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Hernán Cortés's Nefarious Band of Privateers: Reexamining the Sixteenth-Century Conquest of Mexico

ABSTRACT: *This article examines whether the Spanish conquest of Mexico under the leadership of Hernán Cortés can be reinterpreted as an episode of piracy. The author reviews scholarly works on the subject and compares the operations of the Spanish empire during the late fifteenth and sixteenth centuries to those of other corsair states in the Mediterranean and Atlantic world. Viewing Hernán Cortés's actions alongside those of other early modern pirates, such as Captain Henry Morgan, François l'Olonnais, and Juan Gallardo, suggests that the Spanish conquest of the Mexica (Aztec) empire can be considered a case of piratical imperialism.*

KEYWORDS: *colonial Latin American history; Mexica (Aztec) empire; Tenochtitlan; conquistadors; pirates; Moctezuma; Hernán Cortés; Indigenous history; conquest; colonialism*

Introduction

"How can we save our homes, my people?
The Aztecs are deserting the city:
the city is in flames, and all
is darkness and destruction."¹

On August 13, 1521, smoke and flames lingered in the air of Tenochtitlan, an island city located on the western side of Lake Texcoco in the Valley of Mexico, as more than 200,000 privateers stormed the capital of the Mexica (Aztec) empire. In the city center, where local families used to stroll and buy trinkets from the fringes of the realm, death spread its wings. The marauders, while enjoying their lunch and a musical performance, tortured their *tlatoani* (i.e., ruler) whom they had taken hostage to force him to surrender the gold that his predecessors had hidden away. The invaders burned the city's religious statues and replaced them with the symbol of their own God. Hernán Cortés (1485–1547), their leader, is not someone we are accustomed to labeling a "pirate." Since 1519, at the behest of the Holy Roman Emperor Charles V (r. 1519–1556) who also ruled the kingdoms of Spain, Sicily, and Naples, Cortés had been spearheading a "crusade" to subjugate Mexico's Indigenous "idolaters" to his Christian God, yet the majority of his ranks consisted of Native mercenaries, such as the Tlaxcalans, who had joined him to advance their own political ambitions.²

The employment of private citizens as mercenaries allowed Spain to expand its hegemony in the "New World." Throughout history, imperialist powers have employed state-funded piracy when entering a "new" region to usurp control over the local commerce and its monopoly

¹ "The Fall of Tenochtitlan," in *The Broken Spears: The Aztec Account of the Conquest of Mexico*, ed. Miguel León-Portillo (Beacon Press Books, 2006), 146.

² See Camilla Townsend, *Fifth Sun: A New History of the Aztecs* (Oxford University Press: 2019), 60–133; Fernando Cervantes, *Conquistadores: A New History of Spanish Discovery and Conquest* (Viking, 2021; first published 2020); Matthew Restall, *Seven Myths of the Spanish Conquest* (Oxford University Press, 2021), 47; Bernal Díaz, "The History of the Conquest of New Spain," in *Victors and Vanquished: Spanish and Nahuatl Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 218.

holders.³ This article utilizes the concepts of imperialism and piracy to re-examine how the Spanish expanded their political influence in Mexico between 1519 and 1559. It argues that the Spanish empire, during its expansionist period, functioned as a corsair state that hired private citizens—such as Hernán Cortés—who were ready to seize any opportunity to elevate their own status in Iberian society. To prove this, it compares the Spanish empire's organizational approach to that of other piratical states; it discusses the piratical ambitions of Cortés and his conquistadors; it explores the similarities between conquest and piracy by reexamining the Cholula massacre (1519) and the siege of Tenochtitlan (1521); and it considers the aftermath of the conquistadors' piratical endeavor.

I should like to emphasize that this article does not seek to perpetuate the sixteenth-century "Black Legend." According to historian William S. Maltby, the "Black Legend" was used as a propagandist tool by other imperialist powers to portray the Spanish as violent, fanatical slavers who were exterminating Indigenous populations through their debased forms of governance. Ironically, the British, who resorted to this propaganda to justify their own colonial ambitions in the Americas, carried out similar acts of atrocities against Native Americans.⁴ Instead, this article sheds light on imperialism's close affinity to piracy. All empires are inherently marauders who facilitate violence to expand their hegemony. For example, from the eighteenth century on, Britain used the East India Company, a private business, to act on its behalf. In order to accomplish their joint ambition of expansion into South Asia, both entities entered into a contractual symbiotic relationship. Accordingly, the British state supplied the East India Company with soldiers, while the company financed the expeditions. Their monopolies of violence allowed these imperialist powers to flourish in the region for two centuries as they usurped power from the Mughal empire.⁵ Spain similarly entered into a symbiotic relationship with private individuals who harnessed the state's violence to displace and destroy Indigenous communities in the "New World."

Scholarly literature on the conquest of Mexico does not refer to the mercantile state—in this case Spain—as a piratical entity. However, the Spanish empire shared similarities with other states that were sanctioning private violence. Mexican historian Fernando Cervantes's 2020 monograph, *Conquistadores*, submits that the Spanish who applied for a license to conquer in the fifteenth and sixteenth centuries were able to harness state violence to spread their religion and their monarch's influence.⁶ The British, while undermining Spain's economic control over the Caribbean during this time, engaged in similar forms of predatory behavior by granting private applicants so-called "letters of marque"—permits to seize foreign vessels on behalf of the state for a prize.⁷ The similarities between these two political entities cannot

³ Anne Pérotin-Dumon, "The Pirate and the Emperor: Power and the Law on the Seas, 1450–1850," in *Bandits at Sea: A Pirates Reader*, ed. C. Richard Pennell (New York University Press, 2001), 26.

⁴ William S. Maltby, *The Black Legend in England: The Development of Anti-Spanish Sentiment, 1558–1660* (Duke University Press, 1971), 11–74.

