

THE "REQUERIMIENTO" AND ITS INTERPRETERS

"The study of human societies is not only of an almost inconceivable diversity and multiplication of aspects but is of such a nature that no man, however balanced he may be, however determined to maintain himself on the line of strict impartiality, can ever escape from the thousand biases created in him by the many particular acquired or inherited traits of his personal nature. Nor can he avoid the influence of his own theoretical ideas concerning the relative value and the comparative role of the various factors economic or religious in the evolution of societies; or the secret influence exercised upon him without his knowing it by his nationality, his religion, his social position, his avowed or unconscious affinities with, for example, the bourgeoisie or the working class; not to mention the subtle and profound influences emanating from his historical environment, each one of them reflecting on to him in its way the general life of his time."

Henri Berr and Lucien Febvre, "History and Historiography," *Encyclopedia of the Social Sciences*, VII, 367.

Abbreviations Used in Citing Works

- D. I. E. = Documentos inéditos de España, etc.
D. I. I. = " " " América, etc.
D. I. M.= " " " México. (Içazbalceta series.)

The good faith of a nation is bound to be questioned when it invokes moral sanctions for its actions, whether the questions involved is a world war debt, the status of the Japanese army marching against China under the of-

ficial label "The Jehol Pacification Expeditionary Force,"¹ or a "just war" waged by Spaniards in sixteenth century America. It was not to be expected that foreign nations would interpret sympathetically the *Requerimiento*, that curious document by which Spain justified to herself the wars waged against the natives during the early years of the conquest of America.

This was the manifesto which the conquistadores were ordered by the crown to have read to the Indians by an *escribano* (notary) before hostilities could be legally opened:

On the part of the King, Don Fernando, and of Doña Juana, his daughter, Queen of Castille and Leon, subduers of the barbarous nations, we their servants notify and make known to you, as best we can, that the Lord our God, Living and Eternal, created the Heaven and the Earth, and one man and one woman, of whom you and I, and all the men of the world, were and are descendants, and all those who come after us. But, on account of the multitude which has sprung from this man and woman in the five thousand years since the world was created, it was necessary that some men should go one way and some another, and that they should be divided into many kingdoms and provinces, for in one alone they could not be sustained.

Of all these nations God our Lord gave charge to one man, called St. Peter, that he should be Lord and Superior of all the men in the world, that all should obey him, and that he should be head of the whole human race, wherever men should live, and under whatever law, sect, or belief they should be; and he gave him the world for his kingdom and jurisdiction.

And he commanded him to place his seat in Rome, as the spot most fitting to rule the world from; but also he permitted him to have his seat in any other part of the world, and to judge and govern all Christians, Moors, Jews, Gentiles, and all other sects. This man was called Pope, as if to say, Admirable Great Father and Governor of men. The men who lived in that time obeyed that St. Peter, and took him for Lord, King, and Superior of the universe; so also have they regarded the others who after him have been elected to the Pontificate, and so it has been continued even until now, and will continue until the end of the world.

¹ *Time* (Feb. 27, 1933), 17.

One of these Pontiffs, who succeeded that St. Peter as Lord of the world, in the dignity and seat which I have before mentioned, made donation of these isles and Terra-firma to the aforesaid King and Queen and to their successors, our lords, with all that there are in these territories, as is contained in certain writings which passed upon the subject as aforesaid, which you can see if you wish.

So their Highnesses are kings and lords of these islands and land of Terra-firme by virtue of this donation; and some islands, and indeed almost all those to whom this has been notified, have received and served their Highnesses, as lords and kings, in the way that subjects ought to do, with good will, without any resistance, immediately, without delay, when they were informed of the aforesaid facts². And also they received and obeyed the priests whom their Highnesses sent to preach to them and to teach them our Holy Faith; and all these, of their own free will, without any reward or condition, have become Christians, and are so, and their Highness have joyfully and benignantly received them, and also have commanded them to be treated as their subjects and vassals; and you too are held and obliged to do the same. Therefore as best we can, we ask and require you that you consider what we have said to you, and that you take the time that shall be necessary to understand and deliberate upon it, and that you acknowledge the Church as the Ruler and Superior of the whole world and the high priest called Pope, and in his name the King and Queen Doña Juana our lords, in his place, as superiors and lords and kings of these islands and this Terra-firma by virtue of the said donation, and that you consent and give place that these religious fathers should declare and preach to you the aforesaid.

