

Bartolome de Las Casas Revisited

Amber Ferris

Seminar Paper
Presented to the Department of History
Western Oregon University
in partial fulfillment of
the requirements for the degree of
Bachelor of Science in History

Spring 2009

Approved _____ Date _____

Approved _____ Date _____

HST 499: Prof. Max Geier & Prof. Narasingha Sil



Fray Bartolome de Las Cas O La Proteccion de Los Indios

Source: <http://libweb.hawaii.edu/libdept/charlotcoll/posada/images/posada/posbib76.gif>

I

Christopher Columbus' discovery of the Americas in 1492 opened a whole new world to the Europeans. The discovered land held new resources, new territory, and new peoples. Conquistadors were enthralled by the lure of gold and territory. But the Spanish government and colonists faced the problem of the nature and status of the people that already inhabited these lands. Were they to be treated as equals, serfs, or slaves? Were they even really people? The answers to these questions were complex and unclear. The Spanish crown made many laws regarding how the natives and colonists should interact, however, much of this legislation was ignored by colonists and conquerors. Most of the colonists were more than happy to exploit the natives, but some religious orders opposed this exploitation. One of the most outspoken defenders of indigenous rights was the Dominican Order. An especially tenacious Dominican defender of natives' rights was Fr. Bartolome de Las Casas, who campaigned for native rights during the early and mid-sixteenth century. As this paper will show, Las Casas' championship of indigenous rights was shaped by his European heritage.

II

The Spanish conquest of the New World happened in concurrence with the Renaissance in Europe. The Renaissance spanned several centuries from the 1300s to the 1600s. During this period a revitalization of learning and arts occurred. One aspect of this new world view was humanism, which was inspired by classical works. This school of thought focused on the ability of individuals to improve themselves. Thoughts and principles of classical works became a basis to help decide contemporary issues. This reliance on the classics was a return to pre-Christian and early Christian thought. While it was a largely secular movement, not all humanists dismissed Christianity completely. Humanist scholars thought that perfection could

be achieved through individual efforts without the help of God. The idea that humans could change just by their own efforts is important because that is part of how Las Casas argued against the idea of the natives being natural slaves during the debate at Valladolid in 1550. Las Casas rejected the Middle Ages view that injustice and inequality were part of God's plan for the world.¹ He wanted all peoples to be treated well and disapproved of the use of violence.

The Reformation was also beginning in Europe when Las Casas began his campaign for the natives. But Spain remained a Catholic nation and stalwart supporter of Catholicism. While Northern Europe was thrown into disarray by competition between Christian sects, Spain dealt with its own religious diversity. For centuries Spain was home to Catholics, Jews and Muslims. At the time of the conquest of the New World Spain was uniting under Catholicism. Catholic forces finally managed to force out the Muslim influence and forced conversion of the Jews and Muslims that remained in Spain. The Spanish monarchy drew strength from its position as defender of the Church.

In his capacity as a priest, Las Casas was also a proponent of the Catholic Church. During this time the Church was still a rather political body. So as a devout man spreading the word of God and the teachings of the Church, Las Casas was also spreading its political power. This was unlikely a conscious thought on his part. Using the method that Las Casas proposed to convert the natives; which limited the contact of the natives to only Europeans that were clergy, would have spread the power of the Church into the New World as the dominant political power.

III

Scholars and political thinkers have written about Las Casas about since he began fighting for the natives. He was seen by many of his contemporaries as a trouble maker. Later

¹Lewis Hanke, *Aristotle and the American Indians: A Study of Race Prejudice in the Modern World* (Chicago:

writers and scholars have criticized Las Casas on many counts, such as his supposed exaggeration of Spanish cruelty and responsibility for creating the “Black Legend” of Spanish rule in the New World. In contrast to these less than sterling views, others have written of Las Casas as a selfless defender of the natives and early crusader for human rights. Some scholars in the twentieth-century melded these two views of Las Casas. They see Las Casas as working for indigenous rights, but suffering from his own faults.

One of the writers who considers Las Casas a devout defender of the natives is Paul S. Vickery, a professor of history at Oral Roberts University and an ordained United Methodist minister. Vickery's book, *Bartolome de Las Casas: Great Prophet of the Americas*, calls Las Casas a prophetic man who committed his life to helping exploited peoples. Vickery implies that Las Casas was a man ahead of his time when it came to societal issues. He describes Las Casas as adhering to the “noble savage” school of thought and calls him the “Defender of the Indians.”² His account of Las Casas' life and actions contains many glowing descriptions of his character. Las Casas is praised for his sympathy for the natives and empathy towards his opponents, such as the historian Gonzalo Fernandez de Oviedo, who were not yet enlightened in their views of the natives.

Vickery says Las Casas trusted the judgment and intentions of the Spanish king. Las Casas always ascribed problems in legislation to the king receiving bad advice. This unwavering faith in the king is mentioned in many accounts of Las Casas. Vickery also argues that Las Casas made attempts to depict the natives as individual, real people in his writings. He gives numerous examples of how Las Casas remembered the individual natives when writing many years later. Vickery emphasizes the importance of the examples set by Las Casas and the

Henry Regnery Company, 1959), 18.

Dominicans to inspire other colonists to improve the treatment of their natives. Vickery's appraisal of Las Casas seems to gloss over any negative aspects of the man. Even when something uncomplimentary is mentioned (such as returning his natives to Governor Velazquez when they would likely be given to unkind *encomenderos*) Vickery quickly excuses Las Casas.

In *Another Face of Empire: Bartolome de Las Casas, Indigenous Rights, and Ecclesiastical Imperialism* Daniel Castro, another author, challenges the idea that Bartolome de Las Casas was an advocate for Amerindian freedom. Castro argues that Las Casas wanted the New World natives to be treated well and not harshly exploited, but still wanted them to be assimilated into the "correct" religion and society. Further, Castro argues Las Casas idealized and amalgamated all the indigenous peoples into one group in his writings. As part of his evidence, Castro provides a narrative of how Las Casas' writings often show the natives as victims that can not defend themselves or as idealized figures lacking any negative trait. Castro emphasizes that in attempting to protect the natives from the greed of the colonists Las Casas appealed to the Spanish crown. Las Casas' belief that the Spanish Crown would be willing to change the policies in the New World if it only knew what was happening illustrates how Las Casas participated in Spanish political imperialism.

