The Political Theory of First Contact: Columbus, Montesinos, Guevara and Sahagun

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INTRODUCTION

Although the canon of political theory remains largely European, more attention is finally being paid to the political thought of other regions of the world. This paper will discuss four examples of political thought from Latin America and the Caribbean dating from 1492 and the decades immediately afterward. They are the log of Christopher Columbus, the sermon of Antonio de Montesinos, the letter to the Princess Juana from Isabel de Guevara, and the compilations of Bernardino de Sahagún. These discussions, along with longer selections from the writings of each author, will form part of an anthology of readings in early Latin American political thought designed for advanced undergraduates. A discussion of the thought of three Indigenous writers in *The Annals of the Cakchiquel Maya*, Felipe Guaman Poma de Ayala's *First New Chronicle and Good Government*, and El Inca Garcilaso de la Vega's *Royal Commentary of the Incas*, formed a chapter of the book *Cases of Exclusion and Mobilization of Race and Ethnicities in Latin America* edited by Marc Becker and published by Cambridge Scholars Press in 2013.

The Diary of Christopher Columbus

The Log of Christopher Columbus can be viewed as the expression of the theory prevailing in Europe about how rulers should take possession of lands that were new to them. The Doctrine of Discovery is denounced even today as continuing to have an impact on the lives of original peoples.

According to most sources, Columbus was born in the Italian Republic of Genoa in 1451, into a family of wool weavers that had lived in or near the port of Genoa for at least three centuries. Growing up by the sea, Columbus made several voyages as a young man and, in 1476, was shipwrecked off the coast of Portugal. After being rescued, he made his way to Lisbon where he joined a community of Genoese merchants and ship owners. The Portuguese, from the time of Prince Henry the Navigator several decades earlier, had developed improved navigation tools and were exploring the lands along the

west coast of Africa. In 1484, Columbus appealed to Portuguese King John II for ships and support to make a voyage that would reach the East by sailing to the west. For at least a decade such ideas had been developing in several European cities. Geographer Paolo del Pozzo and fellow Florentine Lorenzo Buonincontri both proposed sailing west to reach Cathay (China) in the East while discovering new lands along the way. Columbus biographer John Noble Wilford says that, "The Florentines were providing the theoretical underpinnings for Columbus's inchoate ideas of sailing across the ocean."¹

Another Columbus biographer, Samuel Eliot Morison, notes that two years after Columbus's birth, Constantinople had fallen to the Ottoman Turks but the calls in subsequent years from popes and priests for a new crusade to take back Jerusalem and Constantinople were not taken up. He says that "If the Turk could not be pried loose from the Holy Sepulchre by ordinary means, let Europe seek new means overseas" adding that "Columbus's medieval Catholic faith impelled him to a modern solution: expansion."²

Columbus had believed that, given Portugal's interest in trade and discovery, King John II would be receptive to his ideas of reaching Cypango (Japan) by sailing west. However, John turned him down and Columbus left for Spain to approach the Spanish monarchs Queen Isabella of Castile and Leon and King Ferdinand of Aragon. After a first meeting in 1486, the monarchs appointed a commission of experts to consider Columbus's proposal. The commission's verdict was negative but Columbus met again with Isabella in 1489 and she told him to have patience and wait until "the matter of Granada was settled"³ when she would consider the issue again. In January of 1492, the forces of Isabella and Ferdinand took the city of Granada and completed the almost 800 year long *reconquista* or re-conquering of Spain from the Moors. That year Columbus's supporters at court, Juan de Perez and Luis de Santangel, assisted him with arguments (the former) and funding (the latter) and on April 17, 1492,

¹ John Noble Wilford, *The Mysterious History of Columbus: An Exploration of the Man, the Myth, the Legacy*. (New York: Alfred A. Knopf, 1991) 74.

² Samuel Eliot Morison, *Admiral of the Ocean Sea: A Life of Christopher Columbus*. (Boston: Little, Brown and Company, 1942) 5.

³Quoted in Wilford, 87.

Queen Isabella signed the document authorizing his voyage. Columbus set sail with the Santa Maria, the Niña, and the Pinta on May, 23, 1492, making landfall in the western hemisphere on October 12.

Columbus kept a diary of his first voyage which is considered to be the first known day-by-day log kept by an explorer.⁴ The original diary was delivered by Columbus to Isabella and Ferdinand upon his return but it disappeared after Isabella's death in 1504. Columbus, however, had received a copy made by a court scribe before he set off on his second voyage. Geographer Robert H. Fuson says that Columbus's older son Diego (who became the governor of Santo Domingo) inherited the copy when his father died in 1506 and, when Diego died in 1526, ownership passed to grandson son Luis although Columbus's second son Ferdinand probably kept it under his care until his death in 1539.⁵ This is assumed to be the copy that Ferdinand used when writing his biography of his father⁶ and that Bartolomé de las Casas said he used for his *Historia de las Indias*. The copy disappeared in about 1554, probably sold by Luis. But the Las Casas multivolume *Historia* survived and was the principal source of information on the 1492 voyage for Columbus scholars after it was completed in 1561.

In 1790, after a search of Spanish libraries for lost Columbus documents, a lengthy abridgement of Columbus's log in the hand of Las Casas was found in the library of a Spanish duke and was most likely the reference Las Casas used in writing his *Historia*.⁷ It is currently housed at the National Library of Spain in Madrid and can be viewed on line at

http://www.bne.es/en/Catalogos/BibliotecaDigitalHispanica/Inicio/index.html [Search for *Viajes de Cristobal Colon*. Scroll to No. 6. The material quoted here begins on page 18.] The log was transcribed and published in 1824 in Spain and this was soon followed by a translation into English published in

⁴Wilford, 37.

⁵ Robert H. Fuson, Introduction, Christopher Columbus, *The Log of Christopher Columbus*. (Camden, Maine: International Marine Publishing Company, 1987) 2.

⁶Ferdinand Columbus, *The Life of the Admiral Christopher Columbus by His Son Ferdinand*. Translated and annotated by Benjamin Keen. (New Brunswick: Rutgers University Press, 1959).

⁷ Fuson, 4.

Boston in 1827.⁸ This first English version can be viewed on line at:

http://babel.hathitrust.org/cgi/pt?id=hvd.32044005032289;seq=7;view=1up;num=i.

Another important surviving document is a letter from Columbus to his supporter Luis de Santangel in which Columbus summarizes his 1492 voyage relating how he "found very many islands filled with people innumerable, and of them all I have taken possession for their highnesses, by proclamation made and with the royal standard unfurled, and no opposition was offered me."⁹

Alarmed by Portugal's claims to the new territories based on earlier papal decrees, Isabella and Ferdinand asked Spanish-born Pope Alexander VI for confirmation of Spain's right to the lands. As a friend of King Ferdinand, he did not refuse and, in May of 1493, issued two Bulls, both titled *Inter caetera* in which he said that he gave, conceded and assigned to the Catholic monarchs of Spain all lands west of a line he laid out in the Atlantic Ocean as long as those lands were "not actually possessed by some other Christian king or prince." He also enjoined them to send "God-fearing men…to instruct the natives and inhabitants in Christian faith and to imbue them with good morals."¹⁰ Columbus made three more voyages to the Indies, carrying with him priests to convert the Indians but also soldiers to enslave many of them. He died in 1506 in Valladolid, Spain, at age 54.

Columbus's log can be viewed as the expression of the theory prevailing at the time in Spain and Portugal (and later in other countries) about how rulers could legitimately take possession of lands that were new to them. Patricia Seed says that to fulfill the Roman-based conception of possession, a ceremony of arrival witnessed by others and a declaration of the intention to remain were necessary.¹¹ In his Diary, Columbus describes how he fulfilled these requirements, as copied from his Log by Las Casas (in some cases Las Casas uses the first person and in some cases the third):

⁸Christopher Columbus, *Personal Narrative of the First Voyage of Columbus to America from a manuscript recently discovered in Spain.* Translated and Preface by Samuel Kettell (Boston: Thomas B. Wait and Son: 1827). ⁹Christopher Columbus, "Letter to Luis de Santangel," in Cecil Jane, editor, translator, *Select Documents Illustrating the Four Voyages of Columbus.* (London: Hakluyt Society, 1930) 2.

¹⁰Pope Alexander VI, "Inter caetera Divinae," in *Church and State through the Centuries*. Edited and translated by Sidney Z. Ehler and John Morrall. (New York: Biblo and Tannen Publishers, 1967) 157, 158.

¹¹Patricia Seed, "Taking Possession and Reading Texts: Establishing Authority of Overseas Empires." *William and Mary Quarterly*. (Vol. 8, No. 2, 1992) 184.

