



Cambridge Latin American Studies

# Asian Slaves in Colonial Mexico

From Chinos to Indians

TATIANA SEIJAS

## Asian Slaves in Colonial Mexico: From Chinos to Indians

During the late sixteenth and seventeenth centuries, countless slaves from culturally diverse communities in the Indian subcontinent and Southeast Asia journeyed to Mexico on the ships of the Manila Galleon. Upon arrival in Mexico, they were grouped together and categorized as *chinos*. Their experience illustrates the interconnectedness of Spain's colonies and the reach of the crown, which brought people together from Africa, the Americas, Asia, and Europe in a historically unprecedented way. In time, *chinos* in Mexico came to be treated under the law as Indians, becoming indigenous vassals of the Spanish crown after 1672. The implications of this legal change were enormous: as Indians, rather than *chinos*, they could no longer be held as slaves. Tatiana Seijas tracks *chinos*' complex journey from the slave market in Manila to the streets of Mexico City, and from bondage to liberty. In doing so, she challenges commonly held assumptions about the uniformity of the slave experience in the Americas.

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(continued after the index)



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TATIANA SEIJAS

*Miami University*



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*To my mother Dr. Pilar Alicia Parra Cabrera*





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## Introduction

During the late sixteenth and seventeenth centuries, countless slaves from culturally diverse communities in the Indian subcontinent and Southeast Asia journeyed to Mexico on the ships of the Manila Galleon. On arrival in Mexico, slave owners and Spanish officials grouped them together, overlooked their social and linguistic differences, and categorized them all as *chinos*.<sup>1</sup> In time, *chinos* came to be treated under the law as Indians (the term for all native people of Spain's colonies) and became indigenous vassals of the Spanish crown after 1672. The implications of this legal change were enormous: as Indians, rather than *chinos*, they could no longer be held as slaves. This book tracks *chinos*' complex journey from the slave market in Manila to the streets of Mexico City, and from bondage to liberty.

The story of *chino* slaves transpired during the seventeenth century in the expansive context of the Spanish empire.<sup>2</sup> Their experience points to the interconnectedness of Spain's colonies and the reach of the crown, which brought people together from Africa, the Americas, Asia, and Europe in a historically unprecedented way. The book examines *chinos*' story in this broad framework, emphasizing that the history of coerced

<sup>1</sup> Similarly, enslaved people from Africa were grouped together as "blacks" (*negros*). See Herbert S. Klein and Ben Vinson III, *African Slavery in Latin America and the Caribbean* (New York: Oxford University Press, 2007).

<sup>2</sup> Most of the events narrated in this book took place in present-day Mexico and the Philippines. In terms of the organization of the Spanish empire, the viceroyalty of New Spain governed both of these territories, along with parts of the southern United States, Central America, and the Caribbean Islands. The territory of modern Mexico is often referred to as New Spain in the records. I employ the term in quotations but otherwise use Mexico to avoid confusion with the larger administrative structure.



labor is necessarily connected to colonial expansion and forced global migration. By placing *chinos* in this larger narrative, the study challenges some assumptions about the uniformity of the slave experience in the Americas, especially in Mexico.

The Spanish crown dictated the legal status of people living in the colonies, but the sprawling empire also allowed for contingency and individual agency. *Chinos* employed myriad strategies to gain some modicum of personal freedom in their everyday lives. A great many of them, in fact, worked tenaciously to regain their natural liberty – be it by accessing capital for self-purchase, taking their masters to court and claiming illegal enslavement, or simply by running away and joining indigenous communities. As a whole, this book pays homage to the lives of *chino* slaves and emphasizes their individual efforts to escape from bondage prior to abolition.

The book narrates these people's stories in different contexts: the Manila slave market, the Manila Galleon trade, the labor sector of Mexico City, the Republic of Indians, the Catholic Church, and the colonial courts. Each chapter, as described next, focuses on different dimensions of their lived experience to show how *chino* slaves coped with structural forces beyond their control, and how they sometimes overcame these limitations to have a free life. In this way, we see the gradual changes over the course of the seventeenth century that led to the end of *chino* slavery. Abolition closes this history.

The story of a woman named Catarina de San Juan, told in the first chapter, provides an entry point for examining the larger transition from slavery to freedom. She arrived in the Mexican city of Puebla as a *china* slave, was freed, and ended her days in 1688 as a popular saint. Her story sheds light on one of the ways forced migrants survived bondage in the context of colonialism: they adopted the customs of the host country and used them to their own advantage. Catarina was thus part of a wider struggle in which enslaved people did what they could to be free. Remarkably, Catarina remains alive today in the popular imagination. In the late nineteenth century, Catarina was conflated with the *China Poblana* – a legendary figure who is said to have invented the colorful and sequined Mexican costume of the same name. The *China Poblana* inspired the research for this book.

Catarina's exemplary story sets the stage for the history of the Manila slave market. The Spanish Philippines had a diverse slave population for local labor and export, including Filipino Indians, Muslim war captives (*moros*), and foreign slaves from as far away as Portuguese India. [Chapter 2](#) discusses the cultural and linguistic diversity of the slaves in

this colony, which prompted legal discussion in the Manila High Court (*Audiencia*) about the legitimacy of enslaving people from different parts of the world. Over the course of the seventeenth century, this questioning of chattel status encouraged the Spanish crown to articulate its justifications for slavery more forcefully. It also prompted firmer legal distinctions between nations (*naciones*), which determined which peoples (*gentes*) could be held in bondage. The outcome of these determinations was the liberation of natives of the Philippines, as well as foreign slaves who were not of African descent.

Once sold, *chinos* journeyed to Mexico on the great ships of the Manila Galleon, which linked the Spanish Philippines to the rest of the empire. [Chapter 3](#) examines their passage to the Americas, showing that the transpacific slave trade, which functioned through individual licenses and via contraband, influenced the development of the monopoly slave-trading system (*asiento*). Slave traders working on the Atlantic responded to the competition on the Pacific by calling on the Spanish crown to prohibit the influx of slaves via the port of Acapulco. This pressure on the transpacific trade coincided with official efforts to liberate Indian slaves, which ultimately led to the end of *chino* slavery.

Upon their arrival, *chino* slaves were absorbed by the urban economy of Mexico City, where they mainly worked as domestic servants or in textile mills (*obrajes*). As shown in [Chapter 4](#), slave owners consciously channeled *chinos* into urban occupations because of generalized assumptions about their suitability for certain kinds of labor. For their part, working in the city provided *chinos* with some possibilities for manumission. *Chinos* in domestic service were especially apt to embrace the limited opportunities available to them and to experience some social mobility. In the *obrajes*, *chinos* had few of the freedoms given to domestic servants, but they did benefit from government oversight of the industry. During official visits, *chino* slaves appealed for protection from overt exploitation by claiming that they were Indians (even if they were from Portuguese India). Remarkably, visiting inspectors listened to their complaints, and they often responded by liberating individual *chinos* under the assumption that they were indeed native vassals and could thus not be held in bondage. The overall experience of *chinos* in the viceregal capital confirms the benefits of living close to the center of colonial power.

The presence of free indigenous immigrants from the Spanish Philippines in Mexico reinforced the idea that all *chinos* were Indians. The complex governing structure of colonial Mexico involved two republics or political communities (the *república de indios* and the *república de*

*españoles*); this organization separated the indigenous majority from everyone else to facilitate the collection of tribute and the ministry of the Catholic Church. [Chapter 5](#) argues that native immigrants from the Philippines purposely sought to confirm their membership in the Republic of Indians because corporate status provided personal advantages. They asked to be tallied in tribute rolls in Mexico to benefit from concomitant privileges, such as trading rights and legal representation through the General Indian Court. At the same time, free Filipinos were frequently confused with chino slaves – a situation that had serious consequences for Filipinos’ relations with colonial institutions and enslaved individuals. Some immigrants resented having their indigenous identity questioned and sought to maintain a sense of their Indian-ness by keeping their distance from chino slaves. The majority, however, expressed solidarity with chino slaves. Filipino artisans, for example, took on chino slaves as apprentices and taught them marketable skills. Similarly, Filipino traders incorporated chinos into their own credit networks to facilitate self-purchase.

Individual chinos who were manumitted also embraced an Indian identity, regardless of whether they were from Goa, Macau, or other places in South and Southeast Asia. In this way, chinos challenged official attempts to define them solely as former slaves. Instead, they sought to join the free republic. The possibility for this kind of social integration caused widespread concern among slave owners. To defend their property rights, masters started to brand chino slaves on the face, rather than on the chest or arm as they did with Africans, in order to dissuade them from fleeing and “passing” as free Indians. This horrifying development shows that Indian communities welcomed runaway chino slaves and, by extension, that slave owners sought visible markers of their slaves’ status.

The Catholic Church played a critical institutional role in changing social perceptions about chino slaves. At first, the church interacted with chinos as with African slaves. The Inquisition, for example, prosecuted individual chinos for religious infractions, and the episcopal court threatened to excommunicate anyone who helped chino slaves run away. In time, churchmen came to associate chino slaves with Indians and thus embraced them in their missionary project. This move also meant defending their natural liberty and pressing the crown for their liberation, as was the case with Indians. In addition, chino slaves employed religious rhetoric to articulate their desire for liberty. [Chapter 6](#) focuses on the individual actions that blurred social boundaries and resulted in chinos ceasing to be slaves in the eyes of the Catholic Church.

The book culminates in [Chapter 7](#) with a discussion of the abolition of indigenous slavery in the Spanish empire, and how the prohibition of enslaving Indians was stretched to include people who were not born in the Spanish domain. The crown first decreed in the 1540s that Indians who accepted Spanish sovereignty were special wards of the king and free indigenous vassals accorded protection from enslavement. Despite such legislation, the ongoing resistance of indigenous groups at the far edges of the Spanish empire allowed the enslavement of “barbarous” Indians, such as the Negritos in the Philippines, Chichimecas in the northern provinces of Mexico, and the Mapuche in Chile. Starting in the late 1660s, government officials revisited the debate over the legal status of people who were natives of Spain’s colonies. In response, the Spanish crown declared that, without exception, all Indians were indigenous vassals. Royal decrees liberated chino slaves in Mexico at this time because many of them were originally from the Spanish Philippines. Individuals born in Portuguese Goa, Malacca, and other places in South and Southeast Asia were also freed because they had long been categorized together as chinos, and because most chino slaves by this point had strong ties to indigenous communities in Mexico.

The terms employed at the time shed light on chinos’ ascribed social identity and how it related to their legal status. Spanish colonists flattened cultural differences in order to categorize people according to their place in society and their legal status within the empire. In the 1600s, the terms “chino” and “black” (*negro*) referred to individuals from the continents of Asia and Africa, who arrived in the Americas as slaves. The geographic names for the continents of Asia and Africa, which obviously encompass vast physical areas and diverse cultures, were also used as broad signifiers in the early modern period. Similarly, the word “Indian” (*indio/india*) referred to all indigenous peoples; it was a generic term for individuals who had a distinct civic status as native vassals of the Spanish monarch.<sup>3</sup>

The book employs this vocabulary as shorthand following historical usage, and in full recognition that words and categories acquire different meanings over time. In seventeenth-century Mexico, the term “Indian” was almost never used in reference to chino slaves.<sup>4</sup> People who were categorized as “chino Indians” (*indios chinos*) were indigenous people

<sup>3</sup> Robert H. Jackson, *Race, Caste and Status: Indians in Colonial Spanish America* (Albuquerque: University of New Mexico Press, 1999): 5.

<sup>4</sup> I found more than 800 archival documents, dating from 1591 to 1718, that specifically referred to “chinos”; of these, only 45 used the term “indio chino.”

from the Philippines.<sup>5</sup> The term, for instance, was used in treasury records from Acapulco to refer to free Filipino sailors who served on the Manila Galleon. Chino slaves were not called *indios chinos* because the term connoted Indian identity, and Indians were supposed to be free. Masters and colonial officials therefore rarely coupled the words “Indian” and “slave.” Tellingly, in the eighteenth century, decades after the end of chino slavery, the term “chino” came to refer to individuals of mixed Indian and African ancestry (*castas*).<sup>6</sup> By that time, the word “chino” had entered the lexicon for people who were Indians. As such, scholars who group together free and enslaved chinos, using the terms “indio chino” and “chino” interchangeably, ignore critical differences and detract from our understanding of these people’s experiences in distinct historical periods.<sup>7</sup>

In this story, the scholarship on empire, European colonization in the Indian Ocean World, transoceanic trade, indigenous history, Catholic evangelization, and slavery in the Americas all play a part.<sup>8</sup> The work of scholars in these varied fields has shaped our understanding of the

<sup>5</sup> In 390 documents from the Notarial Archive of Mexico City (dating from 1600–1705), the term “indio chino” is used only nine times: six of them were for free Filipino immigrants and three were for slaves from India. Archivo General de Notarías de la Ciudad de México [henceforth ANM] José Rodríguez 3837 f.752 (1610). ANM Juan Pérez de Rivera 3359 f.315 (1614). ANM José de la Cruz 718, f.123 (1618). Records from Mexico’s National Archive follow the same pattern. Thirty-six documents dated between 1591 and 1689 employed the words “indio chino”; of these, thirty were in reference to free Filipinos, and only six documents related to enslaved individuals. Archivo General de la Nación [henceforth AGN] Inquisición Real Fisco 8 exp.9 f.262 (1599). AGN Inquisición 486 exp.3, f.201 (1621). AGN Inquisición 356 exp.20 f.26 (1626). AGN Indiferente 3878 exp.2 (1604). AGN Matrimonios 61 exp.73 f.288 (1605). AGN Matrimonios 29 exp.106 f.247 (1631). AGN Matrimonios 7 exp.56 f.203 (1634).

<sup>6</sup> Based on an analysis of *casta* paintings from the eighteenth century, León identified up to 53 *casta* categories. According to him, the word “chino” did not have an association with slaves from Asia. Nicolás León, *Las castas del México colonial o Nueva España* (México: Museo Nacional de Arqueología, Historia y Etnografía, 1924), 22–23.

<sup>7</sup> Déborah Oropeza Keresey, for example, suggests that all chinos in Mexico were called *indios chinos* and writes about free immigrants alongside slaves. Déborah Oropeza Keresey, “Los ‘indios chinos’ en la Nueva España: la inmigración de la nao de China, 1565–1700” (Ph.D., El Colegio de México, Centro de Estudios Históricos, 2007). Slack makes similar assumptions. Edward R. Slack Jr., “The Chinos in New Spain: A Corrective Lens for a Distorted Image,” *Journal of World History* 20, no. 1 (2009). Meanwhile, other scholars have suggested that *indios chinos* were people of “mixed Spanish and Asian” descent. Colin M. MacLachlan and Jaime E. Rodríguez O., *The Forging of the Cosmic Race: A Reinterpretation of Colonial Mexico* (Berkeley: University of California Press, 1990), 222.

<sup>8</sup> For an overview of the scholarship on African slavery in the Americas, see Herbert S. Klein, *The Atlantic Slave Trade*, 2nd ed. (Cambridge: Cambridge University Press, 2010); Klein and Vinson, 2007; Sherwin K. Bryant, Rachel Sarah O’Toole, and Ben Vinson III, *Africans to Spanish America: Expanding the Diaspora* (Urbana: University of Illinois Press, 2012).

complexity of the early modern period. These complementing historiographies have made possible the kind of reconstruction presented in these pages. The narrative has also been influenced by the scholarship on African and Indian slavery in the context of Mexico.<sup>9</sup> When the project began, no one had undertaken the task of systematically sifting through thousands of archival documents to find references about chino slaves.<sup>10</sup> The late Gonzalo Aguirre Beltrán referred to these individuals in his pathbreaking works on African slavery in colonial Mexico, but it is only recently that historians have begun to publish articles on several aspects of the story of chino slaves.<sup>11</sup> To date, this book is the first to trace chinos' origins in Asia and to offer a comprehensive reconstruction of their lives in Mexico. Told in full, chinos' story changes our understanding of the history of slavery and ethnic interactions in this part of the Americas. The reader will follow these individuals from the Philippines and across the Pacific to Mexico and see what chinos did to overcome bondage.

<sup>9</sup> Recent scholarship on the African diaspora in Mexico has focused on cultural survival and African continuities, Christian syncretism, and interethnic interactions. For a review of the scholarship on Afro-Mexicans, see Ben Vinson III, "Introduction: Black Mexico and the Historical Discipline," in *Black Mexico: Race and Society from Colonial to Modern Times*, ed. Ben Vinson III and Matthew Restall (Albuquerque: University of New Mexico Press, 2009); Ben Vinson III and Bobby Vaughn, *Afroméxico: el pulso de la población negra en México, una historia recordada, olvidada y vuelta a recordar* (México: Fondo de Cultura Económica, 2004). The academic seminar "Studies of Populations and Cultures of African Heritage in Mexico," founded in 1997, and the program "Our Third Root" have brought scholars together and encouraged international congresses on the subject. For a review of this intellectual project, see María Elisa Velázquez Gutiérrez and Ethel Correa Duró, eds., *Poblaciones y culturas de origen africano en México* (México: Instituto Nacional de Antropología e Historia, 2005). Indigenous slavery in Mexico, by contrast, has received limited scholarly attention, with some promising recent interest on native vassalage and state protection from slavery. Silvio Arturo Zavala, *El servicio personal de los indios en la Nueva España*, 6 vols. (México: Colegio de México, 1984); Silvio Arturo Zavala, *Los esclavos indios en Nueva España* (México: Colegio Nacional, 1967); Brian Philip Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008).

<sup>10</sup> A note on methodology: I carried out most of the research for this study in Mexico and Spain for two straight years, from 2005 to 2007, and also in the summers of 2009 and 2011. My overall goal was to find documentary evidence of chinos' lives, which meant that I had to employ a broad research methodology and cast a wide net. Archival catalogues were sometimes helpful in finding documents relating to chinos. When the finding aids were incomplete or unavailable, I simply read the entire collection for the seventeenth century. I did not sample, as in looking at a decade to extrapolate for the century.

<sup>11</sup> Gonzalo Aguirre Beltrán, *La población negra de México, 1519–1819: estudio etnohistórico*, 2 ed. (México: Fondo de Cultura Económica, 1972); Déborah Oropeza Keresey, "La esclavitud asiática en el virreinato de la Nueva España, 1565–1673," *Historia Mexicana* 61, no. 1 (2011).

## Catarina de San Juan: China Slave and Popular Saint

Around the year 1610, a young girl was seized from her homeland in South Asia and taken to the city of Puebla, Mexico, where she became a popular saint named Catarina de San Juan.<sup>1</sup> She was unique in that churchmen crusaded to canonize her as an exemplary Christian after her death, but her life trajectory closely approximated that of other chino slaves who made the journey from Asia to Mexico in the seventeenth century. With them, Catarina witnessed the same legal and social changes that turned all chinos into Indians. Catarina's experience makes concretely visible the human toll of the transpacific slave trade, at the same time illustrating how individuals took part in the transformation of slavery.

Catarina's story is now Mexican folklore. The known outline of Catarina's life is that Portuguese slavers took her from the western coast of India on a trading voyage that went around the subcontinent, across the

<sup>1</sup> Catarina has inspired countless renderings of her story and its significance. Literary scholars have analyzed the hagiographies that record Catarina's life, with an eye toward understanding female spirituality, social control, and the role of women in the missionary enterprise of the Catholic Church. See Ronald J. Morgan, "Very Good Blood: Reconstructing the Asian Identity of Catarina de San Juan," in *Spanish American Saints and the Rhetoric of Identity* (Tucson: University of Arizona Press, 2002), 119–42; Kathleen Ann Myers, "La China Poblana, Catarina de San Juan (ca.1607–1688): Hagiography and the Inquisition," in *Neither Saints Nor Sinners: Writing the Lives of Women in Spanish America* (Oxford: Oxford University Press, 2003); María Luisa Ortega Hernández, "Woman, Virtue, and Desire: The Female Icon in New Spain" (Ph.D., University of Pennsylvania, 2002). Historians, by contrast, have called attention to Catarina's story for what it tells us about Christianity and European expansion in the early modern period. See Ulrike Strasser, "A Case of Empire Envy: German Jesuits Meet an Asian Mystic in Spanish America," *Journal of Global History* 2 (2007); C. R. Boxer, *Mary and Misogyny, Women in Iberian Expansion Overseas, 1415–1815: Some Facts, Fancies and Personalities* (London: Duckworth, 1975).

Bay of Bengal, through the Straits of Malacca, and up the South China Sea to Manila in the Philippines, where they finally sold her at market. This was the first leg of a forced journey that continued on a ship of the Manila Galleon, which carried Catarina across the Pacific to the port of Acapulco in 1619. The seas and ocean behind her, Catarina was then made to walk along a difficult terrain called the China Road (*vía de china*) to Mexico City and then on to Puebla, where she lived for the remainder of her life.