The sources that Castro uses are varied. Many are important authors of the era in which Las Casas lived, such as Toribio Benavente (aka Motolinia) and Gonzalo Fernandez de Oviedo y Valdes. Mixed with Castro's primary sources are an abundance of secondary sources focused on both the life Las Casas and his era. Castro carefully details his logic and does not seem to jump to conclusions that are unwarranted or unsupported by his evidence.

While Castro's assessment of Las Casas is somewhat revisionist, he is careful not to

²Paul S. Vickery, *Bartolome de Las Casas: Great Prophet of the Americas* (New York: Paulist Press, 2006), 40.

attack Las Casas' feeling of compassion for the indigenous peoples. Rather, he argues that while Las Casas cared deeply about the natives, he did not understand them well. In addition to this lack of understanding, Las Casas actually helped to conquer the natives. The only difference between him and a conquistador was his peaceful method. Here in lies the contradiction identified by Castro: Las Casas wanted to help free the natives from servitude, not to live in the way they wished, but rather in a Spanish Catholic way he approved. Castro's arguments revolve around the idea that Las Casas supported the Spanish monarchy in the conquest of the Americas.

During the past five centuries numerous scholars, as well as some of his contemporaries, have criticized Las Casas actions and motives. Some of the most common accusations against Las Casas are recounted by Juan Comas, a professor of Anthropology at University of Mexico.³ Comas describes five main complaints and criticisms leveled at Las Casas. First, Las Casas exaggerated the poor treatment of the natives in the New World when he was lobbying in Spain; second, that the figures given by Las Casas were completely exaggerated; third, that Las Casas failed in the Cumaná colonization venture; fourth, Las Casas was pro-slavery; and fifth, that Las Casas was speaking of things he did not have first-hand knowledge of and lacked authority. In addressing these accusations, Comas finds some to be more reasonable than others.

In weighing the validity of these charges Comas cites contemporaries of Las Casas and modern scholars. Comas uses contemporaries' writings to show what people thought of Las Casas at the time and how he compared to other individuals in the New World. Some of the modern scholars discussed hold a negative view of Las Casas and some have refuted the charges against him. The examples of Las Casas' contemporaries' views are particularly illustrative for

³Juan Comas, "Historical Reality and the Detractors of Father Las Casas," in *Bartolome de Las Casas: Toward an*

Comas purposes.

Comas says that while Las Casas did likely exaggerate some figures, this was common for writers from all perspectives and walks of life at the time. In addressing Las Casas' supposed exaggeration of poor treatment of natives, Comas cites many different contemporaries that reinforce the claims made by Las Casas. The gravest accusation against Las Casas is that he supported African slavery in the New World. While this accusation was true during his early years campaigning for the natives, Las Casas later changed his mind about slavery and rejected it as acceptable for any group of people. Comas attributes Las Casas initial support of African slavery to his European upbringing, since slaves were present in Spain. Comas' interpretation seems well thought out and well supported. The breadth of sources he uses shows a great understanding of the period in which Las Casas lived. He does not dismiss criticisms of Las Casas that have some grounding in truth. His appraisal of Las Casas is very useful to get an idea of why and how the Dominican has been attacked.

From reading these authors' works it is apparent he was a product of European thought. His view point was shaped by the Renaissance idea of humanism and his dedication to the Catholic Church. He saw the claim to dominion over the New World as legitimate because of his connection to the Catholic Church. All sources agree that Las Casas did not fully challenge the idea of Spanish superiority. Instead he simply argued for a more conversion-based, benevolent occupation of the New World. This devotion to the Catholic Church was what created the basis for his practical suggestions for the interaction of natives and Europeans in the New World.

Las Casas' European viewpoint of was tempered by his experiences in the New World,

but Castro makes the explicit point that due to the extensive time spent back in Spain Las Casas never deviated much from the thought processes of the European community. These sources show the beginnings of an interesting contradiction in Las Casas views: he has the best interest of the natives at heart, but due to his background in European society, a paternalism seeps into many of Las Casas proposals and writings. They are still in need of help from outsiders to find the correct way of life.

IV

Bartolome de Las Casas was born in 1484, less than a decade before the discovery of the Americas, and died in 1566. Thus Las Casas' whole life and world view were molded by the conquering of the New World and the expansion of Spanish power. He was even given a Taino native named Juanico, one of the three hundred slaves brought back to Spain by Columbus.⁴ In 1502, when he was eighteen years old Las Casas ventured to the New World as an *encomendero*, the owner of an *encomienda*. By the time that Las Casas reached the New World he was an adult. He had been fully indoctrinated in European thought patterns and mores by the time he encountered the confusion of the New World.

The Spanish psyche had been shaped by several factors leading up to the conquest of the Americas: Greco-Roman thought, the Renaissance, humanism and the fight against Muslims on the Iberian peninsula. The Muslims were finally expelled from Iberia as the conquest of the New World began. The reconquest of Spain had a profound effect on the way the Spanish viewed their purpose and actions in the New World. "The transfer of institutions and beliefs from Europe to the New World was substantially justified by the deeply seated belief among Spaniards that after the Reconquista (Reconquest) they had become the vanguard of the chosen

⁴Vickery, *Great Prophet*, 32.

called on to conquer and convert infidels wherever they were.”⁵ This idea of the Spanish as a chosen people influenced the conquistadors and colonists enormously. It caused them to think that all actions they undertook were correct and unquestionable.

For a dozen years Las Casas accepted the status quo of native and Spanish relations. His views on the relationship of natives to Spaniards did not change after he became a deacon in 1506 or a priest in 1507.⁶ He was of similar opinion to the other colonists: that the natives were a legitimate source of forced labor. However, eventually his conscience was pricked by the violence and abuse of the natives that he witnessed. Las Casas participated in putting down indigenous uprisings and with the conquest of Cuba in 1512. For this help Las Casas was awarded with another *encomienda*.⁷ The atrocities he witnessed on these expeditions made an indelible sear in his memory. He describes the Spanish as killing indiscriminately and without compassion: “Among these gentle sheep ... the Spaniards entered ... like wolves, tigers, and lions which have been starving for many days....”⁸

Las Casas saw himself as a kind and just *encomendero*. While Las Casas treated the natives in his *encomienda* well, he saw the way that the natives were being mistreated by other colonists.⁹ He was disturbed by the rapid depletion of the native population. It was not possible for the indigenous peoples to “mount any kind of organized resistance” to the Spanish conquerors due to lack of opportunity and strength.¹⁰ And so their defense had to be led by Europeans, such as Las Casas.

