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Daniel Roberts
Whitworth University

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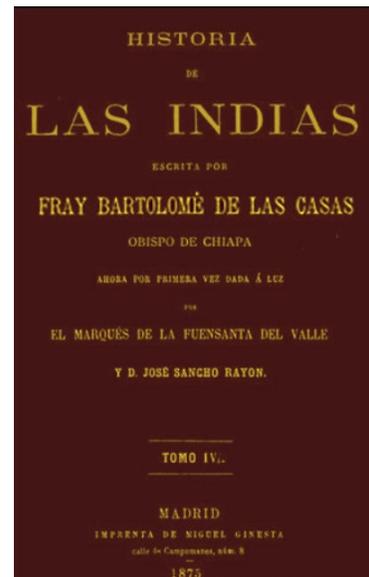
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Daniel Roberts
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Calls for Justice in the New World: The Prophetic Life of Bartolomé de Las Casas in the Spanish Colonization of the Americas

For Christians of European and American descent, the history of the conquest of the Americas and further enslavement of Africans is a harsh reminder that Christians can be just as violent and destructive as any tyrant who has ever lived. Much like Shakespeare's *Lady Macbeth*, Westerners have the memory of millions of dead and enslaved on their hands, a memory which cannot easily be washed away, plaguing the conscience. In studying church history, it can be difficult to reconcile these destructive acts of Christians and the sacrificial work of Christ, who shed his own blood for the sake of sinners.

Likewise, given that these conquests and initial colonization efforts happened nearly concurrently with the Protestant Reformation, the history itself can be underrepresented. In order to save space in the pages of textbooks for figures such as Luther, Zwingli, and Calvin, it is all too easy to leave out events which happened across the Atlantic Ocean. For instance, William Wilberforce fought for the abolition of the British slave trade in the 18th century, and is rightfully famous for his advancement of human rights. However, not as known is the debate of the 16th century over whether or not American Indians were a subhuman race, incapable of receiving the Gospel.¹ Christians can be quick to praise the actions of a man against racist enslavement, yet can be ignorant of how our common understanding of race theory was developed within Christian society. The development and response to the Spanish conquest of the Americas is therefore



¹ See Mechem, *William Wilberforce: Integration of Faith and Politics*. C.f. Pope Paul III 1537, *Sublimis Dei*, "We define and declare by these Our letters . . . the said Indians and all other people who may later be discovered by Christians, are by no means to be deprived of their liberty or the possession of their property, even though they be outside the faith of Jesus Christ; and that they may and should, freely and legitimately, enjoy their liberty and the possession of their property; nor should they be in any way enslaved."

not only difficult to reconcile in our modern, pluralistic society, but is difficult to understand given an oftentimes Eurocentric and Protestant-centric frame of history.²

In conjunction with these two points– the violent history of conquest and enslavement in the church and the underrepresentation of Latin American Church history– there stands a figure who challenged the status quo and challenges our perception of the conquest of the Americas: Bartolomé de Las Casas, a Spanish-born Dominican monk who shaped the history of Latin America by fighting for the rights of Native Americans for over fifty years of his life. He was neither the first nor the last to publicly defend the rights of natives; however, he was given the title “Universal Protector of the Indians” by the Spanish crown and used institutional power to bring change to an empire, relentlessly challenging secular powers and speaking up for the subjugated and oppressed natives.³ Most importantly, the life and ministry of Las Casas reminds Westerners, both Christian and non-Christian, that there were minority voices within the Church who were not only appalled by atrocities carried out by Christians, but dedicated to speaking up for the voiceless in the midst of atrocity.

To understand Las Casas’ life, one must first understand Spain during the 16th century. 1492 was not only the year Christopher Columbus set sail to open new trade relations with China; it was also the year when the kingdom of Granada, the last stronghold of Moors on the Iberian Peninsula, fell to the Spanish kingdom of Castile.⁴ Consequently, Spain, finished with the kingdom of Castile’s *Reconquista*, a centuries-long fight against the Muslims living in the Iberian Peninsula, was enjoying newfound power and freedom which was accentuated by Christopher Columbus finding land not yet known or claimed by Europe. The peninsula was entirely Christian, and a “great epoch of overseas colonization” was borne.⁵

