

# Introduction

... it would be a great gift if all the kingdoms [Aragon, Navarra, Portugal, and Castile and its American territories] ... might be united in one Crown, in one commonwealth, under the same laws, without divisions nor differences ... all should be called Spaniards, as they are, speaking one language, sharing in the enjoyment of the same common goods and comforts ...

– Cronista de Indias, Pedro de Valencia (1610)<sup>1</sup>

Sometime between the end of his tenure on the royal *Audiencia* of Mexico in 1566 and 1574 when he submitted it to the Council of the Indies, celebrated jurist Alonso Zorita spent a significant amount of time in the Spanish city of Granada redacting a piece of jurisprudence that we know today as the *Breve y sumaria relación de los señores de la Nueva España*. In his *relación*, Zorita argued for major policy changes in imperial governance. In his view, colonial authorities to that point in time had sowed "confusion and discord" by insisting on the implantation in American soil of norms taken from Spanish law and the interwoven traditions of civil law and canon law that were observed across Catholic Europe (*ius commune*).<sup>3</sup> Responding to a royal

<sup>&</sup>lt;sup>1</sup> Pedro de Valencia, *Obras completas*, t. IV, *Escritos sociales 2. Escritos políticos* (León: Universidad de León, 1999), 515.

<sup>&</sup>lt;sup>2</sup> Ralph H. Vigil, Alonso de Zorita: Royal Judge and Christian Humanist, 1512-1585 (Norman: University of Oklahoma Press, 1987), 261. This work has been published in dozens of editions. The lone English-language edition is Alonso de Zorita, Life and Labor in Ancient Mexico: The Brief and Summary Relation of the Lords of New Spain, ed. and trans. Benjamin Keen (Norman: University of Oklahoma Press, 1994).

<sup>&</sup>lt;sup>3</sup> José Luis Egío, "From Castilian to Nahuatl, or from Nahuatl to Castilian? Reflections and Doubts about Legal Translation in the Writings of Judge Alonso de Zorita (1512–1585?)," Rechtsgeschichte – Legal History 24 (2016): 122–153.



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cédula that had called on authorities in New Spain to recalibrate indigenous tribute requirements according to their pre-Hispanic level, Zorita provided a comprehensive review of indigenous "uses and customs" in New Spain and made the case for adopting most of them for governing post-conquest society.

To facilitate colonial governance, Zorita argued for maintaining a system of "two republics" in the Americas – a Republic of the Spaniards and a Republic of the Indians – whereby each group would live according to its own laws and customs, relatively segregated from the other. Early colonial jurists and administrators lacked consensus on this point, but Zorita was not alone in this view. Another, even more active proponent of this position, the Franciscan friar Jerónimo de Mendieta, insisted that Spanish vice was so corrupting and destructive in New Spain that conscience mandated an almost complete separation between the two republics.<sup>4</sup>

This type of rhetoric – concerned with ethnic republics and the best way to administer justice within them – streamed from the pens of jurists, administrators, and churchmen in the second half of the sixteenth century. The terms of conquest had dismembered sovereign indigenous legal authority but did nominally permit indigenous groups to govern themselves at the local level, outside of Christian jurisdictional spaces, according to their custom and tradition. Yet in reality, the cultural and legal spaces of the Spanish Empire in the Americas very quickly became very diverse, growing together even as nominal divisions continued to separate them. The *corregidor* Juan Polo de Ondegardo, who wrote his *Notable Harm Should Indigenous Customary Law not Be Observed* (1571) contemporaneously in the Viceroyalty of Peru, hinted at such a change – acknowledging the need to enforce native customs even while suggesting that the Crown should not think "of that of the Indians and that of the Spaniards as two republics, but rather as one" republic with

<sup>&</sup>lt;sup>4</sup> Woodrow Borah, *Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley: University of California Press, 1983), 29.

<sup>&</sup>lt;sup>5</sup> Borah, Justice by Insurance, 25–54; Karen Graubart, "Competing Spanish and Indigenous Jurisdictions in Early Colonial Lima," in Oxford Research Encyclopedia in Latin American and Caribbean History, ed. Kenneth Mills (New York: Oxford University Press, 2016); Max Deardorff, "Republics, their Customs, and the Law of the King: Convivencia and Self-Determination in the Crown of Castile and its American Territories, 1400–1700," Rechtsgeschichte – Legal History 26 (2018): 162–199; Víctor Tau Anzoátegui, El poder de la costumbre: estudios sobre el derecho consuetudinario en América Hispana hasta la emancipación (Buenos Aires: Instituto de Investigaciones de Historia del Derecho, 2001).



