

Determining Insanity in the Inquisition: Sensory Perception and Legal Culture in Seventeenth-Century Lima

Cristian Berco
(Bishop's University)

In 1647, when Lima inquisitor Andrés Juan Gaitán received letters from the *Suprema* in Madrid urging the resolution of two pending cases, he was probably as exasperated with the slow grind of justice as his superiors were. Indeed, he had presided over the trials of the two suspected Judaizers, Manuel Enríquez and Enrique Jorge Tabares, since their arrest in 1635.¹ Their cases were part of a broader inquisitorial crackdown on the *converso* community of the Viceroyalty of Peru and, specifically, a series of massive raids known as the *complicidad grande* (Schaposchnik; Millar Carvacho 1983; Silverblatt; Guibovich Pérez 1990). These two suspects, however, had lingered in inquisitorial prisons well after all the other cases had been prosecuted. The reason: Enríquez' and Tabares' possible madness that confounded inquisitors, physicians, and legal consultants for years and, effectively, paralyzed the tribunal Gaitán led as senior inquisitor. Though such glacial pace was not uncommon in cases involving the likelihood of criminal insanity, these two trials had made a mockery of any expectation of swift justice: after twelve years it seemed preferable to allow both suspects to wallow in prison than to face the indecision that trapped the tribunal.

For an institution that generally thought of itself as efficient in the prosecution of heresy, the Inquisition's difficulty in managing cases of suspected insanity requires unpacking. Aspects as varied as bureaucratic paralysis, the influence of medical science, the legal framework for determining madness, as well as the very assumptions that shaped trials against heresy have all played a role in a complex process that often threw tribunals for a loop (Sacristán; Tropé; Motis Dolader; Ordorika Sacristán; Nalle). But these institutional, ideological, and cultural factors –a broad context– could only matter in that they informed the intimate and individual process of *perceiving* and *determining* insanity. What gestures, behaviors and expressions did inquisitors and legal experts see and hear when evaluating suspects? How did they decide whether to believe such sensory stimuli? How did they connect in their minds such equivocal signs to abstract legal theories of insanity? In short, judges and experts actively participated in decisions regarding madness through complex perceptual and cognitive processes that interacted with broader institutional and cultural forces. With these two seventeenth-century trials as case studies, this article will explore the problem of criminal insanity in the Inquisition from the perspective of sensory-perceptual and epistemological processes. In effect, long-standing models of criminal insanity and assumptions about heretical guilt often short circuited the way inquisitors and their experts saw, heard, and interpreted suspects' behavior. Such a tension between abstract models and everyday sensory experience, meant decision making in cases of probable insanity was fraught with pitfalls.

The ambivalence about correctly perceiving the signs of madness would so shape the cases of Manuel Enríquez and Enrique Jorge Tabares that much of their lives would be lost to years of

¹ The case versus Enríquez is available at Archivo Histórico Nacional [hereafter AHN] Inq. leg. 1647, no. 11 and on the PARES (Portal de Archivos Españoles) website. Although PARES does not provide direct links to their materials the PARES reference number for this source is ES.28079.AHN/1.1.11.4.15.4//INQUISICIÓN,1647, Exp.11. That against Tabares can be found at AHN, Inquisición, legajo 1648, no. 15 and on PARES via the reference number ES.28079.AHN/1.1.11.4.15.4//INQUISICIÓN,1648, Exp.15. References to these cases will include the specific folio. To differentiate between both cases, citations will refer to the last name of the accused.

wrangling. Both were arrested while still young –Enríquez at thirty four and Tabares at eighteen– as part of a series of 1635 raids against suspected Judaizers in Lima. In fact, both of them found their way to inquisitorial prisons because of testimony given by others likewise caught in this inquisitorial maelstrom. And although their trials initially seemed to proceed normally, once madness reared its head, the Lima tribunal seemed paralyzed. For Enríquez, a small-time trader who, though born in Portugal had married in Madrid and eventually found his way to Lima, his trial was already complicated (Enríquez).² Imprisoned in December 1635, he initially admitted to Judaizing but revoked his confession by February 1637. Tortured by the end of that year, he once more confessed his own and acquaintances' supposed crimes. While, normally, the tribunal would soon decide a suspect's fate after such a confession, Lima inquisitors were awaiting confirmation from the Portuguese tribunal in Coimbra that Enríquez had already been penanced there for Judaic practices as a youth –a crucial question because it hinted at recidivism. However, after a four year hiatus in procedures, he emerged from the secret prisons in 1641 a changed man. Responding incoherently to questions and acting strangely –even lying down on the rug in front of the tribunal at one point– the specter of madness effectively stopped the trial on its tracks. Enríquez' problematic behavior and inquisitorial unwillingness to decide on the matter, meant few formal hearings could be had through 1647.

Just as Manuel Enríquez, so did Enrique Jorge Tabares suffer the vagaries of inquisitorial indecision regarding madness. Imprisoned in the summer of 1635, the eighteen-year old merchant from Seville faced evidence from nine witnesses, including his older brother, most of whom were themselves under legal proceedings (Tabares).³ Although the trial proceeded quickly through 1636, including Tabares' torture and confession and further testimony against other Crypto-Jews, by 1637 the wheels of justice started to grind to a halt. In February, Tabares found a piece of fabric with evidence of undue communication among the prisoners: this required investigation. In July, his wavering between an attempt to revoke previous confessions and his later decision to reaffirm them further lengthened procedures. After an unexplained break in proceedings, Tabares reappeared by December 1638 with what many observers interpreted to be signs of madness. Not only did he (inexplicably to inquisitors) proudly claim to follow the Law of Moses without equivocation or guilt, but he also expressed himself and behaved in ways a normal person would not. But, whether it was his inappropriate laughter, or strange head movements, or evident lack of normal reasoning, inquisitors and experts remained divided on the case. Such was the disagreement that a formal vote held in 1639 ended in an impasse, with inquisitor Mañozca voting for relaxation while judges Gaitán and Castro del Castillo opted for further investigation into the matter. Afterwards, little happened until 1643 when physicians and *calificadores* once more opined on Tabares' mental condition. But it was to no avail, as no decision was forthcoming from inquisitors through 1647.

With both cases as if suspended in amber, it was at this point in 1647 that the *Suprema* urged action. Gaitán surely did not welcome such attention from his superiors in Madrid. Since his appointment in 1611, controversies had often marred his tenure, including rumors of graft and negligence that had led to an investigation against him in 1625 (Medina, 2: 2-45). Now in his seventies, increasingly infirm, and close to retirement, Gaitán did not need the institutional eye bearing down on him (García 2015).

Acting on the orders, the inquisitor reached an apparently Solomonic decision. In the case of Manuel Enríquez, even though two attempted hearings in 1647 proved disastrous due to his lack

² The following summarizes Enríquez' case.

³ The following summarizes Tabares' case.

of coherence, Gaitán had had enough and deemed him fit of mind. In a fit of well-orchestrated pique, the public prosecutor added charges of faking madness and created an Enríquez that fit the worst stereotypes of the dangerous heretic: “...reacio en su maldad, las llenó ambas [audiencias] de disparates con manifiesto desacato y fin de hacer ilusorio el juicio de la dicha su causa.”⁴ (Enríquez, 164v) To no one’s surprise, the tribunal voted to relax him to the secular arm. Ironically enough, however, the Enríquez case remained unresolved past Gaitán’s retirement and death in 1650 as questions lingered about the suspect’s state of mind which, apparently, prevented the sentence from being carried out. A letter from superiors in Madrid from 1659 requested the tribunal for yet another investigation into Enríquez’ probable insanity!⁵ Enrique Jorge Tabares, on the other hand, obtained a small reprieve. After having yet another set of physicians and *calificadores* examine him in 1647-1648, as well as placing an informant in his cell to surreptitiously observe him, Gaitán and the rest of the tribunal deemed him insane, suspended his trial and had him transferred to a local hospital (Tabares).

