

## **Clerical Opposition in Habsburg Castile**

### **Introduction**

The emergence of the new monarchies at the end of the fifteenth century and the beginning of the sixteenth century has often been considered a watershed mark in the development of the modern state. Historians and social scientists have argued that this transition led to greater royal control over society, including the clergy. John Thomson, for example, notes that in the fifteenth century princes gradually wrested from the papacy the right of appointment to ecclesiastical benefices, the right to tax the clergy, and greater jurisdictional rights over the national Church.<sup>1</sup> According to the state-building paradigm, then, the new monarchies brought an end to the universalist claims of the popes and brought the national clergy more thoroughly under royal control.

This suggests, however, a sharp discontinuity with the medieval past, which was full of struggles between Church and State. A few of the most notable examples include: the ‘investiture conflict’ in Germany, which led Henry IV (1056–1106) to prostrate himself before the gates of Castile Canossa for three consecutive days seeking papal absolution (1077);<sup>2</sup> the struggles in England over the status of Church courts and law, and the subsequent murder of Archbishop Thomas à Becket in Canterbury Cathedral (1170); and the conflicts between Philip the Fair (1285–1314) and Boniface VIII (1294–1303) over ecclesiastical taxation and immunity, which were only resolved when Philip arrested Boniface VIII (1303). Could the contentious popes, bishops, and priests of the Middle Ages really have been subdued and transformed so rapidly? No. Conflicts between princes and clergy continued throughout the early modern period. Charles V (1519–56),

for example, was at war with Clement VII (1523–34), and his troops sacked Rome in 1527. The clergy in Brabant led the charge against the ‘new bishopric’ project initiated by Philip II (1556–98) in 1561,<sup>3</sup> while the French clergy regularly flexed their muscles against fiscal impositions in the eighteenth century.<sup>4</sup> Even Protestant princes had to contend with ecclesiastical opposition from time to time. In England, for example, the Tudors continually had problems collecting subsidies from the lower clergy, and various bishops opposed plans to replace the *Valor Ecclesiasticus* in the reign of Elizabeth I (1558–1603).<sup>5</sup> The state-building model clearly makes a sharper break between the medieval period and the early modern period than the historical records suggest. Although there might be valid pedagogical or theoretical reasons for using such a paradigm, the state-building model often obscures the historical realities and simplifies complex relationships between Church and State, and within the Church itself. This is nowhere more true than in the case of Catholic Spain.

The *reconquista*, the Inquisition, and the Counter-Reformation have all helped to establish the view of the Spanish ‘Catholic Monarchy’, where Church and State walked hand-in-hand. Thus, even as historians acknowledge the intricate relations between Church and State in other early modern European nations, Spain, or more precisely Castile, has remained ‘different’.<sup>6</sup> Many scholars consequently see conflict between the Crown and the Castilian Church as extraordinary, when in fact, as Quintín Aldea Vaquero has noted, Church–State conflict was a normal phenomenon in Habsburg Spain.<sup>7</sup> By examining several cases of clerical opposition in Castile, I will provide further evidence that ecclesiastical opposition to aspects of royal policy, especially fiscal policy, was endemic in the entire Habsburg period. Such commonplaces as the Castilian Church enthusiastically supporting the Crown, and the Crown gaining as effective control over the Castilian Church as Henry VIII did over the English Church, can no longer be accepted without caution. This article does not examine all instances of ecclesiastical opposition to the Crown but focuses on the repeated use of the *cesación a divinis* during Charles V’s reign, protests against the *millones* in the 1600s, clerical appeals to Rome, opposing ecclesiastical contributions in the sixteenth and seventeenth centuries, and, finally, preaching against the Crown in the Habsburg period.

Before proceeding, a few caveats should be made concerning

clerical opposition. First, as a corporate body, the clergy never totally opposed the Crown: they did not seek to overthrow the regime. The ecclesiastical estate did not constitute political opposition in the modern sense. Rather, clerical opposition took an organized form when the Crown purportedly violated ecclesiastical liberties and jurisdiction.<sup>8</sup> In such instances, the goal of the clergy was to reassert and to protect their rights vis-à-vis the Crown. The cases of organized opposition examined here deal with infringements on the ecclesiastical fisc. Second, individual clergymen did advocate political opposition to the Crown; some even led mutinies, but, in such cases, individual clergy often expressed communal concerns, not ecclesiastical concerns.<sup>9</sup> Thus, individual clergymen frequently became involved in factional and communal politics against the Crown. Preaching against the Crown offers another angle from which to examine clerical opposition, but, given the communal concerns expressed from the pulpit, it was often distinct from the organized defence of ecclesiastical liberties. Third, the present focus on clerical opposition should not lead the reader to assume that the ecclesiastical estate never supported the monarchy. In fact, as will be seen, many clergymen who resisted the Crown had faithfully served it in the past. This brings to light issues of conscience, and the delicate balancing act many clergymen performed as ministers of God and king. An examination of the continual presence of various types of ecclesiastical opposition, then, should provide us with a more nuanced understanding of the Castilian Church. By placing isolated acts of resistance into a larger context, it may make the individual acts of clerical opposition less dramatic,<sup>10</sup> but it will also help us to rethink our understandings of royal control over the Church, concepts of a monolithic Castilian Church, and Church-State relations in Habsburg Castile.

### *Cesación a divinis of 1519, 1533 and 1556*

Throughout Europe, clergy regularly provided princes with monetary contributions. Some contributions were loans, others were 'voluntary' gifts from the clergy, and still others were papal concessions (e.g. the *Tres Gracias-Cruzada*, *Subsidio* and *Excusado*<sup>11</sup>). The amount of money transferred from Church to State could be enormous; for example, in the course of the

sixteenth century, the Spanish clergy paid 27,540,000 *ducados* in subsidies and *excusados* to the Crown.<sup>12</sup> While recognizing that the clergy paid this money, most historians have overlooked the actual negotiations for the contributions and the clergy's constant reluctance to pay. In regard to the subsidy and *excusado*, the Castilian clergy convened an Assembly of the Clergy to negotiate the size of the contribution and the period of payments. The Assembly also offered the clergy an organized means to resist the Crown and limit royal demands.<sup>13</sup> At times, resisting the Crown meant the use of the spiritual arms. In Castile, the clergy employed the *cesación a divinis* on three occasions — 1519, 1533, and 1556 — in response to royal demands for ecclesiastical subsidies.

The spiritual arms of the Church were for punishing laymen or clerics who had strayed from the Christian path. These same weapons were naturally used on royal officials who infringed on ecclesiastical liberties.<sup>14</sup> Censure, excommunication and interdicts are familiar to most historians. The *cesación a divinis* is more obscure, and it consisted of the suspension of Divine Offices and the abstention from administering the sacraments.<sup>15</sup> In the particular cases under examination here, the Castilian clergy used the *cesación a divinis* to put pressure on the Crown before and during the negotiations for ecclesiastical subsidies. As stated above, the clergy suspended Divine Offices on at least three occasions during the reign of Charles V and discussed implementing a *cesación a divinis* on at least one other occasion in 1530. The ecclesiastical use of the *cesación a divinis* provides a wonderful opportunity to examine the dynamics between Church and State, and how the clergy effectively resisted the Crown and pressured it to reach a more acceptable agreement with them.<sup>16</sup>

The first organized act of ecclesiastical opposition to the Habsburgs occurred at the beginning of Charles V's reign in 1519. Shortly after his arrival in Valladolid (November 1517), the new king learned that the clergy could easily provide him with at least 400,000 *ducados*; he consequently petitioned Pope Leo X (1513–21) to concede a *décima* to finance a military expedition against the Muslims in Africa.<sup>17</sup> In January 1519 representatives of the cathedral chapters met at court to discuss the *décima*,<sup>18</sup> but the outcome of these discussions is unknown. Presumably, the chapters registered their grievances with the Crown over the

*décima* and made plans amongst themselves to resist its collection. The papal bull had apparently arrived by April 1519, because on 17 April the cathedral chapter of Toledo decided to convoke an Assembly of the Clergy. On 18 April, the cathedral canons swore a solemn oath not to partake in the collection of the *décima*.<sup>19</sup> Such an oath is an important act of resistance, because the cathedral chapters collected the ecclesiastical contributions. Then, later in April, the clergy became even more defiant by suspending Divine Offices.

