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**RACE, DISCOURSE,
AND THE ORIGIN
OF THE AMERICAS**

A NEW WORLD VIEW



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Romanus Pontifex (1454) and the Expansion of Europe

In his 1493 *Inter Coetera* bull, Pope Alexander VI states:

Among other works well pleasing to the divine majesty and cherished of our heart, this assuredly ranks highest, that in our times especially the Catholic faith and the Christian religion be exalted and everywhere increased and spread, that the health of souls be cared for and that barbarous nations be overthrown and brought to the faith itself.

This statement, as well as the general meaning of the bull, has two important implications. First, it signifies that as the successor of Saint Peter, the pope is a visible representative of God himself, and thus above kings, and can, as he does in *Inter Coetera*, “give, grant and assign forever [to European kings] countries and islands [newly] discovered.” Second, non-Christians have no rights to possess or negotiate any dominion in the then-existing international context, and thus their land is objectively a *terra nullius* (no-man’s-land) that may be occupied and seized by Christians in order to exploit the richness meant by God to be shared by all humankind. In doing so, they will be helping the inferior “brethren” to insert themselves in the real and true history of salvation.

Inter Coetera is just one of the official papal letters giving these rights to the newly joined Houses of Aragon and Castille. It was signed on May 3, 1493. More followed: a sequel, *Inter Coetera (II)*, dated June 28, 1493; and, another, also by Alexander VI, *Eximiae devotionis*, July 1493 (which for political reasons was dated as if issued on May 3); *Dudum siquidem* of September 25, 1493; *Aeterni Regis* of June 21, 1497; and *Eximiae devotionis (II)* of November 16, 1501. To these bulls of the Spanish pope to his king, one should add Julius II’s *Universalis Ecclesiae* of July 28, 1508.

Apart from giving the king of Spain absolute power over newly discovered lands, these documents gave him power over ecclesiastical structures in the New World. The king was to pay for the processes of evangelization, the building of churches, and organization of the new Christianity. And he had a say in the designation of bishops. *Inter Coetera II* of June 28, 1493, confirmed that all lands discovered or to be discovered beyond 100 leagues west and south of the Azores belonged to Spain. The Tordesillas Treaty (June 7, 1493) pushed the line of demarcation further, 270 leagues west of the original. It made Brazil “Portuguese” instead of “Spanish” and divided the world between Portugal and Spain.

Alexander VI gave to the “Kings of Castille and Leon, all singular the aforesaid countries and islands . . . hitherto discovered and to be discovered.” Note that *Inter Coetera I* and *II*, as well as the other documents mentioned, were prepared by a lesser-known bull of Nicolas V, pope from 1447 to 1455 and the founder of the Vatican library. It has been said that, with him, the Renaissance “occupied the papacy,” although usually the expression is meant to designate the pontificate of Leo X (1513–21, a Medici).

Romanus Pontifex of 1454 is one of a number of papal bulls that document the Portuguese *ius patronatus*, which include *Dum Diversas* of June 18, 1452; *Ineffabilis et summi* (June 1, 1497) of Alexander VI; *Dudum pro parte* (March 31, 1516), of Leo X; and *Aequum reputamus* of Paul III (November 3, 1534), which codified the dispositions and rights defined in *Dum Diversas*, *Ineffabilis et summi* and *Dudum pro parte*. They stipulate rights, privileges, and obligations of the House of Portugal in the colonization of newly discovered countries.

Romanus Pontifex (1454) is a five-page letter in the 1730 version of *Magnum Bullarium Romanum seu ejusdem Continuatio* that I consulted. The beginning is interesting for it mentions recent history, but in its overtones alludes to ancient times:

Alfonso Lusitaniae Regi cujus Filius Henricus studio iter in Indiam Orientalem aperiendi usque ad Guineam ad Nigrum Fluvium penetraverat, et insulas varias detexerat.