Why did both cases remain in limbo for so long? Whether during formal hearings and precise questioning by Gaitán and other inquisitors or during examinations by learned theologians or physicians, or even during careful observation by jail informants, determining insanity hinged on noticing and weighing the suspects’ gestures and behaviors, speech patterns and outbursts. In short, inquisitors, with the help of expert testimony, were engaging in a complicated process of judicial discretion: perceiving auditory and visual stimuli and assessing their meaning within a juridical frame. For such a process to succeed, thus, the sensory perception and cognitive processing of judges and specialists had to interact with broader discourses derived from institutional cultures, jurisprudence, and even medical knowledge on the matter of insanity. Yes, determining madness meant seeing it, noticing it, and labeling it at a cognitive level, but this could only be done in conversation with an underlying sociocultural bedrock that made up a set of ideologies and assumptions about madness, crime, and heresy. We are, thus, speaking about the intersection between neurophysiological processes and cultural forces.

This tentative dance between brain and culture means that, as historians, we cannot ignore the brain science on perception and cognition. In fact, given the changing scientific understanding of the brain as labile and especially sensitive to cultural forces, such a dialogue makes more sense than ever (Han *et al.* 2013; Chiao; Han and Pöppel). Since neuroscientists have found many brain processes to be at once physiologically *and* culturally constituted (Li), we can take these cultural variables in the scientific literature and historicize them. This is the approach neurohistorians, like Daniel Smail and others, have taken (Smail; Hunt; Trevelyan Burman; Roth; Berco), partly inspired by other interdisciplinary fields like cultural neuroscience, neuroanthropology (Lende and Downey; Domínguez *et al.*; Reyna) and neurolaw (Brocas and Carrillo; Shen; Goodenough and Tucker; Spranger). If scientists are increasingly discovering how culture shapes and changes the brain, then what can historians contribute when they consider cultural processes that are themselves in flux? Not only can such an endeavor nuance the understanding of the cultural forces at play in shaping human neurophysiological processes but, for historians themselves, it can help to better understand the fraught connection between broad discourses and ideologies on the one hand, and their individual application through perception and cognition on the other hand.

⁴ “...persevering in his wickedness, he filled both [hearings] with absurdities with evident contempt and with the objective of deceitfully distorting the judgment of his case.”

⁵ Although not evident in the trial bundle (Schaposchnik, 125) finds that Enríquez was actually burned at the stake in 1665.

When we consider the judicial determination of madness, the neurophysiological aspects that seem most crucial to it are sensory perception –how we notice and interpret outside stimuli– and what psychologists term mentalizing –the ability to infer another’s state of mind. In fact, this is what Gaitán, other inquisitors, and experts were trying to do in the Enríquez and Tabares cases: perceive the suspects’ gestures, speech, and other sensory signs and determine their correct state of mind from such evidence. What is interesting is that neuroscientific scholarship has found variances, shaped by cultural factors, in how people perceive and interpret sensory stimuli to infer someone else’s state of mind. For example, culture seems central to mentalizing itself. Not only do we tend to interpret others’ actions, and thus state of mind, within parameters or expectations from our own cultural matrix, but common sociocultural group affiliation for both observer and observed can facilitate the recognition of emotions and the inference of mental states (Freeman, Rule, and Ambady). In the same vein, also note that differences in mentalizing and perception are not only seen across broad cultures but also among sub-cultural groups where familiarity may aid in the perception of mental states. In fact, so important is familiarity with sensory stimuli that it is positively correlated with areas of the brain that engage in mentalizing, as opposed to unfamiliar gestures or sounds which tend to be processed in areas of the brain focused on identification (Liew, Han, and Aziz-Zadeh; Han *et al.* 2013; Summerfield and Egner; Han *et al.* 2008; Calvo Merino *et al.*). In short, it seems that cultural familiarity with gestures, emotions, and speech patterns can greatly aid in the process of inferring another person’s mental state.

Of course, perceiving gestures, speech and emotions is only one part of the process of mentalizing. The other aspect involves the pathways through which such stimuli, once perceived, are processed and interpreted. In the case of familiar or meaningful stimuli, such as gestures that the observer recognizes as having specific objectives, researchers have found them to be processed semantically and conceptually. That is, when we perceive meaningful gestures, speech patterns, or even co-speech gestures, we interpret their meaning through what is known as semantic processing, whereby we match the stimuli with expected conceptual patterns stored in memory. This neurophysiological process is distinct from the case of unfamiliar or meaningless sensory stimuli. Meaningless gestures, for instance, are processed mainly through motor control areas of the brain in an attempt to decode the specific movements involved (Rumiati *et al.*; Decety *et al.*; Ocampo and Kritikos). In short, learned conceptual models are crucial to the recognition and interpretation of sensory stimuli.

These broad findings about the way people perceive sensory stimuli such as speech and gestures, and use them to infer someone’s state of mind include cultural factors at play, namely cultural familiarity with such stimuli and the conceptual framework informing them. As historians, we can historicize these cultural variables and thus explore how early modern contexts and inquisitorial cultures shaped such neurophysiological processes. For example, if cultural familiarity with sensory stimuli affect the way individuals perceive speech, gestures, and emotions, then what role did such familiarity play in the trials of Tabares and Enríquez? What were the speech and gestural patterns expected in madness and what sources fed such frames in inquisitorial contexts? Moving beyond the initial step of sensory perception, to what extent did the interpretation of suspects’ actions and speech actually match learned models of madness? What other factors, whether institutional or cultural, may have also affected the process of inferring mental states from observed actions and speech? By taking the cultural factors that play a role in shaping neurophysiological processes of perception and mentalizing and historicizing them, we can gain insight into how inquisitorial cultures themselves shaped these processes and what this meant for the determination of insanity.

At first glance, the gestural and speech expectations for conceptualizing madness should have been easily recognizable to early modern Hispanic people, including inquisitors and their staff. The conceptual framework that defined the behavioral apparatus of madness was rich and drew from everyday experiences, cultural forms, and medical knowledge. For example, Lima itself counted a treatment centre for those gravely afflicted with mental disorders: a special ward in the Hospital San Andrés was devoted for this purpose. Considering the relative dearth of psychiatric resources in the colonies, the ward seems to have been relatively well known so that patients from beyond Lima and as far afield as Chile were brought there for treatment. More importantly, however, and because the transition to the treatment and enclosure of the mentally ill was still in progress in the seventeenth century, madness was ubiquitous in early modern life (Valdizán; Stucchi-Protocarrero; Laval; Viqueira). Whether we think of families dealing with mental infirmity (Valdizán), the ravages of mercury poisoning in the mines (Brown), the custom of having madmen as part of court spectacle (Moreno Villa), or the early modern obsession with melancholy (Bartra 2004; Carrera 2010b), madness or its possibility was often seen and heard, discussed and debated. Attitudes towards the mad wavered between the acceptance of a childlike innocence thought to bring prophetic abilities, on the one hand, and laughter, condemnation, or even enclosure, on the other. This meant that even famous spiritual leaders, like Rosa de Lima, who would eventually be canonized as the first Peruvian saint, could sometimes be tainted by the shadow of possible madness (Millar Carvacho 2012; Mujica Pinilla; Iwasaki Cauti).

A liminal state, madness acted as a mirror for the concerns and assumptions of Hispanic society. Writers thus not only explored the topic of madness in their works but left behind a rich sense of how early modern people expected the mad to look, behave, and speak. While a long tradition saw those afflicted with insanity as likely to speak truths too dangerous and cutting to be proffered by the otherwise sane who hid under the veil of convention, the mad were also depicted as an object of ridicule. Not only were they thought to lack reason, but their behaviors were imagined as incoherent, excessive and, generally, inappropriate given social and cultural expectations. Not only might the mad appear as too-focused on pet ideas or deluded in their identity, but they would exhibit impertinent speech and behaviors, also known as *acciones de loco*. Such actions and speech patterns included anything that did not fit normative expectations, from problematic speech –scatological references, babbling, mixing languages, incomprehensible speech– to unrestrained behaviors –inappropriate dress, strange gestures, violent outbursts, emotional instability (Atienza; Tacker; Shuger, 41-45; Carrera 2010a).

