

*Ihering. Cuadernos de  
Ciencias Jurídicas  
y Sociales*



Ihering

E-ISSN: 2660-552X

fuesp@fuesp.com

Fundación Universitaria Española  
España

PRADO RUBIO, ERIKA

Inquisitorial process in Arturo Ripstein's film: "El Santo Oficio"

Ihering, núm. 3, 2020, pp. 139-164

Fundación Universitaria Española

Available in: <https://www.redalyc.org/articulo.oa?id=691773237006>

- How to cite
- Complete issue
- More information about this article
- Journal's homepage in redalyc.org

redalyc.org

Scientific Information System

Network of Scientific Journals from Latin America, the Caribbean, Spain and Portugal

Non-profit academic project, developed under the open access initiative

## Inquisitorial process in Arturo Ripstein's film: "El Santo Oficio"

ERIKA PRADO RUBIO

Universidad Rey Juan Carlos. Madrid

**Summary:** 1.- The shadow of the Black Legend; 2.- The process until the Holy Office's arrival to the New World; 3.- The processes of the Carvajal family in Mexico; 3.1 Introduction of the film and Edict of Faith; 3.2 The beginning of the first process: accusation, secret and detention; 3.3 Imprisonment and torment; 3.4 The end of the process: crimes and sentences; 3.5 The auto de fe of 1596; Bibliography.

### 1. THE SHADOW OF THE BLACK LEGEND

As Juderías wrote about the Spanish Black Legend, "*no es cosa de lo pasado, sino algo que influye en lo presente*"<sup>1</sup>. From this story that was spread around the world and that still exists in the collective memory, emerges the shadow of the court of the Holy Office as one of the Spanish's Monarchy most effective tools to steal goods or obliterate the enemies of Spain. This institution serves the religious fanaticism and destroys the life of those innocents who captures. This perspective about *El Santo Oficio* is not limited to

---

<sup>1</sup> Juderías, J., *La leyenda negra*. Madrid, 2007, p. 13.

just legends and myths about this court. There are literary works like the one from Juan Antonio Llorente, that helps to perpetuate this version of the court's history<sup>2</sup>. According to Ballesteros, the scientific literature related to the court's history can be classified based on its objectivity:

“La historiografía en general, de la Inquisición se ha solido clasificar en objetiva o tendenciosa, y aun esta segunda tendencia podría ser dividida en favorable o contraria, y explica el porqué de cada una de estas agrupaciones”<sup>3</sup>.

Although some of these myths about the Spanish Inquisition have been proved false in the academic arena, this hasn't been translated to other cultural sectors.

The Spanish Inquisition has been represented countless of times in novels, comics, movies, or TV series. On one hand, this institution has been represented in works of a great variety of nationalities, which proves the significance of this court not only in Spanish history but in the world's. On the other hand, it keeps grabbing attention not only from the historians, but from the general public, which has caused it to transcend to all kinds of cinematographic<sup>4</sup> genres and formats. Productions like *Las páginas del libro de Satán* by Dreyer and *La loca historia del mundo* by Mel Brooks can serve as an example. Although they are very different from each other, they both describe in their chapters, according to their authors, the most important moments of the history of mankind. As expected, in both examples there is a chapter focused on Holy Office and more specifically, on its activity in Spain. As Consuelo Maqueda already pointed out, although this court wasn't a Spanish invention as it was already present in some other countries, the Spanish Inquisition will be the one to make it “*correr ríos de tinta*”<sup>5</sup>. To Cuenca, the Inquisition's history has only been told with the purpose of exalting its excesses:

---

<sup>2</sup> Llorente, J.A., *Historia crítica de la Inquisición en España*, Madrid, 1981.

<sup>3</sup> Ballesteros Gaibrois, M., *La historiografía de la Inquisición en Indias*, p. 41.

<sup>4</sup> Videogames are one of the latest audiovisual media to show the sanguinary records of the Inquisition. The RPG game the *Inquisitor* (2009) could serve as an example.

<sup>5</sup> Maqueda Abreu, C., “Extranjeros, Leyenda Negra e Inquisición”, *Revista de la Inquisición* 5 (1996), p. 39.

## INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

“En la inundatoria literatura eclesiástica la reivindicación del Santo Oficio se hizo a menudo por vía negativa. Esto es, mediante la pintura en noir de los desmanes cometidos en sus inicios por las religiones reformadas campeonas del libre pensamiento”<sup>6</sup>.

Dreyer and Mel Brooks won't be the only ones to represent their vision of this court. There is a great quantity of international films that use the gory side of the court to exploit it, mainly in the horror genre. Although some might think that this literary works are the ones to contribute to create—or at least to maintain—the distorted view that exists nowadays of the Holy Office, some authors think that the Spanish are the ones to blame:

“A la Leyenda Negra contribuyó la opinión extranjera, pero sin duda fueron los propios españoles quienes la propagaron y difundieron durante el siglo XIX y parte de nuestro siglo XX”<sup>7</sup>.

Despite the interest that the Inquisition generates as a source of inspiration for works of fiction, and the exaggerations that audiovisual culture has perpetrated regarding the Holy Office, there are works that are noted for their historical accuracy. The Mexican film of Arturo Ripstein *El Santo Oficio* is a good example of this accuracy. This film tells the story of a family of Judaizers busted by this court. The fact that this story describes a real process, included in one of the most complete literary works regarding the history of the Holy Office: *Historia de la inquisición en España y América*, by Joaquín Pérez Villanueva and Bartolomé Escaldell Bonet<sup>8</sup>, makes its study more appealing

## 2. THE PROCESS UNTIL THE HOLY OFFICE'S ARRIVAL TO THE NEW WORLD

Some authors mark the beginning of the Spanish domination in New Spain in 1521, when Tenochtitlán falls against the troops of Hernán

---

<sup>6</sup> Cuenca Toribio, J.M., “La inquisición entre la historia y la nostalgia. La visión de los vencidos”, *Perfiles jurídicos de la inquisición española* (Escudero, J. A., ed.), Madrid, 1989, p. 947.

<sup>7</sup> Maqueda Abreu, “Extranjeros, Leyenda Negra e Inquisición”, p. 102.

<sup>8</sup> Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.

Cortés<sup>9</sup>. However, it took a couple of years until the court of the Holy Office was officially established in America. On the other hand, the geographical characteristics proved challenging, so, in order to implant the court's settlement in the Indies, some adaptations of the peninsular concept were necessary.

At first, the jurisdiction of prosecuting heresy was limited to the bishops, in the words of González de San Segundo; this would be the *Inquisición ordinaria*<sup>10</sup> or ordinary Inquisition. According to Escandell Bonet, this type of Inquisition lacks administrative and functional structure as also happens with the modern Inquisition:

“En esta etapa de “inquisición ordinaria”, la estructura administrativa y funcional de la actividad no presenta nunca, pues, una formalización típicamente inquisitorial: simplemente el prelado ejerce su misión pastoral y judicial por sí mismo o, en algunos casos, mediante “vicarios delegados”<sup>11</sup>.

This structure is the same as the one previously established in Europe, before the Pope Gregorio IX issued the bull *Excommunicamus* to create a medieval inquisition in order to relieve the bishops of their competence regarding heresy in 1231<sup>12</sup>, but it wasn't until the arrival of the Catholic Monarchs, when the Pope Sixto IV allowed them to found what is known today as the modern or Spanish Inquisition, that enabled the Spanish Crown<sup>13</sup> to be the only one able to control the inquisitorial system.

