



Programs & Services Committee Report

City of Newton In City Council

Wednesday, September 16, 2020

Present: Councilors Krintzman (Chair), Noel, Albright, Baker, Humphrey, Wright, Greenberg, and Ryan

Also Present: Councilors Norton, Kalis, Leary, Bowman, Malakie, Markiewicz, Ciccone, and Crossley

City Staff: Dana Hanson, Director of Community Engagement and Inclusion; Marie Lawlor, Assistant City Solicitor; Nathan Giacalone, Committee Clerk

#352-20 **Appointment of Laura Shaw to the Council on Aging**
HER HONOR THE MAYOR appointing LAURA SHAW, 116 Church Street, Newton, as a member of the COUNCIL ON AGING for a term to expire on October 15, 2023. (60 Days: 11/07/2020)

Action: **Programs and Services Held 8-0**

Notes: Councilor Albright moved Hold which carried 8-0.

#353-20 **Appointment of Joanna Josephson as a Newton Library Trustee**
HER HONOR THE MAYOR appointing JOANNA JOSEPHSON, 141 Blake Street, Newton, as a NEWTON LIBRARY TRUSTEE for a term to expire on June 30, 2023. Ms. Josephson will be completing Mr. Chris Kirby's term ending June 30, 2023. (60 Days: 11/07/2020)

Action: **Programs and Services Approved 8-0**

Notes: The Chair welcomed Ms. Josephson to speak and introduce herself and talk about why she is interested in serving as a Newton Library Trustee. Ms. Josephson said that she has lived in Newton for 10 years and having earned a master's in library science, she has been involved with the library for years. When she saw the opening the trustee spot, she applied because she wanted to be more involved.

The Committee thanked her for her willingness to serve.

Q: What are the main issues you want to work on?

A: These would be the ongoing children's' room renovation and ensuring that as many people know about the library as possible and are able to use it. The library should be a destination for members of the community.

C: Though the teen room is empty during the typical school day, the Council should be given a better sense of how well it is being used.

Councilor Albright moved approval which carried 8-0.

#328-20 **Reappointment of Christopher Murphy to the Institutional Biotechnology Committee**
HER HONOR THE MAYOR reappointing Christopher Murphy, 112 Grasmere Street, Newton, as a regular member of the INSTITUTIONAL BIOTECHNOLOGY COMMITTEE for a term to expire on April 1, 2023. (60 days: 09/21/2020)

Action: **Programs and Services Approved 8-0**

Notes: The Chair welcomed Mr. Murphy to speak and introduce himself and talk about why he is interested in continuing to serve on the Institutional Biotechnology Committee (IBC). Mr. Murphy said that he has been a Newton resident for 11 years and on the IBC for the past four. He said that the IBC inspects biotech labs in Newton to ensure all proper safety and environmental precautions are being followed. Mr. Murphy said that he applies his professional skills as he works with creating viruses for a living in order to treat cancer and other rare diseases. He explained that these viruses are made in reactors.

The Committee thanked Mr. Murphy for his willingness to continue to serve.

Q: How many biotech labs and viral reactors are in Newton?

A: There are three main reactors in Newton, including those at Boston College. The reactors in Newton are all small scale, one liter or less in size. For scale, other biotech operations in Cambridge and MIT handle reactors of thousands of liters. A different committee is looking to encourage more biotech operations in Newton.

Q: Is IBC involved in attracting this business?

A: No, the other biotech committee handles this. IBC mostly focuses on safety and compliance. There is occasional cooperation between the two.

Councilor Greenberg moved approval which carried 8-0.

#351-20 **Resolution to replace Columbus Day with Indigenous Peoples' Day**
COUNCILORS NORTON, AUCHINCLOSS, BOWMAN, GROSSMAN, HUMPHREY, KRINTZMAN, NOEL, AND RYAN requesting a Resolution to the Mayor and School Committee to require City and School Departments to change all references on City and School documents and calendars from "Columbus Day" to "Indigenous Peoples' Day."

Action: **Programs and Services Approved 7-0-1 (Councilor Greenberg Abstained)**

Notes: The Chair introduced the item, saying that the Committee was joined by four residents he invited to speak on the resolution. Two would be in favor of the resolution, and two more would be against. Councilor Norton was also invited to address the Committee as the lead docketer of the

resolution. It was also clarified that there would not need to be an ordinance change for this and a resolution would be enough to accomplish the item's objective.

The chair has also encouraged all interested residents to continue to share their views in writing with the City Council, emphasizing that Councilors pay attention to this correspondence.

Opening Comments:

Councilor Norton-The goal of the resolution is to celebrate the second Monday in October as Indigenous Peoples' Day rather than Columbus Day. There are multiple reasons for this change. The prevailing one is that Native American groups have been pushing for this change since the 1970s. It is influenced by a wider reexamination of the impact of Christopher Columbus' arrival in North America on the indigenous population. The education many have received about Columbus is inaccurate and glosses over his worst abuses while minimizing the role of Native Americans at the same time. Celebration of Columbus is inappropriate considering that his arrival led to the genocide of millions of Native Americans. It should be clarified that this resolution is not an attack on Italian Americans, many of whom within Newton use the holiday to honor their heritage. There should be a way to honor Italian American heritage without using Columbus.

Al Cechinelli, 224 Chapel St-He said that the real issue is not Indigenous Peoples' Day. Through presidential proclamations both from President Obama and President Trump, there is already recognition of both Indigenous Peoples' Month and Day. These are November and the day after Thanksgiving respectively. This means that all states are celebrating the holiday. Italian Americans and Columbus Day are inseparable and a vote to rename this holiday will be an insult to the community.

Karen Ghiron, 80 Hillside Ave-Ms. Ghiron introduced herself as a Newton resident for over 20 years as well as the child of an Italian immigrant whose family fled persecution in Fascist Italy. She said that learning about a more diverse history and teaching children honesty and truth will be better to heal systemic racism. It will also be a benefit to everyone to celebrate indigenous people. The push to rename Columbus Day has been ongoing since the 1970s. Focusing so much on Columbus to celebrate Italian heritage actually diminishes the Italian American community.

Lisa DiFelice-Ms. DiFelice said that this issue was brought before the Committee two years ago and two historians were invited to speak on it. At this meeting, it was suggested that the two sides could meet in a non-public setting to arrive at a compromise, but this meeting never happened. It is important to be educated on all sides of an issue before a decision so the vote should be postponed until such input can be provided. While it should be clear that slavery and the other abuses attributed to Columbus are wrong, currently students are being taught a poor history about Columbus. They are not made aware of how language has changed since 1492 or in translation issues relating to the material they are provided. Nor are they taught that some of the local population was thankful for Columbus's arrival. Lastly, though they spread disease, this was unintentional and therefore not genocide.

Dr. Darlene Flores-Dr. Flores introduced herself as an Army veteran, longtime Newton resident, and a Taino Native American. Many other communities and states have moved to replace Columbus Day with Indigenous Peoples' Day and it is time that Newton do the same. Columbus and his crew decimated the original inhabitants of the Caribbean and paved the way for genocide. It pains the indigenous community to see continued defense of Columbus and denials of this history. This is concurrent with a disturbing reality in America that Native Americans continue to be defined out of the picture. Columbus Day is a symbol of white supremacy and inconsistent with Newton's values. Further it is a tool to misrepresent the reality of indigenous people in America, many of whom continue to live. Renaming Columbus Day Indigenous Peoples' Day is a step in addressing the generations of harm done against Native Americans.

The committee thanked the members of the public who spoke for their passion on such a sensitive subject. The discussion then returned to the Committee and other Councilors.

Discussion:

Councilors spoke in favor of holding a public hearing or comment session to allow more members of the public to weigh in on this item before a vote. They added that this would also buy more time for all parties involved to present more information. Other cities in Massachusetts which have made the change, but they have probably done plenty of research beforehand. Other Councilors said that a public hearing is unnecessary as the facts over Columbus are not in dispute, only whether or not to change the name. Having a public comment session at this point would not result in the presentation of new information.

Renaming Columbus Day is important to recognize the overlooked indigenous community in Newton. While there is debate over Columbus' personal role in some of the ascribed atrocities, there is consensus that his voyage set the stage for further acts against Native Americans such as the establishment of the Encomienda system. It will also work to rectify the inaccurate and sanitized version of Columbus taught in much of the old education system.

The input of Newton's Italian American community cannot be ignored on this subject. However, it was noted that despite the intent, many in this community view renaming the holiday as disrespect. Councilors shared their own experiences with observing Columbus Day. In some parts of America, Italian American communities did not celebrate the day. Others described how in Massachusetts many communities have used it to celebrate and honor their heritage. For some of them, it is less about Columbus than it is their heritage. It was said that due to Columbus' association with erasing cultures, there must be a better way to celebrate Italian American heritage. Examples of other prominent Italian Americans were noted who promoted peace and cooperation. There was a suggestion to instead call it Italian Heritage Day and find another day where Native Americans will be able to celebrate their heritage rather than mark the beginning of a tragedy. Other Councilors said that creating a separate holiday for Italian Americans to replace Columbus Day should be a different discussion.

It was also said that the most important sources for people's experiences is to listen directly to them and the leading voices behind the renaming efforts nationally and locally are those of Native Americans. Councilors noted that this is why they believe changing Columbus Day to Indigenous Peoples' Day is the

right move. Councilor's also asked that if holidays are being set aside to honor the different immigrant heritages, then should each group get its own holiday?

Councilors also said to acknowledge the difficulties and sensitive nature of this decision, but that it can also be an opportunity for growth. Though people may not like the facts about Columbus, that does not make them any less true. It was said that oppression does not equal cultural pride and changing the holiday is not meant to diminish Italian Americans, but to do the right thing for Native Americans. This is part of the ongoing effort to reexamine our past and learn the full story of it, including the ugly facts that have often been ignored. Relating to Columbus Day, one such noted fact was that a main lobbyist for the holiday in the 1930s was a pro-fascist newspaper editor in New York.

It was clarified that while observances and presidential recognition of Columbus Day date back to the 1800s, it was not made a federal holiday until 1968.

It was clarified that when this item came up in the previous term, the two groups were invited to meet outside of the Committee meeting, though this never happened. It was further stated that this was never a formal agreement and the proponents of Indigenous Peoples' Day did not agree, saying that it is not a position to compromise on.

It was asked if Columbus Day and Indigenous Peoples' Day are inherently linked. The response was that they are due to Columbus' association with the genocide of Native Americans. Though recognizing this may be uncomfortable for some today, it does not equal modern discrimination.

Councilor Greenberg then proposed an amendment of the docket item to rename 'Columbus Day' as 'Italian Heritage Day' and to make Indigenous Peoples' Day the same day as the Federal Holiday.

Comments on the motion to Amend the Item/Resolution:

C: This is not what the Council should do. Indigenous people have been asking for the renaming since the 1970s and based on anti-racist literature, listening to the voices of the disempowered is the key first step. Since there are only 10 federal holidays, that makes renaming it all the more important.

C: Respectfully, this amendment misses the point as the genocide of Native Americans can be directly applied to Columbus. While well-intentioned, this amendment erases and minimizes the presence of Native Americans in the narrative. This is about more than a symbolic proclamation and the specific association with Columbus has tainted the day.

C: It is important to recognize that this is an effort to right a wrong. It will not be possible to please all sides and a compromise on this issue may not be possible.

C: There are plenty of cultures and they do not receive days of recognition. This is a symbolic gesture, but the Council should focus on real anti-racist work it can do to actually help the Native American community.

It was said in response that if it was just an empty gesture, then people would not care so much about renaming Columbus Day.

C: Despite the apprehensions expressed by some Councilors of where this change might lead, Native Americans are only asking for the renaming of Columbus Day right now and nothing else. To them it is a real issue more than just a symbolic gesture.

