard, and the fact that they were “people more free from greed”.39 Despite this general reluctance towards making bishops out of friars, in June 1551 the Emperor sent a letter of presentation to the Pope, through his ambassador at the Holy See, recommending Alonso de Montúfar to the vacant archiepiscopacy of Mexico.40 Nevertheless, as late as December the following year, the bulls had not been issued, as the

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38 Paulino Castañeda Delgado & Juan Marchena Fernández “Dominicos en la jerarquía de la Iglesia en Indias”, in: Dominicos en el Nuevo Mundo (Madrid 1988): 715-738, note that no less than 75 percent of the sixteenth century Dominican bishops in Spanish America were educated at Salamanca.
39 The letter from Emperor Charles is referred to in a consultation by the Council of the Indies on Nov. 25, 1551. AGI, IG 737, no. 82).
40 Consultation of the Council of the Indies, Valladolid, April 20, 1551 (AGI, IG 737, no. 68). The Emperor to Pope Julian III, Augsburg, June 13, 1551 (AGI, M 1089, lib. 4, fols. 365r-365v) and the Emperor to the ambassador at the Holy See, Diego Hurtado de Mendoza, Augsburg, June 20, 1551 (ibid., fol. 366r-366v).
cardinals wanted more money for the execution, something the Spanish Crown frankly opposed.\footnote{A report from an agent of the Spanish Crown at the Holy See, Montesa, on these matters, is alluded to in a consulta of the Council of the Indies on December 20, 1552. (AGI, IG 737, no. 92). Cf. Prince Philip to the Ambassador in Rome, Jan 30, 1553. (AGI, IG 424, lib. 22, fol. 268v).}

In spite of the royal protests, the papal bulls had not arrived in Spain by the spring of 1553. Prince Philip therefore, in a letter, exhorted Montúfar to go to Mexico, awaiting the arrival of the bulls overseas, as the country was in need of his presence. There he should “attend the instruction and conversion of the natives”, administrate the sacraments and attend to the construction of a new cathedral.\footnote{Prince Philip to Montúfar, Madrid, Jan 19, 1553. (AGI, Contratación 5787, no. 1, lib. 4, fols. 161v-162).} This type of letters, called cartas de ruego y encargo was quite common in cases where the response of the Roman Consistory was delayed. The letter was destined to the cathedral chapter that was ordered to let the bishop govern and administrate his diocese even before the arrival of the bulls, which authorized his canonical consecration.\footnote{Dussel 1970:53f.}

However, before Montúfar left for the Indies, the papal bulls arrived, together with the pallium, the archiepiscopal insignia in form of a woollen band with eight crosses given from the Pope as a sign of the full apostolic dignity.\footnote{Guilielmus van Gulik & Conradus Eubel Hierarchia Catholica Medii Aevi, sive Summarum Pontificum, S.R.E. Cardinalium Ecclesiasticum Anstitutem Series, vol. 3 (Münster 1910): 260. Cf. the receipt on the bulls and pallium for Alonso de Montúfar dated in Rome on May 20, 1553 (AGI, Mapas y Planos: Bulas y Breves, no. 45) as well as the documentation in ASV, Acta Camerarii Sacri Collegi S.R.E Cardinalium, vol. 6, fols. 104 and 163v.} While probably still in Granada, Montúfar was finally consecrated bishop and bestowed with the pallium.\footnote{González Dávila 1959:49.}

After receiving all these credentials, as well as episcopal consecration, Montúfar was finally ready to cross the Atlantic in order to reach his see. Nevertheless, his arrival in his new country would be delayed for some time. For safety reasons, as pirates were legion, the ships destined to the Indies sailed in large convoys (flotas) with armed assistance (armada), once or twice a year. For reasons that are not known, the flota was delayed from August 1553 until January the
following year. Together with the Archbishop on the passage across the Atlantic was a large court of servants and relatives: in all at least seventeen people. After a stormy four-month voyage across the Atlantic and the Caribbean, in a ship called Santa María la Blanca, the Archbishop arrived in New Spain at the port of San Juan de Ulúa, near Veracruz, on May 29, 1554.

From Veracruz, Archbishop Montúfar travelled to the city of Mexico, making a solemn entry on the vigil before the feast of Saint John the Baptist, on June 23, 1554, a little more than six years after the death of his predecessor. The arrival of the new prelate gave Francisco Cervantes de Salazar, professor of rhetoric at the newly founded University, an opportunity to write him an eulogy in the foreword of his Latin dialogues on the life in the city and province of Mexico.

Now your subsequent happy arrival has stimulated the minds of both teachers and hearers [at the University] with such fresh inspiration that they are invigorated with new strength to progress more readily and eagerly, the latter in learning, the former in teaching. Soon all will become of such spirit that they will cleanse from every stain this New World, formerly the abode of the devil and of infidels, and make it a domicile for the true, Almighty God. … Wherefore, most Reverend Father, worthy of our respect on so

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47 The names of these servants appear in Catálogo de pasajeros de Indias durante los Siglos XVI, XVII y XVIII, vol 3 (1539-1559). (Madrid 1946):147, cf. Contratación 5537, lib. 1, fol. 37v. The Crown had granted a loan of 400 ducats (150,000 maravedís) to cover the costs of the journey (AGI, Contratación 5787, no. 1, lib. 4, fols. 161v-162). There is also a letter by Montúfar dated in Seville, Nov 26, 1553. (AGI, Contratación 5217B, no. 9 ro. 68, fols. 1-5v), citing a royal letter allowing him to bring twenty servants to Mexico.
48 That the voyage was a long and stormy one is testified by Francisco de Toral OFM, who returned to New Spain in the same flota as the archbishop: “...venimos con hartos trabajos con los infortunios y tempestades del mar, que cuatro meses nos dilató el puerto.”, in letter from Toral to the President of the Council of the Indies, Oct 1, 1554. (AGI, M 280). The name of the boat and the pilot is found in AGI, Contratación, 5537, lib. 1, fol. 37v and the date of the arrival of the ship is in the notes of the treasurer in Veracruz, AGI, Contaduría 877, no. 1, fol. 10r.
49 The date appears in Günter Zimmermann (ed.) Die Relationen Chimalpahin’s zur Geschichte Mexikos, 2 vols. (Hamburg 1963-1965), vol 2:16. See also the testimony by Esteban de Portillo on Dec. 12, 1574 (AGN, Bienes Nacionales 1393, exp. 2, fols. 56v-59r).
many counts, enfold within your fostering care our labors, now yours in
that they bear your name, that you may bring us hope of much greater and
more serious accomplishments, and inspire our studious youth and inflame
them with an ever increasing fervor to acquire a richer knowledge of the
Latin language. O Pillar of the Church in Mexico, Glory of the University,
greatest ornament of New Spain.

50 “Nunc autem felici tuo adventu, qui deinde sequus est, ita & eorum qui enarrant, &
eorum qui discipinas audiunt, animi novis quibusdam aculeis incitati sunt: ut novas
vires, novosque spiritus sumant: quo alacrius & propensius, hi in discendo, & illi
indocendo ulterior perspicient: brevi omnes tales evasuri, ut novum hunc orbem, diaboli &
infidelium ante hac sedem, omni macula purgatum, Deo Maximo & vero, domicilium
faciant. … Quare pater reverendissime & nobis omnibus, multis nominibus observande
iam tuos (qua tibi nuncupatos) nostros labores, sic fove & amplectere, ut ad multo
maiores, longe q. graviores, nobis spem facias, & ad ubiorem linguae latinae
cognitionem, studiosum iuventutem, magis ac magis incendas & inflames, bene vale
Mexicanae ecclesiae columnae, Academiae decus, & novae Hipaniae maximum
ornamentum.” Translated in Francisco Cervantes de Salazar *Life in the Imperial and
Loyal City of Mexico in New Spain and the Royal and Pontifical University.* Ed. by
Carlos E. Castañeda (Austin 1953):24; original fol. 229r-229v).
CHAPTER II

THE SCENE:
CHURCH AND MISSION IN NEW SPAIN

Conquest and Society

The land in which Archbishop Montúfar arrived in 1554 had been invaded by his Spanish compatriots thirty-five years previously. A group of armed men under the leadership of Hernán Cortés had been able to put an end to the Aztec empire and from then on the Spanish Crown came to dominate New Spain. Though the military conquest of Mexico began with the arrival of Cortés in 1519, Spaniards had already arrived on the shores of the Yucatán peninsula at the beginning of the 1510s. The pioneers were two sailors who had been shipwrecked beyond the peninsula and who had managed to reach land, establishing themselves in Maya communities near Tulum in 1511. At the end of the decade, some organized expeditions sailed from Cuba to the Yucatán, which still was thought to be just another island in the Caribbean Sea. In fact, the main reason for Cortés’ journey was to search for one of these expeditions, led by Juan Grijalva as it had not returned to Cuba.¹

Having arrived in the Yucatán with some six hundred men, Cortés’ plans developed in another direction as he heard about the abundance of riches that could be found inland. He became determined “to conquer and populate” the land in the name of the Spanish monarch and to expand the realm of Christendom into heathen land. Probably, or at least equally as important, he wanted to gain treasures and honour for himself and his men. Moving up the coast the Spaniards were approached by emissaries from a kingdom that has often been called the Aztec Empire, but whose inhabitants usually referred to themselves as the Mexica.² Communication with these emissaries, who spoke Nahuatl, was made

¹ For a recent treatment of the military conquest in the years 1519-1521, see Hugh Thomas The Conquest of Mexico (London 1993), here in particular 145-157.
² Thomas 1993:175-178.
possible in an interesting way. When he was still in the Yucatán, Cortés had received a Nahua slave woman as a gift from the local rulers. The woman who was of noble descent was known as Malintzin or Doña Marina to the Spaniards. She had been taken captive by the Yucatec Maya some years previously and learnt their language. Therefore, she could communicate with one of the Spanish castaways, Gerónimo de Aguilar, who also learnt the Mayathan language during the eight years he had lived in their communities. The two followed Cortés’ troops further inland serving as interpreters and Malintzin became one of Cortés’ many mistresses. Later, she learnt some basic Spanish and could thus translate directly from Nahuatl.3

The core of the so-called Aztec Empire was an alliance of three Nahuatl speaking city-states. Its unquestionable centre was the island-city of Tenochtitlán that was inhabited by the Mexica. In the latter half of the fifteenth century the Mexica had begun a remarkable military expansion and eventually controlled most of Central Mexico, making two other city-states, Texcoco and Tacuba, its allies. Though the Mexica had gained a vast influence over the neighbouring peoples, there were still large areas even in Central Mexico that remained independent. Such was the case of the region of Tlaxcala, where Nahuatl and Otomí speaking peoples had been able to resist Mexica dominion. Another large area that continued to be independent was the kingdom of the Purépechas or Tarascans in Michoacán. The peoples subjected to the triple alliance paid tribute to them in the form of goods and worked for them, especially as porters. As the peoples of Central Mexico lacked beasts of burden, goods had to be transported long distances on the shoulders of humans. 4

Though Mexica influence was great, the subjected peoples continued to have their own local leaders and relative independence. The basic societal unit among the peoples in Central Mexico was the altepetl, an expression containing the Nahuatl words for water and mountain, which according to James Lockhart could be translated as ethnic state. Each of

these ethnic states was constituted by a number (usually an even number such as four, six, eight or more) of calpoltin, parts that were seen as cells of the whole, and which the Spaniards understood as villages (pueblos). Each ethnic state was led by a tlatoani, a dynastic ruler with civic and religious duties, who lived in one of its constituent calpolli, which the Spaniards saw as the main village (cabecera). The Nahuas did, however, not see such an internal hierarchy among the constituting parts, but all calpolli within an altepetl were on the same level, including the village in which the leader lived. The supreme ruler of the Mexica in Tenochtitlán, whom the Spaniards referred to as Emperor was in fact yet another tlatoani, often referred to as huey tlatoani or great leader, who had gained power and influence far outside the altepetl.5

After meeting the emissaries of the Mexica ruler in Veracruz, the Spanish troops led by Cortés travelled into the interior, where by November 1519 they finally reached the city of Tenochtitlán. When they arrived in the city they were stunned by the riches and the arts, and the well-ordered society of the Mexica. Large buildings, squares, and pyramids, wide streets, aqueducts, and sailable canals, made it more impressive than anything they had seen back in Spain.6 Other aspects of Mexica life were however not that attractive to the Spaniards. Although the conquistadors seem to have been capable of almost any kind of atrocity, they were appalled when they heard about frequent human sacrifice and ritual cannibalism that played a central part in the Mexica religious cult. Their main deities were the warrior god Huilitzilopochtli and the rain god Tlaloc, who were revered at the Great Temple in the centre of Tenochtitlán. In order to keep the harmony of the world, the gods needed human blood, which they received either through human sacrifice, where the hearts of the victims were torn out, or by auto-sacrifices were individuals let blood from earlobes or other body parts. The need for prisoners to be used in the sacrifices was an important reason for the military expansion of the Mexica, and they were constantly waging war in order to get the sacrifices they needed to keep the world order. Or perhaps it was the other way around; that the conquests of the neighbouring peoples led to a development of human sacrifices on a larger scale.7

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Soon after the arrival of the Spaniards in Tenochtitlán, the supreme ruler of the Mexica, Moctezuma II was taken captive. Moctezuma was later killed, although it is still a matter of dispute whether he was killed by Indians or Spaniards. Despite the death of the supreme leader, the Spaniards’ first attempt to take the city did not succeed due to resistance from the population. Therefore, they retired to Tlaxcala and made use of its longtime opposition to the triple alliance. The reinforced troops began the final siege of Tenochtitlán in June 1521, ending two months later when the last supreme ruler of the Mexica, Cuauhtémoc, surrendered. During the final battle, most of the once so magnificent city was destroyed and of all the buildings, hardly anything remained but smoking ruins.8

The arrival of the Spaniards also meant a veritable demographic catastrophe for the Indians. It is difficult, if not impossible, to know the size of the pre-conquest population of Central Mexico, due to the lack of reliable sources. Some historical demographers estimate the pre-conquest population to have reached as much as thirty million, while others more moderately claim that there were no more than five million or eight million living in the whole area. In the case of the city of Tenochtitlán alone, many researchers calculate that the pre-conquest population reached about 200,000. If this is the case, it was more populous than any European city with the possible exception of Naples and Constantinople. However, about half of the city’s population died before the end of 1521. As in many other areas, most of the people did not perish in the actual battle, but died from starvation and in the epidemics that followed in the wake of the conquerors. Many also chose to commit suicide rather than to surrender. Even in the post-conquest years, the indigenous population were afflicted by epidemics (probably smallpox, typhus or measles) a particularly dreadful epidemic occurring in Central Mexico between 1545 and 1548. In his book on the Valley of Mexico, Charles Gibson calculated that by 1570 the indigenous population, was only some twenty or twenty five percent of the pre-conquest numbers.9

After the military conquest, the Spaniards settled in the city and began its reconstruction with the use of indigenous workers. During the years in the Caribbean, the Spanish monarchs had made grants to

8 Thomas 1993:401-412, 453-512. For indigenous testimonies of the Spanish conquest, see the translations in Miguel León-Portilla (ed.) The Broken Spears. The Aztec Account of the Conquest of Mexico. (Boston 1962).
individual conquerors as a way of recognising their services to the Crown. Usually these grants known as the *encomienda* consisted of “a native lord and his Indians” and though the grant did not entail the ownership of any land property it enabled its holder, the *encomendero*, to collect tribute from the Indians, and to use them as workers. In theory, the *encomienda* was considered a benign institution, as the holder should protect “his” Indians and oversee that they were instructed in the Christian faith. However, in reality the institution often led to a situation equivalent to slavery, as the Indians were subject to very hard work and had to pay very high taxes, which became even harder to execute when the population decreased as a result of epidemics.

In the aftermath of the military conquest of Mexico, Hernán Cortés made such grants in the name of the Crown, though he did not have any right to do so. In 1523, the Emperor forbade the introduction of the *encomienda* institution in New Spain, as it had proved disastrous to the Indians of the Caribbean isles. Cortés however did not obey this royal order and the Crown later revoked it, and so the institution continued to exist. In New Spain, the *encomiendas* usually comprised one pre-conquest *altepetl*, while some conquerors and in particular Cortés himself tried to control much greater areas. During the first decades of Mexican colonial history, the Spanish Crown nevertheless constantly attempted to delimit the influence of Cortés and the *encomenderos* and sought to prevent the grants being inherited by the sons of the conquerors, making the villages pay tribute directly to the royal treasury Instead. Yet many *encomiendas* were still inherited by the sons, grandsons, and even the great-grandsons of the first conquerors.10

As another way to strengthen its influence over the newly conquered New Spain, the Crown established a high court, the *audiencia real* in Mexico City and sent royal officials who should defend its interests. Eventually, in 1535, the first Viceroy of Mexico, Antonio de Mendoza arrived, making New Spain an even more solid part of the Spanish Indies. On a regional level, the Crown also attempted to gain influence by installing judicial and administrative representatives known as *corregidores* or *alcaldes mayores*, who held jurisdiction over a number of indigenous communities. While the holders of these offices were Spaniards, the local indigenous rulers, whom the Spaniards referred to as *principales* or *caciques*, continued to play an important role in the local government. By the 1540s and 1550s, Spanish-style municipal councils,

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cabildos, had been installed in most indigenous communities; each having its governors (gobernadores), magistrates (alcaldes), and councilmen (regidores). In the first generation after the conquest, these municipal leaders came from the old dynastic families, but after that, a growing number of people not belonging to the old leader circles were promoted to the town councils.\footnote{Lockhart 1992:30-40, 44-47. Cf. James Lockhart Of Things of the Indies. Essays Old and New in Early Latin American History (Stanford 1999): 102f.}

**The Churchmen**

Having made this very brief overview of the conquest and its effects on the indigenous societal organization, I now proceed to deal with some religious aspects of the conquest of Mexico, though it is quite difficult to draw a very clear line between religious and non-religious aspects of the early Spanish colonisation. The expansion of Christendom was the moral rationale for the Spanish conquest and a couple of priests had taken part in Cortés’ expedition, 1519-1521. One of them was the Mercedarian friar Bartolomé de Olmedo. Another was Juan Díaz, a secular cleric, who had prior experience of the Yucatán as a member and chronicler of Captain Grijalva’s expedition before. Olmedo and Díaz were not the only priests who arrived during the height of the military conquest; shortly before the fall of Tenochtitlán two Franciscans, Francisco Melgarejo and Diego Altamirano, joined the conquerors.\footnote{Christian Duverger La conversion des Indiens de Nouvelle Espagne (Paris 1987):19-27.}

Above all, these priests served as chaplains to the troops, but it is also known that they preached to groups of Indians with the help of interpreters and baptised both newborns and adults. Cortés can also be said to have had a missionary role as he also preached to groups of natives. On various occasions, he ordered the destruction of indigenous temples, scriptures, and other objects that were considered to be idols, although the priests advised him to show some constraint until the country was more securely in the hands of the Spaniards. In many places, Christian images, mainly crucifixes and statues of the Virgin Mary, were put in the native temples. Sometimes the Christian images were placed beside the “idols”, whereas on other occasions “idols” were crushed to leave room for the Christian images.\footnote{Serge Gruzinski Images at War. Mexico from Columbus to ‘Blade Runner’ (1492-2019). (Durham & London 2001):30-49.}
Despite these attempts, there was no organized mission during these years of military conquest, and for that purpose, Cortés wanted the King to send mendicant missionaries, and in particular Franciscans. In fact, Cortés suggested to the King not to send any secular priests, bishops, or ecclesiastical chapters, but instead to rely exclusively on mendicant friars.

Friars

Though secular priests did arrive shortly after the conquest, Franciscan friars were the first organised groups of missionaries to be sent to New Spain. The start was quite humble. In 1523, three Flemish friars arrived, one of them being a lay brother known to the Spaniards as Pedro de Gante (Peter from Ghent), who was to serve as a missionary in Mexico for almost five decades. In the following year, another group of twelve Spanish Franciscans, “the apostolic twelve”, under the leadership of Martin de Valencia arrived. Thereafter Franciscan units were sent to New Spain every second year at least. 14 The sons of St. Francis were followed by two other mendicant orders, the Dominicans and the Augustinians. In 1526, the first contingent of Dominican friars arrived in New Spain. After a difficult start, almost the entire group died soon after their arrival, the number of Dominican missionaries grew constantly, reaching a peak by the mid-century. 15 In 1533, the first eight Augustinians – also known as Augustinian hermits – travelled to New Spain and after this, the influence of the order in the region grew rapidly. 16

14 There is a large number of studies on the early Franciscans in Mexico, see for example Ricard 1933 and Duverger 1987, but also John Leddy Phelan The Millennial Kingdom of God in the New World. The Works of Gerónimo de Mendieta (Berkeley 1956); Edwin Edward Sylvest Jr. Motifs of Franciscan Mission Theory in Sixteenth Century New Spain, Province of the Holy Gospel (Washington 1975), and Georges Baudot Utopia and History in Mexico: The First Chronicles of Mexican Civilization, 1520-1569 (Niwot 1995).

15 For studies on the Dominicans in sixteenth century New Spain, see Ricard 1933, but in particular, Daniel Ulloa OP Los predicadores divididos. Los dominicos en Nueva España (Mexico City 1977), María Teresa Pita Moreda Los predicadores novohispanos del Siglo XVI (Salamanca 1992), and Pedro Fernández Rodríguez Los dominicos en el contexto de la primera evangelización de México 1526-1550. (Salamanca 1994).

16 In comparison to the other orders, there are not many general studies on the Mexican Augustinians, see, however, Ricard 1933, Ennis 1957, and in particular Antonio Rubial García El convento agustino y la sociedad novohispana (1533-1630) (Mexico City 1989).
All the missionary orders had their immediate background in the radical monastic reform that had swept through Spain during the latter half of the fifteenth and the beginning of the sixteenth century. The Franciscans had undergone a radical reform, preaching a strict adherence to the vow of poverty and a veritable cult of austerity, walking barefoot, wearing coarse clothing, and begging in order to survive. However, their reform was also accompanied by a growing interest in Bible studies and a fervent missionary spirit. Just like their mendicant colleagues in the Franciscan order, the Dominicans in Spain had also undergone a reform, centring on a strict adherence to the rules of poverty and an improvement of education. Many of the Dominicans working in New Spain had been educated at the colleges of the University in Salamanca, which at the time was a major centre for Spanish theological and philosophical work, and where Francisco de Vitoria was one of the most influential theologians and jurists of the day. The Augustinians had precedents in various monastic orders in the Early Church that adhered to the rule of St. Augustine. It had been re-founded as a mendicant order during the High Middle Ages and worked in the same manner as the other two orders, combining a communitarian prayer life with an active apostolate with preaching and teaching.

In order to work efficiently in the Mexican mission field, all the three orders were entrusted with far-reaching papal privileges. These privileges meant that they could preach freely to the indigenous people and administer sacraments without having a special license from local bishops, who in fact had still not arrived. At first, the Mexican friars were subject to the Spanish provinces of their respective orders, and sent representatives to the provincial meetings held in Europe. This organisational scheme was soon considered to be unpractical due to the enormous distances, and therefore all the three orders eventually founded separate provinces in Mexico. Thereafter, provincial chapters guided the Mexican parts of the orders. At these meetings the leader of the province, the provincial, met with representatives from the districts within New Spain in order to discuss the interpretation of the rules of the order, to make appointments, and to establish concrete norms for the Indian ministry. Each individual monastery was in turn led by a superior

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19 Ennis 1957.
20 See Chapter IV, where I concentrate on the interpretations of these privileges.
(known as a guardian by the Franciscans and a prior in the case of the Dominicans), who was appointed by the provincial chapter.\textsuperscript{21}

The Franciscans were the first order to enter the new mission field and throughout the sixteenth century they dominated it numerically. We know for example that in 1559, five years after the arrival of Montúfar, there were 210 Dominicans and 202 Augustinians with forty monasteries each in New Spain, but as many as 380 Franciscan friars in eighty monasteries.\textsuperscript{22} While most monasteries were inhabited by no more than a couple of friars, all orders had large monasteries in the city of Mexico. These urban monasteries served as schools for the members of the orders that should work in the Indian ministry in the rural areas.\textsuperscript{23}

Most mendicant missionaries who went to New Spain were Spaniards. In fact, the Crown had issued formal prohibitions against the immigration of non-Spaniards to the Indies. In those times of religious dissent, Spanish authorities considered their co-patriots to be more orthodox than any other nationality. The religious orders were however sometimes granted dispensation from the general interdiction, and the Franciscans in particular had a number of foreigners among them, who had arrived in the first decades after the conquest. These foreigners were above all Frenchmen, but there were also Flemings, Italians, and even a Dane, Jacobo de Dacia. A brother to the Danish King and a cousin of Emperor Charles, Jacobo had been a vice-guardian of the Franciscan monastery in Malmö before the Lutheran reformation. After being expelled from the monastery, he went to Spain where he left for Mexico, working as a missionary among the Purépechas in Michoacán.\textsuperscript{24}

\textit{Secular Clerics and Bishops}

The friars were however not the only churchmen to work in New Spain, as both ordinary diocesan priests, bishops and cathedral chapters were introduced during the very first decades.\textsuperscript{25} The work of the ordinary secular clergy in early New Spain is not very well known. Unlike the case of the mendicant orders, there are no chronicles that deal with the

\begin{footnotes}
\item[22] Ricard 1933:35.
\item[24] For a special study, see Lázaro de Aspurz \textit{La aportación extranjera a las misiones españoles}. (Madrid 1946). For Jacobo de Dacia, see Jørgen Nybo Rasmussen, \textit{Bruder Jakob der Däne als Verteidiger der religiösen Gleichberechtigung der Indianer in Mexico im XVI Jahrhundert}. (Wiesbaden 1974).
\item[25] For the introduction of the cathedral chapter in Mexico, see Chapter VI.
\end{footnotes}
life and work of the secular clerics and the sources on the early period are both scarce and scattered. Influenced by the friars’ criticism, even modern scholars have often described the secular clergy as a group of uneducated characters with lax morals, who without knowledge of the indigenous languages were more interested in lining their pockets than in carrying out missions. In recent years, however, this image has been at least partially changed particularly due to the careful research of John Frederick Schwaller. In spite of this, the missionary activities of the secular clerics are still far less known than those of the religious orders and will probably remain so due to the lack of sources.26

As we have seen, one secular cleric, Juan Díaz, accompanied the conquerors, and in the first years after the fall of Tenochtitlán a number of other clerics to arrive from Spain. According to Schwaller, the first secular priests to arrive in New Spain were “largely freelance clerics, acting on their own, with little ecclesiastical supervision.”27 The Spanish Crown wanted to avoid the immigration of such clerics, who they thought would jeopardise the whole missionary enterprise. Therefore, clerics who wanted to go to the Indies had to bring a special written license from their bishops back home, and the prelates in the Indies were ordered not to accept the service of any cleric who did not bring such an authorisation.28 During the first decades of Mexican church history, the clerics concentrated almost entirely on ministry to the urban Spanish population, though they were also active in the silver mining areas, which had a mixed population, including Spaniards, mestizos, and black slaves. Nevertheless, from the very first years there were a number of secular clerics who were contracted in places where there were no friars.29

As in the case of the friars, most secular clerics arrived directly from Spain and during the early years there were not many possibilities to receive theological education in New Spain. An important centre for clerical education was the college of San Nicolás in Pátzcuaro, Michoacán, which was founded in 1538 by Bishop Vasco de Quiroga.

27 Schwaller 1987:67f, 71-77, citation on p. 68.
28 Miranda Godínez 1990:75-82.
There, “pure” Spaniards who knew the indigenous languages could receive the education necessary to serve in the Indian ministry, while living a communitarian life. Although far less ambitious than in Michoacán, there were attempts in Mexico City to educate clerics among the sons of the Spaniards. In 1540, the archdeacon of the cathedral, Juan Negrete, began to teach Theology and other church disciplines to young men who wanted to serve the church as clerics. The fruits of this project were however scarce, not least because the archdeacon devoted much of his time being a private tutor to the Viceroy’s son. Therefore, it was not until the opening of the University in 1553 that larger groups of priests could be educated for service in the archdiocese.

In early New Spain, non-Spanish clerics were virtually non-existent, the sole known exception being the Portuguese cleric Antonio Freire, who arrived by the mid-century. His background could very well have been taken from a work of fiction. On his way back from the Portuguese enclave of Goa in India, where he had lived, pirates captured Freire’s ship outside Morocco. Having been sold as a slave he managed to get aboard a boat destined to Hispaniola, from where he eventually reached Mexico, being accepted as a priest in the archdiocese.

If the first clerics in New Spain are to be considered “freelance”, this situation gradually changed with the foundation of dioceses in New Spain and the arrival of the first bishops. In comparison to many other mission fields, dioceses were founded at a very early stage in Spanish America. In fact, a first diocese called Carolense was created, even before the arrival of Cortés, after reports that were sent by previous expeditions. The Dominican, Julián Garcés, was nominated as bishop of the diocese that comprised a hazy area on the Yucatán peninsula. He did, however, not arrive until seven years later when the see had been suppressed and moved to Tlaxcala in central New Spain. Likewise, the erection of the diocese of Mexico was quite a lengthy process. Situated in the old city of Tenochtitlán, the Emperor proposed the see as early as 1526 and two years later the first bishop-elect, the Basque Franciscan, Juan de Zumárraga, arrived there. However, the Holy See did not formally erect the see until 1530, and Zumárraga was not consecrated bishop until three years later, when he was in Spain.

30 Miranda Godínez 1990, in particular pp 129-139.
33 Dussel 1970:24-29, 82.
From the beginning, all dioceses in the Spanish Indies were suffragan to the archbishop of Seville. However, this organisational scheme soon seemed unviable, and in 1546, the Holy See elevated the see of Mexico to the rank of archbishopric, together with Santo Domingo and Lima. When Montúfar arrived in Mexico, the church province encompassed six dioceses suffragan to the archdiocese – Tlaxcala, Oaxaca, Guatemala, Michoacán, New Galicia, and Chiapas – whereas two more, Vera Paz and Yucatán, got their first resident bishops shortly thereafter.34

The exact boundaries between the different dioceses were a matter of dispute. According to a royal decree, dispatched in 1534, each episcopal see in New Spain should hold jurisdiction over an area covering fifteen leagues [83.5 kilometres] in each direction from the cathedral church. Areas situated beyond this limit, but not within the limit of the fifteen-league radius of another episcopal see, should be subject to the jurisdiction of the closest see. During many years, Bishop Zumárraga of Mexico quarrelled over certain border areas with the neighbouring bishops of Michoacán and Tlaxcala. An especially difficult conflict was Zumárraga’s dispute with his colleague in Michoacán over the fertile areas of Querétaro and they continued during the time of his successor Montúfar.35

The majority of bishops in New Spain were old members of the religious orders, in particular Dominicans and Franciscans. Regarding the friars, some of them had served as missionaries in New Spain before being elected bishops, whereas others were recruited directly from the monasteries of Spain. Around a third of the bishops in the mid-sixteenth century were secular clerics. Outstanding examples among these secular priests were the bishop of Michoacán Vasco de Quiroga (1538-1565), who had been a judge in Mexico before ordination, and Francisco de Marroquín, who was the bishop of Guatemala for thirty years.36

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35 The documentation of these processes is immense, and here is not the place to delve too deeply into the question. See AHAM, Documentos, caja 1, exp. 2, which is an undated summary of the border disputes between the dioceses of Mexico and Tlaxcala 1544-1615. See also ibid. caja 1, exp. 3, a document dated 1554 on the same matter. In ACAM, Canongías, lib. 1 there are a number of acts dealing with the border conflicts between Mexico, Tlaxcala, and Michoacán 1535-1552. Cf. AGI, Justicia 140, no. 2 and Justicia 1009, no. 1.
Christianisation and its Limits

Mission and Geography

The Franciscan pioneers in New Spain built no firm headquarters. Instead, they wandered around, trying to baptise as many Indians as possible. According to contemporary reports the Franciscans baptised one million during their first seven years in New Spain and as many as four million before the end of 1536. Although we have to take the specific numbers with more than a grain of salt, the first decades of Spanish presence were characterised by an extremely fast missionary expansion, at least if judged by the number of baptisms. Especially since the number of missionaries was low, most Indians were baptised without much, or any prior doctrinal instruction.37

After some time the Franciscans and the other orders built stable missionary settlements and churches, where catechism was taught, sermons preached, and sacraments administered. In an interesting study, the Dutch historian, Adriaan van Oss, has tried to reconstruct the roads of mendicant expansion in sixteenth century New Spain. Initially, van Oss identifies two phases of mendicant expansion: the extension phase (the opening up of new areas, not previously missionised) and the intensification phase (the filling of gaps between established monasteries). He states that in central Mexico this extension phase was more or less finished by the 1550s, whereas later the friars only worked in the smaller pockets between previously missionised areas. According to van Oss, the three mendicant orders followed two basic principles in establishing new missionary settlements. The first principle was to occupy areas with a dense indigenous population and the second was, when possible, to avoid areas occupied by any of the other orders. He also observes that the three orders were active side by side in the most densely populated areas (“the demographic islands”), whereas outside these population centres, one single order often dominated a larger district.38

The Franciscans, who had been the first to enter the scene, dominated great parts of the Valley of Mexico but were also powerful in the dioceses of Tlaxcala and Michoacán.39 The Dominicans established several rural monasteries in the Valley of Mexico, south of the capital,

39 Ricard 1933:80-87.
for example in Coyoacán. They also worked in the area around Puebla, and totally dominated the mission among the Mixtecas and Zapotecas in Oaxaca. The Augustinians, who were the last to arrive on the missionary scene, had to find their way in among and away from the others. Therefore, they were particularly active in remote and sparsely populated areas in the north-eastern parts of Mexico, but they were also with the Franciscans in Michoacán. Although the orders’ main policy was to avoid establishing themselves in areas already missionised by other orders, the struggle for territory between the mendicants was often quite heated, and especially so in the densely populated Valley of Mexico.

Technically, a missionary settlement of the orders was called a *doctrina*, which consisted of a number of villages. The main village was known as a *cabecera*, and was most often placed in the *calpolli* in which the local leader, the *tlatoani*, had lived before the conquest. There a church and a monastery were built and there the missionaries lived for most of the time. Under the jurisdiction of a *cabecera*, there were a number of villages known as *visitas*, usually the other *calpoltepec* of the same pre-conquest *altepetl*. These *visitas* had no resident clergy and often no elaborate church buildings, but were visited by the missionaries from the main village, whereas people living in the *visitas* were usually supposed to go to the *cabecera* on a regular basis in order to attend church services there.

The *doctrinas* were inhabited almost entirely by Indians. As Magnus Mörner has pointed out in an exhaustive study of the subject, the Spanish Crown wanted to separate the Indians from other population groups, in order to protect the Indians from groups of people deemed to have a bad influence on them or who treated them unjustly. These groups that were not supposed to live or stay for longer periods in Indian villages included *mestizos*, blacks, and mulattoes, but later also Spaniards, and especially unmarried men and persons who were considered to be vagabonds. The ideal purported in the royal laws was that the Indians should have as few contacts with non-Indians as possible, with the exception of the missionaries.

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Missionary Methods

During the first decades of Mexican Church History, concrete missionary methods were developed at a number of formal ecclesiastical reunions. After arriving in the city of Mexico-Tenochtitlán in January 1524, the pioneer Franciscans met with Hernán Cortés and a number of secular priests in order to discuss the native ministry. Somewhat later, after the arrival of the first bishops at the beginning of the 1530s, the bishops gathered together both friars and secular clerics to decide on matters concerning mission and church organization. These formal reunions were known as juntas eclesiásticas and in his study of the institution Cristóforo Gutiérrez Vega has been able to trace the existence of fifteen such meetings until 1546, though there might have been an even greater number.

The ecclesiastical reunions agreed that the missionaries ought to have a thorough knowledge of indigenous languages in order to teach doctrine and administer the sacraments; there was simply no use for mute preachers. Individual friars began to collect systematic information on the indigenous languages, compiling grammars, and dictionaries. At first, these works only circulated in manuscript form, but with the introduction of the printing press in Mexico in the late 1530s, many such aids were published in the years to come. As we already have seen, Nahuatl was beyond doubt the most common language in Central Mexico. Consequently, the majority of the linguistic works that were written concerned this language. Likewise, the number of missionaries knowing languages other than Nahuatl was always considered deficient. The Nahua had developed a remarkable written culture before the arrival of the Spaniards, using pictographic, ideographic, and phonetic glyphs. Their writings covered many different genres, such as songs, poems, annals, genealogies, and tribute lists as well as texts with religious content. Although some friars at first attempted to write catechisms using glyphs, they soon began to transcribe Nahuatl speech using Roman letters.

43 For a general study on missionary methods, see Pedro Borges OFM Métodos misionales en la cristianización de América (Madrid 1960). Cf. Luis Weckmann La herencia medieval de México 2nd. ed. (Mexico City 1994).
44 Cristóforo Gutiérrez Vega LC Las primeras juntas eclesiásticas de México 1524-1555. (Rome 1991), which also includes the known documentation on the juntas (pp. 187-325). Cf. Gil 1993:177-270.
At the same time, the friars founded monastery schools in many places, where young Indians were taught the Christian doctrine together with at least basic reading and writing. The most famous school of the time was the college of Santa Cruz in Tlatelolco, where from 1536 the Franciscans educated groups of indigenous boys, mostly of noble descent. In Tlatelolco not only Christian doctrine, reading and writing were taught but also subjects such as Latin, Philosophy, Medicine, and at least some Theology. On the other hand, the Indians at Tlatelolco taught the friars Nahuatl and helped them with the compilation of dictionaries, grammars, and other texts, and later a small group of Indians taught Latin grammar to the students. Basic education in reading and writing was however not entirely restricted to the Indian boys. Especially between 1530 and 1550, groups of Indian girls were sent to boarding schools and received basic education together with instruction in the Christian doctrines from Spanish women, at first from laywomen and later from nuns as well, after the foundation of the first female convent in 1540 when the Conceptionist nuns arrived from Spain.

In their work to spread the Christian faith, the missionaries also wrote catechisms (doctrinas cristianas) in indigenous languages to be used in the ministry. Wanting to homogenise the religious instruction of the Indians, the junta eclesiástica of 1546 determined that two catechisms should be printed in indigenous languages, one briefer and one more extensive. As a result, a brief Spanish-Nahuatl Doctrina cristiana (1546), written by the Franciscan Alonso de Molina, was printed. It included the basic prayers of the church (Pater Noster, Ave Maria, and Salve Regina), as well as short commentaries on the Creed, the Ten Commandments, and the seven sacraments. The missionaries wanted the Indians to learn the content of the small catechism by heart, as it was considered to contain the things that every baptized person ought to “know, believe, do, and abjure” in order to be saved. The more extensive catechism with a Nahuatl and Spanish parallel text was published two years later. This Doctrina cristiana para la instrucción de los indios (1548) was written by a group of Mexican Dominicans based on a Spanish catechism written in Hispaniola by their co-friar Pedro de Córdoba some twenty years previously, that was translated into Nahuatl.

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and slightly adapted to fit the Mexican context. As in the case of the smaller catechism, the Dominican catechism included a short treatment of the contents of the creed and the prayers to be learned by heart. In addition it contained forty sermons on the articles of faith, the sacraments, the nature of God and Man, the Creation, Salvation and Last Judgement, as well as the ten commandments and the sacraments, etc.  

The missionaries taught Christian doctrine through the repetition of the prayers and the dogmatic principles that were found in a simplified form in the brief catechism. In the teaching of the catechism, the missionaries often used indigenous catechists, and in particular children who had been educated in monastery schools and who had learnt some writing and reading, so that they could read the contents of the small catechism aloud to the other villagers, who repeated it in chorus. The missionaries employed indigenous officials (fiscales or tepixques) to oversee that the people from the villages attended mass and religious instruction. The officials should also oversee that recalcitrant Indians were submitted to punishment if they did not attend church services.

Besides the teaching of the catechism and the sermons, the Indians had limited direct contact with the Biblical texts, even if they had learnt to read. In the early years, parts of the Bible were translated into Nahuatl at the college at Tlatelolco. Later on, the Indians were prohibited to have direct access to translations, as the missionaries feared that they could spread heresies and liberal interpretations if used outside church services. The missionaries' presentation of the Christian creed to the Indians was however not restricted to words in catechisms and sermons. Just as in Europe, images served as an important pedagogical device. In many mendicant churches and monasteries, the walls became covered with fresco scenes containing Biblical persons, saints and friars, as well as scenes from Heaven and Hell.

Another pedagogical method that the Franciscans used in particular to present the new faith to the natives included the performance of theatrical plays in Nahuatl. Especially from the 1530s and 1540s, a

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number of plays were staged with native actors in fanciful costumes, in order to impress and teach the audience. The themes of these plays were Biblical stories, for example Adam and Eve and the Fall, Abraham’s Sacrifice of Isaac, and the Temptations of Christ. One early and particularly famous piece of Nahuatl missionary theatre was devoted to the Last judgement and was written by the Franciscan Andrés de Olmos to be performed in many locations.55

Apart from the teaching of the Christian creed, the juntas eclesiásticas dealt thoroughly with problems related to the administration of the sacraments to the Indians. The initial sacrament was of course baptism and many of the meetings discussed when and how baptism should be celebrated. At the junta of 1524, it was decided that baptisms of adults should be celebrated on Sunday mornings and Thursday afternoons. In their ministry, the Franciscans opted for a brief baptism ritual. On other occasions, an even more informal rite was used, as water was sprinkled over a crowd of gathered Indians. With the arrival of the two other orders, the administration of baptism became an apple of discord. Both the Dominicans and Augustinians opted for a detailed instruction in both the contents of the creed and in morality before admitting a person to baptism, while the Franciscans saw baptism as the beginning of the conversion process and opted for a very brief pre-baptismal instruction, as they had done since their arrival. In order to solve the conflict, Pope Paul III issued a bull in 1537, decreeing that the Mexican missionaries could use a shortened version “in urgent cases”, but it did not define further what constituted such cases. In other cases, they should use the full baptism ritual. Having received this bull, the Mexican bishops adopted the teaching at the junta in 1539, and a manual for the administration of baptism was written in order to homogenise the baptism rites in the province.56

The hearing of confessions required a good knowledge of the indigenous language and at least in the early years confession was often heard through the help of an interpreter. In the same way as the catechisms and collections of sermons were compiled, the missionaries wrote confession aides, confesionarios, with parallel text in Spanish and Nahuatl to be used in the Indian ministry, in order to track down particular “Indian sins”. The confession of sins was a presupposition for receiving Holy Communion, but in the early years, many missionaries

were reluctant that the Indians should receive the sacrament, as they were newly christianised and *ipso facto* insecure in their faith. The *junta ecclesiástica* of 1546 decided to let the Indians receive communion if their confessors considered them penitent of their sins and intellectually mature, so that they could discern between the bread of the Eucharist and other foods. 57

The sacrament of matrimony also presented a number of difficult problems to the missionaries. It was disputed whether the matrimony contracted before the arrival of the Spaniards should be considered valid, especially since the early modern Catholic church had a very strict view of what constituted forbidden lines between the spouses, which was not shared by the Nahuas. Monogamy was an absolute principle for missionaries. Since many of the indigenous leaders were polygamous, the missionaries discussed if they could chose any of their wives to live a monogamous life with, or if they had to stick with the first they had married. The missionaries opted for the latter principle, but it gave rise to other problems. What should the missionaries do if they did not remember which woman he had met first or if he did not want to remember which was the first one.58

In comparison to the aforementioned sacraments the early church meetings have very little to say about confirmation, extreme unction, and ordination. Extreme unction was hardly administered during the first decades, especially due to the lack of both missionary personnel and the chrism that was a part of the sacrament. Even though the friars had the right to confirm, which ordinarily was restricted to the bishop, no confirmations were celebrated before the arrival of the first bishops and even after this time, confirmations seem to have been rare. 59 Concerning the admission of Indians to the Holy Orders, the *junta* of 1539 decreed that Indians might be admitted to the lower clerical orders (porter, acolyte, reader, and exorcist) that might be a step toward the higher orders (subdeacon, deacon, and eventually priest). In practice however, most churchmen were very sceptical and in fact no Indians were ordained during the sixteenth century.60

**Conversion, Coercion, and Nahua Responses to Christianity**

At least since the publication of Robert Ricard’s classic work on the mission in early colonial New Spain, “spiritual conquest” has become a catchword when describing both the methods and the effects of the initial mendicant evangelisation. When the book appeared for the first time in 1933, it was an unusually balanced and authoritative work, and it is still very valuable and indeed indispensable for every student of the early Mexican church. Mainly relying on chronicles and mendicant letters Ricard, however, presented a rather static view of the processes of religious change.61

In the Ricardian tradition, even many modern scholars have observed a rapid christianisation of central Mexico, with a wide and quite unproblematic acceptance of Christian teachings, especially due to the zeal and the moral perfection of the early friars.62 By the mid-sixteenth century there was no doubt that the missionaries had succeeded in establishing a visible church in New Spain; monasteries, cathedrals, and churches had been built on many places, sacraments were administered and catechism was taught in most parts of the land. Nevertheless, how and to what extent the Nahuas changed their basic religious beliefs is another question, one that is quite difficult to answer.

In recent years, especially with the increasing use of Nahuatl documents, there have been new attempts to study the complicated processes of religious change, and the responses of the Nahuas to the teachings of the missionaries. It has become common to talk of mission as a “spiritual encounter”, emphasising that the Indians were not passive recipients of the message. Instead a salient theme of much recent research is that the religious change was characterised by “reciprocal interaction down a two-way street”, consisting of “Christianity” and “native religions”. It was not, however, an unproblematic or very peaceful spiritual encounter. The Indians lived in a context characterised by a very limited religious liberty, as the missionaries counteracted all

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61 Ricard 1933. In his French original Ricard distances himself from the concept by putting the words, *conquête spirituelle* within citation marks. These citation marks have, however, disappeared from the subsequent Spanish and English translations. The first Spanish translation appeared in 1947 (with the latest re-print in the year 2000) and the first English version appeared as late as 1966.

62 Criticising this vein of scholarship, James Lockhart writes “I have often marveled that such a fine book should have had such a pernicious influence (which it continues to have on many to this day)” (James Lockhart *Nahuas and Spaniards. Postconquest Central Mexican History and Philology* (Stanford 1991):274).
traces of autochthonous religion. Refraining from the words “spiritual conquest”, a concept that entails a clear objective and a Christian victory over the native religions, J. Jorge Klor de Alva has described the missionary enterprise in early New Spain as “spiritual warfare”, thus emphasising mission as an ongoing strategic process with no clear objective.

From the first decades of missionary presence in Mexico, there are many mendicant reports stating that the Indians gladly accepted baptism and the religious instruction given by the friars. This gave rise to a very positive evaluation of the success of mission, a position that is seen particularly in the chronicles by the Franciscan Toribio de Motolinía (late 1530s). Before the arrival of the Spaniards, however, the peoples of Central Mexico had a tradition of integrating the main gods of the Mexica conquerors into their local pantheons. With the arrival of the Christians, many seem to have continued this basic policy of integration, despite the teachings of the missionaries. Summarising this process, Klor de Alva writes:

The Nahua’s willingness to adapt elements of the church into their spiritual repertoire led the early friars to chronicle their pioneering efforts in hopeful language, full of hyperbole and glowing with a triumphal spirit (e.g. Motolinía) that students of the Mexican church would interpret centuries later as proof of the success of the “spiritual conquest” (Ricard).