The origin of the Inquisition's arrival to America is due to Bartolomé de las Casas, a Dominican friar that wrote a letter to Cisneros, an Inquisitor

---

<sup>9</sup> Soberanes Fernández, J. L., “La Inquisición en México durante el siglo XVI”. *Revista de la Inquisición* 7 (1998), p. 284.

<sup>10</sup> González de San Segundo, M.A., “Tensiones y conflictos de la Inquisición en Indias: la pre-inquisición o inquisición primitiva”, *Perfiles jurídicos de la inquisición española*, (Escudero, J. A., ed), Madrid, 1989, p. 612.

<sup>11</sup> Escandell Bonet, B., “La peculiar estructura administrativa y funcional de la Inquisición española en Indias”, p. 635.

<sup>12</sup> Kamen, H., “Cómo fue la Inquisición. Naturaleza del tribunal y contexto histórico”, *Revista de la Inquisición* 2 (1992), p. 12.

<sup>13</sup> Bennassar, B., *Inquisición española: poder político y control social*, Barcelona, 1984, p. 43.

General at the time, to ask him to implant the Inquisition in the Indies. According to Cisneros, there's people who are spreading heresy and claims that two heretics have been burned alive and that there are still fourteen left. To Bartolomé, the Indians are "gente simple" that can be easily deceived and heretics can make them believe in fake gods. This letter is part of the *Memorial de remedios para las Indias*, that can be dated in 1516<sup>14</sup>.

In a time where the Holy Office in Spain was still divided<sup>15</sup>, Francisco Jimenez de Cisneros became the key element in the Inquisition in the Castilian Crown and, as an Inquisitor General, he was in charge of conflicts like the ones generated because of the processes of Córdoba y Toro<sup>16</sup>, that he inherited from its predecessor, Diego de Deza. Cisneros was also in charge of judging the performance of the inquisitor Lucero and those who gave the court<sup>17</sup> a bad name. Cisneros's role in maintaining the Inquisition was decisive because, at that time, the Spanish Inquisition had a considerable number of enemies such as Pope León X or the future King Charles V himself, who asked the Pope to put an end to the institution<sup>18</sup>.

With the intention of maintaining the activities of the Holy Office, Cisneros transferred, by the power granted to him by his position as an Inquisitor General, some of the power of the inquisitors to some prelates in the Indies for the first time in 1517. For a long time, the *inquisición ordinaria*, carried out by the bishops, coexisted in America with the *inquisición apostólica*, carried out by the prelates who had been given this power by the

<sup>14</sup> Originals texts in Las Casas, Bartolomé de. "Memorial de remedios para Las Indias (1516)." Obras completas 13 (1958): 23-48.; cited in Huerga, A., "La pre-inquisición hispanoamericana (1516-1568)", *Historia de la inquisición en España y América*, (Pérez Villanueva, J., y Escandell Bonet, B., eds.), vol. 1, 1993, Madrid, p. 662.

<sup>15</sup> Before being appointed as Inquisidor General, he was a confessor of the Queen Isabel la Católica. Regarding his accomplishments it should be mentioned Martínez Peñas, L., *El confesor del rey en el Antiguo Régimen*, Madrid, 2007.

<sup>16</sup> Regarding Deza's work in the *Santo Oficio*: Martínez Peñas, L., "Fray Diego de Deza y la centralización de la inquisición a través de las instrucciones de 1500", *La Administración castellana: desde sus orígenes hasta el fin del Antiguo Régimen*, Valladolid, 2020.

<sup>17</sup> Galván Rodríguez, E., *El Inquisidor general*, Madrid, 2010, p. 70-71.

<sup>18</sup> Huerga, "El tribunal de México en la época de Felipe II", pp. 662-663.

Inquisitor General<sup>19</sup>. Despite all of this, the modern inquisition with its full operating system did not get to Mexico until 1568, where in the *Junta Magna* measures were taken to introduce this court to the New World with the participation of Diego de Espinosa<sup>20</sup>.

The Inquisition had to face numerous problems derived from the New World's characteristics. The courts hardly extended their activity outside the city centers and the large distances between them and the supreme court of the metropolis allowed the inquisitors to act freely and with certain autonomy in order not to delay the processes for too long. To this, we must add the particular interest of the Peninsula of carefully dealing with heresy crimes that occurred in the New World<sup>21</sup>. In conclusion, all of these particularities caused some performance and activity differences between the court of the Indies and the peninsular courts, that were less strict, as shown by the existence of complaints made by the inquisitors regarding the arrogance developed by Judaizers because of the benignity offered<sup>22</sup> to them.

It is common knowledge that the Inquisition did not end until 1834, when Maria Cristina<sup>23</sup> passed the decree. In Mexico's case, in the first decades of the nineteenth century during the transitional period of the country's independence, the discussions about whether obliterating or maintaining this system started. For some people, the Holy Office was the remedy to the comeback of the Jesuits and the liberals to the New World; for some others,

<sup>19</sup> Originals texts in A.G.I. Ind. Gral., leg. 419, lib.7, fol.17; cited in Escandell Bonet, "Estructura geográfica del dispositivo inquisitorial americano", p. 51.

<sup>20</sup> González de San Segundo, "Tensiones y conflictos de la Inquisición en Indias: la pre-inquisición o inquisición primitiva", p. 615.

<sup>21</sup> Huerga, "La pre-inquisición hispanoamericana (1516-1568)", p. 690

<sup>22</sup> García-Molina Riquelme, A. M., "Una propuesta del tribunal de México: el sambenito de media aspa", *Revista de la Inquisición* 9 (2000), p. 242.

<sup>23</sup> Haliczzer, S., "La inquisición como mito y como historia: su abolición y el desarrollo de la ideología política española", *Inquisición española y mentalidad inquisitorial*, (A. Alcalá, ed.), Barcelona, 1984, p. 496. About this time: Fernández Rodríguez, M., *Hombres desleales cercaron mi lecho*, Valladolid, 2018; Fernández Rodríguez, M., "Las tres Españas de 1808", *Revista Aequitas*, nº 11, 2018; Fernández Rodríguez, M., "El gobierno de los presidiarios", Prado Rubio, E., Fernández Rodríguez, M., Martínez Peñas, L., *Contrainsurgencia y orden público en el mundo hispánico*. Valladolid, 2020.

this court is just the result of religious despotism and something that needs to be eradicated from the political scene<sup>24</sup>.

### 3. THE PROCESSES OF THE CARVAJAL FAMILY IN MEXICO

Arturo Ripstein's film shows the two first processes that took place in the court of the inquisition in Mexico during the reign of Felipe II. This is because both processes tell the story of the same family of Judaizers, that would be then analyzed in the work of Pérez Villanueva and Escandell Bonnet in the chapter of Huerga: "*El tribunal de México en la época de Felipe II*"<sup>25</sup>. The following is a description of those scenes of the film in which the different phases of the inquisitorial process are represented.

#### 3.1 Introduction of the film and Edict of Faith

The film starts with a funeral. There are people surrounding the tomb while the priest presides the ceremony. In the first minutes of the film it's revealed that the priest is one of the deceased's children. This character, friar Gaspar de Carbajal, will be decisive for the start of this process because, he will discover thanks to the funeral, that some of his family traditions could be hiding Hebrew rites.

