



"UNLAWFUL ACTS", "DISHONEST WORDS" AND "FOUL TOUCHING": THE CONFESSIONAL UNDER SURVEILLANCE (MINAS GERAIS, EIGHTEENTH CENTURY)

"ATOS ILÍCITOS", "PALAVRAS DESONESTAS" E "TOCAMENTOS TORPES": O CONFESSIONÁRIO SOB VIGILÂNCIA (MINAS GERAIS, SÉCULO XVIII)

"ACTOS ILÍCITOS", "PALABRAS DESHONESTAS" Y "TOCAMIENTOS TORPES": EL CONFESIONARIO BAJO VIGILANCIA (MINAS GERAIS, SIGLO XVIII)



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ABSTRACT: From a qualitative analysis of the micro-historical approach, which consists of reducing the scale of observation, complaints, and inquisitorial processes of request that occurred in Minas Gerais, in the eighteenth century, the article examines the vigilance infringed by the Tribunal of the Holy Office to confessors who desecrated the Sacrament of Confession and the concern that the Church showed with that Sacrament and with the place where it should happen. The inquisitorial offense of solicitation occurred when a confessor, at the place of confession, sexually or lovingly harassed the penitents. Confession was an important mechanism used by the Tridentine Church as an instrument of vigilance and discipline. Based on the analysis carried out, since the sixteenth century, when it was elaborated, the mobile confessional was used to reduce the damage caused by the intimacy between confessor and penitent at the time of the Sacrament. The confessional was watched not only for the Sacrament and its ministers, but also for its construction and the place where it should be in the churches, so that occasions of sin could be avoided.

KEYWORDS: Confessional. Inquisition. Priests. Confession. Minas Gerais.

RESUMO: A partir de uma análise qualitativa da abordagem micro-histórica, que consiste na redução da escala de observação das denúncias e dos processos inquisitoriais de solicitação ocorridos em Minas Gerais, no século XVIII, este artigo examina a vigilância infringida pelo Tribunal do Santo Ofício aos confessores que profanaram o Sacramento da Confissão, e a preocupação que a Igreja demonstrava com esse Sacramento e com o lugar onde ele deveria acontecer. O delito de solicitação acontecia quando um confessor, no local da confissão, assediava amorosa ou sexualmente os penitentes. A confissão foi um importante mecanismo utilizado pela Igreja tridentina como instrumento de vigilância e disciplinamento. Com base na análise realizada, desde o século XVI, quando foi elaborado, o móvel confessionário foi utilizado para diminuir os danos causados pela intimidade entre confessor e penitente no momento do Sacramento. O confessionário foi vigiado não só no que concerne ao Sacramento e seus ministros, mas também à sua construção e ao lugar onde deveria ficar nas igrejas, para que, assim, ocasiões de pecados fossem evitadas.

PALAVRAS-CHAVE: Confessionário. Inquisição. Sacerdotes. Confissão. Minas Gerais.

RESUMEN: A partir de un análisis cualitativo del enfoque micro-histórico, que consiste en la reducción de la escala de observación de las denuncias y de los procesos inquisitoriales de solicitud ocurridos en Minas Gerais, en el siglo XVIII, este artículo examina la vigilancia infringida por el Tribunal del Santo Oficio a los confesores que profanaron el Sacramento de la Confesión, y la preocupación que la Iglesia demostraba con ese Sacramento y con el lugar donde debía ocurrir. El delito de solicitud ocurría cuando un confesor, en el lugar de la confesión, acosaba amorosa o sexualmente a los penitentes. La confesión fue un importante mecanismo utilizado por la Iglesia tridentina como instrumento de vigilancia y disciplinamiento. Sobre la base del análisis realizado, desde el siglo XVI, cuando se elaboró, el móvil confesionario se utilizó para disminuir los daños causados por la intimidad entre confesor y penitente en el momento del Sacramento. El confesionario fue vigilado no solo en lo concerniente al Sacramento y sus ministros, sino también a su construcción y al lugar donde debería estar en las iglesias, para que así, ocasiones de pecados fueran evitadas.

PALABRAS CLAVE: Confesionario. Inquisición. Sacerdotes. Confesión. Minas Gerais.

Introduction

Through inquisitorial sources², such as denunciations and proceedings against soliciting priests in 18th-century Minas Gerais, this article aims to analyze the Church's surveillance of confessionals and the efforts of the Holy Office of the Inquisition to punish those soliciting priests who desecrated the Sacrament of Penance³. The analysis of the sources was based on the qualitative method of the microhistorical approach, enabling a detailed and in-depth study of the documentary material. According to Levi (1992), microhistory, which is grounded in the reduction of the scale of observation, has always focused on the search for a more realistic description of human behavior. Therefore, every social action is seen as the result of constant negotiations, manipulations, choices, and decisions made by individuals, in the face of normative activity, which, although diffuse, offers many possibilities for personal interpretation and freedom. The significance of microhistory for the historian's craft lies in its ability to disentangle the intertwining of truth, falsehood, and fiction, seeking what runs against the grain, and making use of traces that guide us through "the labyrinth of reality" (Ginzburg, 2007, p. 7, our translation).

According to the Code of Canon Law (1983), Canon 964, the proper place for hearing sacramental confessions is the Church or oratory, and confessionals must have a fixed grille between the penitent and the confessor, enabling the faithful to use them freely, with confessions not being heard outside of confessionals unless there is just cause. On this matter, the National Conference of Bishops of Brazil (CNBB) issued complementary legislation to Canon 964 in 2009, reaffirming that the appropriate place to hear confessions is the traditional confessional or another suitably prepared space, equipped with a fixed grille between the penitent and the confessor. In this sense, the confessional should be located in a clearly marked place so that the faithful feel invited to practice the Sacrament of Penance. Thus, contemporary concerns become evident, not only with the Sacrament itself but also with the location of its administration, the confessional.

