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The Evolution of Spanish Policy in the New World

Christopher Columbus’s 1492 voyage is one of the most famous and iconic moments in history. Setting out to find a trade route to India and China, where spices, porcelain goods, and priceless metals could be found, Columbus instead discovered new continents previously unknown to Europeans. Columbus’s report back to the queen of Spain sparked a huge campaign by the Spanish to colonize and dominate the American continents.[[1]](#endnote-1) Settlers and conquistadors descended on the New World, looking for their own personal fortune and disregarding the safety of the indigenous peoples of the area. In the process, millions of American Indians were impressed into slavery, driven off the land, or often simply killed. This treatment of Native Americans is symbolic of Spanish thought about the inhabitants of the New World – they were simply meant to serve. However, after many years of debate and iterative legislation, the Spanish crown’s attitudes towards the Indians had gradually evolved to become much more peaceful and tolerant.

In the early years, when the first Spanish settlers began to arrive in the Americas, Spanish official policy was very strict and unforgiving. From their first meeting with the natives, the Spanish considered them inferior and deserving of their role as slaves. In Columbus’s words, “the people [of the Americas] are ingenious, and would be good servants.”[[2]](#endnote-2) The Law of Burgos, the first piece of legislation which dictated how Indians were to be treated, declared in 1512 that natives were by nature “inclined to idleness and vice.”[[3]](#endnote-3) The law gave Indians a few rights, but asserted that they should be watched closely. Native villages were to be destroyed, and their inhabitants forced into crowded communal housing built by their new masters.[[4]](#endnote-4) Native Americans could be forced to mine gold for 5 months of the year – except for slaves, who could be used year-round.[[5]](#endnote-5) And the law saw little enforcement - inspections of how the natives were treated would only occur every 2 years.[[6]](#endnote-6)

In addition to the Law of Burgos, The Requirement was drafted a year later in 1513 to establish a policy for the conquering of new territory. The Requirement was intended to be read before Spanish entrance into new territory, and declared that Indians must accept Christianity and Spanish rule or “we [the Spanish] shall forcibly enter into your country and shall make war against you in all ways and manners that we can”, including the enslavement and killing of women and children.[[7]](#endnote-7) The Requirement was often read in private where the Indians could not hear; even when formally presented it made little difference as the natives did not understand Spanish.[[8]](#endnote-8) This early policy towards the natives shows that the Spaniards believed that it was their right to dominate these peoples, and force them into their service and culture.

Though these early laws were very unfavorable to the Native Americans, later legislation gave them more rights and protections. The New Laws, enacted in 1542, show the clear progression in the crown’s thinking about Indians. The Laws abolished Indian slavery, making all Indians subjects to the Spanish crown, just like the Spaniards themselves were.[[9]](#endnote-9) Forcing Indians to work in pearl fisheries was specifically banned, and these fisheries would be required to shut down if they could not be operated safely[[10]](#endnote-10) – a huge difference compared to the forced labor in gold mines that the Law of Burgos allowed. Spanish officials, who previously would put Indians to labor whenever it profited them, were willing to shut down an entire industry to preserve their welfare. Though the New Laws demonstrate the softening of official laws about Indians, in practice they were met with fierce resistance from Spanish settlers and soldiers.[[11]](#endnote-11) Nevertheless, they show how the crown’s opinion had shifted, if not the common people’s.

In 1550, another sign of a shift in the crown’s values took the form of a debate between a philosopher, Juan Gines de Sepulveda, and a Dominican friar, Bartolome de Las Casas, which was organized by Emperor Charles V.[[12]](#endnote-12) Sepulveda argued that the native peoples were inherently inferior, and thus deserving of the war and enslavement imposed on them by the Spanish. “Those who surpass the rest in prudence and talent, although not in physical strength, are by nature the master,”[[13]](#endnote-13) he argued. Las Casas, however, argued that the Indians had been horribly mistreated by the Spanish. In his piece *A Short Account of the Destruction of the Indies*, Las Casas criticizes Spanish conduct in the New World on two fronts: that they have waged an unjust, bloody, and indiscriminate war against the Indians, and that they have violently suppressed any dissent.[[14]](#endnote-14) According to Las Casas, it was primarily greed which caused these abuses to happen.[[15]](#endnote-15) That such a debate was allowed to occur, and in fact was called by the Emperor in order to inform his official policy, shows a new openness about American policy that was not present in 1512.

Finally, in 1573, the Requirement was officially discarded, and replaced with the Royal Ordinances on Pacification as the official protocol for the discovery of new lands and peoples.[[16]](#endnote-16) The use of the term “conquest” was replaced with “discovery”. Now, instead of forcing natives to accept Catholicism and Spanish rule, they were meant to be converted and convinced peacefully.[[17]](#endnote-17) The law states, “By these and other means are the Indians to be pacified and indoctrinated, but in no way are they to be harmed, for all we seek is their welfare and their conversion.”[[18]](#endnote-18) In many ways, the Royal Ordinances are the culmination of nearly a century of evolution. From its callous beginning with the Laws of Burgos, Spanish legislation on the treatment of Indians evolved into something much more peaceful, owing to the influence of figures such as Bartolome de Las Casas. Though in practice the laws’ enforcement was difficult, their existence shows how the Spanish crown was convinced to oppose the murder and destruction brought upon America’s natives. Spanish thinking and legislation about the American Indians underwent an evolution towards the better during the 16th century.

1. Ricky Law, lecture, 22 January 2014 [↑](#endnote-ref-1)
2. Benjamin Keen, ed., *Readings in Latin-American Civilization: 1492 to the Present* (Boston: Houghton Mifflin, 1967), 52. [↑](#endnote-ref-2)
3. Lewis Hanke, ed., *History of Latin American Civilization: Sources and Interpretations* (Boston: Little, Brown and Company, 1973), 96. [↑](#endnote-ref-3)
4. Hanke, *History of Latin American Civilization,* 98. [↑](#endnote-ref-4)
5. Hanke, *History of Latin American Civilization,* 101. [↑](#endnote-ref-5)
6. Hanke, *History of Latin American Civilization,* 102. [↑](#endnote-ref-6)
7. Hanke, *History of Latin American Civilization,* 95. [↑](#endnote-ref-7)
8. Hanke, *History of Latin American Civilization,* 89. [↑](#endnote-ref-8)
9. Hanke, *History of Latin American Civilization,* 108-109. [↑](#endnote-ref-9)
10. Hanke, *History of Latin American Civilization,* 109. [↑](#endnote-ref-10)
11. Keen, *Readings in Latin-American Civilization,* 74. [↑](#endnote-ref-11)
12. *Introduction to Contemporary Civilization in the West: A Source Book Prepared by the Contemporary Civilization Staff of Columbia College*, Columbia University (New York: Columbia University Press, 1960), 521. [↑](#endnote-ref-12)
13. *Introduction to Contemporary Civilization*, 525. [↑](#endnote-ref-13)
14. Bartolomé de Las Casas, *A Short Account of the Destruction of the Indies,* trans. Nigel Griffin (New York: Penguin Books, 1992), 69. [↑](#endnote-ref-14)
15. Las Casas, *Short Account*, 70. [↑](#endnote-ref-15)
16. Hanke, *History of Latin American Civilization,* 111. [↑](#endnote-ref-16)
17. Hanke, *History of Latin American Civilization,* 112. [↑](#endnote-ref-17)
18. Hanke, *History of Latin American Civilization*, 114. [↑](#endnote-ref-18)