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## Mayan Bloodshed:

### What Allowed for Genocide to Occur in Early Colonial Yucatan

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#### Introduction

During the sixteenth century, the Yucatan peninsula was firmly under Franciscan Catholic control. By 1561, there were dozens of friars and eight monasteries in operation, and programs aimed at converting Mayan natives to Catholicism appeared to be going smoothly. However, in 1562 friars at Mani were confronted with clear evidence that the “Christian Indians” were still worshipping their previous gods in secret.<sup>1</sup> The Indians accused of idolatry were rounded up and subject to a severe form of torture known as the *garrucha*. A Spanish eyewitness recalled the torture:

“[W]hen the Indians confessed to having so few idols (one, two or three) the friars proceeded to string up many of the Indians, having tied their wrists together with cord, and thus hoisted them from the ground, telling them that they must confess all the idols they had, and where they were. The Indians continued saying they had no more . . . and so the friars ordered great stones attached to their feet, and so they were left to hang for a space, and if they still did not admit to a greater quantity of idols they were flogged as they hung there, and had burning wax splashed on their bodies...”<sup>2</sup>

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<sup>1</sup> Inga Clendinnen, "Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán," *Past & Present*, no. 94 (1982): 33-34.

<sup>2</sup> Bartolome De Bohorques, 2 Jan. 1565, in "Disciplining the Indians," 33.

When they were finally let down from the *garrucha*, they were ordered to collect as many idols as they confessed to owning and were subject to further inquisitional torture.<sup>3</sup> This account, while graphic and distressing, is an excellent introduction to the hierarchy of power in the early post-conquest era. In Yucatan, the Franciscan order had unchecked power and their actions went unchallenged by Spanish officials in even higher positions of power. They were free to use gruesome forms of torture in order to “convert” native peoples to Catholicism. As the Franciscan war on idolatry continued into the following months, there was little to no restraint exercised by the members of the order. Franciscan actions became more ruthless and many more Mayans lost their lives.

This paper seeks to apply the writings of renowned genocide lawyer Raphael Lemkin to the Spanish conquest of Yucatan. I will trace the evolution of Spanish religious policies, the application of such policies to Spanish colonial subjects in the Yucatan, and the responses of the Mayan people to their own genocide. Ultimately, this paper is meant to answer the following question: why was genocide allowed to occur in Yucatan during the Spanish conquest? Given the horrific events and actions that are understood to have occurred in colonial Latin America, one might assume that the reason genocide occurred was due to a lack of restraint on the part of the conquerors. While this is partially true, it does not reveal the greater context as to *why* the genocide occurred. Spanish religious policies from the era of Catholic reconquest and the Spanish Inquisition heavily influenced acceptable actions in regards to conversion and the power the religious ruling class had, and this was a critical factor that allowed for a large-scale genocide to occur in Spanish colonial territories in the subsequent century. In addition, genocide in Yucatan can also be blamed on the failure of colonizers to properly adhere to Spanish guidelines

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<sup>3</sup> Clendinnen, "Disciplining the Indians," 34.

for conquest. This paper will explore the multiple facets of conquest in order to develop a clear understanding of the complicated events that go hand-in-hand with colonialism and, ultimately, genocide.

The conquest of Yucatan has been heavily examined and analyzed by an array of historians since at least the 1930s. Classical studies of Yucatan's conquest examined the basic historical questions, such as how the events of conquest occurred the way they did. These early works tended to be more broader in scope, as there was very little pre-existing historical analyses at that point in time. France V. Scholes was one of these early Yucatan historians, and he spent much of the 1930s trying to understand conquest and the policies surrounding conquest.<sup>4</sup> He also looked at forms of social control the Spanish used on the natives of Yucatan, including the systems of forced labor and *encomienda*.

During this time, historian Robert S. Chamberlain also offered significant contributions to the field of Yucatan history. In his two-part journal article from late 1939 entitled "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550," Chamberlain explored the conquest from the perspective of Spanish policy.<sup>5</sup> What makes his article significant is that he also explores, albeit briefly, native perspectives on conquest including their responses to impending colonialism. Chamberlain also wrote *The Conquest and Colonization of Yucatan, 1517-1550*, which was published by the Carnegie Institution of Washington in 1948 and remains one of the most influential historical pieces regarding the subject.<sup>6</sup>

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<sup>4</sup> France V. Scholes, "The Beginnings of Hispano-Indian Society in Yucatan," *The Scientific Monthly* 44, no. 6 (1937): 530-38.

<sup>5</sup> Robert S. Chamberlain, "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. I," *The Scientific Monthly* 49, no. 3 (1939): 227-44; and Robert S. Chamberlain, "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. II," *The Scientific Monthly* 49, no. 4 (1939): 351-59.

<sup>6</sup> Robert S. Chamberlain, *The Conquest and Colonization of Yucatan, 1517-1550*, Carnegie Institution of Washington (1948).