The Council of Trent (1545-1563) confirmed that the annual obligation of confession was a matter of divine law, having been instituted by God, linking salvation to the confession

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² Highlighting the relevance of inquisitorial documentary sources is essential for understanding the history of the Brazilian colony, which, although it did not have its own court, was subject to the authority of the court in Lisbon. During the time it operated in Portugal and its domains, the Inquisition was a fundamental tool for maintaining the Portuguese structure of colonization and the formation of Brazilian society, monitoring and establishing norms and rules (Gouveia, 2010).

³ This article is based on complaints and inquisitorial proceedings against soliciting priests, which were studied in my master's dissertation.

of sins to a cleric who held the power of absolution. This Council emphasized the importance of the Sacrament of Penance for salvation and made it one of the most effective instruments of Catholic Reform in the Modern Era (Lima, 2004). According to Feitler (2014), the Tridentine spirit quickly took root in Brazil. However, its implementation, as in Portugal, was not always perfect and depended not only on the colonial and missionary realities but also on the will and efforts of local prelates or the king.

Through confession, the Church during the Counter-Reformation aimed to impose "virtuous and correct" behaviors on individuals. Thus, the Sacrament of Penance, a skillful tool for disseminating behavioral and moral norms, required a material "base," the confessional, in addition to the treatises and manuals on confession. This structure served as a vital support to protect the Sacrament from the "corruptions of the flesh." Therefore, it is important to understand objects as tools in the construction of religions. A concept widely used in the approach to Material Culture is the analysis of individuals' dispositions toward certain practices. These practices are learned in groups, assimilated naturally, and later reproduced, such that "rarely will the subject be aware, just as the group instills such dispositions in the individual without, in general, intending to do so." These behaviors, acquired through social interaction, will shape a world and a way of being in it (Souza, 2019, p. 80).

According to Souza (2019), religions manifest in various material aspects, not limited only to beliefs, although religion is often considered something abstract, "belonging more to the realm of ideas, with mere reflections or representations in matter, rather than something lived through objects, space, sounds, aromas, or flavors" (Souza, 2019, p. 56). However, the author argues that religions cannot always be understood solely from their canons, but they can always be studied in their material aspects, as all religions are material in some way. Thus, the study of material elements reveals "differences in lived religion as well as variations from 'official doctrine,' processes of adaptation, and other cultural influences" (Souza, 2019, p. 58, our translation).

The confessional, a place where sins would be "cleansed" according to Catholic doctrine, became a site closely monitored by the Church after the Council of Trent and by the feared Inquisitorial Tribunal. This piece of furniture, found in various forms throughout the colonial period, was a matter of concern for ecclesiastical authorities. Thus, the *First Constitutions of the Archbishopric of Bahia*⁴ (Vide, 2007, book I, title 43, p. 79), a canonical

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⁴ The First Constitutions of the Archbishopric of Bahia were inspired by the Council of Trent and received the support of the Portuguese monarchy, which sought to establish systematic and clear relations between the State

legislation that adapted Tridentine decisions to the colonial reality, warned that the confessional should be located in a public place and that "confessors should not hear confessions outside these places." The following prescription was also given:

[...] that all Parish Churches in Our Archbishopric, where there are curates for souls, should have a number of confessionals in public and visible places, where the confessions of any penitents, especially women, should be heard, who should never confess in the Choir, Sacristy, Chapels, Tribunals, or baptistery, nor any other secret place in the Church (ide, 2007, book I, title 43, p. 79, our translation).

Since confession was considered a "spiritual obstetrics," where the confessor was to inquire in order to obtain full confessions of guilt, the Constitution warned confessors that "before administering the Sacrament of Penance, they should consider that in that act, they represent the person of Christ." Moreover, they were advised to avoid curious questions in the "confessions of young people," so as not to give rise to new sins (Vide, 2007, book I, title 42, p. 77, our translation).

It is evident that this concern was not without reason. The confessional was the "stage" for an inquisitorial crime so significant to the Portuguese inquisitors that the accusations sent to the Lisbon tribunal were not attached to the Prosecutor's Notebooks, as was customary. Instead, solicitation accusations were filed in separate notebooks called the "solicitors' notebooks" (ANTT. IL. Código 37). Additionally, indexes were created (ANTT. IL. Livros 774, 775), in which the accused were cataloged. This made it easier to discover if a certain priest had been previously denounced, which was an aggravating factor.

Especially during Lent, the inhabitants of Brazilian captaincies would head to churches to fulfill the precept of the Sacrament of Confession. However, the confessional, which should have been a sacred place reserved for the confessions of repentant penitents and "ministers of Divine justice," at times became a venue for "illicit acts," where the confessor turned into the sinner. The inquisitorial crime known as *solicitatio ad turpia*, or simply solicitation, referred to the erotic seduction attempts by a priest toward men or women during confession. The term solicitation is insufficient to describe the perversions enacted upon the Sacrament of Confession, as it merely denotes a request but encompasses the actions of confessors who

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and the Church in Portuguese America. The Constitutions, which reflected the ideal of functioning of the religious apparatus and Catholic society desired by their author, Archbishop D. Sebastião Monteiro da Vide, represented an unprecedented work of adapting ecclesiastical norms to the local reality of a Portuguese-American diocese and remained in force until the decline of the Empire, which proves their durability and reinforces their relevance as a fundamental source for research on the Church and Brazilian society (Feitler; Sales Souza, 2010).

provoked, enticed, seduced, attempted, and even coerced penitents into performing sexual acts (Gouveia, 2010). Given this, solicitation was pursued by the Inquisition not for breaking the vow of chastity but for the desecration of the Sacrament of Penance.