If you do so, you will do well, and that which you are obliged to do to their Highnesses, and we in their name shall receive you in all love and charity, and shall leave you your wives, and your children, and your lands, free without servitude, that you may do with them and with yourselves freely that which you like and think best, and they shall not compel you to turn Christians, unless you yourselves, when informed of the truth, should wish to be converted to our Holy Catholic Faith, as almost all the inhabitants of the rest of the islands have done. And besides this, their Highnesses award you many privileges and exceptions and will grant you many benefits.

² This statement doubtless was included for its possible psychological effect. Of course the facts of the history of the conquest up to 1513 are otherwise. LAS CASAS emphasizes this, *Historia de las Indias*, Lib. III, Cap. LVIII.

But if you do not do this, and wickedly and intentionally delay to do so, I certify to you that, with the help of God, we shall forcibly enter into your country and shall make war against you in all ways and manners that we can, and shall subject you to the yoke and obedience of the Church and of their Highnesses; we shall take you and your wives and your children, and shall make slaves of them, and as such shall sell and dispose of them as their Highnesses may command; and we shall take away your goods, and shall do all the harm and damage that we can, as to vassals who do not obey, and refuse to receive their lord, and resist and contradict him; and we protest that the deaths and losses which shall accrue from this are your fault, and not that of their Highnesses, or ours, nor of these cavaliers who come with us. And that we have said this to you and made this Requisition, we request the notary here present to give us his testimony in writing, and we ask the rest who are present that they should be witnesses of this Requisition.³

Having promulgated the *Requerimiento* in due form, the Spanish captain sent the official report back to Spain with the necessary signatures and his conscience was clear. Certainly this remarkable proclamation offers many vulnerable spots to the barbs of cynics, and the use made of it by the Spaniards affords consummate proof of the hypocritical religiosity in the Spanish character to persons who already see it there.

The *Requerimiento* has naturally attracted the atten-

³ Translation based on that given by ARTHUR HELPS, *The Spanish Conquest in America*, I (London, 1900), 264-267, with some variations taken from WASHINGTON IRVING'S version in *The Companions of Columbus*, III, 468-470 (New York, 1849). A copy of the original made for Pedrarias labelled "El Requerim^o q se ha de hazer a los indios de terra firme" is in *Archivo de Indias*, Panama 233, Lib 1, 49-50 vuelto. The document has been printed many times and may easily be consulted in *D. I. U.*, XX, 311-314 and in MANUEL OROZCO Y BERRA'S *Historia antigua y de la conquista de México*, IV (Mexico, 1880), 85-86. JOAO FRANCISCO LISBOA gives a Portuguese translation in his *Obras*, II (San Luiz do Maranhão, 1865), 56-60. A French translation of the *Requerimiento* as read by Narváez in Florida which HENRI TERNAUX-COMPANS terms "un monument curieux de l'esprit du temps" and entitles "Sommission à faire aux habitants des contrées et provinces qui s'étendent depuis la rivière des palmes et le cap de la Floride," may be found in his *Voyages, relations et mémoires originaux pour servir à l'histoire de la découverte de l'Amérique*, XX (Paris, 1840), 1-7.

tion of most students of the Spanish conquest of America, and has been interpreted by many persons during the four centuries since it was first read to the wondering Indians of the new world. Sir Walter Raleigh, eager to see England supplant Spain in America, treats of it in an interesting passage in his *History of the World* (1600) where he seriously considers, controverts and, to his own satisfaction, refutes its theological assumptions.⁴ Raleigh even contemplated sending broadcast through the Inca empire a sort of counter-*Requerimiento*, for he suggested that, in his own words,

The Bartol: de las Casas booke of the Spanish cruelties with fayr pictures⁵ or at least a large table of pictures expressing the particularities of the cruelties there specified (neatly wrought for the better credite of our workmanship, and their easier understanding) would be sent to the Inga, and his Cassiques by some interpreters, that they may publish them among their vassals, and to all the estates of the confining countryes rounde about that thei may bee all (as much as is possible) conjoynly linked, and exasperated against the Spaniards. And by informing them that the Spaniards doe holde their religion of the Pope, the great inchantor or cousner, and troubler of the world, who sent them first to invade those countryes, who teacheth them to breake all fayth, promises, oathes, covenantes with all such as bee not of their owne religion, so farr forth as may serve his and their turne, who giveth his followers dispensacions to steale,

⁴ VI (Edinburgh, 1820), 120-133.

