

## **Grave-robbing as Philanthropy: How Tombs Became Taxable Treasure in Colonial Latin America**

In the first half of the seventeenth century, a judge and expert in colonial Spanish law, Juan de Solórzano Pereira (1575-1655), put together a moral and legal argument for why grave-robbing had become licensed, licit, and even laudable. In colonial Latin America, tombs from Colombia to Perú were systematically despoiled for their funereal artifacts, with royal permission, and legally classified as treasure. Selectively drawing from a thousand years of ancient and medieval Mediterranean legal tradition, Solórzano suggested that grave-robbing could sometimes be considered just. His thoughts on the Spanish colonial legal system would posthumously influence the creation of an official compilation of imperial law, the *Recopilación de leyes de los reynos de las Indias* (1681). Though carefully omitted by Solórzano, a millennium of legal codes, church councils, and ecclesiastical law had called for the protection of all graves. Around 1492, however, Islamic and Jewish cemeteries from Ávila to Granada began to be licensed for excavation by Queen Isabella and King Ferdinand, with the explicit purpose of selling and reusing their tombstones. This set a critical legal and moral precedent for American tomb-raiding. Solórzano's argument serves as an anchor in this paper, where I will explore how licensed grave-robbing evolved from and challenged medieval precedents to become a type of permissible and taxable treasure-hunting in colonial Latin America.