Confessional: A Place for the Purification of Souls

Despite the confessional grilles making physical contact and other "libidinous acts⁵" between the confessor and penitent more difficult, they appear to have not been a significant obstacle to the practice of solicitation. In some accusations, witnesses reported being confessed in chapels, through the grilles of convents, or even in the confessor's room⁶. One such case is that of Father Teotônio Gomes de Azevedo (*ANTT, livro 771, fls. 255-268*), a resident of Vila Nova da Rainha de Caeté, Minas Gerais, who was denounced by Maria Gomes Lira in 1794. The complainant told the commissioner that the priest was ill and thus heard confessions while lying in his bed. During her confession, the penitent was interrupted by the priest, who insisted that she perform a [manipulation] of his genitals with her hands. Maria claimed to have defended herself, but the priest retorted, calling her "ignorant and foolish," and stating that the act would do no harm [...] and then, taking her hands in his, guided them to his genitalia.

Another example is that of Father Antônio Álvares Pugas (ANTT, case 256), who was prosecuted in 1742 by the Tribunal of the Holy Office for soliciting eight women from the *Recolhimento de Nossa Senhora da Conceição de Macaúbas*, located in the parish of *Santo Antônio da Roça Grande*, now the city of Santa Luzia, Minas Gerais. Father Pugas, while hearing confessions at the bars of the *Recolhimento*, uttered "indecent words," committed "shameful acts" and exchanged "indecent touches and kisses8" with some of the women in the *Recolhimento*.

Another priest was also prosecuted in 1742 by the Tribunal for soliciting women from the *Macaúbas Recolhimento*. Father Manuel Pinheiro de Oliveira (ANTT, case 8123) solicited six women, saying "amorous and indecent" words during confession and engaging in "provocative, indecent, and shameful touches" with the penitents. Father Manuel also used the confessional to arrange a meeting "at night, at the corner of the wall" with Apolônia da Ressurreição, a woman from the Recolhimento. She stood on the inside of the wall while the

⁵ Impudico, lascivo, desonesto (Silva, 1789, tomo II, p. 21).

⁶ Para mais informações sobre as denúncias contra solicitantes, consultar Silva (2016).

⁷ Desonesto, impudico, indecoroso, infame (Silva, 1789, tomo II, p. 21).

⁸ Beijos (Silva, 1789, tomo II, p. 140).

priest stood on the outside, but there was a small hole in the wall through which she extended two fingers of her hand, which he held.

Father Bernardo José da Mota (ANTT, book 773, fol. 74), a resident of the Vila Rica region, wrote a letter to the Tribunal in 1743 confessing his crimes of solicitation. He reported that while hearing the confessions of several women "in a confessional with a grid between them, but with a lower part wide enough to fit a hand," he often touched the women's breasts "telling them to beat their breasts and ask God for forgiveness of their sins," though he admitted that he acted with "some malice." The "amorous words" were spoken by the priests and were often exchanged between them and the penitents, promises were made, meetings were arranged, and any gap or hole in the furniture was exploited for indecent purposes.

At the Council of Trent (1545–1563), an internal reform plan of the Catholic Church was established, in which the clergy were expected to take a more active and effective role in controlling the behavior of the faithful. This council solidified the obligation of annual confession, which had already been instituted at the Fourth Lateran Council (1215). According to Frade (2016), in the tumultuous historical context of the early modern period, religious issues involving the challenge of Protestantism and the Catholic Church's counter-reformation influenced the figurative arts and religious architecture of that period.

According to Frade (2007), the Sacrament of Penance had a strongly ecclesial and communal dimension and was linked to the dynamic of the Easter celebration. Over time, the practice evolved into individual confession, which was conducted in the church before the high altar, with the penitent kneeling before the priest. According to the author, the "confessional," understood as the place where the Sacrament of Reconciliation is received, has its origins in the *Constitutiones*, written in 1542 by Gian Matteo Gilberti, Bishop of Verona:

To avoid scandals that sometimes occur during the ministry of confessions, we have established that these, especially those of women, shall henceforth always take place in an "open and visible" location, so that both the confessor and the penitent may be seen. Furthermore, we have established and ordered that between the priest and the penitent, there must be a "tabula cum fenestella, supra quam sit una gradata seu lamina perforata." We call this board a "confessional," and in all churches, we order that the so-called confessionals be erected (Grazioli, 1945, p. 108-116 apud Frade, 2007, p. 169, our translation).

In *Instruções Sobre A Fábrica e as Alfaias Eclesiásticas*⁹, by St. Charles Borromeo, the confessional should be built with "cut boards, either of walnut or any other type of wood,

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⁹ Instructions on the Fabric and Ecclesiastical Ornaments.

surrounded on all sides and at the back, and covered at the top." It was required that "a small window be made in the middle of the board placed between the confessor and the penitent, the lower part of which protrudes a cubit and eight ounces above the confessor's seat; it should be sixteen ounces high and twelve ounces wide." Moreover, "in this small window, on the penitent's side, iron sheets with small holes should be fixed, each of which should be minute and small, similar to a chickpea" (Borromeu, 1977 apud Frade, 2016, p. 212-214, our translation).