The Admiral brought out the royal banner and the captains two flags with the green cross, which the Admiral carried on all the ships as a standard, with an F [for Ferdinand] and a Y [for Ysabel], and over each letter a crown, one on one side of the cross and the other on the other. Thus put ashore they saw very green trees and many ponds and fruits of various kinds. The Admiral called to the two captains and to the others who had jumped ashore and to Rodrigo Descobedo, *escrivano* [scribe] of the whole fleet, and to Rodrigo Sánchez de Segovia; and he said that they should be witnesses that, in the presence of all, he would take, as in fact he did take, possession of the said island for the king and for the queen his lords, making the declarations that were required, and which at more length are contained in the testimonials made there in writing.¹²

Another ceremonial aspect of the Spanish ritual of "taking possession" was the renaming of geographical features including islands and rivers. Seed likens it to "the process of baptism practiced upon the peoples of the New World."¹³ Columbus states:

...[A]s soon as it dawned I spread sail, and as the island was farther than five leagues, rather about seven, and the tide detained me, it was around noon when I reached the said island and I found that the face which is in the direction of San Salvador runs north-south and that there are in it five leagues; and the other which I followed, runs east-west, and there are in it more than ten leagues. And since from this island I saw another larger one to the west, I spread sail to go forward all that day until night because (otherwise) I would not yet have been able to reach the western cape of the island, to which island I gave the name Santa Maria de la Concepción.¹⁴

Seed notes that the Spanish believed that they were taking possession of new lands but, equally

importantly, establishing authority over people—"articulating a relationship between Europeans and a

living, breathing other rather than simply demarcating space"¹⁵ which was all that the English would do.

However, for the Spanish, Portuguese, and French, the legitimacy of their rule was dependent on their

converting the Indians to Christianity, as mandated by the Catholic pope. In contrast, religious

conversion was not considered a mandate by the later Protestant English discoverers and colonizers in the

New World. Colombus writes:

I truly believe, most Serene Princes, that, given devout religious persons knowing thoroughly the language that they use, soon all of them would become Christian. And so I hope in Our Lord that Your Highnesses, with much diligence, will decide to send such persons in order to bring to the church such great nations and to convert them, just as you

¹² Las Casas, Bartolomé, *The Diario of Christopher Columbus's First Voyage to America, 1492-1493*. Transcribed and Translated by Oliver Dunn and James E. Kelley, Jr. (Norman: University of Oklahoma Press, 1989) 63-65. ¹³Seed, 199.

¹⁴Las Casas, 77-79.

¹⁵Seed, 209.

have destroyed those that did not want to confess the Father and the Son and the Holy Spirit, and that after your days (for all of us are mortal) you will leave your kingdoms in a tranquil state, free of heresy and evil, and will be well received before the Eternal Creator, may it please Whom to give you long life and great increase of your kingdoms and dominions and the will and disposition to increase the Holy Christian Religion, as up to now you have done, amen.¹⁶

Stephen Greenblatt emphasizes the public nature of the ceremony of taking possession, the flags, the spoken ritual words, the recording of the actions, and, most importantly, the fact that, as Columbus stated in his letter to Luis de Santangel, they were contradicted by no one. Greenblatt says that the local natives were not in the "same universe of discourse" as Columbus, given that they could not understand his words and had a different concept of land ownership.¹⁷ He notes that, while Columbus's statement that he was not contradicted "is absurd, it is also a sign...of an ethical reservation, a sense that the wishes of the native inhabitants should be respected." He adds that, for the Spanish, "legitimation necessarily included an acknowledgement of the existence of the natives and a recognition of values other than superior force."¹⁸ In the following years, Catholic philosophers would bring the rights of those native inhabitants to the fore, questioning the legal and moral basis of the Spanish conquest. In fact, before Columbus had made his final voyage, Queen Isabella convened in 1500 a commission of theologians and legal experts to study the question. Maria del Refugio González notes that, contrary to the general principles of medieval law that saw non-believers as lacking in all rights, the commission declared the Indians to be free vassals of the monarchs, equal to the workers of Castille, who could only be enslaved if they were prisoners of war.¹⁹

As it evolved, the justification for the taking by Europeans of the lands of others came to be known as the Doctrine of Discovery and this Doctrine and its lingering impact are currently being challenged by Indigenous groups and repudiated by religious faiths and in international bodies. Robert

¹⁶Las Casas, 141.

¹⁷Stephen Greenblatt, *Marvelous Possessions: The Wonder of the New World*. (Chicago: University of Chicago Press, 1991) 59.

¹⁸ Greenblatt, 64.

¹⁹María del Refugio González, "El Descubrimiento de América y el derecho," in *El Descubrimiento de América y su impacto en la historia*. Edited by Leopoldo Zea. (México: Fondo de la Cultura Económica, 1991) 102-103.

Miller, a professor of law at Lewis and Clark Law School and a citizen of the Eastern Shawnee Tribe of Oklahoma, notes that most of the world outside of Europe was colonized based on the Doctrine of Discovery which was "one of the first of international law principles."²⁰ Miller states, "Discovery continues to play a very significant role in the lives of Indigenous peoples and it still restricts property, governmental, and self-determination rights."²¹

In 2009, the Episcopal Church of the United States at its 76th General Convention called on Queen Elizabeth II to "disavow and repudiate publically, the claimed validity of the Christian Doctrine of Discovery" and for the United States to review its "historical and contemporary policies that contribute to the continuing colonization of Indigenous peoples."²² In December of 2009, Indigenous peoples from around the world attended the Parliament of the World's Religions and called on Pope Benedict XVI and the Vatican to repudiate the papal bulls that gave legitimacy to the Doctrine of Discovery.²³

In 2012, the Unitarian Universalist Association, at its General Assembly, declared that "Hundreds of years of decisions and laws continuing right up to our own time can ultimately be traced back to the Doctrine of Discovery—laws that invalidate or ignore the rights, sovereignty and humanity of Indigenous peoples."²⁴ Also in 2012, the World Council of Churches denounced the Doctrine of Discovery "as fundamentally opposed to the gospel of Jesus Christ and as a violation of the inherent human rights that all individuals and peoples have received from God."²⁵ That same year the Permanent Forum on Indigenous Issues of the UN Economic and Social Council said that justifications for the dispossession of Indigenous peoples from their lands, such as the Doctrine of Discovery, contained broader assumptions

²⁰Robert J. Miller, "The International Law of Colonialism: A Comparative Analysis," *Lewis and Clark Law Review*. (2011, Vol. 15, No. 4) 848.

²¹Miller, 921.

²²Quoted in Robert J. Miller, "Will others follow Episcopal Church's lead?" in *Indian Country Today*. (August 9, 2009)

²³Gale Courey Toensing, "Indigenous delegates ask Pope to repudiate Doctrine of Discovery" in *Indian Country Today.* (Dec. 21, 2009)

²⁴Unitarian Universalist Association, "Doctrine of Discovery: Taking Action on the 2012 Resolution." <u>http://www.uua.org/multiculturalism/dod/</u> accessed Mar. 23, 2013.

²⁵World Council of Churches Executive Committee, *Statement on the doctrine of discovery and its enduring impact on Indigenous Peoples*. February 17, 2012. <u>http://www.oikoumene.org/en/resources/documents/executive-committee/bossey-february-2012/statement-on-the-doctrine-of-discovery-and-its-enduring-impact-on-Indigenous-peoples.html</u> Accessed Mar. 23, 2013.

under which Indigenous peoples were constructed as "inferior and uncivilized," thus laying the bases for the exploitation of Indigenous peoples and their resources.²⁶

While there are other documents that could be used to illustrate the principle elements of the Doctrine of Discovery, the log of Christopher Columbus is the first by one who could (by virtue of his four voyages to the New World and time spent in the hemisphere) be considered an American. Columbus took "possession" of the new lands for the Queen and King of Spain with the procedures required by the governing philosophy in Europe in his day and recorded those actions for posterity.

The Sermon of Antonio de Montesinos

The 1511 sermon by Fray Antonio de Montesinos to Spanish colonial authorities in Santo Domingo about their treatment of the Indians, in which he said, "Are they not human beings? Have they no rational soul?" goes to the heart of the questions of whether the people in the Indies were of the same nature as the Europeans and what their rights were under the laws of nature as laid out by the Church Fathers.

Antonio de Montesinos was a priest of the Dominican Order, a Catholic order of religious men and women founded in 1216 by Spanish priest St. Dominic of Guzman. Montesino's date of birth is unknown but he made his profession as a Dominican friar in 1502 in Salamanca, Spain, later studying in Valladolid. In 1510, he was sent to the island of Hispaniola along with his superior Pedro de Cordoba, and colleagues Bernardo de Santo Domingo and Domingo de Villamayor. Between September 1510 and December 1511, the friars sent complaints about the treatment of the Indians by the Spanish colonials to the governor of the island, Diego Columbus, the son of the Christopher Columbus, but with no result.²⁷ The friars then began a period of fasting, vigils and prayers asking God to illuminate their path, deciding

²⁶Permanent Forum on Indigenous Issues of the UN Economic and Social Council, *Discussion on the special theme* for the year: "The Doctrine of Discovery: its enduring impact on Indigenous peoples and the right to redress for past conquests." May 10, 2012, <u>http://unpfip.blogspot.com/2012/05/recommendations-of-permanent-forum.html</u> Accessed Mar. 17, 2013.

