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### Spanish Inquisitors, Etiquette Culture, and the Brain in the 17th Century

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## Spanish Inquisitors, Etiquette Culture, and the Brain in the 17<sup>th</sup> Century

Cristian Berco

In recent years, a focus on social tensions and political conflicts has greatly nuanced the history of early modern etiquette. Scholars have rightly highlighted the extent to which habitual quarrels pervaded expressions of ritualized manners. Precisely because the state increasingly discouraged violent resolutions to social disputes, precedence in ritualized performances of etiquette loomed large in the construction of status and identity.<sup>1</sup> Drilling down from the context shaping ritual conflict, however, reveals the extent to which these disputes over precedence and etiquette relied on neurophysiological processes—sensory perception, motor control, and social cognition, among others. Consider, for instance, the 1678 *contretemps* between the inquisitors and Chancery judges of Granada. A royal commission and dozens of memos later, the matter came down to the gestures of salutation during a yearly memorial service for Queen Isabel in the city’s main cathedral: ambiguous, ephemeral, yet precise enough as to be utterly consequential.

Initially, inquisitors felt disrespected when, upon arriving, the seated Chancery judges merely nodded without deigning to stand up. Inquisitors would respond at the end of the service: not only did they stand up only *after* the whole Chancery had passed them by on their way out, but the most senior inquisitor “did not entirely lift his body from his seat, but in fact did it hunched over, so that it was not certified that he stood up.”<sup>2</sup> Witnesses not only disagreed on whether the senior inquisitor had actually risen from his chair, but even on the expected salute. One suggested that the judges should salute with their heads and move their bodies as if they were about to stand up. Another argued that the magistrates “are to bend their body so that it seems as if they are falling from their seat a little.”<sup>3</sup>

The performance and attention to these exquisitely controlled yet socially ambiguous half-gestures required a set of brain-body processes specific to time and place. In a matter of seconds, inquisitors had to notice the Chancery judges’ minimal salute and interpret it through the prevalent social lens: was it a slight or mere carelessness? The senior inquisitor, moreover, required a fine sense of social timing and precise motor control to project both compliance and rebellion in a single ambiguous movement: standing up, yet hunched over. For their part, the

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<sup>1</sup> See, for example, Frances L. Ramos, *Identity, Ritual and Power in Colonial Puebla* (Tucson: University of Arizona Press, 2012), 132-51 on the complex politics of etiquette conflict in New Spain.

<sup>2</sup> Archivo Histórico Nacional [hereafter AHN], Inquisición, legajo 2496, no. 7.

<sup>3</sup> *Ibid.*

Chancery judges had to process and assess such gestural subtleties through a specific social code. Finally, the series of witness suggestions on the type of truncated gestures judges ought to perform also speaks to the sensory attention to gestural precision. In short, all parties involved were keenly attentive to the details of others' body movements, how these movements affected social calculus, and one's own gestural response – in a way that those of us living in relatively lightly ritualized cultures might not notice.

All of these body-brain elements that made up ritualized etiquette can be thought of as a type of habitus, a learned bodily disposition as Elias and, later on, Bourdieu discussed.<sup>4</sup> That the type of mannered habitus—including its sensory, motor, and social perception— constructed during the early modern period included cultural specificities is not surprising. Even contemporaries knew that.<sup>5</sup> But, if such a mannered body and its interaction with the social world was formed from specific neurophysiological processes that were learned and practiced, then how did this brain-body connection interact with the cultural context of the day? Specifically, how did the highly-charged and conflict-laden arena of ritualized etiquette shape the bodies and brains of those performing such rituals? Likewise, how did the mannered habitus fit within inquisitorial frameworks, policies and practices? This article explores the confluence between the neurophysiology and the social culture of manners through an analysis of etiquette in the Spanish Inquisition. Ultimately, even in the midst of changing gestural codes and social epistemologies, the inquisitorial performance of etiquette was built on the daily iteration of neurophysiological processes embedded in tribunal life itself. Skills honed in trial practice and gestural interactions with staff provided a solid bedrock for eventual success in ritual contests during sporadic high ritual encounters.

To scholars of early modern Europe and the Atlantic world, the introductory brouhaha over etiquette gestures should not be surprising. If anything, the rhythm and language of precedence as well as the laser-focus on gestural minutiae evoke similar disputes that often played out throughout early modern societies. As historians have worked on such conflicts, they have, therefore, provided a granular perspective that has well complemented the overarching elegance of Elias' broadly ideological and socio-political model.

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<sup>4</sup> While we usually associate habitus with Pierre Bourdieu's work, Elias himself wrote at length on the formation of such social and bodily dispositions in *The Civilizing Society: Sociogenetic and Psychogenetic Investigations*, trans. Edmund Jephcott (Oxford: Blackwell, 2000) and his *The Court Society*, trans. Edmund Jephcott (Oxford: Blackwell, 1983). Also see Jonathan Fletcher, *Violence and Civilization* (Hoboken: Wiley, 2013), chs. 2-3.

<sup>5</sup> On early modern cultural differences in gestures and etiquette, see for example Carlos García's discussion of French versus Spanish manners in his *Antipatía de franceses y españoles* (Rouen: Jacques Cailloué, 1630).

Thus, familial honor played a crucial role in translating the broad demands of precedence expectations into individualized disputes. As Anna Bryson has sagely observed, seventeenth-century gentlemanly civility was still conceptualized and performed within frameworks of personal and familial reputation that, in many ways, guaranteed a constant tension between control and the assertion of honor.<sup>6</sup> Indeed, that groups and individuals had so much riding on the public performance of etiquette speaks to the aggregate cultural factors fostering conflicts over these matters. We, thus, know much about the role of individual and group honor in these cases, the connection between ritual and political power that made etiquette so salient, and even the ways by which participants manipulated etiquette to serve social and political goals.<sup>7</sup>

Furthermore, by drilling down into the constitutive elements of a society of manners, scholars have also underscored the cultural aspects that informed communal and individual reactions to etiquette and precedence disputes. Consider, for instance, how work on the culture of gesture has shaped our understanding of the way social body scripts intersected with hierarchical and identity expectations.<sup>8</sup> Likewise, research on the history of emotions has rightly served to question the extent to which Elias' model that so relied on the assumption of subsuming violence and associated emotions of anger fit with pre-modern emotional regimes that were more nuanced than previously expected.<sup>9</sup> Even an emotion as crucial to the social management of honor disputes as shame

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<sup>6</sup> Anna Bryson, *From Courtesy to Civility: Changing Codes of Conduct in Early Modern England* (Oxford: Oxford University Press, 1998), 237-42.

<sup>7</sup> Ramos, *Ritual and Power*, 132-59; Alejandro Cañeque, *The King's Living Image: The Culture and Politics of Viceregal Power in Colonial Mexico* (New York: Routledge, 2004), ch. 4; Geoffrey G. Koziol, "Monks, Feuds and the Making of Peace in Eleventh Century Flanders," *Historical Reflections/ Réflexions Historiques* 14 (1987): 531-49; John Walter, "Gesturing at Authority: Deciphering the Gestural Code of Early Modern England," *Past & Present* 203 (2009): 96-127; Scott K. Taylor, *Honor and Violence in Golden Age Spain* (New Haven: Yale University Press, 2008).

<sup>8</sup> For the cultural history of gestures, the seminal work by Peter Burke, "The Language of Gesture in Early Modern Italy," in J. N. Bremmer and H. Roodenburg, eds., *A Cultural History of Gesture* (Ithaca, NY: Cornell University Press, 1992), 71-83 is a good starting point.

<sup>9</sup> For theoretical discussions, including critiques of Elias' paradigms, see Andrew Linklater and Stephen Mennell, "Norbert Elias, the Civilizing Process: Sociogenetic and Psychogenetic Investigations—An Overview and Assessment," *History and Theory* 49 (2010): 384-411; Stephen Mennell and Johan Goussblom, "Civilizing Processes—Myth or Reality? A Comment on Duerr's Critique of Elias," *Comparative Studies in Society and History* 39 (1997): 729-733. For a critique of Elias in a specifically Hispanic context see Shifra Armon, *Masculine Virtue in Early Modern Spain* (New York: Routledge, 2016). On problematizing emotions in the pre-modern world see Barbara H. Rosenwein, "Worrying about Emotions in History," *The American Historical Review* 112 (2002): 821-845.

appears to have intersected in complex ways with scientific and medical knowledge.<sup>10</sup> In short, we have a much better sense today of how specific societies shaped and adapted to the rise of etiquette prescriptions.

