The Wayward Priest of Atondo: Violence, Vocation, and Religious Reform in a Navarrese Parish

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The Wayward Priest of Atondo: Violence, Vocation, and Religious Reform in a Navarrese Parish

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Master of Arts

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Approved by the Committee, July, 2010

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Scholarship has been divided on the importance of the parish in early modern society. Here, focusing on the small parish of Atondo in the kingdom of Navarre, I argue that not only was the parish of fundamental importance at the communal level in pre-, as well as in post-Tridentine Europe, but it was also extremely meaningful on the individual scale. Moreover, parishioners were not passive or inactive, but rather were actively instrumental in the regulation and control of their parish clergy. In a similar vein, I argue that Tridentine reform at the parish level was slow, possibly as a side-effect of active lay involvement in the parish and with the parish clergy; they frequently used litigation to alternatively condone or condemn clerical behavior. During my research, I have also found clear evidence that Tridentine era clergy still operated along a “blurred line,” and were not definitively separate from their lay neighbors; rather they were heavily entrenched within their communities, further endorsing the argument that the parish mattered significantly at the parish level. To support these arguments I use the previously unused trial records of one particularly active priest named Don Pedro de Atondo, who over a forty year tenure as parish priest of Atondo during the post-Tridentine years, appeared in a near-constant stream lawsuits, many of which concerned un-priestly behavior, vocation, absenteeism, and violence. spaces, or one page of text.
Table of Contents

Acknowledgments ....................................................................... ii

A Note on Translations, Language and Abbreviations ..........iii

Introduction .................................................................................. 1

Navarre, the Council of Trent, and Reform at Home .............. 17

The Trials .................................................................................... 29

Conclusion ................................................................................... 50

Appendix ...................................................................................... 53

Bibliography ................................................................................ 66
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A Note on Translations, Language, and Abbreviations

Unless otherwise indicated, all translations are my own. When relevant and necessary, I have included the original Spanish in a footnote, and some transcribed text and translations can, in addition to the footnotes, be found in the appendix. When possible, I have maintained original spelling and grammar of the Spanish with the hopes that the legal rhetoric and "feeling" of the sixteenth-century language is reflected. Readers of Spanish will notice that sixteenth-century Spanish often uses "j" and "x" interchangeable, as is the case with "b" and "v," to name just a few of the many differences. Furthermore, names of people and places are often spelled in several different ways, even in the same document. I have only altered spelling, standardized names, and added accent marks when the original may lead to confusion. Finally, the Archivo Diocesano de Pamplona (the Diocesan Archive of Pamplona) is sometimes abbreviated as ADP, and the Archivo General y Real de Navarra (the General and Royal Archive of Navarre) is called the Archivo General de Navarra or abbreviated as AGN.
The Wayward Priest of Atondo: Violence, Vocation, and Religious Reform in a Navarrese Parish

I. Introduction

By 1598, Don Pedro de Atondo had established himself as a parish priest who was always in trouble. Located near Pamplona, his parish was not far from the watchful eye of church authorities, who were still trying to implement the decrees of the Council of Trent, which had ended thirty-five years earlier. Many of those decrees were aimed at reforming the lower clergy, and Pamplona’s bishop was now trying to stamp out clerical misbehavior that had been ignored, if not accepted, for decades, so it was no surprise that he eventually noticed Don Pedro, whose behavior was hardly hidden, either from his community or his ecclesiastical superiors. Thus in 1598, Don Pedro found himself standing before the bishop’s court, where the fiscal charged him with “[maintaining] the base office of surgeon,” curing the sick with special oils and ointments, “probing and palpitating the bellies of many sick girls and women,” and “for these conjurations and other acts...accepting and demanding money for his services.” To make matters worse, in order to find time for all these extracurricular misdemeanors, Don Pedro had had to wander away from his parish, thus “absenting” and “not inhabiting” it for long periods of time.

Don Pedro had been brought to court and sentenced at least once before for similar misbehavior, and he would again be admonished for unauthorized healing and

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1 In Navarre, an abbot (abbad) was a parish priest. Depending on the region of Navarre, “prior” and “rector” were also used synonymously with abbad. Don Pedro was usually called an abbad, but was occasionally called one of these other names too. This is, of course, in contrast to other parts of Europe where abbots or priors were the heads of monasteries.

2 The prosecutor.

2 Archivo Diocesano de Pamplona, Secr. Sojo C/107 - N. 20, f. 1r.
wandering a few years later in 1601. Moreover, his crimes were not limited to healing
and non-residence: in 1589, Don Pedro’s brother, Juanes de Aracoechea, sued over a
painful encounter. Apparently, the two brothers had been having an argument over tithes,
when “without warning, [Don Pedro] hit [Juanes] over the head with the church keys,
which weighed more than two pounds.” A little bit later that day, Juanes claimed, Don
Pedro had also attacked him with a sword.4

Furthermore, Don Pedro’s crimes were not restricted to the diocesan court. His
activities spanned two separate legal jurisdictions, and he appeared various times in the
secular court as both a defendant and as a litigant. For instance, in 1585, Don Pedro sued
the city of Pamplona for eighty ducats in back-payment for “conjuring the [grape] vines
that were infested with the worm.”5 According to his testimony, these “conjurations”
(exconjuriós) were quite legal: he had a special permit, he had obtained permission from
the Holy Inquisition, he had adhered to a manual on conjuration put out by the Bishop of
Salamanca, and he had first “asked permission of the Virgin Mother.”6 Additionally, he
had done a very good job: “the conjuration worked very well because there was hardly a
worm left on the vines and everyone that he encountered praised him for the great good
that he had done.” 7 But the city of Pamplona had reneged on its agreement to pay Don
Pedro and the process of conjuring had not been quick or cheap. It had taken three

5 Archivo General de Navarra, 028872, f. 1r.
6 Seeking priestly assistance for plagues of pests was quite legal, and apparently quite common. This
process resulted in a complicated series of supplications to the saints; some saints were perceived to be
more adept in removing pests than others. Conversely, especially in the cases of some of the worst
infestations, it was thought that the pests might have actually have been sent by an angry or neglected saint.
This may be have been why Don Pedro was careful to acknowledge that he had asked the Virgin Mary
prior to conjuring away the worms. This move not only reasserted his religious righteousness in dealing
with this pest, but is also served to safeguard that his actions were not interfering with divine will. See,
7 AGN, 028872, f. 3r.
months and had involved “three sets of nine masses for the nine choirs of angels,” the use of a work horse, and the help of one assistant. Accounting for half of the eighty ducats was payment for a vicar, whom Don Pedro had to hire during his long absence from his parish.8

Significantly, Don Pedro was not unique. His legal run-ins are only part of a myriad of other sixteenth- and seventeenth-century trials concerning wayward and misbehaving priests found in the archives in Pamplona, and his counterparts were prosecuted for equally curious behavior. Don Juan de Landibar, a priest from Lunbier, was tried for a series of charges including, “publically running with bulls,...dancing publically and with much indecency with bells on his feet,...publically playing ball,...not wearing his hat in church, [and] causing much scandal...[by] not regularly confessing or taking communion.”9 Similarly, in 1596, several clerical students (colegiales) were tried in absentia.10 Apparently thinking that the rector of their school was out of town for the night, the students had all met up at one of the dormitories around eleven in the evening. At this point, there is about a gap of two or three hours in the testimony, and suddenly the students found themselves at around two in the morning looking for something to do. [The astute historian, and probably the fiscal as well, can only extrapolate from the normal behavior of rowdy adolescent college students as to what probably went on in this time lapse.] In any case, by the wee hours of the morning, the

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8 AGN, 028872, f. 3. This trial concluded with Don Pedro forgiving the city’s debt.
10 Since they were tried in absentia, no testimonies of the students exist. What does exist in the diocesan records, however, are the pitiful testimonies of the students’ hapless local friends who had partaken in the revelry, but for one reason or another (probably most likely do to financial constraints) had not been able to leave town as the students would later do. Additionally, the constable who was responsible for arresting the students and their friends also testified in this case. See, Archivo Diocesano de Pamplona, Secr. Garro C/148 – N.8.
students had left their rooms, found some guitars and *rabels*, and begun parading around the city singing (and possibly carrying swords). After carrying on like this for some time and meeting up with some local resident friends from Pamplona, they finally ended up in front of the rector’s house, where they began to serenade his supposedly empty abode. Unfortunately, the rector was *not* out of town, and he was none too pleased to be awakened in the middle of the night by his musically inclined students.

Such behavior and subsequent trials do not stand by themselves during this period; they are not out of the ordinary. Rather, they are part of a large body of documentary evidence that illustrates attempts by church authorities to implement ecclesiastical reform during the years following the Council of Trent. As such, the trials pertaining to Don Pedro should not be regarded as anomalous. Clerical misbehavior was common in the post-Tridentine period, and the existence of such, in conjunction with authoritative responses, is very illuminating. Moreover, the existence of clerical misbehavior alongside Tridentine reform does not mean that there was suddenly in increase in the number of misbehaving priests following the Council of Trent. Rather, as reform was being implemented, the role of the clergy was being redefined, and behavior that once may have been acceptable was being reclassified as unacceptable. As such, the presence of wayward priests like Don Pedro in the trial records indicate that Tridentine reform was not only complicated, but more importantly, was met with significant

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11 This is probably most closely translated as “fiddles.”
12 The Bishop of Pamplona mostly handled cases concerning members of clergy and other religious, however, other cases that did not involve clergy could also fall under his jurisdiction; the Bishop handled morals offenses as well. While it is unclear whether or not these students were seminary students, this may have been the case. Following Trent, the Dioceses of Pamplona enthusiastically set to work erecting a seminary, and by 1596, it would have been in full swing. For information on the establishment of the seminary in Pamplona, see, José Gofi Gaztambide, *Los Navarros en el concilio de Trento y la reforma tridentina en el diócesis de Pamplona* (Pamplona: Imprenta Diocesana, 1947), 193. For the trial of the students, see, Archivo Diocesano de Pamplona, Secr. Garro C/148 – N. 8.
resistance from individuals who clung tenaciously to their old ways of life. From these records we can learn much about the implementation of ecclesiastical reform following Trent, as well as the kinds of behavior that the community and church leaders identified as problematic. And finally, reform and the response to clerical misbehavior allowed for significant input from the parish community: they were not a silent mass, and they had significant vested interest in the proper functioning of their parish, as demonstrated by the roles they played in the trials like those of Don Pedro. To them, the parish did matter. Their responses to individuals like Don Pedro illustrate how they sought to assert the importance of the parish.

* * *

Trials such as those of Don Pedro and his other wayward colleagues illuminate the serious obstacles to enforcing clerical reform at the parochial level. Church authorities and community members identified Don Pedro’s behavior as inappropriate for a priest, particularly in light of certain Tridentine decrees. But Don Pedro did not quietly or smoothly adapt to the new clerical role he was ordered to take; in fact, he appeared in over a dozen trials over a forty-year-tenure, many of which addressed repetitions of similar behavior. Additionally, there is evidence that attempts to reform him were fragmented and in some instances his behavior was actually condoned by the same church authorities who were prosecuting him. (For example, in 1606, Joan de Azpilicueta requested help from the bishop concerning his wife, whom he assumed was possessed since she refused to sleep with him. Accordingly, the court called in Don Pedro to help exorcize her.13) The inconsistent role of his superiors notwithstanding, Don Pedro was

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13 Calling Don Pedro away from Atondo and to the town of Sada (where Joan and his wife lived) indicates that his powers were well known, and at least here, condoned by his church superiors. See, José Luis Sales
involved in a surprising number of trials, and each sentence seemed to have little effect in curtailing his actions. The multiple trials of wayward priests like Don Pedro deepen our understanding of Tridentine reform on the local level and add nuance to the scholarship on religious reform during this period.\textsuperscript{14}

Scholarship on the changes within early modern Catholicism has been complex and provocative, but a number of its most famous historians have tended to overlook or over-simplify the parish's contributions and obstructions to the implementation of the Tridentine decrees. For example, one school of thought has contended that before the Catholic Reformation, the parish played a negligible role in the lives of the Christian masses, and asserted that Christians were not actually Christian, at least not in the way we think of them today.\textsuperscript{15} These historians see a clear delineation between popular practices on the one hand, and church institutions and officials on the other. In their opinion, before Trent the laity was practicing its own form of Christianity, based on local tradition. Meanwhile, the church was practicing an essentially different religion with many aspects that were kept secret and apart from the laity, either because of established precedents, disinterest, or certain barriers, such as non-comprehension of the Latin

\textsuperscript{14} Some recent studies have examined the combined topics of rural parish clergy, alpine geography, and top-down reform. Serge Brunet has, more specifically, focused on the border region of Val d’Aran, where he has found considerable resistance to reform, as well as problems amongst what appears to have been a very large clerical population including extreme poverty, armament, and deep communal relationships. Moreover, he has found tensions within this clergy that reflect an ambiguous position of the parish priest as either a leader of the parish or an employee of the parish. Significantly, these patterns seem to be related to rural, inaccessible, and highly independent alpine geographies. See the review article, William A. Christian, Jr., “Priests, Mountains, and "Sacred Space" in Early Modern Europe,” Catholic Historical Review 93 (January 2007).

Vulgate. Consequently, when the parish structure was defined and enforced by the church after 1563, it was really being "imposed" upon the laity.

A second group of historians has argued for a more dynamic and dialogical picture. In their view, the Christian Middle Ages might have had its fair share of folk beliefs and practices, but the parish played a significant role in religion at the local level." Furthermore, these scholars find that the laity lived with a continuous "mixing" of "high" and "local" religion, rather than being the victims of mandates imposed by a central and remote authority. Here, then, the parish was understood as an institution that helped to negotiate between the specific needs of the community and the demands of ecclesiastical superiors. It arose from the people and in order to serve the people; it was an institution that was used by the people. Thus, in contrast to the scholarship that sees the church and the people as definitively and structurally separated, these historians view the parish priest as "embedded" within his community. It would not be uncommon for the priest to have economic ties to his community, especially if he himself was a local and related to a number of his parishioners. Furthermore, in medieval and early-modern culture, people felt strong connections to others with whom they engaged in commercial activity, and there were strong personal and social incentives to fostering horizontal communal connections. Additionally, clerical misbehavior could occur from time to time

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16 This argument is cogently stated in John Van Engen, "The Christian Middle Ages as an Historiographical Problem," *The American Historical Review* 91 (June 1986), 519-552.
18 If the medieval parish priest was an integral part of his community, constrained or dictated by loyalties, this is only compounded by the common practice of the passing on of benefices to family members and the selection of parish clergy from the local community. On the complexities of familial control of native priests and familial control of a parish, see, Bergin, "Between Estate and Profession," 74.
without serious consequence. As members of the community, the community was often prepared to treat their priests as they would any other member, and certain misdemeanors could be taken in stride; small trespasses generally offered no threat to the public order. Rather than alienate the priest from his community, unorthodox behavior, specifically when it reflected or was derived from the needs of the community, acted to reinforce the priest's place within the local community. Significantly, the clergy who guided parishes might feel tugged in both directions, with loyalties to local communities and obligations to more abstract ones. The problematic relations Don Pedro had with his superiors, as well as his community, reveal exactly this sort of conflict.