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interdependent parts.<sup>6</sup> This was an anxious time. Idealists such as Zorita and Mendieta argued for segregation. But pragmatists like Polo insisted on the importance of protecting distinct indigenous personhood in the face of potential integration; the two republics had already begun to grow together, and the pressing administrative question was not *whether* to integrate, but *how*.

This book's goal is to shine a spotlight on the merging of republics to which Polo de Ondegardo attested in 1571. But instead of focusing on Peru, from where Polo wrote, or from New Spain, where Alonso de Zorita's career culminated, this book turns its view to the New Kingdom of Granada, which coincidentally was one of the first destinations on Alonso de Zorita's professional itinerary. There, in an area roughly comprising modern-day Colombia, between 1550 and 1552 Zorita performed a *residencia* (royal audit) of the administration of Miguel de Arméndariz, one of the region's first Spanish governors. The bitter battle Zorita undertook in those years against extortionist judicial appointees (ultimately referred to the Council of the Indies for prosecution) would prove to be only one in a long line of conflicts in the New Kingdom pitting members of colonial government against reformers within the monarchy. Merely a generation later, as changing demographics drove the colony into an age of transformation, tempers again flared.

Students of the early colonial period are most familiar with the narratives of conquest of central Mexico and Peru, which began in 1519 and 1532, respectively. Because those two regions were home to the great Aztec and Inca empires, the study of their fall – and whether that fall was due to disease, military might, or internal collapse – has garnered an outsized proportion of scholarly attention. And because each had boasted a pre-contact population somewhere in the neighborhood of 10 million inhabitants – a population roughly equivalent to the Iberian peninsula at the time – they have offered a fascinating laboratory for studying the transformations wrought by the imposition of a new imperial model. The Muisca lands of what would become the New Kingdom of Granada, with a pre-contact population of 500,000 were both relatively diminutive when compared to the empires to their north and south, but

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<sup>&</sup>lt;sup>6</sup> Juan Polo de Ondegardo, "Notables daños de no guardar a los indios sus fueros" (1571), capítulo XIX. Polo de Ondegardo was the sibling of María de Ondegardo y Zárate, wife of the first president of the New Kingdom of Granada's *Real Audiencia*.

<sup>&</sup>lt;sup>7</sup> Zorita, *Life and Labor in Ancient Mexico*, 24–31. Reports from that *residencia* can be found interspersed in: ARB, Tunja, Libros de cabildo, leg. 2.



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also (aside from the Taínos of the Caribbean) more populous than any other pre-Hispanic polity. The first Spanish foothold in the region of the New Kingdom were coastal settlements at Cartagena and Santa Marta. But much of the region's material wealth lay above 8,000 feet in altitude, up the Magdalena River, in the highlands. When Spaniards founded their first highland settlements in 1538, with a population roughly half that of the kingdoms of Portugal or Aragon, the Muisca people represented a significant percentage of the population of the Spanish Empire. And that labor force, combined with mines of gold and, especially, emeralds, represented a source of significant wealth for conquistadors and the Crown alike.

The early major Spanish settlements in the New Kingdom were Santafé (now known as Bogotá) and Tunja. Much of the human drama of this book will take place in these two cities and the 150 km that lay between them. While Santafé's inclusion in this study may seem obvious because of the modern importance of Bogotá, Tunja may come as a bit of a surprise. But it would not have been so for the denizens of the early colonial world. Amongst contemporaries, Tunja in the sixteenth century was regarded as one of the wealthiest colonial settlements in the Indies, abundant in native tribute. Though the destinies of the colonial settlements of Santafé (Bogotá) and Tunja were long paired, in those early years, of the two, Tunja had been the gem of the New Kingdom of Granada. It was the great engine of wealth, and also a constant source of conflict and distraction for the monarchy.