The Spanish Inquisition's interest in etiquette not only fit within such broader frameworks but was central to the management of institutional identity and image. After all, for all its might, the Holy Office relied heavily on the mystique of its power and its public reputation—aspects that inevitably required attention to public rituals and their etiquette. Much can be said for the effects of the muffled fear, soft yet constantly beating the drum of the mind, the Inquisition inspired.<sup>11</sup> But fear could never accomplish much of anything without respect, without an ineffable sense that inquisitors did not just do the king's, but God's will and, as such, wielded his sword of justice. It is in the shadow of this dual inspiration of fear and respect that the *auto de fe* can be seen. Whether we think of the carefully choreographed processions or the calibrated performances in the stage of the *auto*, confronting onlookers with the Christian gravity of this moment—the drama of souls redeemed or condemned—meant emphasizing its importance. And, while much of this objective could be accomplished through the sheer pageantry of the event, it also required keen attention to matters of etiquette. For instance, nobles and grandees were generally expected to attend these events and, indeed, were celebrated for the luster they added in commemorative chronicles such as that for the famous 1680 Madrid *auto de fe*. That the minute choreography of the procession where such luminaries marched required extensive negotiations speaks to the social and political value ascribed to formalized etiquette and precedence.<sup>12</sup>

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<sup>10</sup> On the way humoral theory mediated the expression of the anxiety crucial to Elias' model see Gail Kern Paster, *The Body Embarrassed: Drama and Disciplines and Shame in Early Modern England* (Ithaca, NY: Cornell University Press, 1993).

<sup>11</sup> Bartolomé Bennassar, "L'inquisition ou la pédagogie de la peur," in Bennassar, ed., *L'inquisition espagnole XVIe-XIXe siècles* (Paris : Hachette, 1979), 105-42.

<sup>12</sup> This *auto de fe*, attended by the monarchs and in which over one hundred penitents appeared, was chronicled by José del Olmo in his *Auto general de fe celebrado en Madrid en 30 de junio del año de 1680* (Madrid: Imprenta de Don José del Collado, 1820). Scholarship on this paradigmatic *auto* includes Jesús M. Vega Palacios, *El auto general de fe de 1680* (Madrid: Algazara, 1995); Helen Rawlings, "Representational Strategies of Inclusion and Exclusion in José del Olmo's Narrative and Francico Rizi's Visual Record of the Madrid *Auto de Fe* of 1680," *Romance Studies* 29, no. 4 (2011): 223-41; David Graizbord, "Inquisitorial Ideology at Work in an *Auto de Fe*, 1680: Religion in the Context of Proto-Racism," *Journal of Early Modern History* 10, no. 4 (2006): 331-60. On the *auto de fe* more broadly see Maureen Flynn, "Mimesis of the Last Judgment: the Spanish *auto de fe*," *The Sixteenth Century Journal* 22 (1991): 281-97; Marvin Lunenfeld, "Pedagogy of Fear: Making the Secret-Jew Visible at the Public 'Autos de Fe' of the Spanish Royal Inquisition," *Shofar* 18 (2000): 77-92; Javier Villa-Flores, "Wandering Swindlers :

However, just because early modern peoples, including our good inquisitors, focused extensively on precedence and its social meaning, it does not mean that the bodies engaged in such etiquette contests were neutral. Yes, etiquette mattered to them because it inhered on personal and corporate status. And, yes, judging by the easy subtleties of the 1678 Granada courtesy disputes and the myriad others in which inquisitors participated, they effectively performed it. But there is a great deal of analytical space here that, as historians, we normally do not consider: we merely take for granted that the broad import of etiquette to all involved necessarily translated into seeing socially charged gestures and quickly engaging in relevant, yet often subtle, responses. In effect, we all know that the mannered habitus so salient to early modern peoples worked. But, why should that be so? Can we merely assume that living in a society so imbued with gestural precedence, necessarily meant easily honing the skill sets for seeing and doing etiquette well?

If we stop to consider the complexities of a mannered habitus—visually perceiving subtle gestures, placing them in a socially relevant epistemology, and gesturally responding with the precision and subtlety necessary to succeed—then we are facing the problem of neurophysiological processes working in a very specific social and cultural context. Untying such a Gordian knot; going beyond the mere assumption that the mannered habitus worked because of a general sense that it should have done so, requires us to delve into the brain science that informs the neurophysiological side of the equation. Granted, historians have often veered away from such inquiries for, as rightly feared, they could lead to overly deterministic explanations for contingent historical behaviors.<sup>13</sup> But the recent change in brain science to emphasize plasticity and flexibility in the face of cultural forces has, if anything, turned such epistemological framework upside

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Imposture, Style, and the Inquisition's Pedagogy of Fear in Colonial Mexico," *Colonial Latin American Review* 17 (2008): 251-72; Karina Galperin, "The Passion According to Berruguete: Painting the Auto-da-fé and the Establishment of the Inquisition in Early Modern Spain," *Journal of Spanish Cultural Studies* 14 (2013): 315-47; Consuelo Maqueda Abreu, *El auto de fe* (Madrid: Istmo, 1992); Francisco Bethencourt, *La Inquisición en la época moderna* (Madrid: Akal, 1997), 133-45. On the importance of the attendance of nobles, both for the grandeur of the auto and individuals' own reputation see the contemporary account by Olmo, *Auto general de fe celebrado en Madrid*, 65-72 as well as Cartagena's inquisitor Juan de Mañozca's comments on the matter in 1616 in AHN Inquisición, legajo 1597, no. 16.

<sup>13</sup> See, for instance, Garthine Walker's excellent critique of Edward Shorter's *Written in the Flesh: A History of Desire* (Toronto: University of Toronto Press, 2005) which, drawing on evolutionary psychology, sought to trace historical responses to the relatively constant reality of biological sexual desire. Garthine Walker, "Framing Premodern Desires Between Sexuality, Sin, and Crime. An Introduction", in S. Lidman et al., eds. *Framing Premodern Desires. Sexual Ideas, Attitudes, and Practices in Europe* (Amsterdam, Amsterdam University Press, 2017), 9-26.

down.<sup>14</sup> In fact, emerging work in neurohistory and associated fields, such as neuroanthropology, has built on this new malleable brain to explore the ways by which culture and all its changing manifestations may have themselves shaped neurophysiological processes.<sup>15</sup> After all, any historical society is just another culture where some brain processes might develop in ways particular to the

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<sup>14</sup> On brain plasticity and culture see C. Shaw and J. McEachern, eds. *Toward a Theory of Neuroplasticity* (London, 2001); Joan Chiao, ed., *Cultural Neuroscience. Cultural Influences on Brain Function* (Amsterdam, 2009); S. Han and E. Pöpel, eds., *Culture and Neural Frames of Cognition and Communication (On Thinking)* (Berlin, 2011); Shihui Han et al., "A Cultural Neuroscience Approach to the Biosocial Nature of the Human Brain," *The Annual Review of Psychology* LXIV (2013): 335-59; Shu-Chen Li, "Brain in Macro Experiential Context: Biocultural Co-construction of Lifespan Neurocognitive Development," in Chiao, ed., *Cultural Neuroscience*, 17-29; Michael E. W. Varnum and Ryan S. Hampton, "Cultures Differ in the Ability to Enhance Affective Neural Responses," *Social Neuroscience* 12, no. 5 (2017): 594-603; Jung Yul Kwon, Alexandra S. Wormley, and Michael E. W. Varnum, "Changing Cultures, Changing Brains: A Framework for Integrating Cultural Neuroscience and Cultural Change Research," *Biological Psychology* (2021): 108087;

<sup>15</sup> On neurohistory, see Daniel Lord Smail, *On Deep History and the Brain* (Berkeley, 2008); Andrew Shyrock and Daniel Lord Smail, eds., *Deep History: The Architecture of the Past and Present* (Berkeley, 2011); Jeremy Trevelyan Burman, "History from Within? Contextualizing the New Neurohistory and Seeking its Methods," *History of Psychology* XV (2012): 84-99; Lynn Hunt, "Psychology, Psychoanalysis and Historical Thought," in L. Kramer and S. Maza, eds., *A Companion to Western Historical Thought* (Malden, Mass., 2002), 337-56; Lynn Hunt, "The Experience of Revolution," *French Historical Studies* XXXII (2009): 671-8; Cristian Berco, "Perception and the Mulatto Body in Inquisitorial Spain: A Neurohistory," *Past & Present* 231, no. 1 (2016): 33-60. Important neuroanthropology works include Daniel H. Lende and Greg Downey (eds.), *The Encultured Brain: An Introduction to Neuroanthropology* (Cambridge, Mass., 2012); Maurice Bloch, *How We Think They Think. Anthropological Approaches to Cognition, Memory and Literacy* (Boulder, 1998); Roy G. D'Andrade, *The Development of Cognitive Anthropology* (Cambridge, 1995); Stephen Reyna, *Connections: Brain, Mind, and Culture in a Social Anthropology* (London, 2002); J. F. Domínguez et al., "The Brain in Culture and Culture in the Brain: A Review of Cores Issues in Neuroanthropology," in Chiao, ed., *Cultural Neuroscience*, 43-64. On neurolaw see Francis X. Shen and Owen D. Jones, "Brain Scans as Evidence: Truths, Proofs, Lies, and Lessons," *Mercer Law Review* LXII (2010): 861-82; Isabel Brocas and Juan D. Carrillo, "The Neurobiology of Opinions: Can Judges and Juries be Impartial?" *Southern California Law Review* LXXXVI (2012): 421-448; Jaume Masip et al., "Training to Detect What? The Biasing Effects of Training on Veracity Judgments," *Applied Cognitive Psychology* XXII (2009): 1282-96. For general assessments of the field see Francis X. Shen, "The Law and Neuroscience Bibliography: Navigating the Emerging Field of Neurolaw," *International Journal of Legal Information* XXXVIII (2010): 352-399; Oliver R. Goodenough and Micaela Tucker, "Law and Cognitive Neuroscience," *Annual Review of Law and Social Science* VI (2010): 61-92; Tade Matthias Spranger, ed., *International Neurolaw. A Comparative Analysis* (Heidelberg, 2012); Owen D. Jones, Jeffrey D. Schall and Francis X. Shen, *Law and Neuroscience* (New York, 2014); Arian Petoft and Mahmoud Abbasi. "A Historical Overview of Law and Neuroscience: From the Emergence of Medico-legal Discourses to Developed Neurolaw." *Archivio Penale* 1, no. 1 (2019): 1-48.