This second school of thought is more in-line with what the trial records reveal about the parish of Atondo. That is, the parish structure and especially the role of the parish priest did matter to the people of Atondo. Without accepting this fact, it is difficult to understand why Don Pedro would have been charged in secular courts as well as ecclesiastical ones. When Don Pedro misbehaved or had a run-in with his parishioners, his community took steps to formally declare his behavior as abusive or problematic: they did not appreciate being hit with keys, threatened with swords, or wholly neglected. While in most of the trials Don Pedro was clearly the instigator, it is important to

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19 Some excellent examples of this are illustrated in the cases of parish priests tracked by Daniel Bornstein in medieval Cortona. By using visitation records and material inventories, Bornstein has discovered that the clergy in Cortona were heavily entrenched within their own communities. Often, poverty was an overwhelming factor in the priest's ability to serve his parish in a priestly fashion; priests were reprimanded by their bishop for not keeping the church vestments up to standards, or not having the proper implements necessary to say mass. Other instances include inter-parochial theft of church possessions. In other cases, priests were forced to reside illegally within the parish churches — sometimes with a concubine or their mother — because they were physically unable to afford to keep a separate residence. Due to an array of worldly concerns, these priests were unable to realistically separate the behavior necessary to survive from the duties of their clerical offices. Interestingly, in a number of these cases, this behavior did not bother the parishioners, and in several instances, the townsfolk consorted to protect their badly behaving priests. Clearly, the priest was considered to be a member of the community, and as other members could occasionally trespass the confines of acceptable behavior, so could the priest. See, Daniel Bornstein, “Parish Priests in Late Medieval Cortona: The Urban and Rural Clergy,” Quaderni di Storia Religiosa 4 (1997).
underscore the fact that in many other trials he was the defendant as well; the legal battles went back and forth between him, his parishioners, and his ecclesiastical superiors. His behavior and the legal action that was subsequently considered necessary were able to draw in many levels of society and of the community. Even while the bishop was attempting to correct his lack-luster pastoral duties, Don Pedro was simultaneously launching lawsuit after lawsuit against his family members, other priests, and parishioners who disputed or failed to tithe. And in the trials where the parishioners notified the bishop of his misbehavior or testified in the proceedings, they took a personal, active role in correcting the comportment of their parish priest, and thereby underlined their own important role in the running of the parish. Similarly, Don Pedro’s business dealings and the related disputes indicate that he was deeply joined to his community, so much so that he interacted at these various levels with relative ease and familiarity. When he conjured grape vines, performed exorcisms, and acted as a surgeon, he demonstrated the “blurred line” that existed between local clerics and their parishioners. He found it just as acceptable as his lay counterparts to conduct business dealings and to visit nearby towns in pursuit of profits. And his ceremonies with vineyard pests and possessed wives illustrate the convergence between church ritual and folklore.

The legal records that document Don Pedro’s behavior between 1564 and 1606 thus illustrate a crucial part of the process of implementing the Tridentine decrees: reforming the parish clergy who were supposed to act as conduits for a renewed spiritual and sacramental life on the part of the laity. Though scholars have disagreed on the actual causes for calling the Council, and questioned its reactionary character vis-à-vis Protestantism, they agree on what it intended to achieve. At its most basic level, the
Council aimed to define and reinforce church doctrine, some of which was perceived to be under attack from the Protestant movements in the North. Equally importantly, however, the Council addressed a variety of issues that church leaders considered to be causing problems and, in some cases, even endangering the souls of their flocks. Such theological and pastoral issues included administration of the sacraments, clandestine marriage, and, significantly for Don Pedro, absenteeism and residence of the clergy. It was hoped that each priest would be familiar enough with his parish to be able to properly receive confessions, and even more directly, actually be there to administer the sacraments necessary for salvation. This was something that Don Pedro could not have been doing if he were wandering about healing people. Yet it was one thing to stipulate change and quite another to enforce it. Though Trent’s mandates were supposed to be imposed seamlessly from above, and numerous scholars have presumed that its orders were successful, Don Pedro of Atondo illuminates the obstacles on the ground level that faced reforming bishops and even reform-minded laypersons.20

The fathers at Trent smartly identified a major obstacle that might impede reform and took pains to mollify it. They rightly noticed that implementation of religious reform relied heavily on the bishop’s ability to enforce it at the local level, and if he were unable to deal with other problems with his parish clergy, then enforcing reform could never be possible. The decrees were canonically binding, meaning that they were not to be contested in ecclesiastical courts of law. However, in many areas of Spain and elsewhere, the bishop often faced resistance, and his power was often diluted or contested by the

20Delumeau, Van Engen and Bossy all saw Tridentine reform as immediate and successful. This argument was also stated early on by Hubert Jedin and countered by John O’Malley. See John O’Malley, Trent and All That: Renaming Catholicism in the Early Modern Era (Cambridge, Massachusetts: Harvard University Press, 2000), 54.
other clergy within his diocese. As Sara T. Nalle has put it, "[in] broad terms, the Council of Trent's solution to corruption in the church was to endow the bishop with sufficient legal authority to gain command of the cathedral chapter and to lead his parish clergy and the laity." In other words, the decrees emanating from Trent were to be effectively enforced via the will of the bishop, and through the use of the ecclesiastical court. The bishops were given increased power and more authority over other powerful clergy in their dioceses. In reiterating the rights and power of the bishop, especially via his ecclesiastical court, it was hoped that the bishops would be able to effectively utilize their legal systems to implement reform, stamp out corruption, and renew spirituality.

Historians have shown that it was very likely that the lay people were aware of the changes emanating from Trent. Many seem have been conversant with what was expected from their parish priest, as well as what they themselves could expect from him. It has been convincingly argued that such publications as ecclesiastical treatises and confessor's manuals that became widely available around this time were intended for lay, as well as clerical audiences, and thus the information they contained would have been available to a wide and diverse group of people. In other words, written works that were intended to assist priests in hearing confessions or catechizing, may have served the dual purpose of alerting the laity to clerical abuses exhibited by their own priests. While there is no evidence that the people of Atondo were reading confessor's manuals or similar

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22 Lu Ann Homza suggests that not only were ecclesiastical treatises directed at an audience that included priests and confessors as well as lay people, but that these treatises (unbound or loose-leaf) would have been cheap enough for even day laborers to have purchased. See Lu Ann Homza, *Religious Authority in the Spanish Renaissance*, (Baltimore: The Johns Hopkins University Press, 2000), 152.
works, they were, nonetheless, particularly adept at bringing their priest to trial, and they clearly knew that incidents such as physical violence, carrying a sword, and absenteeism were of interest to the Bishop of Pamplona.

Moreover, the people of Atondo were comfortable in using legal procedures to address clerical abuses and make them known to church authorities. The use of legal rhetoric by the common people and their ability to move within the legal setting with ease seems to have been a reality in many areas of medieval and early-modern Europe. This phenomenon has been studied by various scholars, and curiously, it appears that people unconnected with the court system, and even wholly uneducated were able and willing to use the court systems to address wrongs that had been committed against them, protect their own honor, and attempt to defame others.24 Like their counterparts in other areas of Spain and Europe, the inhabitants of Atondo knew how to use the court system, and more

23 There is no definitive evidence that lay people in the later part of the sixteenth-century were reading confessor’s manuals or other religious treatises (though this was a distinct and likely possibility), but, thanks to the careful work of Maria Isabela Ostolaza Elizondo, we do know which books were printed and sold in Navarre. Thus we also can arrive at a general idea of what books may have been floating around the diocese, or at least which ones were in the hands of the priests of this diocese. These books definitely included confessor’s manuals, bibles, and theological treatises. Maria Isabela Ostolaza Elizondo, Impresores y libreros en Navarra durante los siglos XV-XV (Pamplona: Universidad Publica de Navarra, 2004). See also, Goñi Gaztambide, Los Navarros en el concilio de Trento, 363-366.

24 Lu Ann Homza has explored the trial of Don Francisco Ortiz who was arrested by the Inquisition after publically denouncing the Inquisition’s arrest of the beata Francisca Hernandez who was under suspicion of being an alumbrada. In this trial, Ortiz, a Franciscan preacher, presumably had no legal training or background, but was able to essentially run the Inquisitors in circles, and successfully defend himself during subsequent legal proceedings. Likewise, Scott K. Taylor has recently published an in-depth study on honor and violence in early-modern Spain where he has used multiple records of common people successfully using the court systems to rectify just about every kind of quarrel, fight, or disagreement imaginable. Daniel Lord Smail has found a similar situation in medieval Marseilles. There, inhabitants chose to use the court systems frequently, even when there was no hope of monetary restitution. Thus, as Smail argues, the major driving force behind litigation was emotional satisfaction. Even if there was no verdict, bringing grievances to trial helped re-establish harmony amongst the community, as it was able to clear people’s names or humiliate others when they had transgressed. See, Lu Ann Homza, “How to Harass and Inquisitor-General: The Polyphonic Law of Friar Francisco Ortiz,” in A Renaissance of Conflicts: Visions of Law and Society in Italy and Spain, ed. John A Marino and Thomas Kuehn (Toronto: Center for Reformation and Renaissance Studies, 2004), 299-336, Scott K. Taylor, Honor and Violence in Golden Age Spain (New Haven: Yale University Press, 2008), and Daniel Lord Smail, The Consumption of Justice: Emotion, Publicity and Legal Culture in Marseilles, 1264-1423 (Ithaca, NY: Cornell University Press, 2003).
importantly, they understood that it was a useful tool with which they could protect themselves and promote their interests.

It is crucial in my study to regard the laity of Atongo, as well as the clerical hierarchy. In the last few decades, a number of highly influential studies have appeared that have investigated the convergence of popular devotion, traditional religion, and religious reform in Spain. These works have been particularly successful in presenting a picture of what Catholicism meant to ordinary Spaniards in the years in which the Tridentine decrees were promulgated. We now know that spirituality in sixteenth-century Spain was deeply tied to outward communal signs of devotion, as seen in confraternal processions, vows, and the veneration of relics and saints. In some areas, as much as sixty percent of residents were part of one confraternity or another. These religious groups expressed their devotion through charitable works, but also by throwing magnificent feasts for the entire town. Acts like these were primary targets for reform. Before the Council of Trent, communities had significant say in how and when they would celebrate religious festivals, and which saints they would honor. Following the Council of Trent, church leaders were ordered to crack down on the veneration of saints and take pains to verify miracles and apparitions. The church went to great lengths to assert itself as the one who would decide how religious festivals were celebrated, and more importantly, decide which festivals were observed and which saints were honored. Such maneuvers were aimed to regain control of religious devotion, remove it from the hands of the lay community, and place it under the sole direction of church authorities. Via reform, the

27 Nalle, *God in La Mancha*, 166.
church re-asserted its role as the supreme bearer of doctrine, with the priest as the only accepted spiritual leader.\textsuperscript{28}

Yet one of the crucial questions I seek to answer is whether the parishioners of Atondo, the Bishop of Pamplona, and even Don Pedro himself wanted a new, hard and fast line drawn between clergy and laity in the wake of the Council of Trent. Well into the Tridentine years, very little was actually expected of parish priests, and in many areas, the clergy still closely resembled their medieval counterparts, rather than the reformed priestly class that the fathers at Trent envisioned. Many priests were barely literate, concubinage still existed, and often all that was required from candidates for the priesthood was to “have the right intention.”\textsuperscript{29} Following Trent, though, priests were pressured to become more professional. Parishes were ordered to eliminate mercenary priests. Financial security was taken into consideration before ordination. Priests were ordered to remain in their parishes, take their pastoral obligations seriously, and to lead lives of “exemplary virtue.” Significantly, these directives were met by both confusion and resistance, and many priests seemed either unwilling or incapable of understanding their intent.\textsuperscript{30} Reform that targeted the parish priest was meant to separate him from the secular world, but in a priestly class that had been for so long so closely intertwined with the lay community, this proved to be extremely difficult to actually carry out.

Such may have been the case with Don Pedro and his energetic colleagues. Don Juan de Landibar, who was accused of dancing with bells on his feet and possibly running with bulls was, in 1615, a fairly young man, and seems to have allowed his

\textsuperscript{28} Nalle, \textit{God in La Mancha}, xii.
\textsuperscript{29} Bergin, “Between Estate and Profession,” 68.
\textsuperscript{30} Nalle, \textit{God in La Mancha}, 49.
Based upon witness testimony,¹² his behavior seems to fully support scholarship that argues for a blurred-line between the church and the laity. Similarly, the musical (and probably intoxicated) clerical students found that mixing youthful fun with ecclesiastical training and responsibility would not fly with authorities. Not surprisingly, the bishop’s court did not respond with leniency to these instances of misbehavior. While it was not actually proven that he had ever “danced with bells on his feet,” Don Juan was admonished to clean up his act, reminded that he was supposed to be setting a good example, and warned a repetition of such behavior would be dealt with much more severity.¹³ The clerical students, on the other hand, were treated far more harshly, and were ordered to pay the extraordinary fine of two-hundred ducats. Not surprisingly, the students decided to skip town instead.¹⁴ Clearly still trying to both rein in this type of misbehavior and further professionalize the clergy, in 1615 ecclesiastical authorities still had their hands quite full, demonstrating that clerical reform could be an extremely slow process.

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¹¹ Scott Taylor’s analysis of male sociability in early modern Castille is particularly relevant here. He has found that the most normal activities that young men participated in were highly competitive and could easily lead to confrontation between the participants as well as between the participants and the community. Furthermore, male sociability usually took place in highly public spaces, and thus was usually highly visible and what happened there was well known in the community. See his chapter on “Men” and particularly the section on “Aggressive Male Sociability.” Taylor, Honor and Violence in Golden Age Spain, 140.

¹² An element of humor in this trial: for the most part the witnesses called to testify on whether or not they had seen Don Juan de Landíbar dancing with bells, playing, and running with bulls were significantly older than Juan. Appearing as somewhat stodgy older men, they were obviously ruffled by Juan’s rambunctious behavior, but were usually only able to grudgingly admit that they had only heard of Juan’s dancing escapades. ADP, Secr. Treviño C/ 256 – N.8, witness testimony (no folio numbers).

¹³ ADP, Secr. Treviño C/ 256 – N.8, sentence (no folio numbers).

¹⁴ In fact, these students left even before their trial ever started. The only people involved that the fiscal was actually able to talk to were some local men who had met up with the students amidst their revelry, but were not actually part of the school. ADP, Secr. Garro C/ 148 – N.8, f. 7v.
The trials of Don Pedro indicate as well that his role within the community straddled two separate spheres. On the one hand, he was an important and revered figure: he was the beneficed parish priest of Atondo, in charge of parish and church affairs such as collecting tithes and administering sacraments. On the other hand, though, Don Pedro occupied a position that was much closer to that of a popular holy man. Furthermore, his business dealings and messy relationships with his family members and neighbors also place his endeavors within the realms of lay activity. His talents were widely known throughout the region, and it was difficult for him to extricate himself from his questionable vocations in order to maintain his clerical office in the manner church authorities now demanded. The evidence suggests that for Don Pedro, there was little to no line that actually delineated popular from clerical from lay activities. He was a part of Atondo, and he was deeply embedded within his community. His vocation as a wandering healer is an excellent example of how priestly duties could often easily bleed into popular practices and communal life. The reactions to his behavior reveal much about how he (and other priests like him during this period) fit into the overlapping lay and authoritative definitions of how a parish priest should live and act. To a large extent, the laity was using the courts to discipline Don Pedro, as well as reinforce their own definition of acceptable behavior for a parish priest; here they either accepted or rejected the extent to which their abbad was embedded within the community. The bishop’s reaction to Don Pedro’s behavior, on the other hand, reflected widespread attempts to professionalize the lower clergy and define the line between religious and secular during the years of Tridentine reform.
II. Navarre, the Council of Trent, and Reform at Home

The Council of Trent is often regarded today as a defining stage in early modern Catholic reform. Part of a much wider reaching movement towards reform, it reflected the desires and shifting beliefs of many of the most influential leaders and thinkers of the period. Lasting from 1545 to 1563, the Council of Trent was a culmination of these reform efforts. Significantly, they were far-reaching and long in coming, but perhaps slower to actually take hold than was anticipated.

The many meetings between the delegates at Trent were largely shaped by differing – and sometimes conflicting – approaches to reforming the Church and its clergy. That problems had long existed before any plans for a large reforming council had first been laid was no secret, and for many, it was all too painfully apparent. In some areas, priests were still barely literate; in other areas concubinage was still common.\(^{35}\) Priests whose presence, due to the nature of their benefices, was required in their parishes and bishoprics, found a multitude of only partially convincing excuses for repeated absences. Coupled with the factors of too-few parishes covering too-large areas and serving far too many individuals, many parishes were underserved, or barely served at all.\(^{36}\) More troubling still, the highest levels of the curia regularly contrived to use their ecclesiastical offices to increase their own personal power and cultivate familial influence.

\(^{35}\) John Bossy argues that following the institution of clerical celibacy in the eleventh-century, clerical celibacy became more and more the norm, with estimates of 80-90% of clerics practicing celibacy by the 1500. However, he also notes that in France, Spain, and Germany, concubinage was more common that other areas, and in these three areas, particularly in “alpine regions,” monogamous clerical concubinage was still fairly common by sixteenth-century. Similarly, Robert Bireley estimates that during the years leading up to the reform period in some dioceses as many as 50% of parish clergy may have been living in some sort of accepted non-celibate state, or in “quasi-marriages.” See Bossy, *Christianity in the West, 650-1500* (Washington, DC: The Catholic University Press of America, 1999), 17.