From the 1950s until the late 1970s, there was little in terms of developments to the field of Yucatan colonial history. In the 1980s, historians including Inga Clendinnen and W. George Lovell took steps to advance understanding of this subfield of history. In 1980, Clendinnen published the article “Landscape and World View: The Survival of Yucatec Maya Culture under Spanish Conquest.”<sup>7</sup> This article explored the ways in which Mayan culture was able to persist and evolve under centuries of Spanish colonization. Her 1982 article “Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán” explored Spanish missionary violence against Mayans in Yucatan, including the already discussed *garrucha* usage in the 1562 inquisition against idolatry.<sup>8</sup> Clendinnen was among the first contemporary Yucatan historians to utilize expertise in another field, in her case anthropology. She sought to understand how Mayan culture evolved and changed due to conquest and colonialism, which would rely heavily on anthropology to do.

Anthropologist and historian W. George Lovell contributed greatly to the field from the late 1980s through the 1990s. His 1988 article “Surviving Conquest: The Maya of Guatemala in Historical Perspective” is a comprehensive cultural history of the Maya of Guatemala, with pre-conquest to contemporary times being discussed in great detail.<sup>9</sup> In regards to the Maya under Spanish colonial rule, this article discusses colonial policy and legislation that dictated how natives were to live under colonial law. In the 1990s, Lovell collaborated with fellow historian Christopher H. Lutz to produce the demographic-historical article “Conquest and Population:

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<sup>7</sup> Inga Clendinnen, "Landscape and World View: The Survival of Yucatec Maya Culture under Spanish Conquest," *Comparative Studies in Society and History* 22, no. 3 (1980): 374-393.

<sup>8</sup> Inga Clendinnen, "Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán." *Past & Present*, no. 94 (1982): 33-34.

<sup>9</sup> W. George Lovell, "Surviving Conquest: The Maya of Guatemala in Historical Perspective," *Latin American Research Review* 23, no. 2 (1988): 25-57.

Maya Demography in Historical Perspective.”<sup>10</sup> This article discusses the changes in population of Mayans in Yucatan and can be seen as a follow-up to Lovell’s 1982 piece co-written with William R. Swezey, “The Population of Southern Guatemala at Spanish Contact.”<sup>11</sup>

Other subfields that have examined the events of the conquest of Yucatan have included religious studies, archaeology, and biological anthropology. What has yet to be seen is a study of the conquest utilizing genocide studies. The remainder of this paper will do just that by using Raphael Lemkin’s model for and writings on genocide in tandem with researched information on the conquest of Yucatan by the Spanish. This paper will utilize primary documents by Lemkin himself, translated primary documents regarding Spanish policy and actions during conquest and colonialism, and various secondary sources in order to better understand the events of the conquest of Yucatan. After discussing (a) the history of the conquest of Yucatan, (b) what genocide is according to Raphael Lemkin, and (c) the cases of genocide in colonial Yucatan are discussed, this paper will attempt to answer the following question: why was genocide allowed to occur in Yucatan during the Spanish conquest?

This question in particular has not been answered by historians in the past using the same methods this paper will be using. Spanish policy and its failures have been discussed in political and social context, but not in the context of genocide studies. This paper aims to build on current understandings of the conquest of Yucatan in order to provide a new perspective on an already well-documented and well-understood history.

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<sup>10</sup> W. George Lovell and Christopher H. Lutz, "Conquest and Population: Maya Demography in Historical Perspective," *Latin American Research Review* 29, no. 2 (1994): 133-40.

<sup>11</sup>W. George Lovell and William R. Swezey, “The Population of Southern Guatemala at Spanish Contact,” *Canadian Journal of Anthropology* 3, no. 1 (1982): 71-84.

## A Brief History of the Spanish Conquest of Yucatan

At the time of European contact in 1519, the Mayan population of Yucatan is estimated to have been near two million, representing approximately two-fifths of Central America's indigenous population.<sup>12</sup> The pre-conquest economy of Yucatan was primarily agricultural despite the region being poor in terms of natural resources.<sup>13</sup> Unlike the Aztecs of Central Mexico and the Incas of South America, the Maya did not make up a singular cohesive empire. Following the political collapse of the tenth century C.E., the Maya tended to live in smaller communities as compared to major cities (such as the Aztec capital of Tenochtitlan). These communities had little in common with one another despite the common language and religious beliefs. As such, there was not a singular, unifying Mayan identity prior to Spanish conquest.

### Conquest of Yucatan and Mayan Resistance

The conquest of Yucatan was different from the conquest of the rest of Latin America. According to Chamberlain, in Yucatan there was "relatively little of the ruthlessness that characterized certain of the conquests in the Americas," with the notable exceptions of the final conquest campaigns.<sup>14</sup> While Aztec capital Tenochtitlan (in today's central Mexico) was conquered relatively quickly, the conquest of Yucatan was a decades-long process. The conquest of Guatemala, a southern Yucatan country, began in 1524 by forces led by Pedro de Alvarado and was not easily attained.<sup>15</sup> In the words of Lovell, "from the beginning, the Maya offered

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<sup>12</sup> W. George Lovell, and Christopher H. Lutz, "Conquest and Population," 133-34.

<sup>13</sup> Elizabeth Graham, David M. Pendergast, and Grant D. Jones. "On the Fringes of Conquest: Maya-Spanish Contact in Colonial Belize." *Science* 246, no. 4935 (1989), 1254.

<sup>14</sup> Robert S. Chamberlain, "Spanish Methods of Conquest," 351.

