

CONCILIUM

Theology in the Age of Renewal

ELECTION-CONSENSUS-RECEPTION

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The Appointment of Bishops in the First Century of "Patronage" in Latin America (1504–1620)

ALTHOUGH general histories of the Church do not yet take it into account, Latin America (which now comprises thirty per cent of the world's Catholic population, a figure which will rise to over fifty per cent by the end of the century) underwent a development of its own from the fifteenth century. It was the only "colonial Christendom", dependent originally—from 1492—on Spain and Europe, and under the religious aegis of Latin (since 485, when the Pope came to occupy virtually the position of Roman Emperor) or Byzantine (since the inauguration of the Constantinian era in 330) Christendom.

Since then, the Latin-American episcopate has played an ever-increasing part in the affairs of the universal Church. It sent six hundred and one bishops to Vatican II, as opposed to only sixty-five to Vatican I, and none to Trent—thanks to the obstacles set up by Spanish "patronage", although several bishops, such as Zumárraga of Mexico and Vasco de Quiroga of Mechoacan, made every effort to get there.¹ By chance, one got to the Lateran Council in 1517, to one session only: this was Don Alejandro de Geraldini, bishop of Santo Domingo.

¹ For a general description of the history of the Church in Latin America, cf. Dussel, *Hipótesis para una historia de las Iglesias en América Latina* (Barcelona, 1967), revised and augmented as *América Latina en la historia de la salvación* (Barcelona, 1972). For the episcopate, cf. the bibliography in Dussel, *Les évêques hispano-américains, défenseurs et évangélisateurs de l'indien, 1504–1620* (Wiesbaden, 1970), pp. 1–61.

I. THE LATIN-AMERICAN EPISCOPATE IN THE SIXTEENTH CENTURY

Despite its early unimportance on the European scene, in Latin America the episcopate soon produced a pastoral and evangelizing movement of a conciliar character. A series of important provincial councils, starting with Lima in 1552 and continuing till 1774 in the colonial era, led to the first continental council of the Catholic Church, the first Plenary Council of Latin America, held in Rome in 1899. Their conclusions were applied by numerous diocesan synods, well in tune with regional needs. I have been able to trace seventy-eight of these between 1536 and 1636. This conciliar tradition made possible the foundation of the Council of the Latin American Episcopate, CELAM, in 1955, and led to the Medellín conference of 1968.

In the sixteenth century, the episcopate, though elected under the "patronage system", represented the heart of the cultural, and of course the religious, life of the colonies. The bishops were responsible for founding colleges and universities, for installing printing presses, organizing missions, and lending their paternally authoritative weight to every sort of involvement in the day-to-day economic, social, political and military life of the colonies.

Far more important on the world scene was the fact that from 1544 to 1568 there was a generation of bishops who placed the whole authority of the ecclesial institution behind the defence of the Indians, the "protectorate". There were several outstanding figures involved: Zumárraga founded the first Indian seminary, in Tlaltelolco: Vasco de Quiroga organized thousands of Indians into a hundred and fifty communities, sharing their possessions in common, in the first experiments in what were to become known later as the "reductions"; in Lima, St Toribio of Mogrovejo gave outstanding witness of heroic virtue as a "reformed" pastor—"reformed" in the sense that the Latin American episcopate grew up in the shadow of the reforms instituted by Cardinal Cisneros: their poverty was as exemplary as their personal life (I have not been able to find a single accusation on this score against any of the hundred and fifty-seven bishops resident between 1504 and 1620).

Even more remarkable was the work of Bartolomé de las

Casas, bishop of Chiapas, who was expelled from his diocese by his Spanish flock for his defence of the Indians after only a few months' residence; he was more fortunate than Antonio de Valdivieso, who died a martyr's death for his defence of the Indians, assassinated by the Governor of Nicaragua; or than Pablo de Torres, bishop of Panama, who was sent back to Spain in chains for the same reason; or Juan del Valle, bishop of Popayán, who having done all he could for his Indians went to the Audience of Santa Fe in Bogotá and to the Council of the Indies in Spain, and when not listened to in either place set out to plead his case at the Council of Trent, but died in the South of France before reaching it; or Agustín de la Coruña, arrested in his own cathedral and held captive for five years because his Spanish flock could not stand his continual efforts on behalf of the Indians.