\(^{36}\) This was the case all over Europe, and was particularly acute in Germany. Bireley, *The Refashioning of Catholicism, 145-146.*
and connections. Alessandro Farnese, who as Paul III would later call the Council of Trent, had been elevated to the cardinalate at age 23, probably because of an illicit relationship between his sister and Pope Alexander VI. Once pope himself, Paul would use his position to acquire the Duchy of Parma for his son, and would make two of his own teenage grandchildren cardinals.\(^{37}\)

Nepotism and corruption were certainly major concerns for many delegates at Trent. Yet others argued that the main problems, especially those that had driven Martin Luther and others to separate from the Church, and that were contributing to a perceived decline in Catholic faith, were rooted in general pastoral negligence. Specifically, inadequate pastoral care was often directly linked to ignorance and absenteeism amongst the lower clergy.

This last problem was a primary concern for many of Spanish delegates at Trent.\(^{38}\) However, despite their best efforts, as well as the efforts of delegates from other regions, residency remained a touchy issue. Understandably, many delegates present at Trent, or otherwise connected to the Council, opposed defining residency as a divine mandate as this would also have meant that holding multiple benefices would also be newly defined as counter to the Church’s teachings.\(^{39}\)

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\(^{38}\) A number of prominent Spaniards attended Trent, and significantly, many of them also shared a strong belief that residency was divinely mandate, a belief which they promoted in treatises that were both simple to read and often in the vernacular. Among them were Domingo de Valtanás, Juan de Ávila, Bartolomé de Carranza, Martín de Frias, Juan de Bautista, and Juan Bernal Díaz de Luco. Díaz de Luco, in particular, wrote an accessible and highly humorous treatise entitled *Aviso de Curas*, in which he dealt with a myriad of problems he felt affected the clergy, ranging from vocation, poverty, residency and misbehavior. See Homza, *Religious Authority in the Spanish Renaissance*, 118, and Juan Bernal Díaz de Luco, *Aviso de Curas* (Alcalá, 1551).

\(^{39}\) Homza, *Religious Authority in the Spanish Renaissance*, 129.
Though the fathers at Trent might have failed to assert that clerical residence was a divine mandate per se, they still justified its importance via scripture. Using Jesus' words to Peter about knowing one's sheep, they stipulated that all clerics with the care of souls must pay attention to their parishioners. This conversation, from John 21:15-17 and John 10:1-16, appealed in particular to the Spaniards at Trent, who frequently cited it as evidence to support their argument that clerical residency was exactly divinely mandated. Specifically, in John 10:1-16, Jesus asks Peter if Peter loves him, Peter responds that Jesus knows he does, and Jesus then tells Peter to "feed his sheep." This exchange happened (significantly) three times. Here, the orders to "feed the sheep" came directly from Jesus and were said directly to the favorite apostle, and this was used as strong evidence that Jesus was mandating close and attentive pastoral care. As the Spaniards interpreted this, care of sheep became divine law, and Jesus' order to Peter therefore should have filtered downwards from the papacy to the lower orders of priests. Thus, all clergy should have been attending to their pastoral obligations.40

In the end, the Council did pass decrees concerning the twin problems of residency and competency amongst the clergy, though they may not have been quite as explicit as some delegates would have wanted.41 Yet more important in regards to the solution of such touchy problems was that Trent opened the door for vigorous reform at the diocesan level in many parts of Europe. Depending on the tenacity and motivation of any given bishop, Tridentine reform could take any number of forms, ranging from

40 John 10:1-16 was also used to argue that a pastor should "know" his sheep. See, Homza, Religious Authority in the Spanish Renaissance, 127.
41 Homza, Religious Authority in the Spanish Renaissance, 128.
merely reading the decrees to almost wholly ignoring them to holding multiple synods and visitations and even founding seminaries.\(^{42}\)

Notably, the Navarrese seem to have been particularly active in enacting reform and in attacking a number of the perceived root causes for religious and pastoral problems. As a relatively small region of Spain, they were well represented at Trent. Various local scholars and lawyers attended the council, and a series of bishops from around the region also dutifully appeared as well.\(^{43}\) After returning from the Council, these Navarrese bishops worked diligently to make reform efforts felt throughout their bishoprics.

Following the close of the Council of Trent in 1563, the Diocese of Pamplona held a series of synods to discuss the specific need of reform in the various parishes, and exactly how reform in their bishopric would incorporate Tridentine decrees. Two synods, held in 1577 and 1586, addressed many of the primary goals of the Council. Amongst other things, they provided directives on the necessity of completing a seminary, and the problems of non-residence, multiple benefices, and ignorant priests.\(^{44}\) Like the fathers at Trent, the episcopal leaders these synods saw a clear connection between faltering belief and unsatisfactory pastoral care combined with less-than-exemplary behavior of the parish clergy. Thus, through specific attention paid to the manifestation of such pastoral problems, diocesan authorities strove to address the consequences of pastoral negligence. However, as late as twenty-seven years after the final session of the Council, instances of absenteeism, flagrant un-priestly behavior, violence, and multiple benefices appear to

\(^{42}\) Bireley, *The Refashioning of Catholicism*, 146.
\(^{44}\) See, Goñi Gaztambide, *Los navarros en el Concilio de Trento*, Appendix Documents 1, 18, and 19.
have still been present in the diocese, and a third post-Tridentine synod was called in 1591.\textsuperscript{45}

Significantly, a number of earlier problems were again reiterated at this later synod meeting. Issues that had not only been at the forefront of deliberation at the Council of Trent, but had also been discussed at length in the synods from 1577 and 1586 were again brought forth at the meeting in 1591. In terms of parochial and clerical reform, a notable lack of definition between the lives that the clergy led and the lives that the laity led seems to have been a lasting concern into the later years of the sixteenth-century. In painstaking detail, synod delegates laid-out, yet again, what was and what was not acceptable behavior and comportment for the dioceses' clergy.

Many of the decrees from this later synod focused on specific types of behavior that seem to have long been practiced by the local clergy, but were now being redefined as disruptive and counter-productive to the larger agenda of pastoral reform. Specifically, the decrees honed in on behavior, that while not conspicuously dangerous, reflected a lack of separation between the clergy and the laity. The exhibition of such unorthodox behavior in place of ideal behavior, noted the synod delegates, could confuse the laity, and moreover caused “the laymen to come to esteem [the clergy] very little.”\textsuperscript{46} In years past a priest who partook in communal activity was seen as innocuous, if not beneficial; however, now un-priestly behavior was perceived as not only an indicator of disorder amongst the clergy, but as also leading to the much larger problem of alienating the flock, and perhaps even driving them away from the true path.

\textsuperscript{45} But, it is important to note that Tridentine decree called for frequent synods, so multiple synods do not necessarily reflect continued problems. However, synods held in the Diocese of Pamplona in the several decades following the Council repeatedly addressed very similar issues, indicating that very little headway in resolving these problems was being made.

\textsuperscript{46} “...los legos los vienen a estimar en poco.” Constituciones synodales del obispado de Pamplona, f. 65r.
How exactly the clergy of late-sixteenth-century Navarre was maintaining an ambiguous position within their local communities is well illustrated in the numerous and pedantic decrees issued by the 1591 synod. For example, while concubinage no longer seems to have been much of a problem, inappropriate contact with the female sex was still a concern. Priests were admonished to take care to not spend time in the company of women, “whether matron or maid, of any station, or whatever condition she may be in.” Moreover, he was not to “hold her by the hands, nor by the arms, nor when she is riding a mule, nor any other sort of horse, even if he lives with her, under the penalty of excommunication, and the penalty of two ducats.” Physical familiarity with women, even in the chastest manner, was not acceptable.

Likewise, the Pamplonian clergy were reminded that it was inappropriate to dance, sing, drink, and socialize with their parishioners. Synod delegates noted that these transgressions occurred most commonly at certain “merriments,” or popular social gatherings, and ordered the clergy to take care in maintaining a priestly comportment during such events. Furthermore, they were to refrain from engaging in any sort of imprudent behavior altogether:

No cleric, beneficed person, or sacristan should dance, nor sing dishonest songs that preach profane things, even if it is at a wedding or a new mass, or in public, or in secret: nor should he dress himself up to act out profane scenes, nor [should this be done] in any other manner: not with a guitar, nor with other instruments in order to dance in such merriments, nor should they be present where they run bulls, under penalty of two ducats, to be given to the poor, and for the costs of justice, and ten days in jail [as well].

47 "...ningun clerigo de orden sacro, o beneficiado, acompanhe muger ninguna, dueña, o donzella, de cualquier calidad, o condicion que sea, ni las lleven de las manos, o braços, ni a ancas de mulas, ni otras cavalgaduras, aunque vivan con ellas, so pena de excomunion, de dos ducados...” Constituciones synodales, f. 66r.
48 Interestingly, it seems that the focus here was on preventing physical familiarity, as opposed to conversational familiarity.
49 "...que ningun clerigo, beneficiado, ni sacristán, bayle, ni dance, ni cante cantares deshonestos ni predique cosas profanas, aunque sea en bodas, ni missas nuevas, en publico, ni en secreto: ni se disfance
Such behavior may not have occurred always in a priestly and sober state of mind, and clergy were additionally cautioned to refrain from drinking with laymen. While drinking in any setting was discouraged, drinking at taverns and at town meetings was seen as most problematic. In particular, synod officials were concerned about fights and quarrels ultimately occurring from such close socialization. Priests were advised of the potential problems associated with such activity, and were also threatened with the usual fines and imprisonment should such conduct occur.\textsuperscript{50}

Similarly, heavily armed priests were also perceived to threaten the delineation the laity and the clergy. Thus, while delegates noted that “ancient decrees [already] prohibited the clergy from carrying arms,” they felt it necessary to reiterate this ban. As such, “in order to demonstrate a religious way of life in the name of their profession,”\textsuperscript{51} clergy were forbidden to carry an impressive array of weapons. They were to wield not “a sword, nor a dagger, nor a knife of more than one hand’s length, nor a staff, nor a stick with iron wider than two fingers...nor an harquebus, nor a shotgun, nor a crossbow,”\textsuperscript{52} though in certain instances they could arm themselves if they were to be on long trips away from home. The main goal, it seems, was to limit the clergy from carrying weapons

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\textsuperscript{50} Constituciones synodales, f. 65r.
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\textsuperscript{51} “Los decretos antiguos prohibieron a los clerigos traer armas, y pues son elegidos en la suerte del señor, han demonstrar con habito religioso el nombre de su profession.” Constituciones synodales, f. 67r.
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\textsuperscript{52} “…ningun clerigo de orden sacro traygaen los lugares, donde reside, y una legua alrededor, espada, ni daga, ni cuchillo de mas de un palmo, ni bordon, o polo con hierro de mas de dos dedos...pueda traer ni trayga arcabuz, ni escopeta, ni ballesta…” Constituciones synodales, f. 67r.
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(and using them) around their churches and parishioners, as such behavior again blurred
the difference between what it was to be a priest and a laymen.\textsuperscript{53}

Raucous merrymaking, personal armament, and lady-chasing were not the only
behaviors that failed to perpetuate a barrier between religious and lay life. Manner of
dress – a seemingly harmless and inoffensive vice affecting some of the clergy – proved
to be an equally great preoccupation amongst the delegates at the 1591 synod. Growing
concern over an absence of visual delineation is reflected in several decrees which
outlined acceptable and unacceptable vestment and grooming habits for clerics. Among
other things, these decrees help illustrate this material aspect of reform.

First and foremost, authorities noted that as God’s delegates on earth, the clergy
was principally responsible in setting a good example for followers. Moreover, they

...should maintain themselves in such a manner in everything concerning their
lives, and customs, in their habits, and in countenance, and in walking about, and
in words, and in everything else, that they should do nothing, that is not serious,
and modest, and full of religion, and to do this it is necessary, that they wear
decent habits according to their clerical order, because through the outer decency
of the habit, the inner honesty of being is revealed.\textsuperscript{54}

In other words, synod delegates were attempting to reinforce the connection between the
exterior and the interior. Not only was separation in the form of easily detectable visual
identifiers important, but so was the message sent by an ostentatious or un-priestly
manner of dressing.

\textsuperscript{53} This is certainly the major point of this synodal decree, and examples of instances that called for such a
decree to be made can found in the Archivo Diocesano de Pamplona. In the archive’s catalog there are
numerous violent confrontations involving priests. Most common are mobs of armed laypeople, acting with
priests or other beneficed persons, to take possession of churches, or otherwise enforce certain rights. For
the decree against armed priests see, \textit{Constituciones synodales}, f. 67r., and for violence and “tumults”
involving priests, see Sales Tirapu, \textit{Catálogo del Archivo Diocesano de Pamplona}.
\textsuperscript{54} “...continuïne que tal manera conciersen sus vidas, y costumbres, que en su habito, y semblante, y en el
andar, y en las palabras, y en todo lo demas, no desenal de cosa, que no sea grave, y modesta, y llena de
religion, y assi conviene, que traygan vestidos decentes a la orden clerical, porque con la decencia del
habito de fuera, muestren la honestidad interior de los costumbres.” \textit{Constituciones synodales}, f. 63r.
Thus, officials strove to curb certain visually inappropriate markers. Clergy were admonished to always wear a tonsure, and to make a proper tonsure painfully simple, authorities even provided a “pattern” within the synod constitutions, complete with measurable concentric circles and directions. Furthermore, beards were to be neatly trimmed, and priests were not to sport excessive mustaches.\(^{55}\)

But acceptable dress became even more detailed still. In addition to neat haircuts and generally decent apparel, clergy were admonished to keep their appearances simple and honorable. Black was deemed the most appropriate color for priestly garb, but delegates found it necessary to clarify this directive. Certain other unspecified colors could occasionally be acceptable, but only when they were already religious garments, and never laymen’s clothing. Moreover, the religious black was not to be accompanied by “narrow collars, nor wide collars, nor long, frilly shirt-sleeves, nor colored doublets.”\(^{56}\) Silk, taffeta, feathers, and “anything flashy” were also off-limits, as were any articles that doubled as lay clothing, such as tanned gloves and secular hats. Most curiously, silk slippers and “tightly fitting and heavily adorned breeches” were also forbidden.\(^{57}\)

Notably, many of these decrees were probably singular in nature, and likely reflected isolated instances of flagrant misbehavior. We might readily ask ourselves just how many priests were actually carrying harquebusses and crossbows on a regular basis, or whether the silk slippers and lingerie were really a wide-spread trend.\(^{58}\) However,

\(^{55}\) *Constituciones synodales*, f. 64r.

\(^{56}\) “...ni cuellos, ni cabezones, ni mangas de camisas con lechuguillas, ni jubones de color...” *Constituciones synodales*, f. 63r.

\(^{57}\) “ni muslos con bayetas, para hazer follaje.” *Constituciones synodales*, f. 63r.

\(^{58}\) While the archives of the Diocese of Pamplona are rife with cases involving behavior ranking from the peculiar to the dangerous, it must be remembered that court cases usually reflect the unusual, rather than
another set of decrees likely applied to a much larger portion of the diocese’s clergy. These decrees, which carried the same purpose of creating a more professional and separate clergy, strove to reinforce one of Trent’s most important goals: residency of the clergy.

As noted earlier, close pastoral care, and thus residency, was of primary importance to many of the Spanish delegates at Trent, who viewed it as a key part of effective salvation. As such, it is not surprising that the 1591 synod in Pamplona would devote much attention to this problem as well, especially in how it applied to the diocese’s own parishes. In the synodal constitutions, they reminded their clergy that residency was mandated not only by them, but also by the “holy Council of Trent.” In no uncertain terms, the synodal delegates also stated:

By divine order it is mandated that everyone who has the care of souls, shall know their sheep, and for them offer sacrifices to God, and instruct them by the example of good works, giving them spiritual pasture by the preaching of the word of God: and like parents, taking care to help the poor, and the miserable persons. All of which cannot be done or completed unless they personally tend to their sheep, and watch over them.59

In this short declaration, authorities accomplished a dual purpose. First, they reiterated their belief that good pastoral care derived from attentive care, which could only occur if the pastor was personally familiar with his flock. Secondly, however, they also smoothly affirmed that pastoral residency was not just an earthly mandate, but rather part of divine law. Thus, it was God – and not just the synod delegates – who wanted priests to stay in their benefices and know those to whom they ministered.

