

Chapter Three The Genesis of the Black Legend

"Todo esto yo lo vide con mis ojos corporates mortales." Bartolomé de las Casas, 1504.
"I saw all this with my very own eyes."

" I watched as the Lamb opened the first of the seven seals. Then I heard one of the four living creatures say in a voice like thunder, "Come!" I looked, and there before me was a white horse! Its rider held a bow, and he was given a crown, and he rode out as a conqueror bent on conquest." [Revelation 6:1,2] Or, in Latin as Las Casas may have been accustomed to reading it "Et vidi quod aperuisset agnus unum de septem signaculis et audivi unum de quattuor animalibus dicentem tamquam vocem tonitruum veni. Et vidi et ecce equus albus et qui sedebat super illum habebat arcum et data est ei corona et exivit vincens ut vinceret."¹ Perhaps he also read it in Spanish: "Vi cuando el Cordero abrió uno de los sellos, y oí a uno de los cuatro seres vivientes decir como con voz un trueno: Ven y mira. Y miré, y he aquí un caballo blanco; y el que lo montaba tenía un arco; le fue dada una corona, y salió venciendo, y para vencer."

"Like a partridge that hatches eggs it did not lay
is the man who gains riches by unjust
means." Jeremiah 17:11

Next to climbing aboard a ship for a long journey, there is probably nothing more exciting than getting off that same ship! Especially if after a long voyage, sometimes made terrifying by the perils of the sea. It actually takes a few minutes to get the feel of a stable platform--dry land--beneath your feet again, after weeks or months of walking, standing, sleeping on a pitching, rolling deck.

The ships anchored along the shore of the Rio Ozama. Even before the boats were launched the excited inhabitants were shouting questions.

"What's the news of Castile? Who comes to govern!?"

"Good news!" shouted the passengers, leaning over, watching the sailors lower the boats. "The Queen and King send us the gentleman of Lares [Nicolas de Ovando] of the

Order of Alcántara, and all is well at home." After the exhilaration of the arrival, usually the next question is "what's happening?!" The passengers on Ovando's fleet were no different.

"And here?!"

"The island is doing very well. There's much gold to be found."

Wonderful, wonderful.

"Just the other day a huge nugget was found. More than a thousand pesos worth of gold!"

But the best news was yet to come. "Indians are rebelling in the interior. Hundreds already captured and enslaved."²

More Indians to work the mines. More Indians to be returned to Castile to be sold as slaves.

Gold fever soon captured the new arrivals. Loading their backpacks with hardtack left over from the voyage or brought over for use in the island, they set off like an army of ants for the mines. The gentlemen without servants carried their tools with them. Greed had an equalizing effect even on this rigid old medieval society now newly transferred to the islands of the new world.

They worked like beasts possessed for eight days. Digging and eating, digging and eating, until they finally ran out of their stale food and gave up, returning to Santo Domingo, really still no more than a village, and poor itself.

¹ Taken off a web site maintained at the Univ. of Chicago. <http://estragon.uchicago.edu/cgi-bin/htmlpage?65.5/isk/mark/databases/vulgate-im> which indicates this is a version from the Latin Vulgate.

² LC, *Historia de Indias*, book 2, cap. 3, in *Obras completas*, vol. 4, 1299.

Hungry, disillusioned, and feverish, they died by the hundreds that first month. More than a thousand perished, so fast that the few priests could barely keep up with the burials. Five hundred more sickened quickly.

Bartolomé watched it all in astonishment. He noted that the few Spaniards devoted to a semblance of farming and pig herding made off quite well in this hothouse of overheated expectations, easy gold (for some at any rate), and outrageous prices, especially for food. Others on the fleet brought with them a large supply of merchandise such as clothes and tools, and they too quickly made a killing, especially among the inhabitants with gold, but clothes in tatters.

Indeed, provisioning the incoming settlers and the outgoing fleets became a decent business for Bartolomé's father, Pedro, now settled in Santo Domingo. Pedro may already have had some experience in these endeavors. It was not surprising that Bartolomé was soon farming some land given to the Las Casas by Columbus, as well as moving around the island acquiring provisions to sell to outgoing fleets.³

"It's almost a rule around these parts," Bartolomé wrote, "that all those given to mining were always in need, and even in debtors jail."

"On the other hand, those given to farming and ranching were much better off."⁴ It was all pretty simple at this stage. Pigs were the principle meat staple, while local bread, pan cazabí and a few other vegetables came from the farms. Indians in encomienda supplied the principal labor.

³ Helen Rand Parish, editor and contributor, Francis Patrick Sullivan, S.J. Bartolomé de las Casas: the Only Way (New York, Mahway, N.J.: Paulist Press, 1992), pp. 13ff

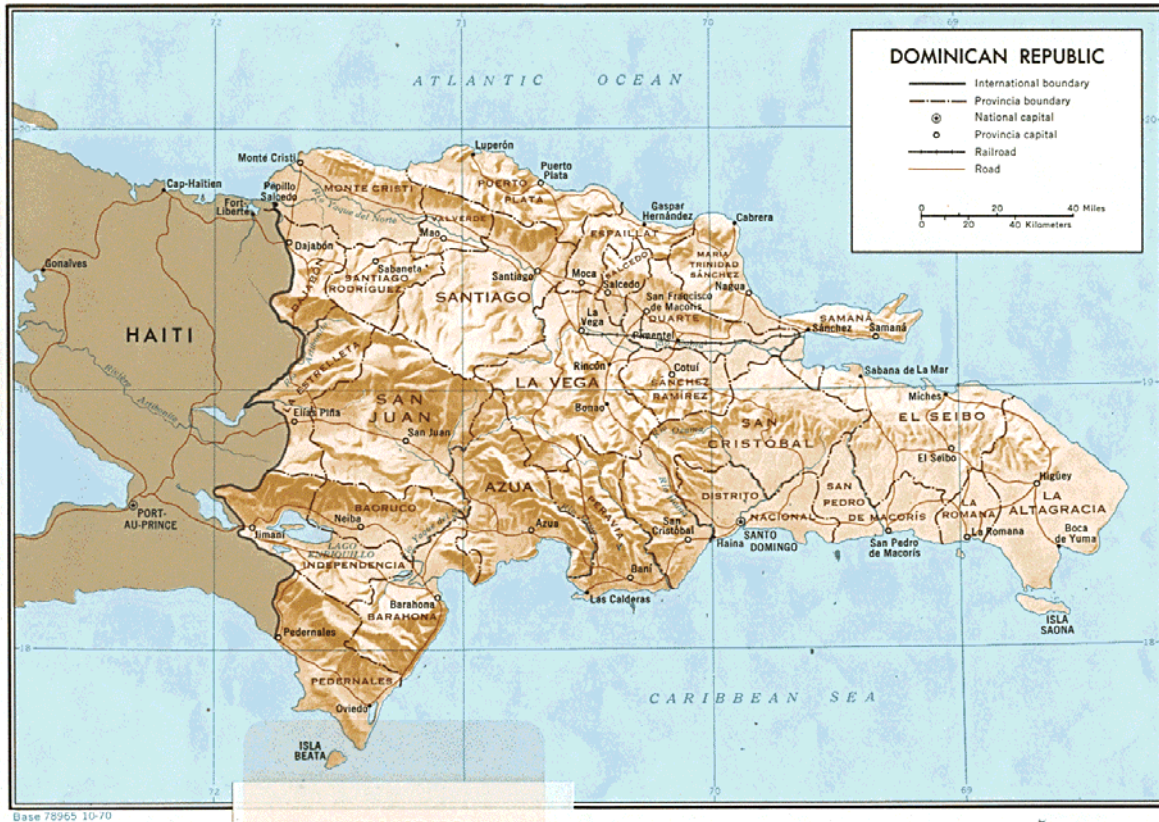
⁴ HI, 2, part III, cap. 6, Obras, 4, 1313.

Bartolomé knew that Indians in rebellion were subject to enslavement. Other Indians were distributed by the Spanish governors--Columbus, Bobadilla, Ovando--in encomienda. Indians were "commended" to individual Spaniards to work in their service, usually in panning for gold or other personal service. The encomienda became the central instrument of Indian despoilation and exploitation on the island. It was later exported to other islands and finally the mainland as the Spanish conquest proceeded in the next half century. We will consider Bartolomé's views on the encomienda below and in subsequent chapters. As a young man, just arrived, he probably didn't have much of an opinion. He soon learned, however, to his horror, how Spaniards treated Indians.

Indians on the island of Saona [see next page for map of Dominican Republic] had been supplying the Spaniards in Santo Domingo with local bread when stores got low in the Spanish town, which was probably frequently if most the settlers were off searching for gold.

A few days before Bartolomé and the Ovando fleet arrived, a caravel was dispatched to Saona. While it is a bit hard to believe, Las Casas wrote that the Spaniards were received by the Indians with much happiness and joy as always.⁵ Perhaps the happiness came from knowing that the Spaniards only stayed for a few days and then left.

⁵ "the island's cacique [chief] and all his people received the Spaniards as always, as if they were angels and each one their father and mother." HI, 2, part II, cap. 7, Obras, 4, 1318. I'll let the deconstructionists work on this one!



Bartolomé then told of an incident which helped create the Black Legend, perhaps the most famous event associated with his life in the English language (not to speak of French, Dutch, German and others as well). We will consider the Black Legend at much greater length in subsequent chapters, but suffice it say for now that it was composed of two parts: one, the Spanish were uniquely cruel and inhumane in the conquest of the Americas; and two, the accounts of the Spanish conquest by Las Casas contained the evidence to substantiate the truth of the Black Legend.