Catarina's survival and success were closely tied to her ability to garner support from various patrons. The first were a Portuguese merchant and his wife, who purchased Catarina to be their domestic servant. In this position, Catarina had some freedom to run errands and wander the streets of the growing city, so she witnessed the construction of the city's famous cathedral that was consecrated in 1649. Encouraged by her masters, Catarina also attended mass in her daily outings, finding a spiritual home in the Temple of the Jesuit College in Puebla. When her masters died, having granted her liberty in their wills, Catarina was left free but penniless, which forced her to work as the domestic servant of a neighborhood priest. Soon after, Catarina sought to take personal vows of chastity, poverty, and obedience as a lay religious woman (*beata*), but the said priest dissuaded her from this pursuit and instead pressed her into marriage. As a result, Catarina had to wait until she was widowed to lead the religious life she so desired. When Catarina died in 1688, she was a beloved popular saint, grieved by the residents of Puebla, where she is still remembered today.

#### HAGIOGRAPHY: WRITING THE LIFE OF A POPULAR SAINT

After Catarina's death, her confessors Alonso Ramos and José del Castillo Grajeda wrote hagiographies that provide striking details about her life and allow for a reconstruction of her historical experience.<sup>2</sup> The authors employed the literary genre of hagiography used for the lives of saints because they thought she was a uniquely virtuous woman whose life story

<sup>2</sup> Alonso Ramos, *Primera parte de los prodigios de la omnipotencia y milagros de la gracia en la vida de la venerable sierva de dios Catharina de San Joan* (México: Imprenta Plantiniana de Diego Fernández de León, 1689). Alonso Ramos, *Segunda parte de los prodigios de la omnipotencia y milagros de la gracia en la vida de la venerable sierva de dios Catharina de San Joan* (México: Imprenta de Diego Fernández de León, 1690). Alonso Ramos, *Tercera parte de los prodigios de la omnipotencia y milagros de la gracia en la vida de la venerable sierva de dios Catharina de San Joan* (Mexico: Imprenta de Diego Fernández de León, 1692). José del Castillo Grajeda, *Compendio de la vida y virtudes de la venerable Catarina de San Juan* (Puebla, 1692; México: Ediciones Xochitl, 1946).

I have modernized all spelling in the text.



would edify readers.<sup>3</sup> Though the two hagiographers emphasized her mystical visions and piety, they also recorded life events and referenced historical reality. Her confessors necessarily mediated Catarina's testimony as they listened and recorded her stories, but at least Castillo claimed that he sought to convey her "ordinary language."<sup>4</sup> Examined with care, these hagiographies present a vivid rendition of life in captivity that echoes the testimonies of other chino slaves.

Ramos's definition of the term "chino" reflects a unique understanding of the transpacific slave trade and the origins of some of these people. He wrote, "in these parts, natives of India are called chinos; they all come from the Orient, by way of the Philippines, brought by the Portuguese."<sup>5</sup> This explanation strongly implies that most chinos were slaves, taken by Portuguese traders from South and Southeast Asia to the Spanish colony in the Philippine Islands, where they then boarded the Manila Galleon bound for Mexico. Ramos knew about the workings of the trade from Catarina, who spoke to him at length about her experience. She testified that Portuguese slavers worked in the Indian Ocean World, and that the mechanisms of the Portuguese trading system reached the Spanish Philippines. These details about the trafficking networks, which crisscrossed the Indian Ocean to the China Sea and Pacific Ocean, were generally unknown to other people in Mexico. With this account, Ramos sought to clarify some of the contemporary confusion regarding the origins of chinos, who were generally thought of as people born on the other side of the Pacific Ocean. The term "chino" generally referred to individuals who traveled on the *nao de China* (another name for the Manila Galleon); they were people from "the orient [who] came to stay or simply passed through."<sup>6</sup> Ramos thus described an important distinction: there were chinos who were slaves, and there were

<sup>3</sup> In medieval historiography, hagiographies have long been considered a reliable source for the experience of women who left no other documentary records; see Jocelyn Wogan-Browne, "Powers of Record, Powers of Example: Hagiography and Women's History," in *Gendering the Master Narrative: Women and Power in the Middle Ages*, ed. Mary C. Erler and Maryanne Kowaleski (Ithaca: Cornell University Press, 2003).

<sup>4</sup> Castillo 24. All translations are my own. For an analysis of the power relations between hagiographers and their subjects and the aims of the genre, see Asunción Lavrin, "La vida femenina como experiencia religiosa: biografía y hagiografía en Hispanoamérica colonial," *Colonial Latin American Review* 2, no. 1-2 (1993). Rubial García argues that hagiographers documented experiences unique to their historical context, while following a set model. Antonio Rubial García, *La santidad controvertida: hagiografía y conciencia criolla alrededor de los venerables no canonizados de Nueva España* (México: Fondo de Cultura Económica, 1999), 13.

<sup>5</sup> Ramos 1689, f.11.

<sup>6</sup> Ramos 1689, f.20v.

also chinos, generally natives of the Philippines, who were free immigrants, itinerant traders, or sailors. All chinos traveled to Mexico on the same ships of the Manila Galleon; the slaves, like Catarina, generally stayed, whereas free chinos had more mobility.

The presence in Mexico of free immigrants from the Philippines added further complexity to questions regarding where chinos came from, and who they were. Ramos makes several comments about countrymen from the Philippines who lived in Puebla.<sup>7</sup> According to Spanish law, these native people were indigenous vassals, just like the natives of Mexico; they were Indians who owed tribute to the crown in exchange for certain rights and protections. In Mexico, the natives of the Philippines were called Filipinos, Indian chinos (referring to their legal status as indigenous vassals), as well as simply chinos. This confusing nomenclature caused some problems in Mexico, as free natives of the Philippines were sometimes confused with chino slaves and treated as such. For the most part, however, their presence in Mexico encouraged officials to conceive of all chinos as free Indians.

Catarina's hagiographers expressed an ambiguity about her birthplace that reflects the diverse origins of chino slaves. Catarina could not remember her origins because slavers stole her away when she was just a little girl, dragging her through "distant provinces" and confusing her sense of place.<sup>8</sup> One possibility is that she was from Surat, as Portuguese traders controlled that port before 1615, which was when she was kidnapped.<sup>9</sup> According to Ramos's account, she was a "poor girl from China, Mogor or India, picked from among the thorny bushes and hidden jungles of Cambaya and Bengal."<sup>10</sup> From the perspective of people living in Mexico, Qing China and Mughal India were apparently indistinguishable as faraway places where chinos came from. Catarina's testament from 1686 recorded a similar conflation of geographic areas. It reads, "Catarina de San Juan, native of the Mughal Kingdom in the Philippine Islands."<sup>11</sup> Catarina dictated the will, so the notary was the likely author

<sup>7</sup> Ramos 1689, f.20v.

<sup>8</sup> Ramos 1689, f.4.

<sup>9</sup> This is Bailey's suggestion. Gauvin Alexander Bailey, "A Mughal Princess in Baroque New Spain: Catarina de San Juan (1606–1688), The China Poblana." *Anales del Instituto de Investigaciones Estéticas* 71(1997): 47.

<sup>10</sup> Ramos 1689, f.ttt2v.

<sup>11</sup> A copy of the testament was kept in the records of Puebla's notary number 4 for the year 1686 (f.151v-153). The document is transcribed and printed in Nicolás León, *Catarina de San Juan y la china poblana: estudio etnográfico crítico* (Puebla: Ediciones Altiplano, 1971), 53–6. The book is a reprint of León's 1921 article in the illustrated periodical *Vincit*.

of this geographic reference rather than something she actually thought. Either way, it reflects the contemporary tendency to combine unknown regions.

The difficulty of identifying Catarina's birthplace points to a broader methodological problem for the study of chino slaves. Slave deeds only rarely specified the individual's origin; one example is a slave named Antonio de Silba, who was identified as a "creole from Goa."<sup>12</sup> Instead, most slave deeds simply stated where the slave was last purchased – usually in Manila – with no reference to the person's birthplace. Our understanding of chino slaves' varied origins is therefore obscured by the surviving documentation, which suggests that many of them were from Manila. The hagiographies about Catarina are all the more important than for what they tell us about people's different paths to the Manila slave market.

The description of Catarina's capture exposes the Portuguese as having taken an active role in enslaving people. When she was about nine years old, some Portuguese men came upon her on a beach, where she was playing with other children. The men took them hostage and then sailed to "a distant place where, assured that no one would take away their prey, leapt on shore and disembarked the stolen prisoners and goods."<sup>13</sup> Based on her own experience, it is understandable that Catarina thought that all the Portuguese in Asia "sailed the seas and lands in the condemnable pirating of goods and people."<sup>14</sup>

The accounts of Catarina's circuitous voyage from Cochin to Manila demonstrate the reach of the Portuguese commercial system and the geographic expanse of the colonial State of India (*Estado da India*), which consisted of all their outposts in Asia. Portuguese traders mainly worked out of Goa with the primary goal of acquiring pepper and silver (from Japan and then from the Spanish Philippines).<sup>15</sup> The trade involved traveling from port to port around the Indian Ocean and China Seas, selling varied merchandise along the way, including slaves, who were among their most profitable commodities. The Portuguese need for silver explains why trading ships carried captives from as far away as Mozambique to sell in Manila, where they exchanged them for American silver.

<sup>12</sup> ANM José Veedor 4592, f.43 (1656).

<sup>13</sup> Ramos 1689, f.16.

<sup>14</sup> Ramos 1689: f.16.

<sup>15</sup> George Bryan Souza, *The Survival of Empire: Portuguese Trade and Society in China and the South China Sea, 1630–1754* (Cambridge: Cambridge University Press, 1986). A. R. Disney, *Twilight of the Pepper Empire: Portuguese Trade in Southwest India in the Early Seventeenth Century* (Cambridge, MA: Harvard University Press, 1978).

The contrasting accounts of Catarina's baptism point to an ongoing theological concern regarding the efficacy of mass baptism. The debate emerged in relation to the mass baptisms performed by Franciscans in sixteenth-century Mexico, as well as to the practice of baptizing Africans en masse prior to their arrival in the Indies. Churchmen including Alonso de Sandoval protested these methods, questioning the conversion of people who had not consented to baptism and had not been taught anything about Christianity.<sup>16</sup> At the same time, there was concern that slaves would die during the Middle Passage, which would damn their souls if they were not baptized. As a result, Portuguese slavers continued to carry out mass baptisms. According to Ramos, for instance, Catarina's captors arranged to have all the slaves on board their ship baptized as soon as they arrived at Cochin.<sup>17</sup> This account testifies to the cursory efforts made by Portuguese traders to baptize their captives prior to sale at market. In contrast, Castillo's version of events has Catarina explain that she spent time with Jesuit fathers in Cochin, who indoctrinated her before she was baptized.<sup>18</sup> For Castillo, in other words, it was important to emphasize that Catarina had received sound doctrinal teaching prior to being baptized, perhaps because it made her conversion more genuine. According to Castillo, Catarina was thankful that she had been taken from her land of birth, where people were not yet baptized, but rather lived under the "yoke of gentility"; Christ had "straightened her path" and delivered her to a land of Christian charity.<sup>19</sup>

Catarina endured many hardships during the long journey from Cochin to the Manila slave market, spending days "in a corner below deck."<sup>20</sup> The relative respite from the beatings at sea came when the Portuguese ship anchored at various ports while the trading transpired on land. During

<sup>16</sup> Sandoval discusses mass baptism in book 3, Chapters 4–5. Alonso de Sandoval, *Un tratado sobre la esclavitud* [De instauranda aethiopiump salute], trans. Enriqueta Vila Vilar (Madrid 1647; Madrid: Alianza Editorial, 1987).

<sup>17</sup> Ramos 1689, f.24.

<sup>18</sup> Castillo 41–42. The Society of Jesus, which had a strong presence in Asia following St. Francis Xavier, nurtured female religiosity, including the establishment of the *Beatas de la Compañía de Jesús* – the first religious congregation for native women of the Philippines. Haruko Nawata Ward, "The *Beatas* of Manila (1615–1656): Visionaries," in *Women Religious Leaders in Japan's Christian Century, 1549–1650* (Farnham: Ashgate, 2009). Luciano P.R. Santiago, *To Love and To Suffer: The Development of the Religious Congregations for Women in the Spanish Philippines, 1565–1898* (Manila: Ateneo de Manila University Press, 2005).

<sup>19</sup> Castillo 97.

<sup>20</sup> Ramos 1689, f.26.

these stops, the captives disembarked and stayed “in the most base and foulest inns,” or worse, they were forced to seek shelter “in the bush and sandy grounds, suffering scorn and hunger.”<sup>21</sup> Years later, Catarina remembered the arduous voyage as an experience that took away years from her life.

Manila was an important destination for many Portuguese slave traders because the city had a constant demand for slave labor. The ports of Manila and nearby Cavite, moreover, were the starting points of the Manila Galleon, which opened an additional market in the sense that traders and travelers bound for Mexico often purchased slaves right before the journey. The slave market in Manila was not a permanent structure, but rather an amorphous operation that took various forms. Residents of the city looked for individual buyers when they wanted to sell a slave, and vice versa. Portuguese traders, on the other hand, tended to organize slave auctions in central locations, as did other brokers who sold slaves in lots. The merchant who purchased Catarina, for example, found out from hearsay about the auction and rushed to the main plaza “to look at the pieces that were up for sale.”<sup>22</sup> At the market block, Catarina allegedly enchanted him and “filled him with desire.”<sup>23</sup> The auctioneer perceived the merchant’s desire and demanded that he buy ten more slaves in order to secure the purchase.

Ramos’s description of Catarina’s sale in Manila only alludes to the sexual objectification experienced by women at slave auctions. In that regard, the French traveler François Pyrard was more explicit about the slave market in Portuguese Goa. Regarding the value that was placed on their virginity, he wrote: “Girls that are virgins are sold as such, and are examined by women, so that none dare use any trickery.”<sup>24</sup> The idea here was that buyers insisted on having proof that the women were untouched. Young virgins were prized in this way because European and Asian itinerant traders commonly purchased women to be their temporary wives, with whom they often had children.<sup>25</sup> Dutch traders, for example, sought out acculturated women from India to be their companions, so the

<sup>21</sup> Ramos 1689, f.26.

<sup>22</sup> Ramos 1689, f.28v.

<sup>23</sup> Ibid.

<sup>24</sup> François Pyrard, *The Voyage of François Pyrard of Laval to the East Indies, the Maldives, the Moluccas and Brazil* (London: Printed for the Hakluyt Society, 1888), 66.

<sup>25</sup> Anthony Reid, “Female Roles in Pre-Colonial Southeast Asia,” *Modern Asian Studies* 22, no. 3 (1988).

Portuguese knew to set these women apart for them.<sup>26</sup> In terms of the Philippines, according to a 1634 census, a number of Spaniards living in Manila and its surroundings were married to women from Indian and Bengali descent, which suggests a similar pattern.<sup>27</sup> Portuguese slave traders were thus well aware of their customers' predilections. Again according to Pyrard, the Portuguese were known to separate women by the color of their skin: those who were "pretty fair and comely" and "olive-colored" were sold as concubines at high prices, and "*cafre* girls from Mozambique and other places in Africa" were marketed at a lower cost for prostitution.<sup>28</sup>

Catarina's experience confirms the sexual humiliation experienced by enslaved women. Ramos's account of another incident in Manila provides a chilling picture of ongoing sexual abuse: "In the house where they hid her [Catarina] . . . a lascivious and cruel man attacked her honesty . . . blind to the offense of harming a slave . . . [she] one time found herself naked, tied, and tormented with shame and by the blows of this brute."<sup>29</sup> This episode, moreover, suggests that both Catarina, who told of the episode, and Ramos, who wrote about it, stressed that the attacker had specifically targeted her because she was a slave. It was an honest recognition that in legal terms Catarina was a piece of property rather than a woman with legal rights to defend her honor and person.

Relative to other travelers, Catarina gave an unusually brief account of her transpacific journey. In Ramos's account, the passage on the Manila Galleon transpired in a few lines, with no mention of the common complaints of this crossing, which on average lasted five or more months. Ramos provided one important detail: the trader responsible for Catarina disguised her as a boy – allegedly to protect her.<sup>30</sup> The significance lies in the story's reference to the danger faced by female slaves. In a petition to the Spanish crown from the early 1600s, the High Court (*Audiencia*) of Manila called for an end to the scandalous practice of boarding the Galleon with female slaves, openly acknowledging that

<sup>26</sup> Hendrik E. Niemeijer, "Slavery, Ethnicity and the Economic Independence of Women in Seventeenth-Century Batavia," in *Other Pasts: Women, Gender and History in Early Modern Southeast Asia*, ed. Barbara Watson Andaya (Honolulu: Center for Southeast Asian Studies, University of Hawai'i at Mānoa, 2000). Léonard Blussé, *Strange Company: Chinese Settlers, Mestizo Women and the Dutch in VOC Batavia* (Dordrecht, Holland: Foris Publications, 1986).

<sup>27</sup> AGI Filipinas 27 N.181 f.999 (1634).

<sup>28</sup> Pyrard 66.

<sup>29</sup> Ramos 1689, f.27v.

<sup>30</sup> Ramos 1689, f.28v.

officials were known to travel with small harems. In response, King Philip III issued a decree prohibiting all enslaved women from traveling to Mexico.<sup>31</sup> As evident from the experience of Catarina and others, the prohibitions did not have the full desired effect. Officials and traders bound for Acapulco continued to travel with enslaved women for decades to come, but with fewer of them. The royal prohibition made the transpacific trade predominantly male, with one woman for every three men.

The transpacific slave trade took hold in the last decades of the sixteenth century, as Spanish colonists in central Mexico reeled from the demographic collapse of the indigenous population and the related decline of the labor force. Though on a far smaller scale, the transpacific slave trade served the same function as the Atlantic slave trade, which delivered thousands of Africans to Mexico during this same period. Both slave trades transported people who were meant to replace the indigenous labor force. As such, Africans and *chinos* ended up working in similar occupations, which had previously been the reserve of indigenous workers. The majority of *chino* slaves lived in cities, particularly in Mexico City and Puebla, where they worked as domestics or in the textile mills. The one major difference between African and *chino* slaves is that very few *chinos* worked in the large sugar haciendas. Sugar production throughout the Americas was singularly associated with African labor from the sixteenth through the nineteenth centuries.

Slave masters characterized *chinos* as good domestic servants, so they regularly placed special orders with traders to bring them *chino* slaves for their households. According to Ramos, Catarina traveled to Mexico at the request of Captain Miguel de Sosa, a Portuguese resident of Puebla. A few years earlier, Sosa had asked a compatriot to send “a modest and attractive *chinita* to serve as a comfort for him and his spouse,” and the Portuguese trader had promised to do so on his next transpacific trip.<sup>32</sup> According to Castillo, on the other hand, Catarina had initially been selected to work in the household of the Marquis de Gélves, viceroy of New Spain. The viceroy had placed a special order for “pretty and graceful slaves for his palace,” and Catarina had been sent to Acapulco “for his Excellency’s service.”<sup>33</sup> As it turned out, the Galleon carrying Catarina arrived during a season of heavy rains, which caused large-scale flooding and general chaos in

<sup>31</sup> See [Chapter 3](#) for a discussion of the workings of the transpacific slave trade.

<sup>32</sup> Ramos 1689, f.28v.

<sup>33</sup> Castillo 45.

Mexico City and resulted in the viceroy's staff being unable to pick her up at the port. The broker thus had to offload Catarina on the next interested party, who happened to be Captain Sosa. Whatever the actual details, it is evident that wealthy individuals living in Mexico placed regular orders for the delivery of chino slaves to work in their households.

One reason for this market preference for chino servants is that most of them were more acculturated than African slaves on arrival. Most chino slaves spent months and even years in the hands of Portuguese traders before they arrived in Manila; during that time, they learned about Hispanic culture and Christianity. Then in Manila, slaves had to wait months for the Galleon to sail, which happened once a year. Slaves worked in Spanish households or in other urban occupations. Catarina, for example, worked in private homes during her stays in Cochin and then in Manila, acquiring skills and cultural knowledge that helped her meet the demands of subsequent masters. More importantly, Catarina learned about the centrality of religion in Hispanic society. She embraced Christianity and then adopted ascetic practices, depriving her body of food and comfort as part of her spiritual practice. Catarina, in other words, became a model of piety – she was selfless and dedicated to living a spiritual life and ignoring worldly concerns. From the Spanish perspective, Catarina was an exemplary slave, dutifully bearing the physical burdens of bondage to free her soul. She gave public thanks to the church for directing her soul to Christian salvation. Like Catarina, other chino slaves expressed a dedication to Christ that embodied the kind of religiosity favored by contemporary churchmen, who imagined the creation of a new godly order among the natives of Mexico and the Philippines.

Catarina had the admiration of high prelates and the adoration of devotees who flocked to hear her stories. Her funeral, which took place at the church of the Jesuit College in Puebla, was a grand event, attended by “illustrious men.”<sup>34</sup> After her death, the residents of Puebla (*poblanos*) sought to have her beatified in order to have a saint of their own, like Saint Rose of Lima, who would promote civic pride and bring recognition to the city.<sup>35</sup> In the words of the members of the municipal council (*cabildo*), Catarina's “good and laudable life” was a testament to the city that had adopted her. To improve Catarina's candidacy, council members

<sup>34</sup> A notary drew up a testament describing the events of the day of her death (January 6, 1688); the document is transcribed in Ramos 1692, f.113v-114.

