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The Use of the Pleitos in United States Historiography from Washington Irving to the Present

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In the United States, the image of Christopher Columbus has been until recently one-sided and heroic. Columbus has been depicted as a prototypical American: ambitious and self-reliant, scientifically oriented and scornful of religious dogma, a sufferer at the hand of royal figures. Far from being a true depiction of what the documents tell us about Columbus, such an image served nationalist and patriotic propaganda well into the late twentieth century and was accompanied by national celebrations such as the annual holiday on Columbus Day in October, by the names of towns and cities throughout the states and the national capital in the District of Columbia, by countless textbooks for school children¹. That image was popularized in the 1820s and 1830s by Washington Irving, survived the questioning and attempted debunking in the late nineteenth century, and was reinforced in 1942 by Samuel Eliot Morison, who depicted Columbus as a hard-headed, take-charge figure, an image that fitted well the prevailing national stereotypes of World War II and the early Cold War.

Together with the popular enthusiasm, the United States also produced generations of serious scholars on Columbus and his times, all of whom made use of the famous lawsuits pitting the Spanish crown against the descendants of Christopher Columbus provided testimony that was valuable in adding material to the story of the early years of European activity across the Atlantic in the Caribbean islands and on the American mainland. Historians in the United States have been making use of the testimonies contained in the records

¹ For an account of how the United States came to embrace Columbus, see Bushman, Claudia L.: *America Discovers Columbus: How an Italian Explorer became an American Hero*, University Press of New England, Hanover, NH, 1992.

of those lawsuits since the early nineteenth century, when Martín Fernández Navarrete first published them in 1825. The information contained in the pleitos first came to be used by U.S. historians at that time, just as was the case elsewhere in the world. As Justin Winsor put it over a century ago, “The papers of the famous lawsuit of Diego Colón with the crown seem to have escaped the attention of all historians before the time of Muñoz and Navarrete”².

For the United States, Washington Irving began the tradition of serious Columbus scholarship with the publication of his highly influential biography in 1828. *The Life and Voyages of Christopher Columbus*³ became the standard American account throughout most of the nineteenth century, and its interpretations still have some influence on the popular image of the admiral as a heroic figure. Irving’s biography was notably successful, with 175 versions published in English and other languages up to 1900. It is still in print today⁴. Irving made heavy use of the material in Fernández Navarrete’s collection of Columbian documents, including the testimonies in the pleitos, and followed Navarrete’s interpretations closely⁵.

Irving’s heroic image of Columbus came to be challenged in the late nineteenth century by the work of three prominent American historians: Henry Harrisse, Justin Winsor, and John Boyd Thacher⁶. All three studied the available material on Columbus and presented interpretations of Columbus

2 Winsor, Justin: *Christopher Columbus and How He Received and Imparted the Spirit of Discovery*, Houghton, Mifflin, Boston and New York, 1892, pp. 26-27. He was referring to Juan Bautista Muñoz (1745-1799) and Martín Fernández Navarrete (1765-1844). He knew that Muñoz had a royal commission to examine the archives of Spain and to assemble documents of a major history of Spanish America. Muñoz published his first volume in 1793: *Historia del Nuevo Mundo*, Viuda de Ibarra, Madrid, 1793. His proposed second volume did not appear, but the papers he used were seen by Washington Irving as he prepared his Columbus biography. Fernández Navarrete, Martín: *Colección de los viages [sic] y descubrimientos que hicieron por mar los españoles desde fines del siglo XV: Con varios documentos concernientes a la historia de la marina catellana y del establecimientos españoles en Indias*, Imprenta Real, Madrid, 1825-1837, 5 vols.

3 Irving, Washington: *The Life and Voyages of Christopher Columbus*, 3 vols., New York, G. & G. Carvill, 1828, and 4 vols., John Murray, London, 1828.

4 Amazon.com and bn.com list the second volume as in print (N.p., Indy Publishing, 2006) and a complete edition. AMS Press, New York, 2004.

