# A Prophetic Radical Reform of the Church: The Last Word of Bartolomé de las Casas Uma reforma radical profética da igreja: a palabra final de Bartolomé de las Casas

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"Perhaps there is a dignity in defeat that hardly belongs to victory". (*This Craft of Verse*, Jorge Luis Borges, 1967)

#### **RESUMO**

Em 1566, após várias décadas de esforços intensos e extenuantes para influenciar e moldar a política do Estado e da igreja espanhola em relação às Américas, Bartolomé de Las Casas sabia que seu fim estava próximo: o fim de sua vida e o fim das suas ilusões de criar um império justo e cristão no Novo Mundo. É um momento de busca do encerramento preciso, o ponto culminante de uma existência humana que, desde 1502, estava intimamente ligada ao drama da conquista e cristianização da América Latina. Ele sabe que não haverá tempo para terminar sua opus magnum, a História das Índias, concebida originalmente em seis volumes, cada um destinado a cobrir uma década entre 1490 e 1550. Em seu testamento, Las Casas prevê a preservação do manuscrito sobre o qual trabalhou incessantemente por quase quarenta anos. Durante o seu último ano de existência, Las Casas temia que sua longa luta pela vida possa ter sido infrutífera. Desde a sua primeira intervenção pública até seus últimos escritos mais de cinco décadas depois, Las Casas foi possuído por uma paixão obsessiva: ser o profeta da Espanha, um homem chamado por Deus para ser o flagelo da consciência de sua nação e o

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defensor das comunidades autóctones, em cuja miséria ele percebeu "Jesus Cristo ... não uma vez, mas mil vezes chicoteado, insultado, espancado e crucificado".

#### PALAVRAS-CHAVE

Bartolomé de las Casas. Cristianização da América Latina. *História das* Índias.

### ABSTRACT

In 1566, after several decades of intense and exhausting endeavors to influence and shape the policy of the Spanish state and church regarding the Americas, Bartolomé de Las Casas knows that the end is at hand: the end of his life and the end of his illusions of crafting a just and Christian empire in the New World. It is a moment of searching for the precise closure, the right culmination of a human existence that since 1502 had been intimately linked to the drama of the conquest and Christianization of Latin America. He knows that there will be no time to finish his opus magnum, the History of the Indies, originally conceived as six volumes, each one intended to cover a decade between 1490 and 1550. In his will, Las Casas makes provision for the preservation of that precious manuscript on which he has worked incessantly for almost forty years. During his last year of existence, Las Casas fears that his life long struggle may have been fruitless. Since his first public intervention till his last writings more than five decades later, Las Casas would be possessed by one obsessive passion: to be the prophet of Spain, a man called by God to be the scourge of the conscience of his nation and to be the defender of the autochthonous communities, in whose misery he perceived "Jesus Christ... not once, but thousand times whipped, insulted, beaten, and crucified".

#### **KEYWORDS**

Bartolomé de las Casas. Christianization of Latin America. *History* of the Indies.

#### When things fall apart

In 1566, after several decades of intense and exhausting endeavors to influence and shape the policy of the Spanish state and church regarding the Americas, years of drafting countless historical texts, theological treatises, colonization projects, prophetic homilies, juridical complaints, political utopias, and apocalyptic visions, Bartolomé de Las Casas knows very well that the end is at hand: the end of his life and the end of his illusions of crafting a just and Christian empire in the New World<sup>2</sup>. It is a moment of searching for the precise closure, the right culmination of a human existence that since 1502 had been intimately linked, as no other person of his time, to the drama of the conquest and Christianization of Latin America, a continent, as has been so aptly asserted, "born in blood and fire"<sup>3</sup>.

He painfully knows that there will be no time to finish his *opus magnum*, the *History of the Indies*. Originally conceived as six volumes, each one intended to cover a decade between 1490 and 1550, it will be left partially written, with only the first three decades discussed. In his will, Las Casas makes provision for the preservation of that precious manuscript on which he has worked incessantly for almost forty years. It will survive as a clandestine subversive text for three centuries<sup>4</sup>, will not be published until the second half of the nineteenth century, only very

<sup>&</sup>lt;sup>2</sup> There is a convenient edition of Las Casas's writings, *Obras completas*. 14 volumes. Madrid: Alianza Editorial, 1988-1998, published under the supervision of the Spanish scholar Paulino Castañeda Delgado. The secondary bibliography is immense. Essential works are the following: FERNÁNDEZ, Isacio Pérez. *Inventario documentado de los escritos de Fray Bartolomé de las Casas*. Bayamón, Puerto Rico: CEDOC, 1981; FERNÁNDEZ, Isacio Pérez. *Cronología documentada de los viajes, estancias y actuaciones de Fray Bartolomé de las Casas*. Bayamón, Puerto Rico: CEDOC, 1983; GUTIÉRREZ, Gustavo. *Las Casas: In Search of the Poor of Jesus Christ.* Maryknoll, NY: Orbis Books, 1993; BATAILLON, Marcel. Études sur Bartolomé de las Casas. Paris: Centre de Recherches de l'Institut d'Études Hispaniques, 1966. (Avec la collaboration de Raymond Marcus).

<sup>&</sup>lt;sup>3</sup> CHASTEEN, John Charles. Born in Blood and Fire: A Concise History of Latin America. New York: Norton, 2001.

<sup>&</sup>lt;sup>4</sup> Philip II ordered the confiscation of Las Casas's writings, after the bishop's death, according to Enrique Rosner, *Missionare und Musketen: 500 Jahre lateinamerikanische Passion* (Frankfurt am Main: Verlag Josef Knecht, 1992), 212.

recently has been the object of a truly scholar critical edition<sup>5</sup>, and still lacks a complete and adequate English translation<sup>6</sup>.