⁵Daniel Castro, *Another Face of Empire: Bartolome de Las Casas, Indigenous Rights, and Ecclesiastical Imperialism* (Durham: Duke University, 2007), 20.

⁶Vickery, *Great Prophet*, 37.

⁷George Sanderlin, ed., *Bartolome de Las Casas; A Selection of His Writings* (New York: Knopf, 1971), 7.

⁸*Bartolome de Las Casas: A Selection of His Writings*, trans. George Sanderlin (New York: Knopf, 1971), 166.

⁹Sanderlin, *Selection of His Writings*, 7.

Dominican friars influenced Las Casas before he joined their order. Fray Pedro de Cordoba led the first group of Dominicans arrived in the New World in 1510. At the time of his arrival Cordoba was twenty-eight years old.¹¹ The Dominicans preached against the foul treatment of the natives by colonists. On the fourth week of Advent 1511 the Dominican Friar Antonio de Montesinos, gave a sermon that condemned all Spaniards that oppressed the natives. Montesinos' sermon placed two fundamental ideas against each other. He put “[...] the natural right of the Indians to be free on their own terms against [...] Spain's claims to the jurisdiction and dominion of America.”¹² Montesinos juxtaposed human rights ideas (freedom of peoples to choose their own way of life) and the Spanish view of that the Catholic Church had given them right and responsibility to rule over the New World however they saw fit.

This duty of the Spanish to spread the teachings of the Church without attacking the natives is the message that was later taken up by Las Casas. His connection with the Dominicans allowed Las Casas access to people with political influence. Las Casas met with the head of all Dominicans in the New World, Fray Diego de Deza, when he returned to Spain with Montesinos in 1515.¹³ We see from this Dominican support that Las Casas was already aligned with the order ideologically before joining officially.

While he was opposed to the use of natives as slaves from the time that he began working for indigenous rights, Las Casas was not always opposed to all forms of slavery. In his early writings Las Casas did not renounce all slavery.¹⁴ Later in his life Las Casas' decided that slavery was never appropriate for an entire group of people. While growing up in Spain Las

¹⁰Castro, *Another Face of Empire*, 55.

¹¹Vickery, *Great Prophet*, 42.

¹²Castro, *Another Face of Empire*, 57.

¹³Vickery, *Great Prophet*, 70.

Casas was likely exposed to slavery, so it did not seem out of place to him at first for groups that had been enslaved in Spain to be so in the New World.

Las Casas did not become a Dominican until after his failed colonization attempt at Cumaná (Venezuela). He was granted permission to create his own colony in Venezuela in 1520 by King Charles I (reigned 1516 – 1556). Charles I agreed "that the Indians were free men, ought to be treated as such and induced to accept Christianity by the methods Christ has established."¹⁵ The idea of this colony was to have natives live in an area devoid of Europeans except for clergy, who would be in charge of running the community under the authority of the Spanish king.¹⁶ According to Castro the Cumaná plan was "... a capitalist primer for the exploitation of Terra Firme with little consideration given to the Indians as complementary participants in the venture."¹⁷ The natives were still to be converted and pay tribute. This colonization attempt was a disaster.

The Spanish colonists of Cubagua were hostile to the natives of Las Casas' grant. This hostility caused Las Casas to spend more time handling problems with the Spanish colonists close by than with the natives he hoped to convert.¹⁸ Spanish colonists from the island of Cubagua raided his granted area and took some natives as slaves before Las Casas arrival. The slave expedition touched off a circle of retaliation between the natives and the Spanish. And while Las Casas was delayed by this turn of events, many of the colonists that had come with

¹⁴Vickery, *Great Prophet*, 84. Las Casas promoted replacing native laborers with black slaves in his *Memorial de remedios* of 1516.

¹⁵Lewis Hanke, *Bartolome de Las Casas: Historian* (: University of Florida Press, 1952), 81 .

¹⁶Vickery, *Great Prophet*, 94.

¹⁷Castro, *Another Face of Empire*, 84.

¹⁸Vickery, *Great Prophet*, 101.

him from Europe joined Ponce de Leon's expedition to Florida¹⁹. Las Casas was left with far fewer people than expected because some of natives of his area were enslaved, while his colonists deserted him.

In 1521 Las Casas had made a deal with the Spanish from Cubagua, in a desperate attempt to save his dream of a colony, which allowed some of the natives to be taken as slaves. Las Casas wanted to be able to protect the rest of the natives and so made the concession to give up a few for the good of the many. It was his guilt over this deal that prompted Las Casas to join the Dominican Order in 1522²⁰. After joining the order Las Casas spent almost a decade at a monastery. This time allowed him to study subjects that would change how he argued for indigenous rights.²¹ In 1531, however, he broke nine years of silence with a letter to the Council of the Indies. Thereafter Las Casas moved between many different locations in the New World and the Old World. This travel limited his time with the natives and restricted his ability to understand the natives. For example, in the half a century that Las Casas spent crusading for the natives, he never learned an indigenous language.

Las Casas gained legitimate power and authority from the government over the course of his fight. Las Casas was formally named "Protector of the Indians" in 1516.²² In the same year he was made advisor to the Jeronymite envoy that was sent to investigate the situation in the Indies by a regent of Spain, Cardinal Ximenez de Cisneros.²³ Unfortunately this mission accomplished none of Las Casas' goals. However, Las Casas successfully blocked the attempt of the Spanish *encomenderos* in Peru to have their *encomiendas* made perpetual. The way that

¹⁹Sanderlin, *Selection of His Writings*, 11-12.

²⁰Vickery, *Great Prophet*, 101-102.

²¹Castro, *Another Face of Empire*, 87. Castro says that Las Casas studied theology and "scholastic philosophy."

²²Sanderlin, *Selection of His Writings*, 13. It is unknown how long Las Casas held this office.

he did this was by writing a letter to the confessor of King Charles I of Spain (reigned 1516-1556), Fray Bartolome Miranda de Carranza.²⁴ In this letter he put forth that the Spanish should withdraw from the Indies except a few garrisons to maintain the Spanish monarch's rule. This plan for Spanish rule shows that Las Casas' idea was not to let the natives have total freedom and have the Spanish completely withdraw from the New World, but rather to leave the smallest number necessary to maintain Spanish rule and convert the natives.