Just before Bartolomé arrived in Santo Domingo with Ovando's fleet, the caravel to Saona seeking bread had put in at that island. The Christians were received with customary warmth by the Indians, even in the face of the warlike appearance of the

Spaniards.⁶ They all were armed with swords and brought one of their wardogs with them as well, "fierce beasts, trained to tear apart Indians, who rightly feared them more than their own devils."⁷

Many Indians were making haste to load the boat to transport the bread to the caravel. They were urged on by their cacique who encouraged them to work rapidly for the Spaniards.

One of the Spaniards had the dog on a leash. The dog watched the cacique moving his staff up and down as he encouraged his people to work faster to please the Spaniards. He growled and pulled hard on the leash wanting to get at the Indian. His master was having trouble controlling him.

He said to a companion, "Hey, I wonder what would happen if we sicked the dog on him?"

Thinking he could restrain him, he and his companion "revestidos del diablo," or, "taken by the devil," yelled, "Sic 'em," in jest, thinking he could hold the dog.

The dog went wild when hearing the command and lunged at the cacique, dragging the Spaniard who finally let go. The dog struck the Indian in the stomach and tore out his entrails. Mortally wounded, the Indian fled holding his gut as the dog played with the bloody prize.

"The Spaniards," Las Casas wrote, "took their good dog and companion and left on the caravel and returned to this [Santo Domingo] port."

⁶ "Cristianos" used synonymously with Castilians or Spaniards by Las Casas; especially ironic in the light what the brutal acts ascribed to them by Las Casas over his long career.

⁷ HI, Book 2, part 2, cap.7, Obras, 4, 1318-1319. The incident taken from these two pages.

Hearing of this outrage, a cacique from the nearby province of Higüey [see map] named Cotubanamá swore revenge. When a small ship enroute to the north coast of Hispaniola from Santo Domingo put in at Saona, eight sailors went ashore to sightsee. The Indians, thinking them part of the earlier group, ambushed and killed them all.

"These were the Indians 'in rebellion' we heard about as 'good news' when we arrived at Santo Domingo," Las Casas wrote sarcastically.

"For you readers who have some sense of justice, and, better yet, fear God, I think you can judge--without much difficulty--if, in killing the eight, even if they had not offended them then, they had a right to do so with good reason." The answer, as one may suspect, was surely yes. Here we begin to see the genesis of Las Casas' future career as the defender of the Indians, a title he would later receive from King Ferdinand, and one that has almost become synonymous with his name.

"I wrote 'even if they had not offended them then' because I knew some of them and they may have passed by there earlier and given many offenses for which they were accountable," Las Casas added, just in case the reader may not be following his drift of thought.

We also begin to note Las Casas' strikingly modern concern with the "other," a fashionable term among academics in the late twentieth century to define the voices of those in history traditionally without a voice. That is to say, the people who left few records because of their condition or level of culture. Perhaps they were slaves who were not permitted to learn to read and write, or women in a society that kept women away from learning, or an Indian culture (such as the Taino of Santo Domingo) who had no written language. Since history is, by formal definition, based on written documents, the "other"

have to be "heard" by other means: oral records, testimony of sympathetic observers (such as Las Casas obviously), by a sophisticated analysis of language and the symbolism of words and phrases (semiotics) to discover the "voices" of the other. In this effort, historians borrow from the techniques of anthropologists and linguists, better versed in listening to the more subtle elements of communication in culture, to "deconstruct" the past and render a more holistic picture.

In any event, a sympathy for, and ability to see the Indian point of view, became early a hallmark of Las Casas.⁸ He argues his cases persuasively.

"Let's suppose," he continued, "that those eight were innocent of this particular offense. Yet, the nation which wages a just war on another is not obliged to discern who is guilty or who is innocent." The innocent--such as children--could not be separated, and each action judged on its own merits.

"Besides," and here Las Casas indulges another of his traits that would grow with time--the blanket condemnation, "there were no Spaniards in those times on this island who didn't offend the Indians and inflict on them great harm. Therefore, we may assume reasonably, without sin, that those Spaniards who went to the island [and were slain] were enemies, and the Indians could kill them without having sinned."

"But we will leave the right and merits of this case to divine justice, which reserves for itself such judgment." The wisdom drawn from Scripture to make judgments was growing in these early years. But what else was Bartolomé doing on the island?

⁸ Some of his modern biographers, such as Gustavo Gutiérrez, Las Casas: In Search of the Poor of Jesus Christ, translated by Robert R. Barr. (Maryknoll, NY: Orbis Books, 1993) are very high in crediting Las Casas with this ability to see the Indian perspective. Others, notably Ramón Menéndez Pidal, El padre las Casas: su doble personalidad (Madrid: Espasa-Calpe, 1963), are immensely critical of Las Casas, calling him "paranoical" in his defense of the Indians and assaults on Spaniards.

Strangely enough, most of his biographers are silent to the point of a thunderous silence on his formation in those critical years as he passed from his teen years into manhood. What he witnessed, or heard from first hand testimony, seared his senses and became imbedded in his memory, which was prodigious to begin with.

We know that he worked the land that belonged to his father, and that he used Indians, probably in encomienda, to do so.⁹ He also traveled about the island buying provisions to sell to the ships in the port of Santo Domingo. He already had received the tonsure and was thus a member of the clerical estate, with the rights (fueros) of ecclesiastics. He was not yet a full priest, but was on the ladder which could include being ordained to minor orders, ordained to the subdeaconate, ordained to the deaconate, and finally ordained to the priesthood. As noted, each of these steps in achieving full priesthood was accompanied by a form of ordination.¹⁰

Meanwhile, Governor Ovando determined to crush the rebellion in the province of Higüey, the easternmost area of the island, the "first part of the island we see when coming by sea from Castile." Within the next three years, other Spanish expeditions were dispatched to control the Indians. Bartolomé was either an eyewitness or had first hand information on each of these events. Taken together with his observation of the brutal exploitation of Indian labor in the mines, he formed an impression that evolved into his life's work: defending the Indians and attacking the basis (moral, legal, ethical, Scriptural, etc.) for and the actions of Spaniards in the Indies.

⁹ Wagner, Las Casas, p. 5; Parish, B. de las Casas, the Only Way, p. 15; Menéndez Pidal, El padre, p. 1,2.

¹⁰ My thanks to Prof. John F. Schwaller, Associate Provost, University of Montana, for information on the priesthood. Email communication, Tue. 16 Sept. 1997, Schwaller to Clayton.

What did Las Casas see? How did he interpret the actions of his fellow "cristianos" on the island?¹¹

Ovando put together a force of three or four hundred Spaniards under the command of Juan de Esquivel, along with many Indian allies who fought alongside the Spaniards out of fear of or desire to please them. The column went to Higüey where they found the Indians ready to defend themselves and their homes.

The Spaniards, armed with swords and lances of steel, arquebuses, and some on horseback, made a mockery of the childlike warfare and equipment of the Indians who fought naked with bows and arrows and stones where they could find them. Swords sliced them in half, horsemen killed thousands.¹² The Indians fled into the mountains and forests where they were pursued. Women, children, old people were slaughtered "like sheep beheaded and disemboweled in a corral."

"They cut off both their hands, left them hanging on by the skin, telling them 'Go, take these messages to your leaders with the news.'"

Other Spaniards "bet on who had the sharpest sword or the strongest arm by cutting men in half or decapitating others."

From the mainland they took a caravel to the island of Saona. The Indians put up a brave front for a moment and then fled to hide in the thick woods and caves in the mountains. But they couldn't escape, and six or seven hundred were captured and forced into a house where they were all put to the knife.

¹¹ Most of the following paragraphs on the suppression of Indian rebellions from HI, Book Two, Part III, Section 2, chapter 8, Obras, 4, pp. 1320ff.

¹² Did Las Casas exaggerate? This is a central issue in Las Casian historiography and debate. We will consider it in more detail below, but modern demographic research has determined, for example, that what many considered gross exaggerations of the Indian population at the time of the European encounter in fact may be very close to the truth.

"That's the way the Spaniards took their vengeance on the eight Christians who had been killed a few days earlier by the Indians, with such just cause."

Back in Higüey, the Indians that survived were enslaved. The rest sent messengers: "we don't want war, we will service you, please stop pursuing us."

Then, one the earliest examples of covenanting in the New World occurred. Las Casas recorded it faithfully, attesting in some ways to his fidelity to the truth, for it showed a side of the Spanish character not generally attributed to Las Casas in his writings.

The cacique Cotubanamá presented himself before Esquivel who, in good covenant practice, exchanged names with Cotubanamá.

"You take my name, Juan de Esquivel, and I will become Cotubano [another name for Cotubanamá]. This exchange of names was called in the language of the island, guatiao. Each one was called a guatiao. They became family and formed a tie of perpetual friendship and alliance. And so the captain-general [Esquivel] and the cacique [Cotubanamá] became guatiao, perpetual friends and brothers-in-arms."¹³

That same year Governor Ovando decided to pay a visit to the province of Xaragua, about seventy leagues distant from Santo Domingo. Today this part of the island, very near Port au Prince, is part of Haiti. The story of that expedition from Santo Domingo to Xaragua constitutes one of the most sordid episodes in the history of the Spanish conquest. Bartolomé does not say he participated in it directly, but I believe he was there. He almost said as much at the end of his recounting of the episode.