⁵ Alejandro Colas and Bryan Mabee, "The Flow and Ebb of Private Seaborne Violence in Global Politics: Lessons from the Atlantic World, 1689–1815," in *Mercenaries, Pirates, Bandits and Empires: Private Violence in Historical Context*, ed. Alejandro Colas and Bryan Mabee (Columbia University Press, 2010), 93.

⁶ Cervantes, *Conquistadores*, 93–101.

⁷ Colas and Mabee, "Flow and Ebb," 88.

be ignored. Thus, the conquistadors' licenses to conquer turned them into privateers of the Spanish emperor, who allowed them to exert violence in his name.

Spanish corsairs harnessed the monarchy's violence. According to historians José Javier Ruiz Ibáñez and Gaetano Sabatini, the acts of the Spanish against Native communities came in the form of a "crusade." Those who did not embrace the Christian religious ideology had to face the full wrath of their expansionist power; meanwhile, those who did embrace it were able to obtain special privileges, such as citizenship and the right to create militias.⁸ Cortés's actions in Mexico stemmed from this piratical type of holy war, which led him to conquer the Aztecs in the name of his Christian God and his Spanish monarch. In her 2019 work, *Fifth Sun: A New History of the Aztecs*, historian Camilla Townsend emphasizes that the Mexica empire, extending from the Caribbean to the Pacific, wielded vast political and economic control over the Valley of Mexico and exerted influence far beyond southern Mexico and into the Yucatán Peninsula through its trade with independent Maya communities.⁹

Cortés's knowledge of Spanish law allowed him to take the lead with regard to the conquest of Mexico. Historian Matthew Restall has deconstructed the traditional narrative by arguing that those scholars who base their arguments on Cortés's letters are liable to misinterpret the events. Restall argues that Cortés used these letters as a political tool to fashion himself as a larger-than-life protector of the Spanish Crown from the greedy conquistador and first governor of Cuba, Diego Velázquez (1465–1524), who was allegedly working to undermine the emperor's influence in the "New World." In addition, Cortés created the notion that the Mexica needed to be liberated from themselves. By embellishing his actions and building himself up, Cortés persuaded the Emperor Charles V to grant him the right to conquer the Indigenous state.¹⁰ Glen Carmen, a specialist in early modern Latin American literature, claims that Cortés's way with words allowed him to take hold of both the physical world and the metaphysical world. Characterizing his actions as an expansion of the Crown's domain and as an extension of the Catholic faith to the Native peoples pertained to the physical world. As for the metaphysical world, he manipulated the Emperor Charles V's mind by convincing him that the Indigenous *tlatoani* Moctezuma II (1471–1520) had abdicated and relinquished his throne to the Spanish monarch.¹¹

Studies have shown that the conquistadors seized economic opportunities through acts of colonization. In his endeavor to debunk the traditional narrative of the conquest of Mexico, Restall has compared the conquistadors to opportunistic entrepreneurs, whose participation in the enterprise enabled them to earn enough wealth to become merchants. Considering the data available for the conquistadors' economic status before their conquest of the

⁸ José Javier Ruiz Ibáñez and Gaetano Sabatini, "Monarchy as Conquest: Violence, Social Opportunity, and Political Stability in the Establishment of the Hispanic Monarchy," *The Journal of Modern History* 81, no. 3 (2009): 515–524.

⁹ See Townsend, *Fifth Sun*.

¹⁰ Matthew Restall, *When Montezuma Met Cortés: The True Story of the Meeting That Changed History* (Harper Collins Publisher, 2018), 138–209.

¹¹ Glen Carmen, "The Means and Ends of Empire in Hernán Cortés's 'Cartas de relación'," *Modern Language Studies* 27, no. 3 (1997): 116–128.

Americas, Restall has shown that around 3% of them hailed from the noble class, 60% from the middle class, and 37% from the peasantry.¹² Most of them seem to have been rather average individuals who joined Cortés's expedition to improve their financial status. This is reminiscent of historian John L. Anderson's analysis of mercenaries; both the latter and the conquistadors were, in essence, impoverished citizens who took up state-sponsored piracy to elevate their economic status.¹³

Their colonizing efforts, especially through *encomiendas* (i.e., royal land grants) enabled these individuals to elevate their socio-economic status in Iberian society. Economists Ronald W. Batchelder and Nicholas Sanchez consider this tributary system a predatory form of taxation: monarchs commonly bestowed *encomiendas* upon their privateers to reward them for their efforts in the conquest of "new" land; the conquered Indigenous people worked the land that had once belonged to them; thus, the former pirates—turned *encomenderos* (i.e., landholders)—exploited the labor of colonized populations to further enrich themselves; the monarchs, for their part, received a fifth of the wealth extracted from these *encomiendas*. As the Indigenous populations diminished, the monarchs abolished this tributary system with the aid of the Catholic Church.¹⁴ For what it is worth, Batchelder's and Sanchez's article uses the *encomienda* system to perpetuate the "Black Legend."

Not a single one of the period sources used in this article refers to the conquistadors as "pirates." This is an original argument that I would like to make: by re-examining the conquistadors as privateers, it becomes clear that the history of the conquest of Native American communities is, in fact, a chapter in the history of piracy. The European incursion and assault on the region undermined the Indigenous communities' economic sovereignty, and the conquistadors used predatory methods to push these communities off their land to acquire a monopoly over the region's commercial trade routes.