The teaching of the Christian creed and the administering of sacraments was one aspect of the methods used by the missionaries. Another aspect of the mission in sixteenth century New Spain was the active refutation of native religious beliefs and ceremonies, usually referred to as idolatry. Although conquerors and priests had already destroyed objects that they considered to be idols during the first years of the conquest, it was only after the arrival of the first organised missions

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63 Nicholas Griffiths, “Introduction” in Nicholas Griffiths & Fernando Cervantes (eds.) Spiritual Encounters. Interactions between Christianity and Native Religions in Colonial America. pp. 1-42. (Lincoln 1999), which also includes a valuable bibliography of recent scholarship.

64 J. Jorge Klor de Alva “Spiritual Warfare in Mexico: Christianity and the Aztecs”. PhD dissertation (Santa Cruz 1980).

that this policy escalated. In 1525, the newly arrived Franciscan missionaries unanimously decided to destroy every object or building that they considered idolatrous. According to the missionaries this destruction ought to be systematic, moving from village to village. Consequently, in the years to follow large amounts of manuscripts were burnt, objects were crushed, and temples were torn down, often using the stones for the construction of new churches and monasteries. The friars considered the extirpation of the visible material signs of native religion a necessity for the planting of the Christian religion, a view that of course was in no way restricted to the Mexican Franciscans, but had been seen on many other occasions and places in the history of missions.66

Though the formal cult and human sacrifices at the temples of Tenochtitlán and other religious centres disappeared at a very early stage, the native cult continued to exist albeit transformed and performed at secret locations. By the end of the 1530s, the churchmen learnt of a number of acts that were seen as outbursts of idolatry. During the investigations, cult objects and manuscripts that had been hidden to escape destruction were unearthed. The missionaries thought that a growing number of Indians had “returned to their idolatric vomits”, as if they had once accepted the Christian faith and then reverted to their “old satanic” religion. On this development the French historian, Serge Gruzinski, writes:

The years 1525 to 1540 were the age of violent and spectacular persecution: 15 years, in the course of which whole aspects of indigenous culture sank into clandestinity, to acquire in the light of Christianity of the conquerors the cursed and demonic status of ‘idolatry’. In a few years the Indian lords had to proceed to a complete reordering of their ancestral practice. They had to abandon the sanctuaries in the cities, to choose remote spots, the secrecy of caves and mountains, the deserted banks of lakes, the protection of night.67

In the early decades, formal inquisitorial trials were used as a way to counteract idolatry. From Juan de Zumárraga’s time as inquisitor that spanned from 1536-1543, we know about nineteen processes involving Indians. Most of them were local leaders and the majority were accused of idolatry, including sacrifices, the hiding of idols from the

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67 Gruzinski 1993:15.
missionaries, and especially “dogmatising”. “Dogmatising” meant the active refutation of the missionaries’ message and the teaching of non-Christian religions. The most infamous case during Zumárraga’s time as inquisitor involved Don Carlos Ometochtzin, an indigenous nobleman from Texcoco, who in 1539 was sentenced to death by the bishop as a dogmatiser, and “remitted to the secular hand” to be executed, after which his corpse was burnt at the stake. While Don Carlos was the only indigenous leader to be executed during the Zumárraga years, several others were tortured and sentenced to corporal punishment and exile. When informed of these cases, especially after the execution of Don Carlos, the Spanish Crown severely criticised the bishop and eventually removed him from his office as inquisitor.

Early colonial New Spain had very delimited religious freedom. If a baptised person was involved in any indigenous religious cult, it was interpreted as idolatry or apostasy that was a crime not only towards God but also to the unity of the empire. However, even though there were a number of formal inquisitorial trials concerning Indians in the first half of the sixteenth century, such cases were few, and almost non-existent after Zumárraga’s time as inquisitor. Instead, the main battle against idolatry took place at a local level and ordinary church services became the most important tool for the missionaries in order to combat idolatry, through preaching and especially through the sacrament of confession.

When they arrived in Mexico, the missionaries found a number of pre-Hispanic ceremonies that at least outwardly resembled Catholic sacraments. The Nahuas had a name-giving ritual involving the pouring of water over the infant’s head, and they used a ceremony that was very similar to confession for transgressions of the moral code. Moreover, their priests were celibate like their Catholic counterparts. The missionaries did not, however, interpret such resemblances as possible connecting points between Spanish and Nahua religions or as a providential preparation for the Christian faith. Instead, they saw them as

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blatant signs of the Devil’s astuteness, as in every conceivable way he tried to bewilder the natives and impede their eternal salvation.  

Yet even if native religion generally was reduced to idolatry and the Devil’s delusion, at least some of the friars showed an interest, not only in the indigenous languages, but also in the history and the religion of the Nahuas. The works of one of the Franciscan pioneers, Toribio de Motolinía (or Benavente), is an indispensable source to pre-Hispanic religion. In the work that has been published as Historia de los indios de Nueva España as well as in the draft known as Memoriales, Motolinía describes pre-conquest religion, societal organisation, and culture, as well as the early Franciscan mission.  

In the late 1540s, the Franciscan Bernardino de Sahagún and a group of indigenous students at Tlatelolco began to compile a systematic work in Nahuatl covering the culture and religion of the Nahuas. The manuscript that was constantly revised and eventually translated into Spanish, was, however, not be finished until the 1570’s. Although I think that we should not overlook these missionaries’ curiosity towards all things exotic, there were of course strategic interests for their study, as most parts of the native culture were looked upon as traits of spiritual disease that ought to be thoroughly investigated in order to be cured, as Sahagún himself describes in the prologue to the work.  

In another very interesting article by J. Jorge Klor de Alva, he has attempted to furnish a typology of Nahua responses to the Christian religion in the early colonial times. It is useful to end this chapter with a discussion of his analysis, not least in order to clearly show that there were a wide range of Nahua responses to Christianity. While presenting and defining fifteen types of answers that, however, are not seen as mutually exclusive, the author is aware of the fact that the typology is incomplete and that relations between religious systems are more complex than what any typology can detect. As a starting point, Klor de Alva highlights two basic positions: accommodation and conflict.  

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73 J. Jorge Klor de Alva “Spiritual Conflict and Accommodation in New Spain: Toward a Typology of Aztec Responses to Christianity”, in: George A. Collier, Renato I. Rosaldo
Within the basic category of “conflict” there are many different positions. There were Nahuas who remained unbaptised, fleeing from the missionaries, although this was not often a viable solution in the densely populated area of central Mexico. Some of these were actively or passively resisting Christianity, while taking part in indigenous rites. The cluster of responses that is gathered under the headline of conflict also includes people who were baptised but who took no or hardly any part in Christian rituals and who actively participated in native rites, or who were indifferent to both the old and the new religions.74

The other main position towards Christianity, that of accommodation also included a wide range of different versions. On the one hand, there is “complete conversion”, implying an understanding of and believing in the Christian creed, and an active participation in Christian rites. However, according to Klor de Alva the most common position were different versions of what he calls “incomplete conversion”, meaning that Christianity was believed but misunderstood, and among the different variants he identifies the most common response as nepantlism. This word was coined by the Mexican scholar Miguel León-Portilla and contains the Nahuatl word nepantla, that means “in the middle” or “in between”. It is probable that Nahuas in the mid-sixteenth century found themselves “between a lost and disfigured past” – the religious traditions that were counteracted, transformed and partly forgotten – and “a present that has not been assimilated or understood” – a lack of understanding of the Christian faith, especially due to superficial evangelisation.75 Summarizing his typology, Klor de Alva writes:

Without changing their religious convictions, they [the Indians] simply borrowed from Christianity whatever elements were necessary to appear Christian. Most of the documents I have studied intimate that this was indeed commonly the case among Aztecs of both privileged and non-privileged classes and was especially true for the latter. Whether embraced out of force, fear of punishment, political expediency, love of pomp and ceremony, or fear of plagues, this religious stand helped to make possible the survival of native cults among the majority of urban and rural natives.76
Later, many Nahuas practised what has been called “double religious participation”, living in two religious systems at the same time, one in the private, and another in the public sphere. On the one hand, they were attending church services, while at same time performing or attending more or less transformed rituals hidden from public light. When Archbishop Montúfar arrived in Mexico in 1554, he did not share any of the initial missionary enthusiasm. Instead he doubted the effectiveness of the conversion policy and regarded the majority, if not virtually all of the Indians as almost as “heathen” as they were before the arrival of his Spanish countrymen thirty-five years before, and he therefore wanted a radical change of the church and mission politics.

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77 Here, I have benefited from the discussions in Carl Sundberg Conversion and Contextual Conceptions of Christ. A Missiological Study among Young Converts in Brazzaville, Republic of Congo. (Lund 2000), in particular pp. 145-154.
CHAPTER III

UNIFICATION OF THE MINISTRY:
MONTÚFAR, THE PROVINCIAL COUNCILS, AND BEYOND

The First Council 1555

In 1546, the Holy See erected the archdioceses of Santo Domingo, Mexico City, and Lima. Consequently, the dioceses in the Indies ceased to be suffragan to the Archbishop of Seville and formed three new church provinces. This event marked the beginning of the golden age of the provincial councils, the first being celebrated in Lima in 1551-1552 under the leadership of the Archbishop of Lima, Jerónimo de Loaysa.1 In Mexico, Bishop Juan de Zumárraga died before having received the bulls that made him archbishop. Therefore, no provincial council was celebrated during his time, and the summoning of the first Mexican synod was left to his successor, Alonso de Montúfar. Having arrived in June 1554, Montúfar saw the celebration of a provincial council as his greatest immediate goal. Already complaining about his advanced age and general fragility, Archbishop Montúfar wrote to the King that he wanted to convocate this assembly before his death, which he thought would come very soon. As a newcomer, the Archbishop thought it indispensable to meet his episcopal colleagues and the clergy, who had first-hand experience of the country. As Montúfar also thought that the young church in Mexico lacked both order and discipline, he considered it very important to establish a body of clear legal norms worthy of the new church province.2

On June 29, 1555, on the feast day of St. Peter and St. Paul, the council was inaugurated at a ceremony in the cathedral of Mexico City, in the presence of the Archbishop and four of his suffragan bishops. Two of these suffragans were friars. Martín Sarmiento de Hojacastro of Tlaxcala was an experienced Franciscan missionary, and Tomás de Casillas of

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1 Saranyana 1999:118-130.
2 Montúfar to the Council of the Indies, Dec 15, 1554 (AGI, M 336A, doc. 2; PT 422).
Chiapas was a Dominican. The other two prelates were clerics. Vasco de Quiroga had been a judge at the Mexican audiencia before being promoted to the diocese of Michoacán, and Juan López de Zárate had been bishop of Oaxaca for twenty years. López de Zárate arrived at the council severely ill and died before it finished. At the time, the episcopal sees of Yucatán and Guadalajara were still vacant and were therefore represented by members of their respective cathedral chapters. The bishop of Guatemala, Francisco de Marroquín, did not attend the council. Due to infirmity and his advanced age, he informed his colleagues that he was unable to make the long journey to Mexico City, and therefore sent a legate to represent him.³

As their journeys to the council were time-consuming and expensive, the bishops asked the King for a grant of 1,200 pesos each, in order to help them in their “necessity” and “poverty”. At the same time, the suffragan bishops asked the monarch to grant the same amount to Archbishop Montúfar to cover his expenses as host of the council. As a result of their petitions, the suffragan bishops got part of the economic relief they had asked for, whereas Montúfar was denied any contribution by the Viceroy, as he did not have to travel.⁴

Although they did not have the right to vote, several representatives of the mendicant orders and the secular clergy also attended the conciliar sessions. It is, however, difficult to know any details of the discussions at the council, as there are no working notes from the first council. Moreover, in their contemporary letters and reports, the bishops were anxious to show their absolute unanimity.⁵ After a couple of months of discussions, Bishop Martín Sarmiento de Hojacastro of Tlaxcala brought together the suggestions to a final decree of the provincial council and they were approved by his colleagues.⁶

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⁴ The bishops to the Council of the Indies, Sept 16, 1555 (AGI, M 336A, doc. 6; PT 435).
⁵ The bishops to the Council of the Indies, Nov 1, 1555 (AGI, M 336A, doc. 79; PT 437).
⁶ J. Juan Bautista Merino Urrutia Fray Martín Sarmiento de Ojacasto OFM. Misionero español del siglo XVI. (Madrid 1965): 91,96.
The first provincial council ended in early November when its final document was read aloud from the pulpit in the cathedral. Thereafter, Archbishop Montúfar stated that the constitutions should be kept in the Mexican cathedral archives. However, through a partially unknown process, these records have ended up in the Bancroft Library at Berkeley. The Bancroft manuscripts include the acts of the three sixteenth century provincial councils (1555,1565, and 1585) and various other documents that are bound together in four volumes without any strict internal order. The manuscript of the first council includes various corrections and alterations, but since the manuscript includes the signatures of the five bishops, it could be assumed that it was in fact a final version and not just a preliminary draft.

At the closing session of the council, in November 1555, Archbishop Montúfar decreed that the acts should be printed instantly and that all parish churches should buy copies of the documents within six months after their publication. The process went smoothly and already by February 1556, the royal printer of Mexico, Juan Pablos Lombardo, had completed the printing. When informed that Montúfar had printed the conciliar documents without awaiting royal licence, King Philip rebuked the Archbishop for having trespassed on his patronage rights and ordered him to send him all conciliar texts before publication. In a response, the Archbishop defended his omission, by stating that the conciliar documents contained nothing unorthodox or spectacular. Nevertheless, he

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7 As Stafford Poole has noted, the conciliar acts were probably extracted from Mexico after the downfall of Emperor Maximilian in 1867. Anyhow, two years later a bookseller in London sold the manuscript to the North American historian Hubert H. Bancroft and they were consequently included in the collections of the library that bears his name. (Poole 1987:217f).
8 BL, Mexican Manuscripts, vols. 266-269.
9 BL, Mexican Manuscripts, vol. 266, fols. 193r-240r.
10 Constituciones del arçobispado y provinicia de la muy ynsigne y muy leal ciudad de Tenmextitlã Mexico de la Nueua España. (Mexico City 1556). There are some minor differences between the printed edition of 1556 and the Bancroft manuscript. The printed edition includes a prologue written by Archbishop Montúfar that is omitted in the manuscript. The printed text includes a set of rules and an arancel (pricelist) for the archiepiscopal audiencia that is not found in the manuscript. On the other hand, the Bancroft manuscript includes one chapter that is not integrated in the printed edition. This chapter considers what steps should be taken when a local church is put under interdict. In a note in the margin in the manuscript it is, however, indicated that the chapter should be included in the manual of the church province that should be published soon and not in the council acts.
11 Royal decree, Toledo Aug 31, 1560 (García 1982:458)
promised that in the future all conciliar texts would be sent to Spain and
the King’s council for final revision. More than two hundred years
would pass before the acts of the council were published for a second
time. As a part of the preparation of the fourth provincial council,
Archbishop Francisco Antonio Lorenzana edited the acts of the three
sixteenth century councils in 1769. The edition of the first council is an
exact re-print of the 1556 edition, while the orthography was somewhat
modernised. If not otherwise stated, I will refer to Lorenzana’s edition.

The Council: General Observations
In his prologue, Archbishop Montúfar reflected on the place of the
council from the perspective of salvation history; that is, God’s acts in
history for the good of man. He wrote that human beings had been
created to live in accordance with reason, the feature that distinguished
man from “the brute animals”. After the sin committed by the first human
beings, every person needed constant help and guidance to avoid sin and
to grow in virtue, in order to attain salvation and avoid eternal
punishment. Therefore, the church and its offices had been installed.
Consequently, the history of man after the Fall was described as a
continuous struggle between sensuousness and reason. Montúfar
maintained that the celebration of a lawfully congregated and thus
divinely inspired church council was an important part of salvation
history.

Wanting to imitate his predecessors in the episcopacy, Archbishop
Montúfar had summoned his suffragan bishops to a council in order to
establish clear norms, so that both the clergy and the ordinary people
should be aware of the divine precepts and live accordingly. The
Archbishop thought that such ecclesiastical assemblies were especially
useful in a country where barbarous and idolatric indigenous people “had
lived without news of the Holy Evangel for so many years” and only in
these “ultimate years due to the zeal of the Spanish monarchs had been
instructed in the Creed and placed under the obedience of the Catholic

12 Montúfar to the King and the Council of the Indies, Jan 31, 1558 (AGI, Justicia 165,
no. 5), Montúfar to the King, Feb 4, 1561 (AGI, 336A, doc. 24; PT 493)
13 Concilio Provinciales primero, y segundo, celebrados en la muy noble, y muy leal
ciudad de México, presidiendo el Illmo. Y Rmo. Señor D. Fr. Alonso de Montúfar. En los
años de 1555, y 1565- Dalos à luz El Ilmo Sr. D. Francisco de Lorenzana. Arzobispo de
esta Santa Metropolitana Iglesia (Mexico 1769). In the following notes, I use the
abbreviations CPM 1 (Concilios 1769:33-184) for the first council and CPM 2 (Concilios
1769:185-208) for the second council.
church". In a contemporary letter to the Council of the Indies, Montúfar stated that the main object of the provincial council was to strengthen and perpetuate the church organisation. Though the church had been present in Mexico for several decades, he considered it to be without bases and in great disorder. Without a clear church government and without order and the administering of sacraments, he was sure that many souls would be eternally lost to the Devil.

The acts of the first Mexican council consist of 93 chapters. Most of these chapters deal with the instruction in the Christian doctrine, the administering of sacraments, and the enforcement of episcopal jurisdiction in the new church. Another very important theme is the establishment of concrete and detailed norms for the education and life of the clergy. Unlike the first council of Lima (1551-1552), the Mexican acts do not establish separate chapters for the indigenous and the Spanish population. Nevertheless, it was often made clear if a certain precept should be applied to Spaniards, Indians, or both groups. Most of the chapters of the Mexican council share a common structure. They begin by briefly outlining a situation or problem that the bishops had noticed or been informed of. This initial diagnosis is followed by a suggestion of a remedy that the conciliar fathers considered appropriate for each case, introduced by the standard formula: *sacro approbante concilio*. Most paragraphs are concluded by the description of the concrete penalties, in the form of excommunication or fines that should be levied if individual rules were disobeyed.

Before beginning a closer study of the problems dealt with at the council, it might be of interest to see what sources the bishops used. One important source was the *juntas eclesiásticas* that were celebrated by the Mexican bishops since the early 1530s, in order to discuss mission methods and church organisation. These *juntas* were, however, not the only or even the most important sources for the first Mexican council. Instead, a number of Spanish synods and provincial councils became the main basis for the bishops’ final decree. It is clear that they wanted to transplant a Spanish church into New Spain. In a remarkable study on the influence of the church in Granada on the church of the Indies, the Spanish historian Antonio Garrido Aranda, argues at length for a close

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14 CPM 1, prologue (*Concilios* 1769:35-37).
15 Montúfar to the Council of the Indies, Sept 12, 1555 (AGI, M 336A, doc. 7; PT 432).
17 See Chapter II.
relationship between the first Mexican council and the diocesan synod of Guadix, near Granada, that was celebrated in 1554. When studying the conciliar texts, Garrido Aranda observes a striking similarity between the themes considered in Guadix and those dealt with by the bishops of New Spain in 1555, and therefore concludes that the Mexican bishops had used the acts of Guadix as an important source. To strengthen his case, he cites an assertion, however without stating the source, that the final acts of the Guadix synod had been used for “some Mexican councils”.

Through my own research I have been able to see that the synod of Guadix was in fact mentioned as a direct source for the Third Mexican Council (1585), as the bishops discussed it in their working material. To show that there was a cause-effect relation between the synods, Garrido Aranda argues that Montúfar brought the acts of the synod of Guadix with him to the Indies. This hypothesis is impossible, since Montúfar had left Spain by January 1554, whereas the synod of Guadix did not end until mid-February and the decrees were not published until two years later.

Another argument against Garrido Aranda’s hypothesis is that Archbishop Montúfar did not mention the synod of Guadix among the direct sources for the Mexican council. When in a letter to the King, Archbishop Montúfar argued for the absolute orthodoxy of the Mexican council, he especially mentioned that he and his suffragans had relied heavily on the acts of the synods of Seville, Toledo, and Palencia. Although it is not explicitly stated in the letter, it is certain that Montúfar referred to the council of Toledo in 1473, the council of Seville in 1512, and the diocesan synod of Palencia in 1525. There is no doubt that the council of Seville, celebrated by Archbishop Diego Deza in 1512, was the single most important source for the Mexican bishops, and sometimes long passages were quoted in Spanish translation from the Latin original. This was quite natural, since Mexico until quite recently had been a part of the church province of Seville, and its council was until then valid as local church law in New Spain.

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20 Garrido Aranda 1980:103f.
21 See Chapter I.
22 Garrido Aranda 1980:94.
23 Montúfar to the King, Feb 4, 1561 (AGI, M 336A, doc. 24; PT 493).
The Council: Doctrine and Sacraments

The acts of the first council were introduced by a definition of the basis of the Roman Catholic faith, as the prelates stated that they wanted the “health of the souls that they had been entrusted with”. The clear definition of the bases of the church’s Creed was of outstanding importance, since there was no salvation outside the visible church and no acts that pleased God without the explicit belief in Him. According to the bishops, every baptised adult should know how to make the sign of the cross and further the articles of the faith as declared in the Creed of the church. Further, they should know which are the seven sacraments and the five commandments of the church, as well as the “Ten Commandments of our Christian law”, as well as the seven mortal sins. Moreover, all those who had been baptised should be able to recite the basic prayers of the church by heart, the Pater Noster, Ave Maria, and Salve Regina. The Spaniards should be taught the doctrine in Spanish and the prayers in Latin and Spanish, while the indigenous population could be taught the creed and the prayers in their own languages, so that they understood the contents better. In this context, the bishops decreed that no adult person, whether “Indian gentiles of the country, Negroes of Guinea, or other sects that live in New Spain” should be baptised before they were instructed in the contents of the Christian doctrine.

In order to reach uniformity in the teaching of doctrine, there was a great need for written catechisms (doctrina cristiana) to help the local priests. Thus, the first council repeated the decision of earlier church meetings that one smaller and one larger catechism should be written in every indigenous language in the church province. To ensure uniformity in the teaching of the Christian creed, it was decreed that every doctrina in a native language should be examined by experts and given a licence from the bishops before publication. The contents of the doctrina should be read aloud and be explained by the priests on a regular basis. Special care should be taken to instruct the Indian children, so that they learnt the Christian doctrine at an early age. Likewise, the owners of black slaves should not prevent the children of the slaves from attending catechism on a regular basis. According to the bishops, many Indians

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25 CPM 1, no. 1 (Concilios 1769:40-42).
26 CPM 1, no. 2 (Concilios 1769:42f).
27 CPM 1, no. 4 (Concilios 1769:45).
28 CPM 1, no. 1-3, 65 (Concilios 1769:40-44, 139f).
lived “more like wild beasts than like civilised men”, dispersed in fields, mountains, and highlands. To be instructed in the doctrine and live a civilised and Christian life it was necessary that they were brought together in villages. This was the only way that the Indians would become Christians and “the rational men they in fact were”.29

In order to venerate God and to receive instruction in the Christian doctrine, every person was obligated to attend mass on Sundays and other obligatory feast days. The bishops included a list of the feast days that should be kept by the faithful, distinguishing those that were compulsory to the Spaniards from those that the Indians had to observe, as the latter were newly converted and were considered “miserable and poor”. In accordance with a bull of Pope Paul III (1537), the bishops therefore decreed that Indians should only have to observe twelve such feast days, while the Spaniards should observe more than three times as many. In this context, the bishops also exhorted the Spaniards not to prevent their servants and black slaves from attending church, as it would impede their knowledge of the Christian doctrine and hence their eternal salvation.30

Eager to monitor that all people in the church province received the church’s sacraments, the bishops decreed that all ministers should keep detailed records of baptisms and matrimony.31 According to church law, baptised adults should confess their sins at least once a year. To monitor the observance of this precept, the priests should keep records of all the people under their jurisdiction, calculate how many people that had reached the age of confession, and then ensure that all these people really went to confession. It was especially stated that everybody should confess in his or her home village. If an individual did not go to confession within the period stated, he or she risked excommunication. In fact, the bishops decreed that the names of excommunicated people should be read aloud, so that the faithful could avoid having contact with them in order not to be infected.32

Since the arrival of the first missionaries in Mexico, there had been disputes on whether or not the Indians should be allowed to go to communion. Though the bishops did not think that all baptised Indians and blacks should be permitted to receive communion, they found it unacceptable to exclude them as groups. Ultimately, it was up to each

29 CPM 1, no. 73 (Concilios 1769:147f).
31 CPM, 1 no. 26, 32 (Concilios 1769:81ff, 88ff).
32 CPM, 1 no. 7, 11-14 (Concilios 1769:49-53, 57-62).
confessor to discern if an individual was mature enough to receive the sacrament. Hence, if the confessor thought that an individual showed sincere “signs of devotion and yearning to receive this Divine Sacrament” he or she should not be impeded.\textsuperscript{33} Concerning the sacrament of matrimony, the council clearly decreed that all weddings should be celebrated in a church in the presence of a priest and that they should be registered in a book. Thus, the council strictly forbade so-called clandestine marriages, where the bride and groom made their marriage vows privately or in the presence of secular witnesses. Following this line of argument, they decreed that those who had got married clandestinely should be severely fined, as well as the witnesses.\textsuperscript{34}

Eager to unify the administration of the sacraments, the bishops decreed that all clerics in the church province should celebrate them in complete concordance with the manual that soon was to be published by the prelates.\textsuperscript{35} Such a \textit{Manuale Sacramentorum} was probably published in Mexico City in 1560, though there might have been an earlier edition. To write this work, Montúfar employed Cristóbal de San Martín. Nothing is known about San Martín, but it is most probable that he was a secular priest in Montúfar’s service. The Mexican \textit{Manuale} included rules and the liturgy for the administering of baptism, matrimony, and reconciliation, as well as rites for the preparation of the dying and burials. Moreover, the manual included formulas for exorcism as well as ceremonies against various plagues such as tempests and vermin. As in the case with the acts of the first council, the \textit{Manuale} was made following a Spanish raw model. In fact, the sacramental manual was a compilation of various Spanish manuals. In his preface, Cristóbal de San Martín stated that he had compiled relevant parts from a number of Spanish manuals, and had often integrated verbatim, from manuals such as those of Toledo, Seville, Salamanca, Granada, and Palencia. Apart from these Spanish sources, San Martín stated that he had also used the \textit{Liber Sacerdotalis}, published by the Italian Dominican, Alberto Castelliani, in 1523.\textsuperscript{36}

\textsuperscript{33} CPM 1, no. 64 (Concilios 1769:138f).
\textsuperscript{34} CPM 1, no. 32, 38 (Concilios 1769:88f, 98-100).
\textsuperscript{35} CPM 1, no. 67 (Concilios 1769:142).
The Council: Extirpation of Idolatry

Although most of the conciliar consider the teaching of Christian doctrine and the administering of sacraments, some also deal with the active battle against non-Christian religion, commonly known as the extirpation of idolatry. In the minds of the prelates, idolatry was a constant threat to the newly baptised indigenous population. Some of the most important religious expressions of the Indians were songs and dance. Although the bishops accepted the use of dances in Christian processions and celebrations, they wanted to prevent the Indians from mixing pagan customs with Christian themes. Hence, the performances and dances should not be allowed to deal with anything else other than Christian doctrine and salvation history. Thus, when dancing, the Indians were forbidden to use old figures or masks that were considered suspicious. Further, missionaries or other people who understood the native language should examine all songs carefully so that they did not embody the Indians’ old “rites and stories”. Overall, the bishops wanted to limit the use of musical instruments.

The conciliar acts also included a prohibition against all kinds of “necromancers, sorcerers, or diviners”; groups that included indigenous religious experts as well as Spaniards. Likewise, the bishop forbade all Christians to seek the advice of such “servants of the Devil” who could impede their salvation. If Spaniards were found guilty in this respect, they should be fined, excommunicated, or expatriated, whereas the guilty Indians should do public penance in the local church. The prelates ordered their judges and all priests in the country to search diligently for anyone involved in witchcraft and to punish them severely, so as to extirpate superstitions from the hearts of all people.

Having been recently baptised, the Indians could easily revert to the idolatry that they had practised before the arrival of the missionaries. The bishops had a very low opinion of the indigenous teachers that the missionaries used in their ministry and did not permit schools in any village that did not have a resident clergy, not wanting to rely on indigenous teachers who could easily spread false teachings and misunderstandings. The only thing that should be allowed in such villages

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37 CPM 1, no. 66, 72 (Concilios 1769:140-142,146f).
38 CPM 1, no. 5 (Concilios 1769:45-47).
was the reading of the contents of the *doctrina* to both children and adults. The bishops also decreed that no Indian should be allowed to own books or to take excerpts from sermons in Spanish or in their own language, since they did not understand the contents.\(^{39}\)

The bishops also wanted to control the use of religious works of art, as they could easily give rise to unsound or heretical ideas. Therefore, the diocesan bishops should examine all artists in the province and ensure that nobody painted or sold religious items without a licence from the prelate or the ecclesiastical judges. The examination of Indian artists should be done with particular care, since many of them were painting religious motives “without understanding what they were doing”, and therefore their pictures would be filled with indecencies and “contempt for our faith”. When a painting or statue was completed, the ecclesiastical judges should examine it before it was sold or placed in a church building. Likewise, the bishops ordered their visitors to search all churches and chapels and destroy all paintings, altars, or statues that contained apocryphal or indecent motives.\(^{40}\)

**The Council: Norms for the Clergy**

The first provincial council devoted many chapters to the clergy, closely following the council of Seville (1512) that focused particularly on their intellectual and moral reform.\(^{41}\) A number of chapters deal with the necessary education of those who should be ordained. No man should be admitted to Holy Orders without a close examination of his background and ancestry. Thus, the candidate had to present a number of witnesses to state that he was an honourable man, that he was not born outside of marriage, and that he was not known as a gambler, public sinner, or blasphemer. Whether he confessed and received communion on a regular basis should also be investigated. The candidate also had to prove that he was an “old Christian” (*cristiano viejo*). Nobody who was a descendent of Muslims, or a son or grandson of a person who had been sentenced by the Inquisition, should be accepted as a candidate for priesthood. Strangely enough, the first council did not say anything about the descendants of Jews, who were barred from many ecclesiastical and civil offices in Spain. Apart from these groups, the council explicitly barred Indians, mestizos, and mulattos from ordination, as they were “new

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\(^{39}\) CPM 1, no. 66, 69 (Concilios 1769:141-144).

\(^{40}\) CPM 1, no. 34 (Concilios 1769:91f).

\(^{41}\) Saranyana 1999:91f, 115.
Christians”. In this respect, the first Mexican council contradicted the *junta ecclesiástica* of 1539 that had accepted Indians to the lower orders. Thus, it put an end to earlier attempts at educating an indigenous clergy.42 In contemporary letters, Montúfar presented some arguments against the ordination of Indians. He thought that as the Indians were newly converted, the Christian faith had not been rooted in them and they could therefore easily “revert to their idolatric vomits”. As he also thought that by nature the Indians were very inclined to drinking and fornication, Montúfar did not want to ordain any single Indian, even if there were certain individuals who looked promising at first sight.43

A basic idea of the Mexican council was that the priest should be easy to distinguish from ordinary people, both through outward appearance and through his way of life and behaviour. The ordained person should in every moment be aware of himself as an example for his herd. The bishops therefore decreed that the priest should “shine forth in honesty, life and good fame”, as they were individuals entrusted with higher dignity and state than the laymen. The text presents the ideal image of the priest, and at the same time establishes concrete punishments for priests who did not live up to the ideal.44

To be easily discerned from the people, clerics should refrain from many customs that might be acceptable for laymen. Thus, priests were not allowed to drink in taverns, nor attend parties, masquerades, or bullfights. Nor were they allowed to sing profane songs or dance. They were also prohibited to play any kind of parlour games, particularly if money was involved.45 The clerics also had to watch their tongues and not engage in “vulgar talk”. In particular, they had to refrain from using the name of God or any of the saints in vain and if they were to do, they would be heavily fined or put in the ecclesiastical prison. Clerics were not allowed to physically punish their slaves, servants, or other members of their household, “if it is not a moderate and human punishment”. As servants of God, they were not allowed to carry arms of any kind.46

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43 Montúfar to the Council of the Indies, May 15, 1556 (AGI, M 336A, doc. 9; PT 441) and Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).

44 CPM 1, in particular no. 44-63 (*Concilios* 1769:105-138).

45 CPM 1, no. 48, 50 (*Concilios* 1769:113-119).

46 CPM 1, no. 49 (*Concilios* 1769:116f).
All priests should live in a simple way and this was especially important for those living in Indian villages. They should only possess one or two horses and devote their entire life to “evangelise the people that recently have been converted to our Holy Faith”, not engaging in any secular occupation that was improper to their clerical state, such as merchandise. Further, priests who lived in Indian villages should not house any other Spaniards, and in particular no one who was considered to be a vagabond and who therefore constituted a “bad example to the Indians”. The council forbade the clerics to ask for any salary directly from the Indians, but they were to be content with the money they received from the King or the encomendero. Hence, they were strictly forbidden to ask the Indians for any payment for administering the church’s sacraments.47

The bishops thought that priests should differ from the lay people not “only in their ways of life and their good customs”, but also be clearly distinguished from lay people in their outward appearance. They also stated that the inward qualities and honours of a person were seen in the outward appearance. Following this line of thought, the council established a dress code that distinguished priests from the laity; this paragraph included an impressive list of items and fabrics not considered proper to clerics. The only proper dress to be worn outside of the home was a black or dark brown cassock, reaching down to the feet and carefully buttoned up. Priests were further prohibited to have beards or long hair, which were considered marks of secular people. Likewise, they should always have a visible tonsure. To dress like a secular person was considered a serious crime for a priest and a transgression that would be punished very severely.48

The council also devoted some chapters to the priests’ relations with women and the vow of chastity. No woman who was considered “suspect” should be allowed to live in a priest’s house. Such women, usually housekeepers under a certain age, should be forced to move from the priest’s household within thirty days after the conciliar acts had been made public, never to return again. If a priest allowed such a woman to continue living in his household, both he and the woman would be punished for concubinage. The bishops also stated that many clerics arrived from Spain together with women whom they stated to be their mothers, sisters, or other relatives and who later were revealed to be their

47 CPM 1, no. 55, 59f (Concilios 1769:125f, 130-133).
48 CPM 1, no. 48 (Concilios 1769:113-116).
concubines. Therefore, the bishops found it indispensable that all women who accompanied clerics from Spain brought testimonies to prove their family relation to them.\textsuperscript{49}

\textit{The Second Council 1565}

Ten years would pass until a new council was celebrated in Mexico. Finally, in 1563, the Council of Trent finally ended after eighteen years, and the Pope had ratified the acts. After some hesitation, the Spanish King Philip II, decided to approve the council’s decisions. Thereafter, he ordered that the Tridentine reforms should be applied in all parts of his kingdom, and ordered the archbishops to summon their suffragan bishops to provincial councils that should implement the decisions of the ecumenical council. Having received this order in early 1565, Montúfar summoned his suffragan bishops to a new provincial council.\textsuperscript{50}

The second Mexican council was inaugurated on August 15, 1565, when the bishops swore their oath of obedience to the decrees of Trent. Apart from Montúfar and Bishop Tomás de Casillas of Chiapas, all the remaining bishops from the first council were deceased. Since 1555, the Dominican Bernardo de Alburquerque had become bishop of Oaxaca and the Franciscan Francisco de Toral was installed as bishop of Yucatán. In addition, Pedro de Ayala and Fernando de Villagómez, both secular clerics, had become bishops of Guadalajara and Tlaxcala respectively. On November 11, a little less than two months after its inauguration, the second council finished, and the acts were sent to Spain for revision.\textsuperscript{51}

Today, the records that used to be the property of the Mexican cathedral are found in the Bancroft Library at Berkeley, whereas multiple originals are found in other archives on both sides of the Atlantic.\textsuperscript{52} The acts of the second council did not receive the King’s licence and were consequently not printed during the sixteenth century. In fact, they remained

\textsuperscript{49} CPM 1, no. 51, 57. (Concilios 1769:119-121, 128f).
\textsuperscript{50} Montúfar to the King, March 1, 1565 (AGI, M336A, doc. 38; PT 561 and . ACCMM, Actas del cabildo, lib. 2, fol. 140r (Feb 6, 1565). Cf. Reynerio Lebroc ”Proyección tridentina en América”, Missionalia Hispanica 26 (1969):129-207.
\textsuperscript{51} Montúfar to the King, Nov 30,1565 (AGI, M 336A, doc. 36; PT 566).
unpublished until 1769, when Archbishop Lorenzana published them together with the acts of the first provincial council.53

In his prologue to the second council, Archbishop Montúfar returned to the role of the church in salvation history. In this world, he wrote, the Church Militant is involved in a continuous struggle against Satan, where all faithful Catholics are warriors. In order to help his warriors, Christ provided his church with a powerful general, St. Peter. After his death, St. Peter’s legitimate successors were invested with the same rank. Through his providence, Christ also provided the struggling Christians with a number of captains - the other apostles, bishops, and priests - who should lead the faithful in the heat of the battle against the Enemy. Eternal salvation is difficult to attain, as the human race is infected with sin and bad inclinations. Satan remains a strong enemy, and deceitful captains (heretics) constantly try to win the Christians over to their side. In order to cure soldiers wounded in the battle against Satan, Christ provided them with an effective remedy: the church’s sacraments and the Sacred Scriptures. Before his ascension, Christ promised that he would be with his church until the end of time and give advice to his soldiers through his generals and captains. In a lawfully celebrated council, Christ stands with his church. This was thought particularly true of a general council as the Council of Trent, where captains from all over the world were gathered in order to crush the heretical deprivation infecting the world. In his prologue, Montúfar stated that he gathered his suffragan bishops to take the oath of obedience to the general council.54

The acts of the second council include 28 chapters, most of them clarifications on the decrees of the first council. In a concluding note, the bishops stated that they wished to reaffirm the decisions of the first council of Mexico in 1555 and that the new council should be seen as a complement and not as a substitute. Having stated this, the bishops promised to oversee the implementation of the decrees of the Council of Trent in all parts of the church province. Thus, they would duly punish all those who in “words or deed” were unfaithful to anything that was established at Trent.55 Dealing with the Christian practice of the native people, the bishops stated that “ignorant people and in particular the Indians who are recently converted to our Holy Faith” should not be entrusted with collections of sermons, devotional works or any other

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53 CPM, 2 (Concilios 1769:185-212).
54 CPM 2, prologue (Concilios 1769:185-188).
55 CPM 2, no. 1, 22 and epilogue (Concilios 1769:188,201, 206f).
books, which they would easily misunderstand. Instead, the only books they should be allowed to read and own were the catechisms that were approved by the prelates. In the same line of thought, the council strictly prohibited Indians to arrange any kind of religious processions, without a priest being present.

The second council also maintained that the priests working in the Indian ministry were required to learn the indigenous languages, without which they could not preach, nor administer the church’s sacraments. If they did not study the languages diligently, they should be removed from the village and not given any other office before they learnt the language. In order to carry out their ministry, all priests in the church province were required to own a Bible, a couple of good confession aides and works of theology, and a Manuale Sacramentorum, so that they could “lead the souls with which they had been entrusted on the way to salvation”. In a couple of paragraphs, the bishops returned to the behaviour of the clerics. The strict dress code of the Council of 1555 was emphasised, as was the clear ban against clerics who were engaged in business and money lending. Thus, the ministers were strictly forbidden to charge the Indians anything for the administering of the church’s sacraments, neither in ready money nor in “cacao, cloaks, corn, hens, or other commodities”. If a priest was repeatedly found guilty of this transgression, he would be expatriated and sent back to Spain.

Combating Divergence in the Archdiocese

Visitations

Unity in cult and doctrine were catchwords of the two provincial councils celebrated under the leadership of Alonso de Montúfar. He and the other bishops used various methods to check that their decrees were implemented and obeyed. One ordinary method was the visitation tour. Like various earlier Spanish councils and the ongoing council of Trent, the first Mexican council stated that the bishops should visit all parts of

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56 CPM 2, no. 23 (Concilios 1769:201f).
57 CPM 2, no. 11 (Concilios 1769:194).
58 CPM 2, no. 18f (Concilios 1769:198f).
59 CPM 2, no. 22, 28 (Concilios 1769:201,205).
60 CPM 2, no. 2 (Concilios 1769:188f).
the diocese in order to “understand and attend to the necessities of their subordinates”, as well as to investigate their knowledge of the Christian faith. In fact, the visitation was considered so important that the bishops could find no acceptable reason for its omission. During their visitation tours, the bishop should also investigate the status of the church buildings and the ornaments used in the Divine cult, as well as receive complaints against the clergy from the locals. When going on visitations, the bishops always travelled with a couple of assistants and in particular with some interpreters who could help them when speaking and preaching to the Indians.61

Although visitations were quite often mentioned in Montúfar’s letters, the Archbishop did not deal with the subject in any detail. Often, he only wrote, “that he had been out visiting his sheep”. On these occasions, he also stated that he had celebrated mass, preached, baptised, and confirmed Indians.62 In his biographical note on the Archbishop, the Dominican chronicler Agustín Dávila Padilla pointed out that one of Archbishop Montúfar’s major virtues was that he had “personally visited his whole archdiocese”. On these occasions, he exhorted the clergy to work diligently with their ministry for the Indians and reprehended the curates who did not do their jobs. Dávila Padilla also pointed out that on his visitation tours Montúfar, with the help of interpreters, investigated the Indians’ knowledge of the “principal mysteries of Our Faith”.63 In his own letters, Montúfar also stated that he always took the opportunity of investigating the knowledge of the Christian doctrine by asking a number of questions before conferring the sacrament of Confirmation. In one letter, he explicitly mentioned a number of questions that he, with the help of an interpreter, used to ask the Indians he was going to confirm.

Who created you and all things? How many gods are there? Give the name of the [Divine] persons. Did God become human? Who is his mother? How

62 For some examples, see the letters from Montúfar to the King, Sept 18, 1555 (AGI, M 336A, doc. 8); Jan 31, 1558 (AGI, IG 2978); and May 31, 1563 (AGI, M 336A, doc. 29).
63 Dávila Padilla 1955:511.
did she give birth to him? Where did he go after his death? Was he resurrected?  

Even if the first council decreed that the bishops should personally visit the dioceses, the bishops often appointed special officials known as general visitors (visitadores generales), who could go on visitations in the prelates’ place, invested with his jurisdiction.  

The Ecclesiastical Audiencia: Organisation and People

As a complement to the visitation tours, each diocese had an ecclesiastical tribunal that dealt with transgressions of church law. If there are few records dealing with the visitation tours, there is abundant documentation of at least some aspects of the work of the ecclesiastical tribunal. During the time of Montúfar, the tribunal of the archdiocese developed into an ecclesiastical audiencia, complete with judges, attorneys, notaries, and other minor officials. Recently, the Mexican historian Jorge Eugenio Traslosheros made a path-breaking study of the ecclesiastical audiencia of Mexico and its role in colonial society between 1550-1630. According to him, the ecclesiastical court dealt with a number of different types of cases, involving both clerics and laymen. Through a special privilege, the fuero eclesiástico, all clerics had the right to be investigated before an ecclesiastical court, whether in criminal or civil cases. However, the ecclesiastical court also held jurisdiction over secular people, and especially in cases dealing with transgressions of the sixth commandment. These groups included people who had pre-marital or extra-marital sexual relations, or people who lived together without being married (amancebados). Another important group was couples who had contracted matrimony without the presence of a priest, so-called clandestine matrimony.  