C: Much like what the LGBT community has gone through with its own activism, Native Americans are not seeking special rights, just the same treatment everyone else gets.

C: Many indigenous residents feel unsupported as the City continues to honor Columbus. It is most appropriate to change the name to Indigenous Peoples' Day.

Motion to amend the item failed 1-7 (Councilors Krintzman, Noel, Albright, Baker, Wright, Ryan, and Humphrey opposed).

Councilor Noel moved approval of item #351-20 which carried 7-0-1 (Councilor Greenberg abstained).

#354-20 Reappointment of Julie Norstrand to the Council on Aging

HER HONOR THE MAYOR reappointing JULIE NORSTRAND, 29 Caroline Park, Newton, as a member of the COUNCIL ON AGING for a term to expire on September 30, 2023. (60 Days: 11/07/2020)

Action: Programs and Services Approved 8-0

Notes: The Committee reviewed the Mayor's reappointment of Julie Norstrand to the Council on Aging for a term to end on September 30, 2023. Committee members expressed no concerns relative to the reappointment and voted unanimously in favor of approval with a motion from Councilor Humphrey.

#49-20 Request for update on leaf blower ordinance compliance

COUNCILORS BAKER, LEARY, RYAN, AND HUMPHREY requesting update from the Executive Department on compliance with Newton's leaf blower ordinance and discussion of possible revisions to the ordinance's enforcement provisions to improve compliance.

Action: Programs & Services Held 8-0

Notes: The Committee was joined by Marie Lawlor who, along with Councilor Baker, updated the Committee on the progress of revisions to the leaf blower ordinance. Mainly these revisions are to address problems identified with enforcement and compliance. Ms. Lawlor said that they spoke with officials from Brookline for advice on the revisions as they have a similar leaf blower ordinance there. One outcome from these talks was to design language to shift more responsibility to the homeowner. A goal of these revisions is to remove some of the enforcement burden from the police and make it easier to enforce and generate better compliance.

Ms. Lawlor summarized the proposed draft provided in the meeting agenda. There would be two major changes to the noise ordinance to enhance compliance. The first would make the property owner co-responsible. The second change would be a permitting system for landscapers and contractors to operate leaf blowers. Any other landscaping could be done without a permit and this would only apply to leaf blowers. This registration would carry the agreement that the company understands the rules of the leaf blower ordinance. Failure to comply would result in this permit being revoked. The noise level restrictions in-place over leaf blowers remain unchanged. This will make sure the property owner, contracting company owner, and the operator are all aware of the rule. Homeowners using their own leaf blowers are subject to the same restrictions as before. Ms. Lawlor said that these revisions are designed more to incentivize compliance rather than for punitive goals in order to reduce the need for enforcement. The Commissioner is also able to supplement additional rules and regulations. Judicial review will be an option for appeal to those who lose their permit.

Discussion, Questions, Answers, and other Comments:

The Committee members and other Councilors spoke in favor of removing the burden of penalty from the individual leaf blower operators and shifting more liability to the landscaping companies. Some were also in favor of expanding the liability to the homeowner, saying it would help push a community-wide cycle of compliance.

C: The Committee should also consider a total phaseout of gasoline leaf blowers.

C: There is a correlation with many improperly or unmarked landscaping trucks as repeat offenders of the leaf blower ordinance. Often, they have outdated equipment as well.

A: Commercial landscaping trucks are already required to be clearly marked by the state.

C: This is a perfect time to remove the police department from leaf blower enforcement and alternatives such as ISD should be explored.

A: The Police Department are co-enforcers as they operate outside of the normal business hours ISD does and even during the day, they are still able to respond quicker than ISD can. ISD is better suited to responding to stationary noise sources and building permit issues.

Q: In the proposed revisions, does 'operator' refer to the individual or the company?

A: the current ordinance refers only to the individual using the leaf blower. The proposed language expands the main liability to the contractor or landscaper company. This is to make the company liable and push them to educate their employees on the issue and to provide the employees with the proper equipment. The language also pertains to the user if the user is an independent operator.

Q: Could the Clerk's Office be involved in the leaf blower permit process at all as other permits go through the Clerk's Office?

A: This will need to be explored.

Q: What is the rationale for penalizing the property owner as well?

A: It is designed for anybody operating a leaf blower. The reason is that once the homeowner realizes that homeowners can be held responsible, homeowners will seek to comply and ensure that they only hire landscapers who comply with the ordinance. On a large apartment building this responsibility would fall on the landlord/property manager. Part of the rationale is also that catching the violator is not enough and the property owner needs to be included to make the ordinance more effective.

Q: Won't the actual leaf blowers have to be brought in and inspected? If truck decals are given out without this step, then couldn't an operator get a decal for a truck filled with noncompliant leaf blowers?

A: We spoke about inspecting some devices. But based on Brookline's advice, commercial companies will be put on record that they understand, and in case of complaints it can be seen that they are violating their agreement. The ordinance already requires leaf blowers to be properly labeled for their noise level.

C: There are concerns over enforcement that the police aren't doing enough, and registration is a key component that should be done to help this. Have these proposed changes been reviewed by the police, mayor's office, and ISD?

A: This language has not yet been sent to these offices as first it was going to be reviewed by the Committee.

Q: Who gets fined and how much?

A: Currently, there is a graduated fine structure in place. The proposal is to make it a \$300 fine from the start for operating leaf blowers without a permit. Other leaf blower violations remain as the graduated fee structure.

Q: Are leaf blower operators working for the City under the same restrictions?

A: The ordinance has an exception for Parks, Recreation and Culture employees cleaning up in village centers to operate beginning at an earlier time. Their leaf blowers must still follow the noise level restrictions.

Q: If somebody is issued a ticket by mail, should there be a window in case mail delays cause them to not get the first ticket before a second ticket. This situation can arise when a homeowner is on vacation for example.

A: Typically, tickets are handed to an individual, if the homeowner is not home it is also attached to their house somehow. Enforcers would need to be mindful of this. If multiple offenses occur within the time of a homeowner being away, subsequent tickets after the first could likely be overturned via appeal.

The Chair said that the Committee should identify which areas of proposal are under general agreement and which still require further discussion. He said that holding this item will allow for further feedback from the proper administrative departments. This could allow the Committee to vote out the appropriate components at a future meeting.

The final report on this section will be added on Monday, September 21.

Councilor Baker moved Hold which carried 8-0.

The meeting adjourned at 10:21PM.

Respectfully Submitted,

Josh Krintzman, Chair

TOPICAL

Top 5 atrocities committed by Christopher Columbus

Oct 9, 2019

It's difficult to think of a more perverse hero than Christopher Columbus, the Italian who led Europe's first landing party in the Americas.

From rape, to pillage, to flat-out murder, Columbus and his men were the first Europeans to commit horrendous atrocities against America's indigenous people.

The following list describes a sampling of reasons why Columbus was an awful person, with information drawn from Howard Zinn's "A People's History of the United States."

'We could subjugate them all'



In his journal, Columbus didn't mince words about his intentions after meeting the Arawak natives in the Bahamas in 1492. He described the encounter thusly: "They ... brought us parrots and balls of cotton and spears and many other things ... They willingly traded everything they owned ... They were well-built, with good bodies and handsome features They do not bear arms, and do not know them, for I showed them a sword, they took it by the edge and cut themselves out of

ignorance. They have no iron. Their spears are made of cane. ... They would make fine servants. ... With fifty men we could subjugate them all and make them do whatever we want." Columbus would add: "As soon as I arrived in the Indies, on the first Island which I found, I took some of the natives by force in order that they might learn and might give me information of whatever there is in these parts."

Associated Press file

Slavery and gold



Columbus had two goals in the Caribbean: to find gold and slaves. Columbus returned home to Spain and came back to the Caribbean with 17 ships and 1,200 men. His men traveled from island to island, taking Indians as captives. In 1495, in a large slave raid, Columbus and his men rounded up 1,500 Arawak men, women, and children, and put them in pens. They selected what they considered the best natives and loaded them onto ships back to Spain. Two hundred died en route. After the survivors were sold as slaves in Spain, Columbus later wrote: "Let us in the name of the Holy Trinity go on sending all the slaves that can be sold."

Associated Press file

Blood for gold



But slaves weren't enough for Columbus or the Spanish monarchy. Columbus needed to bring back gold. Columbus and his crew believed there were gold fields in the province of Cicao on Haiti. He and his men ordered all natives 14 years or older to collect a certain amount of gold every three months. Natives who didn't collect enough gold had their hands cut off. But it was an impossible task. There was virtually no gold around; only a little dust in streams. Many natives fled and were consequently hunted down and killed by the Spaniards.

Associated Press file

Cruelty

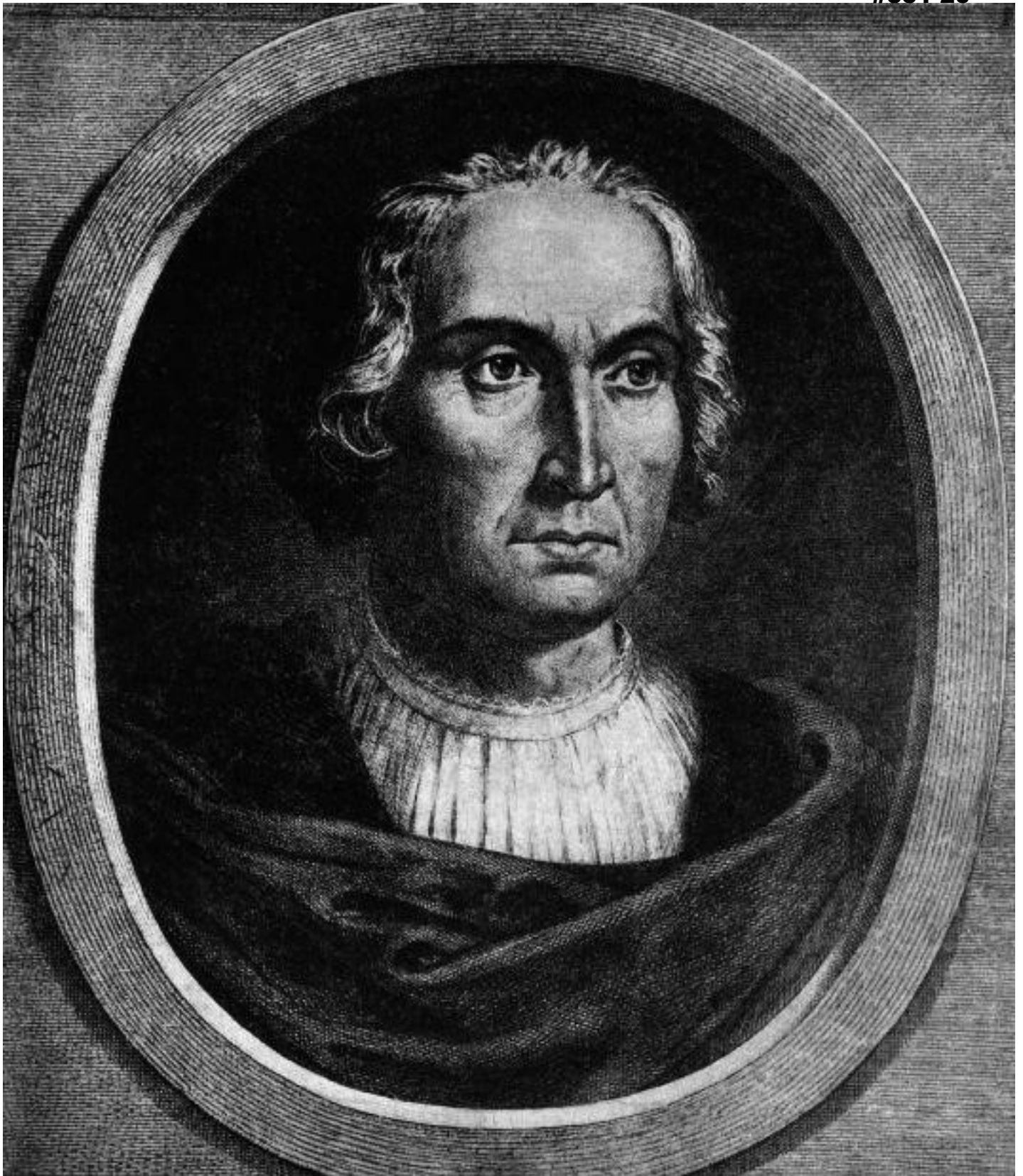


If captivity and death weren't enough, Columbus and his men had a particular reputation for cruelty. Bartolome de las Casas, a young priest who participated in the conquest of Cuba and wrote a history of the Indies, describes the treatment of the natives: "Endless testimonies ... prove the mild and pacific temperament of the natives. ... But our work was to exasperate, ravage, kill, mangle and destroy; small wonder, then, if they tried to kill one of us now and then.... The admiral, it is true, was blind as those who came after him, and he was so anxious to please the King that he committed irreparable crimes against the Indians ..." Las Casas describes how Spaniards rode on the backs of natives. How the Spaniards "thought nothing of knifing Indians by tens and twenties and of cutting

slices off them to test the sharpness of their blades." Las Casas adds "two of these so-called Christians met two Indian boys one day, each carrying a parrot; they took the parrots and for fun beheaded the boys."