1. The Corsairing Spanish Empire

In the sixteenth century, Spain operated as a piratical entity that forced its ideology upon the world. The 1493 bull *Inter caetera*, issued by Pope Alexander VI (r. 1492–1503), granted the Spanish monarchs the right to expand their political influence in the "New World;" it also turned the Spanish into the sole missionary force to spread the Catholic faith to so-called "infidels."¹⁵ This papal decree ultimately laid the foundation for the Spanish empire. In order to reap the treasures that awaited them in the "New World," the Spanish monarchs created a system to entice even average private persons to sacrifice their lives in the name of their God and their monarch. Similar to other states that utilized private citizens to expand their domains by granting them "letters of marque," the Spanish monarchs accepted petitions for

¹² Restall, *Seven Myths*, 34–38.

¹³ John L. Anderson, "Piracy and World History: An Economic Perspective on Maritime Predation," in *Bandits at Sea: A Pirates Reader*, ed. C. Richard Pennell (New York University Press, 2001), 88.

¹⁴ Ronald W. Batchelder and Nicholas Sanchez, "The *Encomienda* and the Optimizing Imperialist: An Interpretation of Spanish Imperialism in the Americas," *Public Choice* 156, no. 1 (2013): 46–59.

¹⁵ Edward J. Brennan, "The Ideology of Imperialism: Spanish Debates regarding the Conquest of America, 1511–51," *Studies: An Irish Quarterly Review* 47, no. 185 (1958): 69.

licenses to conquer from their civilians. To convince the Crown, petitioners employed religious rhetoric as a façade for their political and economic ambitions. In his first letter to the Emperor Charles V, Cortés described himself as a zealous agent of God's will, intent on pacifying the hedonistic Native communities; this impetus, he believed, would enable him to increase both his monarch's dominions and his own personal revenue.¹⁶ Once a license to conquer had been granted, a strict protocol had to be followed. Before annexing a newly contacted community, the conquistadors publicly read a statement called the *requerimiento* (i.e., injunction), which proclaimed that the region's sovereignty and wealth belonged to the Spanish monarch and the Christian God. Those who agreed to swear fealty became vassals of the Spanish empire, which included converting to Christianity and paying tribute to their new monarch. Those who did not agree were forced by the conquistadors—through destruction and enslavement—to bend their knees to Catholicism and swear fealty.¹⁷ Thus, private citizens became cogs in their monarch's piratical institution to expand the Spanish empire across the globe. The monopoly of violence gave these invasive pirates the right to coerce regions into submission. Indigenous communities either willingly aligned themselves with the freebooters or faced horrific acts of violence. No matter how these communities responded, Spain ensured that it obtained the Natives' land and wealth.¹⁸

Conquest enabled the conquistadors to better their own economic conditions. The prospect of plunder enticed many of them to take up arms to expand their monarch's dominions and ideology. After subjecting a local community, the pirates divided the conquered land and wealth among themselves. Hoping for their own political advancement or military promotions, the participants in these expeditions routinely wrote to the monarch to present their actions as services to the Spanish empire. The most common reward for conquest came in the form of *encomiendas*. These royal land grants, first devised during the medieval Spanish *Reconquista* (i.e., reconquest) of the Iberian Peninsula from the Moors, allowed the freebooters to harvest the wealth of their newly acquired estates. To enrich themselves further, *encomenderos* conscripted the conquered population to work on these estates. The Crown received a fifth of the wealth extracted by means of this predatory system. Landholders not only oversaw the cultivation and exploitation of their estates, but they also acted as "spiritual guides," euphemistically speaking, in matters pertaining to Christianity to the colonized population. The *encomienda* system enticed the Spanish to take up residence in their newly conquered region to ensure that Native groups did not rebel against their colonizers. The redistribution of land also laid the foundation for new administrative structures.¹⁹ Thus, piracy at the hands of the ambitious conquistadors created an empire that

¹⁶ Hernán Cortés, *Letters from Mexico*, ed. and trans. Anthony Pagden (Yale University Press, 1994), 24–35.

¹⁷ Restall, *Seven Myths*, 87.

¹⁸ In his first letter, Cortés mentioned a hostile Maya community that refused the *requerimiento* twice. Following the second battle in which he lost over 200 men, the chieftain submitted to the corsairs, paying them gold and food to get them off his land. Prior to departing, the captain destroyed the Maya idols and replaced them with the Cross. See Hernán Cortés, *Letters from Mexico*, 19–22.

¹⁹ Batchelder and Sanchez, "Encomienda and the Optimizing Imperialist," 47–69; Vitus Huber, "Perpetuating Lands: The Crucial Transition from War to Colonial Settlement in the Conquista of Mexico," in *Beyond Cortés and*

supplanted the rights and monopolies that the Indigenous communities had enjoyed for many centuries.²⁰

The conquistadors' economic establishments, purportedly sanctioned by their Christian God and their Spanish monarch, showed similarities with the trade activities of early modern Mediterranean corsair states. According to economic historian Gonçál López Nadal, the North African states along the Barbary Coast established their commercial activities under the guise of "holy wars." Both Christian and Muslim political entities sanctioned private citizens to carry out piratical attacks against rivals who held different ideologies. The pirates then returned a portion of the wealth obtained through plunder back to their respective states.²¹ During its expansionist period, the Spanish empire operated in a manner similar to these entities. It sponsored conquistadors to carry out piratical acts in the form of "crusades" against non-Christian communities. It suppressed the "infidels" to exert political dominance over newly conquered regions where it established commercial trade routes. It turned those who did not conform to the freebooters' religious ideology into the property of these raiders.²² Thus, it surrendered the "New World" to Spanish corsairs who uprooted the economic rights and monopolies of the Indigenous communities.

2. The Piratical Nature of the Conquistador

The economic system disrupted and ultimately destroyed by Cortés in 1521 was the Mexica empire. Consisting of thirty-eight provinces across Central Mexico, its bureaucratic system facilitated long-distance trade that sustained the economy. The empire's provinces delivered tributary goods to their *tlatoani*, who received greenstones, rich stones, bundles of rich

Montezuma: The Conquest of Mexico Revisited, ed. Vitus Huber and John F. Schwaller (University Press of Colorado, 2025), 51–58.