Just as Hispanic popular and literary culture included well-defined ideas about how the mad should appear and behave, so did the medical science of the day focus on the specific gestural and linguistic symptoms by which mental illness could be read. Early modern medical sciences were deeply steeped in a Galenic theory that conceptualized diseases in terms of humoral imbalance and had a tripartite definition of madness, for it could manifest as melancholy, mania, or frenzy. The object of great scholarly and popular attention, both for its presumed pervasiveness and its oft-discussed link to genius, melancholy manifested as a feverless chronic condition, its main symptoms being depression, sadness, fear, and even delusions and visions. Connected mainly to an excess of black bile, melancholy had none of the more extreme behavioral symptoms that characterized mania, which was thought to manifest due to burnt yellow bile causing extreme heat. Though also feverless and chronic, mania's symptoms were often external. That is, nonsensical speech and actions characterized this illness. Unintelligible words, muttering, inappropriate laughter, babbling, lack of reasoned speech, and scatological language reflected speech and communication patterns that fell outside the norm. Likewise, erratic movement of eyes or tongue,

shaking, violent gestures such as hitting objects or people, aimless movements, and unstable emotional responses pointed to the gestural and behavioral patterns of someone beyond social convention and expectations. Finally, unlike the other two, frenzy was thought to appear suddenly and with a fever due to inflammation of the brain caused by burnt melancholic humours. Its symptoms included continued fever, constant babbling, blackened tongue, shaking of the whole body, and outbursts of rage, among others (Carrera 2010b; Bartra 2008; Gowland). Although geographical and temporal variances existed in the specific diagnosis of mental afflictions as well as debates about the etiology of disease, this basic framework of mental illness, including symptomatology, would remain roughly within these Galenic models through the last half of the seventeenth-century (Thomas Neely; Midelfort; Carrera 2010b; Gowland).

This wealth of gestural and linguistic frames outlining madness certainly should have made perceiving such traits relatively straight forward in the cases of Enríquez and Tabares. That is, speaking in purely neurophysiological terms, inquisitors, their staff and the experts who interviewed these men were likely to perceive, visually and aurally, actions and speech patterns typical of madness because they should have been familiar with such frames. In the case of Enríquez, by the time he appeared in hearings in the spring and summer of 1641, inquisitor Gaitán and Manuel's own lawyer could get few if any coherent responses out of him. If anything the court deemed his speech too absurd to even proceed with hearings: "Y dixo tan desconcertados disparates y tan desordenados discursos que al dicho señor inquisidor le pareció que el dicho su abogado no entrase y fue mandado volver a su cárcel."⁶ (Enríquez, 152v)

With the question of madness apparently preventing the trial from moving forward, Manuel would languish in prison until the 1647 letter from the *Suprema* urging Lima inquisitors to move forward with the case. When he finally reappeared for formal hearings that summer, inquisitors noticed further signs of possible madness, including gestural and cognitive. Indeed, not only did he claim to have seen women, monks, mules and even the Virgin Mary in his cell, but he also acted strangely. According to the trial transcript, Enríquez

Se puso pensativo mirando al dosel del tribunal. Y preguntándole si tiene más que decir, levantando el rostro y abriendo los ojos como espantado dixo "quando despierto estoy muy cansado y oigo gritar, gritar, gritar y no sé yo si doy los gritos, no lo sé, no lo sé."⁷ (Enríquez, 153r)

The odd silences, fantastic hallucinations, and odd facial gestures and emotional responses did not fit normalized expectations of interactions in the inquisitorial courtroom.

Just as these incongruent behaviors generally fit the expected gestural and speech patterns of madness seen in popular notions, literature, and medical discourse, so did inquisitors, notaries and experts perceive similar traits in Enrique Jorge Tabares. Starting in December, 1638, his lawyer noticed a significant worsening in Enrique's mental capacity, especially given "la mudanza de su rostro y talle que le tenía muy bueno y agora con la demencia esta tan mudado que si le encontrara no le conociera."⁸ (Tabares, 161r) Not only did Tabares *look* mad, but he *sounded* mad

⁶ "And he said such disturbed absurdities and offered such a disordered discourse that the said Lord Inquisitor thought [Enríquez's] lawyer should not enter the hearing and he was sent back to his cell.

⁷ "And he became thoughtful, looking at the canopy of the tribunal. And asking him if he had anything else to add, he lifted his face and, opening his eyes as if terrified, he said 'when I wake up I feel very tired and I hear yelling, yelling, yelling, and I do not know if it is I who yells; I do not know, I do not know.'"

⁸ "... the change in his countenance and appearance, which used to be very good but now is so transformed that I would not recognize him if I ran into him."

as well: “Con la comunicación preguntas y respuestas que con él ha tenido y él ha dado tan desproporcionadas y despropositadas en esta audiencia se conforma en que está loco el dicho su menor”⁹ (Tabares, 163v).

Of course, his lawyer’s words were one thing; confirming madness was another. Reflecting a general trend towards medicalizing inquisitorial detainees (Crawford; Pardo Tomás and Martínez-Vidal; Keitt; Soyer), and specifically those suspected of madness (Sacristán, Tropé, Nalle), two physicians examined him. Their reports, nevertheless, were not detailed enough to include specific symptoms. On the other hand, two Jesuit *calificadores* also interviewed Tabares and reported on his lack of stable discourse, shaking, outbursts of yelling, continuous movement and inappropriate laughter. In fact, fitting both the medico-cultural frame of madness and the role of perception in inferring mental states, these *calificadores* explicitly focused on, not just the rationality of Tabares’ discourse, but also his way of speaking, his gestures, and his actions. Father Francisco de Contreras, a local jesuit, argued that “habiéndole hablado, atendido al modo de hablar, a las acciones, a la coherencia del decir, y otras circunstancias es que el dicho Enrique Jorge Tabares está dementado”¹⁰ (Tabares, 48r).

But such madness was never clear cut, as those afflicted with it could still speak, make arguments, and function, from their point of view, in expected social and discursive interactions. For observers, however, the actions and words of someone like Tabares were removed enough from normative expectations that they signalled cognitive instability. As Contreras expressed,

Aunque da algunas vislumbres de discurso, son muy flacas y variando en las especies que se le ofrecen significándolas con meneos, con risillas, con excandecencias, con levantar la voz, con encogimientos de persona que no está firme en lo que dice por la falta de juicio con que no puede discurrir plenamente.¹¹ (Tabares, 48v)

Perhaps the most sharply succinct expression of Tabares’ insanity was the mechanistic metaphor offered by Contreras’ partner in the evaluation process, jesuit Juan de Córdova: “Lo que le parece es que el dicho Enrique Jorge esta dementado y obfuscado en su entendimiento como quando se desconcierta un reloj.”¹² (Tabares, 49r) Although a lack of accord among inquisitors regarding this case resulted in a prolonged break until 1643, upon Tabares’ return to hearings inquisitors and experts once again noticed troubling external signs. From unintelligible speech punctuated with laughter to head-butts, from fast incomprehensible rants to a strange stillness of the face and body, and from an outrageous discourse to a lack of control in the babbling of jibberish and constant movement of eyes and body, Tabares exhibited the gestural and speech patterns typical of madness.

Overall, in both Tabares’ and Enriquez’ cases, inquisitors, staff and experts reflected the expectations in neuroscientific research on how culturally-significant gestures and speech are perceived and noticed. Given their familiarity with Hispanic codes about madness –whether

⁹ “Considering the communication, questions and answers that he has had with [Tabares], and considering the utterly disproportionate and inappropriate responses [Tabares] has given in this hearing, he is convinced that the minor under his charge is mad.”

¹⁰ “Having spoken to him, and paid attention to his way of speaking, his actions, the consistency of his speech, and other circumstances, [it is evident] that the said Enrique Jorge Tabares is insane.”

¹¹ “Although [Tabares] gives some indications of discourse, these are very slight for he varies the themes upon which he is queried, punctuating his speech with jolts, with giggles, with vehement irritation, with loudness, and with shrugs as if he was not sure of what he is saying due to the lack of sanity that does not allow him to fully reason.”