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59 “Como por precepto divino esta mandado a todos los, que tuvieren cura de almas, que conozcan sus ovejas, y por ellas ofrezcan a Dios sacrificios, y los apasienten con exemplo de buenas obras, dandoles pasto espiritual de la predicacion de la palabra de Dios: y como padres tengan cuydado de ayudar a los pobres, y miserables personas. Lo qual todo no se puede cumplir, ni hazer, sino assisten personalmente a sus ovejas, y velan sobre ellas.” Constituciones synodales, f. 70r.
Pastors had always been needed in their parishes and benefices to provide the sacraments necessary for salvation, but now authorities also expected them to provide increased religious instruction for their flocks. Because of this, continuous residency became even more important. But old habits died hard. Now, nearly thirty years after the close of Trent, and following two earlier synods, certain clergy continued to absent their parishes and provide a dizzying array of excuses as to why they be allowed to do so. In order to combat such resistance, delegates addressed a number of (apparently) commonly tried excuses and touched upon a number of problems that had arisen from such a mandate. Assistants, or vicars, were only there to help in providing pastoral care, but they were never a replacement for the actual presence of a priest.60 Where there were multiple clergy present in a given parish, it was acceptable for them to take turns taking leave, but to do so, they first had to give notice of their intentions. And of course, they could not all leave at once.61 If a priest claimed he could not live near his church because he lacked a house (and thus was frequently absent), he was personally responsible for building one. And if it happened that he had inherited a house that was in such disrepair that it proved unlivable, this was no excuse; it was still part of his job to build himself a proper abode.62 Noting that priests who hailed from places outside the diocese might have reason or incentive to want to leave more often, delegates suggested that selecting clergy from inside the bishopric might help alleviate this problem.63 Finally, authorities set forth

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60 Constituciones synodales, f. 70r.
61 Constituciones synodales, f. 71r.
62 Constituciones synodales, f. 70v.- 71r.
63 Constituciones synodales, f. 73r.
several harsh penalties for absence, including demotion, public denunciation, loss of benefice, and fines.\textsuperscript{64}

Notably, these synodal decrees on unorthodox behavior and residency were still being reiterated nearly three decades following Trent. Residency, in particular, had been already discussed at the synods of 1570 and 1586. However, due to continued absenteeism from clergy such as Don Pedro, such decrees had to be repeated time and time again. Years after the Council had concluded, Tridentine reform had not fully penetrated all areas of Europe, and it certainly had not been embraced by everyone in the diocese of Pamplona. Fraught with defiance on many fronts, Tridentine reform was slow to fully take hold. It was not a seamless process; rather it was complicated and ongoing, and involved the continued negotiation among the parish clergy, the diocesan authorities and the lay parishioners. Nothing better illustrates this struggle than the actual resistance of individuals such as Don Pedro.

\textsuperscript{64} See, Constituciones synodales, f. 70v., and f. 71r.
III. The Trials

The legal battles between Don Pedro de Atongo, his community, his bishop, and his family spanned more than forty years. While it is not clear from the records when Don Pedro first took office in Atongo, it is known that he was born in 1537, and that he died sometime in August of 1606. Thus, he was well into his sixties during some of his most egregious episodes of wandering and healing. By the end of his 69 years, he had involved himself in a staggering number of trials and lawsuits for one small parish priest, and moreover, he was a familiar face in both of Pamplona's courts.

Significantly, not only was Don Pedro a part of the parish, he was also part of Atongo. Through careful readings of Don Pedro’s trials we can arrive at a picture of just how Don Pedro fit into his community. Don Pedro had at least one brother (Juanes), who happened to be the steward (casero) for Doña Ana de Atongo, señora of the Palacio de Atongo. Juanes, who appeared in only slightly fewer trials than his ordained brother, Don Pedro, and went by a slew of pseudonyms, had a wife named María de Beorburu, and a son named Martinico. He probably had another son, also named Juan (or Juanes) de Aracoechea who was parish priest of Atongo from about 1629–1647 (or 1653), following another (probably un-related) Don Pedro de Atongo, who served from approximately 1607 until 1629. This network of familial control of the parish holding of Atongo, as well as Juanes’ nominal connection to the aristocracy of Atongo, places Don Pedro squarely within the communal setting, and embeds him within his community. He may have been the priest of Atongo, but he was also a neighbor, brother, and uncle in the town.

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65 For some basic details about Don Pedro’s life, see, Archivo Diocesano de Pamplona, Secr. Ibañez C/426 – N. 9.
Don Pedro actively engaged with his community throughout his entire tenure as parish priest, and in turn, his parishioners actively exercised their own roles as members of the parish by bringing suits against him, and by testifying for and against him when he was brought to court by the bishop. From the number of lawsuits in which Don Pedro was involved, and from the activities that they reflected, we can clearly see that to Don Pedro and his parishioners, the parish priest was considered to be an integral member of the community. Don Pedro held a benefice and a title, but at the same time, it was not considered unusual or out of the ordinary for him to engage with the community, or to enter into business negotiations with his neighbors. However, when he misbehaved, or acted in a manner suitable for neither his priestly office nor a member of the parish, the parishioners took moves to correct his behavior, and bring him back into his prescribed and accepted role within the community.

Don Pedro, with his steadfast insistence on clinging to his practices of conjuring and healing, asserted his views that the priest should be and was an integrated member of the community. The responses of his parishioners indicate that they, at least, agreed to a certain extent. To them, the priest could maintain a divine occupation, but this did not mean that he was not part of the community. If he misbehaved, they could alert the bishop, they could testify against him, or they could bring suit themselves. Conversely, if they felt that he had been wrongly called before the bishop, they could testify in his favor.66 Significantly in these instances, the parishioners did not move in a coherent group. Some could support his behavior, meanwhile others could decry it. Involvement in

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66 Or – as it seems likely in some of the trials in which the Atondoans testified – they could conveniently not remember specified details, or provide questionable excuses as to why they had no knowledge of events that had happened right in front of them, i.e., someone had stepped right in front of them at the most inopportune of moments, or they had happened to turn around just as events in question had occurred. See in particular, ADP, Secr. Garro C/ 156 – N. 3.
the parish community could be taken up by individual parishioners; the parish was important not only on the communal level but also on the individual level.

Likewise, in recognizing that their connection on earth (Don Pedro) to God was one of them and part of the community, the parishioners were asserting their own importance in this relationship when they acted to correct Don Pedro’s behavior. Contrary to scholarship that has argued that the parish structure did not matter, the relationship between the parishioners of Atondo and their priest indicates that on the communal level (as well as on the individual level), the parish did matter to the people of Atondo. The head of the parish, Don Pedro, moved seamlessly between his roles as neighbor and priest, exemplifying the connection between parish and church at the higher level. And at the lower level, the parishioners actively either accepted or rejected his behavior, and in making this choice especially at the legal level, they asserted their own roles and interests in controlling and maintaining the structure of the parish.

Nothing better shows this complex relationship that the actual trials themselves. In these trials, Don Pedro was often the instigator, but the parishioners of Atondo and the residents of nearby towns also played active roles, whether by notifying authorities or by testifying for one side or another. Several themes appear time and time again in these lawsuits. Specifically, Don Pedro appeared in court at least six times in trials concerning grievances over tithes. With one exception, he was always the litigant. Another common occurrence that forced Don Pedro into court was lawsuits over rents and mortgages; in these secular court cases he was the defendant. Disputes over grape vines also appear several times; in addition to the aforementioned broken agreement over conjuring grape vines for the city of Pamplona, Don Pedro also sued one Widow Graciana over the
restitution of some grape vines and lands. Cases over the use and misuse of church funds also appear in the diocesan records; in one trial, Don Pedro apparently overspent a pre-approved budget for church repair by more than a four-fold. Slander charges involving Don Pedro’s family are played out in the secular court. Finally, at least three trials dealt with Don Pedro’s vocation as a healer, and in these, absenteeism was also an issue. In the trials concerning healing and wandering, Don Pedro was the defendant and his parishioners testified either for or against him. In what follows, I will examine in close detail four of these many cases.

A fascinating example of Don Pedro’s involvement within his parish and the surrounding areas is the 1586 lawsuit which he launched against the city of Pamplona. In his opening appeal to the fiscal, Don Pedro wrote that,

The petitioner [Don Pedro] was here during this present year for three months. He was occupied in conjuring and what [fell] beneath his part [of the deal] [against] the worm that had been in this city [of Pamplona] and [sic] their terms and in all this he has spend much [time and money] being that in his abadici there needed to be a Vicar that helped him there. Also, he has had to be away from his abadla and furthermore, it is well known he was well occupied during this whole time, and he has done his part...For his work he should have received [80 ducats].

Martin de Vezzio, a prior from Atondo, then submitted his opinion on what had happened, and offered a few more details to help out his fellow priest and resident of Atondo. He said that,

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67 Two of these trials exist in the Archivo Diocesano de Pamplona. A third is referenced in one of these two trials, but apparently lost. Also, as noted earlier in the body of this essay, there are other trials in which Don Pedro was called in by the bishop for his services or referenced as a healer or exorcist. And of course, it may never be known how much more wandering, healing, and exorcising may have occurred that escaped the notice of the bishop.

68 Abbey. But, of course, in Navarre the abad was not the head of a monastery, so this might better be translated as parsonage or rectory.

69 “...Sea ocupado en conjurar y hazer lo que hera de su parte sobre el gusano que abia en este ciudad y sus terminos y en todo ello a gastado mucha cantidad hallendo de que en su abada a tenia Vicario que asistiese en el alquial. También le a dado parte de su abadía y pues el notorio que sea ocupado a dicho tiempo y a echo de su parte...se serba de librar su trabajo que en ello recesiraberri [ ] 80 [ducados].” AGN, 028872, f. 1r.
The Magistracy of Pamplona commissioned the said Abad de Atondo to conjure, on their own terms, against the worm which had been doing very noticeable damage to the grape vines and other plants [and to do this Don Pedro used] church prayers and conjurations and the petitioner [Don Pedro] has the manual from the Bishop of Salamanca in which these said conjurations are permitted and still out of respect and obedience for our Virgin Mother, the petitioner did not want to move forward before having Her express permission, and anyway, similar cures [for pests like the worm] are put forth and permitted by the church and the priests, and the petitioner has done just as these say...70

These two testimonies, the first by Don Pedro himself and the second by his fellow priest, were aimed at convincing the judge that Don Pedro followed protocol in conjuring the grape vines, and more importantly, that he was in the legal right both in terms of ecclesiastical and civil laws.71 Specifically, Don Pedro had entered into a contract with the governing body of Pamplona, and had agreed to help the city deal with its worm problem on terms decided by the city. However, what is particularly interesting about this preliminary petition is the involvement of the other cleric from Atondo. In fact, his testimony was far more positive and helpful to Don Pedro’s case than the testimony by Don Pedro himself. Don Vezzio concentrated on the legality of Don Pedro’s actions, the fact that Pamplona had commissioned Don Pedro not on his terms but rather theirs, and the significance that what Don Pedro had been asked to do was not only justified by

70 “Martín de Vezzio prior del Abad de Atondo dixe que el Regimento de la ciudad de Pamplona a encargado al dicho Abad de Atondo exconjure en los terminos della contra el gusano que haze muy notable daño en la viñas y otros fracos con las oraciones y exconjurios de la iglesia y el suplicante tiene el manual del Obispada de Salamanca donde están los dichos exconjurios que son admitidos y todavia por el respecto y obediencia que devea nuestra señora madre el suplicante no sea querido determinar asta tener su expresa licencia y pues semejantes remedios están puestos y ordenados por la iglesia y a los sacerdotes como es el suplicante les a[ ] unas dellos...” AGN, 028872, f. 2r.

71 Both legal and religious action against pests was extremely common, and well accepted as a legitimate method to deal with unruly animals and insects during the medieval and early-modern periods. Peter Dinzelbacher has found that towns commonly put pests and dangerous animals on trial in Germany. He argues that this functioned to allow communities to attribute guilt to an animal they could not otherwise deal with, but that the process also acted as a warning (both to animals, but as well as for humans who thus were admonished to better control their animals). Similarly, as William Christian has argued, religious ceremonies directed at pests and animals were also connected to the supplication from saints, some of whom were considered to be particularly capable in dealing with infestations. See, Peter Dinzelbacher, “Animal Trials: A Multidisciplinary Approach,” Journal of Interdisciplinary History 32 (Winter 2002): 405 and 413, and William Christian, Local Religion in Sixteenth-Century Spain, 28-31.
church precedent, but was also supported by a published authoritative manual. Don Pedro, on the other hand, concentrated on the effort he had put into this project and the excellent results he had produced. To these ends, he elaborated on the details of what exactly he had had to do to get rid of the worms, but also tried the legal tact that Don Vezzio had taken.

...at the beginning of last April he [Don Pedro] was summoned by the Magistracy [of Pamplona] who asked him to conjure against the worm with the understanding that he would be thanked and paid for his work and so he went and got a license from the kingdom to conjure and also [first] notified the Holy Inquisition. And he did good conjunctions and he has worked for three continuous months conjuring the vines in [Pamplona] coming [sic] with his work horse. And [he needed] a man [to help him] and he had [to pay for] a vicar in his church, and he said three sets of nine masses for the nine choirs of angels. And [then another] twenty-seven masses and the conjuration worked very well because there was hardly a worm left on the vines and everyone that he encountered praised him for the great good that he had done and then the girls of his town [came] and performed a great procession. [But then later the City of Pamplona] called him [back again] with another letter...to return and conjure again, and even so, there was not nearly as much damage as there had been the year before, for the most part, and for all his work they still have not paid him the 80 ducats.72

Here some light is shed upon the reasons why the City of Pamplona failed to ever pay Don Pedro for his conjunctions. Apparently, his first efforts at holy pest-control had been successful ("...the conjuration had worked very well because there was hardly a worm left on the vines..."). However, not long after completing his initial work, the worms had returned, though granted, according to Don Pedro’s testimony, they were not

72 “...a los principios de Abril ultimo passado fue llamado por las Regidores desta ciudad a conjurar contra el gusano con ofrecimiento que le hizieron que se le gratificaria y pagaria su trabajo a suplicante assi saco licencia de Regimo para conjurar y tambien fue llamado del comissario de la Santa Inquisicion y le dio los conjurios buenas y a trabajado tres meses continuos en vezes a conjurar en las viñas desta ciudad veniendo con su cabalgada. Y un hombre y teniendo a un vicario en su iglesia y a dicho por tres vezes a nuebe misas por los nuebe coros de angeles. Y un veinte y siete misas y lo tubieron por muy bueno el conjurio por que casi no quedo gussano en las viñas que todos que lo encontraban le alababan por el gran bien que se havia echo y despues que havbia benido a las damas a su pueblo ha ser las procesiones le llamaron con una carta que luego vist la presente llegase a la ciudad otra vez a conjurar y andubo con un nuncio haziendo como hizo en todo su posibilidad y que hera obligado a un que con todo esto no ay tanto daño como el año passado en la mayor parte y de todo su trabajo no le an pagado [80] ducados...” AGN, 028872, f. 3r.
nearly as bad the second time. Whatever the final results to Don Pedro’s complicated pest eradication strategy, the end results remained the same: Don Pedro had been absent from his parish for over three months, had had to pay for a Vicar during this time, had incurred additional costs by hiring an assistant, and in the end, still had not received the compensation to which he believed he was entitled to.

The trial dragged on for a substantial amount of time. Don Pedro continued to submit similar statements attesting to the legality of his conjurations as well as to the results. A number of witnesses were called, presumably by the City of Pamplona. These witnesses provided somewhat contradictory information, but in general seemed to side with the City of Pamplona. Juan de Aguirre testified that he had seen Don Pedro conjuring the grape vines, and that he had certainly been busy during the time that he had said he was, but also noted that, according to his understanding of what had happened, Don Pedro had shown up in Pamplona, and offered to conjure the vines.73 Likewise, Françoise de Monrreal confirmed that the year and date in which Don Pedro had said he came to conjure were correct, but also testified that he was unaware of any monetary agreement.74 Other witnesses also confirmed that on the surface, there seemed to be some confusion over the terms of the agreement, if there ever had been one at all.

