Gabriel Salgado **1449**

On January 26th or 27th, 1449, Alonso Cota, a converso tax farmer and treasurer of Toledo, was attempting to collect payments on a controversial new tax.[[1]](#footnote-1) Cota worked under the direction of Alvaro de Luna, constable of King Juan II, who had traveled to Toledo several days earlier to reject the city council’s request for an exemption from the tax. As Cota went to imprison an artisan who refused to pay, mayhem broke out. The townspeople were called to attention by the ringing of the cathedral’s church bell. Once assembled they advanced to the Magdalena neighborhood, where Cota and other wealthy conversos lived, and sacked and burned his house and several others.[[2]](#footnote-2) From there they proceeded to take control of the city gates and fortifications in anticipation of the king’s retaliation. This would come in early May, when he arrived with his army at the city walls. Juan II was unable to put a quick stop to the uprising. Rejecting the rebel’s request that he grant them amnesty and enter the city with only a minimal party, Juan II attempted to regain control of the city. Pelted with projectiles from the ramparts he was forced to retreat, leaving Toledo under the control of Pero Sarmiento, who had emerged as the leader of the rebellion. Sarmiento was a nobleman who had briefly served as the governor of Toledo, although the king had begun revoking his authority in the lead-up to the events of 1449. The apparent mastermind behind the rebellion, Sarmiento promptly targeted the converso population, carrying out a series of arrests, expropriations, and executions. He was joined by Marcos Garcia de Mora, a bachelor of humble origins who developed the juridical and theological justifications for the uprising.[[3]](#footnote-3)

On June 5th, 1449, Pero Sarmiento proclaimed before a gathering of townspeople that all “conversos, descendants of the perverse lineage of Jews”, on account of the “heresies and other offenses, insults, seditions, and crimes committed by them”, [[4]](#footnote-4) were held to be unworthy and incapable of exercising the offices and the benefits they enjoyed and were thus duly deprived of them. Sarmiento went on to name fourteen specific converso individuals who would be stripped of their offices and replaced by others with clear Old Christian heritage.[[5]](#footnote-5) This *Sentencia-Estatuto* of Pero Sarmiento has increasingly received attention from scholars who identify it as the first of the blood purity statutes that would proliferate throughout the Iberian Peninsula and colonial Americas in the sixteenth through eighteenth centuries.[[6]](#footnote-6) Blood purity statutes played a crucial role in the organization of society by regulating admission into religious orders, military and educational institutions, and movement between territories. By drawing on a notion of the heritability of immutable characteristics in order to legitimate social hierarchies, these statutes can be taken as antecedents to the racial policies that would become ubiquitous as instruments of colonial and national governance.

**Why 1449**

Tracing such a genealogy can and indeed has produced invaluable insights.[[7]](#footnote-7) My claim is not to have discovered the *Sentencia-Estatuto* as the precise originator of all of the practices and discursive elements that make up the concept of race.[[8]](#footnote-8) To frame this as a search for an ultimate beginning would not only be methodologically suspect, but it would also result in an account that obscures as much as it reveals. The cacophonous debates over the proper historicization of race should not obscure the fact that when and where one situates the origins of race carries significant implications for how we understand the concept itself.[[9]](#footnote-9) In either relating race to prior modes of thinking about religious difference or by insisting on grounding it in scientific discourses emergent in the nineteenth century distinct elements of the concept are drawn out and made central to it. Under the pretense of asking a historical question of when and where we first see the elements of a racial logic appear, at stake is actually a claim about the definition race and the work that it does in the world.[[10]](#footnote-10) Accepting that where one decides to start will significantly inform the narrative one composes, it is also true that all narratives must start somewhere. Beginning with 1449 brings into focus a particular history of race, though it should not make us blind to all others. In order to start answering the question of what 1449 could mean for our understanding of race, we must first attend to the significance it had as it occurred.

The significance of any moment is subject to continual revision as the procession of moments that succeed it threaten to derail any telos one attempts to ground in it. It can take centuries before some events which we take to be pivotal moments in history are recognized as such, while other events considered to be monumental in their time are now seen as mere details of an antiquarian history.[[11]](#footnote-11) World-historic transformations can be traced back to the accretion of miniscule changes that went by unnoticed in their time. This was not the case with the *Sentencia-Estatuto*. Upon its enactment, it was immediately taken to pose a fundamental threat to the existing social order. The debates which surrounded it are a crucial site for exploring shifting notions of difference in the early modern period. A brief overview of the course of the rebellion can help situate the debates which it would spawn.

