

THE SPANISH CONQUEST OF CALIFORNIA: TRUTH AND MYTH

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A Contemporary approach to the topic

Since 2015 in the United States, a social movement opposed to the nationalist and populist measures of **Donald Trump** has been taking shape. The alarm of political progressivism against the proliferation of ultra-nationalist groups, who are followers of the thesis of white racial supremacy, has ended up involving the president who they consider responsible for encouraging them with their slogans. Tensions have worsened especially in the southern states that were part of the Confederacy during the civil war (1861-1865). Certainly, the coexistence between the Afro-American population and that of European origin in these territories remains unresolved. The accusations of one and the other are interspersed with burning political questions when it comes to raising the relationship between the two communities. With the founding of **Black Lives Matter**, after the violent death of the black teenager Trayvon Martin, the confrontations have escalated.



The demands of this movement in defense of the civil rights of African Americans has supposed the vindication of the memory of those who suffered their trespass in the past. An extreme that, without a doubt, involves a revision of history that supports this speech. Along these lines are inscribed the campaigns for the removal of statues of controversial personalities such as the Confederate General **Robert E. Lee**, who was contrary to the granting of voting rights to freed black slaves after the end of the war [1]. A petition that the mayor of the Democratic Party of Charlottesville



(Virginia), Mike Signer, followed in 2017. The wave of protests broke out immediately, led by Confederate nationalists, deriving in a serious altercation. One of the counter protesters rammed his car into the crowd, causing one death and nineteen injuries [2]. The social shock has exploded in all its magnitude following the death of the African

American **George Floyd** while he was arrested by the police in May 2020. This fact has unleashed the indignation of the Black Lives Matter movement, which has been joined by other associations with the **attack and demolition of monuments that are historically linked to the submission or discrimination of the sub-Saharan ethnic group.**

However, the phenomenon has not been limited to this collective. It has also been extrapolated - due to the demand of some of their descendants - to the indigenous

populations that inhabited the western United States. In this way, **it tried to criminalize the action of Spain in the California region during the 18th century.** Hence the aggressions against the sculptures of Fray Junípero Serra [3] and other previous figures such as Christopher Columbus or Queen Isabel la Católica [4] in an attempt to amend the entire Spanish intervention in America.

The following paragraphs aspire to unravel the historical truth of what happened in California, differentiating the reality –documentally verifiable within its context– from the myth or legend that has accompanied it.

Historical circumstances

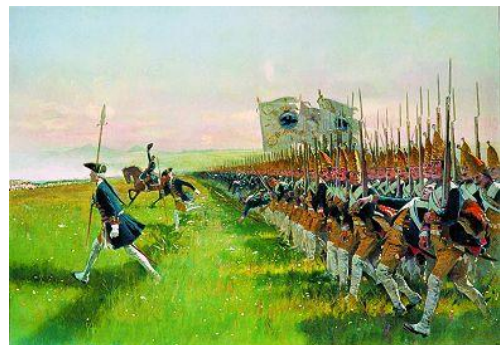
The expeditions of the Spanish Crown north of the Rio Grande were a consequence of the international situation at the time. The beginning of the **Seven Years' War** in 1756, in which France and Great Britain fought for western hegemony, also involved Spain in its objective to recover the positions lost long ago. If this gave up its leadership after the signing of the Treaty of Westphalia (1648) and the Pyrenees (1659) in favor of France, the Paris Agreement of 1763 created the primacy of the British monarchy. With this conflict - the first on a planetary scale, inasmuch as it



involved the main European powers extending the struggle to Asia and America - the religious issues of the conflicts of yesteryear were aloof to focus on eminently commercial interests. It is the century of Adam Smith's *The Wealth of Nations*, theoretical foundation of later economic liberalism. **This restlessness for the discovery of new sources of well-being, the result of the cultural trend of**

the Enlightenment –confident in the potential of human reason and the consequent scientific progress–, aroused competition between the different kingdoms of a still Eurocentric world. A point that, on the other hand, demonstrated the fragility of the principle of European balance by which foreign relations were governed since the twilight of the seventeenth century.