<sup>35</sup> Santa Rosa de Lima, who was canonized in 1671, set a precedent as the first saint from the New World.



authorized an investigation of the miracles attributed to her.<sup>36</sup> They also sponsored the publication of Ramos's hagiography, with the goal of submitting it as evidence of her miraculous life.<sup>37</sup> Notably, Catarina was not the only religious figure adopted in this manner. Puebla had a large reading public that was eager for hagiographies about local holy people, who were nearly all Spanish nuns, priests, and friars.<sup>38</sup> No one, however, stepped forward to promote the canonization of Catarina's contemporary Juana Esperanza de San Alberto, who was similarly famous for her piety. Juana was of African ancestry, which poblanos likely saw as an insurmountable barrier to sainthood, given the widely accepted idea that black skin was a marker of bad blood.<sup>39</sup> In contrast, Catarina's religious fervor brought her freedom and fame; her ancestry, which was equally problematic in that her blood relations were either Muslim or Hindu, was not visibly apparent as it was for Juana, making it easier for poblanos to ignore.

Chino slaves found it opportune to self-fashion their public identities according to Christian expectations, allowing them, for example, to foster favorable bonds with their masters, who might be persuaded to grant them liberty. Catarina was manumitted just five years after arriving in Puebla in 1619. It is not clear whether she asked Captain Sosa for this gift, or if he was simply prompted to manumit her as an act of Christian charity. Sosa did, however, leave directions in his will that suggest he freed Catarina because

<sup>36</sup> For a discussion of saintly figures and the formation of local identities, see Rubial García, 1999.

<sup>37</sup> The transcription of the 1688 act is in Ortega Hernández, 2002, 129–31.

<sup>38</sup> The city of Puebla financed the publication of some thirty hagiographies and formally initiated the beatification of three individuals: Sebastián de Aparicio (1502–1600), Juan de Palafox y Mendoza (1600–59), and María de Jesús Tomelín (1579–1637). For an analysis of the visual iconography associated with these popular religious figures, see Julie Shean, "Models of Virtue: Images and Saint-Making in Colonial Puebla, 1640–1800" (Ph.D., New York University, 2007). DeStefano suggests that "the wider society considered their presence [saintly figures] to be a source of communal pride and identification." Michael Thomas DeStefano, "Miracles and Monasticism in Mid-Colonial Puebla, 1600–1750: Charismatic Religion in a Conservative Society" (Ph.D., The University of Florida, 1977), xi.

<sup>39</sup> Bristol argues that the convent's chronicler detailed Juana's experience to praise the nuns who had embraced her and recognized that she had "overcome the burden of blackness" (quoting the chronicle). In contrast, she suggests that Catarina's biographers depicted her as having originally been white to make her compatible to Spanish ideals about skin color and innate character. Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century* (Albuquerque: University of New Mexico Press, 2007), 52–4.

he admired her religiosity. In his testament, Sosa promised to give Catarina 100 pesos, on the condition that she go live in the convent of the Discalced Carmelites, with the money going toward her upkeep.<sup>40</sup> Now, the convents in Mexico had purity of blood requirements. The First Provincial Council forbade Indians, people of mixed descent, and the descendants of Jews and Muslims from taking religious orders except in extremely rare cases.<sup>41</sup> As such, Catarina, unable to provide proof of her ancestry, would have been a servant rather than a nun at the Carmelite convent. Faced with a choice, Catarina took the second option outlined in Sosa's testament. She remained in the service of Sosa's widow for two more years and was afterward manumitted, having agreed to forgo the 100-peso inheritance. No doubt Sosa meant to help Catarina continue to live a spiritual life inside the walls of a convent. Catarina, however, imagined a different kind of spiritual life as a *beata*. She made personal vows of poverty and chastity but chose to continue to live in society and engage the economy in a way that would have been impossible had she agreed to live in the convent.

As was true for other *chinos* in domestic service, Catarina continued to work as a servant after she was manumitted. During her years with the Sosa family, Catarina made useful social connections, which allowed her to find a respectable employer. She lived in the household of a cleric named Pedro Suárez, who had recently returned to Mexico from the Philippines. For years, Catarina's "only outings were to hear her new master say mass . . . and then she would return to carry out the domestic work that was in her care."<sup>42</sup> In a sense, Sosa, and then Suárez, allowed Catarina to lead a religious life even while working. Both men protected Catarina because they admired her piety, and also because she showed herself to be a useful and efficient servant. Catarina's religious acculturation and work experience thus enabled her to have an independent spiritual life outside the convent.

Catarina's actions indicate that she valued liberty from legal slavery, and that she sought to help others live freely like herself. While working as a domestic servant, Catarina also did piecework, sewing clothes with the expressed purpose of earning money to purchase the freedom of other slaves. According to Ramos, who called her a "liberator," Catarina kept in

<sup>40</sup> Ramos 1689, f.34v.

<sup>41</sup> The First Council of Mexico codified the prohibition in Chapter 44. Antonio Lorenzano, ed., *Concilios provinciales primero y segundo celebrados en la muy noble y muy leal Ciudad de México, 1555 y 1565*, 2 vols. (México: J. Porrúa, 1981). The Fourth Provincial Council of Mexico changed the provision against Indians, mestizos, and castizos in 1770.

<sup>42</sup> Castillo 65.

her possession copies of several letters of manumission.<sup>43</sup> These documents were evidence that she had worked “to lift the burden of servitude” from slaves in textile mills, which had notoriously appalling conditions, by paying for their liberty.<sup>44</sup> Ramos’s admiration for Catarina’s dedication might appear to be contradictory, as he simultaneously justified Catarina’s enslavement for having brought her to Christianity. Spanish theologians, however, maintained that slavery was an unnatural state, and churchmen encouraged masters to treat their slaves with Christian charity and manumit them whenever possible. From Ramos’s perspective, Catarina’s actions followed in this tradition. There was surely a personal commitment on her part as well. Catarina ensured her own liberty and helped others join her because she could not bear a lifetime of bondage and confinement.

Catarina also paid for the manumission of her short-lived husband Domingo Suárez – a chino slave owned by her employer Pedro Suárez.<sup>45</sup> The cleric compelled Catarina to marry because at the time virtuous women had two choices: matrimony or the nunnery. For her part, Catarina felt torn between the church’s encouragement of marriage and the Christian ideal of chastity. Theologically, the state of being celibate was superior to being married, because celibacy allowed the individual to focus only on spiritual matters, whereas marriage was connected to the carnal body. However, given the impossibility of entering a convent, Catarina decided that she had to concede to the marriage to remain a respectable woman. She had already promised her virginity to Christ, but she was willing to marry so long as her husband respected her pledge to God. Regrettably, Domingo faltered at one point, and Catarina found herself fighting “a man with much desire to vanquish her.”<sup>46</sup> In spite of this conflict, Catarina worked to free him, which was her way of fulfilling her marital obligations. The marriage between Catarina and Domingo points to one of the ways chino slaves interacted with the church. Catarina may have had a negative experience with matrimony, but most chino slaves depended on the church to affirm and protect their right to have a socially respectable family.

The church as an institution played a critical role in the transformation of chinos into Indians. Churchmen grouped chino slaves from Bengal with

<sup>43</sup> Ramos 1692, f.28v.

<sup>44</sup> Castillo 98.

<sup>45</sup> Castillo 67.

<sup>46</sup> *Ibid.*

chinos who were actually from the Spanish Philippines; in doing so, they helped formulate the argument that all chinos were Indians and should thus be protected from slavery as indigenous vassals. In this sense, chinos changed their legal status because the church embraced them as Indians in their proselytizing mission. Catarina's hagiographers knew too much about the circumstances of her enslavement to articulate the idea that all chinos were Indians, knowing her to be from the Indian subcontinent. They did, however, reference some of the structural connections among Portuguese slavers, the Manila slave market, and the Galleon trade, which help explain why it was that people from all over Asia, including natives of the Philippines, came to Mexico as slaves where they were all grouped together as chinos.

The Inquisition played an active role in this transformation, so its part in preventing Catarina from becoming a real saint requires explanation. The court responded negatively to Catarina's candidacy because it was charged with formalizing and overseeing the process toward sainthood, and she inspired the kind of devotion that threatened the church's control over popular religiosity. According to papal dictate, real evidence was needed to support candidates for beatification – their cases could not be based on popular veneration.<sup>47</sup> Inquisitors therefore prohibited unsanctioned public cults and generally sought to dampen religious fervor (exemplified by Catarina's followers, who clamored during her funeral to get hold of pieces of her clothing, which they kept as relics).<sup>48</sup> The Inquisition could not sanction the adulation of Catarina or anyone else who had not been officially sainted by Rome.<sup>49</sup> As a result, in 1691, the Inquisition prohibited Catarina's devotees from having prints of her image in their possession.<sup>50</sup> Castillo made reference to this prohibition, writing that before the Inquisition banned Catarina's image, a priest had recovered from a stomach illness after her portrait was laid on his chest. The author noted, however, that Catarina "had not worked this miracle," attributing the priest's salvation only to God.<sup>51</sup> Castillo understood the danger of

<sup>47</sup> Pope Urban VIII (1623–44) instituted strict new rules for sainthood through the Congregation of Holy Rites, which in turn charged the Inquisition with implementing them.

<sup>48</sup> Ramos, 1692, f.89v–90.

<sup>49</sup> Maza suggests that the Inquisition literally condemned Catarina. Francisco de la Maza, *Catarina de San Juan: princesa de la India y visionaria de Puebla* (México: CONACULTA, 1990), 114.

<sup>50</sup> AGN Inquisición, Edictos 43, vol.1 (1691).

<sup>51</sup> Castillo 201–2.

allowing people to believe in unsanctified images, deferring to the Inquisition's decision to dampen the people's devotion.

The 1691 inquisitorial edict banning Catarina's portrait also included the former bishop of Puebla Juan de Palafox y Mendoza.<sup>52</sup> All existing images of Catarina and Palafox had to be destroyed because they were being "treated like saints."<sup>53</sup> Palafox was a formidable ecclesiastical administrator and faithful servant of the Spanish crown, who acted as interim viceroy for six months in 1642. His contempt for the Jesuits, as well as his fierce criticism of some colonial officials, made him many enemies, including the judges of the Inquisition, who defended the standing viceroy.<sup>54</sup> The Inquisition, however, did not condemn Palafox or Catarina. Instead, the edict targeted the populace who had taken the canonization process into their own hands, and those who were already treating Palafox and Catarina as popular saints.<sup>55</sup>

Soon after the 1691 edict, the Inquisition also banned Ramos's hagiography, which effectively sidelined Catarina's beatification process. The prohibition resulted from the author having included "unbelievable revelations" that had "no foundation except vain credulity."<sup>56</sup> The inquisitors censured Ramos because he embellished tales and misquoted scripture, not because they objected to his subject Catarina.<sup>57</sup> In contrast to their opinion

<sup>52</sup> Cayetana Álvarez de Toledo, *Juan de Palafox: obispo y virrey* (Madrid: Marcial Pons, 2011).

<sup>53</sup> AGN Inquisición, Edictos 43, vol.1 (1691). The Inquisition first censured Palafox's cult in 1674. AGN Inquisición 640 exp.3 (1674).

<sup>54</sup> Jonathan I. Israel, *Race, Class, and Politics in Colonial Mexico, 1610–1670* (London: Oxford University Press, 1975).

<sup>55</sup> As a curiosity, the process for the canonization of Palafox initiated in 1696 by Charles II, was taken up again in the present; in 2011, Pope Benedict XVI proclaimed him blessed.

<sup>56</sup> AGN Inquisición 678, f.210 (1696). Ramos's work was also censured in Spain, appearing in the list of prohibited books in 1707. *Novissimus Librorum Prohibitorum, et Expurgandorum Index Pro Catholicis Hispaniarum Regnis Philippi V. Reg. Cath*, 2 vols. (Madrid: Ex Typographia Musicae, 1707). For a literary analysis of the textual representations of Catarina and her hagiographers' efforts to present her as a saintly candidate, see Kathleen A. Myers, "Testimony for Canonization or Proof of Blasphemy? The New Spanish Inquisition and the Hagiographic Biography of Catarina de San Juan," in *Women in the Inquisition: Spain and the New World*, ed. Mary E. Giles (Baltimore: Johns Hopkins University Press, 1999).

<sup>57</sup> Jaffary suggests that the Inquisition censured Ramos's hagiography of Catarina and prohibited her image because she did not have the right pedigree to be a saint. Nora A. Jaffary, *False Mystics: Deviant Orthodoxy in Colonial Mexico* (Lincoln: University of Nebraska Press, 2004), 100–101. On this point, she cites and follows the analysis of Ronald J. Morgan, who argues that Ramos had to change Catarina's social and ethnic identity in order to conform to colonial standards for female religiosity. Morgan, 2002, 139.

of Ramos, the inquisitors allowed Castillo's hagiography to remain in circulation. His book presented a more streamlined and shorter version of Catarina's life. Castillo, moreover, gave more sophisticated theological explanations of her mystical visions than Ramos did, which further suggests that the Inquisition did not directly target Catarina. The inquisitors were not directly opposed to her candidacy; they simply took exception to Ramos's scriptural references, and perhaps to his verbosity as well.

Another intriguing possibility for why the inquisitors banned Ramos's hagiography is that they decried how he justified the enslavement of *chinos*. Over and over again, Ramos insisted that Catarina's enslavement had been necessary, because slavery had made it possible for her to be baptized and live in Christendom. Since the fifteenth century, one of the major justifications for the institution of slavery was that it benefited formerly pagan slaves to live among Christians. Ramos evoked this rationale when he wrote that Catarina's enslavement and circuitous journey to Puebla had "separated her from the thick and venomous malevolence of gentiles."<sup>58</sup> She had come to "the joys of the law of grace by means of extraordinary humiliations, including being captured, persecuted, imprisoned . . . and unable to enjoy her human condition" as a free person.<sup>59</sup>

At the end of the seventeenth century, however, many churchmen disavowed this reasoning, arguing that Indians had to be peacefully converted and that baptism did not justify slavery. In this sense, the inquisitors may have hesitated to allow the circulation of Ramos's embarrassing validation of the church's previous role in rationalizing *chino* slavery, which had been prohibited back in 1672.

Catarina's hagiographers referenced the ongoing debate about the religious and legal justifications for slavery in the Iberian world in other ways. In Asia, the Portuguese had legal mechanisms to sanction the enslavement of individual people. The main justification for slavery was "just war" – a theological and political concept that developed in the medieval period in relation to the Christian conflict with Islam, which argued that "infidels" could be legally enslaved for denying Christ. This justification was subsequently employed in relation to other non-Christians. According to Ramos, the Portuguese pirates who captured Catarina made a public announcement on arrival in Cochin to advertise that they had slaves for sale, whom they had "acquired in just war."<sup>60</sup> The residents of the city,

<sup>58</sup> Ramos 1692, f.ii3v.

<sup>59</sup> Ramos 1692, f.84v.

<sup>60</sup> Ramos 1689, f.17v.

however, had doubted these men's claims and accused the Portuguese of kidnapping the prisoners and stealing the other goods that they had for sale. As a result, some of the prisoners were able to testify against their capturers, likely in an ecclesiastical court, where the judge decided in their favor and ordered their liberation.<sup>61</sup>

In other words, some of the captives taken along with Catarina successfully proved that they were not legal slaves because they had been kidnapped rather than captured in war. The episode is analogous to cases in Mexico in which chino slaves went to court to sue for their freedom based on illegal enslavement. The judge's decision did not pertain to Catarina, who remained in bondage. The Portuguese who seized her had not listed her name on the ship's registry, which meant that there was no record of her arrival at Cochin.<sup>62</sup> In consequence, Catarina remained invisible to the court officials who may have been able to help her.

The concern expressed by Ramos regarding the legality of Catarina's enslavement reflects a much wider anxiety about the slaves of the transpacific trade.<sup>63</sup> He read the documents that had once been in the possession of Captain Sosa that testified to her slave status. Ramos found it peculiar that Sosa had not received a slave deed confirming the purchase. Instead, Catarina had been sent with several letters documenting the price paid for her at the Manila slave market.<sup>64</sup> In theory, masters could not claim possession without a slave deed, but chino slaves were regularly sold without the necessary paperwork. Masters, in fact, publicly worried that the documentation would not stand in court if their chino slaves were to challenge their legal status. One result of this concern over legal title was that fewer people purchased chino slaves to avoid the possible loss of property, which had the added consequence of reducing the demand driving the transpacific trade. The decline in the market for chino slaves thus worked in conjunction with other social and cultural changes to bring about the end of chino slavery.

The reconstitution of chinos into Indians also involved a heightened awareness of their physical features, as people in Mexico looked to chinos' physiognomy to identify them as Indians. Catarina's hagiographers

<sup>61</sup> In 1605, King Philip III decreed that Japanese slaves living in Goa and Cochin were to be allowed "to seek justice if they claim their captivity is illegal and lacks legitimate title." Thomas Nelson, "Slavery in Medieval Japan," *Monumenta Nipponica* 59, no. 4 (2004): 464.

<sup>62</sup> See [Chapter 2](#) for an analysis of the legal process in Manila.

<sup>63</sup> See [Chapter 7](#) for a discussion of the legal issues that led to the end of chino slavery after 1672.

<sup>64</sup> Ramos 1689, f.35.

commented repeatedly about her physical appearance and her similarity to native Indians. According Ramos, Catarina was once a very beautiful woman, with “white” skin, silver hair, a broad forehead, and glittering eyes.<sup>65</sup> Catarina, on the other hand, thought her appearance was a curse, so she asked God to make her ugly. Soon after, her hair and face “darkened,” and she became a “toasted China” and a “hazelnut-colored Indian.”<sup>66</sup> Ramos, in other words, equated brownish skin with *chinos* and indigenous people, and his contemporaries likely did the same, grouping all non-African dark people with Indians. Ramos’s description of Catarina’s deathbed transformation is also telling. He wrote that several clerics had witnessed a metamorphosis, during which Catarina’s countenance became “admirable” so that she was no longer “Chinese-like, nor pale.”<sup>67</sup> In Ramos’s mind, Catarina’s skin turned the perfect color, outwardly reflecting her inner worth. Catarina’s experience illustrates how Spaniards differentiated and categorized people according to their physical attributes.

Notably, Catarina developed a personal connection to natives of Mexico, who often appeared in her dreams and turned to her for guidance. In one episode, Catarina had a vision of a “poor and overburdened Indian” walking down a pathway, who was attacked by robbers and beaten cruelly on the head.<sup>68</sup> At that moment, she had called out in supplication to God to save his life. Catarina spoke of this incident to her confessor Castillo, who a couple of days later found himself at the Hospital of Saint Peter, where he met the same Indian recovering from his wounds. Catarina’s prayers, in other words, had been answered, illustrating her powers as intercessor. The story, moreover, shows Catarina as having had deep empathy with indigenous people, who though free were often treated no better than slaves. Catarina thus participated in making the connection between *chinos* and Indians, articulating her own ties to natives of Mexico.

Catarina’s kinship with natives of Mexico may have been fostered at the Jesuit College, her spiritual home in Puebla, and the place where she was buried. The church was dedicated to the Holy Spirit (*Iglesia del Espiritu*

<sup>65</sup> Ramos 1689, f.111.

<sup>66</sup> Ramos 1689, f.26, f.122v-123. Ramos also wrote that the deprivations Catarina experienced during her journey to Mexico had transfigured her face and darkened her skin – the “white color” of her skin became “like wheat.” According to Morgan, this passage suggests that Catarina internalized contemporary notions of beauty (Morgan, 2002, 139).

<sup>67</sup> Ramos 1692, f.88.

<sup>68</sup> Castillo 157–8.



Santo) but is now known as the Temple of the Society of Jesus (Templo de la Compañía). The Jesuit College complex had a chapel dedicated to the Archangel Michael, which was called San Miguel de Indios. The Jesuits instructed Indian children in this chapel, hence the name.<sup>69</sup> Catarina may well have interacted and established personal connections with the children and their parents in this context.

Several years after the abolition of chino slavery, the great Pueblo Rebellion of 1680 shook the Spanish empire to its core. Spaniards could not believe that the Pueblos had successfully driven the colonists from Santa Fe and reclaimed their sovereignty. In response, some colonial officials questioned the crown's wisdom in having prohibited the enslavement of indigenous people. They wanted to punish the rebel Indians with slavery, so they petitioned the king for an exception. The crown, however, stood firm in its opposition to indigenous slavery. Officials were allowed to sentence individual Pueblo Indians to hard labor for a period of time, but they could not be considered chattel slaves. Catarina's vision of this rebellion sheds light on the contemporary distinction between Indians who were Christians versus Indians who opposed the church. Earlier in the century, colonists had indeed been allowed to enslave Indians if they resisted conversion. In her vision, Catarina saw the rebels "taking the lives of Christians, both Indians and Spaniards" and was overcome with worry; what would happen to the "Indians of New Mexico" who had turned against the church?<sup>70</sup> Ramos did not make a more explicit reference in his account of the subsequent uproar about enslaving the rebels, but Catarina's vision can surely be taken to mean that she well knew how Spanish colonists would react: they would punish them with slavery if allowed. Late in life, Catarina showed a profound appreciation of the links between religion and vassal status. The Pueblo had rebelled against Spain, which left them in a complicated juridical status. As Catarina well knew, prior to the 1670s Indians were only protected from slavery if they embraced Christianity and accepted Spanish sovereignty.

