

Colonial Latin America



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EIGHTH EDITION

New York Oxford

OXFORD UNIVERSITY PRESS

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Oxford University Press, Inc., publishes works that further Oxford University's objective of excellence in research, scholarship, and education

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Published by Oxford University Press, Inc.
198 Madison Avenue, New York, New York 10016
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Library of Congress Cataloging-in-Publication Data

Burkholder, Mark A., 1943–
Colonial Latin America / Mark A. Burkholder, Lyman L. Johnson.—8th ed.
p. cm.

Includes bibliographical references and index.
ISBN 978-0-19-986588-8 (pbk. : acid-free paper)—ISBN 978-0-19-989088-0 (ebook)
1. Latin America—History—To 1830. I. Johnson, Lyman L. II. Title.
F1412.B96 2012
980'01—dc23
2011038675

Printing number: 9 8 7 6 5 4 3 2 1

Printed in the United States of America
on acid-free paper

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CHAPTER 3



Ruling New World Empires

CHRONOLOGY

1501–8	Papal bulls formalizing <i>patronato real</i> in the Indies for Spanish Crown
1503	House of Trade established in Seville
1511	First <i>audiencia</i> created for Indies in Santo Domingo
1524	Council of the Indies founded; twelve Franciscans inaugurate “spiritual conquest” in New Spain
1530s	Hereditary captaincies created in Brazil
1535	Viceroyalty of New Spain created
1542	Viceroyalty of Peru created
1549	Portuguese Crown purchases captaincy of Bahia and names royal governor-general; first Jesuits arrive in Brazil
1557	Sale of municipal offices extended from Castile to the Indies
1569	Authorization of Tribunals of the Inquisition in Mexico City and Lima
1609	First high court of appeals (<i>relação</i>) established for Brazil
1610	Authorization of Tribunal of the Inquisition in Cartagena, New Granada
1633	Spanish Crown begins systematic sale of appointments to treasury positions
1677	Spanish Crown inaugurates systematic sale of appointments to provincial positions
1687	Spanish Crown begins systematic sale of appointments to <i>audiencias</i>

IMPERIAL ORGANIZATION AND ADMINISTRATION

The New World's huge size and distance from Iberia formed an immutable background against which the Castilian and Portuguese Crowns sought to establish and maintain their authority. Ambitious conquistadors in the Spanish colonies and early settlers there and in Brazil sought to become genuine aristocrats with all the seigneurial rights such status implied. Spanish and Portuguese rulers, in turn, opposed the emergence of a powerful, hereditary nobility located beyond their direct control. In addition, they expected the colonies to contribute to

royal revenue. To address these problems, the Crowns relied on bureaucrats located both on the peninsula and in the Americas. The expansion of New World settlement invariably brought a complement of officials to the capital of each new colonial territory. For nearly three centuries the presence of royal bureaucrats contributed significantly to the colonies' overall political stability.

Problems of Time and Distance

The distance and resulting length of time for communication between the New World and Iberia affected both the offices established in the Americas and the authority their incumbents enjoyed. Winds and currents normally made the trip from Iberia to the Indies shorter than the return voyage. The following table indicates approximate convoy sailing times in the sixteenth and early seventeenth centuries to and from Cádiz, Sanlúcar, or Seville and selected ports. Many voyages, however, were shorter or longer, sometimes by several weeks. Sailing from Lisbon to Bahia took seventy to nearly one hundred days; voyages to Recife were a little shorter and to Rio de Janeiro slightly longer. The combination of winds and currents made the travel from Belém, near the mouth of the Amazon, and other northern Brazilian ports to Lisbon easier than to Bahia, thus making communication with officials in the metropolis more convenient than with those in the colonial capital. Slave ships from Angola could reach any Brazilian port in the comparatively brief time of thirty-five to sixty days.

A fleet sent from Spain to the Indies usually returned fourteen to fifteen months later. Annual fleets in the late sixteenth and early seventeenth centuries helped maintain orderly commerce and communication by reducing the time between departures. Small mail boats provided supplemental service, but their sailings were intermittent in the sixteenth century and often only two to four times a year in the seventeenth century, despite the growing irregularity of the fleet's sailings.

The coastal location of all of Brazil's major cities until the establishment of São Paulo facilitated their communication with Lisbon. The inland location of Mexico City and Bogotá, in contrast, added the extra time of land travel. Maintaining speedy communication with cities on the Pacific coast side of the Andes was even more difficult. Travel time from the mining center of Potosí to the Panamanian port of Portobelo, for example, was often seven weeks or more.