According to Frade (2007, p. 169), Charles Borromeo, then Archbishop of Milan and a friend of the Bishop of Verona, carried forward this idea. From its widespread use in the Diocese of Milan and through Charles' authority within the Church in Italy, this type of wooden confessional spread throughout nearly the entire Western Church.

This [the confessional] should be made of wood; the traditional chair must be surrounded on the sides, back, and top by a wooden wall at a person's height; the front part should remain open. It is forbidden to add any decoration, such as carved cornices on the front or any other type of ornamental adornment. A small window must be placed in the side wall where the penitent approaches. It must be equipped with an iron plate with numerous small holes and covered, on the confessor's side, by a fine mesh. Externally, on this wall, a board should be placed as a kneeler, and another board to support the joined hands. The other wall of the confessional should be completely closed; only one penitent at a time may approach the confessional (Borromeu, 1977 apud Frade, 2007, p. 169, our translation).

After the First Provincial Council (1565), Borromeo himself modified the penitential chair, describing it in his *Instruciones Fabricae et Suppellectilis Ecclesiasticae*, translated into Italian and printed in 1577. This text decreed that confessions were to be heard only in the church, publicly, and that a board should be placed on the chair to separate the confessor from the penitent (Frade, 2007):

The placement of these wooden pieces of furniture was along the side walls of the church nave, in sufficient numbers to meet the needs of the faithful. Typically, upon arrival, the penitent would kneel facing the altar as an act of turning towards Christ. Over time, this type of confessional, designed by St. Charles Borromeo, underwent some minor alterations, sometimes allowing space for two penitents simultaneously, with the priest positioned in the middle and the penitents at the ends (Frade, 2007, p. 169-170, our translation).

The concept originating from the custom established by St. Charles Borromeo of confession, preferably in the church and through confessionals, particularly for women, was maintained in the 1917 Code of Canon Law, remaining practically unchanged until the reform of the Second Vatican Council in 1962 (Frade, 2007).

Confession: The Second Plank of Salvation after Shipwreck

To understand the inquisitorial crime of solicitation, it is necessary to grasp the importance the Church placed on the Sacrament of Confession. According to Delumeau (1991), confession was a coercion in many aspects, initially burdensome even for the confessors themselves. The confessor had to help, support, and encourage the sinner through the difficult "birth of confession," always doing so affectionately.

In 1434, Eugenius IV wrote to the priests of the Council of Basel, stating that from the soles of the feet to the crown of the head, there was not a single healthy part in the body of the Church (Delumeau, 1994). Thus, a crisis was brewing in the Church. But it was from the moment that Luther posted his 95 Theses in 1517 that the fracture of Christendom accelerated rapidly. The Roman Church reasserted itself, especially starting from the papacy of Paul III (1534-1564), who was responsible for approving the creation of the Society of Jesus (1540) and convening the Council of Trent (1545). This council lasted for 18 years, being dissolved twice, and carried out considerable work in defense of Catholicism against the Protestant advance. According to Vainfas (2010, p. 34, our translation), from the Counter-Reformation, "a vast and ambitious program of mass evangelization in all domains of social and religious life resulted".

According to Paiva (2011), conscience and confession played a decisive role in consoling and pacifying the spirits of Catholics, constituting a path distinct from the Lutheran one, while simultaneously becoming a powerful instrument of social discipline. The Fourth Lateran Council (1215) decreed that every Christian of legal age and discernment was required to confess their sins to a priest at least once a year. After confessing, the Christian had to fulfill the imposed penance and receive the Eucharist at least during Easter. However, it was with the Council of Trent (1545-1563) that the annual obligation of confession was formalized. In this regard, parish priests had to record who complied with this precept, and those who did not were noted on lists sent to the bishops, incurring excommunication, from which they could only be absolved by such authorities. Confession created a set of privileged information, much of which was unknown publicly because it took place within the conscience of individuals. Thus, access to the results of this meticulous examination of consciences was essential to the Inquisition, which sought to monitor the circulation of heresies.

One of the strong indications of the importance of confession acquired after the Council of Trent is the recognition of the significance given to those who did not confess. Abstaining from confession, a socially mandatory rite in Catholic countries, was considered evidence of heretical conviction (Gouveia, 2010).

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According to Fernandes (1995), the Church was concerned with moral and Christian formation, using confession and marriage as mechanisms of control. From this, the Church created models of behavior that should be followed, including sexual conduct. In the 14th session of the Council of Trent, 13 canons related to the administration of the Sacrament of Penance were approved. These canons began to encourage frequent confession, either monthly or every two months, arguing that it would be easier to remember sins. Thus, the faithful would receive God's grace and have a relieved conscience. Various manuals for confessors and penitents were also produced, as despite the Church's great efforts, the desired effect was not always achieved. This was justified by the ignorance not only of the penitents but also of the confessors, which was considered even more serious.

After the Council of Trent, confession became a daily sacrament, and many voices rose in favor of frequent confession, emphasizing venial sins, which occurred in everyday life, and also focusing on the detection of greater sins, including heresies (Gouveia, 2015).

The Council of Trent declared the following about the Sacrament of Penance:

If all the regenerated had such gratitude towards God as to constantly preserve the righteousness received in Baptism through His benefit and grace, there would be no need for another sacrament, distinct from this one, instituted for the remission of sins. But as God, rich in mercy, recognized the fragility of our nature, He also wished to grant a life-giving remedy to those who again fall into the slavery of sin and the power of the devil, namely, the Sacrament of Penance, through which the benefit of Christ's death is applied to those who fall after Baptism. [...] The Lord, however, instituted the Sacrament of Penance, first of all, on that occasion when, having risen from the dead, He breathed on the Apostles, saying: Receive the Holy Spirit; whose sins you forgive, they are forgiven; whose sins you retain, they are retained (Jo 20, 22 s) (Catholic Church, 1781, vol. I, p. 299, our translation).