institutional, ideological and social milieu. While studying neurophysiology in such a historical society incurs the limitation of no scientific experiments, historians do have the benefit of being able to see how culture changes over time. In fact, it is precisely this advantage that allows us to take the otherwise static cultural factors predicted to shape brain processes in current neuroscientific scholarship and turn them into variables. Unconstrained by the straight jacket of the present, we can thus examine cultural practices and systems, investigate their development, and analyze how they intersected with manifestations of the brain processes in question. It is no longer a question, then, of the brain conditioning historical agency or applying neurobiological explanations to an otherwise contingent historical process but the opposite. Neurohistories can historicize the ever-changing brain: in effect they can help to refine the neurophysiology that we know was embedded in past lives but that we often do not consider.

Such an analytical endeavor is all the more crucial when we approach a mannered habitus. After all, when we stop to consider the necessary neurophysiological elements to it, the cultural factors brain scientists have found as determinative in such processes appear historically complex. Thinking back to the introductory encounter between Granada inquisitors and Chancery judges, we can divide the brain processes related to etiquette into at least two broad aspects: seeing and doing. Any encounter involving etiquette first required visually perceiving and properly recognizing bodily signs and only then responding appropriately through a gesture of one's own. The salient cultural features neuroscientists stress regarding the visual recognition of gestures are both a common gestural code and a common group affiliation. That is, not only has the recognition of gestures been shown to correlate with a clear set of meanings attributed to them, but scientists have also stressed the relevance of common group affiliation, since members of the same cultural or social group interpret meaningful gestures and movements more effectively than outsiders. In the crucial process of visually identifying etiquette gestures, thus, a common code of gestural meaning and the relative group affiliation of the affected parties appear as crucial.<sup>16</sup>

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<sup>16</sup> Istvan Molnar-Szakaacs et al., "Do You See What I Mean? Corticospinal Excitability During Observation of Culture-Specific Gestures," *PLoS ONE* 2 (2007): e626; Sook-Lei Liew, Shihui Han and Lisa Aziz-Zadeh, "Familiarity Modulates Mirror Neuron and Mentalizing Regions during Intention Understanding," *Human Brain Mapping* 32 (Nov 2011): 1986-97; Sook-Lei Liew and Lisa Aziz-Zadeh, "The Human Mirror Neuron System, Social Control, and Language," in D. D. Franks and J. H. Turner ,eds., *Handbook of Neurosociology* (New York, 2013), 183-205; Dov Cohen and Angela K.-Y. Leung, "The Hard Embodiment of Culture," *European Journal of Social Psychology* 49 (2009): 1278-89; Beatriz Calvo-Merino et. al., "Seeing or Doing? Influence of Visual and Motor Familiarity in Action Observation," *Current Biology* 16 (2006): 1905-10; Pascal Molenberghs et. al., "Seeing is Believing. Neural Mechanisms of Action-perception are Biased by



To correctly identify etiquette-clad movements and gestures was, of course, only one side of the neurophysiological coin. Success also depended on a controlled bodily response that took into account many variables, from the relational status of both individuals involved to the appropriate response required to generate the maximum social effect. In short, in the public stage of social performance, displaying status meant quickly calibrating gestures and movements in response to others, be it a viceroy, a competing judge, or a second-rate bureaucrat. Much of the neuroscientific work on the bodily response to socio-gestural stimuli has focused on the oft-discussed phenomenon of mirror neurons. Recently found in a range of animal species and humans, mirror neurons are aptly named because they are equally activated by either performing or watching others perform actions. While this discovery has had implications for everything from learning to empathy, mirror neurons are particularly relevant to the type of complex social interactions at play in etiquette systems because of their connection to spontaneous mimicry.<sup>17</sup> As argued by Wang and Hamilton, since others' gestures unconsciously activate mirror neurons in observers and, thus, elicit an automatic impulse to mimic the movement, successful social interaction requires the control of this imitative tendency. That is, social imitation is contextual, sophisticated and strategic: think of prison or gang conditions where automatic motor mimicry of dominant gestures and behavior could be seen as an insult. Similar conundrums certainly applied to early modern etiquette encounters.

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Team Membership," *Human Brain Mapping* 34 (2013): 2055-68; Mona Sobhani et al., "Interpersonal Liking Modulates Motor-Related Neural Regions," *PLoS ONE* 7 (2010): e46809. For the broader context and forces shaping the social brain see Chiao and Bebko, "Cultural Neuroscience of Social Cognition"; Jonathan Freeman, Nicholas O. Rule and Nalini Ambady, "The Cultural Neuroscience of Person Perception," *Progress in Brain Research* 178 (2009): 191-201; Valentina Cazzato et. al., "Group Membership and Racial Bias Modulate the Temporal Estimation of in-group/out-group Body Movements," *Experimental Brain Research* 236, no. 8 (2018): 2427-2437; Dorian De Marco et. al., "Observer-agent Kinematic Similarity facilitates Action Intention Decoding." *Scientific Reports* 10, no. 1 (2020): 1-13.

<sup>17</sup> Good overviews, including the interaction between the mirror system and social cognition, can be found in Liew and Aziz-Zadeh, "The Human Mirror Neuron System"; Giacomo Rizzolatti and Magdalena Fabbri-Destro, "The Mirror System and Its Role in Social Cognition," *Current Opinion in Neurobiology* 18 (2008): 1-6. On spontaneous mimicry and social relationships see Marco Iacoboni, "Neural Mechanisms of Imitation," *Current Opinion in Neurobiology* 15 (2005): 632-7; Marco Iacoboni, "Imitation, Empathy, and Mirror Neurons," *Annual Review of Psychology* 60 (2009): 653-70; Cecilia Heyes, "Automatic Imitation," *Psychological Bulletin* 137 (2011): 463-83; Andrew J. Arnold and Piotr Winkielman. "The Mimicry among Us: Intra-and Inter-personal Mechanisms of Spontaneous Mimicry," *Journal of Nonverbal Behavior* 44, no. 1 (2020): 195-212.

In such cases, the innate tendency to mimic would be disadvantageous—making the control of such impulses profitable.<sup>18</sup>

If the control of the innate tendency to automatically mimic appears essential to the successful navigation of complex gestural encounters, what factors play a role in shaping such a disposition? Crucially, it has been what psychologists call mentalizing—or the ability to understand others’ mental states—that has emerged as central in such situations. And, particularly important for mentalizing in such charged gestural encounters is an effective grasp of the correct social dynamics at play. This makes sense: if we can understand what others want in a specific social context, then we can correctly read their gestures and strategically manage or control our imitative impulses. Correctly identifying others’ mental states and social intentions, therefore, appears correlated to the ability to control potentially harmful automatic mimicry impulses and perform socially appropriate gestures in their stead.<sup>19</sup>

Translating such lab findings of the factors crucial to a successful mannered habitus into analytical categories open to historical analysis leaves us, therefore, with the following aspects: a common gestural language and social group affiliation on the perceptual side; and the ability to understand others’ social intentions on the motor control side. At first glance, these factors appear to fit relatively well with early modern etiquette cultures. For instance, because the Spanish Inquisition’s interest in etiquette was crucial to its institutional image and projection of power, ritualized gestures, expressions and choreographies were consistently read as part of a hierarchical calculus. As Francisco Bethencourt has shown, etiquette was anything but neutral: how inquisitors and others gestured

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<sup>18</sup> Yin Wang and Antonia F. de C. Hamilton, “Social Top-down Response Modulation (STORM): A Model of the Control of Mimicry in Social Interaction,” *Frontiers in Human Neuroscience* 6 (2012); Jessica L. Lakin and Tanya L. Chartrand, “Using Nonconscious Behavioral Mimicry to Create Affiliation and Rapport,” *Psychological Science* 14 (2003): 334-9; Emiel Cracco et. al., “Automatic Imitation of Pro-and Antisocial Gestures: Is Implicit Social Behavior Censored?,” *Cognition* 170 (2018): 179-189; Arnold and Wimkielman, “The Mimicry among Us.”