V

During Las Casas' lifetime the Spanish crown made many laws to regulate the actions of colonists and natives in the New World. Three of the most important laws were *The Requirement*, *The Laws of Burgos*, and *The New Laws*. Two of them, *The Laws of Burgos* (1512) and *The Requirement* (1513), were passed within a year of each other. They were concerned with making sure that the treatment of the natives was not too harsh or arbitrary. They gave the natives a chance to peacefully accept the authority of the Spanish monarch.

Passed in 1512, *The Laws of the Burgos* outlined how the natives of the New World were to be treated by the Spanish colonists. This law was created just before Las Casas' conversion from *encomendero* to indigenous defender. Two things are apparent in this document: the imperative nature of conversion and the inherent subordinate stature of the natives. Las Casas was always a proponent of the need to convert the natives. He wanted to save their souls and give them eternal salvation by converting them to the "true" religion. But the second important part of *The Laws of the Burgos*, that the natives were prone to evil deeds and unable to live correctly like the Spanish, was what Las Casas fought so hard against. These laws help to show the mindset of the Spanish government before Las Casas entered the scene and the socio-political

²³Casas, *Selection of His Writings*, 72-73.

climate that Las Casas confronted as a new crusader.

The Laws of the Burgos cover many issues of day to day interaction between the natives and the Spanish. Lewis Hanke calls this document "the first comprehensive code of Indian legislation".²⁵ In it we see the way that the Indians are viewed by many Spaniards. When the natives are allowed to be away from the Spanish they will "forget what they have been taught and go back to their customary idleness and vice" because of the natives' "evil inclinations."²⁶ There are many sections of the laws covering numerous details of how the natives and Spanish should interact. It begins by ruling that *encomenderos* should build proper housing for their natives and give the natives certain portions of land to be theirs in perpetuity.²⁷ Not only would the natives be provided buildings to live in, each native was to be given a hammock to sleep in. But this statute shows a stereotype of the natives held by some Spanish, that the natives would want to barter anything they are given immediately.²⁸ Daniel Castro argues that *The Laws of the Burgos* shows Spanish government ignorance of the New World and gives official support to the idea that native left to their own devices are "deviant."²⁹

The main goal of *The Laws of Burgos* was to facilitate for the conversion of the natives. This is apparent in the third portion of the document, which requires every *encomendero* to build a Church for his natives and each night to lead them in reciting *Ave Maria*.³⁰ In addition to these requirements for each fifty natives an *encomendero* was required to teach one native boy to

²⁴Vickery, *Great Prophet*, 63.

²⁵Lewis Hanke, ed., *History of Latin American Civilization: Sources and Interpretation*, Vol. 1, *The Colonial Experience*, 2nd ed. (Boston: Little, Brown and Company, 1973), 96.

²⁶*The Laws of the Burgos, 1512* in *History of Latin American Civilization: Sources and Interpretation*, vol. 1, *The Colonial Experience*, 2nd ed., ed. Lewis Hanke (Boston: Little, Brown and Company, 1973), 97.

²⁷*Ibid.*, 98.

²⁸*Ibid.*, 102.

²⁹Castro, *Another Face of Empire*, 59.

read and write in order to better facilitate the conversion of the natives.³¹ Part of this religious education was also to change the way that the natives lived by convincing them that the proper marriage was a partnership of one man and only one woman. The Spanish also wanted to make sure that natives no longer married persons related to them.³² This prohibition does not say how related is too close for marriage though.

The natives are also given some protection in this document. The beating of a native or calling a native a dog or by any other epithet was outlawed.³³ Anyone who broke this prohibition was to be fined substantially. We see in *The Laws of Burgos* the views of the crown on how the colonists and natives in the New World should interact. The Spanish government was concerned with the welfare of the natives' bodies and souls. But the document also shows that the natives were not seen as equals, but rather as serfs. They were not to be mistreated, but they were also not able to live properly on their own and needed to be watched over by a responsible *encomendero*.

The Requirement was an attempt to make conquests more legitimate. This document was to be read by the Spaniards to the natives upon contact. The response of the natives then determined what would happen next. This text is strongly influenced by Christian ethos. The world is said to be five thousand years old and all the people of the world came from one man and one woman. This law explains the beginning of the world from the Catholic perspective. The origin story of man is followed by the legal claim to dominion over the New World by King Fernando II (reigned 1468 – 1516) and Queen Juana (reigned 1504 – 1555): "One of the Pontiffs, who succeeded that St. Peter as Lord of the world ... made donation of these isles and

³⁰*The Laws of Burgos*, 99.

³¹*Ibid.*, 100.

³²*Ibid.*, 101.

Terra-firme to the aforesaid King [Fernando] and Queen [Juana] and to their successors"³⁴

At the end, this important document tells the natives that if they accepted the superiority of the Church and the Spanish royalty they would be treated well, otherwise they would be conquered.

The observance of the proper application of *The Requirement* varied depending on the expedition. Some conquistadors read this in a "grotesquely absurd" way while others took pains to make sure the natives understood what they were hearing.³⁵

VI

Thirty years after *The Laws of the Burgos* and *The Requirement* the monarchy promulgated *The New Laws for the Government of the Indies and the Preservation of the Indians* (1542). This collection of ordinances covered a variety of topics related to problematic legal and practical issues in the Indies. These laws gave the royal audiencias in the New World the responsibility of assuring that the natives were not treated harshly or maliciously. It outlawed making the natives slaves and declared that all enslaved natives were to be freed.³⁶ The prohibition on indigenous slavery is followed by regulations on labor conditions for the natives. For example, the natives are not to be overburdened when carrying goods for the Spanish. Importantly, *The New Laws* state explicitly that (at least in some specified cases) the lives of natives were more important than the material profit to be gained by exploiting them.³⁷ While this law code seems to be altruistic, there are numerous clauses that describe the cases when

³³Ibid., 102-103.

³⁴*The Requirement, 1513, a Most Remarkable Document in History of Latin American Civilization: Sources and Interpretation*, Vol. 1, *The Colonial Experience*, 2nd ed., ed. Lewis Hanke (Boston: Little, Brown and Company, 1973), 94.