¹² “He believes that the said Enrique Jorge is insane and confused in his cognition, just as when a clock is off.”

medical, literary, or popular— the men involved in these trials easily identified the actions and words that would fit such paradigms. And yet, as much as the visual and auditory perception of these men seemed to have been in line with the cultural frames informing them, the second step in the process of correctly inferring the mental state of both suspects seems to have broken down. In effect, although a familiarity with the gestures and speech patterns in mind as well as an understanding of the conceptual framework explaining such stimuli would normally predict the ability to infer someone’s mental state, inquisitors and experts had a terrible time of it. If anything they could just not make up their mind on the matter. The inquisitorial process of mentalizing just did not work in the manner expected in the neuroscientific literature.

Consider once more the long-winded trial of Enrique Tabares. All involved had occasion to observe the suspect, his speech, his actions, his gestures. They all fit broader cultural paradigms of madness. And yet, the tribunal was deeply divided on this issue. On January 21, 1638, after months of hearings and conflicting reports from Jesuit consultants and physicians, a verdict was voted that reflected these divisions. Inquisitor Juan de Mañozca, bishop Villagómez Vivanco’s representative and the *calificadores* who read the trial transcript (different from the aforementioned Jesuits), considered Tabares sane and voted to relax him to the secular arm. On the other hand, inquisitors Andrés Juan Gaitán and Antonio de Castro y del Castillo had deep enough doubts regarding Tabares’ mental state that they preferred to suspend the case and investigate further (Tabares, 164v). Bureaucratically speaking, this lack of consensus effectively stopped the trial in its tracks. It probably did not help that Gaitán and Mañozca were not on the best of terms as, back in the 1620s, the latter had promoted claims that the former had been involved in corruption and was responsible for the troubled state of the tribunal (Lea, 363-364).

But, regardless of any personal considerations that might have well shaped divisions among inquisitors, it is still striking that Tabares’ trial would drag on for so many years hence, when to any lay, non-specialist observers the suspect was obviously insane. For instance, both Luis de Barrera, a prisoner specifically asked to share a cell with Tabares and observe him for a week, and jailer Juan de Yturgoyen, also tasked with assessing the suspect, easily concluded Tabares’ was mad in 1648. That his perturbed actions and speech were signs of insanity was self-evident to him: “Que después que es alcaide, que a ocho años poco más o menos, siempre le ha tenido por dementado y loco.”¹³ (Tabares, 186r) Thus, already back in 1640 when inquisitors, physicians, and consultants had already noticed strange symptoms but failed to interpret them consistently, the warden knew the suspect to be mad based on his perturbed speech and irrational actions. Both Barrera and Yturgoyen noticed specific gestures and vocalizations –mumbling to himself, repeated nonsensical speech and laughter, emotional outbursts, attacking inanimate objects, walking aimlessly, strange behavior like unwillingness to wash himself or asking for nothing even though jailed— that to them obviously signaled madness (Tabares, 184v-187r). Not only would they have been familiar with concepts of insanity through everyday life and popular culture, but the broad conceptualization of madness as a set of animalistic, non-normative behaviors provided a conceptual roadmap through which the actions they perceived could automatically be interpreted (Atienza; Tacker; Shuger; Carrera 2010a). As predicted in the neuroscientific literature, familiarity with the actions made them easily perceptible, while the broad cultural concepts informing such gestures and speech as evidence of insanity, allowed for a quick inference of such a state of mind (Freeman *et al.*; Han *et al.* 2013).

¹³ “... that ever since he has been warden, about eight years now, he has considered [Tabares] to be insane and mad.”

Judicial experts who normally worked for the tribunal as *calificadores* (Guibovich Pérez 2001), on the other hand, wavered much more in the process of interpreting the actions they observed and effectively drawing inferences about Tabares' state of mind. Whereas some easily inferred madness from a set of perceived stimuli, others did not. Some of the *calificadores*, like Dominican prior Francisco de Huerta, focused specifically on “no solo a lo que decía y respondía sino al semblante, acciones, meneos de boca y ojos”¹⁴ (Tabares, 179r) and found him to be afflicted with madness. Accordingly, it was more than the mere evaluation of coherence in the suspect's thought patterns but particular attention to visual and auditory elements that made the difference in determining his insanity. Thus, as Tabares spoke, “se iba riéndose a lo sonso... sin mutarse en el color y semblante, solo con una risa asimlada, y mientras callaba, haciendo con los ojos ademanes de persona falto de juicio, con las manos desasiendo una sobra de camisa vieja.”¹⁵ (Tabares, 179v). Others too, like Jesuits Alonso de Mesia and Hernando de León, considered the combination of inappropriate speech and actions, as seen in his constant eye movement, fidgeting, and babbling, as well as his inappropriate emotions that went from extreme fearfulness to an unexpected carelessness about being in prison, as evidence of criminal insanity (Tabares, 174r-177r). At least for these *calificadores*, sensory perception and mentalizing coincided, as they easily applied the expected conceptual models to the external stimuli they noticed.

But, just as these *calificadores* perceived specific culturally-defined gestures and speech and inferred madness from them, others disagreed. If anything, the conceptual frame of madness normally informing the interpretation of what one saw and heard, could easily be supplanted by other models. For instance, the physician and cleric Tello de Meneses seems to have merely discounted any gestural observations or attention to speech patterns, focusing rather on the content of Tabares' discourse. Considering him to have a good understanding of the questions put to him and a good memory, he deemed him sane (Tabares, 173r). More interestingly, Augustinian friar Francisco de Valverde took the same gestures his fellow consultants had interpreted as mad and read them in completely different ways. In fact, after arguing that Tabares responded to questions cogently and consistently, he tackled the problem of the accompanying gestures. “Algunos ademanes he visto en el menos atentos, pero nunca me han parecido de hombre falto de juicio,”¹⁶ claimed Valverde (Tabares, 172r). Rather such gestures and vocalizations seemed as those

De hombre embarazado con la gravedad de VS y juntamente de su ignorancia, y que no sabiendo responder lo que él quisiera lo reduce a aquella risa, y a aquel jugar de manos con la ropa: cosa que suele acontecer a personas de muy grande juicio quando se hallaran en semejantes aprietos.¹⁷ (Tabares, 172r)

Ultimately, Valverde certified Tabares to be completely sane. And, if anything, the multiple interpretations, the hedging, the uncertainty would continue for the rest of the trial. Stuck between

¹⁴ “... not only on what [Tabares] said and responded but also on his facial expressions, actions, and movements of mouth and eyes.”

¹⁵ “he would laugh stupidly (...) without changing facial color or expression, just maintaining this simple-minded laughter and, when silent, he would express himself with the eyes of someone lacking in sanity, as he unravelled the loose end of an old shirt.”

¹⁶ “I have noticed some gestures in him that were less thoughtful, but they have never seemed to me to be those of a man lacking sanity.”

¹⁷ “... those of a man inhibited by the importance of Your Grace, and together with his ignorance and not knowing what to respond, he would react with that laughter and that play of hands with his clothing, a circumstance that often happens to persons of great judgment when they find themselves in similar predicaments.”

the differing opinions of such experts, it would be another five years before inquisitors finally decide to suspend the case and send Tabares to hospital.

Why the ambiguity? Why the inability to transform the perceived gestures and vocalizations into an inference of Tabares' troubled mental condition? Partly, such differences may well have been conscious and part of the normal internecine battles and animosities that would have affected a tribunal (Lynn). We certainly already saw that just such a conflict may have shaped the differing decisions of inquisitors Gaitán and Mañozca. Likewise, these *calificadores* brought hours of reflection on their interactions with Tabares to bear on their reports so that reasoning, analysis, and scholarship also shaped these responses. At the same time, however, all these conscious expressions of judgment were situated and shaped by subterranean biases and viewpoints. And it would have been at the initial point of actually perceiving Tabares' gestures and speech patterns, and making a snap judgment—an initial impression of his state of mind—that a mesh of unspoken discourses and assumptions would have made its presence felt. Turning, thus, to the unconscious perceptual and cognitive processes that partly shaped such decision making, various factors may have accounted for these inquisitorial problems in effectively turning perception into mentalizing. Unlike others, such as the warden and Tabares' cellmate, inquisitors and their learned consultants struggled with drawing inferences of madness from a set of stimuli that seemed obvious. The aspects that could so short circuit the normal interaction between sensory perception and mentalizing were complex and multiple.

