

Letter 1: Letter to Miguel de Arcos, OP
Salamanca, 8 November [1534]

Vitoria advises his religious superior to have nothing to do with the complex question of compositions in Peru. The massacre at Cajamarca and subsequent assassination of the Inca Atahualpa by Pizarro (July 1533) attracted much notice in Spain. Some soldiers who had received a share of the booty afterwards expressed a desire to confirm their illegal titles by compounding (see the Glossary, s.v. composición); an inquiry on the lawfulness of this measure had been sent by one such perulero ('Peruvian adventurer') to Father Arcos. The year of the letter is supplied on the basis of the historical detail mentioned in footnote 5.

Very reverend Father,

As for the case of Peru, I must tell you, *after a lifetime of studies and long experience*,³ that no business shocks me or embarrasses me more than the corrupt profits and affairs of the Indies. Their very mention freezes the blood in my veins. Yet I work as best I can, so that if they make off with the assets, at least I suffer no loss of that other asset, a clear conscience. Mine may be less eye-catching but I think it no less valuable.

My usual course in such cases is *first to run away from them*. I do not give [or] take; be sure he has many profits; I mean, apart from the one mentioned [in] the letter.⁴

I try to do the same with the *peruleros* when they turn up here, as a few sometimes do. I do not raise my voice '*or beat my breast*' (Cicero, *Pro Milone* 7. 18) against one side or the other until I can no longer pretend; then I merely say I do not understand and can see no safe or just way out of it, and tell them to consult others who understand it better. If you condemn their behaviour roughly, they lose their temper; some cite the pope and accuse you of heresy for casting doubt on His Holiness' actions, others cite the emperor and accuse you of condemning

3. '*tam diuturnis studiis tam multo usu*': compare Cicero, *De oratore* I. 4. 15.

4. *MS*: no doy mi tomo que sepa que tiene muchos beneficios, digo fuera del dicho e carta. The sentence, which is either corrupt or in code, has perplexed all editors; my translation is conjectural, reading *ni* for *mi* and *en* for *e*.

His Majesty and the conquest of the Indies. They find ready listeners and supporters. 'So I confess my weakness' (2 Cor. 12: 5), and keep as far as I can from crossing swords with these people.

But if utterly forced to give a categorical reply, in the end I say what I think. Some of these Peruvian adventurers, I fear, may be the type 'that desire to be rich [and fall into temptation]' (1 Tim. 6: 9), of whom it was said '[it is easier for a camel to go through the eye of a needle than] for a rich man to enter into the kingdom of heaven' (Matt. 19: 23–4). Here, since the property belonged to someone else, they can allege no title other than the law of war.

First, I do not understand the justice of the war. I do not dispute the emperor's right to conquer the Indies, which I presuppose he may, most strictly; but as far as I understand from eyewitnesses who were personally present during the recent battle with Atahuallpa, neither he nor any of his people had ever done the slightest injury to the Christians, nor given them the least grounds for making war on them.

But the defenders of the *peruleros* reply that their soldiers were not obliged to examine this, but only to obey and carry out their captains' orders.

I accept this response in the case of those who did not know that there was no other cause for this war than sheer robbery – which was all or most of them. Other more recent conquests have, I think, been even more vile. But I cannot let the matter rest at this. I grant that all the battles and conquests were good and holy, but we must still consider that this war by the very admission of the Peruvian conquistadors is not against strangers, but against true vassals of the emperor, as if they were natives of Seville; and, furthermore, truly ignorant of the justice of the war, convinced that the Spaniards are tyrannical oppressors waging unjust war on them. Even if the emperor has just titles to conquer them, the Indians do not and cannot know this. They are most certainly innocents in this war.

But even supposing the justice in the war is all on the side of the Spaniards, hostilities may not proceed beyond subduing them and compelling them to accept the emperor as prince with the infliction on them of as little damage and loss as possible. This does not mean robbing them and leaving them destitute of everything regarding their temporal goods. War, especially against one's own vassals, must be undertaken and waged for the good of the vassals and not of the prince, 'if there is any truth in the oracles of seers' (Ovid, *Metamorphoses* XV. 879) – that is, of the saints and doctors of the church. I know of no justification for robbing and plundering the unfortunate victims of defeat of all they possess and even what they do not possess.

In truth, if the Indians are not men but monkeys, they are incapable of injury. But if they are men, and our neighbours, and as they claim vassals of the emperor, I cannot see how to excuse these conquistadors of utter impiety and tyranny; nor can I see what great service they do to His Majesty by ruining his vassals. Even if I badly wanted the archbishopric of Toledo which is just now vacant⁵ and they offered it to me on condition that I signed or swore to the innocence of these Peruvian adventurers, I would certainly not dare do so. Sooner my tongue and hand wither than say or write a thing so inhuman, so alien to all Christian feeling! On their heads be it, and let them leave us in peace. There will be no lack of men, even within the Dominican order, to salve their consciences, and even to praise their deeds and butchery and pillage.

There remains the question of the proposal for compounding (*composición*). Renewed uproar from the zealots of the faith and pope against anyone who dares cast doubt on the pope's concessions! May I not even ignore what I do not know? I do not understand the matter, but in this case I would not dare rely on compounding. They know well enough. But what if they send the case to Rome? If St Gregory were on Peter's throne I should be happy with his judgment; as it is, I would reserve a few scruples,⁶ especially as this strikes me as no case of 'uncertain restitution'. If those who committed the robbery sincerely wished to make restitution, we all know whom they should repay. If they plundered Salamanca we should not consider it a case of 'uncertain restitution', although we might not know how much Tom, Dick, and Harry lost. Even so, if this man were to give half to the poor on the mandate of the pope, or indeed the bishop, I would allow him to keep the remainder; but to excuse him for a payment of two or three hundred ducats, this I cannot comprehend.

And last, if you can believe it, I commend you to God; let this be resolved abroad. *Et uale semper in Domino.*

Your most attentive Frater Franciscus Vitoria
Salamanca, 8 November

5. The see was vacant after the recent death of Alonso Fonseca, archbishop of Toledo from 1524 to 1534, a noted Erasmian.
6. Alessandro Farnese was elected Pope Paul III a month earlier, on 13 October 1534; at the instigation of Dominican missionaries he later defended the Indian cause in the bulls *Veritas ipsa* and *Sublimis Deus* (1537). It is possible that in making this acridulous comment, Vitoria was still thinking of his predecessor Clement VII, a pope whose relations with Charles V had been unhappy.