³⁵Richard Flint and Shirley Cushing Flint, eds., *Documents of the Coronado Expedition, 1539 - 1542: "They Were Not Familiar with His Majesty, nor Did They to Be His Subjects"* (Dallas: Southern Methodist University Press, 2005), 616.

³⁶*The New Laws for the Government of the Indies and the Preservation of the Indians, 1542 -1543*, (New York: AMS Press, Inc, 1971), xiii.

natives held in *encomienda* are to be given back to the Crown.³⁸ Restrictions on the use of natives prevented the rise of a new feudalism in the New World.

The concern with conversion of the natives to Catholicism reappears in *The New Laws*. All the natives who are possessed directly by the crown are to receive Christian religious instruction.³⁹ The laws also grant more rights to natives. They decree that the natives on San Juan, Cuba, and Espanola are to be given the same consideration as the Spaniards that live on those islands.⁴⁰ It also provides for more Crown oversight of new discoveries and disallows the taking of natives as slaves on initial contact (or taking their possessions).⁴¹

Perhaps most importantly, *The New Laws* did away with the perpetuity of *encomiendas*. When an *encomendero* died his *encomienda* was to revert to the Crown.⁴² This clause caused great outcry from the colonists. They wanted to have their *encomiendas* granted in perpetuity. They wanted to be able to pass down *encomiendas* from generation to generation, the way that feudal lands in Europe were. Eventually the colonial resistance to *The New Laws* became too much for the Crown. In the *Cedulas de Malins* (1545) the most objectionable parts of *The New Laws* were revoked, namely the reversion of *encomiendas* to the Crown upon the death of the *encomendero*.

In their original form *The New Laws* implemented many of the goals of Las Casas. They appear to be the adoption by the monarchy of Las Casas' platform. The benevolent nature and

³⁷Ibid., xiv.

³⁸Ibid., xiv-xvi. Some examples of instances when this reversion to the Crown is to occur are: natives held without proper title, one *encomendero* possessing too many natives, or mistreatment natives held in *encomienda*.

³⁹Ibid., xvi. The responsibility for overseeing the religious instruction of the natives is assigned to the presidents and royal *audiencias*.

⁴⁰Ibid., xx.

⁴¹Ibid., xviii.

⁴²Ibid., xvi.

importance of the monarchy as an ally in Las Casas' eyes must have been reinforced by the promulgation of this law code. But since the Crown could not enforce the laws, all that was accomplished by them was to create a further rift between the colonists and the government in Spain. The repeal of the clause which ended perpetuity for *encomiendas* would have had a profound affect on the way that Las Casas viewed the monarchy and its position as his main recourse. Despite the repeal of key parts of *The New Laws* they still serve to show the influence of Las Casas and the changing European attitudes towards conquest. He would later find more fertile ground for his ideas during the debate at Valladolid.

VII

Las Casas viewed the natives as "noble savages". He thought that they should be free. This argument for native freedom was based heavily upon the idea that the natives were rational people, not irrational beasts. His writings contain the basic idea that as rational beings the natives could be converted to Christianity. He describes the proof of the natives' rationality in his work *Apologetic History*:

As for political prudence, I say that not only have the Indians shown themselves to be very prudent peoples, with acute minds, having justly and prosperously governed their republics (so far as they could without faith and the knowledge of the true God), but they have equaled many diverse races of the past and present, much praised for government, way of life, and customs. And in following the rules of natural reason, they have even surpassed by not a little those who were the most prudent of all, such as the Greeks and Romans.⁴³

This description of the natives relies partly on their favorable comparison to the great Mediterranean civilizations, especially the Greeks and Romans. This shows that the way Las Casas thought of the natives was from a European background and his ideas were grounded in European cultures.

⁴³Casas, *Selection of His Writings*, 115.

The natives are lumped together by Las Casas when he describes their temperament.

Las Casas described the temperament of the native peoples of the New World thusly:

From what has been demonstrated about the mildness of the Indians and the gentle quality of their society, it is evident that the last two passions [anger and rancor] do not prevail among them. [...] it must be assumed, from what can be gathered about the character of these peoples, that for the most part the Indians are by nature of a sanguine temperament, which is the noblest of the four temperaments.⁴⁴

Las Casas goes on to say that this "sanguine temperament" helped predispose the natives to be loving, generous, and merciful, while preventing them from suffering the sadness that would have overtaken more passionate people in their situation. George Sanderlin says that Las Casas chose to see any defects in the Indians as mistakes and focused instead on the favorable characteristics.⁴⁵ As Las Casas exaggerated the good qualities of the natives he "... stripped them of their human qualities and objectified the very subjects he was trying to protect."⁴⁶ This is the way that Las Casas tried to show that the natives were not the vicious barbarians that many of his contemporaries claimed they were. Rather he wanted to show the natives were of a good and gentle temperament.

VIII

While Las Casas makes many attempts in his writings to promote the good qualities of the natives, his descriptions are often peppered with vocabulary that implies the natives are not as capable as the Spanish. Describing the natives at Caonao, Las Casas says that all the natives were killed except those that ran away and gives no indication that the natives attempted to fight the Spanish.⁴⁷ They are shown as helpless and unable to even attempt their own defense.

⁴⁴Ibid., 123-124.

⁴⁵Sanderlin, *Selection of His Writings*, 113.

⁴⁶Castro, *Another Face of Empire*, 36.

⁴⁷Casas, *Selection of His Writings*, 64. This excerpt comes from Book III of the *History of the Indies*.

Tzvetan Todorov makes the interesting observation that the natives are often described by Las Casas using negative language. For example: "... the natives are *without* defect"⁴⁸ Daniel Castro expands on this idea that Las Casas' descriptions of natives are devoid of humanity and individuality: "... the natives are viewed more from the perspective of a social scientist analyzing an inert subject to prove a thesis than from that of a loving, empathetic person trying to come close to his subject."⁴⁹ This further reinforces the idea that Las Casas considered the natives good because of their potential to be molded and created, rather than for the cultural traits they already possessed.

Las Casas' descriptions of the natives always focused on their capacities. He discusses their religion to show that they are able to devote themselves to a higher power and follow religious strictures, rather than to defend the natives' existing beliefs systems. He wants to show that the natives can be transformed into the correct sort of people by being taught by the Spanish. This is in contrast to defending the natives' way of life. He does not want the Spanish to withdraw from the New World and leave the indigenous peoples alone. Las Casas desired the natives be converted peacefully under the control of missionaries. The way the ecclesiastics were to behave was paternal but supreme.⁵⁰ Las Casas still wanted the natives to be Christian, Spanish subjects, he simply wanted them pacified by clergy and not soldiers.