**The Events**

Although successful in repelling Juan II’s first advance on Toledo, Sarmiento was well aware that he could not hold out against him indefinitely. His plan was to win over the support of the king’s son, Prince Enrique IV, by calling attention to their common enemy, Alvaro de Luna. The power wielded by the king’s most favored advisor had already been a source of tension for Enrique. When the king arrived to Toledo in early May, Sarmiento called for Enrique’s support in arbitrating the cessation of conflict. Enrique responded to the entreaty, and as they began to negotiate the king withdrew his army.

The future of Castile hung in an uncertain balance over the next several months. In mid-July, Enrique IV met with King Juan II of Navarre and a variety of other powerful nobles who sought to challenge Alvaro de Luna and the Castilian king. Muhammed IX, sultan of Granada, also joined in the conspiracy.[[12]](#footnote-12) However, the alliance proved to be unsteady, possibly due to a lack of trust amongst the conspirators or their uncertainty over being able to overpower Luna.[[13]](#footnote-13) Abandoning the idea of a direct assault, Enrique turned to compromise with Luna and the king. For the Toledan rebels, this represented a drastic change in their prospects. Rather than being allies against Luna, they found themselves as a bargaining chip in the negotiations between the prince and king. Sarmiento had gambled everything by pledging his allegiance (and partial control of the city) to Enrique. Once Enrique moved to make peace with the king the rebels’ days were numbered.

Sarmiento had arranged to cede control of various city fortifications to Enrique while keeping others in the hands of his accomplices. In December, Enrique moved to take them all. With the support of the townspeople he consolidated his command over Toledo, executing several rebel leaders who resisted him.[[14]](#footnote-14) By May of 1450, Sarmiento was forced to flee into exile. While this marked the end of the Toledan rebellion, the issues raised during the course of it would not be so easily put to rest.

**The Anti-Converso Case**

One clearly finds in the events of 1449 a struggle over political supremacy.[[15]](#footnote-15) The motives for the rebellion and its resolution can be told as the story of a king’s imperious advisor, an ambitious young prince, and a resentful deposed governor vying for power. While these are important elements of what occurred, this sketch would be incomplete if it did not attend to the ways in which these subjects accounted for their own actions. The point is not to adjudicate the sincerity of their claims. Rather, it is to reveal the conditions which made the Toledans’ actions sensible so as to then explore what subsequent practices and beliefs were enabled by the events of 1449.

The first missive in the battle over the meaning of the Toledans’ actions came in the form of the *Suplicación y Requerimiento de Pero Sarmiento al Rey Juan II*. Delivered to the king as he arrived to lay siege to Toledo, it framed the rebellion as responding to abuses perpetrated by the Alvaro de Luna instead of the king himself. Alleging that the tax which sparked the rebellion was concocted by Luna and Cota for their own personal enrichment, Sarmiento[[16]](#footnote-16) charged Luna with the usurpation of royal power and situated himself as the true advocate of legality. He writes that “don Alvaro de Luna, your constable, has tyrannically dissipated and devastated, and each day continues to usurp and devastate your kingdoms and manors, taking for himself the reign and management, which is the glory and power of your crown and only to your highness belongs.”[[17]](#footnote-17) He goes on to accuse Luna of having sold offices to “persons unfaithful and heretics”[[18]](#footnote-18) who have used their posts to plunder Old Christians. Conversos are explicitly brought up in reference to Luna’s defense of them.

It is notorious that the said don Alvaro de Luna, your constable, publicly defends and welcomes the conversos of Jewish lineage from your kingdoms, who are largely found to be unfaithful and heretics, who Judaize and keep the rites and ceremonies of Jews, apostatizing the chrismation and baptism they received, demonstrating through deeds and words that they received it on their skin and not in their hearts or in their will, such that their Christian color and name deceives, devastating the souls, bodies, and estates of Christians old in the catholic faith.[[19]](#footnote-19)

Sarmiento justified the persecution of Toledan conversos by casting doubts over the sincerity of Jewish converts. The assertion of their enmity toward Old Christians would continue to appear in later anti-converso works as an argument for barring them from any position where they could exercise authority over Old Christians. The *Suplicación* ends with the call for Prince Enrique IV to go to Toledo and arbitrate the cessation of conflict. After reiterating once more that their grievance is not with the king’s own acts but with those done by Luna in his name, Sarmiento adds that should the king not change course, it would be taken as a tacit abdication of his authority and the task of defending Castilian Christendom would fall to Enrique.[[20]](#footnote-20)