²⁷ "Fr. Antón de Montesinos, O.P.," *Personajes Dominicanos*. <u>www.dominicos.org/grandes-figuras/personajes/anton-de-montesinos</u> (accessed April 17, 2013).

finally to preach a sermon to all the Spaniards in Santo Domingo on one of the Sundays of Advent 1511 which would denounce Spanish practices as in violation of the laws of God and nature. The sermon was prepared by all the friars but Montesinos was chosen to deliver it because he was known to be the most efficient and forceful speaker.²⁸ We know most of the content of the sermon because it was written down by another Dominican friar, Bartolome de Las Casas, who included it in his *Historia de las Indias*. Las

Casas wrote:

At the appointed time fray Antón Montesino went to the pulpit and announced the theme of the sermon: Ego vox clamantis in deserto [I am the voice of one crying in the desert]. After the introductory words on Advent, he compared the sterility of the desert to the conscience of the Spaniards who lived on Hispaniola in a state of blindness, a danger of damnation, sunk deep in the waters of insensitivity and drowning without being aware of it. Then he said: "I have come here in order to declare it unto you, I the voice of Christ in the desert of this island. Open your hearts and your senses, all of you, for this voice will speak new things harshly, and will be frightening." For a good while the voice spoke in such punitive terms that the congregation trembled as if facing Judgment Day. "This voice," he continued, "says that you are living in deadly sin for the atrocities you tyrannically impose in these innocent people. Tell me, what right have you to enslave them? What authority did you use to make war against them who lived at peace on their territories, killing them cruelly with methods never before heard of? How can you oppress them and not care to feed or cure them, and work them to death to satisfy your greed? And why don't you look after their spiritual health, so that they should come to know God, that they should be baptized, and that they should hear Mass and keep the holy days? Aren't they human beings? Have they no rational soul? Aren't you obliged to love them as you love yourselves? Don't you understand? How can you live in such a lethargical dream? You may rest assured that you are in no better state of salvation than the Moors or the Turks who reject the Christian Faith."29

The Spanish colonials reacted with anger. They met at the house of Governor Diego Columbus to

strategize and later visited the friars in their house to demand a retraction. Las Casas' narration continues:

Fray Antón Montesino answered that what he had preached was the result of mature deliberation and the common opinion of all: the need to save the souls of both Spaniards and Indians on the island had to be pointed out as gospel truth because they had noticed the extinction of the Indians, as well as the fact that they were left as uncared for as beasts in the fields. Therefore, as professed Christians and preachers of the Truth, their duty was to serve the King faithfully who had sent them to Santo Domingo to preach whatever was necessary for the salvation of souls; moreover, they were certain that once the King was informed of these happenings, he would thank them for the service. This

²⁸ Dana E. Aspinall, "Introduction," *Montesino's Legacy: Defining and Defending Human Rights for 500 Years.* Edited by Edward C. Lorenz, Dana E. Aspinall, and J. Michael Raley. (Lanham, MD: Lexington Books, 2014) 1.

²⁹ Bartolome de las Casas, *History of the Indies*. Translated by Andree M. Collard. (New York: Harper & Row, 1971) 183.

justification of the sermon spoken to placate their anger fell on dead ears: to prohibit the tyrannization of Indians was hardly the way they could satiate their thirst for gold, since without Indians, they were defrauded of all their desires.³⁰

The Spaniards, far from satisfied, sent messages to the King who recalled the friars to Spain in 1512 to defend themselves, which they did successfully.

After returning from Spain, Montesinos spent time in Puerto Rico returning to Hispaniola in 1518 from where he later returned to Spain to work toward formally establishing the Dominican order in the New World. In 1525, he returned to Puerto Rico with six other Dominicans. In 1526 Montesinos travelled with the expedition of Spanish explorer Lucas Vásquez de Ayllón to establish the colony of San Miguel de Guandape³¹ in what in what is now either South Carolina or Georgia (both states claim the honor). While archeologists may never be able to determine exactly where San Miguel de Guandape was located, what is certain is that it was the first Spanish settlement on the eastern seaboard of North America.³² It lasted only a few months and, shortly after the death of Ayllón, the Spaniards returned to Santo Domingo. In 1529, Montesinos was sent to Venezuela as Dominican vicar there. He died in 1540 or 1545 (dates vary depending on the source).³³

The fiery 1511 Advent sermon by Montesinos had enormous repercussions. Fr. Brian Pierce, himself a Dominican, states that, "There is probably no other preaching—in over five hundred years of Christian presence in the Americas—that has so impacted the history of the continent [as] this one."³⁴ When King Ferdinand received the letters from Diego Columbus and the other Spanish colonists, he was angry and wrote a reply to Columbus saying that if the friars did not retract the sermon, he (Columbus) should put them on the first boat to Spain to receive their punishment from the Dominican superior.³⁵ The

³⁰ Las Casas (1971) 185.

³¹ Schroeder.

³² Douglas T. Peck, "Lucas Vásquez de Ayllón's Doomed Colony of San Miguel de Gualdape." The Georgia Historical Quarterly (Vol. 8, No. 2 Summer 2001), 193.

³³ Personajes Dominicanos.

 ³⁴ Brian Pierce, OP, "Seeing, Touching and Speaking the Truth: The First Dominicans in the Americas." *Spirituality* (Vol. 13, No. 72-3 2007), <u>www.domlife.org/2011/Stories/files/anniv_brian_pierce.pdf</u>, Accessed June 17, 2012.
³⁵ "Carta de Fernando el Católico a Diego Colon, 20 marzo 1512," cited in Juan Manuel Perez, *Sermon de Antonio*

de Montesinos. <u>http://jubileo.dominicos.org/2010/guion-reflexion-sermon-de-montesinos</u>, Accessed April 17, 2013.

King added, "Every hour that they remain on the island holding this dangerous opinion will do much harm to all the affairs of that land."³⁶

Instead of recanting, of course, Montesinos travelled to Spain (as noted above) to put his case before the king. In spite of efforts to stop him, Montesinos was finally able to see Ferdinand and convince him of the validity of the friars' denunciations of Spanish practices in the New World. The king called together a group of theologians and jurists known as the Junta of Burgos which in 1512 released a statement of seven principles to govern Spanish rule over the Indians of the New World. According to Las Casas, the new rules mandated that the Indians be treated as free men, that they be given Catholic instruction, and that their labor benefit them and the king and not prevent their religious instruction. They also mandated that the Indians' labor be tolerable, that they be allowed to live in their own houses and be allowed to cultivate their own land, that communication between Indians and Spanish be mandatory, and that the Indians be paid for their labor in clothing and household goods.³⁷ Spanish scholar Luciano Pereña states, however, that while the colonial authorities accepted the new laws, they did not follow them.³⁸

These new regulations were a reaction to the rapidly deteriorating conditions of the natives on Hispaniola as denounced by the Dominican friars. According to Stafford Poole, "The real curse of the colonies was the encomienda." Under the encomienda system, a Spaniard was granted the right to the labor of a certain number of Indians. Poole continues, "By 1511, this had deteriorated into wanton exploitation, with the Spaniards demanding higher tributes, more labor (especially in the gold and silver mines), with the result that the natives were being rapidly decimated."³⁹ Pereña says that the depopulation of the island of Hispaniola was, without a doubt, one of the most shameful pages of the

³⁶ Lewis Hanke, "Free Speech in Sixteenth Century Spanish America," *The Hispanic American Historical Review*. (Vo. XXVI, No. 2, May 1946) 143.

³⁷ Las Casas (1971), 191.

³⁸ Luciano Pereña, La idea de la justicia en la conquista de America. (Madrid: Editorial MAPFRE: 1992), 19.

³⁹ Stafford Poole, "Iberian Catholicism Comes to the Americas," in Christianity Comes to the Americas-1492-

^{1776.} Ed. Charles H. Lippy, Robert Choquette and Stafford Poole. (New York: Paragon House, 1992), 80.

conquest of America. He cites Las Casas as stating that by 1508, only 60,000 natives of the island remained from a possible pre-conquest population of six million.⁴⁰ By mid-century they were gone.

The new Laws of Burgos did not abolish the encomiendas and Friar Pedro de Cordoba, who had sailed to Spain to convert his superiors in the Dominican Order to his ideas, did not accept them because of that failure. Cordoba met with the King who, as a result of their conversations, called for corrections, a call that resulted in the Laws of Valladolid of 1513. While an improvement on the Laws of Burgos, the Laws of Valladolid still did not abolish the encomienda system. Poole states that the laws were "an attempt to compromise two apparently irreconcilable principles: the freedom of the Indians and the need for some sort of compulsory labor system."⁴¹ The King did allow Cordoba to return to Hispaniola and ordered Diego Columbus to "receive them [the friars] with love and treat them well and I hope in the Lord that their coming will bring much fruit based on the people that they are and the commitment that they bring with them."⁴² Ferdinand's notable willingness to receive information, complaints and suggestions from the New World dated back to August 14, 1509, when he ordered that "no official should prevent anyone from sending to the king or anyone else letters and other information which concerns the welfare of the Indies."⁴³

In her last will and testament, written before her death in 1504, Queen Isabella had reminded her husband King Ferdinand and her daughter Juana, heir to the Kingdom of Castille, that Pope Alexander VI in 1493 had given them the "Islands and Lands of the Ocean Sea" with the clear goal of converting the Indians "to our holy Catholic faith" and she entreated her husband and daughter also that the Indians always "be well and justly treated."⁴⁴ [The original manuscript of this page of the will can be viewed at <u>www.delsolmedina.com/testamentoTexto-22.htm</u>. Click on the small photo of the document.] The Montesinos sermon was a reflection of the Queen's ideas and of the writings of the church fathers of

⁴⁰ Pereña, 15, 16.