Las Casas believed that there was only one way to go about converting the natives. He described this method of evangelizing in *The Only Method of Attracting All People to the True Faith*, which stated that people could only be converted to Christianity by peaceful

⁴⁸Tzvetan Todorov, *The Conquest of America: The Question of the Other* (New York: Harper & Row, 1984), 164.

⁴⁹Castro, *Another Face of Empire*, 15.

⁵⁰Hanke, *Aristotle and the Indians*. 42.

means⁵¹. This method also required that the converts should understand the tenants of the Christian faith before baptism whenever possible. Many other missionaries wanted to quickly baptize large numbers of natives and worry about the religious instruction of these natives later.⁵² All of the Spanish invaders, colonists and missionaries (including Las Casas) were of the opinion that the natives could only be helped by converting to Christianity.⁵³ Las Casas focused on the natives understanding of the faith, instead of on simply converting the natives superficially. This emphasis on conversion would also spread European culture to the natives and make them into proper people.

Las Casas laid out how the natives should be treated, even when not yet converted, in his *Thirty Very Juridical Propositions*: “For no sin of idolatry or any other sin, grave as it may be, are the said unfaithful, masters or subjects, to be deprived of their dominions, dignity or other possessions”⁵⁴ We see in these propositions the influence of European events on Las Casas’ views. He describes the use of force to convert individuals as something non-Christians, Turks and Moors for example, practice: “Therefore it [forceful conversion] is most evil, tyrannical, libelous of the sweet name of Christ, and the cause of infinite new blasphemics against the true God and the Christian religion.” Las Casas also gives the image of “herds of cattle” (natives) being delivered to “hungry wolves” (Spaniards) to describe the situation caused by the *encomienda* system in the New World.⁵⁵ Here both groups of people are compared to

⁵¹Hanke, *Historian*, 4-5. Hanke sees this treatise as the first important writing of Las Casas.

⁵²Hanke, *Aristotle and the American Indians*, 20. The record number of baptisms was set by two Franciscans who baptized 15,000 natives in one day.

⁵³*Ibid.*, 26.

⁵⁴Bartolome de Las Casas. *Thirty Very Juridical Propositions in Introduction to Contemporary Civilization in the West*, vol. 1, 3rd ed., ed. by Bernard Wishy, Marvin Harris, Sidney Morgenbesser, and Joseph Rothschild (New York: Columbia University Press, 1960), 541. This is Proposition XII.

⁵⁵*Ibid.*, 542. This is part of Propositions XXIII and XXVIII.

animals, but the natives are analogized to a helpless animal, while the Spanish are analogized to predators. The predator analogy may not be complimentary, but it does imply strength on the part of the Spanish.

IX

A particularly notable opponent of Las Casas was Juan Gines de Sepulveda (1494 – 1573), a well-known scholar and humanist. He published a translation of Aristotle's *Politics* in 1548. George Huxley provides a rather sympathetic sketch of Sepulveda, saying that he was a scholar that has been unfairly maligned for centuries. Huxley assesses Sepulveda as a principled man whose principles simply did not align with Las Casas' ideas.⁵⁶ Sepulveda was a Spanish nationalist that saw the Spanish as a having a civilization superior to all other civilizations:

And who is ignorant of the Spaniards' other virtues: courage, humanity, justice, and religion? [...] And what shall I say of their moderation in rejecting gluttony and lasciviousness, inasmuch as no nation or very few nations in Europe can compare with the frugality and sobriety of the Spaniards?⁵⁷

In his argument that the natives can legitimately be subdued by force, he also argues that the Spanish are superior over the barbarian natives. Sepulveda thought that the natural state of the world was to have some peoples superior to others, not to have all nations equal.

In April 1550, just before Sepulveda and Las Casas faced off against each other in Valladolid, King Charles V suspended all conquests until a committee could come to agreement over how they should be carried out. Las Casas and Sepulveda debated each other in 1550 and 1551. Sepulveda was a proponent of “Just War,” he thought that the Spanish were justified in

⁵⁶George Huxley, *Aristotle, Las Casas and the American Indians* (Dublin: Royal Irish Academy). The whole of Huxley's work examines the scholarship of Sepulveda and concludes with the idea that Sepulveda was simply staying true to his own principles.

⁵⁷Juan Gines de Sepulveda, *Democrates Secundus, or the Treatise on the Just Causes of War Against the Indians* in

their violent conquest of the indigenous peoples of the New World. The purpose of the debate was to decide if the king was justified in conquering the natives in order to make instructing them in the Christian faith easier.⁵⁸ This debate was important because it showed governmental interest in the plight of the natives.

The debate took place before the Council of the Indies, theologians, and scholars. It consisted of each side providing their arguments and then a summary was drawn up by Fray Domingo de Soto. Sepulveda then gave twelve objections to Las Casas arguments and Las Casas defended his position against these objections. The debate did not have the speakers actually face off against each other. Rather, Sepulveda and Las Casas presented their arguments and rebuttals separately. Sepulveda presented a summary of his position on the first day in three hours. Las Casas then appeared on the second day and spent five days reading his writing on the subject word for word.⁵⁹ This long-winded approach of Las Casas is typical of his voluminous style of argument.

Both Las Casas and Sepulveda based their arguments on the works of Aristotle. The basis of Sepulveda's argument was the definitions of barbarians and natural slaves in the works of Aristotle. Las Casas argued that Sepulveda had interpreted Aristotle incorrectly. The arguments of both Las Casas and Sepulveda were based on the writings of Aristotle regarding what peoples qualified to be enslaved. This method of debate was very much a product of Renaissance humanism. It relied on classical writings as the basis of deciding current policy. This debate was a very public reminder of the concern of the crown that it was acting morally in regards to the natives of the New World.

Cultural Perspectives: A Source Book, Vol. 1, ed. Rosemary Mims Fisk and John Mayfield. (Florence, KY: Thomson Learning, 2002), 278.

⁵⁸Hanke, *Aristotle and the American Indians*, 38.