5 Irving was even accused of having plagiarized much of Navarrete’s work. The charge was first made in the 1840s by Severn Teackle Wallis. See John Harmon McElroy’s introduction to his edition of *The Life and Voyages of Christopher Columbus*, Twayne, Boston, 1981, lxxiv.

6 For the context, see Wilson, Clyde Norman: *American Historians, 1866-1912*, Gale Research, Detroit, 1986.

and his times that were more objective than those of Irving and less inclined to support the heroic image. All three made significant use of the pleitos.

Henry Harrisse (1829-1910) was born in Paris and educated in the United States. He became a naturalized citizen and taught French at the University of North Carolina and Georgetown University. He also qualified as a lawyer and later spent years working in Paris⁷. He also collaborated with the Italian editors on the publication of the famous *Raccolta* that collected and published all the available sources on Columbus⁸. He knew the pleitos well in the Navarrete edition and used them in the preparation of many of his more than ninety works, most of which dealt with the earliest period of American history and which were published in French, Spanish, and English. He wrote on John Cabot, the French in North America, and particularly on Columbus and his family⁹. Harrisse was no newcomer to Columbian scholarship and as early as 1866 published *Bibliotheca Americana Vetustissima*, a work on the earliest books relating to America¹⁰. In 1884, he published his first biography of Columbus in two volumes, *Christophe Colomb: Son origine, sa vie, ses voyages, sa famille & ses descendants*¹¹. At the time of the fourth centenary of the 1492 voyage, he published a shorter version, also in French¹². His biographies of Columbus and *The Discovery of North America* used the pleitos¹³. His Columbian scholarship also included a collaboration with G. F. Barwick and B. F. Stevens to produce a facsimile edition of Columbus's *Book of Privileges* together with an English translation¹⁴.

7 For Harrisse, see Sanz, Carlos: *Henry Harrisse (1829-1910) príncipe de los americanistas: su vida, su obra*, Gráficas Basagal, Madrid, 1958.

8 *Raccolta di documenti e studi pubblicati dalla R. Commissione pel Quarto Centenario dalla scoperta dell'America*.

9 See his work on Ferdinand Columbus. Harrisse, Henry: *Fernand Colomb: Sa vie, ses oeuvres*, Tross, Paris, 1872.

10 Harrisse, Henry: *Bibliotheca Americana Vetustissima: A Description of Works Relating to America, Published between the Years 1492 and 1551*, G.P. Philes, New York, 1866.

11 Harrisse, Henry: *Christophe Colomb: Son origine, sa vie, ses voyages, sa famille & ses descendants d'après des documents inédits tirés des archives de Gênes, de Savone, de Séville et de Madrid: Études d'histoire critique*, Ernest Leroux, Paris, 1884-1885, 2 vols.

12 Harrisse, Henry: *Christophe Colomb devant l'histoire*, H. Welter, Paris, 1892.

13 Harrisse, Henry: *The Discovery of North America: A Critical, Documentary, and Historic Investigation*, Henry Stevens and Son; H. Welter, London y Paris, 1892. I have used the modern edition, N. Israel, Amsterdam, 1961.

14 Harrisse, Henry, Barwick, G. F. and Stevens, B. F. eds. and trans.: *Christopher Columbus: His own Book of Privileges, 1502*, B. F. Stevens, London, 1893.

Also working around the end of the nineteenth century was the Bostonian scholar Justin Winsor (1831-1897). His professional accomplishments as a librarian –first as head of the Boston Public Library, later as the librarian of Harvard University, and as founder of the American Library Association–won him national renown. As a historian, Winsor published extensively on early American history, including works on the French in North America and on westward expansion in its early phases. His contribution to Columbian scholarship came in 1891 with the publication of *Christopher Columbus and How He Received and Imparted the Spirit of Discovery*¹⁵. Winsor was well aware of the pleitos and how they had been used by previous scholars. He cited the pleitos on several appropriate occasions.

