

HIST221

Study Questions for “The New Laws of the Indies, 1542 ” and Bartolome de Las Casas’s *A Short Account of the Destruction of the Indies*

Please write out your answers to the questions that follow and/or take notes on the relevant areas in the following texts: “The New Laws of the Indies, 1542” and Bartolome de Las Casas’s *A Short Account of the Destruction of the Indies*. It is best to get into the habit of doing this while reading. You should complete this exercise after you have read and highlighted, or noted, areas of the texts that you think are important. The purpose of this exercise is to help you follow the authors’ intent and to think critically about their assertions. Following are a list of questions that, once answered, will ensure that you have a good outline of these documents’ purpose and an in-depth understanding of their historical importance.

Context:

The first text, “The New Laws of the Indies, 1542,” is a royal decree issued by the Spanish crown intended to govern the behavior of the Spanish colonist in the Americas, particularly with regard to the Indigenous peoples. These set of laws were created to avoid the maltreatment of the indigenous people, particularly in the *encomiendas*, where Indians were forcibly grouped together to work under colonial masters. Similarly to previous decrees such as the *Laws of Burgos* of 1512, this new code prohibited the punishment of Indians by the landowners (*encomenderos*), reserving it for governmental officials, specially appointed for this.

“The New Laws of the Indies” contain a number of interesting observations regarding the nature and evolution of the Spanish conquest, colonization, and exploitation of the Americas. Even though many Spanish colonists refused to comply with the *New Laws*, the *encomienda* labor system was gradually replaced by other forms of labor, particularly the *repartimiento*, in the second half of the sixteenth century.

It should be noted that this pioneering set of laws was a direct result of the numerous complaints by some members of the Catholic Church about the mistreatment of Indians in the Spanish colonies. In fact, the second text in this reading assignment, *A Short Account of the Destruction of the Indies*, is a firsthand report by Dominican Father Bartolome de Las Casas, the “Protector of the Indians,” of the abuse of the native people by Spanish colonists.

Both texts, “The New Laws of the Indies” and Bartolome de Las Casas’s *A Short Account of the Destruction of the Indies*, were written in 1542 (even



though de Las Casas's *Account* was not published until 1552). Thus by reading both texts, you will have a detailed description of the nature, development, and effects of the European colonization of the Americas in the first half of the sixteenth century.

Questions:

1. By the "New Laws," how could an Indian be made a slave?
2. According to the "New Laws of the Indies," under what circumstances could the Indians be confiscated from the landowners?
3. What were the Audiencias to do with the Indians who were to be taken away from their masters?
4. Apart from the immediate goal of improving the treatment of the Indians by the Spanish colonists, what do you think was the "secondary" aim of these laws?
5. Do you think Bartolome de Las Casas saw the Indians as fully human or semi-human?
6. Based on de Las Casas's *Account*, please describe two effects of the "Columbian Exchange."
7. Who was de Las Casas's *Account* intended for?
8. What do you think was Father de Las Casas's ultimate goal when writing this *Account*?