On the American front, it was a matter of deciding whether the Thirteen English Colonies - the embryo of the future United States of North America - would be isolated by the Franco-Spanish presence (crowns allied by the Family Pacts signed by the Bourbon dynasty, reigning in both countries) in Canada, Louisiana and Florida, territories adjacent to the Anglo-Saxon area. The balance turned to the British who, with the active participation of the colonial militias, conquered Quebec from the French. The entry of Spain into the war took place when hostilities moved to the Caribbean with the British occupation of the French islands of Guadeloupe, Martinique and Granada due to the damage to the



maritime routes that those enclaves - now English - caused to the Spanish fleet. The British presence supposed an added offense since the Treaty of Utrecht of 1713 sealed the delivery to England of Gibraltar and Menorca, in addition to granting the right of free navigation with Spanish America and black men trade. These were the conditions by which the war waged by Felipe V de Borbón could be stopped in order to gird himself in peace the crown bequeathed to him by the last Spanish Habsburg in 1700. In this way, **the English secured from the Atlantic control of the Silk Road in the mediterranean to the Orient. Likewise, they achieved legal recognition of the end of the commercial monopoly of Spain with its viceroyalties of America, worsening the problem of smuggling to the detriment of Spanish merchandise. With the black men trade, Great Britain took exclusive control of the slave trade from Africa to Spanish America.**

The system provided by Hispanic law established these licenses with private companies for reasons considered of public utility. Such had been the case in the early sixteenth century. The casualties among the American indigenous population due to infectious diseases imported by Europeans forced this resource which, in turn, sought to protect the Indians from the threat of servitude [5]. However, the trafficking of sub-Saharan Africans would continue due to new economic motivations. The fact that the Laws of the Indies guaranteed their inhabitants the status of subjects of the Crown - free and subject to law, like their European counterparts - necessarily had an impact on labor relations with less burdensome exigencies and higher wages. American producers preferred slave labor, consented to by the authorities, since its profitability also contributed to erode the illicit trade of English smugglers [6]. **The Spanish monarchy never directly managed the slave trade, it was based on the theses developed by Aristotle in the 4th century B.C.** For the Greek philosopher, slavery would be by natural law, in so far as in nature human beings capable of self-governing through reason would be distinguished and others who, even participating in the intellect, would not reach to fully possess it, showing a natural inclination for the hardest body jobs. These would be the slaves [7]. The physical complexion of the sub-Saharan peoples, characterized by their primitivism, –as perceived by almost all Europeans until well into the 19th century– was ideally suited for the case. A question that, at least for the classic, should not mean mistreatment or abuse, because "the lord and the slave are interested in



the same" [8]. **Already in the sixteenth century the School of theologians of Salamanca abounded in this consideration, progressing towards a paternalistic perspective of serfdom. It dispensed with any absolute conception of slavery, which reduced the submitted to mere merchandise. From very early on it was established that the circumstances of the Indian peoples differed from those of the sub-Saharan Africans as**

they were recognized, as argued by the Junta de Valladolid of 1551, a rationality and ontological freedom, proven in their civilizations (Aztec and Inca) [9].

The truth is that, **at the height of 1763, the military intervention of Spain turned out to be disastrous for their interests.** The signing of the peace agreement

forced the surrender of Florida. As compensation, he received Louisiana from his French ally. It is from this moment when an entire operation is activated aimed at consolidating the Spanish presence in the place; also in the vast territory north of Mexican California and west of the Mississippi. The time had come for a new foray into the Pacific.