According to the Council of Trent, the Sacrament of Penance should be divided into parts that would result in the efficacy of the confession. These were: contrition, confession, and satisfaction, all indispensable for the "integrity of the Sacrament" and the remission of sins (Catholic Church, 1781, vol. I, p. 307). Regarding contrition, the Council of Trent determined that it should be expressed through "sorrow of the soul" and the detestation of the sin committed, with the intention of not sinning again:

In man who falls after Baptism, it is like a preparation for the remission of sins, if it is united with trust in divine mercy and the resolution to carry out everything else required to receive this Sacrament properly (Catholic Church, 1781, vol. I, p. 309, our translation).

As for the ministers of the Sacrament of Penance, it was made clear that all doctrines extending the "ministry of the keys" to any man other than a priest were false and alien to the Gospel. It was not merely a ministry of announcing the Gospel or declaring that sins were forgiven, but it maintained "a resemblance to a judicial act, in which, like a judge, he pronounces a sentence [...], for neither faith without penance would cause any remission of sins" (Catholic Church, 1781, vol. I, p. 323, our translation).

Confession is the discourse of guilt, without which there can be no forgiveness. What is sought is the internalization of the code, evidenced by true repentance. Moreover, more than fearing punishment, submission must be born of love for the institution: "The internalization of the Rule made each individual a censor of themselves and a complicit in the institution. In confessing, the subject was led to articulate a pre-established discourse, thus enunciating their truth" (Lima, 1986, pp. 69-70, our translation). Contrite and repentant, kneeling at the confessor's feet, the penitent laments their weakness, and, with guilt established, the institution prescribes penance as the path to forgiveness.

According to Foucault (1988), Christian pastoral care placed sexuality into discourse and sought its control and spiritual reconversion. In this way, it made sexuality something that must be confessed: "What is distinctive of modern societies is not that they condemned sexuality to remain in the shadows, but rather that they have devoted themselves to speaking of it constantly, valuing it as a secret" (Foucault, 1988, p. 36, our translation). More than other sins, sins of the flesh had to be detailed in the confession process. Sexual matters were not to be discussed without caution, but their aspects, correlations, and effects had to be pointed out. Thus, the flesh was made the source of all sins: "The prohibition of certain words, the decency of expressions, all the censorship of vocabulary" could be secondary devices compared to this great subjection, aiming to make it morally acceptable and technically useful (Foucault, 1988, p. 24, our translation).

The ecclesiastical society, closed in on itself and determined to project an image of itself as a perfect body, devised a policing system¹⁰ to ensure that the Sacrament of Confession did not collapse. This Sacrament had become mandatory and was controlled by an entire bureaucratic system (Prosperi, 2008).

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¹⁰ Prosperi (2008) highlights that Trent emphasized the character of the Sacrament of Confession as a judicial act of divine law and reinforced the use of confession as an instrument of governing behavior and consciences, of "external police" of the "discipline of the Christian people".

In the Constituições Primeiras of the Archdiocese of Bahia (Vide, 2007), the Sacrament of Penance was defined as:

> A second plank after the shipwreck: because as soon as a baptized man shipwrecks due to mortal sin, losing the grace of God received in Baptism, no other remedy remains for salvation in this shipwreck than the plank of the Sacrament of Penance, by fully confessing his sins with sorrow to the legitimate Minister, and by this means obtaining their absolution (Vide, 2007, book I, title 33, p. 59, our translation).

There is also the confirmation of the power given to the minister of the Sacrament by Christ Himself, when, after His resurrection, He "communicated to the Disciples the Holy Spirit, giving them the power (and through them, to all future priests) to absolve all sins" (Vide, 2007, book I, title 33, p. 59, our translation). To exercise such ministry, the priest had to possess a license, and to confess to women, he had to be over 40 years old, possess a license after examination by scholars, and be approved only if he had studied Theology or Canon Law. To this end, priests were inquired about their lineage, life, and conduct. If deemed fit after such inquiries, the license was granted for one year (Vide, 2007). The Constitutions also provided the following warning: confessors should consider that, in this act, they represent "the person of Christ Our Lord: and that they are constituted by Him as Ministers of Divine Justice and Mercy, so that, as arbitrators between God and men, they attend both to the honor of God and the salvation of souls" (Vide, 2007, book I, title 42, p. 77, our translation).

The Constitutions (Vide, 2007) further stipulated that confessors should avoid "occasions for new sins" in the confessional. For example, when penitents failed to disclose the number, nature, and circumstances of their sins—necessary for a good confession—the confessor should prudently ask and examine without indulging in curious or indiscreet questions, particularly in the confessions of young individuals, whether men or women.

The Constitutions also addressed concerns about the confessional's location, specifying that it should be placed in public areas within the church. When the penitents were women, it was expressly stated that confessions should never take place in "the choir, sacristy, chapels, tribunes, or baptistery, or any other secluded place". Moreover, if there were many people waiting for confession, men were to confess wherever possible, reserving the confessionals for women (Vide, 2007, book I, title 43, p. 79, our translation).

