



Goya's Inquisition: from black legend to liberal legend

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INTRODUCTION

In the opening decades of the 19th century, Goya sketched around 39 ink wash drawings, collected in his Album C (c.1814-24), that depict with dramatic intensity the corporal and psychological punishments inflicted on those individuals whose behaviour or beliefs challenged the values of the conservative regime that had ruled Spain for generations. Around half of the drawings clearly relate to the practices of the Spanish Inquisition, the court of law founded at the end of the 15th century whose function was to root out heresy from within society and so strengthen its Catholic foundations. The captions that accompany the images refer to the judicial charge being brought to bear on the victims in each case and a stark contrast is established between the seemingly harmless nature of their alleged crimes and the severity of their treatment. Goya thus invites the viewer to perceive the Inquisition as a barbarous, inhumane institution, emblematic of Spain's backwardness and its failure to embrace the concepts of liberty and reason associated with the modern age. This reputation, borne out of its early history and embodied in the so-called Black Legend perpetrated by Spain's Protestant enemies in the 16th century, survived throughout the tribunal's 300-year existence, although in practice by Goya's time its propensity for abuse and the necessity of its role – fiercely defended by conservatives – had considerably diminished. Nevertheless, as this article will demonstrate, its past injustices were skilfully exploited by the artist, along with fellow political sympathisers, as if a current reality to serve the needs of their own liberal legend.

THE DEBATE ON THE ABOLITION OF THE INQUISITION

The historical evidence points to a considerable reduction in the influence of the Inquisition during the course of the 18th century, on the eve of Goya's production of these images. There was no longer a requirement for it to act in its traditional role as a protector of the Catholic faith since the danger posed by Jewish, Islamic and Protestant heresies had all but been eliminated (Lea, 1907, 4: 391; Callahan, 1984: 31-33). As a result, it was fast becoming a moribund institution. However, it perpetuated its

existence by pursuing minor cases of behavioural and intellectual deviance. Crimes of superstition, witchcraft, blasphemy and bigamy all came under its purview, as well as offences related to the dissemination of enlightened thought and revolutionary propaganda originating from France. Investigations were more often held in private than in public and where penalties were imposed, these tended to involve spiritual penance rather than physical punishment. Nevertheless, although a shadow of its former self, the Spanish Inquisition was still considered a repressive force that could be brought to bear against those who threatened the traditional order of society.

Goya produced his Album C against the backdrop of the recent Spanish hostilities with Napoleonic forces who had invaded the peninsula in 1808, giving rise to the five-year War of Independence which was both a struggle against foreign dominance as well as a conflict between reformists and traditionalists about the future political direction of Spain. A series of constitutional debates took place at the Cortes of Cádiz (1810-13) at which liberal delegates called for the permanent abolition of the Inquisition as the enemy of enlightened reason and a redundant deterrent against heresy. On 22 January 1813, in an atmosphere of increasing tensions between liberals and conservatives, a majority of deputies (90:32) voted for its abolition, but within a year of the vote of the Cortes and the ending of the Napoleonic War, Ferdinand VII had been restored to the Spanish throne and by a decree of 21 July 1814 the Inquisition was re-established under a revived absolutist regime (Bethencourt, 2009: 421-22; Callahan, 1984: 98-99, 111-13).

In executing his visual essay, Goya drew directly upon contemporary ideas and philosophies expounded by his enlightened compatriots, underpinned by stereotypical notions of the Inquisition as the personification of Black Spain. Three of the most important contributors to the debate on the Inquisition inside and outside of the Cortes were Antonio José Ruiz de Padrón, Antonio Puigblanch and Juan Antonio Llorente, whose discourses all subsequently appeared in print and became well-known to liberal intellectuals, including the likes of Goya. His indictment of

the Inquisition, in common with that of liberal historians and polemicists, was essentially based on memory and evocation of its earlier more tyrannous history rather than on verifiable fact in relation to its contemporary practices (Gassier, 1976: 226; Hughes, 2004: 333). Using his skills of draughtsmanship to striking effect, he framed his visual commentary to draw attention to the harrowing effects of the persecution of innocent individuals at the hands of the state, singled out irrationally for their racial, religious, moral and intellectual orientation. In so doing he exposed the deep divisions between absolutism and liberalism in early 19th-century Spain, while also pointing to universal issues of discrimination and injustice that continue to characterise repressive regimes today (López-Rey, 1966: 34-49, 106-12).