By the late 1560s, war and disease in the New Kingdom of Granada had put a permanent end to life that existed before. Hundreds of Muisca towns had succumbed to Spanish invaders and their allies, some more willingly than others. By this point, residents of each of those towns were assigned to a Spanish *encomendero*, required to pay tribute in coin or in kind. By design, Spanish *encomenderos* lived together in newly-founded colonial

<sup>&</sup>lt;sup>8</sup> Recent works on the early history of this area include: Jorge Gamboa, El cacicazgo muisca (2010); Kris Lane, Colour of Paradise: The Emerald in the Age of Gunpowder Empires (New Haven: Yale University Press, 2010); Joanne Rappaport and Thomas Cummins, Beyond the Lettered City: Indigenous Literacies in the Andes (Durham: Duke University Press, 2011); Juan Fernando Cobo, Mestizos heraldos de Dios: la ordinación de sacerdotes descendientes de españoles e indígenas en el Nuevo Reino de Granada y la racialización de la diferencia, 1573–1590 (Bogotá: ICANH, 2012); Joanne Rappaport, The Disappearing Mestizo: Configuring Difference in the Colonial New Kingdom of Granada (Durham: Duke University Press, 2014); Santiago Muñoz, Costumbres en Disputa (2015).

<sup>&</sup>lt;sup>9</sup> Tomás López Medel, *Colonización de América: Informes y testimonios 1549–1572*, ed. Pereña, Baciero, y Maseda (Madrid: CSIC, 1990), 349.



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cities, where they could cooperate to defend against any rebellion. In addition to tribute, many natives were also obligated to provide so-called "personal service" labor in the *encomendero's* urban household or on his agricultural estate. Consequently, large numbers of natives moved through Spanish cities every day and many lived there full-time. As the New Kingdom's Spanish population grew, so did its population of *mestizos*, urban Indians, Africans, and *mulatos*. To At the end of the sixteenth century, the growth of the *mestizo* community, in particular, began to worry important segments of colonial Spanish society. When they came of age en masse in the New Kingdom around 1570, dangerous confrontations broke out about the assimilation of *mestizo* children of Spanish *conquistadors* into the higher rungs of the colonial hierarchy.

The 1570s and 1580s were an incredibly decisive time in the determination of the boundaries of Christian subjecthood in the Spanish Empire. In such a big, sprawling political space – encompassing Castile, Aragon, Granada, Navarre, the Low Countries, the Italian lands, portions of the North African coast, and the Viceroyalties of Peru and New Spain (which included the Philippines) – with so many different people speaking so many different languages, major questions remained unresolved. Ought every royal vassal enjoy full rights in society?

A Tale of Two Granadas tells the gripping story of the diversification of the Spanish urban "republic" in the early colonial (1568–1668) New Kingdom of Granada. It highlights communities of *indios ladinos* (Christian, Spanish-speaking natives) who not only chose to live alongside Spaniards in the colonial settlements of Santafé (Bogotá) and Tunja, but who also established themselves as *vecinos* (urban citizens) there, laying claim to the same rights and privileges as their Spanish neighbors. Unlike the many urban servants and tributaries forcibly relocated into Spanish cities who have been the subject of so many other studies, this small but visible minority of fully enfranchised native citizens calls into question much of what we thought we knew about the hard-baked stratification of early colonial society. Alongside the *indios vecinos*, this book tracks the

Rappaport, The Disappearing Mestizo; Cobo Betancourt, Mestizos heraldos de Dios; Rappaport and Cummins, Beyond the Lettered City; Marta Zambrano Escovar, Trabajadores, villanos, y amantes: encuentros entre indígenas y españoles en la ciudad letrada, Santa Fe de Bogotá (1550–1650) (Bogotá: ICANH, 2008); Monika Therrien and Lina Jaramillo Pacheco, Mi casa no es tu casa: procesos de diferenciación en la construcción de Santafé. siglos XVI y XVII (Bogotá: Instituto Distrital de Cultura y Turismo, 2004).

Rappaport, The Disappearing Mestizo; Cobo Betancourt, Mestizos heraldos de Dios.



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demographic growth of the colony's *mestizo* population, its rising political power, and the coalescence by the 1570s of a pro-*mestizo* political agenda.