As no tribunal of the Holy Office of the Inquisition existed in New Spain until 1571, the local bishops had the right and obligation to

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65 Among the general visitors during the time of Montúfar were his own nephew Dr. Alonso Bravo de Lagunas and Alonso Fernández Segura. See Montúfar to the Council of the Indies, Nov 30, 1554 (AGI, M 336A, doc.5; PT 417), cf. Luis García Pimentel (ed.) Descripción del arzobispado de México (Mexico City 1897): 303-313 for notes on a visitation tour by Fernández Segura in 1566.  
investigate cases of doctrinal divergence within their dioceses. Thus, the
scrutiny of such cases became an integral part of the work of the
archiepiscopal audiencia.\textsuperscript{67} Already when Archbishop Montúfar arrived,
Viceroy Luis de Velasco had asked the King to install the Holy Office in
Mexico, but in his answer, the King made clear that he thought it was
convenient that the bishops continued as inquisitors.\textsuperscript{68} Hence, Alonso de
Montúfar became the inquisitor of the archbishopric as part of his office.
Though the Inquisition was eventually installed in Mexico, the tribunal
only dealt with cases of non-Indian inhabitants. Thus, the ecclesiastical
audiencia continued to deal with the inquisitorial cases of Indians even
after 1571.\textsuperscript{69}

Apart from the local bishop, the highest ecclesiastical judge within a
diocese was known as the provisor. By virtue of his office, the provisor
assumed all non-sacramental aspects of the episcopacy and became the
judicial alter ego of the bishop in the ecclesiastical audiencia.\textsuperscript{70}
Archbishop Montúfar had difficulties finding suitable or at least stable
ecclesiastical judges and during his seventeen years at the see, at least six
men served as his provisores. Given their position in the archiepiscopal
administration, it is of interest to make some acquaintance with them. The
first of the six was Lic. Mateo Arévalo Sedeño, who in 1554 had
accompanied the Archbishop on his journey from Spain. When Montúfar
appointed Sedeño as his provisor, the Archbishop thought that he was an
ordained priest, but when they arrived in Mexico he realised that he was
only tonsured and showed no inclination for priesthood. According to
church law, the provisor was not required to be an ordained priest, but
Montúfar found it indispensable. Therefore, Sedeño had to resign. He
later married, and served in the royal audiencia and as a professor of
Canon Law at the University of Mexico.\textsuperscript{71} Already in 1555, Montúfar had
replaced Sedeño with his own nephew, Dr. Alonso Bravo de Lagunas.\textsuperscript{72} Bravo de Lagunas’ time as provisor was equally brief and in the

\textsuperscript{67} Greenleaf 1969.
\textsuperscript{68} The King to Viceroy Velasco, 1554 (AGI, M 1841, fols. 354r-359r).
\textsuperscript{70} Traslosheros 1998:23f.
\textsuperscript{71} Catálogo de pasajeros 1946:147, cf. Montúfar to the Council of the Indies Nov 30,
1554 (AGI, Mexico 336A, doc. 5; PT 417). Mateo Arévalo Sedeño was still provisor by
Dec. 11, 1554 (AGI, IG 2984). Sedeño and his wife’s “purity of blood” from 1572 is
found in AGN, Inquisición, vol. 62, exp. 18.
\textsuperscript{72} Concilios 1769:171, Cf. a document signed by Bravo de Lagunas Feb. 26, 1556
(AGI, M 2606).
following year, Br. Juan de Rivas substituted him. Hardly anything is known about this man except that he had previously upheld the office of provisor in the bishopric of Oaxaca and thereafter had been general visitor in the archbishopric.73

In a letter from 1558, Montúfar complained to the King that he was without a provisor because he could not afford one, but later that same year or at least in the following year, Dr. Luis Fernández de Anguis was appointed to the office. Dr. Anguis served the Archbishop for five years, but he was beyond doubt the most controversial of all of the Archbishop’s appointees. His background before entering the archiepiscopal staff was quite stormy. Having earned a doctorate in Canon Law from the University of Bologna, he went to the New World, where he became the provisor to the Archbishop in Santo Domingo. According to a letter from the cathedral chapter in Mexico, Dr. Anguis had been forced to leave Santo Domingo after having beaten the dean of the ecclesiastical chapter there. On account of this, he was excommunicated by the Archbishop and fled to Mexico, where, despite his excommunication, he joined the Augustinian order, which he, however, soon left to become Montúfar’s general assistant.74

When Anguis left the office in 1563, Dr. Ruy García de Barbosa succeeded him as provisor. After studies in Salamanca and a period as a canon in San Juan de Puerto Rico, Barbosa arrived in Mexico, where he was appointed precentor of the ecclesiastical chapter. In Spain, it was common that members of the chapter served as provisores. Such was not the case in Mexico during Montúfar’s time and Barbosa was an exception to the rule.75 During the last five years of Montúfar’s life, Dr. Esteban de Portillo held the office of provisor. Unlike his predecessors, Dr. Portillo was a Creole, born in Mexico City by Spanish parents. He had virtually grown up within the Mexican cathedral, starting as a choirboy and assuming various offices within the archiepiscopal administration, before he became schoolmaster in the cathedral of Michoacán.76

73 Montúfar to the King, June 17, 1556 and May 26, 1557 (both in AGI, M 282), Cf. AGI, Justicia 1012, no. 3. ro. 6 and Justicia 158, no. 3.
74 Anguis is mentioned as provisor in ACCMM, Actas de cabildo, lib. 2, fol. 3r (April 8, 1559). Cf. The report on the merits of Luis Anguis, 1557 (AGI, Santo Domingo 11, no. 10). The cathedral chapter to the King, not dated [1561-1562?] (AGI, M 336A, doc. 69).
75 ACCMM, Actas del cabildo, lib. 2, fols. 109v-110r (Oct 29, 1563). Cf. Dr Barbosa to the King March 25, 1567 (AGI, M 339), and Schwaller 1987:20.
If the *provisores* changed constantly, Montúfar had one assistant who remained in his service during most of his time as archbishop, and who therefore became an essential person in the archiepiscopal administration and not least in the ecclesiastical audiencia. His name was Bartolomé de Ledesma and he was a member of the Dominican order just like the Archbishop. In 1556, two years after his arrival, Archbishop Montúfar contacted the provincial of the Mexican Dominicans and asked if he could have Ledesma as his personal assistant. His request was accepted and until the Archbishop’s death, the friar lived in the Archbishop’s home and helped him in the administration of the diocese. Born into a poor family outside Salamanca around 1522, he entered the order and was conceded the degree Master of Theology. He arrived in New Spain in 1550, where he served as lecturer of Theology at the great Dominican monastery in Mexico City. In the archiepiscopal administration, Ledesma became a theological consultant for the prelate searching for heretics and forbidden literature. Ledesma is often referred to as the Archbishop’s *compañero*. During this time, Ledesma was asked to write a book on the sacraments of the church that should be used by the clerics of the church province. Although it was finished 1559, it was, however, not published until seven years later as *De Septem novae legis sacramentis Summarium*. At that time, Ledesma was already a professor of Theology at the University in Mexico. Leaving New Spain in 1580 as the confessor of Viceroy Martín Enríquez, who was transferred to Peru, Ledesma became a professor at the University of San Marcos in Lima, where he stayed for three years before being appointed bishop of Oaxaca, where he died in 1604.77

To deal with the cases that involved Indians, Archbishop Montúfar appointed a special official known as the *provisor de indios* or *provisor de los naturales*. I agree with Traslosheros that these Indian judges were subordinated to the ordinary ecclesiastical judge.78 Nevertheless, at least

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77 Ledesma’s "purity of blood" from 1571 is found in AGN, vol. 60, exp. 7, fols. 231r-237r. It includes a short autobiographical text. For Ledesma’s work during the Montúfar administration, see AGN, Bienes Nacionales, leg. 1393, exp. 2. For his year of birth, see AGN, Inquisición vol. 3, exp. 3, fol 51v and for his arrival in New Spain, see José Castro Seaone O de M & Ricard Saulés Marínez "Aviamiento y catálogo de misioneros à Indias y Filipinas ..." *Missionalia Hispanica* 38 (1981). For studies of Ledesma’s theology, see Mauricio Beuchot OP "Bartolomé de Ledesma y su 'Summa de Sacramentis'" in *Dominicos en Mesoamérica 500 años* (Mexico City 1992) and Josep-Ignasi Saranyana *Grandes maestros de Teología. De Alejandría à Mexico, siglos III a XVI.* (Madrid 1994):230-246.

78 Traslosheros 1998:74, 139f.
in the later years of Montúfar’s administration, there was a separate audiencia de los naturales, a special court that dealt with cases related to the indigenous population and which had its own notary and official interpreters.79 According to the documents I have consulted, the provisores de indios often visited Indian villages outside the city, to take testimonies from indigenous people or to deal with concrete cases where natives were involved. They also served the Archbishop as interpreters on visitation tours. During the Montúfar era, at least six men held this office. All of them were young secular priests with reportedly good knowledge of at least Nahuatl and sometimes other indigenous languages, such as Tarascan. Most of them had served as doctrineros in Indian villages before being elected to the office and continued to do so after their time as provisores.80

The Archdiocesan Audiencia: Cases of Faith

The Inquisition is probably the one aspect of the Montúfar administration that is best known, especially due to the scholarship of Richard E. Greenleaf.81 Among the acts left from the Montúfar Inquisition, most cases deal with Hispanic men living in or just outside the City of Mexico. Thus, there were relatively few women and only a couple of mestizos or mulattos. More surprisingly, not a single case from the archdiocese that involved Indians has survived. The cases of faith included investigations of heresy as well as offensive propositions, either in books, sermons, and talks, and a large number of cases of blasphemy and bigamy. Many of those who were found guilty were sentenced to public penance, to serve as an example for others. It must, however, be remembered that the people were held in prison during the entire trial, which could be extended. Sometimes, the Archbishop sent the acts of a case to the

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79 AGN, Inquisición vol. 21, exp. 2, fol. 68r mentioned an audiencia de los naturales with a special notary and an interpreter.
80 The six provisores de indios were: Francisco Manjarrés, from the mid-1550’s to the end of the decade (Montúfar to the King May 31, 1563 (AGI, M 336A, doc. 30), cf. testimony July 24, 1574 (AGI M 336A; PT 468); Lic. Álvar Pérez Marañón, from the late 1550s until 1561 (AGI, Justicia, 1013, no. 2, ro. 5; Viceroy Velasco to the King, Feb 10, 1561, PT 494); Francisco Sánchez Moreno, mentioned in 1561 (González de Cosío 1973:140); Rodrigo Albornoz, mentioned in 1566 (AGN, Inquisición, vol. 6, exp. 1); Dr. Esteban de Portillo, mentioned in 1567 (Montúfar to the King, March 15, 1567 (AGI M 336A, doc. 46; PT 583), and Alonso Fernández de Segura mentioned in 1569 (García Pimentel 1897:303).
81 Greenleaf 1969.
Supreme Court of the Inquisition in Spain for revision before reaching a final verdict.

On March 16, 1560, a first auto-da-fé was celebrated in New Spain, in the Cathedral of Mexico under the leadership of Archbishop Montúfar. At this formal ceremony, the Englishman Robert Tomson and the Italian Agustín Boacio were sentenced as “Lutheran heretics”. Greenleaf has indicated that the word “Lutheran” (luterano) was used generically for all kinds of heretics, especially foreigners, who held ideas only vaguely resembling those of the Protestant reformers. In Spain, during the late 1550’s, several hundred people were sentenced to death for being Protestants and in a letter dated in 1559, the Spanish King ordered the bishops of the Indies to keep a vigilant eye to ensure that “heretics, Lutherans, Moors, and Jews” did not enter the country. In a letter of response, Archbishop Montúfar stated that New Spain was “relatively uninfected by the Lutheran pestilence” but also that the few concrete cases that had been detected had been remedied by the episcopal Inquisition, here referring to the cases of Tomson and Boacio.

Having lived in Seville for some time, Robert Tomson arrived in New Spain in 1556, where he made a living as a merchant. Three years later, the archiepiscopal Inquisition accused him of heresy. According to witnesses, the young Englishman was accused of criticising the veneration of saints and holy images. He was also accused of not being a practising Catholic, as he seldom or never attended mass or went to confession. Awaiting the trial and the final verdict, he was taken to the archiepiscopal prison. In his own words, in an account he wrote much later, he stated that he was maliciously accused by the Holy house [sic!] for matters of Religion, and so apprehended an carried to prison, where I lay close prisoner seven moneths, whithout speaking to any creature, but to the jailer that kept the said prison, when he brought my meat and drinke.

82 Greenleaf 1969:82.
83 Royal decree, Valladolid, July 13, 1559 (Encinas 1946, vol 1:454), Montúfar to the King, July 16, 1561 (AGI, M 336A, doc. 22; PT 505).
84 AGN, Inquisición vol. 32, exp. 9. See G.R.G. Conway, An Englishman and the Mexican Inquisition 1556-1560 (Mexico City 1927), which includes a transcription of the acts and other documents.
85 Tomson’s account was originally published in Richard Hakluyt’s Principal Navigations, Voyages, and Discoveries of the English Nation (1589) as “The Voyage of Robert Tomson, Marchant, into Nova Hispania in the yeere 1555”. The text is re-published in Conway 1927:1-19, here p. 11.
During his time in the archiepiscopal prison, Tomson met another “foreign heretic”, the Genovese Agustín Boacio, who lived in the mining town of Zacatecas until he was taken to Mexico. According to various witnesses, Boacio had publicly defended various heretic views, stating that the Pope was powerless, that the purgatory did not exist and that the confession of sins was a thing between God and man and that no priest was needed in order to confess one’s sins. He had been sentenced to expatriation from New Spain by the dean of Guadalajara, who in the absence of the local bishop acted as episcopal inquisitor. Thereafter he was sent to the city of Mexico, where he awaited the arrival of the boats that would take him to Spain.\footnote{The case of Boacio in AGN, Inquisición, vol. 31, exp. 3. The case of Boacio is studied in detail by Greenleaf 1969:86-92.}

On the day of the auto-da-fé, March 16, 1560 Tomson and Boacio had to walk barefoot through the streets of the city dressed in the penitential garb, the San Benito. In and outside the cathedral church a large crowd of people had gathered, “at least five or six thousand. A high scaffold had been constructed before the altar. There they had to kneel while a sermon was preached against “heretical depravation”. Boacio was sentenced to expatriation and life imprisonment in Spain, and to wear his penitential garb every day of his life, whereas Tomson was sentenced to expatriation and to spend one year in prison in Spain and wear the garb for three years. However, on their way back to Spain, Boacio managed to escape during a stop at the Azores, where he left with a Portuguese ship and ended up in London. Tomson served his year in the prison of the Holy Office and then stayed in Spain where he married.\footnote{AGN, Inquisición, vol. 32, exp. 9. Conway 1927:12-14.}

To deal with written heresies, Archbishop Montúfar had received a special licence from the Spanish Grand Inquisitor to search for books that were included in the Index of the Spanish Inquisition. To carry out this order, Montúfar appointed his Dominican assistant Bartolomé de Ledesma to peruse the bookshops and private libraries of the city. Confiscated books were burnt on bonfires.\footnote{AGN, Inquisición vol 60, exp. 7. Cf. AGN, Bienes Nacionales, vol. 1393, exp. 2.} In 1564, Bartolomé Ledesma denounced the bookseller Alonso de Castilla for having sold and kept literature on the Index. The bookseller had made the mistake of showing copies of a work by Erasmus of Rotterdam to a colleague. When informed of the existence of these forbidden works, Ledesma went...
directly to the bookseller’s and confiscated a number of forbidden works, including a book by the Protestant reformer Philip Melanchton, a copy of a book by Bocaccio and various devotional works that had been put on the Index. Alonso de Castilla was suspected of having sold a great quantity of forbidden literature and therefore was imprisoned while awaiting the trial. He confessed that he did not know that the books were forbidden, otherwise he “as a good Christian” would have not have kept them in his shop but would have reported them to Ledesma. Eventually, Alonso de Castilla was sentenced to pay 150 ducats, but the provisor stated that if he should sell or keep any forbidden literature, he would be sentenced very severely (con todo rigor de derecho).89

In order to combat heterodoxy, the first Mexican provincial council stated that no books could be published without the explicit and written licence of the bishop.90 Two such books were censured by the archiepiscopal Inquisition in 1559. In November that year, Archbishop Montúfar gathered a number of theologians and jurists, in order to discuss one statement in a work called Doctrina breve muy provechosa that had been published by Bishop Juan de Zumárraga in 1544. The dispute concerned the resurrection of Christ. In his book, the bishop had written that the blood that Christ had shed on the Cross had been gathered by the Divine person and been reunited with the body at the resurrection. The qualifiers, including Bartolomé de Ledesma and Luis de Anguis, argued that the statement was heretic or could be questionable at least for non-educated laymen. Therefore, Archbishop Montúfar forbade the use of the catechism until the Supreme Council of the Inquisition decided otherwise – as it indeed did in 1573.91

The other work that was censored by the Archbishop was the Diálogo de la Doctrina Cristiana (1559) written by the prolific Franciscan linguist Maturino Gilberti. The book, written in Tarascan, was printed in Mexico City and consisted of a dialogue between two interlocutors, a missionary teacher and an Indian pupil. It had been published with the licence of Archbishop Montúfar and dedicated to him by its author. Montúfar had based his licence on the opinions of the Augustinian Alonso de la Vera Cruz and the Franciscan Jacobo de Dacia, both fluent Tarascan speakers, who had found it to be both linguistically correct and of orthodox

89 The trial against Alonso de Castilla, 1564 is found in Francisco Fernández del Castillo Libros y libreros en el siglo XVI [1914] (2nd. ed. Mexico City 1982:48-80).
90 CPM 1, no. 74 (Concilios 1769:148-150).
teaching. Shortly thereafter, the bishop of Michoacán Vasco de Quiroga, however, criticised a couple of propositions found in Gilberti’s enormous work (more than 300 folio pages). The propositions that the bishop denounced focused on the veneration that a Christian should show for religious images, a very sensitive issue. According to the teacher in Gilberti’s work, a Christian should not adore crucifixes or pictures, but only God who is in Heaven. Having read two translations of the paragraph, Archbishop Montúfar considered it offensive and not in accordance with Catholic teaching on holy objects, and so in April 1560 he ordered that all copies of the book should be confiscated until further investigation. The case continued for a long time and sixteen years later, in 1576, the Supreme Court of the Inquisition in Spain lifted the ban and decreed that Gilberti’s book could circulate freely and be used in the native ministry.92

Without doubt, cases of blasphemy or “offensive words against the Catholic faith” were the most common crimes investigated by the Montúfar Inquisition. The following examples illustrate what was meant by blasphemy and how it was punished. In 1560, Luis de Migolla was accused of blasphemy, since witnesses had heard him saying that Christians should not pay tithes to the church. Migolla was, however, freed as he could prove that the people who had denounced him to the Inquisition were his greatest enemies and no other hard evidence could be presented.93 Perhaps particularly shocking was the case of Pedro de Santander, a medical doctor from Mexico City, who was known to be an ardent blasphemer. In 1561, the provisor Dr Anguis denounced him for having made various harsh statements against the church’s faith and the authority of its leadership. Several of the witnesses stated that Dr. Santander on various occasions had stated that the Pope was impotent and that one “very well could wipe one’s arse with the bulls of His Sanctity“. Nevertheless, the sentence was not particularly hard. After being incarcerated during the trial, he was sentenced to two weeks in the Franciscan monastery and to pay fifty pesos to the Hospital. However, if he continued with his blasphemies he would be punished very severely (con todo el rigor del derecho).94

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93 AGN, Inquisición, vol 16, exp. 1, fols. 2r-27r.
94 AGN, Inquisición, vol. 17, exp. 6, fols. 137r-149v.
In 1562, Lorenzo Pérez, a resident of Mexico City was heard to have stated that God was powerless and that “He could do neither good, nor bad”. Anyway, he had said “that God could not have done a worse thing in the world than to send him his wife”. Pérez had also publicly denied the existence of Satan and Purgatory. For these and other “offensive words”, the archiepiscopal Inquisition sentenced him to three years of expatriation from the archdiocese and to perpetual expatriation from New Spain if he returned in advance. Somewhat later, a lady from the city, María de Bustamante was investigated for having made presumptuous and offensive statements. According to witnesses, she had once stated that “her son was as much virgin as John the Baptist and her daughters as pure as St. Catherine”. For these words, María de Bustamante was sentenced to public penance with a candle in her hand and to pay oil for the lamps in the Cathedral.

In 1569, Juan de Moya, an innkeeper from Mexico City was taken to the archiepiscopal prison. He was accused of being a “bad Christian” who never went to mass or confession. In addition, he prevented his wife Catalina Dávila, their children, and servants from attending mass, and when his wife had sometimes escaped to church, she was severely beaten when she returned home. Witnesses also certified that Moya also tried to impede her from praying. On one occasion, he had also said that if she prayed the “devils would bring her father and mother from Purgatory down to the deepest regions of Hell”. In quarrels with his wife, he was accused of having said that loose sexual relations were to be preferred to marriage. Attempting to defend himself, Moya saw himself as a victim of a conspiracy. He asserted that his wife was a quarrelsome and disobedient woman and that those who had accused him were people who were his enemies. Despite presenting a number of witnesses who supported him, the provisor Dr. Esteban de Portillo, gave an unusually severe sentence. Moya should be whipped fifty times and should do public penance at a mass, where he should stand with a candle in his hand. Portillo also stated that no mercy should be shown if he continued with his deplorable behaviour and his blasphemies.

95 AGN, Inquisición, vol. 17, exp. 14, fols. 298r-399r.
96 AGN, Inquisición vol. 18, exp. 12, fols. 116r-164v
97 AGN, Inquisición, vol. 21, exp. 2, fols. 43r-87r.
As we have seen in the previous paragraphs, an excellent documentation remains from the Montúfar Inquisition. Other aspects of the ecclesiastical court of law are however not remotely as well known. Despite ardent studies in the Mexican archives, Traslosheros has discovered only a few cases from the Montúfar period and those that he discovered only deal with people who have lived together without being married. In addition to these cases, I have encountered an interesting record that sheds some more light. The document is a list of people who were fined by the ecclesiastical court of law during 1558 and 1561 and include notes on the nature of their transgression and the size of the fines. It is part of a testimony by the former attorney, Cristóbal Toledo before the royal audiencia. According to this list, the most common case that were dealt with by the ecclesiastical audiencia were people living together without being married, cases of clandestine matrimones, and people having sexual relations without being married, a group that included both laypersons and clerics. In addition, some cases of usury were also punished. Following the decisions of the provincial council, the secular priest Sebastian Cuadrado was sentenced for not wearing a clerical habit and for having grown a beard. The archiepiscopal court obviously considered this a very grave transgression and sentenced him to a particularly hard punishment (a fine of 200 pesos or roughly the equivalent of one year’s salary for an ordinary priest).

One case of illicit sexual relations involving a cleric is especially well documented, as it is found among the files of the archiepiscopal Inquisition. The young secular cleric Juan Vivero arrived in New Spain around 1560 and served as a curate in the mines of Sultepec. Shortly after his arrival to the mines, he began a sexual relationship with Antonia de Vargas, a Spanish woman from the mines, with whom he had three children. Their relation was considered especially serious, since Juan was Antonia’s confessor and their relation was therefore considered “spiritual incest”. Moreover, Juan Vivero had clandestinely baptised his own children and celebrated mass for years without having confessed his transgressions. All these factors taken into account, the sentence of Archbishop Montúfar in 1564 was harsh. Juan Vivero was fined and deprived of his office as curate “for all the days of his life” and he was not allowed to live within the confines of the archdiocese for ten years.

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98 Traslósheros 1998:140f.
99 Testimony by Cristóbal Toledo, April 18, 1562 (Justicia 279, no. 2, fols. 24v-29v).
Moreover, he had to pay a hundred pesos. Antonia de Vargas was also sentenced. She was not allowed to live in Mexico City and its environs for one year, and had to pay a fine of thirty pesos.\textsuperscript{100}

\textsuperscript{100} AGN, Inquisición vol. 68, exp. 2, fols. 51r-91r.
Friars, Bishops, and Privileges

The relationship between the diocesan bishops and the religious orders in colonial Spanish America was an almost unending issue of controversy. The conflicts focused on the limits of episcopal and mendicant jurisdiction respectively or, in other words, the limits of mendicant privileges. According to Gratian’s *Decretum*, a basic source for Canon Law, a “privilege” was a special favour conceded by the Holy See that totally or partially contradicted ordinary Church Law. Such privileges could be conceded to both individuals and judicial people, such as the religious orders. In contrast to traditional monastic orders, the mendicants could be moved from monastery to monastery according to the needs of the church and the order, especially in the tasks of evangelisation and education. They were exempt from the jurisdiction of the diocesan bishop. During the first decades of the Spanish presence in New Spain, the Holy See conceded a number of far-reaching privileges to the mendicant missionaries there, so that they could act efficiently even if there were no bishops present. This type of privileges was not unique to Spanish America but had been conceded to mendicants who had taken part in missions in Asia, North Africa, and the Middle East during the thirteenth and fourteenth centuries.¹

In the following paragraphs, I will study three apostolic letters sent to the mendicant friars in the 1520s and 1530s. Through the apostolic letter, *Alius felicitatis* (*recordationes*), dispatched by Pope Leo X in 1521, the Franciscans were authorised to travel to the newly conquered parts of the

Spanish Indies in order to preach and administer all the sacraments, including confirmation, and to determine matrimonial cases. The Pope also conferred to the superiors the right to ordain candidates to minor orders (porter, reader, exorcist, and acolyte) in areas where there were no bishops. The main reason for the concession of these privileges was that the church should function even in the absence of a developed hierarchy. With these privileges, the first three Franciscans arrived to the shores of New Spain.2

On May 9, 1522, Pope Leo’s successor Adrian VI, wrote an apostolic letter *Exponi nobis (fecistis)* to the Franciscan general. This brief, better known as the *Omnimoda*, had two distinctive parts. Firstly, it authorised all friars, but particularly the observant Franciscans, who felt a missionary vocation to leave for the Indies after attaining the license from their superiors. However, the Emperor and his Council could regulate the numbers of missionaries and furthermore examine the aptitude of the candidates before sending them overseas. Secondly, the brief conceded a number of explicit privileges and faculties to the mendicants so that they could carry out the entrusted missionary task more efficiently. Hence, they were given the right to preach and to administer all the church’s sacraments with the sole exception of ordination to the higher orders (subdeacon, deacon, and priest), which even in the future would be reserved for the bishops. The friars were also given the right to dispense impediments for matrimony. In short, the superiors of the orders and their appointees were entrusted with the authority of bishops “until the Holy See shall judge otherwise”. According to Pope Adrian, the reason for these far-reaching privileges was, “to ensure the greater conversion among the infidel and the salvation of all souls living in the Indies”.3 The superiors of the Franciscan orders and those who they assigned were thus given the pontifical authority *omnimoda* – in all ways – in both fora (*in utroque foro*), that is: both in the internal and the external forum. By internal forum was meant pastoral care through the sacraments and the absolution of sins, whereas the external forum involved the Church’s right to punish transgressors. The privileges were valid in places where no diocese had been founded. The friars’ authority was limited, by the

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3 Adrian VI “Exponi nobis fecistis”, May 9, 1522 (Metzler 1991, vol. 1:166-169.) A thorough study of this letter is found in Pedro Torres OFM *La bula Omnimoda de Adriano VI* (Madrid 1948).
two *dietas* – the two-day-journey (ca. 40 kilometres) from a bishop or his vicar general.\(^4\)

In 1535 Pope Paul III issued the bull *Alias felicis* addressed to the Franciscans, which also meant a renovation of the privileges. In this letter it is clearly stated that the privileges given in the *Omnimoda* were valid even “in places where bishoprics have been erected, or will be erected in the future”, but only to the extent that the bishops found appropriate. The main reason behind the letter was to abolish the restriction of the two *dietas*. However, the text is somewhat ambiguous, and the interpretation of the brief was to be a major point of controversy in the decades to follow.\(^5\)

By 1535, a number of bishops had arrived in New Spain and the controversy between prelates and friars became obvious. To what extent did the bishops have the right to use power over the mendicant ministry and the mendicant mission parishes – the *doctrinas*? It is possible to divide this question into at least four parts: 1. Was a licence from the diocesan bishop a requisite for the building of new monasteries (and the deconstruction of old ones)? 2. Could the bishop replace friars who served as *doctrineros* with secular clerics? 3. Was a licence from the prelate obligatory for the administering of sacraments and could he interfere and deprive a friar of his right to administer sacraments to the Indians at a location? 4. Among the sacraments, that of matrimony was an especially tricky one, involving many rules. The main issue in this context was whether the friars had the authority to make decisions in matrimonial cases which involved Indians, or whether they had to remit them to the bishop and the diocesan tribunal.

At the *junta eclesiástica* of 1537, Bishops Juan de Zumárraga of Mexico, Juan López de Zárate of Oaxaca, and Francisco de Marroquín of Guatemala wrote a joint letter to the regent. The bishops wanted both mendicants and clerics to be sent to New Spain. Nonetheless, they were especially careful to note that the moral character of the clerics must be investigated thoroughly before the journey overseas and that even the secular priests should be prepared to live a communitarian life in modesty. However, the bishops still preferred to send mendicant missionaries, doubting the general state of honour of the secular clerics. With the establishment of new dioceses, the bishops also asked the Holy

\(^4\) Torres 1948:131-143.

See to grant them the privileges earlier bestowed to the friars in the absence of a developed hierarchy, so that they could function as the prelates they had been appointed to be. Consequently, they also requested that the privileges of the mendicants should be delimited.6 The intra-ecclesiastical relations were also dealt with at the *junta eclesiástica* of 1539. On that occasion, Bishops Zumárraga and Zárate, together with the newly consecrated Vasco de Quiroga of Michoacán, met with representatives of the mendicant orders. This particular *junta* was a response to a royal letter asking that the relations between the missionaries and the bishops be clarified in order to avoid disorder. Here, several of the disputed questions were dealt with – the right to give dispensation of matrimonial impediments as well as the right to built new monasteries and churches. The text provides evidence of a progressive normalisation of the church organisation, by which is understood a church in which the hierarchy was imposed in a European pattern and where the friars were seen as coadjutors of the bishops.7

In the interim between the death of Zumárraga in 1548, and the arrival of his successor Montúfar in 1554, the Spanish regent issued some letters dealing with the relations between the mendicant missionaries and the bishops. The instructions sent to the newly appointed Viceroy, Don Luis de Velasco, in 1550 include an exhortation to cease the conflicts between friars and bishops as such controversies would provoke a scandal among the Indian neophytes.8 During a visit to Spain at the beginning of the 1550s, Bishop Vasco de Quiroga of Michoacán managed to secure a number of letters from Crown Prince Philip that supported the prelates in some of the classic issues. He decreed that an episcopal licence should be required for the construction of new monasteries and that they should be built at a suitable distance from each other.9 The bishops and the ecclesiastical judges they appointed were also given the sole authority to decide on matrimonial cases.10 The mendicants of New Spain were also urged to respect the episcopal authority, especially when it came to the administration of sacraments, and to keep peace with the bishops and the

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6Bishops Zumárraga, Zárate, and Marroquín to the Emperor, Nov 30, 1537 (Gutiérrez Vega 1991:240f).
7 *Junta eclesiástica*, 1539, no. 15-17, 23 (Gutiérrez Vega 1991:261-285).
8 Royal instruction to Viceroy Velasco, Valladolid April 16, 1550 (AGI, M 1089, lib. 1, fol. 179v), cf. Royal decree, Madrid, June 5, 1552 (Puga 1945: 147r).
9 Royal decree, Madrid, March 17, 1553 (Puga 1945:147r-147v).
10 Royal decree, Monzón de Aragón, Dec 18, 1552 (AGI, Justicia 165, no. 5, fols. 1034r-1035r)
secular clergy installed in the province. In other letters, the King complained that the friars interfered with the civil government of the Indians.11

Montúfar and the Mendicants: Waves of Controversy

The First Years

When Archbishop Montúfar finally reached his see in 1554, a few courteous letters were sent to Spain by members of religious orders showing delight of the arrival of the new prelate, whom they considered a learned and experienced person. For example, the Dominican Tomás de la Corte wrote:

The Señor Archbishop has arrived very well to this country and was received with great contentment on the part of the natives as well as of friars and laymen, since “they were like sheep without a shepherd and went astray”. He has begun to uphold his office as a good shepherd and father and has already made much fruit with his presence.12

Such amicable letters would be rare during the years to come, when the parties had got to know each other. Not everyone was even initially as enthusiastic as the Dominican, de la Corte; Francisco de Toral, an experienced Franciscan missionary, thought that many of the bishops, and among them Montúfar, were more interested in gaining as much money as possible, than in being real pastors, attending to their “sheep”.13 By the end of the year, Archbishop Montúfar sent away first letters to the King and the Council of the Indies, giving his view of the state of the church in New Spain. These letters recognise the work of the mendicant missionaries, though even at this early stage he criticised what he saw as

11 Two royal decrees, Madrid, March 11, 1553 (both in AGI, Justicia 159, no. 3, fols. 1035v-1036v), Royal decree, Madrid, March 11, 1553 (ibid. fols. 1037r-1037v). See also Royal decree, Valladolid April 9, 1554 (transcribed in a letter from Montúfar to the King, Jan 31, 1558 (AGI, M 336A, doc. 11)
12 “… el señor arçobispo llego muy bueno a esta tierra y fue reçuido con gran contentamiento asi de los naturales della como de frailes y legos. Erant enim sicut oves sine pastore et peius est errantes. El a començado a hazer su oficio como buen pastor y padre y hecho mucho fruto con su presencia.” Tomás de la Corte OP to the King, Nov 15, 1554 (AGI, M 280).
13 Francisco de Toral OFM to the president of the Council of the Indies, Aug 1, 1554 (AGI, M 280).
their excessive power and wealth. He especially disapproved of their involvement in secular justice. Just before Montúfar wrote his letter to the King, he had been approached by a group of noble Indians from the village of Ahuehuetzingo near Cuernavaca. They told him that an indigenous governor, Francisco de Mendoza, had sentenced an Indian named Antón de Silva for a crime that is not mentioned in the report. This imprisonment was, however, violently opposed by the Franciscan doctrinero Gonzalo de Medina who beat the governor, who was lying sick in bed. Thereafter Gonzalo de Medina continued maltreating various other noble Indians and broke their varas, the sticks that symbolised their jurisdictional power. Hence, the Franciscan had entered into the jurisdiction of the Crown.

Probably influenced by that particular case Montúfar stated in a letter to the King that the friars wanted to “own the country”, being the real political power and they were building a large number sumptuous churches and monasteries throughout the region. This alleged lavishness of the mendicants’ edifices, he thought, became even more evident when he compared them to his own church, the humble and deteriorated cathedral of Mexico, which he likened to a cellar. Probably foreseeing controversies with the friars, Montúfar sent a lobbyist (solicitador), Juan Ruiz Rubio, to Spain. For a number of years Rubio, a former secretary of the cathedral chapter, would be the voice of the Archbishop at the King’s court, counteracting the friars’ attempts to retain their papal privileges. In his initial letters, the Archbishop also informed the King of his intention to summon his suffragan bishops and representatives of the three religious orders, as well as the secular clergy, to a provincial council in the city of Mexico in the following year.

Although the provincials and other members of the religious orders attended the council as experts with direct missionary experience, only

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14 Montúfar to the Council of the Indies, Nov 30, 1554 (AGI, M 336A, doc. 4; PT 418), Montúfar to the King (AGI, IG 2978), and Montúfar to the King, Dec. 15, 1554 (AGI, M 336A, doc. 2; PT 422).
15 AGI, M 2606. The document is severely damaged, and is only partially readable. It includes a letter (translated from Nahuatl to Spanish) from Francisco de Mendoza and other indigenous leaders in Ahuehuetzingo, together with testimonies from three Indians, Juan, Gaspar Suchil, and Clemente Tuichil (all dated November 1554).
16 Montúfar to the King, Nov 30, 1554 (AGI, M 336A, doc. 3), cf. Montúfar to the King, Sept 12, 1555 (AGI, M 336A, doc 7; PT 432).
17 Montúfar to the Council of the Indies, Dec. 15, 1554, (AGI, M 336A, doc. 2; Ricard 1931:78-88).
the bishops had the right to vote on the matters discussed. The council had a clearly centralising tendency, trying to focus as much power as possible to the office of the bishop, making legally binding links between the bishops and the clergy. The model of the church in the conciliar acts is one in which the secular clergy is predominant and the friars are loyal co-workers to the bishops. Although only very few of the constitutions of the council deal explicitly with the friars, some paragraphs were intended to delimit their jurisdiction. At the council, the bishops declared that henceforth all priests, whether seculars or regulars, ought to have a special written licence from the bishop in order to be allowed to hear confessions.

In the same spirit, it is established that no secular or regular priest should administer the sacraments in any other village than he had the licence to do so. Further, no religious order should be permitted to construct any church, monastery, or chapel without the explicit licence of the diocesan or his provisor who, together with the Viceroy should scrutinise the plans of the buildings. A licence was also needed for the deconstruction or transferral of a monastery. Another paragraph in the final document pinpointed this even further, stating that the religious orders were not allowed to make monasteries out of churches previously administered by secular clergy, without an explicit and written permit from the bishop. The provincial synod also decreed that only the bishop and the provisor should have the authority to decide in matrimonial cases. Other crucial cases, in which absolution should be reserved to the diocesan, were for example intentional homicide, “devil-worship”, sacrilege, and clandestine matrimones.

The Main Opponents: Focher and Vera Cruz

On various points, the friars opposed the conclusions reached by the bishops at the provincial council. In letters to the King, both during and after the council, the friars threatened to leave the mission field if their papal privileges were not retained. All the obstacles that the prelates proposed were threats to the spiritual wellbeing of the Indians. The friars

18 Montúfar to the Council of the Indies, Dec. 15, 1554, (AGI, M 336A, doc. 2; Ricard 1931:78-88) See also the notifications to the three provincials at the council, Oct 29, 1555 (AGI, M 280).
19 CPM 1, no. 9, (Concilios 1769:54f).
20 CPM 1, no. 35, 62 (Concilios 1769:92-94, 135-137).
21 CPM 1, no. 42 (Concilios 1769:104).
22 CPM 1, no. 91 (Concilios 1769:167-168).
were reluctant to leave the monasteries they had built, as they did not trust the capacity of secular clerics, thinking that all that they had built would be destroyed. To them the bishops’ decisions, especially on matrimonial cases, were not only a blunt usurpation of their papal privileges but also a very impractical solution. The mendicants could also count on the continued and even increased support of the Holy See. In two apostolic letters addressed to the Mexican Franciscans and Dominicans in 1555 and 1556 respectively, Pope Paul IV wrote that the privileges conceded by his predecessors should be interpreted in the way that was most favourable to the mendicants. These and other papal privileges and royal provisions were systematically investigated by two leading Mexican theologians/jurists, the Franciscan Juan Focher and the Augustinian Alonso de la Vera Cruz.

Juan Focher (ca. 1485-1572) was the foremost theologian and jurist of the Mexican Franciscans during the mid-sixteenth century. Nevertheless, very little is known about his life. Focher was of French origin. After a doctorate in Law in Paris, he entered the Franciscan province of Aquitania and studied Canon Law as well as Theology there. He arrived in New Spain in 1540 and served as a doctrinero within the dioceses of Mexico, Michoacán, and Tlaxcala. He was well trained in Nahuatl and wrote a grammar, which is among his lost works. In a testimony from 1558, Focher stated that until that date he had been a doctrinero in Acámbaro, Pátzcuaro, Tlaxcala, Xochimilco, Coatlán, as well as a teacher at the school in Tlatelolco.

Focher did not publish a single work during his lifetime and only one work was published posthumously in the sixteenth century. However, many of his works seem to have had a vast circulation in manuscript both within and without his order, but only a minor part of them are known to exist. Most of Focher’s work deals in one way or another with the privileges conceded by the Holy See to the mendicant orders in New

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23 The friars are particularly outspoken in a letter from Bernardo de Alburquerque OP, Francisco de Bustamante OFM, and Domingo de Vertadillo OSA to the King, Aug 28, 1555 (AGI, IG 2798).

24 Torres 1948:216-223.

25 AGI, Justicia 160, no.2, pieza 2, fols. 418r-419v, where Focher, in 1558, states that he was about 73 years old. There are still many lacunae in the biography of Juan Focher, though the following paragraphs seek to fill some of them in.

26 Mendieta 1945.

27 AGI, Justicia 160, no.2, pieza 2, fols. 418r-419v.

Spain and the administering of sacraments to the newly christianised population there and are written in Latin following a common scholastic model. In 1574, Focher’s *Itinariam Catholicum* was published posthumously. This book is considered to be one of the first tracts of Missiology written in the New World, dealing with the juridical and theological fundamentals for evangelisation as well as the missionary methods that should be used.\(^29\) Other than the *Itinariam*, he wrote on sacraments and mendicant privileges. His *Enchiridion baptismi adultorum et matrimonii baptizandorum* (1544) and the *Tractatus de Baptismo et Matrimonio*, deal with the sacraments of baptism and matrimony in relation to the indigenous population of New Spain.\(^30\) The number of treatises devoted to the privileges of the mendicants is great. In the National Library in Madrid there is a fragment *Declaratio Litterarum apostolicae concessarum religiosis mendicantibus huius Novae Hipaniae*.\(^31\) However, in the Library of the University of Texas at Austin there are a number of sixteenth century copies of Focher’s manuscripts, most of them dealing with mendicant privileges conceded by the Roman Pontiff and their interpretation. One of the earliest is a *Miscellanea Privilegiorum* (1548) written on the request of the commissary general of the order, Francisco de Bustamante, and which deals with the papal privileges conceded until then.\(^32\)

In the period after the celebration of the First Provincial Council, when the conflict between the mendicants and the bishops had intensified, Focher also took up his pen to write a number of treatises defending the rights of the mendicants, but constantly stating that they should be used with prudence so as not to cause unnecessary strife with the prelates. Among these treatises, one could mention the *Refugium pauperum* (post-1555) and the *Tractatu de Calimaya* (post-1559), which deals with the right of mendicants to build monasteries without the license of the diocesan prelates. *Recompendio privilegiorum concessus tribus mendicatoribus ordines* (1561) is a continuation of his earlier

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\(^29\) Juan Focher OFM *Itinario del misionero en América* (Madrid 1960), Spanish-Latin parallel edition by Antonio Eguiluz OFM.


\(^32\) BLAC, Genaro García collection, G 45, 45-4, and 45-5.
treatises including a commentary on the apostolic letters conceded by Pope Paul IV to the Franciscans and Dominicans in 1555 and 1556, when it was stipulated that the privileges should be interpreted in a way that was most favourable to the interests of the indigenous and the mendicants. The Excerpta ex oecumenico Concilio Tridentino (1565) considers the question of mendicant privileges in the final acts of the General Council of Trent.\textsuperscript{33}

From the 1550s, Alonso de la Vera Cruz (c. 1507-1584) stepped forward as the main spokesperson of the friars in New Spain. After giving up a promising career at the University of Salamanca in the 1530s, he became a missionary, first among the Purépechas (Tarascans) in Michoacán and then in Mexico City. As a sign of his high reputation in the order, he was elected provincial of the Augustinians in Mexico no less than four times. Moreover, on three occasions he was also nominated bishop of León in Nicaragua, as well as in the dioceses of Puebla, and Michoacán. However, he firmly refused all such offers, wanting to remain a friar. On the inauguration of the University of Mexico in 1553, he was made a professor of the Theology of St. Thomas Aquinas, as well as of Sacred Scripture, teaching full time until 1557. At the same time, he wrote and published widely on philosophical, legal, and theological themes, making him one of the most prolific writers in early New Spain.\textsuperscript{34}

Many of his works dealt with problems that were of great importance at the time. As a newly installed professor, he held lectures on the rights of the Spaniards in the conquest of the Indies, as well as a series of lectures on Indian tithes. Here, it is pertinent discuss some of Alonso de la Vera Cruz’ work which deals more concretely with the problems related to the privileges of the friars, leaving the conflicts surrounding his works on Indian tithes to the following chapter, especially devoted to that question. The largest of the works dealing with privileges is his still unpublished Apologia pro religiosis trium mendicantium habitantus in Nova Hispania written sometime between 1556 and 1559. For this treatise, or indeed collection of treatises, Vera Cruz compiled and commented on a number of papal documents concerning privileges conceded to mendicants.\textsuperscript{35} As in the case of Focher, many of the works

\textsuperscript{33} BLAC, Genaro García collection, G 45, 45-4, and 45-5.
\textsuperscript{34} Ennis 1957. For Vera Cruz’ vast bibliography (both published and unpublished works), see also VC 5:334-345.
\textsuperscript{35} This work was written sometime between 1556 and 1559 – during the pontificate of Paul IV – and is in fact made up of five separate treatises, now in the Library of El
by the hand of Vera Cruz where to remain unpublished, not least due to harsh criticism from Archbishop Montúfar. Montúfar qualified many of the statements in his books as heretical or at least suspect and therefore sought to persecute him before the Supreme Council of the Inquisition in Spain. Nevertheless, the manuscripts circulated in manuscript form among Mexican friars, just as in the case of Focher. On account of Montúfar’s accusations, Vera Cruz was called to Spain to explain himself in 1562, where he was to stay for over a decade, not to return to Mexico until after the death of the Archbishop. While in Spain he was to become one of the most important lobbyists for the cause of the Mexican mendicants, and he probably influenced the royal policy.36

Another important work by Alonso de la Veracruz is the *Speculum coniugorum*, which was published for the first time in Mexico City in 1556. It is a treatise on marriage meant as a practical guide for missionaries and confessors. In particular it deals with problems related to conjugal morality in a society were polygamy had been prevalent before the arrival of the Spaniards. The work starts with dealing with the sacrament in general and the impediments to contract matrimony. Thereafter the treatise deals with matrimony between infidels, giving concrete examples from Nahuas and the Tarascan areas, in which he had been an active missionary.37

**Bishops versus Friars in Practice**

The argumentation of the friars apparently convinced the Spanish monarch, who at this point went in line with the friars, thus bringing about a change in royal policy from the first years of the 1550s. Three letters all dated in 1557 again brought up the points of dispute. Firstly, that the friars had the right to decide in matrimonial cases and should not be hindered to do so by the diocesans and likewise that they had the right to administer the sacraments without a licence from the ordinary.38 Secondly, that they could build monasteries without prior licence from the prelate. The only thing necessary was a permit from the Viceroy who, rather than the bishops, should oversee that the monasteries were not built too close or too distant from each other.39 Thirdly, that the bishops should

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36 Ennis 1957
37 Alonso de la Vera Cruz OSA *Speculum Coniugorum* (Mexico City 1556).
38 Royal decree, Valladolid, April 30, 1557 (Puga 1945:193v-194r)
39 Royal decree, Valladolid, April 9, 1557 (Puga 1945:194r-194v)
be prevented from placing secular clerics in villages previously administered by friars.  

The arrival in Mexico of the three royal letters in favour of the mendicant privileges inevitably provoked a massive protest on the part of the bishops, who presented their opinions before the Viceroy Luis de Velasco and the audiencia in late January 1558. They contended that the friars had presented false reports to the monarch and thus the royal decisions had no ground. To strengthen their case, the bishops reminded them of the royal letters that had been issued some six years previously in favour of the prelates, pointing out the contradictions in the royal policy.  

The last years of the 1550s were filled with infected lawsuits over jurisdiction in practice, especially in the archdiocese and in the diocese of Michoacán. Whereas Montúfar’s brother in arms, Vasco de Quiroga, had his most severe controversies with the Augustinian order, the Archbishop himself had his most heated clashes with the Franciscans, who still were the most influential order in and around Mexico City. However, Montúfar was also at strife with the Augustinians and, in particular, Alonso de la Vera Cruz became a main foe.  

On the other hand, Montúfar, the Dominican friar-turned-prelate, showed a certain bias towards the order in which he had been a professed friar for more than forty years. On various occasions, he asked the King for favours towards the Dominicans in Mexico, whom he thought needed economic relief. Another sign of a certain bias towards his old order is his weak and even extenuating reaction to a case in which a couple of Dominican friars enacted a kind of auto-da-fé and burnt two Indians to death in the village of Teiticpac in Oaxaca for making sacrifices to the Mixtec rain god. Despite this rather clear bias, there is evidence that Montúfar replaced Dominicans with secular clerics and that he persecuted individual Dominican friars for unorthodox views. It is clear, however, that the opposition of the Dominicans is never pointed out specifically, as in the case of the Franciscans and Augustinians. However, when the

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40 Royal decree, Valladolid, April 30, 1557 (AGI, Justicia 165, no. 5, fol. 1044v-1045r).
41 Petitions by Alonso de Montúfar and Vasco de Quiroga before the audiencia of Mexico, Jan 24, 1558 (AGI, Justicia 165, no. 5, fols. 999r-1011v), cf. four letters from Montúfar to the King, all dated Jan 31, 1558 (ibid. fols. 989r-998r). See also Viceroy Luis de Velasco to the King, Feb 1, 1558 (AGI, M 19, no. 20).
42 Ennis 1957:118-123.
43 Montúfar to the King, July 24, 1561 (AGI, M 336A, doc. 44; PT 507), and Montúfar to the King, March 27, 1568 (AGI, M 336A, doc. 50).
45 AGN, Inquisición, vol. 17, exp. 9.
Archbishop arrived in Mexico, he had complained that the three religious orders did not keep peace among themselves, but now he faced joint opposition from all three orders, in his mind “a league” against a common enemy, which happened to be him.46

If there was “a league” against the Archbishop when defending their privileges, this did however not put an end to the internal conflicts between the orders. In 1557, for example, there was a heated controversy between the Franciscans and the Augustinians in San Juan Teotihuacán. Since the conquest, the Franciscans had been in charge of the Indians of Teotihuacán, visiting them from their monastery in Texcoco. Due to the lack of ministers, Augustinians from nearby Acolman were sent to Teotihuacán, but resistance from the Indians was unanimous, as they feared they would have to build a sumptuous new monastery, in the same way as the Indians of Acolman had had to do. Thus, they did not go to listen to the new friars and the Augustinians therefore complained to the Viceroy and the Archbishop. As a response, the Viceroy sent the alcalde mayor of Texcoco, Jorge Cerón, and the Archbishop sent his provisor de indios, Francisco Manjárres, who reacted harshly to what they experienced. In their presence, several indigenous authorities were whipped and the provisor preached against their insubordination. They also replaced the local leaders, who were incarcerated with outsiders. The conflict continued for two whole years, but thereafter Viceroy Velasco decided to allow the Franciscans to return to Teotihuacán, and to send away the Augustinians.47

In the following paragraphs, I will focus on four particular cases dealing with the relationship between Archbishop Montúfar and the Franciscans, all of which date from the years 1558 and 1559. The documentation from these cases was sent to the Council of the Indies, and used by the Archbishop to convince the monarch to revoke his letters in favour of the mendicants. The first case deals with the destruction of a hospital garden in Tula on the initiative of a Franciscan lay brother. The second examines the conflicts between the Franciscans and the secular

46 Montúfar to the King, June 20, 1558 (AGI, M 336A, doc. 18). In a letter dated April 18, 1558, the three provincials, Diego de Santamaría OP, Francisco de Bustamante OFM and Diego de Vertavillo OSA, professed the unity of their orders (AGI, M 280).