The next significant American scholar of Columbus was John Boyd Thacher (1847-1925). Thacher was the son a prominent industrialist in Albany, New York. He and his brother took over their father's Thacher Car Wheel Works on the father's death, and John Boyd Thacher also became active in local and New York State politics, serving as mayor of Albany and a state senator. Meanwhile, he wrote and published a number of historical works on early American history¹⁶ and John Cabot¹⁷. His major publication on Columbus was the massive *Christopher Columbus, His Life, His Works, His Remains*, published first in 1903¹⁸. Thacher made use of the material of the pleitos, particularly the testimony of Dr. García Hernández on Columbus's visit to Palos and La Rábida on the eve of the negotiations that led to the Capitulations of Santa Fe¹⁹.

15 Winsor, Justin: *Christopher Columbus and How He Received and Imparted the Spirit of Discovery*, Houghton, Mifflin, Boston and New York, 1891. A year later a new addition appeared, Houghton, Mifflin; The Riverside Press, Boston and Cambridge Mass., 1892.

16 Boyd Thacher, John: *The Continent of America, Its Discovery and its Baptism: An Essay on the Nomenclature of the Old Continents: A Critical and Bibliographical Inquiry into the Naming of America and into the Growth of the Cosmography of the New World, Together with an Attempt to Establish the Landfall of Columbus on Watling Island, and the Subsequent Discoveries and Explorations on the Main Land by Americus Vesputius*, William Evarts Benjamin, New York, 1896.

17 Boyd Thacher, John *The Cabottian Discovery*, J. Durie & Son; Copp-Clark Co.; Bernard Quaritch, Ottawa, Toronto and London, England, 1897.

18 Boyd Thacher, John: *Christopher Columbus: His Life, His Works, His Remains, as Revealed by Original Printed and Manuscript Records, Together with an Essay on Peter Martyr of Anghera and Bartolomé de las Casas, the First Historians of America*, 3 vols. in 6 parts, G.P. Putnam's Sons, New York, London, 1903-1904.

19 *Ibidem*, vol. 1, part 2, p. 432.

For most of the early twentieth century, the image of Columbus changed to a certain degree due to the work of these three authors, particularly Winsor, although the heroic image as depicted by Washington Irving still was influential in the popular imagination. In that period an American who made significant contributions to Columbian scholarship. This was Alice Bache Gould (1868-1953) and her work on the crews of the vessels in Columbus's 1492 transatlantic voyage.

For years in the early decades of the twentieth century, Alice Gould worked in Spain on her abiding interest: to determine as much as possible about the lives of the participants in the first voyage. She worked in various archives but principally in Simancas, where she became well known for her presence and for her charitable works in the town. She was so much a fixture of the archive that when she died on at the entryway in 1953, a plaque was later affixed in her honor. It was dedicated "to Miss Alice B. Gould illustrious North American researcher and a great friend of Spain. She worked in this archive for forty years and died at its entrance on the 25 of July 1953"²⁰. Her findings were presented between 1924 and 1944 in a series of articles in the *Boletín de la Real Academia de la Historia* and compiled into a book in 1984 by the Academy of History with an introduction by Ramón Carande²¹. Miss Gould made great use of the pleitos in her work, both the earlier Navarrete edition and the more recent versions by Fernández Duro²². Alice B. Gould's scholarship was really more in the tradition of Spain than that of the United States, but her work has influenced all serious American scholars who have followed her.

One of the most prominent was Samuel Eliot Morison (1887-1976). Morison was a New England patrician who was for many years a professor at Harvard University. He was the co-author of an influential textbook of American history²³ and of the fifteen-volume *History of American Naval Operations in World War II*²⁴. A sailor from boyhood, he rose to be an admiral.

20 The Spanish original states: "A miss Alice B. Gould, ilustre investigadora norteamericana y gran amiga de España. trabajó en este archivo durante cuarenta años y murió a su entrada el día 25 de julio de 1953".

21 Gould, Alicia B.: *Nueva lista documentada de los tripulantes de Colón en 1492*, Real Academia de la Historia, Madrid, 1984.