<sup>15</sup> W. George Lovell "Surviving Conquest: The Maya of Guatemala in Historical Perspective." *Latin American Research Review* 23, no. 2 (1988), 28.

fierce resistance, repeatedly engaging Spanish troops and their Mexican auxiliaries in hostile confrontation.”<sup>16</sup>

The conquest of Yucatan can be divided into three distinct phases, according to Chamberlain. The first phase, which lasted from 1527 to 1529, can best be described as the planning and organizing phase. The Spanish *Adelantado* Francisco de Montejo, after “having organized a relatively large and well-equipped expedition [...] established himself on the east coast [of Yucatan] and sought to reduce and colonize the peninsula from that quarter.”<sup>17</sup>

Negotiations for the transfer of political power to the Spaniards during this time saw mixed results. Political resistance with the intention of military defense to conquest can be traced back to at least 1527 when the Mayan ruler Quauhtemoc was recorded to have said the following to Pazbolonacha, ruler of Tamactun: “My lord ruler, these Castilian men will one day give you much misery and kill your people. In my opinion we should kill them, for I bring many officers and you also are many.”<sup>18</sup> Unfortunately, Quauhtemoc was unable to convince his fellow ruler of the impending devastation brought on by the Spaniards. Following this declaration, the ruler Quauhtemoc was reported to Spanish authorities, baptised into Catholicism, and promptly executed.<sup>19</sup>

The second phase of conquest lasted from 1529 to roughly 1535, and ended in complete failure due to strong resistance by Mayan natives and dissatisfaction of Spanish soldier-colonists with the lack of material riches in Yucatan.<sup>20</sup>

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<sup>16</sup> Ibid.

<sup>17</sup> Robert S. Chamberlain, "Spanish Methods of Conquest," 235.

<sup>18</sup> Matthew Restall, trans, "A Chontal Maya Account of the Conquest, Excerpted from the Title of Acalan-Tixchel, 1612," in *Mesoamerican Voices: Native Language Writings from Colonial Mexico, Oaxaca, Yucatan, and Guatemala*, 56-61. New York, NY: Cambridge University Press, 2005.

<sup>19</sup> "A Chontal Maya Account of the Conquest, Excerpted from the Title of Acalan-Tixchel, 1612."

<sup>20</sup> Chamberlain "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. I," 235.

The third and final phase of the conquest of Yucatan lasted from 1540 to 1545. It was during this time that most of the remaining Mayan strongholds in Yucatan were overthrown.<sup>21</sup> In some regions of Yucatan, however, Spanish conquest was successfully stalled by strong Mayan resistance for up to a century and a half.<sup>22</sup> The regions in question were in the frontier, “an area over which the Spanish had weak and intermittent control.”<sup>23</sup> The existence of Native strongholds in the frontier “threatened the heart of colonial society by draining it of its supply of labor. More important, communities in the frontier capitalized on their remoteness by developing strategies of resistance to Spanish religious and economic domination.”<sup>24</sup> For those not fortunate enough to have made it to the remote frontier, mass casualties brought on by epidemic outbreaks “adversely affected native capacity to resist.”<sup>25</sup>

Throughout the conquest of Yucatan, Spanish friars forced the conversion of Mayan leaders to Catholicism and executed those who did not adhere to the new religious standard.<sup>26</sup> This directly resulted from Spanish religious policies of conversion, which will be discussed in greater detail later in this paper. In the years preceding the 1562 inquisition, a series of investigations yielded results startling to Franciscan friars. They realized that rather than blindly converting to Catholicism, the Mayan chiefs, lords, and priests continued to pursue their traditional religious roles under the guise of Catholicism. As expected, the religious ruling class was not pleased with this, and practitioners of pre-colonial native religions (described by the

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<sup>21</sup> Chamberlain "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. I," 235.

<sup>22</sup> Lovell, "Surviving Conquest: The Maya of Guatemala in Historical Perspective," 28.

<sup>23</sup> Graham et al, "On the Fringes of Conquest: Maya-Spanish Contact in Colonial Belize," 1254.

<sup>24</sup> Ibid.

<sup>25</sup> Lovell, "Surviving Conquest: The Maya of Guatemala in Historical Perspective," 29.

<sup>26</sup> "A Chontal Maya Account of the Conquest, Excerpted from the Title of Acalan-Tixchel, 1612."

Spanish as ‘idolatry’) were prosecuted, with punishments ranging from fines to “whippings of two hundred lashes and shearing of hair.”<sup>27</sup>

Led by Fray Diego de Landa, the 1562 idolatry inquisition sought to eradicate Yucatan of remaining traces of pre-colonial Mayan religious beliefs. In all, forty Mayans, ten governors, and countless native caciques of the Mani region of Yucatan were arrested and punished using the same penalties those convicted of idolatry faced in previous years.<sup>28</sup> It was during this event that the *garrucha* account this paper began with took place. In August of 1562, Franciscan Fray Francisco de Toral arrived in Yucatan and immediately put a halt to de Landa’s inquisition, although there is evidence that suggests the inquisition into idolatry continued in secret for more than a century following de Landa’s removal from power.<sup>29</sup> de Toral feared the violence and brutality of de Landa’s inquisition would trigger native insurrection, although Spanish power in Yucatan did not falter as a result of the inquisition.<sup>30</sup>

On the brutality of the 1562 inquisition, anthropologist William F. Hanks states that “the inquisition of 1562 was so horrific and the subsequent recriminations so bitter, that historians have measured the Maya correspondence against these events.”<sup>31</sup>

Following the forced conversion of leaders by Spaniards and the events of the 1562 Franciscan inquisition into idolatry, native Mayans were understandably traumatized. Their ways of life had been upturned: their sacred icons lay in mounds burning and “the jewelled skulls of the great dead of the ruling lineages were smashed.”<sup>32</sup>

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<sup>27</sup>Richard E. Greenleaf, "Persistence of Native Values: The Inquisition and the Indians of Colonial Mexico." *The Americas* 50, no. 3 (1994), 372-73.