In the prologue to the *History of the Indies* Las Casas discloses the diverse objectives of the book:

- To call the attention of the readers to the terrifying disparity between the missionary purpose of the encounter between Christians Europeans and Native Americans and the brutal exploitation of the second by the first.
- To refute the, in his perspective, many mistakes and deceptions written by other Spanish historians, like Gonzalo Fernández de Oviedo y Valdés<sup>7</sup> and Francisco López de Gómara<sup>8</sup>, who, according to Las Casas, confuse and conflate historiography with sycophancy.
- To proclaim the humanity of the indigenous peoples, their rationality, their personal and collective freedom. "All peoples are human," is the leitmotiv and guiding principle of the text.
- To record a dissenting testimony with the hope that his *History* will one day be read, by future generations or even maybe at the eschatological moment of reckoning in which his nation, Spain, might hear, with fear and trembling, the fateful hymn *dies irae, dies illa, solvet saeclum in favilla*...
- To ease his profound agony of witnessing a tragic performance of human cruelty, to exorcise the stain of complicity in the atrocities performed.

The *History* contains the first recorded homily in the Americas, an earth shaking sermon preached by the Dominican friar Antonio de

<sup>&</sup>lt;sup>5</sup> *Historia de las Indias* (primera edición crítica), in Fray Bartolomé de las Casas, *Obras completas*, volumes 3-5.

<sup>&</sup>lt;sup>6</sup> There is an incomplete English translation: Bartolomé de las Casas, *History of the Indies* (translated and edited by André Collard) (New York: Harper & Row, 1971), a rather unsatisfactory rendering of this important work.

<sup>&</sup>lt;sup>7</sup> OVIEDO Y VALDÉS, Gonzalo Fernández de. *Historia general y natural de las Indias, islas y tierra firme del mar Océano (1535, 1547)*. Madrid: Ediciones Atlas, 1959.

<sup>&</sup>lt;sup>8</sup> GÓMARA, Francisco López de. *Historia general de las indias* (1552). Madrid: Espasa-Calpe, 1941.

Montesinos, the fourth Sunday of Advent of 1511 in which this ardent priest, after reading the biblical passage of John the Baptist, *ego vox clamantis in deserto* (Mt. 3:3), preaches these scathing words to the leaders of the Spanish colonial establishment:

"You are in mortal sin . . . for the cruelty and tyranny you use in dealing with these innocent people. Tell me, by what right or justice do you keep these Indians in such a cruel and horrible servitude? On what authority have you waged a detestable war against these people? . . . Why do you keep them so oppressed? . . . Are not these people also human beings? . . . Be certain that in such a state as this you can be no more saved than a Moor or a Turk..."9.

During his last year of existence, Las Casas fears that his life long struggle may have been fruitless. Since his first public intervention, a sermon preached the Day of the Assumption of Our Lady, August 15, 1514<sup>10</sup>, till his last writings more than five decades later, he would be possessed by one obsessive passion: to be the prophet of Spain, a man called by God to be the scourge of the conscience of his nation and to be the defender of the autochthonous communities, in whose misery he perceived "Jesus Christ . . . not once, but thousand times whipped, insulted, beaten, and crucified . . ."<sup>11</sup>. If his first writings exude enthusiasm and optimism, the time is now at hand to contemplate the tragic fate of historical action. It is the time in which all things seem to fall apart.

It is the time, under the shadow of death, to look back at his life, a life of a man of letters and a man of action, a man of the church and of the people, a priest, a Dominican friar, a theologian, a prophet, and a bishop. The hour comes of final reckoning, in which the past overwhelms the mind with its fateful irreversibility, and the future with the certainty of dissolution. His was the bitter honor of having many public noisy detractors

<sup>&</sup>lt;sup>9</sup> Historia de las Indias [HI], 1. 3, cs. 3-7, 1757-1774. Lewis Hanke baptised this sermon as "the first cry for justice in America," in his now classic book *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia: University of Pennsylvania Press, 1949), p. 15-22.

<sup>&</sup>lt;sup>10</sup> *HI*, 1. 3, c. 79, p. 2080-2085.

<sup>&</sup>lt;sup>11</sup> *HI*, 1. 3, c. 138, p. 2366.

and many secret silent admirers, ever since that day, half a century earlier, in which he had the enigmatic intuition of been called to a prophetic vocation<sup>12</sup>. For Las Casas, that kairotic occasion was linked to a biblical text: *Ecclesiasticus* 34: 20-21: "To offer a sacrifice from the possessions of the poor is like killing a son before his father's eyes. Bread is life to the destitute, and to deprive them of it is murder"<sup>13</sup>.

## The epistle to the Royal Council of Indies: A challenge to the Crown

Las Casas's intense prophetic self-awareness places him in the category of those who, when the final hour comes, go out fighting. Aware of the imminence of his death, he writes two epistles, short and sharp, restating the principles that had guided all his endeavors. These will constitute his last battle cry. One of the letters, written in 1565, is to the Royal Council of Indies, the other, drafted in 1566, to the recently elected Pope, Pius V. For a man accustomed to write compendious, copious, dense and labyrinthine texts, they are surprisingly, and refreshingly, brief, clear, and precise.

The tone of his farewell letter to the Council of Indies is sharp and blunt<sup>14</sup>. The old bishop, of more than eighty years of age, refuses to mellow. Las Casas becomes an Iberian Jeremiah confronting the unfaithful

<sup>&</sup>lt;sup>12</sup> PÉREZ, Demetrio Ramos. "La 'conversión' de Las Casas en Cuba: El clérigo y Diego Velázquez", in André Saint-Lu *et al., Estudios sobre Fray Bartolomé de Las Casas*. Sevilla: Universidad de Sevilla, 1974, p. 247-257.

<sup>&</sup>lt;sup>13</sup> The Revised English Bible, with the Apocrypha (Oxford University Press and Cambridge University Press, 1989,) section of the Apocrypha, 122. The Latin text used by La Casas is even stronger. "To offer a sacrifice from the possessions of the poor is like killing a son before his father's eyes" is rendered: Qui offert sacrificium ex substantia pauperum, quasi qui victimat filium in conspectu patris sui. The expression ex substantia pauperum ("from the substance of the por") implies that what is taken from the dispossessed is decisive for their existence. The crux of the matter seems to be the life or death of the Native American peoples. Las Casas quotes this text in two slightly different ways in HI, 1. 1, c. 24, 473, and HI, 1. 3, c. 79, 2081.