Table 3.1 Travel Times to and from an Andalusian Port

DAYS FROM ANDALUSIAN PORT TO		DAYS TO ANDALUSIAN PORT FROM	
Canary Islands	13	Azores	31
Española	51	Florida	65
Havana	64	Havana	67
Cartagena	51	Cartagena	110
Vera Cruz	75	Vera Cruz	128
Isthmus of Panama	75	Isthmus of Panama	137

The constraints on the speed of communication between any location in the New World and Lisbon or Madrid gave officials resident in the New World greater authority than their counterparts on the peninsula had. At the same time, the distance separating the colonies from their metropolises exacerbated the problem of overseeing the officials themselves. The consequence was substantial flexibility when officials far from the source of their authority responded to local pressures.

Overview of Administration for the Spanish Colonies

The immense physical extent, the presence of densely populated and advanced sedentary civilizations, and scattered rich mineral deposits in the New World led the Crown of Castile to move quickly to gain control over conquistadors, settlers, and natives as successive regions were added to its domain. Most of the major administrative offices used to oversee its political and financial interests, provide justice to colonists and natives, and supervise the allocation of resources—primarily land, native labor, and offices—in the Indies were operating by 1535, although their number increased with later settlement. Fully developed by 1570, the administrative organization underwent little structural modification until the eighteenth century.

The Castilian Crown transplanted a number of institutions proven in Spain and the Canary Islands. General oversight of the colonies and administration of their largest territorial divisions followed the Aragonese model, in which a council resident at court provided the overall supervision and viceroys administered the largest territorial units—Aragon, Catalonia, and Valencia. Below the office of viceroy, the Crown turned to Castilian precedents and introduced regional courts, provincial administrators, and treasury officials. It also allowed the municipality and its local officials to exercise a variety of responsibilities. The one institution the Crown refused to introduce into the colonies was the *cortes*, an assembly attended by representatives from major towns and a potential brake on its authority.

The size of the New World possessions made imperative their division into more manageable administrative units. Accordingly, in 1535 Charles I created the Viceroyalty of New Spain for land running from Panama's northern border into the present United States as well as the Caribbean islands and part of Venezuela. The Philippine Islands also were included in this viceroyalty after their settlement in the 1570s. In the early 1540s, Charles created the Viceroyalty of Peru, which included Panama and all Spanish possessions in the Southern Hemisphere except for a strip of Venezuela. Not until the eighteenth century were additional viceroyalties created.

Soon recognizing that the viceroyalties were too large for many administrative purposes, the Crown divided them into units called *audiencias*. These territories increased in number as the lands and non-Indian population of the empire expanded. The *audiencias* were themselves subdivided into districts

variously called *corregimientos*, *alcaldías mayores*, and *gobernaciones*. The smallest territorial unit, the municipality, included a city or town and its adjoining hinterland.

Listing the territorial units from smaller to larger—municipalities, provinces, *audiencias*, viceroyalties, and empire—suggests a pyramidal structure culminating in centralized authority held by the king and his advisers in Spain. A more accurate image, however, is that of a group of wheels with their hubs in the *audiencia* capitals and their spokes extending to the provinces. The Spanish court, in turn, formed the hub of a wheel whose spokes were each *audiencia*. From this perspective, the imperial administration was characterized by decentralization.