A number of people wrote poems to honor Catarina's memory at her funeral. So that apart from flowers and candles, the carriage that carried

<sup>69</sup> Antonio Carrión, *Historia de la ciudad de Puebla de los Angeles, obra dedicada a los hijos del Estado de Puebla*, vol. 1 (Puebla, 1897; Puebla: Editorial J. M. Cajica, 1970).

<sup>70</sup> Ramos 1690, f.160v. For a discussion of the New Mexico visions of another religious woman, see Sarah E. Owens, "Journeys to Dark Lands: Francisca de los Angeles' Bilocations to the Remote Provinces of Eighteenth-Century New Spain," *Colonial Latin American Historical Review* 12, no. 2 (2003).

her body to the church of the Holy Spirit was adorned with words on placards.<sup>71</sup> Ramos recorded some of these epitaphs and one in particular that evoked the transpacific journey and the long-standing notion that slavery saved souls by carrying them to Christendom.

*Epitaph for Catarina, 1688*

I am a ship from China,	<i>Soy una Nao de China,</i>
That disembarked a china,	<i>que una China desembarcó,</i>
Acapulco is too small a vessel	<i>Acapulco es poco Barco</i>
To carry this china.	<i>para abarcar esta China.</i>
My name is Catarina;	<i>Es mi nombre Catarina;</i>
My direction is windward;	<i>mi rumbo sin barlovento;</i>
The Holy Spirit the wind;	<i>Espiritu Santo el viento;</i>
Saint Ignatius the captain,	<i>San Ignacio el Capitán,</i>
His pilots will leave me	<i>sus pilotos me pondrán</i>
In the land of salvation.	<i>en tierra del salvamento.<sup>72</sup></i>

\* \* \*

CATARINA AS THE CHINA POBLANA

Today, Catarina is certainly remembered for her piety, but more so because of a popular legend, which says that she created the China Poblana costume.<sup>73</sup> This regional dress usually consists of a skirt covered in green, white, and red sequins (the colors of the Mexican flag) and a white blouse, gathered with a colorful sash. In reality, we do not know who designed the costume. Catarina surely had no part in this creation, but the legend and imagery related to the China Poblana tells us a lot about popular memory and the way visual representations reference historical fact in unexpected ways.

The design of the China Poblana costume was probably undertaken during the late 1870s under the patronage of President Porfirio Díaz, who provided state support for projects that represented a unified Mexican nation and loyalty to his administration. In this sense, the costume was a vehicle for showcasing Mexico's flag. When elite women wore the costume in the 1880s and 1890s, they stylized the dress to evoke European folk peasant designs, which was a way of

<sup>71</sup> Ramos 1692, f.113v.

<sup>72</sup> Written by Jesuit Antonio Plancarte, transcribed in Ramos 1692, f.90v.

<sup>73</sup> The name China Poblana references the costume itself, as well as the woman who wears it.

supporting Díaz's vision of a modern Mexican nation. On their bodies, the costume highlighted Mexico's similarity to European traditions, and simultaneously communicated an image of a stable Mexico, rather than the reality of a country divided by class and ethnic divisions. Nowadays, young women wear the costume on festive holidays to celebrate their heritage and folkloric traditions. In the same vein, their male partners dress in the *charro* costume (typically a three-piece black suit with white embroidery), which is also known as the outfit worn by mariachi musicians. The couple represents what Mexicans think of as being typical, meaning representative of the country's imagined past.

The history of how Catarina became associated with the costume sheds light on how writers contributed to Porfirio Díaz's vision in the late nineteenth century, and how subsequent critics revisited these ideas after the Mexican Revolution, questioned them, and reformulated a more integrated national identity. Antonio Carrión made the first written attribution of the costume to Catarina in his popular history of the city of Puebla, first published in 1896.<sup>74</sup> Carrión was not a trained historian; he was a retired colonel who took a personal interest in his city's history, read widely, and elaborated on subjects as he deemed fit. The work's purpose was to inspire civic pride rather than to provide a fully accurate reconstruction of events. Carrión likely credited Catarina, a famed resident of his city, with the new popular costume and emerging national symbol, in order to highlight Puebla's role in Mexico's history. Carrión may also have made the connection as a way of resuscitating the historical figure and including Catarina in the city's history more generally.

Decades later, the renowned historian Nicolás León carried out extensive research about Catarina de San Juan and came to the conclusion that she "had nothing to do with the dress."<sup>75</sup> Showing a disciplinary bias, León derided Carrión for his fantastic imagination and for ignoring the surviving primary sources on Catarina's life. To write, as Carrión had done, that Catarina wore colorful saris that inspired the dress was an

<sup>74</sup> Carrión made the following observation in regard to individuals associated with the Church of the Society of Jesus: "In the sacristy is the solemn burial place of the Mughal Princess named Mirrha in her gentility and after baptism Catarina de San Juan, or the China of Puebla, as she was generally called in endearment." The note to the entry adds: "[the name] relates to a legend and the costume is a national symbol." In a separate entry, Carrión added, "It is possible that the skirt of the China Poblana, as she was called, had its origin in the dress of Catarina de San Juan." Carrión, 159–65.

<sup>75</sup> León, 45.

unpardonable fabrication. To set the story straight, León published a series of articles in the early 1920s in popular newspapers that reconstructed the life of the historical Catarina and discounted Carrión's attribution of the costume.<sup>76</sup> He also published, in journalistic form, an ethnographic study of nineteenth-century dresses from Puebla, which was based on historical depictions in prints and paintings. In these popular articles, León argued that the design of the China Poblana costume was modeled on the colorful dresses worn by creole women of the middle class, which drew inspiration from Spanish patterns of dress. Acknowledging that the term "china" was often used to refer to servants and Indians, León was careful to emphasize that "there was no need to look at the clothing of indigenous women for the origin or derivation" of the China Poblana costume.<sup>77</sup> From his perspective, the costume was a product of nineteenth-century Mexico – a new nation with a mixed cultural tradition, which was neither all Indian nor all Spanish.

Remarkably, the China Poblana legend remains intact. In spite of León's public debunking of the Catarina connection, the residents of Puebla continue to talk about Catarina in relation to the colorful costume. The image of the China Poblana, however, has fundamentally changed since the 1920s. León may have insisted that the costume was an early national creation unconnected to the indigenous past, but the China Poblana is now represented as an Indian woman. The reincarnation of the China Poblana as a native of Mexico is the by-product of post-revolutionary efforts by intellectuals and businessmen to promote a national identity that acknowledged Indian culture – a project that was subsequently adopted by the Mexican government.<sup>78</sup>

In Puebla, a beautiful fountain honors the legend (Figure 1.1). Built in the late 1960s, the fountain aimed to inspire civic pride in the city's cultural traditions, as well as its history.<sup>79</sup> The fountain has a three-meter tall statue of the China Poblana, which is covered in tiles and stands on a central pedestal that rises from a wide pool. The woman depicted has long braids,

<sup>76</sup> Rafael Carrasco Puente, *Bibliografía de Catarina de San Juan y de la China Poblana* (México: Secretaría de Relaciones Exteriores, 1950).

<sup>77</sup> León 68.

<sup>78</sup> For a discussion of this cultural and political process, see Rick A. López, *Crafting Mexico: Intellectuals, Artisans, and the State after the Revolution* (Durham NC: Duke University Press, 2010).

<sup>79</sup> The fountain, inaugurated in 1971, was built with municipal funds and designed by architect Jesús Corro Ferrer. Elvia Sánchez de la Barquera, "Una fuente para un crucero vial, la China Poblana," *La Jornada de Oriente*, March 13, 2007.



FIGURE 1.1. Fountain of the China Poblana, Puebla, Mexico. This fountain celebrates the legend of the China Poblana, which is loosely based on the life story of Catarina de San Juan. Photograph by Alexandra Hart Brown and Daniel Fermín Pfeffer.

which are typically worn by native woman in the countryside. She holds the tricolor skirt with both hands to show off the image of the eagle that historically founded the capital of the Mexica. The fountain's imagery celebrates modern Mexico's links to precontact indigenous history, with no reference to the colonial past.

So why do residents still point to the statue of an Indian and tell the tale of a slave from China who had a vision of the costume's design? They recount a story that is fundamentally colonial in that it would not have happened without the rise of Spain's empire. Catarina lived in Puebla because Spaniards and Portuguese circled the world and created the first truly global system of exchange that delivered her to Mexico. Her experience was also colonial in that Catarina represents the creative adaptation of enslaved and marginalized peoples to their new realities and their resistance to the structures of imperial power. Needless to say, there was nothing Mexican about Catarina, not her ancestry, cultural traditions, or language. She lived in Mexico for most of her life, but she never learned an indigenous language like Nahuatl nor was she fluent in Spanish. Furthermore, Catarina never wore clothing made of luxurious textiles or

any adornments; having taken a personal vow of poverty, she always used a simple frock made of the “coarsest wool.”<sup>80</sup> Catarina came to Mexico by force, disavowed material things, and shunned clothing that adorned her body in any way. It is thus rather ironic that people continue to make the attribution, imagining that the historical Catarina designed the costume that symbolizes national pride. And yet there is something about her person and experience that does represent Mexican history.

The statue of the China Poblana is not Catarina, but it does metaphorically depict the remarkable transformation that chino slaves underwent in the seventeenth century, when they became Indians and were thus protected from slavery in a way that never happened for African slaves. The chapters that follow examine the experiences of other chino slaves, adding poignancy to Catarina’s story by showing how the transpacific slave trade changed the lives of thousands of individuals like her who ended their days in Mexico.

<sup>80</sup> Castillo, 121–22.

## The Diversity and Reach of the Manila Slave Market

The story of the people who journeyed from the Philippines to Mexico begins in 1565, when Miguel López de Legazpi finally realized Spain's long-standing ambition of establishing a colony in Asia.<sup>1</sup> Jerónimo Pacheco, “originally from the eastern islands” and a “native of Bengal,” accompanied Legazpi on his founding voyage.<sup>2</sup> Pacheco had been made to travel from Bengal to Portugal and across the Atlantic to Mexico, where he was assigned the task of “following the religious and people going to the occidental islands”; they needed “an interpreter [*lengua*] who was native of those islands.” His journey with Legazpi was a harbinger of what came afterward: the forced migration of enslaved people from Asia to the

<sup>1</sup> For Legazpi's correspondence with the viceroy and king during this period, see Patricio Hidalgo Nuchera, ed., *Los primeros de Filipinas: crónicas de la conquista del archipiélago de San Lázaro* (Madrid: Ediciones Polifemo, 1995). Legazpi followed the lead of Ferdinand Magellan, who demonstrated in his voyage to the Spice Islands (1519–22) by way of America that Europeans could travel westward to reach the riches of Asia, rather than having to round Africa. Magellan set out for the Spice Islands with a “captured slave, Enrique, mulatto, native of the city of Malacca,” whom he manumitted in his last will and testament, no doubt hoping that the promise of freedom would motivate Enrique to help the expedition find its way to his homeland. English translation in Gregorio F. Zaide and Sonia M. Zaide, eds., *Documentary Sources of Philippine History*, 12 vols., vol. 1 (Manila: National Book Store, 1990), 63–8.

<sup>2</sup> AGN Mercedes 5 f.275v (1561). Another early resident of Mexico was Juan Núñez, a slave from Calicut (port city in India now called Kozhikode), who belonged to Fray Juan de Zumárraga, the first bishop of Mexico (1533–48). Brought from Spain as the bishop's cook, Núñez was manumitted in Mexico City on June 2, 1548. Joaquín García Icazbalceta, *Don Fray Juan de Zumárraga: Primer Obispo y Arzobispo de México*, 4 vols., vol. 3 (México: Editorial Porrúa, 1947): 287.

Americas, who crossed the Pacific Ocean in the service of European masters.<sup>3</sup>

The foundation of the Spanish Philippines gave rise to the transpacific slave trade: Manila became the colonial outpost in Asia where slaves were purchased, and the Manila Galleon ships afforded transport to Mexico.<sup>4</sup> The slave trade began soon after conquest and with considerable controversy. In 1570, don Martín Enríquez de Almanza, the viceroy of New Spain, ordered the return of fifteen slaves who had recently arrived from the Philippines. In his words, it was unwise “for the natives of the Philippines to think that we consent to their ill-treatment.”<sup>5</sup> Filipino Indians could potentially rebel against Spanish sovereignty if they realized that the colonists planned to sell them into slavery and ship them to Mexico.<sup>6</sup> In addition, the viceroy feared that the few slaves who were Muslims (*moros*) would “dogmatize their sect” among the Indians of Mexico and endanger the missionary project. The viceroy’s efforts to discourage this commerce were in vain. Slaves purchased in Manila were sent to Mexico throughout the seventeenth century (Figure 2.1).

This chapter is about the Manila slave market and the indigenous Filipinos, Muslim war captives, and other people who were sold there. It is a starting point for understanding the origins and ancestry of chino slaves who lived in Mexico.<sup>7</sup> Manila was a slave society during the seventeenth century: slaves did the majority of the labor, and master-slave relations shaped the general social order.<sup>8</sup> Within years after the Spanish conquest, the bustling port city had some 40,000 residents of diverse origins: a full quarter of this population was enslaved.<sup>9</sup> They were craftspeople, manual

<sup>3</sup> Decades later, don Juan Altamirano de Velasco y Legazpi (a relative of the conquistador) took Cecilia, Bentura, and Sebastián, chino slaves, to Mexico City. ANM Pedro de Santillán 4355 f.73–79 (1640).

<sup>4</sup> Legazpi’s pilot charted the return passage to Mexico across the Pacific in 1565, which marked the beginning of the Manila Galleon run. See Chapter 3 for an analysis of the trade.

<sup>5</sup> AGI México 1090 L.6 f.69 (1570).

<sup>6</sup> The Spanish term for all native peoples was “Indian”; whether they were indigenous to islands in the Caribbean, the Andes, Mesoamerica, or the Philippines, all conquered people fell under the same legal category.

<sup>7</sup> See Appendix 1 for a breakdown of chino slaves, with an identifiable place of origin, who traveled from Manila to Acapulco on the Manila Galleon.

<sup>8</sup> William Henry Scott, who wrote the one book that exclusively covers slavery in the Spanish Philippines, overlooked the diversity of the slave population, slavery’s central role in the economy, and its connection to Spanish colonial policy in other parts of the empire. William Henry Scott, *Slavery in the Spanish Philippines* (Manila: De La Salle University Press, 1991).

<sup>9</sup> Robert R. Reed, *Colonial Manila: The Context of Hispanic Urbanism and Process of Morphogenesis* (Los Angeles: University of California Press, 1978).



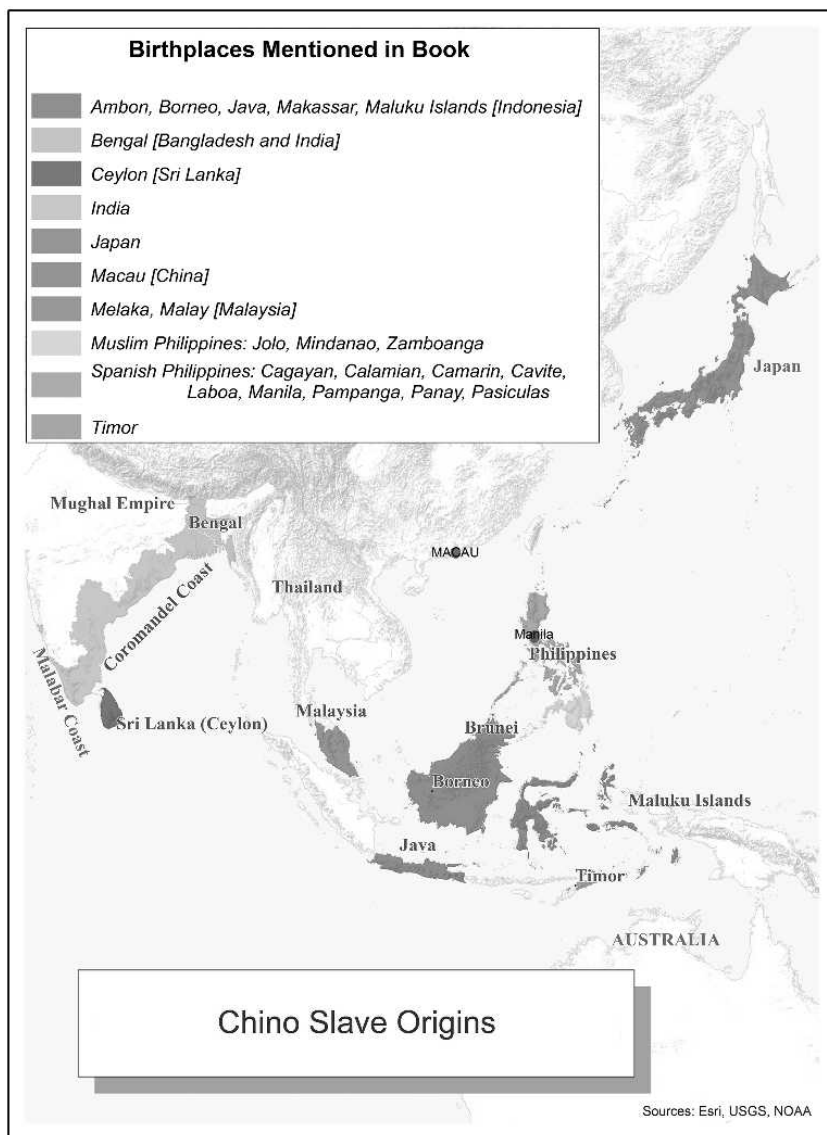


FIGURE 2.1. Chino Slave Origins. Map prepared by Eric Johnson, Numeric and Spatial Data Services Librarian, Miami University.

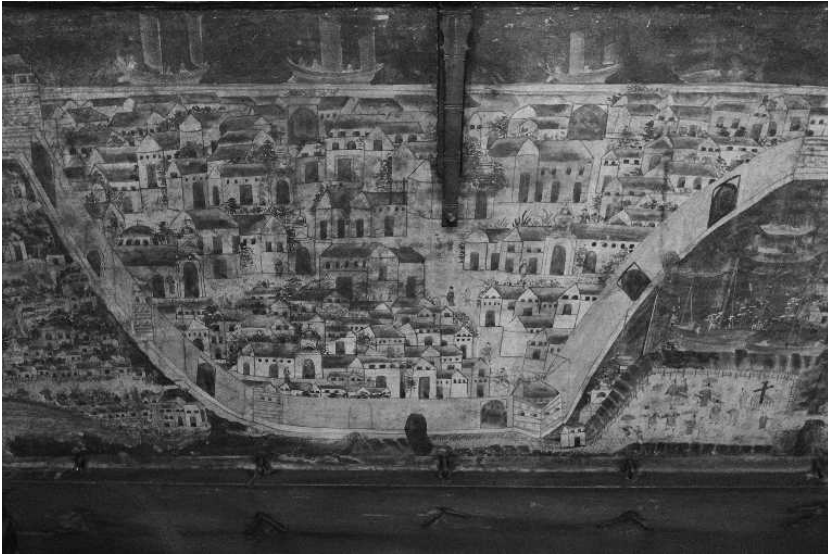


FIGURE 2.2. Chest with Painting of Manila. The port city of Manila, capital of the Spanish Philippines, had the largest slave market in the archipelago. The slaves bound for Mexico departed from the Bay of Manila on the Manila Galleon. Arcón Filipino, Anonymous, Seventeenth Century. Photograph by Alexandra Hart Brown and Daniel Fermín Pfeffer. Courtesy of Museo de Arte José Luis Bello y González.

laborers, and servants who upheld their masters' social stature. By the 1620s, the city had 8,000 indigenous slaves and 2,000 foreign slaves, in addition to an untold number of Muslim slaves.<sup>10</sup>

The whole of the city was a slave market, supplying labor to Spanish colonists and indigenous elites.<sup>11</sup> Slave auctions were held in the plazas found within the city's walls, and masters also sold slaves through individual transactions (Figure 2.2). The unorganized nature of the market makes it nearly impossible to quantify the volume of sales, but it is clear

<sup>10</sup> Pablo Pastells, ed., *Labor evangélica, ministerios apostólicos de los obreros de la Compañía de Jesús, fundación, y progresos de su provincia en las Islas Filipinas*, vol. 3 (Barcelona: Henrich y Compañía, 1900), 605. In 1621, Archbishop Miguel García Serrano reported to the king that the walled city of Manila had one clergyman who ministered to 1,740 Indians who took communion and 1,970 slaves. The letter is transcribed in Isacio R. Rodríguez, *Historia de la Provincia Agustiniense del Santísimo Nombre de Jesús de Filipinas*, vol. 18 (Manila: Arnoldus Press, Convento de San Agustín, 1965), 66–7.