What specific royal action precipitated the suspension is unclear. The political situation was tense in 1519, and the Castilians greatly distrusted Charles V's entourage. For example, the rumour that Guillaume Chièvres de Croy, the avaricious Flemish minister, not being content with the money he had already taken from the kingdom, wanted to rob the Churches — both rich and poor — of their treasures was widespread.<sup>20</sup> In this tense situation, the Castilian clergy might have acted on minor provocation. In any case it was an organized response to the Crown — all the dioceses closed their Church doors and suspended the administration of sacraments and the celebration of Mass. Although the exact dates cannot be determined at present, the *cesación a divinis* began in April and lasted until August, clearly placing pressure on the Crown. It had both political and spiritual ramifications. Politically, the clergy would no longer say prayers for the king, thus threatening the legitimacy of the monarchy, and, worse yet, they might actually preach against the king. The suspension of Divine Offices also meant the cancellation of religious festivals such as Corpus Christi, which often played an important political role in the civic life of a community.<sup>21</sup> Spiritually, the *cesación a divinis* endangered the souls of the king and his subjects. The king therefore needed to bring it to a timely conclusion so that his subjects would not be denied the sacraments for too long.<sup>22</sup> To end ecclesiastical resistance in 1519, the king had to lower his demand on the clergy.<sup>23</sup>

In August, the Assembly of the Clergy convened in Barcelona. The cathedral chapters used the opportunity to present a memorial to the king, justifying their actions and clearly stating that a *décima* was a new and intolerable imposition: the Catholic Monarchs, for example, had never requested a *décima* during the Conquest of Granada (1482–92) — a cause more just in the eyes of the clergy than the proposed attack on Africa, and the payment

of a *décima* would impoverish the Churches, preventing them from providing charity and carrying out liturgical functions. Although the king may not have been convinced by the clergy's arguments, he finally accepted the Assembly's offer of a subsidy of 100,000 florins instead of a *décima*. Once an agreement was reached, the clergy lifted the suspension and opened the Church doors.<sup>24</sup> In this particular case, the clergy successfully used the *cesación a divinis* to exact a concession from the Crown and to limit the fiscal demands placed on them.<sup>25</sup>

In 1532, Pope Clement VII conceded a further ecclesiastical contribution — the *medios frutos* or half of the current year's rents payable in two instalments over six months — to the Crown. This papal concession stipulated that the money was for the defence of Spain from the infidel Turks. By the time the bull arrived in Spain, however, the immediate threat from the Turkish fleet no longer existed, and the clergy consequently argued that the concession was void. They also made preparations to resist the Crown should it start collecting the *medios frutos*. First, the cathedral chapter of Toledo wrote to all the other cathedral chapters asking them to implement a *cesación a divinis* if royal authorities threatened the liberties of any diocese through a sequestration of ecclesiastical rents. Second, the cathedral chapters wrote to the diocesan clergy requesting that they suspend Divine Offices if the cathedral should do so. Thus, the clergy of Castile formed a 'defensive alliance' to resist the Crown. The royal government under the regency of Isabel of Portugal learned of the planned resistance, and it decided not to proceed against the clergy when the first payment was due in March 1533, fearing that a *cesación a divinis* would create unrest in the kingdom.<sup>26</sup> Instead, the regency sought to reach an agreement with the clergy, while awaiting the imminent return of the king to Spain.

After Charles V had arrived in May 1533, royal ministers advocating the use of force, for example archbishop Tavera, won the king's ear, and royal officials began to sequester ecclesiastical rents in early June. The dioceses of Castile responded by declaring a *cesación a divinis*, which lasted for roughly two months. However, not all dioceses suspended Divine Offices for that long. In Seville, for example, the cathedral canons were divided. Within a week, the opponents prevailed, and Seville lifted the suspension of Divine Offices. In other dioceses, the resolve of the cathedral chapter was stronger. In Burgos, for example, the

cathedral chapter only resumed services on 4 August after learning that diocesan clergy and monasteries had resumed liturgical acts and that nearby cathedral chapters such as Salamanca, Palencia and Santo Domingo de la Calzada had resumed services as well. Gradually, then, the *cesación a divinis* came to an end, but the clergy successfully forced the Crown to end the sequestration of ecclesiastical rents and to negotiate with the Assembly of the Clergy for the payment of a subsidy instead of the *medios frutos*. Finally, in March 1534, almost a year and a half after the papal concession arrived and a year after the first payment was due, the Castilian clergy agreed to pay a subsidy of 471,000 florins over a period of three years.<sup>27</sup>

The *cesación a divinis* of 1556 had similarities to the above cases, but it also highlights the conflicting attitudes of the clergy in the royal service towards the sequestration of ecclesiastical rents. The events precipitating the conflict in 1556 date back to a concession of Pope Julius III (1550–5) in late 1554. Soon after the new concession was announced in the spring of 1555, however, Julius III died. Nevertheless, in Castile, the cathedral chapters still assembled in June 1555 to negotiate the payment of a subsidy. By July, however, the negotiations had come to a standstill. The Assembly understood that through a regulation of the papal chancery, the concession of Julius III was annulled with the election of a new pope. Moreover, the representatives had reports from Rome that Paul IV (1555–9) had revoked the concession. The Assembly consequently was reluctant to grant a subsidy in the absence of a valid bull, but the royal ministers simply ignored the Assembly's argument, and in August told the representatives to go home.<sup>28</sup>

The Assembly, however, did not dissolve itself until November. In the intervening months, negotiations continued while both sides waited for news from Rome on the status of the concession. The royal ministers also began to discuss the sequestration of ecclesiastical rents, and debate then ensued over who should carry it out. The Comisario General de la Cruzada<sup>29</sup> advocated using lay officials as precedent dictated, while the President of the Royal Council and other ministers recommended using ecclesiastical officials instead. Despite his reservations, the Comisario General ordered ecclesiastical officials to sequester the rents in November.<sup>30</sup> He, however, had a hard time finding any clerics willing to accept the task. For example, in

his memoir the future bishop of Zamora, Diego de Simancas, recalled being appointed by the Comisario General to sequester ecclesiastical rents in Toledo. Simancas noted that the Comisario General tried to tempt him with the prospect of winning royal favours through the commission, but Simancas refused, declaring that it would be against his conscience. Another ecclesiastical official finally accepted the commission.<sup>31</sup>

The sequestration was halted in late December with the arrival of a papal brief confirming the concession. The Comisario General immediately informed the chapters and began to negotiate with individual chapters for a contribution. News arrived shortly thereafter that the pope had revoked the brief of confirmation. The situation then reverted to what it had been since August: was the original bull of Julius III valid or not? Since he had not seen the revocation of the brief of confirmation, the Comisario General decided to proceed with the sequestration. Even after representatives from Toledo presented him with the actual revocation of the brief of confirmation in mid-January, the Comisario General stood firm on the need to collect the contribution, believing that the cathedral chapters had lied and exaggerated to the pope about the situation in Castile. If the pope had known the truth, the Comisario General reasoned, he would not have revoked the confirmation of the concession. To protest what they considered a flagrant violation of their rights, the clergy then initiated a *cesación a divinis* in February. It was not as widespread in 1556 as in 1519 and 1533, but it was still effective. On 27 February, the regent ordered the Comisario General to suspend the sequestration and return the money that had been taken from the clergy. The cathedral chapter of Córdoba, for example, had 644,045 *maravedís* returned to it.<sup>32</sup>

These three cases clearly illustrate organized clerical opposition and resistance to the Crown over fiscal policy. At the same time, resistance was voluntary, and many canons and other clergy often did not have the stomach to suspend Divine Offices for too long; these clerics claimed that not celebrating Mass and denying sacraments to the people violated their conscience. In fact, as a way to assuage their own conscience and the conscience of other clergy, some chapters referred to the *cesación a divinis* as an abstention. The issue of conscience must therefore be examined more closely. This is true not only for the clergy who suspended Divine Offices but also for the clergy in the royal

service. In 1555–6 the Comisario General, a bishop, had no qualms about sequestering ecclesiastical rents, while other ecclesiastical officials, like Simancas, did have qualms about sequestering ecclesiastical rents. Clearly, at times, some ecclesiastical officials in the royal service could not execute the Crown's will against the Church with a clear conscience. Others, however, could act against the Church on the Crown's behalf without scruple. This situation raises several questions: How are we to assess Church–State conflicts when clergy were the principal agents on both sides? How did conscience and the actions of individual clergymen affect Church–State relations? How did individual clergymen determine when service to the Crown meant disservice to the Church, and why did they act the way they did? Although the above examples cannot answer these questions, they clearly invite more reflection on individual clergymen and their relations vis-à-vis Church and State.<sup>33</sup>

Nevertheless, the acts of resistance discussed were effective. The clergy forced the Crown on these three occasions either to accept a smaller subsidy or to forego the concession altogether. The mere possibility of the *cesación a divinis* impeded royal actions; the Crown clearly hesitated using force against the clergy.<sup>34</sup>

### Protest against the *millones*

The destruction of the Armada in 1588 marked an important turning point in the fiscal history of Castile. In 1589, the Cortes (parliament) of Castile voted to provide a new contribution — the *servicio de los millones* or simply the *millones* — to raise eight million *ducados* in a period of six years. An excise tax (*sisas*) on the consumption of meat, wine, vinegar and oil would be used and other items, such as, paper, wax, salt and chocolate, were included in later contributions. The Cortes expected that the new contribution would be paid by everyone, including the clergy. A new administrative body — *comisarios del Real Servicio de los millones* — was also created to collect the *millones*. This body was separate from the royal treasury and was controlled by the Cortes and the cities it represented. The *millones* soon became a new point of conflict between Church and State.