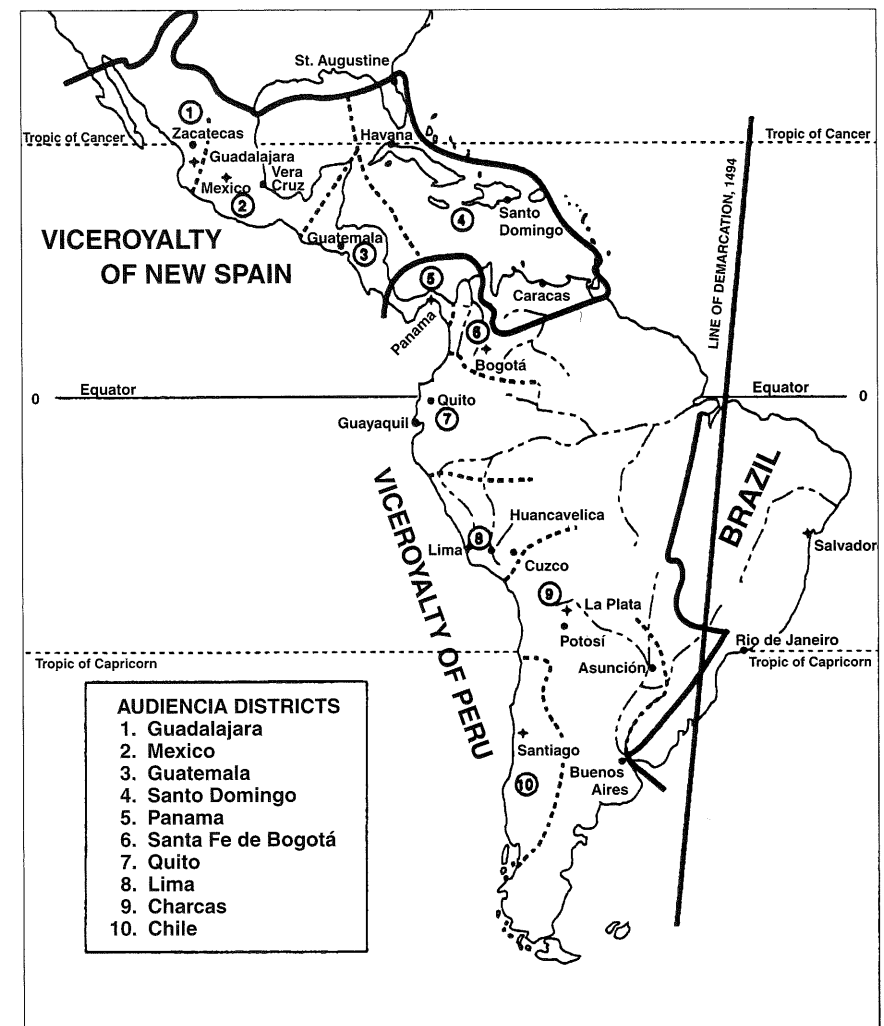
The Council of the Indies

The Council of the Indies was responsible for overseeing colonial affairs from its foundation in 1524 as a “royal and supreme council” until the early eighteenth century. It ranked below the Council of Castile or Royal Council but above all other councils in Spain. Like the older Royal Council for Castile, the Council of the Indies oversaw every kind of government activity in the colonies. Legislative, judicial, financial, commercial, military, and ecclesiastical matters fell under its purview in the blending of authority characteristic of Spanish administrative offices. The council issued laws, made recommendations to the monarch, approved major expenditures in the colonies, and heard cases appealed from the American *audiencias* and the House of Trade. It also made arrangements for *residencias*, the judicial reviews conducted at the conclusion of officials’ terms of office, and occasional general inspections, or *visitas*. In addition, it exercised royal patronage over the Church in the American realms and recommended candidates for most of the high-ranking positions in the New World.

The council employed a variety of senior officials and support staff, with councilors assisted by crown attorneys forming its core. The first councilors were men with university training in civil or canon law, or *ministros togados* (robed ministers), who had previously served on a lower court. In 1604, however, Philip III began naming men with neither credentials in jurisprudence nor a common professional experience. The absence of professional criteria for the appointment of these ministers *de capa y espada* (cape and sword) opened the door to favoritism and abuse.

Only a dozen *ministros togados* named before 1700 had prior New World experience. Moreover, those who were familiar with American affairs usually advanced to the Council of Castile. The Crown’s failure to come to grips with basic personnel issues thus weakened the Council of the Indies’ ability to provide high-quality oversight and administration. The delays inherent in administration by committee, coupled with the ongoing problem of slow communication with officials in the New World, also reduced the tribunal’s effectiveness.

Illustrative of the *togados*’ careers during the Habsburg rule was that of Asturian Alonso de Llano y Valdés. After study at the University of Salamanca, Llano entered the prestigious senior residential college at the University of Valladolid. He earned a baccalaureate in civil law in 1645 and soon held chairs in law. After service in the Chancellory of Granada that began in 1653, he briefly was regent of the Council of Navarre. Named a minister *togado* of the Council of the Indies in 1664, he advanced to the Council of Castile in less than four years. Although his well-established bureaucratic family origins undoubtedly hastened Llano’s progress, the kinds of positions he received before advancing to



Map 5 Major Territorial Divisions in 1650.

the Council of the Indies were typical, as was the absence of service in the New World.

Viceroy

When Charles I sent Antonio de Mendoza to New Spain as its first viceroy, he was acknowledging that despite having taken political power from Cortés, his earlier efforts to establish order and stability in the region had failed. Mendoza, the scion of one of Castile's most illustrious noble families, introduced the requisite aura of proximity to the monarch and display of authority. As Charles's personal representative, he lived in a palace with sixty Indians in constant attendance and a personal escort of gentlemen.

As the foremost executives in the colonies, the viceroys were responsible for general administration; the imposition, collection, and disbursement of taxes and the remittance of surplus revenue to Spain; the construction and maintenance of public works; the maintenance of public order; defense against both internal rebellions and foreign enemies; support of the Church; protection of the Indians; and the exercise of patronage. At the same time, other high-ranking officials, ecclesiastical hierarchies, *audiencias*, treasury officials, and corporate bodies constrained the viceroys' ability to act independently. The Council of the Indies received from these political rivals correspondence regarding the viceroy's activities and issued an endless stream of orders for implementation. Although the viceroy could delay them and contribute to a revision of directives through the formula *obedezco pero no cumplo* ("I obey but I do not execute"), repeated failure to carry out royal mandates invited conflict and judicial scrutiny after the *residencia*.