Associated Press file

Mass genocide



Facing extermination, the Arawaks organized and attempted to fight back against the Spaniards. But they were little match against the armor, muskets, swords and horses of the Europeans. The Spaniards hung or burned Indians that they took captive. By this point, the Arawaks began committing mass suicides. They fed cassava poison to their infants to save them from the Spanish. In two years, half of the 250,000 Indians on Haiti were dead, either through murder, mutilation or suicide. By 1550, there were 500 Indians. By 1650, the Arawaks had been wiped out from the island.

Associated Press file

Thief, Slave Trader, Murderer: Christopher Columbus and Caribbean Population Decline

Author(s): Tink Tinker and Mark Freeland

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REFERENCES

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JSTOR

Thief, Slave Trader, Murderer: Christopher Columbus and Caribbean Population Decline

Tink Tinker and Mark Freeland

Is Christopher Columbus guilty of genocide?¹ Of murder? On the date of the columbian quincentenary in 1992, marking the five-hundredth anniversary of the misadventure of Columbus (Cristóbal Colón), some 20,000 italian people took to the streets in Genoa, Italy, in protest.² While the italian event was largely ignored in the United States, there was enough protest of the quincentenary among American Indians and their allies of all races that any celebration of the event was significantly muted in the United States, where the largest protest saw a cohort of 3,000 protesters in Denver, Colorado. The official observance of this day began here a hundred years ago and was the first state to proclaim a columbus day holiday. After several years of negotiating unsuccessfully with columbus day parade organizers to try and change the tenor of their parade, citizens took to the streets in Denver and succeeded in stopping what was originally scheduled as a massive celebration of the 1492 european invasion of the Americas.³ The Denver protest continues again this year as parade organizers have hardened their insistence of celebrating the columbian event as a triumphant act of free speech—compounded by the reality of state, national, and implicit city of Denver support. For their part, those who have protested continue to insist that any celebration of Columbus and his deeds is in fact a celebration of the genocide of native peoples in the Americas. The continuing debate in the local and national press in the United States is whether, indeed, Columbus's act of "discovery" constitutes a

genocidal act at all. This essay seeks to take away the flimsy excuses for the continued celebration of a violent historical figure, empire, and genocide. We will present the facts of the case as bluntly as possible in the interests of promoting some genuine dialogue and healing between contemporary White Americans and the descendents of the original owners of this land.

To this end, we must examine the evidences for the decline in indigenous population of the island of Española under the eight-year governorship of Columbus and to demonstrate his immediate responsibility for that precipitous decline. The essay will then move to argue that much of north american history since Columbus consists of events that are firmly based on a narrative created in the public consciousness about Columbus (which begins with Columbus's conquest) and the ensuing narrative (cultural and legal) developed by american jurists, historians, politicians, movie makers, and the general public to justify their own conquest and genocide of indigenous populations. Part of this american national narrative, of course, is a loosely conceived denial of its own history of violence, which is repeated each year to promote the idea of american exceptionalism at the cost of the truth of the American Indian genocide.

That Columbus, or Cristóbal Colón (to give him his proper spanish name), was a slave trader is a matter of historical fact. He cut his nautical teeth sailing under a portugese flag engaged in the african slave trade a dozen years before 1492. When easy wealth in the form of gold proved not readily available in the Caribbean, Colón resumed his slave-trading occupation by loading the holds of his ships with Indian human cargo headed for the slave market in Seville. That he was a thief is equally self-evident, however a high-level thief he may have been. The law of tribute that he instituted in the island he called Española sometime in 1495 forced Indian people on the island to surrender goods, including gold ore, can only be classed as armed robbery. And we will argue in this essay that Colón was indeed a murderer, culpable for those crimes against humanity as the head of an authoritarian regime just as readily as Adolph Hitler is held accountable for the murder of some six million Romas (the so-called Gypsies), Jews, and gays in Nazi Germany. We know that Colón's law of tribute effectively resulted in the murder of Taino persons who failed to procure sufficient gold for the admiral and his monarchs. Actually, the mandated punishment was the severing of the hands of the person who so failed, a punishment that must have, given the state of medical technology, resulted in death from excessive bleeding. But what exactly was the full extent of Colón's crimes against humanity? That is the subject we address here.

What was the initial population of Española prior to Colón's arrival? We know that the aboriginal population of Taino peoples was entirely gone by about 1540. We have fixed population figures demon-

strating a steady decline in population for the period of Spanish rule immediately following Colón's rule. And we have an estimate of half a million people for that moment in 1500 when the monarchs sent Bobadilla to abruptly end Colón's tropical adventure, hauling the admiral off in chains back to Spain.⁴ But where did things begin for the Tainos? How many of them were there in early October of 1492? Or to ask the question in another way, how many people did Colón kill in order to secure his own power and wealth? Did he kill a mere few hundred thousand people? Or was it closer to a few *million* human beings?

In what remains a stunning piece of critical analysis and research, Sherburne Cook and Woodrow Borah demonstrate the sound historical plausibility of a count of eight million people for the island prior to Colón's arrival,⁵ meaning that Colón presided over the deaths of some seven and a half million people. This, however, is not the only estimate offered by contemporary scholars; indeed, it is the highest estimate. As William Denevan has noted, the population estimates for the island of Española vary more widely than for any other region in the Americas.⁶ Yet the low estimate of one hundred thousand by Ángel Rosenblat is a supposition from an older scholar (a philologist, and not a historian or geographer at all) who was schooled in the minimalist tradition of Alfred Kroeber,⁷ a supposition that fails to take seriously the breadth of the textual evidences of early Spanish recorders. Kroeber, it will be remembered, argued a scandalously low pre-Columbian population estimate of 8.4 million for the whole of the Americas and less than one million for North America.⁸ Yet, even as Kroeber offered his outrageously low estimates, it was his own colleagues at the University of California Berkeley, under the influence of Carl Sauer's groundbreaking research, who devised much more precise research methodologies for estimating populations of historically distant, pre-colonial American contexts.⁹ Kroeber's own estimates were soundly repudiated by research predicated on these more precise methodologies and replaced by figures that still astound today, some sixty years later. While Woodrow Borah and Sherburne Cook do not attempt a methodological hemispheric estimate (although Borah did offer an "intuitive" guess of "up to one hundred million"), they matched Kroeber's estimate for the whole of the Americas in their estimate for the single island of Española.¹⁰

Among other methodologies developed by the Sauer school has been the determination of the "carrying capacity" of any given territory. Given the ecology of the territory and the available technologies of the native inhabitants, how many humans could the land have sustained in a given measurement of land? Even this becomes contested in the case of Española. Yet it must be remembered that the geography of the Caribbean islands has been changed almost as significantly by five hundred years of conquest as was the aboriginal population. Already under the governorship of Colón, the island of Española was

environmentally devastated (initially through some deforestation and soil erosion),¹¹ and today the land survives in a state of severe deforestation and with severe topsoil erosion. Most of the islands were intentionally deforested of whatever native tree vegetation still remained during eighteenth and nineteenth century development schemes in attempts to convert the islands to commercial sugar cane and cotton plantations.¹² Thus, any attempt to estimate aboriginal populations has to take this fact into account. Needless to say, the aboriginal geography of the islands would have sustained much larger populations than could be projected based on their current condition.

The low-counters initially began their studies with the explicit assumption that the earliest eyewitness accounts of the Caribbean Islands were too biased and could not be trusted. Thus they turned to later documents that give estimates for that later historical moment to support their low counts. Thus, they were relying on documents dating to a later time when documents were more readily preserved by the Spanish; but these are documents that in some cases date to more than twenty years after first contact and give estimates for the surviving natives at that time. If one assumes that there had been little change during the first twenty years, this would successfully skew numbers significantly in favor of a low count.¹³ Upon minimal reflection, however, this is a patently deceitful, intentionally corrupt methodology, a blatantly self-serving colonialist apology. Fortunately, for the sake of truth, it has now been replaced with much more precise methodologies for tabulating indigenous population estimates for the western hemisphere.

What documents do we have available today? Most of the original information that we have of the early years on Española comes from three people: Peter Martyr, Fernandez de Oviedo y Valdes, and Bartolomé de Las Casas. Peter Martyr never traveled to the Caribbean but conducted incessant interviews of numerous people on their return over more than three decades. He compiled an account of these interviews into book form and published the first version of his *Three Decades* in 1516.¹⁴ Oviedo, on the other hand, did travel to Española, but during a late time of advanced decline in native life in 1514, after colonial occupancy had become more entrenched, and he remained only briefly. While this will have colored his experience of indigenous life, his writings on Española still merit our careful consideration. He was the first official Spanish historian for *las Indias* and his Caribbean trip generated his major work, *Historia Natural y General de las Indias*, in 1535.¹⁵

By far the most extensive and reliable information, the earliest and most intensive eyewitness, is Las Casas. He arrived in Española in 1502 and originally participated fully in the Spanish colonial project of conquest and domination. While Española, it might be argued, was already in advanced decline, Las Casas saw Cuba at its aboriginal prime as he participated in the invasion and conquest of that island.

Not only are his ethnographic observations extraordinarily extensive, demonstrating a great depth of exposure to and experience with native peoples, but the reliability of his demographic estimates must be taken quite seriously. Unlike any other scholar of his day, Las Casas had access to detailed accounts from his family and from Colón since both his father and three uncles joined Colón in his second invasion in 1493.¹⁶ In addition to his first-hand observations and the family knowledge he possessed, Las Casas also kept a considerable archive of original documents and copies of documents, which enabled him to give detailed descriptions of the Spanish conquest. As a careful Thomistic/Dominican scholar, Las Casas demonstrates a consistent critical precision in the hundreds of pages of text he wrote about aboriginal people in the Americas and their conquest by Spain. With regard to his sources, for instance, he regularly notes whether he offers a direct quote or merely a paraphrase.¹⁷ With all of these factors demonstrating Las Casas's reliability, one can only wonder why his modern detractors continue to insist on interpreting Las Casas as a hyperbolizing propagandist for the Indian cause in the Caribbean rather than a dedicated Christian conscience committed to exposing the truth of Spanish colonial conquest. While we must engage in the same critical interpretation of Las Casas and his demographic estimates that we would of anyone, it is surely reckless scholarship to dismiss him as merely an exaggeration of the fact. One cannot discard his numbers just because his telling of the history makes the colonizer look bad.

