

Indirect or Structural Violence: The Case of the Inquisitor's Manual

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Abstract: *The communication that we put to the consideration of the kind reader is an extract and study of the "Inquisitors Manual for the use of the inquisitions of Spain and Portugal." The edition that we are going to comment on was translated and structured by Abbe José Marchena based on several superimposed texts and came to light in Montpellier in 1821. It was composed of a compendium of the "Directory of Inquisitors" written by the Inquisitor General of Aragon Nicocalu Eymeric published in the middle of the 14th century. Then it was summarized with some annotations made by Francisco Peña published in Rome during 1558. To the previous texts is added the summary also made up by Marchena taken from the book by Luis Páramo "Origin of the Holy Office of the Inquisition". The critical annotations of Abbe Marchena analyze from a progressive perspective the content and consequences of the inquisitorial forms, for which reason we wish to establish a dialogue with the theoretical approaches to peace, anticipating that this type of repressive apparatus in history were nothing but State resources known as acts of indirect or structural violence to subdue a part of the population, arguing the common good from the perspective of the Catholic religion.*

Keywords: Inquisition, Church, Defense of the Faith, Structural Violence

1. Presentation

The full name of this work to be analyzed is "Inquisitors Manual for use by the Inquisitions of Spain and Portugal or Compendium of the Work entitled Directory of Inquisitors by Nicolao Eymerico Inquisidor General de Argos, translated from French into Spanish by Don J. Marchena, with additions by the translator about the Inquisition of Spain". This manual served as a rule for inquisitorial uses.

The Holy Office of the Inquisition or Court of the Holy Office emerged in Spain as a State apparatus operated by the Church, at that time to defend against the Waldensians and the Cathars during the 13th century. Later, Pope Sixtus IV authorized Ferdinand of Aragon and Isabel of Castile to exercise their authority through the court of the Inquisition in the defense of the Faith. "On January 25, 1569, by means of a Royal Decree, the monarch Felipe II created the inquisitorial court. in Mexico" .¹

The manual in question is made up of the following sections: I.- On the form and substantiation of the causes. II.- Of the witnesses. III.- Interrogation of the offender. IV.- Defense of the accused. V.- Of torture. VI.- Rebellion and escape of the prisoner. VII.- Of the acquittal. VIII Of the punishments to which the Holy Office condemns. IX.- Of the abjuration, X.- Of the fines and confiscation of goods, XI.- Of the deprivation of jobs, offices and benefits, dignities, positions and authorities that against heretics and their children, etc. it fails. XII.- Perpetual jail, XIII.- Relaxation of those sentenced by the inquisition to the secular arm. XIV.- Of the crimes known to the Holy Office.

It also has a series of annexes such as: Several passages from Luis de Páramo's book, additions by the translator such as: about the jurisprudence of the Inquisition courts in Spain, the Avila Edict of May 25, 1498; the three hearings to which the accused is summoned; additions to chapter IV; additions to chapter V; additions to chapter IX; additions to chapter X; additions to the last chapter; additions to the summary of the book of Páramo.

2. The Holy Office of the Inquisition

Santo Domingo de Guzmán is known as the proto-inquisitor in the Catholic world. The judicial forms of the Inquisition have their origin in its maxims, which were composed to "avenge the faith" and "dispatch the heretics."

After the military conquest of 1521, a monastic inquisition was established in New Spain, in which the friars who acted as inquisitors had assumed episcopal powers, by virtue of the papal disposition that had granted them such powers through the bulls of 1521 and 1522 known as the *Omnímoda*. In them, prelates were authorized to perform almost all episcopal functions, except ordination in the absence of bishops. Later and for the period 1535 to 1571, that monastic inquisition was replaced by a properly episcopal inquisition ...²

In New Spain the guardian father, Fray Martín de Valencia, exercised the inquisitorial authority in 1524. According to the bull of Adrián VI *omnímoda* these powers were

¹Carlos Roberto Gutiérrez Peraza, "El Tribunal del Santo Oficio"...s/p.