22 Fernández Duro, Cesáreo, ed.: *Pleitos de Colón*, Sucesores de Rivadeneyra, Madrid, 1892-1894, 2 vols.

23 Morison, Samuel Eliot and Steele Commager, Henry: *The Growth of the American Republic*, Oxford University Press, New York, 1930. The book went through various editions for half a century.

24 Morison, Samuel Eliot: *History of American Naval Operations in World War II*, Little, Brown, Boston, 1947-1962, 15. vols.

ral in the naval reserve and seemed to have been quite pleased to share a rank with Christopher Columbus. His biography of Columbus, *Admiral of the Ocean Sea*, appeared in 1942 and became an instant classic. Issued initially in a two-volume scholarly edition and a one-volume version without notes, it went through a later condensation and formed portions of later works by Morison²⁵. It influenced a generation of textbook writers in its depiction of Columbus as a hardheaded scientific navigator, something like a prototype of the engineers that were remaking America and the world in the mid-twentieth century. He downplayed the negative aspects of Columbus's life, the slave-catching as one example, and had little appreciation for the earlier admiral's religiosity.

Morison's debt to the *pleitos* was manifest. He devoted nearly an entire chapter to them in the first volume of the two-volume edition. He was well aware of the potential problems of interpretation of the testimony, obtained by the contending parties in the lawsuits and collected long after the events had occurred. As he put it, "Commonsense tells us that evidence taken under such circumstances and so long after the event should be used only to support or fill out contemporary evidence, and that much of it must be worthless... Yet we may not discount these *pleitos* completely; and there is much even in the pro-Pinzón testimony that fits in with and supplements the evidence in Columbus's own Journal"²⁶.

Morison's influence on Columbian scholarship was overpowering and influenced a generation of textbook writers. It even eclipsed the great Spanish biography that appeared at about the same time, that of Antonio Ballesteros²⁷. Ballesteros made great use of the material at his disposal and opened new avenues for Columbian research. Unfortunately, his work never received an English translation and remained relatively poorly known in the United States. There was not another round of interest in producing new

25 Morison, Samuel Eliot: *Admiral of the Ocean Sea: A Life of Christopher Columbus*, in one- and two-volume editions, both Boston: Little, Brown, 1942. Morison published an abridged edition: *Christopher Columbus, Mariner* (Boston: Little, Brown, 1955). It went through various paperback editions. Material from *Admiral of the Ocean Sea* appeared in Morison's *The European Discovery of America*, Oxford University Press, New York, 1971-1974, 2 vols.

26 Morison: *Admiral of the Ocean Sea*, 1:178.

27 Ballesteros Beretta, Antonio: *Cristóbal Colón y el descubrimiento de América*, Salvat, Barcelona, 1945, 2 vols. The volumes originally appeared as part of Ballesteros Beretta, Antonio: *Historia de España y su influencia en la historia universal*, Salvat, Barcelona, 1918-1941, 9 vols. See also, Ballesteros Beretta, Antonio and Cortesão, Jaime: *Génesis del descubrimiento*, Salvat, Barcelona, 1947.

American biographies of Columbus until the late 1980s as the quincentennial commemorations of 1992 were approaching.

Nonetheless, in the intervening period there were two other American books dealing with the pleitos that deserve attention. At mid-century, too, a scholar produced a complete history of the Columbian lawsuits. This was the German-American Otto Schoenrich, a lawyer and a judge, who wrote on such interests as comparative American and Spanish law, on the Caribbean city of Santo Domingo that was a foundation of Columbus's brother, and on a two-volume work on the pleitos published in 1949 and 1950. This was *The Legacy of Christopher Columbus*, a comprehensive study of the litigation between the heirs of Columbus and the crown and the subsequent legal disputes between members of the Columbus family²⁸.

A small but useful volume appeared in 1976, when Louis-André Vigneras published *The Discovery of South America and the Andalusian Voyages*²⁹. This was an analysis of the non-Columbian voyages to South America that began during Columbus's lifetime and continued after his death, what Navarrete had dubbed the "minor voyages." The pleitos obviously have much information about these voyages, often the actual testimony of the participants themselves, and Vigneras made extensive use of that evidence.