Problems began immediately in 1590–1. When the city council

of Cuenca established an excise tax on wine, for example, the ecclesiastical judge of the diocese responded with censures. Negotiations then ensued between municipal and ecclesiastical officials in Cuenca. The solution was that the excise tax would not be collected from the clergy until it was determined that the ecclesiastical estate was subject to the new tax. In other dioceses, the prelates actively defended the ecclesiastical estate from paying the excise tax by fulminating censures against city councillors and other officials. The papal brief of 17 August 1591, *Ad sexennium*, brought the initial conflict to an end, giving papal authorization for the inclusion of the clergy in the tax. The key difference between this papal concession and previous concessions for the subsidy and *excusado* was that the clergy were being taxed as vassals, not as an estate.<sup>35</sup>

*Ad sexennium*, however, did not permanently end the conflict. With each renewal of the *millones* by the Cortes, the pope had to issue new bulls or briefs authorizing collection from the ecclesiastical estate to avoid further conflict.<sup>36</sup> Lucia Carpintero Aguado has addressed the twists and turns of these negotiations and documented many outbursts by the clergy in her important dissertation. In 1631, for example, royal officials began collecting the recently renewed *millones* from the clergy without papal authorization. In various regions, the clergy complained and even censured the *corregidores*. To placate the clergy, Philip IV was forced to seek the requisite papal bull. In 1639, resistance was even more extreme. In Ecija, for instance, the clergy burnt down the house of the *millones* administrator, while in Trujillo, in order to ward off the official responsible for recording the consumption of wine, the clergy armed themselves when bringing their wine into town. In 1684, a local priest in Guadix attacked the *sisas* administrator with a carving knife. More commonly, the clergy resorted to remonstrances and fraud to resist the new contribution. Fraud, in fact, was endemic throughout the entire period among both laymen and clergy in avoiding complete payment of the excise tax. The clergy certainly did not make collecting the *millones* easy for secular officials.<sup>37</sup>

Carpintero, however, found that the clergy rarely made a unified stand. Efforts by the Assembly of the Clergy, for example, were mainly limited to preparing memorials<sup>38</sup> against the contributions and appealing to the pope to modify the terms of the concession or to annul it. The nature of the *millones* (which involved

payment of excise taxes by individual clergy and not a grant from the entire ecclesiastical estate) precluded the Assembly from reaching collective agreements with the Crown as it did with the subsidy and *excusado*.<sup>39</sup> Only in 1656 and 1657 did the clergy make some effort to defend their fiscal immunities as a corporate body.

On 19 July 1656, the king again ordered the clergy to contribute to the recently conceded *millones*. Papal authorization, however, had not yet arrived. The Crown, therefore, had to promise to return the money if the pope did not issue a brief. Lack of papal authorization was clearly grounds for clerical resistance, but what angered the clergy even more was the establishment of a new method to control the wine trade. This was designed to eliminate rampant fraud in the trade, but wine was one of the clergy's principal products, and the clergy rightly feared that the new collection method would unduly burden them. In addition to the new collection method, the clergy were angered by the Crown justifying their contributing because of the large numbers of *juros* (government bonds) that were tied to the *millones*. The clergy, led by the cathedral chapters, reckoned that the Crown intended to turn them into a perpetual tributary for the payment of *juros*. Aware of clerical discontent, the king ordered various prelates to be vigilant and to make sure that problems did not occur in the collection.<sup>40</sup>

In this particular case, however, many prelates did not obey the royal command. In fact, the most important prelates, such as those of Toledo, Seville and Osma, led the resistance.<sup>41</sup> A brief examination of several letters from the archbishop of Seville, Pedro de Tapia (1582–1657), during the spring of 1656, makes it clear that trouble was brewing long before the king issued the decree of July. Problems began with the royal instruction of 16 January 1655, which stipulated that 'no ecclesiastic can sell . . . the species for which there are excise taxes without license from the administrator of the *millones*', and even gave secular officials the right to punish members of the ecclesiastical estate who did not comply.<sup>42</sup> Archbishop Tapia began sending letters of protest to the royal ministers as early as June 1655 and was still seeking redress in the spring of 1656. Tapia emphatically argued that the clause in the instruction of January 1655 violated the bull *In coena Domini*, pointing out that the clergy had their own judges to whom they could go for permission to sell their goods and,

more importantly, only ecclesiastic judges or superiors could punish the clergy.<sup>43</sup>

Tapia, however, was not only upset about the language in the instruction. He was also livid about the disregard of secular authorities for ecclesiastical liberties, reporting that secular officials had violently entered the homes of the clergy and had publicly proclaimed that the ecclesiastical estate was subject to the new method for collecting the *millones*. He related that one *corregidor*, who was also an administrator of the *millones*, had publicly stated that in Spain there was no longer any ecclesiastical jurisdiction, only royal jurisdiction. The archbishop queried if this was not in fact the Anglican position. Furthermore, Tapia stated, secular officials prohibited the execution of ecclesiastical orders, and in some cases, they were even beginning legal proceedings against the clergy. Such occurrences led him to excommunicate one *corregidor* and place an interdict on an unspecified city in the archdiocese in November 1655.<sup>44</sup>

To restore order, Tapia asked the king to annul the problematic clause in the instruction of 1655, reminding him of the important role that the clergy played in praying for his well-being and the success of the realm. He also assured Philip IV that once the clause was cancelled, the clergy would peacefully provide aid to the Crown.<sup>45</sup> In his letters to Juan de Góngora, a royal minister, Tapia was more explicit about the dangers of not reaching an amenable solution with the clergy. First, he noted that in such turbulent times it would not be wise to give the entire ecclesiastical estate motive for complaint and to awake discontent in those who occupied the pulpit. Second, he urged that the clergy be allowed to go before their own judges, suggesting that if this did not happen the clergy might cut down their vineyards and olive groves, which would harm the kingdom.<sup>46</sup> Tapia tactfully addressed some central concerns of the royal ministers: the threat that the clergy would not pray for the king, the danger of the clergy stirring up trouble from the pulpit, and the potential economic crisis that could ensue. Tapia's efforts nonetheless failed to affect a change in royal policy in the spring of 1656.

Although a contemporary chronicler called Tapia a staunch defender of ecclesiastical liberties,<sup>47</sup> in fact the archbishop had had a distinguished and unblemished career as a loyal servant of the Crown prior to 1656. He himself made this clear in all his letters: almost half of his letter to the king, for instance, concerns

his good service. He outlined his many works of charity from endowing hospitals and orphanages to providing alms to the poor; he had also rounded up criminals and worked to end fraud in the archdiocese, including fraud in the payment of the *millones*; he had rebuilt churches and repopulated towns and villages that had been destroyed by the Portuguese;<sup>48</sup> he had put down a mutiny in Córdoba and dealt firmly with a mutinous cleric in Seville, and so on.<sup>49</sup> Tapia was not a rabble-rouser, but he could not tolerate in good conscience the enforcement of this specific clause.<sup>50</sup>

The summer and fall saw more letters from the prelates of Toledo, Seville, Osma and elsewhere to the king and his councillors. The prelates also fulminated further censures and interdicts, while the Council of Castile debated how to respond to such stiff resistance. Most councillors advocated a peaceful solution, while a minority declared that only force would ensure the restoration of order. The majority view prevailed, and on 28 January 1657 the king suspended the collection of the excise tax from the clergy, hoping in turn that the clergy would cease to employ spiritual arms against royal officials. (Although the clergy apparently stopped censuring royal officials, the bishops explained that they could not lift the censures already issued, because absolution of these offences was reserved for the pope.) Officials from both sides then found themselves locked in negotiations over an acceptable arrangement for returning the money already collected. Divisions within the ecclesiastical estate between dioceses and within the dioceses among prelates and chapters made it difficult for the clergy to reach a consensus on the best procedure. The Crown also exacerbated the situation by changing the terms of the agreement in the middle of the negotiations, making them more favourable to the Crown. By the time an acceptable agreement was reached in late August 1657 it was a moot point because Pope Alexander VII (1655–67) had granted a papal brief authorizing the inclusion of the clergy in the *millones*.<sup>51</sup>

Throughout the crisis, some prelates had obediently complied with the royal order. The archbishop of Santiago, for example, went so far as to criticize his fellow prelates who defended the liberties of the Church. Many clergy, however, were not happy with the archbishop's position, and one friar even expounded on the liberties of the Church in a sermon before the archbishop of Santiago.<sup>52</sup> Clearly, matters of conscience were handled differ-

ently by individual prelates and clergymen. Then, of course, there were those clergymen in the royal service who were, as a canon from Seville put it in 1631, theologians for hire; these clerics were moved only by their own interests and vanity.<sup>53</sup> The challenge for the historian is to probe into the motives of individual clerics. Did the clergy act in the interests of the Church, the State or themselves? Although this question cannot be answered in this article, and it may remain unanswerable for most clerics, the multiple responses of the clergy means that we must try to address it when possible in order to gain a more nuanced understanding of ecclesiastical compliance or resistance to the Crown.