It should be noted the overwhelming ties Spain had with Catholicism during this period. Catholicism, because of the struggles with the Moors, was a cultural identity which permeated society. Ethnic identities were valued highly, and the Spaniards had a specific class, called *conversos*, who were Jewish converts to Christianity; likewise, unconverted Jews and Moors were expelled from the kingdom in 1492.⁶ The church and state enjoyed a very close-knit relationship; clergy often advised the matters of the state, while the monarchs used their status with the church to their advantage.⁷ Historian John Crow points out, “In Spain there never

² Interestingly enough, Justo González places “The Beginnings of Colonial Christianity” as the last section in *The Story of Christianity, Vol. I* instead of in Volume II, which focuses on the “Reformation to the Present Day.” The first mention of Latin America in vol. 2 is chapter 29, which begins in 1808, 291 years after Luther’s posting of the 95 theses and 242 years after the death(!) of Bartolomé de Las Casas.

³ See Las Casas 2003, *An Account, Much Abbreviated, of the Destruction of the Indies, with Related Texts* p. xx. Because of the title length, it will be further referred to as *An Account . . . with Related Texts*.

⁴ *Ibid*, xxxiv

⁵ *Ibid*, xxxv, citing Elliot, *Imperial Spain*, 44-5

⁶ Las Casas 2003, *An Account . . . with Related Texts* xxxvi. Apparently after 1492, 150,000 Jews were expelled from Spain.

⁷ *ibid*

arose a single Protestant Church⁸ and likewise, Spain was often times defending the Roman Catholic Church against reformers in war.⁹ Las Casas, as a “Protector of the Indians” was representing both the Catholic Church and the Spanish state, and much of his rhetoric appeals to the idea of divinely appointed monarchies.

However, despite this union through a monolithically Catholic state, Spanish society was not homogenous. Indeed, Franklin W. Knight describes four interest groups of which Spain “spent more than half a century struggling with the notion of a common good and a common justice.”¹⁰ These group would be the royalty and royal advisors, the clergy, including priests, bishops, and monks of different orders, military men, and ordinary townsfolk. Much of the people who came to the Americas were among the peasant class, along with warriors and clergymen, which sometimes created tension when values of justice and social order clashed.

An example of this sort of clash would be Father Fray Antonio de Montesinos, whom Las Casas describes in his *History of the Indies*. Montesinos was a Dominican friar in Santo Domingo, Hispaniola, who caused an uproar in the city by preaching on two separate masses in December 1511 against the Spaniards for their treatment of the Indians. This was not a mere censure of the Spaniards, as Montesinos publicly stated to the Spaniards attending that all were in mortal sin because of their treatment of the Indians, and went on to say,

“Tell me, by what right or justice do you hold these Indians in such a cruel and horrible servitude? On what authority have you waged wars against these peoples, who dwelt quietly and peacefully on their own land? . . . Why do you keep them so oppressed and exhausted, without giving them enough to eat or curing them of the sicknesses they incur from the excessive labor you give them, and they die, or rather, you kill them, in order to extract and acquire gold every day? . . . Are these not men? Do they not have rational souls? Are you not bound to love them as you love yourselves? . . . Be assured that in your present state *you can no more be saved than the Moors or Turks, who lack faith in Jesus Christ and do not desire it.*”¹¹

Montesinos went on to defend what he preached to the Spanish King Ferdinand, much like Las Casas would later do. Both men represent the close interconnection between the Church and state, and shows an interesting “check” that clergy had on the rest of Spanish society. It was not the lay people who were speaking up for human rights, but a minority voice within the clergy, made up of mostly Dominican and Franciscan friars and monks. These monks spoke up, and spoke directly to the monarchs, against atrocities committed by the Spaniards. And because of the special

⁸ *Ibid*, xxxvii, citing Crow, *Spain* 15,

⁹ Las Casas 2003, *An Account . . . with Related Texts* xxxvi

¹⁰ *Ibid*, xxxvii

¹¹ Sanderlin 1971, *Bartolomé de Las Casas: A Selection of His Writings* p. 81. italics added. Originally in Las Casas’ *History of the Indies, Book III, Ch. 4-5*

role clergy play in Catholic spirituality, these monks created turmoil when they did speak up. Las Casas even recounts how some Dominican monks would refuse to act as confessors to absolve the sins of those who held Indians, something which happened to Las Casas himself before he was a monk because he had an *encomienda* at the time.¹² The conquest and enslavement of Latin America was not only challenged with appeals to human rights, but also with appeals to God's eternal judgment of the soul, and the main challengers were consistently clergymen.

