CHAPTER TWO

(NOT) ENFORCING THE INDICES

In the last chapter, we saw that the state’s approval process allowed questionable works to be printed. Meanwhile, the Inquisition was lax in controlling the entrance of books into Spain and their subsequent sale in bookstores. As we will see in this chapter, the Indices were further undermined by the granting of licenses to read prohibited books and the lack of regulation of private libraries. According to the 1583 Index, anyone found in possession of a text prohibited by the Index risked excommunication, yet archival sources indicate that permission to own banned books was relatively easy to obtain. And once individuals came into possession of prohibited texts, they were loathe to surrender them to the Inquisition. Should a reader turn over a text, rather than burn the work, at times the Inquisition stored it. The vast number of confiscated books in storage at the various tribunals and at the Suprema made them difficult to monitor. Moreover, prohibited books in the Biblioteca Nacional in Madrid show signs that they were read. When texts were ordered expurgated, rare book exemplars in the Biblioteca Nacional in Madrid indicate that texts were not always altered in accordance with the Indices.

In order to properly contest certain points of view deemed heretical to Counter Reformation Catholicism, Catholic theologians needed to read otherwise illicit works of theology. For this purpose, the Spanish Inquisition permitted particular individuals to read such texts. The Council of the Inquisition granted licenses to do so as early as 1549, and Pope Paul IV granted this privilege to the Inquisitor General of Spain in 1559. Such permissions were not granted in perpetuity; with the

---

2 Other disciplines could also be deemed necessary, such as the concession Pardo Tomás found to permit an Aragonese ofcial to read a work that related to Paracelsianism. José Pardo Tomás, Ciencia y censura. La Inquisición española y los libros científicos en los siglos XVI y XVII (Madrid: C.S.I.C, 1991), p. 206.
3 See Pardo Tomás, Ciencia y censura, p. 41 for more information about this early license to read prohibited books on the part of the Inquisition in Spain.
publication of a subsequent Index, the previous licenses to read banned books were revoked. As Pardo Tomás explains, two general categories of licenses for the reading of prohibited works tended to be granted in Spain. The ordinary man of letters received permission to consume particular works for a limited period of time: “La mayor parte de estas licencias no se dieron por tiempo ilimitado ni para cualquier tipo de libro sino que se fijó claramente el plazo por el que se concedían y para qué libros concretos se otorgaban.”4 (“The major part of these licenses were not given for unlimited time nor for any type of book, but rather the period of time for which it was conceded was clearly fixed and for what specific books it was granted”). Those with connections to the Inquisition and important men of the cloth received more extensive reading privileges: “Las licencias menos restrictivas en este sentido suelen ser concedidas a colaboradores del Santo Oficio, calificadores sobre todo, o a otras personalidades del estamento eclesiástico.”5 (“The less restrictive licenses in this sense normally are conceded to collaborators of the Holy Office, calificadores above all, or to other important figures from the ecclesiastical stratum”). As Pardo Tomás acknowledges, both the Count-Duke of Olivares and the Count of Lemos also received such unrestricted permissions to consume prohibited texts.6

The process of granting these permissions, however, proved problematic for the Inquisition. In 1627, Inquisitor General Zapata requested that the Pope revoke the Spanish Inquisitor General’s power to issue licenses to read prohibited books. Among other “motives” for the request to suspend this power, Inquisitor General Zapata mentioned the number of requests for licenses that he received.7 As requested by Zapata, Pope Urban VIII revoked the Inquisitor General’s ability to issue licenses to use prohibited materials in 1627. In the winter of 1628, the Inquisitor General promulgated an edict suspending licenses to read prohibited books. As a letter from “Toma de la Cantella Mirore” dated 1633 reveals, particular members of the populace did not accept this decision easily. Cantella Mirore observes: “se revoco la clausula de permitir que la Inquisicion española de licencia a las personas que les pareciera para leer libros prohibidos […] se deniega la licencia a estudiosos catolicos

---

4 Pardo Tomás, Ciencia y censura, p. 306.
5 Pardo Tomás, Ciencia y censura, p. 42.
6 Pardo Tomás, Ciencia y censura, p. 307, note 96.
7 Pardo Tomás, Ciencia y censura, p. 41.