The province was governed by a queen Anacaona who had succeeded to rule after the death of her brother Behechío. The treacherous Francisco Roldán, who had rebelled

against Columbus a few years earlier, lived in the region. Las Casas, a great admirer of the Admiral, had very little nice to say of Roldán and his cronies who extracted labor from the natives with threats, force, and intimidation. Ovando put together an expedition of 300 men on foot and seventy horsemen to visit the region, whether in response to Roldán's warnings that these recalcitrant Indians were about to rebel, or simply to see for himself one of the most densely populated parts of the land.¹⁴

Ovando was received with much warmth and reverence by Anacaona, her nobles, and people. The treachery would not come from them. Ovando was honored as the *guamiquina* of the Spaniards, the lord of the Christians.

Bartolomé records that the Indians, men and women, were a marvelous sight to behold. These people, in gesture and looks, were the distinguished on the island. Could the young Spaniard have been infatuated by one of the young, comely women of Xaragua?

Anacaona and her people fested the Spaniards with food and dance, as was their custom. Meat from the land and fish from the sea, for the ocean was no more than a league or two distant (each Spanish league about the equivalent of three miles or four kilometers), graced the gathering. They were gathered in a great hall, or caney, made wood and covered with straw.

But the Comendador of Alcántara and Governor of Española, Nicolás de Ovando, was uneasy and didn't participate as a joyful guest. He hung back. Did his conscience prick the Christian ever so slightly as he listened to Roldán whisper in his ear?

¹³ There is an immense literature on covenanting, and especially blood covenanting, which dates back to the oldest covenants in the Old Testament, those between Noah and God and Abraham and God.

¹⁴ HL, Book 2, part III, section 3, chapter 9, Obras, IV, 1326-1330.

Ovando determined to terrorize the Indians into submission and obedience. Since there were always many Indians and few Spaniards, it "became customary to spring a trap and massacre many to put the fear of God in them every time they heard the name of 'Christians' thereafter."

On Sunday, after lunch, Ovando ordered a jousting tournament be held. All Christians were to be there, armed.

Anacaona said she would very much like to see the joust.

"Wonderful, bring your nobles too," Ovando answered. "I would like to talk to all of you."

Horsemen were stationed in a circle outside of the major caney while the foot soldiers were closer in, all armed. When Ovando placed his hand over a piece of gold hanging on his chest, the Spaniards were to take the Indians.

Ipse dixit et facta sunt omnia wrote Las Casas. *Díjolo el y fue todo hecho*. "He said it and it was done."

Anacaona entered with many of her nobles, about eighty in number. They awaited the words of the Governor. Instead he gives the signal by placing his hand on the gold piece on his breast. Swords are drawn. Fearing the slaughter, the queen and her courtiers cry aloud, "why are you doing this to us?"

The Spanish quickly tie up the frightened Indians and shut up the building as they drag Anacaona out. Then they put it to the torch, the straw, wood, and people consumed in a holocaust of flames.

The horsemen, hearing the wailing inside, know the signal has been given and they turn on the Indians outside, lancing all they can find. Swordsmen on foot, not to be left out,

went about disembowling and slicing as many as they could catch up with, children and old men, women, anyone was fair target for the rampaging Christians.

"And, whether out of pity or greed," Bartolomé wrote, "some Spaniards tried to spare some of the children by pushing them close behind their horses. Others, coming from behind, lanced them."

Anacaona, because she was a queen, was garrotted.

Some poor souls escaped this slaughter to the island of El Guanabo, about eight leagues distant. These were condemned to slavery, and "one of them was given to me."¹⁵

Did Las Casas participate in any of these campaigns? Some of his biographers say yes; some are fuzzy. Perhaps the reader will pardon a slight digression here into the nature of historical evidence. When historians are not sure, they guess.

The man who studied Las Casas in most detail in this early period of his life, Manuel Giménez Fernández, was fairly certain Las Casas was not only an eyewitness, but may have participated as well.

"To judge by Las Casas's vivid descriptions, he must have participated as a soldier in the campaign against Higüey....And he must have witnessed the massacre of Xaragua, ordered by Ovando, and received one of the slaves captured in the struggle."¹⁶

A recent fine study by Álvaro Huerga mentioned that Las Casas "fought, at the least, in the expedition of Diego Velázquez [see below], winning, arquebus in hand, three prizes: the title of *conquistador*, the friendship of the captain [Velázquez], and some

¹⁵ *Obras*, IV, p. 1330.

¹⁶ Giménez Fernández, "Fray Bartolomé de las Casas: A Biographical Sketch," in Friede and Keen, *Bartolomé de las Casas*, p. 70.

Indians."¹⁷ Velázquez had been dispatched by Ovando to the far southwestern corner of the island--a peninsula really--to suppress "rebels" who had escaped the Anacaona massacre.

More sympathetic biographers, such as Helen Rand Parish who has devoted a lifetime to the study of Las Casas, almost naturally pictured a more benign Las Casas on the scene, a simple provisioner.

"Young Bartolomé apparently served in the commissariat of a punitive expedition led by Captain Diego Velázquez who would become a good friend. In 1504, Bartolomé and his father and another relative certainly were provisioners in the second Higüey campaign and the capture of the remaining chieftain, Cotubanamá. For his part Bartolomé received his second Indian slave, one of the fugitives of the Anacaona massacre, and other family members were confirmed a decade later in the Higüey encomiendas."¹⁸

Will the real Bartolomé de las Casas stand up? The simple provisioner and friend of Captain Diego Velázquez? Hard to believe in view of what Las Casas wrote.

Ovando sent two captains, "both experienced in spilling Indian blood on this island, one named Diego Velazques and the other Rodrigo Mexía Trillo, to put down 'rebellions' in Haniguayaba and Guahaba."¹⁹

"Both captains waged their customary war on these peoples. First the Indians made bold to face them and then fled....Velazques captured the king of Haniguayaba and did him the honor of garroting him."

¹⁷ Álvaro Huerga, *Vida y Obras* in Fray Bartolomé de las Casas *Obras completas* (Madrid: Alianza Editorial, 1998), vol. 1, p. 44.

¹⁸ Helen Rand Parish, *Bartolomé de las Casas: The Only Waym* editd by Helen Rand Parish, trans. By Francis Patrick Sullivan (New York and Mahwah, N.J.: Paulist Press, 1992), p. 13,14.

¹⁹ HL, Book 2, Part III, section 3, chapter 10, *Obras*, IV, pp. 1332-1333. Haniguayaba is the easternmost, southern peninsula of Española while Guahaba is along the northeastern coast, where Columbus first landed.

And then, there followed a number of telling observations by Las Casas which indicated he may have marched with Velázquez. "I didn't know what Rodrigo Mexía did with his company at the time, other than, at the end and as always, the Indians, virtually naked and lacking arms, and more than anything broken in spirit, were whipped and beaten." So, we can surmise he did not go with Mexía to the north coast of Española.

The biographer Huerga (see above) says that Las Casas won his spurs with Velázquez. In describing the Indians of the province of Haniguayaba, Bartolomé observed that "many times I ate their breads and other good foods produced by these industrious people." They were not, as his later rival historian Fernández de Oviedo wrote, savages living in caves.

"Oviedo didn't know of what he wrote. They lived in towns and were governed by their lords....The land, although wanting to go wild, was tilled and worked like a garden. And there were no "caves and espeluncas" as Oviedo wrote, trying to show off his erudition, but lovely fields and forests where their towns were located and where they farmed." Ovando ordered the establishment of townships as the conquest swept over these poor people, and Velázquez and Mexía complied, using Indian labor.

Did Bartolomé, with "arquebus in hand," win the title of *conquistador* and a number of Indians in this campaign? Can he have marched with Velázquez into the southwestern peninsula of Española--the province of Haniguayaba--and participated without killing and hacking like the others? The clues to his thinking and behavior come from the next campaign--the "second war against the Indians of Higüey."

He was there for that one, recording the long and sordid details of the campaign, adding at the end of the passage that "todo esto yo lo vide con mis ojos corporales

mortales."

"I saw all this with my own eyes."²⁰

Higüey, recall, was at the far eastern end of the island. After it had been subjugated by Juan de Esquivel, a small nine man contingent of Spaniards was left in the area commanded by Martín de Villamán. From their wooden fortress, they lorded it over the natives who finally, abused beyond endurance, rose again and slaughtered them all, save one who escaped to Santo Domingo with the news of the rebellion.

Ovando declared a war of fire and blood on Higüey. An army of 300 or 400 hundred, under various captains including Juan Ponce de León, Juan de Esquivel, and Diego de Escobar, was gathered.

As the Spaniards approached, the Indians of Higüey prepared for the worst. Smoke signals sent the warning from village to village, children, women, and old folks shepherded to the most remote hiding places in the mountains.

The Spanish, good warriors that they were, captured some Indians to try and find out the disposition of their enemies. Some talked under torture, others refused to divulge anything before they died.

The Indians gathered in one of their principal towns, thinking it more defensible, and awaited the onslaught. Their war cries were terrifying, mean to induce fear. "Too bad their arms were not equally terrifying. It might not have gone so well for the Spaniards," Las Casas noted.

Their first slew of arrows were so spent by the time they fell on the Spaniards that "they couldn't have killed a beetle." The Spaniards advanced, firing their powerful

²⁰ HL, Book 2, Part III, section 6, chapter 15 ff, Obras, IV, pp. 1356-1371.

crossbows with great effect. The arrows pierced completely through the undefended flesh and bones to the feathers.

In a pitiful attempt at bravery and disdain for their killers, the Indians ripped the arrows out, broke them with their teeth and hurled them back at the Spaniard. In spite of their bravery, they died from the mortal wounds.

They fled into the mountains. Pursuit was difficult but the Spanish persisted and captured some who were then tortured to yield information on the whereabouts of the others. The prisoners, with nooses around their necks, jumped from cliffs when they could, committing suicide and hoping to take the Spaniards holding on to the other end of the rope.