Missions in Alta California

With the foundation of the Apostolic College of the Santa Cruz de Querétaro in the late seventeenth century, the foundations of the missionary work of the Franciscan friars to the north of the viceroyalty of New Spain (Mexico) had been laid. On this occasion, the initiative came from Father Antonio Llinás, a native of the Mediterranean island of Mallorca (Spain). It is worth noting the importance of this origin in the missionary relationship that many Majorcan friars would seal in the years to come. It was Pope Innocent XI who in 1682 issued the Brief creating this first institution for the propagation of the Catholic faith in America. The Pontiff did nothing but follow the line marked by his predecessors since Alexander VI, on the occasion of the discovery in 1492, proclaimed the following need:

Send to the said firm lands and islands good men, fearful of God, learned, wise and experts, so that they instruct the aforementioned natives and inhabitants in the Catholic faith, and teach them good customs, putting into it all the diligence that is appropriate [10].

The allocation and distribution of the territory, mainly for the benefit of the Crown of Castile, came from the power attributed by the Pope when acting *in nomine Christi*, from whom "all goods, empires and manors come" [11]. **This right contracted, however, a duty for the kings: to subordinate any material interest to the service of a higher good, namely, the teaching of faith and healthy customs to the indigenous population. Only here resided the legitimacy of the American conquest,** as later the writers of the University of Salamanca would emphasize in the heat of the debates about the morality of the action of Castile in the New World. **That exhortation from the Church soon translated into Crown directives to the discoverers to treat the Indians correctly.** The initial permissiveness of the civil authorities in the face of the slavery of the indigenous people - a continuation of the inertia of what happened during the 15th century on the African coasts - was early rectified by ordering their release and



that, from now on, the natives of the place they should be considered free. Among other reasons, because **if the main task of that company lay in the propagation of true faith, it demanded the free and unforced acceptance of its takers, conceived as a free gift from God.** Note that the texts of the time always indicate the requirement *to instruct*, not *to force* adherence to faith, with the consequences derived from it [12].

All these provisions of the Catholic Monarchs - a title with moral implications granted by the Holy See that should be inherit by their successors - would form the basic structure of **the Laws of the Indies, which expressly prohibited the slavery of Native Americans.**

Throughout this process, the theological and philosophical contents deployed since ancient times by the Church Fathers and their first Doctors had settled, who insisted on the voluntary reception of the faith [13]. **The Gentiles (unfamiliar with Christianity) had to be attracted by the force of charity and reasoned argument,** inspired by the apostle Peter's exhortations to primitive communities (1Pe 3:15). The spirituality of San Francisco of Asís underpinned these guidelines, later developed by some members of his order such as **Ramón Llull**. This 13th-century Mallorcan thinker and missionary would resort to reasoning and dialogue as preferred instruments to encourage the conversion of non-Christians. This was recorded in the *Llibre del Gentil*. And it is that, according to the root that would define Llull's doctrinal corpus (*lulismo*), **only love that brings God closer can mark the path of perfection in Christian life** [14].

With the arrival in Mexico of **Fray Junípero Serra** and other Mallorcan missionaries of the Franciscan order in the mid-18th century, this line was ratified in the pastoral action undertaken north of Sierra Gorda. **Trained in the Lulista principles,** which he would teach as a professor at the Luliana University of Mallorca, **Father Serra was to translate them into the Californian missions** [15]. This is proven by the

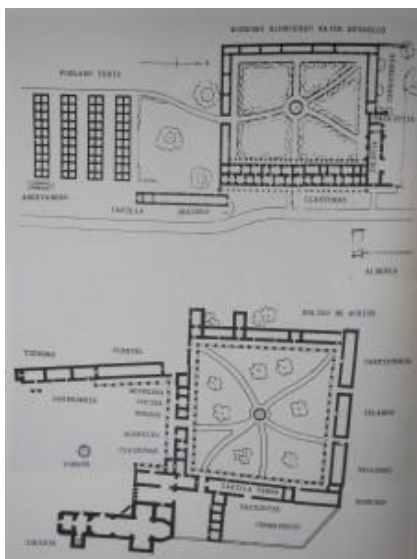
documentation referring to the treatment dispensed to indigenous people and in the organization of the mission system. The expulsion of the Jesuits from all the territories of the Spanish Crown decreed in 1767 by King **Carlos III**, jealous of his temporal authority against the Papacy (remember the special vow of obedience of the Jesuits to the Pontiff), precipitated that the viceroy of New Spain, Marqués de Croix, entrusted to the Franciscans the administration of the Californian lands ruled by the spiritual sons of