<sup>19</sup> Wang and Hamilton, “Social Top-down Response,” Tien-Wen Lee et. al., “Controlling Emotional Expression: Behavioral and Neural Correlates of Nonimitative Emotional Responses,” *Cerebral Cortex* 18 (2008): 104-13. On the ability to train mentalizing see Philipp Kanske et al., “Training Compassion and Theory of Mind Separately: Differential Mental Training Effects on Socio-affective and Socio-cognitive Abilities,” Talk given at the *Conference of the International Society for Research on Emotion (ISRE)*, Geneva, 2015; Sofie L. Valk et al., “Structural Plasticity of the Social Brain: Differential Change after Socio-Affective And Cognitive Mental Training,” *Science Advances* 3 (2017): e1700489; Joan Y. Chiao and Genna M. Bebko, “Cultural Neuroscience of Social Cognition,” in Han and Pöppel, eds., *Culture and Neural Frames of Cognition*, 19-39.

and moved in ritual contexts was imbued with social and political meaning.<sup>20</sup> Etiquette went hand in hand with institutional precedence, so that a gesture of salutation, seating arrangements, placement in a procession, and even facial expressions were ultimately relational in nature. Understanding gestural intent in the midst of ritual processes was, thereby, tied to a concern with and knowledge of the underlying institutional, social, and political dynamics at play.

Of course, that etiquette and its gestures were so crucial to personal and institutional identity and placement in complex hierarchies likewise suggests the relative common group culture among those whom inquisitors battled for ritual pre-eminence. Although all social classes cared about and practiced precedence, the myriad tensions, suspicions, and overt conflicts over the placement of a body in a procession, the precise salutation performed during an *auto de fe*, or the manner in which people sat in a cathedral according to etiquette standards were particularly the object of institutionalized disputes within a relatively homogenous socio-bureaucratic elite of which inquisitors formed part. Research on the socio-political milieu of inquisitors over the last few decades has done much to highlight the extent to which careerism in a sprawling imperial bureaucracy tied these judges to myriad other bureaucratic servants to the king. As Kimberley Lynn has argued in her masterful work on inquisitorial politics, “Spanish inquisitors, who have so often been summoned as a class apart, might be woven more meaningfully into the fabric of their society, not just by their origins, but also by their interactions as members of an educated elite.”<sup>21</sup> As part of the top of an ecclesiastical and imperial bureaucracy, inquisitors thus shared a common outlook with those whom they often struggled against for power: municipal leaders, governors, viceroys, bishops and so forth.

Belonging to a common ruling elite that vied for power and favor from the monarch likewise meant sharing a broad gestural code through which inevitable political conflicts were expressed. In her study of the inquisitorial *auto de fe* and its performative nature, Consuelo Maqueda has elegantly described such bodily codes—placement, gesture, movement—that entailed status and that, sometimes, resulted in conflict.<sup>22</sup> Being in front or to the right of someone signified pre-eminence just as being closest to an important devotional object like the

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<sup>20</sup> Francisco Bethencourt, *La inquisición en la época moderna*, 133-45.

<sup>21</sup> Kimberley Lynn, *Between Court and Confessional: The Politics of Spanish Inquisitors* (Cambridge: Cambridge University Press, 2013), 296. For more on inquisitors’ social mentality see Jaime Contreras, “La infraestructura social de la inquisición,” in Ángel Alcalá, ed., *Inquisición española y mentalidad inquisitorial* (Barcelona: Ariel, 1984), 123-46; María del Carmen Sáenz Berceo, “Los inquisidores del Tribunal de Valladolid durante el reinado de Felipe II,” *Revista de la Inquisición VIII* (1999): 43-83.

<sup>22</sup> Maqueda Abreu, *El auto de fe*, chs. 4-5.

Inquisition's green cross did. The activity of sitting encompassed myriad signifiers of ascending status: from those who actually had the privilege of a seat to its actual placement (think closeness to an altar, height, placement under a canopy); from the type of seat (a bench or a chair) to its luxury (fabric, gilding and so forth). Finally, all sorts of bodily movements could signify relational status: bowing, taking off a cap, allowing someone to go through first. The body, thus, was written through with a variety of gestural scripts that others could read for social signifiers.

An initial analysis, therefore, suggests what we would expect: the cultural factors predicted to aid in the neurophysiological performance of social etiquette are at least broadly present in early modern and inquisitorial cultures. If they were not, then the early modern mannered habitus would appear completely unmoored from what we know of its necessary neurophysiology. Nevertheless, and as most historians would point out, just because these cultural factors—the social interpretation of gestural intent, a common bureaucratic and institutional ethos, a generalized grammar of precedence—were broadly evident at the time, it does not follow that they were stable. Whereas in lab settings these cultural factors function as constants, historically they were, if anything, slippery, flexible and inconstant.

Indeed, as we shift our lens from the neurophysiological to the historical, the complicating factor by the Hispanic seventeenth century was that the structure of social status and hierarchy was itself unclear. How to know, in such a situation, the appropriate gestural response to an interlocutor? Seventeenth century Spaniards were living through a time of social confusion. Old codes, like the worth and meaning of nobility, were increasingly under siege; boundaries that most had thought permanent, such as that between Christians and infidels, were blurry; certainties from previous generations, such as the idea that one could tell a gentleman from a nobody, could no longer be trusted. It is in this context that the social anxiety of Golden Age Spanish literature, including *Don Quixote* and others, makes sense. It is also in this context that the Baroque obsession with the immateriality of surface appearances, with the truth behind what the senses caught, developed. In short, as others have argued, Spanish society of the Golden Age had the difficult task of trying to make sense of shifting hierarchies, dealing with the inevitable tensions, and still maintaining order.<sup>23</sup>

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<sup>23</sup> Adolfo Carrasco Martínez, *Sangre, honor y privilegio. La nobleza española bajo los Austrias* (Barcelona: Ariel, 2000), ch. 3; Jeremy Robbins, *The Challenges of Uncertainty: An Introduction to Seventeenth-Century Spanish Literature* (London: Duckworth, 1998); Jodi Campbell, *Monarchy, Political Culture and Drama in Seventeenth Century Madrid: Theatre of Negotiation* (London: Routledge, 2016); Elizabeth Leffeldt, "Ideal Men: Masculinity and Decline in Seventeenth-Century Spain," *Renaissance Quarterly* 61 (2008): 463-494.

This was no easy task and, in terms of etiquette, created innumerable problems. Foremost among them in the eyes of learned commentators was the so-called inflation of courtesies, or the tendency to add ever more intricate flourishes to salutations of rank. This problem rankled many. For instance, Furió Ceriol— one of the minds behind the 1586 law attempting to curb the courtesy flourishes that only cluttered written missives— argued that such a proliferation of extravagant honorifics only served to confuse the proper hierarchy of society, even leading to serious disagreements between friends and within families.<sup>24</sup> While honorific extravagances might seem harmless, they did reveal a broader problem of a society coming to terms with social mobility and the presumed loss of social order. Even the Inquisition was not immune to such trends. Indeed, soon after the 1586 law on the regulations of courtesies was passed, the Supreme Council of the Inquisition sent a circular to all tribunals specifically asking them to apply these regulations when writing missives to the Council.<sup>25</sup>

Likewise, another pressing problem that complicated etiquette for the Inquisition stemmed from the increasing institutional complexity of the early modern era. Just as social norms and hierarchies were becoming muddled as claims to status increased over time, so did the growth of an imperial bureaucracy and the inevitable complexity of lines of authority mean that precedence in matters of etiquette was never clear. Simmering disputes over jurisdiction—so common at this time—often boiled over in conflicts over formal etiquette in public settings. The problem, for everybody involved including inquisitors, was that precedence in such acts was tied to multiple, situational, and opaque sources of power. As Teresa Canet Aparisi argues in her study on the complexities of struggles over precedence in Valencia, the growth in protocol conflicts seemed particularly correlated to increased jurisdictional and institutional complexities.<sup>26</sup> Who should take precedence, and thus own the gestural or positional apparatus that signaled dominance, was not necessarily clear given competing claims for authority.

If the social epistemology neuropsychologists predict is important for the interpretation of others' gestures and the ability to control one's own response effectively was muddled and shifting, so was the very language of gestures that is essential to correctly visualizing them. While, as we have seen, everyone knew which general gestures and postures meant dominance and submission—bowing,

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<sup>24</sup> David Lagomarsino, "Furió Ceriol y la 'Pragmática de las cortesías' de 1586," *Estudis. Revista de historia moderna* 8 (1979-80): 87-104.

<sup>25</sup> The inquisitorial order regarding courtesies can be found in AHN, Inquisición, libro 497, 216r.