First, consider early modern jurisprudence on criminal insanity. The long-standing discomfort with specifying signs of madness in the judicial literature meant that the process of inferring a mental state like insanity from a set of perceived stimuli was itself suspect. Given a long-standing distrust towards behavioral signs as evidence for madness, the inquisitorial struggle with determining criminal insanity seems part of a broader feature, not a bug, of European legal systems. In fact, the lengthy jurisprudence on the matter—both within and outside the Inquisition—continuously grappled with the thorny question of assessing signs (behaviors, gestures, testimony) thought to be inherently equivocal. Though the medieval *jus commune*, or the general principles that governed European legal systems, followed Roman law and universally recognized insanity as a type of incapacity that rendered those afflicted by it not liable for crimes committed, jurists encountered both theoretical and practical difficulties in establishing madness. Not only were there complicated questions about which parties in civil or criminal proceedings had the burden of proving mental capacity, as well as doubts as to when the normal presumption of sanity should shift to one of insanity (as in cases where past insanity was well documented), but ultimately the very signs of madness were considered flexible, equivocal, and open to interpretation and judgment (Craig; Robinson; Parlopiano 2012; Parlopiano 2013; Walker; Ruggiero; Turner).

Granted, specific jurisdictions might have developed a series of assumptions and practices used to effectively judge the existence of madness (Ruggiero; Turner) and renowned jurists like Baldus de Ubaldis (d. 1400) even wrote about specific signs of madness such as rock throwing (Parlopiano 2013). In general, and especially by the late Middle Ages, however, jurists were careful to allow for a great deal of flexibility in interpreting the signs of madness and thus consciously referred to broad speech and acts that might be considered a sign of incapacity without defining them specifically. After all, a variety of factors could complicate any such determination: the personal history of the subject, the context in which the speech or acts took place, the possibility of feigned madness, and the equivocal nature of perception, among others. As Brian Parlopiano argues in his study of the burden of proof in cases of madness, late medieval jurists were cognizant of the shifting quicksand on which a determination of insanity was made: rather than certainty,

only approximate possibilities could be sought in determining a subject's mental state. In such a context, a magistrate's judgment of all these disparate and sometimes conflicting pieces of evidence was thought to be crucial (Parlopiano 2012).

While medieval juridical precedents would color inquisitorial attitudes towards the external signs of madness with a tinge of skepticism, early modern juridical developments further contributed to such caution by problematizing the application of these concepts in the courtroom. Partly, this had to do with an explosion of juridical treatises from the sixteenth century onwards that specifically applied juridical scholarship to inquisitorial matters. Whether we think of Arnaldus Albertinus' *De hereticis* (1534), Francisco Peña's erudite commentary on Eymerich's manual (1578), Juan de Rojas' *Singularia iuris* (1583); or Luis de Páramo's *De origine* (1598) on inquisitorial jurisdiction, applied inquisitorial jurisprudence was alive and well (Bolaños Mejías). On the matter of insanity, experts often cited authors with a specific inquisitorial perspective, such as the Portuguese Dominican Antonio de Sousa, or renowned jurists from the Salamanca school, such as Martín de Azpilcueta or Diego Simancas, who were well versed in the inquisitorial milieu and also wrote on these matters.¹⁸ Furthermore, immersed in a broader European scholarship, they also relied on famous scholars like Giacomo Menochio, who expanded on the subtleties of judicial determinations of insanity in his well-regarded *De praesumptionibus* (1574) (Menochius, 2: 802-808). Perhaps not coincidentally, it was Menochio and other Italian jurists, who further accentuated the ambiguities around determining insanity by specifically categorizing the probative qualities of various types of evidence such as testimony, medical history, and direct observation, thus rendering a magistrate's judgment and discretion on the matter central to the process (Boari; Calabritto).

For all of the increased jurisprudence on the matter of insanity, the sixteenth-century effort to more carefully define the legal assumptions governing its determination remained relatively obtuse about any specific gestural and speech signs that may aid in such a determination. Menochio himself, who did so much to advance the judicial scholarship on insanity, again favored broad conceptualizations over attention to external symptoms such as actions and speech. Thus, while he characterized the criminally insane and their various types (*insanum, phrenetici, furiosus, stultus, fatuus, demens*) through a learned discussion of Roman and medieval sources, he did not dwell on the physical signs of disease. Rather, he focused on how these types of madness were expressed emotionally—from sadness to anger—and cognitively—from a total lack of understanding of reality to a sometimes diminished mind (Menochius, 2: 802-808). At heart of this ambiguity was the continuing assumption that external, physical signs were equivocal, that no definition of madness could exactly fit every single case, and that assessing insanity was a lot more complex than merely perceiving signs and checking off a set of predetermined boxes.

A further problem regarding the external signs of insanity was that suspects were often thought to fake them. Since a determination of legal insanity could void a verdict, even in cases of grave crimes like heresy, those under trial had much incentive to strike a credible performance of madness. Already in his 14th century famous inquisitorial manual, Nicholas Eymeric—the famed and much studied inquisitor (Heimann; Borromeo; Sullivan, 169-196; Puig i Oliver)—argued that, among other stratagems to avoid punishment, heretics often feigned insanity. They would respond to questions with inappropriate laughter, or interject an otherwise structured interrogation with impertinent, absurd, and foolish words (Eymeric, 462). As detailed by Francisco Peña, the Spanish scholar who produced a famous 1578 edition of Eymeric's work replete with extensive

¹⁸ Many of these authors are cited by experts in Tabares' trial.

commentary (Tutino), the problem was the extreme difficulty in telling true from feigned insanity (Eymeric, 463-464). Peña's solution, which would be echoed –even if unevenly– in inquisitorial cases throughout the peninsula and Spanish dependences was twofold. First, he suggested that jailers continuously observe supposedly insane prisoners. After all, cracks in the speech and gestures of madness would soon be evident in cases of feigned insanity: nobody could keep up such a performance over time. Second, he argued that these prisoners should be tortured: such pain would render a prisoner unable to continue faking insanity and would thus uncover the lie (Eymeric, 463-464). Ultimately the signs of insanity were doubly ambiguous: not only was it hard to tell where sanity ended and insanity began from gestures and speech but the possibility of deliberate sabotage on the part of suspects further confounded the problem.

Inquisitorial suspicion about the veracity of the symptoms of madness was only exacerbated by a broader sense that all those brought before the Holy Office were likely to dissemble, lie, cheat and, for the most part, attempt to evade a forthright confession. Both medieval and early modern Spanish inquisitors, in their musings on the nature of heretics, already warned about the skillful performances with which they tried to obscure a judge's vision and soften his heart. In fact, in the face of such wily, dangerous and deceitful heretics, it was the inquisitor's task to steel himself for a battle of wits and, through various stratagems –imprisonment, effective interrogation, torture– finally tear off the mask of deception from the heretic so that a true, full, and repentant confession would ensue (Given; Eymeric, 457-460). In inquisitorial logic, once a suspect was arrested and appeared before a tribunal, he or she was practically assumed to be guilty –unless extraordinary evidence surfaced– so that the main objective of the trial was to obtain a full confession. In fact, at the beginning of a trial suspects were actually enjoined to fully confess since, they wouldn't find themselves in such dire straits unless enough evidence had already been collected to make them gravely suspect of heretical crimes (García 1628, 55). Arrest and trial were not necessarily the beginning of the process, in inquisitorial jurisprudence, but an attempt to elicit a confession as the culmination of an investigative process. Not only would a confession constitute the highest possible form of proof, and also likely provide evidence against other suspects but, following a model of pastoral care, it allowed inquisitors to eventually reconcile the truly contrite to the faith (Caldwell Ames).