All this constitutes a vitally important piece of social history, whose relevance is not lost on developing nations today. Bartolomé de las Casas' prophetic book *The Destruction of the Indies* is an example to many dependent and oppressed peoples in their struggle to free themselves from colonialism or neo-colonialism.

II. SPANISH "PATRONAGE" IN AMERICA IN THE SIXTEENTH CENTURY

In Spain and Portugal, the absolutist policies of their monarchs and the weakness of Rome, which needed Iberian support in Italy and the rest of Europe, led to an increasing identification of the Church with the Crown. First Portugal obtained from Rome *possessio* of the lands conquered from the Saracens in North Africa.² Soon after, Spain acquired the same *jus patronatus* guaranteeing her full powers in the Canary Islands (1418). The "Catholic monarchs", Fernando and Isabel, obtained the Bulls *Provisionis nostrae* and *Dum ad illam* (1486) for organizing the final crusade against the kingdom of Granada, which gave the Crown all sorts of powers over the churches that would be set up in Arab lands. This is why the conquest of Granada (1492) and

² *Aeterni Regis* of 8 January 1455. *Bullarum Patronatus Portugalliae Regnum* (Lisbon, 1868), Vol. I, p. 49.

the "patronage" exercised there, was the precursor of the patronage in the Church in America, which Columbus discovered in the same year. Armed with the further Bulls *Inter coetera* and *Eximiae devotionis* (1493), Fernando of Aragón began organizing what was to become known as the "patronage" system in Latin America, which gave him the right to "present" bishops, set the boundaries of dioceses and parishes, send out religious and missionaries, receive Church tithes, supervise synods and councils, delegate these powers to the civil authorities, and so on.

In the "Fernandine period" (1504–1516), from the moment Rome named the first three bishops for America, on 15 November 1504, the king showed how he intended to exercise his rights of "patronage": he demanded and succeeded in having confirmed by the Bull *Universalis Ecclesiae* of 28 July 1508, that these appointments be annulled on the grounds that the candidates had not been chosen or appointed by the king, nor had he decided the Sees or the boundaries of the new bishoprics. Once the three candidates had been settled, the dioceses of Santo Domingo, Concepción de la Vega and Puerto Rico were founded at the Consistory of 8–13 November 1511. The first three bishops, Garcíá de Padilla, Alonso Manso and Pedro Suarez de Deza, met the king in May 1512 to establish the "Capitulation of Burgos" by which they explicitly pledged themselves to defence of royal "patronage". The "executive orders"³ were eventually handed to them on 27 December 1512.

There was then a "transitional period" from 1516 to 1524, beginning in the regency of Cisneros, during which the dioceses of Santiago de Cuba and Carolense were founded, in 1517 and 1519 respectively, bringing the total to six, as Santa María la Antigua in Panama had also been founded at the end of the Fernandine period, in 1513.

The "patronage" system took on its definitive form with the establishment of the Council of the Indies in 1524. This had been planned by a team led by Cardinal Loaysa in Valladolid the previous year. The Council elaborated a whole juridical structure

³ "Executive orders" was the term given to the ensemble of "Royal Charters" that enabled the Bulls of the Roman Consistory to be "executed" or "carried out".

that became known as the *Laws of the Indies*, made up of a series of Royal Charters emanating from the throne—not collected into volume form till 1681, though they were worked out during the sixteenth century. They include the most important definitions of the king's rights of patronage: "The right of ecclesiastical patronage belongs to us throughout the whole state of the Indies" (Bk. I, Tit. VI), so that "the archbishoprics, bishoprics and abbeys of our Indies will be supplied through presentations made by us to our very Holy Father" (*ibid.*).

By 1620 the Council had founded twenty-nine bishoprics in America, the first being Mexico, established at the Consistory of 2 September 1530, and the last, Durango, on 28 September 1620.

