A CROATIAN CONQUISTADOR IN MAYAN YUCATAN:
VINKO PALETIN’S DE JURE ET JUSTITIA BELLI
CONTRA INDOS

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This article opens with a very brief survey of the life of Vinko Paletin, who had fought with the Spaniards against the Yucatec Maya under the command of Francisco de Montejo the Younger, before he joined the Dominican order and produced several works on geography, cartography and conquest. Paletin’s Latin treatise, De jure et justitia belli contra Indos, based on a Spanish work composed in 1557-58, combined political and juridical thought with travel narrative and historiography to affirm the right of the Catholic kings of Spain to conquer and rule the peoples of the New World. The second part of the discussion sets out the structure of the De jure et justitia and its divergences from the earlier Spanish text, and summarises its principal arguments. The final part compares the Latin and Spanish versions of the author’s description of the buildings at the Mayan city of Chichen Itza. If they are considered together, the two accounts recall that of the temple of Juno in the first book of Virgil’s Aeneid: this evocation underscores Paletin’s thesis that the architecture and the written script to be found in Chichen Itza could be attributed to the Carthaginians.

Key words: Carthage, Chichen Itza, Latin, Vinko Paletin, just war, Virgil, Yucatan

1 The survey of Paletin’s work and the study of the text of De jure (1 - 2 below) are by Petra Šoštarić; the discussion of a passage from the third Quaestio (3) is by Andrew Laird. Both authors are grateful to Sofia Guthrie, and to Neven Jovanović for his comments on an earlier version of this paper presented at the 2018 Colloquium Marulianum in Split.
The Age of Discovery engendered a remarkable Latin literature by Croatian authors. The seventeenth-century Jesuit Ivan Rattkay penned reports from northern Mexico describing his travels and experiences in America, with a valuable description of the customs of the Tarahumara Indians, at whose hands he died in 1683. In the later 1700s, Filip Ivan Vesdin, a Carmelite who spent thirteen years in India, authored a report on the southwestern province of Kerala, *India Orientalis Christiana*, as well as the earliest printed Sanskrit grammar. There is also a rich corpus of verse inspired by explorations of the Indies which includes Ignjat Đurđević’s three poems on tobacco, coffee and chocolate, and Kajetan Vičić’s treatment of the passion flower at the scene of Christ’s crucifixion.

The earliest Croatian Latin author to address European incursions into the New World was the sixteenth-century Dominican chronicler and former conquistador Vinko Paletin, whose account of his experiences in the Caribbean and Central America was enhanced by frequent references to classical and humanist literature. Following a brief consideration of Paletin’s life and work (1), this paper will survey the *De jure et justitia belli contra Indos*, a Latin treatise which affirmed the right of the Spanish kings to conquer and rule the peoples of the New World (2). A Castilian version of the work, *Tratado del derecho y justicia dela guerra*, which was probably written before the Latin text, also survives, and there are some discrepancies between the two versions. The final part of this paper (3) will


focus on some specific divergences between Paletin’s Spanish and Latin texts and their significance for his most notorious argument: the Mayans of Mesoamerican Yucatan were really of Carthaginian origin, so that the Spaniards, as heirs of the Roman Empire, were entitled to subjugate them and control their territory.

1 Paletin’s life and work

Vinko Paletin was born on the island of Korčula in 1508. He joined the Spanish Conquest as a soldier of fortune, arriving in Hispaniola in 1530. Some years later he sailed for Yucatan, where he fought against the indigenous Maya under the command of Francisco de Montejo the Younger, during his campaign of 1535-1545. Such military service would have entitled Paletin to become an encomendero, a landowner with the right to exploit Indian labour, but at some point during the period he spent in New Spain he entered the Dominican order. After returning to Europe in 1546 he lived in Italy – studying theology in Bologna, teaching mathematics in Vicenza and working in Rome as a priest. There he belonged to a confraternity of Croatian humanists including Jakov Baničević, Nikola Petrović and Antun Rozanović, before he retired to Korčula, where he died some time after 1571.

