

HIST221
Guide to Responding
Study Guide for “The New Laws of the Indies, 1542” and Bartolome de Las Casas’s *A Short Account of the Destruction of the Indies*

Main Point Summary/Background:

The first reading, “The New Laws of the Indies, 1542,” is more than a decree intended to regulate the behavior of the Spanish colonists in the Indies; it is a pioneering set of laws issued to ban the mistreatment of the indigenous people. These laws also tell us about the power struggles between the Spanish Crown and the conquistadors.

The second reading, Bartolome de Las Casas’s *A Short Account of the Destruction of the Indies* contains exquisite observations on the life and conduct of the Native Americans. It also offers readers an insight on the Columbian Exchange and the events that led to one of the most important genocides in history.

Both these texts, controversial at their time of publication, uncovered the truths behind the Spanish colonization and exploitation of the New World.

Related Readings:

These readings are related to the other readings in Unit 3 (“Colonization and Settlement”), especially those in subunits 3.1 (“The Spanish Empire”) and 3.2 (“The Catholic Church”), such as Prof. Steven Volk’s “The Encomienda,” Donald J. Mabry’s “Government and Law in Spanish Colonial America,” and UC College’s “The Mission System.” They also relate to the readings in subunits 4.1 (“Colonial Production”) and 4.2 (“Slavery”), such as Prof. Bill Uzgalis’s “Bartolome de Las Casas (1484–1566).”

Instructions:

Following are excerpts from the readings and sample responses that help to answer the study questions. Review these answers after you have completed the study questions. Highlighting or taking notes while you read paired with later outlining and paraphrasing is an excellent method to ensure comprehension and retention of difficult material.

1. According to these “New Laws,” “... for no cause of war nor any other whatsoever, though it be under title of rebellion, nor by ransom nor in other manner can an Indian be made a slave”¹ In fact, these pioneering laws not only prohibited the enslavement of the Indians but granted them the same status than that of the “vassals of the Crown of Castile.”
2. There were three instances in which Indians could be taken away from landowners: First, if “... disorders have occurred in the treatment of the said Indians” Second, if someone “... hold Indians without proper title, having entered into possession of them by their own authority ...” And third, if “although possessing a sufficient title, have had an excessive number of Indians allotted to them ...” Moreover, if a Spaniard who held Indians was to die, his Indians were to revert to the Royal Crown.
3. According to the last paragraph of the “New Laws of the Indies,” they should “... be very well treated and instructed in the matters of our holy Catholic faith ...”

Remember, as you have seen in this course, the Spanish Crown often rationalized Spain’s expansion of empire with the claim that it was saving a pagan world by spreading Christian civilization. Thus, the conquistadors could justify why the natives needed to be subjected to their “superior political and religious authority.”

4. As Prof. Halsall explains in the introduction to this text, the Spanish Crown feared losing control of its overseas territories. Labor systems such as the *encomienda* had given some conquistadors power over large territories and population, which could lead to autonomous governments being established if these powerful conquistadors wished to create them. The “New Laws” aimed to establish a centralized governance of the New World by situating the ultimate authority over the native population in the hands of the Audiencias, courts under the control of the Crown.
5. Father de Las Casas wrote, “God made all the peoples of this area ...,” which tells us that he saw them as fully human. In fact, it is because he considered them human that he believed that they could be integrated into “civilization” and Christendom.

¹Note that all quotes in this assignment were taken from “The New Laws of the Indies, 1542.” See the following: <http://www.fordham.edu/halsall/mod/1542newlawsindies.asp>.



6. The “Columbian Exchange” created new commercial and political networks which brought a biological, economic, and social revolution in world history. It was characterized by the exchange of diseases, about which de Las Casas tells us this: “At the same time, they are among the least robust of human beings: their delicate constitutions make them unable to withstand hard work or suffering and render them liable to succumb to almost any illness, no matter how mild.”

The exchange of diseases combined with the ill-treatment of the Indians led to a sharp decrease in the native population of the Americas. De Las Casas explains that “... when the Spanish first journeyed there, the indigenous population of the island of Hispaniola stood at some three million; today only two hundred survive.”

Remember that the Columbian Exchange also introduced new labor systems, food crops, and animals to the Americas.

7. Father de Las Casas wrote his *A Short Account of the Destruction of the Indies* for King Philip II of Spain. His intention was to bring to the attention of the Crown the atrocities being committed in the New World. However, soon after its publication in Spain in 1552, the book was translated into numerous languages and became one of the most read books of the second half of the sixteenth century. In fact, de Las Casas’s *Account* greatly contributed to the creation and spread of the Spanish “Black Legend.”
8. Father de Las Casas wrote his *A Short Account of the Destructions of the Indies* hoping to remind King Philip II of Spain of his spiritual obligation. In de Las Casas’s eyes, the Spanish Crown had the responsibility of forbidding the maltreatment of natives in the New World, as well as endorsing their conversion to Catholicism.