But the Spanish found the hideouts, sparing neither children nor the aged, pregnant women or those nursing, putting them to the sword. Hands were sliced off of many, as Las Casas had recorded earlier, and they were told, "go and deliver this message." Most bled to death, wandering through the hills, finding no one to deliver them from this terrible cruelty.

There is no doubt in my mind that Bartolomé was there, at some of these very scenes. Swords slashing through the bone and flesh of wrists, the splash of blood, the boasts of the Spaniards, Las Casas carried these images in his life forever. He even repeated the stories, like so many of us do of something that has burned into our memory. The blood-spattered rocks and trails where the Indians sought to escape. The pleas for help. The innocent being slaughtered.

Then, curiously at this stage, but in keeping with another theme that is to run powerfully through Las Casas' life, he tells a story of Indian valor and dexterity. Instead of

the vulnerable and innocence of Indian victims, "I recount in particular a deed worthy to be heard and praised which I saw an Indian do."²¹ Later in his life, in defense of the Indians, Las Casas will make one of his principal appeals for considering them equal to Spaniards on the basis of their level of culture and civilization. He will develop this theme from a vast experience in the Indies, and on his growing erudition in the history of Christian and pagan civilizations, drawing widely from Biblical and secular authorities. At this stage, however, he tells a story that amazed all the witnesses.

In the capture of the cacique Cotubanamá's village (the same Cotubanamá or Cotubano who was *guatiao*, or brother in arms, of Juan de Esquivel--another example of Spanish perfidity), a tall Indian, armed only with one bow and one arrow, and draped in skins, challenged the Christians to a duel, man to man. Alexos Gómez accepted.

Gómez too was tall and well experienced in killing Indians, especially in slicing them in two with his sword.

"Let me kill him," Gómez told his fellow swordsmen.

He carried with him a short sword, a dagger, a half lance, and a shield of canes.

Not being able to close with the fast moving, darting Indian, Gómez picked up some rocks and started peppering his foe. The Indian waved the bow and arrow in his face, jumping here and there, the rocks passing harmlessly by.

The rest of the Spaniards and Indians, astonished by this one on one, stopped to watch.

The Indian warrior jumped at Gómez, arrow at the ready, and the Spaniard covered himself with his shield, awaiting the arrow, just as the Indian bounded away again. The

²¹ HL, Book 2, Part III, section 6, chapter 16, Obras, IV, pp. 1360-1363.

combat went on and on, Gómez launching rock after rock, none hitting the agile Indian. The emboldened Indian got so close to Gómez that he almost stuck his arrow into the Spaniard's shield.

Gómez "made like sheep," covering himself with his shield. When nothing happened, he dropped his rocks and threw his lance at the Indian, thinking he finally nailed him.

"The Indian jumped back and walked away laughing, waving his bow and arrow, naked, except for a few skins, as the day he was born, untouched by the Christian."

The other Indians gathered around their champion, laughing and carrying on, mocking Alexos Gómez and the rest of his friends.

The Spaniards too stood laughing, even Gómez seemed happier than if he'd killed him, admiring the grace and agility of this Indian warrior.

"It was," Las Casas remembered many years later, "a splendid show, and it would have pleased a prince of Spain, or any other nation for that matter, to have seen it and give the Indian the praise he deserved."

The rest of the battle did not go well for the Indians. It lasted from two in the afternoon until nightfall before they fled the village into the mountains and forests where they had hid the women and children.

The Spanish took after them, determined to capture the chiefs and caciques, and especially Cotubanamá.

No matter how stealthy and quiet the Indians made their way through the forests, the Spanish followed the trails. Catching one Indian, he would be tortured for information.

Catching groups of cowering natives, they would be put to the sword--men, women, and children--to terrify the rest.²²

"The Spaniards bragged on their various cruelties, each trying to top the others on novel ways to spill blood."

Three Indians would be tied together and slowly strangled "in honor of Christ, our Redeemer, and of his twelve Apostles." Before dying, the Spaniards would try out their cutting skills, some showing their reverse strokes, opening the Indians from chest to groin, their entrails spilling out. Some, still alive, were then thrown into pits and burned.

Two small boys, no more than two years old, were stabbed through the throat and cut open, and then thrown from the cliffs.

"I saw all this, and more, so foreign to human nature. I shudder to tell it. Perhaps it was a nightmare. I can hardly believe it myself," Bartolomé wrote sadly. To tell the truth, it was hard to read when writing this biography, for, like Las Casas, I found it so "foreign to human nature."

"Even though other cruelties were perpetrated in these Indies, some worse and infinitely larger, I don't think I will ever forget these."

He never did. Those memories were transformed into the driving force of his life.

Other cruelties he witnessed were equally branded in Las Casas' memory. A number of chiefs captured in this campaign were ordered burned alive. "I think there were four; three I remember clearly."

²² HL, Book 2, Part III, section 6, chapter 17, Obras, IV, pp. 1363ff.

The Indians were tied on what looked like a giant barbecue pit. As the fires were lit, the cries of the Indians rose. The captain general--Juan de Esquivel--was nearby trying to rest when he heard the groaning and crying.

"Whether taking pity, or to get on with his nap, or out of pity, he ordered the Indians garrotted. But the man in command of the perverse execution ordered stakes driven into their mouths so the captain wouldn't hear their cries and moans. And so they were roasted alive. I saw all this with own eyes."²³

The capture of the cacique Cotubanamá, his wife and children followed shortly thereafter on the island of Saona. Some wished to burn him alive, but others prevailed and he was sent on the caravel to Santo Domingo. Ovando ordered the Indian garrotted, sparing him the torments inflicted on many of his subjects.

With the end of the campaign against Cotubanamá, which lasted eight to ten months, resistance across the island to the Spaniards collapsed.

The island was "pacified, if 'pacified' we can in truth call it," Las Casas wrote with bitter sarcasm, "seeing as how the Spaniards were at war with God, free now to oppress these people with great liberty, and nobody, great or small, to resist them."

When Las Casas wrote the above, it was in the mid-1520s, and the native population was annihilated, so that those who "arrive at the island ask if the Indians there were whites or blacks."

Ovando then ordered that "the Indian towns be divided to serve the Christians, who, in the end, consumed them all."

²³ *Ibid.*, p. 1366.

By 1503, in fact, Ovando had confirmed the establishment of the one institution--the *encomienda*--that Las Casas vilified and attacked for the rest of his life. In the simplest terms, an *encomienda* was a group of Indian villages "commended" or entrusted to an individual Spaniard, an *encomendero*. The *encomendero* could demand tribute or labor from the Indians who in return were protected by the *encomendero* who also was enjoined to instruct them in the Christian faith.

How the *encomienda*, also called the *repartimiento*, came into being highlighted another facet of Las Casas' life--a devotion to the truth as he saw it and ensuring that the monarchs knew the truth too. We shall return to this shortly below.

The *encomienda* had existed for centuries in Castile. It was a royal grant to members of the military orders who, in return for service in the wars against the Moors, received lands, castles, and peoples, largely of course from the subjugated Moors.²⁴ That was one of the great economic incentives for the long war of the Reconquest.

A few years before Las Casas arrived in Española, Columbus had faced a revolt of disgruntled Spaniards led by Francisco de Roldán. To pacify them, Columbus agreed to the distribution of Indians as either slaves or laborers, a system loosely called the *repartimiento*, and modeled on the long conquest of the Canary Islands over the course of the fifteenth century.

Repartimiento, *encomienda*, at this stage it doesn't make too much difference what we call these grants. They were, at the simplest level, a way to distribute the spoils of war, if, in the conquest of the island of Española, the Spaniards thought they were waging a "just war." Or, at another level, the Spaniards could interpret the Papal Donation of 1493

²⁴ See Peggy Liss, *Isabel*, p. 305.

as enjoining them not only to bring the Faith to the natives, but also to civilize them. We will return to all of these themes in subsequent chapters, for they are immensely important in the arguments Las Casas will make over the course of the career.

Queen Isabel objected to the enslavement of the Indians. From her vantage point, they were to be treated as royal vassals, subject to her authority, not of those in the Indies. We need to remember that Isabel was feeling her way into this, having to trust to her intuition and experience, and to the reports from travelers to the Indies. She wanted to profit from Columbus' enterprises, but she also was devoted to the proselytizing mission. She wanted to save souls as much as earn gold. Remember that when she heard Columbus had sent 300 Indian slaves back to Castile in May, 1499, she indignantly freed them all and had them returned to the islands. The Admiral of the Ocean Sea himself returned to Spain in chains shortly thereafter, although the Queen and King freed him as well.

In other words, this was a very fluid period in the relations between Europeans and Indians, between the Crown and the nobility of Spain, between Isabel and Columbus. When the eighteen or nineteen year old Bartolomé de Las Casas landed in the Indies in 1502, few laws or regulations existed for governing the Indians or the Indies.

It was natural that Ovando desired to establish some firm, recognizable order. Those, in fact, were his instructions. In doing so, he set the pattern for the future conquest of the Americas. By 1503 and 1504, Las Casas knew in his heart that this emerging order was all wrong. He was shocked at the brutality and callousness of the Spaniards. Burning heretics and catapulting Moorish body parts into besieged cities may have been common fare at home, but these innocent people were not apostates and heretics.²⁵

²⁵ See earlier chapters for Inquisitorial executions by burning; see Peggy Liss, *Isabel*, p. 217.

What was happening here? Las Casas later determined that the monarchs had been lied to, or, in the watered down euphemisms of today, misinformed. He would make it his duty to set them straight. If they but knew the truth, they would act to correct injustices, right wrongs. Much later, hardened by experience, informed by Scripture, and a Dominican friar, Las Casas added the ultimate penalty if the chief justices of the land--the monarchs--or his councilors erred.