However, if one is going to understand Las Casas' writings and life-long work, one has to understand the *encomienda* system. Because of the treaty of Tordesillas in 1494, Spain was given the right to claim American lands as Spanish lands, and American peoples as Spanish subjects. Part of the justification for this was that the Spaniards had the Christian faith, and therefore needed to teach the natives Christian faith. And so, the *encomienda* was born in 1499 under Christopher Columbus. As Charles Gibson says, "In legal principle, *encomienda* was a benign agency for Indian Hispanization. Its essential feature was the official consignment of groups of Indians to privileged Spanish colonists."¹³ However, there was no comprehensive legal system for the Spanish colonies until the Law of Burgos in 1512-1513, so there is an inherent tension between the ideas behind *encomienda* and its practice in history, the result of which Justo L. Gonzalez writes, "was even worse than outright slavery."¹⁴

The Law of Burgos itself demonstrates this contradictory tension between the legal rights of Indians and the responsibilities of the *encomendero*. For example, Law XXIV states, "We order that no person or persons shall dare to whip or abuse any Indian, or call him dog or any other form of address except his proper name," and Law XXVII states, "We order and command that the Indians shall be properly instructed in the Faith . . . that they be supplied with hammocks and food, and that . . . these Indians be treated without the rigor and harshness of slaves elsewhere, but rather with love and gentleness to incline them more effectively to the practices of our Faith."¹⁵ This shows the responsibilities which the *encomendero* and other Spaniards had to treat the Indians, who were to be Spanish subjects under the authority of the king and queen, with dignity. However, Law XXV also states, "We order and command that every person having Indians in *encomienda* must provide [at least] one-third . . . of his allocation [of Indians] to work in the gold mines under penalty of non-compliance of three gold pesos for each Indian short of one-third."¹⁶ Despite their being protected under law to be

¹² *Ibid*, p. 87. Originally from *History of the Indies, Book III, Ch. 79-80*.

¹³ Gibson 1964, *The Aztecs under Spanish Rule* p. 58, quoted in Knight 2003, *An Account . . . with Related Texts* p. xviii

¹⁴ Gonzalez 2010, *The Story of Christianity, Volume I* p. 452. Gonzalez also notes that "it was forbidden to enslave the Indians," and reasons that for the *encomendero* there was no reason to care for the well-being of the Indians because they were not property, meaning there would be no incentive when Indians would be readily supplied to the *encomendero*

¹⁵ Las Casas 2003, *An Account . . . with Related Texts* p. 89, 90-91

¹⁶ *Ibid*, p. 90

treated “well,” the Native Americans are still considered subjects of the crown to be used for labor, most often labor in the mines.

It was against this system, which exploited Native men and women to toil for the greed of men, which Las Casas fought tooth and nail. Now, it must be understood he partook of this system for a decade before he gave up his own slaves, and he was very well-off because of it. As Las Casas writes, “[Las Casas sent] Indians of his [encomienda] to the mines to extract gold, and to the fields to sow, and he was profiting by them as much as he could,” though he adds, “although he always took care to support them as well as possible, to treat them gently, and to sympathize with their miseries.”¹⁷ His experience gave him great insight on the system. He called for its abolition in a printed work *Among the Remedies*, in which he gives twenty reasons for its secession. It is interesting to note the various appeals Las Casas makes for his argument. The first argument reminds the monarchs the reason the Americas have been given to Spain: the conversion of the Indians. As Las Casas writes, “Since the purpose of the dominion of Your Majesty over those peoples is the preaching and establishing of the faith among them . . . Your Majesty is therefore obliged to remove all obstacles that can hinder the attainment of this purpose.”¹⁸ Las Casas reminds the court that the only reason Spain was given authority over American lands and peoples in the first place was to bring the Gospel to the Indians for the salvation of their souls. The *encomienda* system gets in the way of that for many reasons, including the lack of qualifications of the Spaniards to teach about the Gospel and their lack of care in imparting the Gospel to their labor force, as well as the destruction it caused to the population.