<sup>28</sup> Ibid.

<sup>29</sup> Ibid; and Hanks, William F, "Authenticity and Ambivalence in the Text: A Colonial Maya Case," *American Ethnologist* 13, no. 4 (1986), 722.

<sup>30</sup> Greenleaf, "Persistence of Native Values: The Inquisition and the Indians of Colonial Mexico," 373.

<sup>31</sup> Hanks, "Authenticity and Ambivalence in the Text: A Colonial Maya Case," 725.

<sup>32</sup> Clendinnen, "Landscape and World View: The Survival of Yucatec Maya Culture under Spanish Conquest," 380.

Throughout the late 1560s onward, the strategies used by the friars to convert native Mayans shifted. Increased and more effective dialogue between the religious rulers and their Mayan parishioners as well as a series of negotiations allowed for physical force to be gradually phased out and replaced with less brutal means of conversion such as negotiated conversion.<sup>33</sup> Future attempts at conversion derived from the study of local beliefs, forms, and socioeconomic structures and used metaphors from the local culture in order to convey the Catholic doctrine in terms familiar to the Mayan population.<sup>34</sup> Friars organized often contradictory information on “the culture, modes of existence, and beliefs” of the traditional Mayan ideologies.<sup>35</sup> By exposing such ideological contradictions, the Catholic friars hoped to “prevent the growing fusion between the old and new religions, which they conceived as the “work of the devil” aimed at turning the Christian doctrine upside down.”<sup>36</sup> By the end of the century, the Spanish were certain that Mayan idolatry had been crushed and that religious conquest was complete. This was not the case as native beliefs were never completely eradicated.

The shift from physical force to coercion in regards to conversion did not mean that violence against Mayans altogether was phased out. There are several recorded cases of abuse at the hands of the ruling priests in Yucatan. One petition from 1589 describes abuse of a sexual nature: “When he gives confession to women, he then says, “If you don’t give yourself to me, I won’t confess you.” This is how he abuses the women: a woman is not given confession unless

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<sup>33</sup> Amos Megged, ““Right from the Heart”: Indians’ Idolatry in Mendicant Preachings in Sixteenth-Century Mesoamerica,” *History of Religions* 35, no. 1 (1995): 68.

<sup>34</sup> *Ibid.*, 75.

<sup>35</sup> *Ibid.*, 68.

<sup>36</sup> *Ibid.*

she comes to him; until they recompense him with the sin of fornication, he does not give the women confession.”<sup>37</sup>

Another similar petition from the eighteenth century against four Yucatan friars also includes allegations of sexual misconduct, claiming that “every day all they think of is intercourse with their girlfriends.”<sup>38</sup> The time difference between the two petitions could suggest that sexual abuse and violence against natives was commonplace in Yucatan for nearly two centuries, and the violent nature of colonization would support such a conjecture. These crimes would have been classified as “moral offenses,” which included blasphemy, fornication, and the solicitation of sexual favors by priests, and as a result, the accused clergy would have been subject to investigation under the Spanish Inquisition.<sup>39</sup>

### Genocide according to Raphael Lemkin

In order to understand the events of the conquest of Yucatan from the perspective of genocide studies, the reasons for and understanding of genocide must be discussed. Genocide as a word was coined by lawyer Raphael Lemkin in the early 1940s, with the hopes that it would accurately capture the systematic deprivation of rights and humanity, and eventual destruction, of one group by another. From initial acts of discrimination all the way to dehumanization and mass murder, the term genocide can be applied. According to Lemkin’s *Axis Rule in Occupied*

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<sup>37</sup> Matthew Restall, trans., "Maya Petition of Complaint Against a Spanish Priest by the Towns of Oxtzucon, Peto, Tahdziu, Tetzal, and Tixmeuac, 158," in *Mesoamerican Voices: Native Language Writings from Colonial Mexico, Oaxaca, Yucatan, and Guatemala* (New York, NY: Cambridge University Press, 2005): 167-8.

<sup>38</sup> Matthew Restall, trans. "Anonymous Petition of Complaint against Four Friars, Over Alleged Professional and Sexual Misconduct, Mani Region, 1774." In *Mesoamerican Voices*, 168-69.

<sup>39</sup> Lu Ann Homza, "Introduction," in *The Spanish Inquisition 1478-1614: An Anthology of Sources* (Hackett Publishing Company, Inc, 2006), xxx-xxxi..