The coffin is opened in an empty and barely lit room. The corpse is undressed so it can be washed and covered to take it later to the grave. Friar Gaspar asks if the corpse was washed and one of the funeral attendants answers affirmatively. Although this character seems confused, he starts praying in Latin before the corpse is buried. When the ceremony ends with the

---

<sup>24</sup> Vogeley, N., "Actitudes en México hacia la Inquisición: el pro y el contra (1814, 1824)", *Revista de la Inquisición* 11 (2005), p. 223-231.

<sup>25</sup> The published original documents regarding the Carvajal's family processes are divided in: The ones related to Luis de Carvajal "el viejo" in *Los judíos en la nueva España*. México 1935, p. 205-372; the ones of Luis Carvajal "el mozo", the main carácter is in *Procesos de Luis de Carvajal (el mozo)* (publicaciones del AGN, vol. 28) (Mexico 1935) and the things related to the *auto de fe* se are in: AHN, Inquisición, lib. 1064, fol. 107r-114v referenced in Huerga, "El tribunal de México en la época de Felipe II", pp. 937-978. Another details in Soberanes Fernández, "La Inquisición en México durante el siglo XVI", p. 289.



classic liturgical acclamation “Amen□, no one says it back. Gaspar’s mother, Francisca de Carbajal, asks his son to stay with his brothers, but he rejects her offer because he must come back to the convent. The scene ends with this small detail that shows that Gaspar is not really attached to his family and that his religious obligations are more important than his family bonds, which causes the inquisitors to be suspicious in the first hearing with him. Finally, the funeral attendants arrive to a house. One of them opens the window and throws the water used to clean the deceased. Then, he closes all the windows, covers all the mirrors and proceeds with the beginning of the Hebrew ceremony to say goodbye to the deceased.

Although the Jewish traditions practiced by the Carvajal family are not hidden from the audience, Huerga offers more details about the family and their background. This family that lives in Mexico is from Portugal, which is where Luis de Carvajal, one of the new Christians that embarked on an adventure in the New World, also comes from. He was rewarded, despite his Jewish origins, with the governance of a city in the New World, Panuco, because of his achievements during its conquest. According to the author, Antonio Pérez might have been the one to “unintentionally omit” the documents of *limpieza de sangre* or “cleanliness of blood” that used to be required to hold certain positions. The designation of this governance allowed Carvajal to take to America part of his family to start a new life. Among the people who traveled to the Indies, was Francisca Núñez de Carvajal, Carvajal’s mother, who later changed her last name to Carvajal.

Although the governor’s title was for life and could be transferred to his children, Carvajal didn’t have any, so it was arranged that some of his sister’s children posed as his, in order to give the family a second chance. That is why her sister Francisca and some of her children kept their names but changed their last names. One of Francisca’s sons was called Luis, like his uncle<sup>26</sup>, and he is the main character of the film *El Santo Oficio*. However, the governor of Panuco was the one to give away his nephew Luis for being a Judaizer, what caused his detention that would start the second process against this family.

---

<sup>26</sup> Huerga, “El tribunal de México en la época de Felipe II”, pp. 954-955.

#### INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

After the scene of the funeral, the story shows the priest on top of the pulpit's church preparing himself to introduce the Inquisition's work and starting the edict of faith:

“Sepas que es necesario y conveniente para nuestra santa fe cristiana el uso y práctica del Santo Oficio de la Inquisición es preciso informarnos si saben o han oído decir que algunas personas guardan el sábado por honra de la ley muerta de Moisés, y no encienden lumbre desde la tarde del viernes, si degüellan los animales que comen, y embadurnan con sangre las paredes, si esperan la llegada del mesías para que los saque del cautiverio en que dicen estar. Si se circuncidan, si lavan a los muertos o hacen otras prácticas ajenas a nuestras costumbres o si alguno ha blasfemado que la verdadera ley es la de Moisés y no la de nuestro redentor Jesucristo en virtud de la santa obediencia y bajo pena de excomunión mayor ordenamos y exigimos decir y manifestar lo que sepan acerca de estas cosas para que la verdad prevalezca y los malos sean castigados y nuestra santa fe católica”.

With the reading of the edict of faith starts a phase of accusations that would initiate the Inquisition processes in the city in which the inquisitors are:

“El objetivo primordial de las visitas a los pueblos del distrito era publicar el edicto de fe. Dicho edicto no era más que un cuestionario de inquisición en cuyos ocho folios enumeraban, uno por uno, toda clase imaginable de delitos de herejía. En cuanto al visitador inquisitorial llegaba a un pueblo, hacía circular copias del edicto para que se leyese en voz alta, hacía circular copias del edicto para que se leyese en voz alta desde los púlpitos de las iglesias y de las capillas de los conventos de alrededores”<sup>27</sup>.

At first, this reading, the collection of accusations and the detentions<sup>28</sup> were reserved to the Inquisition's commissioner. The reading of the edict was usually made on the second Sunday of Lent, but this is not shown in the film<sup>29</sup>.

After the church's scene the story continues with Friar Gaspar. He decides to visit Father Lorenzo and asks him for advice about some family

---

<sup>27</sup> Henningsen, G. *El abogado de las brujas. Brujería vasca e Inquisición española*, Madrid, 1993, p. 102.

<sup>28</sup> Bennassar, *Inquisición española: poder político y control social*, Barcelona, 1984, p. 59.

<sup>29</sup> Pérez Martín, A., “La doctrina jurídica y el proceso inquisitorial”, *Perfiles jurídicos de la inquisición española*, (Escudero, J. A., ed.), Madrid, 1989, p. 294.

suspicious practices he has recently discovered in his father's funeral. Father Lorenzo warns him that he has no power to absolve him of his heresy crimes and that he will have to reveal his suspicions in the court of the Holy Office, and that is why they both ask for a hearing with the inquisitors. It is worth mentioning that, if he didn't report it, he would be committing a heresy crime, so his own salvation depends only on the inquisitors. The reason why the prior does not have the power to absolve heresy crimes has its origin in the first inquisitorial processes, when it was determined that only the bishops could have this power, given the severity of the crimes. Later this power passed to the inquisitors when the inquisitorial activity of the bishops got separated from that of the inquisitors. With the support of the Popes Inocencio II y Sixto IV, the jurisdiction of Torquemada was given precedence over the trials in which the bishops<sup>30</sup> intervened.

### 3.2 The beginning of the first process: accusation, secret and detention

Continuing with the film's narrative, friar Gaspar, followed by Father Lorenzo, introduces himself to two inquisitors. In this regard, although the administrative composition of the American courts varies with time depending on the economic and processual needs, in the Mexican court, between 1594 and 1705, the need for two inquisitors<sup>31</sup> remained. In addition to both judges, another ecclesiastical figure is present, and it's in charge of taking notes of everything said in the room. This character corresponds to the figure of the secretary or the "*notario secreto*" whose job consists in registering the statements of the witnesses and the defendants in the *libro de visita*<sup>32</sup>. From the seventeenth century, it develops an authority like to the notaries<sup>33</sup>.

<sup>30</sup> Alcalá, A., "Herejía y jerarquía. La polémica sobre el Tribunal de Inquisición como desacato y usurpación de la jurisdicción episcopal", *Perfiles jurídicos de la inquisición española*, (Escudero, J. A., ed.), Madrid, 1989, p. 62-63.