Not to be outdone, Don Pedro arranged for his own witnesses to testify. In preparation, he composed a list of questions to ask of the witnesses: first, he wanted to know if they knew that he had worked for the previous three months, and if so, on what terms. Secondly, he wanted them to confirm which magistrates had hired him (these were Joan de Licarazu and Joan Perez de Vetasun). Thirdly, he wanted them to tell the judge

73 AGN, 028872, f. 6r.
74 AGN, 028872, f. 7v.
who it was that he was helping with the conjuring. Finally, he asked that the witness declare whether he, Don Pedro, had done a good job conjuring, and if the work he had completed was satisfactory in terms of what he had tried to do.\textsuperscript{75} With these questions, Don Pedro was trying to establish the legitimacy of his petition. He wanted witnesses to confirm his own claims that he had had an agreement with the magistrates of Pamplona, and equally important, that he had fulfilled his side of the bargain. As he had emphasized in his earlier petitions, he wanted the witnesses to support him in his claims that he had done an excellent and successful job at conjuring. Finally, in asking who benefitted from his actions, he was trying to establish the fact that he had done a good work, and as such, the magistrates (as well as, presumably, the inhabitants) owed him for that work.

Unfortunately, however, either Don Pedro was never able to ask his witness any of these questions, or else the answers have been lost. In either case, no witness testimony exists in favor of Don Pedro. What follows in the trial are a series of later petitions by Don Pedro. The trial continued to drag on, and the matter of the already paid six ducats was brought up a few more times. In the end, though, the case was left pending. Don Pedro may have given up entirely on ever receiving payment for his work, or he may have forgiven the debt and contented himself with his six ducats. We can only guess at how he managed to pay his temporary vicar.

Later in 1589, Don Pedro brought another suit to the secular court. In this case, Don Pedro was again seeking redress for injustices he felt had been committed against him. However, this case differs in a significant way from the suit he filed for back-payment from the City of Pamplona; this case is, in fact, part of a much larger string of

\textsuperscript{75} Here, it also is noted for the first time that he did receive six ducats. I suspect that the City of Pamplona may have paid him this smaller amount sometime during the trial. AGN, 028872, f. 9r.
incidents involving his parish community, his family members, and a dispute over his right to tithes. Interestingly, Don Pedro’s claims that he had been wronged must be framed against the backdrop of a particularly violent confrontation he had previously had with his brother.

The problems between Don Pedro and his brother Juanes de Aracoechea came to a head in 1589. Apparently, Don Pedro and his parishioners had significant trouble agreeing on the proper system of tithing, and more specifically, the exact dates when their tithes were due. This confusion eventually led to an altercation between Don Pedro and most of the male residents of Atondo, including his brother Juanes. What was to be tithed had already been agreed on: a number of small lambs and baby goats. The disagreement, then, was over which feast day these tithes needed to be handed to Don Pedro, the two choices being May Cross or San Juan. According to the testimony, Don Pedro had decided to inform the townspeople that he would no longer receive the tithes on the traditional day tithes were given every year, that being May Cross (celebrated on May 3rd), and instead wanted to receive them at the later date of San Juan (celebrated June 24th). According to witnesses,

... the said Abbot, after vespers, began to talk to the residents and council of the said town and he said he would not receive the tithes and the baby goats, suckling pigs, and miscellaneous fruits [...] until the day of St. John the Baptist, starting this year, and the residents of the said town responded all together that the said town had the practice and custom from time immemorial, in these parts observed and guarded, to give the said tithes all on the aforementioned day of May Cross of every year and that he [Don Pedro] had better happily receive the tithes...because they were not about to lose their said custom and given him the said tithes [any other time] and so the other day, which was Monday, the said residents gave him the said tithes, so as not to lose their said custom.76

76 "...el dicho abad despues de visperas principio a hablar a los vezinos y consejo del dicho pueblo y les dijo quel no recibiria las diezmas y delos corderos cabritos[,] lechones y muzeles [...] asta el dia de San Joan Bautista primero veniente deste año y los vezinos del dicho lugar le respondieron en qual todos juntos que del dicho lugar havia uso y costumbre de tiempo inmemorial a esta parte observada y guardada de
It is likely that Don Pedro wanted to receive his tithes at the later date for the very practical reasons that baby animals were not worth as much as more mature adults, receiving them early meant that he would have to cover costs of raising them, and moreover, they were less likely to survive at young ages without their mothers. All these factors made early tithes less valuable to the recipient, yet it is also easy to see why parishioner may have seen advantages to parting with their tithes earlier, rather than later. Furthermore, as was stated in the diocese’s synodal constitutions two years later, Don Pedro may have had considerable church backing in his efforts to change tithing dates. However, his next actions would receive no such support from his ecclesiastical superiors.

While the parishioners may have made it clear to Don Pedro that they wanted to retain their custom of tithing on May Cross, which they had held from “time immemorial,” Don Pedro was not one to concede easily or gracefully. Tensions escalated quickly, and Don Pedro apparently flew into a violent rage. According to a statement put together by Juanes and the fiscal,

That even with the aforementioned, the said Abbot insisted in persisting against the townspeople with [loud shouting] and anger [because] he wasn’t going to get his tithes on the said day of Saint John and because of this the said Juanes [de Aracoechea] de Atondo responded to him that he didn’t have any reason to carry on against the town in such a way [...] and then, without any warning or any reason the said Abbot, with much anger and arrogance and much intention of injuring the said Juanes de Atondo, he [Don Pedro] publically called [Juanes] a false traitor and other ugly and injurious names, repeating them many times [...] [and then] not content with the aforesaid, the said Abbot, with out any more hesitation nor reason, gave the said Juanes de Atondo an enormous blow on top of

hacer las dichas diezmas mas el sobredicho dia de Santa Cruz de Mayo en cada ano y que les hiziese plazer de recibir aquellas bien abiero por que ellos no dexarian a perder la dicha costumbre y entregarles las dichas diezmas y asi el otro dia que era Lunes le entregaron las dichas diezmas los dichos vezinos[,] por no perder la dicha costumbre.” ADP, Secr. Garro. C/ 156 - Nº 3, f.5r-5v.

77 See the Appendix for a translation of a decree concerning early tithing. Synodal Constitutions, f. 86v.
the head with the big keys\textsuperscript{78} to the front door of the church from the said town which weighed more than two pounds, [and this was done with] the intention of gravely hurting and killing and with the said hit, he bruised the said head and he caused great swelling and were it not for the hat that [Juanes] was wearing, there would have been a very bad outcome, which the witnesses will explain with more particulars.\textsuperscript{79}

Later, Juanes testified, he went over to Don Pedro’s house, presumably to talk with his brother about the earlier incident. However, Don Pedro was still angry, and before Juanes even reached the door, Don Pedro came flying out of the house, brandishing a saber.\textsuperscript{80} Juanes testified that he sincerely believed that Don Pedro wanted to kill or hurt him, and “were it not for a rock that [Juanes] picked up in his hand to defend himself, he would have been gravely wounded.”\textsuperscript{81}

We cannot know to what extent this altercation reflected a long standing animosity between the brothers. Yet this particularly case does reveal much about Don Pedro’s place within his community: the two violent attacks occurred in very public situations, and there was no shortage of witnesses. Witnesses testified to having seen Don Pedro attack Juanes with the keys, but more striking is the fact that every single witness insisted that Don Pedro had been in the wrong, primarily because he had attempted to

\textsuperscript{78} Keys may seem like a strange choice of weapon, but various accounts of such attacks exist. For instance, see Taylor, \textit{Honor and Violence in Golden Age Spain}, 208.

\textsuperscript{79} “…que sin embargo del osusodicho el dicho abad insistio en porfvar contralos vezinos del dicho lugar conmuchas voses y colera que no habia de Reçevir las dichas diezmas asta el dicho dia de San Juan y por esta causa el dicho Juanes de Atondo le Respondio que no tenia Raçon de porfvar contra el pueblo tan deveras [...] y sin otra causa ni ocasion alguna el dicho abad con mucho colera y sovervia y con amño de Injuriar al dicho Juanes de Atondo lo trato publicamente de traidor falso soverbo y otras palabras feas e injuriosas Repetiendo aquellas por diversas vezes comomas en particular declaran los testigos. [...] que no contento con lo susodicho el dicho Abad sinmas ocasion ni causa con una llabe grande de la puerta principal de la yglesia del dicho lugar que pesava mas de dos libras le dio un gran golpe encima de la cavea al dicho Juanes de Atondo con amño de erir y matarlo y con el dicho golpe le magullo la dicha cavea y le hixo una grande Inchaçon y sino fuerza por el soberro que llebaba le suhera mal exido como mas enparticular declaran los testigos.” ADP, Secr. Garro. C/156 - N° 3, f. 1r.

\textsuperscript{80} Amongst many other things, Don Pedro certainly should not have had a sword. See the Appendix for a synodal decree against clerical armament. \textit{Synodal Constitutions}, f. 67r.

\textsuperscript{81} “...y le salio al encuentro el dicho abad con un alfon [...] bañado con a mismo de herir y matarlo y sino fuera por una piedra que tomo en las manos para defenderselo Hubera Herido...” ADP, Secr. Garro. C/156 - N° 3, f. 1r.-f.1v.
upset the long-held customs of the town. Attacking his brother with the keys (not to mention his apparent attempts to kill him) were clearly also very serious, but witness testimony on this point is much shorter and less coherent. Several witnesses even testified that though they had been standing right next to Don Pedro, somehow they had not managed to see the actual attack. For example, Martín Derana testified that he had seen Don Pedro with the keys in his hand, but had not actually witnessed him hit Juanes because someone had moved in front of him.\textsuperscript{82} However, despite possible attempts to obfuscate certain facts by a few of the witnesses, in general it appears quite certain that Don Pedro had managed to anger most of the residents of Atondo, following which he attacked one of the main complainants, who also happened to be his brother.

While some witnesses may have still been most angered by Don Pedro’s attempts to meddle with tradition, the bishop was clearly most interested in Don Pedro’s violent assault. After listening to the numerous witnesses produced by Juanes, the fiscal was ready to hear from Don Pedro himself. On May 18\textsuperscript{th}, 1589, an official summons was sent to Don Pedro requesting him to present himself for questioning. Facing excommunication and a fifty-ducat fine, Don Pedro still did not appear for questioning.

Though Don Pedro was evading capture, he may have managed to patch things up with Juanes. On May 31\textsuperscript{st}, Juanes and his lawyer submitted a statement to the fiscal claiming that the two brothers had resolved their differences.\textsuperscript{83} Yet, by this time the case

\textsuperscript{82} "...dixo que quando pasaron las palabras sobredichas el dicho abad tenia en el mano la llabe de la puertas de la yglesia del dicho lugar y con ella con mucha colera arremetio al dicho Joanes de Atondo por encima de los hombres y le hizo un golpe aun por save si le dio o no por ser como es assi dicho corto de vista y por esta causa no pudo ver mas..." ADP, Secr. Garro. C/ 156 - N° 3, f. 8v-9r.

\textsuperscript{83} ADP, Secr. Garro. C/ 156 - N° 3, f. 20r.
was no longer in Juanes’s control. Even though Juanes claimed he did not wish to have
Don Pedro punished, the bishop clearly did.84

The multiple testimonies of the villagers of Atondo had, for the most part, sealed
Don Pedro’s fate. Though largely providing more details about the causes of the fight,
most witnesses also provided substantial proof that Don Pedro had indeed violently
attacked Juanes, and the fiscal moved to obtain a just punishment for the cantankerous
abbot. Thus, while the investigation proceeded, he ordered that Don Pedro be thrown in
the bishop’s tower. Not surprisingly, Don Pedro did not at first comply with this order,
yet at some point the fiscal did succeed in taking him into custody.85

Presented with the same statements that Juanes’s witness had been read, Don
Pedro admitted that there had been a serious disagreement over tithes, yet vehemently
denied all other accusations of assault.86 Instead, he merely stated that “he didn’t believe
anything in the charge because he never put his hands on the complainant, nor did he hit
him with any key, and this is the truth and he denies everything else.”87 Yet, in the face of
all other accounts, Don Pedro’s denials were not convincing, and he was found guilty on
all counts. He was sentenced to fifteen days reclusion. Moreover, he was ordered to from
then on out “act around others with more peace and love and to not mistreat anybody

84 Interestingly in this case, Juanes of course had the option of using physical violence to redress his
grievances with his brother, and in terms of honor and dueling, this would not have been so unlikely in such
a situation (though that Don Pedro was a priest makes it less likely). However, he chose legal avenues to
resolve the dispute, thus indicating that he, 1) was familiar with such processes, and 2) felt such an
approach would better suit his ends. Significantly, after stating his case, finding witnesses, and almost
wholly proving that Don Pedro was in the wrong, he asked to drop the charges. It is very possible that after
such steps had been accomplished, he felt that his honor had been restored, and thus felt ready to formally
forgive Don Pedro. On reconciliation and honor, and the flexible procedure of dispute, see Taylor, Honor
and Violence in Golden Age Spain, 54 and 62.
85 ADP, Secr. Garro. C/ 156 - N° 3, f. 23r., 26r., 27r., and 30r.
87 “... no cree lo referido en el articulo porque nunca puso manos en el queixante ni le dio con llave alguna y
with words, because his office as priest obliges him to do so more than anybody else.” 88 Don Pedro thus received a fairly light punishment, however, above all this punishment reminded him that as a priest, he was different from other people, and therefore needed to act as such. He would have to take care to maintain separation between his interpersonal affairs and his divine occupation.

But Don Pedro did not quickly forget this affair, nor did he forgive the legal action taken against him by his parish. Instead, also in 1589, he chose to seek legal redress against his brother, whom he accused of slandering him with “injurious words.” These appear to have amount to calling him a “[sic]renchified cleric, traitorous, a despicable villain.” Don Pedro also claimed that he had been mistreated “in actions and in words.” 89 Included in his list of people that had verbally offended him were his sister-in-law María de Beorbura, and his two nephews. Additionally, not only did Don Pedro seek to use legal action to punish his extended family for slander, but he also attempted to recover certain property that was being held by his brother and sister-in-law that he claimed really belonged to the church, and subsequently, to him. In terms of physical redress, Don Pedro estimated that he was owed 500 ducats or more from his family members, an amount that seems somewhat high. Needless to say, his family members vigorously protested this demand. Interestingly though, in the end, Don Pedro chose to formally forgive his family, and a monetary “compromise” was reached. 90

While the relations Don Pedro had with his extended family are interesting in themselves, this case, and the incidents preceding it also reveal much about Don Pedro’s

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88 “...de aquí adelante sera te con todos con mejor paz y amor y notrate a ninguno mal de obiam palabra pues su oficia de cura se obliga a ello mas que a otros...” ADP, Secr. Garro. C/156 - Nº 3, f. 38r.
89 Archivo General de Navarra, 282843, f.3v.
90 AGN, 282843, f.3r.
relationship with his parish and his community. While certain business dealings may have been nominally permitted or at least accepted by his parishioners (such as conjuring grape vines with nearby cities), other actions were definitively not allowed. Disputes over tithes may have been common place, but when they reached the point of physical violence or threatened traditions from "time immemorial," parishioners were quick to use the ecclesiastical legal system to rein in and correct their priest. On the other hand, Don Pedro used the exact same legal methods that his parishioners might have used against each other to deal with his own brother. As Juanes did not take well to being physically attacked by his brother, so Don Pedro did not appreciate his brother’s verbal abuse. His displeasure was probably also compounded by the embarrassment of being recently brought to the ecclesiastical court by his brother and other parishioners. It is certainly possible that Don Pedro’s claims of slander were a form of direct retribution for his brother’s impertinence in notifying the bishop of his behavior.

Finally, a trial that took place in 1598 illustrates some of the most interesting facets of Don Pedro’s life, as well as the complex relationship he had with his community. Like the slander case, this lawsuit is only a piece of something much larger that was being played out in court. The second trial in a set of three, this lawsuit demonstrates several important themes in the litigation patterns of Don Pedro and his parishioners. In this instance, Don Pedro was summoned before the bishop’s fiscal to answer on charges of unauthorized healing, wandering, and absenting his parish: these are all themes that reforming bishops after Trent were trying to deal with, and the fact

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91 Other disputes over tithes involving other priest and other parishes exist in the Diocesan Archives. Alternatively, Craig Harline and Eddy Put have found similar instances of priests aggressively pursuing the collection of tithes in the Low Countries. For the Dutch peasants woes with the irascible Hendrik Heynot, see, Craig Harline and Eddy Put, A Bishop’s Tale: Mathius Hovius Among his Flock in Seventeenth-Century Flanders (New Haven, CT: Yale University Press, 2000), 136.
that Don Pedro was summoned and reprimanded for this behavior indicates that his bishop was also attempting to rein in and reform problematic and old-fashioned clergy. Additionally, the witness testimony by his parishioners demonstrates that they too were taking part in this reform; they either supported reform by testifying against him, or they supported their priest by endeavoring to prove that his behavior was both appropriate or that it provided assistance to those in need.