*Europe*, “genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor.”<sup>40</sup>

Lemkin explored the possible explanations for genocide from the perspectives of the psychologist, sociologist, and anthropologist in his unpublished works known as *The Project*. According to Lemkin, “vested interest groups often foster or actually supervise the carrying out of genocide for reasons of expediency.”<sup>41</sup> This would suggest that many cases of genocide are the result of the beliefs and agenda of a given interest group. Lemkin also goes on to say that “genocide may be the symptom of a mass-movement, [which] involves group domination by a particular idea which serves both to stimulate certain behavior and to rationalize it.”<sup>42</sup>

Genocide, as outlined by Lemkin, would have begun as soon as the Spanish invaded the New World in 1521. Lemkin writes that “genocide is a gradual process and may begin with [...] cultural undermining and control [and] the destruction of leadership.”<sup>43</sup> “Actual physical destruction,” such as that described with the *garrucha*, “is the last and most effective phase of genocide.”<sup>44</sup> Applying Lemkin’s model to the Spanish Conquest of the New World would mean that from 1521, the time of the initial invasion, to 1562, when the *garrucha* account was written, all the phases of genocide had most likely occurred in Yucatan. The *garrucha* account is not solely an example of physical genocide, as the destruction of religious relics would also constitute cultural genocide. Lemkin describes cultural genocide through an anthropological lens:

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<sup>40</sup> Raphael Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation - Analysis of Government - Proposals for Redress* (1944), 79.

<sup>41</sup> Raphael Lemkin. n.d. "The Concept of Genocide in Social and Individual Psychology," *Raphael Lemkin Papers*: Box 2 Folder 3, New York, NY: New York Public Library Archives.

<sup>42</sup> *Ibid.*

<sup>43</sup> Raphael Lemkin. n.d. "The Concept of Genocide in Sociology," *Raphael Lemkin Papers*: Box 2 Folder 3, New York, NY: New York Public Library Archives.

<sup>44</sup> *Ibid.*

“If the culture of a group is violently undermined, the group itself disintegrates and its members must either become absorbed in other cultures which is a wasteful and painful process or succumb to personal disorganization and, perhaps, physical destruction [...] it is clear that the destruction of cultural symbols is genocide, because it implies the destruction of their function and thus menaces the existence of the social group which exists by virtue of its common culture.”<sup>45</sup>

As culture is not static, Lemkin also highlights the important difference between cultural diffusion. He states that a characteristic of cultural genocide is the abrupt nature of it, whereas diffusion is a “gradual change a culture may undergo.”<sup>46</sup> For example, the initial abrupt conquests of Yucatan can be considered to have been cultural genocide, as the old religious practices and native cultural rituals were outlawed and subject to inquisitional prosecution. An example of diffusion would be the ways in which Mayan culture evolved and incorporated elements of both New World and Old World culture during the centuries of colonization.

Raphael Lemkin did not explicitly write about the conquest of Yucatan for *The Project*. He did, however, write about the Incas, another native group subject to Spanish conquest. He intended on writing about the conquest of the Aztecs, but those records were either not written due to his premature death in the late 1950s or lost some time between his passing and the present day. This leaves us with one primary document from which we can assess Lemkin’s thoughts on Spanish conquest of Latin America, a document titled “The Case of the Spanish in the Peru of the Incas.” This document is appropriate to use because Lemkin himself writes in the document the following: “The conditions leading to genocide in Peru were essentially those which existed in the Spanish conquests elsewhere in the New World. Because of the many

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<sup>45</sup> Raphael Lemkin. n.d. "The Concept of Genocide in Anthropology," *Raphael Lemkin Papers*: Box 2 Folder 3, New York, NY: New York Public Library Archives.

<sup>46</sup> Ibid.

hardships of the expedition and the unsurpassed riches which were eventually found, the conquest of Peru perhaps shows the factors in magnified form.”<sup>47</sup>

In addition to the similarities previously stated, Lemkin also summarizes other ways in which the conquest of the Incas was similar to the conquest of the Aztecs and the Mayans:

“The Spanish knight and adventurer set out [to] conquer new territories for riches, glory, and the cross. [...] As elsewhere, he regarded the territory on which he set foot as his rightful domain under the sovereignty of the Spanish monarch and the Roman church. [...] As elsewhere, it became a matter of honor as well as necessity to hold out despite almost insurpassable [sic] difficulties. [...] And this necessity contributed all the more to the rapacity and ruthlessness against kindly natives which the conquerors exhibited once they felt themselves within reach of what they had striven for.”<sup>48</sup>

From the above, it is clear that Lemkin does not distinguish much difference in terms of the main reasons of conquest of the New World by Spain. That is most likely because it was Spain that colonized most of the New World in the sixteenth century, and the conquerors themselves most likely did not make any major distinction between the native societies of Latin America. To the Spanish, the natives of the New World were nothing more than non-Christians who practiced idolatry and needed to be conquered and converted to the “true faith.”

Despite the similarities in terms of conquest, there were some major differences between the Mayans and the Incas. One such difference is that the Mayans of Yucatan were much more savvy in terms of military force than the Incas, which is likely one of the reasons why the conquest of Yucatan took much longer than the conquests of Inca Peru. Lemkin writes that Incas were “gentle and naively trusting people.”<sup>49</sup> This contrasts with the more distrustful Mayans.