According to Lima (2004), the administration of the Eucharist became a tool of power in the hands of the emerging clergy. After all, the suspension of access to communion could signify exclusion from the community for the Christian. Thus, mandatory Confession during Lent was accompanied by a progressive subjectivization through the examination of conscience and repentance. Clergy members became necessary intermediaries between the penitent and divine grace, but they sometimes subverted the Sacrament's original purpose, as Lima notes (2004, p. 17, our translation): "Aware of the immense power that control over absolution and, consequently, access to the Eucharist granted them, the keepers of the keys of salvation at times used it for unspeakable ends".

From Delumeau's perspective (1991), understanding Western modernity requires a history of Confession. Confession refined the conscience and promoted internalization, but it imposed a heavy yoke on millions of believers. Alongside the spread of Confession, the power of its ministers grew, as they held control over a fundamental symbolic good: salvation. The annual requirement of Confession allowed clergy members to intrude into the lives of their faithful, forming an effective method of religious acculturation¹¹ (Lima, 2011).

In confessor manuals, discussions about sex were categorized under the sin of lust, specifically in relation to the sixth and ninth commandments. More than theoretical texts, these manuals were practical guides meant to address a complex social fabric. The circumstances of the sin became a variable in classifying the fault, alongside the acts and intentions. From these intersections, an obsessive discourse emerged, with the ambition to encompass everything and everyone. Some manuals included questions to ask penitents about their confessed sin, such as where, how often, and with whom the sin occurred, and in what manner. This detailed casuistry on lust created delicate situations. Thus, Lima (1986, p. 87-88, our translation) highlights: "Confession, as an instrument of subjection to the Rule, becomes an instrument of desire itself. Falling into its own trap, the confessor ends up seduced by the very discourse he incites, transforming from censor to agent of sin."

Considering that Christianity is a faith-centered on salvation, the Sacraments of the Catholic Church assumed a fundamental role as means of achieving redemption. God offered salvation to humankind, and the clergy assumed the role of mediator in this process:

However, in many cases, the 'physicians of souls' poured a corrupting and diabolical poison over the wounds of the penitents, leading them into sin. For this reason, the Council advised that the confessor should avoid any form of betrayal, whether through words, signs, or gestures; and required the clergy to morally act with the prudence of a true 'experienced physician' to be a legitimate distributor of God's mercy to the contrite (Pieroni, 2012, p.83, our translation).

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¹¹ Acculturation understood as an imposition of sociocultural values.

Thus, it is very important to analyze the role played by the Inquisition within the broad strategy of the Counter-Reformation and, from there, to understand the resistance and permeabilities of society to the new model of moral discipline. It is also important to note that the indoctrination of the faithful was one of the strategies implemented. In this context, the confessional became more than just the Sacrament of Penance. Allied with the Inquisition, it easily became a formidable instrument of social control.

"Spiritual Men": The Priest as Protagonist of the Sacrament of Confession

According to Paiva (2012), within the corporate conception of society in force in Portugal during the Ancien Régime, the clergy was the most prestigious order. This prestige stemmed from a variety of factors: their connection to knowledge and the institutions where it was transmitted, the wealth and income they enjoyed, the prestige of their most prominent members, and, fundamentally, the bonds with a Catholic population entrusted to them. In other words, the fact that they were essential mediators in the relationship between individuals, communities, and the sacred. Entry into the priesthood was made through the reception of major and minor orders, which required the candidate to practice continence in matters of lust. Obtaining orders entailed a series of limitations that, after the Council of Trent (1545-1563), tended to become increasingly strict.

Paiva (2012) states that the clerical state functioned as a mechanism of privilege and social promotion, achieved either through personal merit or through familial and clientelistic influences. The author further emphasizes that the clergy was a deeply heterogeneous order: due to religious observance, that is, the distinction between regular and secular clergy; due to ordination, that is, the degree of the Sacrament of Holy Orders; due to occupation and the income it generated, thus leading to the distinction between beneficed and non-beneficed clergy; and, of course, due to social origin.

The education and catechization of the masses marked a profound rupture with the religious thought and attitudes that persisted during the medieval period. Based on the idea that religious ignorance and neglect of spiritual practices led to ruin, "Christian doctrine began to demand new forms of conduct from Christendom and guided it through an unprecedented pedagogy" (Gouveia, 2015, p. 190, our translation). In this context, from the second and third quarters of the 16th century onwards, there was an intensification of concern with the

widespread doctrinal instruction of both clerics and laypeople on theoretical, methodological, and institutional levels:

All this focus on the instruction of laypeople and clerics towards orthodoxy was imposed vertically from the pinnacle of the Church hierarchy to the base of society, intending to instill in both unforeseen forms of obedience, which led to a process of vigilance and discipline over everyone and each individual. Without the moral reform of the clergy, it was impossible to achieve the moral reform of the faithful, nor could judicial mechanisms fully exercise discipline (Gouveia, 2015, p. 191, our translation).

The religious orders, whose members were Europeans or at least culturally European-oriented, were responsible for the successive opening of evangelization areas in the Brazilian colony. However, the organization of dioceses and parishes progressed very slowly. Between 1551 and 1676, Brazil had only one diocese, that of Salvador, in Bahia. In the years 1676 and 1677, three more dioceses were established: Pernambuco, Rio de Janeiro, and São Luís do Maranhão. In the first part of the 18th century, three additional dioceses were created: Pará (1719), Mariana (1745), and São Paulo (1745), along with two prelacies: in Goiás and Cuiabá, established in 1745. This number of seven dioceses remained until Independence (1822) (Boschi, 1998).