²⁰ Cortés's letters facilitated his ambitions as a conquistador: to obtain the permission to conquer, he described his expeditions in his letters to show his loyalty to the Spanish Crown and the Catholic faith. After the siege of Tenochtitlan, he obtained the governorship of New Spain, where he created a bureaucratic system that later gave rise to the viceroyalty of New Spain. See Hernán Cortés, *Letters from Mexico*, 28–443. Bernal Díaz wrote to the Emperor Charles V to obtain a pension for his role in the conquest. This ultimately led him to publish "The True History of the Conquest of New Spain" to illustrate his close proximity to Cortés and his contributions to the creation of New Spain. See Restall, *Seven Myths*, 13; Bernal Díaz, "The True History of the Conquest of New Spain," in *Victors and Vanquished: Spanish and Nahua Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 72.

²¹ Gonçál López Nadal, "Corsairing as a Commercial System: The Edge of Legitimate Trade," in *Bandits at Sea: A Pirates Reader*, ed. C. Richard Pennell (New York University Press, 2001), 127–128; James E. Wadsworth, *Global Piracy: A Documentary History of Seaborne Banditry* (Bloomsbury Academic, 2019), 139.

²² In his third letter to the Emperor Charles V, Cortés mentioned that a fifth of the plundered goods he obtained for the monarch after the siege of Tenochtitlan consisted of infidel slaves. See Hernán Cortés, *Letters from Mexico*, 265. At the Barbary Coast, Joshua Gee had to enter a life of slavery after a corsair master had seized his ship. According to his account, he continued to worship Christ, even though those who converted to Islam were able to obtain their freedom from enslavement. As a slave, he accompanied his master on raids against French vessels. See Joshua Gee, "Narrative of Joshua Gee of Boston, Mass., While He Was Captive in Algeria of the Barbary Pirates," in *Global Piracy: A Documentary History of Seaborne Banditry*, ed. James E. Wadsworth (Bloomsbury Academic, 2019), 146–149.

feathers of various colors, cacao seeds, and more.²³ The Mexica influence on trade transcended its core territories, as the state maintained trading posts even beyond its borders. One of their trade communities resided on the Yucatán Peninsula, where the Mexica obtained cotton clothing from the Chontal Maya who, in turn, bought enslaved people.²⁴

At the time he obtained his license to conquer, Hernán Cortés was occupying no prominent position in Iberian society. Prior to 1519, he had participated in the Spanish conquest of Cuba, where he received an *encomienda* for his contribution to the "crusade" against the "infidels." While on this Caribbean island, Cortés became the secretary of Cuba's first governor, Diego Velázquez, and accumulated considerable debt. He abused his position in order to steal confidential documents and disgrace the governor, yet, despite their strained relationship, Velázquez chose Cortés to lead an expedition to Mexico to establish a trade route with local communities on the mainland. Cortés happily jumped at the chance²⁵ to erase his tarnished reputation and pay off his debts. As Velázquez was awaiting a new license to conquer, he gave strict orders for the expedition to not engage in any conquest.²⁶ He presumably sent Cortés to survey the area and learn how the Indigenous communities were organized to prepare his own conquest. Yet, he would never get the chance, as his former secretary seized the opportunity to elevate himself.

Just off the Yucatán Peninsula, Cortés and his band of 500 privateers came across the island village of Cozumel, and its Maya community became the region's first group to be conquered. The Europeans proceeded immediately to destroy the inhabitants' idols and erected a wooden Cross in their stead. The crew's priest then gave a sermon to the community on how they had been worshipping demonic entities. Following this, the Spanish established the mainland colony of Vera Cruz, located on the Caribbean coast, where they elected Cortés as chief justice and general of their expedition.²⁷ In effect, these actions turned Cortés and his 500 men into outlaws. Under their captain's command, they had illegally conquered a region without the necessary documents to spread their monarch's ideological ambitions. Outlawry or not, Cortés must have felt tempted to take charge: conquest was an opportunity for him and his men to make a name for themselves, to elevate their status, and to earn positions of wealth, power, and even government.

To beat Velázquez to the right of conquest, Cortés relied upon his rhetoric and knowledge of Spanish law to clear his name from all suspicions of wrongdoing. After the founding of Vera Cruz, he composed his first letter to the Emperor Charles V, in which he claimed to have established the new colony to protect the monarchy from Diego Velázquez who, according to Cortés, had sent his former Cuban secretary to steal his majesty's rightful possessions. Along with this letter, Cortés strategically sent the emperor all the material wealth he had

²³ "Codex Mendoza," in *Victors and Vanquished: Spanish and Nahua Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 221; Townsend, *Fifth Sun*, 72.

²⁴ Townsend, *Fifth Sun*, 87.

²⁵ Bernal Díaz, "History of the Conquest," 44–46; Restall, *When Montezuma Met Cortés*, 163.

²⁶ Bernal Díaz, "History of the Conquest," 46.