Mendoza was the first of ninety-two viceroys in the Indies. Although he and several other viceroys in the sixteenth century served for a decade or more, the average tenure in office for viceroys in the seventeenth and eighteenth centuries was between six and seven years. With few exceptions, viceroys were born and reared in Spain; for them the New World was a place to serve but not their home. Especially with its earliest appointments, the Crown exercised special care to name men of impeccable social standing and demonstrated ability. Most bore titles of nobility. Viceroys expected and, despite legal prohibitions, often sought to use their office to benefit both themselves and the large retinues of family, friends, and retainers who accompanied them to their post. By naming retainers to lucrative commissions and positions and smiling beneficently when their minions married well-placed local women or their wives' ladies-in-waiting made favorable matches, the viceroys set an example that other bureaucrats tried to emulate.

Each *audiencia* district had an executive head. The viceroys themselves exercised direct authority over the *audiencia* in which their capital was located. By the late sixteenth century in the subordinate *audiencia* districts, each court had a president-governor who held executive authority. In most cases this official also was in charge of defense for the district and held the title captain-

general. Raids by corsairs, Sir Francis Drake, and other English sea captains led the Crown to replace university-trained jurists with experienced military officers as presidents and captains-general of most *audiencias*. Like viceroys, these men were political appointees, served term appointments, and often considered the Americas a place for a tour of duty rather than a permanent residence. Although some entered into illegal commercial activities with local entrepreneurs for private financial gain, their usual intention was to return to Spain with their earnings rather than to invest permanently in local production. This sentiment helps distinguish these term appointees from those men named to lifetime positions: *audiencia* ministers, treasury officials, and numerous municipal officeholders.

Native Sons, *Radicados*, and Outsiders

Most officials became enmeshed in the local society of the city to which they were posted. Some were "native sons," men with positions in the region of their birth. Others were *radicados*, men born elsewhere who had become "rooted" in local society. Although "outsiders," or newcomers to the region of service, regularly received bureaucratic positions, those with lifetime appointments tended to become *radicados* within a few years. Thus most officeholders were fully integrated into local society and were joined to nonofficeholders in a myriad of social and economic ways. Keenly sensitive to local needs, on occasion they could frustrate the implementation of unpopular royal legislation.

For high-ranking positions in the colonies, the Castilian Crown preferred to name outsiders. The sale of appointments in the seventeenth and early eighteenth centuries, however, compromised this principle. Native sons and *radicados* increased in number and prominence, while royal control over colonial government fell to its nadir around 1750. Conversely, local elites enjoyed an unprecedented access to power, both directly through securing offices and indirectly through family and economic ties to officeholders.

The Sale of Offices and Appointments in Spanish America

Following the Crown's bankruptcy in 1557, Philip II extended the practice of selling offices from Castile to the Indies. Municipal offices were among the first to be affected, as the Crown not only put them up for sale but also increased their number in its search for additional revenue. By 1606 the list of posts for sale included the full range of fee-collecting, honorific, and municipal offices. A decree in that year provided that present and future purchasers could hold their posts in full propriety and could pass them on to heirs upon payment of specified taxes. The solid entrenchment of local families in local office for generations, in short, was blessed by law.

The municipality was the cornerstone of Spanish rule and settlement. Wherever colonists settled, they created a town council (*cabildo*) to oversee the development and administration of the new community. Originally they elected aldermen to administer town affairs and magistrates to provide local justice.

Additional officials included a clerk, a sheriff, a standard bearer, and an inspector of weights and measures. The *cabildo* distributed town lots and nearby garden plots, supervised the construction and maintenance of roads and public works, provided protection against fraud in the markets and against criminal activities in general, regulated holidays and processions, and performed a variety of other duties essential to a settled, civilized existence. For revenue the *cabildos* relied on the rent or lease of town property, local judicial fines, and other modest sources.

An examination of Lima's city council illustrates the expansion of locally born aldermen after three *limeños* purchased their offices in 1561. By 1575 native sons began to outnumber their peninsular counterparts. With rare exceptions, *limeños* henceforth enjoyed numerical preponderance. Similar extensive local representation was present in the elected office of magistrate. Native sons also dominated in Mexico City and numerous other locations. Although the power of the Spanish American city councils declined in the seventeenth and eighteenth centuries, municipal office positions still enhanced the social status of incumbents.

Excluded from the category of salable offices were positions that the Crown correctly considered most central to its maintenance of authority, revenue, and security—those held by the political administrators and professional bureaucrats. Under unrelenting financial pressure, however, the Crown gradually turned appointments to these offices as well into a source of revenue, although never alienating the posts in perpetuity.