One point is, however, clearly illustrated by this episode with the *millones*; the appointment of prelates by the king did not guarantee royal control over their actions. Many prelates, such as Tapia, who had distinguished records serving the Crown were at times ready to place the interests of the ecclesiastical estate above the royal interests. Prelates defended the rights of the clergy and did not simply follow royal dictates; resistance was not limited to the cathedral canons and lower clergy. In this particular case, many powerful prelates resisted the Crown, while other prelates individually challenged royal policy from time to time as well.<sup>54</sup> The key distinction in the crisis of 1656–7 was the large number of prelates united in their opposition to the *millones*.

### Appeals to Rome

The Castilian clergy realized that Rome often held the key in their fiscal confrontations with the Crown, providing the authority to oppose the fiscal demands of the king. Throughout the entire early modern period, the Habsburg monarchs continually sought papal concessions to tax and appropriate ecclesiastical revenues. As seen above, requisite papal bulls or briefs were needed to reach a successful agreement with the clergy. The pope normally made such a concession after protracted negotiations between himself and the royal ambassador, and the latter often had to contend with papal hostility. For example, after the Turks were repelled from Malta in 1565, Cardinal Pacheco on his own initiative asked Pope Pius IV (1559–65) to grant the king a subsidy, to which Pius responded ‘Send him the *quinquenio*? He will

be lucky if he gets it when he asks me for it.<sup>55</sup> Papal concessions gave the popes leverage on the Spanish kings. Pope Pius V (1566–72), for example, wanted Bartolomé de Carranza, archbishop of Toledo, who had been imprisoned for more than seven years, transferred to Rome to be tried for heresy, but the Spanish Inquisition refused to comply. After protracted negotiations, Philip II succumbed to the pope's demand in December 1566. Among the various explanations for the king's change of position, Ambassador Requesens made clear the financial incentive in his report of 27 December 1566: 'There is no *cruzada* yet, but no doubt there will be when [the pope] gets satisfaction over Carranza.'<sup>56</sup> The popes then did not simply concede bulls and briefs to the Crown; some popes were adamantly opposed to such concessions and others used them to gain benefits from the Spanish kings.<sup>57</sup>

The situation in Rome opened the door to ecclesiastic appeals to the pope and attempts by the clergy to derail the negotiations. The Crown was wary of the representatives of the Assembly of the Clergy in Rome: in 1533, for example, the royal ambassador was told to keep an eye on the activities of the clerical representative, and in 1543, the royal ministers considered asking the ambassador in Rome to warn the pope of the imminent clerical appeal of the bull, and ordering the ambassador to take measures to prevent the pope from granting the representatives an audience. The clergy did not simply appeal the papal concessions. In 1555, they reportedly offered the pope 20,000 *ducados* to revoke the bull granting the subsidy.<sup>58</sup> Further research is needed to assess the success or failure of the Assembly's representatives, but the evidence suggests that the Crown did not treat the matter lightly. Judging from the amount of money invested and the frequency of sending representatives to Rome, the clergy apparently thought that this was a worthwhile endeavour.<sup>59</sup>

Unfortunately, very little is known about the Assembly's agents in Rome. Carpintero has located a bundle of letters directed to the Assembly's representative in Rome from 1683 to 1703,<sup>60</sup> but more research is necessary to locate other correspondence and to draw a fuller picture of these negotiations. Furthermore, correspondence between the Assembly's representatives and the Assembly or cathedral chapters will shed light on other issues that were important to the Castilian ecclesiastical estate. The constant presence of representatives of the cathedral

chapters brings into question the notion that 'during the early modern period, relations between pope and clergy have almost always been mediated by the sovereign.'<sup>61</sup> True, the papal bulls and briefs went to the king before they were issued in the kingdom, and in that sense the king did mediate between the pope and the clergy. Yet the ability of the clergy to influence directly the drafting of briefs and bulls or to appeal them through their own representatives suggest a more complex situation than previously thought.<sup>62</sup>

The presence of ecclesiastical representatives in Rome gives us an opportunity to examine ecclesiastical resistance to the Crown that has not been fully examined and that will further illuminate events in Castile. The study of ecclesiastical opposition to the Crown over fiscal policy consequently cannot be limited to domestic policy but must also consider foreign policy in Rome.<sup>63</sup>

### **Preaching against the Crown**

The printing press revolutionized communications in the early modern period, but the pulpit still remained the most effective way to disseminate a message. Princes across Europe regularly elicited ecclesiastical backing for their endeavours and relied upon favourable sermons to muster popular support for their policies.<sup>64</sup> After the destruction of the Armada in 1588, for example, Philip II wrote to his bishops asking them to intervene with preachers and confessors so that they would persuade the town councillors to offer additional aid to the Crown.<sup>65</sup> The pulpit, of course, could also arouse sentiments not so desired by the Crown. In the late 1590s, the regular clergy helped to foment popular enthusiasm for the plight of Irish Catholics, but the government preferred to wait cautiously for an opportune moment to intervene in Irish affairs.<sup>66</sup>

While recognizing the benefits of preaching, princes were also cognizant of the dangers, and they constantly had to be on guard against outspoken clergy. Sermons chastising the Crown could foment dissent and even rebellion,<sup>67</sup> something the Spanish Habsburgs knew all too well. Upon arriving in Castile, Charles V had been greeted by disgruntled friars preaching that the king was a prisoner of Chièvres and his Flemish retinue, that Castilians, not foreigners, should govern Castile, that Charles

would abandon Castilian foreign policy for a policy oriented towards France and northern Europe, and so forth. Joseph Pérez has suggested that these sermons of 1518–20 helped to solidify anti-Habsburg sentiment and sparked the Comunero revolt.<sup>68</sup> In the later sixteenth century, Calvinist preachers in The Netherlands helped to stir up opposition to the Spanish Crown.<sup>69</sup> Sermons clearly could undermine royal authority.

Both royal ministers and other secular authorities tried to discipline the clergy,<sup>70</sup> but the disobedient had a high rate of recidivism. In late 1519, for example, Friar Francisco de Santana and another Franciscan friar inveighed against Chièvres and the Flemish, and the royal report on this noted that Santana had been jailed many times by the Catholic Kings for his prejudicial sermons.<sup>71</sup> Another Franciscan had been expelled from Valladolid before the arrival of King Charles in Spain on account of his sermons, but he managed to return to the city and, shortly after Charles arrived in Valladolid on 18 November 1517, preached that the king was probably a prisoner of the Flemish. Then, on 19 April 1518, the same friar gave a scandalous sermon from the pulpit of San Sebastian Church.<sup>72</sup>

The Crown, of course, had other options besides jail and expulsion to punish the clergy. In the case of our Franciscan in Valladolid, Diego Ramírez de Villaescusa, bishop of Málaga and President of the Chancellery of Valladolid, suggested several options to Chièvres. First, the Provincial of the Order could severely punish the friar and make an example of him for the other friars. Second, the Order might bar the friar from ever preaching again. Third, Ramírez indicated that the Franciscans might be troublesome because the king had not visited their monasteries and patronized them. He clearly urged the king to do so, before more Franciscans gave subversive sermons. In this case, the king did not leave the punishment up to the Franciscans but commanded the mayor of Valladolid and the President of the Chancellery to arrest the friar and make an example of him, if indeed he could be arrested.<sup>73</sup> What exactly did the king mean by the latter qualification? Possibly, he feared that the friar might flee, or he could be worried that there were not valid legal grounds for arresting the friar. Conflicts between Church and State over ecclesiastical liberties were a constant sore point. The king certainly would not want to exacerbate tensions any further by arresting the friar on flimsy grounds. At the same time, he

clearly wanted an example made of this friar, but the final outcome of this affair is unknown. The rationale for the king's statement remains ambiguous, but it indicates that reprimanding the clergy was not an easy task.

Royal officials also investigated subversive sermons and interviewed witnesses. Pérez astutely used these testimonies to document subversive preaching in Valladolid in 1518. The royal investigators, however, occasionally faced a backlash from the clergy. In 1519, for example, royal officials conducted a secret investigation of some preachers in Toledo, including the titular bishop of Utica, a cathedral canon, for preaching against the king. The cathedral canons of Toledo were outraged by the investigation and wrote to the royal council on 10 October 1519, sternly stating that since all of the bishop of Utica's sermons had been given in their presence, they were the best witnesses, and they found nothing wrong with his sermons. They urged the royal ministers not to believe hearsay, and demanded that such investigations of cathedral canons and personnel be terminated.<sup>74</sup> Although this attempt to punish a possible transgressor apparently failed in the face of strong ecclesiastical opposition, the Crown presumably succeeded in punishing some disobedient clerics between 1518 and 1520, but the continual problems with preachers in this period suggest that the Crown could not permanently halt treacherous sermons.