The enactment of the *Sentencia-Estatuto* would follow, after the retreat of the king and while the rebels appeared to enjoy the prince’s support. It repeated the accusations of converso heresy that appeared in the *Suplicación*. By casting doubts on the sincerity of their conversion, the rebels refused to exempt conversos from the restrictions in place against Jews. Additionally, it invoked a privilege granted to Toledo centuries earlier by King Alfonso as authorizing their ability to limit the rights of conversos.[[21]](#footnote-21) The difficulty of identifying this earlier writ has been a source of frustration for historians, some of whom have suggested it was entirely fabricated.[[22]](#footnote-22) The most recent scholarship by Tomas Gonzalez Rolan and Pilar Saquero Suarez-Somonte concurs with Netanyahu in pointing to a privilege granted by Alfonso VII in 1118.[[23]](#footnote-23) It states that no Jew nor recent convert to Christianity should hold command over a Christian.[[24]](#footnote-24) Netanyahu dismisses the potential precedent it sets by noting it had been superseded by centuries of subsequent legislation dealing with the rights of conversos.[[25]](#footnote-25) Gonzalez Rolan and Saquero Suarez-Somonte take the fact that none of Sarmiento and Mora’s interlocutors even bothered to engage with them on this issue as an indication that it did not pose a challenge worth responding to.[[26]](#footnote-26)

Setting aside the question of its legal standing, the privilege bears a crucial difference from the *Sentencia-Estatuto* it was invoked as precedent for. While the *Sentencia-Estatuto* targeted conversos, defined as anyone who was found to be of Jewish lineage, the privilege was restricted to Jews and *recent* converts (*nullus iudeus nullus nuper renatus*). The innovation the *Sentencia-Estatuto* presents and which is of primary interest here is the way it structures access to the holding of a variety of public offices. Both Castilian law and Church doctrine provided some precedent for withholding certain offices or privileges from individuals who had recently converted or whose faith was called into question by accusations of heresy.[[27]](#footnote-27) The practice of having a “trial period” after conversion but before one was allowed to enjoy all of the privileges of being a Christian subject was well established; although the highly variable way in which it was implemented (some individuals being subject to restrictions for years while others were appointed almost immediately into high offices) indicates that was in some cases wielded as a tool of political manipulation.[[28]](#footnote-28)

However, the *Sentencia-Estatuto* presents a qualitative shift from both those earlier policies as well as the privilege granted by Alfonso VII. Doubts about one’s religious commitment after conversion could be drawn out a great deal, but the *Sentencia-Estatuto* pushed the limits of this suspicion to its breaking point by legally codifying this doubt. By refusing to extend full Christian privileges to all those who were descendants from Jews or conversos in perpetuity it burst asunder the epistemological limits under which religious exclusion could be legitimated. Conversion as a way of mediating between forms of difference broke down, ossifying the boundary between Christians and anyone of Jewish, and later Muslim, descent. The *Sentencia-Estatuto* seeps out beyond the boundaries of the religious episteme, it is an excess that inaugurates the possibility for a new, racial mode of thinking.

**Continuity and Difference**

Two dimensions of the term race must be distinguished in order to explain this shift: race as a particular episteme[[29]](#footnote-29) and race as a definite set of social relations. As an episteme, it stands for a total set of beliefs, claims, and knowledges which make up “a specific system of symbolic representation and mode of subjective understanding”.[[30]](#footnote-30) As a definite set of social relations it includes the legal structures which authorize the rules about the extension of particular rights and responsibilities. The pervasiveness of hierarchies within social relations and their accompaniment by corresponding epistemes which legitimate them does not mean that the particular form they take is insignificant. The religious and the racial epistemes that the *Sentencia-Estatuto* sits between produce categories of difference in a variety of ways. The fact that they both operate based on the production of difference should not lead us to see the changes from one to the other as a superficial shift. How they structure relations between different categories (Jew, converso, Christian), police the boundaries between them, and dictate the terms under which incorporation from one to the other may take place deeply shapes the terrain on which political struggles take place. Without going so far as to claim that the emancipatory possibilities in a given time are fully determined by these, it is crucial to keep in mind the experiences of struggles which surpass the epistemic conditions that could account for them.[[31]](#footnote-31) Still, tracing the contours of a given episteme and set of social relations is an important step in understanding how people make politics under the conditions they find themselves in.

While changes in a definite set of social relations may be relatively straightforward to track through the enactment or repealing of legislation (as well as policies within non-state institutions), tracking epistemic shifts is much more challenging. No epistemic break is so great that all previous discursive forms are rendered mute before it. The function of any discursive formation rests on how it draws upon the sensibility of prior statements. The fact that we will always be able to trace certain continuities poses a challenge for thinking about change. Without abandoning the claim that the *Sentencia-Estatuto* does mark some sort of event, the question becomes what form the event takes.