In this document, Lemkin also discusses the methods of genocide in Peru, which are similar to the methods of genocide in Yucatan. As in Yucatan, the Spanish committed massacres

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<sup>47</sup> Raphael Lemkin, n.d. “The Case of the Spanish in the Peru of the Incas.”

<sup>48</sup> Ibid.

<sup>49</sup> Lemkin, “The Case of the Spanish in the Peru of the Incas,” *Raphael Lemkin Papers*, MS-60: Box 7 Folder 1. Cincinnati, OH: American Jewish Archives.

against the native people of Peru, native leaders were executed, and the native peoples were forced into slavery and subject to harsh and inhumane labor conditions, a concept described by Lemkin as “genocidal slavery.”<sup>50</sup> These are all facets of physical genocide. When it comes to actions that constitute cultural genocide in Peru, Lemkin cites the destruction of cultural symbols, the destruction of cultural centers, and the destruction of leadership, three phenomenon also seen in Yucatan (especially during the 1562 inquisition).<sup>51</sup> As can be reasonably surmised from Lemkin’s writings on the conquest of Peru, both physical and cultural genocide were part of the Spanish repertoire for conquest in the New World.

### Genocide in Colonial Yucatan

In 1480, during the midst of Catholic reconquest campaigns in Spain, what would become known as the Spanish Inquisition was founded. Initially, the Inquisition sought to fully eradicate Judaism and Islam from Spain, and during this time heretics were sentenced to death by fire.<sup>52</sup> According to Lemkin, “the Inquisition had been founded under the reign and at the bidding of [Spanish Queen] Isabella and, henceforth, religious unity became the prime object of the Crown.”<sup>53</sup> By 1484, the Inquisition had been further legitimized and made to be a part of Spanish public policy, as the following excerpt from a decree dated May 7, 1484 states:

“Inasmuch as the Holy Father has been informed that there are many people in our kingdoms who have forgotten the proper health of their souls and follow Jewish and Muslim rituals and other actions deviating from the Faith, our Holy Father has ordered,

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<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> Andres Bernaldez, Lu Ann Homza, trans. “Chapter 44. How they began to seize, burn, and reconcile Jewish heretics in Seville. And the great pestilence of 1481,” in *The Spanish Inquisition 1478-1614: An Anthology of Sources*, 5-6.

<sup>53</sup> Raphael Lemkin, n.d, “Moors and Moriscos.” *Raphael Lemkin Papers MS-60: Box 7 Folder 9*. Cincinnati, OH: American Jewish Archives

with our consent and volition, that an inquisition be carried out in all our kingdoms to correct and regulate those who have committed the crime of heretical depravity.”<sup>54</sup> As a result of this decree, non-Christians in Spain faced even harsher persecution than what they faced during the earlier Catholic reconquest campaigns. “The Inquisition was established to deal with the “Judaizing” of Christians,” according to Lemkin.<sup>55</sup> This policy resulted in the exile and execution of Jews, as well as Muslims, remaining in Spain, and a political culture of religious homogeneity under the Catholic faith. With this culture established, the stage was set for harsh religious persecution and the forced conversion of the non-Christian natives in the newly-conquered American territories in the next century. It is also plausible that this policy in tandem with the newer established policies of conquest allowed for the deadly 1562 inquisition to occur.

The religious zeal of the Spanish Crown cannot be emphasized enough, as understanding this is critical to understanding the Spanish policy in regards to conquest and colonization. Chamberlain was convinced of a sincere desire and intent of the Spanish Crown to convert natives to Christianity for the purposes of their welfare.<sup>56</sup> It could be said that the early Spanish colonizers who sought to Christianize the natives in the New World were among the first religious missionaries as we understand them today. There was a genuine concern on the part of the Spanish for the welfare of the natives under their control, as the Spanish Crown believed they were chosen by God for the purpose of spreading Catholicism.

The religious clergy had a vital role in the conquest and colonization of Yucatan. As per ordinances issued in 1526 (which will later be discussed), the clergy were tasked with “converting and protecting the Indians.”<sup>57</sup> They were also to “report the entire course of conquest and colonization to the Council of the Indies and were to make known to the body all

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<sup>54</sup> Ferdinand II, Lu Ann Homza, trans. “Tarazona, May 7, 1484,” in *The Spanish Inquisition 1478-1614*, 10.

<sup>55</sup> Lemkin, “Moors and Moriscos.”

<sup>56</sup> Chamberlain, “Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. I,” 231.

<sup>57</sup> *Ibid*, 233.

infractions of law and mistreatment of and injustices to the natives [so that] proper action might be taken.”<sup>58</sup> The role of the clergy as both protectors and disciplinarians supports Clendinnen’s conclusion that the Spanish conquerors had a “paternalistic” relationship with their native subjects.<sup>59</sup> And, by nature of their assignment to Christianize natives, were the ones who carried out the initial campaigns of cultural genocide in Yucatan.

The means of conversion to Christianity utilized by the Spanish colonizers, as previously discussed, would definitely have been forced and/or coerced, which is significant from the perspective of genocide studies. In his document discussing Moors and Moriscos, Raphael Lemkin repeatedly replaced the phrase “forced conversion” with “cultural genocide.”<sup>60</sup> It is not beyond reasonable speculation that Lemkin would have also considered coerced conversion to be a form of cultural genocide. Had Lemkin been able to explore the conversion of natives in Yucatan, he would most likely have reached the conclusion that they were subject to both cultural and physical genocide on the basis of religion.