In 1576, for instance, Friar Gregorio de Carmona, prior of Nuestra Señora de Gracia (Carmona), preached against the payment of the *alcabala* (a sales tax), and on 23 August Philip II wrote to the General of the Jeronimites, Friar Hernando de Toledo, demanding that the prior be punished and reassigned to another monastery where he could do no further harm.<sup>75</sup> Toledo, however, had not waited to hear from the king before proceeding against the wayward prior. Upon learning of Gregorio de Carmona's misconduct three weeks earlier from the *corregidor* of Carmona, the General had sent agents to punish the prior. He informed the Crown that the punishment would serve as a warning to others. In light of the king's request, however, he summoned the prior in order to impose punishment himself.<sup>76</sup> In October, the General informed the king that he had stripped Carmona of the priorate of Nuestra Señora de Gracia and had prohibited him from holding office in the Order, preaching, hearing confession, and communicating with laymen for three years.

Carmona was also banished to San Leonardo de Alva.<sup>77</sup> In this case, the Jeronimites dealt quickly and severely with the prior. Even though the final punishment exceeded his original intention, the General clearly felt that something had to be done and that Carmona's misconduct could not pass without a reprimand. The Jeronimites possibly feared that failure to punish Carmona would jeopardize their relationship with the king.

The Inquisition also monitored sermons. Although mainly concerned with priests who preached questionable doctrine, it occasionally prosecuted preachers for questionable politics as well. Henry Kamen has identified two such cases.

[T]he tribunal of Llerenda in 1606 prosecuted Diego Díaz, priest of Torre de Don Miguel, for preaching (in Portuguese) that God had not died for Castilians; and the tribunal of Barcelona in 1666 prosecuted a priest of Reus for having declared that 'he would prefer to be in hell beside a Frenchman than in heaven beside a Castilian'.<sup>78</sup>

Unfortunately, Kamen does not relate the punishment of either priest, and he does not address whether royal officials cajoled the Inquisitors to act. Like Hernando de Toledo, both tribunals probably would have arraigned the priests on their own, but would pressure from the Crown affect their decisions on appropriate punishments? The king's letter had clearly led Hernando de Toledo to prescribe a more severe punishment than he had originally planned.

Judging from Ramírez's advice and the example of the Jeronimites, the rapport between the Crown and a religious order had some impact on what was heard from the pulpit. When he first arrived in Spain, Charles V had poor relations with the Franciscans, who led the way with sermons against the Crown, and the leadership of the Order apparently did nothing to restrain its friars on its own accord. In contrast, Philip II generally had good relations with the Jeronimites. Consequently, when a friar went astray, the General of the Order acted immediately to discipline the culprit. Although royal patronage could not prevent all opposition, it ensured greater co-operation between the Crown and the Orders. Similar conclusions could certainly be drawn about the relations between the Crown and other clergy as well.

While these episodes demonstrate the persistence of adversarial preaching and the Crown's desire and attempts to clamp down on it, they also raise many questions. Would the punishment of a wayward priest really make other diocesan clergy and

religious think twice before preaching against royal policy? Why did the Crown rely on the General, the Inquisitor, and presumably other members of the ecclesiastical hierarchy to punish the clergy and not simply act on its own? Did ecclesiastical jurisdiction and liberties hinder the Crown from acting itself? Why did the clergy comply with royal demands? What would have happened had Hernando de Toledo not punished Gregorio de Carmona? How much did the Crown rely on the clergy to police themselves? Although further research is necessary to answer these questions, one thing is certain: we need to reconsider our notions of royal control over the Church. Dissidence from the Spanish pulpits may never have matched that of Charles V's early years, but throughout the Habsburg period individual preachers repeatedly challenged royal policy. The clergy continued to retain their autonomy, and the Crown could never really control what was said from the pulpit.<sup>79</sup>

### Conclusion

This study suggests that the behaviour of the Castilian clergy was not so different from the clergy in other European states. Clerical opposition to royal fiscal demands was perennial, and clerical acts of resistance, however dramatic to the twentieth-century historian, were anticipated by the Habsburg Crown. The idea that Spanish Catholicism was somehow unique and that Church–State relations in Castile were subsequently tranquil does not stand in light of the evidence. We consequently need to rethink Church–State relations. The cases examined above suggest three areas with which to begin — the fiscal relations between Church and State, the structure of the Castilian Church, and the role of individual conscience in Church–State relations.

In the fiscal sphere, we must probe deeper into the mechanisms through which ecclesiastical rents were transferred from Church to State. Only then will the complex fiscal relationship between Church and State begin to emerge. It will also become clear that princely access to ecclesiastical rents did not automatically translate into control over those rents. The clergy resisted the Crown and tried to limit royal demands. Struggles between Church and State over fiscal payments also existed in other countries. The French kings had to deal with the powerful French Assembly of

the Clergy, and Matthew Vester has recently examined similar negotiations for ecclesiastical subsidies in the Duchy of Savoy.<sup>80</sup> These negotiations call for a more nuanced understanding of the fiscal exchange between Church and State. We need to move beyond the obvious, that the Church provided large sums of money to the Crown, and examine the conditions under which the money was transferred to the Crown.

We also need to move beyond our images of a monolithic Church in Castile and elsewhere in early modern Europe. Our notions of royal control over the Church in many Catholic countries rest on the assumption of episcopal centralization. Royal appointments of prelates and attempts to reform the clergy and religious orders, however, did not necessarily give the Crown greater control over the ecclesiastical estate. Bishops could not always control their chapters,<sup>81</sup> which remained an independent focus of power in Castile even after the Council of Trent (1545–63), and religious orders did not always have control over their own personnel.<sup>82</sup> The Church, therefore, was not always a single unified body, serving as a pliant tool of the state. More important, once they were appointed, the bishops did not always act in accordance with royal wishes.

We need to recognize the complexity of the Castilian Church, seriously taking into account its internal differences and dynamics, and the complexity of Church–State relations. Rethinking Church–State relations, however, also calls for a reexamination of the role of the Church in the state-building process in the early modern period. We must free ourselves from the ‘image of the clergyman as an agent of the state’.<sup>83</sup> This is not to say that clergymen did not act as agents of the state, but rather to recognize the necessity of a more nuanced understanding of the relationship between individual clergyman and the state. Archbishop Tapia, for example, highlighted his loyal service to the Crown while at the same time defending the ecclesiastical estate against royal encroachment. Diego de Simancas refused to accept a commission to act against his fellow clergy, but he still wore the mitre of Zamora later in life. Just as some early modern clergymen judged when to serve the Church and when not to serve the state, historians must be more cognizant of these differences.

We should not simply view the ecclesiastical estate as a unified whole, but must look closer at individual clergymen. The conscience of the clergy often determined if they resisted or assisted

the Crown. Although probing the conscience of early modern clerics might be impossible, given our sources, we must at least acknowledge that the motivation of individual clergy, including religious motivation, was often complex and at times contradictory from our perspective. By giving greater agency to the clergy, we can better understand causality and not fall back on standard assumptions that the clergy were agents of the state and that the Church acted as an appendage of the centralizing state. We will then be able to examine more beneficially the complex interaction between Church and State, and study the tensions between the two.

There are undoubtedly many episodes of clerical opposition still to be discovered in the Spanish archives. How they will be interpreted remains to be seen, but I have tried to suggest that historians need to devise a new framework in which to understand Church–State relations in Castile and a fresh vocabulary to discuss these issues so that the many nuances can be better understood. Moreover, since the relations between Church and State in Castile were not unique, a comparative approach to Castilian Church–State relations is possible. Such an approach, of course, might help us to contextualize clerical opposition not only in Castile but in other European kingdoms as well.

### Notes

I should like to thank the Fulbright Commission and the Program for Cultural Cooperation between Spain's Ministry of Culture and US Universities for funding the research on which this article is based, and Drs S.G. Payne, A.D. Wright, A.Y. Lui, K. Konkola and my reviewer for their feedback on earlier versions of this article.

1. John A.F. Thomson, *Popes and Princes, 1417–1517: Politics and Polity in the Late Medieval Church* (London 1980), 145–215.

2. For a concise discussion of the investiture conflict in Germany and elsewhere, see Uta-Renate Blumenthal, *The Investiture Controversy: Church and Monarchy from the Ninth to the Twelfth Century* (Philadelphia 1988).

3. The 'new bishopric' project created fourteen new bishoprics for the Habsburg Netherlands, which prior to 1561 had had only four bishoprics for an area with the population of 3,000,000. The abbots opposed this project because it was to be financed by uniting the new bishoprics with local abbeys. Clearly, the abbots who were about to be displaced had a valid reason for opposing the plan. The abbots, however, were not the only ones threatened by the 'new bishopric' project. The incorporation clause would also increase the political leverage of the

Crown in the provincial states of Brabant, where the abbots dominated the chamber of the clergy — the leading chamber in the states. Thus, the incorporation clause would give the king's men (i.e. bishops) important leverage in the provincial states. The abbots used this fact to win the support of the nobles and the towns. Their protest eventually forced the Crown to drop the incorporation plan in 1564 and to give the bishops a fixed salary instead. See Geoffrey Parker, *The Dutch Revolt* (Ithaca, NY 1977), 47–8, 55.