<sup>31</sup> Escandell Bonet, "La peculiar estructura administrativa y funcional de la Inquisición española en Indias", p. 639.

<sup>32</sup> Bennassar, *Inquisición española: poder político y control social*, p. 83.

<sup>33</sup> Maqueda Abreu, *El auto de fe*, p. 214.

#### INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

After Gaspar explains his suspicions about his family, one of the inquisitors starts the interrogation. Friar Gaspar cannot answer all the questions because he has lived in the convent since he was young and not with his family. One of the inquisitors declares that Gaspar's accusation has no basis. We can understand that, had the interrogation stopped there, no legal action would have been taken against the Carvajal family. However, friar Gaspar begins to talk about his father's funeral and shares some suspicions that suggest that his family is Judaizer, such as the body being washed before the burial. This statement influences the inquisitors who order friar Gaspar not to speak with anyone and not to leave the convent until the Holy Office says so. This time, the film mentions for the first time the inquisitorial secret, that wasn't only mandatory for the informer, but also for the witnesses, lawyers, convicts and even family members<sup>34</sup>. The punishment for those officers working with the inquisitors that violated the secret, ranged from the loss of their jobs to death penalty in the case of repeat offenders<sup>35</sup>.

In just a few minutes, the film shows the suspicion that starts the first of the Carvajal's family processes. It is worth mentioning that that mere suspicion was more frequent than formal accusations<sup>36</sup>. The difference between them lies in the punishment imposed on the witness. If the prosecutor gives a false testimony, the Talion Law will apply. For Eymerich, imposing this kind of penalties could only cause that nearly anyone would want to make an accusation<sup>37</sup>. It should be noted that heresy crimes were considerate by common law as a crime against the majesty, one of the most serious offenses that could be committed. All heresies were considerate as public offenses because they jeopardized the catholic faith and consequentially, affect all

---

<sup>34</sup> About secret: Galván Rodríguez, E., *El secreto de la Inquisición*, Las Palmas, 2001.

<sup>35</sup> Pérez Martín, "La doctrina jurídica y el proceso inquisitorial", p. 290. Regarding the enforceability of the inquisitorial secret Martínez Peñas, L., "Los testigos en el proceso inquisitorial según el *Malleus maleficarum*", *Revista Ihering. Cuadernos de Ciencias Sociales y Jurídicas* 2 (2019).

<sup>36</sup> Check Martínez Peñas, L., "Aproximación a la denuncia como inicio del proceso inquisitorial", *Anuario de Historia del Derecho* 85 (2015), p. 124.

<sup>37</sup> García Marín, J. G., "Proceso inquisitorial-proceso regio. Las garantías del procesado", *Revista de la Inquisición* 7 (1997), p. 139. Pérez Martín, "La doctrina jurídica y el proceso inquisitorial", p.293.

believers. This justifies the obligation to report all the heretics under penalty of excommunication<sup>38</sup>.

After Gaspar's testimony, the inquisitors seemed convinced and the scribe present reads out the following: "En la ciudad de México, en el mes de mayo viernes 12, 1593, inquisidores licenciados Alonso de Peralta y Juan Lobo Guerrero". It is the first time that the names of both inquisitors are presented. Alonso de Peralta would be one of the first Creole inquisitors appointed to the Court of Mexico in 1593, confirming the date offered in the film. The inquisitor Juan Lobo Guerrero from the film, could correspond to Bartolomé Lobo Guerrero, who worked in the court with Alonso de Peralta<sup>39</sup>.

After the first hearing with the Holy Office, the inquisitors went to a room where one of them checks in one of his books the value of the witnesses. Although the film does not show the origin of the text, it can be assumed that it came from one of the manuals that served as a guide in the practice of the Spanish Inquisition. One of the inquisitors reads out the following text:

"De los testigos. Siete: Los testigos domésticos la mujer los hijos y los parientes de un acusado se aceptarán para atestiguar en su contra, aunque no en su favor. Así lo ha reglamentado de tal modo ya que tales testimonios son de mucho poder. Puesto que el crimen de herejía se comete en el secreto de las casas el hermano podrá atestiguar en contra del hermano y el hijo contra el padre porque antes es necesario obedecer a Dios que a la familia. Igualmente se mantendrá en secreto para el reo la naturaleza de su delito y la identidad de sus acusadores"<sup>40</sup>.

While one of the inquisitors is reading out loud the legal document, the other prays on his knees. Perhaps this dichotomy is trying to show the ordinary duality in the courts of the Spanish Inquisition. Torquemada, in his *Instrucciones*<sup>41</sup> of 1498, establishes that each court must be formed by two

<sup>38</sup> Pérez Martín, "La doctrina jurídica y el proceso inquisitorial", p. 286.

<sup>39</sup> Escandell Bonet, "Sociología inquisitorial americana", pp. 846-848.

<sup>40</sup> Part of El Santo Oficio (Arturo Ripstein, 1973).

<sup>41</sup> In addition to the instructions written by the General Inquisitor, the usual practice of the Spanish Inquisition is governed by the agreed letters. In these letters, the inquisitors ask the

#### INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

inquisitors, one lawyer and one theologian, and also offers the possibility of having two lawyers<sup>42</sup>. This demonstrates the importance that the Holy Office gave to Law, even prioritizing it over theological issues. For some authors, this zeal for the canonical legality meant that this court respected more the guarantees of the defendants than other courts of their time<sup>43</sup>. Given the description of both inquisitors offered by the film, it can be interpreted that just one of them was a lawyer. However, according to Bennassar, it was more usual that both were<sup>44</sup>.

In relation to the inquisitor's profile in America, the team of Felipe II was forced to change some of the elements of the Holy Office in order to serve the political needs of this monarch. On the one hand, although the Spanish Inquisition was managed by the monarch, it had always been supervised by the church. This is due to that, although the Crown selected the person for that position, it was the pontiff that officially designated the Inquisitor-General. With the change of monarch, a way to be more independent from the church was sought so that the Inquisition could be more efficient in the political scene by changing the way of seeking more inquisitors and giving the expert officers preference over faith theorists<sup>45</sup>.

After the reading, both inquisitors agreed to command the detention of the family of Gaspar that took place during nighttime. The family was having dinner together when, suddenly, someone knocks at the door. The characters got scared and one of them points out that at that hour it could only be the Inquisition. This detention has been represented in other films and it is a widespread idea that this happens during nighttime, maybe to exaggerate the activities related with the Holy Office. In this detention, one of the little

---

Suprema about doubts and this organ regulated the different types of courts. About the agreed letters: Pérez Fernández-Turégano, C., "Cartas acordadas de la inquisición española", *Revista de la Inquisición* 21(2017).

<sup>42</sup> Kamen, *La Inquisición española*. Barcelona, p. 191.

<sup>43</sup> García Marín, "Proceso inquisitorial-proceso regio. Las garantías del procesado", p. 140.

<sup>44</sup> Escandell Bonet, "Sociología inquisitorial americana", p. 844.

<sup>45</sup> Contreras, J., "Las adecuaciones estructurales en la península", *Historia de la inquisición en España y América*, (Pérez Villanueva, J., y Escandell Bonet, B., eds.), vol. 1, 1993, Madrid, p. 730-731.

children tries to scape and hides during the search made by the police in Carvajal's family house.