As previously discussed, the event is not an absolute origin point. Instead, we can approach it as a kind of prism. While taking the *Sentencia-Estatuto* as inaugurating a racial episteme we can still discern a variety of histories that are refracted through it. The failure of conversion to secure conversos the full rights and privileges of Christian subjects distinguishes it from earlier anti-Jewish policies. Even as the *Sentencia-Estatuto* insists on the preservation of the Jewish spirit in the converso, Jew does not name the same subject it had previously. The juridico-theological criteria that lent cohesion to the Jewish subject were exploded. And yet the victims the *Sentencia-Estatuto* produced are not unexpected. We can find a history of anti-Jewish violence refracted through it. The restrictions on office-holding enacted by the IV Council of Toledo in 633, repeated in 1215 by the IV Council of Lateran, and again in the thirteenth century in Alonso X’s *Siete Partidas*, the pogroms and mass forced conversions in 1391, these are some of the moments of that history.[[32]](#footnote-32)

Recounting the suffering of Old Christians, the *Sentencia-Estatuto* reads “...the constable don Alvaro de Luna, along with his henchmen and allies, our enemies, made cruel war against us, armed with blood and fire, harming, robbing, and laying waste to us as if we were Moors, enemies of the faith...”[[33]](#footnote-33) Here another history is revealed. The Iberian understanding of religious difference did not operate through a Christian/Jewish binary, but was deeply shaped by the Islam as well. The struggles over the Castilian throne were concurrent with the Reconquista and the political alliances that were made and unmade crossed religious lines.[[34]](#footnote-34) Moriscos (Muslim converts to Christianity), however, were not targeted by the earliest of the blood purity statutes. The existence of Granada as a Muslim kingdom until 1492 and the lack of mass forced conversions until the beginning of the sixteenth century led moriscos to pose a different set of issues than the ones blood purity statues aimed to resolve.[[35]](#footnote-35) Finally, what can we learn from the accusation that Luna waged war against Old Christians as if they were Moors? Its function as an indictment of Luna rests on a claim about the correspondence of different standards of treatments to different religious groups. The outrage over having been harmed, robbed, and laid waste to at the same time authorizes such actions toward Moorish enemies. This glimpse into the relationship between religious difference and the legitimacy of violence can remind of us of the centrality of categories of unbelief had in legitimating (Re)Conquest.

Approached prismatically, the *Sentencia-Estatuto* can be shown to participate in a variety of histories. This is not at odds with recognizing the transformation in the conceptualization of difference that it enabled. The transformation itself can only be effected by making use of the context in which it arises. It would be a mistake to take a continuity in certain discursive modes of articulating difference as proof that an epistemic shift has not taken place. We should not expect that an epistemic shift would arrive with a complete, ready-made, new discursive apparatus. Without mobilizing existing tropes, it is hard to imagine how a new episteme would gain any purchase. Though difference continued to be expressed through a religious vocabulary, both the episteme and the social relations were importantly transformed. Beneath the apparent continuity of a world made up of Christians, Jews, Moors, conversos, and moriscos, the gravitational center that produced and sustained the categories of difference had shifted.

**Responses to the *Sentencia-Estatuto***

The *Sentencia-Estatuto* presented a transformation of the temporality in which difference was expressed. Though conversos had been subjected to various forms of scrutiny, the idea of withholding the ability to enjoy the full rights of a Christian subject from them and their descendants in perpetuity posed a fundamental challenge to the dominant religious episteme. The recognition of how deep a challenge it posed can be read in the responses to it. The earliest response appears on the 28th of August in the form of a sermon commissioned by Juan II. The *Sermo in dei Beati Augustini* affirms the place of conversos within the Christian community, speaking of them as the diverse limbs which make up the mystic body of Christ and declaiming those who sought to dismember it.[[36]](#footnote-36) The *Sermo* argues forcefully against drawing any type of distinction between Christians on the basis that the Church is a universal form of organization. “For this reason, those who possess the faith in Our Lord Jesus Christ and are included in his Church are not called with the name of a specific nation or people, like others who have ruled the earth were accustomed to calling themselves. We are not designated Chaldeans, Persians, nor Greeks, Romans nor Hispanics, Jews nor Gentiles but instead with a general name, Christians, taken by Christ, redeemer of all...”[[37]](#footnote-37) It ends by charging the Toledan rebels, and Mora specifically, of holding five heretical propositions. The first three regard their treatment of the king and the disregard for his authority. The fourth is the establishment of distinctions between Jews and Gentiles after these have been baptized, and the fifth is casting doubts over the sincerity of conversos’ beliefs and depriving them of legal rights.[[38]](#footnote-38)

