

The Problem of Conquest

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"Conquest, conquistadores, reconquista" fall easily onto paper and waft harmlessly as sounds from our lips. But what does conquest really imply? Without its radical presumptions the history of European expansion would have been substantially different - and probably the world as we know it.

Etymologically, the Latin root of "conquest" - *conquirere* (con and *quaerere*), throws little light on the ethical assumptions of the concept. A whole gamut of meanings swirl around its various connotations - seek, desire, want, with the emphatic prefix of con adding insistence. A conquest implies intentionality; the conquistador implies the act of overcoming; and a reconquista suggests a regaining of control and authority. Nothing is singular or simple about conquest. When we consider the conquest of the Americas, especially from the perspective of Spain's intentions and involvements, we must make certain about the implications of the use of force. To describe the coming of Spain to the shores of the Americas as an "invasion," for example, seriously distorts the agony of argument suffered by Spanish intellectuals after Columbus encountered the New World. The original intentions of Ferdinand and Isabella were to open a western route for trade, not conquest. If they desired any lands at all, they were the holy lands of Scripture that were firmly in the control of Islam - but not the lands of the New World.

The discovery of the New World must be seen as a major intellectual dividing line in the history of ideas and the creation of challenging new social concepts. Columbus's initial voyage was truly an expedition of discovery that stunned the tradition-bound societies of Europe. To every nation in the West at that time, the idea of conquest was deeply ingrained; justifying it was the irritant. For centuries the phalanxes, the legions, the armies of nascent empires had invaded adjacent lands to subject alien peoples to new authorities, languages and laws. Europe's southern flank was ravaged by Islamic invasions that forced the northern nations to rally and defend their territorial integrity through the Crusades. The threat was economic, linguistic, and religious; so the response had also to find its justification in the same characteristics. To reclaim the Roman regions that sheltered the birthplace of Jesus Christ captivated northern European rulers from generation to generation. It justified the march of foreign armies across Christian territory at whatever expense to push back the forces of Islam. When Spain expelled the Islamic rulers in 1492, the Catholic Kings of Spain had accomplished one critical stage in the reclamation of ancient authority. But the discovery of the New World totally distracted these efforts at reconquering the eastern Mediterranean. At first, the New World was perceived as a treasure house to pay for the regaining of the Middle East, but soon the sheer immensity of the Americas absorbed Spain's manpower and resources.

As unexpected and bizarre as the encounter of the New World may have seemed to some, it conjured up very familiar notions although now in new

circumstances. The peoples of the New World, even in the most complimentary descriptions, were non-believers. They were considered as peoples of most inferior cultures. Their languages, customs, and mores were unfamiliar and unacceptable. And when these peoples resisted the invitation to submit to the Papally-sanctioned authority of the Holy Roman Emperor, conquest was justified. So the task before us is to unravel the tangled skein of assumptions and ideas that surrounded the conquest of the Americas.

The *Relación* of Alvar Nuñez Cabeza de Vaca may strike many as irrelevant to this topic because it is most unlike the famous account by Bernal del Castillo about the conquest of Mexico, which is undeniably a story of subjecting a people by force of arms. Cabeza de Vaca was no Cortés. But I would submit that the lengthy, even elaborate, reminiscences of Cabeza de Vaca genuinely assist in our discovery of Spain's posture in its encounter with the New World. Panfilo de Narvaez had devised an expeditionary force that was incapable of conquest. In comparison to the armored horsemen of Hernan Cortés, it may have looked superior, but there were no disgruntled tribes to join Narvaez in a campaign of liberation as happened in Mexico. Narvaez's trek into the swamps and riverlands of La Florida quickly turned into a battle for survival in which the superiority of the horse and firearms was disastrously compromised. The Spaniards had to turn to ingenuity merely to survive; the carcasses of the horses on the shores of Bahia de los Caballos witnessed the failure of the invasion and the demise of a new conquest. From here on the tale of Cabeza de Vaca reveals a greatly chastened contingent of men fearing for their lives and grateful for native tolerance - even if it were only for survival in slavery. The *Relación* is important precisely because it records an encounter between a technologically superior people and far less sophisticated peoples whose culture differed drastically. But in this paradoxical instance the Spaniards were powerless and the native Americans empowered.

Last year, here at Southwest Texas State University, an NEH sponsored Summer Institute investigated the theme of "Ethical Citizenship and the Political Outsider." One portion of that institute was dedicated to very difficult issues posed by the *Relación* of Cabeza de Vaca because he found himself as an outsider in a very loosely knit polity. Ethical citizenship is probably a rather high-blown concept for the political situation in which he was immersed. His role was sometimes slave, sometimes healer, but quite clearly he was always "other." In his view there were two classes of men - believers and nonbelievers, Christians and infidels, which was not an uncommon supposition to a 16th century European. In this formulation Cabeza considered himself an "insider" although he and his scattered companions were a distinct minority, and arguably very much "outsiders." The lesson here is poignant because one's idea of social identity ultimately defines one's sentiments of inclusion or exclusion. With the collapse of Narvaez's expedition the battle for survival focused not simply on saving one's life but on reestablishing union with the distant Christian settlements of New Spain. Conquest was out of the question because the availability of force was absent. Cabeza's own nakedness symbolized the emptiness of his being any threat. His survival and that of his companions depended more on their rendering services to the natives than on their once

superior arms. It is fascinating to see how these Christian men were reduced to the use of Christian principles to guarantee their survival among the tribes of the Gulf coast.