Further fostering such a conceptualization of the heretic was a broader intellectual context of suspicion about the senses in Baroque culture. Much has been written about the crisis of skepticism in the seventeenth century and its Hispanic manifestation, with its own sensitivities, through debates about the reality behind sensory perception. What matters for the purposes of understanding the inquisitorial perception of madness, however, was the underlying feeling in much of intellectual discourse of the time that the senses could not be trusted. Behind the veil of appearance lay a deeper reality; behind the artifice of gesture and speech, of manners and sartorial presentation, an often unpleasant truth lurked (Robbins; Campbell; Egginton).

In essence, between juridical doubts about the true signs of insanity, assumptions about the guilt of heretics and broad-based questioning of the reality behind appearance, inquisitors perceived the world, and especially suspects, through a historically-constituted epistemology of suspicion. This meant that the very gestures and speech patterns those involved in inquisitorial culture sought to perceive and understand were subject to doubt. In such a context, the senses themselves could not be trusted. No matter what external stimuli one heard or saw, the chance remained they were feigned. Madness and its symptoms may have been generally agreed upon as obviously identifiable among the broader populace, but such conceptual frameworks so crucial to

translating perceived stimuli into inferences about another's state of mind were worth a lot less if the very behaviors being seen and heard were themselves under doubt.

What were the neurophysiological implications, in terms of sensory perception, for this epistemology of suspicion? How did this epistemological culture, so specific to inquisitorial practice and traditions, shape perception itself? As much as we cannot subject long-dead inquisitors and their experts to neurophysiological testing, we may still draw some inferences from the trial records and suggest possible alterations to sensory perception under such conditions. If anything, it seems as if the inquisitorial culture of epistemological suspicion, added a perceptual hoop to jump through before inferring a mental state.

Under normal conditions, as we saw in the neuroscientific literature, the perception of familiar external stimuli that fit a learned conceptual model would lead to the inference of the applicable mental state. That is, our expectations, assumptions, and culture-specific experiences with mental and emotional states effectively interact with our sensory perception. Suspicious about the very veracity of external signs, however, an inquisitor or an expert legal observer may have inferred madness in a suspect but only if he perceived no contradictory evidence of feigning. That is, inquisitors and experts noticing possible signs of madness were probably also, at the same time, attentive to visual and auditory signs of deception. Unlike a straightforward connection between stimuli, perception, and inference based on one conceptual framework, such as madness, the inquisitorial brain needed to process such stimuli with at least two gestural and linguistic models in mind: that which predicted insanity and that which signalled dissembling.

Under such conditions, it is not surprising that, unlike Tabares' cellmate and warden who were relatively unconcerned with a suspicion of the senses, inquisitors and legal experts struggled with determining madness. After all, two sets of conceptual frameworks—one for madness; one for lying— informed the gestures and speech patterns they perceived in ways that were not necessarily complementary. Consider, for instance, the testimony of the Dominican prior Francisco de Huerta, one of the *calificadores* who did find Tabares to be mad. His was no mere easy decision where what he saw and heard just fit a learned concept of madness. On the contrary, this perception and inference was continuously being cast in the shadow of possible lying on the part of Tabares. Deeply aware of the likelihood of deception, Huerta felt that Tabares was too constant over many days in his eccentric and absurd proclamations: if he was acting he would have slipped up. Even when Huerta spoke in secret to Tabares, pretending to want to help him out of his situation, Tabares “respondió sin mudar estilo, ni inmutarse, ni dar indicio por donde pudiera colegir fingió.”¹⁹ (Tabares, 180r) Despite a careful observation of gestures, speech and disposition, Huerta could just not catch Tabares in a lie. This hurdle crossed, Huerta deemed Tabares mad.

Just as the possibility of dissembling could complicate a perceptual assessment of madness, so could it completely color and, basically override another one. If we take the case of Manuel Enríquez, once more, the salient aspect remains that, despite the bureaucratic view that some mental problem was possible –thus the inability to resolve the trial– inquisitor Gaitán himself felt, from the very beginning that the suspect was just performing madness and not suffering from it. When Manuel first started showing strange behaviors such as incomprehensible speech, or lack of responses to questions, Gaitán merely enjoined him “... que no se haga el loco.”²⁰ (Enríquez, 152r) Later, in another behavioral fit of apparent madness, Manuel “se levantó del banquillo y arrojó la capa en el suelo, y se hecho boca arriba en la alfombra y bostezó largo, y dixo que de esa manera

¹⁹ “... [Tabares] responded without changing style, or appearing troubled, or giving any indication that he was faking.”

²⁰ “... to not pretend he was crazy.”

descansaba un poquito.”²¹ (Enríquez, 154r) Faced with such an incongruous break in expected judicial protocol, inquisitor Gaitán sternly told him “que se levantase, no hiciese aquellos disparates para fingirse loco que no había de aprovecharle, que dixese enteramente la verdad lo que había hecho y dicho contra Nuestra Santa Fe Católica”²² (Enríquez, 154r). As befit the court’s suspicion of Manuel, that same year he was both formally accused of faking madness and later sentenced to relaxation, even if the sentence would not be carried out for many years hence.

What did Gaitán see or hear in those fateful hearings with Enríquez that so convinced him of his lying? While it is impossible to tell, given the nature of the trial record, it is evident that whereas Tabares’ passed the perceptual veracity test, Enríquez did not. Presented with two sets of actions, gestures, and speech patterns that fit prescriptions of insanity during roughly the same years, Gaitán saw possible truth in one and dissembling in the other. This suggests the extent to which epistemological suspicion –the expectation the suspects would lie and that the senses could obfuscate the truth– could, in a flash, completely alter the equation between perception and the inference of mental states.

Judicial sensitivity to deception was not invented by Spanish inquisitors, of course. It was, and remains, a running thread in judicial systems across time and space. That such a trait would actually alter perception itself has only been recently discussed in fields like neurolaw and cognitive psychology. For instance, unlike most people who display what specialists term a bias for truth when perceiving gestures and speech –in lay terms we tend to readily believe others– judges and others, like police interrogators, who must regularly ferret truth from lie, exhibit the opposite trait: a bias for deception. In controlled studies, judges tend to more readily classify perceived stimuli as deceptive compared to the rest of the population (Masip *et al.*). If today’s judges, who function within an epistemological system that assumes judicial neutrality with respect to objective external facts, evince such an unconscious bias when perceiving stimuli, imagine how inquisitors, so steeped in an epistemology of suspicion, fared in terms of sensory perception, evaluation, and the inference of mental states.

As we saw, while inquisitors and their legal experts readily noticed the gestural and speech signs of madness when interviewing both Tabares and Enríquez, translating the perception of such stimuli into effective assessments of the suspects’ mental states was a fraught, complicated, and difficult process. And, while inquisitorial perception and mentalizing in some ways mirrors the aforementioned deception bias found in today’s judges, consider the historical complexities that shaped the inquisitorial senses and cognition in ways specific to time and place. So essential and seminal to inquisitorial jurisprudence were the quasi-certain guilt of heretics, as well as their fabled ability to trick judges, that inquisitorial bias for deception was not relegated to the otherwise specific point of assessing testimonial veracity but rather infected inquisitorial perception and cognition as a whole. In a battle between good and truth on the one hand, and evil and deception on the other, the inquisitorial senses carried an unspoken assumption that what was seen, heard, and felt was more than likely a crafty lie. No wonder, then, that even the determination of possible madness was subsumed into this broader epistemological framework that predisposed inquisitors and *calificadores* to question the senses. Combined with long-standing suspicions about the utility of specific signs for madness in medieval and early modern jurisprudence as well as a general distrust of the senses in Baroque culture, efficiently determining criminal insanity in these

²¹ “... [Tabares] stood up from his stool, threw his cape on the floor and, lying on top of it, yawned widely and said that, in this way, he could rest a bit.”

²² “... to get up and to stop committing such follies as a way to appear crazy for it would not benefit him, and that he should speak the entire truth of what he had done and said against our Holy Catholic Faith.”

inquisitorial cases was almost impossible. The inherent tension between madness as a mental illness defined in medical and social terms and criminal insanity as a legal problem was only exacerbated by the inquisitorial epistemology of suspicion. In such a context, how could we expect inquisitors to effectively know, understand and infer the mindset of suspects like Tabares and Enríquez? The cultural, legal and institutional contexts which influenced the Inquisition writ large also shaped the inquisitorial brain in a way that greatly hampered judges' ability to translate sensory perception into truly knowing the mind of the suspect. Ultimately, an epistemology of suspicion could only train the inquisitorial senses to mistrust.