Saint Ignacio de Loyola. It was when the Visitor of the Viceroyalty, **José de Gálvez**, heeded the proposal of the religious community of the Colegio de San Fernando de México, naming Fray Junípero Serra president of the missionaries destined for California [16]. **Although the command of the old Jesuit missions fell to the commissioners of the army of the Spanish Crown, who provided protection to the Franciscan Fathers by means of presidios or forts, their work was not so much to replace the expelled as giving a real start to Catholic missionary work in Upper California** [17]. Thus, in a short time the missions created by the Jesuits were completed, drawing up an itinerary that the expeditions had to follow and the way they were carried out. Among the first were those of San Fernando, San Diego and San Carlos Borromeo, turned into the headquarters of Father Serra for the government of that company.

Proposals for «the spiritual conquest» [18]

At the height of 1773, with the missions of San Antonio, San Gabriel and San Luis already created, **Fray Junípero set out to write extensive suggestions addressed to the new viceroy, Antonio M^a Bucareli, to increase the progress of the missions and advance the presence of that Catholic missionary State** [19] represented by the Crown in the lands of Upper California.



Throughout thirty-two propositions, the Franciscan friar focuses mainly on logistical issues, essential for the proper functioning of the missions. Certainly, after praising *his Catholic Majesty*, King Carlos III, **Fray Junípero reviews the general state of the situation.** The routes of transit, both maritime and terrestrial, are presented as matters of the first order to sustain missionary work. The provision of food, farm tools and livestock are essential for the subsistence of its inhabitants, especially the Amerindians. And it is that **the objective of the missions, designed as small cities, consisted in bringing together the indigenous population concentrating it in said nuclei in order to instruct them in the informative budgets of Christian**

civilization. For this they had to be attractive, fitting out the houses, workshops

and barns, in addition to the medical and catechetical services, with the church-chapel as the nerve center of its structure [20]. This pattern was not too different from that promoted in Spain by the Christian kingdoms during the Reconquest with the Population Charts [21]. A pre-existing model really suited the circumstances of Northern California:

It is a very important point - wrote Fray Junípero - that they provide themselves with some laborers in the missions to cultivate the land and try to raise some crops for their maintenance [...] that farmers, cowboys and muleteers go on the boats [...]; I beg Your Excellency [the viceroy] for a new forge with a blacksmith [...] so that in addition to being better served [the missions] we will be able to put newly converted [Indian] boys to learn a trade [22].

In this sense, **the mission was the translation of a heavenly image: the city of God on earth facing an inhospitable state, apart from divine love, which offers everyone happiness and eternal salvation.** Among the younger indigenous population –generally receptive to evangelical preaching– the majority of its inhabitants were counted; either as catechumens (initiated into the faith) or newly baptized [23]. **At all times Father Serra insists on the care and good treatment of the Indians,** in accordance with the philosophy that inspired the Church and, therefore, Spanish legislation. The indigenous people could only remain in the custody of the Franciscan Fathers, thus avoiding any abuse or violence by the military who defended the missions from possible attacks:



That no punishment or mistreatment be done to any of them [the Indians], neither by the officer, nor by any soldier without the opinion of the missionary Father, since what has been said is an immemorial custom of the kingdom since its conquest, in accordance with the natural law concerned to the upbringing of children, and an essential circumstance for the proper education of the neophytes [24].