Figure 1: *Pr haber nacido en otra parte* (For having been born somewhere else) c.1814-24, Museo Nacional del Prado.

RACE AND RELIGION

In *Pr haber nacido en otra parte* [Figure 1], Goya depicts a woman, partially bent over in a posture of humiliation while she clutches her face in anguish. She is dressed in the penitential garment worn by prisoners of the Inquisition: the *sanbenito* (scapular or tunic) bearing the double (red) cross of Saint Andrew on the reverse, reflecting the gravity of her crime, and the *coraza* (tall conical hat) on her head – an emblem of ignominy. The flames leaping upwards on the tunic indicate that she is a relapsed, hardened heretic

who will be condemned to death by burning, the form of punishment inflicted only upon those who refused to repent. The platform on which she stands is already ablaze, pointing to the imminence of her demise. She stands alone as a beacon of light against the dark billowing smoke in the background that will soon engulf her. The impact is shocking and chilling. The caption indicates that she is being convicted for refusing to recant 'foreign' (i.e. Jewish, Protestant or Islamic) beliefs that were pursued in earlier centuries as heretical and a threat to the stability of the Catholic state.

But there are a number of subtle inconsistencies between the actual circumstances Goya portrays along with the language he deploys in the caption (commencing with *Pr*, a contraction of *Por*), which replicates the judicial formulae used by inquisitors, found in trial records and echoed throughout the series. Being a foreigner did not constitute a crime in itself, although this is what is implied. *Autos de fe* – the public ceremonies at which those accused of heresy received their sentence – had since a ruling of 1689 gradually been replaced by smaller scale *autillos*, held indoors or in private and would have formed the more natural setting for this act of condemnation. The burning of victims (who were garrotted first and never live as suggested here) rarely occurred from the mid 18th century and always took place separately, away from the public gaze on the outskirts of the city (Lea, 1907, 3: 220-21). In common with the polemical spirit of contemporary criticism of the Inquisition, Goya uses its discourse and trappings as verbal and visual metaphors of an abusive system of power, capable of such outrages as convicting somebody simply on the basis of their natural origins.

In *Pr linage de (h)ebreo*s [Figure 2], a long line of 'faceless' penitents, wearing the *sanbenito* and *coraza*, can be seen filing out of what appears to be a prison under the guard of a bailiff and watched over by a friar. The leading prisoner has his head sunk in shame and hands clenched. The caption implies they are *conversos*, Jewish converts to Christianity, whose descendants' alleged religious backsliding had prompted the establishment of the Spanish Inquisition in 1478. Although the number of individuals who were tried for being crypto-Jews at the time when Goya produced this series of images was negligible (16 between 1780 and 1820), the ancestors of former Jews were still regarded with mistrust however sincere and longstanding their conversion to Catholicism (Lea, 1907: 308-11). As in the previous drawing, Goya sets up a tension between the nature of the charge and the disturbing effect of the image and invites us to consider the legitimacy of ancestry as a punishable offence. The use of the word *linage* (*linaje*) by the artist evokes the code of *limpieza de sangre* established in the 15th century that barred those of Jewish descent over eight generations from certain professions and social privileges and which became



Figure 2: *Pr linage de (h)ebreos* (For being of Jewish ancestry) c.1814–24 Trustees of the British Museum.

associated with the Inquisition's activities. The validity of the *limpieza* statutes had been debated by inquisitors, theologians and statesmen since the middle of the 17th century and continued to be an issue of contention in Goya's day. Liberal intellectuals who espoused the values of the Enlightenment sought to eradicate intolerance from society and promote respect for integrity over lineage. Antonio José Ruiz de Padrón, ardently defended the Jew in his speech to the Cortes of 1813 (*Dictamen sobre el Tribunal de la Inquisición*): 'And who had given the inquisitors the power to destroy, with fire and sword, this dispersed people, whom God will assuredly preserve until the consummation of time? If any Jew is discovered among us, and he commits a crime, let him be punished by the laws of the State, but not hung by a pulley, nor tortured on the rack, neither let him be cast into the flames merely because he is a Jew' (Ruiz de Padrón, 1813: 48). Goya's image is clearly informed by these views.