For several years I have been fascinated by the problem of conquest in the Americas. Undeniably, at the time of discovery, European nations espoused ideas of conquest that were rooted in Hellenic and Roman traditions. In the aftermath of discovery; the notion of conquest was compounded by becoming a "school question." To the Spaniards of the 16th century, for example, conquest was a real issue involving real people and real politics. Regaining the peninsula from the Moors solidified the Spanish sense of identity and purpose, but the discovery of the New World shattered the tranquillity of contained continents and convenient boundaries. With millions of new peoples and scores of unfamiliar cultures within their political reach, the Spaniards embarked on uncharted seas. Polemical shoals were pounded by philosophical and legal rhetoric, driven by the storm of conquest. Without question the realtime shipwreck of Cabeza de Vaca was deeply affected by the issues being debated over the propriety of conquering the peoples of the New World.

Spanish presence in the Caribbean was irrefutably superior in terms of firepower, technology, and political organization. No Indian group could match the Spaniard, so the issue of the subjugation of the tribes became paramount. Usually a Dominican friar, Antonio de Montesinos, who preached a sermon on the First Sunday of Advent, 1511, is credited with launching the debate over the rights of Indian peoples. He asked how anyone could justify taking away the lands and lives of such gentle, domesticated and peaceful peoples by waging an "unjust war." Then, the Dominican Provincial, Alonso de Loaysa, championed the idea that the use of force was justified because the Holy Roman Pontiff Alexander VI had granted the lands discovered and to be discovered to the Kings of Spain. By papal edict the lands belonged to Spain; conquest was a presumptive consequence. Then, the universities entered the joust. Mat'as de Paz, a Dominican theologian at Salamanca, appealed to St. Thomas Aquinas in advancing an argument favoring Spanish dominion in the Americas. As we shall see in a moment, Aristotle gets most of the credit for the antecedents of this debate, but nearly everyone has overlooked the preeminent position of Aquinas, especially in his *Summa Contra Gentiles* which helped to shape the missionary thought of the Catholic Church in the late Middle Ages. Paz concluded that waging war on the "infidels" of the Americas was only justified on the grounds of Papal authority, otherwise the Indians were to be left in peace and not made slaves for any reason. A few short years after participating in the Junta of Burgos that culminated in the New Laws of Burgos concerning the Indies, Paz died, but his ideas persisted in Spanish policy.

In his various writings about justice in the encounter with other cultures, Paz had appealed to a battery of medieval authors as far back as Innocent IV who was concerned with the justification of the Christian crusades. These same canonists formed the basis for the arguments of Juan Lopez de Viveros, a.k.a. Palacios Rubios, a consultor to the Crown for twenty years. He was highly influential at the very time of the conquest of Mexico. He composed the famous *Requirimiento*

in 1510 that was supposed to settle the jurists minds about the justice of claiming new lands for the Catholic Kings. Without doubt this instrument is one of the weirdest manifestations of historical jurisprudence in an age drenched with litigious paraphernalia.. It sets out the fundamental theses whereby Spain eased its conscience in the acquisition of the lands of the Indies – but how on earth anyone could convince himself that this was a justifiable practice confounds a rational mind. This elaborate dictum, almost like reading one's "Miranda" rights, was to be recited in the presence of the Indians although none of them understood a word of Spanish!

Although Cabeza de Vaca made no formal mention of reciting the Requirimiento at the outset of his *Relación*, he does indicate that the Narvaez's expedition took possession of the land, and in the closing chapters he attributes a paraphrase of the document to the words of Melchor Diaz. For our purposes this has interesting implications because only after his return to New Spain, and specifically to Nueva Galicia, does he elaborate on any instructions given to the Indians. Probably, his mention of the statement was due to political considerations because the matter of conquest and Indian rights had reached epic proportions in Spain just at the time of Cabeza de Vaca's return. One of the objects of severe criticism was Nuno de Guzman who had been accused of brutal conduct by Hernan Cortez, and a controversy had arisen over waging war against the Indians.

Emperor Charles V was deeply concerned about the morality of the treatment of Indians and harbored doubts about the nature of the Indians themselves. It was to resolve these doubts that he called upon leading theologians of the day, especially at the University of Salamanca. The confrontation between ideologically opposed factions was building toward climax even as Cabeza de Vaca was receiving his appointment to lead a new expedition to the region of the Rio de la Plata, the subject of his *Commentaries*. The elderly Bartolome de Las Casas accepted the invitation to debate the learned Juan Gines de Sepulveda who was championing the thought of Aristotle, having just translated his *Politics* into Latin. Sepulveda erupted with a three hour defense of the theory of natural slavery which was advanced by Aristotle. And Las Casas retorted by reading his *Defense of the Indians (Apologia)* for the next five days! In the ensuing years the debate shifted from arguing about the natural condition of the Indian to the justification of waging a just war against non-believers who refused to accept subjugation to the Holy Roman Catholic Emperor. Nor were these debates a mere academic exercise because they were being argued in the presence of a panel of distinguished judges who ultimately would distill the wisdom into a set of laws. These were finally issued as the Basic Law on Discoveries of 1573 that guarded the rights of the American Indian even more forcefully; in essence the Requirimiento was laid to rest. But the conquest of America continued on apace, if now on different grounds, and the writings of Cabeza de Vaca were right in the middle of the controversy - first hand experiences dusted with the spice of legal argument.

We in the United States try too often see the *Relación* as a travel log or some sort of ethnohistorical diary. While it has many of those characteristics, it is

manifestly a political document written to add the authority of a first-hand participant in the problem of conquest. This is no academic exercise. It carried immense weight in the debate -although like all tracts involved in political issues it could be dismissed as one man's opinion.

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