²⁷ Bernal Díaz, "History of the Conquest," 52–72.

plundered on the Yucatán Peninsula,²⁸ thereby exceeding the royal fifth and bypassing the rigorous steps of applying for his own license to conquer. Drawing a clear contrast to Velázquez, Cortés presented himself as the Crown's humble servant who was eager to expand the empire and protect it from Cuba's piratical governor. Should the letter and loot fail to persuade the emperor, the conquistador was relying upon medieval laws to justify the establishment of the new colony. *Las Siete Partidas* (i.e., "The Seven Parts"), a thirteenth-century law from the days of the Spanish *Reconquista*, allowed knights to conquer "new" territory without the Crown's consent, the idea being that—as conquistadors—they were acting in a state of emergency and thereby safeguarding the monarchy's interests.²⁹ Cortés drew upon this law to justify his actions which, he argued, were not criminal but, rather, evidence of his dedication to protect the emperor from Velázquez's corruption. Cortés's strategic appeal to the law, augmented by the material wealth he had seized on the Yucatán Peninsula, worked in his favor and earned him his own license to conquer in Mexico.³⁰

Indigenous groups in the "New World" also took advantage of the Spanish Crown's agenda to further their respective political ambitions. Native conquistadors made up the vast majority of the invading forces led by the Europeans and became integral to the latter's victory in the conquest. Cortés's ranks during the siege of Tenochtitlan comprised around 200,000 Native mercenaries.³¹ The Tlaxcalans, who resided in the eastern region of Central Mexico (i.e., today's states of Puebla and Tlaxcala), joined the corsairs to exact revenge against the Mexica empire, whose expansion had cut them off from the greater Mesoamerican trade network.³² Their alliance with the Tlaxcalans provided the Spanish with the necessary manpower and resources they needed to carry out the conquest of the Mexica empire. Yet the Spanish failed to understand their allies' political ambitions. The latter saw the Europeans as a means to fight against a state that had stunted their own polity's potential. Mercenary work provided them with the opportunity to supplant their enemies' influence and wealth,³³ to expand their own political dominance, and to reestablish trade with their neighbors.

The conquistadors' motives were similar to those of other pirates throughout history. The Tlaxcalans' ambitions, for example, resembled those of Juan Gallardo, a seventeenth-century Native of what is now Costa Rica, who worked under famous early modern pirates such as the Welsh privateer Henry Morgan (1635–1688) and the Frenchman François l'Olonnais (1630–1669). Gallardo took up a life of piracy to fight back against the Spanish *encomenderos* and their emperor, who had stripped his people of their autonomy. While in the employment of European pirates, Gallardo established relations between the buccaneers and other Indigenous communities. His career as a marauder eventually allowed him to live a

²⁸ Hernán Cortés, *Letters from Mexico*, 39–46.

²⁹ Cervantes, *Conquistadores*, 132–133.

³⁰ John H. Elliot, "Cortés, Velázquez and Charles V," in Hernán Cortés, *Letters from Mexico*, ed. and trans. Anthony Pagden (Yale University Press, 1994), xxiv–xxv.

³¹ Restall, *Seven Myths*, 47.

³² Bernal Díaz, "History of the Conquest," 105–108; Hernán Cortés, *Letters from Mexico*, 58–67.

³³ R. Jovita Baber, "Empire, Indians, and the Negotiation for the Status of City in Tlaxcala 1521–1550," in *Negotiation within Domination: New Spain's Indian Pueblos Confront the Spanish State*, ed. Ethelia Ruiz Medrano and Susan Kellogg (University Press of Colorado, 2016), 22.

prosperous life on the Caribbean island of Tortuga.³⁴ Even though Juan Gallardo fought against the imperialist state that the sixteenth-century Tlaxcalans had helped create, they were similar in that they were Indigenous people who seized the opportunity to fight against a repressive state. Meanwhile, Cortés's exploits resembled those of Henry Morgan. Under the private employment of the British Crown, Morgan pursued positions of power by undermining the Spanish empire's control over the Caribbean, and his endeavors ultimately earned him the governorship of Jamaica.³⁵ Similarly, Cortés's career as a conquistador of the Mexica empire eventually led to his appointment as the first governor of "New Spain." Thus, privateer work on behalf of their respective monarchs brought both Cortés and Morgan to the fulfilment of their political ambitions in the "New World."

3. *Conquistador Violence and the Allure of Plunder*

The Cholula massacre, committed in 1519 en route to Tenochtitlan, showcased the conquistadors' piratical exploits. In his firsthand account, the Spanish soldier Andrés de Tapia (1497–1561) described the bloodshed. He recalled how Cholula's community had invited the Spanish into their city and presented them with maize and turkeys. As enemies of the Cholulans, the Tlaxcalans warned Cortés against trusting this community. During their stay, Cortés's Nahua interpreter Malintzin (1500–1529) learned that the Mexica had ordered Cholula's inhabitants to kill the Spanish. In response to the alleged betrayal, Cortés ordered his men to seize and kill the Indigenous leaders and warriors and to raze the city, while the Tlaxcalans plundered the city of its wealth,³⁶ suggesting that the violence ensued because the pirates needed to protect themselves from traitorous Natives who were rejecting Spanish hegemony. Andrés de Tapia may have intentionally omitted the Europeans' role in looting the city to defend himself and other *encomenderos*. His account came about in the 1540s, when Cortés was facing an investigation for his abuse of power, as the Catholic Church was relating the horrors to which the *encomenderos* had subjected the Indigenous communities to the Crown, intending to have the *encomienda* system outlawed and hoping to take control of the region's tributary services.³⁷ Andrés de Tapia's omission of the Spanish role in looting the city sheltered those whom the Church was investigating; instead, he clarified that the *encomenderos* did not barbarically rob innocent civilians while setting up a system from which they would later benefit.

A Nahua account, recorded several decades later by Fray Bernardino de Sahagún, offered a rather different perspective on the Cholula massacre. It specified that the Tlatelolcans, a Nahua group residing in Tenochtitlan, had reported that the bloodshed occurred due to the city's rivalry with the Tlaxcalans, who persuaded the Spanish to use trickery to murder the

³⁴ Arne Bialuschewski, "Juan Gallardo: A Native American Buccaneer," *Hispanic American Historical Review* 100, no. 2 (2020): 234–243.

³⁵ Wadsworth, *Global Piracy*, 103–104.

³⁶ Andrés de Tapia, "Another Spanish View of the Cholula Massacre," in *Victors and Vanquished: Spanish and Nahua Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 115–119.