<sup>26</sup> Teresa Canet Aparisi, "Jerarquización de poderes y cuestiones de precedencia en la corte virreinal de Valencia," *Saitabi* 50-51 (2010-2011): 170.

distance to a revered object, sitting or not, and so forth—the precise choreography assigned to institutions and persons in public was nowhere near codified. Granted, the early modern period did witness increasing attempts to standardize the etiquette for this or that event. For example, between 1582 and 1604, Nicolás Vergara el Mozo drew a series of sketches meant to outline the expected choreography at public events in the cathedral of Toledo—the most important and wealthiest in all of Spain.<sup>27</sup> Likewise, encounters between Mexican bishops and viceroys also were becoming increasingly standardized.<sup>28</sup> The Inquisition itself participated in this process wholeheartedly. Not only did the seventeenth-century witness an increase in inquisitorial correspondence and preoccupation with the concept and form of ceremonial activities, but one may also consider the report on the ceremonial for the Inquisitor General later in that century which advised his eminence on the minutiae of proper etiquette when receiving guests.<sup>29</sup>

The problems with all this codification, however, remained multiple. First, consider its chronological and geographical limitations. The ceremonial for the Inquisitor General was not written until at least 1660, if not later. Its pages even contained a veiled critique about former Inquisitors General and their etiquette practices. For example, it seems that in 1645 those attending the investiture of Diego Arce de Reinoso did not take off their caps while standing, to which the author quipped, “I do not know the justification for this, because it is odd to remain covered and standing.”<sup>30</sup> If anything, such a comment underscores the extent to which the specific bodily choreography of ritual courtesy was changing over time. Also, much of the effort to standardize etiquette seemed to have been effective only close to court: just as Madrid seemed to have enjoyed a clear set of etiquette procedures for the public procession announcing an Edict of Faith, Barcelona, on the other hand, relied on more ad hoc choreographies. And differences could be found, much to the Suprema’s chagrin, from locale to locale.<sup>31</sup>

The usual claim made to overarching authorities when conflicts arose in these matters was that culprits had introduced novelties into well-established etiquette choreographies. But, as Bethencourt has demonstrated, discourses

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<sup>27</sup> Marías, “La memoria de la catedral de Toledo.”

<sup>28</sup> Cañeque, *The King’s Living Image*; Ramos, *Identity, Ritual, and Power*.

<sup>29</sup> Bethencourt, *La Inquisición en la época moderna*, 335-39; Gómez Roán, “El ceremonial del Inquisidor General.”

<sup>30</sup> The ceremonial for the Inquisitor General can be found Biblioteca Nacional de España, Mss. 7669, 86v.

<sup>31</sup> On the lack of standardization of etiquette beyond Madrid see Bárbara Santiago Medina, “La publicación de edictos como fuente de conflictos: el tribunal de la Inquisición de Barcelona,” *Pedralbes* 28 (2008): 720.

around novelty were more rhetorical flourish than established fact. If they existed at all, most codes around etiquette tended to have short histories and were, more often than not, ad-hoc responses to previous conflicts. Thus, the etiquette established for royal burials in 1598 was a response to the serious fight between Seville inquisitors and secular judges during the memorial for the Queen in 1580. Likewise, the second half of the seventeenth century saw multiple attempts to regulate public courtesies between the Mallorca inquisitors and the viceroy precisely because of repeated conflicts. In short, the production of etiquette standards was never systematic and, if anything, reflected the fragility of attempts to silence conflicts that were all too easy to express through public rituals and manners.<sup>32</sup>

Overall, therefore, the expectations in the neurophysiological literature on etiquette gestures—clear gestural codes and social structures—appear eminently muddled in historical context. While this can be expected as we transition from the lab to historical findings, it only underscores the extent to which the early modern mannered habitus managed to work well despite such uncertainties. Indeed, if we circle back to our introductory example of Granada inquisitors and their silent and subtle battle against Chancery judges during the memorial for Queen Isabel in 1678, the remarkable feature remains not just the neurophysiological ease of half bows and not-quite-nods that sent a pointed but ephemeral message, but their effective performance in the midst of contested codes and expectations.

Who had precedence in this case, inquisitors or Chancery judges? The matter was of long-running debate and affected relationships between secular and inquisitorial judges in general throughout the period. Whose authority was closest to that of the monarch: the guardians of the faith or the final interpretative body of the king's law? Both sides had good claims in this regard: even the Council of State to which the matter had been forwarded hemmed and hawed on this issue with a less than clear response. Ultimately, the matter could only lead to disputes because precedence, and thereby the proper lines of authority, had never been fully codified. Such decisions were ad hoc, at best, and often depended on situational concerns. Maybe such confusion over precedence was useful to a crown trying to manage institutional egos that could not but seek ever greater closeness to the center of power: competing claims and conflicts only assured distraction from any possible challenges to monarchical authority. But, regardless

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<sup>32</sup> AHN, Inquisición, legajo 4746, no. 8. Bethencourt, *La inquisición en la época moderna*, 136-40, 299.

of the reasons for such lack of clarity in matters of precedence, this confusion was systemic, sustained, and could only further fuel etiquette conflicts.<sup>33</sup>

The same can be said for the problem of choreographic certainty for the gestures and positions expected of both tribunals. Nobody, not even witnesses as presumably knowledgeable as the cathedral's master of ceremonies, was able to give a clear answer regarding precedents. Although both tribunals presented memos outlining ancient privileges, they actually spoke to their claims of precedence but not the particular way in which the etiquette for the ceremony should be performed. Even those who opined on what, if anything, should be standardized, could only venture partial choreographies and incomplete movements as compromises: half bows and pretend salutes that tried to at once maintain the semblance of superiority for both tribunals while adhering to the minimum standards of courtesy. But, again, such indeterminacy on etiquette choreographies was more common than not and part of an institutional system of power relations that was less organized than expected.<sup>34</sup>

At first glance, such a tension between a well-oiled, effective mannered habitus and the quicksand of organizing institutional and cultural frameworks might seem to run counter to the expected cultural structures necessary for seeing and performing etiquette. After all, haven't studies demonstrated a strong correlation between clear-cut gestural codes and the visual perception of such gestures? Haven't they likewise shown the extent to which a common understanding of the social structures informing any gestural encounter aids in performing etiquette strategically? Such a discrepancy might be more indicative of the unavoidable methodological differences between neuroscience and history than an early modern mannered habitus not anchored in physiological realities. To a historian it is not surprising that the cultural factors predicted to aid neurophysiologically in the perception and motor control central to etiquette appear half-formed: their broad outlines are evident but in a shifting and flexible fashion. This raises interesting questions, therefore, regarding the interaction between brain and culture. Whereas cultural neuroscientists consider vision and motor control as efficient brain adaptations to culture, they are doing so from the epistemological end point. For historians, much more interested in process, we can then add inquiries into how this adaptation played out in contingent and flexible contexts.

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<sup>33</sup> AHN, Inquisición, legajo 2496, no. 7. On the problem of precedence among various competing institutional interests in the Spanish monarchy, see the report prepared for Philip III that revealed the complexity of such matters as discussed in Leandro Martínez Peñas, "El informe de Fernando Carrillo sobre conflictos de precedencia," *Revista Aequitas* III (2013): 189-219.

<sup>34</sup> AHN, Inquisición, legajo 2496, no. 7.



And where better to flesh out etiquette in flexible contexts than in its daily performance? Whereas high rituals, such as *autos de fe* and other civic events, certainly do showcase the mannered body, they were by their nature sporadic performances that dotted the calendar. If, as we have seen, inquisitors and their peers were so truly invested in etiquette and its import, then one might expect it to be also deployed in less structured daily contexts: specifically in the tribunal where inquisitors spent most of their time. If the visual perception and motor control of etiquette gestures was working so well in public events despite ever-shifting epistemological peculiarities, then it would be worthwhile to explore these neurophysiological processes in the more granular detail of their daily practice.

Consider, therefore, visual perception and its apparent neurophysiological connection to clear gestural codes. In the daily work of inquisitors, we can see that, whereas etiquette gestures and social expectations were indeed shifting and unpredictable, judges still managed to interpret and notice subtleties, however uncodified and malleable, that spoke to precedence and therefore mattered to them. Reasons for this success were multiple. First, as part of their work as judges, inquisitors were effectively trained to focus on gestures. After all, everyone knew of the cunning malice and dissembling of heretics. As Francisco Peña argued, in his widely-read edition and commentary of Eymeric's medieval manual for inquisitors, "in the way of asking questions, the inquisitor will be very careful in not giving [the heretic] material for trickery (...) Heretics are very astute in hiding their errors, they pretend sanctity and cry fake tears that may soften even the most rigorous of judges."<sup>35</sup>

As such, inquisitors were often attentive to the gestures and expressions that signaled falsehood. As one Valencian inquisitor argued in 1682, "from what one [witness] and the other says, truth can be ferreted, and paying attention to the face and the way of responding to questions, the judge can easily make a decision."<sup>36</sup> Such confidence was at least, partly, reflected by inquisitor Zambrana y Bolaños who in 1679 had the difficult task of discerning between the competing testimonies of four Madrid prisoners suspected of sullyng a crucifix. Although the main culprit of the four, a certain Espinosa, had seriously implicated the other three, when Zambrana interrogated the supposed accomplices, he assessed that, "by their facial expressions they were not guilty of this." He further suggested, "I was more persuaded of this, seeing the fearful shaking and variability in

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<sup>35</sup> Nicolau Eymeric, *Manual de inquisidores*, ed. Francisco de Peña, trans. José Marchena (Montpellier: Imp. de F. Aviñon 1821), 17.