In his opening statement, the fiscal wrote,

He [Don Pedro] is accused of maintaining the base office of surgeon [...] [and] making use of special oils and ointments to cure those with illnesses, and in particular many young girls and women who are with certain illnesses, [and] they say that he cures them by probing and palpating their bellies, and for this and for also performing conjurations and other things he [Don Pedro] accepts money and demands money, and in order to do these things he absents his abbadia and stops living in his church, as well as other things...92

He also noted that Don Pedro’s wandering prevented him from completing his divine office, something that Don Pedro vehemently denied: “...he said that he had not neglected his church and that he has completed his divine office and other duties that he has...”93 The accusations leveled by the fiscal were, of course, fairly serious charges. The claims that most of his healing was done for women alluded, at best, to inappropriate behavior for a priest, and at worst, to serious sexual trespasses. Coupled with the charges that he demanded money for his healing, they also came close the discrediting any pretenses that what he was doing might fall beneath the auspices of divinely inspired actions, or at least acceptable holy behavior.94

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92 “...Suprocurador sobre que le acusss que base oficio de cirurano habiendo [...] aceytes que yngartos para curar con ellos enfermedades y que a muchas moças y mugeres que están con algunas enfermedades deziendo las a de curar las tienta y palpalas baugas y por ello y por hazer conjurios y otras cossas lleva dineros y los pidey que por andar en estas cossas se ausenta de su abbadia y dexa de vivir en su iglesia...”ADP, Seer. Sojo C/107 - N. 20., f. 1r.
93 ADP, Seer. Sojo C/107 - N. 20., f. 12r.
94 Perhaps this may be related to the synodal decree against touching women. Synodal Constitutions, f. 66r.
Eager to further his case, the fiscal rounded up a number of witnesses from Atondo and the surrounding area and questioned them as to what they knew about Don Pedro and his vocation as a healer. In general, these witnesses were people who had either gone to Don Pedro for healing, or seen it performed. A man and several women testified that they had gone to Don Pedro for the express purposes of being healed (rather than him coming to them), and that the process had taken a number of days. They were unsure of what disease they had actually had. A young girl testified that she had been cured by Don Pedro, but again, she was unsure of what she had been ill with in the first place. Another group of women testified that they too had been cured by Don Pedro, though they noted that this had taken place in the presence of at least one other man.95

One woman certainly helped the fiscal’s charges that Don Pedro had been wandering away from Atondo. She testified that,

> What she knows...is the price and reputation in the said surrounding area of Don Pedro de Atondo, abbad from the parish church of the same place [...] [and by previous] sentence from his superior that he was not supposed to be healing people, nor performing conjurations, even though he can, and she knows how [...] a woman that they say was from either Verasequi or Leyca came walking in the company of two men to the house of the said abbad in [order to be] cured or conjured of a certain illness that she had...and also there came to his house a woman and a young girl, whom the said abbad cured or conjured, and finally she has seen him cure many [women] that she has known, and there is much talk around the area...96

Apparently, Don Pedro was well-known both inside and outside his parish. This meant that his reputation travelled far, and indicated that he travelled far, too. Moreover, it was common knowledge that he was not supposed to be healing or conjuring, especially as he

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95 ADP, Secr. Sojo C/107 – N. 20 f. 2r.
96 "...lo que save es [...] el precio y notorio en la dicha lugar don Pedro de Atondo abbad de la yglesia parochial del mismo lugar esta [...] por sentencia de su superior que no haga curas ni conjurios y puede y save como...a una muger que dezian que era de Verasequi o Leyca camino en compania de dos hombres en casa de dicho abbad a [...] curando o conjurandose del cierta enfermedad que tenia y [...] bienen su cassa una muger y una moça que las cura o conjura al dicho abbad y finalmente ha visto que acurado muchas [mujeres] efecto de que a savido y ay murmuracion los lugares..." ADP, Secr. Sojo C/107 – N. 20., f. 2v.
had been previously reprimanded for such actions. This testimony helped prove that Don Pedro had been willfully and knowingly disobeying the bishop's orders, and most likely damaged his case.

None of the witnesses provided definitive evidence that Don Pedro had been absenting his parish; in fact, most attempted to clarify their points that either they had visited him in his own house, or that they knew people that had done this. However, in the end, this did not save Don Pedro. It is possible that there were other witnesses not included in the trial, and it is very likely that certain disgruntled parishioners had given the bishop a tip-off that Don Pedro was infrequently at home, in his parish, where he belonged. Additionally, this trial was preceded by another similar case a few years earlier that is now lost; in this previous trial, Don Pedro had been accused and convicted of absenting his parish in order to perform somewhat more extreme cures than what he was accused of here. Moreover, as was illustrated by his own testimony in the earlier trial over the conjuring of grape vines, it is certain that some of his projects could take months at a time, and that in that particular case, he himself admitted to having been away from his parish for three months.\footnote{In the case of conjuring the grape vines, he did claim to have hired a vicar, though this does not mean that he always did do this. In any case, he should have been present in his parish.} In any case, we do know that the \textit{fiscal} seemed positive that Don Pedro had been gone, and that his completion of divine offices in conjunction with his mobile healing was under question.

As such, as the trial was coming to a close, things were not looking up for Don Pedro. He submitted statement after statement asserting that he had done no wrong (though he did not deny that he had been healing people again). Nonetheless, the \textit{fiscal} moved forward with the case, and eventually found Don Pedro guilty. Faced with a
second guilty conviction for wandering and healing, Don Pedro submitted one particularly pitiful statement to the court. In it he said that he

...supplicates to Vuestra Merced that [...] in effect they accept his apologies, and he [also hopes that] it satisfies Vuestra Merced to know that [this was] an injustice and [it was] based on a calamitous accusation and that this [accusation] was raised by people of bad faith by hatred and rancor, [and the court] knows that he tried to prove this, and [anyway] he has all along been [...] without guilt [...] And because of his old age and poor health and because he has to care for so many souls this has taken him away from his house, he asks Vuestra Merced to take into account what he has just said and give him liberty.98

Even at this late stage in the trial, Don Pedro still maintained the righteousness of his actions. He apologized, but also consistently asserted that what he had done should not constitute a crime. However, in perhaps a somewhat damaging move, he did allude to the fact that he had altered his behavior after the previous conviction for wandering. Thus, he unintentionally provided backing for the fiscal’s argument that wandering did constitute a crime that should be corrected: having now already been found guilty, he claimed that in his last bout of wandering and curing, and after his previous conviction, he had limited his actions to merely applying special oils and reading from the evangelio.

Unfortunately for Don Pedro, these tactics to try to de-emphasize the seriousness of his crimes because of the simplicity of his cures, raise capital enmity, and point to his own ill health did not work.99 He was sentenced to six months of house arrest, “three months mandatory and three months voluntary,” and was also ordered to pay for the court costs.100 Yet even before the trial had officially concluded, Don Pedro went missing

98 “... dize que por otra petición tiene suplicado a vuestra merced le haga de que [...] efecto de hacer su desculpa y dar satisfacción a Vuestra Merced de la Injusta y calumniosa accusacion y que aquella le lebantan personas de mala fe por odio y rancor que le tienen como se ofrece probarlo y ser el suplicante en todo sin culpa y por ser como es constituido En senetud y enfermo y tener cargo de animas haze mucha falta en su casa suplica a Vuestra Merced se le de traslado de la dicha resulta para el dicho efecto y mandar le dar libertad...”ADP, Secr. Sojo C/107 – N. 20.f. 9r.
99 Claiming capital enmity, i.e. that someone was out to get them, was a very common form of defense.
100 ADP, Secr. Sojo C/107 – N. 20., f. 18r.
again. When a court notary arrived at Don Pedro’s house to tell him the verdict, and deliver his order of arrest, he could not find the abbad; when he questioned Don Pedro’s housekeeper, María de Atallu, the only response he received was that “[Don Pedro] had left his house last Monday, but that she did not know where he had gone.”101 Faced with a guilty and missing abbad, the bishop responded by ordering an inventory of Don Pedro’s belongings and seizing his income and rents.102 When Don Pedro finally reappeared, the court ordered that he be locked in the bishop’s tower for an unknown amount of time.103

Still, we know that Don Pedro could not have remained in the tower long. He was a life-long “repeat offender,” and every few years he reappeared in one court or another; multiple sentences had little or no effect on him. His behavior, while sometimes accepted by the community, seems to have been, in the end, finally perceived as irritating and problematic, and reported to his superiors. Moreover, his multiple offenses were opportunities for his parishioners to assert their importance in the parish community, as well as to define their own connection with a man who was all at once their relative, their employer, their neighbor, and their priest. Someone had to have been the one who notified the bishop of his unruly or inappropriate behavior (as we have seen, at least once it was his brother), but other times, parishioners attempted to help out their wayward priest by providing moderately supportive testimony. At other times, the information they provided could help incriminate. Significantly, all these varying instances of participation

102 His belongings indicate that he was quite well off. This begs the question of just how profitable his wandering, conjuring and business deals were – seemingly he was able to afford to live a fairly comfortable life. On clerical possessions and inventories as indicators of material wealth, see Daniel Bornstein, “Spiritual Culture, Material Culture: Church Inventories in Fifteenth-Century Cortona,” Medievalia et Humanistica 28 (2001).
103 ADP, Secr. Sojo C/107 – N. 20., f. 24r.
offer us a glimpse into how parishioners utilized the court system to interact with, or to correct the behavior of their priest. In doing so, they demonstrated their interest in the parish, confirmed its importance, and delicately provided input on just how (or how not) their priest should be controlled by the bishop, and reined in under the directives of Tridentine reform.

Don Pedro’s forty years of exploits, altercations, and multiple appearances in court vividly illustrate that he was not separated from his community. For the good and the bad, he was part of the parish too. His parishioners recognized this and dealt with his actions in stride. In 1606, Don Pedro’s name appeared one last time in the diocesan court records. The parish holding of Atondo was vacant, and the community wanted the bishop to assign to them a new abbad. They provided several options for replacements, including several individuals that may have been Don Pedro’s relatives. In regards to their former abbad, the people of Atondo reported that Don Pedro was “finally dead.”

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104 “por fin y muerto.” ADP, Seer. Ibañez C/426 – N. 9, f. 50r.
IV. Conclusion

While the parish of Atondo may have been only a small parish, while its people may have done little to make themselves known outside their own locality, and while Don Pedro may have been of little consequence within the larger theaters of European politics and religion, this tiny town only barely visible from the imposing city of Pamplona nonetheless reveals much about parish life and Tridentine-era reform. In this bishopric, merry *colegiales* wandered the streets singing, a young priest from Lumbier caused scandal with his dancing, the bishop passed decrees against familiarity with women, frilly collars, silk slippers, and carrying harquebuses, and Don Pedro wandered, conjured and healed. Many more trials in the archives of Pamplona – and in other parts of Spain and across Europe, too – reveal similar trespasses, and demonstrate that clerical misbehavior, violence, and absenteeism were still very common in the decades after the close of the Council of Trent. Throughout Don Pedro’s career, and up until his death, the Tridentine reform that was supposedly sweeping Europe did little to curtail his actions, many of which made him look little different than one of his medieval counterparts.

This process, slow and certainly far from seamless, reflects, at a deeper level, the critical significance of the parish and the parishioners. Contrary to previous scholarship, Don Pedro and the people of Atondo indicate that the parish was of definite consequence. While it has been coherently and frequently argued by scholars that the parish was of little importance in pre-Tridentine Europe, and that a definite separation existed between the clergy and the populace, Don Pedro and the people of Atondo demonstrate that much can, and must be added to this fairly narrow view. A more dynamic picture can be drawn.
when it is taken into account that correction of the parish clergy was not only top-down, but bottom-up as well.

Don Pedro does not fit neatly into a rigid definition of a separated clergy, yet he was hardly a consistent member of the community, either. He operated on a blurry middle ground, and he demonstrates how clergy who were supposedly separate, in fact shared much with their parishioners. Moreover, they had a notably difficult time removing themselves from such an ancient relationship. Tugged in multiple directions, the parish priest was shaped, disciplined, and corrected by other forces than just traditional ecclesiastical authority. And, importantly, this was the case before, during and after the Council of Trent. Don Pedro did not invent the way he interacted with his community, and his parishioners did not invent the ways in which they reacted to their wayward abbad; instead, these behaviors were remnants of long-standing relationships between the parish clergy and the lay population. The parish mattered to its inhabitants, and the inhabitants took active steps in controlling and castigating the head of the parish, Don Pedro. They did not sit back and let their spiritual life be completely determined by the whims and absences of their itinerant cleric. Rather, they actively sought to correct his actions, as seen here by their purposeful testimonials in the diocesan and royal courts.

But while correcting Don Pedro often meant civil or ecclesiastical litigation, correction was not always what the parishioners sought. Don Pedro, for better or for worse, was one of them; he was a member of the community of Atondo. Thus, at an individual level, his behavior, especially where it reflected the blurred line between the lay and the clerical life, could as easily be condoned as it could be condemned. When not fully dangerous, criminal, or destructive, his preponderance to wandering, healing and
conjuring could often be viewed as innocuous, if not wholly beneficial. Therefore, it seems that religious reform of the parish of Atondo and their wayward priest Don Pedro was slow, in part, because of the very entrenched nature of the parish clergy. Little separated his life from that of his parishioners. Don Pedro de Atondo was through and through a member of the community of Atondo, and despite his frequent wanderings, sometimes violent attacks, and questionable business dealings, he was above all the abbad of Atondo.
Appendix
Constituciones synodales del obispado de Pamplona
Copiladas, hechas, y ordenadas por Don Bernardo de Rojas, y Sandoval, Obispo de Pamplona, del Consejo de su Magestad, & c. En la Synodo, que celebraron en su Iglesia Catedral, de la dicha ciudad, en el mes de Agosto, del año de 1591.

Translated Selections

Libro Primero
f. 17v.
De Constitutionibus
Manda que se guarde lo dispuesto en el Concilio de Trento. Cap. 4

Con mucha acuerdo por gracia del spiritu sancto en el sancto concilio Tridentino se proveyron muchas, y sanctas cosas, y como tales en el principio desta nuestra Synodo, por el clero en ella congregado, diciéndose la Missa del spiritu sancto en esta nuestro Iglesia, todo lo definido, y estauydo en el dicho sancto Concilio Tridentino publicamente se recibio, y se hizo la profession de la fee, prometiendo y professando verdadera obediencia a nuestro sanctissimo padre, detestando, y anathematizando todas las heregias por los sacros canones, y concilios generales, y principalmente por el dicho sancto Concilio condenadas. Y assi mandamos se haga en las sinodos, que se celebran en este nuestro Obispado, y por los Canonigos, y Rectores, y Abbades, quando fueren proveydos de sus Canogias, Abbadias, y Rectorias, y que todos los dichos decretos del Sancto Concilio de Trento se guardan, y cumplan, como en ellos se contiene, con apercevimiento, que de mas de las penas en ellos contenidas mandaremos castigar a los transgresores, con forma al excesso, que hizieren, y a las calidades de las personas. Y mandamos aquí enxerir la Bulla, que es deste tenor, segun que semando por su sanctidad: y esta parte de ella puesta en el principio de estas constituciones. Y porque allí falta el principio, y fin, se enxiere aquí, conforme su original.

Book One
De Constitutionibus
It is ordered that what was decreed at Council of Trent should be observed. Chp. 4.