The anecdotal juridical treatise in Latin which was dedicated to Philip II and the Spanish original of 1557-58 on which it was based, Tratado del derecho y justicia dela guerra, are now generally attributed to Vinko Paletin and regarded as his major work. Although the Spanish and Latin texts circulated in the Americas, neither the Tratado nor the De jure was ever published, and in 1560 Philip II ordered copies of them to be confiscated. His law of October 9, 1556, had already imposed, through the Council of the Indies, censorship on all writings about the Americas and many subsequent decrees suppressed works treating controversies bearing on
the Indies. Paletin may have subsequently produced a Latin version of the treatise in the vain hope that it might be printed. At any rate he was convinced that the publication had been hindered by Bartolomé de Carranza y Miranda, a theologian and diplomat who was in sympathy with the Dominican Bartolomé de las Casas – the renowned critic of the conquest and defender of the Indians’ rights, whose views were contrary to those Paletin held himself.

Another text by Paletin, De la institución del buen gobierno, is now lost, but his Italian translation of Arte de navegar, an influential handbook on navigation by the Spanish cartographer Pedro de Medina, appeared in Venice in 1554. In addition, Paletin published a highly praised map of Spain in 1550, and it has been suggested that he was the author of the anonymous Relación de algunas cosas de la Nueva España.

2 The De jure et justitia belli contra Indos

The Latin text, which survives only in one manuscript copy, is a shorter and more refined version of the Spanish prototype. It comprises four Quaestiones:


10 D. A. Lupher, o. c. (5), 168-9, 184-5.

11 V. Paletin, o. c. (5), 31. The Spanish version of Paletin’s text is much more direct in attacking Las Casas: D. A. Lupher, o. c. (5), 170.


13 The authors are preparing an edition of the Latin manuscript in the Lilly Library at Indiana University. Compare D. A. Lupher, o. c. (5), 184: ‘The Indiana copy is a later revision of the earlier Latin version’. A description of the Latin manuscript is available in V. Paletin, o. c. (5), 43.
The Spanish text was structured differently and consisted of six questions:

1. ¿Si con título dela compañía natural aquellos yndios pueden ser conquistados y pribados de sus señorios supremos?

2. ¿Si los reyes de España sacados los otros reyes cristianos tienen derecho y supremo señorío sobre aquellas regiones de la Yndia Ocidental…?

3. ¿Si con razon y título del romano imperio los reyes de España tienen el derecho de sujetar y conquistar las naciones indígenas así como verdaderos y supremos señores de ellas?

4. ¿Si los reyes de España tienen el derecho de llevar al cabo guerras contra las naciones de la India occidental en base a la alianza o en base a la guerra civil?

5. ¿Si se puede llevar al cabo la guerra contra los infieles por la divulgación de la religion?

6. ¿Si se puede llevar al cabo la guerra contra una nación en castigo por los pecados que comete?

The headings of the Latin Quaestiones correspond to the first four of the Spanish ones.14

Both versions of the work offer a blend of political and juridical thought with travel narrative and historiography. Paletin claimed to take the middle way between those who opposed war in the New World and those who deemed it acceptable (fol. 3 recto). To lend credibility to his thesis that the Spanish Conquest was justified, he presented the natives as being in need of Christianisation, drawing on classical sources, scripture and scholastic authorities to support his claims. Paletin also recounted some of his own experiences as a conquistador and described what he had seen in Yucatan.

The Quaestio prima claimed that the Spanish kings held the right to wage a just war in the Americas. This was corroborated by an appeal to international law, holding that the Indians had violated it many times and offering many examples of their ungodly behaviour. Thus the Latin text early on drew attention to the Indians’ idolatry and their practice of human sacrifice (issues which had been treated in questions 4 and 5 of the Spanish version), before highlighting the feats of eight conquistadors. Starting with Columbus and ending with Pizarro, Paletin detailed various difficulties that the Spaniards had encountered in America: he viewed the conquistadors as guests who visited the New World with the sole aim of establishing commercial and friendly relations, but whose progress was sabotaged at every turn. The Christians had not come to harm anyone, but were themselves harmed

