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978-0-521-49757-2 - Ceremonies of Possession in Europe's Conquest of the New World,  
1492-1640

Patricia Seed

Excerpt

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## INTRODUCTION

### *CEREMONIES OF POSSESSION IN EUROPE'S CONQUEST OF THE NEW WORLD, 1492-1640*

Landing on the soil of the Bahamas on October 12, 1492, Christopher Columbus planted the royal banners of the king and queen (Ferdinand and Isabel) and called upon members of his expedition to witness his solemn declarations instituting Spanish authority over the New World.

Four months after reaching the isle of São Luís Maranhão at the mouth of the Amazon in 1612, the French company under Lord de la Ravadière marched in elaborately conceived procession, after which “the Indians *themselves* placed this standard of France, placing their land in the possession of the king.”<sup>1</sup> By contrast, during the first English act of possession at St. John’s Harbor (Newfoundland) in 1583, Sir Humphrey Gilbert “had delivered unto him (after the custom of England) a rod [small twig] and a turf of the same soil.”<sup>2</sup> Humphrey Gilbert had a solid clump of dirt dug up and formally presented to him, along with a stick. No particular words were uttered by Gilbert as he took the sod.

Eight years after Columbus’s arrival, a Portuguese fleet reached the coast of what is now Brazil. Stepping off the ship Nicolau Coelho began by trading, establishing the first commercial contacts with the Tupi. After several days of sailing and trading along the coast, the expedition’s astronomer and chief pilot, Master John, disembarked and measured the height of the midday sun and described the position of the stars. Portuguese possession was initiated not by the dirt or earth below, but by the stars above.<sup>3</sup>

On August 16, 1616, Cornelius Henricxson declared to the States General that he “had discovered a new land between the 38 and 40 degrees [latitude].”<sup>4</sup> When informing the States General of his finding,

1 Claude d’Abbeville, *Histoire de la Mission des Pères capuchins en l’isle de Maragnan et terres circonvoisins* (Graz, Austria, 1963; orig. pub. 1614), 161–161v (emphasis added).

2 Richard Hakluyt, *Voyages to the Virginia Colonies*, ed. A. L. Rowse (London, 1986), 32–33.

3 Abel Fontoura da Costa, “O Descobrimento do Brasil,” in Antônio Baião, Hernan Cidade, and Manuel Múrias, eds., *História da expansão portuguesa no mundo*, 3 vols. (Lisbon, 1937–1940), 2: 359–370.

4 *Resolutiōnen der Staten Generaal*, ed. A. Th. van Duersen, vol. 2 (The Hague, 1984),

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he enclosed a latitude-scaled map to “more fully” describe the region.<sup>5</sup> In later years Dutch commanders were explicitly ordered to make “perfect maps and descriptions” of their findings.<sup>6</sup>

Colonial rule over the New World was initiated through largely ceremonial practices – planting crosses, standards, banners, and coats of arms – marching in processions, picking up dirt, measuring the stars, drawing maps, speaking certain words, or remaining silent. While military might effectively secured their power over the New World, sixteenth- and seventeenth-century Europeans also believed in their *right* to rule. And they created these rights for themselves by deploying symbolically significant words and gestures made sometimes preceding, sometimes following, sometimes simultaneously with military conquest. But these symbolically significant gestures were not always the same.

At times they used speeches, and at other times they did not. Columbus made a solemn speech, his statement recorded by official notaries. But no notaries appeared to authenticate speeches accompanying Henricxson's completion of the map for the States General, Humphrey Gilbert's reception of the turf and twig, Master John's astronomical observation, or the Tupi planting of the French standard.

Even the physical gestures establishing authority differed. Gilbert grasped the ground, but no one else touched it. La Ravadière, Gilbert, and Columbus planted an object in the ground or on a tree, but Master John and Henricxson did not. A totally different set of distinctions emerges by looking at the person performing the action. Gilbert, Columbus, Henricxson, and Master John all created authority for their respective European powers by themselves. But in La Ravadière's expedition, it was the Tupi natives who actually instituted French authority.