When Spain's repeated involvement in European wars exhausted the Crown's finances, it started selling appointments to treasury posts and the tribunals of accounts in 1633. Provincial administrative positions went on the block in 1677. A decade later the systematic sale of *audiencia* appointments began, and by 1700 a desperate Crown had even sold appointments to the office of viceroy.

The importance of the sale of offices and appointments to the composition of the bureaucracy and its activities cannot be overestimated. First, sales altered the character of bureaucratic recruitment. Service at home, if an appropriate position were available, was far more attractive for both peninsulars and creoles than was service in another district on either side of the Atlantic. Thus an immediate result of such sales was to raise the proportion of native sons and *radicados* in bureaucratic offices. The necessary corollary to this changed recruitment was diminished royal authority over colonial officeholders. In addition, the purchase of an office increased the pressure on the incumbent to secure not only a reliable income but also a profit on his investment. Given the modest salaries associated with most non-fee-earning positions, the temptation to resort to extralegal sources of income was irresistible for many bureaucrats. This, too, worked against the Crown's interest.

Treasury officials throughout the Indies and auditors of the tribunals of accounts established in Lima, Mexico City, and Santa Fe de Bogotá in 1605

received lifetime appointments. Even though these officials usually earned substantially lower salaries than did the *audiencia* ministers, their compensation was well above that earned by the average government employee. Because of the salary, rank, security, and, in some cases at least, financial opportunities available for a person with access to government funds, there was considerable demand for appointments.

When in 1633 the Crown finally turned to systematically selling appointments to treasury positions, it found that the purchasers were often young and inexperienced. Their youth ensured both limited maturity and knowledge and, barring premature death, decades of service. In addition, as money replaced merit as the primary criterion for appointment, would-be purchasers sought the most coveted posts, those in the viceregal capitals. Native sons were especially anxious to secure these offices and, once in place, showed no desire to leave. This limited the potential for advancement from regional subtreasuries and undoubtedly intensified the social, political, and economic ties that the officials shared with the leading local families.

The *audiencias* also had little turnover. The tribunals were the supreme courts of their districts and subject to appeal to the Council of the Indies only in cases involving very large sums of money. In addition, they had administrative and legislative responsibilities. Named for life or the pleasure of the king, *audiencia* ministers commonly resided many years in a single location. Once in Mexico City or Lima, ministers most commonly left the court only by death. The combination of major responsibilities and protracted service by their ministers made the *audiencias* the most important single civil institution in the Spanish colonies.

Before 1687, few men began their *audiencia* careers in their home district. Nonetheless, the Crown named Americans in every decade from the 1580s onward: Nearly a quarter of all *audiencia* appointees from 1610 to 1687 were creoles. The initiation of systematic sales of *audiencia* appointments in late 1687 not only enabled more Americans to reach the courts but also increased the number of native sons. By resorting to the sale of supernumerary or extra appointments, moreover, the Crown clogged the normal chain of advancement from the smaller regional courts to the viceregal courts and greatly expanded the number of *radicados* throughout the system. The sales, which continued during each time of war until 1750, brought unprecedented local direct and indirect access to the tribunals, thus enabling local elite families to influence judicial and political decisions.

Unlike purchased municipal, treasury, and *audiencia* positions, the post of provincial administrator—variously called *alcalde mayor*, *corregidor*, and *gobernador*—was for a term appointment. In the sixteenth century the Crown had introduced provincial administrators both to provide sustenance for non-*encomenderos* and poor *encomenderos* and to expand the royal authority from the urban areas into the countryside and over the indigenous population. The posts were numerous—eighty-eight in Peru and about two hundred in New Spain in

the early seventeenth century. Most provincial administrators held only a single appointment, and service of five years or less was common. Unlike in Castile, where lawyers were named to many *corregimientos*, in the New World the Crown preferred men with military or at least militia backgrounds.

During the century after the stabilization of these provincial positions between 1570 and 1580, the notorious system of *repartimiento* took root. Although located varying distances from the viceregal capitals, the provincial administrators were regularly closely linked to them economically. Using goods provided on credit by merchants in Mexico City and Lima, the officials participated in the profitable *repartimiento* of merchandise by which Indians purchased mules, clothing, food, and other items on credit. In some regions at least, avaricious officials subjected their production to monopolistic control as well.

By 1677 an ever more financially desperate Crown began to sell appointments to provincial positions. Soon nearly all of these positions had passed from vice-regal to royal provision. As with treasury posts, the Crown sold appointments of *corregidor* and *alcalde mayor* on an individual basis, with the amount and terms of the agreements varying. Unlike the situation for municipal, treasury, and *audiencia* posts, however, creoles seem to have secured fewer, rather than more, provincial offices after the sales began. This may have been because wealthy and well-educated creoles, especially those who went to Spain, devoted their attention to securing either the more prestigious *audiencia* and treasury positions or hereditary offices. In addition, the close link between the *repartimiento* of merchandise and the provincial officials made it particularly advantageous for monopolistic merchants in Spain to lend the purchase price and travel expenses to men whom they knew personally and whom they could trust to distribute their goods, that is, usually men born in Spain. Ties with merchants in Lima and Mexico City persisted as well, however, and provincial officials, whether native sons, *radicados*, or outsiders, formed an important part of the colonial economic world.