4. The French Assembly of the Clergy provided the clergy with a powerful institution to defend ecclesiastical liberties. In 1749, for example, the controller-general Machault's attempt to include the clergy in the *vingtième* backfired on the Crown. The Assembly of 1750 decried the measure, and the conflict quickly spread throughout France. Bishops excommunicated intendants, threatened to put the land under an interdict, and demanded an Estates General, while the government hired pamphleteers to justify its position and to attack the Church. In the end, the king backed down: the clergy would not be included in the *vingtième*. The Assembly reciprocated by voting the king a subsidy. Tensions came to a head again in 1765 over a royal 'proposal to include ecclesiastics in a land census and . . . on the taxation of *rentes*'. The Assembly 'withheld a third of the subsidy requested until these threatening proposals were withdrawn'. Finally, in 1788, the clergy's willingness to provide only 1,800,000 livres and not the 8,000,000 livres demanded by the king forced Louis XVI to call the Estates General. Clearly, the French Assembly was not just a perfunctory institution. At times, it did successfully curtail and limit the fiscal demands of the Crown. See John McManners, *Church and Society in Eighteenth-Century France* (Oxford 1998), Vol. 1, 161–2.

5. S.M. Jack, 'English Bishops as Tax Collectors in the Sixteenth Century', *Parergon*, new series, Vol. 14, No. 1 (July 1996): 145, 157, 163; Felicity Heal, 'Clerical Tax Collection under the Tudors: The Influence of the Reformation', in *Continuity and Change: Personnel and Administration of the Church in England, 1500–1642*, ed. Rosemary O'Day and Felicity Heal (Leicester 1976), 119.

6. Richard L. Kagan, 'Prescott's Paradigm: American Historical Scholarship and the Decline of Spain', *American Historical Review*, Vol. 101 (1996), 423–46.

7. Quintín Aldea Vaquero, 'La resistencia eclesiástica', in *La España del conde duque de Olivares*, ed. John Elliott and Angel García Sanz (Valladolid 1990), 409.

8. *Ibid.*, 401–2.

9. The attitude of the French clergy towards popular risings, for instance, depended on their position in society. The upper clergy condemned the risings, while the lower clergy rooted in the parish were often at the forefront of the rebellions. See Yves-Marie Bercé, *History of Peasant Revolts: The Social Origins of Rebellion in Early Modern France*, trans. Amanda Whitmore (Ithaca, NY 1990), 308–11.

10. Aldea, *op. cit.*, 409.

11. The *Cruzada* refers to the sale of indulgences within Spain to finance the crusade against the Muslims. The *Subsidio* or subsidy refers to the monetary contributions made by the Church to the Crown. Prior to 1562, the popes conceded a tenth, a quarter, or half of a year's ecclesiastical rents to the Crown. Through the Assembly of the Clergy, the clergy negotiated a subsidy smaller than the percentage conceded by the pope. After 1562, the popes conceded a fixed monetary sum of 420,000 *ducados* annually to the Crown, known as the subsidy of the galleys.

Later in the seventeenth century, the tenth was reintroduced on top of the subsidy of the galleys. The *Excusado* refers to a concession made originally in 1567 to transfer to the Crown the rents from the third richest benefice of each diocese for the war in Flanders. In 1571, the *Excusado* was revised to transfer to the Crown the rents from the richest benefice of each diocese for the war against the Turks, and later against Flanders.

12. Tarsício de Azcona, 'Estado e Iglesia en España a la luz de las asambleas del clero en el siglo XVI', *Actas del Congreso Internacional Teresiano* (Salamanca 1983), 314–15.

13. For background on the Castilian Assembly of the Clergy, see Sean T. Perrone, 'The Castilian Assembly of the Clergy in the Sixteenth Century', *Parliaments, Estates, and Representation*, Vol. 18 (November 1998), 53–70; Tarsício de Azcona, 'Estado e Iglesia en España', and 'Las Asambleas del clero de Castilla en el otoño de la Edad Media', *Miscelánea José Zúñunegui (1911–1974)* I (Estudios Históricos, I) Vitoria, Editorial ESET, 1975, 1–43; Lucia Carpintero Aguado, 'La congregación del clero de Castilla en el siglo XVII' (PhD thesis, Universidad Autónoma de Madrid, 1993).

14. The use of spiritual arms was not limited to Church–State conflicts, but also permeated intra-Church conflicts. The reforming efforts of Counter-Reformation bishops often touched off conflicts over jurisdiction with other diocesan clergy. These conflicts created a situation where bishops 'often exchanged excommunications and interdicts with [cathedral] chapters'. See A.D. Wright, *Catholicism and Spanish Society under the Reign of Philip II, 1555–1598, and Philip III, 1598–1621* (Lewiston, NY 1991), 66.

15. For an explanation of the various spiritual arms, see Cayetano Bruno, *El derecho público e Iglesia en Indias* (Salamanca 1967), 297–300. N.B.: The Castilian clergy argued that they had not technically implemented a *cesación a divinis*, but rather they had simply abstained from performing their offices. The documentation employs both *cesación a divinis* and abstention. I have used the former to describe what is ostensibly a strike by the clergy.

16. On the local level, the clergy also employed the *cesación a divinis* in their conflicts with municipal government. In Logroño the city clergy suspended Divine Offices in 1524 to protest their inclusion in a local excise tax to repair the city wall. In this case, the bishop ruled in favour of the city, and the clergy resumed services and paid the excise tax. See Eliseo Sáinz Ripa, 'Reacción de los eclesiásticos Logroñeses ante el impuesto de la sisa, en los siglos XIV al XVII', *Segundo coloquio sobre historia de la Rioja* (Logroño 1985), Vol. 2, 106.

17. Alonso de Santa Cruz, *Crónica del Emperador Carlos V*, ed. Ricardo Beltrán y Rózpide and Antonio Blázquez y Delgado-Aguilera (Madrid 1920–5), Vol. 1, 199.

18. Archivo Catedralicio de Toledo (ACT), Actas Capitulares (AC), lib. 4, fol. 185v.

19. ACT, AC, lib. 4, fol. 192r–v. The dates when the papal bull was issued and when it arrived in Spain are unclear. Santa Cruz has the papal bull arriving on 19 July 1519. This date, however, seems too late. The cathedral chapter of Toledo usually did not convoke the Assembly until after the papal bull arrived. Alfonso Fernández de Madrid also indicated that the concession of the *décima* arrived prior to the *cesación a divinis*. See Santa Cruz, op. cit., 199; Alfonso Fernández de Madrid, *Silva Palentina*, ed. Jesús San Martín Payo (Palencia 1976), 398.

20. Santa Cruz, op. cit., 199.

21. On the political significance of the Corpus Christi procession, see Miri Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge 1991), 243–71.

22. José Manuel Nieto Soria addresses the important role played by the clergy and religion in strengthening the Castilian monarchy in the late medieval period, and he notes that religious propaganda firmly identified the Hispanic monarchy as a *respublica christiana* by the sixteenth century. Serious conflicts between Church and State, such as the use of the *cesación a divinis*, undoubtedly threatened to undermine the political ideology of the state and a source of the state's legitimacy. See José Manuel Nieto Soria, 'Propaganda and Legitimation in Castile: Religion and Church 1250–1500', in *Iconography, Propaganda, and Legitimation*, ed. Allan Ellenius (Oxford 1998), 105–19.

23. The clergy, however, continued to cause problems for the Crown in 1520. Stephen Haliczzer succinctly describes the important role played by the cathedral chapters in the Comunero Revolt. Interestingly, he notes a conflict between Church and State over ecclesiastical taxation in 1517 but does not address the *cesación a divinis* of 1519. Clearly, the *cesación a divinis* increased ecclesiastical animosity toward the Crown and helps to explain the position of many cathedral chapters in 1520. See Stephen Haliczzer, *The Comuneros of Castile: The Forging of a Revolution, 1475–1521* (Madison, WI 1981), 133–6.

24. Prudencio de Sandoval, *Historia de la vida y hechos del Emperador Carlos V*, ed. Carlos Seco Serrano (Madrid 1955), Vol. 1, 154–8; Fernández de Madrid, op. cit., 398. Fernández de Madrid and Santa Cruz give different figures for the size of the subsidy. Fernández de Madrid recorded 100,000 florins, while Santa Cruz recorded 200,000 florins. Azcona who used the actual minutes of the Assembly set the subsidy at 100,000 florins. I consequently have used 100,000 florins.

25. The situation in 1519 is complicated because at the same time that the Castilian clergy had co-ordinated a *cesación a divinis* to put pressure on the Crown, the pope fulminated an interdict and a *cesación a divinis* on 1 June 1519 in the dioceses of Badajoz, Córdoba and Seville. He did this to pressure the Crown into restoring Gonzalo de Carvajal to the *encomienda* of Fregenal. Once Carvajal was restored, the interdict and *cesación a divinis* would come to an end. Thus, some clergy who suspended offices in the summer of 1519 did so for reasons other than the *décima*. The pope ordered another suspension of Divine Offices in the archbishopric of Seville in August 1521 regarding the possession of the *encomienda* of Tosina y Robaña. Further research is necessary to determine the outcome of both of these cases, but the repeated use of this strategy by the pontiff to put pressure on the Crown suggests that it had some success. See Archivo Catedralicio de Sevilla (ACS), sec. IX, leg. 178, n. 20; Archivo General de Simancas (AGS), Estado (E) leg. 6, fol. 26 and leg. 9, fol. 81; and Juan Gomez Bravo, *Catalogo de los obispos de Cordoba, y breve noticia historica de su Iglesia Cathedral y obispado* (Córdoba 1778), Vol. 1, 415–16.