Candidates for pastoral functions in America presented themselves continually to the Council in Spain. The qualities required in a bishop were: university studies (there were Salamanca professors, and numerous masters and doctors of theology), experience in administration (monastic priors, Franciscan Guardians, deans of ecclesiastical chapters, Presidents of the Inquisition, etc.), and almost always proven virtue and poverty. In this sense, the Council certainly chose in a way that could not have been bettered by either the churches of the *conquistadores* or Rome itself.⁴

Once a short list of candidates (from one to three) for a particular see had been drawn up, those chosen were given an "advice" in writing. They did not always accept the candidature, but if they did, their names were "presented" to the pope in Rome by the Spanish ambassador. The pope could delay the presentations, but very few were refused. The Roman Consistory debated the names at one meeting and gave its decision after taking a vote a few days later. The Cardinal Protector of Castile took the "responsibilities" before the Consistory, and the consistorial charters bore the date of the meeting at which the vote was taken. After prolonged procedures involving corrections, legalizations, confrontations, copies, etc., the Bull was registered at the Lateran chancellery, and charges were paid in the Apostolic Chamber.

Meanwhile, since these procedures were lengthy, the Council

⁴ Cf. *Les évêques hispano-américains*, p. 49.

customarily gave those who had been elected and presented a Royal Charter of "request and command", armed with which they could leave for America without waiting for the Bull, present it to the civil and ecclesiastical authorities there and take preparatory charge of some of their pastoral functions. This custom was criticized by St Toribio, archbishop of Lima.

When the Council received the Bull of appointment of the bishop, it sent what were known as his "executive orders" (a Royal Charter allowing him to perform what he had been appointed by the pope to perform). Without these, the bishop could not take definite charge of his bishopric, nor was a council or synod or any other ecclesiastical event in the Indies recognized as valid.

As an example of the time scale of this procedure, Pablo de Talavera, bishop of Tlaxcala, was *elected* by the Council on 29 August 1543, *named* by the Consistory on 2 April 1544, and received his *executive orders* on 17 October the same year. He reached his diocese on 24 July 1548, was *consecrated* on 7 April 1549, and died on 19 October 1557.

For a bishop to receive his executive orders, it was usual to require from him an "oath of fidelity"⁵ to the "patronage", after which he could be consecrated bishop—in America, with one bishop only officiating, and using native balsam.⁶ But the patronage system required even more than this. To be able to take charge of his diocese, the new bishop had to present his executive orders and the Bull (or the Royal Charter of "request and command") to the Viceroy, Audience, Governor or secular Chapter at the same time as to the ecclesiastical Chapter that had been administering the diocese as a *sede vacante*. All this was a source of endless quarrels, since so many different authorities and patronal rights produced a continual stream of interferences, conflicts and contradictions.

Because of "patronage", the King possessed, through the Council of the Indies, a juridical system that allowed him to dominate the Church completely, though the Church, in its daily activities, was always trying to escape from this omnipotence. On the other hand, "patronage" effectively prevented Rome from exercising

⁵ *Ibid.*, pp. 55–6.

⁶ *Ibid.*, pp. 56–7.

any influence whatsoever in America. *Propaganda fide* (established in 1623) was unable to obtain any foothold in Latin America till well into the nineteenth century. The Papal Nuncio in Madrid never succeeded in appointing a nuncio in America, although the King was not successful either in establishing a patriarchate there with genuinely autonomous ecclesiastical powers.

III. THE SOCIOGRAPHY OF THE APPOINTMENT OF BISHOPS

To judge how the system actually worked, some figures will enable one to form a quantitative judgment.

Between 1511 and the end of 1620, 292 candidates were chosen and presented to Rome by the King and the Council. 243 presentations were named by consistorial Bull, involving 159 resident bishops (with 187 periods of ecclesiastical government). Fernando (d. 1516) did not present any Creole candidates, his successor Charles V (abdicated in 1555) presented only 3.1% Creoles, as did Philip II (d. 1598), whereas Philip III's choices were 38% Creole. Of these, 33% were secular clergy, 32% Dominican friars (who acted brilliantly in defence of the Indians), and the remainder Franciscans, Augustinians, etc. Of the twenty-three Creole bishops presented, twelve came from Mexico, four from Lima, and one each from Cusco, Arequipa and other places.