<sup>11</sup> The indigenous elite were called *maginoo* in Tagalog and *datus* in Visayan; they owned slaves long before the Spanish conquest.

that Manila was an emporium for slaves. Masters from throughout the Spanish Philippines knew to come to the capital to secure chattel property.

The chapter begins with a discussion of the legal and theological debates about slavery that took place among Spaniards in the Philippines. These conversations show that the diversity of the slave population raised concerns, which prompted officials to make clearer distinctions regarding people's legal status. The next three sections explain why the Manila slave market included such varied groups of people. First, we examine the enslavement of native Filipinos and the continuation of the precontact labor system. Second, we turn to the Portuguese slave trade in the Indian Ocean World, which delivered slaves from as far as India to the Manila slave market. Third, we consider the consequences of Spaniards' ongoing war against Muslim chiefdoms in the Philippines, which justified the enslavement of moros under the just-war theory. The chapter then returns to Manila, where colonial courts both liberated some slaves and legalized the enslavement of others.

#### LEGAL AND THEOLOGICAL DEBATES ABOUT SLAVERY IN THE PHILIPPINES

The enslavement of Indians was legally problematic, because all natives of the Spanish colonies were theoretically protected from slavery after the New Laws of 1542.<sup>12</sup> A royal decree from 1574 specifically outlawed indigenous slavery in the Spanish Philippines, but the exigencies of conquest and the colony's distant location delayed abolition for well over a century.<sup>13</sup> The enslavement of Indians who belonged to the various ethnic groups that lived in the Islands under Spanish dominion had no legal justification; it was allowed out of economic necessity. Some royal officials expressed concern about the diverse origins of these slaves and questioned the legality of allowing the sale of individuals from Spain's colonies. Their reservations, however, did not prompt them to rectify the problem until the end of the seventeenth century, when the crown categorically declared that all natives were indigenous vassals. After that, officials in Manila could no longer allow anyone, not even native elites, to own Indians from the Spanish Philippines.

<sup>12</sup> Charles V declared that all Indian vassals were free in 1536. Richard Konetzke, "La esclavitud de los indios como elemento en la estructuración social de Hispanoamérica," *Estudios de historia social de España* 1 (1949). The king's decree was confirmed in the Laws of the Indies, which aimed to ensure the good treatment and preservation of the Indians. *Recopilación de leyes de los reynos de las Indias mandadas imprimir y publicar por la magestad católica del rey don Carlos II*, 4 vols. (Madrid: Julian de Paredes, 1681). See [Chapter 7](#) for an analysis of the history of indigenous slavery.

<sup>13</sup> AGI Filipinas 339 L.1 f.57v (1574), copy in AGI Escribanía 403A (1582).

This legal shift was brought about after long debate regarding Spain's role as a colonial power and the nature of the relationship between the Spanish crown and the indigenous peoples of the colonies.

The arguments of Francisco de Vitoria, arguably the most eminent Spanish theologian and canon law expert of the sixteenth century, represented the widely accepted justifications for the two other groups of slaves sold in Manila: foreigners and Muslims. The second group of slaves, under the rubric of foreigners, consisted of people who were not natives of the Philippine Islands. These foreign slaves were mainly transported by Portuguese traders, who brought slaves to Manila from regions as far as Mozambique in East Africa and the Malabar Coast of the Indian subcontinent.<sup>14</sup> The Portuguese usually provided slave titles or otherwise legalized their captives' status as slaves, so the lawfulness of their trade was rarely questioned.<sup>15</sup> In that regard, Vitoria wrote in 1546 that the Portuguese "were not obligated to confirm the legal justice of the wars of barbarians; it was sufficient for the person to be a slave in fact in order for him to be purchased." For Vitoria, moreover, it was "unfathomable that the king of Portugal would allow injustices," so Spaniards ought not to have scruples about buying slaves from them. Based on this kind of reasoning, officials in Manila had few misgivings about declaring that these foreign slaves were war captives who were justly enslaved.

The other justification for the enslavement of foreign individuals was articulated as Christian charity. Franciscan P. Marcelo de Ribadeneira, for example, claimed in 1601 that a rice famine in Canton had the benefit of bringing Christianity to more than 1,000 children who were forced into slavery and then taken to the Portuguese trading post of Macao where they were baptized.<sup>16</sup> Slavery thus freed foreigners from starvation and allowed for the Christian salvation of their souls.

Vitoria also provided canon law justification for the third group of slaves found at market: Muslims. Spanish soldiers captured these individuals in raids during the ongoing wars with neighboring Muslim chiefdoms

<sup>14</sup> Tatiana Seijas, "The Portuguese Slave Trade to Spanish Manila: 1580–1640," *Itinerario* 32, no. 1 (2008).

<sup>15</sup> Francisco de Vitoria, *Relecciones sobre los indios y el derecho de guerra* (Madrid: Espasa-Calpe, 1975), 22–4.

<sup>16</sup> The city of Canton is present-day Guangzhou in the People's Republic of China. In 1595, for example, Portuguese purchased more than 1,000 slaves for sale in India. Marcelo de Ribadeneira, *Historia de las islas del Archipiélago, y reynos de la Gran China, Tartaria, Cuchinchina, Malaca, Sian, Camboxa y Iappon, y de lo sucedido en ellos a los Religiosos Descalços, de la Orden del Seraphico Padre San Francisco, de la Prouincia de San Gregorio de las Philipinas* (Madrid, 1601; Madrid: La Editorial Católica, 1947), 111.

in Mindanao and other islands of the Philippines Archipelago. Muslims could be legally enslaved if they rejected Christianity; they were justly slaves because they were enemies of the Catholic Church. According to Vitoria, Muslims “would never be able to offer satisfaction for all the injuries done to Christians, consequently, and without a doubt, it is lawful to capture and enslave the children and women of the Saracens.”<sup>17</sup> Slavery, in other words, was understood to be a just punishment for the crime of not accepting Christianity as the one true faith.

After more than a century of allowing these different legal frameworks, the Spanish government articulated a more cohesive policy about the institution of slavery and its justifications. The determinant for legal enslavement became foreign nationality, marked by skin color. Specifically, individuals with black skin, referencing their origins in sub-Saharan Africa, were seen as legal slaves because their bodies provided physical proof that they, or their ancestors, had been enslaved in foreign lands, where the Spanish crown had no responsibility to protect the native people. This idea about color as a physical marker only emerged after decades of legal wrangling and philosophical debate in the different colonial settings, including the Spanish Philippines and Mexico, about the legal basis of enslaving different people.

#### INDIAN SLAVES FOR THE LOCAL AND FOREIGN MARKETS

The Manila slave market included indigenous Filipinos throughout the seventeenth century for two main reasons. One, the institution of slavery existed in the Philippines long before the Spaniards arrived; its long history and economic importance ensured its survival. Two, Spanish colonists actively engaged the slave market for their own labor needs and also transformed the institution by carrying out slave raids themselves, which increased the number of people in captivity. Colonial officials, moreover, found it politically advantageous, if not necessary, to consent to the demands of indigenous elites, who absolutely insisted on keeping their slaves. Given the precariousness of Spanish control in this distant colony, the government had to bend to local customs and maintain good relations with indigenous chieftains in order to remain in the Philippines.<sup>18</sup> Spanish

<sup>17</sup> Vitoria, 137.

<sup>18</sup> Danilo M. Geron, “The Colonial Accommodation and Reconstitution of Native Elite in the Early Provincial Philippines, 1600–1795,” in *Imperios y naciones en el Pacífico: la formación de una colonia, Filipinas*, ed. María Dolores Elizalde Pérez-Gruoso, Josep María Fradera, and L. Alonso Álvarez (Madrid: CSIC, 2001).

officials, as such, failed to implement or enforce royal decrees abolishing indigenous slavery until the end of the seventeenth century.

Slavery was the dominant form of labor in the Philippines prior to Spanish contact and remained so for another century. The Philippines Archipelago had a number of complex societies with varying degrees of human bondage, including slavery. Spain established tributary control over some of these distinct peoples, primarily settled agriculturalists, who employed slave labor. Royal officials and missionaries wrote the surviving documentation about slavery in the Philippines in the early years of the colony. Despite their obvious biases, a general outline of indigenous social organization prior to contact can be gleaned from these sources.<sup>19</sup> Spanish records, moreover, detail the debates that occurred during the colony's first decades, which determined official policy toward indigenous slavery in the Philippines for a century to come.

According to sixteenth-century Spanish observers, the two largest groups in Luzon Island and the Visayas (Tagalogs and Visayans) had social and legal hierarchies.<sup>20</sup> Tagalog society consisted of elites (*maginoo*), warriors (*maharlika*), free men (*timawa*), and slaves (*alipin*).<sup>21</sup> Similarly, Visayan society had elites (*datu*), free men (*timawa*), and slaves (*oripun*).<sup>22</sup> Both the Tagalogs and Visayans had slaves who were wholly equivalent to chattel, respectively called *gigilid* (hearth slave or "slave at the edge") and *aguey* (household slave).<sup>23</sup> From what the Spaniards understood, people in the Philippines were enslaved for four main reasons: most were born slaves, others were

<sup>19</sup> William Henry Scott, "Filipino Class Structure in the Sixteenth Century," in *Cracks in the Parchment Curtain and Other Essays in Philippine History* (Quezon City: New Day Publishers, 1982); F. Blumentritt, "De los estados indígenas existentes en Filipinas en tiempo de la conquista española," *Boletín de la Sociedad Geográfica de Madrid* 21 (1886).

<sup>20</sup> For an analysis of indigenous societies precontact, see Jaume Gorriz Abella, *Filipinas antes de Filipinas: el archipiélago de San Lázaro en el siglo XVI* (Madrid: Ediciones Polifemo, 2010). Mario D. Zamora, ed., *Los indígenas de las Islas Filipinas* (Madrid: Editorial MAPFRE, 1992).

<sup>21</sup> The terms are in the singular.

<sup>22</sup> Francisco Ignacio Alcina, *La historia de las islas e indios visayas* (Madrid: CSIC, 1998; Manila, 1668).

<sup>23</sup> For the fine distinctions between different forms of indigenous slavery prior to and following Spanish contact, see William Henry Scott, "Oripun and Alipin in the Sixteenth Century Philippines," in *Slavery, Bondage and Dependency in Southeast Asia*, ed. Anthony Reid (New York: St. Martin's Press, 1983). For an economic analysis of Visayan slavery, based largely on the work of William Henry Scott, see Henry M. Schwalbenberg, "The Economics of Pre-Hispanic Visayan Slave Raiding," *Philippine Studies* 42, no. 3 (1994).

captured in ongoing wars with nearby towns, others were enslaved as punishment for theft, and the enslavement of the rest resulted from personal debt.<sup>24</sup> They wrote that Indian slaves were “thoroughly enslaved,” which meant that they inherited their status and were sold at market.<sup>25</sup>

Spaniards wrote about indigenous slavery and debated its legal nature because many of them believed that they deserved to take advantage of the preexisting institution. At first, colonists tried to use preconquest precedents to legalize the ongoing enslavement of natives of the Philippines. They expected some recompense for having crossed oceans and risked their lives in the service of the crown. In their words, the colonists wanted “to be served by the same slaves that serve the natives.”<sup>26</sup> Knowing, however, that the crown was unlikely to condone actual slaving, Spaniards then sought to convince the king that they should at least be allowed to purchase slaves from native chiefs.<sup>27</sup>

Guido de Lavezaris, the second governor of the colony, highlighted the main reasons why Spaniards should be allowed to own native slaves. The Indians “had been enslaved prior to the Spaniards’ arrival,” and they were regularly sold like merchandise by the native elites. Therefore, colonists should be allowed to partake in this aspect of the indigenous economy. Indian slaves, moreover, were the only people who could “work the land” and sustain the colony. As such, the governor argued that the existing labor regime had to remain in place because “the land could not be preserved” without indigenous slaves.<sup>28</sup> The overall argument was that Spaniards had not enslaved Indians but were simply making use of established labor practices. In reality, however, Spaniards did partake in active slave raiding, especially during the early years of the colony. According to the Dominican Miguel de Benavides, Spanish soldiers faced with hunger “went to Indian towns . . . where they

<sup>24</sup> The same observation was made by the first governors of the Philippines and also confirmed by religious leaders. AGI Filipinas 6 R.2 N.16 f.172 (1573). AGI Filipinas 6 R.4 N.49 (1582).

<sup>25</sup> Miguel de Loarca, “Relation of the Philippine Islands,” in *The Philippine Islands, 1493–1898*, ed. Emma H. Blair and James A. Robertson, 55 vols., vol. 5 (Cleveland: A.H. Clark Company, 1903–9).

<sup>26</sup> AGI Filipinas 27 N.21 f.126 (1590).

<sup>27</sup> AGI Filipinas 6 R.2 N.16 f.172 (1573).

<sup>28</sup> AGI Filipinas 6 R.2 N.16 (1573); for an English translation, see Guido de Lavezaris, “Slavery among the Natives,” in Blair and Robertson, vol. 3.



killed many men, robbed them, and captured their women and children, taking the towns' food reserves."<sup>29</sup> Slaving, in other words, was part and parcel of the colonization process.

Most members of the church in the Philippines characterized slavery as plainly immoral and were fiercely critical of indigenous slavery. They railed against the colonists' greed, repeating the defense of the natural liberty of the Indians espoused by Bartolomé de las Casas. Decades earlier, the so-called Defender of the Indians had persuasively argued before the crown that the native peoples of the Americas were fully human, not natural slaves as Juan Ginés de Sepúlveda suggested. The Dominican friar, moreover, convinced Charles V that he had to protect Indians from Spanish colonists who would, if given the chance, work the Indians to death, with no concern for their Christian salvation. Franciscan friars applied the same legal definition of Indian (meaning "natives of Spanish colonies") to the people of the Philippines some thirty years after the debate. They did so to argue that they too needed the crown's special protection.

From the friars' perspective, Spaniards had a responsibility to prohibit the native system of slavery because it was summarily unwarranted. Their primary argument against the indigenous slavery system was that individuals were enslaved in ways that were not justifiable by Spanish law. In the words of one friar, "it would be rare indeed to find a legitimate slave" in all of the Philippines.<sup>30</sup> The native elites were unjust for condemning commoners to slavery for the slightest affront and for charging excessive fines, which drove poor people into debt bondage.

Vocal opponents in the church condemned the native masters who sold Indian slaves, as well as the Spanish colonists who purchased them. Fray Martín de Rada, for one, simply stated that the Spaniards had no right to require Indians to provide them with slave labor.<sup>31</sup> Fray Domingo de Salazar, the first bishop of the Philippines, was particularly horrified to find that Indian slaves were used to work on Spanish galleys, and that they

<sup>29</sup> Benavides was the first bishop of Nueva Segovia (first diocese in Luzon) and later archbishop of Manila. Miguel de Benavides, "Instrucción para el gobierno de las Filipinas y de como los han de regir y govarnar," in *Cuerpo de documentos del siglo XVI sobre los derechos de España en las Indias y las Filipinas*, ed. Lewis Hanke (México: Fondo de Cultura Económica, 1943), 202–3.

<sup>30</sup> AGI Filipinas 84 N.15 (1580).

<sup>31</sup> AGI Filipinas 84 N.4 (1574). In an undated letter, Augustinian Martín de Rada (or Herrada) argued that the Spanish conquest had led to a rise in slave prices; transcribed in Blumentritt, 208–9.



were kept chained to the oars and regularly whipped.<sup>32</sup> The bishop, moreover, specifically rebuked the colonists who channeled Indians into the transpacific slave trade for personal profit. In 1582, he wrote to the king about a Spaniard with a personal labor draft (*encomendero*), who had accepted an Indian slave from a native chief in lieu of a tribute payment of 9 pesos; the Spaniard had then sold this slave for 35 pesos to a passenger bound for Mexico on the Manila Galleon.<sup>33</sup> Salazar thus witnessed one of the major abuses carried out by Spanish colonists, which was to make excessive service demands from their Indian tributaries and then accept any form of monetary payment.<sup>34</sup> The episode, moreover, points to one of the ways indigenous slaves entered the transpacific trade – passing from their native masters to Spaniards, who then sold them for the market abroad.

That said, some churchmen in the Philippines did express mixed opinions about indigenous slavery, especially during the colony's first decades. A number of missionaries worried about the religious vocation of newly baptized Indians and thus wanted them to remain among Christians (even if it meant keeping them in bondage). At the Provincial Council in 1578, for example, the Augustinian friars raised the concern that once freed, Indians “would return to their homes and apostatize.”<sup>35</sup> Under this logic, it was justifiable to force Indians to remain in slavery to ensure that they would not revert to previous religious practices, which would endanger their salvation.

In 1581, the debate among Spaniards regarding the enslavement of Indians came to a head. That year, the governor, bishop, and all the heads of the religious orders in Manila held a special council to discuss the royal decree that had prohibited indigenous slavery in the Philippines seven years earlier.<sup>36</sup> Governor Gonzalo Ronquillo de Peñalosa had

<sup>32</sup> For a discussion of some of Salazar's efforts to ameliorate the excesses of the Spanish colonists, see H. de la Costa, “Church and State in the Philippines during the Administration of Bishop Salazar, 1581–1594,” *Hispanic American Historical Review* 30, no. 3 (1950).

<sup>33</sup> AGI Filipinas 6 R.10 N.180 (1582). The royal decrees on tribute from Indian vassals were codified as book 6 title 5 “De los tributos y tasas de los indios” of the Laws of the Indies. In the Philippines, Legazpi fixed the tribute at 8 pesos in cash or kind.

<sup>34</sup> Patricio Hidalgo Nuchera, *Encomienda, tributo y trabajo en Filipinas, 1570–1608* (Madrid: Universidad Autónoma de Madrid: Ediciones Polifemo, 1995).

<sup>35</sup> Gaspar de San Agustín O.S.A., *Conquistas de las Islas Filipinas, 1565–1615* (Madrid: CSIC, 1975), 502.

<sup>36</sup> AGI Filipinas 84 N.18 (1581). The council was organized in part to address the king's concern about noncompliance. AGI Escribanía 408A (1581).

expressed personal outrage at having to execute the decree, claiming it would cause “great confusion” and “endanger” the colony.<sup>37</sup> In contrast, the church insisted on the natural liberty of the Indians and the justice of protecting them. The council was meant to come to a resolution between these two understandings of the nature and necessity of indigenous slavery. Both sides gained ground.

At the council, the secular and regular clergy categorically opposed the governor’s proposal for a “gentle” strategy, which would have implemented abolition in a gradual manner, and they called instead for immediate action.<sup>38</sup> Spanish colonists had to liberate their Indian slaves based on the intrinsic justice of the 1574 decree, which was “an irrefutable extension of the protections granted to Indians by emperor Charles V.”<sup>39</sup> The clergy’s only concession was to agree that the governor was allowed to permit masters “to ask their Indians” to remain in their homes for a month, at maximum, to “alleviate the inconveniences” that would result from the Indians’ liberation.<sup>40</sup>

As part of their battle against the governor, the clergy went back to their parishes and implored masters to liberate their Indian slaves, threatening that they would not hear confession from Spaniards who refused to do so.<sup>41</sup> Catholic dogma requires individual confession of sin to receive absolution, so their refusal to carry out this necessary rite was a mortal threat. In explanation for their actions, the clerics and members of the religious orders said they were “judges of conscience”; they would not, and could not, absolve men whose mortal sin was to oppose liberty.<sup>42</sup> In a letter to Philip II explaining their actions, the clergy called on the memory of the king’s father and his valiant efforts to protect the missionary project by insisting on the freedom of his new Christian vassals.

<sup>37</sup> AGI Filipinas 6 R.4 N.49 (1582); for an English translation see Gonzalo Ronquillo de Peñalosa, “Letter to Felipe II,” in Blair and Robertson, vol. 5. The governor argued repeatedly that indigenous slavery “was not the slavery of other places,” and that Spaniards treated their Indian slaves “with kindness and Christian love.” AGI Filipinas 6 R.5 N.56 (1584).

<sup>38</sup> AGI Escribanía 403A (1582).

<sup>39</sup> AGI Filipinas 84 N.21 (1581).

<sup>40</sup> For a detailed analysis of the debate at the 1581 council, see Patricio Hidalgo Nuchera, “Esclavitud o liberación? El fracaso de las actitudes esclavistas de los conquistadores de Filipinas,” *Revista Complutense de Historia de América* 20 (1994).

<sup>41</sup> AGI Filipinas 34 N.62 f.639 (1584). Letter from Audiencia (1585) transcribed in Isacio R. Rodríguez, *Historia de la Provincia Agustiniense del Santísimo Nombre de Jesús de Filipinas*, vol. 15 (Manila: Arnoldus Press, Convento de San Agustín, 1965), 235.

<sup>42</sup> Leading Spanish colonists wrote to the king to complain, but the bishop defended the friars’ actions. AGI Filipinas 339 L.1 f.349 (1587). AGI Filipinas 74 N.37 f.179 (1590).