<sup>36</sup> AHN, Inquisición, legajo 561, no. 2.

[Espinosa's] depositions."<sup>37</sup> Through attention to behavioral cues, inquisitors often sought to determine the veracity of testimony. Inquisitorial attention to the bodies—gestures and movements—of defendants has been well documented and formed an obvious part of their perceptual apparatus.<sup>38</sup> Although not directly tied to a mannered habitus, the practiced visual attention to gestures of deceit involved similar neurophysiological processes to those required for noticing gestures of etiquette. In short, in their work as judges, inquisitors honed visual skills neuro-adjacent to those required for perceiving bodily precedence.

That inquisitors also employed their visual know-how precisely on matters of courtesy within trial is also evident. While the scholarly attention paid to questions and gestures of precedence in inquisitorial trials is scant, the choreography and practice of etiquette as reflective of status mattered to judges. After all, in a society so imbued with concerns over status, the very staging of the trial reflected precedence. Inquisitors lorded over defendants, not just by virtue of their effective judicial power but also in the way bodies, gestures and choreographies simulated status. Nowhere was the loss of freedom most keen to defendants first brought before inquisitorial power than in the all-too-evident shattering of whatever status they might have enjoyed outside the tribunal. Thus, defendants would have faced judges seated in richly-decorated high-backed chairs under a canopy bearing the inquisitorial and royal arms that signified their precedence and gave legitimacy to the proceedings.<sup>39</sup> Prisoners, on the other hand, would have to make do with a mere stool.<sup>40</sup>

That such bodily precedence mattered a great deal is evident from inquisitorial correspondence on the matter. In 1561, a question arose as to whether Toledo inquisitors were improperly granting precedence privileges, such as a high-backed chair, to important defendants. The judges' response that this had only been done exceptionally (such as in a case against a Valladolid abbot) when a stool could not be found seems to have been borne out later.<sup>41</sup> Indeed, by 1644 when Jerónimo de Villanueva, secretary to the monarch and brother to the

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<sup>37</sup> The Zambrana quote can be found in the following letter, AHN, Inquisición, legajo 2498, no. 1, June 8, 1680.

<sup>38</sup> Andrew Keitt, "The Miraculous Body of Evidence: Visionary Experience, Medical Discourse, and the Inquisition in Seventeenth-century Spain." *The Sixteenth century journal* (2005): 77-96.

<sup>39</sup> See for example, a 1640 inventory of the hearing chamber in Toledo's inquisitorial tribunal in AHN, Inquisición, legajo 2104, no. 15. Inquisitors' high-backed chairs were covered in crimson velvet and had gilded nails and gold thread. The canopy, which was adorned with the royal and inquisitorial arms, was made with red damask and velvet.

<sup>40</sup> As per regulations in Gaspar Isidro de Argüello, ed., *Instrucciones del Santo Oficio de la Inquisición, sumariamente, antiguas, y nuevas* (Madrid: Imprenta Real, 1630), 20.

<sup>41</sup> AHN, Inquisición, legajo 2104, no. 1, f. 88r-v.

Marquis of Villalba, was arrested for complicity in the infamous case involving the nuns of San Plácido in Madrid, he was given a stool just like anybody else. The issue was not unimportant: Villanueva seems to have been thinking about this since his arrest as, on the journey to Toledo's secret jails, he asked the accompanying inquisitorial officials whether gentlemen like himself were afforded the privilege of a high-backed chair.<sup>42</sup>

Even more crucially to the question of gestural etiquette, Villanueva likewise seems to have irked inquisitorial sensibilities with too-presumptuous of a bodily disposition. Indeed, a 1644 external *visita* (external review) specifically inquired whether Villanueva had strayed too far in his indecorous manner during trial: apparently not only did he often inappropriately raise his voice during hearings, but he would even “raise his hand or make other gestures moved by natural passion.”<sup>43</sup> While such affronts to the relative standing expected between defendant and judge did not last long, the raised hand and the generally indecorous gestures are interesting in terms of visual perception. Here we have no specific gestural code being broken, no detailed etiquette being challenged, but rather an all-too-obvious sense to the inquisitors present that Villanueva had overstepped the bounds of expected decorum. In short, though unpredictable and certainly uncodified, inquisitors knew when a defendant's gesture had gone too far.

This general sensory attunement to gestural breaches of etiquette in trial—no matter if uncodified—speaks not only to inquisitorial daily care to such matters, but also to the inherent flexibility in their interpretive understanding of gestures of affront. Consider likewise the case of a hapless young converso tried in 1635 in the Lima tribunal: Manuel Enríquez who, though showing signs of evident madness, required many years for such a finding to be made. In fact, inquisitor Mañozca, who presided the hearings for much of his initial trial, honed in on Enríquez's uncontrolled gestures and body movements as evidence of not only feigned madness but also disrespect. When Enríquez rolled on the floor of the hearing chamber, Mañozca told him in no uncertain terms to stop such ridiculous behavior: months later, the prosecutor not only charged him with faking madness to delay proceedings but specifically referred to the “manifest contempt of court” in his gestures and behavior.<sup>44</sup> While the issue of legal madness was

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<sup>42</sup> AHN, Inquisición, libro 297, ff 31r-32r. For more on his case, including the complicated politics around it, see Carlos Puyol Buil, *Inquisición y política en el reinado de Felipe IV. Los procesos de Jerónimo de Villanueva y las monjas de San Plácido, 1628-1660* (Madrid: Consejo Superior de Investigaciones Científicas, 1993).

<sup>43</sup> AHN, Inquisición, legajo 2103, no. 2

<sup>44</sup> AHN, Inquisición, legajo 1647, no. 11.

complex and spoke to legal fears of heretical trickery, it still bears emphasizing that in a context where inquisitorial tribunals lacked formal codes of trial etiquette, rather relying on a general understanding of precedence, judges immediately saw and understood imprecise gestural and bodily affronts to their status and legitimacy.<sup>45</sup>

Even more importantly to this practiced visual interpretation of etiquette gestures, no matter how uncodified, is that such sensory performances permeated tribunal life well beyond trial. That is, not only were judges ready to notice defendants' breaches of gestural decorum, but such questions affected relationships between inquisitors themselves and their staff. This was particularly the case during overt conflicts and display of unseemly inquisitorial anger. Thus, in 1646, Antonio Sevillano, a newly-arrived notary to Toledo, found that inquisitor Porres expressed his personal dislike towards him through the control of gestural etiquette: not only did the inquisitor expect him to present various letters he carried together with outside petitioners but, while they were read, he was made to stand and take off his hat. When, in the midst of a trial, Sevillano alerted inquisitor Porres to a procedural mistake, not only did the judge curtly tell him to continue and to just focus on writing but, much to everyone's surprise, he just stood up and walked out of the hearing.<sup>46</sup> Likewise, when inquisitor Pintor, who manned the Sardinia tribunal in the early seventeenth century, became incensed at the lack of specific funds reported by the receptor, the indecorous movement of "getting up a little bit from his chair" was rightly noted as a gestural context for his fury. Not surprisingly, an external *visita* resulted in charges against this outburst.<sup>47</sup> In short, while tribunal etiquette was flexible in its lack of codification it was nonetheless unforgiving because gestures and movements were read in the context of institutional and social expectations.

While it might seem rather mundane that inquisitors could easily interpret gestural breaches of etiquette when performed in trials and procedural hearings, these daily courtroom practices in the midst of uncertain codes of precedence reveal much about the way historical cultures and neurophysiology interact. Whereas for a neuroscientist a common and clear gestural language appears as a pre-condition for a visual adaptation to an etiquette context, in historical time both

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<sup>45</sup> On insanity and the Inquisition see María Cristina Sacristán, *Locura e Inquisición en Nueva España, 1571–1750* (México: Fondo de Cultura Económica, 1992); Hélène Tropé, "Inquisición y locura en la España de los siglos XVI y XVII," *Bulletin of Spanish Studies* 87, no. 8 (2010): 57-79; Sara Tilghman Nalle, *Mad for God: Bartolomé Sánchez, the Secret Messiah of Cardenete* (Charlottesville: University Press of Virginia, 2001).