Brazil only achieved an ecclesiastical constitution in 1707, the *Constituições Primeiras* do Arcebispado da Bahia (First Constitutions of the Archdiocese of Bahia), through the efforts of D. Sebastião Monteiro da Vide. In its 279 titles and 1,318 articles, the Constitutions were composed of five books, covering matters such as faith, dogma, sacraments, worship, Christian doctrine, the moral and religious profile, and the duties of clergy, as well as various deviations and penalties. The Constitutions were inspired by the Council of Trent and supported by the Portuguese monarchy in seeking to systematize and clarify the forms of the relationship between the State and the Church in Portuguese America. These Constitutions contain several titles where the conduct of priests is central, as shown in the following excerpt:

The higher and more exalted the state of the clergy, chosen for the Divine ministry and heavenly militia, the greater the obligation they have to be spiritual and perfect men, with each ordained cleric being so modest and ordering their actions in such a way that not only in life and customs but also in dress, gestures, steps, and practices, everything about them is grave and religious, so that their actions correspond to their name, and they do not have sublime dignity with a dissolute life, illicit behavior in a holy state, the ministry of Angels with the works of demons (Vide, 2007, book III, title 1, p. 183, our translation).

The Constitutions, like many earlier determinations, stipulated the correct attire for clerics, which was to be long, black outer garments, and also specified how their hair and beards should be maintained (Vide, 2007). Clerics were forbidden from carrying weapons, walking at night, frequenting taverns, participating in comedies, dances, horseback festivities, disguising themselves with masks, or engaging in prohibited games. They were also prohibited from engaging in trade, having women inside their homes, or visiting convents (Vide, 2007). As Gouveia notes:

Sebastião Monteiro da Vide observed that parish priests did only the minimum necessary, not just because of the size of the parishes and the lack of assistants, but also due to weak motivation. The clergy was highly heterogeneous. In addition to the regular priests, there were deacons, subdeacons, minor clerics, and chaplains of the *misericórdias*, sugar mills, farms, ships, expeditions, wars, etc., roles that in most cases did not lead to substantial income (Gouveia, 2015, p. 101, our translation).

The determinations of the *Constituições Primeiras do Arcebispado da Bahia* were disseminated to parishes through pastoral letters. Many measures were taken by the episcopate to implement Tridentine determinations in the colony, among them: the creation of new prelacies, bishoprics, and parishes; reinforcement of the ecclesiastical hierarchy; frequent episcopal visits; the founding of diocesan seminaries; the institution of moral conferences; the fight against simony¹², Nicolaism¹³ and absenteeism¹⁴; control over ordinations, preaching, and confession; monitoring the fulfillment of Lenten obligations; punishing non-heresiarchal lustful behaviors of the clergy; and cooperation with the Inquisition in overseeing solicitation and sodomy (Lima, 2011).

Throughout the post-Tridentine period, there was indeed an effort to monitor and discipline the immoral behaviors of the clergy, which had provoked so much criticism from Protestant reformers and even within the Catholic Church itself. However, both the discipline and order were not passively received by everyone, including the clergy. Consequently, it was necessary to activate a series of measures, such as the implementation of various policies of surveillance and discipline to prevent deviations. There was a concerted effort by the Church to make clerical celibacy a distinguishing element from other Christians.

Celibacy, as a mandatory rule, according to Silva (2008), was characterized as a cultural practice gradually constructed through a slow process marked by resistance. The celibate ideal

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¹² Trade in sacraments and ecclesiastical benefits (Leão Filho, 2020, p. 95).

¹³ Movement of priests who advocated the practice of marriage as an alternative to fornication (Silva, 2008, p. 18).

¹⁴ Absence or negligence in fulfilling ecclesiastical duties (Leão Filho, 2020, p. 95).

did not resonate in a referential or symbolic vacuum but was grounded in the rule established by the Church: the superiority of continence over marriage, the latter being seen as a means to domesticate libido. In this sense, priests who lived with concubines were considered licentious, and their women were regarded as adulteresses, with these derogatory representations persisting beyond the medieval period and into the Modern Age. In Brazil, these representations appeared, for example, in children's games, as in: "the last one to arrive is the priest's wife." In some regions, according to folklore, priests' wives roam the night as cursed creatures, the headless mules that wander dragging chains. After the Protestant Reformation, the construction and perpetuation of the chaste model of the Tridentine priest became a symbol of power.

According to Lima (2002), although the priesthood was exercised on earth, among sinners, it retained a sacred character, and those who practiced it were to be pure. Protestantism could not have been more radical in its criticism of the Catholic ecclesiastical body, for it challenged the very idea of the priesthood.

In practice, the eradication of sex from clerical life involved a constant effort of control and surveillance by reformers of all eras. For the Tridentine moralization of the clergy in the colony, it was necessary, first and foremost, to separate them from the cultural standards of the lay society and to make priests a cohesive social body, subjected to a rigid hierarchy and, above all, distinct from the rest of the community.

"Illicit acts," "dishonest words," and "indecent touches" in the confessional: The crime of solicitation

In 1599, the brief *Muneris Nostri*, issued by Pope Clement VIII, established the power of the Portuguese Inquisition to judge the crime of solicitation. However, the crime was still vaguely defined, not specifying concrete circumstances of time and place, nor the specific situations it encompassed. Apostolic determinations gradually evolved, becoming more specific in the definition of the crime and broader in terms of the Tribunal's scope of jurisdiction. According to Gouveia:

> Heresy being a conscious choice of a wrong path, the profanation of the Sacrament of Confession, one of the pillars of the post-Tridentine Church, was considered one of these deviations in faith. It is within this broader context of Catholic reform and counter-reform that the definition of solicitation as heresy must be placed (Gouveia, 2014, p. 616, our translation).