Notwithstanding the church's efforts, Spanish colonists continued to own Indian slaves for several more decades, condoned by local officials. The Manila High Court (*Audiencia*), for example, issued ordinances in 1584 that went against the letter of the decree. The judges required Indians to "carry water and chop wood," which was the phrase used at the time to describe the work of slaves.<sup>43</sup> A year later, the same judges disingenuously assured the king that they were moving forward with the liberation of Indian slaves, but they complained that colonists constantly petitioned the court for exceptions, which slowed down their work.<sup>44</sup> The judges' excuses were particularly galling because the *Audiencia* had a mandate "to ensure that Indians be well treated as His Majesty's free vassals."<sup>45</sup> Hearing of this evasion, the king specifically charged the new governor Gómez Pérez das Mariñas in 1589 to resolve the issue: "Some Spaniards of good conscience have freed the slaves who are native of those islands, but many more keep them in their homes . . . I order you to liberate all Indians owned by Spaniards."<sup>46</sup> The king's letter thus acknowledged that his royal officials in the Philippines were not following orders – an oversight problem that continued to plague crown efforts to protect the rights of indigent subjects through the seventeenth century.<sup>47</sup>

In the short term, the colonial government succeeded in freeing only the Indian slaves held by Spanish colonists, and then only after significant struggle. The native chiefs, moreover, had leave to keep their slaves. In the early 1600s, Antonio de Morga, lieutenant governor of the Philippines and judge of the *Audiencia* of Manila, admitted that Spaniards had been accustomed to buying Indian slaves, but that this was no longer allowed. The government had liberated the Indians who were captured by the Spaniards in the "pacification of the islands."<sup>48</sup> Despite such claims, it is plainly evident that the process of liberating the colonists' Indian slaves

<sup>43</sup> AGI Filipinas 18a R.2 N.9 (1584).

<sup>44</sup> AGI Filipinas 18a R.3 N.12 (1585).

<sup>45</sup> The ordinances detailing the court's responsibilities are transcribed in Fernando Muro Romero, "Las ordenanzas de 1596 para la audiencia de Filipinas," *Anuario de estudios americanos* 30 (1973).

<sup>46</sup> AGI Filipinas 339 L.1 f.365v (1589).

<sup>47</sup> According to Captain Diego de Artieda, Spaniards purchased Indian slaves in Manila, where they were "cheap and plentiful," so that they could "take them to Mexico to live among Christians." The average price of slaves in Manila in 1593 was 50 *reales* or a little more than 6 silver pesos; the average price in Mexico was closer to 300 pesos. Diego de Artieda, "Relation of the Western Islands Called Filipinas," in Blair and Robertson, vol. 3. Eight *reales* equaled 1 peso.

<sup>48</sup> Antonio de Morga, *Sucesos de las Islas Filipinas* (México, 1609; Madrid: Ediciones Polifemo, 1997), 279.

took another decade at least. In 1608, a disinterested observer wrote: “All Spanish soldiers, however poor, have an Indian slave to serve them, and many two or more.”<sup>49</sup> In good time, however, Spaniards had to turn elsewhere for their labor needs, which meant continuing to enslave Muslim captives and purchasing slaves from abroad.

Morga was also very clear about customary rights: “It is true that matters touching the slavery of former days have remained on the same footing as before; the king our sovereign has ordered by his decrees that the honors of the chiefs be preserved to them as such.”<sup>50</sup> The prohibition of indigenous slavery, in other words, only pertained to Spaniards, not Indian elites.<sup>51</sup> As a result of this critical exception, natives of the Spanish Philippines remained in slavery, which in turn explains why Indians from the Philippines were shipped to Mexico and then sold as *chino* slaves.

The drive to abolish indigenous slavery failed because the Spanish government relied on Indian chiefs for food and stability, and the chiefs, in turn, depended heavily on slaves. Morga explained that the government’s position was an acknowledgment of economic reality: “The greatest property and wealth of the natives of these islands are slaves.”<sup>52</sup> The Spaniards had to respect the customs of the natives and allow them to keep their slaves.<sup>53</sup> The crown was persuaded to make this allowance, with certain restrictions. In 1609, the king implemented the Roman tradition of the Womb Law, which meant that the children of Indians inherited their legal status from the mother, not the father. This legal practice went against the indigenous custom of having individuals inherit their status from both parents, which sometimes resulted in individuals being half free and half slave.<sup>54</sup> The Spanish law thus simplified the way property was allocated, as only the owner of the mother gained a new slave.

<sup>49</sup> Pedro de Baeza, “Memorial y discurso” (1608); cited in Scott, 22.

<sup>50</sup> Morga, 279.

<sup>51</sup> A royal decree from 1574 ordered that “Indians in the Philippine Islands not be taken from one [island] to another in raids by force or against their will, except in very necessary cases, and then that they be paid for their occupation and labor, and be well treated and not aggrieved.” With this allowance, the crown acknowledged the colonists’ need for forced Indian labor and pointed to how to acquire a supply. The decree was codified as book 6 title 1 law 15 of the Laws of the Indies.

<sup>52</sup> Morga, 253–4.

<sup>53</sup> AGI Filipinas 20 R.4 N.34 (1610).

<sup>54</sup> AGI Filipinas 329 L.2 f.108 (1609).

Native elites were committed to the continuation of slavery because the institution was directly related to their political position, social rank, and economic power. Native elites rightly understood that the abolition of indigenous slavery would diminish their standing in the socioeconomic hierarchy. The elites owned slaves “in proportion to their nobility,” so that the most powerful had upward of 100 slaves.<sup>55</sup> Native chiefs were known, for instance, to walk around Manila with a large entourage of slaves, who held silk parasols to protect them from the sun.<sup>56</sup> Data from the town of Bagumbayan, located outside of Manila, provide some sense of the numbers: in the 1620s: 400 out of 700 inhabitants were Indian slaves.<sup>57</sup> The demographics show that having slaves continued to be a critical hallmark of social status among indigenous elites long after the Spanish conquest.

The indigenous elites kept their slaves for more than a century because Spanish officials relied on preexisting structures of power to administer the colony.<sup>58</sup> A few Spaniards made periodic appeals to the king “to free the poor Indians who were tyrannically enslaved” by native elites, but such complaints were rare.<sup>59</sup> Overall, colonists were well aware that they relied heavily on native elites and their slave labor force. The Spanish government instituted the same forms of labor organization in the Philippines as in the American colonies, first allowing colonists to have *encomiendas* and then pushing for reform with the *repartimiento* system.<sup>60</sup> Under *encomienda*, a Spaniard was allotted a group of Indians who owed him personal service; *repartimiento* was a crown-controlled system that required

<sup>55</sup> Diego de Bobadilla, “Relation of the Filipinas,” in Blair and Robertson, vol. 29.

<sup>56</sup> Morga, 224.

<sup>57</sup> Letter from Bishop Miguel García Serrano to the king (June 21, 1622), quoted in Luis Merino, *The Cabildo Secular or Municipal Government of Manila* (Iloilo: University of San Agustin, 1980), 38.

<sup>58</sup> Luis Alonso Álvarez, “Los señores del Barangay: La principalía indígena en las islas Filipinas, 1565–1789,” in *El cacicazgo en Nueva España y Filipinas*, ed. Margarita Menegu Bornemann and Rodolfo Aguirre Salvador (México: UNAM, 2005).

<sup>59</sup> AGI Filipinas 21 R.4 N.17 (1630).

<sup>60</sup> Luis Alonso Álvarez, “La inviabilidad de la hacienda asiática: coacción y mercado en la formación del modelo colonial en las Islas Filipinas, 1565–1595” in *Imperios y naciones en el Pacífico: la formación de una colonia, Filipinas*, ed. María Dolores Elizalde Pérez-Gruoso, Josep María Fradera, and L. Alonso Álvarez (Madrid: CSIC, 2001). Hidalgo Nuchera 1995. Timothy J. Yeager, “Encomienda or Slavery? The Spanish Crown’s Choice of Labor Organization in Sixteenth-Century Spanish America,” *The Journal of Economic History* 55, no. 4 (1995). The groundbreaking work of Phelan has been challenged by more recent historians who take a more critical role of Spanish colonization. John Leddy Phelan, “Free versus Compulsory Labor: Mexico and the Philippines, 1540–1648,” *Comparative Studies in Society and History* 1, no. 2 (1959).

Indians to work for nominal pay. In the Philippines, both systems allowed for slavery because native elites were responsible for delivering the laborers to the Spaniards. As such, Spanish colonists may not have individually owned Indian slaves after about 1610, but they continued to benefit from slave labor because native chiefs used slaves in food production for their own sustenance and to pay as tribute. Native chiefs, moreover, were known to use slaves for the labor draft.

The lawful enslavement of the indigenous group *Negritos* (also referred to as *Zambales*) exemplifies the leeway given to native chiefs regarding slavery. The colonial government gave permission to the indigenous elites of the larger ethnic groups to carry out their own slaving raids. The Kapampangans (*Pampangos* in Spanish), for example, who lived in the fertile province of Pampanga had license to enslave *Negritos*.<sup>61</sup> According to Kapampangan chiefs, the *Negritos* were naked marauders and scalp hunters who swept down from the foothills “as swiftly as deer” and attacked their people when they were in the fields. As a way “to remedy” this situation and protect the food supply, the Kapampangans were allowed to go to war against their “natural enemies,” enslave them, and then put them to work in rice cultivation.<sup>62</sup>

The enslavement of *Negritos*, moreover, raises important questions about the conceptualization of slavery in the Philippines, and how it changed over time. The word *negro* is Spanish for black, so the name given to the enemies of the Kapampangans referred to their dark skin color. The name also alluded to the Spaniards’ characterization of *Negritos*, which was that they were barbarians because they lived as hunters and gatherers, rather than in settled towns, which was the Iberian mark of civilization. Writing in the 1640s, Alonso de Sandoval gave the following description in his widely read missionary treatise: “They are not as dark as those from Guinea, nor as ugly, but smaller and skinnier, and with curly hair and beards like them [Guineans]; they do not have towns or houses except for the hills . . . among the nations of the Philippines [they] are the most

<sup>61</sup> The *Negritos* (also called *Aita*, among other names) descended from the first settlers of the Philippines (possibly related to the indigenous Australoid population). Commonly described as pygmies, they lived as hunters and gatherers in small bands in the mountainous interior of Luzon, Visayas, and several other islands. There is little historical research on this group of people; the scholarship mainly consists of modern-day ethnographic studies, with some recent work on their genetic makeup. John M. Garvan, *The Negritos of the Philippines* (Horn: F. Berger, 1964). William Allan Reed, *Negritos of Zambales*, Philippine Islands Ethnological Survey Publications (Manila: Bureau of Public Printing, 1904).

<sup>62</sup> AGI Filipinas 27 N.52 f. 337 (1605). AGI Filipinas 329 L.2 f.104v (1609).

barbarous and uncivilized.”<sup>63</sup> Based on Negritos’ physical appearance, Spaniards associated them with people from sub-Saharan Africa, whom they similarly perceived to be socially inferior.<sup>64</sup>

The Negritos were never incorporated into Hispanic society as indigenous vassals as were their neighboring agriculturalists because Spaniards saw them as savages. “Civilized” Indians therefore had leave to enslave Negritos because they were barbarians in the Aristotelian sense of being lesser men and therefore natural slaves. Spaniards made this characterization of the Negritos from the first years after conquest. In a 1570 letter to the viceroy of New Spain, Governor Miguel López de Legazpi explained that the native chiefs had “black slaves” who were war captives, noting that they used to be less expensive than Indian slaves (meaning slaves from the complex societies of Luzon).<sup>65</sup> According to Legazpi, the native chiefs had recently raised their price because they “realized that the Spaniards had an affinity for them and would pay more money for the blacks than the Indians.” Indian elites thus recognized that Spaniards associated black skin with slavery and moved to profit from it. Legazpi, moreover, added that he had given license to individual Spaniards to take “a great number of *negrillos*” to Mexico as slaves, where they could live with Christians. The implication was that Negritos would have a better life in slavery because they would be taken out of their barbarity and brought into the Christian fold.

Notably, the link between barbarism and slavery was the same in other frontier regions of the Spanish empire. Commenting on the Negritos of the Philippines, Governor Francisco de Sande wrote, “they are like the Chichimecas of New Spain, very savage and cruel.”<sup>66</sup> The Chichimecas were nomadic indigenous groups from the northern frontier who were similarly exempted from the protections given to other Indians. For the Spaniards, groups like the Negritos and Chichimecas were not true Indians, but enemies who carried out guerrilla warfare on colonists and missionaries.

<sup>63</sup> Alonso de Sandoval, *Un tratado sobre la esclavitud* [De instauranda aethiopum salute], trans. Enriqueta Vila Vilar (Madrid, 1647; Madrid: Alianza Editorial, 1987), 93–5.

<sup>64</sup> For an analysis of Spaniards’ color associations, see James H. Sweet, “The Iberian Roots of American Racist Thought,” *The William and Mary Quarterly* 54, no. 1 (1997).

<sup>65</sup> Letter transcribed in Isacio R. Rodríguez, *Historia de la Provincia Agustimiana del Santísimo Nombre de Jesús de Filipinas*, vol. 14 (Manila: Arnoldus Press, Convento de San Agustín, 1965), 51–2.

<sup>66</sup> AGI Filipinas 6 R.3 N.25 (1576). Letter transcribed and translated in Francisco de Sande, “Relation of the Philippine Islands,” in *The Philippine Islands, 1493–1898*, ed. Blair and Robertson, vol. 4.

Native elites also owned foreign slaves, whom they purchased from the Portuguese as the Spaniards did.<sup>67</sup> The experience of a slave named Jacinto, originally from the Malabar Coast, illustrates how this market worked. In September 1616, Jacinto declared before the judges of the Audiencia of Manila that he had been captured by a Portuguese man, name unknown, in war a few months earlier. The Portuguese took Jacinto to the city of Cochin in Portuguese India, where the vicar general testified that Jacinto “was a captive from a just war.”<sup>68</sup> With this certification, Jacinto was sold to another Portuguese named Benito Ferreira da Silva, who then took him to Malacca and then Manila. By 1619, Jacinto was about twenty years old and belonged to an Indian named Luis Danga, a “native of the town of Dila” near Manila. Danga participated in a profitable slave trading system involving non-Indians. Danga purchased Jacinto for 65 pesos and sold him three years later for 80 pesos to a judge of the Audiencia of Manila, earning a sizeable profit.<sup>69</sup> Just a few years later, Jacinto was sold again in Manila to “father Francisco Gutiérrez religious of the Jesuit Order and general administrator [*procurador general*] of the College.”<sup>70</sup> Jacinto remained in the property of the Order and was eventually sent to serve Jesuits residing in Mexico.

Native elites thus engaged the Manila slave market in the same way as other slave owners. In fact, their trading activities were so successful that the colonial government attempted to collect tribute from indigenous chiefs for their foreign slaves in the 1630s, in the same way that they did for their native slaves.<sup>71</sup> The effort was unsuccessful, but it does point to the extent of the practice, as well as the availability of foreign slaves.

#### THE PORTUGUESE SLAVE TRADE IN THE INDIAN OCEAN WORLD

A remote political event in Europe explains the prominence of Portuguese slave traders in the Philippines and the corresponding presence of foreign slaves in the Manila market. In 1578, Portugal suffered a succession crisis when King Sebastian I died without an heir. Philip II of Spain took this

<sup>67</sup> AGI Filipinas 8 R.3 N.70 (1636).

<sup>68</sup> AGN Historia 406 f.190v (1613).

<sup>69</sup> AGN Historia 406 f.192 (1621).

<sup>70</sup> AGN Historia 406 f.193 (1623).

<sup>71</sup> AGI Filipinas 8 R.3 N.70 (1636). Scott incorrectly states that native elites paid tribute for foreign slaves – the crown overturned the measure just two years after it was instituted. Scott, 30. AGI Filipinas 330 L.4 f.61v (1638).



opportunity to invade the country and seize the Portuguese crown. During the period of Iberian Union or Spanish Captivity (1580 to 1640), the Spanish king ruled two empires with separate governmental structures.<sup>72</sup> The Treaty of Tomar (1581) expressly prohibited trade between the colonies of Spain and Portugal, but commercial links were nonetheless established between the *Estado da Índia* and the Philippines.<sup>73</sup> Portuguese traders claimed that “as vassals of the Spanish king . . . it was just for them to trade and contract in Manila.”<sup>74</sup> Having previously engaged in raiding for slaves in various islands of the Philippines Archipelago, the Portuguese were eager to change the nature of their visits and enter the market as lawful traders.<sup>75</sup> During this period of some sixty years, the Portuguese arrived in Manila “with the monsoon winds,” bringing slaves “from the Moluccas, and Malacca, and India.”<sup>76</sup> The organization of this trade, which resulted in the influx of slaves from regions far beyond the Philippines Archipelago, accounts for the great diversity of the Manila slave market.

The Portuguese were driven to trade in Manila by a desire to gain access to the silver sent from Mexico as part of the government subsidy (*situado*) for the colony, as well as from silver merchants who sent their agents to acquire Asian commodities.<sup>77</sup> Silver was the monetary standard in most of Asia, but the Portuguese had no silver deposits of their own, so they had to

<sup>72</sup> For a discussion of Spanish–Portuguese relations in Asia, see Sanjay Subrahmanyam, “Holding the World in Balance: The Connected Histories of the Iberian Overseas Empires, 1500–1640,” *American Historical Review* 112, no. 5 (2007).

<sup>73</sup> The *Estado da Índia* constituted all of Portugal’s colonial holdings in Asia; these 50-odd possessions ranged from small settlements allowed by local rulers to ports held by force of arms. For an analysis of a similar development in Spanish America, see Enriqueta Vila Vilar, “Los asientos portugueses y el contrabando de negros,” *Anuario de estudios americanos* 30 (1973).

<sup>74</sup> AGI Filipinas 41 N.16 (1636).

<sup>75</sup> In the 1560s, for example, Portuguese slavers “caused grievous harm and great offense” to the Spaniards by “capturing great quantities of Indians” in the island of Bohol. AGI Filipinas 29 N.3 f.12 (1565).

<sup>76</sup> Morga, 90–1.

<sup>77</sup> The subsidy averaged 250 million silver pesos per year, which paid for all government expenses including salaries, defense, and the building and maintenance of the Manila Galleon. For an analysis of the working of the *situado* and the colony’s dependence on the royal treasury, see Leslie E. Bauzon, *Deficit Government: Mexico and the Philippine Situado, 1606–1804* (Tokyo: Centre for East Asian Cultural Studies, 1981). The Portuguese were specifically known to make special arrangements with those merchants to ensure that they would be paid in silver coins. AGI Filipinas 6 R.7 N.93 (1592). For an analysis of the role of silver merchants in the economy of the Philippines, see Louisa Schell Hoberman, *Mexico’s Merchant Elite, 1590–1660: Silver, State, and Society* (Durham: Duke University Press, 1991). Katharine Bjork, “The Link That Kept the Philippines Spanish: Mexican Merchant Interests and the Manila Trade, 1571–1815,”

procure it elsewhere.<sup>78</sup> In Manila, the Portuguese offered a variety of goods in exchange for silver, including munitions, equipment for shipping and other metal ware, cotton textiles from India, and spices.<sup>79</sup> Slaves, however, were their singular most profitable commodities.<sup>80</sup> Contemporaries took special notice of the ships that regularly left Goa for Manila and condemned the “many offenses to God that were committed on these slaving vessels.”<sup>81</sup> In this sense, the influx of American silver escalated Portuguese slave trading in Manila, as it prompted Portuguese traders to increase the number of slaves they brought to the Spanish capital to exchange for silver. The Portuguese, moreover, increased their trading activities because Manila had a great demand for slaves.

The slave trade to Manila ran well because the Portuguese had a trading network to supply their own colonial possessions with slaves, particularly Goa and Macau, long before the Iberian Union.<sup>82</sup> According to Spaniard

*Journal of World History* 9, no. 1 (1998). Vera Valdés Lakowsky, *De las minas al mar: historia de la plata mexicana en Asia, 1565–1834* (México, D.F.: Fondo de Cultura Económica, 1987). For a broad analysis of Manila’s role in the trading networks of Spain, China, and Japan, see Birgit M. Tremml, “The Global and the Local: Problematic Dynamics of the Triangular Trade in Early Modern Manila,” *Journal of World History* 23, no. 3 (2012).

<sup>78</sup> The Portuguese also traded for silver in Japan prior to their expulsion in 1614 by the shogun Tokugawa Ieyasu, who opposed their missionary efforts. It was very profitable for the Portuguese to trade in China with silver, where 6 ounces of silver could be exchanged for a full ounce of gold (or its equivalent in another commodity), versus half an ounce of gold in Europe. Dennis O. Flynn and Arturo Giráldez, “Cycles of Silver: Global Economic Unity through the Mid-Eighteenth Century,” *Journal of World History* 13, no. 2 (2002).

<sup>79</sup> For the Portuguese trade for silver, see John Villiers, “Manila and Maluku: Trade and Warfare in the Eastern Archipelago, 1580–1640,” *Philippine Studies* 34, no. 2 (1986). Michel Morineau, “The Indian Challenge: Seventeenth to Eighteenth Centuries,” in *Merchants, Companies, and Trade: Asia, Europe, and India in the Early Modern Era*, ed. Sushil Chaudhury and Michel Morineau (Cambridge: Cambridge University Press, 1999).