26. The fear of ecclesiastical resistance constrained other princes as well. In 1563, for example, the Savoyard government was reluctant to collect forcefully the subsidy from the recalcitrant clergy of the diocese of Geneva, fearing 'the political consequences of constraining influential Savoyard clerics to participate in the subsidy against their wishes'. See Matthew A. Vester, 'Territorial Politics in the Savoyard Domains, 1536–1580' (PhD thesis, UCLA, 1997), 389, n. 17.

27. For a detailed analysis of the *cesación a divinis* of 1533, see Sean T. Perrone, 'Striking Clergy: The *cesación a divinis* of 1533', *Proceedings of the American Historical Association*, 1997, reference #10485, and 'Charles V and the Castilian Assembly of the Clergy' (PhD thesis, University of Wisconsin–Madison, 1997), chap. 3.

28. ACT, Documentos Secretaria Cabildo, Caja 1, 'Al dean y cabildo de Toledo de Rodrigo Zapata y Francisco de Silva. Valladolid 18 de agosto de 1555'.

29. The Comisario General de la Cruzada was the ecclesiastical official in charge of the Council of the Cruzada. He had both ecclesiastical and civil jurisdiction. His most important duty was the administration of the Tres Gracias: Cruzada, Subsidio and Excusado. All three were papal concessions. The Comisario General was responsible for the administration, publication, and collection of the Tres Gracias, and he also handled the civil and criminal cases relating to the Tres Gracias. He was also authorized to censure the clergy. In the negotiations between the Crown and the Assembly of the Clergy for the ecclesiastical contributions, the Comisario General played a central role. See Dolores Cruz Arroyo, 'El Consejo de la Cruzada: Siglos XVI–XVII' (Universidad Autónoma de Madrid, tesina, 1988).

30. AGS, E leg. 109, fol. 284 and E leg. 113, fol. 92. Later, after ecclesiastical officials had already been dispatched, the President changed his mind and agreed to send laymen. AGS, E leg. 113, fols 96–7.

31. Manuel Serrano y Sanz, ed., *Autobiograficas y memorias* (Madrid 1905), 153. I am grateful to J.B. Owens for directing me to this work.

32. ACS, sec. I, lib. 23, fol. 161; ACT, AC, lib. 10, fol. 15; AGS, E leg. 113, fols 94, 96–8; Bravo, op. cit., Vol. 2, 453.

33. The issue of conscience has received significant attention from historians of the English Reformation. For a recent study, see Jonathan Wright, 'The World's Worst Worm: Conscience and Conformity during the English Reformation', *Sixteenth Century Journal*, Vol. 30, No. 1 (1999), 113–33.

34. The suspension of Divine Offices was not unique to Castile. The Italian clergy had gone on strike in 1530 to protest ecclesiastical taxation, and this Italian strike was clearly in the back of Isabel of Portugal's mind as she negotiated with the Castilian clergy in the fall of 1532 and the spring of 1533. Much earlier in 1220, the clergy of Speyer (Germany) suspended services because the bishop 'had not rendered them the customary *servitium*'. While in the eighteenth century, the French parish priests used a suspension to pressure their bishops to make certain concessions, such as raising their salaries. See María del Carmen Mazario Coletto, *Isabel of Portugal: Emperatriz y reina de España* (Madrid 1951), 363; Lawrence G. Duggan, *Bishop and Chapter: The Governance of the Bishopric of Speyer to 1552* (New Brunswick, NJ 1978), 45, 63; Louis S. Greenbaum, *Talleyrand Statesman Priest: The Agent-General of the Clergy and the Church of France at the End of the Old Regime* (Washington, DC 1970), 98–100.

35. José Ignacio Fortea Pérez, *Monarquía y Cortes en la Corona de Castilla: Las ciudades ante la política fiscal de Felipe II* (Salamanca 1990), 275–8, 499–500; Carpintero, op. cit., 306–7.

36. The inclusion of the clergy in taxes granted by parliament occurred in Portugal as well. In 1641, for example, the Portuguese Cortes granted 'a tax of 10 per cent on all personal property' to finance the war against Castile. Pedro Cardim writes, 'The pattern of opposition to this tax is curious. In the first place, the clergy did not pay it, claiming that a papal brief was needed . . .' In light of the

position of the Castilian clergy over the previous fifty years, the stance of the Portuguese clergy is not so curious. Demanding papal authorization was clearly an effective way to hinder taxation if not avoid it altogether. See Pedro Cardim, 'Ceremonial and Ritual in the Cortes of Portugal (1581-1698)', *Parliaments, Estates and Representation*, Vol. 12, No. 1 (June 1992), 14.

37. Carpintero, op. cit., 316, 331; Henry Kamen, 'Clerical Violence in a Catholic Society: The Hispanic World, 1450-1720', *Studies in Church History 20: The Church and War*, ed. W.J. Shiels (Oxford 1983), 215; Ramón Gutiérrez Sánchez, 'Franciscanos contra millones: un conflicto fiscal en el siglo XVII', *Cuadernos de historia moderna*, No. 17 (1996), 57-69.

38. For an analysis of the juridical and theological arguments used by the Assembly in its memorial of 1636 protesting the inclusion of the clergy in a new paper tax, see Teodoro Martín Martín, 'La resistencia fiscal del clero en el antiguo régimen: Análisis de un manifiesto-protesta', *Hispania*, Vol. 48, No. 170 (1988), 1075-84. Similar juridical and theological arguments also formed the basis for opposing the *millones*.

39. Carpintero, op. cit., 313-14, 354.

40. *Ibid.*, 337.

41. H.E. Rawlings noted that 'Philip [II] undoubtedly preferred theologians [as bishops]: perhaps he feared an undermining of his jurisdictional rights over the Church with a majority of lawyers in office'. Rawlings' supposition is probably correct; episcopal resistance in 1657 was led by Pedro de Tapia, a theologian, Juan de Palafox y Mendoza (1600-59), a doctor of law, and Baltasar de Moscoso y Sandoval (1589-1665), a bachelor of canon law. See H.E. Rawlings, 'The Secularisation of Castilian Episcopal Office under the Habsburgs, c.1516-1700', *Journal of Ecclesiastical History*, Vol. 38, No. 1 (1987), 70; *Diccionario de historia eclesiástica de España* (Madrid 1972-87), Vol. 3, 1746, 1862, and Vol. 4, 2522.

42. Houghton Library, Harvard University (HLHU), Ms. Span 1, 'Cartas y otras papeles II', fols 180, 196-7. Citation by permission of the Houghton Library, Harvard University.

43. *Ibid.*, Tapia to Juan de Góngora, 1 February 1656, fol. 166; Tapia to Antonio de Castro, 25 January 1656, fols 180-1; Tapia to Philip IV, 29 May 1656, fols 196-7, 199. The Spanish Crown strongly opposed the publication of the revised, post-Conciliar version of *In coena Domini* in the vernacular, especially with its assertion of ecclesiastical liberties against secular authority. See A.D. Wright, op. cit., 39-42, 86; Bruno, op. cit., 197-202.

44. HLHU, op. cit., Tapia to Juan de Góngora, 4 April 1656, fol. 172; Tapia to Philip IV, 29 May 1656, fols 192-5.

45. *Ibid.*, Tapia to Philip IV, 29 May 1656, fol. 195.

46. *Ibid.*, Tapia to Juan de Góngora, 1 February 1656 and 4 April 1656, fols 170, 174.

47. Diego Ortiz de Zúñiga, *Anales eclesiasticos y seculares de la muy noble y muy leal ciudad de Sevilla* (Madrid 1796), Vol. 5, 119.

48. Portugal became part of the Spanish monarchy in 1580. The Portuguese, however, found the union with Spain counterproductive in the 1630s because of the increased fiscal and military demands placed on them. They also felt that Spain was not adequately defending Portuguese interests in America and Asia from Dutch interlopers. In 1640, consequently, the Portuguese rebelled and proclaimed John IV king. War then ensued between Portugal and Spain, and fighting along

the border was periodic until Spain finally recognized Portuguese independence in 1668. See A.H. de Oliveira Marques, *History of Portugal*, 2nd edn (New York 1976), Vol. 1, 325–3.

49. HLHU, op. cit., Tapia to Philip IV, 29 May 1656, fols 202–11.

50. Ibid., Tapia to Juan de Góngora, 1 February 1656; Tapia to Philip IV, 29 May 1656, fol. 211.

51. Carpintero, op. cit., 339–46.

52. Carpintero, op. cit., 338, n. 90.

53. Aldea, op. cit., 413.

54. The Count–Duke of Olivares, for example, had to deal with several Churchmen who developed hostile and independent policies after their appointment. He managed to counter some of this opposition by removing the churchmen from the royal councils and even cutting short their ecclesiastical careers. See Rawlings, op. cit., 74–5; A.D. Wright, op. cit., 85.