The anticipated expenses for a five-year term of the *corregidor* of the Peruvian province of Chancay in the mid-eighteenth century offer a glimpse of the financial requirements of provincial administration: Manuel de Elcorrobarrutia paid 16,000 pesos for his appointment plus an additional 4,000 pesos for fees and taxes. Paying an assistant and an agent and a lawyer in Lima consumed another 7,000 pesos. Personal living expenses he estimated at 15,000 pesos. Gratuities to officials in Lima, entertainment for the viceroy when he visited Chancay, and expenses for the *residencia* and audit cost 9,000 pesos. Interest on this total was 8,700 pesos. To distribute through *repartimiento* 1,900 mules, the *corregidor* anticipated paying 67,004 pesos. This amount purchased the mules and paid for their feed and distribution, tax, salary for collection agents, and interest. But he expected to receive only 80,000 pesos from selling the mules and thus had to sell other items for 46,724 pesos to cover his investment. With only 1,125 able-bodied adult males in the province in 1754, each household had to contribute an average of 112 pesos for this *corregidor* to break even. In the final analysis, the money paid to the Crown to secure this office, the commercial profits of the merchant speculator who advanced the funds

to purchase the appointment, and the "profits" earned by the *corregidor* himself all were paid out of the collective earnings of this Indian community.

One unplanned result of the sale of appointments and offices and the evolution of a bureaucracy drawn largely from the native born and *radicados* was an increasing compatibility between colonial administration and the requirements of local elites. Bureaucrats who borrowed money from merchants and other affluent colonials were not likely to enforce vigorously laws that harmed them. Although the venal antecedents for this sensitivity to local interests are clear, the practical result was to reduce the potential for dangerous conflicts between powerful interest groups in the New World and the distant metropolis.

Brazilian Counterpoint

Portuguese administration in Brazil developed more slowly and modestly in scale than did its Spanish American counterpart. The early concentration of the small colonial population in several coastal locations, the difficulty of intracolonial communication between northern and southern settlements, and the absence of a powerful and ambitious group of conquistadors contributed to a more regionally decentralized and smaller administrative system than that found in the Spanish colonies.

Administrative responsibility for Brazil was divided among various agencies and offices in Portugal. There was no Portuguese equivalent to Spain's Council of the Indies until a decade-long experiment in the early seventeenth century. Then in 1642 the Braganza dynasty created the Overseas Council, which exercised many functions for Portugal's empire similar to those of the Council of the Indies. The Desembargo do Paço located in Lisbon oversaw judicial matters for Portugal and the empire, appointing, promoting, and reviewing the conduct of royal magistrates.

Initially the Portuguese Crown sought to treat Brazil as part of the royal factory system used in Africa and Asia. When French merchants began trading for dyewood directly with the natives, however, John III (1521–57) decided that a permanent colony was necessary. In the 1530s he granted to twelve men with good court connections hereditary captaincies extending inland from the Atlantic coast to the Line of Tordesillas. These "donatary captains" received rights similar to those granted in Portugal and the Atlantic islands earlier. Each recipient was to colonize and defend his captaincy in return for a number of revenues, the right to grant land and name numerous officials, and jurisdiction in most criminal and civil matters. The Crown retained several royal taxes and its monopoly over the dyewood trade. But with the exception of São Vicente and Pernambuco, the private enterprise donatary system was not successful. Continued French pressure, moreover, convinced John III to regain some of the authority bestowed in a manner analogous to that employed by the Castilian Crown.

In 1549 John purchased the captaincy of Bahia from its owners and named a governor-general to administer it. Following this political reorganization, exploration, Indian campaigns, and colonization proceeded in the north, beginning in the 1570s. The Portuguese settled Paraíba in the 1580s, Rio Grande do Norte in 1598,

Ceara in 1610, Maranhão beginning in late 1615 with the arrival of an expedition to expel the French from a short-lived settlement, and Belém and the lower Amazon from 1616 to 1630.

As the chief executive in Brazil, the governor-general had responsibilities and restrictions similar to those of the Spanish American viceroys. He exercised general oversight of administration, defense, Luso-Indian relations, the treasury, the secular clergy, trade, and land grants. Legislation circumscribed his activities in many ways, however. The governor-general was prohibited from investing in trade or agriculture and could travel outside Bahia only with royal permission. He was subject, moreover, to a special investigation (*devassa*) during his term in office and a review (*residencia*) at its conclusion, checks similar to the Spanish *visita* and *residencia*. Named to a three-year term, many governors-general served longer, some more than two decades. Most came from Portugal's upper nobility and had been professional soldiers; none had been high-ranking clerics. Usually they reached Brazil accompanied by kin and retainers eager to benefit from their patron's largesse.