Las Casas is our very best source and has done posterity a great service in recording this history. While the demographic numbers still need to be analyzed and argued coherently before finalizing any estimate, his suggestion of three to four million for Española gives us a place to begin and a benchmark against which to test other methodological approaches. There is a significant level of irony in that many of the colonial apologists (the low counters) who continue to discount the genocide that happened in the Americas call scholars who argue for a high aboriginal population or who name the colonial violence perpetrated by Europeans as "revisionists" or "high counters," when the reality is that the Holocaust deniers of such horrific crimes are those who have revised the truth of history.

Determining where to start when trying to project back an aboriginal demography can be difficult. This inquiry has become more difficult since, beginning with Sauer, Euro-western epidemic disease has been identified as the largest single contributor to the demise of the indigenous populations of the Americas. Indeed many of these diseases were spread to indigenous peoples throughout the islands and the continents even before there was person-to-person contact between the two hemispheres.¹⁸ It is likely in many contexts on the continent that aboriginal communities may have seen losses of up to seventy-five to

ninety-five percent due to epidemic diseases before the european invaders got around to documenting native population numbers. To claim any accuracy in our estimate, then, we must deal with what Woodrow Borah calls the "proto-historic period,"¹⁹ a time during which euro-western diseases affected aboriginal peoples before their actual encounter with the euro-western invasion. While Borah's method must be adjusted significantly for the island of Española, there is some similarity in that the documentary evidence is relatively minimal for the time during which Cristóbal Colón governed the island (1492–1500).²⁰ Yet, as Cook and Borah have demonstrated, we can look at the documentation that does exist, compare that with the documents that date to the period just following Colón's rule, and propose a more accurate estimate of the indigenous population of Española prior to Columbian landfall.

We begin with information that is preserved in Colón's own journals of the first voyage. He states in no fewer than ten journal entries that Española and other islands are "densely populated" or that the land is "extensively cultivated." These are, of course, just impressions and do not constitute a specific number. However, other independent sources on early voyages concur that the island was "as thickly settled as Seville" or that the indigenous people were "infinite in number."²¹ Suffice to say that all of the earliest documentary evidence states unambiguously that the impression of these early invaders was that the islands, and Española in particular, had a large population of Indians.²²

The question is how large was it? Since there is no surviving count by the indigenous peoples themselves, we have to rely entirely on evidence from spanish documents such as census counts or informed estimates from the earliest spanish witnesses. Even here, however, the evidence from different time periods in the conquest results in different estimates. We have to begin, then, by establishing a firm starting point, a point where the data is accessible and from which we can reckon back in time to 1492. Typically, contemporary colonialist "low counters" have preferred to totally discount all historical accounts of the (incomplete) 1496 census (or *repartimiento*) and to begin with estimates dating from as late as 1514 or after, which allows for considerable latitude in working back through the prior twenty-two years of violence, cultural dislocation, and numerous epidemic episodes. This serves the useful purpose of making their low estimates seem all the more probable, since the 1514 *repartimiento* counted just over 22,000 people.²³

Our argument here is that there is no reasonable excuse for summarily discarding the results reported in early documents for a census conducted in 1496. The numbers are reported by a variety of different sources, including Las Casas and Fernando Colón in his biography of his father. This census should be the starting point for any estimate of the precolumbian population, rather than some later figure representing the surviving few native peoples nearly twenty years after the

fact. According to all reports from that time, the 1496 census counted 1.13 million people inhabiting that half of the island controlled by Colón and his Spanish army with their horses and vicious attack dogs.²⁴ In his significant study of the early colonial leadership and their surviving documents, Carl Sauer established that this census (*repartimiento*) was conducted in mid-1496 by Bartolomé Colón, Cristóbal's brother, for the express purpose of accounting for tax collection in the form of the infamous tribute.²⁵ Interpreting the census, however, is quite complex, involving an estimate of the size of the territory and particularly identifying who was included in the count.

As we have already stated, the early eyewitness accounts all agree that the island was densely populated. As to specific numbers, there is a great variety of early estimates and census figures that give a distinct sense of the population of Española and its dramatic decline at different times during the early conquest. By 1500 a Spanish bishop, named Fonseca, estimated that some 500,000 native people were surviving on the island.²⁶ And as we have already noted, a Spanish census in 1514 reported only 22,000 surviving Indians. The estimates for the earlier period are considerably higher, indicating a significant killing of native peoples at a dramatic and precipitous rate. The Dominicans, who arrived in 1510, estimated the original population to have been around two million, but their estimate seems to have been predicated explicitly on the 1496 census, having presumed it to be the aboriginal number. Thus, we need to turn to that figure.

Our best and earliest clue comes from Las Casas, who describes Colón's institution of the tribute taxation system on the indigenous people, requiring each person to fill a little bell with gold, or to provide other textile and agricultural products. This tribute, he says, was imposed on all those fourteen years of age and older, including both men and women. It is precisely these coerced wealth producers, the tribute-paying bodies, whom the census would have counted.²⁷ Children younger than fourteen, the old, the political leaders of a village (*caciques*) who were in charge of enforcing the tribute, and all those who were already enslaved by the Spaniards into direct labor services were not included in the count. Thus our 1.13 million figure is an incomplete starting point and must be adjusted first of all by adding the uncounted.

Low counters wrongly criticize the reliability of this census. They mistakenly argue that Colón and the colonial administration would be biased in trying to impress the royal court back in Spain with a higher number. Yet the count was also a promise for payment of a royal share of the tribute collected, meaning that an overestimate would have proven economically fatal to Colón and his administration. Moreover, as Cook and Borah note, a count of this magnitude completed in such a relatively short period of time must have made extensive use of the tributary *caciques* and their knowledge of their own villages and their populations.

Yet the *caciques* had their own self-interest to protect. While Colón would have wanted to maximize the tribute population from which he actually collected or expected to collect tribute (his work force), the *caciques* would just as readily have wanted to deflate the number in order to conceal as many of their people as possible. This would allow them to continue with the village's own farming labor needs unhindered by the need to collect gold to pay the tribute. The two biases would at least balance each other out, argue Cook and Borah, so that our figure of 1.13 million can be seen as a midpoint and not at all inflated. Indeed, since the count must have relied on direct cooperation of the *caciques*, it must have been a low count, if anything. The *caciques* seem to have had considerable power in deciding how many people were counted.

Secondly, since this *repartimiento* only includes one-half of the island at best and only people above the age of fourteen, we need to make several adjustments in order to arrive at an accurate estimate for the entire precontact population of the island. To make this adjustment, Cook and Borah began by simply doubling the number (a practice initiated by the Dominicans in the early 1500s) from 1.13 million to 2.26 million to account for the whole of the island. Then they used the midpoint number of forty percent to represent the children and the aged who could not work and could not be expected to make tribute.²⁸ Since approximately sixty percent of the population for one-half of the island was represented in the *repartimiento* of 1496, then the actual population of the entire island, they argue, can be estimated at 3.77 million people. Cook and Borah emphasize that this number represents a midpoint,²⁹ but their thorough analysis provides us a very credible base number for computing back from 1496 to estimate the 1492 pre-invasion population of the island they named Española.

To extrapolate back to 1492, Cook and Borah used a system of mathematical logarithms based on their seminal work in Central Mexico to estimate the precontact population there. By graphing the known population estimates from 1496 to 1570 they were able to use this depopulation curve to arrive at their stunning but entirely plausible population estimate of 7,975,000 for Española in 1492. Again, this is a midpoint estimate.³⁰ It is important to note here that throughout modern european/colonial history Las Casas's estimate of three to four million indigenous peoples had been discounted as merely a biased guess by someone intent on proving the spanish violence. Cook and Borah demonstrate that his estimate was at the low end of the historical probability.

There is documentary evidence that shows by 1496 the natives were dying at such high rates that the colonial administration was having difficulty finding enough people to work their mines and fields.³¹ This early population decline may have been the occasion for the 1496 census. We know that in 1494, within four or five days of beginning to

establish Isabella as a city, one-third of the spaniards fell ill, resulting in transmission of the disease (possibly swine influenza) to the indigenous people who were providing food for them and the spread of the disease throughout the island.³² It is important to remember that Las Casas was a family friend of Colón, and that Colón's son Ferdinand also had a vested interest in painting a rosy picture of Española to protect his own inheritance of his father's governorship and tribute system. Both Las Casas and Ferdinand Colón agreed that the indigenous population was reduced by two-thirds between 1494, the first return of ships from Colón's second invasion, to 1496 when the *repartimiento* was done.³³ While neither one of them was physically on the island at the time, they both had family there as eyewitnesses, and there could also have been common documents available at the time used by each of them. Using that estimate of two-thirds dead and the 3.77 million figure from the 1496 *repartimiento* would put the aboriginal population at approximately 11.3 million for the island. Carl Sauer goes on to discount this estimate of two-thirds as "excessive" because the island was only partially occupied. Yet, the probability of disease transmission among the indigenous people was high due to a dense population and extensive trade and communication networks and would make the estimates by Las Casas and Ferdinand Colón seem credible.³⁴ This historical estimate continues to demonstrate the eight million estimate by Cook and Borah as a very credible midpoint figure.

Given the documentary evidence, we need yet to demonstrate the biospheric ecological possibility for such a high number. Namely, could the island have produced enough food to support such a large population? Unfortunately, there has been so much environmental destruction on the island from the introduction of european domestic species and farming techniques, especially from the plantation cotton and sugar cane industries of the eighteenth and nineteenth centuries, that it is no longer possible to quantify the carrying capacity of the island on the basis of the ecological environment that exists today.³⁵ In the case

Table 1. Postinvasion Population Decline of Tainos on the Island of Española

<i>Year</i>	<i>Population</i>
1492	7,975,000
1496	3,770,000
1500	500,000
1507	60,000
1514	22,000 or 27,800
1531	600
1542	200

of Española and the other islands, given the ecological devastation of european occupation, we have to rely on historical analyses of what we can glean about the indigenous economies, including early accounts of their system of agriculture, built around planting in erosion-resistant dirt mounds (called *conucos*) to supplement the earliest eyewitness accounts of precontact population.