47 Mendieta 1945, vol. 2:203-208. The events is also described in pictures on the Códice de San Juan Teotihuacan, which is reproduced and commented on in Manuel Gamio La poblaciónde Teotihuacan Tome 1, vol 2. (Mexico City 1922): 560-565. Cf. the testimonies on the indigenous governor of Teotihuacan, Don Francisco Verdugo Quetzalmamalitzin, 1558 (AGI, M 96).
cleric Juan de Ayllón, in a village near Cuernavaca. The third case focuses on the alleged usurpation of episcopal jurisdiction on the part of the Franciscans in Tlatelolco, while the fourth deals with the destruction of a church in the village of Calimaya, instigated by some local Franciscans.

The Hospital at Tula
Tula is situated in a broad valley north-west of Mexico City, within the confines of the present state of Hidalgo, and was once the capital of the magnificent Toltec civilization. There, the Franciscans had commenced their missionary work soon after the conquest and had founded a monastery, named San José de Tula in 1529.48 By the beginning of the 1550s, the Franciscans had found that their old construction was inadequate for their needs and decided to build a new church and monastery, just “a gunshot” (tiro de arcabuz) or little more than a kilometre away. When the friars abandoned their old monastery in 1554, the Archbishop took control of it, considering it a well-constructed edifice. He then re-founded the old monastery as a hospital under the name of San Lázaro and employed a major-domo for its administration. The foundation was in line with the first provincial council, which decreed that a hospital should be founded in every city and village.

By January 1558, reports came from Tula that the hospital’s “rich garden with fruit trees and a vineyard” had been destroyed by a large group of Indians, reportedly induced by one of their Franciscan doctrineros. To get further information, Montúfar sent his provisor de Indios, Juan de Rivas, together with the apostolic notary, Juan de Ibarreta.49 When the two legates arrived in Tula, they interrogated several indigenous and Spanish officials, who unanimously testified that a Franciscan lay brother named Francisco had come to the hospital accompanied by a group of “four or five thousand Indians from adjacent villages”. Led by the Franciscan friar, the large group had demolished the high stone wall that surrounded the hospital garden, cut down the trees therein, and altogether uprooted the vineyard. Some of the stones from the wall were transported to the Franciscans’ new monastery, whereas others were left in ruin. The motive for the act of destruction is not

48 Peter Gerhard The Historical Geography of New Spain (Cambridge 1972):332f, Kubler 1948:vol. 2, 256, 484.
49 The documentation of the case is found in AGI, Justicia 1012, no. 3, ro. 6. Another document on the same matter is in AGI, M 2606.
entirely clear from the testimonies, but according to the Archbishop, the sole reason was that the Franciscans thought that he had usurped their authority and made use of their old buildings. In this case, Montúfar’s critique is above all addressed to the individual friar and his insubordination, and not to the Franciscan order as a whole and he urged the Franciscan superiors to have the said friar removed from Tula.\(^{50}\)

In a letter to Viceroy Velasco of Mexico dated in October 1559, King Philip wrote that he had received information on the incidents in Tula via the Archbishop’s representative at court, Juan Ruiz Rubio. As a response, the monarch urged Velasco to summon the provincial of the Franciscan order and see to it that the said Fray Francisco would be sent back to Spain in the first available flota, because of his transgressions.\(^{51}\) However, it seems that the Viceroy did not act in accordance with the royal order, and by the end of 1560, Montúfar therefore collected some more testimonies proving the involvement of the friar in the destruction of the hospital garden.\(^{52}\) He also suggested to the King to ask that he should the audiencia to implement the royal order, as the Viceroy himself was in the hands of the friars.\(^{53}\)

Franciscans and Clerics in the ‘Marquesado’

In March 1558, Archbishop Montúfar sent Canon Antonio Fernández as a judge of commission to the environs of Cuernavaca to deal with the case of the secular cleric Juan de Ayllón, who recently had been installed as vicar in Zacatepec and Tlaquiltenango. The villages formed part of the marquesado, the area that belonged to the heirs of Hernán Cortés, and the Franciscans had built churches there without, however, having any resident clergy. According to testimonies from various indigenous leaders, they had therefore asked the Archbishop for a resident priest, and for that reason the Archbishop had installed Ayllón as doctrinero. Just after the arrival of the new cleric, the alcalde mayor of the marquesado,

\(^{50}\) Testimonies of Diego Sánchez, Pedro de Aviala (?), Juan de Lencia, Don Jacobo de Valdés, gobernador, Juan Damian, alcalde, Juan Ximénez, regidor, Pedro Yra, alcalde, and Pablo Marcos, alcalde, all resident in Tula; and Juan Velázquez Rodríguez, and Alonso Velázquez Rodríguez, both from Mexico City. All these testimonies were taken between Oct 23 and Oct 24 1558 in Tula. Apart from these hearings, a testimony with Alonso de Paz, escribano, was taken in Mexico City, Oct 29, 1558. AGI, Justicia 1012, no. 3, ro. 6.

\(^{51}\) AGI, Justicia 1012, no. 3, ro. 6. Royal decree, Oct 21, 1559 (García 1982:453f).

\(^{52}\) Testimonies by the corregidor Diego de Almodóvar and Alonso de Raya, Oct 29, 1560 (AGI, Justicia 1012, no 3, ro. 6).

\(^{53}\) Montúfar to the King, undated [1560?], AGI, Justicia 1012, no. 3, ro. 6.
Jorge Cerón, gathered together the indigenous leaders and ordered them not to give the priest anything to eat, nor to give forage to his horses. The indigenous leaders were also ordered not to go to the masses celebrated by him, or attend his religious instruction. Instead, they should go to the Franciscans in Cuernavaca, which they had done before the arrival of the secular cleric. The alcalde mayor also forced the indigenous leaders to sign a letter, in which they stated that they wanted the Franciscans to replace the secular priest. In their testimonies, the Indian leaders stated that they did not want any other priest and that they thought Juan de Ayllón to be a good and virtuous man.\(^{54}\)

In a later testimony, Jorge Cerón stated that he had been induced to do so by the Franciscans in Cuernavaca. The Franciscan opposition did not end with words; on two occasions, they took actions against the cleric. One time, some Franciscans were reported to have entered a house in Zacatepec, where Ayllón lived and they threw out his clothes and other things, and took church ornaments which he had in his home, which they said were the property of the Franciscans and not of the secular clergy. On another occasion in March, two Franciscans, Fray Francisco Lorenzo and Fray Martín de Bona, had arrived in Tlaxiqueltepec and entered the church of San Juan where Father Ayllón was at the time. There the friars had grabbed the cleric by his arms and threw him outside the church, stating that it was their church and when he tried to re-enter the temple he was thrown out again by the friars. This was done in the presence of many of the Indians of the village and the witnesses were scandalised by the acts of the friars.\(^{55}\)

After collecting these testimonies, Archbishop Montúfar sent the reports to Spain, and as a response, the King ordered the Viceroy to talk with the Franciscan provincial so that the friars who were responsible for the acts against Juan de Ayllón should be punished severely. If the provincial did not react, the Viceroy should see that the culprits were expelled from Mexico and sent back to Spain.\(^{56}\) However, by then Montúfar had moved Juan de Ayllón from the Marquesado to Citlaltomagüa near Acapulco.\(^{57}\)

\(^{54}\) The report is found in AGI, M 2606. Testimonies by Don Francisco Cortés, indigenous governor; Marcos de Gante, and Bartolomé de Cruz (all March 23, 1558).

\(^{55}\) Testimonies by Jorge Cerón (May 5, 1558) and Juan de Ayllón (May 23, 1558), in AGI, M 2606. Cf. Letter from Alonso de Santiago OFM to Antonio Fernández, Tlachicoyan March 1, 1558 (AGI M 2606).

\(^{56}\) Royal decree, Aranjuez, Oct 21, 1559 (González de Cosío 1973:132f).

\(^{57}\) Schwaller 1981b:75
The Franciscans in Tlatelolco

Again in 1558, a year in which the quarrels between bishops and friars reached an all-time-high, Archbishop Montúfar wrote that he had received reports on “public vices, common law marriages, bigamy, idolatry, necromancy, and sorcery” among the Indians in Tlatelolco, a populous part just outside the city of Mexico, which was ministered by Franciscans. The Archbishop criticized the friars for not dealing with these “Indian vices” as thoroughly as he considered necessary. For this reason, the Archbishop appointed a fiscal, an Indian named Martín, who lived in the neighbourhood, to inform of the situation there. Montúfar also thought that the Franciscans in Tlatelolco usurped his authority as the ordinary for example by dealing with matrimonial cases, which were reserved for the diocesan and his provisor, and that they “married and unmarried couples as they wished to”. However, from their point of view, the Franciscans regarded the Archbishop’s appointment of a fiscal as a grave transgression of their papal privileges, and told the Indians that they had no obligation to obey the fiscal, appointed by the prelate.58

In order to enforce his appointment, Montúfar sent his provisor de indios, Br. Alvar Pérez de Marañón to preach to the Indians of Tlatelolco and convince them of the spiritual authority of the Archbishop. On Sunday October 16, 1558, Marañón therefore went to the monastery of Santiago Tlatelolco, together with some other clerics and the Indian fiscal Martín. There, Marañón first talked with a couple of Franciscan friars, of whom he recognized Pedro de Arbolancha and Juan Mora. On hearing that the provisor wanted to make use of the church to preach to Indians about “certain things of our faith” and that the fiscal Martín was rightly appointed by the Archbishop, Arbolancha refused saying that “the church belonged to the Franciscans and not to the Archbishop”, and therefore refused to let the clerics in. If the Archbishop had anything to say to the Indians of Tlatelolco, he had to summon them to his own church, the cathedral. According to the testimonies of the clerics, the other friar Juan de Mora then said that the Franciscans had as great a power in the Indian ministry as the Archbishop. When Marañón answered him saying that all were “lambs of his Excellency, the Archbishop”, Mora responded that

58 The documentation of this case is found in AGI, Justicia 159, no. 3, fols. 761r-806v. The case is presented to the audiencia in a letter by Montúfar, Dec 7, 1558. (ibid. fols. 765r-769v).
this was a heresy and that he was “neither the Archbishop’s lamb, nor his goat”.59

After this the Franciscans went back into the monastery, and the clerics returned to the house of the Archbishop, “turning the other cheek”, as they described it. Having heard about the incidents, Archbishop Montúfar gave Marañón a written commission to return to Tlatelolco to speak to the Indians about the supreme authority of the Archbishop. He pinpointed it further:

Get them to understand that we are their prelate, nominated by His Majesty and confirmed by Our most Holy Father to be his prelate and Archbishop, and that they do not have any other prelate or pastor at the present time and … that all the other clerics and members of religious orders are our co-workers in the preaching of the Gospel.60

In the afternoon on the following Tuesday (October 18) the provisor returned in the company of a number of other clerics. Once again, the group was not allowed to enter the monastery, but had to talk to Fray Pedro Arbolancha, who was standing on a balcony above them. The friar informed them that if they had anything to tell the Indians they could use the public square, because they were not allowed to enter the church of the Franciscans.61 The Archbishop feared that the arrogance he thought that the Franciscans expressed towards him and the episcopal office would cause a scandal among the newly christianised people. He thought that the friars’ contempt could start a schism in the church, and eventually, cause Indian rebellions.62 In this case both the Viceroy and the oidores of the audiencia followed the Archbishop’s line, as they

59 Testimonies of Juan Alonso (apostolic notary), García de Álcala (cleric), Álvar Pérez de Marañón (provisor de indios), Bartolomé Vázquez (cleric), and Bartolomé Gando (cleric), all on Oct 16, 1558. (AGI, Justicia 159, no. 3, fols. 770v-784v).
60 “… dareis a entender como nos somos su perlado, nombrado por su mag[estad] y confirmado por n[juest]ro muy santo padre por su perlado y arçobispo y no tienen otro perlado y pastor al presente y … que todos lo s demas clerigos y religiosos son n[juest]ros coadjutores para la predicacion evangelica” Montúfar to Marañón Oct 17, 1558 (AGI, Justicia 159, no. 3, fols. 784r-785v).
61 Testimonies by Álvar Pérez Marañón, (provisor de indios), Bartolomé Vázquez (cleric), Juan Alonso (apostolic notary), Diego de Fuentes (cleric), Antonio de Rivas (cleric), Andrés de Soto Maldonado (cleric), all on Oct 25, 1558. See also the summary of the testimonies by Juan de Ibarreta (apostolic notary) Oct 29, 1558 (AGI, Justicia 159, no. 3, fols. 785v-794v, 796r-799r).
62 Montúfar to the Viceroy and the audiencia, Dec 7, 1558. (AGI, Justicia, no. 3, fols. 765r-769v).
thought that Montúfar could solve the case as he wished to. After hearing about this, the Archbishop took away Pedro Arbolancha’s right to administer the sacraments. Although he accepted this decision, the Franciscan provincial had replaced Arbolancha with another friar without awaiting the Archbishop’s licence. 63

The Events in Calimaya

In some cases, the clashes between bishops and friars even resulted in violent actions. One of the most notorious cases during the Montúfar administration occurred in January 1559 in Calimaya, a village situated in the valley of Toluca, south-west of Mexico City. 64 Shortly before this time, a Franciscan friar from the valley, Antonio de Torrijos, had visited the Archbishop in his palace in Mexico City. During their conversation, the friar had asked the Archbishop for permission to demolish the church that the Franciscans had built in Calimaya, and to build another one some five kilometres away, together with a new monastery. To this proposition, Montúfar answered that, as the village was so populous, the church should remain intact. For Montúfar, the pulling down of this church would also cause vexations to the Indians who lived there and who had built the church “with their own sweat” and he also forbade the demolition or removal of any other church building in the valley of Toluca, without his explicit approval. 65

Shortly after this conversation, a group of Indians from Calimaya approached the Archbishop, and informed him that their church had now, in fact, been demolished. These Indians also said that a large group of armed Indians from the adjacent villages had gone to their home village during the night and set the church on fire. According to the Archbishop’s informants, some members of the Franciscan order had induced the Indians to destroy the temple. Hearing these testimonies, the Archbishop sent his provisor de indios, Álvar Pérez Marañón, to Calimaya, bestowing him with full inquisitorial faculties to investigate these occurrences, as the destruction of a church was considered to be a sacrilege.

63 Two undated letters [1559?] to the Council of the Indies from Montúfar’s solicitador Juan Ruiz Rubio (AGI, Justicia 159, no. 3, fol. 762r-763r.), The verdict of the audiencia Feb 14, 1559, (AGI, Justicia 159, no. 3). The problems continued during the time of Montúfar’s successor, see the report from Pedro Gutiérrez de Pisa, provisor de indios, July 24, 1574. (AGI, M 336A; PT 668).
65 AGI, Justicia 1013, no. 2, ro. 5, fol. 10r-13v.
On his arrival in Calimaya, Marañón could see for himself that the church of San Pedro in the village had been destroyed, together with some houses, the friars’ cells, and the garden. According to witnesses whom he interrogated, two Franciscan friars, Francisco de Ribera and Juan Quijano had gathered together some 1,600 Indians from the town of Toluca and the villages of Zinacantepec, Tlacotepec and Metepec. One night they had gone to the village of Calimaya starting by demolishing the church, and finally setting fire to it. During the fire, a beam from the building fell on top of a group of Indians, killing two of them directly and leaving a couple of others seriously injured. One of the Indians of Calimaya, obviously upset by the burning of their parish church, said “More beams ought to fall on more people as punishment for burning down our church”. Having said this, the friars ordered that the man should be tied to a well that was located in the church square. There he was severely whipped and left until the alcalde mayor of Toluca arrived and released him. A couple of days later, Indians from the village of Tepemaxalco in the same area demolished their church, which was named San Pablo. According to the report the Archbishop’s report the Spaniards and Indians of the villages were “very much scandalized seeing the reverence in which they held their cues [“pyramids”] and demonic temples and the little or no [reverence] that the said friars have for the churches.”

“Demons of Quarrel”
Following the disputes on jurisdiction in the late 1550s and the 1560s, large numbers of friars, and in particular Franciscans, carried out their threats and left the mission field in protest to the bishops’ interventions in their privileges. When the Franciscans abandoned New Spain, their doctrinas were either secularised or left to one of the other two orders. Representatives of all orders complained that the evangelising zeal among their co-friars was not as great as in the first years, because of the bad treatment they received from the diocesans. In a letter from the

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66 Montúfar to Marañón, Jan 23, 1559, (AGI, Justicia 1013, no. 2, ro. 5, fol. 10v-12v), summary of Marañón’s report by the apostolic notary Juan Alonso (ibid. fol. 12v-13r).
67 AGI, Justicia, 1013 no. 2, ro. 5.
68 Gerónimo de Mendieta OFM to the commissary general Francisco de Bustamante OFM, Toluca, Jan 1, 1562. (Cartas de religiosos de la Nueva España 1539-1594. Ed. Joaquín García Icazbalceta [1889] (Mexico City 1941):1-29); Francisco de Toral OFM to the King, May 25, 1558 (Cartas de Indias 1877:132f); and Domingo de Santa María OP, Francisco de Toral OFM, and Alonso de la Vera Cruz OSA, Tlaxcala May 1, 1559.
Archbishop’s provisor, Dr. Luis Fernández de Anguis, to King Philip a gloomy picture of the state of the church in New Spain was also presented. The church was virtually paralysed, as both friars and bishop used “half their lives” to “assist the demons of quarrel” and the effect this had on the conversion of the Indians was nothing but ruinous.69

The mendicants further accused the bishops, in particular Montúfar and Vasco de Quiroga, for using their monopoly on ordination as a weapon against the mendicants, refusing to ordain friars to priesthood. These accusations reached the ear of the regent, who in a letter from 1560, firmly reprimanded the two prelates and urged them not to use their powers in this way, but to ordain all candidates from the religious orders presented to them.70 The bishops defended themselves stating that they, in fact, were afraid that they had ordained too many friars, as most of the candidates presented to them were poorly educated and unworthy of the priesthood. In addition to this, Montúfar accused the Augustinians of having tricked him into ordaining at least one mestizo, contrary to the interdictions of the first provincial council.71

By 1560, Montúfar’s procurator at court, Juan Ruiz Rubio, had renounced his office. Several witnesses and among them various canons at a hearing before the audiencia said that Rubio had only received a fraction of the wealth that the Archbishop had collected among the clerics of the archdiocese in support of him, and that he was in fact “dying from hunger at the court of Valladolid”.72 As Rubio’s replacement, the cathedral chapter wished that the Archbishop himself should go to Spain to try to convince the King that the conflicts on tithes and on mendicant privileges in general should be solved in favour of the secular clergy and the bishops.73

Taking into account the fact that by then several members of the chapter were deeply involved in heated battles with the Archbishop and heartily disliked him, this could easily be seen as an attempt by the chapter to get rid of the Archbishop permanently. Instead of going himself, Montúfar sent his nephew, Dr. Alonso Bravo de Lagunas,
together with the cantor of the cathedral of Michoacán, Diego Pérez, as
deputies at the King’s court. The two procurators were also ordered to
visit the Pope in Rome and even to attend the general council at Trent.74
On their part, the three orders entrusted the royal contador, Hortuño de
Ibarra, with a special commission to represent them at court as well as in
Rome.75

In reply to all jurisdictional uncertainties, in 1560, the Dominican
provincial Pedro de la Peña suggested the summoning of a special
congregation formed by regional experts to discuss these complicated
matters in depth. He therefore proposed that the prelates and the friars
should choose two representatives each, one theologian and one canonist.
He also thought that the Viceroy and the audiencia should nominate
candidates with jurisprudential knowledge to this junta. However,
nothing concrete seems to have come of this proposal.76 Instead, early in
the year 1562, representatives from the three orders met in Mexico City
to discuss what they thought should be done to secure the survival of the
church from the interventions of the bishops. The assembly concluded
that the best remedy was to send their respective provincials to Spain to
try to influence the King in defence of their privileges.77 The three
provincials at this time were Francisco de Bustamante OFM, Pedro de
Peña OP, and Agustín de la Coruña OSA. Together with them went the
Augustinian Alonso de la Vera Cruz. Of the four friars that went to Spain,
Bustamante died just after his arrival to the motherland, whereas the two
other provincials were elected bishops in South America.78
Despite the active protests and lobbying by the Mexican bishops, the
royal position in the letters of 1557 remained unaltered in the years to
come and letters with the same content were issued again in 1561.79 Some

74 Montúfar and Vasco de Quiroga. April 30, 1562 (AGI, M 336, doc 25, PT 518).
75 Pedro de la Peña OP, Francisco de Toral, OFM, and Alonso de la Vera Cruz, OSA, to
the King, March (?), 1560 (VC 5:166-175, with Spanish-English parallel text).
76 Pedro de la Peña OP to the Council of the Indies, March 12, 1560 (AGI, M 280), cf.
Pedro de la Peña OP, Francisco de Toral OFM, and Augustín de la Coruña OSA to the
King Feb 25, 1561(Cartas de Indias 1877:144-146).
77 Ennis 1957:165f.
78 Three consultas by the Council of the Indies, May 21, 1561 (AGI, Justicia 165, no. 5,
fols. 1046r-1050r), three letters by the Council of the Indies, all dated July 1, 1561 (ibid.
fols. 1060r-1062v.) and the letters from Sebastián Rodríguez in the name of the bishops of
of their minor demands were, however, met and the orders were ordered to build their monasteries at least six leguas (30 kilometres) from each other. Further, another letter stated that the friars were forbidden to physically punish the Indians and to put them in prison as this was a task for the secular arm.

Valderrama’s Visitation

As a means of control, the Spanish regent regularly appointed general visitors (visitadores generales) entrusted with far-reaching powers to investigate various aspects of the colonial administration. During two and a half years, from the latter half of 1563 until the beginning of 1566, an official of the Council of the Indies, Jerónimo de Valderrama, carried out such a visitation in New Spain. The main purpose of this particular visitation was to investigate abuses of power on the part of the Viceroy, the members of the audiencia, and other colonial and indigenous officials, especially dealing with the unfair treatment of the indigenous population and nepotism. Another important task was to investigate economical transactions in search of frauds and irregularities in the collection of taxes. Another reason which trigged the general visitation were the many conflicts between various circles of the civil and ecclesiastical administration – between the Viceroy and the audiencia, the Viceroy and the bishops, and the bishops and the mendicant orders.

The criticism put forward Valderrama’s reports against the Viceroy, against various members of the audiencia and at least against certain sectors within the religious orders was often quite outspoken. His main points of accusation against the friars echoed those of the bishops – the friars intruded in the civil government, they had too great a power in the church, and they built monasteries and churches which were too lavish, at the expense of the Indians. Valderrama thought that the far-reaching privileges given to the friars just after the conquest were to be considered

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81 Royal decree, Toledo, Sept 4, 1560 (García 1982:459).
82 An important collection of letters written by Valderrama during his visitation was published by France V. Scholes & Eleanor B. Adams (eds) Cartas del Licenciado Jerónimo de Valderrama y otros documentos sobre su visita al gobierno de Nueva España 1563-1565. (Mexico City 1961), see also Sarabia Viejo 1978.
83 Valderrama to the King and the Council of the Indies, Feb-March 1564 (Scholes & Adams 1961:57f, 71), Valderrama to the King, Feb 24, 1564 (Scholes & Adams 1961:96f).
invalid after the arrival of the bishops. The general visitor thought that the Franciscans were the sole order that lived according to the mendicant ideals, even if he thought that even they built too extravagantly in many places.84 The mendicants protested against Valderrama, stating that the investigation of the internal affairs of the orders was not a part of the visitor’s task.85 On the other hand, the Archbishop escaped the diatribes of Valderrama altogether. On a number of occasions in his correspondence, the royal visitor actually wanted him to be elected president of the audiencia instead of the Viceroy.86

During the general visitation, the Viceroy of Mexico, Luis de Velasco died in July 1564 after fourteen years in office. With the death of Velasco, the religious orders had lost one of their most influential supporters. The friars sent quantities of letters pleading that his son and namesake, Don Luis de Velasco, should succeed him in office, but to no avail.87 In the historiography of the Franciscan Gerónimo de Mendieta, the death of Velasco in fact marked the end of the golden age of the friars’ church and made the beginning of a “silver age” or even the “Babylonian captivity” of the Mexican church.88

The Aftermath of the Council of Trent
In 1563, the Council of Trent ended after eighteen years of sporadic deliberations. During the council, the prelates had wanted to centralise the power in the diocesan church to the local bishop and restrict the traditional privileges of the friars when the latter served as parish priests.89 In April 1564, Pope Pius IV reaffirmed these restrictions and revoked all the mendicant privileges that contradicted the decrees of the general council. For the Mexican friars the bull meant that all those who were involved in the Indian ministry as doctrineros should be placed under the jurisdiction of the local bishop. In the future, the friars would need an explicit licence from the prelate in order to preach and administer sacraments in a given location. The decision also meant that the local

84 Valderrama to the King June 8, 1564 (Scholes & Adams 1961)
85 Cristobal de la Cruz OP and various other Dominicans to the King, Feb 24, 1564 (AGI, M 280), Sarabia Viejo 1978:155.
86 Valderrama to the King and the Council of the Indies, Feb-March, 1564. (Scholes & Adams 1961:75), Valderrama to the King, June 18, 1564 (Scholes & Adams 1961:163).
87 Sarabia Viejo 1978:149f.
88 Phelan 1956.
89 Lebroc 1969.
bishop could investigate all friars who served as *doctrineros* and replace them if he wanted to.\(^9\)

In 1565, Montúfar summoned his suffragan bishops to a second provincial council and to swear an oath of obedience to the decisions of the Council of Trent. At this meeting in Mexico City, the prelates reaffirmed all the decisions of the first provincial council that had been celebrated ten years before. Thus, the decisions concerning the relationship between friars and bishops were still valid. Nevertheless, the second council made one addition to the previous legislation. Thus, the conciliar fathers stated that no friar could refuse to take part in solemn religious processions if he was ordered to do so by the local bishop as it would cause a scandal.\(^9\)

The Mexican mendicants were obviously not happy with the decisions of the Council of Trent and its implications for their ministry. Through the Augustinian Alonso de Vera Cruz, who still was in Spain, they tried to persuade the King to support their cause. They wanted him to ask the Pope for an exception, so that the mendicants in the New World could continue with their native ministry without being contradicted by the bishops. Only in this way, the friars thought, could the church in the New Spain survive, as the secular clerics were few and uneducated.\(^9\) In 1566, Pope Pius IV died and was succeeded by Michele Ghislieri, who became Pope under the name Pius V. Through the bull *Exponi nobis fecit* (1567), Pius V restored the privileges of the mendicants in the Indies. Thus, the Mexican mendicants could continue to preach and administer the sacraments as they had done until then, without the permission or licence from anyone but their own superiors. Moreover, the Pope decreed that the bishops should not replace friars with secular priests. In early 1568, Alonso de la Vera Cruz sent copies of the bull to New Spain, together with a royal order that decreed that the bull should be made public. Later in that year, the bull was printed in Mexico City.\(^9\)

In 1569, the Montúfar inquisition considered a case that is of particular interest for a study of the clashes between the Archbishop and the friars. In a sermon held on the feast day of the Circumcision of Christ,\(^9\)

\(^{90}\) Pius IV “In principis apostolorum”, Feb 12, 1564, cf. Torres 1948:225.

\(^{91}\) CPM 2, no. 11 (*Concilios* 1769:194)

\(^{92}\) Ennis 1957:166f

the Franciscan Alonso de Urbano made some statements concerning Christ that the Archbishop considered scandalous. According to witnesses who were present at the sermon, Urbano said that Christ had been created to become a sinner and a fool and that his Father had hated him. Therefore, Montúfar ordered his provisor Esteban de Portillo, to make thorough investigation into the case. Wanting to take Urbano into custody during the investigation, a notary went to the Franciscan provincial, Miguel Navarro, and the guardian of the Franciscan monastery in Mexico City, Diego de Mendoza. Without presenting any details on the case to the Franciscans, the Archbishop wanted them to hand over Urbano to the archiepiscopal prison. Strengthened by Pope Pius’ recent bull on mendicant privileges, the Franciscan superiors said that they could not accept the Archbishop’s jurisdiction as inquisitor. Montúfar was of course outraged by what he saw as yet another sign of the friars’ insubordination and sent various threats of excommunication to the provincial and to the guardian. After a month of positional warfare, the Franciscan provincial eventually ordered Urbano to appear before the archiepiscopal court. By this time, the Franciscan superiors had probably been informed of the details of the accusations against their co-friar. After the trial, Alonso de Urbano was ordered to publicly abjure what he had said in his sermon. Moreover, he was prohibited to preach for four years. However, by August 1571, the Archbishop’s assistant, Bartolomé de Ledesma, lifted the ban and Urbano could preach again.

The bull Exponi nobis potest issued by Pius V in 1567 was of course not the final word in the battle between the bishops and friars in New Spain. Already in 1568, an important meeting, the so-called junta magna was assembled in Madrid in order to deal with problems relating to both the civil and the ecclesiastical administration of the Indies. Among many other things, the junta discussed the relationship between the hierarchy and the religious orders. Juan de Ovando, later the president of the Council of the Indies, presented a radical solution to the problem. Dioceses where Hispanics were in a majority should be ministered by bishops, with the help of the secular clergy and the cathedral chapter.

94 AGN, Inquisición, vol. 9, exp. 4 fol. 129r-178v. During the 1560s, the archiepiscopal audiencia had dealt with doctrinal irregularities in sermons or public statements by members of the three mendicant orders. Cf. Tomás de Chávez OP (AGN, Inquisición vol. 17, exp.9, fols. 165-194), Antonio de Velázquez OSA (ibid. vol. 3, exp. 12, fols. 245r-248r), Andrés de Aguirre OSA (ibid. vol. 8, exp. 5, fols. 384r-385v) and Gregorio de Mejía OFM (ibid. vol 29, exp. 3).
95 AGN, Inquisition, vol. 9, exp. 4; the verdict on fol. 176r.
However, areas with an indigenous majority should be governed by members of one religious order. However, the king did not accept Ovando’s radical plan and the conflicts between the bishops and the friars continued.96

Privileges at Stake: Argumentation

The Limits of Power

At times, even Archbishop Montúfar admitted that the friars had done much good for the christianisation of the Indians in New Spain and that he, as an archbishop, could achieve very little without their help. Nevertheless, he thought that the friars had assumed too much power in both the spiritual and temporal realms, intervening in both his own and the King’s domains. Though Montúfar could agree that there were “good and learned friars” – friars who supported him – he regarded the majority of them as insubordinate characters.97 If the archdiocese could be seen as a patchwork, most of the patches therein were beyond the control of the Archbishop, as friars administered them. Montúfar further accused the friars of wanting to be “absolute bishops”, and claimed that he therefore had to compete with at least “thirty or forty bishops” within the confines of his own archdiocese.98

In this context, it might be apposite to discuss Montúfar’s attitude toward the Franciscan lay brother Pedro de Gante, who for a number of decades served as a pedagogue and missionary in the church of San José de los Naturales in Mexico City. In his Historia Eclesiástica Indiana the Franciscan Gerónimo de Mendieta asserted that Montúfar “used to say” that “I am not the Archbishop of Mexico, that is Fray Pedro de Gante, lay brother of the Order of St. Francis”.99 Some authors have interpreted the statement as a sign of the Archbishop’s cordial appreciation of the work of the Flemish friar, or even that Gante acted as a special advisor to the Archbishop.100 However, taking into account Montúfar’s contemporary letters such an explanation is highly improbable and I think it is more

96 Padden 1956:345-347.
97 Montúfar to the Council of the Indies, Sept 18, 1555 (AGI, M 336A, doc. 8; PT 436), Montúfar to the King, Feb 4, 1561 (AGI, IG 2978).
98 Montúfar to the King, June 20, 1558 (AGI, M 336A, doc. 18; Ricard 1931:92-102), Montúfar to the King, April 30, 1562 (AGI, M336A, doc. 25; PT 518).
100 In particular Sosa 1962:82 and Gue 1967:24.
plausible to interpret the words as yet another complaint regarding the 
bishops’ limited influence. In the heat of the battle, he even asserted 
that he, as the Archbishop of Mexico, was entrusted with as little power 
as a sacristan back in Spain, and that due to the friars’ influence, the 
Indians were unaware of the teaching authority of a bishop in the Roman 
church. The effect of all this was to leave the prelates of New Spain mere 
straw bishops. In Spanish, the expression used was obispos de anillo, 
“bishops according to the ring”, meaning that they were entrusted with 
little more than honorary powers, and that their duties were restricted to 
confirming, the blessing of ornaments, and the ordination of candidates 
for priesthood. Being unable to comply with the office to which he had 
been appointed, because of the opposition of the friars, Montúfar even 
feared divine judgement for not living up to the requirements of a pastor. 
By appointing him as archbishop of Mexico, the King had “relieved his 
conscience” from the evangelising burden laid upon him, but, if the 
prelate’s liberty was so constrained as it was now, the King had not even 
partially relieved his conscience.

Therefore, Archbishop Montúfar demanded that the friars should be 
nothing but coadjutors to the bishops and the secular clergy. Using 
military metaphors, he wrote that the bishop should be the captain general 
and the clergy his soldiers in the battle against Satan that was going on in 
New Spain. Montúfar thought that by the time that he arrived in New 
Spain – three decades after the arrival of the first missionaries – the 
church there could not be considered “new” or “primitive” anymore, and 
should therefore be ordered canonically in the same way as in Spain. In 
particular, he thought that the church in his native province of Granada 
ought to be the raw model for the church in Mexico.

This is not the primitive church, because now there is a Pope, prelates, and 
Catholic monarchs, sacred canons and laws ordained by the Holy Spirit 
through which the church ... and what it lacked at that time when the prelates 
where persecuted and the faithful suffered martyrdom, with the rest and

101 Montúfar to the King, June 20, 1558 (AGI, M 336, doc. 18; PT 462) and April 30, 
1562 (ibid. doc. 27; PT 515). This is also the conclusion reached by Ricard 1925:245f.
102 Montúfar to the King, June 20, 1558 (AGI, M 336A, doc. 18; PT 462).
103 Montúfar to the King, Aug 15, 1559 (AGI, M 336A, doc. 17; PT 479).
104 Montúfar to the King, June 20, 1558 (AGI, M 336A, doc. 18, PT 462).
peace that it has now with Catholic rulers who are defenders of the Holy Gospel.105

However, the Archbishop did not only accuse the friars of usurping his episcopal jurisdiction, but also of intruding into the civil government of the indigenous communities. To him the mendicants were filled with ambition “to own the country”, to be “absolute lords”, and thus regard the Indians “as their own vassals”. According to the Archbishop, this political ambition of the friars took manifold expressions. One was that they handled the community wealth (cajas de comunidad) and thus controlled the economy of the villages.106 Another aspect was that the friars carried out punishments on their indigenous subjects, in particular through whipping and incarcerations. Another point of accusation was that they appointed and discharged local indigenous authorities such as alcaldes and gobernadores.107 The breaking of varas, the sticks of office that were a symbol of power given by the Viceroy, symbolized the discharge of these indigenous officials. Montúfar claimed that this all-embracing influence of the friars had an effect in that the Indians did not dare to criticize them.108

To Montúfar’s mind, the main threat for the future of the church in Mexico was the Viceroy, Luis de Velasco, as he was totally subject to the will of the friars and thus was counteracting the projects of the Archbishop.109 When writing to the King, Montúfar did not conceal his deep indignation:

In your Viceroy I have found and still find such disfavour that it has burned my wings and I am dissuaded to proceed with the work which is intolerable and if he continues to act in this way, I can do very little fruit in this country.

105 “…esta no es primitiva iglesia porque ya hay papa y prelados y reyes catolicos y sagrados canones y leyes ordenadas por el Spiritu Santo por lo cual la iglesia se rije lo qual faltaba entonces que los prelados eran perseguidos y martirizados los fieles no con el reposo y quietud que tienen agora y principes catolicos defensores del Sancto Evangelio.” (Montúfar to the Council of the Indies, May 15, 1556, AGI, M 336A, doc. 9; PT 441).
106 Montúfar to the King, May 15, 1556 (AGI, M 336, doc. 9; PT 441).
107 On these offices, see Lockhart 1992:30-40.
108 Montúfar to the King, Aug 15, 1559 (AGI, M 336A, doc. 17; Ricard 1931:103-111). Cf. the case of Don Martín Vázquez, gobernador in the village of Utlazpa in Cuahtitlan, examined by Montúfar April 10, 1562 (AGI, Justicia 165, No 5, fol. 1065r-1070v). According to testimonies Don Martín was whipped, scorned, and put in prison by the doctrinero Antonio de Velázquez OFM. Cf. Dr. Luis de Anguis to the King, Feb 20, 1561 ( Cuevas 1914:252).
109 Montúfar to the King, Jan 31, 1558 (AGI, M 336A, doc. 11, PT 460).
... Truly, this new church is so oppressed and vasallized by your Viceroy and the royal audiencia, and he does only what he wishes in these [ecclesiastical] affairs, that the only thing that is lacking for your Viceroy is to say mass and to celebrate pontifical acts.\(^{110}\)

Eventually, Montúfar went as far as to equate his and his fellow-bishops’ situation with the age of martyrdom in the Early Church. In a kind of persecution mania, he accused the Viceroy of searching through his letters to the King, of holding secret meetings with the mendicant provincials against him and of sending spies after him when he went on visitation tours in the archdiocese.\(^{111}\)

Having outlined the Archbishop’s position, I now turn to the argumentation of the friars. For the mendicants, the extensive papal privileges conceded in the Omnínoda and other papal bulls and briefs were still valid, even after the arrival of bishops in New Spain. In his Apologia pro religiosis, Alonso de la Vera Cruz expounded a view of a church in which there was not much space for either bishops or secular clergy. The Indian ministry was the task of the friars and all cabeceras should be divided between the three orders, so that one single order would minister all Indians in one area without the intrusion of the other two orders or any secular clerics. The bishops and the secular clergy should concentrate on the Hispanic population, and thus work mainly in the cities and the mining areas.\(^{112}\)

The friars argued that the bishops should be content with a rather peripheral position in the organization of the church, although entrusted with some important liturgical and sacramental faculties. The Augustinian Vera Cruz, but also Franciscans such as Gerónimo de Mendieta, Francisco de Toral, and Diego Olarte, explicitly asked the King to provide straw bishops for the church in New Spain. These straw bishops should administer the sacrament of confirmation, ordain candidates to priesthood, and bless altars, chalices, and ornaments, but

\(^{110}\) “Vuestro visorrey en quien yo he hallado y hallo tanto disfavor que me quiebran las alas y me desmayan a ir adelante con los trabajos ... si el lleva los negocios aqui adelante desta manera yo podre hacer poco fructo en la tierra ... y esta iglesia nueva esta tan opresa y avasalla de vuestro visorrey y Audiencia Real ..., porque no se hace mas de lo que el quiere en estas cosas que no le falta a vuestro visorrey sino decir misa y hacer actos pontificales.” Montúfar to the Council of the Indies, Sept 18, 1555 (AGI, M 336A, doc 18).

\(^{111}\) Montúfar to the King, April 30, 1562 (AGI, M 336A, doc. 25; PT 518), Montúfar to the King, March 17, 1563 (AGI, M 336A, doc. 32; PT 524).

\(^{112}\) Ennis 1957:148f.
nothing more “so that they” in the words of Toral, “did not disturb the friars who attend to the conversion of the natives.” If the prelates were given such limited and clearly defined tasks, he thought that the quarrels on jurisdiction would cease.113

According to the friars, one particular hindrance to their work was that the bishops wanted to place fiscales in the Indian villages ministered by them. These fiscales were Indian lay officials assigned to supervise the religious activity in the village and to report to the diocesan and his vicars. The mendicants themselves used to appoint especially trusted Indians as fiscales who should act as aides and intermediaries between the ministers and the villagers. Not surprisingly, the friars saw the bishops’ plans of introducing their fiscales as another attempt to intrude into their internal affairs. They also objected to the fact that the bishops sent visitors to the doctrinas to check on the friars, or to investigate the Indian’s knowledge of the Christian doctrine.114

In reply to the Archbishop’s accusations about the intrusion in civil government, the friars simply denied that they had prisons in their monasteries, as it would have been in contravention to their rules of life and their observance. In addition, if Indians had been physically punished in any of the villages, the chastisement had been carried out in a public place and by the civil authorities. They also asserted that these punishments would be seen as “if a father punished his child” and not as real punishments for a crime.115

The Administering of the Sacraments

Even if the Omnímoda had given the members of the religious orders the right to freely administer the church’s sacrament, Montúfar argued that such rights had been taken away through Pope Paul III’s bull Alias felicis (1535). According to this letter, the Pope decreed that the friars should have a licence from the diocesan to administer the sacraments to the Indians within the two dietas. The friars were not only administering the sacraments “without the licence of the ordinaries but are contradicting the ordinaries by using the episcopal office and they steal our sheep so that

113 Francisco de Toral OFM to the King, Feb 20, 1559 (Cartas de Indias 1877:139f).
114 Memorial for the royal contador Hortuño de Ibarreta, signed by Pedro de la Peña OP, Francisco de Toral OFM, and Alonso de la Vera Cruz OSA, [1560?] (VC 5:166-175, with English parallel). On the office of fiscal see Lockhart 1992:210-216.
115 Pedro de la Peña OP, Francisco de Bustamante OFM, Agustin de la Coruña OSA, Feb 25, 1561 (Cartas de Indias 1877:149f).
the Indians do not obey us or know us as prelates.” The licence that the Archbishop thought necessary was quite simply a document that established a law-binding link between the bishop and the priest, so that the former could deprive the latter of the right to administer sacraments if found expedient for the church.

The friars on the other hand, argued that the privileges in the Omnímoda were still valid for all sacraments except for that of ordination to priesthood, for which episcopal consecration was required. In one of his treatises on mendicant privileges, Juan Focher wrote that the letters of privilege, which were conceded by Pope Paul IV in 1555, took away the restrictions within the two dietas without the consent of the bishops (infra duas dietas sine consensu episcoporum). Hence, the sacraments, which according to the friars could be administered without the licence of the diocesan, were baptism, matrimony, the Eucharist, confession, and the anointing of the sick. The administering of the sacrament of confirmation was never a point of contention, as it was hardly ever administered by any friars, except in the time before the arrival of Bishop Zumárraga, when the Franciscan Toribio de Motolinía is known to have confirmed groups of Indians. However, Alonso de la Vera Cruz thought that friars could still confirm and ordain to minor orders without episcopal licence if the diocesan were absent for longer periods or in the interim periods, when the see was vacant.

In their correspondence, the friars of ten asserted that they were not administering the sacraments by virtue of law, but by virtue of charity and that the doctrina was not a parish over which the bishops held jurisdiction. Hence, they argued that they did not need any special licence from the diocesan, and could thus not be removed. The only licence they accepted was that of the King, through the Pope’s concession of the royal patronage. Behind the friars’ argumentation in this field and in particular that of Vera Cruz and Juan Focher, lay the origins of what would later be known as the theory of the royal vicarage, a particular line

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116 “… no solo sin licencia de los ordinarios pero contradiciendo a los ordinarios usan el dicho oficio de obispos, y roban nuestras ovejas para que no nos obedezcan ni conozcan por prelados” Montúfar to the King, June 20, 1558 (AGI, M 336A, doc. 18; PT 462).
117 For an example of formulations in a license for the spending of sacraments, see García Pimentel 1897:313f.
118 Ricard 1933:152f.
119 Pedro de la Peña OP, Francisco de Toral OFM, and Alonso de la Vera Cruz OSA, March 7, 1560 (VC 1:115-119, with English parallel text).
120 Pedro de la Peña OP, Francisco de Toral OFM, and Alonso de la Vera Cruz OSA, March 7, 1560 (VC 1:115-119, with English parallel text).
of thought on the relations between church and monarch. The essence of this idea was that the Spanish King, albeit a layman, through the Holy See’s concession of the patronage, *per accidens* had become the vicar of the Pope in the Indies and that he, as such, held an almost unrestricted power over the church. A similar idea was purported in a letter written during the first provincial council in 1555 by the three mendicant provincials, who affirmed that God had made the Spanish King

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\ldots \text{pastor and apostle of uncountable sheep that he had [in the Indies], who were left outside the flock of the church and went astray in the mountains without a shepherd, Indians who were destined by the enemies of the human race to be devoured by the wild beasts. Because of the zeal of Your Majesty, they were brought to the flock of the church, so that there should be just one pastor and one flock.}
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The Matrimonial Cases
The first provincial council declared that nobody else but the bishops and the judges they appointed should be entrusted with the authority to decide in matrimonial cases, as this was the general use in the Roman Catholic Church established in Canon Law. In his letters, Archbishop Montúfar often made the accusation that many friars “married and unmarried” Indians too liberally, lacking the competence and knowledge to decide in complicated matters, where the contracting parties were relatives. Another delicate problem was to decide who was the first, and thus legitimate one, of a man’s wives in cases of pre-Christian polygamy.

According to the friars, the Holy See in the *Omnímoda* had delegated the right to decide in matrimonial cases to them. Apart from this, the remittance of matrimonial cases to the diocesan court was unpractical due to the vast number of cases, as well as the long distances. The friars were also afraid that the Indians would have to spend a lot of money to defend

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121 Ennis 1957:144-150.
122 “… pastor y apostol de innumeras ovejas que tenia que estan fuera del corral de la iglesia y andavan perdidas en los montes sin pastor, puestos en devoracion de las bestias fieras de los enemigos del linaje humano. Por la industria de V[uestra] M[ajestad]fuesen traides al corral de la iglesia pa[ra] que solo fuese un solo pastor y un solo corral”. Bernardo de Alburquerque OP, Francisco Bustamante OFM and Domingo Vertadillo OSA to the King, Aug 28, 1555 (IG 2978).
123 Montúfar to the King Nov 1, 1555 (AGI, M 336A, doc. 79; PT437), cf. Luis de Anguis to the King, Feb 20, 1561 (AGI, M 280; Cuevas 1914:253f).
themselves in such cases. Alonso de la Vera Cruz dealt with matrimonial cases in his influential treatise *Speculum Coniugiorium*. This monograph dealt firstly with the question of matrimony in general and the impediments to matrimony that could be found in Canon Law. The second part examined the validity of pre-Christian marriages and not least the tricky issue of pre-Christian polygamy. Finally, the Augustinian theologian entered in the complex field of valid reasons for the dissolution of a marriage. In this part, Vera Cruz argued that the friars in New Spain, by virtue of the papal privileges, could also freely dispense impediments of affinity and consanguinity in degrees not forbidden in natural or divine law and examine the validity of a contracted marriage. Although in concordance with his Augustinian friend on most issues, Juan Focher thought that the dissolution of a contracted marriage should be remitted to the diocesan judge.

