

## A KINDLIER LIGHT ON EARLY SPANISH RULE IN AMERICA.

BY EDWARD H. THOMPSON.

---

A Yucatan friend once said to me: "You Americans are not just to the early Spanish Government of the Americas. You still see the Spaniard through the early English spectacles, and for Spaniards those old English lenses were ever out of focus, they could not give clear vision." This friend was a travelled man, a student and a deep thinker. His remarks were always worthy of my attention, but I was especially struck with the possible truth of this particular statement, and ever afterward had it in mind when criticism more or less acrid was made of the early Spanish rule in the Americas.

Looking at the matter calmly, impartially, as American Antiquarians should look at the facts of that period, ancient for the two nations named but prehistoric for ours, does not the statement of the Yucatan scholar strike in as a probable truth? Fundamental and proven facts are these, that at this period, 1550-81, England and Spain, when not in open warfare, were preying upon each other's commerce by a kind of more or less legalized piracy. Such conditions are not conducive to either brotherly love or impartial judgment between nations. We, as loyal legatees of English thoughts and feelings, naturally held to what we rightly came by, and so to us this period of early Spanish control in the Americas was, on the part of the Spanish Government, one of an overwhelming greed for gold only equalled by that of the individual Spaniards, while its lust for conquest and power was only equalled by the lust for converts and

power on the part of the Spanish priests who were accustomed to inflict unspeakable torments on the unhappy natives of the conquered provinces, and thus drive them with fear and trembling into the doors and before the altars of the most holy Catholic Church.

I have tried to put into this concrete form and few words the generally accepted belief as to the conduct of the Spanish Government in these early times of America. Some months ago, while searching the early records of Yucatan for data of an entirely different theme, I came upon certain facts so clearly proving the truth of my friend's statement that I felt impelled, almost as a duty, to try and take the matter up when the time was ripe and the opportunity at hand. This now seems to be the accepted time.

Before going into detail I must, for the better understanding of what is to follow, make clear the environments of the times and circumstances.

When the early Spaniards first sought to conquer the Peninsula of Yucatan, they found themselves opposed by a dark-skinned people who fought in a disciplined way under able leaders. They defended their country so resolutely that the Spaniards were very glad to leave them alone for a while, and seek other fields to conquer where there was less fighting and more gold. Finally, these natives were overcome by the superior weapons and constantly increasing numbers of the invaders, and by the end of the year 1542 the whole region was practically a conquered province of Spain, with Francisco de Montejo as Adalantado and Captain General. Francisco de Montejo—father, son and nephew, all Franciscos and all Montejos—thought that, having conquered the country by the might of their own mailed fists, they and theirs could do as they willed so long as the royal tithes were paid.

But this belief encountered the higher aims and humanitarian ideas of His Majesty in Spain and, persisted in, caused the valiant but somewhat obstinate and testy old warrior, Francisco de Montejo, father, sadly to meditate between bare walls and behind iron bars. Long

after the brave old Adalantado had been gathered first to Spain and then to his fathers, the belief that "the Yucatecos" were for the Spaniards prevailed, and to a certain extent held good by reason of the system of *repartimientos y encomiendas*.

This ancient system of *repartimientos y encomiendas* has been the subject of much misapprehension by modern historians and needs to be explained. When the people of the conquered provinces were apportioned out among the conquerors by the duly constituted authorities, the act was called that of the *repartimientos y encomiendas*, the distribution of the charges. This act, while sometimes allied to, was by no means an integral part of, the granting of lands by Royal Cedula for notorious services to the Crown, for while the royal grants were *ad perpetuam*, the rights given by the *repartimientos* were, to a certain extent temporal in their nature, rarely carrying over two lives or generations, and were, moreover, limited by certain wise restrictions. The natives upon these appointed lands were placed under the direct charge of the Conquistador to whom the land was apportioned, not as slaves, nor even as servants, but rather as minors under the charge of a guardian or trustee. This was the *encomienda*, the charge, and made of the Conquistador who received them an *encomendero*. The *encomendero* was to look after the general welfare of the natives confided to his care, he was to look to their interests as a father looks to the interests of his children, admonishing, correcting, teaching. For this service each native head of family was required to furnish a certain equitable tithe of the produce or the output of the region,<sup>1</sup> and by so doing repay the *encomendero* for his care and wise supervision. This was the law, the intent of the King, and was never lost to sight by the Council of the Indias, who had the colonies under their supervision.

Some of the *encomenderos* were in accord with the spirit and the letter of the law, but there were others

---

<sup>1</sup> Hist. do Yucatan, Molino, p. 13.

whose personal equations gave other results. They were always out for business, and that business was to make as much as possible, as quickly as possible, out of the resources at their command or under their control. Among these "resources" were too often counted the natives that were entrusted to their care and so, despite the law by which an Indian could not be made a slave, or held as a bond servant, abuses crept in, and thus the term: *Encomendero* came to be often considered as synonymous with that of slave owner or master.

On the other hand, the Spanish friars, while they retained a goodly portion of human frailties, did carry beneath the rough cassocks of their orders the true desire to serve the Indian, not only in his spiritual but temporal needs as well, and this desire sometimes intemperately expressed, though it led them at times into very uncomfortable paths, was, in the main, consistently carried out, much to the disgust of the rough and sturdy Spanish pioneers. Contrary to the general belief, the law did not allow the disciplinary methods of the Inquisition to be applied to the Indian, and when Bishop De Landa, the author of the infamous burning of the Maya records, did in his fiery zeal attempt to apply some of the methods of the Holy Office to renegade natives, he barely escaped condign punishment himself. Priestly fanaticisms and worldly interests were ever battling, and between the two the Central Government was ever standing to protect the defenceless Indian against the intemperate zeal of the one and the cupidity of the other. This for the times and the environments, now for the incidents.