²Luis Carlos Quiñones, *Inquisición y vida cotidiana en Durango*...pp. 44.

conferred on the Franciscans.³ In 1526 the first Dominicans arrived. At the head was Fray Tomás Ortiz, who had the appointment of Commissioner of the Inquisition, given by the Audiencia of Santo Domingo in Hispaniola⁴, but as he had to return to Spain, he left Fray Domingo de Betanzos in his place, who exercised the office of inquisitor from 1527.

The territory subject to the jurisdiction of the new Inquisition included not only New Spain but also New Galicia, to the north wide open with its outpost of New Mexico; to Guatemala, to present-day El Salvador, to Honduras, Nicaragua and, finally, to the Philippines, on the other side of the world: in total, almost three million km, while in Spain, sixteen courts exercised their authority over a territory of little more than 500,000 km, in which the district of Valladolid was seen gigantic, with its 89,873 km.⁵

The Holy Office in New Spain was divided into Police Stations. And as it was a novel subject for the clergy, these were not always the commissars, but civil men; For this reason, a Manual of Inquisitors had to be used, as these were the "first repressive machines" of viceregal Mexico.⁶ The inquisition was applicable to all the inhabitants, but "the natives were punished only for the practice of idolatry, witchcraft, magic and divination. At the end of 1571 it was considered that the natives ceased to belong to the inquisitorial jurisdiction and would only depend on the bishop in terms of sanctioning crimes against Christian morals and faith."⁷

Of utmost importance in the Creole legislation were the Indian provincial councils, in which subjects related to: doctrine, preaching, sacraments, life and customs of priests, ecclesiastical procedures, ecclesiastical crimes, public sins and so on were discussed. The norms destined especially to the Indians stood out, those that in theory tried to be adapted to the uses and customs of these, although it is known that in practice they were rigid and in the application they represented many humiliations for the natives.⁸

Immediately expelled the Muslims and the Jews of the Iberian Peninsula, the discovery of America was to suppose for the Spanish Crown an opportunity to magnify and regain its reign; so America represents a remedy for the loss of subject peoples, but a strong apparatus is needed for their submission.

The Inquisition was above all a public administration body, a Court where anomalies carried out against what the Church ordered were aired; a place that referred to a totalitarian state in which ideology was imposed on people from

childhood and where any dissidence implied repression, marginalization and isolation.⁹

For this reason, those who could be part of this repressive body were considered as individuals with social and moral recognition in the eyes of both the authorities, as well as the common population and the expectant congregation.

3. The Inquisitors

The Holy Inquisition was a great apparatus, for which it was appointed expressly charged with prosecuting and prosecuting crimes. Those selected to be part of this apparatus had to go through "the administrative procedure called Blood Cleaning and Genealogy, which was the proof that people did not carry in their veins any trace of Jewish, Moorish or heretical blood, or any bad blood, which was proven from an investigation carried out by the Inquisition."¹⁰

At the head were the Commissioners, who "had the mission of reading the edicts of faith, making district visits and receiving complaints and testimony"¹¹; later there was a charge called the Relatives which reduced the work of those. For the most part, those who were appointed in New Spain had had these functions in the metropolis, for which reason they were ratified when they reached America. Then there were the assistants who were the most numerous and had multiple responsibilities:

(...) Laity and ecclesiastics, who in one way or another participate in the inquisitorial work: bailiffs, notaries, consultants, lawyers, various assistants and book editors, "honest people", wardens, doctors, apothecaries and barbers, suppliers, interpreters — Of indigenous languages, German, Flemish, French, "English and Scottish" - which, incidentally, clearly indicates which individuals were, in principle, to listen to and watch out for as they were originally from automatically suspect nations.¹²

And to a different degree, though no less important, were the raters and consultants. Among all, the French researcher Solange Alberro testifies with presentation of cases, that it was a great network of kinships and shared powers that made up this huge group of inquisitors, who distinguished themselves by attacking the Jews as one of their greatest enemies.

4. The Inquisitor's Manual and Causes for Intervention by the Inquisition

The codes that were applied in New Spain were formed in the peninsular courts. To the constitutions of Torquemada are added those of the archbishop of Granada, those of Diego de Deza, those of Fernando de Valdés, and these provisions, compiled by Cardinal Alonso Manrique, worked for the

³José Luis, Soberanes Fernández "La Inquisición en México durante el siglo XVI"...p. 284.

⁴Idem.

⁵Solange Alberro, *Inquisición y sociedad...*s/p.