*The Building of Monasteries*

The need for an episcopal licence for the building of new mission monasteries was a way of for the supervising the missionary activity of the religious orders, and was a part of the unification of the missionary work in the diocese. Montúfar was not at all pleased to see the way in which one order dominated a single area and let in neither members of another order, nor secular clerics. Nor was he pleased with that the friars built their monasteries either too close or too far away from each other. For Montúfar, the goal of the friars, and in particular the Franciscans, was to dominate as many places as possible, and this was the equivalent of “ambition and insatiable hunger to control and govern.” The effect was that the friars occupied areas so vast that they did not have the personnel to attend to them. Another aspect was the accusation that the friars built too lavishly. The remedy for such abuses was for the diocesan to scrutinize the plans of the monasteries and churches beforehand, taking into account the number of resident friars as well as the number of the Indians living in the area.

A special menace to Montúfar was the friars’ deconstruction and removal of old monasteries and churches without the license of the ordinary and they were accused of “pulling down churches as if they

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125 Focher 1960:296-298.
126 Montúfar to the King, Jan 31, 1558 (AGI, Justicia 165, no. 5, fols. 989r-990r).
were Lutherans to the great scandal of the natives, who had built them with their sweat”.127

The friars, on the other hand, argued that if licences from the bishops were a prerequisite for the building of a monastery, no monasteries would be built at all, as the bishops opposed the friars so fiercely. In place of the bishops, the Viceroy should peruse the building plans and oversee that monasteries were built at a suitable distance from each other. In relation to the events in Calimaya, where the Indians burned down a church on the instigation of the local Franciscans, Juan Focher wrote a small treatise known as the Tractatu de Calimaya, which dealt with whether the Archbishop had the right to oppose the removal or deconstruction of a monastery. Focher concluded that Montúfar had broken the mendicant privileges given to them by the Pope, and for this reason, he thought that the Archbishop should be excommunicated.128

The Secularisation of the Doctrinas

In its most radical form, the secularisation of the doctrinas meant that the friars should leave the village and move on to the “heathen lands” (tierras de infieles) as a kind of missionary advance guard or go back to their secluded monastery life in the cities. A more common secularisation policy was to try to put clerics into the visitas to the cabeceras de doctrinas that were administered by friars. For Montúfar, there was no difference between the doctrina and an ordinary parish. As parish priests the friars were subject to the authority of the bishop, who could replace them with secular clerics or with mendicants from another order if he found it expedient for the church.129

In his correspondence, Montúfar often stated that there were many populous villages within the archdiocese which were only visited by priests once a month or even just a couple of times a year. To Montúfar’s mind, these conditions meant that Indians had to travel long distances to attend mass and to have their children baptized. As infant mortality was nothing if not immense, this meant that many newborns died without being baptized and that many adults died without either confession or last communion. Like most other contemporary Spanish church men, Montúfar thought that the indigenous people were to be considered a

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127 Montúfar to the King, April 30, 1562 (AGI, M 336A, doc. 25; PT 518).
128 Códice Franciscano 1941:xxxi-xxxii.
129 Gómez Hoyos 1961:162-165.
fragile minor, who like little children needed constant supervision, so as not to relapse into their old religion and mores.  

The Archbishop was convinced that the Devil would not hesitate in taking every opportunity to lure the Indians back into their old cults through the mediation of their “pagan” religious experts (hechiceros or dogmatizadores). The close surveillance of the Indian neophytes was impossible without a structure of resident parish priests in all locations in New Spain, who could attend to the doctrination of the Indians and the maintenance of their faith. In this context, Montúfar also used his experiences of the christening of the Alpujarras near his native Granada. There, secular clerics and perpetual benefices had been introduced “ten to twelve years after the re-conquest”, but in Mexico, more than thirty years after the conquest, the mendicants still administered most doctrinas.  

The experience of the christening of the kingdom of Granada was also used in the friars’ argumentation, but in a different way. For them, the secularisation of the mendicant missions in the post-conquest Granada had meant a break with a positive development. The moriscos, the recently baptized Muslims, were in constant rebellion against the royal authority and were hardly to be considered Christians. To the mendicant friars the doctrina was not the equivalent of a parish, but a special construction for the instruction of Indian neophytes in the Christian creed. The friars admitted that there was a severe lack of ministers for religious doctrination, and asked for more mendicant missionaries. They also asserted that the constant attacks from the bishops had been very harmful, and that many friars left the mission field for this reason. The mendicants asserted that the secular clerics in New Spain were generally inapt for the ministry of the indigenous population. The most common criticism of the secular clerics was that they were morally and intellectually inferior to the friars. They lacked missionary zeal and dedication and their knowledge both of Christian doctrine and of the indigenous languages necessary for the ministry was considered deficient. The picture was however not all black and white; writing in  

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130 Montúfar to the Council of the Indies, May 15, 1556 (AGI, M 336A, doc. 9; PT 441). Montúfar to the King Jan 31, 1558 (AGI, IG 2978)  
131 Montúfar to the Council of the Indies (AGI, M 336A, doc. 9; PT 441).  
132 Francisco de Bustamante OFM, Toribio de Motolinía OFM, Juan Gaona OFM, Juan Focher and others to the King, Nov 20, 1555 (AGI, IG 2978), cf. Gerónimo de Mendieta OFM to the King’s confessor Bernardo de Fresneda, Tlaxcala May 20, 1564 (Códice Mendieta. Ed. Joaquin García Icazbalceta, 2 vols. (Mexico City 1892), here vol. 1:25-29).
1554 the provincial of the Franciscans Juan de San Francisco asked the King for workers in this vineyard who help us to comply with the evangelising burden that Your Highness has and we do not care if they should be friars or clerics as long as they have the spirit and zeal which this apostolate requires.

*Fray* Francisco was also interested in getting people from the “new institute called the Society of Jesus” – the Jesuits. According to Vera Cruz, the introduction of secular priests might be acceptable in theory. Nevertheless, in reality he thought that whenever secular priests had been placed in villages that previously had been ministered by mendicants great harm had been done to the faithful – the kingdom of Granada was a living example of this. According to Vera Cruz the bishops were not obliged to provide secular clerics for the church in Mexico. Instead, the provision of ministers was the right and duty of the patron, the Spanish King, who if he preferred to could provide exclusively mendicants *doctrineros*, seeing the lack of zeal and aptitude of the clerics. However even to Vera Cruz the immediate solution with mendicant *doctrineros* was not an eternal one. In a longer term, when the church had become mature, the secular clerics might assume greater responsibility and ordinary parishes, but it is certain that this time was very far away.

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133 “… obreros de esta vina y quien nos ayude a cumplir con el cargo que V[uestra] A[lt[ez][a] tiene y no tenemos con que sean religiosos o clerigos, como tengan el spiritu y el zelo que este apostolado require”. Juan de San Francisco OFM, Aug 31, 1554 (AGI 280).

134 “Ecce malorum congeriem, quae omnia sunt notisima, quae eveniunt ei curati ponantur in populo ubi religios. Neque ista metaphysica dicenda, neque sunt chimaeric a imaginationes neque somnia, sed vera probata et experta” Alonso de la Vera Cruz *De Decimis*, quaestio 23 (VC 4:544).

135 Alonso de la Vera Cruz *De Decimis*, quaestio 23 “Whether bishops are obliged to provide parish priests”, and quaestio 24 “Whether friars are parish priests” (VC 4:523-589, with Latin-English parallel text).
CHAPTER V

INDIAN TITHES:
A HARD APPLE OF DISCORD

Indians and Tithes: Beginnings.
The conflicts on Indian tithes might be seen as an integral part of the disputes on jurisdiction, which I dealt with in the previous chapter. Ecclesiastical tithes were the main source of income for bishops, cathedral chapters, and secular clergy and if the Indians were to pay tithes, these groups received an important revenue, something that the mendicants tried to avoid. Given the centrality and complexity of the tithes controversy, I have chosen to deal with it in a separate chapter. In Early Modern times a distinction was made between at least two different types of tithes. Personal tithes were a kind of ecclesiastical income tax, whereas praedial tithes consisted of a tenth of the annual agricultural production, including both crops and livestock. Praedial tithes were most often paid in kind and not in money. Sometimes a distinction between two types of tithes on farm products was made: predial tithes proper (which were levied on crops) and mixed tithes (on livestock and derived products such as cheese etc).¹

During both the conquest of the Muslim kingdom of Granada and the colonisation of the Canaries, the Pope gave the Spanish monarchs patronage rights as well as the permission to collect tithes from its population.² This custom continued when the Spaniards entered the New World.³ Already during the Caribbean phase of the conquest of the Indies, Pope Alexander VI had, in 1501, given the Spanish Crown the

¹ Sergio Dubrowsky Los diezmos de Indias en la legislación (ss. XVI y XVII) (Pamplona 1989).
² Garrido Aranda 1979.
right to collect and use the tithes (Sp. diezmo) from all the inhabitants of its newly conquered overseas dominions. These tithes were to be used to cover the costs the Crown had in the construction of churches, the sustenance of the clergy and the christianisation of the inhabitants on these isles. By this concession, which actually preceded the grant of the royal patronage of the Indies by seven years, the regents of Spain were also given the right to legislate on the subject of tithes in the future. In an agreement usually known as the Concordat of Burgos (1512), when the first bishops were about to leave for the New World, King Ferdinand re-donated the lion’s share – eight parts out of nine – of the tithe revenues to the church. These funds should be divided between the bishops and the clergy, and be used for the construction and sustenance of churches and hospitals. Although this re-donation, strictly speaking, only concerned the three Caribbean bishoprics, the custom would prevail in other dioceses in the Spanish Indies.

In Spain, the division of the collected tithe revenues in a diocese was three partite; one-third was destined for the bishop and the cathedral chapter, one-third for the local churches and parish priests, and one-third for the construction of churches. In the Indies, the division was fashioned in a somewhat different way. First, the total amount of the collected tithes (el grueso) was divided into two halves. One of these halves was in its turn divided equally between the bishop and the ecclesiastical. The other half of the grueso was divided in ninths. Four of these ninths were reserved for the salaries of parish priests and three ninths were divided between the construction and maintenance of the cathedral, and the cathedral hospital. The remaining two ninths went back to the King, but in practice it was often used to cover ecclesiastical expenses. Apart from the tithes proper, the King had the right to the tenth part of the revenues of a medium household in every diocese, called the excusado.

The two large population groups in the Indies, Spaniards and Indians were judicially looked upon as two separate “republics”: the republic of the Indians (república de indios) and the republic of the Spaniards (república de españoles). The two groups had separate legal systems, a fact that also influenced the area of tithing. For all Spanish common men

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5 English translation in Shiels 1961:121-126 (the original Spanish text, ibid. 319-325).
7 Schwaller 1985:55-60.
the payment of praedial tithes was mandatory in the Indies as well as in Spain, whereas the nobility were exempt from payment. Yet, in the Indies, noblemen, as well as members of the military orders, were obliged to pay the tax when living overseas, whereas in Spain they were exempt from such payment. As regards the majority of the population in New Spain – the Indians – the question of tithes was disputed during various decades, or even centuries. 8

The first piece of legislation on Indian tithes in New Spain was a royal order, dated August 2, 1533, freeing the indigenous population from payment of the levy. The reason given was that the Indians were considered neophytes (recently baptised), a state that entailed certain privileges. Although the Indians, at this early stage, were exempt from payment of separate tithes, they were indeed liable to payment of tribute to the King or to an encomendero. A part of this tribute, usually one fourth, was intended to contribute to their doctrination in the Christian creed. 9 However, as early as in 1534, a contradictory royal order was issued, stating that the Indians should in fact pay tithes, as did all other Christians. In this instruction, the King refers to reports he had received from the bishop of Mexico, Juan de Zumárraga, and the Dominican provincial Domingo de Betanzos, asking for such an ordinance. The prelates stated that in pre-conquest times the Indians economically supported the religious cult and their ministers (“their vain temples and popes”), and that they therefore would not be scandalised by the payment of tithes. 10

Despite this, the official church’s position was somewhat unclear in the following years and the topic of Indian tithes was consequently dealt with at various ecclesiastical congregations (juntas eclesiásticas) in the following decades. The junta eclesiástica of 1537 stated that the Indians, according to both human and divine law, were obliged to pay tithes and if tithes were not imposed from the beginning it would be very difficult to introduce such a levy at a later stage. The bishops also thought it important to make a clear distinction between the tribute that was given to the temporal authorities and the tithes that were given to the spiritual one, and to make the Indians understand that they had two lords– God

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10 Royal decree, Feb 27, 1534 (Puga 1945:89r-90r).
and the Emperor. On the other hand, the bishops thought that the actual collection of the revenues often involved problems.¹¹

Later, Bishop Zumárraga and the cathedral chapter of Mexico made a proposition to the regent that the Indians should be released from the payment of general tithes, that is, the tenth of all crops and products. Instead, they suggested that the Indians should pay tithes only on three Castilian products – wheat, cattle, and silk (hence it was often known as the diezmo de las tres cosas or the diezmo de cosas de Castilla). Consequently, the Indians should be freed from tithes on indigenous staples such as corn, chilli, and beans. In a royal order dated June 23, 1543, the King agreed with the recommendation of the Bishop and the chapter, declaring that all the Indians in New Spain henceforth should only pay tithes on the three products.¹²

When the royal visitor, the inquisitor Francisco Tello de Sandoval arrived in Mexico in 1546, he convoked a junta eclesiástica consisting of bishops, members of religious orders and clerics, where a decision was taken that the Indian tithe should not be charged at the present time.¹³ Despite this opposition from the ecclesiastics, the royal policy still favoured the imposition of Indian tithes. In 1549 the King presented plans to reduce the royal tribute, which was considered excessive, and to have the Indians pay ecclesiastical tithes. However, the Crown wanted first hand opinions on the matter from civil and ecclesiastical authorities overseas on the advisability of separate tithes and what consequences it could have.¹⁴

Most mendicants, and in particular the Franciscan friars, with their radical ideal of poverty, objected to the imposition of this traditional ecclesiastical tax on the Indians. They were convinced that this burden would have catastrophic consequences for the already tax burdened Indians. The Franciscans also wanted to build a new vigorous Christianity free from the lust and greed that, according to them, had for too long characterized the church in the Old World. The imposition of tithes would also frustrate their vision, as it would open the door to a church

¹¹ Bishops Juan de Zumárraga, Juan de Zárate and Francisco Mallorquín to the King, Nov. 30, 1537 (Gutiérrez Vega 1991:231-240).
¹² Royal decree, Valladolid, June 23, 1543 (inserted in a royal decree dated in Valladolid, Sept 14, 1555 (Encinas 1945, vol. 1:186). The contents of the royal decree of 1543 were repeated in another royal decree, Valladolid, August 8, 1544 (Puga 1945:149r).
dominated by secular clergy. In spite of the contents of this law, it does not seem that many tithes were levied on the indigenous population during Zumárraga’s episcopacy, not least due to the opposition from the friars.

By the mid-century, many reports reached the King stating that the Indians were severely troubled by all the taxes they had to pay to the King and the encomenderos. With the decrease in the indigenous population, it had become even harder for the communities to comply with the tributes and the personal services to the colonisers. The Crown therefore appointed a visitor, Diego Ramírez, who was to investigate the situation of the Indians and lower the tribute. A basic idea was that the indigenous population should not be subject to higher tributes than during “their time of infidelity”, that is during the reign of Moctezuma. Hence, the Indian communities were asked to send reports on what they had paid before the arrival of the Spaniards, so that the taxes could be lowered.

A Flurry of Letters: Waves of Controversy
Having arrived in Mexico in 1554, Montúfar investigated the “spiritual and temporal state” of his archdiocese. Though he did not travel through the whole territory himself, save for the capital and its environs, he received reports from different realms. By the end of the year, Montúfar sent a number of gloomy epistles to the regent and the Council of the Indies, in which he described the Indian part of the church as virtually non-existent. For Montúfar, the main problem was the lack of ministers for the doctrination of the Christian faith. From this shortage, which he considered extreme, he deduced the Indians’ lack of knowledge of basic

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15 Various opinions were sent as answers to the aforementioned royal order of 1549, for example Toribio de Motolonía OFM to the Emperor, May 15, 1550 (AGI, IG 2978, but also a considerably altered version in M 280), The Franciscans of New Spain to the Emperor, June 10, 1550 (IG 2978; Georges Baudot “L’Institution de la dîme pour les Indiens du Mexique. Remarques et Documents”, Mélanges de la Casa de Velázquez 1 (1965): 167-221, here pp. 180-186.) The Augustinians of New Spain to the Emperor, June 1, 1550 (IG 2978, VC 5:114-119). See also Castañeda Delgado 1984:72-74.


17 For a treatment of this royal visitation, see Walter V. Scholes The Diego Ramírez Visita. (Columbia 1946).

18 France V. Scholes & Eleanor B. Adams (eds.) Información sobre los tributos que los indios pagaban a Moctezuma. Año de 1554. (Mexico City 1957). Cf. the royal treasurer Hernando de Portugal to the King, Jan 25, 1554 (AGI, M 323).
Christian teachings. Frankly, he considered most Indians to be as heathen as before the arrival of the Spaniards more than thirty years previously. Montúfar therefore asked the King to send more mendicant missionaries, but saw the best permanent solution to the problem to be the introduction of secular clerics, who could serve as resident parish priests (curas). To make this solution possible, he thought it necessary that the best part of the population, the Indians, should contribute to the priests’ salaries by paying tithes. Montúfar realised that most mendicants opposed Indian tithes, and that they had support from the Viceroy. He considered their opposition appalling, as he thought it contrary to what the Catholic church taught.19

When the friars were informed of the Archbishop’s active plans to levy tithes on the Indians, it aroused a flow of letters to the King from leading representatives of the orders.20 When informing the King of his intention to summon a provincial council in 1555, Montúfar made it clear that he wanted to bring up the question of Indian tithes at the assembly. For this reason, he asked the regent not to make any further decisions on the matter until the opinions of the council could be taken into account.21

The Provincial Council and Indian Tithes

As expected, the bishops at the first provincial council held in Mexico in 1555 unanimously favoured the introduction of Indian tithes in New Spain.22 Its final document devoted an extensive paragraph to the issue. The bishops wrote that they had notification that only a small amount of tithes were collected in the church province, especially due to the fact that there were people who, contrary to natural, divine, and ecclesiastical law,
obstructed the collection of tithes. The bishops therefore wanted to emphasize that the payment of tithes was mandatory for all baptized people within the church province. In this context, they used the word vecinos, a term often used exclusively for Spaniards. Nevertheless, in relation to other contemporary letters, there should be no doubt that the bishops intended to include the indigenous population in this group. Further, the text stated that the non-compliance of this precept was considered a grave sin of omission that ought to be punished accordingly, something that in the end could mean excommunication. The paragraph also pointed an accusing finger towards the friars, stating that it should be considered strictly forbidden to preach that some people (for example Indians) were exempt from this general law. Hence, it was made illegal to impede the collection of the produce and the bishops urged all ministers in the church province to supervise the collection of the tenths.23

As a response to the resolutions taken by the council, the mendicants of New Spain sent a number of letters of complaint to the King. Among the authors were the provincials of the three Mendicant orders: the Franciscan Francisco de Bustamante, the Dominican Bernardo de Alburquerque, and the Augustinian Diego de Vertavillo. For the friars the imposition of tithes, which the bishops had voted in agreement of, would destroy all that they had accomplished during the decades they had been in New Spain. The provincials threatened that the mendicant missionaries would leave the mission field if tithes were introduced. The bishops thought they were doing a good Christian thing by introducing tithes, but in reality, their attempts effectively served the Devil, who wanted to uproot the church from the Mexican soil.24

The most eloquent and systematic opponent of separate Indian tithes was, however, the Augustinian theologian Alonso de la Vera Cruz, by then professor of Theology at the University of Mexico. During the school year 1554-1555, Vera Cruz held a series of lectures on tithes, De Decimis. In these lectures, Vera Cruz gave a very thorough presentation of the subject of tithes and the application of the church’s precept to the actual context of New Spain. When Vera Cruz sought to hold and publish résumés (relectiones) of the lectures, he did not succeed, due to the fierce

23 CPM 1, no. 90 (Concilios 1769:166f).
24 Francisco de Bustamante OFM to the King, Aug 12, 1555; Francisco de Toral OFM to the King, Aug 24, 1555. Bernardo de Alburquerque, July 2, 1555. The three provincials to the King, Aug 28, 1555, and the three provincials to the King, Sept 15, 1555. (All letters in AGI, IG 2978, for the latter two there are also copies in M 280).
opposition he met from the newly arrived Archbishop. The contents of this enormous treatise – probably the most comprehensive work ever written on tithes – can be summarized in the following way. By Church Law all baptized people were obliged to contribute to the church’s activities and the sustenance of its ministers, but according to the Augustinian theologian, the Indians were already doing this by way of tribute, part of which should go to the ministers directly entrusted to their doctrination, preferably mendicant friars. The King and his *encomenderos* had an obligation to ensure that the Indians received religious instruction and they did not fulfil their duties in this respect, they forfeited their right to the lands and the *encomiendas*.25

**A Royal Intervention**

At the same time as the first provincial council, but back in Spain, Princess Juana, the younger daughter of Emperor Charles, signed a royal decree, dated September 14, 1555. The princess wrote that she had received reports from the mendicants arguing that the payment of tithes would harm the already tax burdened Indians. Therefore, she asked the Archbishop, the other bishops of New Spain, as well as the provincials and other “principal persons” of the mendicant orders, to send their opinions on whether or not the Indians of the region should pay tithes. She also wanted the opinions of a number of Indians living in Mexico. In relation to the aforementioned royal order of 1543 in favour of separate Indian tithes, she wrote that no novelties should be introduced and that in the meantime no separate tithes should be levied on the Indians.26 As a response to this letter, several extensive reports were sent to Spain during 1556. A large number of the three religious orders wrote a joint report, where they expounded their arguments as to why the Indians should be exempt from paying ecclesiastical tithes.27 Archbishop Montúfar, on his part wrote another very comprehensive and repetitive letter on the necessity of Indian tithes for the future of the church.28

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25 The manuscript *De Decimis* is transcribed, commented and published in a Latin-English parallel edition by Ernest J. Burrus SJ (see VC 4; the text with notes pp. 114-730).

26 Royal decree, Valladolid, Sept 14, 1555 (Puga 1945:194v-195r).

27 Opinion of the three orders [1556], (AGI, IG 2978; Spanish-English parallel in VC 5:120-163).

28 Montúfar to the Council of the Indies, May 15, 1556 (AGI, M 336A, doc. 10; PT 446).
In 1556, a process between the bishops and ecclesiastical chapters on one side, and the “Indians of New Spain” on the other began in the royal audiencia. The “Indians of New Spain” consisted above all of the leaders of four great Indian communities, namely Mexico-Tenochtitlán, Texcoco, Tacuba, and Tlaxcala, but also of representatives from “other Indian villages in New Spain”. These Indians had granted the lawyer, Álvaro Ruiz, the power to speak for them in the audiencia and to collect testimonies in support of their case. On the other hand, the lawyer Vicencio de Riberol represented the prelates in the dealings in the royal court and collected their testimonies.

The prelates’ witnesses were above all Spanish colonists and secular clerics together with some Indian leaders. The thirty witnesses, called to strengthen the Indians’ case, were members of the mendicant orders, but there were also some secular Spaniards and twelve Indians, all nobles and local leaders. Before hearing a large number of witnesses, both sides wrote very detailed questionnaires, each consisting of more than forty questions, which would be the basis for the interrogation. The main question was to try to establish whether or not there had been a custom of tithing during the time of Zumárraga and if any indigenous people had done so. They also wanted to have opinions on whether the Indian ministry functioned without the introduction of tithes, or whether tithes were needed to get the necessary personnel. Further, they tried to ascertain whether the indigenous population would be harmed if tithes were required, that is if they were too poor to be subject to more taxes.

All these testimonies were given between September and December 1556. According to the witnesses presented by the Indians, tithes had generally not been paid during Bishop Zumárraga’s time, save for in some places where individual clerics or church officials had forced them to do so, which had caused a great scandal. According to the witnesses presented by the prelates, the Indians in many locations had paid tithes on

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29 The documentation is found in two enormous dossiers, which overlap to a certain extent. See AGI, Justicia 158, no. 3, fols. 355r-789v and AGI, Justicia 160, no. 2, piezas 1 and 2, fols. 85r-598v. Before presenting the material to the Council of the Indies, the royal audiencia made a summary of the contents. (see Justicia 160, no. 2, piezas 3-6, fols. 558r-598v).

30 Various powers of attorney, both from prelates and indigenous leaders are found in a dossier in AGI, IG 2978.

31 The prelates’ questionnaire, Sept 1, 1556 (AGI, Justicia 158, no 3, fols. 423r-435v). The Indians’ questionnaire, Sept 5, 1556 (ibid. fols. 618r-623v).

32 AGI, Justicia 160, no. 2, piezas 5 and 6.
wheat and cattle both in the time of Zumárraga and during the vacant see. Further, the witnesses asserted that the Indians had done so “happily and with good will” and without any vexations from the collectors. They even asserted that in places where wheat was not grown or cattle not raised, they had instead presented other products to the tithe collectors. On the other hand, these officials were prevented from collecting anything to collect any or very little in villages ministered by the friars of the three orders, who had induced the Indians not to pay tithes to the church.33

1558: A High-water Mark in the Tithes Controversy

These collected testimonies from the Mexican high court had not yet reached the King, when he issued another royal decree concerning Indian tithes on April 10, 1557 in which he urged them to send the testimonies to him.34 The King had, however, received other letters from both sides of the controversy and here, the regent more or less agreed with the friars’ criticism of the bishops. In particular, he pointed out that the provincial council’s decision on Indian tithes should not be enforced, because no final royal decision had been taken. The reason for this was that the collection of tithes could have “many inconveniences”, not least due to the threats of excommunication prescribed by the bishops in cases of non-compliance, which could threaten the spiritual wellbeing of the Indian.

When this royal letter arrived in New Spain by the turn of the year, it gave rise to an unprecedented flood of letters from the Archbishop and his team. In late January 1558, Montúfar’s secretaries had a busy time as the Archbishop dictated a large number of very lengthy reports and letters worded more aggressively than ever before.35 As we have seen in the preceding chapter, from the very beginning Alonso de la Vera Cruz became the chief target of Montúfar’s rage and the supreme symbol of the friars’ insubordination towards the authority of the prelates. Although the relations between the two were strained from the beginning, the Archbishop’s frontal attack on Vera Cruz and especially his treatise, De Decimis, came in January 1558. Together with his assistant, Bartolomé de

33 AGI, Justicia 160, no. 2, pieza 3 and 4.
34 Royal decree, Valladolid April 10, 1557 (Puga 1945:194v-195; Encinas 1945:191-192). On January 17, 1558 the oidor Zorita of the Royal audiencia in Mexico could inform the King that the documents had been sent to Spain (AGI, M 68).
35 For example Montúfar to the King, Jan 31, 1558 (AGI, IG 2978) and Montúfar to the King, Jan 24, 1558 (Justicia 165, no. 2). Cf. the Bishops to the king, Jan 24, 1558 (BNP, Fonds espagnols, vol. 325, fols. 313-314).
Ledesma, Montúfar extracted eighty-four conclusions from the Augustinian’s work, which they found to be at least suspect or scandalous, if not heretic.36

In this extremely verbose report, Montúfar and Ledesma did not mince their words when they characterised the Augustinian’s manuscript as “a vile, libellous pamphlet against the prelates and clergy of this New World and of the whole church” and described the some of the propositions contained therein, as “heretic, others schismatic, others wrong, others false and scandalous.”37 These expressions were very acrimonious indeed, and Montúfar obviously thought that Vera Cruz was trying to found a different church to the Roman Catholic and the Archbishop was certainly aware that the main threat to the Roman church, the Lutheran reformation, had started with a schismatic Augustinian friar.38

The Case Continues
After this outburst in 1558, the highest waves of the tithe controversy were somewhat calmed, and the parties awaited the decision of the King and the council. The decision was, however, delayed, and throughout the following decade, Indian tithes continued to be a disputed question. Thus, for example, a second round of testimonies were sent to the King and the council in 1560 for revision.39

However, no decision was reached and in a letter dated in August 1562, King Philip ordered the Council of the Indies to end the investigation of the process as promptly as they could, because of the inconveniences the conflict caused in the daily work of the church in New Spain.40 Despite the lack of a final decision, tithes were at least collected from certain Indian villages from the beginning of the 1560s.

36 Montúfar’s denunciation of Vera Cruz consists of nineteen very closely written folio pages (AHN, Inquisición, leg. 4427, no. 5). The text has been transcribed and critically annotated by Ernest J. Burrus SJ as an appendix to his edition of Vera Cruz’ De Decimis (VC 4:731-836).
37 Montúfar’s denunciation of Vera Cruz, Jan 31, 1558 (VC 4:731f).
38 Montúfar to the King, Jan 24, 1558 (AGI, Justicia 165, no. 2).
39 AGI, Justicia 160, no. 2.
40 Presentation of the reports to the Council of the Indies (AGI, Justicia 160, no. 2), The King to Council of the Indies, Aug 4, 1562 (ibid.), cf. Montúfar to the King Feb 25, 1564 (AGI, M 336A, doc. 34; PT 541). Cf. the three provincials to the King, March 3, 1560 (AGI, M 2705) and the secular chapter of Mexico to the King, Feb 12, 1560 (AGI, M 94). See also Patronato 287, ro. 20.
According to the acts of the cathedral chapter, several of its members received a commission to travel outside the city in order to collect the tithes on the three Castilian products: wheat, cattle, and silk. As a salary for their work, they could keep one third of the tithes that they were able to collect during their travels. The dean of the cathedral chapter of Mexico, Alonso Chico de Molina, was given the right to collect the Indian tithes in those villages that belonged to the Marquis of the Valley of Oaxaca, Martín Cortés. At the same time, Montúfar ordered all local parish priests to collect the Indian tithes in their partidos, but this right was later revoked.

At the same time one of the main characters in the tithes controversy, Alonso de la Vera Cruz, disappeared from the Mexican scene. In 1561, he was summoned to Spain in order to defend himself from the Archbishop’s grave accusations, and left with the three mendicant provincials, who went to their motherland at the beginning of the following year. Not missing this opportunity, Montúfar once again denounced Vera Cruz to the Supreme Council of the Inquisition, trying to suppress all editions of his works on either side of the Atlantic because of their heretical contents. Nothing is known of Vera Cruz’s dealings with the Inquisition, but Vera Cruz nevertheless became a most important advocate against separate Indian tithes in Spain. Despite criticism from the ecclesiastical chapter, Archbishop Montúfar sent his nephew, Dr. Alonso Bravo de Lagunas, to the Spanish court to lobby for Indian tithes. Bravo de Lagunas, held a commission to deal with topics related to the payment of Indian tithes at the Holy See in Rome and at the ongoing General Council at Trent.

The second provincial council of Mexico, congregated in 1565, devoted a separate part to the subject of tithes. The chapter was a specification of the decisions the first council took ten years previously.

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41 ACCMM, Actas de cabildo, lib. 2, fols. 132r-132v (Sept 14, 1564), cf. ibid. fol. 25v (Feb 16, 1560), fols. 38v-41v (Oct 8, 1560), fol. 41v (Oct 11, 1560), fols. 119r (June 30, 1564), fols. 121r-121v (Aug 22, 1564), and fols. 186v-187r (May 18, 1566).

42 ACCMM, Actas del cabildo, lib 2, fol. 133r-134r (Sept 28, 1564).

43 Ennis 1957:128, 162-171. Vera Cruz was called to Spain by the King in a letter dated in Madrid on August 4, 1561 (VC 5: 256, note 1). Cf. BNP, Fonds espagnols vol. 235, fols. 267-268.

44 Gonzalo de Alarcón (in Montúfar’s name) to the Supreme Council of the Inquisition, not dated [ca. 1562], (AHN, Inquisición leg. 4442, no. 41).

45 AGI, Justicia 279, no. 2. Cf. ACCMM, Actas del cabildo, lib. 2, fol. 149v-150r (May 18, 1565).
In the light of the opposition from the regent to decisions of the council, the formulations chosen by the bishops were not as courageous as in 1555. Hence, they stated that it had not been the intention of the conciliar fathers to impose *general* tithes on the indigenous population. Instead, they asserted that they had just wanted to receive tithes on “the three things” in accordance with the royal orders. Thus, they awaited the further decisions of the Crown and the Holy See on whether the Indians should be subject to payment of general tithes.\(^{46}\)

There can, however, not be any doubt that the bishops thought that the Indians should pay *general* tithes, that is not only on the three products. In 1568, as no decision had been reached on the subject, the Archbishop and the chapter unanimously appointed the schoolmaster of the chapter, Sancho Sánchez de Muñón, to leave for Spain in order to deal with Indian tithes and other questions which were in the interest of the diocesan church of New Spain. From the commissions given to the schoolmaster before he left Mexico it is clear that he was to work towards the payment of general tithes, that is payment on all products.\(^{47}\) In the same year, the so-called *junta magna* that was congregated back in Spain also dealt with the question of Indian tithes. It decreed that the economical problems of the church overseas would be solved if all inhabitants, Spaniards, as well as Indians, were subject to tithing, and that the tributes should be lowered instead. The *junta* also suggested that the tithe revenues in the Indies should be divided into three parts, as was the practice in Spain. This implied that the bishops’ and chapters’ parts were lowered, as they had to share a third part, and that a third went directly to the parish priests. These decisions were, however, not implemented and at the death of Montúfar, no final decision had been made, despite all the letters and dossiers that had been sent between the Old and the New World.\(^{48}\)

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\(^{46}\) CPM 2, no. 26 (Concilios 1769:203).

\(^{47}\) ACCMM, Actas del cabildo, lib. 2, fols. 221v-222v (Dec. 2, 1567). There are also a number of letters to and from Sancho Sánchez de Muñón before his leave and during his prolonged stay in Spain from 1568 to 1574 in the ACCMM, Correspondencia, lib. 20. Of particular interest is a letter from Montúfar, January 1568 and another dated in Havana, Sept 8, 1568.

God and Caesar: Argumentation

This section presents a more detailed study of the argumentation for and against separate Indian tithes. It is divided into four paragraphs centred on four different arguments. The first two begin with a presentation of the main reasons put forward by the Archbishop in favour of Indian tithes – the shortage of priests and the poverty of the diocesan church – followed by the counter-argumentation of the friars. The last two paragraphs start by examining the friars’ most important arguments against Indian tithes – that the Indians had already fulfilled their debts to the church through the tribute and that the Indian Christianity would be destroyed if tithes were introduced – and are followed by the counter-arguments of the Archbishop.

The Shortage of Priests

According to Archbishop Montúfar, the church in New Spain was suffering from a tremendous shortage of priests who could serve in the Indian communities. From this scarcity, it inevitably followed that people lacked even the most basic knowledge of the Christian doctrines and that the lion’s share of the indigenous population hardly received any of the sacraments other than baptism. This, in turn, was surely to lead to the eternal damnation of the majority of the indigenous population. And, given the brief preceding religious instruction Montúfar thought that the adult baptisms were seldom anything more than a name-giving ritual. Arguing for the extraction of tithes, he presented a bleak picture of the “state of Christianity” amongst the Mexican Indians. In all his writings, Montúfar purported an extreme Heils pessimismus, a conviction that at that time very few Indians would be saved, as they had such infrequent access to the means necessary for salvation – in particular the Eucharist and confession. In one of his letters from 1558, he wrote:

If we have great compassion and with reason even doubt [of the salvation of] one who is a child or grandchild of a Christian Spaniard if we see that he dies without having confessed for half a year or even a whole year. Then, what hope should we have of these people who die here since they are very simple people who die almost like beasts, most of whom have never gone to confession in their entire life, nor received any other sacrament, except for

40 Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).
baptism. … We therefore have great reason to believe that only very few of the [indigenous] adults will be saved.\(^{50}\)

In his requests for an increased number of ministers, Montúfar was not consistent regarding the specific number of ministers that he considered necessary. On some occasions, he estimated that ten times as many priests were needed, whereas he sometimes thought that no less than twenty or even thirty times as many would be enough.\(^{51}\) Montúfar especially criticized the friars’ remedy of training young Indian boys as lay assistants, who could teach the catechism and the basic prayers in the absence of the missionaries and baptize in cases of mortal danger. Montúfar saw this institution as something very dangerous to the future of the church, as he was afraid that these native youngsters learned the catechism “like parrots”, without understanding the contents of it. Hence, he was convinced they passed on “thousands of heresies” and made many harmful omissions, as well as additions, to the sound Catholic doctrine.\(^{52}\)

The only feasible remedy which Montúfar could see for the extreme lack of ministers was the imposition of Indian tithes “in accordance with divine, human and church law”, which would secure the salaries of a great number of secular clerics who could serve as parish priests. He also thought that part of the tithes could be destined to the friars, but only if they functioned as real parish priests, subject to the episcopal authority. The Archbishop reminded the King that the concession of the rights of patronage had been made under the condition that the King would send a sufficient number of ministers for the doctrination of the natives. If this requirement was not fulfilled, the King risked forfeiting his right to the Indies. As a way for the King to relieve his conscience, Montúfar suggested that he should see to it that a couple of hundred newly ordained clerics from the colleges in Spain should be recruited and be sent to the Indies after obtaining the necessary license from their superiors.

\(^{50}\) “Si tenemos gran compasion y aun dudá y con razon de uno ques cristiano hijo y nieto despañol si vemos que muere sin confesion de medio año o de uno que hóbiese que no se hóbiese confesado, que confianza ternemos destos que se mueren gente tan simpíisma que se mueren casi como bestias los más sin haberse confesado en toda su vida ni otro sacramento ninguno sino el baptismo ... podemos tener con gran razon que muy poquitos de los adultos se salvan.” Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).

\(^{51}\) Montúfar to the King Nov 30, 1554 (AGI, IG 2978), Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).

\(^{52}\) Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).
Nevertheless, in the long-term, Montúfar found it necessary to educate a number of secular priests among the sons of Spaniards living in Mexico (criollos). He also thought that these young criollos often knew the indigenous languages well and that they would like to stay in New Spain, and they did not have a great desire to go to Spain. He was also sure that the Indian tithes could contribute to the maintenance of the University, but also to the building of a separate seminary in Mexico City. In relation to this latter point, Montúfar referred to the inauguration of a similar seminary in his native Granada, which he thought had been exceptionally effective for christening the inhabitants of that province. Apart from this, he was confident that not many parents would let their sons enter priesthood if they could not earn a living by it. 53

However, Archbishop Montúfar was in no way alone in his demands for more ministers for the Mexican church. The friars were also asking for an enforcement of their personnel, especially since many of their co-friars had died from diseases shortly after arriving in New Spain, therefore many of the doctrinas were severely understaffed or even vacant. They also claimed that many friars had left the mission field because of the harsh opposition they had received from the bishops. 54

Yet, the friars thought that the Archbishop widely exaggerated the number of ministers needed for a reliable Indian ministry. In one letter, for example, representatives of all three orders thought that it was not too much to ask of the Indians to travel two or three leguas to attend mass, as they happily go four or five leguas to attend the market place. They also found it essential that the congregation policy should be implemented, so that Indians who were living apart were gathered in larger townships. Such methods would enable the friars to minister larger numbers of natives without travelling such long distances. 55

However, the real apple of discord was whether the secular priests were the right people to be entrusted with the delicate Indian ministry. The friars frequently expounded the view that the clerics, with a few exceptions, were morally and intellectually inferior to them. In addition,

53 Montúfar to the King, May 15, 1556 (AGI, M 336A, doc. 9; PT 441).
54 Just some examples: Nicolás de Witte OSA, Alonso de Buiza OSA and Diego de Vertavillo OSA to the King, Chilapa, Sept 10, 1563 (AGI, M 280), Diego de Santa María OP, Bernardo de Alburquerque OP and others to the King, Oaxaca Feb 18, 1558 (Cartas de Indias 1877:136), Francisco de Toral OFM to the King Feb 20, 1559. (Cartas de Indias 1877:138), Francisco de Toral OFM to the King, May 25, 1558 (AGI, M 281).
55 The three orders to the king, Jan 1, 1557 (Códice Mendieta. 1892, vol. 1:1-18.
the lack of letters and character was especially problematic in a missionary situation where particularly virtuous ministers were needed “as they had to preach more with their life than with their tongues”. In a report from 1556, the Franciscan provincial Francisco de Bustamante made a distinction between two kinds of secular clerics – *peninsulares* (those born in Spain) and *criollos* (those born in New Spain). The former were only interested in finding ways to enrich themselves, and they had no interest in learning the indigenous languages. To allow such men to administer the sacraments to the Indians would be as futile as having a mute person preach or a deaf person hear confession. If any secular priests were to be sent from Spain, they should therefore, before departure, be informed of the obligation to learn the indigenous languages and of the salary that they would receive from the royal chamber or from an *encomendero*. The friars thought that no Indian tithes were needed to cover these expenses, as the tributes that were collected were considered sufficient.

On the other hand, Francisco de Bustamante thought that although the *criollos* knew the indigenous languages, they had a lax sexual morality as well as a low opinion of the Indians, whom they saw as slaves. Bustamante also asserted that if Christ had seen it fit to test the faith of St. Peter three times, the faith and mores of these young men ought to be tested at least 300 times before ordaining them. Moreover, the *criollo* priests often had many poor relatives and friends, whom they had to support with their salary, something that certainly would cause affliction to the poor Indians if they had to pay tithes and other expenses.\(^{56}\)

However, the friars’ main counter-argument was that the imposition of Indian tithes was not the solution to the severe lack of ministers, as only a very small portion of the tithe revenue – two ninths – was allocated to the ordinary parish priests. In fact, half of the tithe revenues was allocated to the diocesan bishop and the cathedral chapter, which the friars thought had very little to do with the direct Indian ministry. According to the friars, the main effect of the imposition of tithes on the indigenous population would be that the bishops and the canons, who already had everything they needed for their sustenance, would be richer.\(^{57}\)

\(^{56}\) Francisco de Bustamante OFM to the King, May 31, 1556 (AGI, IG 2978), cf. Opinion of the three orders [1556?], (AGI, IG 2978).

\(^{57}\) Bernardo de Alburquerque OP, Francisco de Bustamante OFM, and Domingo de Vertavillo, Aug 28, 1555 (AGI, IG 2978), cf. Opinion of the three orders [1556?] (AGI, IG 2978; VC 5:120-163).
The Poverty of the Diocesan Church

During his years as Archbishop, Montúfar constantly complained that the lack of economical means made his work as a pastor almost impossible. The salary he received from the tithes of the Spaniards was not enough for employing the assistants he felt that he needed to comply with his office – *provisores*, visitors, notaries, as well as translators and servants. ⁵⁸ One of the bishops’ most important assignments was to tour the diocese to administer the sacrament of confirmation to the baptized Indians. In one letter, Montúfar asserted that when he went to the province, he could only afford to travel with three servants and two auxiliary priests, one of whom carried a large cross for the solemn entries into the villages. This number he considered far too low to travel “with the authority his high office required”. Moreover, before confirming, the Archbishop wanted to investigate the Indians’ knowledge of the Christian creed. As the Archbishop himself did not have any, or if any, a very deficient knowledge of any of the indigenous languages spoken in New Spain, he had to rely on translators, he claimed that he did not have the money to hire. ⁵⁹

Another of the Archbishop’s main assignments when he arrived at his see in 1554 was to oversee the construction of a new cathedral in Mexico City. ⁶⁰ Montúfar contended that as the mother of all other churches, the cathedral served the entire diocese, and that all those baptized within its confines should contribute to its construction and maintenance – not only those living in the cathedral parish. Thus, he argued that there should be no doubt that the cathedral ought to be the most august church in the diocese, and therefore both the Hispanic and indigenous population should pay tithes. ⁶¹

The friars’ argumentation in this area was simply centred on counter-acting the Archbishop’s claims that he was poor, stating in fact that he did not live in poverty but that his demand for tithes was based on

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⁵⁹ Montúfar to the King, Jan 31, 1558 (IG 2978), Montúfar to the King, April 30, 1562 (AGI, M 336A, doc. 26).
⁶⁰ Prince Philip to Montúfar, Madrid, Jan 19, 1553. (AGI, Contratación 5787, no. 1, lib. 4, fol. 161v-162r). See Chapter VI.
⁶¹ Montúfar’s denunciation of Vera Cruz, Jan 31, 1558 (VC 4:784f).
avarice, which was the root of all other evil. The Franciscan provincial, Francisco Toral, stated that the Archbishop was carried on a litter on the shoulders of Indians when he went on his visitation tours. Toral considered this type of behaviour to be extremely harmful and wanted the King to send a new kind of bishop, those who lived in apostolic poverty.\footnote{Francisco de Toral to the King May 20, 1556 (AGI, IG 2978).}

The friars thought that bishops should be content with a moderate salary, and thus imitate the austere way of living of the bishops in the Early Church. They also reminded the King that, the law guaranteed the bishops an annual salary of 500,000 maravedis – the equivalent of some 3,000 pesos de minas – from the royal treasury, if their quarter of the gross tithe revenues did not reach that sum.\footnote{Francisco de Toral OFM to the King, Feb 20, 1559 (Cartas de Indias 1877:140).} They also argued that if the bishops of New Spain lived in poverty, the main reason for this was that most of them had brought large numbers of poor relatives with them from Spain whom they had to support economically, something which strained the economy of their households. On this subject Francisco de Toral wrote:

… the prelates are so burdened with nephews and relatives who want to enrich themselves at their expense, that they always have to bother Your Highness with demands for an increase of their salaries and for tithes, saying that they are poor… They are giving their lives for their relatives and not for their sheep, and thus the sheep die from spiritual hunger.\footnote{“…los perlados estan tan cargados de sobrinos y parientes por los cuales enriquecer se empobrecen a si, de tal manera que siempre importunan a Su Alteza por el augumento de sus rentas y por los diezmos, diciendo que estan pobres… ponen sus vidas por sus parientes y no por sus ovejas, y asi ellos y ellas mueren de hambre spiritual” Francisco de Toral OFM, Aug 1, 1554 (AGI, M 280).}

To avoid too much money being accumulated in the episcopal treasury, the mendicants suggested that the King’s representatives should take care of all the collected tithes of the Spaniards. Thereafter, he should divide it between bishops, chapters, and parish priests, in the way that the King found expedient to the Indian ministry.
Tithes and Tributes

To the friars, and even to Alonso de la Vera Cruz, the most vocal adversary of Indian tithes, there was no doubt that all Christians had to provide their ministers with sufficient subsistence. This was based on both natural and divine law. However, the exact amount – whether it should be a tenth part or any other amount – was determined in positive law.65 Admitting this, they argued that the indigenous population should be exempt from this levy as they were already fulfilling their duties to their ministers of the church through the payment of the tribute. If the King wanted to include the tithes in the tributes, he had every right to do so, as long as the tributes contributed to the ministry. Hence, they contended that by preaching against Indian tithes, a general law of the church, they were doing nothing wrong, heretical, or suspect. A basic part of their argumentation was that the amount of taxes the Indians had to pay should be no higher than it was before conquest. Hence the Indians should notice the enormous difference between living under a “heathen and a Christian monarch”.66 If tithes were paid on top of all other levies, the friars contended that the Indians’ affliction would be even greater than during the rule of their pagan lords. The friars considered that most Indians in Mexico were living in poverty, and that the imposition of separate tithes on the Indians would be taking from the naked and giving to the clothed, and taking from the starving and giving to those who had bread in abundance.67

Most contemporary ecclesiastics considered the Indians wretched people (gente miserable), a concept which had connotations as economically poor, but also fragile and pusillanimous, as being easy to hurt and to lead astray, and they therefore needed special care or protection. To reach the common good (bien común), which was the goal of all law giving, the same laws could not be applied to Hispanics and Indians. The Pope and the King had made various concessions to the Indians, who were neophytes and considered to be wretched people, such as the delimiting of the number of feast days and fasts. Thus, nothing

65The judicial foundation for tithes is dealt at length in Alonso de la Vera Cruz’ De Decimis, quaediones 1-5 (VC 4:132-201).
66 Vera Cruz De Decimis, quaediones 7 and 8 (VC 4:222-289).
67 Francisco de Bustamante OFM to the King, May 31, 1556 (AGI, IG 2978).
prevented the exemption of the Indians from the payment of tithes. In their common opinion in 1556, representatives of all three orders wrote:

It has been and still is the wish of your Majesty, that they [the Indians] be treated better than your other subjects, so they realize the vast difference between the Christian emperor or King, and that between the sweet yoke of Christianity and the oppressive and intolerable burden of unbelief.