³⁷ Batchelder and Sanchez, "Encomienda and the Optimizing Imperialist," 54; Andrés de Tapia, "Another Spanish View," 115.

city's lords and warriors.³⁸ Leaving out Andrés de Tapia's justification of Cortés's violence, the Tlatelolcans' account portrayed the technologically advanced Europeans as a piratical tool for the Indigenous mercenaries to advance their own political ambitions. The Tlaxcalans' motive for ransacking the city was the alliance—with them—that the Cholulans had broken when they joined the Mexica empire. The Tlaxcalans had suffered immensely from the loss of their ally, as the Mexica empire's expansion into the region left them vulnerable during the annual "flower wars," ritual military conflicts between neighbors that were intended to obtain captives to sacrifice to the gods.³⁹ Thus, the Tlaxcalans' alliance with the Spanish enabled them to harness the necessary violence to free themselves from the Mexica's imperialist grasp. The loss of Cholula hindered the latter's ability to easily wage another "flower war," and it allowed the Tlaxcalans to enrich themselves and expand their territory.

Before addressing the siege of Tenochtitlan, it is important to relate what ultimately caused the Spanish to sack the city. Similar to what had occurred in Cholula, the Mexica initially received the conquistadors in their capital without any resistance. In his second letter to the Emperor Charles V, Cortés mentioned that Moctezuma had gifted them gold, silver, featherwork, and cotton garments. The *tlatoani* allegedly told Cortés that his people had been awaiting the arrival of the Spanish, claiming that they shared a common ancestor—a rightful ruler—who had left the continent to go eastward with the promise that he and his descendants would return one day, which is why the Mexica royal line was saving the throne for that very occasion.⁴⁰ Thus, Moctezuma's abdication and relinquishing of the throne was made to appear as compliance with the *requerimiento*. The acknowledgment of the invader's sovereignty on the basis of a blood-relationship made the Emperor Charles V the true ruler of the Indigenous empire. Scholars agree that Cortés fabricated the conversation with the *tlatoani*. He employed rhetoric as a tool to render the conquest as a lawful endeavor and to show that the Mexica empire rightfully belonged to the corsairs. Cortés did so in response to his banishment from Tenochtitlan during the *Noche Triste* (i.e., the "sad night" or the "night of sorrows"), a pivotal event that saw the Mexica driving Cortés and the other conquistadors out of their capital.⁴¹ By the time the emperor received the letter, Tenochtitlan lay in ruins. Cortés's message was intended to explain why the great lake city deserved the brutal punishment that his marauders inflicted upon it: the Mexica had tried to steal the throne that Moctezuma had bestowed upon the Spanish monarch.

The horrors that led to the *Noche Triste* (June 30–July 1, 1520) stemmed from the violence that imperialist doctrines permitted. Indigenous accounts claim that, while Cortés was squashing resistance back in Vera Cruz,⁴² his lieutenant Pedro de Alvarado (1485–1541)

³⁸ Fray Bernardino de Sahagún, "Florentine Codex," in *Victors and Vanquished: Spanish and Nahuatl Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 120–121.

³⁹ Townsend, *Fifth Sun*, 53–101.

⁴⁰ Hernán Cortés, *Letters from Mexico*, 83–86.

⁴¹ Elliot, "Cortés, Velázquez and Charles V," xxvii.

⁴² Over the few months that pirates resided in Tenochtitlan, Moctezuma gave them all the gold they demanded in the hope to get them out of his city and to maintain a peaceful relationship with them. Despite Cortés's claims that he had obtained the throne of the *tlatoani*, the Mexica king continued to rule over the territory. Upon Panfilo de Narváez's arrival in Vera Cruz to apprehend the renegade captain, Moctezuma learned

ordered the slaughter of Mexica warriors in Tenochtitlan who were performing ceremonial dances for their patron god, Huitzilopochtli. Similar to the events of Cholula, the pirates blocked the temple's entrances to prevent the warriors' escape. Innocent men who had come out to celebrate the festival suffered brutality, mutilation, and murder. In one instance, the Spanish cut off the hands of a drummer and then proceeded to decapitate him. In response to this massacre, the Mexica in the capital took up arms against the conquistadors.⁴³

The fact that the festival was taking place proves that the *requerimiento* meant nothing to the Indigenous, but the piratical doctrine justified the violence subsequently used against Tenochtitlan's inhabitants. According to historian Anne Pérotin-Dumon, expansionist laws passed by an imperialist state meant little to those outside the power that had orchestrated the law in the first place.⁴⁴ Life for the Mexica largely continued "as usual" after Moctezuma's abdication. Despite their acceptance of the *requerimiento*, they continued to worship the idols that the Christians considered demons. The European pirates failed to understand that the people of the Americas were quite accustomed to adopting new gods into their pantheon.⁴⁵ The conquistadors' failure to understand the locals' spiritual traditions led them to interpret the latter's continued worship of their gods as a rejection of Spanish hegemony. The same can be said about the Indigenous: their failure to understand the *requerimiento* as a prohibition to continue their traditional spiritual practices led the Spanish to carry out the most aggressive forms of oppression in order to perpetuate their hegemonic power.