"Look, look to your souls, Your Lordships [members of the Council of the Indies that oversaw affairs in the Americas] and Mercies! For I great fear and greatly doubt of your salvation."

And Las Casas added, "avoid like the plague, if you would be saved and would apply remedy to all of this misery, placing any credence in the counsel, letters, or spoken words of the ravening wolves here."²⁶

Who were some of the "ravening wolves?" Las Casas does not excuse Columbus and Roldán, but he lays the lash on Ovando with especial vehemence. To get his colony back on its feet in 1502 and 1503, Ovando lied to the king and queen.

"She and Fernando then demanded that Málaga surrender immediately or they would promise captivity—a euphemism for slavery—for all its inhabitants when it did. Al-Taghri refused, expecting rains that would make Málaga's unprotected harbor so dangerous an anchorage that ships could no longer provision the Christians daily, and he awaited help from Africa. Consequently, his Gomerers killed or terrorized all dissenters, and a holy man buoyed Málaga's increasingly hungry populace, prophesying that one day they would feast on the mountains of food in the Christian camp.

Within a month of Isabel's arrival, another Muslim holy man came into the Castilian camp and, brought before Cádiz, convinced him that he had information on how to take the city that he could give only to the king. Fernando, however, was asleep and Isabel would not then see him, so he was taken to a nearby tent, where, seeing a Portuguese nobleman and Beatriz de Bobadilla, he mistook them for the king and queen. As Bobadilla, frightened by his expression, hurried to the entry he lunged at her companion *with* a dagger. Ruy López de Toledo seized the assassin from behind and other men, running in, hacked the assailant to pieces. Those pieces were then catapulted into Málaga—where, says Pulgar, they were gathered up, sewn together with silk thread, washed and perfumed with oils, and buried with great ceremony. Al-Taghri retaliated in kind, killing a principal Christian captive, disemboweling the corpse, tying it to an ass, and driving the animal into the Christian camp. God, was the interpretation, had wished to protect the sovereigns. Thereafter, Isabel had a guard of 200 men at arms."

The natives were escaping and fleeing work and they needed to be brought to heel. Granted, a day's work would be rewarded with a day's pay, a jornal, but even with this great reward, the Indians avoided service Ovando wrote the sovereigns.

Lies! Lies! countered Las Casas. The Indians were fleeing the oppression and tyranny imposed by the Spaniards. What were the particulars? One thing we find about Las Casas' writings. He was not afraid to examine points at GREAT length to make his arguments.

The Indians fled "like chicks and small birds fleeing hawks," not because of some desire to be disobedient. Besides, after what the Spaniards did, the Indians would rather deal with tigers than the "cristianos."²⁷

Las Casas then asks a series of rhetorical questions, some of which project his later, fuller arguments in defense of the Indians.

What in natural reason obligated the Indians to leave their homes, their women, and their children and travel fifty and one hundred leagues to work for the Spaniards, even if they paid them a daily wage? Were the wars waged by the Admiral [Columbus] and his brother the Adelantado simply random? What about sending ships to Castile full of slaves? The insults and tyrannies committed across this island by Francisco Roldán and his cronies?

"There's not a man in his right mind who would come to work for the Spaniards for a day's wage under those circumstances. They are even LESS compelled by natural or divine law," Las Casas added, in a harbinger of future lines of defense he would follow.

²⁶ Gustavo Gutiérrez, Las Casas: In Search of the Poor of Jesus Christ, translated by Robert R. Barr Maryknoll, New York: Orbis Books, 1993, p. 229. Originally published as En busca de los pobres de Jesucristo (Lima, Peru: Instituto Bartolomé de las Casas and Centro de Estudios y Publicaciones, 1992).

²⁷ HL, IV, pp1336ff.

Well, Ovando and others contended, we also need to bring these Indians together to teach them our Holy Catholic Faith.

To this Las Casas erupted in sarcastic humor. "I can attest that neither then nor in subsequent years was any more effort to bring Christianity to these people than there was to teach the Faith to the mares and horses and other beasts of the field."

Well, there was no one to work the fields and help them mine for gold, etc. etc. Las Casas might well have added *ad nauseum* rather than etcetera, given the way he felt.

Again, putting himself in the place of the Indians, Las Casas answered.

"If you want fields to bear, work them yourselves."

"If you want to get rich on gold, pick up the tools and dig yourself."

"We are not the vagabonds, idlers and loafers around here. We eat only from the sweat of our hands and complied a lot better than the Spaniards with the second precept which God gave men."²⁸

Las Casas sums up his feelings with great force, and projects the intellectual rationale--apart from the obvious--to support his views. In no way were the Indians compelled to contribute "even one marevedí" to the Spaniards. "Even a person of average intelligence, taking into account the laws of reason, natural law, positive divine law, and even human laws, as they are understood, cannot doubt what is affirmed."²⁹

²⁸ I don't know either which "second precept" Las Casas is referring to, unless it is Matt 22:37-40 where "Jesus replied: "Love the Lord your God with all your heart and with all your soul and with all your mind.' 38This is the first and greatest commandment. 39And the second is like it: 'Love your neighbor as yourself.' 40All the Law and the Prophets hang on these two commandments." My thanks to Gary Wendt, Tuscaloosa, for suggesting this to me.

The text reads: "y complian [*sic*] muy mejor que ellos el segundo precepto que Dios puso a los hombres....", *Obras*, IV, p. 1338.

²⁹ *Obras*, IV, p. 1339.

What are all these laws Las Casas mentions? We shall examine these in greater detail in subsequent chapters, but let's set the stage here for the basic arguments that Las Casas will make.

He is not simply persuaded--nor would any other Spaniard--by the abuses and outrageous behavior of the conquistador/encomendero class toward the Indians. Cruelty and torture were part of life, especially if they could be justified in some fashion. At the heart of the argument is that the Spaniards were committing ILLEGAL acts. If this were proven, the justification for the conquest would be undermined and, indeed, negated.

As Las Casas developed intellectually, he drew more and more from the immense authority of St. Thomas Aquinas (1225-1274), the protean Dominican theologian and philosopher who ranks along with St. Augustine (354-430) as the dominant thinker in the Church.

Thomas basically divided laws into two broad categories: natural law and divine law. All men were endowed with reason and a knowledge of God--if not the true Christian God, at least of a deity--by virtue of God's actions himself. That is, God provided "natural law" for all men, pagans as well as Christians. A people endowed with natural law showed evidence of it in many fashions: they came together in a political society, they enacted, or certainly, recognized a body of laws which governed their social, sexual, and moral behavior, they worshipped a God, or Gods, and in other fashions demonstrated their human status, to be distinguished, let's say, from mere animals, or beasts. They possessed sovereignty and dominion over their world. From this understanding, Las Casas would proceed to attack Spanish claims to both claimed sovereignty and dominion in the New World. But, that for later.

Secondly, divine law existed on basically three different levels, ascending from canon law through scriptural law to eternal law. Canon law was the law of the Church, scriptural law was revealed in Scripture, and eternal law was cosmological, the law by which God himself acts. Since natural law is also imparted by God, it too can be included in this hierarchy, although it is sometimes easier to separate divine from natural law.

And, finally, Las Casas mentioned "positive divine laws, and even human laws," which most Thomists thought of as one category of law--positive human law. These are the laws which men enact for themselves.³⁰

In orchestrating his defense of the Indians and undermining the claims of the conquistadors, Las Casas drew on all laws, both God-given and man-made. If what the Spanish were doing to the Indians could be proven illegal, then the conquest itself was illegal. We are accustomed to accepting the claims of Spain to the New World on a variety of bases: the Papal Donation of 1493, the Treaty of Tordesillas with Portugal, 1494, and the right of "discovery." Of these, only the Papal Donation, or the bulls issued by the Spanish-born pope, Alexander VI, possessed the slightest validity for Las Casas.³¹

The bulls recognized the Columbian discoveries and required the Spanish to convert any peoples to Christianity. This could be loosely interpreted as an extension of the "great commission" from Scripture: "Therefore go and make disciples of all nations,

³⁰ I have found most useful Quentin Skinner, The Foundations of Modern Political Thought: Vol. Two: The Age of Reformation (Cambridge: Cambridge University Press, 1978), p. 148, in fact, entire chapter five, "The Revival of Thomism" extremely useful. My thanks to Prof. George McClure, University of Alabama, for helping me in this area.

³¹ Or, for other of the great Spanish theologians and thinkers of the sixteenth century for that matter. Francisco de Vitoria, perhaps the most respected commentator on the nature and legality of the Spanish conquest, taught at Salamanca from the 1520s through the 1540s, and he thoroughly disputed the Spanish claims to the New World by virtue of the Papal Donation. See, for example, Anthony Pagden and Jeremy Lawrance, eds. Francisco de Vitoria: Political Writings (Cambridge: Cambridge Univ. Press, 1991), especially the "Introduction" for a clear exposition of Vitoria's positions on these crucial issues.

baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you." [Matt 28:19-20] If conversion was a legitimate reason for being in the Indies, then Las Casas--especially as he moved more deeply into the Church, first as a priest and then taking the vows of the Dominican order--admitted the legality of the Spanish presence in the islands.

But, as we will develop in later chapters, it was not that simple. Nothing is, of course, when dealing with human nature. Did the right, indeed the responsibility, of conversion imply you could use force, for example? Not brute force, but, at the very least, the removal of impediments to preaching the Word? St. Augustine seemed to have come down on this side of the argument; St. Thomas did not. The weight of Scripture clearly did not condone force. So, the forceful conversion of Indians--even to save them from eternal perdition (and even this was not a given among the neo-Thomists who speculated on where the pagans and the un-baptized went after death)--was itself an error and contradicted Scripture. Jesus, after all, came in peace. The apostle Paul, who preached to the Gentiles and in many ways was a model for Las Casas, did not use force. If man was by nature free, and possessed a will to determine right and wrong, then he must be given the choice, not forced.