Works cited

- Proceso de fe de Enrique Jorge Tabares. AHN Inq. leg. 1648, no. 15.
 Proceso de fe de Manuel Enríquez. AHN Inq. leg. 1647, no. 11.
- Atienza, Belén. *El loco en el espejo: locura y melancolía en la España de Lope de Vega*. Amsterdam: Rodopi, 2001.
- Bartra, Roger. “Doce historias de melancolía en la Nueva España.” *Frenia. Revista de Historia de la psiquiatría* 4.1 (2004): 31-52.
- . *Melancholy and Culture: Diseases of the Soul in Golden Age Spain*. Cardiff: University of Wales Press, 2008.
- Berco, Cristian. *From Body to Community. Veneral Disease and Society in Baroque Spain*. Toronto: University of Toronto Press, 2016.
- Boari, Marco. *Qui venit contra iura: il furiosus nella criminalistica dei secoli XV e XVI*. Milan: Giuffrè, 1983.
- Bolaños Mejías, Carmen. “La literatura jurídica como fuente del derecho inquisitorial.” *Revista de la Inquisición* 9 (2000): 191-200.
- Borromeo, Agostino. “A Proposito de Directorium inquisitorum di Nicolas Eymerich e delle sue edizioni cinquecentesche.” *Critica Storica* 20 (1983): 449-547.
- Brocas, Isabel & Juan D. Carrillo, “The Neurobiology of Opinions: Can Judges and Juries be Impartial?” *Southern California Law Review* 86 (2012): 421-448.
- Brown, Kendall W. “The Curious Insanity of Juan de Alasta and Antonio de Ulloa’s Governorship of Huancalevica.” *Colonial Latin America Review* 13.2 (2004): 199-211.
- Calabritto, Monica. “‘Furor’ melanconico tra teoria e pratica legale.” *Studi Storici* 51.11 (2010): 113-135.
- Caldwell Ames, Christine. “Does Inquisition Belong to Religious History?” *The American Historical Review* 110.1 (2005): 11-37.
- Calvo-Merino, Beatriz *et al.* “Seeing or Doing? Influence of Visual and Motor Familiarity in Action Observation.” *Current Biology* 16.19 (2006): 1905-1910.
- Campbell, Jodi. *Monarchy, Political Culture and Drama in Seventeenth-Century Madrid*. Burlington, VT.: Ashgate, 2006.
- Carrera, Elena. “Madness and Melancholy in Sixteenth and Seventeenth-Century Spain: New Evidence, New Approaches.” *Bulletin of Spanish Studies* 87 (2010a): 1-15.
- . “Understanding Mental Disturbance in Sixteenth and Seventeenth-Century Spain: Medical Approaches.” *Bulletin of Spanish Studies* 87 (2010b): 105-136.
- Chiao, Joan Y., ed. *Cultural Neuroscience. Cultural Influences on Brain Function. Progress in Brain Research* 178. Amsterdam & Boston: Elsevier, 2009.
- Craig, Leigh Ann. “The History of Madness and Mental Illness in the Middle Ages: Directions and Questions.” *History Compass* 12.9 (2014): 729-744.
- Crawford, Catherine. “Legalizing Medicine: Early Modern Legal Systems and the Growth of Medico-legal Knowledge.” In Michael Clark & Catherine Crawford eds. *Legal Medicine in History*. Cambridge: Cambridge University Press, 1994. 89-116.
- Decety, J. *et al.* “Brain Activity during Observation of Actions.” *Brain* 120 (1997): 1763-1777.
- Domínguez, J. F. *et al.* “The Brain in Culture and Culture in the Brain: A Review of Cores Issues in Neuroanthropology.” In Joan Y. Chiao ed. *Cultural Neuroscience. Cultural Influences on*

- Brain Function. Progress in Brain Research* 178. Amsterdam & Boston: Elsevier, 2009. 43-64.
- Eggington, William. "Gracián and the Emergence of the Modern Subject." In *Rhetoric and Politics: Baltasar Gracián and the New World Order*. Nicholas Spadaccini & Jenaro Talens eds. *Hispanic Issues*. Minneapolis: University of Minnesota Press, 1997. 151-169.
- Eymeric, Nicholas. *Directorium Inquisitorum*. ed. Francisco Peña. Rome: Aedibus Populi Romani, 1587.
- Freeman, Jonathan B., Nicholas O. Rule & Nalini Ambady. "The Cultural Neuroscience of Person Perception." In Joan Y. Chiao ed. *Cultural Neuroscience. Cultural Influences on Brain Function. Progress in Brain Research* 178. Amsterdam & Boston: Elsevier, 2009. 191-201.
- García, Mariano. "Tordesillas e Inquisición. El Inquisidor Andrés Juan Gaitán." Blogspot. 2015 <http://tordesillastodohistoria.blogspot.ca/2015/01/tordesillas-e-inquisicion-el-inquisidor.html>
- García, Pablo. *Orden de procesar en el Santo Oficio*. Madrid: Imprenta Real, 1628.
- Given, James. "The Inquisitors of Languedoc and the Medieval Technology of Power." *American Historical Review* 94.2 (1989): 336-380.
- Goodenough, Oliver R. & Micaela Tucker. "Law and Cognitive Neuroscience." *Annual Review of Law and Social Science* 6 (2010): 61-92.
- Gowland, Angus. "The Problem of Early Modern Melancholy." *Past & Present* 191 (2006): 77-120.
- Guibovich Pérez, Pedro. "La cultura libresca de un converso procesado por la Inquisición de Lima." *Historia y Cultura* 20 (1990): 133-160.
- . "Custodios de la ortodoxia: los calificadores de la Inquisición de Lima, 1570-1754." *Revista de la Inquisición* 10 (2001): 213-229.
- Han, Shihui *et al.* "Neural Consequences of Religious Belief on Self-Referential Processing." *Social Neuroscience* 3 (2008): 1-15.
- . "A Cultural Neuroscience Approach to the Biosocial Nature of the Human Brain." *Annual Review of Psychology* 64 (2013): 335-359.
- Han, Shihui & Ernst Pöppel. *Cultural and Neural Frames of Cognition and Communication (On Thinking)*. Berlin: Springer, 2011.
- Heimann, Claudia. *Nicolaus Eymerich (vor 1320-1399) "praedicator veridicus, inquisitor intrepidus, doctor egregius," Leben und Werk eines Inquisitors*. Münster: Aschendorff, 2001.
- Hunt, Lynn. "The Experience of Revolution." *French Historical Studies* 32 (2009): 671-678.
- Iwasaki Cauti, Fernando. "Mujeres al borde de la perfección: Rosa de Santa María y las alumbradas de Lima." *Hispanic American Historical Review* 73.4 (1993): 581-613.
- Keitt, Andrew. "The Miraculous Body of Evidence: Visionary Experience, Medical Discourse, and the Inquisition in Seventeenth-Century Spain." *The Sixteenth Century Journal* 36.1 (2005): 77-96.
- Laval, Enrique. "El destino de los enfermos mentales durante la Colonia." *Boletín de la Academia Chilena de la Historia* 22 (1955): 79-93.
- Lea, Henry Charles. *The Inquisition in the Spanish Dependencies*. London: Macmillan, 1908.
- Lende, Daniel H. & Greg Downey, eds. *The Encultured Brain: An Introduction to Neuroanthropology*. Cambridge, Mass.: MIT Press, 2012.
- Li, Shu-Chen. "Brain in Macro Experiential Context: Biocultural Co-construction of Lifespan Neurocognitive Development." In Joan Y. Chiao ed. *Cultural Neuroscience. Cultural*