Governors served as the commanders in chief of their captaincies and were responsible for overseeing treasury and judicial offices and protecting the natives. Like the governor-generals, they were to act under standing instructions and directives sent from Lisbon and were subject to the *devassa* and *residencia*. The importance of military security on the exposed Atlantic coast led the Crown to name seasoned military veterans with administrative experience as governors. In the seventeenth century the governors of Pernambuco, Maranhão, and Rio de Janeiro were *fidalgos* and/or in a military order, but rarely titled nobles. Professional soldiers of commoner origins sometimes held the governorship of a less important captaincy. Nearly every governor was born in Portugal; among the few Brazilians named, almost none served in their native province. In striking contrast with Spanish America, there is no evidence that governorships were sold.

In 1621 the northern captaincies of Ceara, Maranhão, and Pará were united as the state of Maranhão, whose separate administration continued until 1772. The remaining captaincies were included in a single unit called the state of Brazil. In subsequent territorial reorganizations, the Crown generally added jurisdiction to the governors in Pernambuco and Rio de Janeiro at the expense of the governor-general. It also enhanced the governors' titles; by 1715 both were "governor and captain-general." By 1772 Brazil had nine captaincies-general. Although the office of viceroy replaced that of governor-general in 1720, this change in title was window dressing for a post whose effective authority had been reduced in favor of the governors and captains-general who communicated directly with the authorities in Lisbon.

Although since the late Middle Ages the Portuguese monarchs had relied on royal magistrates to extend their authority at home, they gave the donataries the right to name magistrates in their captaincies if they did not personally oversee the administration of justice. With the decision to assert royal control in 1549,

however, John III superimposed a superior royal magistrate to handle appeals from municipal and donatary-named judges and to serve as the royal judge for the captaincy of Bahia. Not until 1609, nearly a century after the first Spanish American *audiencia* was created, did the Portuguese Crown establish a high court of appeals (*relação*) for Brazil in the city of Salvador. Suppressed in 1626 after the Dutch seized Salvador, the court was reestablished in 1652 and remained the sole high court in Brazil until the creation of another in Rio de Janeiro in 1751. As in Spanish America, the judges had administrative and advisory responsibility in addition to judicial service. Their frequent use in assignments outside the court adversely affected its administration of justice and led to repeated complaints about its dilatory conduct.

The most professional bureaucrats in Brazil, members of the high court of Bahia came primarily from modest families neither peasant nor noble. All had a university degree in law, almost invariably earned at the University of Coimbra in Portugal, the only university in the Portuguese world empowered to confer degrees in civil and canon law. Magistrates received appointments for a term of six years, but some stayed longer, occasionally over two decades. Their protracted service routinely brought closer ties to the region they served. Frequent promotions to a court in Portugal, usually the High Court of Oporto, and the paucity of Brazilians named to the Bahia tribunal, however, meant that the judges' social and economic bonds to the region were less common and intense than those of their counterparts in Spanish America. Corruption, nonetheless, was typical, and magistrates in Brazil repeatedly engaged in commercial affairs and often sought to become landowners. Because most magistrates reached Brazil in middle age, few married locally. The ten native-born magistrates, not surprisingly, were most involved in the local society and economy.

Except for the high executive and judicial posts and municipal council positions, virtually every office in Brazil could be obtained by purchase or royal concession. The key fiscal offices, for example, were proprietary, and the problems of graft and embezzlement noted in Spanish America were present in Brazil as well. The practice of farming out to private tax collectors the tithe, customs duties, and other imposts compounded the financial mismanagement.

As in Spanish America, the municipal council was the fundamental institution for the administration of the towns and their surrounding jurisdictions. The councils were important, among other reasons, because they distributed and leased municipal and common land, fixed the prices on numerous commodities, maintained roads and other public works, helped control slaves, policed the town, and oversaw public health and sanitation. Councils collected taxes and fines, licensed vendors, and leased municipal property for their income. In Salvador the council had three aldermen, two local magistrates, and a municipal attorney selected annually from a list of eligible candidates in a complicated indirect electoral process. Although after 1696 a royal magistrate presided over the council and the governors named the aldermen from eligible citizens, the councils remained important spokesmen for local concerns. The fact that the aldermen were elected prevented

the councils from becoming the closed and self-perpetuating corporations that emerged from the sale of the position of *regidor* in Spanish America. But in both Brazil and Spanish America, citizens valued council seats for their prestige as well as for the personal economic benefits available through participation in government.