The justification for transferring the jurisdiction of a crime always judged by ecclesiastical justice to the Inquisition, which judged crimes associated with heresy, lay in the

presumption of bad doctrine on the part of those accused of defiling one of the Sacraments that the Church claimed was instituted by Christ.

By punishing solicitation, the Inquisition participated in the Church's effort to moralize the clergy, which was an indispensable condition for the moralization of the laity. The Church appointed the parish priest as the ultimate agent of a vast acculturation program, aimed at eradicating elements from popular culture that compromised what it had defined as a fully Christian life. A total of 1,700 priests were denounced for the crime of solicitation to the Lisbon Tribunal between 1700 and 1821. Of these denunciations, 432 corresponded to Brazil; among them, 108 pertained to Minas Gerais (Silva, 2016).

Confession often became a unique moment of intimacy, which would not have been usual in other circumstances. As a result, confessors frequently encountered detailed descriptions of certain sins of a sexual nature. Under the ancien régime, the priest was always regarded as an authority. In a world where religion was the primary element of social integration and where religious expressions always had social significance, the power of the Church was indisputable. Moreover, the priest was the administrator of the sacred.

The indoctrination aimed at confessor priests through manuals, the emphasis on chastity, the Lateran and Tridentine confessions, and the looming threat of the feared Inquisitorial Tribunal did not have the desired effect. In the overseas colony, as in the metropolis, the crime of solicitation occurred with some frequency, and Inquisitorial documents allow us to uncover this universe, where rigid rules, religiosity, and controlled sexuality collided with bodies, desires, and passions.

Regarding this issue, a relevant example is that of Friar Domingos do Rosário (ANTT, box 1600). A Franciscan and missionary in the Vila Rica district, in the year 1726, he was denounced for soliciting six women. Consequently, a summary investigation was opened. According to the accusations, the friar, during confession, used "indecent and dishonest words," asked the penitents if they "performed indecent acts" and whether their breasts were hard or soft, placed his hand on the penitents' breasts, and pressed his legs against theirs, "bringing his face close to theirs."

Another case that clearly illustrates the behavior of many solicitors is that of Father Felipe Correa Pinto (ANTT, book 764, fol. 48), who was denounced in 1738, in the Rio das Mortes district, Minas Gerais, for soliciting Antônia de Souza. The complainant reported that during confession, the priest asked whether she was single or married. After she responded that she was single, the priest told her to return to her home in seven days, promising that by then,

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he would have a husband for her. After the seven days had passed, the complainant went to the priest's house, where he stated that before fulfilling his promise, he wanted to engage in carnal sin with her and then confess her. In response to her refusal, the following day, when she sought confession at the church, he would not allow her to kneel in the confessional, stating that, since she had not "pleased him," he did not want to and would not hear her confession.

In addition to the aforementioned cases, the case of Father João Soares de Albergaria is undoubtedly very significant. A resident of Vila Rica, Minas Gerais, he solicited at least 25 women. Some denounced him to the Tribunal in 1748 and 1751 (ANTT, book 769, fols. 15, 420; book 770, fols. 333, 343, 347; book 773, fols. 353-356; book 767, fol. 134), but most of the cases were confessed by the priest himself, who wrote a lengthy confession to the Tribunal in 1753 (ANTT, book 307, m. 283). Consequently, an investigation was opened to gather witness testimonies (ANTT, Process 8640), but the case was ultimately archived. The priest, during confession, promised freedom, seduced women into "indecencies," made gestures from the confessional to women attending Mass, induced "carnal acts¹⁵" during confession, and primarily used the confessional to arrange meetings.

In summary, confessors exploited this unique moment, confession, and their position of power to solicit, molest, coerce, woo, and sexually harass penitents. The crime of solicitation posed a significant threat to the Sacrament of Penance. Due to this, punishment was necessary and had to be administered with rigor, so that the Church and its Sacraments would not be tarnished by sin.

Final considerations

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Based on the discussion presented, it is essential to conduct a more detailed study of the confessional, its forms, uses, and representations. This article sought to understand the importance of this piece of furniture for the regulation of behaviors and moralities not only of the penitents but also of the confessors. It remains crucial to capture the perceptions of both penitents and priests regarding the use of a meticulously designed barrier to separate the bodies involved, which were fundamental to the consummation of the Sacrament of Penance.

To this day, the Church continues to be deeply concerned with the Sacrament of Penance and the presence of confessionals, although, despite canonical laws, few churches have this piece of furniture. As demonstrated during the counter-reformation era, confession became a

¹⁵ Concerning carnal intercourse, fornication (Silva, 1789, volume II, p. 516).

powerful tool for discipline and surveillance, which, in conjunction with the Inquisition, transformed into a formidable mechanism for social control.

The practice of solicitation jeopardized the Tridentine attempt to moralize the clergy and, consequently, the faithful. The profanation of the Sacrament of Penance thus came to be regarded as heresy, punishable by the Holy Office of the Inquisition.

Religiosity was also expressed through objects and spaces, such as the confessional, which aimed to protect and inhibit inappropriate behaviors. However, it seems that it did not achieve the expected results. Thus, the confessional was one of many tools used by religion to propagate virtuous conduct models. Since its inception in the sixteenth century, this object has represented an obligation for the faithful, a significant part of Christianity, used consistently to mitigate the "side effects" of the Sacrament of Penance, which included the intimacy and "whispered" conversations between surveilled bodies, thereby becoming a unique moment of privacy.

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