Some practices were dictated by European political authorities; the Spanish crown, for example, gave strict instructions to Columbus about how and what he was to do. The Dutch Estates General gave Henricxson similar instructions. So, too, had the crown of Portugal. But in other cases – La Ravadière in the Amazon or Gilbert in Newfoundland – expeditionary leaders simply performed those actions they believed most clearly established their own country's right to rule over the New World. The ceremonial gestures, speeches, objects, even the persons used to initiate political possession, all clearly differed.

680. A slightly different version dated Aug. 18, 1616, appears in *Documents Relative to the Colonial History of the State of New York*, 15 vols. (Albany, 1853–1887) 1: 12.

5 “Resolution of the States General on a Report of Further Discoveries in New Netherland,” Aug. 18, 1616, in *Documents*, 1: 12.

6 “Instructie voor den schipper commandeur Abel Jansen Tasman, Aug. 13, 1642,” in R. Posthumus Meyjes, *De reizen van Abel Janszoon Tasman en Franchoy's Jacobszoon Visscher ter nadere ontdekking van het zuidland in 1642/3 en 1644* (The Hague, 1919), 147.

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While all Europeans aimed to establish their right to rule the New World, their means differed substantially.

Yet histories often homogenize the five major powers colonizing the Americas into a single identity: "Europe." French, Spanish, Portuguese, Dutch, and English ceremonies and symbolic means for initiating colonial authority are frequently lumped together, as if there were a single common European political picture of colonial rule. What Europeans shared was a common technological and ecological platform – trans-Atlantic ships bearing crossbows, cannon, harquebuses, horses, siege warfare, and disease. But they did not share a common understanding of even the political objectives of military action.<sup>7</sup> Differentiating rather than homogenizing Europe enables us to examine differences as well as similarities in the means of creating colonial authority over the New World.

This book compares how Europeans created political authority over New World peoples, lands, or their goods between 1492 and 1640. It is not, therefore, a history of first contacts, nor is it an account of the many expeditions of trading and fishing between New World and Old.<sup>8</sup> Rather it examines the initial attempts to own the New World, to claim it for England, Spain, Portugal, France, or the Dutch Republic.<sup>9</sup> Yet achieving this understanding presents several obstacles.

Rarely did colonists and their leaders explain why they did what they did to establish their political rights. To each group of Europeans, the legitimacy of their or their countrymen's actions could be readily understood. Their rituals, ceremonies, and symbolic acts of possession overseas were based upon familiar actions, gestures, movements, or speeches, and as such, were readily understood by themselves and their fellow countrymen without elaboration, and often without debate as well.

Yet while each group of Europeans understood the significance of their or their compatriots' actions, these meanings are not always so clear to us, nor were they obvious to other Europeans at the time. To understand why, this book will render explicit the often unstated yet distinct

7 See Patricia Seed, "The Conquest of the Americas, 1492–1650," in Geoffrey Parker, ed., *Cambridge Illustrated History of Warfare* (Cambridge, 1995).

8 "Elle [la pêche] n'est guère 'peuplement.'" Jean Meyer, Jean Tarrade, Annie-Rey-Godzeiguer, and Jacques Thobie, *Histoire de la France coloniale: Des origines à 1914* (Paris, 1990), 22.

9 Pierre Chaunu, *European Expansion in the Later Middle Ages*, trans. Katherine Bertram (Amsterdam, 1979); Charles Verlinden, *The Beginnings of Modern Colonization* (Ithaca, N.Y., 1970); Robert Bartlett, *The Making of Europe: Conquest, Colonization and Cultural Change, 950–1350* (Princeton, N.J., 1993); Claudio Sánchez-Albornoz, *España, un enigma histórico*, 2 vols. (Buenos Aires, 1956), 2: 500–513. All argue for continuity of political and economic institutions with medieval ones. Yet all pick very different objects, utilize different explanations, and invoke different medieval origins. None treats the problem of political legitimacy.