Although the Portuguese Crown employed *corregedores* as royal agents in the districts in Portugal, it did not extend this middle level of administration to Brazil. Instead, it relied on governors and city councils to administer the reasonably compact zones of settlement along the coast and sent circuit magistrates into less populous regions. Not until the economic boom that began with the discovery of gold in Minas Gerais in the 1690s did the Crown devote much attention to providing administration in the vast Brazilian interior.

The single most impressive feature of bureaucrats in the Iberian empires was the extent to which they were rooted to the region in which they served. Time after time the Crowns turned to newly appointed outsiders when they wanted to effect changes. Thus they employed visitors to investigate abuses or the failure to implement specific legislation. The extent of innovation, however, was often modest. Deeply rooted local elites, of which high-ranked officials formed a part, proved resilient to challenge. When examined closely, so-called change and reform often turned out to be the old politics with a few new players. Yet it was precisely the flexibility and resilience produced by the fusion of individual bureaucrats' interests and those of other members of the elite in their district that reduced pressure within a system of bureaucratic rule.

THE COLONIAL CHURCH

The Church joined the colonial bureaucracy as a major institutional buttress of European power in the New World. Nurtured by the Crown financially and legislatively, the Church in Spanish America prospered under a degree of royal control greater than that exercised in Spain itself. Conversion of the Indians, the theoretical justification for the Iberian presence in the Indies, was the Church's initial priority.

The primary vehicle of acculturation, conversion drew the indigenous peoples into the cultural orbit of the Spanish and Portuguese settlers. The missionaries simultaneously tried to shield the Indians from the corruption and immorality of the European settlers and the labor demands of an encroaching colonial economy. In addition, they imposed Christian beliefs, social practices such as monogamy, and political organization through a mission system that undermined the Indians' potential for resistance and rebellion. These changes helped prepare the indigenous communities for integration into the emerging colonial order.

The Church in Spanish America also ministered to the Spaniards there, dominated their education, and provided social services for which the Crown was unwilling to assume direct responsibility. By the 1570s, the initial evangelical commitment was noticeably diminished. A royal policy favoring the secular clergy over the orders contributed to the malaise. In subsequent years, the Church consolidated its gains, participated in nearly every dimension of colonial life, and accumulated and displayed its wealth. Spiritual enthusiasm and utopian vision

declined, and an era of ecclesiastical routine began, although individual examples of clerical activism remained. The composition of the clergy, moreover, began to change noticeably. By the early seventeenth century, creoles far surpassed peninsulars numerically and firmly anchored the Church in the fabric of colonial society.

Royal Patronage

The Spanish kings' control over the Church rested on their *patronato real*, or royal patronage. Papal bulls in 1501 and 1508 formalized a degree of oversight implicit in the papal donation of 1493, and subsequent legislation spelled out the extent of supervision exercised by the Council of the Indies. Through their royal patronage Spanish monarchs assumed responsibility to promote the conversion of the Amerindians and to support the colonial Church. The Crown received control of tithe income, the tax levied on agricultural production and livestock, to sustain the ecclesiastical hierarchy, its physical facilities, and its activities. It also controlled the founding of churches, convents, and hospitals and the appointment of and payment to ecclesiastics. Clerics needed royal licenses to sail to the Indies, and their movement upon arrival was inhibited. The Council of the Indies examined all papal documents for statements that infringed on the Crown's patronage. Only after the council's approval could these materials be sent to the New World.

The Portuguese Crown also exercised a supervisory control over the Church. The *padroado*, patronage, derived from a series of papal bulls issued between 1456 and 1514. The king controlled the creation of colonial bishoprics, the appointment of bishops, the movement of missionaries, and the evangelical efforts among the Indians. The Portuguese Church, however, lacked the wealth and political power of the Spanish Church. The end of Muslim rule in Portugal in the thirteenth century gave the Church a history different from that of its Spanish counterpart. Still, Portugal's later expansion into North Africa and especially India gave the Portuguese Church some of the crusading zeal and material rewards gained in Spain during the long Reconquest.

The Evangelical Effort

The conquests of Mexico and Peru opened the most populous regions of the American mainlands to clerics anxious to convert the natives to Christianity. Although clerics accompanied Cortés on his march to Tenochtitlan, systematic efforts to convert the indigenous population awaited the arrival of the regulars, as members of the religious orders were known. Cortés repeatedly urged Charles I to send friars, preferring them to the more worldly secular clergy. Twelve Franciscans arrived in May 1524, the first contingent of an order that would lead conversion efforts in New Spain. In the following decade Dominicans, already active in the Caribbean colonies, and Augustinians joined in the "spiritual conquest." Although all of the orders emphasized conversion, the Franciscans approached the effort with a millenarian hope that their evangelization and the creation of a primitive apostolic church would be followed by the second coming of Christ.