⁴¹ Poole, 80.

⁴² "Carta de Fernando el Católico a Diego Colon, 18 septiembre 1512," cited in Perez.

⁴³ Cited in Hanke, 142.

⁴⁴ Isabel I de Castilla. *Testamento y Codicilo*. Medina del Campo: Su origin y desarrollo. <u>www.delsolmedina.com/testamentoTexto-22.htm</u>, p. 22 (also view original manuscript).

earlier centuries, most particularly those of St. Thomas Aquinas (1225-1274). Carl Watner says, "Unlike other European countries of that age, the Spaniards were vitally concerned with the moral problems of conquest, conversion, and the government of heathen peoples." He adds that they elaborated "a doctrine of natural rights based on both divine and human reasoning."⁴⁵

The questions that Montesino's sermon poses, "Tell me, what right have you to enslave them? What authority did you use to make war against them who lived at peace on their territories.... Aren't they human beings? Have they no rational soul?" go to the heart of the questions of whether the people in the Indies were of the same nature as the Europeans and what their rights were under the laws of nature as laid out by Thomas Aquinas. Aquinas ascribed to all humans, even pagans, the same capacity and the same rights as Christians. Miguel Angel Medina says, "This is the position that the Dominicans in America adopt: that natural law must prevail over positive [statutory] law ."⁴⁶ Ambrose Mary Little adds, "Montesinos and his Dominican brothers realized that there was something fundamentally immoral about enslaving another human being, one made in the image of God, who thus should enjoy an equality with all other human beings based upon a common or shared nature."⁴⁷

But there is more. If the Indians had the same natural rights as European Christians, then the latter had no right "to make war against them who lived in peace on their territories" as Montesinos put it. Pereña says, "The polemics about the legitimacy of the conquest of America had exploded."⁴⁸ The argument supporting the rights of the Indigenous would be carried forward in Spain by churchmen of the School of Salamanca dominated by Dominican friars, most especially Francisco de Vitoria and Domingo de Soto, but also including others such as Jesuit Francisco Suarez, and in the New World by Bishop of Chiapas Bartolomé de las Casas. Juan Friede says, "So important was this debate that it helped make

⁴⁵ Carl Watner, "'All Mankind Is One': The Libertarian Tradition in Sixteenth Century Spain." *The Journal of Libertarian Studies*. (Vol. VIII, No. 2, Summer 1987), 293.

 ⁴⁶ Miguel Angel Medina Escudero. "¿Estos no son hombres? El profetismo de los primeros dominicos en América,"
<u>www.jubileo.dominicos.org/2010/profetismo-primeros-dominicos-america</u> (accessed April 26, 2013), 6
⁴⁷ Ambrose Mary Little, "The Foundation of Human Rights in Natural Universals," *Montesino's Legacy: Defining*

⁴⁷ Ambrose Mary Little, "The Foundation of Human Rights in Natural Universals," *Montesino's Legacy: Defining and Defending Human Rights for 500 Years*. Edited by Edward C. Lorenz, Dana E. Aspinall, and J. Michael Raley. (Lanham, MD: Lexington Books, 2014) 25.

⁴⁸ Pereña, 31.

Spain pre-eminent in the juridical science of the period."⁴⁹ Francisco de Vitoria is often called the father of international law.⁵⁰

It is notable that this examination at the highest levels of government and church in Spain and its colonies of the rights of the Indigenous inhabitants of the Americas did not happen in the other powers establishing settlements in the Western Hemisphere. Neither the British, nor the French, nor the Portuguese engaged in these discussions. But in the case of Spain, they began in Santo Domingo less than two decades after the arrival of Christopher Columbus with the voice of "one crying in the desert," that of Friar Antonio de Montesinos.

Letter of Isabel de Guevara to the Princess Juana

In her letter to Princess Juana of Spain, written from Asunción in 1556, Isabel de Guevara asks the Spanish government to recognize her contribution to the colonization of the Rio de la Plata region with an allotment of Indians because, she asserts, her contribution was equal to that of the men who had been recognized by the governor with *repartimientos*.

Isabel de Guevara sailed from Spain to South America in 1534 with the massive expedition of the Spanish nobleman Pedro de Mendoza. The expedition was composed of eleven ships, 1,500 men (according to Guevara, although another source says 1,200, and still another two thousand), one hundred horses, and an unknown number of women that could have been as few as ten or twenty but were probably more. The fleet ran out of water during the long voyage and when they arrived at the mouth of the Rio de la Plata, they found, not another Peru with rich settlements of Indigenous inhabitants and fertile fields as they had expected, but a dismal landscape populated by a few hostile Indians and little game, which they soon exhausted. Lucía Gálvez notes that there were noblemen and high-ranking military officers among the expedition members along with foreigners including Germans, Englishmen

⁴⁹ Juan Friede, "Las Casas and Indigenism in the Sixteenth Century," *Bartolome de Las Casas: Toward an Understanding of the Man and His Work*. Ed. Juan Friede and Benjamin Keen. (DeKalb: Northern Illinois University Press, 1971), 134.

⁵⁰ One example: Charles H. McKenna, "Francisco de Vitoria: Father of International Law," *Studies: An Irish Quarterly Review.* (Vol. 21, No. 84, Dec. 1932), 635-648.

and Italians. She says, "None of them came with the work history of a laborer: they had come to take charge of rich lands in the name of the king and not to found industrious colonies. Their disenchantment could not have been greater."⁵¹ The supplies of food that they had brought with them were soon consumed and, while at first some of the nearby Indians brought them food, when hostilities broke out between them, that link was broken. Hunger set in and expedition members were reduced to eating rats and snakes and even dead comrades. In Isabel de Guevara's retelling of the troubles they suffered, the women were essential in keeping a core number of the men alive.

[A]s the fleet arrived at the port of Buenos Aires with fifteen hundred men and they were in need of food, the starvation was so great that after three months a thousand of them died. So great was the famine that not even in Jerusalem could it have been worse, nor can it be compared to any other. The men became so weak that all the work fell on the poor women...⁵²

When the simple settlement dedicated to Our Lady of Buen Ayre at the mouth of the Platte River was built, Mendoza sent his lieutenants Juan de Ayolas and Domingo Martinez de Irala upriver in search of more favorable site for a permanent colony. In June of 1537, Pedro de Mendoza died. His last orders had been to abandon Buenos Aires. Irala (who had taken command of the recently founded settlement of Asunción after Ayolas was killed by Indians) ordered that the settlers comply with those last wishes and move the colony. The second founding of Buenos Aires would not take place until another forty years had passed.

During the trip upriver to Asunción and during the first period after their arrival, the travelers did not fare any better. Expedition member Francisco de Villalta said that 100 men died of "pure hunger" on the river voyage. The men were still weak when they got to the new colony and Isabel de Guevara says that the women needed to help with the work of building and planting although the accounts by members of the expedition, including Villalta, give the credit to the men.⁵³ Guevara wrote:

⁵¹ Lucía Galvez, *Mujeres de la Conquista* (Buenos Aires: Editorial Planeta Argentina, 1990), 64.

⁵² Isabel de Guevara, "Letter to the Princess Doña Juana," *Madres del Verbo/Mothers of the Word: Early Spanish-American Women Writers-A Bilingual Anthology.* Translated by Nina A. Scott. (Albuquerque: University of New Mexico Press, 1999), 12.

⁵³ Mar Langa Pizarro, "Mujeres en la expedición de Pedro de Mendoza: Cartas, crónicas y novelas; verdades, mentiras, ficciones y silencios," in *América sin nombre* (2010, No. 15), 22.

So they got to this city of Asunción which, although now it produces a great deal of food, was then very much in need of it, and thus it was necessary for the women to set to work again, clearing the land with their own hands, digging, weeding, sowing, and harvesting the food with no help from anyone until the soldiers had recovered from their weakness and began to govern the land and acquire Indian men and women as their servants, until the land came to be in the state it is now.⁵⁴

Eighteen years later in 1555, Martinez de Irala was named governor of all the territories of Rio de la Plata with the power to assign allotments of the services of Indians to the settlers. These were first called *encomiendas* but the New Laws of 1542 changed the system somewhat and renamed them *repartimientos*. On May 14 of the next year he allotted 20,000 Indians to three hundred colonists. Isabel de Guevara was not among them.