MORAL MISCONDUCT

In *Pr querer a una burra* [Figure 3], Goya engages in a simple but moving portrayal of a man who has already been garrotted for committing a crime of bestiality and is now left for dead on a sinister stage, his executioners, inquisitors and onlookers having all dispersed. In common with other images from the Album, it provides further bitter



Figure 3: *Pr querer a una burra* (For loving a she ass) c.1814–24, Museo Nacional del Prado.

commentary on the inhumanity of inquisitorial justice. However in practice, acts of perverse sexual behaviour such as this figured among the relatively minor offences dealt with by the Inquisition. Alongside blasphemy and solicitation, bestiality was regarded as the product of ignorance rather than a deliberate attempt to undermine Catholic teachings. Although there was considerable inquisitorial activity in the field of moral misdemeanour in Aragón (Goya's native region) in the late 16th century, from the early 17th century the Inquisition rarely dealt with such cases, preferring to pass them on to the secular courts. On the occasions when it did so, lenient sentences were given and never the death penalty as illustrated here. Goya therefore stretches the historical truth both verbally and visually to make his point.

In *Por casarse con quien quiso* (Figure 4), we see highlighted the distressed face of a woman looking out at the viewer, set against a dark backdrop, the contrastive shading used once again as metaphors for truth and evil. She is depicted almost in an upside down position, tied to a *potro* (rack) – an instrument of torture used to extract confessions. Gathered around the lower part of her body are five obscure, furtive-looking figures, identifiable by their habits as religious, whose positioning suggests the idea of a figurative rape conducted by sadistic hooded friars. The implication of the title is that the woman is



Figure 4: *Por casarse con quien quiso* (For marrying as she wished) c.1814-24, Museo Nacional del Prado.

being persecuted for marrying the person she loved, rather than that chosen for her. It suggests that the Inquisition invaded the private lives of individuals to the extent of controlling their relationships, while its own activities were protected by secrecy laws.

Upon further examination of the subject matter, discrepancies are evident between the message Goya is transmitting and the circumstances he is alluding to. The choice of a partner in marriage was never subject to inquisitorial scrutiny. The nearest 'crime' that the Inquisition dealt with was bigamy, a practice which was not uncommon in 18th Spain where marriage was regarded as a sacrament and divorce not permitted. However, it was a subject of dispute whether bigamy should be dealt with via the jurisdiction of civil or inquisitorial courts. Since a relaxed attitude towards marriage might suggest somebody of less than devout faith, the Inquisition was quick to exploit the suggestion of heresy. Antonio Puigblanch, in his address to the Cortes of 1811 (published as *La Inquisición sin máscara*), observed that 'the suspicion of heresy attributed by the Inquisition to a person married more than once is devoid of all foundation, when she might have been led into this crime by a thousand impelling causes, without trespassing against the faith' (Puigblanch, 1817, 1: 148).

The physical punishment illustrated in the sketch was also incompatible with the offence. Torture, with which the Inquisition became synonymous, largely on account of exaggerated descriptions of its practices propagated by its enemies, was applied in the early decades of its history (1480-1520) in the case of hardened heretics who refused to recant, but was subject to strict rules of duration and harshness. Inquisitors themselves recognised that it was not the most effective way of securing a confession and it was used only rarely from the mid 18th century. Antonio Llorente, a former secretary of the Inquisition turned critical historian, confirmed this in his *Histoire Critique de l'Inquisition d'Espagne* of 1817 (published from self-imposed exile in France and later translated into Spanish), noting that 'it is true, that it is so long since torture has been inflicted by the inquisitors, that the custom may be looked upon as abolished' (Llorente, 1980: 64). The modern historical record suggests that the Spanish Inquisition subjected prisoners far less to physical abuse than was previously assumed while other secular and ecclesiastical courts in Europe continued to employ it (Kamen, 1997: 188-92). But its legacy of brutality lived on as part of the liberal misrepresentation of its practices, here exploited by Goya.



Figure 5: *Pr mover la lengua de otro modo* (For wagging his tongue in a different way) c.1814-24, Museo Nacional del Prado.

In *Pr mover la lengua de otro modo* [Figure 5], a prisoner sits opposite the shady figure of a prosecutor to the left, dressed in 18th century costume, reading out the charges

being levied against him. They are as incomprehensible as the scribble on the back of the *sanbenito* and as incredulous as speaking out of turn or making an inappropriate remark. Blasphemous outbursts, which might include denial of God, the power of the sacraments and the legitimacy of papal authority, despite their obvious anti-religious overtones, were more often the product of quarrels, gambling and drinking sessions and were usually devoid of real intent to reject Catholic teachings. By the time Goya produced these images, cases of blasphemy that bore little relation to heresy and usually resulted in a minor reprehension, constituted a small percentage of its activity and served to partly justify the Inquisition's continued existence.