With much agreement owing to the grace of the Holy Spirit at the sacred Tridentine Council the [church fathers] decreed many and holy things, and such things that were listed at the beginning of our Synod by the clergy that is congregated here, saying the Mass of the Holy Spirit here in our church, [and] everything that was defined and established in the said sacred Tridentine Council publically was received, and then they made the profession of faith, promising and professing true obedience to our very holy father [the pope], detesting and rejecting all the heresies condemned by the holy canons,
and the councilors general, and primarily by the sacred Council. And so we order that this also be done in the synods, which are being held in our Bishopric, and by the Canons, and Rectors, and Abbots when they are installed as Canons or installed in their Parsonages and Rectories, and that all the said decrees from the Sacred Council of Trent are observed and completed, and according to what the [decrees] entail, all should be warned that in addition to the penalties set forth by the [decrees] we will make sure to punish all transgressors in the harshest manner based upon what they did, and based upon the rank of the [transgressor]. And we order that here be inserted the bull [which ratified the Tridentine decrees], that it is in this similar tone through which [the Pope] ordered via his sanctity: and this part [affirming the Tridentine decrees] should be put at the front of all [our synod] constitutions. And because there is no room at the beginning, or end, it is inserted here, in the form of its original.

Libro Tercero

De vita, & honestote clericorum
f. 63r.
Cap.1

Los clerigos, como son llamados a la suerte del señor, continúe que tal manera conciersen sus vidas, y costumbres, que en su habito, y semblante, y en el andar, y en las palabras, y en todo lo demas, no desenal de cosa, que no sea grave, y modesta, y llena de religion, y assi conviene, que traygan vestidos decentes a la orden clerical, porque con la decencia del habito de fuera, muestren la honestidad interior de los costumbres. Por ende […] estatuymos, y mandamos, que los clerigos traygan vestidos negros y no de color. Y en los lugares pequeños permitidos, que puedan traer otro cualquier vestido, con que no sea de color deshonesto, y que sea vestidura talar. Y prohibimos, y mandamos, que no puedan traer camizas labradas, de ninguna color, que sean: ni cuellos, ni cabezones, ni mangas de camisas con lechuguillas, ni jubones de color, sino negro, o blanco, ni acuchillado, ni muslos con bayetas, para hacer follaje, ni seda, ni con tafetanes, ni cañones dello, ni vivos, ni anillos en los dedos, sino el que los pudiere traer por derecho: ni sombreros de seglar, ni guantes adobados, ni pañizuelos de narices labrados, ni chinclas de seda, ni capatos acuchillados, sino de cuero negro enteros, ni capotes pardos, ni otro color por los pueblos, de los que usan labradores, so pena de un ducado por la primera vez, que en cualquiera cosa de las suso dichas fueren hallados aver contravenido: y por la segunda, la pena doblada: y por la tercera, que se proceda contra ellos, como contrarebeldes.
Book Three

De vita, & honestote clericorum
Chp. 1.

The clergy, as they are called due to the will of God, should maintain themselves in such a manner in everything concerning their lives, and customs, in their habits, and in countenance, and in walking about, and in words, and in everything else, that they should do nothing that is not serious and modest and full of religion, and to do this it is necessary that they wear decent habits according to their clerical order, because through the outer decency of the habit, the inner honesty of being is revealed. In this end we [...] do establish and order that the clergy wear black clothes and not colored clothes. And in a few permitted situations, they can wear another color of clothing, so long as it is not a dishonest color, and so long as it is a religious vestment. And we prohibit and order that they cannot wear laborer’s shirts, of any color that they may be: nor can they wear narrow collars, nor wide collars, nor long, frilly shirt-sleeves, nor colored doublets, except black or white, nor anything slashed, nor tightly fitting and heavily adorned breeches, nor silk, nor taffeta, nor feathers, nor anything flashy, nor rings on their fingers, except the one they can wear by right: nor secular hats, nor tanned gloves, nor laborer’s handkerchiefs, nor silk slippers, nor open shoes, except for ones that are wholly black leather, nor light brown cloaks, nor of any other color that the workmen use while in the towns, under the penalty of one ducat the first time, for whatever thing of the said [offenses] had been done: and for the second, the fine is doubled: and for the third, we will proceed against them, as though they were outlaws.

f. 63v.
Que los clerigos de cualquiera orden traygan la corona abierta, y pone la forma, y como han de traer cabello y barba. Cap. 3.106

Con justa razon estatuyeron los sacros canones, que los clerigos, cleridos para el servicio de Dios, truxessen coronas abiertas en sus cabeças: cabello, y barba hecino, porque por ellas fuesen conocidos, por ministros de Dios nuestro Señor. Por tanto [...] estatuyemos, y mandamos, que los clerigos de orden sacro traygan la corona abierta, que sea la rasura de los Presbyteros del tamaño del circulo mayor, que aqui mandamos poner: y los del Evangelio traygan la rasura del segundo circulo: y los de Epistola del tercero: y los de menores ordenes (f. 64r.) del ultimo aqui señalado, y el cabello corrado, que le parezca parte de las orejas, redondo, y no quadrado, y la barba hechabaxa, pareja, y redonda, sin punta, ni bigotes, so pena de un ducado, aplicado la mytad para la guera, que su

105 This garment seems to have been a white, gauzy sort of thigh-length pants that were heavily adorned (or used for personal adornment) and it is unclear exactly why these breeches were considered to be a problem. It may have been that such a garment was widely regarded as intimate apparel, or they may have just been altogether too gaudy, and thus not appropriate for a priest to wear.

106 This decree was accompanied by a chart, or pattern that showed exactly what sizes the tonsure should be.
Magestad haze contra infieles, (durande la concesion de su sanctidad) y la otra mytad, para obras pias à nuestra disposicion.

That the clergy from whatever order should have a shaved crown, in the correct form, and also on how the hair and beard should be worn. Chp. 3.

It is with just reason that the sacred canons established that the clergy, in the service of God, would have a shaved crown on their heads: hair and beard neatly trimmed, so that they are easily recognized as ministers of God, our Father. In so much we [...] do establish and mandate, that the clergy in sacred orders wear the tonsure, and that the shaved area worn by the Presbyters should be the size of the largest circle that we have included here: and those of the Evangelists should wear the shaved area the size of the second circle: and those of the Epistles [the size of] the third: and those of lower orders the last [size] here shown, and the hair should be trimmed, so that it looks like part of the ears, round, and not squared, and the beard cut short, even, and round without a point, nor a mustache, under penalty of one ducat [which] one half will be applied to the war, that his Majesty is fighting against the infidels, (by concession of his holiness) and the other half for pious works at our discretion.

f. 65r.
Que los clerigos no dancen, ni baylen, ni canten cantares deshonestos, ni prediguen cosas profanas, ni se disfracen, ni vean toros. Cap. 7.

Muchas veces acace que los clerigos en las missas nuevas, bodas, y otros regozijos dançan, baylen, y cantan cosas profanas, de que son notados de livianos: y los legos los vienen a estimar en poco. Y para obviar semejantes inconvenientes [...] estatuymos, y ordenamos, que ningun clerigo, beneficiado, ni sacristán, bayle, ni dance, ni cante cantares deshonestos ni predique cosas profanas, aunque sea en bodas, ni missas nuevas, en publico, ni en secreto: ni se disfrace para hazer representaciones profanas, ni en otra manera: ni tañavihuela, y otros instrumentos, para baylar en los talesnegozijos, ni se hallen presentes, donde corran toros, so pena de dos ducados para pobres, y ejecucion de justicia, y diez dias en la carcel.

That the clergy should not dance, nor sin dishonest songs, nor preach profane things, nor dress up, nor watch bull fights. Chp. 7.

Very often it happens that the clergy while at the new masses, weddings, and other instances of merriment dance and sing profane things which are noted to be particularly imprudent: and the laymen come to esteem [the clergy] very little. And in order to prevent similar unconventional things we [...] do establish, and order, that no cleric, beneficed person, or sacristian should dance, nor sing dishonest songs that preach profane things, even if it is at a wedding or a new mass or in public, or in secret: nor should he dress himself up to act out profane scenes, nor [should this be done] in any

other manner: not with a guitar, nor with other instruments in order to dance in such merriments, nor should they be present where they run bulls, under penalty of two ducats, to be given to the poor, and for the costs of justice, and ten days in jail [as well].

f. 66r.
Que los clerigos no entren a bever con los legos en concejos, ni bevan en las tabernas, ni por tales dellas, sino fuere de camino. Cap. 10.

Porque de la communicacion de los clerigos con los legos nacen muchas vezes rencillas, y contiendas y vienen a ser tenidos en poco. [...] estatuymos, y ordenamos, y defendemos, que de aqui adelante no se junten con los legos en las bevidas, que hazen en sus concejos de penas concegiles los clerigos de orden sacro, o beneficiados, ni entren en las tabernas publicas, a bever ni comer, ni jugar en ellas, ni a las puertas, ni soportates dellas si no fuere y endo de camino, so pena de un ducado: la mytad para gastos de la guerra, que su Magestad haze contra infieles, (durante la concesion de su sanctidad:) y la otra mytad para obras pias (à nuestra disposicion:) y a demas desto de seys dias a reclusion en la Yglesia.

That the clergy should not drink with the laymen at the town hall, nor should they drink in the taverns, nor stay at them, unless they are on the road. Chp. 10.

Because activity between the clergy and the laity can often result in quarrels and fights and they can all become carried away very quickly. We [...] do establish and order and defend that from here on out [the clergy] should not get together with the laymen while they are drinking in their meetings in case they begin to argue with the clergy in holy orders or that are beneficied, nor should [the clergy] enter public taverns, to drink or to eat, nor should they play [at games] in them, nor stand in the doors, nor patronize them in anyway unless they are on a trip, under penalty of one ducat: half of which shall go to the costs of the war, which his Majesty is fighting against the infidels (because of his holiness) and the other half for pious works (at our discretion) and in addition to this six days in reclusion in the church.

f. 66r.
Que los clerigos no acompanen mugeres algunas, aunque vivan con ellas. Cap. 11.

Es contra toda honestidad del estado eclesiastico, que los clerigos constituydos in sacris acompanen las mugeres por las calles, y lugares publicos. Y queriendo lo remediar [...] estatuymos, y mandamos, que de aqui adelante, ningun clerigo de orden sacro, o beneficiado, acompanue muger ninguna, duena, o donzella, de cualquier calidad, o condicion que sea, ni las lleven de las manos, o braços, ni a ancas de mulas, ni otras cavalgaduras, aunque vivan con ellas, so pena de excomunion, de dos ducados, la mytad para los gastos de la guerra, que su Magestad hace contra infieles durante la concession de su sanctidad: y la otra mytad para obras pias, a nuestro disposicion: si no fuera señora
That the clergy should not accompany any women, even if they live with them. Chp. 11.

It is against everything that the church stands for that clergy constituted in sacris should accompany women through the streets and public places. And wishing to remedy [this] we [...] do establish and order that from here on out, no cleric in the holy orders or with a benefice should accompany any woman, whether matron or maid, of any station, or whatever condition she may be in, nor should he hold her by the hands, nor by the arms, nor when she is riding a mule, nor any other sort of horse, even if he lives with her, under penalty of excommunication and the penalty of two ducats, half of which shall go to the costs of the war, which our Majesty is fighting against the infidels, due to his holiness: and the other half shall go to pious works, at our discretion: [however] in the case that she is a noble woman, or a good woman, and who is well respected, and in walking down the street, should he happen to run into her, he can walk her home.

Que los clerigos no traygan armas, arcabuz ni ballesta. Cap. 15.

Los decretos antiguos prohibieron a los clerigos traer armas, y pues son elegidos en la suerte del señor, han demonstrar con habito religioso el nombre de su profession. Por canto [...] mandamos, que de aqui adelante ningun clerigo de orden sacro traygaen los lugares, donde reside, y una legua alrededor, espada, ni daga, ni cuchillo de mas de un palmo, ni bordon, o palo con hierro de mas de dos dedos, si no fuere y endo camino: y si las truxere, las tenga perdidas, y sean del Aguazil, que las tomare, o seys reales porillos y seys dias en la carcel, si no fuere son licencia nuestra, o nuestro vicario general, y esta no se le defino conjunta causa de enemistad, y por tiempo limitado, y se haga con la mayor honestidad, y menos publicidad, y escandalo, que ser pueda, y si fueren hallados de noche con armas, estén veynte dias en la carcel, y paguen dos ducados de pena, para los gastos de la guerra contra infieles la mytad,: y la otra mytad para obras pias a nuestro disposicion. Y ansi mismo ordenamos, y mandamos, que ningun clerigo de los susodichos andando por los pueblos, ni de camino, aun que sea so color de caça, pueda traer ni trayga arcabuz, ni escopeta, ni ballesta, sino es ballesta por su recreacion, sopena, que por el mismo hecho lo pierda, o en su lugar pague dos ducados para el aguacil, que se lo tomare.

That the clergy does not carry arms, harquebuses, or crossbows. Chp. 15.

The ancient decrees prohibited the clergy from carrying arms, and since they are elected by the will of God, they have to demonstrate a religious way of life in the name of their profession. As such we [...] do order that from here on out no cleric in any holy order carries in the area where he resides and one league around there a sword, nor a dagger, nor a knife of more than one hand's length, nor a staff, nor a stick with iron wider than two fingers, except for when he is on a trip: and if he should carry them, he will see them
taken away, and it will be the constable that will take them, or he [will be fined] six reales for them and will spend six days in jail, except if he has a license from us, or from the Vicar General, and this will not be defined as a full felony and [it will only be] for limited time and it will be done with the greatest honesty and the least publicity and scandal that is possible, and if they were to be found carrying arms at night, they will stay for twenty days in jail and will pay two ducats as a penalty, one half will go to the costs of the war against the infidel: and the other half to pious works at our discretion. And in this way we order and mandate that no cleric of the said [type] should be walking through towns, nor on the road, even if is very hot in his house, and cannot carry an harquebus, nor a shotgun, nor a crossbow, except for crossbows for recreational purposes, under penalty that for doing so he will lose [the weapon], or will pay two ducats to the constable, who will take it.

f. 70r.
De Clericis Non Residentibus
Que los Abbades, y Rectores, y los que tienen beneficios curados, residen personalmente en sus beneficios. Cap. 1.

Como por precepto divino esta mandado a todos los, que tuvieren cura de almas, que conozcan sus ovejas, y por ellas ofrezcan a Dios sacrificios, y los apascienten con ejemplo de buenas obras, dandoles pasto espiritual de la predicacion de la palabra de Dios: y como padres tengan cuydado de ayudar a los pobres, y miserables personas. Lo qual todo no se puede cumplir, ni hazer, sino assisten personalmente à sus ovejas, y velan sobre ellas. Por ende [...] estatuymos, ordemos, y mandamos, que todos los abbades, y rectores de nuestro Obispado, y otras qualesquier personas que tuvieren beneficios curados in titalum, o in commendam so pena de privacion de los dichos sus beneficios, que hasta sesenta días primeros siguientes, que les damos, (f. 70 v.) y asignamos por tres canonicas moniciones, vayan à residir y residan den de en adelante continua, y personalmente cada uno dellos en su Iglesia, y de todo el servicio necesario y administracion de los sacramentos, y lo demas que es a su cargo, como tales Curas, y Rectores, por sus propias personas, aunque tengan coadjutores, pues solo son para que los ayuden, y no para que los escusen. Y si alguno de los dichos Abbades, y Rectores, o Curas, o personas, que tienen las dichas Iglesias parochiales, pretendiere alguna causa, que buena, y legitima sea, que los escuse de hazer la dicha residencia personal, parezca ante Nos dentro del dicho termino a la mostra, y dezir, que le oyremos, y guardaremos su justicia: en otra manera contra los tales ausentes, que no vinieren a residir, a viniendo se ausentaren, y contra los que agora residen, y no perseveraren en la dicha residencia ausentandose de los dichos sus beneficios, sin nuestra licencia, procederemos a privacion de sus Iglesias, y beneficios curados: y del derecho, que a ellos tienen, y a las demas penas, conforme a los decretado en el sancto concilio de Trento, siendo primero citados en las dichas sus Iglesias, y beneficios, publicamente en dia de Domingo, porque cesse toda fraude, y con la dicha ciracion ansi hecha pueda proceder a la dicha privacion, aunque sea citado el tal cura en ausencia para ello. Y los declaramos por privado, y pronunciaremos las tales Iglesias, y beneficios por vacos, y proveeremos, y haremos
collacion de ellos, o lo remitiremos a quien de derecho pertenezca la presentación
collacion, provision, o institucion dellos.