The *Sermo* was soon followed by three bulls issued by Pope Nicolas V in September, 1449. *Humani generis inimicus*, *Si ad reprimendas*, and *Nuper siquidem ad aures*. These also affirmed the rights and privileges of conversos and excommunicated those who participated in the Toledan rebellion.[[39]](#footnote-39) These were followed by more works challenging the doctrinal basis for the *Sentencia-Estatuto*, including Mose Hamomo’s *Instrucción del Relator* and its reformulation and expansion by Lope de Barrientos in *Contra Algunos Çiçañadores de la Nación de los Convertidos del Pueblo de Israel*. Barrientos ends the latter ends with a dig against Mora’s own heritage. After noting the multitude of noblemen “descended of Israelite lineage” he suggests that for those who blaspheme against them “it would be best for them to dig, sow, and harvest, and do that sort of work, just as their parents, grandparents and ancestors did rather than placing their sacrilegious excommunicated mouths on divine lineages...”[[40]](#footnote-40)

Mora responded with his *Apelación y Suplicación*.[[41]](#footnote-41) Referring to conversos as “baptized Jews”[[42]](#footnote-42) he deployed the same arguments about their untrustworthiness and ancient enmity toward Old Christians that appeared in the *Suplicación* and the *Sentencia-Estatuto*.[[43]](#footnote-43) Dismissing the papal bulls as well as the various charges of transgressing against the king’s authority Mora insists that he is acting in accordance with a higher law.[[44]](#footnote-44) In regards to the digs made about his lineage he responded that “debating before God the nobility of lineage is nothing more than debating which rubbish pile has the best manure, for in terms of the human condition we are manure and ash...”[[45]](#footnote-45) Mora would not have the opportunity to present more arguments in his favor. He was put to death when Enrique took full control of Toledo in December 1449.[[46]](#footnote-46)

Others did later take up the defense of the *Sentencia-Estatuto*, such as Alonso de Espina’s 1469 *Foralitium fidei*. [[47]](#footnote-47) While the debates continued to be carried out on multiple fronts, a fundamental concern was the effectiveness of conversion. The *Sentencia-Estatuto* enshrined the claim that conversion could no longer guarantee the transformation of one’s essence from Jew to Christian in law. In doing so it extended the foundation of that essence beyond religion and into what would become race.

The *Sentencia-Estatuto* sought to radically reorganize social relation by changing the composition of those who held important public offices at a time when civic hierarchies were deeply enmeshed with religious identification. Conversos had quickly risen to positions of authority in Castile following waves of mass conversions that began in 1391.[[48]](#footnote-48) The possible reorganization of power that would be created from banning any convert of Jewish descent was apparent. The challenge posed to the religious episteme, as recognized by Nicholas V, was that it introduced a categorical exclusion to the possibility of salvation. Writing against the *Sentencia-Estatuto*, Alonso de Oropesa cautioned that the Christianizing mission itself could be called into question.[[49]](#footnote-49) Through a close analysis of the literature produced in the debate around the *Sentencia-Estatuto*, Rosa Vidal Doval argues that even those in support of anti-converso statutes were not yet willing to claim that the essence of Jews was impervious to the effects of conversion and baptism. Rather, the effectiveness of conversion hinged on the sincerity of the converso individual. Thus, early anti-converso authors still held it to be possible in theory that a converso could be true to the Christian faith.[[50]](#footnote-50) However, the *Sentencia-Estatuto* structured social relations as if this were not a possibility. One did not have to be found to have erred in one’s faith, simply having any Jewish ancestry would determine one’s suitability for public office. As blood purity laws overcame their initial opposition by king and pope and began to proliferate across the Iberian Peninsula the space held open in theory for a faithful converso was soon filled with works describing the dangerous, unchanging nature of Jews.

This break with the religious episteme and social relations effected important temporal transformations. Vidal Doval highlights some of the temporal concerns central to the converso debate. Oropesa, writing against the *Sentencia-Estatuto*, emphasized that the concerns about particular conversos retaining Jewish beliefs should not lead to discrimination against them on a categorical basis. Drawing on Augustine he wrote that the task of the Church was to spread the faith as widely as possible and that there was no guarantee that non-believers would not continue to secretly live amongst them. Vidal Doval argues that for Oropesa, “[t]his impossibility of perfection within historical time meant that there should be no discrimination of Christians on account of their individual merits and virtues”.[[51]](#footnote-51) She characterizes his approach as soteriological, “he describes his task in the *Lumen* as a defense of the rights of Christ”.[[52]](#footnote-52)Espina also drew to Augustine, but he significantly departed from Augustine’s own argument. “For Augustine, in historical time, and ‘till the final judgement, wheat and weeds grow together, often mistaken for the other.’ … By contrast, through his seeming conflation of historical and eschatological time, Espina suggested that the separation of wheat from weeds was both possible and desirable in contemporary society. The City of God had been realized in historical time and could, therefore, be realized again. If the final separation of the saved from the damned could not occur until the Last Judgement, nevertheless Espina held out the possibility of approaching perfection”.[[53]](#footnote-53) The perfectibility of society was to be carried out through the zealous persecution of heretics, including conversos. Espina’s *Fortalitium fidei* provided an important foundation for the establishment of the Spanish Inquisition.