### 3.3 Imprisonment and torment

One of the most recurring elements in film that represent the Holy Office are prisons. They are represented as dark and gloomy places. During *El Santo Oficio*, Luis de Carvajal enters his cell which is already occupied by another prisoner, Friar Hernando. They both complain about the darkness that prevents them from seeing each other and the muddy floor. However, Ripstein's film shows some details that are not in other films such as when both characters talk about the prison food and Luis de Carvajal. claims that he has never eaten so well before.

It is worth mentioning that prison was not a part of the suspect's sentence because the process was not over. Therefore, the Inquisition used prisons to keep the prisoners waiting while they could continue the investigation to solve the case. This is what is known as "custody prisons" in the penitentiary system. This was the standard procedure until imprisonment itself became a penalty<sup>46</sup>.

The film shows how men and women are separated in different cells. Francisca and Mariana are taken to the same dungeon, while Luis is taken to the one where he meets friar Hernando. From the conversation between the two, it is revealed that his cellmate was a priest and that he was reported by his own vicar for having visions. This can be perceived as a way to introduce us to a "iluso" or "alumbrado", a term that was used in Mexican courts<sup>47</sup>.

Mrs. Francisca is the first one to be questioned by the court, although we cannot be sure of how much she had to wait in her cell until that moment. According to Pérez Martín, the inquisitors had to hold a hearing before three

---

<sup>46</sup> Regarding this, check Martínez Peñas, L., *Introducción a la Historia de la Criminalidad y el Orden Público en España*, Valladolid, 2015.

<sup>47</sup> Ciaramitaro, F. y Rodríguez Delgado, A. "Alumbradas e ilusas de Nueva España. Un estudio a través de la documentación del Santo Oficio (1598-1803)", *Revista de la Inquisición* 20 (2016), p. 116.

days passed after the inmate's imprisonment<sup>48</sup>. The inquisitors ask Francisca to pray to prove that she is a good Christian and that she knows some Christian dogmas. She passed this test successfully. According to Huerga, Luis Carvajal is asked to recite the *pater noster* and a confession in Latin, among other things. Luis managed to deceive the court<sup>49</sup> without any problems.

Then begins the first torture session of the film. This time Francisca is welcomed by two inquisitors and one scrivener. One of the inquisitors insists her to confess and warns her: "*por reverencia de Dios diga la verdad si no quiere pasar tantas penas*". Francisca denies knowing anything else that she had already testified, and the inquisitors bring an executioner. Two persons with their faces covered enter the room. By order of the inquisitors, the executioners undress the woman from the waist up. Francisca states that being naked is the worst torture for her. This confession could mean that this practice was used by the inquisitors to intimidate the victims. The importance of the undressing seems to be related with noticing, as soon as possible, both the executioners and the doctor, that the harm caused by the torture does not end in a bloodshed<sup>50</sup>. Unlike what happened in the practice of judicial torment in ordinary courts, the Inquisition was forbidden to spill blood or cause any serious injuries during torture<sup>51</sup>. This aspect contrasts with the text that

<sup>48</sup> Pérez Martín, A., "La doctrina jurídica y el proceso inquisitorial", p. 302.

<sup>49</sup> Huerga, "El tribunal de México en la época de Felipe II", p. 958.

<sup>50</sup> Kamen, *La Inquisición española*, p. 232. About details regarding the cinematographical representation of the judicial torture Prado Rubio, E., "El tormento inquisitorial y la representación audiovisual de la tortura judicial", *Revista de Inquisición* 23 (2019). Check also Prado Rubio, E., "Revisión del tormento procesal a través de *La tortura en España*, de Francisco Tomás y Valiente", *Política y legislación: aproximación desde la Historia, el Derecho y las Instituciones*, (Martínez Peñas, L.; Fernández Rodríguez, M., and Prado Rubio, E., (coord.), Valladolid, 2019.

<sup>51</sup> The Inquisition was a special court in charge of prosecute certain crimes. About special jurisdictions check Fernández Rodríguez, M.; Martínez Peñas, L., y Prado Rubio, E., (coord.), *Análisis sobre jurisdicciones especiales*, Valladolid, 2017. From the same authors, *Especialidad y excepcionalidad como recursos jurídicos*, Valladolid, 2017. Fernández Rodríguez, M., (coord.) *Estudios sobre jurisdicciones especiales*, Valladolid, 2017. Fernández Rodríguez, M., y Martínez Peñas, L., (coord.) *Reflexiones sobre jurisdicciones especiales*, Valladolid, 2017.



the scrivener reads to the accused about the responsibility of the court if she suffered any harm as a result of torture:

“Se dispondrá de ella cuanto tiempo como nuestra voluntad fuera para que diga y confiese enteramente la verdad, sabiendo que si en dicho tormento muriere o fuese lisiada sea su culpa y cargo y no a la nuestra por no haber querido decir la verdad”.

This dialogue shows another contradiction about how long the torture can last. Due to doubts as to the credibility of the confessions that took place during torture in the Holy Office, it was not only necessary for the prisoner to confirm this confession without torture, but it was also forbidden to torture the prisoner again. Nevertheless, some courts allowed the suspension of the session so it could be continued later<sup>52</sup>.

In the second process involving the Carvajal family, the Inquisition requests a hearing with Luis. The first time, the main character confesses, and he's not tortured, but in the second hearing, the court has some more evidence of Luis's heresy. Specifically, they have the testimony of the governor of Panuco, his relative and a new Christian. The second session is far more explicit and a change of attitude from the inquisitors can be perceived. In this case, Luis de Carvajal is tortured. It should be recalled that that's his second time in an inquisitorial process, so the inquisitors do not seem to have mercy. According to Huerga, there was certain resentment within this process due to the little respect that the convicts showed and because they did not take seriously the first sentences<sup>53</sup>.

Although Luis confesses to be Jewish to not suffer any harm during torture, the inquisitors pressure him more and ask him to give the name of other Judaizers. The executioners also undress Luis from the waist up and put him in the torture rack. Unlike the first time, this time the torture is shown. The executioners use a lever connected to ropes to Luis's wrists. Each time the executioners turn the lever the ropes tighten around his wrists. This torture is described by several authors and in this case, the rack seems to be like the

---

<sup>52</sup> Kamen, *La Inquisición española*, p. 231.

<sup>53</sup> Huerga, “El tribunal de México en la época de Felipe II”, p. 960.

real practice<sup>54</sup>. It will take up to six turns for Luis to give a long list of Judaizers. The following is an example of the cruelty of this torture:

“Volvamos a casos más ordinarios. La tortura debe ser proporcional a la amplitud de los cargos que pesan sobre el acusado. De obtener un solo testimonio, la tortura, salvo excepción, quedará limitada a las primeras operaciones: dos o tres vueltas de cuerda, un viaje de garrucha. Si el acusado aguanta, ha ganado la partida. El texto señala que ha “purgado los indicios”. Generalmente la causa es sobreseída y es liberado. Si, por el contrario, hay varios testigos que concuerdan en sus delaciones, si los indicios se acumulan, la prueba será mucho más dura. Pero si el acusado la supera, fuera cuales fueran las causas, ha salvado su pellejo. Lo que ha podido conducir a la Inquisición, siguiendo el ejemplo de las justicias civiles, a no infligir tortura a un acusado convicto de su crimen con pruebas abrumadoras”<sup>55</sup>.