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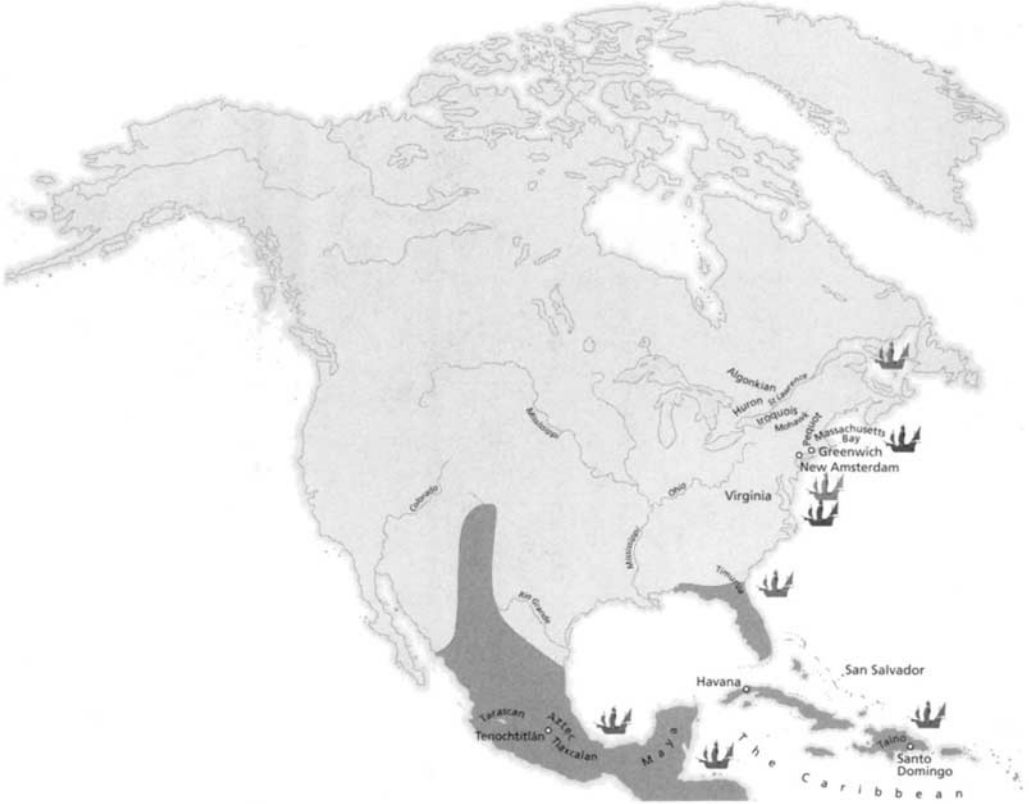
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## CEREMONIES OF POSSESSION



Major European arrivals in the Americas, 1492–1640.

embedded histories and locally significant systems of meaning behind the symbolic actions and statements creating overseas authority.

These historic cultural assumptions stemmed from three fundamental sources: “everyday life,” a common colloquial language, and a shared legal code. They originated in the first place in what Ernest Gellner called “cultural shreds and patches” of everyday life, seemingly arbitrary, but not accidental.<sup>10</sup> The “turf and twig” ceremony of

10 “Cultural shreds and patches used by nationalism are often arbitrary historical inventions . . . but . . . [not] contingent and accidental.” Ernest Gellner, *Nation and Nationalism* (Oxford, 1983), 56. Williams writes of “a whole body of practices and expectations over the whole of living . . . a lived set of meanings and values – constitutive and constituting – which as they are experienced as practices appear as reciprocally confirming. It thus constitutes a sense of reality for most people in the society, a sense of absolute . . . reality beyond which it is very difficult for most members of the society to move.” Raymond Williams, *Marxism and Literature* (New York, 1977), 110.