**The Temporality of Race**

The *Sentencia-Estatuto’s* actions and Espina’s justifications usurped the Divine prerogative of judgement by narrowing the gap between historical and eschatological time. This hubristic endeavor, decried by Oropesa, was to cast judgments that superseded the temporal limits of humanity. The time in which race operates is the time of God. This is why the *Sentencia-Estatuto* could not be contained within the religious episteme. The prior laws regarding heresy that were mobilized to defend blood purity statutes, of which the *Sentencia-Estatuto* was arguably the first, banned the children and grandchildren of heretics from joining the priesthood or holding ecclesiastic posts.[[54]](#footnote-54) Banning the two subsequent generations was justified by the fear that they may have been influenced by the convicted heretic’s beliefs. These exclusions worked within human, historical time. They realize their limits at the ends of human life cycles. The *Sentencia-Estatuto’s* disregard for the boundaries within which human life and action develops marks the first temporal element of race.

For the conversos the new racial temporality operated as a perpetual deferral of possibility. The horizon on which their full status as Christian subjects could be found was endlessly receding. The striving for perfection that Espina sought and the Divine prerogative to determine one’s essence that the *Sentencia-Estatuto* brought to hand was only to be wielded in the service of a pure Christian community. The surplus of judgement, taken from eschatological time, produced a deficit of proof that the conversos could never repay. Jewish descent marked them as unable to fully inhabit a Christian subject position, even after conversion. Maria Elena Martinez, in tracing the development of blood purity statutes from the *Sentencia-Estatuto* throughout the Iberian Peninsula and later to the Spanish colonies in America, emphasizes the contingent nature of the *probanzas de limpieza de sangre*, writs of one’s Old Christian status. Though it became increasingly necessary during the sixteenth and seventeenth centuries to produce a *probanza* in order to access all sorts of institutions and hold offices, the *probanza* did not definitively settle the matter of one’s heritage. They operated on a more provisional basis and one would often have to go through the process multiple times throughout their life.[[55]](#footnote-55)

By fixing the emergence of race in the *Sentencia-Estatuto* two temporal elements are brought to the fore. First is the hubristic pretension to organize social relations in a manner only suitable for eschatological time. Second is that in doing so the promise of mutability, of crossing the threshold into the dominant subject position of Christian, that conversion offered became endlessly deferred. The distinction between prior anti-heretical laws placing a ban on two subsequent generations and the *Sentencia-Estatuto’s* ban in perpetuity signifies the unmooring of the time in which human action takes place from the time in which human lives are contained. The *Sentencia-Estatuto* pushes past the finitude that is fundamental to the human condition and unfurls a new temporal domain for human action. The temporal domain that it opens will be crucial for understanding the move of race into the Americas.