<sup>&</sup>lt;sup>14</sup> Reproduced as appendix in Bartolomé de las Casas, *De regia potestate o derecho de autodeterminación* (ed. por Luciano Pereña et al.). *Corpus Hispanorum de Pace*, Vol. VIII. Madrid: Consejo Superior de Investigaciones Científicas, 1969, p. 282-283.

king of Judah. The epistle reiterates what he has been proclaiming during five decades. It emphasizes the missionary purpose of the Spanish dominion of the New World, excoriates the Spanish conquest and enslavement of the indigenous communities, calls for a radical change in the colonial policy, defends his ministry as protector of the Native Americans, proclaims the sacramental obligation of restitution as a requirement for the divine absolution of Spain's sins, and warns the authorities about an imminent eschatological divine condemnation.

The issues are not only political and economic. For the author, a bishop and theologian, the overarching theme is theological: the tragic history of God's grace and human sinfulness. The whole first book of the *History of the Indies* is guided by two conflicting ideas: First, the encounter between Christian Spaniards and Native Americans was a crucial act in the eschatological redemption of all nations, and as such it was a manifestation of divine grace. Second, Spain, the divinely chosen people, has proven to be as rebellious and sinful as the Old Testament Israel. It might thus be fated to share its same tragic destiny.

Always a man of letters, inclined to the process of dialogue and debate, he suggests that the Council convene a board of the best theologians and jurists to discuss the situation created by the violence, dispossession, and servitude suffered by the Native Americans. At the end of the letter, as a terrifying explosion of a volcano, comes the harsh enumeration of eight conclusions that such a theological and juridical board should discuss:

First, all the wars usually called conquests were and are unjust and tyrannical.

Second, we have illegally usurped all the kingdoms of the Indies. Third, all encomiendas are iniquitous and tyrannical.

Fourth, those who posses them and those who distribute them are in mortal sin.

Fifth, the king has no more right to justify the conquests and encomiendas than the Ottoman Turk to make war against Christians.

Sixth, all fortunes made in the Indies are to be considered as stolen.

Seventh, if the guilty of complicity in the conquests or encomiendas do not make restitution, they will not be saved. Eighth, the Indian nations have the right, which will be theirs till the Day of Judgment, to make just war against us and erase us from the face of the earth.

There is in this missive a sense of urgency, an awareness of the proximity not only of his own individual death, but also something like the intuition, shared by several of his contemporaries<sup>15</sup>, that the end of all times, the consummation, both hoped and dreaded, of human history might be at hand. Las Casas fears that it might be a day of condemnation and punishment for his own nation, Spain. "A day," as he writes in his will, "in which God will pour his indignation and anger over Spain, for she has all, in greater or lesser degree, participated in the bloody riches stolen and illicitly acquired, and in the massacres and violence suffered by the Native Americans"<sup>16</sup>.

The acts of the Council solemnly note that the letter was respectfully read, heard, and . . . filed<sup>17</sup>.

#### The letter to the Pope: A challenge to the Church

For a Roman Catholic bishop to write a letter to the Pope seems initially neither surprising nor illicit. In sixteenth century Spain, it could be both. Early in that century, the crown had been able to exact from Rome extensive regulatory formal authority over the church in the Americas. The *Patronato Real* (Royal Patronage), based upon several Papal decrees

<sup>&</sup>lt;sup>15</sup> PHELAN, John Leddy. *The Millennial Kingdom of the Franciscans in the New World*. Berkeley and Los Angeles: University of California Press, 1956. For a brief synopsis of the growth and ebb of apocalyptic urgency in the sixteenth century Iberian missionary enterprise, see BATAILLON, Marcel. "Novo mundo e fim do mundo", in *Revista de historia* (São Paulo), Nº. 18, 1954, p. 343-351.

<sup>&</sup>lt;sup>16</sup> Obras escogidas de Fray Bartolomé de las Casas, Vol. V: Opúsculos, cartas y memoriales, 540.

<sup>&</sup>lt;sup>17</sup> Ibid., 538: "... y a esto ninguna cosa proveyeron" ("regarding this petition, they did not take any action") is the austere testimony of Alonso de la Veracruz, an Augustinian friar who, accompanied by two Dominican friars, members of the small coterie of devout followers of Las Casas, read the letter to the Council, in representation of the ailing bishop.

enacted under the relentless pressure of Ferdinand V, gave the crown ample powers over the demarcation, administration, and finances of the American dioceses, including the nomination of bishops<sup>18</sup>. Ferdinand V, Charles V and Philip II will consider those Papal documents – Alexander VI's 1493 bulls *Inter caetera* and *Eximiae devotionis*, his 1501 bull *Eximiae devotionis*, and Julius II's 1508 bull *Universalis ecclesiae* – as the juridical foundation of their royal patronage over the American church<sup>19</sup>.

The royal patronage over the American church could even be said to function as sort of a royal vicariate, or at least such was the import of the legislative and juridical actions in ecclesiastical matters undertaken by the court<sup>20</sup>. According to a Spanish scholar, the Royal patronage, "created a peculiar situation, extraordinary in canon law, characterized by a transfer to the state of powers and functions traditionally exercised exclusively by the supreme ecclesiastical authority"<sup>21</sup>. As the sixteenth century evolved, this peculiar regime in which the crown had assumed, in the words of another scholar, a "quasi-pontifical character"<sup>22</sup>, began to acquire a precise juridical status in the emerging labyrinth of the Laws of Indies, a process that Rome observed with apprehension but also with relative powerlessness. The law required of all bishops and archbishops, before their entrance into office, to swear fealty to the crown and loyal obedience to the royal patronage. One of its consequences was that controversial matters between church and state, in the Americas, were usually submitted to the crown, rather than to Rome, for a normative resolution.

<sup>&</sup>lt;sup>18</sup> See LETURIA, Pedro de, S I. *Relaciones entre la Santa Sede e Hispanoamérica, Vol. I: Época del Real Patronato, 1493-1800.* Caracas: Sociedad Bolivariana de Venezue-la, 1959; SHIELS, William Eugene, S. J. *King and Church: The Rise and Fall of the Patronato Real.* Chicago: Loyola University Press, 1961.

<sup>&</sup>lt;sup>19</sup> Reproduced in SHIELS, 1961, p. 283-289, 294-295 and 310-313.