On July 2, Guevara wrote (or had a scribe write) her letter to Princess Juana which was a challenge to the governor, a legal document asking for justice in the form of compensation for services rendered by her and the other women and which is, as Raul Marrero says, "above all a demand for women's rights."⁵⁵ Marrero goes on to say that Irala's ordinances had not recognized the rights of women to *repartimientos* and that the question was a subject of great controversy during the colonial period. He notes that Emperor Carlos V had annulled several allotments given to women but the tendency in general was to give women *encomiendas* or the later *repartimientos*.⁵⁶

It is uncertain who Isabel de Guevara was. Spanish legal scholar Enrique Peña records a possibly relevant entry from passenger lists of the Mendoza expedition: "Domingo de Guevara... (erasure) and Don Vitor de Guevara, sons of Don Carlos de Guevara and Doña Isabel de Laserna, a native of Toledo, stayed on this armada."⁵⁷ Gladys Lopreto points out that while it is clear that the sons took part in the expedition, it is not at all certain that the parents did also.⁵⁸ If Isabel de Guevara was indeed Doña Isabel,

⁵⁸ Gladys Lopreto, "La Carta de Isabel de Guevara (Siglo XVI): La mujer y la conquista," <u>http://pginasdeestudio.blogspot.com/2011/02/carta-de-isabel-de-guevara-siglo-xvi.html</u>; written 1996, posted Feb. 28, 2011, accessed May 7, 2015.

⁵⁴ Guevara, 13.

⁵⁵ Raul Marrero Fente, "De retórica y derechos: estrategias de la reclamación en la carta de Isabel de Guevara," in *Hispania* (Mar. 1996, Vol. 79, No. 1), 4-5.

⁵⁶ Marerro, 5

⁵⁷ Enrique Peña, Documentos relativos a la expedición de don Pedro de Mendoza y acontecimientos ocurridos en Buenos Aires desde 1536 a 1541 (Buenos Aires: Imprenta Angel Curtolo, 1936), 27.

native of Toledo, then she was a woman of some social standing rather than a servant, a supposition supported by the tone of her letter.

Guevara's letter, as one notes at first glance, is unusual in that both the writer, Isabel, and the addressee, Juana, are women. The letter has two parts. In the first, Guevara narrates the participation of the women in the preservation of the expedition at the time of the famine suffered at Buenos Aires, during the journey up the Paraná River, and finally their work in Asunción in the early life of that colony. The second part of the letter, much shorter in length, lays out her claim for compensation based on her contribution to Spanish colonization, a contribution that she maintains was equal to that of the men.

Was Guevara's letter unique? Nina Scott says that, "The letter that Isabel de Guevara wrote to Princess Juana, asking to be rewarded for services rendered, is one of the only published documents to record the participation of Spanish women in the settlement of the Americas."⁵⁹ Lopreto explains that the cultural and ideological context of the conquest, which the women internalized, led them to relegate themselves to anonymity. "The motive of the Spanish in these lands in the first twenty years was to discover in order to later despoil.... Here women did not fit," she writes.⁶⁰ But, Rocio Quispe-Agnoli insists that Isabel de Guevara's letter is not an isolated document among sixteenth century letters. She notes that women wrote "to ask for land, *encomiendas*, recognition of privileges, scholarships for their children, positions for their husbands, and stipends, among other things." The Guevara letter, she insists, is rather one of many documents dominated by the feminine voice that exist in the Spanish archives waiting for a researcher to give them the place they merit in the history of the founding of the American colonies.⁶¹

There are a number of other controversies around the letter. The first is easy to resolve. For some reason, many writers misidentify the "Juana" to whom Guevara was writing, believing that it was Queen

⁵⁹ Nina M. Scott, *Madres del Verbo/Mothers of the Word: Early Spanish-American Women Writers, a Bilingual Anthology* (Albuquerque: University of New Mexico Press, 1999), 3.

⁶⁰ Lopreto.

⁶¹ Rocio Quispe-Agnoli, "Discursos coloniales escritos y agencia femenina: La 'Carta a la Princesa Juana," in *Cuaderno Internacional de Estudios Humanísticos y Literatura*, Edición Especial Monográfica: Más allá del Convento (Vol. 5, 2005-6), 83, 88.

Juana I, known as "Juana La Loca" or Joan The Mad, daughter of Isabella and Ferdinand, even though Guevara identifies her quite clearly as Princess Juana, Governor of the Provinces of Spain. Argentine historian Paul Groussac, writing in 1916, besides calling Guevara's letter "a mess of commonplaces and exaggerations," says that she was so behind in the news that she wrote her letter to Juana in July of 1556, more than a year after the Queen's death.⁶² However, he should have known that Princess Juana, also known as Juana of Austria, was the granddaughter of the deceased Queen Juana. She was appointed by her father Carlos V who was about to abdicate in favor of her brother, who became King Philip II, to govern in Philip's stead when he went to England to marry Queen Mary Tudor. She held that post from1554 to 1559. Groussac was the uninformed party. Other scholars have continued to make that same error through the years⁶³ in spite of the fact that, as Langa Pizarro notes, no one who is writing a letter to a queen asking for a favor would lower her to the rank of princess.⁶⁴

But Groussac challenges the letter in a more fundamental way. He says, "Not enough women travelled with Mendoza for them to have played the absurd male role that is described [in the letter]" and he suggests that "the 'noble lady' may have come on one of the later expeditions."⁶⁵ In other words, he challenges the basic truth of the letter. Lopreto points out that Emperor Carlos V had ordered some expeditions to carry no women at all but she says that the presence of women has been proven, albeit in a way that is implicit in the text, between the lines. And to indicate that women were present in the colony and performed male roles, she cites a 1545 letter by Father Francisco Gonzalez Paniagua which tells of a battle with the Indians on the Paraná River in which there was a "*capitana*" (female captain) of a vessel and that "from this disaster we ended up with eleven men and three women fewer."⁶⁶ The number of women remains unclear. Enrique Larreta, who wrote in the first half of the 20th century about the

⁶² Paul Groussac, *Mendoza y Garay: Las Dos Fundaciones de Buenos Aires* (Buenos Aires: Casa Editora de Coni Hermanos, 1916), 73.

⁶³ Among the misinformed writers are Galvez, 67, 70; Luis Martin, *Daughters of the Conquistadores: Women of the Viceroyalty of Peru* (Dallas: Southern Methodist University Press, 1989), 28, 29; and Monica Szurmuk, "Gesto autobiográfico: Historia y narrative de viajes de Isabel de Guevara," in Magdalena Maiz and Luis H. Pena, eds. *Modalidades de representación del sujeto auto/biográfico feminino* (Mexico: Grafo Print Editores, SA, 1997), 93.

⁶⁴ Langa Pizarro, 23. Other scholars besides Langa Pizarro who "get it right" include Scott and Quispe-Agnoli.

⁶⁵ Groussac, 73-74.

⁶⁶ Lopreto.

settlement of Buenos Aires, said, "As a great exception, many women came in the expedition of Mendoza although it was forbidden. Some were dressed as men and in the hardest moments carried dagger and sword."⁶⁷ Langa Pizarro states that Groussac's use of quotation marks around the term "noble lady" harkens back to the image that all the women who travelled with the ships were prostitutes and she remarks, "What a fantastic country Spain would have been if its prostitutes wrote like Isabel de Guevara!"⁶⁸

Isabel de Guevara's letter gives what Marrero calls "a distinct version of history" from the one that "ascribed subordinate roles to women or simply erased them." He notes that Guevara's letter challenges the "chivalrous values of the conquerors: honor, bravery and tenacity, among others."⁶⁹ Not only that, but she holds herself in check from saying more that would discredit the men. Guevara writes: "Your highness will understand that had it not been for the care and concern we had for them, all of them would have been finished, and were it not for the honor of the men, I might truly write a great deal more and offer the (men) as witnesses."⁷⁰

The women efforts included roles traditionally assigned to women: "from washing [the men's] clothes to caring for the sick, making them eat the little they had, [and] cleaning them."⁷¹ But the women did much beyond that, including numerous activities normally performed only by men: "standing guard, tending the watch-fires, arming the crossbows when sometimes there were Indian attacks and even firing the culverins [a type of cannon]; we would sound the alarm to the soldiers with loud voices, we drilled them and put them in order."⁷² Quispe describes the women's actions as belonging to two spheres, the domestic sphere and the public sphere of war and government.⁷³ Lopreto notes that the women "carried out the traditional masculine tasks without help while not abandoning the food and care of the wounded

⁶⁷ Enrique Larreta, *Tenía que suceder: Las dos fundaciones de Buenos Aires* (Buenos Aires: Espasa-Calpe, S.A., 1944), 152.

⁶⁸ Langa Pizarro, 23.

⁶⁹ Marrero, 3, 4.

⁷⁰ Guevara, 12.

⁷¹ Guevara, 12.

⁷² Guevara, 12.

⁷³ Quispe, 87.

and the dying,"⁷⁴ the traditional work of women. As Guevara ascribes attributes normally associated with men such as bravery and strength to the women, she tells how the men were brought low by hunger and illness and had to be carried by the women as if they were children. Monica Szurmuk calls the image of a woman carrying a *conquistador* "absolutely subversive."⁷⁵ While Guevara definitely portrays a role reversal, she also says that the women took on their unusual role out of charity, an acceptable, traditional motivation and that they were able to do so because the "women could get by with less food and had not fallen into such a state of weakness as the men."⁷⁶

Isabel de Guevara told Princess Juana that her services to the Crown merited compensation similar to that received by the men who had participated in the discovery and conquest of the Rio de la Plata region. She seems to have expected a *repartimiento* when Governor Irala began his distribution of allotments of Indian services to the colonists and laments the "ingratitude that has been shown to me" when she received nothing. She realized that the work of the women in the founding of the colony had been ignored, pushed underground and her goals therefore became both to revive that history and to present her petition for compensation.