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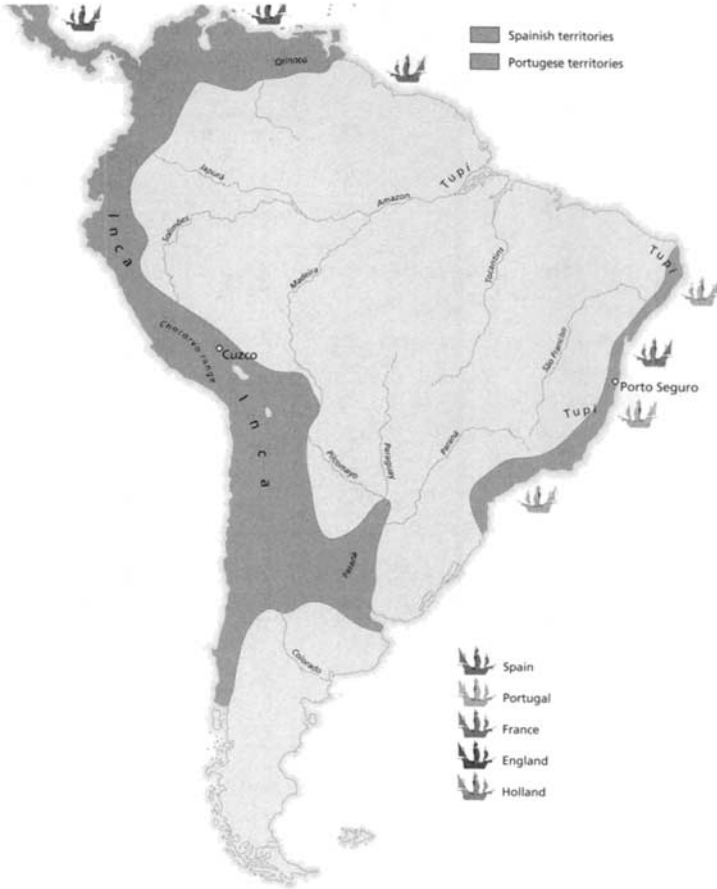
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the English in the New World, for example, stemmed from gardening rhetoric, land ownership practices, and agricultural fertility rituals. Its origins were visible to sixteenth-century Englishmen in everyday objects such as landscapes and buildings, heard in popular biblical interpretation, and seen performed in ordinary folk rituals. By contrast La Ravadière's procession was modeled on royal coronation and city entrance ceremonies witnessed by thousands of Frenchmen. Ferdinand and Isabel ordered Columbus to make a solemn speech, but the content of that speech soon became fixed, reflecting a newly elaborated practice created from traditional Iberian Islamic traditions of declaring war. Master John's ceremony on the coast of Brazil originated in a totally different domain, an elite tradition of Islamic and Hebrew astronomy and mathematics. Although borrowing heavily from Portuguese ideas of nautical discovery, Dutchmen registered their claims

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primarily in maps and highly detailed descriptions rather than numbers. A different set of cultural histories, even different domains of history – science, religion, warfare, agriculture, theater, navigation – guided the actions of subjects and citizens of each European state in creating rights to rule the New World. Yet within each European society, its members easily understood these actions as establishing legitimate possession because of their links to conventional experiences and customs.

A second factor rendering overseas colonial authority seemingly comprehensible and legitimate to its contemporaries was ordinary language. Colloquial languages were the languages of everyday life. They were seen as “natural” because even small children used them. These languages were used to describe everyday objects and actions, as well as to create understandings of how those objects should be used and what actions meant. Creating such meanings day after day, year after year, made the language as well as the objects and actions it interpreted appear natural or obvious. While print increased the speed with which information was transmitted, the news of the New World was nearly always transmitted in vernacular languages.<sup>11</sup> Furthermore, vernacular languages were invariably used to describe the actions and means of possession. Sharing a language enabled people to make sense of the New World according to familiar insights and meanings, making the language and gestures of expression of their fellow countrymen comprehensible. Sharing common cultural (everyday life) experiences and language allowed groups of Europeans to understand each other, even when they did not always entirely agree on the conditions for legitimately creating colonial authority.