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1. The exact date of the outbreak of the rebellion is contested, though the events themselves are not. Benito Ruano holds that the looting and burning of Alonso Cota’s house occurred on Sunday, January 26th (ch. 2.1) while Netanyahu maintains that this occurred on Monday, January 27th (p. 310). For more on this debate see Netanyahu’s note 64 on page 1225. [↑](#footnote-ref-1)
2. *Judíos de Toledo*, p. 208 [↑](#footnote-ref-2)
3. *De la Sentencia-Estatuto*, p. XVIII [↑](#footnote-ref-3)
4. *Sentencia-Estatuto,* In *De la Sentencia-Estatuto*, pp. 27-28 “que debemos declarar e declaramos, pronunçiar e pronunçiamos, e constituimos e hordenamos e mandamos que todos los dichos conversos desçendientes del perverso linaje de los judíos, en qualquier guisa que sea, así por virtud del derecho canónigo y civil, que contra ellos determina sobre las cosas de suso declaradas … por razón de las heregías e otros delitos, insultos, sediçiones e crímenes por ellos fasta oy cometidos e perpetrados, que que de suso de hazen mençion, sean avidos e tenidos como el derecho los á e tiene por infames, inhábiles, incapaçes e indignos para aver todo ofiçio e benefiçio público y privado en la dicha çibdad de Toledo...” (all translations are my own) [↑](#footnote-ref-4)
5. *Sentencia-Estatuto*, p. 29 “christianos viejos lindos”. The terms that would gain popularity with the proliferation of blood purity statutes over the next couple of centuries would be *cristianos viejos* and *cristianos nuevos*, commonly translated as Old Christians and New Christians. To the term *crisitanos viejos* an additional qualifier was often added, *cristianos viejos lindos*. Lindos is derived from the Latin *limpidus*, and serves to emphasize the evident nature of their lack of Jewish heritage. I translate it hear as *clear* in order to distinguish it from *limpieza*, which is translated as *pure*. [↑](#footnote-ref-5)
6. See cited works by Maria Elena Martinez, Albert Sicroff, Benzion Netanyahu, and Eloy Benito Ruano [↑](#footnote-ref-6)
7. Martinez’s G*enealogical Fictions* and Sicroff’s *Los estatutos de limpieza de sangre* stand as the two preeminent examples. [↑](#footnote-ref-7)
8. Nor is that the claim of any of the other scholars whose work on the *Sentencia-Estatuto* I’ve cited. [↑](#footnote-ref-8)
9. For an overview of these debates see Gil Anidjar’s “The History of Race, the Race of History”. [↑](#footnote-ref-9)
10. Anidjar draws attention to this while casting suspicion on scholarly projects that aim to show the presence of racial structures in an ever-increasing set of times and locations. “History of Race”. 519-520 [↑](#footnote-ref-10)
11. Indeed, as Michel-Rolph Truillot argues in *Silencing the Past*, there may be some events which could not be recognized as such in their time and whose histories we may still be unable to write. [↑](#footnote-ref-11)
12. *Origins*, pp. 334-335 [↑](#footnote-ref-12)
13. *Origins*, p. 341 [↑](#footnote-ref-13)
14. *Origins*, p. 347 [↑](#footnote-ref-14)
15. Indeed that is what one of the leading historians of the era, Benzion Netanyahu does in his monumental study *The Origins of the Inquisition in Fifteenth Century Spain*. [↑](#footnote-ref-15)
16. Although it bore Sarmiento’s name, Gonzalez Rolan & Saquero Suarez-Somonte persuasively argue that it was in fact penned by Marcos Garcia de Mora. See p. 10, n. 26 [↑](#footnote-ref-16)
17. “don Álvaro de Luna, vuestro condestable, tiránicamente á disipado e devastado e usurpa e devasta de cada día los vuestros reinos e señoríos, tomando para sí el reinar e señorar, gloria e potençia de vuestra corona, que solamente a vuestra realeza pertenesçen”, In *De la Sentencia-Estatuto*, p. 3 [↑](#footnote-ref-17)
18. “personas infieles e erejes”, In *De la Sentencia-Estatuto*, p. 3 [↑](#footnote-ref-18)
19. “es notorio que el dicho don Álvaro de Luna, vuestro condestable, públicamente á defendido e reçebtado e defiende e reçebta a los conversos de linaje de los judíos de vuestros señoríos e reinos, los quales por la mayor parte son fallados ser infieles e herejes, e han judaizado e judaizan, e han guardado e guardan los más d’ellos los ritos e cerimonias de los judíos, aspostatando la crisma e bautismo que reçevieron, demonstrando por obras e palabras que lo rescebieron en el cuero e non en los coraçones ni en las voluntades, a fin que so color e nonbre de cristianos, prebaricando, estroxesen las ánimas e cuerpos e faziendas de los cristianos viejos de la fee católica, según lo han fecho e fazen.” In *De la Sentencia-Estatuto*, pp. 5-6 [↑](#footnote-ref-19)