I have wanted to write and bring this to Your Highness's attention, to let you know the ingratitude that has been shown me in this country, because by now the greater part of it has been granted to those who reside here, the old colonists as well as the new, without any acknowledgment whatsoever of me and of my work, and I was left out, not having been given an Indian or any other kind of reward. I would dearly love to be free to go and appear before Your Highness, and tell you about the many services I have rendered His Majesty and the injuries now being done to me....⁷⁷

Lopreto remarks, "It is undeniable that by putting herself at a level of equal rights with the men

conquerors, she surpasses her cultural competence, or at least advances beyond the ideology of the epoch."⁷⁸

⁷⁴ Lopreto, 13.

⁷⁵ Mónica Szurmuk, "Gesto autobiográfico: Historia y narrativo de viajes de Isabel de Guevara." In *Modalidades de representación del sujeto auto/biográfico feminino*. Edited by Magdalena Maiz and Luis H. Pena. (Mexico City: Grafo Print Editores, SA. 1997) 92.

⁷⁶ Guevara, 12.

⁷⁷ Guevara, 14.

⁷⁸ Lopreto, 16.

However, in advancing her claim of rights for women, Guevara put herself at what Szurmuk calls "the center of the contradiction" between her subaltern position as a women and her hegemonic position as a white European participating in the Spanish imperial project.⁷⁹ Szurmuk goes on to say, "Guevara performs a subversive act supported by a highly reactionary ideology and includes women in the masculine enterprise of the colonization, which at the same time involved them in genocide."80 While the word genocide was not used at the time, the treatment of the native inhabitants of the New World had been a major controversy within the Spanish empire for decades with a major debate on the issue called by Emperor Carlos V at Valladolid having taken place a few years before Guevara's letter.

Is Isabel's letter an example of political theory? Or is it simply a document of social history describing unusual life experiences and requesting compensation for services rendered? Szurmuk states, "If women have not been able to be philosophers, one has to look for ways that they have practiced philosophy outside of the traditional fields of philosophy."⁸¹ And, if a definition of normative political philosophy is that it lays out how the author believes a polity's political or social life should be structured, often by contrasting it with current injustices, Guevara's letter meets that definition in demanding recognition of the forgotten participation of women in the founding of the Rio de la Plata colonies, in challenging the stereotypes that caused that history to be forgotten, and in demanding equal compensation based on a contribution equal to that of the men of the Pedro de Mendoza expedition of which she was a part.

Florentine Codex: General History of the Things of New Spain

Fray Bernardino de Sahagun compiled ideas of the Nahuatl people on a myriad of topics in his General History of the Things of New Spain. His first goal was conversion to Christianity, but showing respect for the culture, he went beyond that, collecting orations of the elders, including admonishments from parents to noble boys and girls on how they should live and contribute to society. He also used

 ⁷⁹ Szurmuk, 95.
⁸⁰ Szurmuk, 90.
⁸¹ Szurmuk, 89.

questionnaires similar to those of modern social scientists to illicit information on how boys were raised to have the qualities necessary to govern well.

Friar Bernardino, a Franciscan priest who was born in Spain but who lived most of his long life in Mexico, wrote down information from the Indigenous about things "divine, human, and natural" in the twelve books known as the Florentine Codex or the *General History of the Things of New Spain*. While authorship of the work is usually attributed to Sahagún, a number of scholars, including Miguel Leon-Portilla, have spoken of it as the "texts of Sahagún's native informants."⁸² Angel M. Garibay wrote, "In their language they said it, with their manner of thinking they expressed it, and by means of these writings, which fortunately we conserve...we can see their own conception and composition."⁸³ It was Sahagún who brought the knowledgeable elders together, supervised the compilation of their testimony in Nahuatl, translated much of it into Spanish, and wrote extensive commentaries. Therefore, the compilations, several versions of which have survived in European libraries, can legitimately be considered the work of Bernardino de Sahagún AND his Indigenous informants.

Friar Bernardino was born in Sahagún in the Spanish province of León in the year 1499. He studied and took his religious vows at the University of Salamanca which, at the time, was over three hundred years old and one of the principle centers of learning in Europe. He very possibly studied under the noted philosopher Francisco de Vitoria who had arrived to teach there in 1526. Vitoria, a leading thinker in what was known as the School of Salamanca, is considered one of the founders of international humanitarian law.

Friar Bernardino left Cadiz, Spain, for the New World in 1529 as a member of a group of religious led by Friar Antonio de Ciudad Rodrigo. Upon arrival in New Spain, as Mexico was called, he immediately began his study of Nahuatl in order to be able to preach to the Indigenous, making use of the work of earlier Franciscans who had converted the Indians' spoken language into written form using the

⁸² Miguel Leon-Portilla, "The Problematics of Sahagún: Certain Topics Needing Investigation," in *Sixteenth Century Mexico: The Work of Sahagún.* Edited by Munro S. Edmonson. (Albuquerque: University of New Mexico Press, 1974), 244-245.

⁸³ Angel María Garibay K., *Historia de la Literatura Nahuatl, Segunda Parte: El trauma de la conquista (1521-1750) Segunda Edición.* (México, D.F.: Editorial Porrua, S.A: 1971), 77.

Spanish alphabet. Those first Franciscans greeted the new arrivals with the news that the Indians had been converted and almost all had been baptized. Sahagun soon found, however that the "miracle" of the massive conversion of the Indians was not real and that they accepted Jesus Christ only as one of their many gods as was their tradition when they came in contact with foreign peoples. Thus, much further education of the Indians using their own Nahuatl language would be necessary.

In 1536, Sahagún helped found the Royal College of Santa Cruz at Tlatelolco and taught there until 1540. He and Friar Arnald de Bassacio taught Latin, history, and other classes in the humanities to promising young men from the Mexican elite.⁸⁴ This was a period of discord in New Spain, between conqueror Hernán Cortés and his opponents, between civil and religious authorities, among the different religious orders, and even between factions within the religious orders.⁸⁵

From 1540 until 1545, it is assumed that Friar Bernardino worked as a missionary in the Valley of Puebla, during which time he climbed the Popocatepetl Volcano. He returned to the College of Santa Cruz in time for the epidemic of 1545 when he said he buried 10,000 and in 1546 nearly died of the disease himself.⁸⁶ As a result of the loss of students in the epidemic, Santa Cruz was opened to students from any social rank who had the intellectual ability to succeed and its staff was made up of Indigenous Mexicans under the supervision of the friars.

Sahagún had already begun collecting materials on Mexican culture with the help of his students at the College of Santa Cruz when, in 1558, he was transferred to Tepepulco and, in that same year, the newly appointed Franciscan provincial Friar Francisco de Toral ordered him to write down in the native language those things that he believed would be useful for the evangelization of the Indians and helpful to

⁸⁴ Miguel Leon-Portilla, *Bernardino de Sahagún: First Anthropologist*. Translated by Mauricio J. Mixco. (Norman: University of Oklahoma Press: 2002), 96.

⁸⁵ Juan Carlos Temprano, "Introducción," Bernardino de Sahagún, *Historia General de las Cosas de Nueva Expaña*. (Madrid: Editorial Historia 16, 1990), xii.

⁸⁶ Sahagun, insertion in Eighth Paragraph, Book XI, *Florentine Codex: General History of the Things of New Spain, In Thirteen Parts, Part I, Introductions and Indices.* Translated by Arthur J.O. Anderson and Charles E. Dibble. (Salt Lake City: University of Utah Press, 1982), 94.

the Christian preachers.⁸⁷ In 1561, Sahagún returned to Tlatelolco, but to the Monastery of Santiago not the College, where he continued his compilations.

Sahagún is usually described as having two principal motives for compiling twelve books of information about the Mexican people. Arthur Anderson, who along with Charles Dibble, worked on the English translation of the Codex over a period of forty years, states that Sahagún and some of his colleagues had become convinced that the project of converting the Indigenous population was failing and "that idolatry persisted unchecked because it went undetected, and that it must be recognized before it could be combatted." If they knew what to look for, the missionaries would know what to combat. Thus the work had as its first motivation evangelization.⁸⁸ Walden Browne adds that "Sahagún was faced with a vast array of Indigenous cultural information that did not easily fit into a preexisting Western schema. Once [he] noticed what lay beneath the superficial compatibility of a few Christian and Indigenous practices, *everything* was subject to reinterpretation." His research then reflected his desire to understand "the entirety of Nahua culture."⁸⁹ Sahagún says:

The physician cannot advisedly administer medicines to the patient without first knowing of which humour or from which source the ailment derives. Wherefore it is desirable that the good physician be expert in the knowledge of medicines and ailments to adequately administer the cure for each ailment. The preachers and confessors are physicians of the souls for the curing of spiritual ailments. The sins of idolatry, idolatrous rituals, idolatrous superstitions, auguries, abuses, and idolatrous ceremonies are not yet completely lost.