⁵ Raleigh obviously refers to one of the numerous translations of the *Brevisima relación de la destrucción de las Indias*. The first English translation appeared in London in 1583 with the title *The Spanish Colonie, Or Briefe Chronicle of the Acts and gestes of the Spaniards in the West Indies, called the newe World*. The pictures Raleigh mentions did not appear in this English edition but in the Latin translation published at Frankfort in 1598 entitled *Narratio Regionvm Indicarvm Per Hispanos Quosdam deuastatarum verissima*. The gruesome pictures which first appeared in the Latin edition created a profound impression in Europe and even served to "deter the Leyden congregation (the Pilgrims in Holland) from adventuring within the reach of so cruel and murderous fanatics," WILLIAM BRADFORD, *History of Plymouth Plantation*, W. C. Ford, ed., I (Boston, 1912), 60.

robb, rebell and murthers; and likewise pardoneth for many whatsoever wrongs or villanyes are by them committed.⁶

In the eighteenth century rationalist philosophers seized upon the *Requerimiento* with enthusiasm, citing it as evidence of the all-pervading folly of human nature. As Corneille de Pauw stated, "the discovery of a new world which changed the face of the universe, which plucked astronomy, geography, and physics out of the profound darkness which enveloped them, was accompanied by circumstances extremely bizarre and ridiculous as a result of the fatality attached to the action of man".⁷ The Scotch historian William Robertson, however, far from ridiculing the *Requerimiento*, treated it seriously and translated it for the benefit of his readers because he considered it "so extraordinary in its nature and [because it] gives us such an idea of the proceedings of the Spaniards, and the principles upon which they founded

⁶ *The Discoverie of the large and beautiful Empire of Guiana*, by Sir WALTER RALEIGH, V. T. Harlow, ed. (London, 1928), 142-144.

⁷ *Recherches philosophiques sur les américains, ou mémoires intéressants pour servir à l'histoire de l'espèce humaine*, I (Cleves, 1772), 92. It is not surprising that when examined by the Spanish Inquisition on August 28, 1777 De Pauw's work was adjudged to be "llo de Injurias a la Nación Española, principalmente a los conquistadores, tratándolos a éstos y a todos de Bárbaros, Ladrones, Crueles, inhumanos". *Archivo Histórico Nacional*, Madrid. Papeles de Inquisición. Legajo 4465, N° 4. The report was given by friars Christóval Lomo and Antonio Baquero. Count Giovanni Rinaldo Carli-Rubbi, one of the few eighteenth century writers who gave a reasonably accurate picture of America, combatted most of De Pauw's dubious generalizations. Though Carli declared that "M. Pauw n'est pas un écrivain sincère; il dénature les faits pour en abuser," he agreed with him that the *Requerimiento* was an "absurd discourse," *Lettres sur l'Amérique*, I (1788), 40, 78.

De Pauw was not the only eighteenth century writer who delivered thunderous opinions on America based on slight acquaintance with the facts, as may be seen from LOUIS BAUDIN's "L'empire des Incas d'après quelques écrivains français des 16, 17, et 18 siècles," *Revue de l'Amérique Latine*, XXI (1921), 22-29. For an excellent article on how Voltaire formed his prejudices on America, consult ALFONSO DE SALVIO's "Voltaire and Spain," *Hispania*, VII (1924), 69-110, 156-164.

the right to the extensive dominion which they acquired in the new world".⁸ The Italian priest, Giovanni Nuix, who composed one of the most interesting and most erroneous apologetics on the *España defendida* theme entitled "Riflessioni imparziali sopra l'umanità degli Spagnuoli nell' Indie . . . per servire di lume alle Storie de . . . Raynal e Robertson,"⁹ solved the problem of the *Requerimiento* very easily. He declared it to have been drawn up by an obscure jurist who did not represent truly the theories prevailing at the time of the conquest and furthermore asserted that it had never received the approbation of the king or council, and that it was never actually proclaimed in America.¹⁰

Modern historians, too, have usually interpreted this theological document in a derisive or ironical spirit. Even Sir Arthur Helps described the *Requerimiento* as "an illustration of how long foolish conceits linger in the halls of learning and among professions, even when they are beginning to be banished from the world at large," and, he confessed, "the comicality of the document has often cheered me in the midst of the tedious research or endless details of small battles. The logic, the history, even

⁸ *The History of America*, I (London, 1777), note XXIII. Some Catholic writers have been eager to point out that the *Requerimiento* "did not proceed from the Pope, but was fabricated by officials and adventurers," JOSEPH HERGENROETHER, *Catholic Church and Christian State*, II (London, 1876), 153.