The friars thought that a particular menace to the Indians was the actual collection of tithes. They were sure that the collectors of tithes would take more than a tenth part of the crops in order to enrich themselves and further afflict the natives. The friars also thought that the introduction of a separate tithe would have other harmful effects on the economy of the natives. Hence, they claimed that if the Indians were forced to pay tithes they would stop growing Spanish crops and breeding livestock, institutions that were of importance to the forms of living that the friars had tried to enforce.

In opposition to the view that all ecclesiastical levies that the Indians had to pay were to be included in the tribute, Montúfar found it important to make clear to the Indians that they had two lords, God and the King. Thus, they had to render to Caesar what is Caesar’s – the tribute – and to God what is God’s – the ecclesiastical tithe. He continued by stating that if only one tax should be paid, it should be the tithes, as the spiritual kingdom was to be preferred to the temporal, as the Pope stood above the King and that only the Pope – and not the King – could abolish the payment of tithes. If the taxes were considered too high, the tribute could be moderated, and in the first years the tithes could even be lowered to a fifteenth part. The friars had no right to tithes and could therefore not reject its collection, as they had no support in Church Law.

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69 “...la voluntad de V.M. ha sido y es que sean mas relevados y mejor tratados que los otros vasallos de VM, porque conozcan la grande diferencia que ay del rei o emperador al principe pagano y del yugo suave de la christianidad a la carga pasada e ynsufrible de la ynfdidelad”. Opinion of the three orders [1556?] (AGI, IG 2978; VC 5:124f). English translation by Ernest J. Burrus SJ.
70 Bernardo de Alburquerque OP, Francisco de Bustamante OFM, Diego de Vertavillo OSA (AGI, IG 2978).
71 Montúfar’s denunciation of Vera Cruz, Jan 31, 1558 (VC 4:800-803).
their “pagan” cults and thus they would not be scandalized by the payment of tithes; he was sure that they would contribute freely to the Christian cult if they were not dissuaded by the friars.\textsuperscript{72}

Montúfar argued that according to Canon Law, it was clear that those who had less than they needed for their sustenance were to be exempt from payment of ecclesiastical tithes. He made a distinction between two types of poverty: extreme (\textit{pobreza extrema}) and serious (\textit{pobreza grave}). The first type meant starvation and mendicancy, whereas the second type meant that they had what they needed for their sustenance, albeit without being able to save anything. Montúfar thought that the vast majority of the Mexican Indians did not belong either to the first group, or to the second one, and thus would not be exempt from the payment of tithes. Besides, he thought that temporal misery – the lack of economical means – was always to be preferred to eternal misery – the unending fire of Hell. He further thought that if the Indians were to be considered exempt, so would most of the Spanish peasants, as the two groups had a similar economic position. For Montúfar the tithing of wheat, cattle and silk was not enough, and in his prolongation he saw no reason why the Indians should not be subject to general tithes that is the equivalent of what the Spaniards paid.\textsuperscript{73}

\textit{Tithes and the Future of the Indian Church}

The members of the mendicant orders saw the imposition of tithes as a breach of their vision of the church of the friars. From the beginning of their ministry in New Spain, the friars said that they had preached that “the things of the faith” were for free, that their ministry was carried out from charity alone, and that all that the Indians had to pay was the tribute destined to the King or the \\textit{encomendero}, who would provide for their souls. If yet another tax was introduced, the friars feared that their credibility would be destroyed and that the Indians would think that their actions were conducted by sheer greed, something that would undermine their authority. For people who were so new in faith as the Mexican Indians, it was important to avoid the many traps that they could fall into. Therefore, tithes would be a scandal – literally a stumbling block – to the

\textsuperscript{72} Montúfar to the Council of the Indies May 15, 1556 (AGI, M 336A, doc. 9), Montúfar’s denunciation of Vera Cruz, Jan 31, 1558 (VC 4:811).

\textsuperscript{73} Montúfar’s denunciation of Vera Cruz, Jan 31, 1558 (VC 4:737-744).
Indians, destroying the growing seeds of faith that the missionaries “had been sowing with so much sweat.”

In one letter, the friars asserted that if tithes were introduced, it would only take thirty days to uproot the Christianity that had been sown in the souls of the natives during more than thirty years. The love of the Indians for the church would be transformed into hatred and suspicion towards the doctrines and the ministers of the church. Using the common metaphors of growth, the friars feared that the introduction of tithes would uproot the vineyard, just when the fruits were starting to ripen. And using yet another drastic figure of speech, a group of Franciscans in a letter addressed to the King wrote:

Your highness can be sure that it breaks our heart to see that they [the bishops] are putting the knife into the throat of the church in order to take its life – a church that we with so much work have bred and given the milk of doctrine – and we are unable do anything to hinder them from doing so. When Abraham wanted to sacrifice his son and raised his hand to cut off his throat, there was an angel by his side who took his arm, but here and now the knife is in furious hands, and Your Highness, who is the angel who can help and defend the innocent, is very far away.

The friars also thought that the exaction of tithes by force from the newly converted Indians would also be an impediment for gaining new groups of people for the church, as they would flee when they saw its ministers.

Defending himself against the accusations of avarice, Montúfar asserted that under the kingdom of the friars, the Indians were paying the

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74 Bernardo de Alburquerque OP, Francisco de Bustamante OFM, and Diego de Vertavillo OSA to the King, Aug 28, 1555 (IG 2978).
75 The Franciscans of Mexico to the King, Nov 20, 1555 (AGI, IG 2978; Baudot 1965:189-198).
76 “V[a]uestra A[lteza] tenga por cierto que nos llega a las entrañas ver que la iglesia que con tantos trabajos emos criado y dado leche de doctrina, le pongan el cuchillo a la garganta para quitalle la vida, y no podamos aca remediar. Abrahan quando quiso sacrificar su hijo e alço la mano para le degollar, estava junto el angel que le tomó del braço, pero acá esta el cuchillo en manos furiosas, y V[a]uestra A[lteza] que es el angel que a de amparar y defender al inocente esta muy lejos”. Francisco de Bustamante OFM, Toribio de Motolinía OFM, Juan Focher OFM and others to the King. Nov 20, 1555 (AGI, IG 2978).
77 Bernardo de Alburquerque OP, Francisco de Bustamante OFM, Diego de Vertavillo OSA to the King, Aug 28, 1555 (AGI, IG 2978).

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equivalent of two or even three tithes due to the many services the Indians had to perform for the friars. The Indians had to build their many sumptuous monasteries and churches, contribute to the ornaments, the musical instruments, and the maintenance of the monasteries. For Montúfar, the main reason for the friars’ opposition to the Indian tithes was the fact that they were afraid that their dominion over the Indians would cease if tithes were introduced. As for the friars, the question whether the Indians should pay tithes was not a peripheral issue; instead, the salvation of millions of people was at stake. Archbishop Montúfar saw the payment of tithes as the only chance of survival for the Mexican church. He also asserted that nothing could animate the Devil in such a manner as the opposition of the friars to tithes, which would take away the possibility for the church to be rooted in Mexican soil.

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78 Montúfar to the King, Jan 31, 1558 (AGI, IG 2978).
79 Montúfar to the King, Feb 4, 1561 (AGI, IG 2978).
CHAPTER VI

A CATHEDRAL DIVIDED: MONTÚFAR AND THE METROPOLITAN CHAPTER

Transplantation of an Ecclesiastical Institution

The transplantation of a Spanish style church to New Spain included the cathedral chapter (cabildo eclesiástico), which was an important and powerful ecclesiastical institution in the Old World as well as a centre of clerical education. The chapter’s main collective duty was to attend the choir to publicly recite the Divine Office and celebrate a daily mass at the main altar of the cathedral. During the sede vacante periods, the chapter should govern the diocese until a new bishop arrived and presented his bulls to them. When the prelate was present, the chapter members should act as his advisors in the diocesan administration. In reality, the relationship between the chapter and the bishop was often far from harmonious. Indeed, many of the bishops in the Indies were involved in continuous battles with their respective chapters.¹

The germ of the Mexican cathedral chapter was planted a little more than five years after the conquest and the were canons probably appointed before 1527 and they arrived in Mexico at the same time as the bishop elect, Juan de Zumárraga. Though several chapter members arrived from Spain in the following years, the chapter continued to lack full legal status, as the Holy See did not erect the diocese until 1530.² When Zumárraga was in Spain for his episcopal consecration in 1534, he wrote a number of general norms for the chapter members and other officials of

¹ For Spanish precedents, see Rafael Marín López, El Cabildo de la Catedral de Granada en el siglo XVI. (Granada 1998).
² Schwaller 1981a:651-655.
the Mexican cathedral. The document also included some basic norms as to how choir service and how the tithes of the diocese should be divided. Having been approved by the Council of the Indies, it was sent to Rome for approbation, and in September 1534, the Holy See dispatched a constitutional bull of the chapter, to which Zumárraga’s text was appended. The chapter was formally constituted and could have its first formal meeting on March 1, 1536, fifteen years after conquest.

At this first formal meeting, there were only seven members present, whereas the bull of establishment had stated that the complete chapter should have 27 members. The chapter was a strictly hierarchical body, where each individual should know his exact place in the hierarchy. First, the members of the chapter were divided into four ranks: dignities (dignitarios), canons (canónigos), portions (racioneros), and half-portions (medio-racioneros).

The dignities numbered five, each one with a defined area of responsibility. The dean (deán) was the president of the chapter. As such, he should keep order and see that every member of the chapter carried out the duties that his office implied. The archdeacon (arcediano) should examine the candidates presented for ordination and assist the Archbishop at ordination and confirmation. When reciting the Divine Office, the members of the chapters were placed on two sides of the main altar, in two choirs, one of which was lead by the dean and the other by the archdeacon. The third of the dignities was the precentor (chantre), who held the main responsibility for the music within the cathedral. The schoolmaster (maestrescuela) should oversee the schools within the confines of the diocese and give courses in Latin to the candidates for priesthood. Last among the dignities was the treasurer (tesorero). His main responsibility was for the economy of the cathedral and its maintenance. The next rank after the dignities were the canons, who numbered ten. The canons ought to be ordained priests and should celebrate mass at the high altar of the church and be present in the choir. Following the canons were the portions (racioneros), and the half-portions (medio-racioneros), each group numbering six individuals.

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4 ACCMM, Actas del cabildo, lib. 1, fol. 1r (March 1, 1536).
These groups did not need to be ordained priests, but could be deacons or subdeacons. As in the case of the dignities, the canons, portions, and half-portions had their internal hierarchy, depending on seniority, that is depending on how long they had been chapter members.6

All chapter members should gather regularly in order to discuss and vote on matters that related to the cult in the cathedral. At these formal and secret meetings, also called chapters, protocols were kept. In the case of Mexico, there is an almost complete series of protocols starting in 1536. Each of these protocols is introduced by the names of those present at the reunion written in hierarchical order, followed by an outline of the discussions and decisions, starting with the set formula: “Talking about things related to the service of Our Lord and for the good of this Holy Church …” (platicando en cosas tocante al servicio de Dios Nuestro Señor y pro utilidad desta Santa Iglesia). Sometimes the acts included a detailed summary of the discussions and even transcriptions of letters and reports. On other occasions, they were quite laconic, only summarising the final decisions. Each protocol was concluded by the signature of the secretary, and was sometimes followed by the signatures of the other members.7

Honour, Order, and Divine Cult: Controversies and Arguments

Filling the Vacancies

Having just arrived in Mexico, Archbishop Montúfar began a visitation of the cathedral chapter. Summarising his experiences in a letter to the King, he wrote that the Divine cult, both in the choir and at the altar, functioned quite well despite the scarcity of ministers. Apart from this, he found the situation intolerable, as the chapter members were involved in so many quarrels and disputes among themselves. In fact, he was afraid that they would kill or hurt each other since he asserted that some of them were armed even when they went to the cathedral. Nevertheless, Archbishop Montúfar hoped that “he as pastor and with God’s help would establish peace and love” among these sheep walking astray.8 In particular, Montúfar blamed the archdeacon Juan Negrete, the de facto leader of the

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7 ACCMM, Actas del cabildo, lib. 1 (1536-1559) and lib. 2 (1559-1576).
8 Montúfar to the Council of the Indies, Nov 30, 1554 (AGI, M 336A, doc. 5; PT 417).
chapter, for the great disorder and as a direct effect of the visitation, the archdeacon was put in the archiepiscopal prison.  

When Montúfar arrived, in 1554, there were still very few chapter members in the Mexican cathedral; compared with the bull of establishment it was not even half-full. The Archbishop therefore saw absenteeism and vacancies as the main problems for the cathedral chapter. Two of the dignities were absent as both the dean and the schoolmaster had returned to Spain. Moreover, several canonries were vacant because of the death of their holders. Other canonries had never been filled. Trying to combat absenteeism, Montúfar decreed that no chapter member should be allowed to be absent from choir service or leave the city without his explicit licence. In 1555, the first provincial council decreed that chapter members should reside in the cathedral and not accept any other offices or benefices. If a chapter member was absent without licence for more than eight consecutive months, he would ipso facto be deprived of the office and a new beneficiary should be elected.

By virtue of the royal patronage, the Spanish monarch had the right to appoint all members of the cathedral chapter, from the dean down to the half-portions. As in the case with the bishops in the Indies, this often meant that the offices could be vacant for many years. In order to avoid the chairs of choir being empty, the Pope had given Bishop Zumárraga the right to appoint interim candidates, so that the Divine Office could be solemnly celebrated. Later, the Spanish monarch decreed that the bishop should only have the right to appoint up to four substitute members to serve in the chapter at the same time. Eager to defend his patronal rights, the King established that there should be a clear difference between the interim candidates nominated by the prelate and the formal chapter members nominated by the monarch. Thus, the former should not be given a special chair in the choir nor should they be allowed to vote in the formal meetings of the chapter. Especially during the 1550s, Montúfar often used his right to appoint substitute chapter members. Already at the Archbishop’s first formal meeting with the

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9 Montúfar to the Council of the Indies, Dec 15, 1554 (AGI, M 336A; Ricard 1931:78-88). Cf. The cathedral chapter to the King, Feb 1548 (AGI, M 2557).
10 ACMAM, Actas del cabildo, lib. 1, fol. 102v (July 20, 1554).
11 CPM 1, no. 61 (Concilios 1769:134f).
12 “Erectio ecclesiae mexicanae”, no. 11 (García Gutiérrez 1951:264).
13 Royal decree, Valladolid, August 23, 1538; cf. the royal decrees, Madrid, March 14, 1540; and Talavera, March 14, 1541 (all in AGI, Justicia 157, no. 4).
chapter, he appointed his nephew, Dr. Alonso Bravo de Lagunas, as a substitute dean and a certain Father Benavente as a substitute canon. Somewhat later, Montúfar appointed a second nephew, Juan Cabello, and his provisor, Juan de Rivas, as substitute chapter members.\footnote{ACCMM, Actas del cabildo, lib. 1, fol. 100r (July 3, 1554) ACCMM, Actas del cabildo, lib. 1, fol. 110v (March 29, 1555), ACCMM, Actas del cabildo, lib. 1, fol. 137r (July 20, 1557).}

At first, the chapter members were content with the Archbishop’s appointments of substitute members, but already by July 1557, they thought it necessary to consult the royal audiencia in order to define the differences between the substitute and the ordinary members of the chapter. Not least, they wanted to determine what salary they should receive for the services rendered, and if the Archbishop had the right to decide their salary.\footnote{AGI, Justicia 157, no. 4. Cf. Schwaller 1981a:659-661.} After a consultation in the Council of the Indies, the King decreed that the interim candidates should be clearly differentiated from the chapter members who were formally installed by the Crown. The interim chapter members should have their place in the choir directly after the formally installed canons but before the racioneros. He also decreed that the Archbishop could freely decide their salary as long as the substitutes really served in the choir, but not if they were occupied in his personal service.\footnote{Auto of the Council of the Indies, Valladolid June 19, 1557, confirmed by a Royal provision Valladolid, Oct. 7, 1559 (ACCMM, Correspondencia, lib. 7, fols. 11r-25v; Carreño 1944:264-280).}

Eight years later, in 1567, the King decreed that the Archbishop was only allowed to appointed interim members if there were less than four royally installed prebendaries present in order to bring the total membership up to four. John Frederick Schwaller has observed that by that time the chapter had no less than eighteen formally appointed members and that “it would be most unlikely that fourteen, or more, would die, resign, or become absent at any one time”. In reality, this meant that the Archbishop had lost his right to appoint substitute members.\footnote{Royal decree, Madrid July 1, 1567 (González de Cosío 1973:170f), Schwaller 1981a:661. Montúfar to the King March 31, 1568 (AGI, M 336A, doc. 49; PT 605), Montúfar to the King, Oct 10, 1568 (AGI, M 336A, doc. 48; PT 611).}

During his entire time as archbishop, Alonso de Montúfar constantly wrote letters to the King suggesting people to be appointed as chapter members. Therefore, his correspondence is filled with suggestions of candidates whom he considered suitable. Archbishop Montúfar obviously
did not hesitate to promote close relatives (at least two, possibly even three nephews) and members of his household to positions in the chapter. Sometimes, his candidates became formal members of the chapter. Such was, for example, the case with his nephews Alonso Bravo de Lagunas and Juan Cabello.

The Archbishop and the Chapter Meetings

The constitutional bull of the Mexican chapter stated that the chapter should have their formal meetings on Mondays and Thursdays. In some of his letters, Montúfar accused the chapter of having met “clandestinely and secretly”, on other days than those stipulated in the bull, without notifying him beforehand. Montúfar considered these chapters to be devoid of any legal value. If the chapter members continued holding their clandestine meetings, Montúfar threatened them with excommunication and severe fines. On the other hand, the chapter members agreed that they had met on other days, but maintained that they always informed the Archbishop even if they thought that they had no responsibility to do so.

During his first years as Archbishop, Montúfar frequently took part in the chapter meetings. However, from the 1560s, his attendance at the chapter meetings became limited to a bare minimum and towards the end of his life, he felt too old and fragile to attend at all. In the later years, he had to be carried in a chair from his residence in order to attend the meetings. Nevertheless, Montúfar showed a great interest in the work of the chapter and often sent an official to the chapter to take the protocols to his home for revision as he maintained the right to veto the decisions made. Likewise, he often sent letters and memorials to be dealt with at the chapters without being present.

From these letters, it is clear that he saw the chapter members as his coadjutors and subordinates. In a letter to the chapter, Montúfar explained the relationship he saw between the chapter and his own office. The prelate should show “consideration, carefulness and love” towards his

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18 ACCMM, Actas del cabildo, lib. 1, fol. 137v (July 23, 1557).
19 ACCMM, Actas del cabildo, lib. 1, fols. 138v-139v (July 30, 1557).
21 ACCMM, Actas del cabildo, lib. 1, fol. 131r (June 6, 1557), fol. 137v (July 23, 1557), fols. 138v-139v (July 30, 1557), lib. 2, fols. 93r-94r (Jan 8, 1563). Cf. the chapter to the king, Jan. 1, 1567 (AGI M 339).
subordinates, who in turn should show “love, obedience and reverence” towards him. Likewise, he thought that if the chapter members rebelled against their prelate, they would do nothing but to serve the Devil, who is a “friend of all division and rebelliousness”. Thus, he thought that the chapter would be a very bad example to the people if they did not show great reverence and obedience to their prelate and an even worse example if they initiated legal processes against him.22

The Vestment of the Canons

Many of the conflicts between the chapter and Archbishop Montúfar dealt with the introduction of new ceremonies and customs to the Mexican cathedral. On Whit Sunday 1560, Montúfar had ordered some of the canons to dress as deacons in order to assist the recently arrived archdeacon Chico de Molina when he celebrated the high mass at the high altar. First, the Archbishop asked the seventy-year old Diego Velázquez, who had served as a canon in the Mexican cathedral for more than twenty years. He refused, arguing that it was below his dignity as an honourable canon and stated that such a custom had never been practised in the Mexican cathedral before. Not being able to convince Velázquez, the Archbishop ordered Pedro de Nava, Rodrigo de Ávila, and Francisco Rodriguez Santos to dress as deacons instead. All of them refused to obey the order, despite being threatened with excommunication and imprisonment. As they persevered in their refusal, all four canons ended up in the archiepiscopal prison awaiting further investigation.23

When arguing his case, the Archbishop stated that in Toledo and Seville canons sometimes were dressed as deacons when the dean celebrated the High Mass. Citing a paragraph from the founding bull, Montúfar asserted that he could freely transfer any laudable customs from the cathedral of Seville, even if the subordinates had a contrary opinion. Montúfar stated that all Christians within the confines of the archdiocese had to obey their prelate, and that this included the chapter members, who should be a good example to the people.24 On the other hand, the canons

22 Montúfar to the chapter, July 15, 1560, in ACCMM, Actas del cabildo, lib. 2, fols. 35r-35v (July 16, 1560).
23 AGI, Justicia 162, no. 1, ro. 2.
24 AGI, Justicia 162, no. 1, ro. 2. Cf. Erectio ecclesiae mexicanae no. 37 “Item volumus, statuimus, et ordinamus quod consuetudines, constitutiones, ritus, et mores legitimos, et approbatos, tam Officiorum, quam insigniarum, et habitus Anniversariorum, Officiorum, Missarum aliarumque omnium caeremoniarum approbatarum Ecclesiae
argued that though it was common that the dignities of the cathedral dressed as deacons when the Archbishop celebrated Pontifical Mass, there was no such custom in Mexico when one of the dignities celebrated mass. Instead, two of the *racioneros* used to dress as deacons and subdeacons.25

According to a royal decree, the royal *audiencia* could deal with interpretations concerning the founding bull. Therefore, they summoned a number of witnesses in order to ascertain if there was a custom in the cathedral of Seville on this particular matter, which could be freely transplanted to Mexico. After hearing the witnesses, the *audiencia* established that there was in fact such a custom in Seville and ordered the chapter members to obey the Archbishop when he ordered them to dress as deacons. The chapter members were of course not pleased with the decision and appealed to the King, who, however, only confirmed the decision of the *audiencia* and stated that the canons should obey their prelate.26

**New Actors – New Conflicts**

In the early 1560s, the metropolitan chapter was rejuvenated as no less than four dignities and various canons arrived from Spain. The new archdeacon Dr. Alonso Chico de Molina, arrived in 1560. After one year, the King made him dean of the Mexican cathedral and Dr. Juan Zurnero, a former schoolmaster of Michoacán, who had returned to Spain, therefore replaced Chico de Molina as archdeacon. At the same time, Dr. Sancho Sánchez de Muñón was installed as schoolmaster of the Mexican cathedral and Dr. Ruy Rodrigo García de Barbosa became precentor. While Barbosa would become Montúfar’s *provisor* and close ally, the Archbishop would be involved in continuous conflicts with the other three.27

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Hispalensis, necnon aliarum cujusvis Ecclesiae, seu Ecclesiarii, ad nostram Cathedralem decorandam, et regendam necessarie reducere, ac transplantare libere valeamus.” (García Gutierrez 1951:271).

25 AGI, Justicia 162, no. 1, ro. 2.

26 The decision of the *audiencia*, Sept. 6, 1560; Royal decree, Madrid, Sept. 15, 1561 (both in AGI, Justicia 162, no. 1, ro. 2), cf. King Philip to the Council of the Indies, Sept 15, 1561 (AGI, Patronato 286, ro. 62).

27 See ACCMM, Actas del cabildo, lib. 2, fols. 31r (May 3, 1560), when Chico de Molina was received as archdeacon by the chapter. On Oct 3, 1561, he appeared as dean for the first time, whereas Juan Zurnero was received as archdeacon (ibid. fol. 63r).
The first controversies between Montúfar and Chico de Molina began in early September 1560, when the Archbishop accused the archdeacon of heresy.\(^{28}\) The scene of the crime was the Archbishop’s home, where at this time the archdeacon was a frequent dinner guest. One evening, Chico de Molina became involved in an intense theological discussion with the others who were gathered around the table: Archbishop Montúfar, his assistant Bartolomé de Ledesma, and the prior of the Dominican monastery in the city, Diego de Osorio. The conversation had entered the highly sensitive issue of sacramental theology. In opposition to the Dominicans around the table, who stated that the church’s sacraments by and in themselves conferred grace, the archdeacon claimed that adult believers who are in a state of grace do not receive grace by the sacraments. Hearing this, the Archbishop rebuked him and the other Dominicans told the archdeacon that his theological ideas smacked of Protestantism and were not in concordance with the ongoing Council of Trent. To these accusations, Chico de Molina replied that the decisions of the general council were not legally binding, since the Holy See had not approved them. He also declared that neither they, nor their “entire black order” (the Dominicans) could force him to change his views on sacramental theology.\(^{29}\)

In the morning after the dispute, the provisor Dr. Luis Fernández de Anguis tried to convince Chico de Molina to make an apology to the Archbishop and the Dominican prior, so as not to aggravate the situation. Chico de Molina said that he was quite surprised over the reaction of Montúfar, since he had been told that nothing animated the Archbishop as much as a good old theological dispute. The Archbishop was, however, deeply worried when he was informed that the archdeacon both before and after the dispute at the dinner had shared his views among mendicant friars in the city, and discussed them publicly. The spreading of ideas was always considered more severe than the heretical ideas as such. In order to investigate Chico de Molina’s propositions, the Archbishop asked for the opinions from a number of theologians and canonists from the three orders as well as among the secular clergy. Wanting to have the case


\(^{29}\) Testimonies by Bartolomé de Ledesma OP, Diego de Osorio OP, Dr. Luis de Anguis, Sept. 6 1560 (AGN, Inquisición, vol. 2, exp. 3, fols. 51r-54v).
dealt with in a higher authority, the Archbishop remitted it to the
Supreme Council of the Inquisition. Awaiting the final verdict, Chico de
Molina was prohibited to preach or to deal with theological problems
publicly. As Richard E. Greenleaf has pointed out, the Supreme Council
had already freed Chico de Molina from the accusations of heresy in
1561, but as the ships that brought the letters foundered, nothing became
known in Mexico until three years later, when the dean could finally
preach again. In 1564, Chico de Molina made a counter-attack against
the archiepiscopal administration and accused the Archbishop’s assistant,
Bartolomé de Ledesma, and his provisor, García de Barbosa, of heresy.
However, the Archbishop found the accusations groundless.

The Great Process against Montúfar

The inquisitorial proceeding against Chico de Molina certainly did not
help to improve the already constrained relationship between the chapter
and the prelate. The dean was, however, not the only new chapter
member who was sentenced by the Archbishop. Shortly after their arrival
in Mexico, both the Archdeacon Zurnero and Schoolmaster Sánchez de
Muñón were put in the archiepiscopal prison for being disobedient. In
1561, the chapter had had enough of the Archbishop’s behaviour. In
various letters to the King, they made very serious accusations against
him. In one of the letters they wrote:

It is a clear and manifest fact in all parts of New Spain that our Archbishop
and prelate is the cause from which all this evil proceeds. It is possible that
he thinks that he serves God and Your Highness, but he is infamous and
everybody is offended by his acts.

In short, the chapter claimed that Archbishop Montúfar was possessed
by two cardinal sins: greed and pride. Asserting that the Archbishop’s
main interest was to enrich himself, they thought that he did not attend to
the spiritual needs of the Indians but only cared for the rich Spaniards.

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30 AGN, Inquisición, vol. 2, exp. 3.
31 Greenleaf 1969:149.
32 AGN, Inquisición, vol. 4, exp. 7 (Barbosa) and vol. 4, exp. 9 (Ledesma).
33 ACCMM, Actas del cabildo, lib. 2, fol. 55r (June 14, 1561).
34 “La causa donde procede tanto mal es cosa muy clara y manifesta en toda esta
Nueva España ser Nro. Arçobispo y prelado el qual es posible que piense que sirve Dios
y Vuestra Alteza pero esta infamado y estan todos escandalizados de sus obras.” The
cathedral chapter to the King, Feb. 17, 1561 (AGI M 339).
Moreover, they accused him of interfering too much in the work of the chapter and of treating them as if they were choirboys. Without due cause, he used to imprison chapter members and he was constantly threatening them with excommunication for every conceivable reason. In a drastic formulation, the chapter wrote that “if there were ships that sailed for Spain every day” they could be filled with reports on the “excesses and tyranny” of the Archbishop. They concluded that if they had not felt their deep responsibility as “servants and chaplains of God and Your Majesty”, they would have preferred to go “and eat herbs amongst the wild animals in the mountains” than to suffer the “unbearable yoke” that the Archbishop had put on their shoulders.35

When these letters reached the court in Spain, King Philip ordered his Viceroy in Mexico to make a thorough investigation into the case of the Archbishop and inform him of the results.36 Having received the royal commission, in April 1562 Viceroy Velasco and Judge Ceinos of the royal audiencia, made a detailed questionnaire and gathered a dozen witnesses who would be interrogated about the Archbishop’s behaviour. The witnesses included a variety of people: miners, merchants, and clerics while the most substantial and critical testimonies came from a couple of chapter members, the same people who had accused him before.37

Some of questions dealt with the Archbishop’s lack of interest for the Indian ministry. The chapter members accused Montúfar of having very little interest in the indigenous population and their instruction. As he showed “very little love” towards them, very few Indians went to him to discuss their problems, as they did not expect any support or help. The witnesses also claimed that the Archbishop hardly ever went on visitation tours and the few times he did go out, he only visited the richest areas close to the city of Mexico such as Xochimilco, Texcoco, and Tlatlanalco. Schoolmaster Sánchez de Muñón even asserted that the Archbishop only went on visitation tours in order to enrich himself and to

35The cathedral chapter to the King, not dated, [1561?] (AGI, M 336A, doc. 69), cf. The chapter to the King, Jan 12, 1561 (AGI, M 336A).
36 Royal decree, Madrid, Aug 26, 1561. (AGI, Justicia 279, no. 2, fols. 1r-2v).
37 AGI, Justicia 279, no. 2, fols. 1r-44v. The witnesses were Lic. Fernando Caballero, Francisco Rodriguez Santos (canon), Diego de Velázquez (canon), Sancho Sánchez de Muñón (schoolmaster), Juan de Torres, (alcade mayor), Cristóbal de Toledo (fiscal), Vázquez (scribe), Juan de Oliva (canon), Diego López de Aragón, Diego de Burgos, (merchant), Antonio de Oliver, and Bartolomé de Maldonado.
receive products from the indigenous population. In this context, some witnesses also claimed that when the Archbishop confirmed Indians in a village, he usually sold them candles to great profit. Even worse, after the confirmation ceremony, he collected the candles again so that he could sell them in the next village. In this way, the Archbishop could sell the same candles up to eight or ten times, a sign of the Archbishop’s almost unlimited greed.\(^{38}\)

Another point of accusation was that the Archbishop often appointed his protégés as ministers in Indian parishes though they did not have any knowledge of the indigenous language. Specifically, Montúfar was accused of having replaced one priest in Acapulco who knew Nahuatl very well with another priest who did not know the local language. One of the witnesses even asserted that the Archbishop usually appointed people who had lent him money even if they did not know the indigenous languages or were worthy.\(^{39}\)

Focusing more on the relationship between Montúfar and the cathedral chapter, some witnesses accused the Archbishop of nepotism as he constantly favoured his relatives and protégés. Two of his nephews, Alonso Bravo de Lagunas and Juan Cabello, had become canons. They did, however, not always agree with their uncle, and sometimes voted against his proposals at the chapter meetings. However, several witnesses testified that once Juan Cabello had committed a grave misdeed and only escaped punishment from Montúfar by swearing on a crucifix that he would never contradict the Archbishop again. Since then, Cabello had become as meek as a lamb and always voted in favour of his uncle’s proposals. Even worse, one of the Archbishop’s protégés, the *racionero* Lázaro de Alamo, had beaten and verbally assaulted the secretary of the chapter and though the Viceroy had ordered the Archbishop to punish Alamo, he had done nothing.\(^{40}\)

The lion’s share of the questionnaire dealt with the asserted greed of the Archbishop and his great interest in doing business.\(^{41}\) According to the witnesses, his great interest in gaining money took many forms and

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\(^{38}\) AGI, Justicia 279, no. 2. Testimonies by Francisco Rodríguez Santos (fol. 7v), Sancho Sánchez de Muñón (fol. 13v), and Antonio de Oliver (fol. 36v).

\(^{39}\) AGI, Justicia 279, no. 2. Testimonies by Francisco Rodríguez Santos (fol. 8r), and Juan de Torres (fols. 21v-22r).

\(^{40}\) AGI, Justicia 279, no. 2. Testimonies by Francisco Rodríguez Santos (fols. 10r-10v), Diego de Velázquez (fols. 12v-13r), and Sancho Sánchez de Muñón (fols. 18v-20r).

\(^{41}\) These aspects are dealt with in detail in Ruiz Medrano 1992:67-81.
the schoolmaster claimed that he had never met any man in his entire life, “not even any merchant” who had been greedier than the Archbishop. He had problems understanding how Montúfar had been a friar for such a long time. The Archbishop and his provisor Dr. Anguis sought every occasion to levy heavy fines on both laymen and clerics even for insignificant transgressions. According to the chapter members, most of the money went directly into the Archbishop’s pockets and was not used for the maintenance of the cathedral or the hospital. Just after his arrival in Mexico, Montúfar sent the cleric Juan Ruiz Rubio to the court in Spain, where he was to lobby for Indian tithes. To pay Rubio’s expenses, the Archbishop annually collected ten or fifteen pesos from every secular priest in the archdiocese. According to some of the witnesses, most of this amount never reached its destination, as the Archbishop himself had used it for his personal needs. Another major source of income for the Archbishop was the Marian shrine of Guadalupe in Tepeyac that was visited by large crowds of pilgrims who gave generous donation, to which I will return in the next chapter that specifically deals with this cult.42

According to the witnesses, Archbishop Montúfar had used much of the money collected to buy and maintain a mine. In 1558, the Archbishop’s brother, the book keeper Martín de Montúfar, arrived from Spain together with his with his wife and a couple of their children, “bringing with him nothing but debts” in the words of the chapter members. Nevertheless, a couple of years later he was able to purchase a silver mine and some houses in Temazcaltepec in the Toluca Valley and had also bought a large number of black slaves to work in the production. According to the witnesses, it was therefore obvious that the Archbishop was the real owner of the mine and not his poor brother.43

Despite the secrecy, Archbishop Montúfar soon became aware that a proceeding was going on against him. With this knowledge, Montúfar wrote some of his most downhearted letters to the King, though he, at the

42 AGI, Justicia 279, no. 2. Testimony by Sancho Sánchez de Muñón (fol. 14r). The nomination of Bravo de Lagunas is found in ACCMM, Actas del cabildo, lib. 2, fols. 67-67v (Jan 9, 1562).

43 AGI, Justicia 279, no. 2. Testimonies by Fernando Caballero (fol. 5r) and Sancho Sánchez de Muñón (fol. 14r). Cf. AGN, Mercedes, vol. 5, fols. 150r-150v (November 2, 1560), when Viceroy Velasco gave Martín Montúfar a licence to work with the silver mine in Temazcaltepec. Cf. Martín de Montúfar to the cathedral chapter, Dec 7, 1558 (AACMM, Correspondencia, lib. 12).
same time, thanked God for letting him suffer for his church. He thought that he was the victim of a conspiracy led by the dean and the schoolmaster. At the same time, Montúfar collected a number of testimonies in order to prove that Dean Chico de Molina was a malicious, furious, and irreverent person who hated him and wanted him dead or replaced as soon as possible. These witnesses stated that the dean had said that Montúfar was not his superior, since the Archbishop was an unjust man, who constantly imprisoned the members of the chapter as if they were thieves. Some time later, Dean Chico de Molina was sent to the Archbishop’s home. There he fell down on his knees and asked the Archbishop for forgiveness. Montúfar forgave him, but he was convinced that the dean’s apology was not sincere, and that “like another Judas” he would betray him again. In his letters, the Archbishop also accused the dean of still having a “great Lutheran rage in his heart”, of which Montúfar had accused him in the Inquisition proceeding a couple of years previously.

When all testimonies were taken before the royal audiencia against Archbishop Montúfar, the secret documentation was sent to the Council of the Indies for further investigation. No specific actions were taken against him but the royal visitor, Jerónimo de Valderrama, who arrived in New Spain in 1563 was ordered to investigate the relationship between the chapter and the Archbishop.

**Precedence: The Seat of the Provisor**

Questions related to precedence in processions and public events were of utmost importance to Early Modern Spaniards. For them honour was a most central value which should be defended at almost any cost. In the words of Mark A. Burkholder, “precedence in public events was a tangible recognition of honor” and was therefore a constant matter of dispute, giving rise to seemingly unending lawsuits on the exact order in

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44 Montúfar to the King, March 17, 1563 (AGI, M 336A, doc. 32), cf. Montúfar to the King, May 31, 1563 (AGI, M 336A, doc. 29).
45 Lawsuit against Dean Chico de Molina, Oct 1562. (García Pimentel 1897:400–420). Testimonies by Ruy Rodrigo García de Barbosa (precentor); Alonso Martínez, (cleric); Francisco de Terrazas; Alonso Vázquez de Ecija, Francisco de Espinosa OP (the archbishop’s assistant).
46 Montúfar to the King, March 17, 1563 (AGI, M 336A, doc. 32), Montúfar to the King, May 31, 1563 (AGI, M 336A, doc. 29).

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processions and the like. During Montúfar’s time there were several proceedings dealing with precedence in public functions, many of them involving the cathedral chapter. One of these proceedings dealt with where the Archbishop’s main assistant, the provisor, should sit when he was present in the cathedral choir. Using the words of Burkholder, the seat of the provisor in the choir became a tangible recognition of the honour of the archiepiscopal administration and was therefore considered to be of utmost importance.

The battle began in earnest in 1562. In the absence of the Archbishop, the chapter decreed that when present in the choir the provisor should sit in the place of the oldest canon, directly after the dignities. Being informed of the decision, Montúfar denied the chapter the right to decide in such questions of precedence and annulled the whole chapter meeting. Instead, the Archbishop argued that the provisor should have the place currently occupied by the archdeacon, in the left choir just beside his own chair. According to Montúfar, this was the custom in the cathedral of Seville, and as before, he argued that the founding bull gave him the right to transplant “laudable customs” from the cathedral of Seville without anyone contradicting him. However, before a final decision was taken, Montúfar wanted to investigate the case further. Therefore, he called a number of witnesses from Mexico City who previously lived in Seville and knew the traditions of the church there. The witnesses unanimously supported the Archbishop’s position and stated that when present in the choir, the provisor in Seville had been given the chair of the archdeacon.

The question was remitted to the royal audiencia in Mexico, which in May 1563 declared that the Archbishop could transplant the customs, which he found appropriate for the church in Mexico and the greater glory of God from the cathedral of Seville. Consequently, the audiencia declared that the provisor, when present in the choir, could sit in the first chair on the left side, which normally was held by the archdeacon.

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49 ACCMM, Actas del cabildo, fols. 86r-87v (Oct 9, 1562), fols. 88r-89r (Oct 10, 1562), fol. 91r (Dec 12, 1562).
50 AHAM, Documentos, caja 1, exp. 15. This act contains 129 folios without pagination. See also AGI, Justicia 175, no. 4, which is a copy of the document in the AHAM, but which also includes some further information concerning the decision of the King and the Council of the Indies in 1569-1572.
Archdeacon Juan de Zurnero was obviously not happy with the decision and presented a number of counter-arguments. He maintained that as a secular court the royal audiencia did not have the competence to deal with such an intra-ecclesiastical matter and thought that the case should be dealt with directly by the Spanish King or by the Holy See. He also claimed that the Archbishop did not have a well-founded case, as his witnesses were few and they were not trustworthy. The third argument was that there was no tradition in the Mexican church that supported the Archbishop’s position, as the archdeacon had always had his own chair in the choir.51

Having been informed of the decision of the royal audiencia, the provisor Dr. Anguis arrived at the choir in order to sit in the chair of the archdeacon. When Zurnero did not leave his chair, he was threatened with excommunication for his disobedience. The archdeacon found the situation especially degrading since it all happened in presence of the Viceroy.52 Later in the year Zurnero wrote of the shame involved that one of the highest members of the chapter should not have a chair of his own. Despite the archdeacon’s complaints, no new decision was taken.53 The conflict was indirectly solved when Dr. Anguis left his office as provisor. Anguis had certainly not been popular among the chapter members. In a letter to the King, they stated that on one occasion the provisor had beaten the schoolmaster Sancho Sánchez de Muñón and wrote that the Viceroy constantly tried to convince the Archbishop to dismiss this “furious and excessive” man, but to no avail. At last, Anguis had to leave for Spain in 1564 in order to defend himself from these and other grave accusations, never to return to Mexico.54

When Anguis left the Mexican scene, the dispute over the seat in the choir ended temporarily as one of the chapter members, the precentor Dr. Ruy Rodrigo de Barbosa, who by virtue of his office had his own chair in the choir. The problem arose again in 1568, when Esteban de Portillo was appointed provisor. Archdeacon Zurnero stated that he had had no problems with his place during the years in which Barbosa had been provisor. Portillo then counteracted that Barbosa had been in the choir, not in his office as provisor but as precentor. The audiencia came to the

51 AHAM, Documentos, caja 1, exp. 15.
52 Two letters from Zurnero to the audiencia, both dated May 30, 1563 (AHAM, Documentos, caja 1, exp. 15).
53 AHAM, Documentos, caja 1, exp. 15.
54 The cathedral chapter to the King, not dated [1561?] (AGI, M 336A, doc. 69).
same conclusion as on the previous occasion and stated that Portillo could sit in the archdeacon’s chair.55

Precedence: The Chapter and Friars in Public

In 1566 and 1567, Archbishop Montúfar had to deal with yet another conflict over precedence. This time it concerned the internal order of the chapter members and the members of religious orders in public processions and solemn congregations. The Archbishop had decreed that the two highest dignities of the chapter - the dean and the archdeacon - should go first in the processions, followed by the provincials of the three mendicant orders. These groups should be followed by the other dignities of the chapter flanked by the priors of the religious orders, who in turn followed by the canons and the particularly venerable members of the mendicant orders (religiosos de calidad). Montúfar ordered the members of the chapter to obey his decision and threatened with excommunication and heavy fines if they refused. He also cited a paragraph from the Tridentine Council, which gave the diocesan bishop the right to decide on all matters of precedence, without interference from anyone else.56 The chapter vehemently protested against the Archbishop’s decree and claimed that they were a non-divided body and that all its members should have a pre-eminent place in processions and congregation, preceding all the members of the religious orders, whether they be provincials or ordinary friars.57

One year later, in May 1567, the Archbishop continued his attempts to establish clear norms of precedence and to have them endorsed by the King. As Montúfar was on a visitation tour, he appointed his provisor de indios Esteban de Portillo, as a judge of commission.58 He gathered a number of witnesses who all agreed that in general processions, the leading members of the mendicant orders had always alongside the members of the chapter, until recently when the dean and the chapter had refused to do so. Several of the witnesses claimed that the Indians of the

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55 This decision is in the AGI, Justicia 175, no. 4.
56 Montúfar to the cathedral chapter, May 31, 1566 (AGI, Patronato 182, ro. 26, fol. 3v-4r).
57 The cathedral chapter to Montúfar, July 5, 1566 (AGI, Patronato 182, ro. 26, fols, 5v-7v). Cf. AACMM, Actas del cabildo, lib. 2, fols. 186v-187r (July 14, 1566), cf. Archdeacon Zurmero and others to the King, March 20, 1568 (AGI, M 336A).
58 Montúfar to Esteban Portillo, Xochimilco, May 4, 1567 (AGI, Patronato 182, ro. 26, fols. 11r-11v).
city were scandalised by the divisions within the clergy and the general disorder in the solemn procession.\textsuperscript{59}

Thereafter, the whole process was sent to Spain for a final decision. At the same time, several members of the chapter also wrote to the King to ask him to send a special judge to Mexico who could defend their rights from the Archbishop’s constant intrusions. In that way, they would not have to write to the King and the Holy See when they wanted to solve disputes concerning the bull of foundation and the questions regarding precedence.\textsuperscript{60} In reply, the King issued a decree that stated that no new features should be introduced and that he needed more testimonies from both the Archbishop and the cathedral chapter in order to reach a final verdict. The case continued.\textsuperscript{61}

\textit{The Fall of the Dean}

In 1567, perhaps Montúfar’s greatest enemy in the chapter, Dean Chico de Molina disappeared from the Mexican scene, never to return. His fall came in the aftermath of a planned rebellion against the Crown, often known as the Ávila-Cortés conspiracy. In 1564, the marquis of the Valley of Oaxaca, Don Martín Cortés, the only legitimate son of the conqueror, returned to New Spain after having lived in Spain for more than twenty years. After the death of Viceroy Velasco and the return of the royal visitor Valderrama, the marquis had gathered a number of young men from the city in order to seize the government of New Spain from the Crown. Among the conspirators were his two half-brothers, Martín and Luis Cortés as well as a number of young second-generation conquerors such as Gil and Alonso González de Ávila and Pedro and Baltasar Quesada. In July 1566, the royal audiencia heard rumours about the conspiracy, and acted very fast; the marquis and his two half-brothers were taken in custody, while others, and among them the Ávila-brothers, were executed. In the next couple of years, many other people were

\textsuperscript{59} Testimonies by Luis de Castilla, regidor; Martín de Aranguren, Francisco de Manjarrés, cleric; Bernaldino de Albornoz, regidor; Bartolomé de Estrada, cleric; Pedro de Quadrad; and Rodrigo López de Albornoz, cleric, all in May 1567 (AGI, Patronato 182, ro. 26).