To preach against these matters, and even to know if they exist, it is needful to know how they practiced them in the times of their idolatry, for, through [our] lack of knowledge of this, they perform many idolatrous things in our presence without our understanding it.⁹⁰

But much of the detailed compilation appears to have little relation to a pastoral purpose and it

becomes obvious that a second motivation for Sahagún was concern for the well-being of the Indigenous

⁸⁷ Sahagún, "Prologue to Book II," in Part I, 54.

⁸⁸ Arthur J.O. Anderson, "Sahagún: Career and Character," in Bernardino de Sahagún, *Florentine Codex: General History of the Things of New Spain In Thirteen Parts, Part I, Introductions and Indices.* (Salt Lake City: University of Utah Press, 1982), 35.

⁸⁹ Walden Browne, Sahagun and the Transition to Modernity. (Norman: University of Oklahoma Press, 2000), 109-110.

⁹⁰ Bernardino de Sahagún, *Florentine Codex: General History of the Things of New Spain In Thirteen Parts, Part I, Introductions and Indices.* "Prologue" to Book I: "The Gods" (Salt Lake City: University of Utah Press, 1982) 45-6.

and a growing respect for their pre-conquest culture. Jorge Klor de Alva observes that "Sahagún sought to create a credible record of the Nahuas' past and present that would highlight the positive aspects of the culture, thereby protecting the natives from unwarranted charges of incompetence or cultural inferiority."91 Sahagún often compared the Aztecs to the ancient Greeks and Romans and John Keber notes that, "While the Fathers of the Church were one in rejecting the Greek gods as false, some accepted Greek philosophy, properly adjusted, as good and useful." He goes on to say that Sahagún saw the connections between the Indigenous religion, morality and the administration of government and felt that all were related to the proper education of the young. He adds, "By calling attention to such Aztec moral achievements as the rearing of children to be responsible citizens... he could interpret the Aztecs in categories applicable in principle to all humans, Christian or not."92

By 1569, Sahagún noted that he had completed "a clean copy of the twelve books"⁹³ and a Franciscan Chapter meeting the next year judged them of great value and urged their completion in three columns—Nahuatl, Spanish, and an explanatory column. However, the fathers voted against allocating funds for Friar Bernardino to hire scribes thus limiting the amount of work he could do on the manuscripts. When he appealed, those who opposed the recording of Aztec customs and idolatries convinced the father provincial to collect all the writings and disburse them around the province, depriving Sahagún of access to them. But, a few years later, two successive commissioners general who favored Sahagún's project returned his writings to him and by 1575 he was able to resume work.

With the help of native scribes, Sahagún began the translation of the greater portion of his compilations into Spanish. Munro Edmunson says that a Spanish version of the work "was suddenly necessary in order to defend not only Sahagún but the whole thrust of the Franciscan missionary effort

⁹¹ J. Jorge Klor de Alva, "Sahagún and the Birth of Modern Ethnography: Representing, confessing, and inscribing the native other," in The Work of Bernardino de Sahagún: Pioneer Ethnographer of Sixteenth Century Aztec Mexico. Editors J. Jorge Klor de Alva, H.B. Nicholson, and Eloise Quiñones Keber. (Austin: University of Texas Press, 1988), 39.

⁹² John Keber, "Sahagún and Hermeneutics: A Christian Ethnographer's Understanding of Aztec Culture," in *The* Work of Bernardino de Sahagún: Pioneer Ethnographer of Sixteenth Century Aztec Mexico. Editors J. Jorge Klor de Alva, H.B. Nicholson, and Eloise Quiñones Keber. (Austin: University of Texas Press, 1988), 59. ⁹³ Sahagún, "Prologue" to Book I, 46.

from the Inquisition.⁹⁹⁴ Possibly Sahagún's enemies had written the King saying that the preservation in the Nahuatl language of ancient superstitions could allow the Indians to revive their old religion. In 1577, King Philip II ordered that all texts in Nahuatl and Spanish prepared by Sahagún be sent to the Council of Indies in Seville and in compliance Sahagún sent a complete manuscript to the government in Spain. Father Rodrigo de Sequera, head of the Franciscans in New Spain and a principal supporter of Sahagún, took another copy with him to Spain in 1580 and most scholars believe this is the one we know today as the Florentine Codex, located in the Medicea Laurenziana Library in Florence, Italy. What happened to the copy that was sent to Spanish crown is the subject of some controversy. But, it is probable that the Madrid Codex located at the old Royal Palace is the manuscript sent to the Spanish court in 1577 and the one at the Royal Academy of History, also in Madrid, is a copy (without the drawings) that was previously housed at the Franciscan Convent at Tolosa.⁹⁵

Describing Sahagún's later years, Georges Baudot writes that, "Even up to the last days of his life, Fray Bernardino tried to change the ideology of the Indian by using the Indian's own cultural and subjective reality and originality."⁹⁶ He worked to prohibit customs that he felt were part of the old religion, most notably the flying pole dance (*palo volador*). On the other hand Sahagun would have liked to infuse the Spanish system, as Keber says, "with Aztec moral wisdom so that something new would result in this new land. Why this new thing did not appear must have deeply troubled Sahagún. One cannot miss the sadness and disappointment in his last writings."⁹⁷ Friar Bernardino died on October 28, 1590, at the Convent of Saint Francis in Mexico City at the age of 90 or 91.

Many scholars believe that in arranging the material from his informants into the twelve books Sahagún used the *Natural History* by the Roman Pliny the Elder as a model. Pliny begins his work with

⁹⁴ Munro S. Edmonson, "Introduction," Sixteenth-Century Mexico: The Work of Sahagún. (Alburquerque: University of New Mexico Press, 1974), 9.

⁹⁵ Luis Nicolau D'Oliver, *Fray Bernardino de Sahagún (1499-1590)*. Translated by Mauricio J. Mixco. (Salt Lake City: University of Utah Press, 1987), 145-6; Browne, 34.

 ⁹⁶ Georges Baudot, "The Last Years of Fray Bernardino de Sahagún (1585-90): The Rescue of the Confiscated Work and the Seraphic Conflicts. New Unpublished Documents," in *Sixteenth-Century Mexico: The Work of Sahagún*. Editor: Munro S. Edmonson. (Albuquerque: University of New Mexico Press, 1974), 185.
⁹⁷ Keber, 61.

astronomy and ends with mineralogy while Sahagún begins with the Mexican gods, proceeds through moral philosophy, heavenly bodies, and government, ending with plants, animals and minerals. Leon-Portilla states that the format harkens back to Sahagún's education at the University of Salamanca where "the interest was palpable in a universal approach to the knowledge of the cultural and natural realities of the peoples of classical antiquity and those of modern times."⁹⁸

Some of the materials in the *Codex* were gathered as the answers by Sahagún's native collaborators to his prepared questionnaires; others were spontaneously offered by the collaborators based on drawings in native books, many of which Sahagún includes in his *History*. Sahagún also includes in the *Codex* a collection of traditional Indigenous speeches, orations, and exhortations, known as *huehuetlahtolli*, and, in the last of the twelve books, a narration from the point of view of the Indigenous of the Spanish conquest of the Aztec capital of Tenochtitlan.

Sahagún does not give us the names of all of the elders who served as his informants signaling out only Don Diego de Mendoza of Tepepulco, "an old man of great distinction and talent, very expert in all things courtly, military, governmental, and even idolatrous.⁹⁹ Along with Don Diego, Sahagún worked with "ten or twelve leading elders"¹⁰⁰ of the town of Tepepulco. With the assistants, known as trilinguals (having knowledge of Nahuatl, Spanish and Latin), who helped him organize the volumes, he is more generous with names. He lists Antonio Valeriano of Azcaputzalco, "foremost and most learned," who became dean of the College of Santa Cruz; Martin de Jacobita of Santa Ana in Tlatilulco, who also served as dean of the College; Alonso Vegerano of Quauhtitlan; and Pedro de San Buenaventura also of Quauhtitlan. The scribes who, Sahagún said, "copied all the works in a good hand," were Diego de Grado, Bonifacio Maximiliano, and Mateo Severino.¹⁰¹

Sahagún's work, based as it is on information from elders "of great distinction," reflects a social bias in favor of the native upper classes, certainly a small minority of the population. Anderson notes that

⁹⁸ Leon Portilla (2002), 139-140.

⁹⁹ Sahagún, "Prologue to Book II," 53.

¹⁰⁰ Sahagún, "Prologue to Book II, 54.

¹⁰¹ Sahagún, "Prologue to Book II," 54-55.