Well, we have drifted off base a bit here, but in these considerations we have projected some of the future work--in deeds and thoughts--of Las Casas. At the age of nineteen or twenty in 1503 and 1504, he was involved in the pacification and exploitation of the Indians of Española, perhaps not with "arquebus in hand," but certainly with a mind to making his way in the world. If he was not yet deeply into the philosophical and theological implications of the Spanish presence in the New World, he was nonetheless an

eyewitness to the practical implications of their actions. And what he witnessed was the institutionalization of the *encomienda* in 1504 and 1505. In these proceedings, lies slipped out easily and confounded the truth, and, to Las Casas' mind, his Queen. If Isabela but knew....

The Queen sent a letter dated 20 December 1503 to Ovando, essentially providing for the use of Indian labor by the Spaniards. This became the official basis for the establishment of the *encomienda*, or *repartimiento*, although, as noted above, it was in fact already part of the evolving labor system on the island. Las Casas the young settler was not privy to the correspondence and flow of information at this time between the governor and the queen, Ovando and Isabela. Later on he included the proceedings in his Historia de Indias, and here we can follow Las Casas as his indignation rose in response to the greed and mendacity of the settlers.

Las Casas published the Queen's letter and then analyzed it point by point.³² We need not follow his arguments in detail. In the main, Las Casas contended that the Queen had been lied to. She was told the Indians were scurrying away, avoiding labor, fleeing to the forests and mountains much to the prejudice of the teaching of the Holy Catholic Faith, and, of course, to the efforts of the settlers to transform the island into an idyllic society of Indians and Spaniards all working together to get gold. The words and phrases employed by Ovando and his predecessors were perhaps nicer and sanitized for the Queen and her councilors, but the message was the same.

So the Queen sent a short letter--not really more than a page, which we have reproduced below as Las Casas copied it into his Historia de Indias.

³² HI, IV, pp. 1341ff.

[La carta patente o cédula de la reina es a la letra la siguiente(7):
*Doña Isabel, por la gracia de Dios, etc. —Por quanto el rey mi señor e yo, ~ por la instrucción que mandamos dar a don frey Nicolás de Obando, comendador mayor de Alcántara, al tiempo que fue por nuestro gobernador a las islas e tierra firme del mar Océano, hobimos mandado que los indios vecinos e moradores de la isla Española fuesen libres e non suxetos a servidumbre, según más largamente en la dicha instrucción se contiene, e agora soy informada [de] que, a cabsa de la muncha libertad que los dichos indios tienen, huyen e se apartan de la conversación e comunicación de los cristianos, por manera que, aun queriéndoles pagar sus xornales non quieren trabaxar e andan vagamundos [sic] ni menos los puedan haber para los dotrinar e atraer a que se conviertan a nuestra sancta fe católica, e que a esta cabsa los cristianos questán en la dicha isla e viven e moran en ella no faltare quien trabaxe en sus granxerías e mantenimientos nm les ayude a sacar ni coxer el oro que hay en la dicha isla, de que a los unos e a los otros viene perxuicio, e que Nos deseamos que los dichos indios se conviertan a nuestra sancta fe católica e que sean dotrinados en las cosas della, e por questo se podía mexor facer comunicando los dichos indios con los cristianos quen la dicha isla están e andando e tratando con ellos e ayudandolos unos a otros para que la dicha isla se labre e pueble e abmente los frutos della e se coxa el oro quen ella hobiere para questos mis reinos e los vecinos della sean aprovechados, mandé dar esta mi carta en la dicha razón. Por la cual mando a vos, el dicho nuestro gobernador, quel día que esta mi carta viéredes en adelante compelaís e apremiéis a los dichos indios [a] que traten y conversen con los cristianos de la dicha isla e trabaxen en sus edificios e [en] coxer e sacar oro e otros metales e en facer granxerías e mantenimientos para los cristianos vecinos e moradores de la dicha isla; e fagáis pagar a cada uno el día que trabaxare el xornal e man tenimiento que sigund la calidad de la tierra e de la persona e del oficio vos paresciere que debiere haber mandado; e cada cacique que tenga cargo de cierto número de los dichos indios para que los fagáis trabaxar donde fuere menester, e para que las fiestas e días que paresciere se xunten a oír e ser dotrinados en las cosas de la fee en los lugares diputados, e para que cada cacique acuda con el número de indios que vos le señaláredes a la persona o personas que vos nombráredes para que trabaxen en lo que las tales personas le mandaren pagándoles el xornal que por vos fuere tasado. Lo cual fagan e complan como personas libres, como lo son, e non siervos. E faced que sean bien tratados los dichos indios; e los que delios fueren cristianos mexor que los otros. E non consintáis nm deis logar que nenguna persona les fagan mal nm daño nm otro desaguisado alguno. E los unos nin los otros non fagades nm fagan ende al por alguna manera, so pena de mi merced, etc. —Dada en la villa de Medina del Campo, a veinte días del mes de diciembre, año del nascimiento de nuestro salvador Xesucristo de mil e quinientos e tres años.
 —Yo, la reina. —Yo Gaspar de Gricio, secretario del rey e de la reina nuestros señores, la fiz escrebir por su mandado(8).]*

Ocho cosas, pues, parece pretender la reina en esta patente, según se colige della(9):

The gist of the letter is that these Indians are free individuals and subjects of the Crown. However, to teach them the faith and to make the island productive, they need discipline which henceforth will be provided by the Spaniards. Ovando was commanded to employ the Indians in the mines and fields of the Spanish, providing, of course, they were

treated well, paid a daily wage, and instructed in the Faith. None of this was done except for forcing the Indians--men, women, children, pregnant women, old people--to work.

In a chapter entitled "Figura real de la encomienda legal creada," or "the creation of the legal encomienda," Las Casas describes in detail how Ovando applied the Queen's instructions. It is one of the most biting passages in Las Casas' writings, filled with ridicule when he is not lamenting the tragedy.

Las Casas closely examines Ovando's response to the Queen's letter, dividing her orders into eight main points.

These "orders--if, indeed, they were orders--to put the Indians to work were founded on false information which Ovando had provided." Furthermore, "it is instructive to see how the Comendador [Ovando] understood the Queen's letter, or, at the least, how he didn't understand it, and how he executed it."³³

Because the encomienda becomes the focus of Las Casas' indictment of Spanish treatment of the Indians throughout the New World, it is important to understand his early views.

Since the Queen's principal interest was in the instruction, indoctrination, and conversion of the Indians, Las Casas begins with what Ovando did in this area.

"In the nine years of his government of this island, he was no more interested in the indoctrination and salvation of the Indians than if they were sticks and stones, or cats and dogs."

What about the Franciscan fathers who came with Ovando?

³³ HL, IV, pp. 1345-1355.

Well, they were good people, but they didn't do anything except "to live in their houses, one in this city [Santo Domingo] and one in the Vega, religiously." They did bring three or four young men, the sons of caciques, into their homes and taught them to read and write, but "I don't know what else they learned about the Christian faith and good habits, other than the good example of the friars." So much for putting your faith into action. Clearly, Las Casas was not impressed with the Franciscans.³⁴

Who did Ovando put to work? Men certainly, but he also ordered children and old people, nursing women and pregnant women, chiefs and common people and the very lords and natural kings of the towns and lands, into the mines and fields of the Spaniards.

"This distribution among the Spaniards of the Indians was called the 'repartimiento.'"

So began the infamous repartimiento or encomienda.

The king (or the Queen and King in this instance) also received a repartimiento in each village to work on the sovereigns behalf in the fields and pastures and to mine gold for the King.

In this way, all the Indians were distributed to the Spaniards, "condemned to service forever where, in the end, they died. This was the liberty which the repartimiento secured."

Men were forced to work ten, twenty, thirty, forty, and even eighty leagues away from their homes in the mining of gold. Exhausted from these labors, beaten down and

³⁴ Franciscans did, however, take activist roles in defending the Indians in other parts of the Indies; this particular group, however, was either insensitive, cowed by Ovando and the settlers, or simply passive for whatever other reasons.

starving, the men returned to their homes unable to consummate their marriages. "In this manner, a generation was lost."

The poor creatures who were born, puny and tiny, perished for lack of milk, for the women, overworked and underfed, dried up.

Later on in Cuba, Las Casas witnessed 7000 children die in three months. Some mothers drowned their babies out of desperation. Others, pregnant, took herbs to abort and cut short their pregnancies.

The Spanish overseers ["verdugos españoles crueles," or cruel Spanish executioners], called *mineros* who worked the Indians in the mines, *estancieros* in the fields, used whips and canes to keep the pace up, berating the Indians as "dogs." Those poor souls who escaped the hell were chased down by and returned.

Some Spaniards were designated *visitadores* by Ovando and put in charge of villages. They were given an extra 100 Indians in addition to their original encomiendas. When escaped Indians were returned, they had to stand judgment before the *visitador*.

The trial and punishment was swift and cruel. Tied to a post, they were whipped with a lash dipped in tar. The famished, thin Indians were lashed to a bloody pulp and usually left for dead.