SUPERSTITIOUS BELIEF AND FRAUDULENT PRACTICES

Goya deals with the theme of witchcraft and superstition in several images in the series. In *Pr que sabia hacer ratones* [Figure 6], he portrays a woman seated on a raised platform gagged at the mouth and with her hands and feet bound together. She is dressed in the *sanbenito*, which instead of being decorated with the customary cross is inscribed with the charge being levelled against the prisoner: *Le pusieron una mordaza pr que hablaba y le dieron palos en la cara. Yo la bi en Zaragoza a Osoria Moreno*. Goya makes out that he knew the woman concerned accused of sorcery, by using the first person singular in the caption (*yo la bi*), while also employing the impersonal third person,



Figure 6: *Pr que sabia hacer ratones* (Because she knew how to make mice) c.1814–24, Museo Nacional del Prado.

indicative of the stance taken by her judges (*le pusieron/le dieron*). The *coraza* appears to be decorated with mouse-like figures, symbolic of the imputed crime. Rather than accepting her fate, her facial expression suggests she is angry at her treatment, as she struggles (in vain) to disentangle herself from the ropes and, metaphorically, from the charge brought against her. Once again, Goya draws upon a relatively minor activity of the Inquisition, which he elevates into a major one.

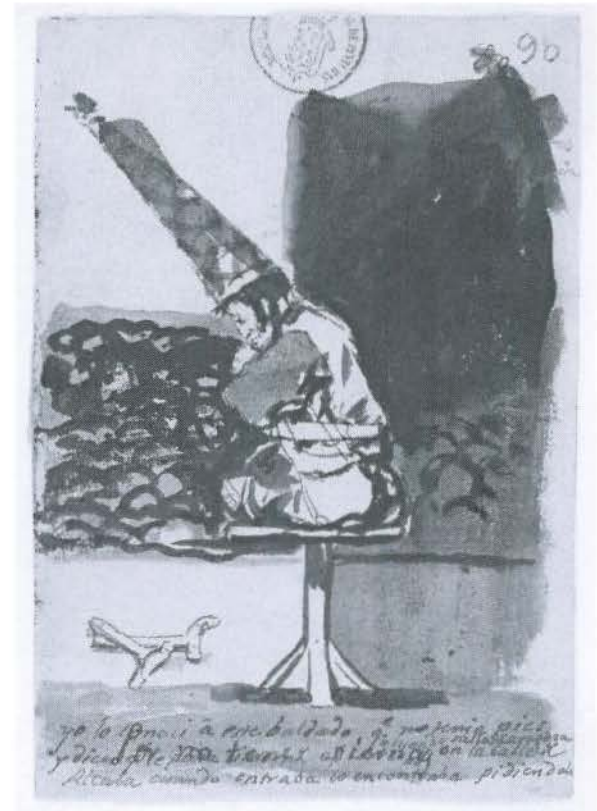


Figure 7: *Por no tener piernas* (Because he had no legs) c.1814–24, Museo Nacional del Prado.

The artist also claims personal knowledge of the victim in *Por no tener piernas* [Figure 7] in which a crippled man is depicted perched on a high pedestal, staring at his crutches lying on the ground before him, while a crowd of spectators looks on at his shame. The full caption reads, '*Yo lo conoci a este baldado, qe no tenia pies y dicen qe le pedia limosna al cura cuando salia de Zaragoza y en la calle de Alcala cuando entraba lo encontraba pidiendole*'. Although it adds credibility to the context, it is unlikely that Goya actually knew the individual in person (or Osoria Moreno). At the same time, his use of '*dicen*' is suggestive of the way in which evidence was passed to the Inquisition, often by word of mouth and based on gossip rather than verifiable fact. The man is drawn as a vulnerable figure who at any moment might topple over under the weight of the *coraza* on his head. We are led to assume that his infirmity is his crime, thus inviting us to condemn a judicial system

that stooped so low as to incriminate and persecute on the basis of a person's physical disability. In practice, this would never have been the formal charge made against him, nor was begging a concern of the Inquisition. It is more likely that Goya's cripple had used his deformity to defraud and trick others to believe in his special powers, leading to a charge of sorcery. In such cases, those found guilty would have been subjected to a fine or penance, not the humiliation the artist illustrates here (Lea, 1907: 195-205; Kamen, 1997: 269-76).