This paternalistic conception, inserted in some approaches of the School of Theologians of Salamanca –as has been seen- and very present in the 18th century due to the theory of the natural order (in a *spiritual family* such as that of the missions, the ‘father in charge would act as head’, watching over the good of the children), **guided the spirit of the Franciscan friars in California.** In the middle of the century the *Itinerary for parish priests* of the Bishop of Quito, Alonso de la Peña, was much commented. In its pages, it proposed a respectful relationship with the dignity of Native Americans, noting **that priests could not act as judges or directly inflict physical punishment on Indians** [25]. Where appropriate, correction should be governed by charity. An approach rooted, on the other hand, in the pedagogical standards of the time until recent times. **Although in the most conflictive areas such as the San Diego mission, whipping was recommended to temper the troubled spirits of some**

inhabitants [26], the general trend was benevolence. In fact, in the mented suggestions for the spiritual conquest of California, **Fray Junípero advocated that all those who had deserted the missions be pardoned, dispelling fears and concerns among "the Gentile and wayward Christians" [27].**

This desire to avert fears that would withdraw the natives from the missions was materialized in **the request made to the viceroy to remove Pedro Fages from the military command of the prison for "the very bad treatment and manners of said officer", whose conduct had caused serious arrears to missions [28].** Request that was attended by Bucareli, naming the one sponsored by Father Serra: Sergeant José Francisco Ortega, for being "judicious, prudent and without exasperation" [29]. In this way, it would be easier to remove soldiers who set a bad example at the request of the Fathers in charge of each mission [30]. At this point, also **the military authority had to be subject to ecclesiastical prescriptions.**

Within this broad program, **Fray Junípero was not unaware of the importance of miscegenation for the survival and promotion of missionary work.**



First, by inviting some indigenous families to go to other missions where there were already Spanish or Creole homes. **It was about promoting coexistence between different ethnic groups, united by the same faith,** in accordance with the pattern progressively adopted in the conquest of America. Likewise, the knowledge of families of old Christians was

sought among married natives, surprised by the presence of friars (celibate men) at the beginning of each mission. **By encouraging mixed marriages between soldiers and Amerindian women, Fray Junípero aspired to strengthen human relations between the subjects of the Crown and children of Christianity, achieving greater stability in the organization and structure of the missions [31].**

The learning of aboriginal languages by the Franciscans smoothed the approach to the Indians [32], who were also taught Spanish for a more fluid understanding with the rest of the members of the missions, equating them to the same category. **Although the development of all this task became uneven and at times extremely complex, the attitude of the indigenous people was generally welcoming and receptive, according to the sources [33].** Without this behavior, it seems difficult that the missions would have spread through that geography with relative speed [34], despite the scarcity of means, becoming the foundation of future Californian cities from the 19th century on.

Final thoughts

From what has been said so far, **it seems clear that the accusations of racism against Fray Junípero Serra are completely unfounded.** Those who attacked or destroyed their images in the midst of the anti-racist frenzy of the Black



Lives Matter movement ignore the historical reality. And it is that the racist marginalizes and despises those who do not belong to his race, condemning him to ostracism. Quite the opposite of what Fray Junípero and the Franciscan order did in California, with the assistance of the civil authorities, seeking the insertion of the aborigines in Christianity. A fact not trivial, since it meant an awareness not only of the natural dignity of the Indians, but also supernatural by acquiring the condition of children of God through baptism, like the Spanish. That miscegenation between natives and Europeans was promoted is another clear sign of the absence of racism. In no case did the indigenous people suffer the persecution and extermination that they would have to suffer after - already in the middle of the 19th century - with the Anglo-Saxon conquest of the American West.