"I saw this many times with my own eyes," Las Casas later recorded. "And God is my witness that many fell on those poor lambs...."³⁵ The metaphorical substitution of lambs for Indians clearly showed how Las Casas viewed these victims, for lambs were often portrayed in Scripture as the sacrificial animals of the Old Testament. And, of course, in the New Testament, Jesus himself assumes the role of the lamb of God who

³⁵ HL, IV, p. 1349.

accepted his own sacrifice to atone for the sins of man. Or, Jesus is sometimes portrayed as the shepherd, a tender, loving guardian of the flock. What of these Spanish shepherds on the island? Las Casas was quick to disabuse the reader of any notion that they were shepherds in the Scriptural sense, but more like the wolves who prey on the flock. In each instance, what we have is a metaphor for the predator, rather than the guardian.

Working in the mines was furthermore the worst work in the world. This attack on the mines illustrates another aspect of Las Casas' m.o. that will develop over time: drawing upon a wide reading, with an impressive ability to retain and recollect examples from history, both ancient and contemporary. Las Casas draws on classical examples from both Scripture and the pagan world to substantiate that being sent to the mines was tantamount to being condemned to death. The Roman conquest of Spain (Hispania or Iberia), for example, resulted in thousands of Iberians being enslaved and sent to the mines.³⁶

"So terrible was the work that death was much preferred to life." Las Casas leaves little doubt that the fate of Iberians under Roman rule was little different from those Indians shoved into the mining of gold on the island of Española. They were forced to leave their homes for six and eight months at a time.

Many of the Spaniards possessed no scruples about working their Indians on Sundays and holidays. They were only given pan cazabí [casava bread] to eat, which was fine when supplemented with meat or fish, but alone it had little substance. Sometimes the Indians were given a bit of pork left over from the Spaniards table, and it was made into a thin soup.

³⁶ This writer always thought that being condemned to the galleys was the worst fate to befall a Roman slave, other than, of course, a sentence to death. My image may have come from seeing the movie *Spartacus*, starring Kirk Douglas, too many times.

"And it's true that when the Spanish miners were eating, the Indians scurried underneath the tables--like cats and dogs--to catch the scraps of fat which they first sucked and then ground what was left and cooked it with the casava bread."

Las Casas does not relent on the theme of the Spanish contempt for the Indians, treating them worst than the beasts of the field. His comparisons are direct, his language unforgiving.

"And even the beasts usually have some liberty to go graze in the pastures, a liberty which our Spaniards denied the poor miserable Indians. And so, in truth, they were in perpetual slavery, for they were deprived of their free will to do anything other than what the cruelty and avarice of the Spaniards desired, not like prisoners [*hombres captivos*] but like beasts whose owners keep them tethered."³⁷

Here we also have another theme that will come to play a major role in the development of Las Casas' defense of the Indians: liberty and free will. Indians, like all human beings, were inherently endowed by God with freedom and liberty. To be deprived of this natural right was unjust and tyrannical. And, as we will follow in subsequent chapters, from the premise that all humans--Christians AND pagans--possessed God-given liberty there flowed some other conclusions which Las Casas used to support his defense of the natural sovereignty and dominion of Indians. But, that for later.

When the famished and sickly Indians could no longer work, they "were given license to go home."

"The poor souls went, usually falling into the first ravines, dying from desperation. A few made it to their homes. And I came upon some of the dead on the roads, and others

³⁷ HL, IV, 1353.

under the trees, gasping; and others groaning in the pain of death. A few saying "Hungry! Hungry!"³⁸

To escape the hunger and pain, many chose suicide, drinking the juice from the cassava plant. Pregnant women, rather than bring their babies into this inferno, aborted, using herbs.³⁹

"This was the liberty and good treatment and Christianity given these people by the Comendador Mayor [Ovando]."

The governor, indeed, is held to account very strictly by Las Casas. Rulers tended to be held in high esteem, but much was expected from them as well, including from those appointed to rule as viceroys and governors.

Ovando could see the destruction accompanying the regimen of work he had initiated--the encomienda, the mines, the terrible demands, the starvation--but he did not rectify and reverse the terrible destruction. Today we know that diseases too were taking an awful toll, but Las Casas was not particularly looking at specifics. A wrong, a terrible injustice, was being perpetrated, and the royal official, Ovando, did not intervene.

"Neither before God nor before the Kings was he to be excused."⁴⁰ There goes the Nuremberg excuse!⁴¹ Ovando had not only perverted the instructions in the Queen's letter ("because he totally went beyond and exceeded the instructions, doing everything on the contrary to what the Queen had ordered") but he was guilty before God.

³⁸ Ibid.

³⁹ HL, IV, p. 1354.

⁴⁰ Ibid., p. 1354.

⁴¹ Recall that in the post-World War II Nuremberg War Criminal trials, a number of high ranking Nazis contended that they were "simply following orders," and thus excused and exonerated from having committed war crimes. The Allied judges did not buy the argument because of the monstrosity of the crimes.

Before God. That is the last tribunal. Final, and eternal, judgement, of course, fell to God, not man. However, to be thought guilty there--even though only the opinion of a man--constituted an extraordinary accusation.

"Before God," Las Casas wrote "because throwing rational, free men into such a cruel and hellish captivity constituted an evil and went against divine and natural law, even more so when experience showed clearly was happening."

The brutal despoliation of the Indians of Española continued unabated. Las Casas recounts horror after horror, sometimes repeating himself, sometimes simply repeating for the sake of driving home the message, much like preachers will repeat a sequence of words or phrases to ensure their parishioners get the message.

The insensitivity of the settlers to the humanity of the Indians was recorded time and again by Las Casas. Spanish women settlers were no less callous than their male counterparts.

"There was a married man," he wrote, "who passed among his Indians with a staff in hand. He rained blows on those Indians not sweating.

"Not sweating dog? Not sweating?"

His wife did her part as well with her staff, going among the Indian women in the fields.

"Not sweating bitch [*¿no sudáis, perra?*] Not sweating?"

In Las Casas mind one could easily discern when God took it upon himself to dispense judgement.

"Divine justice indeed made these two sweat painfully later on. I saw them embark for Castile from the port of La Plata [north coast of Española] with my own eyes. They

went with their boys and girls--children who looked angelic--and with other relatives. They carried with them the gold--and it wasn't a miserly amount--earned through their good works," Las Casas commented sarcastically, "thinking they were going to enjoy it and rest. They were never again seen, sinking with everything in the sea."

Las Casas added, "we have seen many of these punishments levied by God against these cruelties." By the time Las Casas wrote the above, he had already been an ordained priest for almost two decades and had entered the Dominican Order. In Las Casas' mind there was a clear correlation between your acts and your eternal soul. However, there would be a way to avoid eternal damnation, but, as Las Casas envisioned it, it was a difficult road.

Never lacking for a practical, effective solution to the gravest problems, Las Casas would evolve a theory of restitution. Again, we will develop this in later chapters for the theory became very much a piece of Las Casas' agenda. If the encomenderos would but restore everything stolen from the Indians--their labor, their land, their families, their health, their spirit, their very lives--then forgiveness was a possibility. Like the parable of the poor rich man who had kept all the Commandments, but could not bear to part with his riches and follow Jesus, the encomenderos were convicted by their material gains.

Las Casas' stories ring not only with indignation, but also with an authenticity that comes only from being an eyewitness. He was more than an eyewitness though. What he saw with his eyes went straight to his heart, and from his heart into his mind.

In this early period, from 1502-1510, he traveled through the island, worked with his father as a provisioner, engaged in numerous campaigns, and formed his own opinions.

He was shocked, and the sense of shock and indignation would never leave him, even as an old man in his eighties, for he lived a long life.

What was he to do about this? He was already in the church hierarchy, although only in the beginning stages of moving to full priesthood. He was not yet agonizing over the gulf between the teachings of his lord, Jesus Christ, and the horrible scenes unfolding before his eyes, but the breach was widening.

Then, in 1507, he got the chance to leave the hellish island and return to Europe. Whether he did cross the Atlantic, and return to Española in 1509, is not certain. His biographers come to radically different conclusions. Some say he made the trip. Others claim he did not. They are using the same evidentiary sources, so we are faced here with an interesting phase of the biographer's work: what, indeed, transpired?

The context of this trip--if he made it--is clear. Christopher Columbus died May 21, 1506. His brother Bartholomew then determined to secure his brother's inheritance for Christopher's legitimate son, Diego. To keep the Columbus family straight, let's also mention that Columbus had another brother named Diego, and an illegitimate son named Hernando. Hernando, sometimes spelled Fernando, would later write the first major biography of his famous father Christopher.

To secure Diego's title as the second Admiral of the Ocean Sea and Governor of Española, Bartholomew traveled to Rome in early 1507 to catch up with King Ferdinand who had gone to Italy to remarry after the death of Isabel. Everybody on board? By the time Bartholomew arrived in Italy in February, King Ferdinand had left to return to Spain.

Spain itself was in turmoil. Isabel's death in 1504 left her daughter, Juana, as the legitimate ruler of Castile, along with her husband, Prince Philip of Austria, a Habsburg

and in direct line for succession to the vast Hapsburg possessions strung across northern and central Europe. King Ferdinand disputed his daughter's claim but the Castilian nobility distrusted him. In 1505, Juana, insanely jealous of Philip, labeled "the Handsome" since he attracted women easily, was bumped aside by Philip who assumed the title Philip 1 of Castile. Their lover's quarrels shocked the court, and everyone thought Juana was coming unhinged. Philip died shortly thereafter and in 1506, King Ferdinand decisively stepped in and claimed the regency for his grandson Charles, then six years old and the son of Philip the Handsome and Juana la Loca, or Joan the Mad as she was called by virtually everyone.

This slightly confusing situation was, however, dynastic politics as usual in the fluid early modern history of Spain, and across other rising nation states of Europe as well. Charles would later successfully claim sovereignty over Spain (circa 1516-1520) and his long rule (until 1556) made him a key player in Las Casas' later life.