20. *Suplicación*, In *De la Sentencia-Estatuto*, pp. 8-10 [↑](#footnote-ref-20)
21. *Sentencia-Estatuto*, In *De la Sentencia-Estatuto*, pp. 27, 29 [↑](#footnote-ref-21)
22. For more on the attempts to identify it see Gonzalez Rolan & Saquero Suarez-Somonte , pp. 16-17 and Benito Ruano, ch. 2.1 [↑](#footnote-ref-22)
23. *De La Sentencia-Estatuto*, In *De la Sentencia-Estatuto*, pp. 17-18 [↑](#footnote-ref-23)
24. “Et por Sanctorum Patrum obedire et implere precepta, iussit (amplicifet Deus regnum ipsium) un nullus iudeus, nullus nuper renatus, haber mandamentum super nullum christianum in Toleto nec in suo territorio.” *De La Sentencia-Estatuto*, p. 18 [↑](#footnote-ref-24)
25. *Origins*, p. 369 [↑](#footnote-ref-25)
26. *De La Sentencia-Estatuto*, p. 16 [↑](#footnote-ref-26)
27. Vidal Doval, “Nos soli sumus christiani”, p. 227-228 [↑](#footnote-ref-27)
28. Netanyahu, *Origins*, p. 258 [↑](#footnote-ref-28)
29. Here I am drawing on Sylvia Wynter’s reworking of Foucault’s concept of the episteme in “1492: A New World View” [↑](#footnote-ref-29)
30. Wynter, “1492”, p. 32 [↑](#footnote-ref-30)
31. I am thinking here of Trouillot’s analysis of the Haitian Revolution in *Silencing the Past*. The inability of epistemic structures to account for the possibility of an event, as in [↑](#footnote-ref-31)
32. *De La Sentencia-Estatuto*, p. XLIX-LIII [↑](#footnote-ref-32)
33. “...el condestable Don Álbaro de Luna e sus sequaçes y aliados, nuestros enemigos, faziéndonos cruel guerra con mano armada de sangre y fuego y talas y daños y robos como si fuésemos moros, enemigos de la fe...” *Sentencia-Estatuto*, In *De la Sentencia-Estatuto*, p. 25 [↑](#footnote-ref-33)
34. *Origins*, pp. 334-335 [↑](#footnote-ref-34)
35. Albert Sicroff also points to the lack of morisco penetration into high society as a factor in their early elision from the statutes. *Limpieza*, pp. 38-39 [↑](#footnote-ref-35)
36. “Quienes originan división en la santa iglesia o siembran discordias en ella, ¿qué otra cosa pretenden sino separar el cuerpo místico de Cristo, compuesto y ensamblado de diversos miembros, de Cristo, su cabeza, arrebatar a la esposa de su marido o bien arrancar sus miembros y devolverla a su esposo Cristo Nuestro Señor así desfigurada y mutilada...” *Sermo*, In *De la Sentencia-Estatuto*, pp. 71-72 [↑](#footnote-ref-36)
37. “Por esta razón los que poseen la fe de Nuestro Señor Jesucristo y están incluidos dentro de su Iglesia no se llaman con el nombre de alguna nación o gente determinada, como otros que mandaron en el mundo acostumbraron a llamarse. No se denomina caldeos, persas o griegos, romanos ni hispanos, judíos o gentiles, sino con un nombre general, a saber, cristianos, tomados de Cristo, redentor de todos...” *Sermo*, In *De la Sentencia-Estatuto*, pp. 68-69 [↑](#footnote-ref-37)
38. *Sermo,* In *De la Sentencia-Estatuto*, p. 77 [↑](#footnote-ref-38)
39. Vidal Doval, *Miseria Hispania*, p. 8 [↑](#footnote-ref-39)
40. “E mejor sería a los tales cavar, arar e sarmentar e trabajar en los semejantes trabajos, así como sus padres y abuelos y linages ficieron, que no poner su sacrílega y descomulgada boca en el linage divino...” *Contra Algunos,* In *De la Sentencia-Estatuto*, pp. 139-140 [↑](#footnote-ref-40)
41. While that is the title he gave the piece, it is now often published and referred to as the *Memorial*. [↑](#footnote-ref-41)
42. *Apelación*, In *De la Sentencia-Estatuto*, p. 213 [↑](#footnote-ref-42)
43. *Apelación*, In *De la Sentencia-Estatuto*, pp. 200, 220 [↑](#footnote-ref-43)
44. *Apelación*, In *De la Sentencia-Estatuto*, pp. 222-223 [↑](#footnote-ref-44)
45. “disputar ante Dios de nobleza de linaje no es más que disputar el estiércol de diversos muladares quál es el mejor, pues quanto a la condiçión humana todos los hombres somos estiércol y ceniza...” *Apelación*, In *De la Sentencia-Estatuto*, p. 235 [↑](#footnote-ref-45)
46. *Origins*, p. 347 [↑](#footnote-ref-46)
47. For more see Rosa Vidal Doval’s *Misera Hispania*. [↑](#footnote-ref-47)
48. Vidal Doval, *Miseria Hispania*, p. 2-4 [↑](#footnote-ref-48)
49. In Vidal Doval, *Miseria Hispania*, p. 44-45 [↑](#footnote-ref-49)
50. Vidal Doval, *Miseria Hispania*, p. 138-139 [↑](#footnote-ref-50)
51. Vidal Doval, *Miseria Hispania*, p. 60 [↑](#footnote-ref-51)
52. Vidal Doval, *Miseria Hispania*, p. 44 [↑](#footnote-ref-52)
53. Vidal Doval, *Miseria Hispania*, p. 82-83 [↑](#footnote-ref-53)
54. Martinez, *Genealogical Fictions*, p. 46-47 [↑](#footnote-ref-54)
55. Martinez, *Genealogical Fictions*, p. 175 [↑](#footnote-ref-55)