Certainly, **some current indigenous communities have branded the action of Fray Junípero and the Spanish Crown as repressive against the way of life of their ancestors.** It is true that there were episodes of violence on both sides (tribes and army), but **the constant was to attract the aborigines through dialogue, the example of life and the organization of missions.** In this respect, the pastoral style of San Francisco de Asís (respect for every creature as the work of God) and Ramón Llull (the argument before the sword) was tried to be followed. The mention of a letter in which the Majorcan friar justified the whipping as a corrective method cannot be elevated to a category, since it was proposed as a last resort in accordance with the pedagogy of that time and which has lasted until relatively recently. **The criticism of the infringement of the native heritage - their language and customs - seems more like the manifestation of one of the ideological currents of indigenism, rooted in the myth of Rousseau's good savage (opposed to all civilization) and close to Marxist thought applied to the struggle of ethnic groups or races (whites against Indians and vice versa), which is a real denunciation of the dispossession of native customs and their rights.** An extreme that, as has been seen, sought to protect itself since the dawn of the American conquest by the Church and the laws of the Monarchy. This, due to its innate sense of fundamental continuity, allows to explain the recognition of the Spanish royal family to the work of friar Junípero with the visit to his paternal home and museum in the Mallorcan town of Petra on August 10, 2020.

However, **that some civil authorities such as the current Chairwoman of the California State Senate - Toni G. Atkins -, former mayoress of San Diego for the Democratic Party, have condescended with the demolition of statues of Friar Junípero and supported the requests to withdraw From the Californian Capitol the images of Isabel la Católica and Cristóbal Colón respond to a clear motivation: to support the activism of similar ideological groups.** It should be remembered that Mrs. Atkins is one of the main champions of the LGTB collective, whose fight for her civil rights has been equated with that of other historically marginalized sectors such as African Americans. In reality, **the senator tries to apply in her sphere of influence the road map outlined by the resolution approved in Geneva in 2014 by the United Nations Human Rights Council. In it**



the so-called rights of gender identity and sexual orientation are given an approval. An approach rooted in the radical self-sufficiency of the human being, which is necessarily opposed to the objective reality of nature on which natural law rests, supported by the Church and sustained in its time by Isabel la Católica and the work of the Hispanic Monarchy in America. Hence, for the promoters of gender ideology, taking advantage of the confusion generated by anti-racist demands, measures must be taken to erase the Spanish and Catholic footprint of the United States. The attacks on statues and churches of the Californian missions [35] are directed to this purpose, with the consequent damage; also for a declared heritage of humanity in 2003 for its high historical and artistic value, a sample of the indigenous baroque of the second half of the 18th century [36].

The eradication of the Christian heritage aims to accelerate the cultural change of our day. Without the objectivity of natural law, whose anthropological vision recognizes the dignity of every person by his rational and free nature - the



image of God the creator when he rises to the supersensible plane - the rights remain to the will of the legislator. Paradoxically, the

experience of the last decades shows that, under the mirage of greater freedoms, personal freedom has been constrained by fostering the caprice and intemperance of the will on the disposition to act according to the virtues (human and supernatural). In this way, the

conscience about the integral dignity of the human person has been gradually darkened. **Thereby, individuals become pieces that are more easily manageable by political power, despite the fact that it adopts democratic appearances.**

Ultimately, the controversy generated is an ideological order, not historical, even though history has to be manipulated for this. Its context and documentation deny the discourse of those who seek to falsify it.

[1] This position responded more to a socio-economic than a racial question, as it was commonplace in the era of liberalism to associate individual freedom with property titles (as was also the case in Europe, where there was hardly any racial variety). In fact, the eminent African American educator Booker T. Washington (1856-1915) first advocated measures that would allow the acquisition of economic power by the black community so that it could *later* achieve the corresponding political advantages. See «Libres al fin: el movimiento de derechos civiles en Estados Unidos», Dpto. de Estado de los Estados Unidos, 2008, p. 21.

[2] Joan Faus, Pablo de Llano: «[Tres muertos durante la jornada de caos desatada en Charlottesville por una manifestación racista](#)», *El País* (13/08/2017).