If language and the gestures of everyday life were the cultural media through which European states created their own authority and communicated it overseas, law was the means by which states created their legitimacy. Law labels and separates the legitimate from the illegitimate; it defines the realm of the permissible and impermissible.

No nation ever sees its own law code as either arbitrary, or as culturally and historically constructed. Law codes operate in the rhetoric of right and wrong, removed from their own embedded cultural histories. Yet law codes and legal practices are not exempt from the arbitrariness of linguistic and historic cultural construction.

In the late Middle Ages, European law codes began to be composed in the language of the everyday. Where legal systems did not rely upon codes, customary understandings began to be compiled during the

11 The three notable exceptions were Peter Martyr, *De orbe novo*, (1530); Amerigo Vespucci, *Mundus novus* (1504); and the Latin edition of Theodor de Bry, *Americae pars I–XIII* (Frankfort, 1590–1634). All were also translated.

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same period.<sup>12</sup> Using ordinary languages to define political concepts, including authority and power, made the ideas seem obvious, expressing concepts that either were or could be widely understood in each society. Using vernacular languages in codes and in court proceedings endowed each legal system's concepts and ideas with a sense of transparency and inherent rightness. Subjects or citizens of each European power could perceive their enactments of authority overseas as legitimate because they were grounded in the familiar ideas of power and authority expressed in their own everyday language. Whether dictated by formal authority or carried out on the basis of an implicit consensus, all Europeans relied upon implied cultural understandings of how legitimate political authority ought to be initiated. In so doing they based themselves upon familiar language and culture, as well as upon what they understood their own legal and cultural traditions to have established as legitimate. But because both language and mundane cultural existence differed dramatically from one European power to another, these very characteristics that rendered their own enactments of colonial power understandable, even legal, were the very factors that made it incomprehensible and apparently illegal to other Europeans of the same period. The transparency created by habitual use did not mean that either a given language's words or their meanings had the identical significance to those not so intimately familiar with that language.

Languages construct objects in culturally specific ways. The English expression *heathen land*, for example, makes it impossible for us to consider this expression as anything other than natural. Yet the expression cannot be translated literally into other European languages. It is awkward, even slightly incoherent, in French, Spanish, and Portuguese. In these languages, *heathen* can only modify a person and cannot be applied to an inanimate object such as land. The characteristic of English which allows *heathen* to be used to describe an inanimate object is unacceptable beyond the bounds of English. The codes by which languages circumscribe meaning for words are different. These differences cannot be argued with or reasoned against. They are simply correct only in terms of their own codes.

<sup>12</sup> *Ordenações Afonsinas* (1444); *Las Siete Partidas del rey Alonso IX* (thirteenth century); England ironically began with the English language in the late sixth century, only to have it displaced by Latin in 1066. François I made French the language of the law courts, while compilations of regional customary law (in French) began in the thirteenth century. Ernest Glasson, *Histoire du droit et des institutions de la France*, 8 vols. (Paris, 1887–1903), 4: 14–167; Charles P. Sherman, *Roman Law in the Modern World*, 3 vols. (Boston, 1917), 1: 229–232. By the sixteenth century, English was increasingly being used in courts. Geoffrey Elton, *The English* (Oxford, 1992), 11, 37. Hugo Grotius, *Inleidinge tot de Hollandsche rechts-geleerdheid* (The Hague, 1631).

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In 1492, Western European languages for the first time began to formalize their own (independent) standards for correct and incorrect meanings and syntax. Codifying rules for speaking and writing the language meant producing the first vernacular grammars.<sup>13</sup> Antonio Nebrija told the Queen of Castile that “language was the companion of empire,”<sup>14</sup> but overseas conquest also contributed to unifying languages. Fixing rules for expression permitted speakers of the same language from different regions to communicate with each other overseas effectively without the misunderstandings that grammatical differences create. But these vernacular grammars had an additionally important effect. Formally fixing rules for expression (syntax) *within* a language established each and every language as the sole authority upon itself. Latin syntax was no longer authoritative, only the vernacular’s own rules.