Pedro de Alvarado's acts of violence caused the citizens of Tenochtitlan to take up arms and push the Spanish out of their city. In true piratical nature, some of the conquistadors sacrificed their lives to protect their plunder while fleeing from the capital.⁴⁶ Above all, the Mexica's move to expel the pirates provided further ammunition to Cortés who was now able to claim that the Indigenous had rejected Spain's hegemony. In his letter to the Emperor Charles V, Cortés purposefully omitted that Alvarado's actions had led to the conquistadors' loss of Tenochtitlan. Consequently, Cortés's contemporary biographer, Francisco López de Gomara (1511–1564), blamed the Mexica for the rebellion, claiming that they wanted to steal back the gold that the corsairs had plundered and to continue the worship of their demonic gods,⁴⁷ thereby absolving the conquistadors from accountability for the loss of the city. Placing the blame upon the Mexica allowed the privateers to exert their monarchy's monopoly of violence over the region. The Natives defended themselves against the aggressive, dogmatic invaders who tried to rob them of their wealth, religion, and

of Cortés's rivalry with Velázquez. The Indigenous king used this information to draw some of the invaders out of his city. The arrival of these other Spanish allowed him to finally muster enough force to push their countrymen out of his city—should the need arise. This never occurred, however, as the *tlatoani* passed away during the *Noche Triste*, either at the hands of his people or the corsairs. See Townsend, *Fifth Sun*, 110–126.

⁴³ Fray Bernardino de Sahagún, "Florentine Codex," 162–165; "Codex Aubin," in *Victors and Vanquished: Spanish and Nahuatl Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 166.

⁴⁴ Pérotin-Dumon, "Pirate and the Emperor," 26.

⁴⁵ Cervantes, *Conquistadores*, 124.

⁴⁶ Fray Bernardino de Sahagún, "Florentine Codex," 165; Díaz, "True History," 174.

⁴⁷ Francisco López de Gómara, "Istoria de la Conquista de México," in *Victors and Vanquished: Spanish and Nahuatl Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 160–161.

sovereignty. Under Spanish law, this gave the corsairs the right to use harsh violence in order to re-establish their Christian monarch's hegemonic rule over the Valley of Mexico.

The revenge Cortés exacted against the Mexica came in the form of a prolonged siege of their capital (May 26–August 13, 1521). Lake Texcoco provided Tenochtitlan with natural defenses. The privateers were initially unable to reach the city walls, as the Mexica were shooting darts, arrows, and spears from their manned canoes at the invaders as the latter were trying to cross the bridges leading to the capital. To bypass these bridges, the corsairs constructed small ships that carried cannons to penetrate the city walls. After two and a half months without access to clean water and food, the Indigenous community fell victim to disease and famine. When the lizards and maize ran out, the Mexica consumed straw, leather, and adobe bricks. The siege officially ended with the Spanish capturing the *tlatoani* Cuauhtémoc (1496–1525), as he was trying to flee the city by boat.⁴⁸ The conquistadors' victory stemmed from their ability to control the lake, which usually protected the capital from aggressors, and to cut off all food supplies from the surrounding chinampas. The Mexica's rejection of Spanish sovereignty allowed the pirates to sack Tenochtitlan in the name of their ideology.

4. *An Aftermath Forged in Fire, Blood, and Resilience*

In the immediate aftermath of the siege, piratical horrors continued to plague the Mexica. The Spanish pirates pursued the local refugees, believing that the Indigenous were smuggling gold. The freebooters did not just steal the Mexica's material wealth; they also stole their dignity by raping their women and enslaving some of the population. Back among the ruins of Tenochtitlan, the privateers tortured Cuauhtémoc to learn where Moctezuma had hidden his stockpile of gold.⁴⁹ Surrounded by the smoke and flames of their destroyed capital, the Mexica, who had once owned the abundant riches of the Valley of Mexico, lost it all, as their religious idols, material goods, land, and autonomy fell victim to the greed of the Spanish corsair state.

The Spanish violence against the Mexica in 1521 shared similarities with the horrors that François l'Olonnais carried out against Venezuelan communities in 1666. When l'Olonnais's buccaneers reached the city of Maracaibo, they tortured its inhabitants to obtain plunder. Dissatisfied with the amount of plunder they were able to procure, as most of the locals had fled to neighboring Indigenous communities for protection, the pirates turned their attention further south to the lakeside town of Gibraltar. During the ensuing eight-day siege, sixty people lost their lives to the freebooters' violence. Once defeated, Gibraltar's inhabitants informed the raiders that they kept their most prized possessions in the mountains. To ensure the community did not mislead them, the marauders tortured their guides to give them the exact coordinates. Through their relentless use of violence, the buccaneers eventually gained silver, food, and enslaved people.⁵⁰ The similarities between these two events illustrate the

⁴⁸ Bernal Díaz, "History of the Conquest," 199–211; Fray Bernardino de Sahagún, "Florentine Codex," 190–195.

⁴⁹ Townsend, *Fifth Sun*, 7–133; Fray Bernardino de Sahagún, "Florentine Codex," 196.

⁵⁰ Bialuschewski, "Juan Gallardo," 241–242.

true piratical nature of European conquests in the Americas. In the course of their exploits, the conquistadors in the Valley of Mexico committed atrocities which resembled those later carried out by l'Olonnais and his men in Venezuela.

The destruction of the Mexica empire allowed Cortés to achieve the ambitious goals he had set out to accomplish when he betrayed Velázquez. After the conquest of Tenochtitlan, the Emperor Charles V granted Cortés a governorship for his piratical endeavors.⁵¹ His destabilization of the Mexica empire allowed Cortés, a former secretary and mere corsair captain, to quickly climb the Iberian social ladder. His actions expanded the Christian faith and the Spanish Crown's claim on the "New World," enabling him to redeem his reputation as Velázquez's disgraced ex-employee. To ensure Spanish hegemony in the region, Cortés granted some of his men *encomiendas* and appointed them as *alcaldes* (i.e., mayors) and *regidores* (i.e., councilors).⁵² These new administrative structures allowed the pirates to fill the power vacuum they had created in the first place. Their endeavors enabled them to transform a pagan empire into a Christian vassal state, where they found themselves at the very top of society, while the Natives became second-class citizens in their own homelands and, in effect, the property of a distant monarch who never set foot on the American continent.