<sup>80</sup> C. R. Boxer, “*Plata es Sangre*: Sidelights on the Drain of Spanish-American Silver in the Far East, 1550–1700,” *Philippine Studies* 18, no. 3 (1970). Boxer specifically notes that the Portuguese mainly acquired New World silver by selling slaves in the Philippines. Flynn and Giráldez similarly note that slaves, whom they erroneously assume to be solely Africans, were among the commodities exchanged for silver in the Philippines. Dennis O. Flynn and Arturo Giráldez, “Born with a ‘Silver Spoon’: The Origin of World Trade in 1571,” *Journal of World History* 6, no. 2 (1995).

<sup>81</sup> António Bocarro, *Década xiii da historia da India*, ed. Rodrigo José de Lima Felner (Lisbon: Academia Real das Sciencias, 1876), 997–8.

<sup>82</sup> For vivid contemporary descriptions of the Goa slave market, see A. C. Burnell, ed., *The Voyage of Jan Huygen Van Linschoten to the East Indies*, vol. 1 (London: Hakluyt Society, 1885). For a broad overview of slavery in Portuguese India, see Jeanette Pinto, *Slavery in Portuguese India, 1510–1842* (Bombay: Himalaya Pub. House, 1992). P. P. Shirodkar, “Slavery in Coastal India,” *Purabhilekh Puratatva* 111, no. 1 (1985).

Juan de Rivera, Portuguese in India “had more slaves than any other nation of the world.”<sup>83</sup> Hyperbole notwithstanding, the typical Portuguese in Goa had ten slaves.<sup>84</sup> These slaves were from regions as far away as Mozambique and Japan.

The life story of Anton Rosado, who was born in Goa and died in Mexico, testifies to the reach and workings of the Portuguese Indies trade.<sup>85</sup> The Portuguese brought his ancestors together. In Anton’s own words, his paternal grandfather had been “captain general of the fleet in Goa . . . a great gentleman who died on his way back to Portugal from India”; his grandmother was a slave from Mozambique; and his maternal grandparents were slaves from Terrenate in the Maluku Islands.<sup>86</sup> For many years, he worked as the servant of Portuguese soldiers, “traveling with them by land and sea” to places such as Cochin and Ceylon. Then one day in Manila, his employer “sold him unjustly” into slavery, and he ended up on board the galleon bound for Acapulco.<sup>87</sup>

The Portuguese traded slaves as part of their Indies trade system (*comercio de India a India*), which stretched from East Africa to Japan.<sup>88</sup> In this trade, Portuguese traders traveled from port to port, usually starting in Goa and stopping in Malacca, Macau, Nagasaki, and back again. After 1580, Manila became one more port of call. Portuguese traders would, for example, acquire “white and brown sugar, tortoise-shell and gold” in the Philippines and then take this merchandise to Malacca to exchange “for slaves and cloth.”<sup>89</sup> They would then continue

<sup>83</sup> Rivera traveled on a Portuguese ship from Goa to Manila, which carried “mostly *negros* and *cafres*”; he was told that some of these men were born free but were nonetheless going to be sold “as captives.” Juan de Rivera, “Portuguese and Spanish Expedition against the Dutch, 1615,” in *The Philippine Islands, 1493–1898*, ed. Blair and Robertson, vol. 17, 253–4.

<sup>84</sup> George Bryan Souza, *The Survival of Empire: Portuguese Trade and Society in China and the South China Sea, 1630–1754* (Cambridge: Cambridge University Press, 1986), 33.

<sup>85</sup> Anton’s story is discussed further in [Chapter 7](#). AGN Inquisición 454 exp.27 f.443 (1651). Alberro mentions this fascinating person in her groundbreaking book on the Inquisition in New Spain; see Solange Alberro, *Inquisición y sociedad en México, 1571–1700* (México: Fondo de Cultura Económica, 2004), 457.

<sup>86</sup> AGN Inquisición 454 exp.27 f.443 (1651).

<sup>87</sup> See [Chapter 3](#) for the workings of the transpacific trade.

<sup>88</sup> M. A. P. Meilink-Roelofs, *Asian Trade and European Influence in the Indonesian Archipelago* (The Hague: Martinus Nijhoff, 1969).

<sup>89</sup> Michael Edwardes, *Ralph Fitch, Elizabethan in the Indies* (London: Faber, 1972), 130. According to Portuguese Jeronimo Fernandes, Malacca had a uniquely diverse market, with slaves from “Java and Sunda, Siam, Pegu, China, Borneo, Timor, Solor, Banda and Bengal”; quoted in Vitorino Magalhães Godinho, *Os descobrimentos e a economia*

on to other ports and repeat the pattern of selling and acquiring new commodities along the way.

The Indies trade was largely a private venture, rather than being part of the royal routes (*carreiras*) that connected India back to Europe.<sup>90</sup> Some Portuguese traders were full-time merchants; others were soldiers or sailors who were allowed to engage in a little trading on the side as an inducement to work in the far reaches of the Portuguese seaborne empire.<sup>91</sup> One such Portuguese soldier tried to make some profit by bringing a slave from Bengal named Miguel to sell in Manila, but Miguel ran away soon after arriving in the Philippines.<sup>92</sup> For the most part, however, Portuguese traders transported large numbers of slaves and sold them in Manila in lots.

Slaves traveled far with their Portuguese captors, who acquired chattel in places throughout the Indian Ocean World. The Bay of Bengal, for example, was an important source of slaves for the Portuguese.<sup>93</sup> They allied with the king of Arakan to carry out joint slaving expeditions in the early seventeenth century.<sup>94</sup> The rise of slave raiding in the region of Bengal correlated with Arakanese military expansion, as well as heightened Dutch demands for slave labor. According to French traveler François Bernier, the Portuguese “entered the numerous arms and

*mundial*, 2 vols. (Lisbon: Editora Arcádia, 1965), 2:365. Traveling in the East India Company ship the *Globe*, Dutch trader Peter Floris noted the high value placed on Javanese slaves in the Bay of Bengal and Gulf of Thailand and also the dangers of having large numbers of slaves in port towns: in 1613, Javanese slaves living in the Muslim Sultanate of Patani (tributary of the King of Siam) rebelled and burned down the capital. See W. H. Moreland, ed., *Peter Floris, His Voyage to the East Indies in the Globe, 1611–1615: The Contemporary Translation of His Journal* (London: Printed for the Hakluyt Society, 1934), 94–5.

<sup>90</sup> On occasion, officials in Manila engaged in the Indies trade on behalf of the king. In 1621, for instance, the king acknowledged profits to the royal treasury from a trading voyage that had returned to Manila with slaves from Goa and clove from Malacca. AGI Filipinas 329 L.2 f.402v (1621).

<sup>91</sup> Om Prakash, *European Commercial Enterprise in Pre-Colonial India* (Cambridge: Cambridge University Press, 1998), 49.

<sup>92</sup> AGI Filipinas 6 R.8 N.130 (1599).

<sup>93</sup> For a discussion of the Portuguese presence in Bengal, see Sanjay Subrahmanyam, *Improvising Empire: Portuguese Trade and Settlement in the Bay of Bengal, 1500–1700* (Delhi: Oxford University Press, 1990). George Winius, “The ‘Shadow Empire’ of Goa in the Bay of Bengal,” *Itinerario* 7, no. 2 (1983). For the longue durée history of forced labor and migrations in Bengal, see Sunil S. Amrith, *Crossing the Bay of Bengal: The Furies of Nature and the Fortunes of Migrants* (Cambridge: Harvard University Press, 2013).

<sup>94</sup> Sanjay Subrahmanyam, “Slaves and Tyrants: Dutch Tribulations in Seventeenth-Century Mrauk-U,” *Journal of Early Modern History* 1, no. 3 (1997). S. Arasaratnam, “Slave Trade in the Indian Ocean in the Seventeenth Century,” in *Mariners, Merchants and Oceans: Studies in Maritime History*, ed. K. S. Mathew (New Delhi: Manohar, 1995).

branches of the Ganges” in light galleys and “carried away entire villages.”<sup>95</sup> These captives were then sold to passing traders, who bought “whole cargoes at a cheap rate.”<sup>96</sup> In this region, therefore, Portuguese divided the labor of slaving, with some focused on acquiring slaves through piracy, and other Portuguese simply stopping by to purchase them from their compatriots and taking the slaves to be traded elsewhere.<sup>97</sup>

Portuguese law permitted enslavement for several reasons. The first Provincial Council of Goa articulated these rationales succinctly in 1567. At that meeting, the ecclesiastical leadership agreed that people could be lawfully enslaved for the following five reasons or titles (*títulos*): one, if their mothers were slaves (Womb Law); two, if they were taken as captives in a just war; three, if they sold themselves into slavery; four, if they were sold by their fathers into slavery; and five, if they were declared slaves as punishment for a crime committed in their own homeland.<sup>98</sup> Masters could possess such slaves in “good conscience.”

In addition to the legal basis of slavery, the Portuguese also validated the slave trade by arguing that slavery brought nonbelievers into the Christian fold. The Portuguese maintained this stance around the world. Archbishop of Goa Alejo de Meneses, for example, emphasized that the “blacks from the mountains of Malabar” had heard the “preaching of the Catholic faith in bondage,” and that slavery had increased “the industry” of the people of the Island of Socotra, east of the Horn of Africa.<sup>99</sup>

The famous Jesuit Matteo Ricci, who spent some time in Macau, wrote that China was “virtually filled with slaves,” noting that “many of them were taken out of the country as slaves by the Portuguese.”<sup>100</sup> Ricci exaggerated somewhat, but the comment nonetheless testifies to

<sup>95</sup> François Bernier, *Travels in the Mogul Empire, A.D. 1656–1668*, trans. Irving Brock (New Delhi: Munshiram Manoharlal, 1992), 175–6.

<sup>96</sup> *Ibid.*, 176.

<sup>97</sup> Francisco, a “chino negro” from Bengal, was purchased from Juan Galban, a Portuguese, in Makassar and then taken to Manila, where Francisco boarded the Galleon for Acapulco. ANM Martin de Molina y Guerra 2486 f.122–123 (1652).

<sup>98</sup> The First Council urged owners to investigate the origins of their slaves’ captivity. In the Third Provincial Council, held in Goa in 1585, the clergy mandated that all slaves be baptized within six months of purchase. Joaquim Heliodoro da Cunha Rivara, *Archivo portugués-oriental*, vol. 4 (New Delhi: Asian Educational Services, 1992), 53–4, 142.

<sup>99</sup> Sandoval, 282. Meneses was archbishop of Goa from 1595 to 1612.

<sup>100</sup> Ricci was heartened that the Chinese slaves had “escaped the slavery of Satan” by becoming Christians. Matteo Ricci and Nicolas Trigault, *China in the Sixteenth Century: The Journals of Matthew Ricci, 1583–1610*, trans. Louis J. Gallagher (New York: Random House, 1953), 86. Ronnie Po-chia Hsia, *A Jesuit in the Forbidden City Matteo Ricci, 1552–1610* (New York: Oxford University Press, 2010).

Portuguese slaving practices and the response of local officials. Cantonese and Portuguese officials expressly forbade the Portuguese from taking natives of China for sale abroad.<sup>101</sup> The prohibitions emerged in condemnation of the first Portuguese settlers of Macau, who kidnapped and enslaved children in neighboring Canton.<sup>102</sup> That said, documents from Portuguese ships captured by the Dutch East Indian Company (VOC) show that Portuguese merchants circumvented the said restrictions. When Dutch traders boarded the *Santa Catarina* off the coast of Macau in 1603, for example, the ship carried some 100 female slaves, who were likely meant for sale in the Philippines or elsewhere in Southeast Asia.<sup>103</sup>

For the Portuguese, the legality of enslaving Japanese people, among all other nationalities, was the most controversial.<sup>104</sup> Portuguese colonists were unconcerned, but outside forces hindered their slaving activities. In 1571, King Sebastian of Portugal outlawed the enslavement of Japanese people at the request of the Jesuits, who argued that it hindered their missionary project.<sup>105</sup> Several decades later, the Portuguese in Goa threatened to rebel if the said decree was enforced, so Philip III was forced to revoke the prohibition in 1605. The Hapsburg government could not withstand outright opposition, so colonists were allowed to keep their Japanese slaves as long as they had “just and lawful titles.”<sup>106</sup>

The Portuguese faced similar problems in Macau. In 1613, and again in 1617, Cantonese officials ordered the Portuguese to stop “retaining Japanese slaves,” adding: “You are Westerners and so of what use are Japanese to you when you [can] use blacks?”<sup>107</sup> The presence of Japanese,

<sup>101</sup> Viceregal decrees on the subject were issued in 1595, 1613, 1619, and 1624, which suggests some continuation of the problem. C.R. Boxer, *Fidalgos in the Far East, 1550–1770: Fact and Fancy in the History of Macao* (The Hague: M. Nijhoff, 1948), 235.

<sup>102</sup> For a discussion of the Portuguese–Cantonese conflict over slaves, including translations of contemporary critics including João de Barros and António Bocarro, see R. Clive Willis, *China and Macau* (Burlington, VT: Ashgate, 2001).

<sup>103</sup> According to Borschberg, the records of the Dutch East Indian Company or Verenigde Oostindische Compagnie (VOC) can “be taken as evidence that the Portuguese were actively involved in shipping human cargo out of China” to sell in Macau and “other destinations in Asia”; see Peter Borschberg, “The Seizure of the *Sta. Catarina* Revisited: The Portuguese Empire in Asia, VOC Politics and the Origins of the Dutch-Johor Alliance,” *Journal of Southeast Asian Studies* 33, no. 1 (2002): 43.

<sup>104</sup> For a reconstruction and analysis of this controversial trade, see Thomas Nelson, “Slavery in Medieval Japan,” *Monumenta Nipponica* 59, no. 4 (2004).

<sup>105</sup> C.R. Boxer, *The Great Ship from Amacon* (Lisbon: Centro de Estudos Históricos Ultramarinos, 1959), 36.

<sup>106</sup> Nelson, 464.

<sup>107</sup> Edict from 1617, quoted in C.R. Boxer, *Portuguese Merchants and Missionaries in Feudal Japan, 1543–1640* (London: Variorum Reprints, 1986).

even slaves, was a concern because of the ongoing conflict between the Japanese and Ming governments, primarily over control of the Korean peninsula. The Cantonese officials' reasoning that Japanese slaves could be replaced with African slaves points to the complexity of the Portuguese trading networks, which moved people in all directions by operating at the limits of the laws of a number of nations.

The Portuguese Indies trade responded to market changes in the Spanish Philippines. The Iberian Union coincided with the government's crackdown on Spaniards owning Indian slaves in the 1580s. As a result, the Portuguese were able to access the Manila market at a critical time, when colonists had to look outside the Spanish Philippines for slave labor.

The entry into the Manila market was fortuitous for both nations, but it did involve some economic negotiation. When the Portuguese first arrived during the early years of the Iberian Union, they had to reach a deal with Spanish officials about the duties and taxes they would have to pay for their slaves. The Audiencia of Manila was particularly adamant that the Portuguese should pay a higher duty (*almojarifazgo*) for the slaves they sold at market for reexport to Mexico.<sup>108</sup> The judges argued that Portuguese traders ought to pay the same duties "as those traders who take slaves to Santo Domingo and other parts like New Spain and Peru."<sup>109</sup> Spaniards, in other words, wanted the Portuguese to pay regular sales tax (*alcabala*) as well as duties at the same rate as slave traders in the Atlantic, who operated under an emergent monopoly (*asiento*) system.<sup>110</sup> The Spaniards, however, failed in that regard and only succeeded in charging the duties and taxes paid by other traders. Once the financial logistics were figured out, Spaniards openly welcomed Portuguese slave traders to Manila. In fact, the colonial government made arrangements with these traders for special deliveries, placing orders, for example, for enslaved caulkers and carpenters from Portuguese India to maintain the king's ships.<sup>111</sup>

<sup>108</sup> AGI Filipinas 34 N.78 f.796 (1588). AGI Filipinas 29 N.57 f.382 (1595).

<sup>109</sup> AGI Filipinas 18a R.4 N.24 (1586). AGI Filipinas 34 N.78 f.796 (1588).

<sup>110</sup> The duties rate debate also had to do with differentiating Portuguese from Chinese traders, who only paid a 3 percent customs duty (*almojarifazgo*) rate on their import commodities. The idea was that the Portuguese should pay a set amount per slave, as was beginning to be done in the Atlantic, which would have amounted to more income for the treasury. AGI Filipinas 29 N.57 f.382 (1595). See [Chapter 3](#) for a discussion of the rise of the *asiento* system in relation to the transpacific trade.

<sup>111</sup> AGI Filipinas 29 N.63 f.427 (1597). The colonists of Peru had a similar need for skilled "auxiliaries." James Lockhart, *Spanish Peru, 1532–1560: A Colonial Society* (Madison: University of Wisconsin Press, 1968).



From the earliest days of the colony, Spaniards depended on other nations to supply them with merchandise, which they then reexported to Mexico. This system of exchange was called the China Trade. The first governor Miguel López de Legazpi promised Chinese merchants high returns for all that they offered, which included white and gold porcelain, taffeta of all colors, oranges, and even wheat flour.<sup>112</sup> Later on, the colonists persuaded the Chinese (commonly called *sangleyes* in the Philippines) to come to Manila at their own expense to sell their merchandise, which they were willing to do in exchange for the Spaniards' American silver.<sup>113</sup> By the beginning of the seventeenth century, some forty Chinese junks arrived in Manila Bay each year.<sup>114</sup> In the contemptuous words of a Portuguese friar, the Chinese "would have visited hell to invent new things to bring to take away the desired silver."<sup>115</sup> Like the Portuguese, the Chinese had no silver deposits of their own but nonetheless used silver as a monetary standard, so they were forced to acquire it first from the Japanese and then more easily from the Spanish.<sup>116</sup> To encourage the Chinese further, the crown prohibited Spanish colonists from traveling to the Chinese mainland for commerce in 1584.<sup>117</sup> As a result, Spaniards rarely ventured beyond the Philippines, choosing instead to make their fortunes by reselling Chinese and other goods in Mexico.

The one major conflict between Spaniards and the Portuguese arose in 1632, when the Spanish officials accused Portuguese traders from Macau of infiltrating the trade with China as the intermediary.<sup>118</sup> Even though Spaniards had a tense relationship with the resident *sangleyes*, who were

<sup>112</sup> Legazpi claimed to have rescued more than 30 Chinese traders enslaved by locals, who were much obliged and promised always to return to Manila to trade with the new settlers. AGI Patronato 24-23 (1572).

<sup>113</sup> For the history of the Chinese community in Manila, see Alfonso Felix, ed., *The Chinese in the Philippines, 1570-1770: Analyses and Documents on the Beginnings of Philippine-Chinese Relations*, vol. 1 (Manila: Solidaridad Publishing House, 1966). Ching-Ho Ch'en, *The Chinese Community in the Sixteenth Century Philippines* (Tokyo: Centre for East Asian Cultural Studies, 1968).

<sup>114</sup> Berthold Laufer, "The Relations of the Chinese to the Philippines," *Historical Bulletin* 11, no. 1 (1967).

<sup>115</sup> *Itinerario de las Misiones que hizo el Padre Fr. Sebastián Manrique* (Roma 1649); cited in Boxer, 1970, 462-3.

<sup>116</sup> The purchasing power of silver in China was impressive; at the end of the sixteenth century, 6 ounces of silver bought 1 ounce of gold in China and only half an ounce in Europe. Flynn and Giráldez, 2002.

<sup>117</sup> AGI Filipinas 29 N.50 f.230 (1584).

<sup>118</sup> AGI Filipinas 340 L.4 f.15 (1635).



segregated in a neighborhood outside the city walls called the Parian, the colonists needed to maintain the China Trade.<sup>119</sup> In this case, the Spaniards claimed that the Portuguese had scared Cantonese merchants from traveling to Manila with tales about Dutch pirates. The Portuguese had then taken Chinese silks and porcelains to Manila themselves and sold the goods at high prices. The colonists appealed to the king for help, who banned the Portuguese from selling Chinese goods in Manila.<sup>120</sup> The crown had too much invested in the regular functioning of the China Trade to allow such a change.

From the Spaniards' perspective, the Portuguese brought to Manila slaves who fell into two main categories: the first group consisted of slaves from Africa and their descendants (generally called blacks or *negros*); the second group was slaves from everywhere else. Spaniards in Manila typically characterized black slaves as troublemakers and fit only for manual labor. One official wrote that the only suitable job for a black slave was to be a galley slave (rower).<sup>121</sup> This antipathy prompted drastic legal measures. In 1605, a judge complained that the Portuguese only brought "the worst black slaves, all drunkards, thieves, and runaways."<sup>122</sup> He therefore recommended that the Portuguese only be allowed to sell black slaves who were "under twelve years of age," presumably because Spanish masters thought it was easier to train children than older slaves. Spaniards, moreover, repeatedly suggested that black slaves conspired with Indians to drink and steal from their masters.<sup>123</sup> There were even calls to have all blacks banished from the city, lest they encourage the Indians to rebel or aid foreign enemies such as the Dutch.<sup>124</sup>

In contrast, the contemporary portrayal was that male slaves from Portuguese India and Malacca were "industrious and serviceable,"

<sup>119</sup> The Chinese community organized major rebellions against the colonial government in 1603 and 1639 to protest pricing regulations and individual taxation. AGI Filipinas 7 R.1 N.12 (1603). The 1639 uprising was a bloody affair, in which Spaniards actually took Chinese captives during the fighting, but the governor quickly set them free. AGI Filipinas 42 N.24 (1648). Apart from economic necessity, Spaniards maintained working relations with resident Chinese because churchmen retained great hope of converting all *sangleyes* and doing missionary work in mainland China. Manel Ollé, *La inversión de China: percepciones y estrategias filipinas respecto a China durante el siglo XVI* (Wiesbaden: Harrassowitz, 2000).