⁹ Venice, 1780.

¹⁰ Pp. 355-356, 466-470. Two Spanish editions were immediately issued (Madrid, 1782 and Cervera, 1783) and Spaniards have warmly welcomed Nuix as an important and impartial writer, who, though a foreigner, has achieved the proper appreciation of the history of Spain in America. Citations are to the second Spanish edition. It is only fair to add that the documents necessary for a study of the *Requerimiento* were hidden in Spanish archives at the time Nuix wrote and that some of them have remained unpublished to this day.

On the other hand, the eminent French scholar Ernest Nys wrote in 1889 that merely reading the *Requerimiento* would suffice to convince one that it was not the work of the greatest Spanish theologians and jurists as was commonly believed, *Revue de droit international et de législation comparée*, XXI (1889), 540.

the grammatical construction are all, it seems to me, alike in error".¹¹ To Hubert Howe Bancroft, indefatigable compiler of valuable historical materials, the *Requerimiento* "was no less void in practice than absurd in theory".¹² A contemporary student of the Spanish Empire, Mr. Philip A. Means, has delivered a more sarcastic judgement.¹³

Spaniards themselves, when describing this document, have often become confused and evidently find themselves in the same dilemma as did Las Casas, who confessed that on reading the *Requerimiento*, he could not decide whether to laugh or to weep.¹⁴ After devoting a whole chapter of his *Historia de las Indias* to a thoroughgoing criticism of the *Requerimiento* on practical as well as on theoretical grounds, he concluded by roundly condemning it as "injusto, impío, escandaloso, irracional y absur-

¹¹ *The Spanish Conquest in America*, I (London, 1900), 267.

¹² *History of Central America*, I (San Francisco, 1883), 397-399.

¹³ In his *Fall of the Inca Empire* (New York, 1932), 32-33 Mr. Means has this to say of Friar Valverde's harangue to the Inca Atahualpa on Nov. 16, 1532:

"Friar Valverde now scuffled forward to the imperial litter, a Breviary in one hand and an upraised Crucifix in the other. Being completely ignorant of practical psychology, the Friar plunged at once into a long-winded theological discourse, in which he set forth the more absurd dogmas of his day, linking the Apostle St. Peter to Pizarro through that sordid fellow, Pope Alexander VI, and relating how he, Alexander, had given Peru to King Charles, whose vassal Atahualpa was now blandly invited to become. Not only was the Friar's address supremely ridiculous from the standpoint of common sense, but also its general obscurity was enhanced by the translation given to it by the mischief-making interpreter, Felipillo."

That sixteenth century Spaniards appreciated the possibility of using the *Requerimiento* in a hypocritical and ludicrous way may be seen from the "Memorial de un religioso Dominicó sobre la desorden de Pedrarias" in *Academia de Historia. Madrid*, Muñoz Collection, vol. 75, p. 423; the letter of Alonso Zuazo to Chievres, Jan. 22, 1518 in *D. I. E.*, II, 358; the letter of Rodrigo de Albornoz to the Emperor, Dec. 15, 1525 in *D. I. M.*, I, (Mexico, 1858), 491; and in the treatise of Vasco de Quiroga, 1535 in *D. I. I.*, X, 347.