<sup>46</sup> AHN, Inquisición, legajo 2103, no. 2

<sup>47</sup> "... El dicho inquisidor se encendió en cólera, y levantándose un poco de le silla le dijo con alguna furia que él lo debía de buscar, aunque no quisiese." AHN, Inquisición, legajo 1631, no. 2

the gestural code and its perception appear to be produced almost simultaneously. Inquisitor Pintor's impulse to slightly get up from his chair broke no code. Rather his minute, if harsh movement at once became undignified and was read by others as such when it was coupled with his anger.<sup>48</sup> No code or clear general etiquette language could ever reflect this impasse—it was too ephemeral and tied to the specifics of the inquisitorial outburst. Uncodifiable as such a gesture was, however, beneath a broad, often inchoate, grammar of precedence and in the midst of contested, fraught inter-personal situations, we can observe specific, contingent sentences of this etiquette language being performed, read and categorized simultaneously. In short, the cultural and the neurophysiological elements of seeing etiquette seem to emerge simultaneously through interrelated, creative processes.

That perceiving gestures of precedence could work flexibly in the midst of uncertainties about this or that specific code or etiquette prescription also presaged success for the other side of the mannered habitus: performing gestures in a socially effective manner. And, just as we saw with visual perception, iterative and neuro-adjacent judicial practices probably helped to hone such skills as well. After all, inquisitorial demeanor during trial was highly performative and required exquisite control of facial gestures and body movements: if heretics were presumed to lie, then inquisitors would have to avail themselves of all tools, including corporeal, to enjoin confession.<sup>49</sup> Judges were, therefore, advised to ruffle slowly through a stack of papers to make defendants believe substantial evidence against them existed.<sup>50</sup> Likewise, of special import to such a judicial dissembling was the control of facial expressions. Indeed, inquisitors expected to keep a neutral facial disposition—no matter the subterranean roil of emotions they might be experiencing. As the 1653 external reviewer of the Logroño tribunal exclaimed, upon charging inquisitors with having displayed too much anger against two defendants, “judges must always control themselves, so that their feelings will not be reflected even in their facial expressions.”<sup>51</sup>

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<sup>48</sup> Inquisitors were expected to maintain a serene mask of equanimity, both during trial itself (as discussed by Peña in his reading of Eymeric, *Manual de inquisidores*, p. 20) and when interacting with each other and staff. See Argüello's seventeenth-century *Instrucciones* available in Juan Carlos Domínguez Nafría, “La ‘copilación’ de las instrucciones inquisitoriales de Gaspar Isidro de Argüello,” *Revista de la Inquisición* 12 (2006): 208 where they were urged to keep any differences or conflicts secret.

<sup>49</sup> As Eymeric and his Spanish commentator, Peña, argued, the trickery of heretics required inquisitors' own response in kind. Eymeric, *Manual de inquisidores*, 21-24.

<sup>50</sup> *Ibid.*, 21

<sup>51</sup> “... pues siempre deben los jueces ajustarse de manera que ni aun en el semblante se descubra su sentimiento.” AHN, Inquisición, legajo 1684, no. 2.

Just as inquisitors likely had good practice at basic gestural and facial control, so did trial hone the crucial element neuroscientists predict to aid in the motor performance of etiquette gestures: understanding others' social intent, or mentalizing. The very nature of inquisitorial work—in particular the focus on confession as fully probative of crime—necessitated a keen sense of a defendant's mind. Because it was so important, inquisitors relied on a series of techniques meant to read, prod, pressure and, eventually, bring a defendant to confession. Much can be made of torture as the ultimate tool in the judicial arsenal but, in fact, it was only applied as a tactic of last resort and required certain legal prerequisites.<sup>52</sup> Before arriving at that point, inquisitors relied on other tactics—psychological pressure, feigned friendliness, suggestion, trickery—that, while common to modern investigative interrogations and processes, nevertheless required adroitness at reading defendants' mental states. How to prime a defendant for confession? At what point was the defendant ready? What type of confessional mode to use? Answers to any of these questions required a good sense of the defendant's state of mind and precise timing.<sup>53</sup>

Reading inquisitorial trials one notices the long stretches of hearings in which inquisitorial intervention sticks to formulaic questions and pronouncements. It is striking therefore, when this or that judge decides to ask a pointed question, to demonstrate empathy, or to threaten a defendant to obtain, finally, a confession. Thus, in 1640 Toledo inquisitor Santos de San Pedro waited months in relatively uneventful hearings with Juan de Llanos, who denied the blasphemy of which he had been accused. But, after a conscious lengthening of the trial to let Llanos stew in the secret jails (a common technique since the Middle Ages), Santos de San Pedro obviously reached that pivotal moment when his reading of Llanos' mindset told him he was about to crack. Thus, in a hearing detailing the Publications of Witnesses, San Pedro's question about the inherent logical impossibility of Llanos' statement and the implication of potential heresy were he to continue denying his blasphemy, finally led the defendant to admit

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<sup>52</sup> On torture in the Spanish Inquisition see Henry Charles Lea, *A History of the Inquisition of Spain*, Vol. 3 (New York: Macmillan, 1906-07), ch. 7; Kamen, *The Spanish Inquisition*, 238-42; Nauhcatzin Tonatiuh Bravo Aguilar, "El Santo Oficio de la Inquisición en España: una aproximación a la tortura y autoincriminación en su procedimiento," *Anuario Mexicano de Historia del Derecho* 16 (2004): 89-114.

<sup>53</sup> As Peña stated in his edition of Eymeric's inquisitorial manual, "to these tricks [by heretics], the inquisitor will respond with others, paying the heretics with the same coin." Eymeric, ed. Peña, *Manual de inquisidores*, 19. On inquisitorial pressures to confess see James Given, "The Inquisitors of Languedoc and the Medieval Technology of Power," *The American Historical Review* 94 (1989): 336-80.

guilt—after that, his confession continued sheepishly and without the bravado he had so long exhibited.<sup>54</sup>

The same can be said for the 1638 Toledo case against Blanca Lopez for judaizing. Unlike in Llanos's trial, inquisitor Santos de San Pedro got nowhere in the hearings he held with the defendant through that fall. After more than a year, when new charges were added, another inquisitor, Baltasar de Oyanguren took over the case. It is likely that Oyanguren had an informal talk with Blanca right after a March 1640 hearing where she remained *negativa*, for but three days later, she requested a hearing in which she fully confessed, exceptionally adding that "since this second accusation was brought against her in front of the lord inquisitor Don Baltasar, who was like an angel to her with the reasons he gave her, she has felt like confessing the truth."<sup>55</sup> That the too-lengthy imprisonment might have finally broken Blanca is quite likely. But, Oyanguren's role should not be underestimated: something transpired in their conversations that not only convinced Blanca to finally confess, but to do so with such a rare interpolation of gratitude towards the judge. Ultimately, so crucial to inquisitorial jurisprudence was confession, that judges were obviously attentive to defendants' state of mind, to their sensibility reaching that point where an experienced inquisitor needed just one interaction to release a confessional torrent.

Not only did inquisitors focus on confession in its strictly legal sense, but also in its penitential context. After all, the Inquisition's goal was not merely to punish heresy but to reconcile wayward Christians with the church, to reform their wicked ways and thus salvage the Christian community.<sup>56</sup> In this too, inquisitors required precise attention to a prisoner's state of mind. For example, it was not unheard of to have last-minute hearings just before, or even during, an *auto de fe* with a finally-repentant heretic. Although this would not cancel punishment, it might lessen the penitence afforded to the prisoner—but only if sincere. After all, even the most obstinate of heretics might feign repentance when faced with the prospect of a fiery death. In the 1680 Madrid *auto de fe*, for instance, inquisitor Zambrana y Bolaños set up a process on the night previous to the *auto* meant to find any last-minute sincere conversions. Not only were prisoners afforded confessors and snacks in the makeshift jailhouse built by the

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<sup>54</sup> AHN, Inquisición, legajo 39, no. 45.

<sup>55</sup> "... Desde que se le puso la segunda acusación presente el señor inquisidor don Baltasar que fue un ángel para ella con las razones que la dijo a tenido ánimo de confesar la verdad." AHN, Inquisición, legajo 160, no. 3

<sup>56</sup> See Christine Caldwell Ames, "Does Inquisition Belong to Religious History," *The American Historical Review* 110, no. 1 (February 2005): 11-37 on the confessional nature of inquisitorial work.

main stage, but they were also specifically visited by the inquisitor. In fact, Zambrana y Bolaños ended up holding two overnight hearings with newly-repentant prisoners.<sup>57</sup> The inquisitorial office, then, necessitated particular attention to others' mindsets. Not only did inquisitors need to weed truth from lie, but they also required a sharp sense of the psychological condition of prisoners to extract confessions as well as determine the degree of repentance many claimed.