### 3.4 The end of the process: crimes and sentences

When in the film to decide the sentences, it's shown a meeting of nine religious people. This is one of the most confusing moments of the film because the identity of those reunited it is not stated. The two inquisitors responsible for the process of the Carvajal family are present and are the ones to inform the other inquisitors about the details of this case. It can be inferred by the historical accuracy of this film regarding the different phases of the process that this meeting could be a jury composed of different types of officers of the Holy Office. As Henningsen affirms about the processes that took place in the Iberian Peninsula:

“Las causas eran sometidas a un jurado compuesto por los inquisidores, el ordinario del obispo y los consejeros teológicos y legales del tribunal (consultores). El material sometido a veredicto era un resumen del proceso, redactado por el inquisidor más antiguo, quien no debería revelar su opinión (sin embargo, cabía la posibilidad de que lo hiciese). El resumen era leído en voz alta por un empleado de la Inquisición (el secretario del secreto), y cada uno de los presentes manifestaba su opinión, siendo ésta anotada inmediatamente en el “libro de votos”. Los

---

<sup>54</sup> Kamen, *La Inquisición española*, p. 232.

<sup>55</sup> Bennassar, *Inquisición española: poder político y control social*, p. 102.

primeros en declarar su juicio eran los consejeros; les seguía el ordinario del obispo, y por último lo hacían los inquisidores, comenzando por el más reciente”<sup>56</sup>.

In Ripstein’s film this meeting end with one of the inquisitors stating the accusations and also the sentence itself. The accused is condemned to die at the stake:

“Al considerar terminado el proceso, nos los inquisidores del santo oficio acusamos criminalmente a Luis de Carbajal por las siguientes razones: cambiarse el nombre de pila por el de José Lumbroso, ser de casta y generación de judíos, haber creído y practicado la Ley de Moisés, y tras abjurar y haber vuelto a su creencia y observancia como el perro vuelve al vómito lo acusamos de esperar al mesías, de tener por cosa de risa la ley de cristo, de blasfemar de él y decirle injurias, de tratar de convertir a su herejía a fieles cristianos, por tanto solicitamos que sea declarado hereje, judaizante y penitente, relapso, apostata, pertinaz, protervo, dogmatista y enseñador de la Ley de Moisés, faltor y encubridor de herejes judaizantes, perpetrador y culpable de los delitos de que lo acusamos, y de haber incurrido en sentencia que excomunión mayor así pues, pedimos que sea entregado a l justicia y brazo seglar a fin de que vivo sea quemado en llamas de fuego, para que a él sea castigo y a otros ejemplo. Además, confiamos sus bienes por confiscados y pertenecientes a la cámara y arca de su majestad Felipe II rey de las Españas”.

It is worth mentioning that the indigenous people are part of the inquisitorial jurisdiction, due to the scandals resulted from the process of one of the Indian *caciques* during the Inquisition in Zumárraga, Mexico. That is why, in 1575, the people from this continent were already extent from the inquisitorial jurisdiction thanks to the *Real Cédula* signed by Felipe II. The most common crimes among indigenous people were related to polygamy, bigamy, sorcery, divination and superstition<sup>57</sup>. Although the first inquisitorial operation in Spain was focused in false converts, heresy crimes were in-

<sup>56</sup> Henningsen, *El abogado de las brujas*, p. 43. Pérez Martín, “La doctrina jurídica y el proceso inquisitorial”, p. 314.

<sup>57</sup> Soberanes Fernández, “La Inquisición en México durante el siglo XVI”, p. 286.

creasing and the inquisitors began to judge behaviors, like bigamy<sup>58</sup> instead of prosecuting crimes related to religious beliefs. Some of these crimes were also common among the residents that came from all parts of the Spanish territory that sought to settle in the New World.

For some people, the distance between the new continent and the Peninsula opened up a new world of possibilities. This way they could get married again even if they were already married to someone in the empire. This caused bigamy to be one of the most common crimes in America<sup>59</sup>. The New World also gave new Christians the possibility of making their way up to the upper class. Carvajal's family, the main character of Ripstein's film, could be a good example of the new citizens of America. As Huerga points out:

“El nuevo mundo era una realidad fabulosa, incluso para subir en la escala de los estamentos sociales de villanos a hidalgos, de pobres a ricos, de humildes menestrales a “conquistadores” de plebeyos a gobernadores. La sociedad en formación tenía sus modelos y cada cual se esforzaba por encarnarlos. Ese “don” postizo podía convertirse en un don macizo. Hasta los cristianos nuevos lo utilizaban para borrar su origen. Era el primer escalón de honra. Los otros se subirían con hazañas personales”<sup>60</sup>.

In relation to heresy derived from witchcraft and superstitions in America, it should be mentioned the importance of the arrival of African slaves to the continent for what Henningsen calls the “*evangelio negro*”<sup>61</sup>. In the film's *auto de fe*, it's shown a group of elderly<sup>62</sup> female sorceress wearing

<sup>58</sup> Pinto, V., “Sobre el delito de la herejía (siglos XIII-XVI)”, *Perfiles jurídicos de la inquisición española*, (Escudero, J. A., ed.), Madrid, 1989, p. 198-199.

<sup>59</sup> For more information about bigamy crimes check: Espinar Mesa-Moles, M<sup>a</sup> P., *Jurisdicción penal ordinaria e Inquisición en la Edad Moderna (A propósito del delito de bigamia)*, Madrid, 2013.

<sup>60</sup> Huerga, “El tribunal de México en la época de Felipe II”, p. 954.

<sup>61</sup> Henningsen, G., “La evangelización negra: difusión de la magia europea por la América colonial”, *Revista de la Inquisición* 3 (1994), p. 11.

<sup>62</sup> For more information on the stereotypes of people accused of witchcraft in audiovisual fiction check: Prado Rubio, E., “Stereotypes about the inquisitorial persecution witchcraft”, *International Journal of Legal History and Institutions* 2 (2018).

*sanbenitos* and *corozas*. This is the only time that witchcraft is mentioned in the film<sup>63</sup>.

The Judaizers, called in the film “*dogmatistas de la ley muerta de Moisés*”, are the last and largest group to be called to a hearing by the ecclesiastics that were preparing the *auto de fe*. According to Escandell Bonet, between 1560 and 1700, Mexico registers a total of 158 cases of Judaizers, a figure well above numerous crimes but the bigamy<sup>64</sup> ones.

Mariana, Luis de Carvajal’s sister, deserves a special mention. After being arrested by the Inquisition during the first process, she suffers from an illness that causes her several panic attacks. Her relatives think that this is due to the tortures of the Holy Office that weren’t shown in the film. In the last minutes of the film, the inquisitors seem to rule out the possibility of condemning Mariana because of her sickness. However, a doctor certifies that Mariana is feeling better right before the *auto de fe*, and she ends up dying at the stake with the rest of her family. Regarding this, it is worth mentioning that the use of doctors to determine whether the prisoners were actually sick or not, was very common. It was very important for the jurist inquisitors to become acquainted of the criminal responsibility and capability of the prisoners when imposing a sentence<sup>65</sup>.