¹⁴ *Historia de las Indias*, Lib. III, cap. LVIII. Friar Pedro Aguado, the historian, considered the *Requerimiento* useless, *Historia de Venezuela* (1581) Jerónimo Bécker, ed., II (Madrid, 1919), 136.

do."¹⁵ The Argentinian, Juan B. Terán, one of the many modern students who have attempted to present the ideology of the Spanish conquest, believes that the *Requerimiento* was a fundamental ordinance of the conquest, but considers its application an expressive example of the impractical idealism of the laws of the Indies.¹⁶

Heretofore, students of the *Requerimiento* have almost invariably condemned it,¹⁷ for one reason or another and substantially agree with Louis Bertrand and Sir Charles Petrie, authors of the latest attempt to compress the history of Spain into one volume, who state that "the invaders brandished Bulls and theological texts, a whole rubbish heap of documents, by way of justifying their invasion."¹⁸ But the examination of all the material available today, published and unpublished, leads one to the

¹⁵ Las Casas includes the *Requerimiento* in his *Historia de las Indias*, Lib. III, cap. VII and devotes the next chapter to a thorough criticism of its contents.

¹⁶ *El nacimiento de la América Española* (Buenos Aires, 1927), 261. Another modern historian in Latin America, after giving the text of the *Requerimiento*, denounces his ancestors, saying, "Tales eran los principios en virtud de los cuales un puñado de aventureros extraños, venidos del otro lado de los mares se arrogaba el derecho de someter y juzgar naciones populosas, con gobiernos constituídos, que contaban siglos de existencia y que gozaban de cierta civilización.

"Con la lectura de esa vana y contradictoria fórmula, en que campea el catequismo a par de la amenaza, redactada en un lenguaje inteligible para aquéllos a quienes se dirigía, quedaba tranquila la conciencia del capitán y de sus soldados, como la de los soberanos españoles y la de los consejeros de Indias que prepararon semejante documento, testimonio irrefragable del grado de aberración a que puede llegar el espíritu humano." *Historia de la América Central*, I (Guatemala, 1879), 29-30.

¹⁷ Not all, however, have taken this view as may be seen from ARTHUR STRAWN, *Sails and Swords. Being the Golden Adventures of Balboa and his intrepid Company, Freebooters all, Discoverers of the Pacific* (New York, 1928), 184-185; F. A. KIRKPATRICK, *The Spanish Conquistadores* (London, 1934), X; and from LOUIS BAUDIN, "Quelques aspects de la conquête espagnole de l'Amérique," *Revue d'économie politique*, XLIV (1930), 120. The more usual attitude is shown by Rear Admiral William H. Smith in notes to his translation of BENZONI's *History of the New World* (London, 1857), 55.

¹⁸ *The History of Spain* (New York, 1934), 265.

definite conclusion that something still remains to be said for the sixteenth century Spanish viewpoint, not as justification, but as explanation. The amusing picture conjured up by Mr. Means of a shuffling friar giving off a "long winded theological discourse" full of "the more absurd sacerdotal dogmas of his day" must be supplemented by a glimpse of the men in Spain whose minds devised this extraordinary document.

The student who would fully comprehend the *Requerimiento* must consider the controversy in Spain which led to its formulation and must review the many interesting situations which arose when the Indians were confronted with a Spanish notary or friar, mumbling his long sentences full of medieval theology. Moreover, as the conquest proceeded, the *Requerimiento* was supplanted by other regulations, less bizarre, but likewise fashioned in the same general mould. A study of these subsequent rules for "just war" will reveal how universal was the desire of the sixteenth century Spaniards to open up the new continent by methods derived from their religious and cultural heritage and which would be justifiable to their own consciences. If studied in this way, the *Requerimiento* becomes more than a ridiculous collection of outworn dogmas, and its history illumines one important facet of that many-sided problem—the Spanish conquest of America.¹⁹

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¹⁹ English colonists in America well illustrate Salvador de Madariaga's characterization of Englishmen as "men of action". Rarely were their efforts to make homes for themselves in the new world interrupted or hindered by theoretical disputes. It is true that New England clergymen sought Biblical precedents in 1676, before shipping off to West Indian slavery some two thousand war captives including King Philip's wife and son, GEORGE W. ELLIS and JOHN E. MORRIS, *King Philip's War* (New York, 1906), 267. An interesting example of English legal religiosity was the six-page prayer prescribed by the Virginia Company to be read every day, *Forces' Historical Tracts*, Vol. III, N° 2, pp. 66-67. HERMAN MERRIVALE stated that English colonists in Virginia sought legal justification in 1662 before starting to rob and subjugate the Indians, *Lectures on Colonization and Colonies* (Oxford, 1928), 491, where he quotes from tracts relating to Virginia in the British Museum.