Of more concern in assessing the patronage system is the time that elapsed during the process of nominating a bishop. The average duration of the hundred and eighty-seven periods of government was twelve years nine months, but four years eight months of this was a period of *sede vacante*, so the bishop's effective average period of residence was eight years one month. A more significant picture emerges from a comparison by archbishoprics or regions (see table below).

This shows that there was actually one archdiocese—La Plata, comprising Chuquisaca and present-day Argentina, Bolivia and Paraguay—in which the total time of *sede vacante* was higher than that of effective occupation. At the time, the route between Spain and this region was via the Pacific coast of South America, so news of the death of a bishop had to travel back via Peru and the Panama-Caribbean region and across the North Atlantic. The new bishop then had to follow this route in reverse. From this

point of view the patronage system was badly adapted to the immense distances involved. The situation was better in Santa Fe de Bogotá (present-day Colombia), whose percentage of vacant time was the lowest, even though Santo Domingo was better situated geographically.

Comparison of the total time in months of *sede vacante* and effective government by the resident bishop—1511-1620

Archdiocese or region	Months of residence by the bishop	Months of <i>sede vacante</i>	Percentage of time vacant
Santo Domingo	3,344	1,765	34.5
Central America	3,586	1,809	33.5
Mexico	3,733	1,485	28.4
Santa Fe	2,656	841	24.0
Lima	3,627	2,994	45.2
La Plata	1,250	1,459	53.8
Total	18,196	10,553	36.2

Cf. *Les évêques hispano-américains*, pp. 37-44.

Such comparative studies help to give a better idea of the workings of patronage, and enable one to evaluate its scope, advantages and limitations in the sixteenth century.

IV. "PATRONAGE" OF COLONIAL CHRISTENDOM AND ITS CRISIS

In an earlier *Concilium* article,⁷ I discussed the crisis in science produced by the transition from Christendom (understood as a "cultural" entity including Christianity) to a secular civilization in which Christianity recovered a healthy independence, enabling it better to face up to its real universal mission. In the same way the gradual disappearance of what I have called "Latin American colonial Christendom" is now allowing the Church in Latin America, where it understands the meaning of the process, to become actively involved in the historical liberation of the continent, looking beyond the Spanish-European cultural patterns that have dominated it in the past.

⁷ Cf. "From Secularization to Secularism: Science from the Renaissance to the Enlightenment", in *Concilium*, Sept. 1969 (American ed., vol. 47).

In the sixteenth century, the Latin American episcopate showed some outstanding qualities, and if the patronage system is to be judged on the basis of the people it chose and the way they behaved, then one can only conclude that it is one of the most fruitful periods in the history of the "reformed" episcopate in the Catholic Church. But quite soon, in the seventeenth and eighteenth centuries, the system began to groan under the oppressive weight of an excessively regalist institutionalization, and the bishop became no more than a cog in the Spanish colonial bureaucratic machine. As a result of this, the bishops played virtually no part in the "Wars of Independence" (1809-25), and even opposed the revolutionary and patriotic leanings of the younger and Creole clergy. The crisis of the nineteenth century, and the reaction that set in later (with the ideal of a "new Christendom" in the 1930s), have finally given way to a new attitude. The declarations of the Peruvian bishops in August 1971, made as proposals for the Synod, for example, demonstrate not only the possibility but also the need felt by many Christians to engage in a socialist course (not that of Marxism, rejected as bureaucratic and anti-democratic).

The situation of Latin America, and of its episcopate, as heirs of the only "colonial Christendom" in the world (Byzantium and Latin Europe were not *colonies*, nor were the Arab world, Africa and Asia *Christendoms*), places its bishops in the situation of being the *only* ones who can go through the struggle for the liberation of a continent in a post-Christendom condition. This unique situation should show historians of the European Churches that the Church in Latin America cannot simply be tacked on as a final appendix to the "history of the missions" (as histories of the Church in France, Germany, etc., have done up till now), because we are dealing with a whole "Christendom" (one of three with Byzantium and Rome, though politically dependent). The *sui generis* position of the Latin-American Church can only be described by its members, and so far there is not much call for its scholars to take their place in the studies, seminaries, joint works of history of the *European* Church, in effect, which sometimes pass as the history of the *universal* Catholic Church.

Translated by Paul Burns