\textsuperscript{60} Archdeacon Zurnero and others to the King, March 20, 1568 (AGI, M 336A).

sentenced to death, imprisonment, or expatriation as accomplices to the
marquis. 62

Some clerics were accused of being involved in the conspiracy; one
of them being Dean Alonso Chico de Molina. According to various
witnesses, the dean had publicly stated that the marquis had a greater
right to New Spain than the Spanish Crown. The role that Chico de
Molina was to have assumed in the uprising was quite astonishing. He
was to have gone to Rome in order to convince the Pope to accept the
Marquis as the new king and himself as the new archbishop. In addition,
on his way to the Holy See, he was to have passed through France in
order to establish trade relations with the French king. Having heard these
testimonies, Archbishop Montúfar sentenced Chico de Molina to
perpetual expatriation from New Spain and to be sent back to Spain
where his case could be examined further. 63

The struggle between the Archbishop and the dean did not end there.
In various letters, Montúfar complained that on his way back to Spain
Chico de Molina had spread rumours and defamatory letters. Montúfar
had seen some of the letters written by the dean that stated “that there is
no man in the world who is more evil than the Archbishop”. 64 Faced with
this situation, the Archbishop got help from a group of leading Mexican
Augustinians and from the Dominican provincial. In their letter to the
King, the Augustinians actually compared Montúfar’s zeal and sanctity of
life to that of their founder St. Augustine, and thought that the prelate
suffered greatly from the accusations made against him. 65 Having arrived
in Spain, Alonso Chico de Molina was taken to Madrid, where he was
formally deprived of his office as dean. There, he was also subject to
severe torture leaving him handicapped for the rest of his life. 66

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62 To my knowledge there is no new study of the Ávila-Cortés conspiracy. A good
summary of the events is found in José Ignacio Rubio Mañé, Introducción al estudio de
los virreyes de Nueva España, 1535-1746. 3 vols. (Mexico City 1955-1961), vol. 2:3-21.
See also Juan Suárez de Peralta. La conjuración de Martín Cortés. (Mexico City 1945).
63 The proceeding against Chico de Molina is found in AGI, Patronato 212, no. 1. There
exist two summaries of the proceeding; one in Patronato 203, ro. 3 and the other in a letter
from Montúfar to the King, March 25, 1567 (AGI, M 2555). The latter also include
summaries of the proceedings against other ecclesiastics thought to have been involved in
the conspiracy. Cf. Suárez de Peralta 1945:36f.
64 Montúfar to the King, Jan 31, 1568 (AGI, M 336A, doc. 53; PT 595).
65 The Augustinians to the King, August 23, 1567 (AGI, M 280). cf. Pedro de la Peña
OP to the King, Sept 29, 1567 (AGI, M 280).
66 Suárez de Peralta 1945:96f.
Montúfar’s Rules for the Choir

On January 16, 1570, Archbishop Montúfar put his signature on a set of rules for the choir service in the metropolitan cathedral. The untitled document, now known as the Ordenanzas para el coro de la catedral mexicana, was written as a part of the preparations for a general visitation of the Council of the Indies. In a letter from the royal visitor, Juan de Ovando, Archbishop Montúfar was asked to send him a copy of the current rules of the choir service. As such a document did not exist, it had to be compiled for the purpose.67 Some basic rules for the choir had been integrated in the acts of the two provincial councils. Wanting uniformity, the bishops at the first council included rules on how the chapter members should behave while in the choir. The second council decreed that the Divine Office of the cathedral of Mexico should be read exactly as in the cathedral in Seville.68

Trying to counteract what he saw as the great disorder in the choir, in 1562 Montúfar, ordered that a notice board with specific rules should be placed in the sacristy so that every chapter member could read them. One year later, in 1563, the chapter members suggested that they should compile all rules concerning the choir and the divine cult that were found in the acts of the chapter. Thereafter they should send them to the Archbishop who could “establish them forever”. To my knowledge, no such compilation appeared until 1570 and then the initiative came from the Archbishop and indirectly from Juan de Ovando.69

In the Chapter Archives in Mexico City, I have encountered an early manuscript of Montúfar’s ordenanzas. The document is probably not the original, as it lacks the signature of the Archbishop, but it has a late sixteenth century palaeography, and could very well be a contemporary copy. The text was, however, printed at least five times during the colonial era, the last time as late as 1803.70 Montúfar’s ordenanzas

67 Juan de Ovando to Archbishop Montúfar, Madrid, Jan 23, 1569 (García Pimentel 1897:4-7).
68 CPM 1, no. 20-21 (Concilios 1769:73-76), CPM 2, no. 14-17 (Concilios 1769:196-198).
70 ACCMM, Reales cédulas, lib. 3, doc. 18. It is not known exactly when the ordenanzas were published for the first time, as it is only known from a note in the second edition (1682). The text was published again in 1710, 1757, and 1803. These editions correspond exactly with the manuscript that I have consulted in the ACCMM. Apart from
include 46 paragraphs, preceded by a short decree, in which the Archbishop explains why he made this compilation and how it should be used. According to Montúfar, the chapter members were “particular servants of God”. As such, they ought to serve as a good example for the edification of the “Christian people” through their choir service. Therefore, the Archbishop thought it important that they made every possible attempt to fulfil the obligations that their offices implied, so that God could be revered with greater solemnity in the Mexican church. As a conclusion to the preamble, Montúfar wrote that “if everyone does what he can, Our Lord will send him assistance and help, so that in this life we may contemplate and taste to some extent, what in the other life we shall fully see and enjoy”. 71

Just as in the case of the provincial councils, the ordenanzas included specific penalties for those who did not obey the rules. Thus, every transgression of the rules meant a reduction in the salary that the chapter member received. A special official, the apuntador, should keep records of those absent and take note of the wrongdoings of those present in the choir.72 To comply with their obligations, it was necessary for the chapter members to arrive on time at the choir service. While entering the cathedral, the chapter members should their place in their assigned chair without talking to anyone.73 In the choir, all talk, laughter, or unnecessary noise was severely prohibited. The ordenanzas also prohibited the passing of written messages from one member to another during the service. Nor should any member of the chapter be allowed to read any letter or book, while being in the choir.74 The canons must learn to sing well and follow the tone of the cantor and obey and respect the president of the chapter (usually the dean, or in his absence the archdeacon).75 Further, each chapter member should be careful to read or sing the correct texts and at the right times, and pronounce the words correctly and loudly.

71 Ordenanzas, preamble (Montúfar 1964:32-37).
74 Ordenanzas no. 1-3, 10 (Montúfar 1964:36-38,42f).
75 Ordenanzas no. 4, 7f (Montúfar 1964:38, 40f).
“without bad accent”. No member should leave the choir before the end of the hours, without the permission of the president. As when entering the cathedral, the exit from the choir should be well ordered without talk or laughter.77

**Excursus: The Construction of a New Cathedral**

During Archbishop Montúfar’s time, the Mexican cathedral was still the rather humble church that had been constructed in the main square shortly after conquest, using stones from the temples. With a growing Spanish population and the arrival of the bishop and the chapter, the church was soon considered inadequate. Already by 1536, there were advanced plans to build a new cathedral worthy of the greatest city in the New World, but nothing concrete happened. Before his death, however, Bishop Zumárraga blessed an area adjacent to the main square, where the new cathedral should be built and sent plans of the edifice to the Council of the Indies.78 The bishop realised that the construction of the new cathedral would be both time-consuming and expensive. In 1552, the King decreed that the expenses should be divided equally between the Crown, the Spanish *encomenderos*, and the Indians living in the archdiocese.79

When Montúfar arrived in Mexico City, the construction work had still not been started. The deplorable state of the old cathedral was vividly described in a famous Latin work published by Professor Francisco Cervantes de Salazar in 1554. In this book, which should be used by students at the University, the author outlined a guided tour through the streets of Mexico City, using the form of a dialogue. One of the interlocutors, a visitor named Alfaro was bewildered at the sight of the cathedral and asked his native hosts why such a great city had a principal church that was “so small, so humble, and so lacking in adornment”. They answered him by saying that the archiepiscopal see had been vacant for more than five years and that the church’s revenues were so scarce that a greater church could not be built. However, they hoped that the

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76 Ordenanzas no. 17f (Montúfar 1964:46-48).
77 Ordenanzas no. 28f (Montúfar 1964:54f).
situation would improve very soon, since “Alonso de Montúfar, a pastor most eminent in religion and learning” had just arrived.80

Montúfar himself compared his cathedral church to a cellar (bodega) that became filled with water when it rained. He was completely aghast when he realised that the ground that his predecessor had blessed for the new cathedral had been profaned and was filled with dunghills and was used to keep bulls and other animals. Montúfar’s initial plans for the new cathedral were certainly grand. Initially both he and Viceroy Velasco argued that the new main church should be constructed with the enormous seven-nave cathedral of Seville as a raw-model.81 However, already by 1555, the Archbishop realised that such a grand church could not be built in Mexico City. On hindsight he realised that his first letters concerning the construction of the cathedral were those of an inexperienced newcomer. Therefore he had accepted the suggestions of the cathedral chapter, but by 1555 he had become aware that the ground was too unstable and unsuitable for such a great edifice, due to the continuous earthquakes and inundations. He also thought that an enormous seven-nave church would take “a hundred years or even two hundred years” to complete and would be a perpetual yoke for the Crown. With the support of the Viceroy he thought that a smaller, albeit sumptuous cathedral would suffice, using the cathedrals of Segovia or Salamanca as raw-models. Such a cathedral, he thought, could be built in twenty or thirty years.82

Having opted for the smaller construction, the preparations for construction of the new cathedral began in earnest. In 1556, the Viceroy employed Juan de Cuenca as the mayordomo and through a most interesting report sent to the King in 1558, it is possible to ascertain some aspects of the production process during the period 1556-1558. Cuenca mentioned that a couple of boats and twelve canoes had been purchased in order to transport stone, wood, water, and so on. On the building site, a couple of small houses had been built where the workers and slaves lived. Given that the stone for the construction had to be transported over long distances, Indian workers had built a canal from the village of Iztapalapa

80 Cervantes de Salazar 1953:48.
81 Montúfar to the Council of the Indies, Dec 15, 1554 (AGI, M336A, doc. 2; PT 422).
82 Montúfar to the Council of the Indies, Sept 12, 1555 (AGI, M336A, doc. 7; PT 432).
It should be stressed that this letter is dated in 1555 and not in 1558 as is stated in various work on the history of the cathedral.
to Lake Texcoco, so that building material could be transported through the canal system into the very centre of the city.  

The work that the Indians had to perform in subsequent years was very hard and there are a number of reports from indigenous communities complaining that they had not received any payment for their work. The bad treatment of the Indians is vividly described in the so-called Códice Osuna, a manuscript with pictures and text that describes the hardships suffered by the Indians in the construction works. According to the codex, Indians from Mexico and Tlatelolco had been contracted to work on the canal in Iztapalapa and served for four months in 1558 without receiving the payment that they were promised by Juan de Cuenca. In another indigenous testimony from 1561, the cabildo of Azcapotzalco, outside Mexico City, stated that members of their community had worked on the construction of the cathedral without receiving any payment.

Despite all the preparations, the work on the new cathedral proceeded very slowly. However, in 1562, the Archbishop blessed the ground of the new cathedral. The event is depicted in the pictorial manuscript known as the Códice de Tlatelolco. In the middle of the scene that described the blessing, Archbishop Montúfar and Viceroy Velasco are sitting on a large stone. They are flanked by two Spanish officials, and a soldier holding the viceroyal banner. The four indigenous lords of Tenochtitlán, Tlatelolco, Tacuba, and Texcoco are sitting below the Spaniards and are surrounded by four dancers dressed as tigers and eagles.

The construction works did, however, not advance much after the laying of the ground, probably due to conflicts on the ownership of the ground and the chaos that followed the unveiling of the Ávila-Cortés conspiracy. By the death of Montúfar, nothing had happened and only in 1573, the work was reassumed in the present location, on the northern side of the square. The new cathedral would not be completed until the 1620’s, when Montúfar’s old cathedral was finally demolished.

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83 Juan de Cuenca to the King, Sept 21, 1558 (AGI, M 2705).
85 See the letter in Latin by Antonio Valeriano and the cabildo of Azcapotzalco to the King, Azcapotzalco, Feb 4, 1561 (AGI, M 1842).
87 Luis G. Serrano La traza original con que fue construida la catedral de México por mandato de Su Magestad Felipe II (Mexico City 1964):24-26.
CHAPTER VII

OUR LADY OF GUADALUPE:
THE BIRTH AND INFANCY OF A MEXICAN CULT

Questioning the Apparition Tradition

Few, if any, Mexican phenomena have such a strong religious or political impact as the cult of Our Lady of Guadalupe. For centuries, the colourful image of the Dark Virgin, in the Basilica in Tepeyac in the northern parts of Mexico City, has been a major devotion for Catholics in Mexico and other parts of the world. From the eighteenth century, Guadalupe has been one of the most celebrated Marian images of the Catholic world and recently, Pope John Paul II has proclaimed her the patron of the Americas, following his predecessors who made her the patron of Mexico and Latin America respectively. At the beginning of the nineteenth century, Guadalupe became a unifying symbol for the Mexican insurgents in their struggle against Spanish sovereignty, and the Virgin was even looked upon as their spiritual general. Guadalupe also became a powerful symbol in the Cristero rebellion against the anti-religious politics of the Mexican government during the first half of the twentieth century.¹

In our time, the cult of Guadalupe seems more popular and influential than ever and it is certainly no exaggeration to see it as the very centre of Mexican religiosity. Tens of millions of people visit the Basilica every year as pilgrims or visitants, reaching a peak around her feast day on December 12, when the celebration attracts people from all over the world, together with numerous vendors of religious paraphernalia. Reproductions of Guadalupe, standing on a moon crescent and clad in her blue garment filled with stars, are found in almost every Mexican home, but also in bars, barbershops, parking lots, and on buses. The role and

impact of the cult of the Virgin is a constant matter of discussion among Mexicans. Believing or not, most Mexicans have some kind of opinion or interpretation of the Virgin and her cult at Tepeyac.2

The basis of the cult of Guadalupe, as we know of it today, is an account of an apparition believed to have occurred in 1531, a little more than a decade after the Spanish conquest of Mexico. According to the ecclesiastically recognised version of the story, the Virgin appeared on four occasions to a recently baptised Indian by the name Juan Diego. On a Saturday morning in December, Juan Diego was on his way from his home in Cuauhtitlan to Tlatelolco where he was going to attend mass at the Franciscan church. Passing by a hill known as Tepeyac (or Tepeyacac), situated somewhat to the north of Tlatelolco, a young lady appeared to him introducing herself as the Virgin Mary. The Virgin said to Juan Diego that she wanted a church to be built on the hillside, so that the inhabitants of Mexico could venerate God there. Bewildered, Juan Diego went straight to the bishop of Mexico, Juan de Zumárraga, to tell him what he had experienced. The bishop was, however, reluctant to accept the story as true and wanted proof in order to believe it. Consequently, Juan Diego returned to the hill, where he met the Virgin again and told her what the bishop had said to him. She pledged him to return to the prelate and tell about their new meeting. He did, and Bishop Zumárraga asked him many questions, but still found the story hard to believe and therefore let the Indian man go away.

Very disappointed, Juan Diego turned home. When passing the hill the Virgin approached him a third time and told him to return in the following day. On the following day, a Monday morning, Juan Diego was again going towards Tlatelolco, but on the way, he went to visit his uncle Juan Bernardino and finding him severely ill he stayed to attend to him. On Tuesday before dawn, Juan Diego continued to Tlatelolco to ask the Franciscans to come and visit his uncle, fearing that he was about to die. Not wanting to be detained by the Virgin, he took a detour behind the hill, but the Virgin saw him and asked him what was wrong and why he was in such a hurry. Telling her about Juan Bernardino’s illness, she assured him that he did not have to worry, as his uncle would be cured.

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2 For a study of contemporary views on Guadalupe among inhabitants in central Mexico, see Daniel Andersson The Virgin and the Dead. The Virgin of Guadalupe and the Day of the Dead in the Construction of Mexican Identities. (Gothenburg 2000), in particular pp. 70-135.
through her intercession, and that instead he should go to the bishop and talk to him.

Before leaving, she told him to go up the hill and collect flowers there. Although it was winter, he found an abundance of flowers and even roses. He placed the flowers in his cloak and went to the bishop a third time. When he unfolded his garment before the prelate, the flowers within it were transformed, leaving an imprint of the Virgin on the cloak. Astonished, the bishop finally believed him and ordered that a chapel should be built in Tepeyac. Thereafter, Juan Diego stayed in the house of the bishop for one night before going back to his uncle, who told him that he had recovered after having seen and talked to the Virgin. The Virgin had also told Juan Diego’s uncle that the image that had miraculously been imprinted on the cloak should be known as St. Mary of Guadalupe. The cloak with the impression of the Virgin was then kept in the cathedral before being transferred to Tepeyac when a church had been built there. At this time, Juan Diego left his home and moved to Tepeyac, where he lived in chastity with his wife Maria Lucia until his death in 1548, when he was seventy-four years old.

The story as outlined above appeared for the first time in printed form in *Imagen de la Virgen María* (1648), a book published in Mexico City by the diocesan priest Miguel Sánchez. In this work, the apparition story includes an interpretation of the revelation of the Virgin in chapter 12 of the Book of Revelations, and the author argued that the picture in the chapel was nothing less than an exact imprint of the same Virgin seen in the Revelation of St. John.3 Less than a year after the appearance of Sánchez’ book, in a work in Nahuatl, known as *Huei Tlamahuicoltica* (“By a great miracle”), Luis Lasso de la Vega gave a somewhat more elaborate version of the story. His work begins with the account of Juan Diego, the Virgin, Bishop Zumárraga, and Juan Bernardino known by its initial words as *Nican mopohua* (“Here is recounted”), and includes an elaborate version of the affectionate discourses between the Virgin and the Indian. This apparition story is followed by another text called *Nican motecpana* (“Here is an ordered account”), which described fourteen

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miracles that were attributed to the picture of Guadalupe, followed by a short note on the life of Juan Diego after the apparitions.4

The two works by the Guadalupan evangelists Miguel Sánchez and Lasso de la Vega were published almost 120 years after the events that they claim to describe. Many authors, ever since the end of the eighteenth century, have doubted the historicity of the events, especially since there are no contemporary notes on whether Bishop Zumárraga knew about the alleged miracles or the picture. When, for example, the Mexican historian Joaquín García Icazbalceta, published his biography on Bishop Zumárraga in 1881, he did not include any notes on Guadalupe, due to the total lack of contemporary sources. In fact, nobody has yet found any palpable contemporary evidence that Bishop Zumárraga knew anything about the apparitions, let alone accepted them as true. On the other hand, a increasing number of works appeared in the 1880s and onwards, ardently defending the historicity of the apparition account and the tradition. Since the publication of García Icazbalceta’s work, the struggle between apparitionists or guadalupanos on the one hand and anti-apparitionists on the other has been fierce. The struggle has only increased with the beatification of Juan Diego in 1990 and the ongoing canonisation process, discussing the existence or non-existence of Juan Diego and the apparition account, especially its Nahuatl version, the Nican mopohua.5 In the beginning of 2002, however, the Pope declared that Juan Diego would be canonised during the year.

Beyond doubt, a cult of the Virgin Mary as Our Lady of Guadalupe existed at Tepeyac by 1556, when the cult figured in an investigation that was carried out by Archbishop Montúfar and will be dealt with in detail in this chapter. The very name Guadalupe has always been a matter of dispute, since Guadalupe was also the name of a very popular Marian pilgrimage in Spanish Extremadura. The Spanish cult goes back to the discovery of a small wooden statue of the Virgin with the Child in her arms. The statue was attributed to St. Luke and had been hidden when the Muslims arrived in the eighth century. When it was found again in the

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fourteenth century it was kept in the Guadalupe monastery that belonged to the Order of St. Jerome, where it soon became one of the foremost Marian devotions in Spain, and her name was given to various churches around the country.  

Even if, as has been shown, the first printed versions of the story of Guadalupe appeared as late as 1648 and 1649 with the works of Sánchez and Lasso de la Vega, this does not, per se, rule out the possibility that they based their works on earlier oral or written traditions. In his book, Miguel Sánchez, however, claimed that all documents relating to the apparition of the Virgin in 1531 had disappeared and that he therefore had to rely entirely on interviews with elders who had knowledge of the events. Luis Lasso de la Vega did not mention any particular sources for his work, and figured as the sole author, not even mentioning the existence of Sánchez’s book, that appeared less than a year before his own. Like Sánchez, Lasso de la Vega stated that he built his work on oral traditions, and further assumed that the elders had not taken the time to write down the traditions but only transferred them orally.

There are, however, a number of Nahua manuscripts containing the apparition story and much work has been done in order to establish their date, to see if they precede the printed accounts. One of the most important manuscripts, a part of the *Nican mopohua*, is in the New York Public Library. The North American Jesuit historian Ernest J Burrus has devoted a slender volume to this manuscript, wanting to date the manuscript to around 1550 taking into account the palaeography of the document. On palaeographic grounds alone, I find it somewhat daring to date the manuscript as precisely as the mid-sixteenth century. According to me, the palaeography does not have a distinctly mid-sixteenth or even a sixteenth century look.

As Nahuatl constantly changed in interaction with the Spanish language, a study of grammar, orthography, and the presence of certain

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7 Torre Villar & Navarro de Anda 1982

8 Sousa, Poole & Burkhart 1998.

9 The manuscript is reproduced in Miguel León-Portilla *Tonantzín Guadalupe. Pensamiento náhuatl y mensaje cristiano en el “Nican mopohua”* (Mexico City 2000):175-190.

word constructions and loan words is of interest for scholars who want to date the manuscript. For Ernest Burrus, a philological study gives the same result as his palaeographic study, consequently dating it to the mid-sixteenth century. Burrus’ philological argumentation is, however, not convincing. As Stafford Poole has pointed out in his study of the Guadalupan traditions, Burrus analysed the manuscript text as if it was written in Spanish, discussing the use of letters that are not found in Nahuatl, such as “b” and “r”. On linguistic grounds, and especially because of the use of the letter “h” to indicate the glottal stop in Nahuatl, Louise Burkhart wants to date the manuscript to the late sixteenth or very early seventeenth century.

Stafford Poole, on the other hand, notes that the use of “h” is not consistent; at times, the glottal stop is indicated by a grave accent, as was common in later ecclesiastical Nahuatl. James Lockhart has argued that from a linguistic point of view the text could have been written from the 1550s or 1560s onwards, but also states that the text includes a couple of Spanish loanwords that hardly occur before the last quarter of the sixteenth century. For the Mexican scholar, Miguel León-Portilla, the language in the *Nican mopohua* is an example of noble Nahuatl, the *tecpilatloltli*, characterised by an abundant use of reverential forms and metaphors. Louise Burkhart calls the language “standard church Nahuatl”, a literary style that was often used by the missionaries, a form of elevated Nahuatl developed in the early mission years that lasted throughout the colonial period. According to Stafford Poole, the language of *Nican mopohua* could very well reflect the “linguistic renaissance the of mid-seventeenth-century, one aspect of which was a move to restore a pristine, classical form of Nahuatl.” From a linguistic viewpoint, there are no possibilities to give a more exact date in which the text could have been written.

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11 Burrus 1981.
16 Burkhart 1993:204.
17 Poole 1995:113.
Having, albeit briefly, indicated the problems relating to the dating of the oldest copies of the *Nican Mopohua*, I would like to briefly discuss its authorship, which, of course is intertwined with the dating of the account. On the assumption that there existed earlier Nahuatl manuscripts before the printing of Lasso de la Vega’s work in 1649, the indigenous scholar Antonio Valeriano (ca. 1520-1605) has, since the late seventeenth century, often been seen as the author of the *Nican Mopohua*. Nowadays, the authorship of Valeriano is part of the ecclesiastically recognised tradition. Antonio Valeriano was known as a brilliant Latinist, educated by the Franciscan friars at the College of Santa Cruz at Tlatelolco, where he later taught Latin rhetoric. He is also known for his translation of Latin classics into Nahuatl. The assertion of the authorship of Valeriano appeared in a book entitled *Piedad heroica* (1689), written by the Mexican savant Carlos Sigüenza y Góngora. There, the author claimed to possess a manuscript containing the apparition account in the “letter of don Antonio Valeriano, an Indian, who is its true author”.\(^{18}\)

The passing note by Sigüenza y Góngora is the earliest known source stating that Valeriano had written an account on the Virgin of Guadalupe, and it is a thesis that has been widely accepted by the apparitionist scholarship. According to this thesis, Valeriano was the sole author of *Nican mohohua*, while another author is thought to have written the account of the miracles, the *Nican motecpana*. Sometimes, the Indian noble, Fernando de Alva Ixtlixóchitl, is attributed as the author of the latter work. According to this vein of scholarship, Lasso de la Vega’s role was just that of a compiler and editor of earlier manuscripts in Nahuatl.\(^{19}\) However, the editors of the recent Nahuatl-English version of Lasso de la Vega’s work think that the same author or at least the same group of authors wrote the entire work. For them, the most plausible solution to the problem of authorship is that the whole work was written by Lasso de la Vega, in 1649, using the earlier Spanish work by Miguel Sánchez as the main basis for the work. While the style in the Nahuatl text by Lasso de la Vega is more elaborate, they argue that it adds nothing important to the basic narration of the story about the Virgin and Juan Diego as seen in the Spanish work.\(^{20}\)


\(^{19}\) For a criticism, see Poole 1995.

\(^{20}\) Sousa, Poole & Lockhart 1998:17f.
Another shorter Nahuatl account of a Marian apparition associated with Tepeyac has been found in a collection of sermons in the National Library of Mexico. The manuscript is known by its initial words, *Inin huey tlamahuicoltzin* (“This is the great marvel”). As in the case with the *Nican Mopohua*, there is no consensus among scholars on the origins and date of this manuscript. According to Louise Burkhart, the manuscript could be linguistically and palaeographically dated to the late sixteenth or early seventeenth century, while Stafford Poole dates it to the eighteenth century. The basic story of the apparition and the transformation of the flowers as told by Lasso de la Vega is found in the manuscript, but the text does not indicate any date and the Indian is unnamed, and nor is the archbishop, to whom he presents the cloak. Therefore, Louise Burk hart argues that the story was probably a part of an emergent legend, where only later the Indian was named as Juan Diego, the archbishop was named as Zumárraga, and the year of the apparition became 1531.21

Having outlined the discussions on the authorship and date of the apparition account, I will proceed to the main theme of this chapter. Here, I will focus on the cult of the Virgin Mary under the name Guadalupe during the Montúfar administration, using documents that could be dated without any major doubts. As it is not possible to date the apparition tradition as presented in the *Nican Mophua* with any degree of certainty, I argue that this story should not be presupposed when reading the documents from the Montúfar era.

**Montúfar, Bustamante, and Guadalupe**

The most important document on the cult of Guadalupe during Montúfar’s archiepiscopacy is without doubt an investigation (*información*) on some thoughts on the cult of Our Lady Guadalupe at Tepeyac that were expressed in a sermon, given by the Franciscan provincial Francisco de Bustamante in September 1556. The record was re-discovered in the archiepiscopal archives in the mid-nineteenth century and made public towards the end of the century. Thereafter, the record disappeared, not to be found again until 1955 among the papers of the

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abbot of the Guadalupe Basilica, José Antonio Plancarte y Labastida.22 Until quite recently, the document was kept in the Historical Archives of the Archbishopric of Mexico, from where it unfortunately has disappeared again.23 However, fortunately several printed editions exist. The first printed edition of the información appeared in 1888 and a second edition appeared three years later, together with thorough commentaries by Canon José María Andrade and Francisco Paso del Troncoso.24 In 1978, the Mexican Franciscan Fidel de Jesús Chauvet made a new careful transcription of the text as an appendix to his book on the cult at Tepeyac in the sixteenth century, including some valuable diplomatic notes in a foreword.25

According to the witnesses, a cult of the Virgin Mary under the name of Guadalupe had been initiated at Tepeyac not long before 1556. Several of the witnesses testify that the cult was “new” (nuevo) and that it was very popular among the inhabitants of the city. Many people, both Spaniards and Indians, and men and women from all social strata, travelled to Tepeyac to pay devotion to Our Lady and the picture of her that had been placed there, and gave great amounts of alms. Also, miracles had been reported. Nevertheless, the witnesses stress specifically the piety of upper class Spaniards who made pilgrimages to Tepeyac and entered the chapel on their bare knees. Some of the witnesses also asserted that the effect of the cult had been very positive and that the general piety of the people had increased since it had appeared. People went more frequently to mass and certain vices that had been common decreased. In the document, the church building at Tepeyac is referred to

23 Personal communication with the archivists, February 2001.
24 On the re-finding of the manuscript in 1849 and the interesting events before and just after the publication, see Edmundo O’Gorman Destierro de sombras. Luz en el origen de la imagen y culto de Nuestra Señora de Guadalupe (Mexico City 1986):263-276. The document was published as Información que el señor arzobispo de México D. Fray Alonso de Montúfar mandó practicar sobre un sermón que el 8 de septiembre de 1556 que predicó Fray Francisco de Bustamante acerca del culto de Nuestra Señora de Guadalupe. (Mexico City 1891).
25 Fidel de Jesús Chauvet OFM El culto guadalupano del Tepeyac. Sus orígenes y sus críticos en el siglo XVI (Mexico City 1978):213-251. For some strange reason, however, Chauvet has opted to modernise the orthography of a major part of the document (from fol. 11r onwards). Therefore, I have chosen to render the Spanish versions in the footnotes according to the Información 1891.
as an *ermita*, a word signifying a small church, or chapel of ease, often to be found in rural areas or in the outskirts of a town and without resident clergy.26

The conflict between the Archbishop and the Franciscan provincial on the cult at Tepeyac began in early September 1556. On Sunday September 6, the octave of the Nativity of Our Lady, Archbishop Alonso de Montúfar preached in the cathedral about a text from the Gospel of St. Luke. The sermon centred on the devotion faithful Catholics should have for the Mother of God. According to witnesses, Montúfar expressed his contention that many people in various parts of the world held images of Virgin Mary in high esteem.27 Archbishop Montúfar was also pleased to note the devotion that the inhabitants of the City of Mexico showed for Our Lady of Guadalupe in her temple at Tepeyac and thought that the Spaniards’ devotion would surely have edifying effects on the Indians, whom he thought did not show such great affection for Our Lady. In relation to the purported miracles that the image performed, Montúfar told the congregation of the decision taken of the “Lateran Council”, which established penalties towards those who showed disregard for the prelates and for those who publicly defended miracles that did not have explicit approval from the local bishop.28 According to Stafford Poole, the decision referred to by the Archbishop was probably a constitution that was promulgated in 1516 by Pope Leo X during the Fifth Lateran Council.29

Later in the afternoon, when Montúfar had ended his sermon, one of the Archbishop’s associates, Gonzalo de Alarcón, went to the Franciscan monastery in the city. There, he met some of the friars among whom he recognised Alonso de Santiago and Antonio de Guete. Alonso de Santiago told him that he had attended mass in the cathedral in the morning and had listened to the Archbishop’s sermon, and expressed his utter dislike of the Archbishop’s approval of the Marian image at Tepeyac. *Fray* Alonso said that he considered this type of popular devotion particularly harmful to the recently christianised Indians, as “they used to venerate idols” during the time of their infidelity. He also said that he and his co-friars had spent much time trying to extirpate all

26 Testimonies of Juan Salazar (Chauvet 1978:230-231), Alonso Gómez de León (ibid. 247-248), Alonso Sánchez de Cisneros (ibid. 242), and Juan de Maseguer (ibid. 249).
27 Testimony by Juan Salazar (Chauvet 1978:228).
28 Testimony by Juan Salazar (Chauvet 1978:228).
29 Poole 1995:251f, note 51.
kinds of idolatries and thought that the cult of Tepeyac could well ruin what they had tried to edify. After saying this, he took a book (it is not explicitly stated that it was a Bible) in his hands, and read parts of chapter 13 from the book of Deuteronomy to those gathered, a passage dealing with idolatry and the cult of dead things. Moreover, Fray Alonso thought that the name Guadalupe was confusing and strange as it referred to a sanctity in Spain, and thought that the most logical would be to name the chapel Our Lady of Tepeyac, as this was the name of the location.30

This was, however, just the overture to the conflict between Montúfar and the Franciscans. The following Tuesday, September 8, on the feast day of the Nativity of Our Lady, the Franciscan provincial Francisco de Bustamante preached in the chapel of San José de los Naturales in Mexico City. Bustamante was an influential and respected person in the Franciscan province and had been commissary general of the order for six years before being elected provincial in 1555.31 In the church on September 8, both the Viceroy and the members of the audiencia were present, together with many other people from the city. By the end of his sermon on the Virgin, the provincial had dealt with the new cult of Our Lady of Guadalupe at Tepeyac and some of the witnesses noted that the provincial then had become very angry and that his face turned red. In opposition to the Archbishop, he affirmed that the Indians were very much devoted to the Virgin. In fact, their devotion was so great, that they thought that the Virgin was a goddess, instead of the mother of God. Bustamante said that Archbishop Montúfar was totally mistaken in approving the cult, which would have devastating effects on the indigenous population. The Franciscan provincial asserted that the position of the Archbishop threatened to uproot the fragile Christianity of the indigenous population. This was so important for Bustamante that he threatened to stop preaching to the Indians if the Archbishop’s support of the cult continued. 32

Bustamante also thought that the alleged thaumaturgic effect of the picture was a hoax and questioned how a picture “painted yesterday by an Indian could perform miracles.” Only one of the witnesses, Alonso Sánchez de Cisneros, stated that he knew the name of this indigenous  

30 Testimony by Gonzálo de Alarcón (Chauvet 1978:241), Alonso Sánchez de Cisneros (ibid. 244).
32 Testimony by Álvar Gómez de León (Chauvet 1978:245).
artist: Marcos. Though nothing more than his Christian name was rendered, it has often been assumed that this Marcos was an indigenous painter called Marcos de Aquino, who had been trained by the Franciscans in Tlatelolco. According to the testimony of Juan de Salazar, Bustamante continued stating that he:

*did not know what effect the said devotion had, because it would contradict what he and other members of religious orders with much sweat had been preaching to the natives of this country. Because it would be to convince them that this image of Our Lady of Guadalupe performed miracles and if some lame, blind or crippled Indians went there with the intention [to get cured] and they turned back without being cured, or getting even worse because of the walk, they would make jokes about it/her [the cult/the Virgin] and it would thus be better to take away this devotion, because of the scandal of the natives.*

The Franciscan provincial urged that the purported miracles must be thoroughly investigated before they were made public. It is also interesting that the people that he suggested to be in charge of such an investigation were the Viceroy and the oidores, and not the ecclesiastical authorities in the form of the Archbishop. If the miracles were found to be groundless, Bustamante thought that the inventor ought to be severely punished. In fact, he suggested that he should be given “a hundred lashes on his soul” and if anyone should dare to do so in the future he should be given the double amount of lashes. Moreover, Bustamante did not know what use the alms given to the ermita had and thought that they could be used in better ways, for example to maintain the hospitals or to aid the many poor people in the city. According to the Archbishop’s, Bustamante’s harsh criticism of the popular devotion had caused “scandal and muttering” among the listeners and other people. One of the

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33 Testimony by Alonso Sánchez de Cisneros (Chauvet 1978:242).
34 Poole 1995:62f.
35 “… no sabía que efecto se tenía la dicha devocion, porque era dar á entender á los dichos indios naturales desta tierra al contrario que él y otros religiosos con mucho sudor les habian predicando, porque les daban á entender que aquella imagen de nuestra Sra. De Guadalupe hacia milagros y como algunos indios coxos, ciegos ó mancos yban a ella con aquel propósito y no tornaban sanos, antes peores con el cancancio del camino, lo tenian por burla y que seria mejor que se procurase de quitar aquella devocion, por el escandaló de los naturales.” Testimony by Juan de Salazár (Información 1891:12).
witnesses even stated that he had become so indignant by the provincial’s words that he had left the church during the sermon.36

Later this same day, probably after having heard reports on the Franciscan’s sermon from his assistants, Archbishop Montúfar went out to Tepeyac. There, he preached to the Indians present with the help of his 
provisor de indios, Francisco de Manjarres. According to his witnesses, Montúfar tried to explain the orthodox Catholic views on the veneration of images and in particular the cult of the Virgin. Montúfar is then reported to have said that pictures such as this of the Virgin should not be revered as such, but only for what they represent, that is the mother of God.37

A couple of weeks later a man of Catalan origin named Juan de Maseguer appeared before Montúfar informing him of the views on Guadalupe held by certain other Franciscans in the city. On September 20, Maseguer had passed by the Franciscan monastery of Santiago Tlatelolco. There he had met and talked to one Fray Luis, probably Luis Cal, although his full name is not mentioned in the document. When he mentioned to the friar that he was on his way to Guadalupe, hoping that his pilgrimage would cure his daughter from whooping cough, the friar answered him:

Get rid of this drunkeness, because this is a devotion, that none of us like at all. The witness then said: Father, do you want to take my devotion away from me? And he said: No, but truthfully, I say to you that I think that you offend God, and that You will not gain any merit, as you give a poor example to the natives. And if his Excellency, the Archbishop, says what he says, it is because he acts according to his own interests and because he is more than sixty years old and is getting dizzy now. Thereafter he swore by the true God and by the sign of the cross, which he took in his hands, that those words that he had spoken were true. [The witness] also remembered Fray Luis saying; we will make that Archbishop go another time across the sea!38

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36 Testimonies by Juan de Salazár (Chauvet 1978:227f) and Marcial de Contreras (ibid. 232).
37 Testimony by Juan de Salazár (Chauvet 1978:229f). Manjarres does not figure in the text as 
provisor de indios, cf, Chapter III. Edmundo O’Gorman’s assertion (O’Gorman 1986:39) that Manjarres was the first chaplain of the ermita seems to be groundless.
38 "dexas esta borrachera, porque esa es una devoción que nosotros todos estamos mal con ella; y este testigo dixo padre ¿ querieis vos quitar á mi, mi devoción? Y dixo: no, pero de verdad os digo que antes me parece que ofendeis á Dios que no ganais mérito,
Despite what the friar, who had been his confessor had told him, Maseguer went to Tepeyac and could inform the Archbishop that his daughter had recovered from her illness. However, he could also report that the presence of Indians at the shrine was not as great as before, something he explained by the opposition from the Franciscan missionaries.  

Strangely enough, the *información* is the only known contemporary source to the quarrel between Montúfar and the Franciscans on the cult at Tepeyac. Thus, there are no explicit notes in any of the Montúfar’s many letters. Nor are there any notes on the events in any of the Franciscan chronicles or in any letters by members of the order that are known to me. It is strange that Archbishop Montúfar did not persecute the rather blunt criticism put forward by various Franciscan friars against his authority. At the present state of research, there is no evidence that Montúfar sent any reports to Spain or that any further steps were taken to persecute Bustamante or any other Franciscan involved in the *información*. Anyhow, if there was any such process it would have been put to an end by the death of the provincial in Spain in 1562, while defending the privileges of the mendicants at the Spanish court.

To end this study of the *información*, I would like to examine the most detailed treatment of the document that has been written, the *Destierro de Sombras* by Edmundo O’Gorman. In this work, which certainly has its merits, the author at times enters a quite hazardous argumentation. According to O’Gorman, the cult at Tepeyac began in the last months of 1555 or the beginning of 1556. His most substantial argument for this assertion is that the acts of the first provincial council, dated in November 1555, did not mention the cult. There is no obvious reason why a provincial council should deal with a local Marian cult such as the one at Tepeyac. According to O’Gorman, Montúfar played a most important role in the promotion of the Marian cult at Tepeyac, as he had himself

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39 Testimony by Juan de Maseguer (Chauvet 1978:249f)
40 See Chapter IV.
surreptitiously placed a picture of Virgin Mary in the ermita in order to arouse the devotion of the indigenous population. There is, of course, no direct foundation for this assertion.41

According to O’Gorman, Montúfar put the ermita at Tepeyac under his direct jurisdiction, whereas earlier it had been subject to the Franciscans at Tlatelolco. Edmund O’Gorman’s proof for this is, however, very vague, citing a letter written by Montúfar on May 15, 1556, which includes a general statement that he had put some Franciscan churches under his jurisdiction. According to the author, Montúfar should thus have placed the image in the ermita before ascribing it to his direct jurisdiction. Here the apparition story, the Nican Mopohua, enters the argumentation. Although a devoted anti-apparitionist, O’Gorman fully accepts the authorship of Antonio de Valeriano dating to the mid-sixteenth century, thus following Ernest J. Burrus’ argument. In fact, O’Gorman goes as far to assert that the text was written in 1556, as a way to sacralise the image of Mary. Here he makes yet another questionable leap in his argumentation, without presenting any substantial proof.42

Another important aspect of Edmundo O’Gorman’s work is his attempt to find a solution to why the cult of Guadalupe gave rise to such an animated quarrel between the friars and the Archbishop and why the Franciscans opposed the cult. In his analysis, O’Gorman relates the events in September of 1556 to the struggle between Montúfar and the mendicants on jurisdiction in the Indian ministry and on Indian tithes.43 These questions have been dealt with at length elsewhere in this thesis. Therefore, I will restrict myself to a few more commentaries. It is interesting to note that the Franciscans and in particular their provincial, used the same types of arguments as in the conflict on jurisdiction and Indian tithes. Though the cult of Guadalupe might look like a positive contribution, the Franciscans thought it was harmful for the faith of the newly christianised Indians, as they feared that it would induce them in idolatric cult. This was against what the Franciscans had taught the Indians from the beginning, and the cult threatened to uproot their teachings. If the Archbishop supported the cult it was due to his lack of knowledge of the Indians, and because he had an interest in gaining

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money from the cult. As in the case of Indian tithes, the Archbishop was implicitly criticised for being driven by an interest in personal gains.

**The Prelate and the Virgin: Other Testimonies**

*The Origin of the Cult at Tepeyac*

Even if the *información* is the only known source to the quarrels between Montúfar and the Franciscans in 1556, various Nahuatl chronicles mention that something special occurred at Tepeyac roughly around that time. The earliest of these sources is a notebook or diary that is attributed to Juan Bautista, a Nahua official from the city of Mexico. Among these notes, there is a short observation “in the year [15]55 Saint Mary of Quatalupe [sic] appeared/showed herself there in Tepeyacac”. The early seventeenth century relations by an indigenous nobleman, Don Domingo Francisco de San Antón Muñón Chimalpahin Quauhtlehuanitzin, include a similar passing note, though dating the event to 1556: “And likewise in this year was when our precious mother Saint Mary of Guadalupe appeared at Tepeyacac”. The year 1556 is also supported in one of the *Anales de Mexico y sus contornos*, a collection of chronicles from various parts of Central Mexico, where it is stated “the Virgin came down here to Tepeyac”. These Nahuatl notes indicate that something involving the Virgin happened at Tepeyac in either 1555 or 1556. The main question is what do words like “appear”, “showed herself”, or “come down” mean in this context? Could they just signify the placing of an image in the church, thus coinciding with the *información* of Archbishop Montúfar or do they signify something else?

From the *información*, it is possible to conclude that there was a cult of the Virgin Mary, under the name Guadalupe in a small church at Tepeyac at least in September 1556. There are some notes on the existence of a church building at Tepeyac even before Montúfar’s arrival. The first note, of unquestionable date, appears in a book published by Francisco Cervantes de Salazar in 1554. In the Latin dialogues about the

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46 “Hual temohui cihuapilli tepeyacac”, quoted by Poole 1995:53.
47 Poole 1995:58.
environs of the City of Mexico, there is a passing mention to a church building at “Tepeaquilla”, the Spanish version of the name Tepeyac. One of the interlocutors in Salazar’s dialogues describes the following scene, as seen from his viewing point at the hill of Chapultepec.

From the hills to the city, a fact that heightens its advantage, the intervening lands, irrigated with water from canals, streams, and springs, extend on all sides for thirty miles or more. Here are situated the largest towns of the Indians such as Tetzcoco, Tlacopan, Tepeaquilla, Azcapotzalco, Cuyocacán, Iztapalapan, and many others. Belonging to them are those white churches that lie towards the City of Mexico.48

As seen, Cervantes de Salazar does not mention anything about a Marian cult or any other details of the church at Tepeyac (Tepeaquilla). From the short note by Cervantes de Salazar, I think that it is possible to deduce the existence of a church building at Tepeyac at least when the Archbishop arrived in 1554. From the text, we can, however, not deduce the existence of a Marian cult at Tepeyac in 1554 and much less a cult of Mary under the name of Guadalupe.

Moreover, in the famous mid-sixteenth century map of the City of Mexico and its environs that is now to be found in the University Library at Uppsala in Sweden, there is a depiction of a church building at Tepeyac. However, it should be noted that the place and the church building is called Tepeyac and not Guadalupe. The map was earlier attributed to the Spanish cosmographer, Alonso de Santa Cruz, but today it is a common opinion that it was executed by a group of Indians, probably at the College of Tlatelolco, as there are many distinctive indigenous features in its design. In this context, the attempts at dating the map are particularly interesting as they might prove the existence of a chapel at Tepeyac even before 1555 or 1556. The Swedish archaeologist Sigvald Linné has written a detailed study of the map and the world it depicts, where he dates the map as early as about 1550, which would then prove the existence of a church building at Tepeyac at this early date. In

his study, Sigvald Linné sees the year 1556 as the latest possible date, as the map was dedicated to the Emperor Charles, who abdicated in this year.49

The dating is, however, not precise enough to serve as an argument for the existence of a church building at Tepeyac before 1555, and even less, for the existence of a Marian cult. Another researcher who has dealt with the map is the Mexican art historian Manuel Toussaint, who has dated the map to the time span between 1555 and 1562, thus not saying anything more than the información.50

The Archbishop and the Ermita: A Matter of Dispute

Another very important source on the role of Archbishop Montúfar in the early cult of Our Lady of Guadalupe is an investigation from the year 1562 by Viceroy Velasco and the audiencia of Mexico. The investigation was initiated directly by King Philip, after receiving serious accusations against the Archbishop from the members of the cathedral chapter. Relating to the cult of Our Lady of Guadalupe, the accusations against Montúfar were twofold. Firstly, the Archbishop is accused of taking personal advantage of the alms that were given to the ermita at Tepeyac. Secondly, he is accused of having collected revenue a monstrance for the Holy Sacrament which was to be used in Tepeyac, but which was never made. In spite of its great interest, the document has rarely been used in Guadalupan studies.51

The accusation that Montúfar took advantage of the alms of Our Lady of Guadalupe in part echoed the claims by the Franciscan provincial six years before. In his sermon, Bustamante had stated that they did not know the purpose of the alms given to the chapel, and therefore preferred donations to the hospitals or the poor of the city. The revenues of the ermita were great, since the inhabitants of the city and its environs showed much devotion to Guadalupe. According to various witnesses, the

50 Manuel Toussaint, Federico Gómez de Orozco & Justino Fernández Planos de la ciudad de México siglos XVI y XVII: estudio histórico, urbanístico y bibliográfico (Mexico City 1938).
51 AGI, Justicia 279, no. 2 see also the cathedral chapter to the King, Feb 14, 1561 (PT 498). The royal letter is transcribed in ibid., fol. 1r-2v. To my knowledge this document was first noticed by Francisco Miranda Godínez in his “Fray Alonso de Montúfar y el culto guadalupano”, in Tercer encuentro nacional guadalupano (Mexico City 1979):68-79. Cf. Ruiz Medrano 1991:78-80.
alms given to the *ermita* since its foundation amounted about ten thousand pesos. 52 However, according to the schoolmaster Sancho Sánchez de Muñón, the Archbishop had recently informed him that the annual incomes from Guadalupe surpassed three thousand pesos and he therefore thought that the total incomes during Montúfar’s time had surely surpassed the amount of ten thousand pesos. 53 As patron, the Archbishop had the right to appoint the major-domos of the *ermita*, and he had therefore entrusted two members of the cathedral chapter, Dr. Rafael Cervanes and Canon Pedro de Nava, with the office. These two men were, however, later dismissed from the office after questioning the Archbishop’s use of the alms. The Archbishop was then able to take with him the money he wanted without contradiction from anyone. 54 In this context, one of the witnesses, Antonio de Oliver, explicitly stated that it was Archbishop Montúfar who had dedicated the *ermita* at Tepeyac to Our Lady Guadalupe and that he himself collected the alms on a regular basis.