As stated previously, the estimate of eight million gives a population density of 105 people per square kilometer. This is twice the population density that Cook and Borah established for Central Mexico, but as we will see, the island of Española had a literal cornucopia of food available. From Colón we hear very little about the specifics of food production; he spent far too much time focused on the potential for economic exploitation related to the theft of gold ore to comment at any depth on the surrounding agricultural lands. It is also said that since these european invaders came from an over-farmed, over-grazed, and over-exploited landscape that had long been void of much natural habitat, they lacked the vocabulary for or the interest in describing the tropical agricultural paradise they had stumbled upon.³⁶

Las Casas again gives us a better view of the island and its potential carrying capacity, not because he is obstreperously taking the indigenous view over his own government, but because he can be seen as a credible witness, having been a commercial grower on Española early in his residency. Las Casas comments, "The fields they had were in mounds [*conucos*] of earth which are not readily removed by water or wind: in all the island you will not find a corner without such mounds, in clear evidence of its former tillage and or an innumerable population."³⁷ Their method of "companion planting" of different crops on any one *conuco* provided a complex combination of foods for the native population while at the same time maintaining soil nutrients. The staple crop was the cassava, a root crop that was processed to make bread with remarkable storage capacities in the tropical environment. Along with the cassava was planted sweet potato, various squashes, beans, maize, and probably a host of other food plants, all combining in the diet to provide for a balanced human-sustaining protein. On the mainland maize was the staple crop, but on an island that dealt with hurricanes, the root crop was the best choice for both resisting the potential erosion from drenching rains and from the possible wind damage. As in other areas of the hemisphere, this companion planting system has proven to be a superior system. The beans provide nitrogen for the rest of the plants, the squash provides ground coverings to keep the soil shaded and moist, and the cassava helped to provide minerals and potash.³⁸ Companion planting also helps reduce insect and disease infestations by keeping a diversity of advantageous insects and birds and other animals that prey on problematic insects. This type of planting system resists erosion so it could have very well been planted almost anywhere on the island, in-

cluding steep hillsides. The year-round growing season also helped the island's inhabitants by allowing for continual planting and harvest. The climate was well suited to this type of agricultural system, and even in the southwest portions of the island, which did not receive as much rainfall, the people established and maintained significant irrigation systems.³⁹ We know from archeological evidences that Tainos peoples ate fish, and european descriptions all along the Atlantic coastline have described the fish as so plentiful that one could walk across a river on them. Fresh and saltwater resources provided an almost limitless supply of fish and other food resources. There is no place on the island that is more than a hundred miles from the ocean, so the entire population of the island would have had access to this plentiful resource. Suffice to say, in combination with their innovative agricultural system, it is indeed highly probable that the island could sustain a population of eight million people without undue stress on the environment.

There are clear archaeological evidences for Taino hunting and fishing, even though we have little documentary information since almost all of the estimated eight million inhabitants of the island were dead by 1540 and were in precipitous decline even at the beginning of the century only eight years after Colón's first invasion.⁴⁰ Moreover, we can extrapolate from Dobyns's fine descriptions of indigenous *Timucuan* technologies for fishing and harvesting other foods from the sea in Florida.⁴¹ Because of widespread trade (based on large, seagoing canoes), it is likely that the people of Española also shared similar hunting and fishing technologies. They used complex fish traps and ate water mammals, a wide variety of clams, mollusks, and oysters, and also hunted manatees among other large water species. They also lived along a major migratory bird flyway where millions of ducks, geese, and other large birds would at least temporarily reside. We also know from Colón's own journals that he measured one of the Taino canoes, which was ninety-six feet long and six feet wide, showing their considerable seagoing prowess.⁴² There were also a variety of other land creatures like iguanas, turtles, large rodents, snakes, and a whole host of waterfowl and other birds that would have been hunted and eaten.⁴³ Indeed, the carrying capacity for the island was very large, larger, as Cook and Borah demonstrate, than for central Mexico, or indeed for anywhere in Europe in the late fifteenth century.

So, using the best available documentary information and methodologies, the evidence seems to support Cook and Borah's estimate of some eight million Taino residents on the island of Española in 1492. To estimate the number of indigenous people who were killed under the governorship of Colón, we just need some simple arithmetic. If Fonseca's count of five hundred thousand dates, as seems probable, to the arrival of Bobadilla in Española in 1500, the number would fit rather precisely into Cook and Borah's extrapolation curve dating back to the

precontact population estimate.⁴⁴ Subtracting these two estimates puts the total deaths of the indigenous people of Española at seven and a half million people under the direct regime of Cristóbal Colón. With the destruction of the indigenous workforce that was supposed to be bringing in gold and other commodities, it is no wonder that he and his two brothers were immediately removed from power upon the arrival of Bobadilla in 1500 and placed in chains.⁴⁵ Seven and a half million human beings were subjected to murder, torture, oppression, slavery, and cultural dislocation, all of which exacerbated the continual onslaught of the diseases brought with the european invaders. Seven and a half million human beings were the collateral damage of the economic expansion of the castilian empire. Seven and a half million human beings were the price paid for the colonial expansion into the newly "discovered" hemisphere. Every October in America, the death of seven and a half million people is marked with a "celebration," a day off of work, and quite possibly a parade.

We need to remember that Colón's so-called "second voyage," albeit innocuous sounding language, was in actuality an all-out invasion of the islands and particularly of Española. Equipped for the military adventure by the spanish monarchs, Colón sailed on October 7, 1493, with seventeen ships fully armed with more than a thousand men. Remember his boast that he could subdue the island with only fifty armed men. His contingent included soldiers, a unit of cavalry lancers (including horses), adventurers like Michele Cuneo⁴⁶ out to further enrich themselves, and vicious attack dogs. The latter, the infamous european "dogs of war," are what Wade Frazier appropriately calls "man-eating dogs."⁴⁷ And it should be noted, further identifying the invasion as a war party, Colón included no women in his number. There would not be need in any event, since his army would be free to rape Indian women as they pleased. It was this invasion that initiated this vicious and murderous cycle of conquest, murder, thievery, and enslavement.

The rationale given for the American Indian holocaust, even by many scholars, is that most of the killing was done by germs, not by people. While this certainly may be numerically true, that more people died directly of disease than did from the sword or gun, one cannot excuse genocide because some of the cause was indirect. Indeed, the reduced physical and emotional resistance to disease due the conditions of slavery imposed on them was part of the indigenous experience of the genocide of conquest. There was no encounter in this hemisphere where the europeans simply traded with the indigenous people on equal terms without invasion, war, conquest, grand theft of land and labor, and the resulting cultural dislocation accompanied by forced conversion to the colonizer's religion. Had that been the nature of the encounter, there might have been some legitimate claim to innocence. However, everywhere european peoples went, they actively

participated in the violent destruction of the indigenous peoples by both direct killing as well as in that more enduring subjugation characterized as "conversion" to "civilization," a process that ensured cultural, political, and economic destruction. By destroying the culture, the colonizers actively destroyed native lives by denying them their usual access to food, traditional medicines, and cultural/religious ceremonies. The three active agents of disease, war, and cultural destruction, then, all worked simultaneously to generate a most efficient killing machine.

Colón was directly responsible for instituting this cycle of violence, murder, and slavery that resulted in the denial of adequate food, water, medicine, and cultural ceremonies to the Taino people. This cycle of violence, intentionally created to maximize the extraction of wealth from the islands, in combination with the epidemic diseases that were running rampant through the Taino population, together promoted the genocide of the Taino people. Disease alone would not have caused death on this scale if the people were allowed access to their healthy diet, clean water, and traditional medicines. While there certainly have been some deaths from disease, they would not have been on this genocidal scale. Disease, only in combination with this cycle of brutal colonial violence, could produce the death toll that we see on the island of Española. Therefore, at best, the theory that disease did the business of killing and not the invaders can only be seen as a gratuitous colonizer apologetic designed to absolve the guilt of the continued occupation and exploitation of the indigenous people of this continent. However, the truth of the matter is much worse and should be called by its appropriate name: American holocaust denial.

While Colón engaged in explicit acts of murder, particularly in the early war of "pacification" in the spring of 1495 and in instituting the law of tribute later that same year, disease certainly provided further widespread debilitation of the native population, making room for the colonizers' expansion and enabling their usurping of governmental authority. After Colón successfully slaughtered thousands of Tainos during his "pacification" campaign of 1495 and beat them into submission, he first implemented a system of "tribute," whereby Colón commanded every Taino over the age of fourteen to fill a Hawk's bell full of gold every six months. If they failed in this duty they would be severely punished, up to and including having their hands cut off which surely meant bleeding to death. As Las Casas reports it:

Others, and all those that they desired to let live, they would cut off both their hands but leave them hanging by the skin, and they would say to them: "Go, and take these letters," which was to say, carry the news to the people who have hidden themselves in the mountains and the wilderness.⁴⁸

Because of Colón's reckless murder of native peoples, along with the devastation of European diseases introduced to the already weakened Indian population, the tribute system quickly began to break down by 1496 due to a shortage of native labor.⁴⁹ This crisis among the *conquistadores* and Colón's colonial enforcement led to the *repartimiento* (census) of that same year, which gave a specific count of people to hold accountable to fill the Spanish coffers with gold. Yet, more and more people were being worked to death and there were longer timeframes needed to get the amount of gold demanded by the Spanish. This system of slavery where the Spanish forced deathly work demands on the Taino changed only slightly in 1499, when Colón began a new process of giving some of his Spanish henchmen grants of specific tracts of land and the Taino that lived on them.⁵⁰ Whether or not it was yet called *encomienda*, Taino land was stolen and the Spanish thieves then forced them into brutal slavery resulting in genocide. Their task was to use the indigenous people as slave labor to extract natural resources—both mineral and agricultural—to benefit their own wealth and that of Colón and the Spanish crown.⁵¹ This was the policy of the Colón administration starting in 1495 with the tribute system and was eventually used throughout the colonial process in the sixteenth century under the guise of the *encomienda*.⁵²

As the imposition of colonial oppression continued in the form of tribute and slavery, the natives attempted to fight, allowing the colonizers to exercise their finely honed skills of violent warfare, honed over centuries of warring in their native Europe, something never before experienced by these Tainos. Once the natives were beaten into submission, the political and economic disruption continued to weaken both their physical and spiritual bodies by denying proper food and health care, leading to increased susceptibility to diseases that continued to ravage the entire hemisphere for centuries. This cycle of violence (including slavery, disease, and lack of access to traditional sustainable lifeways) became such an efficient killing machine that it reduced the entire indigenous population in most of the Americas by up to ninety-nine percent. Indeed, the residual effects of this cycle of violence continue to be felt by native peoples throughout the American hemisphere. In the United States, for instance, Indian peoples continue to suffer at the lowest end of almost every economic, social, and health indicator.

Some would argue that Colón was simply a man of his times and should not be judged by "modern" standards. One wonders, then, how this Christian man somehow missed reading the baseline morality of Christianity, published nearly three thousand years before his own time. What was it about "thou shalt not kill" or "thou shalt not steal" or "thou shalt not commit adultery" or "thou shalt not covet" that Colón failed to understand? Indeed, in his own times, a number of people rallied against the abject violence used to subject the Taino people to harsh

colonial rule, the thievery called tribute, and slavery. Colón cannot be rescued by such a flimsy argument. Of worthy note is the Dominican Fray Antonio de Montesinos who came to Espanola in 1510, bringing a group of Dominican priests. He and his friars became the first public voices to decry the spanish colonial violence that continued under the rule of Cristóbal's son Diego Colón. In December of 1511, Montesinos delivered a passionate sermon denouncing the atrocities these good catholic people committed against native peoples.⁵³ Preaching on the biblical theme "I am a voice crying in the wilderness," he spoke these prophetic words:

This voice says that you are in mortal sin, that you live and die in it, for the cruelty and tyranny you use in dealing with these innocent people. Tell me, by what right or justice do you keep these Indians in such a cruel and horrible servitude? On what authority have you waged a detestable war against these people, who dwelt quietly and peacefully on their own land? . . . Why do you keep them so oppressed and weary, not giving them enough to eat nor taking care of them in their illness? *For with the excessive work you demand of them they fall ill and die, or rather you kill them with your desire to extract and acquire gold every day.* And what care do you take that they should be instructed in religion? . . . Are these not men? Have they not rational souls? Are you not bound to love them as you love yourselves?⁵⁴ [emphasis added]

It should be noted that as early as 1511, contemporaries of Colón did not allow for the disease apologetic. The Dominicans rightfully charged the castillian aristocracy with the murder of the Taino people. Diego Colón, then governor of the island, was present at this sermon and protested along with the rest of the congregation at the audacity of these Dominicans. News of this event was carried back to Spain by both the colonial authorities and the Dominicans. Returning to Spain, Montesinos reported the atrocities to King Ferdinand, who quickly convened a *junta* to deal with the ongoing tyranny in the colony. The Laws of Burgos (1512–13) were drafted in immediate response to the violence. While these statutes were supposedly implemented the next year, they never seemed to affect spanish rule by excessive force in the colony. In the struggle between the christian idealism of the Dominicans and the materialism of the noble elite both in Spain and in the colonies, the only loser continued to be the indigenous people. In actuality, these new laws had no real impact on the treatment of the Taino of Española or any other indigenous group.