Figure 1.2- “They would erect long gibbets . . . and bind thirteen of the Indians at one time, in honour and reverence, they said, of Our Redeemer and the twelve Apostles, and put firewood around it and burn the Indians alive.” – Las Casas, *An Account . . . with Related Texts* p. 9. Many woodcut illustrations were made in response to Las Casas’ *Account* by Theodor de Bry and used as propaganda against the Spanish Empire by Protestant nations.

However, *Among the Remedies* was not the only book written by Las Casas to persuade the Spanish crown of the importance of abolishing the *encomienda* system. Among his many trips to the Spanish court, he wrote *A Brief Account of the Destruction of the Indies* in 1540 to the court of Charles V of the Holy Roman Empire. In it are grave descriptions of slaughter, torture, and atrocity caused by wars and the

encomienda system, covering the history of the conquest from Hispaniola to Florida, to New Spain (Mexico), to Peru and more. Brief it may be, but comprehensive.

¹⁷ Sanderlin 1971, *Bartolomé de Las Casas: A Selection of His Writings* p. 86. Originally from Las Casas, *History of the Indies Book III*, Ch. 79 & 80

¹⁸ *Ibid* p. 175, Originally from Las Casas 1542, *Among the Remedies*

There are descriptions of countless horrors committed by Christians, including the rape of the wife of a local king, Christians ripping open the bellies of pregnant women, murdering babies, and other such butcheries.¹⁹ He declares that 15 million souls have lost their lives since the discovery of the New World.²⁰ The theme is clear: wherever Christians go in the New World, their greed for gold and power brings destruction to innocent lives, something incompatible with the Christian faith.

In response to this, Charles V legislated the *New Laws* in 1542, “newly made by his majesty for the governments of the Indies and the good treatment and conservation of the Indians.”²¹ In other words, the laws were concerned with the treatment of the Indians, as well as the *encomienda* system. Therein, there were laws which required many persons to give up their Indians to be given to the protection of the Crown, as well as the appointment of government officials to pursue the cause of freeing those who have “been made [as slaves] against all law and reason, and against the provisions and instructions given.”²² It is true there were political factors in doing so; in getting a steady work force to gain supplies in gold, silver, and crops for themselves, the conquistadors and *encomenderos* could create a neo-feudal system to challenge the mother country Spain, which Charles did not want. However, the faith and earnestness of the New Laws cannot be ignored. Speaking directly about the lucrative pearl market, the law states,

“Whereas we have been informed in a certain [Las Casas’] Account that the fishing for pearls has been done without due and appropriate good order, and that it has led to the deaths of many Indians and Negros. We do command that no free Indian shall be taken to said fishery against his will, under pain of death . . . If it appear that said Indians and Negros cannot be spared the danger of death, the fishing for said pearls shall cease, for we hold in much higher esteem—as is only just and reasonable—the preservation of lives the interest that may come to us from the pearls.”²³

Legally ending the *encomienda* system and using capital punishment as a statement of the value the Crown places on lives rather than wealth was a bold move, and occurred largely through Las Casas using the institution of the monarchy as a means to provide justice. He would attempt the same afterward as he was made a bishop of Chiapa, Mexico. There was uproar

¹⁹ Las Casas, *An Account . . . with Related Texts* p.9. It is sad to say, but all of these occur within the same page as Las Casas uses as many examples with as much graphic detail as he can for his case.

²⁰ It should be noted Las Casas frequently hyperbolizes numerical values for propagandist value ; see Sanderlin 1971, *Bartolomé de Las Casas: A Selection of His Writings* p. 32; c.f. Knight 2003, *An Account . . . with Related Texts* p. xlviii-xlix. However, as Knight writes, “Las Casas might have employed hyperbolic language, but he did not imagine the callous and casual ways in which Spanish invaders abused the indigenous populations and arbitrarily appropriated their lands.”

²¹ *Ibid*, p. 93; this section of the book has an English translation of the New Laws of the Indies.