Since the time when the said archbishop [Montúfar] dedicated the chapel to Our Lady of Guadalupe the citizens of this city had given alms with great devotion, the said archbishop visited the said chapel every week or fortnight to gather the alms that Spaniards and other inhabitants donated.55

The schoolmaster Sancho Sánchez de Muñón testified that he had heard from the chaplain of Guadalupe that the Archbishop invested some of the money to buy wine and oil, which he then sold to wealthy miners in the environs of Mexico to earn more money. These rumours had, according to the schoolmaster, caused “much scandal and murmuring” among the inhabitants of the city.56 Whatever, they could testify that the

52 Testimonies by Francisco Rodríguez Santos, (AGI, Justicia 279, no. 2, fols. 8r-8v), Diego de Velázquez, (ibid. fol. 11v), Sancho Sánchez de Muñón, (ibid. fol. 15v), Antonio de Oliva, (ibid. fol. 37v).
53 Testimony by Sancho Sánchez de Muñón, (AGI, Justicia 279, no. 2, fol. 15v-16r).
54 Testimonies by Francisco Rodríguez Santos, (AGI, Justicia 279, no. 2, fol. 8r-8v) and by Antonio Oliva, (ibid. fol. 37v).
55 “que al tiempo que el dicho arçobispo hizo la dicha advocacion a la hermita de nra señora de Guadalupe dauan los vecinos desta ciudad con gran deuocion muchas limosnas y que el dicho arçobispo visitaua la dicha hermita cada ocho dias y cada quinze dias y cogia las limosnas que los españoles xpianos y los demas naturales dauan.” (Testimony by Juan Oliver (AGI, Justicia 279, no. 2, fol. 37v).
56 Testimony by Sancho Sánchez de Muñón. (AGI, Justicia 279, no. 2, fol. 15v-16r).
money had not been used to improve the church building, despite the donations from the faithful. Several witnesses in the hearings from 1562 stated that the ermita at Tepeyac was still very humble and unadorned, built with sun-dried clay (adobe) with a stable beside it, all made at a very low cost and without any elaborate adoration. Therefore, the witnesses concluded that Archbishop Montúfar had used most of the alms for other purposes than maintaining and adorning the chapel at Tepeyac.57

The other point of accusation deals with the custody of the Sacred Sacrament that was to be made for the chapel, but had not yet reached its destination. According to the witnesses, in 1559 Archbishop Montúfar had bought a large amount of mercury, with alms from the ermita. This mercury was to be used for the amalgamation of silver and was therefore given to a group of miners in Taxco, Sultepec, but also in Temascaltepec in the Toluca Valley, where the Archbishop’s brother Martín de Montúfar lived. The miners were then asked to produce the largest amount of silver possible and were told that this silver would be used to make a monstrance for the Holy Sacrament in Our Lady of Guadalupe at Tepeyac. The miners produced the silver that was sent to the Archbishop in the city. However, nobody saw the monstrance and Montúfar was therefore also accused of having taken advantage of the silver for his own use.58 The Archbishop’s business transactions and their relationship to the ermita at Tepeyac are also mentioned in another contemporary document, dated in 1562, where Montúfar is referred to as the “patron and founder” of the ermita. According to this document, Archbishop Montúfar had bought mercury with the alms that he had received. In this mercury business, Montúfar had gained a thousand pesos, which he lent to Martin Araguren, who agreed to pay an annuity of a hundred pesos to the ermita.59

The Cult at Tepeyac during the Montúfar Era

From the late 1550s until the early 1570s, there are a number of other references to the cult of Guadalupe, found in both Hispanic and Nahua sources. In 1558, Montúfar instigated an inquisitorial proceeding against the Portuguese merchant Simón Falcón, who was accused of heresy. At the end of the process, the Archbishop sentenced him to go to the chapel

57 Testimonies by Francisco Rodríguez Santos, (AGI, Justicia 279, no. 2, fol 8v), and by Sancho Sánchez de Muñón, (ibid, fols. 15v-16r).
58 AGI, Justicia 279, no. 2, mentions that a cofradía had been founded before 1562.
59 This document is quoted in Chauvet 1978:48.
of Our Lady of Guadalupe on three consecutive Fridays and do penance for his transgression. More concretely, that Falcón should pay the chaplain to read three masses for the souls in Purgatory, whose existence he had denied, and he should read the seven penitentiary psalms while kneeling in the chapel.60

There are also a couple of indigenous notes on the ermita of Tepeyac as such. A most interesting note from 1561 is found in a letter written in Latin by the indigenous scholar Antonio Valeriano in the name of the indigenous officials of the village of Azcapotzalco, where Valeriano was born. Complaining about the bad treatment they received from the colonists, the indigenous leaders mention that five Indians from their village had been working on the “temple of the Virgin Mary which is commonly known as Guadalopec [sic]” without receiving any payment.61 I would also like to mention the note on Guadalupe in a testament that was written in 1563 by Don Francisco Verdugo Quetzalmamalitzin, an indigenous governor from Teotihuacan. In his will, Verdugo donated four pesos so that the priest at Tepeyac could read masses for his soul after his death.62 In the Nican Motecpana - the account of the miracles attributed to Guadalupe - there is an explanation of this donation. During the conflict in Teotihuacan when the Viceroy wanted to replace the Franciscan doctrineros with Augustinians, Don Francisco had prayed to the Virgin of Guadalupe in hope of help, which she conceded, when the Franciscans returned.63 The Franciscan chronicler Mendieta, writing in the last decades of the sixteenth century, also tells that the Indian nobleman prayed for an intercession of the Virgin, however without mentioning the name of Guadalupe.64

Another indigenous source to the cult is a Nahuatl chronicle, today known as the “Histoire méxicaine depuis 1221 jusqu’en 1594” and kept in the Bibliothèque Nationale in Paris. This text includes a short passage about penitentiary walks to Tepeyac in 1564, not to be found in any other sources known to me. In English translation, the text reads:

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60 Sentence by Montúfar, Nov 28, 1558, AGN, Inquisición vol. 15, exp. 16, fol. 241r.
61 Antonio Valeriano together with thirteen gobernadores, alcaldes and regidores of Azcapotzalco to the King, Feb 2, 1561 (AGI, M 1842). The pertinent passage reads “quique etiam ad templum (quod vulgo Guadalopo dicitur) virginis mariae”.
63 Sousa, Poole, Lockhart 1998:110-113. See also an investigation, dated in 1558 about Francisco Verdugo (AGI, M 96).
Many people were whipping themselves, and so they did at Lent when they walked in procession and in the feast when the Spaniards were whipping themselves there in Tepeyac.65

Here, the chronicler explicitly points out that they were Spaniards who did penitence by walking to Tepeyac. Probably these penitent Spaniards were members of the newly founded brotherhood (*cofradía*) devoted to Our Lady of Guadalupe started before 1562.66

Apart from the note on the “apparition” of the Virgin in 1555, which I have already mentioned, the so-called diary or annals of Juan Bautista include some more detailed notes on Tepeyac. The first of these notes deals with the year 1565, and refers to the case of Miguel, a native of Santa Isabel, who as a penalty had to work for two months at Tepeyac “in the service of Santa Maria of Guadalupe”. For September 15, 1565, the author noted that the octave of the Nativity of Our Lady was solemnly celebrated at Tepeyac, in the presence of both Archbishop Montúfar and the judges of the *audiencia*, but also in the presence of “us Indians” as Juan Bautista writes. On this occasion, the wealthy miner Alonso de Villaseca donated a large silver statue of the virgin that was placed in the ermita and invited the civil and ecclesiastical dignitaries to a dinner there. It is also mentioned that on his own cost Villaseca had built a couple of houses, where infirm pilgrims could sleep. In a note corresponding to October 19, 1566, Juan Bautista describes how the representatives of the indigenous communities (*altepetl*) celebrated the happy arrival of the new Viceroy, Gastón de Peralta, marquis of Falcés.67 The contemporary acts from the secular *cabildo* of Mexico City noted that the Viceroy was going to spend a night at Tepeyac before entering the city, and therefore decided to spend no less than a thousand pesos to put “the house of Our

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66 AGI, Justicia 279, no. 2.
Lady of Guadalupe” in order for the high guest and to provide him and his court with food and their beasts of burden with corn.68

The protocols of the episcopal inquisition Montúfar Inquisition include a story on the ermita of Guadalupe. In 1568, the curate Luis Olid Viedma was on his way from the villa of Santiago de Valles to Mexico City, together with a man who was to be interrogated by the archiepiscopal Inquisition. The man’s crime was that he had said that simple fornication – sexual intercourse between two unmarried people – was not a mortal sin. On the way, they had met the Augustinian Andrés de Aguirre from Atomilco who had accompanied them for a couple of days. Before entering the city of Mexico, they passed the ermita of Guadalupe, where the curate had convinced the man that he should pay “for nine masses to Our Lady” to atone for his sins.69

In the acts of the Mexican cathedral chapter, there are some notes on the cult of Guadalupe from the last years of the 1560s. These documents note that the members of the metropolitan chapter could freely accompany the Archbishop in the solemn procession to the ermita on the feast of the Nativity of Our Lady in September. The acts of 1570 include a passage that the cathedral chapter should especially care for the archiepiscopal houses, the cathedral, the hospital de bubas, and the ermita of Guadalupe, thus giving the chapel at Tepeyac a special status in the archdiocese.70 As part of a report to the Council of the Indies in January 1570, the chaplain of Tepeyac, Antonio Freire, wrote that “it could have been fourteen years ago when the illustrious Archbishop founded and edified [the ermita] with the alms of the faithful”, thus also dating the construction of the chapel to 1555 or 1556. Father Freire also stated that the ermita was given seven or eight thousand pesos in alms and that the he had an annual salary of 150 pesos, for which he read masses on Saturdays and Sundays.71

In this chapter, I have studied a number of documented related to the cult of Our Lady of Guadalupe at Tepeyac during the mid-sixteenth

69 AGN, Inquisición, vol. 8, parte 2, exp. 5, fols. 384r-385v.
70 ACCMM, Actas del Cabildo, lib. 2, fol. 234bis r (Sept 14, 1568) and fols. 252r-252v (Sept 6, 1569), lib. 2, fol. 261r (April 21, 1570).
71 "puede haber catorce años que fundo y edifico el Illustriamo Señor Arçobispo con las limosnas que dieron los fieles xpianos”. Report from Antonio Freyre, Jan 10, 1570 (Francisco del Paso y Troncoso Descripción del arzobispado de México (Madrid 1905):28f).
century. In the documents that without doubt can be dated to Montúfar’s time, I have not found any foundation for the story about Juan Diego and Bishop Zumárraga that, at least since the 1640s, has been associated with the cult.

However, at least from the mid-1550s, there was a cult devoted to Our Lady of Guadalupe in Tepeyac. In 1556, various witnesses stated that the cult existed and that it had been founded recently. None of the witnesses mentioned that the image of the Virgin in the ermita had a supernatural origin. Nevertheless, several indigenous sources, written in the sixteenth and early seventeenth centuries briefly mention that Our Lady of Guadalupe “appeared” or “came down” at Tepeyac in 1555 or 1556. In 1570, Antonio Freire stated that Archbishop Montúfar founded the ermita fourteen years earlier. Moreover, one of the witnesses in the 1562 proceeding against Montúfar, Antonio de Oliver, explicitly stated that it was Archbishop Montúfar who had dedicated the ermita to Our Lady of Guadalupe.

At least from the mid-1550s onwards, the ermita became an important site for pilgrimages. Hispanics and Indians from the city of Mexico and its environs went there to pay devotion to Our Lady, to do penitence and to be cured from illnesses that afflicted them. Just as in the case of Our Lady of Guadalupe in Extremadura, the Virgin of Tepeyac was celebrated specifically on the feast of the Nativity of Our Lady in September. At that time, the Archbishop and the cathedral chapter took part in a solemn procession to Tepeyac. This procession is a clear testimony of the importance of the cult towards the end of Montúfar’s archiepiscopacy.
A BEDRIDDEN PRELATE:
ARCHBISHOP MONTÚFAR’S LAST YEARS

Alonso de Montúfar was already an aged man when he arrived in Mexico in 1554. He was sure that his tenure would be short and from the very beginning his letters are filled with complaints about bad health and general fragility. Despite this, Montúfar would be resident archbishop of Mexico for almost eighteen years. Several authors, following the Dominican chronicler Dávila Padilla, have claimed that Montúfar died on March 7, 1569, when in fact he lived for three more years. This chapter deals with these three years, when the Archbishop was confined to his bed for most of the time.

In the latter part of the year 1569, Montúfar received a letter from Spain ordering him to write a detailed report on the state of the archdiocese. The answers were to be sent to Juan de Ovando, who was employed by the King to carry out a thorough investigation of the Council of the Indies and who therefore needed detailed information on the situation overseas. The most significant part of the Archbishop’s report consisted in descriptions of all ecclesiastical benefices, parishes, partidos, and doctrinas. These accounts should include the names of the ministers working and their salaries, the name of the cabecera and names of the visitas and their distance from the cabecera, the number of inhabitants, the languages spoken in the area and a description of the catechetical aides that were used in the teaching of Christian doctrine. At an early point, the three mendicant orders made clear that they did not want the Archbishop and his administration to handle their reports and

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1 See for example Montúfar to the Council of the Indies, Sept 12, 1555 (AGI, M 336, doc. 7; PT 432), Montúfar to the King, Feb 12, 1561 (AGI, M 336A, doc. 43; PT 496).
3 Royal decree, Madrid, Jan 23, 1569 (García Pimentel 1897:3f). Cf. the questionnaire that was sent by Juan de Ovando to Montúfar, Madrid, Jan 23, 1569 (ibid. 4-7).
therefore they would send their reports directly to Ovando. Unable to receive the reports of the regular clergy, Montúfar and his general assistant, Bartolomé de Ledesma, compiled the reports from the secular clerics in the archdiocese.

As a part of the preparation for Ovando’s visitation, Archbishop Montúfar was also ordered to give his personal opinions on a wide range of questions concerning the ecclesiastical and civil government of Mexico according to a questionnaire. Having considered the questions with several “trustworthy persons who had lived for a long time in this country”, Montúfar and his assistants wrote a report that afterwards might be seen as the Archbishop’s church political testament. The first question he entered was the role of the episcopacy. Montúfar thought it necessary that the bishops who would serve in New Spain should be well-educated theologians or jurists, “who are known to show much love towards their neighbours”. To have the necessary authority and knowledge, Montúfar thought that the candidates should be over forty years old, unless there was a person who despite his youth had “achieved the sufficiency and perfection that comes with the age”.

Montúfar continued by stating that the bishops should do everything they could in order to visit their dioceses thoroughly and when doing so, they should take as few servants as possible to limit the costs and the vexations to the indigenous population. He considered that the dioceses in New Spain were too big for the effective administration of the sacraments and too large for one man to visit. Therefore, he wanted a new diocese to be erected in Veracruz, as the town was situated too far away from the see in Tlaxcala. At the same time, Montúfar found the dioceses too small.

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5 There are two differing lists of reports, one signed by Montúfar in 1570 and the other one by Ledesma in the following year. García Pimentel (1897) edited the manuscript, signed by Montúfar in 1570, which is now found in the University of Texas at Austin. The other manuscript, signed by Ledesma in 1571, is now found in the AGI (M 336A, doc. 104) and was edited by Francisco Paso y Troncoso (1905).

6 Montúfar to Juan de Ovando, undated, but probably around Jan 16, 1570 (García Pimentel 1897:7-19).

7 García Pimentel 1897:8.
to sustain the bishops, as the tithes were scarce. This was especially true of the archbishopric. He therefore stated, as he had done many times before, that without general tithes, paid by both Spaniards and Indians, there was no future for the church in New Spain. When dealing with the parish clergy in New Spain, he stated that it was of utmost importance that the priests who should serve in the Indian ministry knew the indigenous languages, not least so that they could preach and confess without the help of an interpreter.8

In the questionnaire, the Archbishop had also been asked to give his view on the civic and military administration of the land and in this context he entered into the problem with the so-called Chichimeca Indians. The Chichimecas was the pejorative name that the Nahuas and Spaniards used to label a number of nomadic peoples who lived in the central plateau north of the city and who were considered to be particularly barbarous and fierce. Especially since the 1550s, the Chichimecas had made a number of raids into Spanish areas, threatening the security of the Spaniards living in the silver mining towns as well as the transportation of the precious metal. Therefore, the Archbishop considered it morally licit and indeed necessary to wage war on the Chichimecas. The Archbishop was however by no means unique in this view. From around the year 1570 there were increasing demands among the Spaniards to wage “a war by fire and blood” against these Indians, implicating the enslavement of the Indians that they managed to capture.9

Generally, Montúfar gave a positive evaluation of the Spaniards living in New Spain, and thought that Spaniards should be allowed to live in Indian villages at least if they were married, honest and could serve as an example and offer protection.

Especially since there are many mulattoes and mestizos who maltreat the Indians as they walk as vagabonds among them, would stop to do so and would not dare to do them any harm and the Indians who are naturally inclined to vice would drastically mend their ways by the good example of

8 García Pimentel 1897:8-10.
9 García Pimentel 1897:12. For the Chichimecas, see Philip Wayne Powell Soldiers, Indians, and Silver: The Northward Advance of New Spain, 1550-1600. (Berkeley & Los Angeles 1952).
the Spaniards, and so out of shame or fear they would not commit as many crimes and sins, or at least not commit them publicly.10

Continuing his support of the Spaniards living in Mexico, Montúfar considered it necessary that the King should gratify the conquerors and their heirs, as many of them lived in poverty. Therefore, he considered it important to perpetuate the encomiendas and not revert the grants to the Crown, so that they could be inherited from generation to generation. This is especially interesting since New Spain had recently lived through the so-called Avila-Cortés conjuration, where a group of frustrated second-generation conquerors had tried to take over the political power in New Spain. As a further way to improve the economy of New Spain, Montúfar also found it beneficial to lower the price of mercury, on which the Crown had a monopoly. Mercury was used in an amalgamation process to extract silver and if the cost of this product was lowered, the extraction of silver would increase, a fact that would benefit the Crown as well as the Spanish colonists.11

From the latter part of the year 1570, the now eighty-one-year-old Archbishop hardly left his bed, due to a severe illness. Being unable to fulfil any work, he appointed his longtime friend and assistant, Bartolomé de Ledesma, as the governor of the archdiocese.12 In his chronicle of the Dominican province, Dávila Padilla asserts that Ledesma was the governor of the archdiocese for twelve years and this note has been included in later works on Mexican church history.13 According to the original documents I have studied, this, however, seems to be true only for the last one and a half years of the Archbishop’s life. From this time on, the cathedral chapter wanted Montúfar to be declared incompetent for being senile and so gravely infirm that he ought to be replaced. Most

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10 “…especialmente que muchos mulatos y mestizos que maltratan á los indios y se andan por los pueblos dellos vagabundos se refrenarian y no osarian molestálos ni hacerles agravio, y los indios, que naturalmente son inclinados á vicios se corregirian mucho con el buen ejemplo de los españoles, y asi de vergleanorº de temor no se harian tantos delitos y pecados entre ellos, á lo menos no públicos.” García Pimentel 1897:13. Cf. Mörner 1999.
13 Dávila Padilla 1955:512.
members of the chapter also criticised the Archbishop for nominating his friend Ledesma as the governor of the archdiocese, affirming that they had the sole right to appoint such an official in the absence of the prelate. Instead of Ledesma, they wanted to see the bishop of Michoacán, Antonio Morales Medina, as the governor of the archdiocese.\footnote{14 ACCMM, Actas del cabildo, vol 2, fol. 268r-268v (July 6, 1571), cf. the cathedral chapter to the King, Jan 1572 (AGI, M 339), and Viceroy Martín Enríquez to the King, April 6, 1571 (AGI, M 19, no. 58).}

Ledesma counteracted the chapter by putting its leader, Archdeacon Juan Zurnero, in the archiepiscopal prison for being disobedient to him as the governor.\footnote{15 Bartolomé de Ledesma OP to the King, Sept 23, 1571 (AGI, M 282).} Archbishop Montúfar’s alleged senility was further counteracted in a report to the King in December 1571, where the provisor, Esteban de Portillo, presented a number of testimonies to claim that the Archbishop was mentally competent despite being ill. These witnesses, all close friends and allies of the Archbishop, as well as his personal physician, Damian de Torres, unanimously stated that the Archbishop’s memory and judgement were still intact. According to Dr. Torres, the Archbishop had some difficulties speaking due to a partial paralysis, while his intellect was as clear as ever. The witnesses unanimously confirmed that the Archbishop’s state had deteriorated during the cold winter of 1570, when Dr. Torres began visiting him on a daily basis. From this time on, the Archbishop hardly left his bed, save for short moments.\footnote{16 Testimonies of Gerónimo de Palamo, Francisco de Espinosa OP, Montúfar’s assistant; Diego de Maldonado, Montúfar’s secretary; Martín de Araguren, Francisco Pérez del Castillo, and Dr. Damian de Torres, physician. Dec 20, 1571 (AGI, M 282).} Thus, he could not attend the solemn installation of the Holy Office in Mexico in 1571, when Bartolomé de Ledesma preached and celebrated the mass and welcomed the inquisitor Dr. Pedro Moya de Contreras.\footnote{17 García 1982. Cf. Montúfar’s licence, signed by Ledesma, that masses could be celebrated in the chapel of the Inquisition, 1571 (AGN, Inquisición vol. 72, exp. 1).}

Assured that the remaining days of his life were few, the Archbishop wrote down his last will and testament. According to this document and despite his complaints of being poor, Montúfar seems to have possessed considerable personal wealth, probably at least 10,000 pesos de oro común. Major beneficiaries were his brother Martín de Montúfar, and Martín’s children Francisca, Lucia, Pedro, Gaspar, and Alonso, some of whom lived in Spain while others had settled together with their father in Mexico. Another major beneficiary was the Archbishop’s cousin, Inez de
Montúfar, who lived in Granada. Most of the remainder of the Archbishop’s fortune was given to people who were or had been members of his household. Montúfar’s friend and main assistant, Bartolomé de Ledesma, had declined any offers of money, and he was therefore just given the Archbishop’s edition of the Tridentine council, together with all the books he kept in his room in the prelate’s house. Montúfar’s other Dominican assistant Francisco de Espinosa, who was severely infirm, was granted 1,000 pesos in order to be cured. Further, a group of people who had been in his service as assistants, pages, servants, and scribes, were given smaller amounts of money. In his will, Montúfar also remembered his old monastery in Granada, Santa Cruz la Real, and granted it the money that the auctioning of his library would give. In a concluding passage, the Archbishop states that if any resources remained after the division of the estate, according to the will, this money should be divided in four parts and be given to the ermita of Our Lady of Guadalupe at Tepeyac, the metropolitan cathedral, the Conceptionist monastery in Mexico City, and his two nieces Francisca and Lucia Montúfar.  

In addition, Montúfar’s will especially mentioned the eight black household slaves that the Archbishop owned. They included one whole family, a man called Juan Pulid, his wife María, and their daughters Catalina and María. Apart from this family, he owned two female slaves, Isabel and Juana, and two male slaves Juan Coxo, “the lame one”, who was described as one-legged, and Gerónimo who served as the Archbishop’s cook. The fact that Archbishop Montúfar owned slaves is of particular interest, since he was one of the very few sixteenth century ecclesiastics known to have criticised the trade with African slaves. In a letter to the King, dated in 1560, he stated that he saw no reason why black people should be enslaved, as Indians were generally not made slaves. The Archbishop stated that after his death, the slaves should be donated to the hospital, to the Dominican monastery, and to his nephew Alonso de Montúfar respectively, and after serving a period of between two and four years in these places, they should be freed.

In a letter to the King, Bartolomé de Ledesma was able to inform that on March 7, 1572, “the feast day of St. Thomas Aquinas it served Our

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18 Montúfar’s will, Oct 9, 1570. (AGI, Patronato 171, no. 1, ro. 21, fol. 10v.)
19 Montúfar’s will, Oct 9, 1570. (AGI, Patronato 171, no. 1, ro. 21).
20 Montúfar to the King, June 30, 1560 (AGI, M 336, doc. 10; PT 490).
21 Montúfar’s will, Oct 9, 1570 (AGI, Patronato, no. 1, ro. 21).
Lord to bring home the Archbishop, after one and a half years of purgatory in bed.” In his testament Montúfar had paid for one hundred masses to be read for his soul on the very day of his death, divided equally between the cathedral church, the Dominican and Augustinian monasteries of Mexico City, and the Franciscan college of San Juan de Letrán. He had also wanted to be buried within the cathedral, “in a place that the cathedral chapter found appropriate”. However, for some reason, he was instead placed in the Dominican church in Mexico City. The Dominican chronicler, Agustín Dávila Padilla, writes that Archbishop Montúfar was given:

a very solemn funeral that was a clear testimony of how much the whole city loved him. He was buried in a vault that had been constructed on the right side of the main altar, where a baldachin of black velvet, with his coat of arms had been embroidered together with the archiepiscopal insignia [the cardinal’s hat], was placed to mark the location of his grave.

With the death of Montúfar, and by the fact that no less than five of the bishops of New Spain had died in the course of three years, the bishops of Vera Paz, Oaxaca, and Michoacán the only remaining bishops in the church province. When the bishop of Michoacán, Antonio Morales Medina, heard about the death of the Archbishop, he wrote to the King to say that there was an urgent need to promote new bishops to the vacant sees. In the case of the late Archbishop of Mexico, he wrote that

all the time when he had the intellect which God had given to him he was a good prelate and a good Christian, but for almost two years he had been

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22 Bartolomé de Ledesma OP to the King, March 31, 1572 (AGI, M 336A; doc. 67), cf. Viceroy Martín Enríquez to the King, March 10, 1572 (AGI, M 19, no. 79).
23 Montúfar’s will, Oct 9, 1570 (AGI, Patronato 171, no. 1, ro. 21, fol. 2r)
24 “queremos y es nuestra voluntad que quando Dios Nuestro Señor fuere servido de nos lleuar desta presente vida que nuestro cuerpo sea sepultado en nuestra Santa Yglesia catedral desta ciudad de Mexico en la parte y lugar della que pareciere al dean y cabildo della dicha nuestra Santa Catedral.” (AGI, Patronato, no. 1, ro. 21, fol. 1r).
25 “un solemnissimo enterramiento, que fue claro testimonio de lo mucho que toda la ciudad le amaua. Selpultaronle en una boveda, que estava labrada a la mano derecha del altar mayor, donde quedó puesto un dosel de terciopelo negro, y en el bordadas sus armas, y el capelo pendiente, señalando su sepulcro”. (Dávila Padilla 1955:512).
altogether forgotten and had become like a little child again, and for that reason his absence is not felt so much.  

26 “Todo el tiempo que tuvo el entendimiento que Dios le dió como buen perlado y cristiano, avia assi casi dos años que estaua olvidado y buelto como a primera edad, y assi se sintio poco su falta.” Antonio Morales y Medina to the King, April 1572 (AGI, M 374), cf. Morales Medina to the King, Nov 20, 1569 and April 14, 1571 (both in AGI, M 374).
CONCLUDING REMARKS

Montúfar and the Mexican Church

After more than four decades as a Dominican friar in Southern Spain, Alonso de Montúfar was elected Archbishop of Mexico, where he resided from 1554 until his death eighteen years later. In this dissertation, I have tried to explore Archbishop Montúfar’s role in the history of the Mexican church. My main aim has been to investigate how Montúfar thought that the church in New Spain should be organised (his vision of the church), but I have also analysed how he tried to implement his ideal vision in practice (his church politics).

When Montúfar arrived in New Spain, thirty-five years had passed since the Spanish conquest. From the very beginning of the Spanish presence in New Spain, the mendicant orders had dominated the missionary enterprise. Franciscans, Dominicans, and Augustinians constructed monasteries and churches and baptised most of the Indians who lived in central New Spain. Nevertheless, the mendicant doctrineros did not have an absolute monopoly on the Indian ministry and some secular priests became involved in the missionary work. During the 1520s, the first bishoprics were founded and the first bishops arrived. Initially suffragan to the Archbishop of Seville, the diocese of Mexico in 1546 was elevated to the rank of archbishopric with Montúfar as the first formally installed Archbishop.

Archbishop Montúfar was already sixty-five years old when he arrived in Mexico and he died at the age of eighty-three. Due to old age and deteriorating health, Montúfar had to depend on a number of assistants who helped him with the daily administration of the archdiocese. The most important of these assistants was the provisor. He was the highest ecclesiastical judge in the archiepiscopal audiencia, but also acted as a general assistant to the prelate. To deal with cases related to the indigenous population Archbishop Montúfar also appointed a provisor de indios. Apart from these officials, who constantly changed during his time as an Archbishop, Montúfar appointed his Dominican co-friar Bartolomé de Ledesma as a general assistant. Ledesma was one of
the leading theologians in the province and helped the elderly Archbishop with matters concerning the Inquisition and the censorship of books. During Montúfar’s terminal illness, Ledesma was the administrator of the archdiocese.

Already in the first letters he wrote to the King after his arrival in New Spain, Montúfar presented a very gloomy picture of the state of the church in New Spain. Despite three decades of missionary work, Montúfar argued that the greater part of the indigenous population was as pagan as it had been before the conquest and that the church lacked both order and discipline. In 1555 Montúfar summoned his suffragan bishops to a provincial council so as to discuss the future of the church in New Spain and to establish clear rules for the ministry. Ten years later, all bishops in the province gathered again to swear an oath to the Council of Trent and to make some additions to the first provincial council.

Together with the Archbishop’s letters, reports, and lawsuits, the acts of the provincial councils are very important sources on Montúfar’s church policy. According to Montúfar and his suffragans, the bishop should be the absolute leader and teaching authority in the diocese, whereas the clergy (both friars and secular clerics) should be their coadjutors. Using a military analogy, Montúfar argued that the bishop should be the captain and the clergy his foot soldiers in the church’s continuous battle against Satan and for the greater glory of God.

Even if Montúfar sometimes admitted that the mendicant missionaries had done much for the christianisation of the Indians and that he as Archbishop could do very little without them, he felt that they had gained too much power and influence. In Montúfar’s opinion the mendicants wanted to “own the country”, to be “absolute lords” over the Indians and to regard them as their own vassals. On the other hand, Montúfar thought that he was entrusted with very little power and if the archdiocese could be described as a patchwork of missionary parishes (doctrinas), most of them were outside the control of the prelate as friars administered them. Thus, Montúfar thought that a major change was needed. He wanted to construct a hierarchical church following the Spanish model, with a strong and influential episcopacy which could define the goals for the ministry. According to the Archbishop, the doctrinas, which were administered by the friars, should be placed under the jurisdiction of the bishop, establishing legally binding links between the bishop and the clerics. To administer sacraments in a given location, all priests involved in the Indian ministry would need a licence. In this
way, Montúfar would be able to replace friars with secular clerics. According to Montúfar, the Indians learned the doctrine of the church as if they were parrots, without understanding its contents. With such a deficient knowledge of the basis of the Christian doctrine and infrequent contact with the sacraments of the church, Montúfar doubted whether many of the Indians' souls would be saved.

Montúfar thought that the friars occupied areas of the archdiocese that were too vast without having the personnel necessary for the ministry. In Montúfar's eyes, the greatest problem for the church in New Spain was the extreme lack of priests. Sometimes Montúfar asserted that ten times as many priests were needed in order to teach the Christian doctrine and administer the sacraments to the native population. Montúfar wanted to replace mendicants with secular priests, who unquestionably were under episcopal jurisdiction. The hope for the church in New Spain would be to educate a large number of priests, particularly among the young Spanish men who were born in New Spain (criollos), many of whom already knew the indigenous languages. To meet the needs of the Indian ministry, Montúfar wanted to build a priest seminary in Mexico City, where a large number of young criollos could be educated and later serve as priests.

According to Montúfar, this lack of priests could not be solved unless the Indians contributed to the economy of the diocesan church through the payment of general tithes. Overall, Montúfar had a negative view of the indigenous population and their abilities. Like many other churchmen, he thought that the Indians were pusillanimous and weak and that they were easily led astray. He also thought them to be particularly inclined to drunkenness and fornication. If there were no priests living in the village, he believed that the Indians would easily become victims of the native religious experts (hechiceros), who would lure them back to their old pagan beliefs and ceremonies. To use one of the Archbishop's favourite expressions, the Indians would undoubtedly revert to “their idolatric vomits”. In order to avoid this happening, the Indians needed to be under constant supervision from the clergy.

Many features of Montúfar’s church politics met opposition from the friars. The most vocal and formalised critique came from the Franciscan Juan Focher and the Augustinian Alonso de la Vera Cruz. Nevertheless, similar judgements are found in letters from the mendicant provincials and other friars in New Spain and in particular the Franciscans Francisco de Toral and Francisco de Bustamante, the Augustinians Agustín de la
Coruña and Diego de Vertavillo, and the Dominicans Bernardo de Alburquerque and Pedro de Peña. Relying on the papal privileges they had received after the conquest, and in particularly on the so-called *Omnimoda* (the brief *Exponi nobis* by Pope Adrian VI), the friars argued that they could preach and administer sacraments without any licence from the local bishop.

The friars also argued that they were entitled to build and remove churches and monasteries without licence from the Archbishop, as they were beyond his jurisdiction. They wanted straw-bishops with little more than honorary powers, who could ordain the priests necessary for the ministry and bless ornaments and churches. Thus, the friars did not accept the placement of secular clerics by the bishop in areas already ministered by them. In general, the friars doubted the zeal and aptitude of the secular clerics and thought that the clerics were either too greedy or too uneducated to be entrusted with the sensitive Indian ministry.

If the Archbishop did manage to introduce his ideal view of the church, the mendicants thought that there was no future for the church in New Spain. The friars particularly opposed the introduction of separate Indian tithes, as that would have devastating effects on the already poor and tax-burdened Indians. If the Indians were forced to pay tithes, the friars thought that they would despise the church and its ministers and think that they were driven by greed and not by love for their souls. In addition, the Indians were already contributing to the subsistence of the clergy through the payment of tribute to the Crown or an *encomendero*. The introduction of secular clerics would also be very expensive, since the clerics often had to support large numbers of relatives. Apart from this, the friars argued that the imposition of tithes would only contribute to the enrichment of the bishops and the cathedral chapter, as only a fraction of the tithe revenues were destined to the ordinary clergy. In short, the friars thought that the introduction of secular priests and the imposition of tithes would rapidly destroy all that they had built up since they had arrived in New Spain.

With some exceptions, the friars were very critical of Archbishop Montúfar and his autocratic ways. In a letter dated in 1562, one of the representatives of the Franciscan order in Mexico, Gerónimo Mendieta, wrote that Montúfar had been a prudent friar and that he was “a meek lamb” when he arrived from Spain. However, in a couple of years Montúfar had changed entirely “so that there is no tiger that is as fierce
as he is unto us”. In their letters, the friars sometimes admitted that the Archbishop did what he found expedient for the church, but still thought that he did not respect their papal privileges, which were given to them in order to christianise the Indians. They argued that Montúfar knew very little about the situation of the Indians, as he did not know their language. His church politics, and especially the introduction of secular clerics as *doctrineros* and the imposition of tithes on the indigenous population, would have devastating effects on the new church in the Indies.

I have devoted one chapter of this dissertation to the cult of Our Lady of Guadalupe at Tepeyac on the outskirts of the city of Mexico. In a sermon in 1556, the Franciscan provincial Francisco de Bustamante criticised Archbishop Montúfar’s support of the popular cult and the miracles that were associated with the cult in Tepeyac. Bustamante feared the cult would be a bad example for the Indians and feared that they would regard the Virgin as a goddess. The Franciscans also questioned the goal of the alms that were given to the *ermita* and thought that the money could be used in better ways, for example to support the hospitals and for the relief of the poor in the city. The *ermita* of Guadalupe was also a matter of dispute in the conflicts between the Archbishop and the members of the cathedral chapter. In a proceeding against Archbishop Montúfar in 1562, the metropolitan chapter criticised Montúfar for taking advantage of the alms that were donated to the *ermita* and for using them in his own dubious business transactions.

From his very arrival in Mexico, Montúfar had continuous clashes with the cathedral chapter. As in the case of the friars, the conflicts centred upon the Archbishop’s jurisdiction. One of the first conflicts focused on the rights and duties of the interim members whom the Archbishop could appoint. The relationship between the chapter and the Archbishop deteriorated even more in the early 1560s, when a number of new chapter members arrived from Spain. Thereafter, the Archbishop and the chapter fought various battles, particularly over the Archbishop’s jurisdiction and precedence in public processions and assemblies. Another matter of dispute was the introduction of new customs.

The members of the cathedral chapter were even more outspoken than the friars in their criticism against the Archbishop. In numerous

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1 Gerónimo de Mendieta OFM to Francisco de Bustamante OFM, Toluca, Jan 1, 1562 (*Cartas de religiosos* 1941:27)
letters, they stated that Archbishop Montúfar was the cause of all the problems in the Mexican church. They argued that the Archbishop was virtually possessed by greed, pride, and nepotism. He did not respect the authority of the chapter and constantly made innovations that caused disorder in the cathedral church. The members of the cathedral chapter thought that the Archbishop treated them very badly and without due cause put them in prison without due cause as if they were culprits and not respected servants of the church and the King.

By virtue of the royal patronage, the Spanish monarchs had a great influence over the church in the Indies. Therefore, the Spanish King played a very important role in the intra-ecclesiastical conflicts in sixteenth century Mexico. In the conflicts between the Archbishop and the friars, the King often supported the latter. In spite of protests from the Archbishop, the King decreed that the friars had the right to administer the sacraments to the Indians without asking for a licence from the local bishop. Likewise, the bishops were forbidden to place clerics in villages that previously were administered by friars.

In the early 1540s, the Crown decreed that all Indians in New Spain should pay ecclesiastical tithes on three products: wheat, cattle, and silk. From 1555 onwards, the King wanted to receive testimonies concerning the effects of the collection of tithes on the indigenous population and the future of the church in New Spain. However though the King and the Council of the Indies received an abundance of testimonies, reports, and letters on whether or not the Indians should pay tithes, no final decision was taken during the archiepiscopacy of Montúfar. The Crown also intervened in the conflict between Montúfar and the cathedral chapter. In the dispute over the interim candidates, the King decreed that they should be clearly differentiated from the churchmen who were formally installed by the King. On the whole, the King supported the position of the Archbishop over and against the position of the cathedral chapter.

The times of Archbishop Montúfar were certainly filled with conflicts. The letters Montúfar sent to Spain often reveal feelings of deep frustration. With age and deteriorating health, frustration and anger were transformed into resignation. Archbishop Montúfar had a high opinion of himself and his office. He thought that he did everything he could to serve the church and the Spanish King and only wanted to bring order in the Mexican church, so that the inhabitants and in particular the Indians could reach eternal salvation. Montúfar felt that he was unable to comply with his high office and to “unburden the conscience of the King” due to
the resistance he met from the Viceroy Luis de Velasco, the friars, and the cathedral chapter, and he therefore hoped that his death would be imminent. The Archbishop did not understand why the Viceroy, the friars, and the chapter members constantly made grave accusations against him. In his own mind, those who wrote letters and compiled reports against him and his archiepiscopal administration only served themselves and the Devil, the source of all destruction and disorder. Montúfar looked upon himself as a very good, poor, and virtuous friar, an excellent pastor and a good example for his sheep. Sometimes, he saw himself as a martyr for the cause of Christ and his Church, due to all the resistance he had to meet and all the false accusations he had to suffer.

Epilogue: The Church in Mexico After Montúfar

Montúfar had certainly wanted his good friend Ledesma to succeed him on the archiepiscopal see. However, shortly before his death, King Philip had appointed the newly arrived inquisitor, Pedro Moya de Contreras, as his assistant bishop with right of succession when the old prelate died. After the usual bureaucratic processes on the other side of the Atlantic, Moya could eventually be consecrated archbishop in December of 1574, in the presence of all bishops of New Spain.²

In many aspects, Moya de Contreras differed very much from his predecessor. He was a diocesan priest, ordained only a couple of years before, and he was much younger, probably only around forty-five years old. A doctor of law educated in Salamanca, Moya had served in the Spanish Inquisition, first in Murcia and then in Mexico when the new tribunal was installed in 1571. Moya de Contreras was an old friend of Juan de Ovando, then the president of the Council of the Indies, a man who certainly was involved in the promotion of him as the successor to the Mexican see.³

On the other hand, Moya de Contreras continued the consolidation of the diocesan church and the office of the bishop that had begun during Montúfar’s time, together with the promotion of the secular clergy. In doing this, Moya encountered the same type of resistance and like his predecessor on the see, he was at odds with the Viceroy, the cathedral chapter, and not least the religious orders. Moya’s criticism of the friars

² Poole 1987:38-46. For Moya’s time as archbishop, see also Victoria Hennessey Cummins’s unpublished dissertation “After the Spiritual Conquest. Patrimonialism and Politics in the Mexican Church 1573-1586” (Tulane 1979).
³ Poole 1987:8-16, 40.
echoed that of Montúfar in the decades before; the mendicants wanted to
dominate the country, they were too few to carry out their ministry, very
few friars and did not want the secular clerics to help them in the Indian
ministry. Moreover, Moya claimed that many friars lacked knowledge of
the indigenous languages. Together with the three old orders, a fourth, the
Jesuits arrived in 1572, devoting themselves to the education of the
Spanish population and ministry among the indigenous peoples, in
particular in northern New Spain. The age-long quarrel over the status of
the doctrinas and the privileges of the friars continued during Moya’s
time. In 1574, the Crown issued a law known as the cédula del
patronazgo, which sought to strengthen the power of the royal patronage
over the clergy in the Indies. Its intention was to place the members of the
religious orders more firmly under the royal patronage and to curtail their
independence. This implied that the mendicant doctrineros should also be
presented by the Viceroy and approved of and thereafter canonically
installed by the bishops, as was the case with the secular clergy.4

As Archbishop Moya began a close examination of the diocesan
clergy, he criticised what he saw as moral laxity and bad education
among them and visited the whole archbishopric on various occasions,
both as part of his office as Archbishop and as the Crown’s general
visitor.5 The most long-lasting effect of Moya’s archiepiscopal
administration was, however, his summoning of the suffragan bishop to a
third provincial council in 1585. Even if the acts of the general council of
Trent had been formally accepted at Montúfar’s second council twenty
two years before, the implementation of the Tridentine reforms came with the
third council, which the Archbishop’s biographer, Stafford Poole,
consequently calls the “Mexican Trent”. While relying heavily on the acts
of the first and the second councils, the acts of the third council would
have a long-lasting influence on the Mexican church, being valid well
until the end of the nineteenth century.6

Having ended the council, Moya left for Spain in 1586, in order to
present the findings of his general visitation, and to become the President
of the Council of the Indies. Archbishop Moya de Contreras would spend

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4 Poole 1987:59-78.
5 Poole 1987:79-90.
his last years in Spain, and when he died in 1591, he left the Mexican see without a resident prelate for the rest of the century.7

MAPS

The Dioceses of New Spain

1. Acapulco
2. Taxco
3. Cuernavaca
4. Toluca
5. México & Tlatelolco
6. Texcoco
7. Teotihuacán
8. Tula
9. Querétaro
10. Pánuco

The Archdiocese of Mexico
The Uppsala Map, ca. 1555 (detail showing the centre of Mexico City with the old cathedral in the middle and the Dominican monastery to the right). The original is in Uppsala University Library. (Linné 1988, mapa VI)
GLOSSARY

Alcalde  
Local judge and council (caboildo) member.

Alcalde Mayor  
Spanish magistrate and administrative official in charge of a district (alcadia mayor).

Altepetl  
Nahua ethnic state in Nahuatl.

Audiencia  
1) Audiencia real. The high court and governing body in a province (also known as audiencia), presided by the Viceroy with the assistance of a number of judges (oidores). 2) Audiencia eclesiastica, the highest ecclesiastical court in a diocese.

Cabildo  
1) Cabildo secular, municipal council. 2) Cabildo eclesiastico, cathedral chapter.

Cabecera  
A main village or town with a church and resident clergy.

Calpolli  
In Nahuatl, a subunit of an altepetl.

Cofradia  
Lay religious brotherhood.

Criollo  
Creole, person of Spanish (or at least European) lineage, who was born in the Indies.

Doctrina  
1) An Indian parish with a recently christianised indigenous population, often ministered by friars. 2) A catechism (doctrina cristiana).

Doctrinero  
Missionary, a priest in charge of a doctrina.

Encomendero  
A person (nearly always a Spaniard) to whom the King had entrusted a number of Indians, who should pay tribute to him, cf. encomienda.

Encomienda  
A grant, usually consisting of the tribute of a number of Indians, cf. encomendero.

Ermita  
A small church building, often on the countryside, without a resident priest; chapel of ease.

Fiscal  
1) prosecutor in the royal or ecclesiastical audiencia. 2) An Indian lay official, who served as an aide to the local clergy, church steward.

Gobernador  
Governor, here the highest indigenous office in a municipality (altepetl).
<table>
<thead>
<tr>
<th><strong>Juntas Eclesiásticas</strong></th>
<th>A number of formal meetings between bishops and missionaries in Mexico until 1546.</th>
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<tbody>
<tr>
<td><strong>Legua</strong></td>
<td>Spanish mile, equivalent to 5572 metres</td>
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<tr>
<td><strong>Mestizo</strong></td>
<td>A person born of mixed Indian and Spanish parentage.</td>
</tr>
<tr>
<td><strong>Oidor</strong></td>
<td>A judge of the royal audiencia.</td>
</tr>
<tr>
<td><strong>Partido</strong></td>
<td>An Indian parish administered by secular priests.</td>
</tr>
<tr>
<td><strong>Provisor</strong></td>
<td>The highest ecclesiastical judge in a diocese.</td>
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<tr>
<td><strong>Provisor de Indios</strong></td>
<td>An assistant to the diocesan bishop, especially entrusted for questions related to the indigenous population, cf. provisor.</td>
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<tr>
<td><strong>Real Cédula</strong></td>
<td>A royal decree, royal order.</td>
</tr>
<tr>
<td><strong>Regidor</strong></td>
<td>Council member.</td>
</tr>
<tr>
<td><strong>Sede vacante</strong></td>
<td>The time when a bishopric was vacant due to death or absence of the prelate.</td>
</tr>
<tr>
<td><strong>Tlatoani</strong></td>
<td>A dynastic ruler of an altepetl.</td>
</tr>
<tr>
<td><strong>Visita</strong></td>
<td>1) An investigation into the governmental activities in the Indies, often made by an official of the Council of the Indies (general visitation). 2) An inspection tour made by the bishop or a specially appointed official, to whom the bishop’s authority was conceded. 3) A smaller village, often with a chapel, but with no resident clergy, which was visited by the priests from the closest cabecera.</td>
</tr>
</tbody>
</table>
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