The address to Alfonso pertains to historical events: the discoveries made by the Infante Henry the Navigator (1395–1460) in his explorations. *Inter Coetera* of Calixte III (March 13, 1456) gave the Infante of Portugal, who was also the grand master of the Military Order of Christ, the *ius patronatus* over all the countries discovered and to be discovered in Africa en route to South Asia. Henry, or more specifically, his executant—the grand prior of the Military Order of Christ residing in the convent of Tomar, Portugal—had absolute civil and religious power over these countries. In 1514, the jurisdictional power passed to the bishop of Funchal and the *ius patronatus* was given back to the king. The second part of the quotation praises Henry for opening up the route to “Oriental India”—Henry had penetrated Guinea up to the Black River (*ad Guineam ad Nigrum Fluvium penetraverat*). This geographical reference also has Classical overtones. In the first century, Pliny

(*Natural History* V, 8, 44) spoke of the *Nigri fluvio eadem natura quae Nilo*, the Black River, which had the same features as the Nile.

The second paragraph of *Romanus Pontifex* establishes the political and theological authority of the letter. Its author states his official title: “Romanus Pontifex Regni coelestis clavigeri successor; et Vicarius Jesus Christi” (Roman Pontiff, successor of the holder of the key to the celestial kingdom, the Vicar of Jesus Christ). It is in this capacity that Nicolas writes to Alfonso V, backed by both a religious and a political history of the papacy, invoked in the controverted bull *Unam Sanctam* (July 11, 1302) of Boniface VIII, in which was affirmed the primacy of the spiritual power (of the pope) over the temporal one (of kings): “It belongs to the spiritual power to institute the temporal one and judge it if it is not good. . . . We say, declare and define that to be submitted to the Roman pontiff is for any creature a necessity for salvation.”

In the second paragraph of the bull, Nicolas specifies the mission of the colonization: to expand Christianity. And he invites the king to follow the tradition exemplified by the royal House of Portugal: a commitment to spread the name of Jesus to the most remote territories of the world.

Catholicus et versus omnium Creatoris Christimiles, ipsiusque fidei acerrimus ac fortissimus defensor, and intrepidus pugil.

The mission is detailed in the third paragraph, and directly linked to Portuguese explorations. An explicit reference, another one, is made to the achievements of the *Infante* Henry, who brought the name of Christ to India and to Guinea: “usque ad Indos, qui Christi nomen colere dicuntur navigabile fieret . . . ad Glincom provinciam tandem pervenirent.” The Guinea referred to is unclear, but might be the Ethiopia of ancient geographers, since the navigators had reached the source of the Nile (*ad ostium cuiusdam magni fluminis Nilis communiter pervenirent*).

Paragraph four of the bull is terrifying. In the name of God, it gives the King of Portugal and his successors the right not only to colonize, but also to convert forcibly to Christianity and enslave “Saracenos ac paganos” (Saracens and pagans) in perpetuity. Here is the central statement:

Nos praemissa omnia et singula debita meditatione pensantes, et attendentes, quod cum olim praefato Alfonso Regi quoscumque Saracenos ac Paganos alicuiusque Dominia, possessiones, et mobilia et immobilia bona quaecumque per eos detenta ac possessa invadendi, conquirendi, expugnandi, debellandi et subjugandi, illorumque personas in perpetuam servitute, ac Regna, Ducatus, Comitatus, Principatus, Dominia, possessiones et bona sibi et successoribus suis applicandi, appropriandi, ac in suos successorumque usus et utilitatem convertendi, *alios nostris literis* plenam et liberam inter caetera concessimus facultatem.

The concept of *terra nullius* resides in the right to dispossess all Saracens and other non-Christians of all their goods (mobile and immobile), the right to invade and

conquer these peoples’ lands, expel them from it and, when necessary, to fight them and subjugate them in a perpetual servitude (*debellandi et subjugandi, illorumque personas in perpetuam servitute*), and expropriate their possessions.