<sup>&</sup>lt;sup>20</sup> Relaciones, I, 101-152. See also ARCE, Manuel Gutiérrez de. "Regio patronato indiano (Ensayo de valoración histórico-canónica)", in Anuario de estudios americanos, Vol. 11, 1954, p. 107-168; HERA, Alberto de la. "El Patronato y el Vicariato Regio en Indias", in Historia de la Iglesia en Hispanoamérica y Filipinas (siglos xv-xix). Obra dirigida por Pedro Borges. Madrid: Biblioteca de Autores Cristianos, 1992, Vol. I, p. 63-79.

<sup>&</sup>lt;sup>21</sup> ARCE, 1954, p. 109.

<sup>&</sup>lt;sup>22</sup> SHIELS, 1961, p. 184.

Even when the discursive rhetoric of many formal documents regarding church and state affairs, like the 1493 bulls<sup>23</sup> or the notorious *requerimiento*<sup>24</sup>, emphasized Papal authority, it was eminently clear that the power for historical action was in the hands of the state<sup>25</sup>. The rhetoric might be ultramontane, but the political praxis was strongly royalist. The Burgos capitulations, signed in 1512 by the crown and the first three bishops named to the Americas, was one of the first expressions of that royal patrimony. It is a document with a strong juridical tenor, in which the crown establishes the boundaries of the functions and attributes of the American episcopacy<sup>26</sup>. For the royal court, the Burgos Capitulations became a paradigm of the jurisdiction it desired to exercise over ecclesiastical affairs.

This certainly does not mean that the relations between church and state were devoid of conflicts, or that the Pope always agreed to remain a spectator at the margins of the exceptional historical drama unfolding in the Americas. In 1537, Pope Paul III enacted the bull *Sublimis Deus*, in which he used very strong language to call for the recognition and respect of the humanity and freedom of the autochthonous communities. The Pope also sent a brief to the Archbishop of Toledo, *Pastorale officium*, urging the highest ecclesiastical hierarch of Spain to protect the

<sup>&</sup>lt;sup>23</sup> FERNÁNDEZ, Manuel Giménez. Nuevas consideraciones sobre la historia, sentido y valor de las bulas alejandrinas de 1493 referentes a las Indias. Sevilla: Escuela de Estudios Hispano-Americanos de la Universidad de Sevilla, 1944, and, of the same author, "Algo más sobre las bulas alejandrinas de 1493 referentes a las Indias", in Anales de la Universidad Hispalense, Sevilla, Año 8, Núm. 3, 1945, p. 37-86; Año 9, Núm. 1, p. 115-126.

<sup>&</sup>lt;sup>24</sup> For a concise analysis of the origin, evolution, and conflicting evaluations of the *requerimiento*, see BIERMANN, Benno, O. P., "Das Requerimiento in der spanischen Conquista", in *Neue Zeitschrift* für Missionswissenschaft, Vol. 6, Beckenried, Suiza, 1950, p. 94-114. Also RIVERA-PAGÁN, Luis N. *A Violent Evangelism: The Political and Religious Conquest of the Americas*. Louisville, Kentucky: Westminster – John Knox Press, 1992, p. 32-41.

<sup>&</sup>lt;sup>25</sup> HERA, Alberto de la. "El regalismo indiano", in *Historia de la Iglesia en Hispa-noamérica*. Vol. I. Obra dirigida por Pedro Borges. Madrid: Biblioteca de Autores Cristianos, 1992, p. 81-97.

<sup>&</sup>lt;sup>26</sup> Reproduced in SHIELS, 1961, p. 319-325. The signing prelates were Fray García de Padilla, Pedro Suárez de Deza, and Alonso Manso, nominated bishops for the recently created dioceses of Santo Domingo, Concepción de la Vega, and San Juan, respectively.

liberties and rights of the Native Americans<sup>27</sup>. The reaction of the court of Charles V was swift and energetic, forcing the Pope to retract, in 1538<sup>28</sup>.

<sup>28</sup> The abrogating Papal brief, Non indecens videtur, is reproduced, in Latin with a Spanish translation, in Parish's Las Casas en México, 313-315. Francisco de Vitoria does not mention Sublimis Deus in his 1539 lectures on the Native Americans (De Indis, I). Jeremy Lawrance suggests that the lecture might have been inspired by the controversy about the Papal decrees. However, Vitoria deals mainly with matters regarding the justice of the wars against the Native Americans, not their slavery, which is the main theme of the Pope's bull. Francisco de Vitoria. Political Writings, edited by Anthony Pagden and Jeremy Lawrance (Cambridge: Cambridge University Press, 1996), p. 233, n. 3. José de Acosta barely alludes to it once in his 1588 important book on the the Christianization of the Americas. ACOSTA, José de. De procuranda indorum salute. 2 vols. Translated and edited by G. Stewart McIntosh. Tayport: Scotland, UK: Mac Research, 1996, Vol. I, 114. Las Casas, for one, quoted both documents as valid and normative. Probably thanks to his influence many readers tend to disregard their revocation. Cf. HANKE, Lewis U. Hanke. "Pope Paul III and the American Indians", in Harvard Theological Review, Vol. 30, 1937,

<sup>&</sup>lt;sup>27</sup> Helen Rand Parish reproduces the Latin text of the bull and the brief, with a Spanish translation, in Las Casas en México (México, D. F. Fondo de Cultura Económica, 1992), 303 -305, 310-312. There are English versions of both documents in Bartolomé de las Casas, The Only Way, edited by Helen Rand Parish and translated by Francis Patrick Sullivan, S. J. New York: Paulist Press, 1992, p. 114-115, 156-157 and in Bartolomé de las Casas, In Defense of the Indians, translated by Stafford Poole, C. M. DeKalb: Northern Illinois University Press, 1992, p. 100-103. In his anthology of ecclesiastical normative documents regarding the Spanish empire, Francisco Javier Hernáez reproduces Pastorale officium, but not Sublimis Deus, though he includes Veritas ipsa, a variant of Sublimis Deus. He blames Las Casas for the "exaggerated news" regarding the mistreatment of the Native Americans as the source for the Pope's concern and reproduces some of the most denigrating testimonies against the Native Americans ever expressed in the sixteenth century. HERNÁEZ, Francisco Javier. Colección de bulas, breves y otros documentos relativos a la iglesia de América y Filipinas (1879). Vaduz: Klaus Reprint, 1964, Vol. I, p. 101-104. Pastorale officium and Veritas ipsa, but not Sublimis Deus, are included in America Pontificia. Primi saeculi evangelizationis, 1493-1592 documenta Pontificia ex registris et minutis praesertim in archivo secreto Vaticano existentibus, collegit et edidit Josef Metzler. Città del Vaticano: Librería Editrice Vaticana, 1991, Vol. I, p. 359-361, 364-366. For a detailed analysis of these Papal documents, see Alberto de la Hera, "El derecho de los indios a la libertad y a la fe: la bula Sublimis Deus y los problemas indianos que la motivaron", Anuario de historia del derecho español, Vol. 26, 1956, 89-182. Parish has given a closer look to the origin of these documents, including another 1537 Papal bull, Altitudo divini consilii, regarding the perfomance of some sacraments and liturgical ceremonies in the New World (Las Casas en México, 15-28, p. 82-90).