Sepulveda gave four reasons that wars against the natives were “just wars.” These were as follows: first the natives had committed grave sins, second the natives had a rude nature and needed the Spanish to show them how to be refined, third converting the natives would be easier if they were already conquered, and fourth that Spanish conquest protected weak natives from more aggressive natives.⁶⁰ In his work *Democrates Secundus*, Sepulveda claims that the natives are brutal barbarians with no developed culture:

... if you are familiar with the character and moral code of the two peoples, that it is with perfect right that the Spaniards exercise their dominion over those barbarians of the New World and its adjacent islands. For prudence, talent, and every kind of virtue and human sentiment they are as inferior to the Spaniards as children are to adults, or women to men, or the cruel and inhumane to the very gentle, or the excessively intemperate to the continent and moderate.⁶¹

The natives are also maligned for their lack of written language by Sepulveda. He says that the natives were ignorant because they do not record their history in writing.⁶²

The natives are also reduced to the status of insects by virtue of their talents at manual tasks that the Europeans cannot duplicate. Sepulveda says that bees and spiders can make intricate things, but this does not make them human. Even the fact that the natives have institutions is also twisted by Sepulveda to show that they are not on par with the Spanish: “... the foremost proof of the rudeness and barbarism and innate servitude of those people lies precisely in their public institutions, nearly all of which are servile and barbarous.”⁶³

On the surface it would appear that the views of Sepulveda and Las Casas are in complete opposition. Just as Sepulveda twists the evidence to make it appear the natives have no positive

⁵⁹Ibid., 39.

⁶⁰Ibid., 41.

⁶¹Sepulveda, *Democrates Secundus*, 278.

⁶²Ibid., 279.

⁶³Ibid., 280.

traits, Las Casas twists the evidence to make it appear the natives have no negative traits. But it is important to note that while Sepulveda and Las Casas' views of the Indians and Spain's role were different, they did agree on a few points. Both wanted to spread Christianity in the New World and both saw Spain as the nation that had legitimate power in these new lands.⁶⁴ The difference in the way that these two men viewed the Indians shaped how they viewed the policy that Spain should follow in conquering and converting the New World. Sepulveda also argues that any evil done by the Spanish is outweighed by the good things that the Spanish brought to the New World.⁶⁵ While Sepulveda was a proponent of "just wars," he was not in favor of frivolous violence. He denounced conquests for booty and the practice of waging war cruelly.⁶⁶ The use of force should not be employed to baptize natives, but can be used to make the natives listen to preaching according to Sepulveda.⁶⁷ It is interesting to note that while Sepulveda relegated the natives to the lowest tier of peoples, he never went to the New World and based his arguments on second-hand reports. From these accounts Sepulveda judged that the Spanish could wage just wars against the natives but the natives could never wage just wars against the Spanish because the natives are guilty of grave sins.⁶⁸ Las Casas' work *In Defense of the Indians* was written to rebuff Sepulveda's claims.

In Defense contains a fundamental contradiction: the purpose of this work is to prove that the natives are not inferior to the Spanish, but the vocabulary betrays paternalism on the part of

⁶⁴Angel Losada. "The Controversy Between Sepulveda and Las Casas in the Junta of Valladolid" in *Bartolome de Las Casas in History: Toward An Understanding of the Man and His Work*, ed. Juan Friede and Benjamin Keen (DeKalb: Northern Illinois University Press, 1971), 279.

⁶⁵Huxley, *Aristotle*, 52-53. The goods Sepulveda included in the list of Spanish contributions to the New World: iron, wheat, barley, vegetables, horses, mules, oxen, sheep, goats, pigs and trees. In addition to material goods the Spanish also brought intellectual and cultural goods including writing, books, culture, laws and the Christian religion.

⁶⁶*Ibid.*, 62.

⁶⁷*Ibid.*, 66.

Las Casas. He makes reference to the “poor Indians.”⁶⁹ Three pages later he describes the entire population of the Americas as a “timid race.”⁷⁰ This timidity of nature is expanded on later when Las Casas says the natives are “harmless people who are far gentler than all others.”⁷¹ This gentleness would make the natives easy to convert. In his defense of the natives Las Casas inadvertently shows how he benevolently reduces their stature.

Las Casas in his response to Sepulveda made comparisons between the Greeks and the Romans and the Amerindians.⁷² In this way Las Casas showed the sophistication of the natives. If they could be compared to the revered societies of the Greeks and Romans they surely could not be called “natural slaves.” This comparison showed that the natives were able to become Christian just as these ancient peoples became over time. Las Casas also shows the natives as superior to the Greeks and Romans in some ways. They offered more and better goods to their gods (showing greater religious devotion) for example. Their women also worked hard and their method of child-rearing was better than that of the ancients.⁷³ Las Casas quoted Christ's teaching “You must love your neighbor as yourself” in his arguments at Valladolid. For Las Casas this emphasis on the teachings of Christ, rather than the works of Aristotle was of great importance.

Las Casas also shows in this work his religious prejudices. He dismisses the indigenous religions as idol worship: “... they [the Indians] are of such gentleness and decency that they are

⁶⁸Ibid., 69.

⁶⁹Bartolome de Las Casas, *In Defense of the Indians: The Defense of the Most Reverend Lord, Don Fray Bartolome de Las Casas, of the Order of Preacher, Late Bishop of Chiapa, Against the Persecutors and Slanderers of the Peoples of the New World Discovered Across the Seas*. Translated, edited and annotated by Stafford Poole (DeKalb: Northern University Press, 1974), 25.

⁷⁰Ibid., 28.

⁷¹Ibid., 53.

⁷²Huxley, *Aristotle*, 65. This comparison is in the *Apologia Historia* by Las Casas.

⁷³Hanke, *Aristotle and the American Indians*, 54-55.

... supremely fitted and prepared to abandon the worship of idols and to accept ... the word of God and the preaching of the truth.”⁷⁴ This small quote again shows the stereotype of the natives as lacking any aggression. It also incorporates the idea that the natives were now ready to learn how to live and worship the “correct” way, that is, the Christian way. So Las Casas is not claiming native equality on an analysis of the natives as they are, but rather as they can be molded by the Spanish.

The court heard both sides but did not rule for or against either viewpoint. However, the fact that this discussion was arranged by the government shows a widespread concern for how the native peoples should be treated. The general atmosphere seems to have favored Las Casas' views. That Las Casas published several works after the debate and authorities denied Sepulveda license to publish seems to suggest that there was more sympathy for Las Casas' ideas than Sepulveda's in the Spanish government.