In the last two paragraphs, Nicolas reinscribes his letter in the tradition of his Church’s politics.

The *Romanus Pontifex* makes several points. First, non-Christian peoples have no ownership rights to the land on which they are living. Second, when Christian Europeans—namely, Spanish and Portuguese people—met natives, they would invite the local king or chief and his advisers to a meeting. They would present them with a Christian interpretation of history that closely followed the Old and New Testaments. At the end of the meeting, the natives were invited to pledge submission and to convert. If they failed to accept the “truth” and, politically, to become “colonized,” it was not only legal but also an act of faith and a religious duty for the colonizers to kill the natives. The philosophical system underlying the *Romanus Pontifex* and its explanation of how to deal with non-Westerners was Aristotelian, which, as we know, also justifies slavery. Whereas for the “liberal” Father Las Casas (1951), the two *Inter Coetera* bulls signified that Spain had the right to expand Christianity in America, but without taking the Indians’ lands, for Father Sepúlveda, a rigorous Aristotelian philosopher, “all natives were meant to be subjugated.” According to Sepúlveda, God created natives for a purpose, and it was morally wrong to oppose the enslavement and exploitation of natives because such opposition thwarted that purpose.

A comprehensive study of the “*terra nullius*” politics (by Keller, Lissitzyn, and Mann 1938) indicates that between 1400 and 1800 not one non-European nation was considered to have the right “to possess or to transfer any dominion in the international law sense.” Keller, Lissitzyn, and Mann provide concrete illustrations of the ways in which Europeans established their sovereignty rights in newly discovered lands. Following are some of their examples of the Portuguese practice.

In 1419, João Gonzalves Zarco discovered Madeira. In accordance with the instructions he had received from Prince Henry, he took official possession of the island through three symbolic acts: first, he erected a cross; secondly, a mass was celebrated; thirdly, clods of earth from the island were taken and brought back to Portugal, given to Prince Henry. The island was colonized after and became part of Portugal.

In 1494, Diego Caon, discovered the mouth of the Congo River on the west coast of Africa. Diego Caon erected “a pillar of stone with the royal arms and letters of Portugal” on it. In the same manner, on his trip to India, Vasco da Gama stopped in the Kingdom of Melinde, on the East Coast of Africa.

In the Kingdom of Melinde, on the east coast of Africa, Da Gama and his company struck up a very cordial friendship with the King. The Portuguese mentioned to the King a certain “mark,” the name of the King of Portugal written upon a stone, their King’s sign, placed in the countries of all his friends in commemoration of his sincerity. The King of Melinde was highly pleased at this

intelligence, and wanted to have the pillar placed at the gates of his palace, but the Portuguese replied ingeniously that it would not be very easily seen by those entering the port, and that it should be displayed in a more prominent location. The King agreeing to this, a tall column of white marble, bearing the two escutcheons mentioned above, with the name of King Manoel I engraved on the base, was set up on a high hill overlooking the harbor, visible far out to sea. Correa adds that Da Gama had six of these pillars, already suitably engraved, with him, ordered made by his King, who commanded that they be set up in countries where friendship was established, so that the remembrance of it might last forever, "and that they might be seen by all nations that might come later." (Keller et al. 1938:25)

A more elaborate ceremony occurred in 1481, when Don Diego took formal possession of the Guinea Coast in West Africa.

There the cavalcade proceeded . . . to a large tree at no great distance from the village Aldea, as the most desirable situation for their intended fortress; the royal arms were immediately displayed upon the tree and an altar raised beneath; the whole company proceeded to join in the first mass that was celebrated in Guinea.