The traumatic events of the May 1527 sack of Rome, in which the imperial troops rampaged through the city, looted everything they could, and humbled ignominiously the *Vicarius Christi*, were still painfully fresh in the memory of the Roman authorities and prescribed supreme prudence before engaging in any possible confrontation with the Emperor.

One key dimension of the royal patronage was the *pase regio*, the royal *exequatur* or *placet*. According to it, all communications between Rome and the American church had to be sent first to the Council of Indies for its examination and approval. It was an important strategic resource for the centralizing politics of the Hapsburg monarchy. It was a strategy to impede the emergence, within the ranks of the church, of any serious challenge to the colonial metropolitan policies.

Las Casas's letter to Pope Pius V consciously disregards the *pase re-gio*<sup>29</sup>. The very act of writing to the Pope without previously submitting the text to the Royal Council of Indies violates one of the main juridical premises of the church and state relations in the Americas. It is a transgression of the ecclesiastical policy so carefully crafted by the Spanish court<sup>30</sup>. True to form, even to his last breath, Las Casas would be the perennial dissenter. As bishop of Chiapas, he had imposed a set of norms that rigorously conditioned sacramental absolution of the Spaniards to the restitution of all goods and riches acquired on the basis of conquest or slavery of the Native Americans, a move that forced him to exile from his diocese; as a theologian, he printed and distributed, in 1552, a series of polemic treatises regarding the *status confessionis* in the New World,

p. 56-102, MARTÍNEZ, Manuel María. "Las Casas-Vitoria y la bula *Sublimis Deus*", in André Saint-Lu *et al., Estudios sobre Fray Bartolomé de Las Casas.* Sevilla: Universidad de Sevilla, 1974, p. 25-51, and GUTIÉRREZ, Gustavo. "Las Casas y Paulo III", *Páginas* (Lima), Vol. 16, No. 107, febrero 1991, p; 33-42.

<sup>&</sup>lt;sup>29</sup> Manuscript in the National Library of Paris, ms. 325, fol. 312. Published for the first time in 1866 in the second volume of the *Colección de documentos para la historia de México*, edited by Joaquín García Icazbalceta. Nendeln, Liechtenstein: Kraus Reprint, 1971, p. 599-600. Reproduced in *Obras escogidas, vol. V*, 541-542 and in *Obras completas, vol. 13*, 370-371.

<sup>&</sup>lt;sup>30</sup> Juan Friede rightly stresses the importance of the letter as an act of legal disobedience. But, he does not perceive the originality of the challenges that the letter raises to the *Roman Church*, not to the *Spanish state*. Juan Friede. *Bartolomé de Las Casas: precursor del anticolonialismo*, México, D. F.: Siglo XXI, 1974, p. 214-216.

without requesting any official permission to do so; as a dying prophet he disregards the law of the state and appeals directly to the Pope.

Las Casas begins in a rather professorial tone, devoid of the reverent language so frequent in communications to the successor of saint Peter:

> What things are necessary for the correct way of preaching the Gospel to the infidels, and to render just and legitimate the wars against them, I have declared in the book that I sent to Your Beatitude ... To Your Beatitude I beseech intensively, by the blood of our Redemption, to command that my book be examined and, if found right, that it be stamped...

Las Casas holds onto the illusion that reason will, in the end, prevail over irrationality, goodness over evil, grace over sin, if only the main protagonists of the historical drama think things through adequately. He has the hope that, despite all the economic and political interests intertwined in the conquest of the Indies, despite the *conquistadores*'s quest for power, profit, and prestige, he might be able to convince the crown, the royal council, and the Pope to follow the right path. Persuasion by means of the right arguments, the quotation of the proper authorities and texts, the coherence of logical reasoning: this is the illusion that has impelled him to write so many books, like his two apologies against Juan Ginés de Sepúlveda in which he buried his adversary, as well as the readers, under a deluge of references, authoritative quotations, and arguments<sup>31</sup>. If only the authorities, those who have the power to make decisions, would read his books and take the time to pay attention to his words!

There is no absolute certainty about the book he sent to the Pope and whose official approval he is requesting. It might be *De unico vocationis modo omnium gentium ad veram religionem*, a text with a tortuous, and

<sup>&</sup>lt;sup>31</sup> One apology is written in Spanish, published for the first time in 1958 (reproduced in *Obras completas*, Vol. 10, 101-193) and the other in Latin, published for the first time in 1975 (reproduced in *Obras completas*, Vol. 9, 43-667). Regarding the dispute between Las Casas and Sepúlveda, the standard text is HANKE, Lewis. *All Mankind is One: A Study of the Disputation between Bartolomé de Las Casas and Juan Ginés de Sepúlveda in 1550 on the Intellectual and Religious Capacity of the American Indians*. DeKalb: Northern Illinois University Press, 1974.

still somewhat obscure, manuscript history<sup>32</sup>. In it, one of the most important missiological books written in the sixteenth century, Las Casas vigorously insists that there is only one way to convert the innumerable gentiles that the Iberians were encountering in their global expeditions: the way of the apostles, through devout preaching, deeds of love, sacrifice, compassion, and confidence in the Holy Spirit. With extensive quotations from biblical, patristic, doctrinal, and canonical sources, this book is one of the most passionate and ardent defenses of the peaceful and nonmilitary missionary expansion of the Christian faith ever written.