The theologians and jurists who drafted these laws had earlier designed a legal process called the *requerimiento* (1510) as a compromise

to satisfy the crown and the colonists. This was a document that the spaniards were to read to any indigenous population asking them to acquiesce.⁵⁵ In spanish eyes, the problem rested in the legality of the act, not the morality. Morality, as it were, became wholly determined by and a subset of the new rule of law.⁵⁶ With the laws established and the *requerimiento* in place, it was not important if they were actually followed through with; the crown was absolved of any wrongdoing.⁵⁷ Whether or not the Taino could speak or understand spanish or latin, or if they could hear the *requerimiento* at all was of no consequence; Christianity merely helped to give a clear conscience to the crown and did nothing to stop the continued genocide of the indigenous people of the Americas. The conquest continued unabated and the slavery, theft of land, and murder that was established as part of the colonial condition under Cristóbal Colón continued to wreak havoc on the whole of the Americas.

We have already established that Cristóbal Colón was guilty of genocide, but let us press the case a step further. Colón initiated the transatlantic slave trade in Indian bodies and did so for his own monetary gain, just as he initiated the enslavement of Indian people within Española to work for spanish *encomenderos*. Portugal was involved in the African slave trade throughout the fifteenth century, and from his own diaries we know that Colón participated in these African ventures, sailing under a portugese flag. Needless to say, the man was involved in slave trading long before his invasion of the western hemisphere. We also know that he was responsible for kidnapping at least six Indian people and taking them back on his first return voyage.

By the end of a year and a half of ruthless rule, Colón returned to Spain leaving his brother Bartolomé to rule the conquered and demoralized natives. Not having found the abundance of gold for which he lusted, Colón initiated his first american commercial slave trade, kidnapping 550 people for eventual auction in Seville. Michele de Cuneo, an italian nobleman/adventurer and one of Colón's cohorts on this innocuously named "second voyage," gives us the brutal facts. After rounding up sixteen hundred Indian people, they hand-picked the "best" and kidnapped them onto their boats, 550 of them on February 17th, 1495. The remainder, says Cuneo, were doled out to the spanish colonists.⁵⁸

When our caravels in which I wished to go home had to leave for Spain, we gathered together in our settlement 1600 people male and female of those Indians, of whom, among the best males and females, we embarked on our caravels on 17 February 1495, 550 souls. Of the rest who were left the announcement went around that whoever wanted them could take as many as he pleased; and this was done. And when everybody had been supplied, there

were some 400 of them left to whom permission was granted to go wherever they wanted. Among them were many women who had infants at the breast. They, in order the better to escape us, since they were afraid we would turn to catch them again, left their infants anywhere on the ground and started to flee like desperate people. . . .⁵⁹

And by 1496 Colón wrote to the spanish monarchs:

In the name of the Holy Trinity, we can send from here all the slaves and brazil-wood which could be sold. . . . In Castille, Portugal, Aragon, . . . and the Canary Islands they need many slaves, and I do not think they get enough from Guinea. [He viewed the Indian death rate optimistically.] Although they die now, they will not always die. The Negroes and Canary Islanders died at first.⁶⁰

The evidence is quite clear and incontrovertible. Colón/Columbus, the all-american hero, was indeed a slave trader of the most brutal and sadistic type.

So should this man be celebrated with a national holiday, as an american hero? The American Indian Movement of Colorado, along with other indigenous peoples' movements around the Americas,⁶¹ has clearly identified Cristóbal Colón as a murderer, thief, and slave trader. Indeed, the plain facts of the case are so counterintuitive for most White americans that the press persistently insists that Indians "allege" this to be so, a simple lie persistently perpetuated by journalists. When the historical information is finally brought to light, the charge can no longer be merely alleged. From the beginning of his mercenary adventure, Colón engaged in the reckless murder of aboriginal inhabitants of the land he invaded and then continued to create mechanisms of punishment and enslavement that can only be classified as murder.⁶² From the beginning, he and his mercenary army of marauders engaged in the systematic theft of land, labor, and the natural resources of the indigenous population. Whether Colón personally stole a peso or two from a native inhabitant or gave the order to steal, he himself is guilty of massive and persistent incidents of grand larceny. And again, that he engaged in the enslavement of human beings and traded their bodies, their labor, and their lives for profit is indisputable fact.

To continue to celebrate Colón as a national hero in the United States by setting a special holiday aside in his honor should be seen as a crime against those native peoples who continue to live on this continent. If columbus day is a celebration of the european colonization of the Americas, it must just as equally be a celebration of the killing of Indian people through that history. The holiday is a devastating

moment for Indian people today, one that discourages and depresses whole communities of Indians. Yet it must also take its toll on other americans, especially White americans. By elevating Colón's barbaric invasion to some heroic level of "discovery," the holiday reinforces the myth of american exceptionalism and perpetuates the persistent denial of the history of White euro-american violence.

So why do some who call themselves scholars continue to perpetuate the myth of Christopher Columbus and what is clearly a patent lie with regard to insisting on a low count of the indigenous population?

There are several factors at work here. First, the reality of high population numbers for this hemisphere associates the indigenous people with a high level of societal complexity. The only way large numbers of people can live together is with more complex social structures, and this flies in the face of the conventional myth that all native peoples were simple hunter-gatherers, who were not really using the land to their benefit. The "simple culture" argument was used throughout the centuries of continued invasion to justify the theft of land; if this myth is exposed, then it questions the legitimacy of euro-western domination in this hemisphere. This depth of questioning is often too much for people to take, and they revert back to denying the large numbers as a defense mechanism for their privileged existence. Another factor at work is a psychological mechanism used to deal with the guilt associated with the death of a large population at the hands of euro-western violence. By simply denying the amount of killing and death, the low counters minimize the euro-western guilt and therefore legitimize the status quo of domination. With the myth of discovery intact, the power structures in place do not have to be challenged.

In one sense it makes little difference whether the actual population of Hispaniola at the time of Colón's landing was eight million or three and a half million (the emerging low-count consensus) or even Rosenblatt's thoroughly discredited count of one hundred thousand. Lowering the murder count on Española to seventy-five thousand as opposed to a total death count of 7.5 million during Colón's reign fails to justify the european invasion and its ensuing genocide or the continuing american celebration of the person directly responsible for the genocide.

That infamous day should certainly not be celebrated by anyone, especially by local, state, and national governments. Let us not fall into the trap of letting the discussions around this travesty of a holiday revolve around the specific number of people killed. This essay was written to shed light on the truth of the matter in an attempt to move the discussion forward and end the celebration of a person who is without a doubt guilty of murder, rape, slavery, genocide, and the theft of land. By positing a more plausible estimate of the population of Española at the time of contact at eight million people, we, along with technical ex-

perts like Sherburne Cook, and W. W. Borah, are simply trying to be honest in the search for truth. There is mounting evidence that the western hemisphere was densely populated prior to the European invasion. As for the indigenous people who protest the continued celebration of Columbus Day throughout this hemisphere, we offer our White relatives the possibility of owning the White history of violence in the Americas, beginning with Colón, of being honestly accountable to aboriginal peoples and our histories. For us to live together respectfully and peacefully, we must tell the truth of history, no matter how violent or bloody that history may be. Only when we own it and listen critically to the stories of our ancestors—both Indian and European—can we honestly begin a positive transformation for all who share this continent today. It is that healing change that we seek when we call for ending the *Columbus Day* holiday and recognizing that it represents an act of state-supported hate speech.

N O T E S

1 Genocide has become a conflictive concept in contemporary literature. The term was originally coined by Raphaël Lemkin to describe the atrocities committed by Nazi Germany during World War II. See Raphaël Lemkin, *Axis Rule in Occupied Europe* (Washington: Carnegie Endowment for International Peace, 1944), 79. In describing this new term, Lemkin states, "Generally speaking, genocide does not necessarily mean the immediate destruction of a nation. It is intended rather to signify a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves." While many people still attempt to absolve Colón and others like him of any guilt in the resulting destruction of their nations and peoples, relying on the flimsy defense that it was not his intention to destroy them, we affirm that his actions in the Caribbean do constitute genocide regardless of what his intentions may have been. This is because his actions did result in the death of some seven-and-half million Taino people in the first eight years of colonial occupation

of Española. That does constitute an "immediate destruction," regardless of his aim. Furthermore, Lemkin addresses the process of genocide to include two phases, "one, destruction of the national pattern of the oppressed group; the other the imposition of the national pattern of the oppressor. This imposition, in turn, may be made upon the oppressed population which is allowed to remain, or upon the territory alone, after removal of the population and the colonization of the area by the oppressor's own nationals." Lemkin, 79. It should also be noted that Lemkin describes the process of genocide in its various forms of political, social, cultural, economic, biological, physical, religious, and moral oppression, all of which Colón participated in. We can no longer give Colón or any other colonial oppressor a free pass when it comes to genocide because of some flimsy argument of alleged intentionality. For analyses of genocide with respect to indigenous peoples, see A. Dirk Moses, ed., *Genocide and Settler Society: Frontier Violence and Stolen Indigenous Children in Australian History* (Oxford, England: Berghahn Books, 2004); David Stannard,

- American Holocaust: Columbus and the Conquest of the New World* (New York: Oxford University Press, 1992); and Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas, 1492 to the Present* (San Francisco, Calif.: City Lights Press, 1995).
- 2 *Rocky Mountain News* (Denver), 12 October 1992.
 - 3 Our use of the lowercase for adjectives such as "english," "christian," "protestant," "catholic," "european," "spanish," and "american" is intentional. While the noun might be capitalized out of some respect, using the lowercase allows us to avoid any unnecessary normalizing or universalizing of the principal institutional political or social quotient of the euro-west. Paradoxically, we insist on capitalizing the *w* in White (adjective or noun) to indicate a clear cultural pattern invested in Whiteness that is all too often overlooked or even denied by american Whites.
 - 4 Kirkpatrick Sale, *The Conquest of Paradise: Christopher Columbus and the Columbian Legacy* (New York: Knopf, 1990), 182.
 - 5 Sherburne F. Cook and Woodrow Borah, *Essays in Population History, volume one, Mexico and the Caribbean* (Berkeley: University of California, 1971).
 - 6 William M. Denevan, ed., *The Native Population of the Americas in 1492* (Madison: University of Wisconsin Press, 1976), 35.
 - 7 Ángel Rosenblat, "The Population of Hispaniola at the Time of Columbus," in Denevan, ed., *The Native Population of the Americas in 1492*, 43–66, a reprint and revision from Rosenblat's *La Población de América en 1492: Viejos y Nuevos Cálculos* (Mexico City: Colegio de México, 1967).
 - 8 A. L. Kroeber, *Cultural and Natural Areas of Native North America* (Berkeley: University of California Press, 1939), 31, 134, 166; cited in Mann, 1491, 94.
 - 9 As Denevan has so ably spelled out, the shift began with Carl Sauer, a colleague of Kroeber's in the geography department. William M. Denevan, "Carl Sauer and Native American Population Size," *The Geographical Review*, 86: 3 (1996): 385+ (online at: www.questia.com). Cook and Borah picked up where Sauer left off and continued a new analytical study of population densities in the ante- and postcolumbian Americas. See Carl Ortwin Sauer, *The Early Spanish Main* (Berkeley: The University of California Press, 1966); Cook and Borah, *Essays, David E. Stannard, American Holocaust*, 261–68.
 - 10 Sherburne F. Cook and Woodrow Borah, *Mexico and the Caribbean*.
 - 11 Sale, *The Conquest of Paradise*, 162–66. Also, Alfred Crosby, *Ecological Imperialism: The Biological Expansion of Europe, 900–1900* (New York: Cambridge University, 1993).
 - 12 Sale, *Conquest of Paradise*, 164–65. See also Sauer, *Early Spanish Main*, 51–69; Stannard, *American Holocaust*, 49–51. On the nature of Española as a tropical paradise: Las Casas recorded hundreds of pages of ethnographic type observations of indigenous life-ways. See, for example, ch. 43 in his *Apologetica Historia de las Indias* (Madrid, Spain: Marcelino Menéndez y Pelayo, 1909).
 - 13 For an understanding of low-counter numbers and methodologies see Ángel Rosenblat's essay in Denevan, ed., *The Native Population of the Americas in 1492*, 43–66; or David P. Henige, *Numbers from Nowhere: The American Indian Contact Population Debate* (Norman:

University of Oklahoma Press, 1998). Rosenblatt, the leading minimalist low counter, was a philologist and not a geographer; Henige is a scholar on Africa venturing into American historical demography—evidently for political purposes. A more recent example is Bruce S. Thornton, *Plagues of the Mind: The New Epidemic of False Knowledge* (Wilmington, Del.: ISI Books, 1999). Thornton, who pans Kirkpatrick Sale's *Conquest of Paradise* as pandering to a New Age romantic view of Caribbean natives, is a Greek "classics" scholar who still clings to the colonialist notion that western civilization is civilization, per se, an incredibly romantic and destructive idea of White supremacy. Henige takes the stance that the "high counters" cannot prove their numbers because there is no available written data to count on, and the early data that is available is "unreliable" because the European observers cannot be proven to have counted accurately. He also fails to hold low counters accountable to the same scrutiny that he applies to the so-called high counters. He cites Ángel Rosenblat's essay as adhering to a higher scholarly standard, however he does not address how comparing Rosenblat's count of one hundred thousand for the island of Española relates to other tropical population densities. A count of one hundred thousand for Española only puts the population density at 0.76 people per square kilometer, which is even less than what other scholars estimate densities for arid climates. It also flies in the face of available eyewitness evidence of numerous sources that claim the Caribbean indigenous regions were "densely populated." Low counters can at best be described as contributing to poor scholarly work that is used to justify the Columbian legacy by perpetuating the absurd claim that the western hemisphere

was sparsely occupied by primitive hunter-gatherer societies. At worst, they should be given the appropriate title of American Indian holocaust deniers. Charles Mann reports a recent moment in which he challenged Henige on his earlier estimates. At the very least it deserves notice that the so-called "high counters" are principally those scholars who have made the concern a central focus of their active research and not outsiders from other disciplines who enter the fray rather occasionally in order to rescue some political point.

When Charles Mann pressed Henige to give a new, up-to-date population estimate based on his most recent research, Henige first "made me promise not to print what he was going to say next. Then he named a figure that thirty years ago would have caused commotion." Charles Mann, *1491* (New York: Alfred A. Knopf, 2005), 133. One can only wonder what Henige's latest population estimate might be, but he seems to have made considerable progress toward the truth.

- 14 Martyr, working with second-hand information, collected information from those returning from Española. He refers evidently to the 1496 census twenty years later in 1516: "The number of those unfortunate people is greatly reduced. Many say that at one time a census of more than 1,200,000 was made; how many there are now I am horrified to say." (1944, 273) Rosenblat, "The Population of Hispaniola at the Time of Columbus," 61. As Ferdinand and Isabela's court tutor and then the royal court historian under Charles V, Martyr was part of the noble educated class and his confident optimism for interpreting the "discovery" (and eventual demise) of the Caribbean as a net benefit for Europe and particularly for Spain can be

seen in his sanguine overemphasis of the positives and his rare inclusions of problems associated with the Spanish presence in the "new world."

- 15 Sauer, *The Early Spanish Main*, 38.
- 16 Juan Friede and Benjamin Keen, *Bartolome de Las Casas in History* (DeKalb: Northern Illinois University Press, 1971), 69.
- 17 Sauer, *The Early Spanish Main*, 39.
- 18 Henry Dobyns, *Their Number Become Thinned: Native American Population Dynamics in Eastern North America* (Knoxville: University of Tennessee Press, 1983), 12–13.
- 19 Woodrow W. Borah, "Historical Demography," in Denevan, *The Native Population of the Americas in 1492*, 22–23.
- 20 As Henry Dobyns has indicated, "direct written documentation is lacking for all but a few marginal areas, so that historians cannot rely upon written records as sources of information about decisive demographic events." Dobyns, *Their Number Became Thinned*, 25.
- 21 Cook and Borah, *Mexico and the Caribbean*, 378–80.
- 22 Cook and Borah, *Mexico and the Caribbean*, 380.
- 23 Cook and Borah, *Mexico and the Caribbean*, 381.
- 24 Cook and Borah, *Mexico and the Caribbean*, 391. As Sherburne Cook and Woodrow Borah comment, these estimates "on examination turn out to be derived ultimately or directly from a reported count in the administration of the Admiral, carried out by his brother Bartolome, for the purpose of imposing tribute and service, in other words, a *repartimiento*." 393. There are four credible sources for information about this 1496 census, all of whom tie their numbers back directly to Bartolomé Colón. The most specific count, accepted by Sauer as legitimate, was that by Licenciado Zuazo in a 1518 letter who claims the earliest *repartimiento* as his source: "From what is known of past *repartimientos*, from the time of the old admiral up to our days, 1,130,000 Indians were discovered initially on the island of Hispaniola, and now they do not number 11,000 persons." Zuazo's figure must come from the 1496 census and represents a midpoint between reports of one and 1.2 million. Cook and Borah take it to be a reasonable starting point for figuring back to the aboriginal 1492 population.
- 25 Sauer, *The Early Spanish Main*, 66.
- 26 Cook and Borah, *Mexico and the Caribbean*, 391. The problem with his estimate is that we cannot be sure how he came to the figure or precisely what point in time it represents, although it is highly probable that the figure represents the state of affairs at the time of Bobadilla's arrival to relieve Colón of his duties as vice-regent.
- 27 Cook and Borah, *Mexico and the Caribbean*, 394; Las Casas, *Historia de las Indias*, Lib. I, cap. CV.
- 28 Cook and Borah, *Mexico and the Caribbean*, 396. They arrive at this 40 percent figure by averaging the potential of a high of 45 percent for this type of culture and a low of 35 percent that would represent a certain number of losses from disease, which usually target the children and the aged.
- 29 Kirkpatrick Sale argues that other contemporary sources report a severe decline in population already by 1496 (one of the reasons for the census), and that this estimate does not provide for a potentially large decline as a result of epidemic diseases. Sale, *Conquest of Paradise*, 166. Also, the *caciques* were probably omitted

- from the *repartimiento*, along with those persons that were already enslaved in direct service to individual colonizers or to the colonial administration. Taking into consideration a thirty percent margin for error, there is a range of 2.6 million on the low end and 4.9 million on the high end. Cook and Borah, *Mexico and the Caribbean*, 396.
- 30 Cook and Borah, *Mexico and the Caribbean*, 407–8. Given Cook and Borah's thirty percent margin of error, 4.9 million in 1496 would compute to 14.5 million in 1492; or 2.6 million at the low end would project back 4 million.
- 31 Sauer, *Early Spanish Main*, 67, and Sale, *Conquest of Paradise*, 166.
- 32 Sauer, *Early Spanish Main*, 76.
- 33 Sauer, *Early Spanish Main*, 89–90, Ferdinand Colón is quoted as saying, "great want of food and grave sickness as to reduce them to a third part of what they had been before so that it might be seen that these things proceeded from his High Hand." Sauer comments, "The reduction of native numbers by two-thirds from 1494 to 1496, on which Las Casas and Ferdinand Columbus agree, was an excessive estimate and does not apply to the greater, still unreduced part of the island." While this certainly was an estimate, it does not necessarily make it "excessive." While around one-half of the island was still unoccupied by the europeans, with a large population and trade still continuing, there is no reason to believe that the disease or diseases were not being transmitted to the rest of the Taino population and causing death, albeit probably at a reduced rate because they did have access to food, shelter, medicine, and water without the same level of cultural disruption.
- 34 Sauer, *Early Spanish Main*, 90.
- 35 Sale, *Conquest of Paradise*, 161–66.
- 36 Sale, *Conquest of Paradise*, 104.
- 37 Las Casas, *Apologetica*, ch. 20; cited by Sauer, *Early Spanish Main*, 68. *Conuco* agriculture is described here for precolombian Jamaica: "The economy was based on a form of *conuco* agriculture. Fields were arranged in mounds called *conucos* three feet high, and at times nine feet in circumference in order to improve drainage, slow the process of erosion, and allow the storage of mature tubers in the ground. The Tainos relied heavily on fishing as evidence by shells and bones excavated from kitchen middens found around the Island. The hunted conies, birds, and iguanas with arrows tipped with sharpened stones and shells." The Jamaica National Heritage Trust: <http://www.jnht.com/jamaica/precolum.html>.
- 38 Sale, *Conquest of Paradise*, 99; and Sauer, *Early Spanish Main*, 68.
- 39 Sauer, *Early Spanish Main*, 53.
- 40 There are, of course, contemporary essays exploring aboriginal habitation and lifeways. See, for example, Kathleen Deagen, "Reconsidering Taino Social Dynamics after Spanish Conquest: Gender and Class in Culture Contact Studies," *American Antiquity* 69 (2004): 597; online library acquisition: Questia Media America, Inc.: www.questia.com.
- 41 Dobyns, *Their Number Became Thinned*. Dobyns used a carrying capacity methodology and engaged an ecological analysis of a distinct region in Florida, once inhabited by a *Timucuan* speaking aboriginal people in what is now northern Florida and the southern tip of Georgia. Dobyns arrives at his own population estimate for this *Timucuan* territory using an old upper-class colonialist theory, which argued

that human populations increase in size until biospheric limits are placed on them by available food resources. Arguing a specific regional analysis of social structure, combined with an analysis of the nutritional content of their food, Dobyns establishes a potential carrying capacity of over 922,000 for that region of Florida.