Several American biographies appeared around 1992. They all made use of material that had appeared since Morison wrote. None was as comprehensive as Morison or Ballesteros, but all their authors knew and used the pleitos³⁰. Kirkpatrick Sale, whose *Conquest of Paradise* had the agenda of presenting Columbus as the instigator of an ecological disaster in the Americas, considered the pleitos unreliable and rejected most of what was contained in them³¹. John Noble Wilford's *The Mysterious History of Columbus*

28 Schoenrich, Otto: *The Legacy of Christopher Columbus: The Historic Litigations Involving his Discoveries, His Will, His Family, and His Descendants ... Resulting from the Discovery of America*, A.H. Clark Co., Glendale, Calif., 1949-1950, 2 vols. For information about Schoenrich, see Schoenrich, Otto: *Reminiscences of an Itinerant Lawyer*; J. H. Furst, Baltimore, 1967.

29 Vigneras, Louis-André: *The Discovery of South America and the Andalusian Voyages*, University of Chicago Press, Chicago, 1976.

30 By then the editions of the Seville school were available. Muro Orejón, Antonio *et al.*, eds.: *Pleitos colombinos*, vol. 3 *Probanzas del Almirante de las Indias (1512-1515)*, Escuela de Estudios Hispanoamericanos, Sevilla, 1984; vol. 4: *Probanzas del fiscal (1512-1515)*, Escuela de Estudios Hispanoamericanos, Sevilla, 1989; vol. 8: *Rollo del proceso sobre la apelación de la Sentencia de Dueñas*, Escuela de Estudios Hispanoamericanos, Sevilla, 1964.

31 Sale, Kirkpatrick: *The Conquest of Paradise: Christopher Columbus and the Columbian Legacy*, Alfred A. Knopf, New York, 1990), see, for example, pp. 10, 60-61.

made out the story to be a series of bigger mysteries that they really are. Regarding the pleitos, he had a judicious eye and accepted some of the more plausible evidence from the depositions. He judged them useful in showing the importance of Martín Alonso Pinzón to the enterprise but rejected the story of the Vatican map of the route to Asia that Pinzón was supposed to have obtained according to the testimony of some witnesses³². Carla Rahn Phillips and I published *The Worlds of Christopher Columbus* in 1992. Our purpose was to place Columbus in a wide context of world history and to show him acting within frameworks that had been in existence for decades and centuries as Europeans expanded their knowledge of the wider world. We used material from the testimonies at several stages, particularly about the details for the preparations for the first voyage³³. More recently, Miles Davidson published a large volume that surveys and analyses the historical evidence and how modern scholars have used that evidence. He used the pleitos and their testimonies when they seemed to fit with other material and rejected them when they did not³⁴.

In the year 2000, the Center for Medieval and Renaissance Studies at the University of California, Los Angeles, published a volume on the pleitos as part of its series of publications of English translations of the principal Columbian materials. The series is known as the Repertorium Columbianum. The eighth volume of that series is *Testimonies from the Columbian Lawsuits*. I was the editor of that volume, which was based on the Seville editions of Muro Orejón and others. It is the first English translation and will make the rich sources of the pleitos available for the next generation of American scholars of the life and times of Columbus³⁵.

32 Wilford, John Noble: *The Mysterious History of Christopher Columbus: An Exploration of the Man, the Myth, the Legacy*, Alfred A. Knopf, New York, 1991, see, for example, 119-120.

33 Phillips, Jr., William D. and Phillips, Carla Rahn: *The Worlds of Christopher Columbus*, Cambridge University Press, Cambridge and New York, 1992.

34 Davidson, Miles H.: *Columbus Then and Now*, University of Oklahoma Press, Norman, Okla., 1997, see, for example, pp. 109, 189-90, 217, 267.

35 Phillips, Jr., William D. ed.: *Testimonies from the Columbian Lawsuits* (Vol. 8 of the Repertorium Columbianum), trans. William D. Phillips, Jr., and Anne Marie Wolf, philological introduction by Mark D. Johnston, Belgium: Brepols, Turnhout, 2000.