It makes a powerful case for a peaceful non-military extension of the Christian faith as well as a strong critique of the linkage between cross and sword that, in Las Casas's view, was corrupting the evangelizing of the Native Americans. He considers the Spanish wars against the Native Americans illegal, immoral, and sinful. They violate human, natural, and divine law. It was, indeed, a theme of ardent discussion among Spaniards theologians for the entire sixteenth century<sup>33</sup>. Las Casas asks the Pope that his manuscript be examined by a board of theologians appointed by the Pope and its suggested policy be declared official doctrine of the church.

Why is it so urgent for the Church to condemn the military conquests of the Native American nations? Here comes a shocking statement, an eschatological warning to the Pope: "... so that the truth be not hidden

<sup>&</sup>lt;sup>32</sup> It was first printed in the twentieth century in a Latin and Spanish edition with a fine introduction by Lewis Hanke. Fray Bartolomé de las Casas. *Del único modo de atraer a todos los pueblos a la verdadera religión*. México, D. F.: Fondo de Cultura Económica, 1942. It is reproduced in *Obras completas*, Vol. 2. There is an English version: Bartolomé de las Casas, *The Only Way*. Edited by Helen Rand Parish and translated by Francis Patrick Sullivan, S. J. New York: Paulist Press, 1992.

<sup>&</sup>lt;sup>33</sup> Vitoria deals will all possible pros and cons of the conquering first and converting afterwards approach in his *De Indis*, I. Sepúlveda was the most prestigious promoter of conversion *manu militari* in his book about the justice of the wars against the Native Americans. See his *Democrates secundus, sive de iustis belli causis*, edición crítica y traducción castellana por A. Coroleu Lletget, in SEPÚLVEDA, Juan Ginés de. *Obras completas*. Pozoblanco: Excmo. Ayuntamiento de Pozoblanco, 1997, Vol. III, p. 38-134. Acosta, in his *De procuranda indorum salute*, defends the conjunction of military coercion and missionary persuasion, while, at the same time, trying to spell its limitations. Acosta argues that Las Casas's position does not take into account the ferocity and backwardness of the Native American "barbarians".

for the damnation and destruction of the Church, as the time may come (which might be already at hand) in which God unveils our blemishes and our nakedness is shown to the whole pagan world." Las Casas had warned the Royal Council of Indies that the final Day of Judgment might be near and that it might entail the eternal damnation of Spain. Now he admonishes the Pope that unless the Church acts decisively on behalf of the oppressed Native Americans, it might also find itself condemned in that imminent fateful Doomsday. For a bishop to admonish a Pope in this manner is, indeed, a dramatic expression of audacity.

But this is just the prologue to other daring requests to the Pope. Veiled as petitions, they are indeed radical challenges to the Church. Las Casas demands from the Pope an official normative declaration regarding the affairs of the Indies with its corresponding anathemas.

> Since so many are the flatterers who in secret, like dogs with rabies, bark against the truth, to Your Beatitude I humbly beseech that a decree be enacted in which are declared excommunicated and anathema, all those who affirm that wars against the infidels are just if waged to combat idolatry, or for the convenience of spreading the Gospel, specially in regard to those infidels who have never injured or are not injuring us.

Idolatry was frequently used as a *casus belli* against the Native Americans. Columbus invoked idolatry as a justification to begin the American slave trade<sup>34</sup>. Hernán Cortés initiated the war against Tenochtitlán only after formally declaring it a crusade against idolatry<sup>35</sup>. Sepúlveda, among others, had emphasized idolatry as a legitimate reason to

<sup>&</sup>lt;sup>34</sup> COLUMBUS, Christopher. A New and Fresh English Translation of the Letter of Columbus Announcing the Discovery of America. Translated and edited by Samuel Eliot Morison. Madrid: Gráficas Yagües, 1959, p. 14: "Their Highnesses can see that I shall give them . . . slaves, as many as they shall order, who will be idolaters".

<sup>&</sup>lt;sup>35</sup> CORTÉS, Hernán. *Documentos cortesianos*, 1518-1528. Ed. José Luis Martínez. México, D. F.: Universidad Nacional Autónoma de México/Fondo de Cultura Económica, 1990, p. 165: "In as much... the natives of these regions have a culture and veneration of idols, which is a great disservice to God Our Lord, and the devil blinds and deceives them ... I propose to bring them to the knowledge of our Holy Catholic faith... Let us go to uproot the natives of these regions from those idolatries ... so that they will come to the knowledge of God and of His Holy Catholic faith".

conquer the Native Americans through war, for idolatry is not only a grave blasphemy against divine and natural law in itself, but also the source of their alleged moral depravations: human sacrifice, cannibalism, and sodomy. Franciscan missionaries rationalized Cortés's conquest as a divine punishment against the idolatry of the natives, and tried to explain to the Mexican elders the demonic origin of their religious practices<sup>36</sup>. The condemnation of sacrilegious idolatry became a benchmark for the conquest and enslaving of native communities. The "extirpation of idolatry", so well studied regarding Perú by Pierre Duviols, was one of the ideological foundations of what Robert Ricard aptly named the spiritual conquest of the autochthonous communities<sup>37</sup>. Therefore, Las Casas's request to the Pope that the invocation of idolatry for doing violence to the Native Americans be declared anathema goes to the heart of one of the main ideological resources behind the conquest of the Americas. The demand is grandiose, as will also be the silence of Rome.

The second principle that Las Casas requests to be included in the Papal decree of anathemas is one very dear to his mind.

Or those who assert that the infidels are not true lords and owners of their properties; or those who affirm that they are unable to understand and receive the Gospel and eternal salvation, on the basis of their alleged lack of intelligence or acuity of mind, which in fact they do not lack, those Indians whose rights I have defended till my death, for the honor of God and the Church.

Are the Native Americans equal to the Europeans in rationality and free will? This was, alas, a crucial question during the Christian expansion in early modernity. Aristotle's vision of the distinction between the

<sup>&</sup>lt;sup>36</sup> DUVERGER, Christian. La Conversion des Indiens de Nouvelle-Espagne avec le texte des "Colloques des douze" de Bernardino de Sahagún (1564). Paris: Éditions du Seuil, 1987.