⁶Idem.

⁷Luis Carlos Quiñones, *op. cit.*, pp. 48-49.

⁸Carlos Roberto Gutiérrez Peraza, *op. cit.*

⁹Javier Sanchiz, "Funcionarios inquisitoriales en el Tribunal, siglo XVI"...p. 166

¹⁰Luis Carlos Quiñones, *op. cit.*, pp. 48-49.

¹¹Solange Alberro, *op. cit.*

¹²Idem.

inquisitors of the viceroyalty”¹³. There were three ways to cause matter of heresy: by accusation, by denunciation and investigation. When it was by accusation, the informer who did not prove the crime was subject to the penalty of talion in case of not giving evidence¹⁴ and also in the Council of Burges false witnesses were sentenced to wear the sanbenito with the St. Andrew's cross.¹⁵ The denouncement was the most usual. This acted more harshly on those who knew of a case of heresy, because by not reporting they were threatened with excommunication and even if they had it kept in the depths of their soul they were forced to report.

This incitement to the complaint could also have arisen on the recommendation of the religious in the confessional. The confidential nature of the complaint could also serve to preserve the anonymity of the complainant, thus avoiding suspicions or reprisals by the accused or their relatives, or to complain with the nefarious purpose of harming third parties by venting anger or Envy contained as a remnant of old neighborhood or family quarrels.¹⁶

Incidentally, for an ordinary parishioner it was very difficult to know all the theological mysteries and before any hint of heresy they felt the obligation to expose. The investigation took place when there was no informer or accuser and they got up on suspicion.

Regarding the witnesses, testimonies could even be admitted from excommunicated persons, accomplices of the accused, convicted of any crime, as well as infidels and Jews.¹⁷ The moral burden of the denunciation was so strong that all the edicts that were pasted on the doors of the churches could morally submit both parents and children, brothers, slaves, servants, relatives and friends, since the weight of guilt handled because of the imaginary of the existence of purgatory, it was the motive to betray any acquaintance "because most of the time the crime of heresy was committed within domestic walls."¹⁸

In any case, the complaints to the court of the inquisition served as a system to contain the overflow of passions, which made it possible, to a large extent, for society to vent its tensions and reasonably remain within the limits of the normalization sought by the court.¹⁹

Regarding the interrogation of the prisoner, he was asked certain questions that he would later sign in his statement.

This Manual included some of the “tricks” in which the person interrogated, so that the officers of the Court were warned. In all, the manual mentioned ten: the equivocation, the addition of an implicit condition, twisting the question, answering in wonder, using misrepresentations, avoiding the

answer, making their own apology, vague, pretending to be crazy and affecting modesty in the countenance and in all his actions. Faced with these "tricks" the manual recommended how to counteract them.²⁰

Reviewing the chapter on the Defense of the Prisoner sheds many lights on how the Court cunningly handled the possibility of ambushing the accused in such a way that there was no way to defend himself; Either by making him fall into contradictions at the time of the interrogation, either by mentally deteriorating him to the point of weakening him, or by using the informers and then turning him against them to allege that there was no reason for accusation if at all he had declared they were friends. The important thing here is that the accused never knew who was accusing him to make him fall.

In the chapter on Torture, it was recommended that the prisoner be tortured "to urge him to confess his crimes."²¹ First: by varying the circumstances denying the main fact; second, because he had even one witness; third, even if there were no witnesses, only evidence; fourth: when there was a single witness who had seen him say or do something against the faith.

The Manual also contemplated the possibility of the defendant's rebellion and escape and how to treat him. Chapter VII dealt with absolution and VIII with the punishments of the Holy Office: canonical purgation, abjuration,²² pecuniary condemnations such as fines and confiscation of property, deprivation of offices and charges, perpetual confinement and relaxation of the offender to the secular arm (that is, the trial and punishment would be borne by the Crown).

Chapters IX and X dealt with abjuration, fines, and confiscation of property.

All the penalties were finally public, no matter how secretly they were treated: from sitting at the door of a church holding a lit candle, going on a pilgrimage to a sanctuary, wearing a yellow cross on their clothing, to life imprisonment. An irreversible penalty was the confiscation of property, because if they did not repent "they were unworthy to enjoy life and property."²³ Even if the heretic died, his property could be confiscated, depriving his heirs of them, even 40 years after the death of the accused. The reality is that the Catholic Church accumulated many goods and wealth through the Inquisition.

