

Justice in Colonial Latin America

Professor Matt O'Hara
U.C. Santa Cruz

Summer Session, 2018

Course Description:

This course surveys the history of colonial Latin America, but foregrounds the topics of justice and human rights. The region presents an outstanding historical laboratory for the study of such issues, as they were discussed widely during the time in question. Did all people possess the same rights? What did justice mean? Was Spanish colonialism uniquely cruel, violent, and oppressive? Or did its attention to the legal rights and responsibilities of subject peoples distinguish it from other colonial experiences? Historians continue to debate these questions today.

They are also questions central to the topic of enhancing life. We need to ask, for example, to what extent did the universal categories that were operative during this period (e.g., subject, Christian, human) advance or undermine a culture of rights and justice? How do our contemporary notions of these concepts differ from their meaning in earlier periods?

Course materials include secondary sources by historians and an array of primary sources from the era. We will also read a number of chapters and articles. Apart from the books, all of the course readings are available on eCommons as well as in a course packet at the bookstore. You can either download the articles and print them out (for free) or purchase the course packet (for convenience). If you print out the articles, you will be expected to bring them to class, since we will refer to them during discussions. We will devote some time each week to the interpretation and analysis of our sources.

Additional articles, artwork, and other sources may be made available electronically via eCommons. I will announce any such materials in class.

Required Texts (available at the Literary Guillotine):

Nancy E. Van Deusen, *Global Indios: The Indigenous Struggle for Justice in Sixteenth-Century Spain* (2015) (selections)

Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (2004) (selections)

Brian Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (2008) (selections)

Stuart Schwartz, *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven: Yale University Press, 2009) (selections)

Bianca Premo, *The Enlightenment on Trial: Ordinary Litigants and Colonialism in the Spanish Empire* (New York: Oxford University Press, 2017)

Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (selections)

History 134A Course Pack, available at the Literary Guillotine (again, please note that all of the materials in the coursepack can also be downloaded via eCommons).

Course Requirements:

Midterm exam (20%)

6-7 page paper (30%)

Class participation (25%) – (class discussions and short writing assignments)

Final exam (25%)

Students are required to take a midterm and a final examination that will be based on the readings, lectures and any other materials assigned (e.g., images, films). The midterm and final will consist of identifications and brief essays. A paper will be due near the end of the term. We will discuss the paper assignment at more length on the first day of class. Active class participation is also required.

Please Note: If you qualify for classroom accommodations because of a disability, please submit your Accommodation Authorization from the Disability Resource Center (DRC) to me during my office hours in a timely manner, preferably in the first week of the quarter. Contact DRC at 459-2089 V, 459-4806 TTY.

Week One:

Day 1: Mesoamerican Traditions
Day 2: Law and Justice in Medieval Spain
Reading: Codex Mendoza (selections)
Siete Partidas (selections)
Van Deusen, *Global Indios*, Intro., Chapter 1

Week Two:

Day 1: The Emerging Colonial Order: Labor and Legal Systems
Day 2: Spaniards Discuss Justice: The "Great Debate"

Reading: Hanke, *Spanish Struggle for Justice* (selections)
Van Deusen, *Global Indios*, finish

Week Three:

Day 1: Native Peoples Discuss Justice
Day 2: Slavery
Reading: Owensby, *Empire* (selections)

Week Four:

Day 1: Institutions and Litigation
Day 2: Inquisition and Religious Orthodoxy
Reading: Silverblatt, *Modern Inquisitions* (selections); Premo, *Enlightenment on Trial*

Week Five:

Day 1: Independence and Legal Pluralism **Paper Due**
Day 2: **Final**

Reading: Premo, finish