<sup>&</sup>lt;sup>37</sup> DUVIOLS, Pierre. La lutte contre les religions autochtones dans le Pérou colonial: l'extirpation de l'idolatrie entre 1532 et 1660. París-Lima: Institut Français d'Études Andines, 1971; RICHARD, Robert. The Spiritual Conquest of Mexico: An Essay on the Apostolate and the Evangelizing Methods of the Mendicant Orders in New Spain, 1523-1572. Translated by Lesley Byrd Simpson. Berkeley and Los Angeles: University of California Press, 1966.

Greeks, as a people of culture, and the "barbarians," and his discussion of just war and slavery in the first part of his *Politics*, were refurbished in the encounter between Christians Europeans and the indigenous American communities<sup>38</sup>. His arguments regarding the justice of warfare against the barbarians and their legitimate enslavement became relevant for the sixteenth century theological discussions on war and slavery<sup>39</sup>. "Barbarian" became a frequent term of reference to the Native Americans. It is found in Francisco de Vitoria<sup>40</sup>, Sepúlveda<sup>41</sup>, and in many other sixteenth century writers. Probably the best definition of what was meant by "barbarian" is provided by José de Acosta: "We call 'Indians' all the Barbarians that have been discovered in our time by the Spanish and the Portuguese . . . people who are not only deprived of the light of the Gospel but also unaware of civilization"<sup>42</sup>. Barbarians are ignorant of both Christian faith and literary culture. They lack knowledge of Christ and of the alphabet<sup>43</sup>. They are,

<sup>&</sup>lt;sup>38</sup> The Politics, book I. Bruno Rech analyses the way Las Casas read Aristotle in his article "Bartolomé de las Casas und Aristoteles," Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas, Bd. 22, 1985, 39-68.

<sup>&</sup>lt;sup>39</sup> HANKE, Lewis Ulysses. Aristotle and the American Indians. Bloomington: Indiana University Press, 1970; PAGDEN, Anthony. The Fall of Natural Man: The American Indian and the Origins of Comparative Ethnology. Cambridge: Cambridge University Press, 1982.

<sup>&</sup>lt;sup>40</sup> De Indis, I, 233: "This whole dispute . . . has arisen again because of these barbarians in the New World, commonly called Indians, who came under the power of the Spaniards some forty years ago . . ." Nestor Capdevila points out a crucial semantic difference between Vitoria and Las Casas. While the first refers to the Native Americans as barbaros . . . quos indos vulgo vocant ("barbarians commonly called Indians"), Las Casas alludes to them as Novi Orbi habitatores, quos vulgo Indos appelamus ("inhabitants of the New World, which we commonly call Indians"). Capdevila (Las Casas: une politique de l'humanité, 270). For the literary context of the two quotations, see Obras de Francisco de Vitoria: Relecciones teológicas. Edición crítica del texto latino, versión española, introducción general e introducciones con el estudio de su doctrina teológico-jurídica, editadas por Teófilo Urdanoz, O. P. Madrid: Biblioteca de Autores Cristianos, 1960, p. 642 and Las Casas, Obras completas, Vol. 9, 76.

<sup>&</sup>lt;sup>41</sup> *Democrates secundus*, 39: "If the war with which the monarchs of Spain have subjugated and attempt to subjugate under their dominion those barbarians . . . commonly called Indians . . . is just or not . . . is a very important issue."

<sup>&</sup>lt;sup>42</sup> De procuranda indorum salute, 4.

<sup>&</sup>lt;sup>43</sup> Regarding the ontological distinction between literary and oral peoples, see MI-GNOLO, Walter D. *The Darker Side of the Renaissance: Literacy, Territoriality, & Colonization.* Ann Arbor, MI: The University of Michigan Press, 1995.

therefore, socially and culturally inferior<sup>44</sup>. Thus, according to the discourse of several court intellectuals, the Native Americans are unfit for self-government. They can be considered *natura servi*, fated by nature to servitude. For their own benefit, civilized Christians should rule them. If they resist, the war to subjugate them is, in principle, just and legitimate.

Las Casas devoted an extended section of his *Apology* against Sepúlveda to refute the vilification of the Native Americans implied by their categorization as barbarians. He also penned an ambitious and long manuscript on their cultural and cultic traditions, to prove the dignity of their culture and religiosity. That text – *Apologética historia sumaria* – is the longer and most passionate defense of the Native American cultures written in the sixteenth century<sup>45</sup>.

In this missive to the Pope, Las Casas comes back to this crucial issue and requests a decree of anathema against any negation of the rationality of the Native Americans, their personal liberty, their right for public sovereignty or private ownership, or their ability to understand and accept the mysteries of the Christian faith. In all those essential dimensions of humanness, insists Las Casas, there is no fundamental ontological distinction between Europeans and Native Americans, and thus no legitimate justification for dispossessing them of their political sovereignty, their private goods, their personal freedom, or for abrogating their right to the ecclesiastical sacraments<sup>46</sup>. A much quoted text of the *Apologética* gives expression to the principle that underlies his lifelong exertions: "All the nations of the world are human and all share in the same definition: they are rational beings. All have intellect and will, as created in God's image and similitude"<sup>47</sup>.

<sup>&</sup>lt;sup>44</sup> See RIVERA-PAGÁN, Luis N. "Qui est l'Indien? Humanité ou bestialité de l'indigène américain", in *Alternatives Sud. L'avenir des peuples autochtones: Le sort des "premières nations*". Centre Tricontinental, Louvain-laNeuve, Belgique, vol. vii, no. 2, 2000, p. 33-51.

<sup>&</sup>lt;sup>45</sup> Apologética historia sumaria. As many of Las Casas's writings, it was first published in its integrity only in the twentieth century. Obras completas, Vols. 6-8.

<sup>&</sup>lt;sup>46</sup> The Spanish theologians and missionaries debated the capability of the Native Americans to participate in the sacraments. Acosta defends their right to six of the seven sacraments but opposes their priestly ordination, for it is wrong to consecrate to the ministry "the dregs of the people." *De procuranda indorum salute*, Vol. II, 146.

<sup>&</sup>lt;sup>47</sup> Apologética historia sumaria, c. 48; Obras completas, Vol. 7, 536.