The Spaniards were even less informal. Their usual practice generally included a formal declaration of taking possession of the "terra nullius," a physical sign symbolizing the act and, finally, a symbolic acting out of the new sovereignty. A 1514 royal instruction to the explorer De Solis specifies the steps:

The manner that you must have in the taking of possession of the lands and parts which you shall have discovered is to be that, being in the land or part that you shall have discovered, you shall make before notary public and the greatest possible number of witnesses, and the best-known ones, an act of possession in our name, cutting trees and boughs, and digging or making, if there be an opportunity, some small building (*edificio*), which should be in a part where there is some marked hill or a large tree, and you shall say how many leagues it is from the sea, a little more or less, and in which part, and what signs it has, and you shall make a gallows there and have somebody bring a complaint before you.

Indeed, the formal statement stipulates that the new country is taken in "the name of the king of Spain." Thus, for example, Columbus, during his first trip in 1492, took possession of islands in the West Indies "in the name of the Spanish monarchs by public proclamation and unfurled banners." And Spanish explorers usually put up crosses, as did Columbus on his third and fourth voyages, and Vincente Yanéz Pinzon and Diego de Lepe, in 1500 in South America at the sites where the ceremonies of taking possession took place. Sometimes, the physical ceremony amounted to simply erecting a pile of stones, as Balboa did in 1513 on the Pacific Coast. Finally, the new jurisdiction and control over the land was symbolized in

various acts, such as cutting trees and drinking water, as Pinzon did on the northern coast of South America. Diego de Lepe also cut down trees, but in addition marked his name on others. On his second trip, Columbus took possession of new territories by means of a legal ceremony similar to that by which Unamuno took possession of parts of the coast of California, as described in a report of 1587:

Having left orders aboard ship as to what was to be done, and having elected *alcaldes* and *regidores*, that there might be some one to take possession of the port and whatever else might be discovered, I landed with twelve soldiers. . . .

When we reached this hill, as it seemed to be a suitable place to take possession in His Majesty's name of the port and the country, seeing that I and the rest of the party had landed and traversed the country roundabout and the port quietly and pacifically, as in territory belonging to his domain [*de la demarcacion i Corona del Rey*], I did so in the name of King Philip our master, in due legal form, through Diego Vasquez Mexia (one of the *alcaldes* elected for this purpose) in his capacity of *Justicia*, setting up a cross as a sign of the Christian faith and of the possession taken in His Majesty's name of the port and the country, cutting branches from the trees which grew thereabouts, and performing the other customary ceremonies. (Keller et al. 1938:40)

The Spanish taking possession of a *terra nullius* and its symbolism often included a recitation known as the *Requiem*, although it was seldom performed to the extent specified in the instructions. Fundamentally, it was a systematic presentation of the Christian philosophy of creation and history to the natives. At the end of the recitation, the natives were invited "to pledge allegiance to the pope and the king of Spain." If the natives refused to make the pledge, it was legal to occupy the natives' land by force, if necessary.

The French practice before the end of the seventeenth century was rather simple, compared with the Spanish or the English ceremonies. It was almost as informal as the Portuguese practice. It then took on a highly structured form in the last quarter of the seventeenth century, as exemplified by the ritual of June 14, 1671, during which Daumont de Saint-Lusson—representative of Jean Talon, intendant of Canada, and personal representative of the king of France—took possession of the Lake Superior region. Leading his men, de Saint-Lusson marched to the top of a hill where Indian chiefs and representatives were already assembled.

All around the great throng of Indians stood or crouched or reclined at length, with eyes and ears intent. A large cross of wood had been made ready. Dablon [one of the Jesuit missionaries in the party], in solemn form pronounced his blessing on it, and then it was reared and planted in the ground, while the French, uncovered, sang the *Vexilla Regis*. Then a post of cedar was planted beside it, with a metal plate attached, engraven with the Royal Arms; while Saint-Lusson's followers sang the *Exaudiat*, and one of the Jesuits uttered a prayer for the King. Saint-Lusson now advanced, and, holding his sword in one hand, and raising with the other a sod of earth, proclaimed in a loud voice:

"In the name of the Most High, Mighty and Redoubted Monarch, Louis, Fourteenth of that name, Most Christian King of France and Navarre, I take possession of this place, Sainte Marie du Saut, as also of Lakes Huron and Superior, the Island of Manitoulin, and all countries, rivers, lakes and streams contiguous thereunto,—both those which have been discovered and those which may be discovered hereafter, in all their length and breadth, bounded on the one side by the seas of the North and the West and on the other by the South Sea: declaring to the nations thereof that from this time forth they are vassals of His Majesty, bound to obey his laws and follow his customs; promising them on his part all succor and protection against the invasions of their enemies; declaring to all other potentates, princes, sovereigns, states and republics,—to them and to their subjects,—that they cannot and are not to seize or settle upon any parts of the aforesaid countries, save only under the good pleasure of His Most Christian Majesty, and of him who will govern in his behalf; and this on pain of incurring his resentment and the effort of his arms. Vive le Roy!" (Keller et al. 1938:125)

From the sixteenth century on, the British practice was a highly elaborate procedure, which, like the Spanish, included specific steps: the first was to obtain letters of patent. Then various rites were performed in taking possession of a territory in the name of the king or the queen. These included at least the following three: the erection of a symbolic sign, a formal declaration proclaiming that the land was under English sovereignty, and the promulgation of a set of laws. The voyage of Sir Humphrey Gilbert provides a typical example. Letters of patent, a royal grant of exclusive privilege for his discoveries, were given to him on June 11, 1578. The queen gave him "free libertie and licence . . . to discover, find, search out . . . barbarous lands, countries and territories not actually possessed by any Christian prince or people."

In 1583, Gilbert anchored in St. John's Harbour, Newfoundland. The official ceremony of taking possession was organized on August 5, 1583, "in the presence of the entire company and some 'strangers.'" After the ritual, Gilbert in the name of Queen Elizabeth's right of sovereignty and of his own lordship, promulgated a code of three laws that (a) established the Church of England in Newfoundland; (b) made punishable as high treason any acts prejudicial to the Queen's right of possession; (c) made punishable any words of dishonor to the Queen, for which the penalty was to have one's ears removed and one's ship and goods confiscated.

In conclusion, the *Romanus Pontifex* of 1454 shaped all subsequent agreements concerning rights to newly discovered lands. It not only laid the foundation for the succeeding papal bulls, but throughout the ensuing years its basic tenets were faithfully maintained even as its politics were modified and transformed to fit concrete demands in the expansion of European projects. Despite the great number of agreements and contracts that were made in this connection, no European power considered the natives to have any sovereignty or any accepted rights over their lands, except in a few rare instances in territories of Southeast and Eastern Asia,

notably China. These agreements were, in their intent and in their form, devices allowing the Europeans to enter the country and build *avant postes*.

The *Romanus Pontifex* philosophy also reflects two fundamental concepts that were to guide colonization. First, it affirmed the primacy of the papacy over the Christian kings, going back in its most explicit and extreme expression to Boniface VIII's bull, *Unam Sanctam* of November 1, 1302. In the mid-fifteenth century, the spiritual primacy and rights were, as we have seen, objects of political negotiations. Second, it provided the basis for the *terra nullius* concept—that is, the concept of the European right of sovereignty outside of Europe, and ultimately the right of colonization and the practice of slavery. This philosophical position was said to spring from "Natural Law." Thus, just as in a forest where there are stronger and weaker essences, the latter living and developing under the protection of the former, the human "races" would observe the same rule. It would be the "mission" of the stronger race to help their inferior "brethren" to grow up; and in any case, according to the doctrine, it was up to the most advanced race to make sure that all goods made by God for the whole of humankind should be exploited. In 1526, Francisco de Vitoria justified colonial conquests on the basis of Christian trade rights, explaining that it was God's intent that all nations should trade with each other. His contemporary, Sepúlveda, invoking Aristotle's lesson, maintained that natives were meant by God to be dominated. In sum, from a Christian point of view, to oppose the process of colonization or that of slavery could only be morally wrong.

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