by the Indians – even though they should have been inviolable as the king’s emis-
saries. The Indians’ disregard of international customs of trade and commerce thus
entitled the Spaniards to wage war upon them. Paletin drew supporting examples
from ancient Roman history: Livy’s account of the Etruscan king Tolumnius, who
killed Roman envoys (fol. 46 recto); Polybius’ story of Teuta, the queen of Illyria
who ordered her people to murder one of the Roman ambassadors when he came
to her court to complain about Illyrian piracy (fol. 47 recto); and a reference to the
Gauls’ slaughter of their Roman captives after the siege of Arretium, for which they
were later punished with a Roman invasion (fols. 47 verso, 48 recto). That last
episode had also been recorded by Polybius (Histories 2.19), but Paletin did not
specify his source.

The second, third and fourth Quaestiones were treated more briefly. In his
Quaestio secunda Paletin asserted that Spanish kings, alone among Christian rul-
ers, had the right to rule in the Americas, since their subjects had been the first to
arrive. The third Quaestio, ‘Whether on principle and by title of the Roman empire
the Kings of Spain should have the right to subjugate and make war on those realms
as their true and supreme masters’, is of special interest for its manipulation of
humanist learning. Paletin drew from various sources, including Pliny the Elder’s
mention of an island ‘at the extremity of Mauritania, over against Mount Atlas’ (fol.
62 recto), and the claim in the pseudo-Aristotelian De mirabilibus auscultationibus
(cap. 84) that the Carthaginians had found a forsaken but fertile island beyond the
Pillars of Hercules (fol. 60 verso). These islands, in Paletin’s opinion, could only be
Hispaniola and Cuba. The writer also enlarged upon his own experiences of New
Spain and of Mayan Yucatan in particular.

The fourth Quaestio held that a war fought in alliance (bellum sociale), in-
volving ‘a coalition of the willing’ in contemporary idiom, had to be just. Paletin
appealed once more to the practice of the Romans, who had aided their friends in
war and expanded their empire in this way. Christians and their Indian allies were
fighting a bellum sociale in the New World: Cortés, for example, had joined forc-
es with the Mexican nations, like the Totonacs of Zempoala and the Tlaxcaltecs,
groups which though they were subject to Montezuma very much opposed him.
The Spanish kings had every right to follow the practice of the Romans, because
their war was just and they were bringing the best form of government to the New
World. Paletin invoked Aristotle, Sallust, Saint Augustine and Thomas Aquinas in
support of this principle (fols. 74 recto - 74 verso).

15 D. A. Lupher, o. c. (5), 173, specifies the sources for the references to Tolumnius
(Livy, Ab urbe condita 4.17.4) and to Teuta (Polybius, Histories 2.8), noting that the story
of Teuta was left out in the Spanish version. Paletin referred again to Teuta in the De jure
(fol. 69 verso).
16 D. A. Lupher, o. c. (5), 176, discusses these arguments, identifying the source pas-
sage in Pliny as Natural History 6.36.200-201.
3 Carthaginians in Yucatan

This final section will focus on the third Quaestio: Spain’s rational and legal right to subjugate the realms of the New World. Lupher has already pointed out that Paletin did not come to the same conclusion here in his Latin version as he had in his earlier Spanish text, which argued that all the Carthaginians’ lands were ceded to Rome after the Punic wars.\(^{17}\) According to the Latin version, the Carthaginians had already lost their authority over Yucatan well before they were conquered by the Romans.