This has been the core of his struggles of more than five decades, for the sake of, as he writes to the Pope, "those Indians whose rights I have defended till my death, for the honor of God and the Church." Now, at the moment in which death is the only future for his flesh, he recapitulates that long dispute in a sharp challenge to the *Vicarius Christi* to rebuke and condemn all those who question the rationality, the political rights, the personal liberty, or the capability to the faith of the Native Americans. And then, always certain of his ability to persuade by means of logical argumentations and authoritative references, Las Casas concludes: "In my book I have clearly shown that all those assertions are against the sacred canons, as well as against natural law and the commandments of the Gospel, and I will confirm it even more, if that were possible, for I have exhaustively researched and corroborated this matter".

The next three requests to the Pope have to do with the church itself: the identity, vocation, and mission of the Christian Church in the New World. Mindful of the way in which the royal patronage has modeled a Church loyal to the State, Las Casas demands from the Roman Pontiff that he:

> Order the bishops of the Indies that, under holy obedience, they be concerned about those natives, who, with hard labors and tyrannies (more than what it could be believed), carry on their meager shoulders, against all natural and divine law, a heavy yoke and unbearable load, which makes it necessary that Your Holiness instruct those bishops to defend their cause, becoming a protecting wall for them, even to spill their own blood, as by divine law they are obliged, and that in no way they accept their appointment, if the King and his Council would not support them and uproot so many tyrannies and oppressions.

The Church as the protector and defender of the Native Americans. That, in short, is his audacious request to the Pontiff, the vision of this obstinate and pugnacious dying bishop and prophet. Such conduct, according to Las Casas, is not optional. It is not a model of behavior that the Church might or might not assume. The bishops are obliged to follow this daring and perilous conduct "by natural and divine law," even if it entails the way of the cross, the tragic sufferings of martyrdom. Instead of the bishops pledging their fealty to the state policies, as done by the first American bishops in the Burgos capitulations, they should demand from the court an oath of support in the uprooting of "so many tyrannies and oppressions," before accepting their nominations to their dioceses.

The next request has to do with a sensitive issue in the evangelization of the Native Americans during the sixteenth century: language. Las Casas indicates the problem with his usual judgmental tone, but also with uncommon brevity: "Openly and unjustly the bishop ignores the language of his subjects, and does not attempt to learn it well." Therefore, the Pope should order that the American prelates learn the native languages. "I humbly beseech Your Beatitude to order them to master the language of their sheep, showing that they are so commanded by divine and natural law, for at the moment many awful indignities occur . . . caused by the negligence of the bishops in learning the language of their parishioners."

One of the most impressive achievements of the contemporary Spanish missionary efforts had to do precisely with the alphabetization of the Native languages and the translation of homilies, liturgies, religious plays, prayers, and biblical texts, into them. Yet, as Acosta would note two decades later, this was mainly the labor of friars within the religious orders. Most diocesan bishops and priests were reluctant to invest the time and energy required by the mastery of those languages. The debate whether to encourage the priesthood to learn the native languages or, on the contrary, to compel the natives to learn Spanish, frequently pitted the religious orders against the regular ecclesiastical ministry. This linguistic dilemma has to do with the proper communication of the Christian faith. But, as Las Casas is convinced, at a deeper level, it has also to do with the quality and character of its inculturation. Inculturation of the faith, in analogy to the Incarnation, begins with linguistic assimilation as an immersion in the culture of a community and its particular symbolic universe. The identification of the Church with the indigenous cultures has to traverse inevitably the complex path of linguistic identity.

If the previous requests are difficult to satisfy, the last one is even harder. The Church has not only to defend the Native Americans and to assimilate their language and culture; it should also share their poverty, their dispossession. The American Church is getting immensely rich in material goods thanks to the exploitation of the land and the work of the Native Americans. Several years later, Acosta will bewail the enrichment of priests and bishops, but will consider it a minor price in exchange for the preaching of the Christian faith<sup>48</sup>. For Las Casas, on the contrary, it constitutes a sinful scandal. "Immense scandal and no less detriment to our most holy religion is that in such a new place bishops and friars and priests are getting rich and live sumptuously, while their recently converted subjects remain in so great and incredible poverty, that many of them die daily in profound misery, due to the tyranny, hunger and excessive work that they suffer."

The contrast between ecclesiastical enrichment and the poverty of the Native Americans entails, for Las Casas, an intensely severe sentence: the Church is guilty of complicity in the dispossession, misery, and agony of the autochthonous communities. Now we discover the acuteness of his initial admonition that in the Day of Judgment the Church might be revealed to the Gentile nations as naked and blemished. The Church cannot reproach the conquistadores or encomenderos, if she does not deal with her own complicity in the oppression of the native peoples. Thus, the drastic and radical challenge of the dying bishop to the new Pope.

> Therefore, to Your Holiness I humbly beseech to declare those ministers to be obliged by natural and divine law, as in fact they are, to restitute all the gold, silver, and precious stones they have acquired, for their wealth is taken from human beings who endure extreme need and who today live in misery, with whom, by divine and natural law, they are even beholden to share their own possessions.

From his 1514 homily, when for the first time he denounced the enslavement of the Native Americans, till this last text, fifty-two years later, one theme is constantly repeated in the writings of Las Casas: the salvation of the Christians depends upon their disposition to restitute every-

<sup>&</sup>lt;sup>48</sup> *De procuranda indorum salute*, Vol. I, 143: "For that is what the Spaniards are looking for after such a long ocean voyage, and it is through the metals [gold and silver] that commerce works, that the judges preside, and more often than not the priests preach the Gospel".

thing they have acquired by conquest and slavery. The duty of restitution is at the heart of the sacrament of penance and at the core of Las Casas's episcopal practice, prophetic message, and theological disquisition. The surprising conclusion, therefore, of Las Casas's letter to the Pope, is that in the history-making encounter between Christian Europeans and Native American infidels, what is mainly at stake and in doubt is the salvation of the first, the Christian Europeans. They – the Spanish state and the Roman Church – are called to do penance and to beg for divine forgiveness and absolution. This is indeed an extraordinary inversion of the usual understanding of the matter in the history of the global expansion of the Christian faith. Only now, after dispatching his farewell letters to the Royal Council of Indies and to the Pope, can this bold and old bishop, theologian, and prophet rest in peace, eternally.

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