Some time during the early part of 1552, I could not fix the date exactly, Thomas Lopez came to Yucatan with full power to correct abuses, and to see that the humanitarian ideas of His Majesty the King's decrees were duly enforced. Right well did he perform his task and carry out the true spirit of the law.<sup>2</sup> He purged the local laws of grave errors that had crept in by custom, establishing an equitable code of laws that should

---

<sup>2</sup> *Cartas de Indias*, p. 41.

govern as between the *encomenderos* and their charges. He established a system of practical self-government by the village natives in such matters as affected merely local affairs. He established a compulsory school system so efficient that at the end of the 16th century there was hardly a village in Yucatan without its public school. He strictly forbade forcible conversion or baptism either of children or adult natives. They were to be carefully and faithfully instructed, and only when they themselves and of their own volition asked for baptism was it to be given them. The prohibition of the enslaving of the natives was made expressly severe, declaring that before Jesus Christ and the law no Indian could be a slave,<sup>3</sup> and that, while the Indian could, if he so desired, become a servant or day laborer, it must be a matter of mutual arrangement between employer and employee, by which the latter would receive his just compensation. This was the law and this was what Thomas Lopez upheld. To see that these laws affecting the status of the natives were upheld hereafter, he created a new office, that of the Defensor of the Indians, whose duties were as indicated by the title. Thomas Lopez was clearly a true and faithful servant of his King.

The decade hand moves over the dial of the century. Carlos V., the Emperor of Castile and of the Indies, and Juana the Queen, have gone and Felipe II. is on the throne of Spain. Kings and Queens have passed away, but the ideals that they upheld have remained unchanged. The date is now that of 1581, at the time when Guillen de las Casas was Governor of Yucatan, and one Pedro Gomez, the Royal Treasurer of the Province. History has dealt with Guillen de las Casas in letters so large that he who runs may read,<sup>4</sup> while the Royal Treasurer has been left in comparative obscurity. And yet, Pedro Gomez, Treasurer of His Majesty, Felipe II., in the Province of Yucatan, was a man of parts, a good steward looking keenly to the welfare of the royal income from his district. This the statistics indicate and his letters

<sup>3</sup> Hist. do Yucatan, Molino, p. 20.

<sup>4</sup> Hist. do Yucatan, Molino, p. 180.

to his royal master show. The Spaniards of those days were more independent and democratic than we are usually willing to believe, and some of their letters to their King, now on record in the archives, would surprise us even in these democratic days, but the letters of Pedro Gomez, Royal Treasurer in an humble Colonial province, surpass in their blunt directness all the others.

I must explain now that which perhaps I should have stated before, that Yucatan is in great part arid, without either rivers or lakes on its limestone surface. Nature, who generally evens up things in her own quiet way, has ordained that in these modern days this arid portion of the Peninsula should be the section that gives prosperity to all the rest, for upon its rocky, sun-heated surface grows the *Agave Sisalensis*, from whose fleshy, thorn-pointed leaves is taken a fibre that gives an annual income of thirty million Mexican dollars to the people of the Peninsula. In the days of which this paper treats, the nascent possibilities of the fibre were as yet unknown. While the trials and privations of those who were trying to wrest a living and a fortune from the ungrateful soil were such that at two different times large numbers of the colonists were on the point of migrating to more fertile colonies in other regions, providential discoveries of valuable natural resources were made that aroused their hopes and made them dream of future prosperity, and thus kept them on the Peninsula. The first of these was the discovery of the dye wood, log wood, *palo de tinto*, while the second was the discovery of *anil* or *indigo*, furnishing indigo of a quality that was very much sought for in Spain and elsewhere.

The first of these discoveries was that of the log wood and the results that flowed from its discovery and exportation surpassed all expectations. Prosperity was over the land and a goodly stream of much needed gold was flowing into the royal treasury therefrom, when suddenly came the royal decree forbidding the log wood cutters and exporters to use the Indians in transporting the log wood from the swampy tracts of the cuttings to the dry lands and the store houses. "My native vassals

are men and not beasts of burden, and shall not be put to do the work of beasts," was the royal edict.

A like edict was issued shortly after the discovery and the profitable exportation of the indigo, and then it was that the sturdy Pedro Gomez wrote the letter. I regret that I cannot at this distance from the original record give the exact wording of the text. But in it the worthy Treasurer ventured to ask the King if he knew what he was doing when he sent out the decree, reminding him of the fact the Yucatan was such an arid region that life there at the best was but a constant struggle, that many had already emigrated to other and more fertile regions, and that unless they could be allowed to cultivate and export the few articles that the land could profitably produce, the chances were that the whole colony would be depleted to the great loss of His Majesty's treasury income.

In due time, and with passionless measured words, came back the royal answer, royally given:—"It having come to the knowledge of His Majesty, the King, that the making of indigo is not only contrary to the health of his native subjects by the method of its making, but also by reason of the flies and other insects that breed in the putrefactions thereof, these native subjects of mine cannot work, neither can they eat nor sleep in comfort by reason thereof. The Royal Treasury does not care to thrive upon those things that imperil the health and comfort of these, my subjects, who equal with you, Gentlemen of Spain, and are my constant care and thought. It is, therefore, hereby decreed that the working of the indigo herb, as it is now undertaken by the hand labor of my native subjects, is prohibited under the law."

Reduced to the last equation the result seems to be,—That the action and purpose of the early Spanish rule in the Americas was humane in spirit, high in ideal, and ever looking to the welfare of the defenceless natives. That such cruelties as are on record were the outcome of lawlessness and fanaticism and not the workings of the law.

Copyright of Proceedings of the American Antiquarian Society is the property of American Antiquarian Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.