At this stage, the events on Española were definitely remote on the horizons of Spain's rulers as they jockeyed for power. Bartholomew de las Casas may have left the island precisely at this time for several reasons, one of them being to get away from the horror of the destruction of the Indians, and, another, to see if he could get closer to the powers-to-be in Spain. Maybe he just wanted to go home and see his family. We don't really know.

If he did go, one biographer says he returned to Spain in late 1506, was ordained a deacon in Seville, and then joined Bartholomew Columbus on his trip to Rome early in 1507 to secure his nephew Diego's inheritance.⁴²

⁴² Parish, *Bartolomé de las Casas: The Only Way*, pp. 15, 16. We'll draw upon Parish's account for the trip, if it was made. She offers no evidence, other than the following note: "These events are established by a prime discovery--the apparent register of Las Casas' ordination--and additional new material, in *The Untold Story* [Parish's biography in preparation]."

They arrived in Rome in the pre-Lenten season. Las Casas wrote about this trip in his massive Apologética Sumaria Historia which he recorded many years later. The pre-Lenten celebrations shocked him by their lasciviousness and immorality. Actually, they read more like a typical Mardi Gras in New Orleans or Carnival in Rio de Janeiro, but our age has become jaded by license, although the Romans were no slouches in outrageous behavior.

Las Casas the observer recorded it all in detail.

"Young men, their private parts covered only by skins, pinched everyone they encountered. The *lupercalia* [the name of the Roman festival] priests, carrying belts and lashes made from the goats they sacrificed, went running naked through the city, lashing and wounding all the women they encountered, and the very same women boldly sought the priests, hoping the lashes would help get them pregnant.

"Another festival, no less vile and abominable, was celebrated in Rome called the feast of the flutes....It was celebrated the thirteenth day of January with great lasciviousness and dishonesty, men, masqueraded and dressed as women, running through the city dancing and prancing. And *the memory and vestiges of this I saw since I was there in the year seven, that is fifteen hundred and seven, when I went to Rome from these Indies.*" [emphasis added]⁴³

⁴³ Bartolomé de las Casas, Obras completas, 8, Apologetica Historia Sumaria III, capítulo 164, pp. 1140-1141 of the Obras completas. Curiously, one of Las Casas principal biographers in English, the meticulous Henry Raup Wagner, dismissed this trip in the following fashion: "Did he make the journey during this interval, and if so where did he go? In the Apologética, there is evidence that Casas took a trip to Rome about which almost nothing is know. He discusses the Inca highways and mentions seeing fragments of old Roman roads in Spain and Italy. Elsewhere, speaking of the ancient Roman masques, he says crytically: 'the vestiges of these dances I have myself seen during the days in the year '07, I mean five hundred and seven, when from these Indies I went to Rome.' Now we have absolutely no evidence that he went to Rome from Santo Domingo in that year, or even to Spain." Wagner, The Life and Writings of, p. 36. Why didn't Las Casas write more about this trip? We searched our own intellectual and literal journeys as a younger person. What ones might we include in a rambling history such as Las Casas'? Which ones might fall by the

The shock of such drunken, paganistic revelry, however, apparently did not deter Las Casas from staying in Rome with Bartholomew Columbus until early in March. At that time, Las Casas may have been ordained a priest, perhaps by none other than the Pope himself, Julius II. A few days later--the ordination having taken place on March 3, 1507--Las Casas joined Columbus in a private audience with the Pope.

Columbus lobbied the Pope to support Diego Columbus' claim to his legacy on the basis of the magnificent accomplishments of his father Christopher. After all, the evangelization of countless Indians was at hand, perhaps even the beginning of the completion of the "Great Commission," the command of Jesus Christ to his disciples to go out and preach the Word to the world.

There was a tremendous lesson in this encounter wrote another of his biographers, Helen Rand Parish.

"It was a key experience for Las Casas, the basis of his lifelong conviction that a good way to overcome a crisis in the affairs of the Indies was a direct appeal to the pope. For Bartholomew Columbus persuaded Julius to write a glowing brief to Ferdinand, praising Columbus' Discovery of the New World, recommending Diego Columbus as the new viceroy and the second admiral of the ocean sea, and enthusing about the countless Indians to be evangelized...."⁴⁴

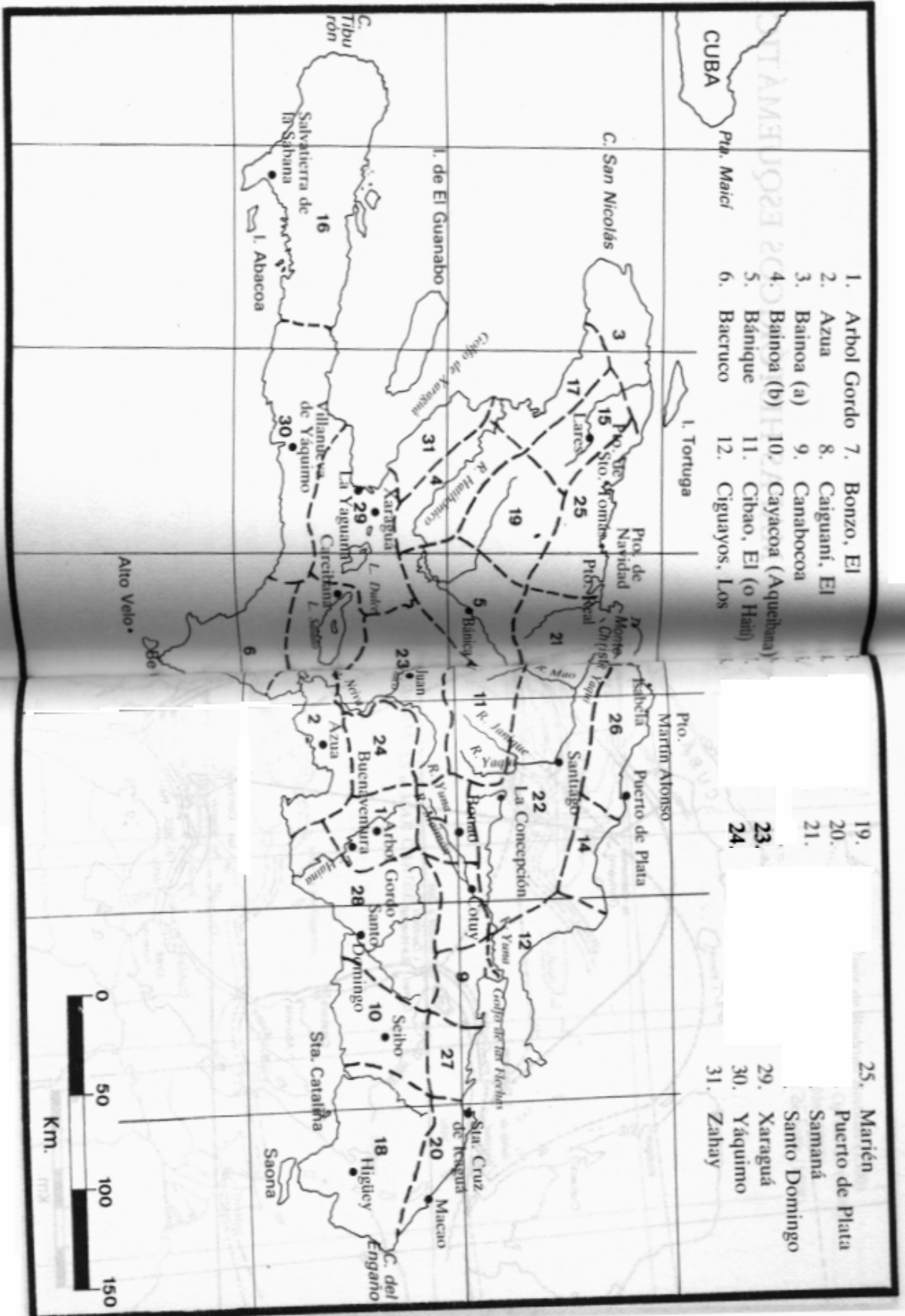
wayside? I remember clearly when a young faculty member perked up one day while I rambled on about something from the 1960s long since submerged and largely forgotten. But his curiosity, for he was a social historian of the twentieth century U. S., in turn prompted me to recall the events in more detail. In truth, I had not given the incident much noteworthiness. In the eyes of others, it was an eyewitness account. To paraphrase an old saying, importance is in the eye of the beholder. Perhaps B. de Las Casas thought of his Rome visit in 1507 as rather peripheral to his life's business as it developed: the defense of the American Indian.

⁴⁴ Parish, *Bartolomé de las Casas: The Only Way*, p. 15.

Diego Columbus meanwhile successfully wooed the niece of the Duke of Alba. After the wedding to María de Toledo, Columbus' stock rose dramatically on the social ladder of aristocratic Spain. The Council of the Indies confirmed him in his title as second Admiral of the Ocean Sea and governor of Santo Domingo and he embarked for his dominions on June 3, 1509, from the port of Sanlucar at the mouth of the Guadalquivir River.

It was a pleasant journey, favored by good weather, and they anchored in the harbor of Santo Domingo July 9, 1509. On board this fleet came not only Diego Columbus and his bride María de Toledo, but also his two uncles, Bartolomé Columbus and Diego Columbus, his brother Hernando Columbus, other gentlemen, some married, a few ladies to be married to principal settlers, and Bartholomew de las Casas, returning to his properties and Indians.⁴⁵

⁴⁵ HL, Obras, pp. 1492-1493; Huerga, Vida y obras, pp. 49-50.



Mapa I: Antiguas

Española, según el padre Las Casas.

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