- Influences on Brain Function. Progress in Brain Research* 178. Amsterdam & Boston: Elsevier, 2009. 17-29.
- Liew, S., S. Han & L. Aziz-Zadeh. "Familiarity Modulates Mirror Neuron and Mentalizing Regions during Intention Understanding." *Human Brain Mapping* 32 (2011): 1986-1997.
- Lynn, Kimberly. *Between Court and Confessional: The Politics of Spanish Inquisitors*. Cambridge: Cambridge University Press, 2013.
- Masip, Jaume *et al.* "Training to Detect What? The Biasing Effects of Training on Veracity Judgments." *Applied Cognitive Psychology* 23.9: 1282-96.
- Medina, José Toribio. *Historia del Tribunal de la Inquisición de Lima, 1569-1820*. 2 vols. Santiago de Chile: Imprenta Gutenberg, 1887.
- Menochius, Giacomo. *De praesumptionibus*. Venice: Haeredem Hieronymi Scoti, 1579; Reprint, Geneva, Tournes, 1724.
- Midelfort, H. C. Erik. "Madness and Civilization in Early Modern Europe: A Reappraisal of Michel Foucault." In Barbara C. Malament ed. *After the Reformation*. Manchester: Manchester University Press, 1980. 247-265.
- Millar Carvacho, René. "Las confiscaciones de la Inquisición de Lima a los comerciantes de origen judeoportugués de la «gran complicidad» de 1635." *Revista de Indias* 43.171 (1983): 27-58.
- . "Santidad, falsa santidad y posesiones demoníacas en Perú y Chile. Siglos XVI y XVII." *Desde el Sur* 4.2 (2012): 125-136.
- Moreno Villa, José. "Locos, enanos, negros y niños palaciegos. Gente de placer que tuvieron los Austrias en la Corte española desde 1563 a 1700." In Fernando Bouza, ed., *Locos, enanos, y hombres de placer en la Corte de los Austrias*. México: La Casa de España en México, 1939. 145-158.
- Motis Dolader, Miguel Ángel. "La atenuante de enajenación mental transitoria en la praxis inquisitorial: el tribunal de Tarazona a fines del siglo XV." *Aragón en la Edad Media* 14 (1999): 1125-1150.
- Mújica Pinilla, Ramón. *Rosa Limensis: mística, política e iconografía en torno a la patrona de América*. Lima: IFEA, 2001.
- Nalle, Sara Tilghman. *Mad for God: Bartolomé Sánchez, the Secret Messiah of Cardenete*. Charlottesville: University Press of Virginia, 2001.
- Ocampo, Brenda & Ada Kritikos. "Interpreting Actions: the Goal Behind Mirror Neuron Function." *Brain Research Reviews* 67.1-2 (2011): 260-267.
- Ordorika Sacristán, Teresa. "¿Herejes o locos?" *Cuicuilco* 16.45 (2009): 139-162.
- Pardo-Tomás, José & Àlvar Martínez-Vidal. "Victims and Experts. Medical Practitioners and the Spanish Inquisition." En John Woodward & Robert Jütte eds. *Coping with Sickness: Medicine, Law and Human Rights—Historical Perspectives*. Sheffield: European Association for the History of Medicine and Health Publications, 2000. 11-27.
- Parlopiano, Brandon T. "The Burden of Proving Insanity in the Medieval *Ius commune*." *The Jurist: Studies in Church Law and Ministry* 72.2 (2012): 515-543.
- . *Madmen and Lawyers: the Development and Practice of the Jurisprudence of Insanity in the Middle Ages*. Ph.D. diss. Catholic University of America, 2013.
- Puig i Oliver, Jaume de. "Nicolás Eymerich, un inquisidor discutido." En *Praedicatores, Inquisitores: The Dominicans and the Medieval Inquisition: Acts of the First International Seminar on the Dominicans and the Inquisition*. Rome: Instituto Storico Domenicano, 2004. 545-593.

- Reyna, Stephen. *Connections: Brain, Mind, and Culture in a Social Anthropology*. London: Routledge, 2002.
- Robbins, Jeremy. *The Challenges of Uncertainty: An Introduction to Seventeenth-Century Spanish Literature*. Lanham, MD: Rowman/Littlefield, 1998.
- Robinson, Daniel N. *Wilde Beast and Idle Humours: The Insanity Defense from Antiquity to the Present*. Cambridge: Harvard University Press, 1996.
- Roth, Randolph. "Biology and the Deep History of Homicide." *British Journal of Criminology* 51.3 (2011): 535-555.
- Ruggiero, Guido. "Excusable Murder: Insanity and Reason in Early Renaissance Venice." *Journal of Social History* 16.1 (1982): 109-119.
- Rumiati, Raffaella I. et al. "Common and Differential Neural Mechanisms Supporting Imitation of Meaningless Actions." *Journal of Cognitive Neuroscience* (2005) 17.9: 1420-1431.
- Sacristán, María Cristina. *Locura e Inquisición en Nueva España, 1571–1750*. México: Fondo de Cultura Económica, 1992.
- Schaposchnik, Ana E. *The Lima Inquisition: The Plight of the Crypto-Jews in Seventeenth-Century Peru*. Madison: The University of Wisconsin Press, 2015.
- Shen, Francis X. "The Law and Neuroscience Bibliography: Navigating the Emerging Field of Neurolaw." *International Journal of Legal Information* 38 (2010): 352-399.
- Shuger, Dale. *Don Quixote in the Archives: Madness and Literature in Early Modern Spain*. Edinburgh: Edinburgh University Press, 2012.
- Silverblatt, Irene. "New Christians and New World Fears in Seventeenth-Century Peru." In Brian Keith Axel ed. *From the Margins: Historical Anthropology and Its Futures*. Durham: Duke University Press, 2002. 95-121.
- Smail, Daniel Lord. *On Deep History and the Brain*. Berkeley: University of California Press, 2008.
- Soyer, François. *Ambiguous Gender in Early Modern Spain: Inquisitors, Doctors and the Transgression of Gender Norms*. Leiden: Brill, 2012.
- Spranger, Tade Matthias, ed. *International Neurolaw. A Comparative Analysis*. Heidelberg: Springer, 2012.
- Stucchi-Protocarrero, Santiago. "El tratamiento moral y los inicios del manicomio en Perú." *Revista de Neuro-Psiquiatría* 78.3 (2015): 153-158.
- Sullivan, Karen. *The Inner Lives of Medieval Inquisitors*. Chicago: Chicago University Press, 2012.
- Summerfield, Christopher & Tobias Egner. "Expectation (and Attention) in Visual Cognition." *Trends in cognitive sciences* 13.9 (2009): 403-409.
- Tacker, Jonathan. "La locura en las obras dramáticas tempranas de Lope de Vega." *AISO. Actas* 6 (2002): 1717-1729.
- Thomas Neely, Carol. "Recent Work in Renaissance Studies: Psychology Did Madness Have a Renaissance?" *Renaissance Quarterly* 44.4 (1991): 776-791.
- Trevelyan Burman, Jeremy. "History from Within? Contextualizing the New Neurohistory and Seeking its Methods." *History of Psychology* 15.1 (2012): 84-99.
- Tropé, Hélène. "Inquisición y locura en la España de los siglos XVI y XVII." *Bulletin of Spanish Studies* 87.8 (2010): 57-79.
- Turner, Wendy J. "Emotional Displays and Lapses in Memory as Indicators of Mental Instability in Medieval English Investigations." In Wendy J. Turner. ed. *Madness in Medieval Law and Custom*. Leiden: Brill, 2010. 81-95.

- Tutino, Stefania. "A Spanish Canonist in Rome: Notes on the Career of Francisco Peña." *California Italian Studies* 5.1 (2014): 414-430.
- Valdizán, Hermilio. "Locos de la Colonia." *Anales de la Facultad de Medicina* 3 (1919): 71-92.
- Viqueira, Carmen. "Los hospitales para locos e «inocentes» en Hispanoamérica y sus antecedentes españoles." *Revista de Medicina y Ciencias Afines* 22.270 (1965): 1-33.
- Walker, Nigel. "The Insanity Defense before 1800." *The Annals of the American Academy of Political and Social Science* 477.1 (1985): 25-30.