In a way, just as we saw with the judicial practice of reading defendant gestures, although seeking to understand the state of mind of a presumed heretic was not necessarily tied to the social concerns important to the motor control of etiquette gestures, such daily iterative practices honed the mentalizing skills that would allow inquisitors to succeed when it came to understanding social intent in etiquette contexts. And, likewise, just as perceiving gestures mattered to inquisitors in daily tribunal life, so did performing the appropriate mannered gesture, even if uncertain, make a difference to inquisitorial relations with other staff. A good example of the application of mentalizing—a social epistemology—in the motor production of gestures is the controversy that plagued the Toledo tribunal around proper inquisitorial courtesies to the notaries with whom they worked. Of particular ongoing interest was the question of the removal of the inquisitorial cap: mixed messages abounded, especially through seventeenth-century anxieties over the issue. Whereas judges were expected to remove their caps—a sign of judicial authority and legitimacy—in hearings that included the ordinary, should such a courtesy be extended to notarial staff? Repeated internal inquisitorial legislation prohibiting such a courtesy – 1618, 1622, 1633—highlights its contentiousness and suggests its inefficacy in the face of social realities in local tribunals. This was precisely the problem with Toledo inquisitors in 1640 who were charged by the *visitador* (external reviewer) of improperly removing their caps in response to notarial courtesies.<sup>58</sup>

While the quick motor choice of removing a cap might seem obvious and automatic for an inquisitor encountering a notary doing likewise, the performance of this courtesy was fraught with strategic calculations and speaks to inquisitorial social epistemologies. First, the question of whether inquisitors should perform a formal courtesy to notaries and the meaning of such gestures was, despite ongoing legislation on the matter, not settled in daily practice. When asked about such practices, inquisitor Santos de San Pedro merely responded that, if such courtesies were being performed they did not detract from the power and legitimacy of inquisitors, after all the social prestige embedded in a courtesy accrued to he who

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<sup>57</sup> For the last-minute conversions in 1680 see Olmo, *Auto general de fe*, 93-94.

<sup>58</sup> AHN, Inquisición, Legajo 2103, no. 1.



offered it, not the receiving end.<sup>59</sup> As much as such a response irked the *visitador* who saw it as flippant, the conscious choice to engage in courtesy towards notaries was embedded in the social realities of Toledo.

While in an idealized tribunal hierarchy inquisitors obviously lorded over notaries, working in a small city like Toledo meant more complex social calculations. Although all three inquisitors (Cienfuegos, Santos de San Pedro, and Oyanguren) hailed from upwardly mobile families, the accelerating tendency in Toledo for local oligarchs to entrench themselves in institutions of influence meant they were not just working with run-of-the-mill notaries but, often, representatives from powerful clans who had joined inquisitorial ranks in a competitive race to hoard honorifics.<sup>60</sup> Take the following notaries with whom these inquisitors worked: Párraga y Vargas was a member of the Order of Calatrava and had accumulated multiple other honorifics; Fernández de Mesa hailed from a powerful family of aldermen in the city; Lira Sotomayor was not only an *hijodalgo* (petty noble) and member of the Order of Santiago, but would also eventually ascend to *regidor* (councilman) of Toledo.<sup>61</sup> In such a context of rapidly-changing social realities, glacial expectations around inquisitorial and staff courtesies made little sense: although technically subordinates, these men provided crucial connections to power brokers and social influence in a local society which inquisitors could not escape beyond the tribunal walls.

Ultimately, given the weight of urban hierarchies, influence and relationships, the calculus inherent to the performance of courtesies inside the tribunal was dynamic. That everyone knew of such broader forces and could thus pull on this etiquette thread when needed is apparent from the complaint that

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<sup>59</sup> *Ibid.*

<sup>60</sup> The seminal work on the increasing power of Toledo's oligarchy is José Aranda Pérez, *Poder y poderes en la ciudad de Toledo: gobierno, sociedad y oligarquías urbanas en la Edad Moderna* (Cuenca: Universidad de Castilla-La Mancha, 1999). Among the above inquisitors, Cienfuegos hailed from a family in Asturias that would continue to place members in ecclesiastical positions of power, including a namesake who would go on to become Bishop of Popayán and another relative who would become cardinal. See Joseph de Roxas y Contreras, *Historia del colegio Viejo de San Bartholome Mayor de la celebre Universidad de Salamanca* (Madrid: Andres de Ortega, 1768), 504-7; Carlos Gonzalez de Posada, *Memorias históricas del principado de Asturias y obispado de Oviedo* (1794), 213-236. Likewise, as per Joseph de Barzia y Zambrana, *Despertador Christiano de sermones doctrinales*, Vol. 4 (Lisbon: Miguel Deslandes, 1682), pp. ii-iii, Santos de San Pedro's family included other inquisitors, bishops and prominent ecclesiastics. Finally, according to Oyanguren himself in his *Por el doctor don Baltasar de Oyanguren, Inquisidor Apostolico de la Inquisicion de la ciudad de Toledo*, Biblioteca Nacional, PORCONES/ 91/ 13, his brother was Purveyor for the Galleys and one of his uncles had been recognized for his heroics in the battle of Nordlingen.

<sup>61</sup> Aranda Pérez, *Poder y poderes*, 193, 307, 333.

notaries would sometimes not even deign to correspond the courtesy of removing the cap to the inquisitors who initiated it. Inquisitor Cienfuegos perhaps best summarized the social tensions embedded in such questions: “since [the notaries] are natural to this city, with some of them among the richest and most powerful citizens, they give little notice to the respect and obligation they owe to the lords inquisitors.”<sup>62</sup> The inquisitorial motor performance of removing a cap in courtesy to the notaries was thereby complex, strategic and required an excellent sense of social dynamics, intent and timing. That the courtesy was not merely automatic and unthinking is best seen by the fact that inquisitors did choose under what conditions to perform it. As inquisitor Oyanguren stated, it might have been done –but only outside the audience chambers and never when inquisitors were seated under the canopy that signified their judicial authority.<sup>63</sup>

Examining inquisitorial etiquette in the muck and mud of tribunal life, including trial and social relations with staff, allows us to better understand the complex interaction between neurophysiology and culture necessary for a working mannered habitus. Even in the midst of ever-shifting, schizophrenic gestural languages of precedence and socio-institutional expectations, inquisitors were able to effectively read and perform etiquette. Drawing from similar neurophysiological practices in their everyday work as judges and nimbly navigating shifting social tensions at the tribunal and local level allowed them to visualize and perform gestures of etiquette in relation to defendants, co-workers and others even in the midst of ongoing uncertainties. As such, the mannered habitus emerges as eminently flexible and performative in its true productive sense: with both a language of precedence and its gestural apparatus being created as it was performed and read.

It is, therefore, in this light of a habitus that appears as much more malleable than expected in the neuroscientific literature that we can truly make sense of the ease with which inquisitors and their peers could engage in such subtle contests over precedence in more formal ritual contexts. Unmoored as gestures of etiquette might have been given shifting gestural codes and social hierarchies, the ubiquity of such practices well beyond sporadic high rituals might have helped to hone such neurophysiological skills. Likewise, as much as the specifics of a bow, a hand gesture, or a movement might have been contested,

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<sup>62</sup> “.. Y en otras ocasiones que se entra a las salas del secreto no se levantan de sus sillas aunque vean que los dichos inquisidores se quitan sus bonetes al entrar en las salas ni en la observancia de las cartas acordadas que tratan de este punto tienen cuidado y respecto de ser naturales de esta ciudad y algunos de ellos los más ricos y poderosos hacen poco caudal de los que debieran cumpliendo con la obligación y respeto que se debe a los señores inquisidores” AHN, Inquisición, legajo 2104, no. 14, f. 22v.

<sup>63</sup> AHN, Inquisición, legajo 2104, no. 17, f. 65r.

such gestural performances remained effectively embedded within a cultural framework that not only privileged such corporal actions as indicative of status and worth but that taught everyone to pay particular attention to them. Finally, the practical flexibility to the visualization and performance of gestures in daily, iterative interactions, meant historical subjects, including inquisitors, defendants, staff and even their bureaucratic peers could more easily calculate, shift strategies and innovate when it came to an encounter involving courtesy, both in less structured contexts and the formal ones they might engage in during high rituals.

That inquisitors were so nimble, day in and day out, in reading and doing etiquette, despite the relative quicksand of the social and institutional frameworks informing such contests speaks, finally, to the broader question of how brain and culture interact over time. Certainly, there is much to say for the neuroscientific models that see the brain itself as adaptive to particular cultural environments. Such a view has rightly dynamized and enriched older interpretations of static brain processes. At the same time, the inquisitorial experience in these matters suggest that, at least in the early modern era, many of the brain processes required for seeing and doing courtesy effectively (a mannered habitus) were developing faster and more efficiently than the plethora of socio-institutional frameworks essential to such a mannered culture. These indications of institutional and bureaucratic lags to a mannered habitus suggest future avenues of research about brain-culture interactions. Specifically, these findings open up possibilities to assessing brain-culture interactions in historical time through models of mutual adaptability. It may well be that not only does the brain effectively adapt itself to cultural change, but that social, political, and institutional historical frameworks were themselves being shaped in adaptive ways, as the years and decades pass, by emerging brain-body processes.