Yet for the average European conquistador, the expansion of their ideology did not result in significant compensation. After the fall of Tenochtitlan, most European conquistadors did not settle in the newly acquired territory for which many of their fellow countrymen had sacrificed their lives. Indeed, most felt disillusioned by the lack of plunder they had been able to gain. Rumors were circulating that their Native allies had seized Tenochtitlan's riches before them, and that Cortés had pocketed most of the remaining treasures for himself. Many of the conquistadors who had helped establish Vera Cruz left for Central America to conquer Guatemala.⁵³ Their disillusionment illustrated the true piratical nature of the conquistadors. Like many other privateers throughout history, their monarch's ideology meant little to them. As long as the allure of plunder occupied their minds, the pirates were content to expand their monarch's domain across the globe. After all, to them, piracy was primarily a means to escape their own economic constraints.

Meanwhile, the Tlaxcalans' alliance with the pirates greatly benefited them, as they had aspired to replace the Mexica as one of the dominant forces in the Valley of Mexico. The technologically advanced Spanish became a tool for the Native community to pursue this goal. By the 1520s, Tlaxcalan elites, similar to their European counterparts, petitioned the Crown and royal officials to recognize their participation in the conquest. One set of such petitions came in the form of the *Lienzo de Tlaxcala* (i.e., the "Canvas of Tlaxcala"), a group of intricate cloth paintings depicting the conquest. One of these paintings suggested that the Tlaxcalan community had always accepted Spanish hegemony; another showed their role in the advancement of Spanish ideology by highlighting their role in the destruction of

⁵¹ Elliot, "Cortés, Velázquez and Charles V," xxiii.

⁵² Hernán Cortés, *Letters from Mexico*, 270.

⁵³ Bernal Díaz, *The Conquest of New Spain*, trans. John M. Cohen (Penguin Books, 1963), 409–413.

Cholula;⁵⁴ but none of them presented the community's initial hostility toward the Spanish. This showed the *Lienzo de Tlaxcala*'s actual intent: it adopted Spanish rhetoric to safeguard the Tlaxcalan community's autonomy. Through its successful petitions, Tlaxcala, a once small and impoverished city that Cortés had visited in 1519, doubled in size by the 1550s. It became a municipality that functioned similarly to Spanish communities by electing officials and absorbing portions of Cholula and Huejotzingo. The autonomy found in the adoption of European ideology allowed the Tlaxcalans to stave off the forced conscription of the *encomiendas*.⁵⁵ Their petitions reminded the viceroy and the emperor that—without the Tlaxcalans—Spanish hegemony in the Americas could have never been achieved.⁵⁶ Their embrace of these piratical doctrines allowed the Tlaxcalan mercenaries to retain their autonomy at a time when other Indigenous communities who had rejected the *requerimiento* were losing everything.

Despite the efforts of their new imperialist rulers to squash their autonomy, the former citizens of the Mexica empire managed to survive. During the early years of Spanish rule, many lost their lives as they continued to practice their old traditions. Those who survived learned to adapt under the brutality of the European state. Communities like Cuautinchán in today's Mexican state of Puebla even retained portions of their Indigenous identity by blending aspects of their culture with that of their invaders: their conversion to Christianity ultimately led them to build a Franciscan convent church with murals that feature a complex blend of Spanish and Native iconography. Those who survived learned the European language and began to represent themselves in Spanish courts to address the horrors they were suffering under colonization, and they used the Latin alphabet to transcribe their oral histories and traditions.⁵⁷ Despite the pirates' efforts to seize their material wealth, spirituality, traditions, and autonomy, the Indigenous learned to survive. Complicity allowed them to obtain a voice to alleviate their conditions, and to tell future generations who their people used to be before the corsairs came and stole everything from them.

Conclusion

Re-examining the conquest of Mexico as an episode in the history of piracy—and the conquistadors as pirates—allows for a better understanding of European expansionism and imperialism in the Americas, which shared similarities with predatory violence throughout history. In the sixteenth century, Spain witnessed predation from the British, French, and Dutch, who hired private individuals to carry out their imperialist ambitions in the Caribbean. For its part, the Mexica empire witnessed similar predatory actions at the hands of the

⁵⁴ "Lienzo de Tlaxcala," in *Victors and Vanquished: Spanish and Nahuatl Views of the Conquest of Mexico*, ed. Stuart B. Schwartz (Yale University Press, 2000), 125–126.

⁵⁵ Baber, "Empire, Indians, and the Negotiation," 20–35.

⁵⁶ After the collapse of the Mexica empire, the Tlaxcalans continued their mercenary work to expand the Europeans' dominance over the continent, particularly in Cuautinchán, a province that continued to fight the marauders despite the collapse of the Mexica empire. See Townsend, *Fifth Sun*, 131–132. The Tlaxcalans' privateer service to enrich and expand the Emperor Charles V's monopoly in the Americas took them as far as Florida and Guatemala. See Baber, "Empire, Indians, and the Negotiation," 22.

⁵⁷ Townsend, *Fifth Sun*, 148–153.

Spanish corsair state which hired private citizens like Cortés to spread its hegemony into the "New World." To rise above their station, ordinary citizens harnessed the monarchy's violence to obtain wealth and positions of power. Piratical imperialism left an everlasting impact on Indigenous Americans, who faced centuries of subjection as a result and became the poorest ethnic group in the nations in which they reside. Their current economic status can be traced back to colonialism, which imposed regressive policies to keep them perpetually impoverished. Meanwhile, the hegemonic powers that deprived them of their original status carried away everything that had once enabled them to thrive. In modern-day Mexico, Indigenous American communities remain among the nation's poorest, as they continue to feel the effects of Hernán Cortés's nefarious band of privateers who plundered their wealth, their land, their sovereignty, and their spirituality.

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