In chapter XI he focused on the deprivation of jobs, trades and benefits, dignities, positions and authorities that against “heretics and their children, etc. it fails”.²⁴ The removal of property was attributed to the children because it was "a very just thing because they retain the stain of the infamy of their parents."²⁵ With the deprivation of employment, office, benefit and position, they also lost “the civil power that he

¹³*Ibidem*.

¹⁴Manual del Inquisidor, pp. 22.

¹⁵*Idem*, pp. 30.

¹⁶Luis Carlos Quiñones, *op. cit.*, p. 21.

¹⁷Manual del Inquisidor, pp. 25-26.

¹⁸*Idem*, p. 27.

¹⁹Luis Carlos Quiñones, *op. cit.*, p. 21.

²⁰Manual del Inquisidor, pp. 34-35.

²¹*Idem*, p. 51.

²²Withdrawal, resignation.

²³Manual del Inquisidor...pp. 70.

²⁴*Idem*, p. 75.

²⁵*Ibidem*.

had over his servants, the politics of his vassals, the right he had in his own property and in those of those who had contracted obligations with him and finally the parental authority”²⁶.

Chapter XII determined the perpetual jail, which was imposed especially on the repentant heretic, which he made publicly placed on a scaffold for all the people to see "with his penitentiary costume, this is a scapular similar to that of the friars, colored dark, with crosses, in front and behind, of yellow canvas or cloth”²⁷. After much ceremony, he would finally take him prisoner, but not before telling him: "Dear son, suffer your sentence with patience and do not despair because I let you know that if you suffer with patience you will be treated with mercy.”²⁸

Chapter XIII spoke about the Relaxation of those condemned by the inquisition to the secular arm who were counted among: repentant repeat offenders, persistent, persistent heretics, negative heretics (those who insist on denying) having proof of their crime, the rebellious heretics.²⁹

And the last chapter, that is to say the XIV, was entitled: Of the crimes known to the Holy Office. Among them were: heretics, blasphemers, including drunks "who speak blasphemies when they are entirely drunk, as if they were in their right mind.”³⁰ Also those who tell jokes about Faith, God and the Saints; sorcerers and fortune-tellers, those who practice palmistry, those who read the hand, those who play dice, those who practice astrology, those who give love potions to women so that they will love them; those who invoke the devil, "those who worship or worship him by sacrificing him, kneeling to him, singing hymns to him, keeping chastity or fasting in his glory, lighting up his images or giving him incense”³¹; those who practice hyperdulia mixing names of devils with saints; those who invoke the devil with magic figures. Also those who practiced alchemy, the infidels and Jews, the apostates who become Jews or Mohammedans and the excommunicated "who remain in the anathema for a whole year.”³²

Let us now review how this form of control of the State and the Church can be typified as structural violence from the perspective of the theory of a culture of peace.

5. Structural or Indirect Violence

The Norwegian intellectual Johan Galtung (b.1930) recognizes cultural violence as any aspect of a culture that can be used to legitimize violence in its direct or structural form:

By cultural violence we mean those aspects of culture, the symbolic sphere of our existence - materialized in religion and ideology, in language

and art, in empirical science and formal science (logic, mathematics) - that can be used to justify or legitimize direct violence or structural violence.³³

This type of violence was consensual, approved and legitimized by the governmental and ideological apparatus represented by the Papacy and the Spanish Crown. No one could question it, although they could suffer it. He rested on the firm conviction of the existence of hell and purgatory. And anything that was forbidden by the Holy Inquisition generated an irremediable fear in illiterate minds and convinced of the fear of divine punishment. For their part, José María Tortosa Blasco, Daniel La Parra Casado affirm that:

The term structural violence is applicable in those situations in which there is damage in the satisfaction of basic human needs (survival, well-being, identity or freedom) as a result of social stratification processes, that is, without the need for forms of direct violence ... refers to the existence of a conflict between two or more groups in a society ... in which the distribution, access or possibility of using resources is systematically resolved in favor of one of the parties ...³⁴