This book should be of interest to all scholars of the colonial Americas. *Mestizo* activism in the New Kingdom proved consequential for determining the rights and limitations on *mestizos* not just for their locale and their generation, but for the length of colonial history and across the Spanish Indies. Events there during these two decades were responsible for eliciting two royal decrees that would be immortalized when they were incorporated into the *Recopilación de las Leyes de los Reynos de las Indias* in 1680. <sup>12</sup> *Mestizo* activists in the New Kingdom, along with a parallel group acting independently in Peru, bore the brunt of the responsibility for pushing the Crown to define its stance on the status of mixed-ethnicity children of Spaniards in colonial society. <sup>13</sup>

The stories of native enfranchisement and *mestizo* activism in Spanish cities of Tunja and Santafé that I weave together here share a common thread. Both, in their way, were a repudiation of *limpieza de sangre* (blood purity) statutes, whose application had extended significantly in Spain since 1550. *Limpieza de sangre* statutes had initially been engineered in the mid-fifteenth century to exclude descendants of Spanish Jews from a variety of offices in the Church and in secular government. The concept of *limpieza de sangre* was based upon the presumption that "Old Christian" blood might be "infected" by contact with that of "New Christians," whose recent conversions suggested that they might still retain impurities from their prior faith. Initially, the presumptive difference between Old and New Christians was predicated on canon law jurisprudence about the necessary passage of time before a catechumen would be fully integrated into the Christian community, as well as the inheritability of heretical thought within the space of the home.<sup>14</sup> For

<sup>&</sup>lt;sup>12</sup> Lib. 6, tít. 7, l. 6 "Que los caciques no sean Mestizos, y si algunos lo fueren, sean removidos" and Lib. 1, tít. 7, l. 7 "Que los Prelados ordenen de Sacerdotes à los Mestizos, con información de vida y costumbres, y provean, que las Mestizas puedan ser Religiosas, con la misma calidad."

<sup>&</sup>lt;sup>13</sup> Felipe E. Ruan, "Andean Activism and the Reformulation of Mestizo Agency and Identity in Early Colonial Peru," Colonial Latin American Review 21:2 (2012): 209–237; Thomas Duve, "El concilio como instancia de autorización: la ordenación sacerdotal de mestizos ante el tercer concilio limense (1582/83) y la comunicación sobre derecho durante la monarquía española." Revista Historia del Derecho 40 (2010).

<sup>&</sup>lt;sup>14</sup> See Albert Sicroff, Los estatutos de limpieza de sangre: controversias entre los siglos XV y XVII (Madrid: Taurus, 1979); Thomas Duve, "Derecho canónico y la alteridad indígena: los indios como neófitos," in Esplendores y miserias de la evangelización de



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decades, such statutes were only applied in very limited circumstances. But in the middle of the sixteenth century, there was a successful push to apply them in a wider set of contexts against New Christian descendants of both Jews and Muslims. <sup>15</sup> In the Americas, a certain subset of Spanish settlers hoped to adapt and extend them to likewise exclude descendants of natives and sub-Saharan Africans from similar posts. <sup>16</sup>

I argue that the *mestizo* activism of the 1570s and 1580s was a direct rejection of that attempt to expand *limpieza* exclusions to apply to descendants of natives of the Spanish Indies. Furthermore, I argue that mestizo legal activism in the Andes and accompanying lobbying efforts in Madrid were part of a broader rejoinder to the exclusive politics of limpieza de sangre, which sought to reserve the full body of rights within society for Iberian Christians of immemorial standing. This alternative politics, whose traces are everywhere but which has never been named by the historiography, I refer to here as "Christian citizenship." Many historians have long assumed the Spanish Church merely reproduced timeless values and structures in the Indies. But that is a mistake; new norms, both social and institutional, were coalescing in concert with the construction of the overseas empire. Based upon the foundational values of policía cristiana (more on this term later), Christian citizenship took coherent form in the wake of the Council of Trent (1545–1563), a major Catholic reform effort in Europe, whose successful culmination was tied to a wave of ecclesiastical legislation in Church synods and councils across Spain and its empire that raged for roughly a century (1530-1630). In an empire where full rights and privileges within society were only extended to Catholics, these synods and councils rewrote the rules for acculturation, integration, and ultimately enfranchisement. To counter *limpieza*, they offered a more inclusive Christian citizenship.

I show that the mechanics for this new framing for enfranchisement were most clearly put on display in the sixteenth century in Spain's own internal frontier, formerly Islamic Granada, which was experiencing its own growing pains in a timeline that heavily coincided with the most important political events in the South American Andes. There, in the last third of the sixteenth century, new royal subjects choked under repressive

América: antecedentes europeos y alteridad indígena, ed. Wulf Oesterreicher and Roland Schmidt-Riese (Berlin: De Gruyter, 2010), 73–94; María Elena Martínez, Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico (Stanford: Stanford University Press, 2008), 47–52.

<sup>&</sup>lt;sup>15</sup> Sicroff, Los estatutos de limpieza de sangre, 130-141.