De Clericis Non Residentibus

*That Abbots, and Rectors, and those who have rectorial benefices, should reside personally in their benefices. Chp.1.*

*By divine order it is mandated that everyone who has the care of souls, shall know their sheep, and for them offer sacrifices to God, and instruct them by the example of good works, giving them spiritual pasture by the preaching of the word of God: and like parents, taking care to help the poor, and the miserable persons. All of which cannot be done or completed unless they personally tend to their sheep, and watch over them. Wherefore, we [...] do ordain, order, and mandate that all the abbots and rectors of our Bishopric, and whatever other person that would have rectorial benefices in titulum, o in commendam, under penalty of deprivation of their said benefices, that by seventy days from here on out that we give them and we assign by three canonical admonitions, they should go to reside and reside from here on out continuously and personally every one of them in their own church, and that they [complete] all the necessary service and administration for the sacraments and in addition, it is their duty, as it is of all the Priests and Rectors, by themselves, even if they have assistants, since these are only there to help them, and not there to excuse them [of their duties]. And if any of the said Abbots, Rectors, or Priests, or anyone else that serve the in the Parish Churches, claims to have a reason that is good and legitimate, that would excuse him from personally residing [in his benefice], he should appear before us during an audience during the said amount of time so that we can listen to his case and decide what would be just: In any other instance of absenteeism where he does not reside [in his benefice] and coming to his parish he does absent himself, and against those that do now reside, and do not respect the said residency absenting themselves from their said benefices, without our permission, we will proceed against them [by] depriving108 them of their Churches and their priestly benefices: and concerning the right that they have and the penalties, they will conform to the decrees [laid out] in the holy Council of Trent, being first cited in their said Churches and benefices publically on the day of Sunday, because to end all this misbehavior and with the said citation if done in this way we can proceed to the said deprivation, even if the priest was duly reprimanded for his absence there. And we declare in private, and we will pronounce [this much] in the various Churches, and empty benefices, and we will provide [for them], and make note of them, or we will defer to whoever has the rights pertaining to supervising the collection, provisioning, and instituting them.*

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108 Or demotion in rank.
f. 70v.
Que los curas, Abbades, o Rectores vivan junto a las Iglesias, en las casas dela Abbadía, y donde no la oviere, se haga: y a cuya costa. Cap. 2.

Muchas, y grandes faltas se han visto en el servicio de las Iglesias, y administracion de los sacramentos, por vivir los curas, Abbades, y Rectores, fuera de sus Iglesias, o lexos, que no acontecerian, si viviesen junto a ellas. A lo qual queriendo poner rememdio, […] estatuymos, y ordenamnos, que en las iglesias de nuestro Obispado, donde oviere casas de Abbadía, o beneficio, el Abbad, Rector, o Vicario, sea obligado a vivir, y morar en ella: y donde no la oviere, o estuviere tan maltratada, que no se pueda vivir en ella, que la dicha casa se haga, y repare de los bienes de la primicia, con que primero, ante todas cosas, precesa nuestra licencia (f. 71r.) y mandato, o de nuestro Vicario general, teniendo attencio a la calidad del lugar, y renta de la fabrica. Y en caso que el Rector muriere, el que sucediere en la dicha rectoria, haga visitar la dicha casa, con permisso, y licencia nuestra, o de nuestro Vicario General: y si se hallare, que esta destruyda, o malparada, se repare de los bienes del Rector, o Vicario perpetuo, muerto: y en caso, que el Rector, que sucediere, fuere negligente en hazer la dicha licencia, que se repare de sus bienes propios.

That the priests, Abbots, or Rectors live next to the Churches, and in their Parsonages, and where there is not one, they need to build one: and at their own expense. Chp. 2.

Many and large faults have been noticed in the service to the Church and in the administration of the sacraments in that the priests, Abbots, and Rectors live outside their churches or far away and they do not frequent them, even if they do live next to them. And so, in wanting to remedy this, we […] do establish and order, that in the Churches of our Bishopric, where there are Parsonages or benefices,109 the Abbot, Rector, or Vicar is obligated to live and dwell continuously in them: and where there isn’t one, or where it is in poor repair so that he cannot live in it, that in regards to the said house he rebuild and make repairs using the first-fruits, with which before doing anything [with these tithes], he first gets our permission and orders of those of our Vicar General, keeping in mind the quality of the place and the price. And in the case that the Rector should die, he who succeeds him in the said Rectory should visit the said house with our permission and our license, or that of our Vicar General: and if it turns out that it is destroyed or in poor repair, it should be repaired with the goods of the late Rector or Vicar: and in the case that the Rector that succeeded him [the previous Rector] were negligent in getting the said license, he will have to repair it with his own money [and not that of his predecessor].

f. 71r.
Que los beneficiados sirvan sus beneficios, y si tuvieren privilegio de ausencia, sirvan por capellares examinados, y con licencia del ordinario. Cap. 3.

Por experiencia Nos consta, que muchos clerigos de nuestro Obispado, que tienen beneficios en el, se ausentan de ellos, sin licencia nuestra, y no dexan servicio en sus

109 These refer to any sort of designated living-place.
Iglesias, y gozan los fructos en ausencia: de lo qual los pueblos reciven notable daño, y las Iglesias son defranciadas del servicio, que se les deve. Y pues de derecho qualquier beneficio por simple que sea, requiere servicio, y residencia. [...] estatuymos, y mandamos, que todos los beneficiados de las Iglesias de nuestro Obispado residan continuamente en los dichos sus beneficios, que requieren residencia personal, y sirvan sus Iglesias: y si algunas tuvieren privilegio para estar ausentes dellos, así como ex causa studij, o por estar en nuestro servicio, y de nuestras successores, o por servir en nuestra Iglesia matriz, o en otros beneficios propios, o otros privilegios, que no pueden gozar, ni gozan de los fructos de los dichos beneficios, sino poniendo en ellos capellanes que sirvan, o servicio, con nuestro licencia, o de nuestro Vicario general, conforme a los proveydo por estas constituciones: y si no pusieren los dichos capellanes, o tuvieren nuestra licencia para no los poner, por la tenuidad de los beneficios, queremos confrornandano, con lo dispuesto en el sacro concilio de Trento, pierdan los fructos de aquelaño, para la fabrica la mytad, y la otra mytad para obras pia (arbitrio Episcopi), por ausencia de un año, como sino tuvieressen los dichos privilegios, y facultades, y otros beneficios.

That the beneficiaries serve their benefices, and if they should have the priviledge of leave, they must fill their spot with chaplains who have been examined, and who have been licensed normally. Chp. 3.

From experience we know well that many clergy from our Bishopric that have benefices here absent from them without our permission and do not serve their churches and enjoy their fruits in their absences: by which the towns receive notable harm and the churches are disenfranchised of the service, which they owe them. By the right in which every benefice no matter how simple it is, requires service, and residence. We [...] do establish and mandate, that all beneficiaries of churches of our Bishopric do reside continually in their said benefices that require personal residence and serve their churches: and if some would have the privilege of being absent from them, by for example ex studij, or to be in our service, and in the service of our successors, or to serve in our Mother Church, or in other personal benefices, or other privileges that they [then] cannot enjoy, nor enjoy the fruits of the said benefices, unless by putting in them a chaplain that would serve or service with our license, or with the [license] of our Vicar General, [and would] conform to [what is] provided by our constitutions: and if he were to not put in place the said chaplains, or if he had our license to not put them in, because of the nature of the benefices, then we want to conform with what was put forth by the sacred Council of Trent [that] they lose the fruits of the said benefices, for the fabric [of the church] one half and the other half for pious works (arbitrio Episcopi) for an absence of one year, as if he did not have the said privileges and faculties and other benefices.

f. 71r.
De la residencia de los beneficiados, y del orden del servicio. Cap. 4.

Gran Duda, y differencia ha avido, que servicio son obligado a hazer los Racioneros desta nuestra diócesi en las yglesias, donde son beneficiados. Y queriendo proveer como las
On the residency of the beneficiaries, and those in orders. Chp. 4.

There has been great doubt, and confusion, on what service the clergy from our diocese should be performing in their churches, where they are beneficed. And in hoping to provide that the churches do not receive much detriment in service, we [...] do establish and order that the beneficiaries are obligated to serve in their churches, where they are beneficed, in one way or in another, just as it is mandated in our constitutions [that] on Sundays and feast days, and [also] on weekdays when there are not feasts they should serve on Mondays, Fridays, and on Saturdays, in such a way that in each week those who are obligated by means of their benefices say three masses. And we declare, that where there happens to be six beneficiaries or more, each beneficiary may be allowed two months absence: and where there are fewer than six, only one continuous [month], or [this time] spread out, so long as the said beneficiaries do not all take leave at once: and he who will take a leave, must notify the Rector, and the other beneficiaries, before he leaves. And when an absence is made in other times than those discussed above, they will incur the penalties set forth by our constitutions. With that we declare, that in the churches, where there is a commendable tradition of holding additional masses, that such a custom should be held inviolable.

f. 73r.

Que en el servicio de las Iglesias, se prefiera los naturales a los estrangeros deste Obispado. Cap. 8.

Por que somos informados que los curas de la Iglesias de nuestro Obispado, que con legitima causa no residen en sus Iglesias, y los Abbades, y otras personas, que tienen los dichoas beneficios á nexos a sus Abbadias, Iglesias, y dignidades, ponen capellanes estrangers, de fuera de este nuestro Obispado, y los naturales, deviendo ser prederidos, no son admitidos. Por ende [...] ordenamos, y mandamos, que ahora, y de aqui adelante en los lugares deste nuestro Obispado, en los quales los curas dellos no residen, ansi por legitima cuasa, que para ello tengan, como por ser los dichos beneficios curados, anexos a otras Iglesias, o dignidades, donde ellos residen, si en tal villa, o lugar, que sea habil, y
sufficiente para el servicio del tal beneficio, sea preferido a otro cualquier, que pretenda aver el dicha villa, y lugar, que aviendo clerigo natural deste nuestro Obispado, aquel sea preferido, siendo habil, y suficiente a otra cualquiera de fuera de este nuestro Obispado, por el tanto: lo qual se entienda, ansi es servicios de beneficios curados, como de simples.

*That for the service of the church, locals of this Bishopric are preferred over foreigners.*

*Because we are informed that the clergy of our Bishopric who with legitimate reason do not reside within their Churches, and the Abbots and other persons that have the such benefices linked to [service] in their Parsonages, Churches, and positions place in them foreign chaplains, from outside our Bishopric, and the locals who should be preferred are not chosen. In this end we [...] do order and mandate that from here on out in the areas in our Bishopric where the clergy do not reside by legitimate reason in that they have as by being the said beneficed rectors are connected to other Churches, or positions, where they reside, in that village, or place that [there being someone who is] able, and qualified for the service of that benefice, would be preferred over anyone else, who claims to be in the said village and place that there being a local cleric from this Bishopric, that one would be preferred, being that he is able, and [equally] qualified to anyone else from outside this Bishopric, that is: this is to be understood, this is [only] concerning beneficed rectors, as for simple [benefices].*

f. 86v.

*Que los cabritos, corderos, pollos ansarones, y lechones, se diezmen en tiempo, que a los, que reciben el diezmo, les aproveche. Cap. 8.*

*Porque somos informados, que algunos en este nuestro Obispado, con algunos colores siniestros, o porque se les figura, que cumplen con Dios, o por algunos enojos, que tienen con los, que han de recebir los diezmos, no mirando, que dan diezmos a Dios, y no a los hombres, diezman los corderos, y cabritos, lechones, pollos, ansarones, y otras aves, y animales, y otros fructos, en tiempo, que no se pueden aprovechar dellos, los, que los reciben, por ser muy pequenos, y de muy poco tiempo nacidos, è immaturos. Por ende [...] exhortamos, y amonestamos a los, que han de diezmar, que miren lo que deven a sus animas en dar los diezmos. Y mandamos, que de aqui adelante las personas de nuestro Obispado sean obligados a diezmar los tales animales, y aves, cuando se pueden criar sin madre, y los fructos en tiempo, que los dichos diezmos sean fructiferos, y se pueden aprovechar, pues esto es conforme a derecho, y ley divina. Lo qual hagan y cumplan so pena de excomunion.*

*That the kids, lambs, goslings, and piglet, should be tithed at the time, which, those who are receiving the tithe, can actually use them. Chp. 8.*

*Because we are informed that some people within our Bishopric with some sinister intentions, or perhaps because they figure they are abiding by God's will, or because of certain bad feelings that they have with those who receive the tithes, not thinking, [do not understand] that they are giving tithes to God, and not to men, and therefore tithe the*
lambs, and kids, piglets, chickens, goslings, and other birds and animals and other fruits at a time [when] those who are receiving them, do not want them yet, as they are very small and only very recently born and not yet mature. In this end we [...] do exhort and admonish those who, in having to tithe, should look [more towards their salvation] while giving tithes. And we mandate, that from here on out the people in our Bishopric are obligated to tithe animals and birds when they can live without their mothers and the fruits when it is their time, so that the said tithes are fruitful and they can be useful, as this conforms to secular law, and divine law. This should be done and accomplished under penalty of excommunication.
Primary Sources:

Archivo Diocesano de Pamplona. 1589. Secr. Garro C/ 156 – N. 3. *In this trial, Juanes de Aracoechea sues his brother Don Pedro after a very public disagreement with the residents of the town where, in a rage, Don Pedro tries to kill Juanes by hitting him over the head with the church keys. Juanes also claims that following these this attack, Don Pedro threatens him with a saber. There are witnesses).*

--------- 1598. Secr. Sojo C/ 107 – N. 20. *(This is the second of three trials concerning Don Pedro’s affinity for wandering, conjuring and healing. Here, Don Pedro concedes his guilt, yet insists that since his earlier conviction, he has only been healing sprinkling people with oil and saying prayers. There are witnesses).*

--------- 1601. Secr. Sojo C/ 110 – N. 2. *(This is the third trial Don Pedro faced for his unauthorized wandering and healing. This time, following two previous convictions, Don Pedro is charged with absenting his parish for long periods in order to heal people and indecently touching women during the healing process. It also seems that he performed a very public exorcism in front of the canons of the Cathedral in Pamplona. There are witnesses).*

--------- 1606. Secr. Garro. – C/ 202 - N° 6. *(Meanwhile erecting a new abadía, Don Pedro spends 261 ducats, though only 60 had been approved by the bishop for the project. The Fiscal finds this over-expenditure troubling. There are witnesses)*.

--------- 1606. Secr. Ibañez C/ 426 – N. 9. *(Don Pedro is “finally dead,” and his parish wants a new abbot. As is their right, the leaders of the town offer nominations, several of whom may be Don Pedro’s relatives. Mostly dealing with these nominations, the trial does however offer a few details about Don Pedro’s life).*

--------- 1596. Secr. Garro C/ 148 – N.8. *(Several college students are charged in absentia with roaming the city of Pamplona at night, singing in the streets, and serenading the home of the school rector, who they thought was out of town for the night. There are witnesses).*

--------- 1615. Secr. Treviño C/ 256 – N.8. *(Don Juan de Landibar, a young priest who likes to have fun, is accused of running with the bulls, playing games, dancing with little bells on his feet, and not wearing his hat in church. There are witnesses).*

Archivo General de Navarra. 1568-1591. 001712. *(Don Pedro sues the widow Graciana de Lescay over the restitution of some grape vines and a parcel of land).*
(Don Pedro sues the city of Pamplona for back-payment for his services in conjuring the worm away from the city's grape vines).

(Don Pedro sues his brother Juanes and Juanes's wife Maria over "injurious words." This trial seems to follow an earlier trial from the Diocesan Court, and in an example of the continued prickly relations between the two brothers).

(Don Juan de Granja, abbot from Ecay, sues Don Pedro over a 100 ducat debt).


Constituciones synodales del obispado de Pamplona. Compiladas, hechas, y ordenadas por Don Bernardo de Rojas, y Sandoval, Obispo de Pamplona, del Consejo de su Magestad, &c. En la Synodo, que celebraron en su Iglesia Catedral, de la dicha ciudad, en el mes de Agosto, 1591.

Díaz de Luco, Juan Bernal. Aviso de curas. Alcalá, 1551.

Sales Tirapu, José Luis and Isidoro Ursua Irigoyen. Catálogo del archivo diocesano de Pamplona. Pamplona: Gobierno de Navarra, Departamento de Educación y Cultura e Institución Príncipe de Viana, 1984–.


Secondary Sources:


---------. “Priests, Mountains, and “Sacred Space” in Early Modern Europe (Review Article).” The Catholic Historical Review 93 (January 2007): 84-103.