- 42 Sauer, *Early Spanish Main*, 82. Fernando Colón's biography of his father reports a canoe sixty-three feet long that carried one hundred fifty people: *The Life of the Admiral Christopher Columbus*, trans. Benjamin Keen, 2nd ed. (New Brunswick, N.J.: Rutgers University Press, 1959), 75. Another, with twenty-five paddlers, was "as long as a galley and eight feet wide, made of a single tree trunk," 231f. Colón notes the sixty-three-foot canoe in his *Journal: Christopher Columbus, Diario: English: The Log of Christopher Columbus*, ed. Robert H. Fuson (Camden, Maine: International Maine Pub. Co., 1987), 121.
- 43 Sauer, *Early Spanish Main*, 58. Also, David Stannard, *The American Holocaust*, 49–51.
- 44 Cook and Borah, *Mexico and the Caribbean*, 391–92.
- 45 Sale, *Conquest of Paradise*, 182.
- 46 Michele Cuneo is quoted by Samuel Eliot Morison, *Admiral of the Ocean Sea: A Life of Christopher Columbus* (Boston: Little, Brown and Company), 417. The viciousness and brutality of this military invasion is exemplified in the remarks by Cuneo, who brags of raping a Taino woman that he had personally captured in a fight with the Taino people, and whom Colón allowed him to keep as a slave. The quote is preserved in full, "Having taken her into my cabin, she being naked according to their custom, I conceived a desire to take pleasure. I wanted to put my desire into execution but she did not want it and treated me with her fingernails in such a manner that I wished I had never begun. But seeing that (to tell you the end of it all), I took a rope and thrashed her well, for which she raised such unheard of screams that you would not have believed your ears. Finally we came to an agreement in such manner that I can tell you that she seemed to have been brought up in a school of harlots." With hundreds of these "adventurers" terrorizing this island, it is horrifying to consider the extent of the violence that was endured by this and other Taino women during the reign of Colón and during the rest of the European invasion.
- 47 Wade Frazier, "Columbus: The Original American Hero," *Globalization* (2001): accessed online at: <http://globalization.icaap.org/content/v1.1/wadefrazier.html>. See John Grier Varner and Jeanette Johnson Varner, *Dogs of the Conquest* (Norman: University of Oklahoma Press, 1983).
- 48 Las Casas, *An Account Much Abbreviated, of The Destruction of the Indies*, ed. Franklin W. Knight, trans. Andrew Hurley (Indianapolis: Hackett Publishing Company, 2003), 9–10.
- 49 See Carl Sauer, *Early Spanish Main*, 96–98.
- 50 Fourteen ninety-nine was important because it saw a revolt by Roldan, a Spanish nobleman who broke away from Colón's rule and established himself ruler of a different part of the island. As a means to pacify him and those who went along with him, Colón agreed to grant him and his followers specific tracts of land and the Taino that lived on them, thereby formalizing the institution of slavery on the island. See Sauer, *Early Spanish Main*, 100; Lewis Hanke, *The Spanish Struggle*

- for Justice in the Conquest of America* (Philadelphia: University of Pennsylvania Press, 1949) 19; and Keen, *The Life of the Admiral Christopher Columbus*, 209–10.
- 51 The beginnings of the importation of African bodies to the Americas stems directly from the structures of conquest, exploitation, and genocide developed by Columbus. Sale, *Conquest of Paradise*, 330. Having virtually worked the indigenous population to death from 1494 to 1504, Colón's immediate successors (including his son Diego after 1510) were faced with the continued depopulation of native people—their labor force and source of wealth—in the islands. By their perverse logic they were forced to turn to the African slave trade—unless the spanish were to be expected to do their own work. Over the next two hundred years the *encomienda* system that Colón established in the colonial frontier, where wealthy colonists would extract natural resources from the indigenous land deeded to them by the spanish crown, created a persistent demand for a huge labor force. Two to three million Africans were kidnapped and shipped to the Caribbean in order to satiate the pecuniary needs of the colonizers.
- 52 Lesley Simpson states in *The Encomienda* that Colón devised the *encomienda* system around 1499 "in all probability seeking the legal recognition of an existing situation, because the spaniards could not have lived without the forced labor of the Indians." (Berkeley: University of California Press, 1950), 8–9.
- 53 Friede and Keen, *Bartolome de Las Casas in History*, 244.
- 54 Las Casas, *Historia de las Indias*, bk. 3, ch. 4. The incident is discussed by Las Casas in bk. 3, chs. 3–12, 17–19, 33–35, 81–87, 94–84. English excerpt taken from Lewis Hanke, *Spanish Struggle for Justice in the Conquest of America*, 17
- 55 See a copy of the *requerimiento* at <http://www.dickinson.edu/~borges/Resources-Requerimiento.htm>. The native population was asked, in this document, to agree to two things: namely, to acknowledge the sovereign leadership of the spanish monarchs as the representatives of the catholic pope; and to admit catholic missionaries into their midst for the purpose of converting the native peoples. The implementation of this legal ploy, a couple thousand miles away from the royal court, became a miserable travesty. The advancing army of spaniards would typically read the document and at some distance from the village that they intended to attack. Even if the people were able to hear the reading, the language of the legal document was latin, meaning that the indigenous folk had no possibility of even a minimal understanding of the text. Yet, legal processes had been scrupulously observed by the spaniards. Predictably receiving no reply from the village, the spaniards were free to attack, kill, maim, rape, enslave, and conquer in good conscience and did so with reckless abandon.
- 56 "Rule of law" was also a new theoretical concept being articulated in spanish universities concurrently with this early conquest of the Americas by scholars like Francisco Vittoria, *De Indis*.
- 57 Friede and Keen, *Bartolome de Las Casas in History*, 150.
- 58 Two hundred of these died during the crossing of the Atlantic and were simply thrown into the sea. Sale, *Conquest of Paradise*, 15, 138.
- 59 Samuel Eliot Morrison, *Journals and Other Documents on the Life and Voyages of Christopher Columbus* (New York: Heritage, 1963), 222;

- quoted from Stannard, *American Holocaust*, 67.
- 60 Quoted from James W. Loewen, *Lies My Teacher Told Me* (New York: Simon and Schuster, 1996), 61.
- 61 In 1990 The Coordinating Body for the Indigenous People's Organization of the Amazon Basin proclaimed: "Wanted: Christopher Columbus . . . for grand theft, genocide, racism, initiating the destruction of a culture, rape, torture, and instigating the big lie." Quoted from Charlie Sugnet and Joanna O'Connell, "Discovering the Truth about Columbus," *The Utne Reader* 38 (March/April 1990), 26.
- 62 In 2006 a new document was found in the town of Valladolid, Spain, that helps to further uncover the truth that Colón was a ruthless tyrant who inflicted vicious punishments on the Taino people and even Europeans. This forty-eight-page document was written by Bobadilla, who was sent by Isabella and Ferdinand to relieve Colón of his command in the Caribbean, and it details his atrocities including cutting off people's noses and tongues, parading women naked through the streets, and selling them into slavery. Consuelo Varela, who has studied the documents commented, "Even those who loved him had to admit the atrocities that had taken place." <http://www.guardian.co.uk> (accessed 7 August 2006).

Dear Mr. Yeo, Chief Mintz and Commissioner Lojek:

Newton has had a leaf-blower ordinance as part of the noise ordinance for over three years. Unfortunately, landscaper compliance, especially over the summer, has been rare, with gas-powered leaf-blowers the rule rather than the exception. Even now, the large machines – as opposed to the 65 Db limited ones – are still in use.

The members of the Programs and Services Committee have been looking for ways to improve compliance as neither the Police nor ISD have the personnel to be able to respond to all complaints, as they have other duties, and when they can, enforcement is often difficult because the current ordinance provides that the operator responsible, and it is difficult to determine if the operator has been a violator before – even if the operator is employed by the same contractor.

After an initial discussion earlier this year about possible remedies, Councilor Baker and Deputy City Solicitor Lawlor investigated the practices in Brookline which has two features Newton does not – landowner responsibility and a registry for those firms using leaf-blowers. Building on the Brookline model, they brought to the Committee on September 16 their recommendations. Those are more particularly set out in the redlined version of the current ordinance, attached. In summary, however, they effect no change in the basic rules of operation – except to clarify that electric leaf-blowers need to comply with the same hours of operation, an ambiguity in the current ordinance. What is added, however, are provisions that would

- Make the leaf-blower contractor responsible for the acts of its employees;
- Make the property owner responsible for violations by those it engages to do the work;
- Require all commercial leaf-blower operators to apply for a permit from ISD, as it currently shares the enforcement authority with the Newton Police. That application would in turn obligate the operator to affirm their understanding of the applicable rules;
- ISD would have the power to issue regulations implementing the ordinance, and charge a small fee (\$25) to cover the cost of the application;
- Makes commercial operation of a leaf-blower without a permit a civil ticket offense;
- Provides that multiple violations of the rules can lose permitted status;
- Provides that ISD would maintain a list of operators which have been granted a permit, from which violators can be removed.

As we would like to bring the ordinance back to the Committee for final review, we wanted to share this background and this draft with you for your comment and suggestions. We recognize that there is no perfect system of assuring compliance, but the Committee feels that these changes would in the long run reduce the amount of time spent by both ISD and the Police on enforcement as well as enhance compliance and therefore the quality of life in Newton.

We would be grateful if you would respond with any comments or suggestions in writing to me, Councilor Baker, and Associate City Solicitor Lawlor by the close of business on Friday, September 24 so that we can review them and take them up at the next meeting of the Committee on October 6. We also invite you to attend the discussion that evening.

Thank you,

Councilor Josh Krintzman, Chair, Programs and Services Committee.

Amend the provisions of Sections. 20-13 (h), (j) and (n) as follows (deleted language struck through, inserted language underscored):

~~(h) *Restrictions on use of leaf blowers.* Notwithstanding the provisions of sections 20-13 (f) and (g), ~~on or after January 1, 2017~~ no property owner or property manager or other person in control of a property shall authorize or permit the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person, including any City employee or contractor, shall use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. of Newton from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period. At all other times leaf blowers may be operated subject to the following provisions:~~

~~(1)~~ *Summer Ban.* No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period subject to the permitted hours of use specified in (2) below. At all other times leaf blowers may be operated subject to the following provisions:

~~(2)~~ Permitted hours of use. Leaf blowers may be operated only during the following times:

Monday – Friday: 7:00 a.m. – 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

Saturday: 8:00 a.m. – 5:00 p.m.

Sundays and legal holidays: prohibited except for operation by a resident of the property on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

~~(3)~~ Only leaf blowers meeting the following criteria are permitted for use:

- A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
- B. Leaf blowers must bear an affixed manufacturer’s label indicating the model number of the leaf blower;
- C. Leaf blowers must bear an affixed manufacturer’s label documenting a noise rating of 65 dB(A) or less; and
- D. Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.

(43) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.

(54) The provisions of section 20-13 (i) shall not apply to leaf blower operation.

(6) Any violation of the restrictions contained in this section shall be subject to the penalties set forth in sections (k) and (m) below. [M1]

(7) Commercial Leaf Blower Operators – permit required.

A. No commercial leaf blower operator, such as a contractor or commercial landscaper, may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional services, who shall provide application forms; who may establish rules governing the display of permits on permittee’s vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The fee for such permit shall be \$25.00. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable. [M2]

B. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received three or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended three times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator’s name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00.

C. The commissioner of inspectional services may promulgate rules and regulations to implement this section.

(i) Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.

(1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the city council

promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the city council and to each ward city councilor for the affected ward.

(2) The mayor or his designee may extend to a specified date the time for compliance with this ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

(j) *Judicial Review.* Any person aggrieved by the grant or denial of a permit pursuant to subsection (h)(1) or an extension of time pursuant to subsection (h)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

(k) *Penalties.* Violation of any of the provisions of this section shall constitute a misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall be considered to be a separate offense.

(l) *Enforcement.* The Newton Police Department and the Inspectional Services Department shall be responsible for enforcement of this ordinance. Each department shall document the disposition of all complaints by written report available to the public. The written report shall clearly indicate whether the complaint resulted in a warning or fine. If a warning or fine was not issued for a complaint, the responding city employee shall clearly indicate the reason.

(m) *Non-criminal disposition.* In addition to the penalties set forth in subsection (j), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 17-22 and 17-23 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 17-23(c) and 17-23(d).

(n) In the event the person in violation of section 20-13 (h) pertaining to leaf blower use is a commercial leaf blower operator~~contractor~~, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator~~contractor~~.

(o) *Severability.* If any provision(s) of this ordinance or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. R-331, 6-20-83; Ord. No. T-62, 12-4-89; Ord. No. T-200, 12-16-91; Ord. No. V-286, 3-6-00; Ord. Z-32, 7-14-08; Ord. No. Z-78, 02-22-11; Ord. No. Z-104, 04-02-12; Ord. No. A-100, 01-17-17; Ord. No. B-53, 03-02-20)

Cross reference—Sounding warning devices on motor vehicles, § 19-72; noise by hawkers and peddlers, § 20-75.