X

The New World posed both possibilities and problems to the international community, in particular Spain. The Spanish were forced to make a decision about how to use this land and how to incorporate the native peoples into Spanish society. During Las Casas' lifetime there is a transition in the feeling of the Spanish towards the natives of the New World. They are seen progressively more as people in need of protection and less as enemies that needed to be subdued forcibly. The Renaissance helped to expand ideas of human rights and freedoms, but it did not promote the idea that all cultures were equal. The New World was one of the first areas where the new ideas of humanity could be tried and tested.

By promoting conversion to Catholicism, as the only correct religion, Las Casas accepted

⁷⁴Las Casas, *Defense*, 28.

the position of the Spanish as defenders of the Church. Las Casas wanted to use the Church in order to incorporate the natives into Spanish society in a more gentle way than conquest. He had the physical and spiritual welfare of the natives at heart. While he wanted to protect the natives from physical exploitation and death, he nevertheless wanted to change them to make them fit for Spanish society instead of changing Spanish society to make a place for them. Las Casas was one of the strongest defenders of indigenous rights in the sixteenth century, but the human rights of his time were different from human rights in the twenty-first century. The ideas of Las Casas and the other native defenders were based around safeguarding the natives physically, not culturally.

Las Casas managed to maintain royal support by blaming the Spanish colonists for the poor treatment of the natives and never questioning royal authority. His ideas were created to appeal to the Spanish government but they lacked input from the natives. This meant that the natives would still be subordinated to the Spanish, socially and economically. While he emphasized that the natives were people, they still needed to be changed to make them the right sort of people. The natives could not be left alone to take care of themselves or return to their old ways and traditions. He has been called “Defender of the Indians” through the centuries. This title would apply to his position on the physical bodies of the natives. Calling him their “defender” implies that he wanted to save them, but he did not want to save their religion or way of life. Perhaps a more fitting title would be “Defender of the Physical Well-Being of the Indians.”

Bibliography

Casas, Bartolome de Las. *In Defense of the Indians of the Most Reverend Lord, Don Fray Bartolome de Las Casas, of the Order of Preachers, Late Bishop of Chiapa, Against the*

- Persecutors and Slanderers of the Peoples of the New World Discovered Across the Seas*. Translated, edited and annotated by Stafford Poole. DeKalb: Northern Illinois University Press, 1974.
- , Bartolome de Las. *Bartolome de Las Casas: A Selection of His Writings*. Translated and edited by George Sanderlin. New York: Knopf, 1971.
- , Bartolome de Las. "Thirty Very Juridical Propositions." In *Introduction to Contemporary Civilization in the West, vol. 1*, 3rd edition. Edited by Bernard Wishy, Marvin Harris, Sidney Morgenbesser, and Joseph Rothschild. New York: Columbia University Press, 1960. 540 – 543.
- Castro, Daniels. *Another Face of Empire: Bartolome de Las Casas, Indigenous Rights, and Ecclesiastical Imperialism*. Durham: Duke University, 2007.
- Comas, Juan. "Historical Reality and the Detractors of Father Las Casas." In *Bartolome de Las Casas: Toward an Understanding of the Man and His Work*. Edited by Juan Friede and Benjamin Keen. DeKalb, Illinois: Northern Illinois University Press. 1971. 487-537.
- Flint, Richard and Shirley Cushing Flint, eds. *Documents of the Coronado Expedition, 1539 - 1542: "They Were Not Familiar with His Majesty, nor Did They to Be His Subjects."* Dallas: Southern Methodist University Press, 2005.
- Hanke, Lewis. *Aristotle and the American Indians: A Study of Race Prejudice in the Modern World*. Chicago: Henry Regnery Company, 1959.
- , Lewis. "Bartolome de Las Casas: An Essay in Hagiography and Historiography." *The Hispanic American Historical Review* 33 (February 1953), 136-51.
- , Lewis. *Bartolome de Las Casas: Historian*. Gainesville: University of Florida Press, 1952.
- Huxley, George Leonard. *Aristotle, Las Casas and the American Indians*. Dublin: Royal Irish Academy, 1980.
- Losada, Angel. "The Controversy Between Sepulveda and Las Casas in the Junta of Valladolid." In *Bartolome de Las Casas in History: Toward An Understanding of the Man and His Work*. Edited by Juan Friede and Benjamin Keen. DeKalb: Northern Illinois University Press, 1971. 279-307.
- MacNutt, Francis Augustus. *Bartholomew de Las Casas: His Life His Apostolate and His Writings*. New York: AMS Press, 1972.
- The Laws of Burgos, 1512*. In *History of Latin American Civilization: Sources and Interpretation, Volume One: The Colonial Experience*, 2nd ed. Edited by Lewis Hanke. Boston: Little, Brown and Company, 1973. 96-104.

- The New Laws for the Government of the Indies and the Preservation of the Indians, 1542-1543.* New York: AMS Press, Inc, 1971.
- The Requirement, 1513, a Most Remarkable Document.* In *History of Latin American Civilization: Sources and Interpretation, Volume One: The Colonial Experience*, 2nd edition. Edited by Lewis Hanke. Boston: Little, Brown and Company, 1973. 93-95.
- Sepulveda, Juan de Gines. *Democrates Secundus, or the Treatise on the Just Causes of War Against the Indians.* In *Cultural Perspectives: A Source Book, Vol. 1.* Edited by Rosemary Mims Fisk and John Mayfield. Florence, KY: Thomson Learning. 2002. 277-281.
- Todorov, Tzvetan. *The Conquest of America: The Question of the Other.* New York: Harper & Row. 1984.
- Vickery, Paul S. *Bartolome de Las Casas: Great Prophet of the Americas.* New York: Paulist Press, 2006.
- Vigil, Ralph H. "Bartolome de Las Casas, Judge Alonso de Zorita, and the Franciscans: A Collaborative Effort for the Spiritual Conquest for the Borderlands." *The Americas* 38 no. 1 (July 1981): 45-57.
- Yeager, Timothy J. "Encomienda or Slavery? The Spanish Crown's Choice of Labor Organization in Sixteenth-Century Spanish America." *The Journal of Economic History* 55 (December 1995): 842-859.