As we have mentioned above, the accused was deprived of his freedom, of his property, of "malicious" companies, of his trades, of his family, he could even suffer exile and this was a form of control so that only those who abided to the established rules they could walk calmly through the streets of their neighborhood. As the historian Ernesto de la Torre Villar mentions among the media to analyze the Inquisition:

One of them lies in carefully analyzing it as an instrument of state surveillance as a form of social control and as a means to ensure its cohesion, its survival, its security.³⁵

In the words of Johan Galtung, cultural violence allows direct and structural violence to appear and to be perceived, by those who suffer it, as charged with reason. Those who do not accept them will be, in the eyes of others, wrong. In this sense, the religiosity of Catholic Spain and New Spain are governed by a totalitarian force, which is the force of the church and the Crown that weighs it up, and which is based on two principles: the use of power and legitimation. of the use of power. To exercise such power, the instrument of the Inquisition was created and with it all the power that the State granted to the inquisitors, who had the permission to exercise violence and its legitimation: "The psychological mechanism would be internalization. The study of cultural violence underlines the way in which the act of direct violence and the fact of structural violence are legitimized

²⁶Manual del Inquisidor, p. 76.

²⁷Idem, p. 79.

²⁸Idem, p. 82.

²⁹Idem, p. 87.

³⁰Idem, p. 101.

³¹Idem, p. 102.

³²Idem, p. 105.

³³Johan Galtung, "La violencia: cultural, estructural y directa..." págs. 147-168.

³⁴José María Tortosa Blasco, Daniel La Parra Casado, "Violencia estructural..." s/p.

³⁵Ernesto de la Torre Villar, "La Inquisición", p. 67 (en) *Inquisición Novohispana...*

and, therefore, their transformation into acceptable ones for society”.³⁶

Thus, for men from the fourteenth to eighteenth centuries this was a kind of forced and consensual control, but what they did not know is that it was a type of violence that over time was revealed to our eyes. The justification was religion and the instrument of control was the order that made use of the fear internalized by the control apparatus itself. In Foucault's words: “Faced with the axiom according to which, power acts through mechanisms of repression and ideology, it shows that both are nothing more than extreme strategies of power that in no way is content to exclude or prevent, or make believe and hide.”³⁷

However, let us not forget the most important resource of the Inquisition to silence consciences; that is to say, violence.

Violence can be seen as a deprivation of fundamental human rights, in more generic terms towards life, eudaimonia, the pursuit of happiness and prosperity, but it is also a decrease in the real level of satisfaction of basic needs, below than is potentially possible. Threats are also violence.³⁸

Just the fact that the parishioners and tributaries of the Spanish Crown knew of the existence of the Holy Court of the Inquisition was a perception of warning and threat that was deposited in their consciences and that removed all their acts, thoughts, works and omissions, always fearing not to fall into a kind of heretical, subversive interpretation, contrary to the church and the State in order to live in peace.

6. Conclusions

The action of structural violence of the Spanish State exercised through the Inquisition was so complex and encompassed so many punishments for alleged acts carried out against the ideological apparatus of power, that it was necessary to lay down laws that were carefully studied and analyzed. Thus, the Manual of Inquisitors, which was executed in Spain and Portugal, comes to America to enlighten the minds of the inquisitors so that they would not miss a single offense that would endanger the "stability" of the kingdom. It had to spread throughout the world of the conquered territories and although in some things it was adapted to the circumstances, the principles were the same and had to be reviewed by theologians and jurists willing to find any confusion in order to exercise the tutelary control of the Condition.

What we now contemplate as structural violence, was nothing but a truth believed by the apparatus of power itself in order to dominate and control the acts of the parishioners that - unconsciously - regulated themselves by their own

mind, but the other (their spouse, his father, brother, son, friend, servant) was his closest vigilante to avoid offenses against the State and the Church. Society itself, therefore, was in charge of monitoring and denouncing its neighbors (closest) for the tranquility of the State.

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³⁶Johan Galtung, “La violencia: cultural, estructural y directa”, p. 149.

³⁷Francisco Ávila-Fuenmayor “El concepto de poder en Michel Foucault”...pp. 225.

³⁸Johan Galtung, “La violencia: cultural, estructural y directa...”, pp. 150.