<sup>16</sup> Duve, "Derecho canónico y la alteridad indígena."



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social policies pushed by the Crown, triggering a rebellion and a brutal war of secession known as the War of the Alpujarras (1568–1571). In its aftermath, the Crown punished its New Christian rebels by labeling them as *moriscos* and forcibly deporting them away from their homes. Yet a number of *granadinos* went to court in the following two decades to make the case (successfully) that as willing subjects of the Crown and active Christians, they should be immune from such deportation and should be recognized, in fact, as full rights-bearing Old Christians. These particular *granadinos*, denaturalized as a result of the war, only reacquired their former privileges through an onerous process of reintegration launched in the early 1570s and still ongoing in the 1580s.

That the *mestizo* fight for rights in the New World was directly contemporaneous with similar efforts by *granadinos*, I argue was no mere coincidence. Their confrontations happened on the same legal and rhetorical battlefield. Not only was theirs a common argument about what constituted Christian citizenship, but their legal challenges to the emerging status quo were even adjudicated by the some of the same expert administrators and bureaucrats. For my fellow scholars of the colonial world, I hope to illustrate that the *mestizo* controversy and the early assimilation of *indios* as urban citizens are much more intelligible when considered within the wider frame of social change in the Spanish Atlantic.

### O.I CONCEPTS: REPUBLIC, VECINDAD, CITIZENSHIP

At its heart, this book is about the constitution of an integrated multiethnic colonial "republic" in the early modern Spanish Empire and political participation within that space. For the purpose of best understanding how inhabitants of this world conceived of the world of rights, obligations, privileges, and political community, I start by considering how early modern definitions of the terms *república / res publica*, *vecino*, and *ciudadano* might differ from modern definitions of those words and/or their literal translations into English.

In modern parlance, the term "republic" is primarily employed to refer to nation states. But such usage would have been foreign to denizens of the sixteenth- and seventeenth-century world. At its most fundamental level, in the words of Ruth MacKay, the term "republic" conjured up ideas about "the commonweal, the common good, *el bien público*, *el bien común* – this was the essence of what the republic meant ... " Across Europe and Spain, early modern thinkers reflecting on labor and the common good regularly



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employed republican discourse, drawing upon "humanism, natural law, Aristotle, constitutionalism, and Roman law ...." In his 1619 treatise, fray Juan de Santa María gestured back to Aristotle and Plato in reconstructing a definition of "republic" for his early modern audience. For him, it was "an order of *ciudadanos* (citizens) and cities, where, and among whom no necessity for human life is lacking. It is a just government, and disposition of many families, and their commonwealth with greater authority. It is a congregation of many peoples, united and linked by laws and government." <sup>18</sup>

When subjects of the Spanish Habsburg Empire thought about their republic, their first consideration was of the local community – towns or cities that operated as commonwealths, in which urban citizens (*vecinos*) enjoyed privileges and obligations that were protected via municipal contracts negotiated with the king (*fueros*).<sup>19</sup> It was there where the language of rights, responsibilities, and investment in the greater good was most clearly defined. As any sixteenth-century political philosopher would be happy to affirm, whether on noble or royal lands every town, village, and city was therefore a free-standing republic, which, furthermore, naturally possessed "the right to rule itself . . . ."<sup>20</sup> Spanish thinking on this topic was anchored by the formulae offered in Aristotle's *Politics* and was reproduced by individuals up and down the social hierarchy.<sup>21</sup> But early modern Spaniards could and did think more abstractly about republics. For example, the *arbitrista* (reformer) Martín González de Cellorigo in 1600 made policy proposals that treated all of "Spain" as

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<sup>&</sup>lt;sup>17</sup> Ruth MacKay, "Lazy, Improvident People": Myth and Reality in the Writing of Spanish History (Ithaca: Cornell University Press, 2006), 28. Also Georges Lomné, "De la república y otras repúblicas: la regeneración de un concepto," Jahrbuch für Geschichte Lateinamerikas 45 (2008): 275–296.

<sup>&</sup>lt;sup>18</sup> Juan de Santa María, *Tratado de república y policía christiana* (Valencia: Pedro Patricia Mey, 1619), 1v.

