

Council of the Indies at Valladolid (1550-51)

Four important implications for Indigenous Peoples within international law (Venne):

- It was the earliest attempt by the European mind to deal with the rights of peoples who were not European
- The debates were engaged in with great seriousness since the issues were considered significant
- Most interesting was that it was not about the biology of Indigenous Peoples – whether they were “human” – but rather “whether the Indians were to be accorded the status of legitimate humans in the eyes of the church and state.”
- Indigenous Peoples were treated as objects of the debate without ever inviting them to be active participants

| Sepulveda | Las Casas |
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| <ul style="list-style-type: none">• Indians not rational beings; barbarians; cites Aristotle that inferior beings are born to slavery | <ul style="list-style-type: none">• No one is born to slavery; mankind is one; “savage peoples are like uncultivated soil”; peaceful societies |
| <ul style="list-style-type: none">• Indians deviation from Spanish customs/law were violations of natural law and justified war as punishment | <ul style="list-style-type: none">• Punishment requires jurisdiction and neither Emperor nor Pope had jurisdiction over Indians because they were pagans, not heretics |
| <ul style="list-style-type: none">• Indians oppressed and killed innocents among themselves – human sacrifice; cannibalism | <ul style="list-style-type: none">• Rare, but it existed. Wrong; but War is the greater evil. Indians need to be persuaded/shown, not killed |
| <ul style="list-style-type: none">• Force is necessary to Christianize; cites biblical passages seen as justifying use of force to bring within the fold (e.g., using force to bring passers-by into a wedding party) | <ul style="list-style-type: none">• Must keep spirit of scripture and not just pick and choose morality as you see it. How could God have commanded us to kill pagans to save them from their ignorance? Not heretics. |