There is another small, very odd inconsistency between the two accounts in which the author related what he claimed to have seen in Chichen Itza. The climax of the Latin description of the site with its temple and seven towers (fol. 66 recto) is as follows. The inconsistent orthography and punctuation in the manuscript are retained here to give an impression of the idiosyncracies of Paletin’s Latin writing (e.g. captibos for captivos):

Nam per totam superiorem Areae medietatem sunt sculpturae lapideae pedi-
tum, armatorum militum, habentes barbam, arma corporis defensiva, loricas,
Galeas, et cetera ad leviorem armaturam pertinentia, sunt eis et arma offensiva:
habent [...] gladios, hastatas lanceas securesque Amazonias. Omnes sculpturae
quasi in forma proficiscentis exercitus dispositae. Supra quarum captibos et in
sumitate extabant litterarum duo ordines, Quarum nemo nostrum qui tunc ibi
eramus potuit intelligentiam consequi. Cum non sint litterae latine, non Gr[a]
ec[a]e neque Ebreae, sed nunc, meo judicio et absque ulla hesitatione, prout
omnia Historiis consonant. Litterae illae sunt punice et formae seu hominum
sculptae imagines Carthaginensium militum...

High up in the middle of the open area, there are stone sculptures of armed
foot soldiers, who have beards, armour – cuirasses, helmets and other things
suitable for light-armed troops – and they also have weapons [...] swords,
spearheaded lances, and Amazons’ battleaxes. All the sculptures are arranged
to resemble an army on the move. Both above the images of their captives and
at the top, two rows of lettering stood out. None of us who were there at the
time could make any sense of them. The letters were not Latin, not Greek nor
Hebrew, but now my opinion, without any hesitation, as all this is in accord
with past histories, is that these letters are Punic and the models or sculpted
images of men are of Carthaginian soldiers...

The passage corresponding to this in the Spanish narrative (fol. 92 verso)
looks similar:

En todos estos edificios y torres ay pintados hombres de a pie y soldados
armados que tienen barba y armas y cotas y capacetes y otras cosas y tienen

\(^{17}\) D. A. Lupher, o. c. (5), 174, 182.
On all these buildings and towers are painted infantry and armed soldiers who have beards and arms – coats of armour, helmets and other items, and they have sharp swords, lances, and axes like those of Amazons – and all the paintings are in the style of an army setting off. At the top of those towers there were two lines of letters which none of our men could understand, because they were neither Latin, nor Greek or Hebrew but, in my view and opinion, those letters were from Carthaginian Africa.

One fundamental detail had been significantly different in the Spanish text: it was stated twice that the foot soldiers were painted (ay pintados hombres de a pie y soldados) and that all the paintings (todas las pinturas) represented an army on the move. The Latin version, on the other hand, made very clear – three times in just a few lines – that the images of the soldiers were sculpted and made of stone.

Were the images of the soldiers carved or painted? In sixteenth-century Chichén Itza it could have been either, or, more likely, both: the Mayans depicted soldiers and their captives on wall paintings, as well as in brightly and realistically coloured carved reliefs and statues. Bernal Díaz del Castillo also described pictures on the walls of temples at Campeche he had seen in 1517, and Fray Diego de Landa observed that Mayan rulers painted their walls ‘with elegance’. But the question of whether the images in Paletin’s account were carved or painted rings a bell. The same question has long been posed about the ecphrasis of the depiction of the Trojan War on the Temple of Juno in Virgil’s Aeneid Book 1. That uncertainty in Virgil always had the effect of focusing readers’ attention away from the material...

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18 D. A. Lupher, o. c., 368 n. 71, reads hebraicas rather than arabicas. ‘Hebrew’ is given in his English translation: D. A. Lupher, o. c., 177.
20 Bernal Díaz del Castillo, La verdadera historia de la conquista de la Nueva Espana, I, ed. Genaro García (trans. A.P. Maudslay, The Discovery and Conquest of Mexico, Farrar, Strauss and Cudahy, New York, 1956, 9-10); Diego de Landa, o. c. (6), 85-86. Landa, however, insisted (Relación, cap. 5) that the ancient buildings in Yucatan were not built by any other peoples than the Indians because they were adorned by stone figures dressed in the same fashion as the Indians themselves: he may have been seeking to dismiss conjectures like those made by Paletin.
nature of the artwork to recall its Iliadic subject matter and the reactions it elicited from Aeneas:

Namque sub ingenti lustrat dum singula templo,
reginam opperiens, dum, quae fortuna sit urbi,
artificumque manus inter se operumque laborem
miratur, videt Iliacas ex ordine pugnas,
bellaque iam fama totum vulgata per orbem,
Atridas, Priamumque, et saevum ambobus Achillem.