<sup>&</sup>lt;sup>19</sup> Helen Nader, *Liberty in Absolutist Spain: The Hapsburg Sale of Towns*, 1516–1700 (Baltimore: Johns Hopkins University Press, 1990), 32–33; Henry Kamen, *Spain* 1469–1714: *A Society in Conflict*, 3rd ed. (New York: Routledge, 2005), 23, 160.

<sup>&</sup>lt;sup>20</sup> Domingo de Soto, Tratado de la justicia y el derecho, trans. Jaime Torrubiano Ripoll (Madrid: Editorial Reus, 1922 [1553]), 31; José de Acosta, De procuranda indorum salute (Educación y Evangelización), ed. Luciano Pereña (Madrid: Consejo Superior de Investigaciones Científicas, 1987), 273–275; Deardorff, "Republics, their Customs, and the Law of the King"; Manuel Lucena Giraldo, A los cuatro vientos: las ciudades de la América Hispánica, (Madrid: Marcial Pons, 2006); S. Elizabeth Penry, The People Are King: The Making of an Indigenous Andean Politics (New York: Oxford University Press, 2019), 49–55.

<sup>&</sup>lt;sup>21</sup> Aristotle, *The Politics of Aristotle*, ed. and trans. Ernest Barker (Oxford: Oxford University Press, 1962).



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an integrated republic.<sup>22</sup> Spain the country did not exist at this point; instead, his assumption was that the people living together in a common geographical region (Spain, the former *Hispania* of the Roman Empire), sharing languages and customs, and governed by the same monarch might be considered to share a common good. Though largely an elite abstraction, this category apparently permeated the thinking of some of Spain's converts from Islam to Christianity (often referred to as *moriscos*) who were forcibly resettled from Granada northward into Castile in the early 1570s, and who proudly petitioned the monarch as devoted constituents of the "Spanish" community.<sup>23</sup>

Yet most often, when individuals staked their claim to membership in the universal constituency that united the subjects of the Spanish Crown, they spoke of the "Christian republic." <sup>24</sup> During his reign (1479–1516), King Ferdinand II of Aragon had styled himself as champion of the "Christian republic" (*respublica Christiana*), in response to the Ottoman conquest of the Constantinople (1453), the once-mighty capital of the Christian Byzantine Empire, which had profoundly affected both domestic and foreign policy in the Spanish kingdoms. <sup>25</sup> In widespread usage among the political classes during the fifteenth and sixteenth centuries, the term *respublica Christiana* came to refer to the combined constituency of the Catholic world. <sup>26</sup> This was a group whose boundaries theoretically extended far beyond the borders of the Habsburg monarchy, across Catholic Europe. In response to the Protestant Reformation, and

- <sup>22</sup> Martin Gonçalez de Cellorigo, Memorial de la política necesaria y útil restauración a la república de España (Valladolid: Juan Bostillo, 1600). One can see the same usage in the writings of the Jesuit Ignacio de las Casas: Youssef El Alaoui, Jésuites, Morisques et Indiens. Étude comparative des méthodes d'évangélisation de la Compagnie de Jésus d'après les traités de José de Acosta (1588) et d'Ignacio de Las Casas (1605–1607) (Paris: Honoré Champion, 2006), 518.
- <sup>23</sup> AGS, CCA, leg. 2180, n. 94, 11–21 (undated): "Diego López and Felipe Rodríguez, brothers and natives of Campo de Calatrava ... may our lord God and Your Majesty be served, and may this Republic of Spain grow and flourish ... "Other uses: AGS, CC, 2179, "A XX de Abril, 1577, Al señor Juan Vasq[uez], Ojo"; AGI, Santa Fe, 226, n. 68i (12/8/1599: Santafé de Bogotá); AGS, CC, 2180, n. 94; AGS, Estado, leg. 114, n. 135; BNM, MSS 28682, "Recopilación de las constituciones synodales del obispado de Sigüença con algunos motus proprios de los summos pontifices," 11; MSS: R/28762 (6), 1v.
- <sup>24</sup> Antonio de Córdova (OFM), *Tratado de casos de consciencia* (Toledo: En casa de Diego de Ayala, 1578), iiir and 286r; Acosta, *De procuranda indorum salute*, 347.
- <sup>25</sup> Andrew W. Devereux, *The Other Side of Empire: Just War in the Mediterranean and the Rise of Early Modern Spain* (Ithaca: Cornell University Press, 2020), 17.
- <sup>26</sup> Devereux, The Other Side of Empire, 47 citing Michael Wilks, The Problem of Sovereignty in the Later Middle Ages (1963).