Regarding the sentences and following the narrative, Luis de Carvajal is condemned to wear a *sambenito* as a result of the first process. This garment is used not only by the main character, but by all the condemned that are in the final *auto de fe* that closes the film<sup>66</sup>. According to Huerga, the inquisitor Bartolomé Lobo Guerrero withdrew the imposition of the *sambenito* and released the Carvajal family in 1594<sup>67</sup> in conformity with an amnesty decree.

<sup>63</sup> In this regard, check Martínez Peñas, L., “La convergencia entre los delitos de herejía y brujería y su influencia en la Inquisición medieval”, *Revista de la Inquisición* 23 (2019).

<sup>64</sup> Escandell Bonet, “La peculiar estructura administrativa y funcional de la Inquisición española en Indias”, p. 659.

<sup>65</sup> García-Molina Riquelme, “El auto de fe en México de 1659: el saludado loco, López de Aponte”, p. 183.

<sup>66</sup> Regarding the use of the *sanbenito*, it is important to mention the Mexican court’s petition to the Supreme Court to change its design: García-Molina Riquelme, A. M., “Una propuesta del tribunal de México: el *sambenito* de media aspa”, *Revista de la Inquisición* 9 (2000).

<sup>67</sup> Huerga, “El tribunal de México en la época de Felipe II”, p. 959.

Another sentence the court imposes to Luis is serving in the asylum of San Hipólito. One of the priests working there promptly expresses his interest in Luis's abilities and decides to entrust him the translation of some texts. He adapted quickly to his new job. There, he gains access to a vast quantity of books about theology and religion. He spends part of his free time reading the Old Testament, something he's forbidden to read. These aspects in the film differ from some of the historical facts included in Huerga's work. It can be presumed that the modifications suggested by Ripstein's film were necessary to tell this story in the audiovisual media. The truth is that the court decided to send Luis to work in the *Hospital de Convalecientes* and then to work for the Franciscans in the Colegio de Santa Cruz in Tlatelolco where he became obsessed with some sacred texts.

Friar Hernando, Luis's cellmate, was asked by the inquisitors to communicate the court any heresy that Luis might say. He is told by one of the inquisitors that he can't refuse to do this because this is part of his punishment. Henningsen affirms, regarding the process of witchcraft, that some conversations between the prisoners during their stay in Inquisition prisons have been registered, but everything suggests that the officers in charge of the prison are the ones that spied the prisoners so they could betray them in court<sup>68</sup>.

Finally, it should be mentioned that in the last minutes of the film, the ecclesiastical that presides the *auto de fe* reads out the charges of the rest of those who were condemned: spanking, exile, forced labor in the galleys, life imprisonment and seizure of property. Lastly, he confirms that the relapsed Judaizers will be burned at the stake.

The seizure of property is mentioned several times. The first time this is mentioned is when in prison, Luis de Carvajal complains to his cellmate that the Holy Office just wants the money of those who imprisoned. This is mentioned again in the Inquisition cells over the second detention in which Luis de Carvajal and all of the people who he betrayed during torture<sup>69</sup> were present. However, that was not the reason why the Inquisition was established in

<sup>68</sup> Henningsen, *El abogado de las brujas*, p. 59.

<sup>69</sup>For information on the origins of the Inquisition check: Netanyahu, B., "¿Motivos o pretextos? La razón de la inquisición", *Inquisición española y mentalidad inquisitorial*, (Alcalá, A., ed.), Barcelona, 1984.

America, because it collected almost nothing, and the inquisitors complained about not being able to afford food<sup>70</sup>.

### 3.5 The auto de fe of 1596

The final parts of the film are focused on the *auto de fe*. In the sixteenth century, four *autos de fe* were celebrated in Mexico (1574, 1575 and 1590). In the *auto de fe* of 1590, several members of Carvajal's family are condemned, but, as it was already said, they are not relaxed to the secular arm because, according to the court, they regretted the things they did and because it was the first time being judged by the Holy Office. This is considered as one of the most important autos, so, according to Soberanes<sup>71</sup>, it was called the "*auto grande*".

Part of the Black Legend of the Holy Office blames Spanish society for the enjoyment they experimented with the *autos de fe*. The criticism is often focused on the support of the Spanish society for these acts. The film shows a standing ovation of citizens for the *auto de fe* that is about to start. The audience boos the condemned and throw rocks and food craps at them. It is worth recalling the words of Maqueda Abreu about the support received from the population, because it must be seen in a context where religious aspects were linked to patriotism. This heresy crimes went against all those elements the population believed in<sup>72</sup>, and damaged the religious unity.

In the film, the *auto de fe* starts in a town square. Men and women are separated from each other by a group of soldiers. There are several executioners among them. One of the religious people calls the condemned while the bells were ringing. He calls the *fornicarios*, sorceress, blasphemers and Judaizers respectively. The last group to be called is the "reconciled" and the relapsed, people who, having been reconciled in the first process, committed

---

<sup>70</sup> Huerga, "El tribunal de México en la época de Felipe II", p. 960.

<sup>71</sup> Soberanes Fernández, "La Inquisición en México durante el siglo XVI", p. 289.

<sup>72</sup> Maqueda Abreu, C., "Extranjeros, Leyenda Negra e Inquisición", *Revista de la Inquisición* 5 (1996), p. 41.

#### INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

new crimes of heresy<sup>73</sup>. The relapsed don't get a second chance and end up burning at the stake, same as the main characters of the film.

The celebration of this *auto de fe* reaches its peak when all of the accused come onto the street and it is shown not only the amount of people who attended, but also the structures that were built so that the process could be contemplated by everyone while a music band walks with the penitents:

“En particular el Auto de Fe, como su propio nombre indica, tenía una componente teatral, místico — religiosa que debía desarrollarse con el mayor número de asistentes posibles y con un ritual determinado que supusiese un espectáculo difícil de olvidar y de carácter pedagógico, teatral, místico, etc. que impresionase a los espectadores”<sup>74</sup>.

The use of effigies in Ripstein's film is a very important aspect that should be highlighted due to his absence in other cinematographic works that show *autos de fe*. In the film they are represented as dolls. When some ecclesiastics organize the condemned to go out in order, the first ones to leave are the deceased and the absentees. These are the ones to be represented by effigies and will be carried out in procession by a group of soldiers.

Finally, in the *auto de fe* of 1596, the characters are sentenced to die at the stake because they were already sentenced by the Holy Office and they were considered as relapsed. Despite all, repenting is still an open option to save their souls. Nine priests accompanied the condemned to try to convince them to reject their faith and thus not be burned alive. Almost all of them show repentance at the end, and so, they get executed by *garrote* before being burned, which gives them the opportunity to die faster<sup>75</sup>. Despite this, one of them decides not to repent and ends up being burned alive. This is how the “darkest *auto de fe* in the sixteenth<sup>76</sup> century” ends.

---

<sup>73</sup> Pérez Martín, “La doctrina jurídica y el proceso inquisitorial”, p. 319.

<sup>74</sup> Torres Aguilar, M., “La pública difusión del Auto General de fe”, *Revista de la Inquisición* 19 (2015), p. 25.

<sup>75</sup> Huerga, “El tribunal de México en la época de Felipe II”, p. 961.

<sup>76</sup> Huerga, “El tribunal de México en la época de Felipe II”, p. 961.