"there is no evaluation by the commoner of himself or of his betters."¹⁰² Edward Calnek states that informant bias "accounts at least in part for systematic omissions and for the lack of interest in large groups not represented among Sahagún's informants" but he adds that "none of this detracts from the authenticity of the material presented."¹⁰³

Sahagún, while condemning the Aztec religion, held the values expressed in the *Huehuetlatolli* in high esteem and could not understand how the Indigenous society, under idolatry, produced virtue, while the same people, living under Christianity, were reduced to vice. He developed the idea that the climate corrupted both the Mexicans and the Spanish and he admired the wise elder teachers who were able to educate the youth in a way that protected them from corruption.¹⁰⁴ Sahagún explained:

With regard to what they were most capable of in times past in the administration of the state as well as in the service of the gods, it is the reason why they held the affairs of their administration in accordance with the need of the people. And, therefore, they reared the boys and girls with great sternness until they were adults. This manner of governing was much in conformity with natural and moral philosophy, because the mildness and abundance of this land and the climates which prevail in it considerably aided human nature to be licentious and idle and much given to sensual vices. And moral philosophy taught these natives through experience that, to live morally and virtuously, rigor, austerity, and continuous concern for things beneficial to the state was necessary.¹⁰⁵

Sahagún called Book VI, the collection of traditional sermons, prayers, and orations, "the greatest

of them all.¹⁰⁶ These *huehuetlahtolli* mark, among other things, the important stages of family life, the end of the reign of an old ruler and the beginning of the reign of a new one, prayers to the gods, and advice to children. Thelma Sullivan states, "Of all the material gathered by Sahagún, none is as rich in language or as revealing of the pre-Hispanic Indian mind and thought as the rhetorical orations."¹⁰⁷ In the advice to children, we can view the roles assigned to members of the noble class and what Sullivan calls

¹⁰² Anderson, 40.

¹⁰³ Edward E. Calnek, "The Sahagún Texts as a Source of Sociological Information" in *Sixteenth-Century Mexico: The Work of Sahagún*. Editor: Munro S. Edmonson (Albuquerque: University of New Mexico Press, 1974), 189-190.

¹⁰⁴ Sahagún, "Author's Account Worthy of Being Noted," Book X, 77.

¹⁰⁵ Sahagún, Book X: "The People," 73, 84.

¹⁰⁶ Quoted in Leon-Portilla (2002), 223.

 ¹⁰⁷ Thelma D. Sullivan, "The Rhetorical Orations or *Huehuetlatolli* Collected by Sahagún," in *Sixteenth-Century Mexico: The Work of Sahagún.* Editor: Munro S. Edmonson (Albuquerque: University of New Mexico Press, 1974), 79.

"an emphasis on abstemiousness, austerity, proper conduct, and a regard for the opinions of others that bespeaks a rigidly controlled society."¹⁰⁸ Here a noble father advises his daughter about how she should behave as a young woman, wife, and mother, revealing to us the ideas of the Nahuatl elites about the proper role of women in society:

Especially note that which I say to thee, that which I cry out to thee. Thou art my creation, thou art my child. Take special care that thou not dishonor our lords from whom thou art descended. Cast not dust, filth upon their memory. May thou not dishonor the nobility with something. If it so please our lord, if someone so will demand, will speak for thee, thou art not to reject, to kick away the spirit of our lord. Take him. Thou art not to refuse; thou art not to retreat twice, not to retreat thrice; thou art not to resist. Give thyself not to the wanderer, to the restless one who is given to pleasure, to the evil youth. Nor are two, three to know thy face, thy head. When thou hast seen the one who, together with thee, will endure to the end, do not abandon him. Seize him, hang on to him even though he be a poor person, even though he be a poor eagle warrior, a poor ocelot warrior, even though he be a poor warrior, or a poor son, or one who struggleth for existence. Do not detest him therefor. Our lord, the wise one, the maker, the creator will dispose for you, will array you.¹⁰⁹

Here Sahagún's sources describe how noble boys were raised to be future rulers of the empire,

reflecting on how their society was structured to assure the best governors:

And when he was already maybe ten, twelve, or thirteen years old, they placed him in the priests' house; they delivered him into the hands of the fire priests and [other] priests, that he might be reared there, corrected, and instructed; that he might live an upright life. They constrained him to do the penances, setting fir branches [on the city altars] at night, or there where they went to place the fir branches on mountain tops—there where sacrifices were made at midnight. Or else he entered the song house; they left him in the hands of the masters of the youths. They charged him with the sweeping or with dancing and song—with all which was concerned with the performance of penances. And when he was already fifteen years old, then he took up arms; or, reaching twenty years of age, then he went forth to war.¹¹⁰

The General History of the Things of New Spain was probably purchased by Ferdinand I de'

Medici of Florence prior to 1588, a mere eight years after Fr. Sequera took it to Spain, but its date of acquisition by the Medicea-Laurenziana Library is uncertain. Bibliographer Angelo Maria Bandini

¹⁰⁸ Sullivan, 92.

¹⁰⁹ Sahagún, Book VI: "Rhetoric and Moral Philosophy," 95.

¹¹⁰ Sahagún, Book VIII: "Kings and Lords," 71-73.

discovered it there in 1793¹¹¹ but scholars took little note of it until the 1800s when interest in Sahagun blossomed as part of efforts to bring together foundational writings for the Mexican nation. Browne says that Sahagún's works offered an example for Mexican historians who were grappling with how to reconcile the Indigenous and Spanish aspects of Mexico's colonial past.¹¹² In the 1980s Alfredo Lopez Austin and Josefina Garcia Quintana published Sahagún's complete Spanish text and in 1990 Juan Carlos Temprano edited a new edition of the Spanish text. There is as yet, however, no Spanish translation of the complete Nahuatl text. Between 1950 and 1982, Arthur Anderson and Charles Dibble published their translation into English of Sahagún's prologues and commentaries and the entire Nahuatl text. It is that version that is quoted here. In October of 2012, the Medicea-Laurenziana Library announced that the Florentine Codex was available on-line as part of the World Digital Library. It can be viewed at http://www.wdl.org/en/search/?collection=florentine-codex.

One of the principal controversies around the compilations of Sahagún is whether he should be referred to as an anthropologist and ethnographer, even as the founder of anthropology. Leon-Portilla famously called him "First Anthropologist" in his book by the same name.¹¹³ But Browne maintains that Sahagún "was a man of his time and could not have been the inventor of an academic discipline that emerged in the nineteenth century in a context quite alien from his world."¹¹⁴ Anderson says that Sahagún was the first researcher to use ethnographers' methods as they are conceived today developing them centuries before their time.¹¹⁵

Another controversy arises out of post-modern scholarship. Klor de Alva, admittedly not a friend of that philosophical trend, summarizes post-modernism as maintaining that "fully objective descriptions or 'translations' of cultural reality, where the narrative or image and the referent have an unmediated and

¹¹¹ Charles E. Dibble, "Sahagún's *Historia*," in Bernardino de Sahagún, *Florentine Codex: General History of the Things of New Spain In Thirteen Parts, Part I, Introductions and Indices.* (Salt Lake City: University of Utah Press, 1982), 16.

¹¹² Browne, 38.

¹¹³ Leon-Portilla (2002).

¹¹⁴ Browne, 9.

¹¹⁵ Anderson, 40.

transparent relation, are either fundamentally problematic or not possible at all.¹¹⁶ Which presents us with two separate but related problems—the difficulty for the modern reader of fully understanding sixteenth century Friar Bernardino and the even greater difficulty for Sahagún of comprehending the totally alien Nahuatl culture. Browne states, "I treat Sahagún, the Nahuas, and myself as three interfaces that brush up against each other but never really coalesce. This is not …about recuperating lost authenticities because, in this historical moment, I question whether there are any lost authenticities available for recuperation."¹¹⁷ It is obviously up to each reader of translations of Sahagún's compilations to decide whether he or she can derive valid meaning from them.

In the case of Sahagún, as in that of many other early Latin American writers, the problem of Christian bias arises. Nicolau notes that one should not conclude from Sahagún's harsh criticism of the Spanish "that he condemned the Conquest as a historian; for despite its violence and excesses, it had served as God's instrument, so that the natives of these lands 'could be converted and would be able to reach the Kingdom of Heaven.'"¹¹⁸ However, Nicolau adds that Sahagún appears to feel that the Christian faith was the only gain for the native inhabitants of New Spain, adding "for the rest, the autochthonous culture had been in no way inferior to the imported one, and in some ways had surpassed it."¹¹⁹ And Keber asks: "By praising the virtues of the Aztecs, did Sahagún set up the possibility of an ethical critique of Christian theology, as if he were to say that human virtue may owe little to Christian belief?"¹²⁰

In conclusion, Sahagun and his informants, Montesinos, Guevara and Colombus all made contributions to Latin American political thought with their writings. The impact and interpretation of those writings gives rise to conflict even today in debates over the continuing impact of the Doctrine of Discovery, about the scope of international human rights law, the role of women in the settlement of Spanish America, and whether people of vastly different languages and cultures can understand each other. Reading these writings and those of other non-Europeans and learning about their authors can

¹¹⁶ Klor de Alva, 31-32.

¹¹⁷ Browne, 11.

¹¹⁸ Nicolau, 123.

¹¹⁹ Nicolau, 139.

¹²⁰ Keber, 62.

broaden students' awareness of the achievements of other lands and cultures and better enable them to

make their way in a world where other continents are just a keystroke away.

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