The year 1526 was significant in terms of official Spanish policy regarding conquest. On November 17 of that year, general ordinances were issued “to regulate captains and officials in the conduct of conquest and colonization and protect the Indians and advance their welfare and Christianization.”<sup>61</sup> These ordinances established the legal *requerimiento* (requirement) that native people under Spanish rule were to accept Christianity, and those who failed to do so would be subject to forced labor, including forms of slavery.<sup>62</sup> While the November 17 ordinances codified cultural genocide in Spanish colonial law, there were also provisions aimed

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<sup>58</sup> Ibid.

<sup>59</sup> Clendinnen, "Disciplining the Indians: Franciscan Ideology and Missionary Violence in Sixteenth-Century Yucatán," *Past & Present*, no. 94 (1982).

<sup>60</sup> Lemkin, "Moors and Moriscos."

<sup>61</sup> Chamberlain, "Spanish Methods of Conquest and Colonization in Yucatan, 1527-1550. I," 233.

<sup>62</sup> Ibid.

at protecting the legal rights of natives. Under these provisions, natives could “not be forced to labor for private persons, and those who voluntarily agreed to work should be duly paid.”<sup>63</sup>

Essentially, natives could only be enslaved by the church and state rather than by individuals.

The ordinances of November 1526 were meant to provide a formal legalistic basis for how conquest and colonization were to be carried out in the New World. Unfortunately, the provisions aimed at protecting natives had the major caveat that natives needed to convert to Christianity, and even so these provisions aimed at protection could only go so far if the local rulers were willing to adhere to the terms. Because of the provision legalizing slavery, countless Mayans were enslaved, both legally and illegally, and the colonial power structure did little to help them or provide justice for victims of slavery.<sup>64</sup> Spaniards in violation of the ordinances could be subject to deprivation of office and property, although this threat did little to discourage abuses against the natives of Yucatan.<sup>65</sup>

One month after the November 1526 ordinances were enacted, the *capitulación* (patent) of December 8, 1526 was enacted. Under this formal policy, Francisco de Montejo was granted authority to “reduce and settle the “Islands of Yucatan and Cozumel” with the title and offices of *Adelantado*, Governor, and Captain General, for the first hereditary and the latter two for life.”<sup>66</sup> These offices gave Montejo “superior political, judicial, and military authority within the lands conquered as a representative of the sovereign.”<sup>67</sup> This meant that for as long as Montejo was in his position of power over Yucatan, he would have the greatest influence over colonial policy.

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<sup>63</sup> Ibid.

<sup>64</sup> Robert S. Chamberlain, "Spanish Methods of Conquest," 354-55.

<sup>65</sup> Chamberlain, "Spanish Methods of Conquest," 234.

<sup>66</sup> Ibid, 232.

<sup>67</sup> Ibid.

His formal assignment was to conquer and colonize Yucatan “at his own cost,” while also adhering to the general ordinances of November 1526.<sup>68</sup>

In addition to granting Montejo significant power, the patent of December 8, 1526 also gave guidelines for how colonization was to be carried out in Yucatan. These guidelines are best summarized by Chamberlain:

“To foster colonization the settlers were to be assigned lands, and they were granted temporary reductions of and exemptions from certain taxes and duties. Portions of stipulated royal revenues were to be assigned to the construction of public works and hospitals and for the maintenance of clergy and churches until the [Catholic] Church was formally established in the province. License to enslave natives who refused to accept Castilian dominion and Christianity after being duly “required” were given. No persons excluded by law, such as heretics and converted Jews (*conversos*) and Moors (*moriscos*) were to be taken to the Indies.”<sup>69</sup>

Whether or not these guidelines enabled genocide in Yucatan can be put up for debate, but it is likely that the *requerimiento*, as established in the November general ordinances and further strengthened in the December *capitulación* was a key factor that allowed for violence against the Maya to occur.

Throughout his career, Montejo enacted countless policies that gave specific instructions for the conquest and colonization of Yucatan. In 1540, he gave these formal instructions to his son in preparation of the final phase of conquest, described as “the final pacification and settlement” of Yucatan.<sup>70</sup> These policies are summarized as follows:

- (1) Colonists must live as true Christians.
- (2) All property taken from Mayans must be restored to its rightful owner, and any Mayans illegally enslaved were to be freed.

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<sup>68</sup> Chamberlain, "Spanish Methods of Conquest," 232.

<sup>69</sup> Chamberlain, "Spanish Methods of Conquest," 232-33.

<sup>70</sup> *Ibid*, 237.