(\textit{Aeneid} 1.453-8)

As he examined each feature right under the huge temple, while he waited for the queen, and as he marvelled at the city’s fortune and the skill of the craftsmen and the labour involved in their work, he saw in order all the battles in Troy, and the wars even then celebrated throughout the world, the sons of Atreus, Priam, and Achilles cruel to both sides.

Paletin recalled (both in his Spanish and in his Latin texts) specific aspects of Virgil’s description: the hero’s amazement at the buildings he saw, the depictions of Greek and Trojan warriors with swords, shields, and spears – even Virgil’s mention of Amazons at \textit{Aeneid} 1.490 (\textit{Amazonidum lunatis agmina peltis}) was echoed as well. But most crucially of all, the temple of Juno in the \textit{Aeneid} had been located in \textit{Carthage} – the very civilization to which Paletin was attributing the architecture and Mayan script of Chichen Itza.

The overdetermination in this part of the third \textit{Quaestio} is obvious: the riddle is whether Paletin was aware of the relevance of the Temple of Juno in Virgil to his claim, on the strength of what he had seen for himself, that the Mayans were Carthaginian. Did he genuinely think he recognised a Mediterranean legacy in Yucatan, in the way Aeneas recognised his people and even recognised himself amidst the Greek leaders in the images he beheld in Carthage?\textsuperscript{22} Or was the Croatian friar really evoking Virgil’s \textit{ecphrasis} to exert a subliminal influence on his readers, to incline them to his point of view? The replacement of the paintings described in the Spanish text with stone sculptures in the Latin suggests that the whole effect was contrived. Perhaps Paletin was like one of those spiritualists or fortune tellers who believes in his special powers but is not above using some conjuring tricks to convince others of his gifts. In any case, it is beyond doubt that the narrative and arguments of the \textit{De jure et justitia belli} were as much shaped by Vinko Paletin’s reading of the classics as they were by his capacity to draw from personal experience.

\textsuperscript{22} \textit{Aeneid} 1.488: \textit{Se quoque principibus permixtum adgnovit Achivis}. 
HRVATSKI KONKVISTADOR NA MAJANSKOM YUCATÁNU: VINKO PALETIN I NJEGOVO DJELO DE JURE ET JUSTITIA BELLII CONTRA INDOSE

U radu se razmatra rasprava De jure et justitia belli contra Indos hrvatskog dominikanka Vinka Paletina koji se u prvoj polovici 16. stoljeća, prije pristupanja svećeničkom redu, na poluotoku Yucatánu borio na strani španjolskih konkvista-
dora protiv naroda Maja i opisao to iskustvo u navedenom djelu koje je sačuvano u latinskoj i španjolskoj verziji. Paletinov latinski tekst, koji se smatra kasnijom verzijom izvorne rasprave, predstavlja hibrid političke i pravne rasprave, s jedne, te putopisa i historiografije s druge strane. Autorov cilj je bio opravdati španjolsku vlast u Novom svijetu, pri čemu se obilno služio citatima klasičnih poganskih au-
tora (Aristotel, Polibije, Plinije Stariji) te Biblije i crkvenih otaca poput sv. Augus-
tina, te iznosio više ili manje uvijene kritike na račun svog slavnijeg dominikan-
skog subrata Bartoloméa de las Casasa, koji je osuđivao zločine počinjene nad urođenicima. U radu se ukratko prikazuju osnovne razlike između španjolske i latinske verzije teksta s posebnim osvrtom na Paletinov opis majanske arhitek-
ture u gradu Chichén Itzá. Opis neodoljivo podsjeća na Vergilijeve prikaze Junonina hrama u prvom pjevanju Eneide, čime Paletin dodatno potkrepljuje svoju tezu o prisutnosti drevnih Kartažana na Yucatánu.

Ključne riječi: Vinko Paletin, pravedni rat, latinski jezik, Chichén Itzá, Yucatán, Kartaga, Vergilije