55. Cardinal Pacheco to Philip II, 23 September 1565, *Colección de documentos ineditos para la historia de España*, Vol. 101, 106–7 quoted in Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans. Siân Reynolds (New York 1973), Vol. 2, 1020.

56. John Lynch, ‘Philip II and the Papacy’, *Transactions of the Royal Historical Society*, 5th series, Vol. 2 (1961), 31.

57. For more on the negotiations in Rome for ecclesiastical contributions, see Sean T. Perrone, ‘Charles V and the Castilian Assembly’, chap. 6; Aldea, op. cit., 403, 409, 411; Carpintero, op. cit. For more information on the financial and other benefits that the papacy received from Spain in exchange for papal concessions, see A.D. Wright, op. cit., 26–8, 32, 55–6, 144; Thomas Dandele, ‘Strange Bedfellows: The Financial Exchange between the Spanish Monarchy and the Papacy in the Age of Philip II’, paper presented at the Sixteenth Century Studies Conference, Toronto, 22–5 October 1998.

58. AGS, E leg. 27, fols 29, 184; leg. 60, fol. 177; and leg. 882, fol. 77.

59. In 1546, for example, the Assembly allotted 1,254,000 *maravedis* to pay the salaries and expenses of its representative to Rome, and a century later in 1648 it spent 2,917,260 *maravedis*. See ACS, Sec. VII, lib. 86, ‘Congregación del clero . . . 1546’, Session 34; Carpintero, op. cit., 69–70.

60. Carpintero, op. cit., 451.

61. Hélène Millet and Peter Moraw, ‘Clerics in the State’, in *Power Elites and State Building*, ed. Wolfgang Reinhard (Oxford 1996), 175.

62. Canons also went to Rome as proctors of the bishops to present the *ad limina* reports. See A.D. Wright, op. cit., 78, 88. Was there any contact between these proctors and the Assembly’s representatives? Did the Assembly’s representatives help the proctors? Did the proctors bring directives from the Assembly to the representatives? Studies of the Assembly’s representatives then might offer new angles to examine other aspects of relations between the Castilian Church and the papacy.

63. The French kings also had to contend with ecclesiastical appeals to Rome, and they strongly opposed such appeals. The clergy, for example, sent appeals to Rome in 1585 concerning the alienation of ecclesiastical property and other matters. See Louis Serbat, *Les Assemblées du clergé de France: origines, organisation, développement 1561–1615* (Paris 1906), 118, 120, 129.

64. For an examination of the English clergy’s role in disseminating royal

propaganda, see W.R. Jones, 'The English Church and Royal Propaganda during the Hundred Years War', *Journal of British Studies*, Vol. 19 (1979), 18–30.

65. For the replies of several prelates to Philip's request, see AGS, Patronato Real (P.R.) 79, fols 391–406.

66. In his article, Ronald Cueto primarily focuses on written treatises and pamphlets, but he also notes that the large number of Celtic saints inspired many sermons. These sermons undoubtedly stirred the populace. See Ronald Cueto, 'Propaganda Fidei: La propaganda española y el mundo celta de 1588 hasta 1700', *Cuadernos de investigación histórica*, Vol. 10 (1986), 10, 21.

67. Luise Schorn-Schütte concisely discusses the right of Catholic and Protestant clergy to criticize secular authority in the Holy Roman Empire. In the case of Catholic clergy, Schorn-Schütte explains that Catholic thinkers considered 'the prince to be the image and representative of God, though only as an indirect appointee of God, for only the pope was directly appointed by him'. This notion led Catholic thinkers to subordinate temporal to spiritual power, and it gave the clergy justification to steer the prince in his duties as a Christian monarch. At times, steering the prince meant 'well-intentioned criticism of authority'. Spain had a long tradition of clerical criticism of the Crown. Two medieval Spanish bishops, for example, had outlined a myriad of conditions from the lubricity of the king to the altering of money by the king under which ecclesiastical criticism was permissible. See Luise Schorn-Schütte, 'Clergy in the Early Modern Holy Roman Empire: A Comparative Social Study', *Sixteenth Century Journal*, Vol. 29, No. 3 (1998), 727–31; José Sánchez Herrero, '¿Clero y crítica al poder real?', *Genèse médiévale de L'Espagne moderne du refus à la revolte: Les résistances*, ed. Adeline Rucquoi (Nice 1991), 171–92.

68. Joseph Pérez, 'Moines frondeurs et sermons subversifs en Castille pendant le premier séjour de Charles-Quint en Espagne', *Bulletin Hispanique*, Vol. 67, Nos. 1–2 (1965), 5–24.

69. H.G. Koenigsberger, George L. Mosse and G.Q. Bowler, *Europe in the Sixteenth Century*, 2nd edn (New York 1989), 314, 317, 327.

70. Richard Kagan has addressed the long tradition of 'street or marketplace prophets, typically friars who used the pulpit to advocate or protest a particular cause. Laymen dressed in sackcloth and carrying crosses also brought their doomsday messages into the streets.' He notes that in the 1520s and 1580s, such street prophets proliferated in Spain. More interestingly, Kagan found that, in the 1580s, the Crown generally tolerated these 'street prophets' as long as they had a small following. Once they 'appeared to pose a political threat to the throne . . . official tolerance ceased'. In the cases discussed in this article, the Crown does not appear as tolerant. Still, it is worth noting that the royal reaction to subversive preaching varied from time to time and under different conditions. Thus, we should not assume that a subversive or critical sermon immediately led to the punishment of the preacher or that the preachers necessarily knew at what point they had crossed the line from legitimate criticism to subversion. See Richard L. Kagan, *Lucrecia's Dreams: Politics and Prophecy in Sixteenth-Century Spain* (Berkeley 1990), 87–8, 99.

71. Pérez, op. cit., 22.

72. Ibid., 7.

73. Ibid., 7–8 and n. 8.

74. Ibid., 19–22; AGS, E leg. 10, fol. 29. The bishop of Utica allegedly made these sermons during the *cesación a divinis* of 1519.

75. AGS, PR 74, fol. 60.

76. AGS, PR 75, fol. 371.

77. AGS, PR 74, fol. 131.

78. Henry Kamen, *Inquisition and Society in Spain* (Bloomington 1985), 205.

79. The situation did not change under the Bourbons. Royal officials still had to contend with the regular clergy occasionally preaching against the Crown's reforming policies and its taxation of the clergy. See M. Victoria López-Cordón Cortezo, 'Predicación e Inducción política en el s.XVIII: Fray Diego José de Cádiz', *Hispania*, Vol. 38, No. 138 (1978), 71–119.

80. See Vester, op. cit., chap. 11.

81. The archbishop of Santiago, for example, asked his chapter for a *subsidio caritativo* in 1554 and 1555. On both occasions, the chapter denied the request claiming that the canons were already burdened by the subsidy granted to the king. See Antonio López Ferreiro, *Historia de la Santa A.M. Iglesia de Santiago de Compostela* (Santiago 1905), Vol. 8, 131. Ignasi Fernández Terricabras has also addressed the independence of cathedral chapters in the 1550s. See Ignasi Fernández Terricabras, 'Conflictos entre Carlos V y los cabildos catedralicios de la Corona de Castilla (1552–1556)', in *Carlos V y la quiebra del humanismo político en Europa* (1536–1558), ed. José Martínez Millán (Madrid, 2001), Vol. 2, 361–86.

82. Ronald Cueto recently noted that a 'survey of Capuchin, Jesuit, and Dominican confessors during this critical period [Thirty Years' War] confirms that neither the Catholic Church nor its religious orders were centralized monoliths. The orders were divided amongst themselves and within themselves.' See Ronald Cueto, 'Crisis, Conscience and Confessors in the Thirty Years' War', *Leeds Papers on Crown, Court and Church in Golden Age Iberia*, ed. Margaret A. Rees (Leeds 1997), 34.

83. Schorn-Schütte, op. cit., 727. In the case of colonial Chile, for example, Javier González Echenique found that bishops did act as royal functionaries, but he also noted that the king asked bishops to handle certain temporal assignments whereas he ordered his royal officials (viceroys, governors, judges etc.). The interaction between kings and bishops then was distinct from the interaction between kings and 'agents of the state'. González suggests therefore that we should create a special category for bishops, because they do not fit nicely into our present classification for royal functionaries. At the same time, he acknowledges that this might be a simple solution to a complex question that still needs further research. See Javier González Echenique, 'Los obispos de Indias como funcionarios de la corona', *Revista chilena de historia del derecho*, Vol. 6 (1970), 149–51.

### Sean T. Perrone

is Assistant Professor of History at Saint Anselm College (Manchester, NH). He has published articles in *Mediterranean Studies* and *Parliaments, Estates, and Representation*.