- (3) No Mayans should be forced to do labor, for they have provided aid and support to Spaniards.
- (4) Those who converted to Christianity are to be protected from harm.
- (5) No natives under Spanish control are to be harmed or ill-treated by military forces.
- (6) Mayan allies to the Spanish colonizers are to be treated with gratitude and thanked for the good will displayed.
- (7) If a native lord has not fulfilled the *requerimiento*, and has rejected the Spanish Crown, war is to be declared on him.
- (8) Peace is to be made with Christianized natives, but war be made on those who did not accept Castilian dominion.
- (9) Cities established are to be divided according to *repartimiento* policy, where neighborhoods could not be composed of less than one hundred residents.
- (10) Those living in *repartimiento* are to pay taxes to the *conquistador* assigned to them.
- (11) Travel routes are to be opened between towns within the peninsula.
- (12) Indians under Spanish control are to be treated well despite their “evil practices.”<sup>71</sup>

All of these policies were meant to “[place] God Our Lord before, and in service of His Majesty, for the welfare of the land, and in fulfillment of justice.”<sup>72</sup> It is clear that Montejó took his responsibility for the welfare of all under his control seriously. His policies, much like the 1526 general ordinances and *capitulación*, were meant to provide law and order for how conquest was to be carried out. He made attempts to be peaceful and humane with the treatment of natives in Yucatan, however the pious nature of the Spanish colonizers meant that native

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<sup>71</sup> Chamberlain, "Spanish Methods of Conquest," 237-39.

<sup>72</sup> Ibid, 239.

resistance to adhere to Spanish societal regulations would be met with swift and severe violence, such as in the events of the 1562 inquisition.

It is important to recall that the only reason the 1562 inquisition was formally ended was not because of its questionable nature, but because the highest ranking Catholic leader was concerned about native backlash. With this being recalled, the key flaw to Montejo's policies is exposed: it is meant to protect only *Christianized* natives. Those who resist conquest and colonialism in the slightest were to be declared war on, as per policies number seven and eight on the preceding list. The policies enacted by Montejo may have had provisions that protected some classes of natives, but it was the very same policies that legalized, and likely encouraged, both cultural and physical genocide against the native Mayans of Yucatan.

Blame for genocide in colonial Yucatan should not be solely placed on Montejo, as it was his policies that *allowed* for genocide, rather than *carrying* it out. While the nature of Montejo's political and military position made it likely that he ordered acts of extreme violence against natives but this would not constitute the systematic series of actions against a certain group that defines genocide, the Catholic friars and priests of Yucatan also have blood on their hands, especially Fray Diego de Landa with his leading the deadly 1562 inquisition into idolatry. Montejo had a strict policy of cultural genocide, as assigned to him by the Spanish Crown, but it was the independent agenda of the Catholic ruling class to carry out physical genocide in addition to cultural genocide.

## Conclusion

The conquest of Yucatan took over twenty years to complete, and even then there were still communities in the frontier that had not fallen to Spanish control. The native Mayans of Yucatan put up a tough and long-lasting resistance to their conquest by Spain, but ultimately disease and a subsequent population crash was their undoing. Once under Spanish control, the natives of Yucatan were subject to stringent colonial policies aimed at controlling society.

A combination of several different forces allowed for genocide to occur in colonial Yucatan. Forced and coerced conversion to Christianity was one way in which the Spanish practiced cultural genocide against the Maya. Other methods of cultural genocide included destroying idols and religious and cultural centers. Atrocities against “innocent” natives was strictly outlawed, however, harsh actions against natives who failed to convert to Christianity and accept Castilian rule was often times encouraged by those in positions of power. The remaining attitudes established by the Catholic reconquest of Spain made their way to the New World in the following century and heavily influenced the way in which Yucatan, and the rest of Latin America, was conquered and colonized. The effects of this are still highly visible today, as Latin America is among the most Catholic region in the world.

Unlike many genocides throughout history, there is no singular person or group of people who can be blamed for the genocide in colonial Yucatan. The three main genocidist actors, namely the conquerors, political leaders, and religious leaders, acted based on their own self-interest in the peninsula, and often times these selfish intentions most severely impacted the native Mayans. The conquerors needed to gain control over the lands in which Mayans lived, and genocidal tactics such as mass murder were often part of how land was conquered. Recall that these conquerors were often in the New World in search of riches, which definitely falls under the category of self-interest.

With political and religious leaders, the self-interest is less clear. Political leaders sought to consolidate their power and influence in colonial Yucatan, and Mayan resistance to conquest, as well as native loyalty to their indigenous leaders, threatened the power of these Spanish rulers. Resistance needed to be destroyed in order to secure power for the Spanish, and this type of self-interest also resulted in genocidal acts against the Mayans. With the religious leaders, consolidation of power was also a key point of self-interest. Both the Mayan societies and the Spanish government had religion and politics deeply intertwined, which resulted in both Spanish parties being threatened by Mayan leaders retaining power and influence over their former subjects. The inquisition of 1562 is the clearest example of genocide in colonial Yucatan. This event most closely follows Raphael Lemkin's model for genocide, as the groups (Mayans and Franciscan friars) are clearly defined, with one group being the oppressed and the other being the oppressor. Prosecution of non-Christians during this inquisition was systematic, and the means of genocide fell under both the physical and cultural categories.

Why was genocide allowed to occur in colonial Yucatan? The simple answer to this complicated question is that genocide as we know it, the destruction of one society, was not prohibited by Spanish policy. In fact, colonial policy even encouraged it. Multiple genocidist actors were behaving with self-interest in mind, and lack of accountability for horrific acts committed against the natives of Yucatan went unpunished despite policy suggesting otherwise. The case of genocide in colonial Yucatan is a textbook case of failed policy.

### ***About the author***

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