Also in the sixteenth century, single-language vernacular dictionaries began to appear.<sup>15</sup> Such dictionaries defined the meanings of words only by reference to other words in the same language, thus reinforcing the idea that each language constituted a closed self-referential circle since all words could be defined using only other words of the same language. By the sixteenth century, no language’s grammar or definitions of words was “right” in any absolute sense – each was only right regarding its own arbitrary conventions. Translation between languages therefore invariably confronted unforeseen difficulties.

All languages share an irreducible difference, which Jacques Derida terms the supplement, something which always makes a word in one language ever so slightly different in another. Even cognate words for authority with Latin roots such as *possession* (*posse* [Port.], *posesión* [Sp.], *possesio* [Dutch], *possession* [Fr.]) conveyed slightly different constructions of the concept in each language. Yet these subtleties, often missed or misconstrued by translation, altered what was understood in each language as “possessing” the New World. Furthermore, these subtle linguistic distinctions were linked to substantive differences regarding how Europeans thought possession could and should be enacted. Two short examples will illustrate the point.

13 Jürgen Schafer, *Early Modern English Lexicography*, 2 vols. (Oxford, 1989); Aimar de Ranconet, *Thresor de la langue française*, 2 vols. (Paris, 1621); Robert L. Collison, *A History of Foreign-Language Dictionaries* (London, 1982), 61–73; F. Yndurain, “Relaciones entre la filología y la historia,” in *La reconquista española y la repoblación del país* (Zaragoza, 1951), 223–241; Antonio Nebrija, *Comiença la gramática que nuevamente hizo el maestro Antonio de Lebrira sobre la lengua castellana* (Salamanca, 1492); João de Barros, *Gramática da língua portuguesa* (Lisbon, 1971). The first Dutch grammar and dictionary were produced in 1553. Geoffrey Parker, *The Dutch Revolt*, 2d ed. (London, 1985), 31, 36, 282n11.

14 Antonio de Nebrija, *Gramática castellana* (Halle, Belgium, 1909; orig. pub. 1492), f. 1.

15 Ibid.



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In 1562 the Portuguese ambassador to Elizabeth's court lodged a formal protest against English trading in Guinea on the west coast of Africa, justifying an exclusive claim on the basis of Portugal's discovery, propagation of Christianity, and peaceful domination of the commerce of that territory for sixty years. He further complained that the English had placed an arbitrary interpretation on the concept of dominion and asked the queen to forbid her subjects to trade in Portuguese-dominated areas. "They [the English] decide that he [the Portuguese king] has no dominion except where he has forts and tribute . . . but as the words are dubious, he desires her [Queen Elizabeth] . . . to change them into such others [words] as may comprehend all the land *discovered* by the crown of Portugal."<sup>16</sup> The queen replied that "her meaning . . . is to restrain her subjects from haunting [frequentering] . . . land . . . wherein the King of Portugal had obedience, dominion, and tribute, and *not* [to prevent their trading] from all places *discovered*, whereof he had no superiority at all."<sup>17</sup> An annoyed ambassador responded that "his master *has* absolute dominion . . . *over all those lands already discovered*."<sup>18</sup>

At the core of this exchange were fundamental cultural and linguistic differences between Portuguese and English. To the Portuguese ambassador the word *discovery* signified the establishment of legitimate dominion.<sup>19</sup> For the Portuguese, the concept of discovery was linked to the technology and knowledge which they had pioneered. They had invented the navigational skills, found the most efficient sailing routes to West Africa, and located the African groups willing to supply the goods most desired by the European market. Expressed in more modern terms, the Portuguese concept of discovery was the insistence that they held a patent on the technology – maps, sailing devices, and knowledge – of trading seaports, latitudes, and sea lanes – that they had invented.<sup>20</sup> The English crown refused to consider discovery, so understood, as a legitimate source of the right to rule. Responding with arguments derived from their own traditional cultural and linguistic meanings of the word discovery, Queen Elizabeth assumed that the Portuguese ambassador was talking about the

16 Replication of the Portuguese ambassador, June 7, 1562, in Joseph Stevenson, ed., *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth, 1562 . . .* (London, 1867), 77.