Although sorcery was regularly rebuked, cases of witchcraft rarely came before the courts of the Inquisition in Goya's day (four trials took place in Spain between 1780 and 1820). Belief in witches and wizards and the practice of magic had by the 19th century come to be recognised as a delusion rather than a heretical offence that did not merit inquisitorial investigation, a factor welcomed by liberal thinkers such as Puigblanch who remarked that 'With regard to witchcraft ... the Inquisition in former times powerfully contributed to spreading an opinion among the common people that many persons really practised this art. ... But thanks to the declamations of certain philosophers, the Inquisition, nowadays, has fewer opportunities for parading its zeal against witches and charms, and the nation has also less occasion for laughter and grief' (Puigblanch, 1816: 149).

POLITICAL AND INTELLECTUAL DEVIATION

The subject matter of several images can be placed within the contemporary political context. In *Pr Liberal?* [Figure 8], Goya employs a rhetorical question as his caption, inviting us to query the legitimacy of the charge being brought against the woman, pilloried and degraded for her political sympathies. The way in which she is shackled with an iron band round her neck, her hands tied behind her back and her feet held in stocks, suggests the gross infringement of her personal freedom. Her positioning against the backdrop of a cross-like scaffold and her upward, heavenly gaze, transforms her into a martyr for the cause of liberty. There may, in addition, be a loose connection with libertine behaviour, highlighted by the conservative opposition as a perverse characteristic of those of liberal persuasion.

Liberalism as a set of ideas associated with the freedoms enjoyed in post-revolutionary France gained the support of some members of the intellectual and political elite in late 18th century Spain, who became known as *afrancesados*. It was subsequently upheld as a political doctrine by liberal members of the Cortes of Cádiz who supported the notion of the sovereignty of the people over that of the Crown and called for widespread reform of the political order, including the abolition of the Inquisition as we have



Figure 8: *Pr Liberal?* (For being a liberal?) c.1814-24, Museo Nacional del Prado.



Figure 9: *Por traer cañutos de diablos de Bayona* (For carrying diabolical tracts from Bayonne) c.1814-24, Museo Nacional del Prado.



seen. Following the restoration of absolute monarchy in 1814, those who had publicly supported liberalism found themselves subject to inquisitorial investigation, but there is little or no evidence of them being subject to physical abuse (Callahan, 1984: 107). Some were imprisoned while others fled the country. Goya therefore stretches the historical record in suggesting the inhuman suffering endured by the woman.

The degrading punishment delivered to an alleged French revolutionary is depicted in *Por traer cañutos de diablos de Bayona* [Figure 9]. Bayonne was a centre for the distribution of revolutionary propaganda into Spain as early as 1792–93, despite attempts to prevent the entry of literature associated with the 'heresies' of liberty and equality. When the Inquisition was re-established in 1814, it defined its purpose as to guard against the progressive influences introduced into Spain during the period of French occupation (1808–13) and restore respect for the Catholic faith. The prisoner, of French sympathies or origin, is represented holding a candle, symbolising the light of reason associated with the Enlightenment, but whose flame is extinguished in contrast to that alongside him, associated with the Catholic Church, which sheds nothing but obscurity over the proceedings. In practice, the offender would most likely have been forced into exile or imprisoned rather than being subjected to the harsher treatment implied here. The lines running through the caption suggest the obliteration of the charge as being the only legitimate course of action. Goya's image appears to echo the opinion of José Ruiz de Padrón who observed that, 'one only had to identify oneself as a scholar to become a target of this foul tribunal, which was born in a century of darkness, sustained by the iron hands of despots, and became alarmed at the slightest sign of enlightenment that could, in time, reveal to the world its system of tyranny and oppression' (Ruiz de Padrón, 1813: 138).

CONCLUSION

By drawing upon an image of the Inquisition as emblematic of the cruelty and fanaticism with which proponents of the Black Legend had associated Spain since the 16th century, Goya and his contemporaries perpetuated a negative image of its practices and used this to further the aims of their own liberal agenda: to overthrow absolutism and modernise Spain. So successful was the propaganda,

and the lack of a strong conservative historical tradition – beyond a defensive one – to refute its inaccuracies, that it survived long after the final abolition of the tribunal in 1834 and coloured the common perception of the Inquisition right up to the mid 20th century when modern historians began to undertake a fundamental revision of its legacy (Rawlings, 2006: 8–20).

Over and above the polemical function of the Album C, its images stand as a powerful testimony to Goya's deep intellectual conviction and his ability to conceptualise in sharp graphic detail the spirit of liberalism that was to shape the conscience of modern man, and whose universal vision would go on to influence the creative work of other great masters of European art, including Manet and Picasso.

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