[3] «[Los activistas derriban la estatua de fray Junípero Serra en el Golden Park de San Francisco](#)», *ABC* (22/06/2020).

[4] Pablo Scarpellini: «[California aprueba retirar una estatua de Colón e Isabel la Católica de su capital](#)», *El Mundo* (18/06/2020).

[5] Francisco Frías Valenzuela: *Manual de Historia de Chile*, Nascimento, 1982, p. 36.

[6] Stanley J. Stein; Barbara H. Stein: *El apogeo del Imperio. España y Nueva España en la era de Carlos III, 1759-1789*, RBA, Barcelona, 2006, p. 70.

[7] *Política*, Libro I, cap. II y V.

[8] *Política*, Libro I, cap. II.

[9] Francisco Fernández Buey, «La controversia entre Ginés de Sepúlveda y Bartolomé de las Casas. Una revisión», *Boletín Americanista*, nº 42-43, 1992, p. 335.

[10] Silvino Zavala: *Las instituciones jurídicas en la conquista de América*, Porrúa, México, 1971, pp. 213, 215.

[11] *Ibid.*, pp. 214-215.

[12] Idoia Zorroza: «La idea de dominio en el siglo XVI y sus repercusiones en Hispanoamérica» en Antonio Cañellas (coord.): *América y la Hispanidad. Historia de un fenómeno cultural*, Eunsá, Pamplona, 2011, p. 51.

[13] “Indeed, to confess is to say what you have in your heart; If, however, you have one thing in your heart and you say another, you speak, you do not confess. Because you believe in Christ with your heart, something that nobody does forced». Sant Augustin de Hipona: *Comentarios a San Juan*, trat. 26, n. 2.

[14] Luis Suárez: «[Amor, religión y diálogo en la obra de Ramón Llull](#)», CIDESOC (23/12/2017).

[15] See this influence on Josep Amengual: «Fra Juníper Serra: pastoral missionera inspirada en l'estil de Ramon Llull i per l'Escola de Salamanca en temps de l'absolutisme», *Revista Catalana de Teologia*, 40/1, 2015, pp. 144-145.

[16] Fray Francisco Palou: *Relación histórica de la vida y apostólicas tareas del venerable padre fray Junípero Serra*, Consell de Mallorca, Palma, 2013 (1ª ed. 1787), p. 86. Thus the initial defensive plan was varied in an area rich in resources and disputed by the French and British for a long time. The armed conflicts with the native tribes, also at odds with each other (Apaches and Comanches), precipitated a change in tactics on the part of the Spanish authorities with a more determined promotion of the missions and the process of inculturation of the indigenous people. From a strategic point of view, it was about winning native allies to repel the attacks of their opponents and accelerate the pacification of the territory with the consequent dominance of the Monarchy. See Antoni Picazo: «El impacto de las guerras nativas en el norte de Nueva España», *Illes i Imperis*, 12, 2009, pp. 8-10.

[17] Gaspar Sabater: *Junípero Serra. Colonizador de California*, Editora Nacional, Madrid, 1944, p. 87. See also another important biography of Bartolomé Font Obrador: *Fray Junípero Serra. Doctor de gentiles*, Miquel Font, Palma, 1998.

[18] Term used by Father Palou, contemporary and first biographer of Fray Junípero: *op. cit*, p. 180.

[19] On this concept, see Vicente Rodríguez Casado: *De la monarquía española del Barroco*, Escuela de Estudios Hispanoamericanos, Sevilla, 1955, pp. 120-122.

[20] Letter from Fray Junípero Serra to Viceroy Antonio M^a Bucareli (13/03/1773) en *Escritos de fray Junípero Serra* (Edición preparada por el P. Salustiano Vicedo e introducida por el P. Jacinto Fernández-Largo), Tomo II, Petra, 1984, p. 92.