17 Answer to the Portuguese ambassador, June 15, 1562, *ibid.*, 95.

18 Second replication of the Portuguese ambassador, June 19, 1562, *ibid.*, 106 (emphasis added).

19 Portuguese sovereigns saw their stone pillars with crosses and the kings' arms "as a sign of how they saw said lands and islands . . . and acquired . . . dominion over them." Júlio Firmino Júdice Biker, *Collecção de tratados e concertos des pazes que o estado da India portuguesa fez com os reis e senhores . . . da Asia e Africa e oriental . . .*, 14 vols. (Lisbon, 1881–1887), 1: 55.

20 For a discussion of this, see Chapter 4.

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meaning of the term in her own language.<sup>21</sup> The Portuguese ambassador made the same assumption about the English understanding. Literal translation of the same word but with different cultural import guaranteed that each side could remain convinced that the other was engaged in an outrageous violation of obvious principles.

Nearly two decades later, a similar dispute erupted between England and Spain, turning on mutually exclusive concepts of the legitimate means of establishing political empire. In 1580, the Spanish ambassador complained against Francis Drake's intrusions into territory claimed by the Spanish during his voyage around the world (1577–1580). The official chronicler of the reign of Queen Elizabeth, William Camden, reported that the queen responded by denying Spanish dominion over the territory in the following words: "[Spaniards] had touched here and there upon the Coasts, built Cottages, and given Names to a River or Cape which does not entitle them to ownership; . . . Prescription without possession is worth little."<sup>22</sup> In attacking the Spanish conception of their rights to the New World, Elizabeth relied upon the commonplaces of the English tradition: the idea that discovery was related to landing rather than sailing (touching on coasts); that naming did not entitle a state to ownership, that building cottages did not create ownership (only houses), and finally by quoting to the Spaniards a commonplace of medieval English law that "a man cannot by prescription [i.e., by declaration or decree] make title to land,"<sup>23</sup> a conception not shared by Spaniards or indeed by any other European power of the time.

The cumulative effect of these subtle differences in meanings was dramatic. Every European legal code defined the meaning (and history) of possession, dominion, lordship, and regal sovereignty differently. Symbolic actions or practices for instituting authority differed, frequently dramatically, from one European nation to another. This should not be surprising, for no two European powers shared the exact same cultural experience of everyday life, let alone the same language or legal code. No two powers had identical ideas as to how colonial power should be symbolically created, or indeed even over what it should be established. To ask whether colonial power should

21 The official legal statement of the Portuguese position was Justo Seraphim de Freitas, *De iusto imperio lusitanorum asiatico* (Valladolid, 1625), a response to the publication of Hugo Grotius's *De mare liberum* (1608).

22 "Nec alio quopiam jure quam quod Hispani hinc illinc appulerint, casulas pouserint, sslumen [*sic*] aut Promontorium denominaverint quae proprietatem acquirere non possunt . . . cum praescriptio sine possessione haud valeat." William Camden, *Rerum Anglicarum et hibernicarum Annales regnante Elisabetha* (London, 1639), 328, translated as *Annals, or a History of the Most Renowned and Victorious Princess Elizabeth, Late Queene of England*, 3d ed., by R. N. Gent (London, 1635).

23 Thomas Arnold Herber, *The History of the Law of Prescription in England* (London, 1891), 2. Similar sentiments are expressed in Robert Johnson, *Nova Britannia* (Amsterdam, 1696; orig. pub. 1609).