## BIBLIOGRAPHY

- Alcalá, A., “Herejía y jerarquía. La polémica sobre el Tribunal de Inquisición como desacato y usurpación de la jurisdicción episcopal”, Escudero, J.A. (edit.) *Perfiles jurídicos de la inquisición española*, Madrid, 1989.
- Ballesteros Gaibrois, M., “La historiografía de la Inquisición en Indias”, Pérez Villanueva, J. y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Bennassar, B., *Inquisición española: poder político y control social*, Barcelona, 1984.
- Ciaramitaro, F. y Rodríguez Delgado, A., “Alumbradas e ilusas de Nueva España. Un estudio a través de la documentación del Santo Oficio (1598-1803)”, *Revista de la Inquisición* 20 (2016).
- Contreras, J., “Las adecuaciones estructurales en la península”, Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Cuenca Toribio, J. M., “La inquisición entre la historia y la nostalgia. La visión de los vencidos”, Escudero, J.A. (edit.) *Perfiles jurídicos de la inquisición española*, Madrid, 1989.
- Escandell Bonet, B., “Estructura geográfica del dispositivo inquisitorial americano”, Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Escandell Bonet, B., “La peculiar estructura administrativa y funcional de la Inquisición española en Indias”, Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Escandell Bonet, B., “Sociología inquisitorial americana”, Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Espinar Mesa-Moles, M. P., *Jurisdicción penal ordinaria e Inquisición en la Edad Moderna (a propósito del delito de bigamia)*, Madrid, 2013.
- Fernández Rodríguez, M., (coord.) *Estudios sobre jurisdicciones especiales*, Valladolid, 2017.
- Fernández Rodríguez, M., Prado Rubio, E.; y Martínez Peñas, L., (coord.) *Análisis sobre jurisdicciones especiales*, Valladolid, 2017.
- Fernández Rodríguez, M., Prado Rubio, E., y Martínez Peñas, L., (coord.) *Especialidad y excepcionalidad como recursos jurídicos*, Valladolid, 2017.
- Fernández Rodríguez, M., y Martínez Peñas, L., (coord.) *Reflexiones sobre jurisdicciones especiales*, Valladolid, 2017.

#### INQUISITORIAL PROCESS IN ARTURO RIPSTEIN'S FILM

- Fernández Rodríguez, M., "Las tres Españas de 1808", *Revista Aequitas*, nº 11, 2018.
- Fernández Rodríguez, M., "El gobierno de los presidiarios", Prado Rubio. E., Fernández Rodríguez, M., Martínez Peñas, L., *Contrainsurgencia y orden público en el mundo hispánico*. Valladolid, 2020.
- Galván Rodríguez, *El Inquisidor general*, Madrid, 2010.
- García Marín, J. G., "Proceso inquisitorial-proceso regio. Las garantías del proceso", *Revista de la Inquisición* 7 (1997).
- García-Molina Riquelme, A. M., "Una propuesta del tribunal de México: el sambenito de media aspa", *Revista de la Inquisición* 9 (2000).
- García-Molina Riquelme, A., "El auto de fe en México de 1659: el saludado loco, López de Aponte", *Revista de la Inquisición* 3 (1994).
- González de San Segundo, M. A., "Tensiones y conflictos de la Inquisición en Indias: la pre-inquisición o inquisición primitiva", Escudero, J. A. (edit.) *Perfiles jurídicos de la inquisición española*, Madrid, 1989.
- Haliczer, S., "La inquisición como mito y como historia: su abolición y el desarrollo de la ideología política española", Alcalá, A., (coord.) *Inquisición española y mentalidad inquisitorial*, Barcelona, 1984.
- Henningsen, G. *El abogado de las brujas. Brujería vasca e Inquisición española*. Madrid, 1993.
- Henningsen, G., "La evangelización negra: difusión de la magia europea por la América colonial", *Revista de la Inquisición* 3 (1994).
- Huerga, A., "El tribunal de México en la época de Felipe II", Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Huerga, A., "La pre-inquisición hispanoamericana (1516-1568)", Pérez Villanueva, J., y Escandell Bonet, B., *Historia de la inquisición en España y América*, Vol. 1, 1993, Madrid.
- Juderías, J., *La leyenda negra*, Madrid, 2007.
- Kamen, H., "Cómo fue la Inquisición. Naturaleza del tribunal y contexto histórico", *Revista de la Inquisición* 2 (1992).
- Llorente, J.A., *Historia crítica de la Inquisición en España*, Madrid, 1981.
- Maqueda Abreu, C., *El auto de fe*, Madrid, 1992.
- Martínez Peñas, L., "Los testigos en el proceso inquisitorial según el *Malleus maleficarum*", *Ihering* 2 (2019).
- Martínez Peñas, L., *El confesor del rey en el Antiguo Régimen*, Madrid, 2007.
- Martínez Peñas, L., "La convergencia entre los delitos de brujería y herejía en la Inquisición medieval", *Revista de la Inquisición*, nº 22, 2019.

- Martínez Peñas, L., *El proceso inquisitorial*. Valladolid, 2020.
- Martínez Peñas, L., “Justicia inquisitorial y justicia regia: una aproximación”, *Ihering. Cuadernos de Ciencias Sociales*, nº 3, 2020.
- Martínez Peñas, L., Prado Rubio. E., Fernández Rodríguez, M., *Heredarán el viento*. Valladolid, 2018.
- Martínez Peñas, L., Prado Rubio. E., Fernández Rodríguez, M., *Soñando con leopardos*. Valladolid, 2018.
- Netanyahu, B., “¿Motivos o pretextos? La razón de la inquisición”, Alcalá, A., (coord.), *Inquisición española y mentalidad inquisitorial*, Barcelona, 1984.
- Pérez Fernández-Turégano, C., “Cartas acordadas de la inquisición española”, *Revista de la Inquisición* 21 (2017).
- Pérez Martín, A., “La doctrina jurídica y el proceso inquisitorial”, en Escudero, J.A. (edit.) *Perfiles jurídicos de la inquisición española*, Madrid, 1989.
- Pinto, V., “Sobre el delito de la herejía (siglos XIII-XVI)”, Escudero, J.A. (edit.) *Perfiles jurídicos de la inquisición española*, Madrid, 1989.
- Prado Rubio, E., “El tormento inquisitorial y la representación audiovisual de la tortura judicial”, *Revista de Inquisición* 23 (2019).
- Prado Rubio, E., “Stereotypes about the inquisitorial persecution witchcraft”, *International Journal of Legal History and Institutions* 2 (2018).
- Prado Rubio. E., Fernández Rodríguez, M., Martínez Peñas, L., *Contrainsurgencia y orden público en el mundo hispánico*. Valladolid, 2020.
- Prado Rubio. E., Fernández Rodríguez, M., Martínez Peñas, L., *Estudios sobre crisis, tensiones y conflictos*. Valladolid, 2020.
- Prado Rubio. E., Fernández Rodríguez, M., Martínez Peñas, L., *La sombra de los bárbaros*. Valladolid, 2020.
- Soberanes Fernández, J. L., “La Inquisición en México durante el siglo XVI”, *Revista de la Inquisición* 7 (1998).
- Torres Aguilar, M., “La pública difusión del Auto General de fe”, *Revista de la Inquisición* 19 (2015).
- Vogeley, N., “Actitudes en México hacia la Inquisición: el pro y el contra (1814, 1824)”, *Revista de la Inquisición* 11 (2005).