[21] See one of these examples in Josep Francesc López Bonet: «Les Ordinacions d'en Jaume II per a l'establiment de noves viles a Mallorca (1300)», *Estudis Balearics*, n° 6, Palma, 1982.

[22] Letter from Fray Junípero Serra to Viceroy Antonio M^a Bucareli (13/03/1773), *op. cit*, pp. 89, 93.

[23] Amengual: *art. cit*, p. 155.

[24] Letter from Fray Junípero Serra to Viceroy Antonio M^a Bucareli (13/03/1773), *op. cit*, pp. 86-87.

[25] The prelate's text stated that «Cruelty is a vice that opposes clemency and it is a hardness of mind that mercilessly punishes the guilt of the inferior. And the virtue of clemency obliges all those in authority to temper with mercy the rigor of the law». For this reason, he encouraged a benevolent treatment of the Indians «because their guilt does not have as much malice as in others, since it is diminished for many reasons such as simplicity, ignorance, drunkenness, poverty and being so new in the faith that they have not yet they have forgotten paganism. The conclusion is that if the punishment exceeds the guilt with serious damage to the Indian, it is a mortal sin». Excerpt from the study by Bartolomé Font Obrador: «Fray Junípero Serra. De Doctor de Gentes a Doctor de Gentiles», *Boletín de la Sociedad Arqueológica Luliana*, 53, 1998 p. 239.

[26] According to Father Palou, San Diego suffered one of the most violent attacks by the local tribes. The event had its origin in the catchment by hostile groups of two neophytes who left the mission without a license, using them to spread the false news that «the [Franciscan] Fathers wanted to end all gentility by making them Christians by force, giving as proof the many who in one day baptized. Thus, in the assault, Fray Luis Jaume was stripped naked and «they began to hit him with their clubs and discharged innumerable arrows [...] after he died, they pounded his face, head and body, so that from his feet to the head did not remain a healthy part except the consecrated hands». Palou: *op. cit*, pp. 204-205.

[27] Letter from Fray Junípero Serra to Viceroy Antonio M^a Bucareli (13/03/1773), *op. cit*, p. 100.

[28] Ibid., p. 82.

[29] Ibid., p. 85.

[30] Ibid., p. 86.

[31] «Whoever marries in this way, be kept in the mission of his consort, without changing him to other missions; that he be given an ox to walk on, if he does not have one, and after a year or a little more of service in the cultivation of the lands, he is given, from the king's, a couple of cows and a mule [...] and that over time he is given her own land for cultivate». Ibid., P. 100.

[32] Letter from Fray Junípero Serra to Fray Francisco Palou on the need to master indigenous languages (18/08/1772). Ibid.

[33] See, by way of example, the correspondence of Friar Junípero Serra with Fathers Juan Andrés, Rafael Verger, Francisco Palou or Francisco Pangua between 1769 and 1774, in *Escritos...*, Tomos I y II.

[34] To verify the cooperative disposition of the natives, the relationship of Father Palou regarding the founding of the mission of San Buenaventura in Los Angeles in 1782 can be consulted. The initial violence against the missionary company on the Santa Bárbara Canal route was completely changed when the missionaries, with the help of the linguistic knowledge of a neophyte from the San Gabriel's mission, were able to make their evangelizing intentions known. The Indians then volunteered to build the chapel and the mission houses. The following year a community of 53 New Christians had been formed. Palou: *op. cit.*, p. 265.

[35] Javier Ansorena: «[Arde la histórica iglesia fundada por fray Junípero Serra en Los Ángeles en 1771](#)», *ABC* (14/07/2020).

[36] On July 15, 2020, the feast of Saint Bonaventure in the liturgical calendar of the Catholic Church and coinciding with the heat of the controversy, Pope Francis I erected in minor basilica the mission of such a name that found Fray Junípero Serra. (proclaimed saint in 2015). See *Vida Nueva* (16/07/2020).