²² *Ibid*, p. 96

²³ *ibid*. c.f. Las Casas 2003, *An Account . . . with Related Texts* p. 63

among the colonies as few wished to implement the New Laws, and Mexico would “suspend the New Laws indefinitely because of the turbulent opposition they had encountered,” and both Peru and Nicaragua faced revolts because of the changes.²⁴ Las Casas himself attempted to implement the New Laws by announcing “he would refuse absolution to Spaniards who did not free their Indian slaves or make restitution of wealth gained from *encomiendas*,” and was hated for it.²⁵ He made a *Confesionario*, a guide to the confessors of his parish, which required restitution to be made before absolution because all of the wealth of the *encomendero* was unjustly acquired.²⁶

The implications of this were seemingly that Spain had no legitimate claim to the colonies. Because of this, Las Casas’ *Confesionario* was confiscated by the government, while Las Casas himself was put on trial to explain what he meant, which can be summed up in his work “The Only Method of Attracting All People to the True Faith,” which states, “this method of subjecting pagans by war to the rule of the Christian people so that the Gospel may be preached is contrary [to the teachings of the Bible and the Church Fathers],” and therefore Spain had no right to the wars they waged against the Indians.²⁷ Further it is summarized in the fifth rule of his *Confesionario*, where he appeals to Canon Law and Pope Eugenius III, and writes, “that confessors cannot give absolution to robbers, which is what all the said conquistadors of the Indies are, unless they first return what is stolen.”²⁸ Not only do Spaniards not have a right to wage war against the Indians, but all the wealth which the Spaniards possess because of their subjugation of the Indians should be returned to the Indians in restitution. Thus, many of Las Casas’ rivals wondered if he had erred in the way of treason, and a debate took place on the whether or not Spain was justified in its conquest; interestingly enough, Charles V, King of Spain and Holy Roman Emperor, halted all conquests of the New World for two years while this was being settled in court.²⁹

While there was no formal decision on the matter, Las Casas was found to be in favor of the court. As George Sanderlin writes, “Miguel de Legaspi’s occupation of the Philippines in 1516 was peaceful, and in 1574 the [Spanish Council of the Indies] refused to sanction a war “by fire and by sword” against the Indians of Chile. The Ordinances of Discovery and Settlement of 1573 codified the new methods.”³⁰ As Las Casas became more aged, his rhetoric became more radical, calling for the full restitution of the Indians, as well as for the Spaniards to pull out of their new empire and leave it mostly to the natives. He eventually made a permanent

²⁴ Sanderlin 1971, *Bartolomé de Las Casas: A Selection of His Writings* p. 17

²⁵ *Ibid.*, p. 16-17

²⁶ *Ibid.* p. 18

²⁷ *Ibid.* p. 163. Text is a translation which was originally in Las Casas 1942, *Del Unico Modo de Atraer a Todos los Pueblos a la Verdadera Religion*

²⁸ *Ibid.* p. 185. Text is originally from Las Casas, 1552, *Confesionario*

²⁹ *Ibid.* p.19

³⁰ *Ibid.* p. 19-20

residence in Spain, where he could fight his court battles for others more consistently and write his books. He ended his ministry in death, leaving the words of a prophet, as he said,

“In His goodness and mercy, God considered it right to choose me as his minister, though unworthy, to plead for all those peoples of the Indies, possessors of those kingdoms and lands, against wrongs and injuries never before heard of or seen, received from our Spaniards . . . and to restore them to the primitive liberty of which they were unjustly deprived.³¹

The life of Las Casas represents one who followed his calling to the very end, a man determined to do what is right and to make things right in the world. His life, and the lives of many monks, sets up the legacy of social justice common to the Americas; it also gives light to the institutions they were working under. Pope Paul III, in response to much of what was going on in the Indies, wrote and sent out his papal bull *Sublimus Deus*, declaring the Indians to be rational men and women, human beings who were able to receive the Gospel and thus needed to be treated with dignity in 1537. Charles V was willing to halt the expansion of his empire in order to determine whether he had a right to conquer in the first place. Las Casas was able to use the institutions of his culture for social justice, leaving his mark on the Latin American world and the Christian faith.

³¹ *Ibid*, p. 23. Text is originally from Las Casas, *Obras Escogidas*, V, 539

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This is a transcript of the papal bull Sublimus Dei, dated May 29, 1537 and written by Pope Paul III, which is given as a ruling on how the American Indians are indeed men capable of receiving the Christian faith and sacraments, and furthermore, that they should not be enslaved. The transcription is on a website devoted to such papal documents, and although it is not an official Vatican catalog, it is a website that is recognized by the American Library

Association, and reportedly has permission from the Vatican Publishing House to use the papal documents.

Further Reading

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