<sup>120</sup> AGI Filipinas 82 N.1 (1636).

<sup>121</sup> AGI Filipinas 18a R.3 N.16 (1585).

<sup>122</sup> AGI Filipinas 27 N.51 f.327v (1605).

<sup>123</sup> AGI Filipinas 18b R.8 N.91 (1598).

<sup>124</sup> AGI Filipinas 6 R.7 N.73 (1591). AGI Filipinas 41 N.59 (1636). AGI Filipinas 330 L.4 f.40v (1638).

whereas female slaves from the same regions were “good seamstresses, cooks and very orderly and clean in their service.”<sup>125</sup> Based on these cultural assumptions, colonists tended to employ non-African foreign slaves in domestic service and in craft trades. Manila resident Miguel Pérez, for example, depended on his slave Antonio, originally from Bengal, to help in his confectionery shop.<sup>126</sup> The same pattern emerged in Mexico, where chino slaves were similarly used in service and skilled crafts.<sup>127</sup>

Regardless of their origin, be it Africa or India, the colonial government generally pronounced that the individuals sold by the Portuguese were legal chattel. Morga explained this understanding to another great jurist Juan de Solórzano Pereira, who raised doubts about the legality of “enslaving oriental Indians.” According to Morga:

In oriental India there are provinces wrecked by the heresy of the moros [referencing the Mughal empire], including the *yavos* [?], Malays, Bengalis, Makassans, *endes* [?], and others like them, with whom the Portuguese are in just and legitimate wars. According to Portuguese laws and the declarations of the Provincial Councils, these slaves become the possession of the capturers and are then sold.<sup>128</sup>

In other words, both the Spanish and the Portuguese employed the just-war defense of slavery, particularly in reference to wars against Muslims. Tellingly, Morga added, “the right to chattel property is never applied to kingdoms or provinces allied to Portugal, like Cambodia, Burma, and several others.”<sup>129</sup> The just-war concept could not be used in reference to friendly nations. In addition, Morga explained that Chinese and Japanese people could not be enslaved either, “unless they sold themselves or their children, and then only temporarily,” meaning that they were considered bonded laborers rather than perpetual slaves.<sup>130</sup>

Portuguese traders delivered several hundred slaves per year to the Spanish Philippines during the Iberian Union. The surviving documentation only allows for general estimates. Spanish customs records, for example, only document the arrival of Portuguese ships between 1620 and

<sup>125</sup> Pedro Chirino, *Relación de las Islas Filipinas* (Manila: Historical Conservation Society, 1969), 243.

<sup>126</sup> AGN Inquisición 220 exp.8 f.171 (1622).

<sup>127</sup> See [Chapter 4](#) for a discussion on the economic role and occupations of chino slaves in Mexico City.

<sup>128</sup> Juan de Solórzano Pereira, *De indiarum iure, liber III: de retentione indiarum* (Madrid, 1629; Madrid: Consejo Superior de Investigación Científicas, 1994), 463.

<sup>129</sup> Solórzano 1994, 463.

<sup>130</sup> *Ibid.*

1644.<sup>131</sup> As a result, there is no consensus regarding the volume of Portuguese trade in the Spanish Philippines, be it in slaves or other merchandise. There is, however, some episodic information that confirms the ongoing activity. The commissioner of the Holy Office of the Inquisition in Manila carried out visitations on all incoming ships to check for prohibited materials (mainly banned books) and kept regular records of the ships' contents.<sup>132</sup> In 1626, for example, the commissioner noted the arrival of three galleys owned by Portuguese traders; one of the ships had stopped in Bengal and Malacca before arriving in Manila with a shipment of rice, oil, textiles, and 200 slaves.<sup>133</sup> The human cargo was almost always recorded as 200 slaves, so the figure was a general approximation. In addition, merchants from Borneo and Thailand shipped slaves to Manila as well, but in far fewer numbers.<sup>134</sup>

The Portuguese slave trade to Manila diminished after the period of the Iberian Union but did not really end.<sup>135</sup> Despite the complaints about some of the "disadvantages" of the Portuguese slave trade, the colonial government made no effort to curtail it.<sup>136</sup> In 1644, the Portuguese were officially banned from residing or even trading in Manila, but slave traders continued to smuggle in their merchandise.<sup>137</sup> A Portuguese ship, for instance, left Malacca for Manila in 1690 with 200 slaves.<sup>138</sup> Spanish officials

<sup>131</sup> Based on the records of the royal treasury (*Contaduría*), now at the AGI, Chaunu calculated that from 1620 to 1640 between two and twenty ships arrived in Manila directly from Portuguese India. In addition, between two and five ships arrived annually from Portuguese Macau starting in 1580. Pierre Chaunu, *Les Philippines et le pacifique des Ibériques xvie, xviii, xviii siècles: introduction méthodologique et indices d'activité* (Paris: SEVPEN, 1960), 149–57. According to Souza (based partly on Chaunu), for the period 1620–44, there were 54 Portuguese ships from Macau and 44 ships from India (including Malacca, Goa, Coromandel and Malabar Coast). Souza, 74–5.

<sup>132</sup> The Inquisition was concerned with the entry of banned books and other forms of Protestant infiltrations, especially after the Dutch established their colony of Batavia. AGN Inquisición 903 exp.36 f.267 (1667).

<sup>133</sup> AGN Inquisición 903 exp.32 f.249 (1626). The volume has countless "visitas de barcos" for ships arriving from Goa, Malacca, Canton, and numerous other ports. In 1626, for example, 200 slaves arrived in Manila on board a ship that sailed from Bengal. AGN Inquisición 355 exp.44 f.501 (1626).

<sup>134</sup> William L. Schurz, *The Manila Galleon* (New York: E. P. Dutton, 1959), 143–5.

<sup>135</sup> Souza argues that the Portuguese slave trade to the Spanish Philippines "in general collapsed" after 1644. Souza, 78. In contrast, I suggest that even though trading diminished, it is clear that Portuguese ships continued to arrive in Manila, commonly bearing the flag of another nation.

<sup>136</sup> AGI Filipinas 340 L.3 f.23 (1608).

<sup>137</sup> AGI Filipinas 331 L.7 f.26v (1672).

<sup>138</sup> Souza, 166. The author cites Portuguese shipping records captured by the Dutch East India Company.

turned a blind eye to Portuguese dealings because the colony continued to depend on slave labor, which increasingly required an external supply, especially after the crown truly abolished indigenous slavery in the Philippines at the end of the seventeenth century.

#### MUSLIM CAPTIVES AND JUST-WAR SLAVERY

When the Spaniards first arrived, they were astounded to find that Muslims – Spain’s traditional enemies – inhabited large parts of the Philippines Archipelago. The Spaniards’ deep-seated animosity toward Muslims (*moros*) was harbored during the centuries-long *Reconquista* of the Iberian Peninsula.<sup>139</sup> At the time of contact, Spaniards had only recently taken over the Emirate of Granada (1492) – the last Muslim stronghold. Spanish colonists even posited that they were the direct descendants of the Muslims who had been “banished” from Spain.<sup>140</sup> In reality, merchants and missionaries from Borneo and the Maluku Islands introduced Islam to the region starting in the mid-fourteenth century.<sup>141</sup> Two hundred years later, most of Mindanao and the Sulu Archipelago were fully part of the Islamic world (*dar al-Islam*), and Islam had also made significant inroads in the islands of Cebu and Bohol. In contrast, people in Luzon and Visayas had only recently begun to convert. Not coincidentally, these were the islands that became the core of the Spanish Philippines. The presence of Islam, in other words, determined Spaniards’ missionary and military success. The regions that were fully Islamized never experienced Spanish colonization but rather remained under the sovereignty of Muslim chiefs who fought Spanish incursions at every turn. The Spaniards engaged in direct conflict with Muslims from circa 1565 to 1663 (the so-called Moro Wars), but they achieved few victories and subsequently settled into a kind of stalemate through the

<sup>139</sup> The Reconquista lasted from the eighth through the fifteenth centuries, when the Catholic kings expelled the last Muslim ruler from Granada in 1492.

<sup>140</sup> AGI Filipinas 18a R.3 N.19 (1585); transcribed in *Cuerpo de documentos del siglo xvi sobre los derechos de España en las Indias y las Filipinas*, ed. Lewis Hanke (México: Fondo de Cultura Económica, 1943), 65–115.

<sup>141</sup> The most comprehensive and widely cited work on Islam in the Philippines is Cesar Adib Majul, *Muslims in the Philippines* (Quezon City: University of the Philippines Press, 1973). Majul argues that the Islamization of the archipelago followed a set pattern, with the religion first introduced by Muslim merchants from Malaysia, along with Sufi missionaries, followed by the conversion of local rulers and then wider acceptance by the community.

nineteenth century.<sup>142</sup> During the height of the fighting, the Moro Wars netted hundreds of captives who were sold in the Manila slave market; some of these men, once they forcibly accepted baptism, were taken to Mexico.<sup>143</sup>

From the Spaniards' perspective, the Muslims had a "capital enmity" against Christians that justified the wars against them, back in Spain and now in the Philippines.<sup>144</sup> In their words, the conflict was part of an epic battle against the "multiplication of the evil sect in the islands and countries of the East."<sup>145</sup> Spaniards had to "pacify" Mindanao to stop missionaries from Borneo who "preached the false doctrine of Mohammed."<sup>146</sup> The vitriolic language used to describe the "depredations of the cursed moros," who were accused of plundering Spanish churches with "infernal fury," testifies to the fervor that drove the Spaniards to continue the Reconquista halfway around the world.<sup>147</sup>

Slaving was central to the fight against Islam in the Philippines, just as it had been during the Reconquista.<sup>148</sup> Spanish colonists first enslaved a number of Muslim traders who came to Cebu in the 1560s, claiming they had wanted to spread Islam.<sup>149</sup> The crown approved of their efforts,

<sup>142</sup> The Moro Wars ended when the Spaniards withdrew from Zamboanga, which was their only major settlement in Mindanao. They returned briefly in 1712. Ghislaine Loyré, "Les Musulmans de Mindanao et la traite d'après les sources occidentales, xvi–xvii siècles," in *De la traite à l'esclavage: actes du Colloque international sur la traite des noirs*, Nantes, 1985, ed. Serge Daget (Nantes: Centre de recherche sur l'histoire du monde atlantique, 1988).

<sup>143</sup> In the Philippines, Spaniards forced most captured Muslims to convert to Christianity. Moro captives thus entered Mexico as new Christians. Generally neither Muslims nor new converts were allowed to enter Spanish America, but slaves were the exception (see [Chapter 6](#)). When ships carrying free Muslim laborers landed in Acapulco, Spanish officials ordered that the moros be sent back to the Philippines. AGN General de Parte 4 exp.172 f.51 (1591).

<sup>144</sup> AGI Filipinas 18a R.2 N.9 (1584); for an English translation, see Melchor Davalos, "Letter to Felipe II," in Blair and Robertson, vol. 6.

<sup>145</sup> AGI Filipinas 18a R.3 N.19 (1584).

<sup>146</sup> AGI Filipinas 6 R.7 N.79 (1591); for an English translation, see Gómez Perez Dasmariñas, "Articles of Contract for the Conquest of Mindanao," in Blair and Robertson, vol. 8.

<sup>147</sup> "Fortunate Successes in Filipinas and Terrenate, 1636–37," in Blair and Robertson, vol. 29.

<sup>148</sup> For an analysis of just-war theory in relation to Muslim slaves in Spain, see Debra Blumenthal, *Enemies and Familiars: Slavery and Mastery in Fifteenth-Century Valencia* (Ithaca: Cornell University Press, 2009).

<sup>149</sup> Individual colonists and royal officials made similar requests. AGI Filipinas 29 N.2 (1565); AGI Filipinas 29 N.3 (1565); for an English translation of the latter, see "Letter from the Royal Officials," in Blair and Robertson, vol. 2.

but with an important caveat: Muslims could be enslaved so long as they were truly of the Muslim “nation,” rather than very recent converts.<sup>150</sup> The natives of the regions under Spanish control who had already converted to Christianity had to be protected from enslavement, even if they were originally Muslim. Muslims from regions outside Spanish jurisdiction were enemies, who could be enslaved as punishment for “impeding the predication of the gospel.”<sup>151</sup>

Spaniards were also permitted to take part in slaving raids in the Muslim islands, which harbored dangerous “rebels who confederated with known enemies of the crown.”<sup>152</sup> In part, the slaving campaigns were a response to the ongoing threat of Muslim raiders from Mindanao. Writing in 1603, Archbishop Benavides explained to Philip II that one of the dangers facing the colonists was that these men regularly patrolled the waters near Manila; they came “in battle array, to take Spanish captives . . . to say nothing of innumerable Indians, whom they seize to sell into slavery among infidels.”<sup>153</sup> The taking of Spanish captives was certainly a concern for the church, but they were regularly ransomed. The natives of Luzon, however, were recent converts to Christianity whose souls would be endangered by living among Muslims. For Spaniards like Benavides, it was therefore critical to engage the raiders in the same manner and attack their towns first, not only for just revenge but also for the sake of deterrence.

The Moro Wars netted thousands of slaves for soldiers on the side of Spain, as well as for the Muslim chiefdoms. In fact, much of the fighting consisted of skirmishes and coastal raiding by both parties. Slaving motivated Spanish soldiers and their Indian allies, who went into battle with the expressed purpose of acquiring slaves.<sup>154</sup> Spanish sources suggest that soldiers enslaved more than 4,000 Muslims between 1599 and 1604 alone.<sup>155</sup> Most of these captives were sold in the Manila slave market.

<sup>150</sup> AGI México 1090 L.6 f.69 (1570); transcribed in Alfonso García Gallo, ed., *Cedulario Indiano recopilado por Diego de Encinas*, vol. 4 (Madrid: Ediciones Cultura Hispanica, 1946), 374. English translation in Zaide and Zaide, 2:91.

<sup>151</sup> AGI Filipinas 339 L.1 (1568).

<sup>152</sup> AGI Filipinas 340 L.3 f.266 (1620). The decree was codified as book 6 title 2 law 12 of the Laws of the Indies.

<sup>153</sup> Miguel de Benavides, “Letters to Philip III,” in Blair and Robertson, vol. 12.

<sup>154</sup> AGI Filipinas 27 N.52 f.337 (1605). AGI Filipinas 27 N.108 f.644 (1619).

<sup>155</sup> Majul, 121.

In the late 1630s, a Muslim chief from Maguindanao spoke of the danger of falling prey to Spanish soldiers and urged his followers to fight back:

Don't you understand that subjection would reduce you to a toilsome slavery under the Spaniards? Turn your eyes to the defeated nations . . . Look at the Tagalogs and Visayans . . . Don't you see how the Spaniards trample them? Don't you see that they are made to work everyday at the oars and in their cultivations?<sup>156</sup>

This call to action articulates the fear that drove the soldiers on both sides. Partly for profit, but also for defense, Muslim soldiers enslaved thousands of their opponents, one time carrying away 2,500 Christianized Indians.<sup>157</sup> The captives taken by the Muslims were mainly used as agricultural workers or sold in foreign slave markets, such as in Dutch Batavia (present-day Jakarta), where officials from the Dutch East Indian Company acquired laborers for their spice plantations in the Maluku Islands.<sup>158</sup>

Governor Sebastián Hurtado de Corcuera led some of the more dramatic confrontations against the Muslims.<sup>159</sup> In 1638, his men took hundreds of captives in Jolo; 192 of them were later sold at auction in Manila for a total of 20,815 silver pesos.<sup>160</sup> Among the many captives was a child named Pedro de Mendoza, who years later sued for his freedom in Spain. In 1655, he petitioned the Council of the Indies in Seville for his liberty, claiming that Corcuera had illegally enslaved him. Pedro said he was an Indian from the Philippines and reminded the judges, "All Indians are naturally free according to royal decree."<sup>161</sup> In his defense, Corcuera

<sup>156</sup> A Spanish Jesuit who lived for many years in Zamboanga wrote down this speech; transcribed in Francisco Combés, *Historia de Mindanao y Joló* (Madrid: W. E. Retana, 1897), 164.

<sup>157</sup> Diego de Bobadilla, "Glorious Victories against the Moros of Mindanao," in Blair and Robertson, vol. 29.

<sup>158</sup> Majul, 140. For an analysis of the Dutch slaving economy, see Markus Vink, "The World's Oldest Trade: Dutch Slavery and Slave Trade in the Indian Ocean in the Seventeenth Century," *Journal of World History* 14, no. 2 (2003). For the slaving economy around the Sulu Sea, see James Francis Warren, "The Structure of Slavery in the Sulu Zone in the Late Eighteenth and Nineteenth Centuries," in *The Structure of Slavery in Indian Africa and Asia*, ed. Gwyn Campbell (London: Frank Cass, 2003).

<sup>159</sup> For a discussion of Corcuera's governorship, see William J. McCarthy, "Cashiering the Last Conquistador: The Juicio de Residencia of Don Sebastián Hurtado de Corcuera, 1635–1644," *Colonial Latin American Historical Review* Second Series 1, no. 1 (2013).

<sup>160</sup> "Value of Corcuera's Seizures in Jolo," in Blair and Robertson, vol. 29.

<sup>161</sup> AGI Filipinas 4 N.40 (1655). AGI Escribanía 1027c (1655).

explained that as governor he had personally led troops into Mindanao and Jolo to vanquish Muslims. After a major battle in 1638, he had taken responsibility of more than 200 children, all under four years of age, whom the enemy had left behind. Corcuera had the children baptized and taken to Manila, where he distributed them among upstanding citizens to be raised as Christians. He also kept several of these children in his own household and then brought them to Spain. According to Corcuera, these individuals (including Pedro) were legal slaves because they had been captured in a just war against Muslims, and the enslavement of women and children in a just war was fully allowed under Spanish jurisprudence. Corcuera also claimed that Pedro de Mendoza's real name was Pedro Jolo – he was not an Indian, but a Muslim slave, with a brand on his face to prove it. To pressure the point, Corcuera presented the court with a copy of the royal decree from 1635 that had ordered him to punish the people of Mindanao and Jolo. It is not known whether Pedro regained his freedom, but his case certainly attests to the reach of the slaving campaigns of the Moro Wars.<sup>162</sup> Notably, several other captives from the Corcuera expeditions emerge in the historical record, including Salvador Sánchez from Mindanao, who was finally freed by the same soldier who had captured him and taken him to Mexico City as his personal servant decades earlier.<sup>163</sup>

The slaving expeditions reached beyond the Philippines Archipelago to places such as the Mariana Islands (then called *Islas Chamures* or *Islas de los Ladrones*). Spanish soldiers claimed that Muslims made frequent forays there to capture the natives who “died in their service.”<sup>164</sup> They had a better idea: to capture the said natives before they fell into enemy hands. The soldiers planned to have the captives baptized and then send them to Mexico to work in the mines “for the greater service of God.”<sup>165</sup> In this petition to the king, the soldiers specifically linked the role of slavery in bringing unbelievers to Christianity and away from the Muslim chiefdoms. They requested license to carry out slaving raids by employing the major justification used to enslave people in other parts of the world, specifically West Africa. This request, moreover, testifies to the slaving economy that

<sup>162</sup> For a similar case regarding the fate of Corcuera's slaves in Spain, see AGN Escribanía 957 (1656).

<sup>163</sup> Salvador's master Diego Sánchez made a fortune in textile production in Mexico City; he left money in his will to pay for 200 masses in honor of Governor Corcuera. ANM Gabriel López Ahedo 2236 f.71 (1671).

<sup>164</sup> AGI Filipinas 6 R.10 N.188 (1600).

<sup>165</sup> Ibid.



developed as a result of the struggle between Christians and Muslims for political control of this remote part of the world.

The colonial government relied on Spanish precedent to confirm the enslavement of Muslims.<sup>166</sup> As in Iberia, the capture and sale of Muslims was permitted under canon and secular law. In 1570 and again in 1620, the king decreed that it was legal to enslave Muslims in the Philippines.<sup>167</sup> The story of Bartolomé Manuel, however, reveals that this legal reasoning only held true for the original captive and not his or her descendants, especially if they were taken elsewhere in the empire. In 1655, don Juan Niño de Tabora, son of the former governor of the Philippines, accused his slave Bartolomé of running away (thus stealing himself as property), and also of taking thousands of pesos with him.<sup>168</sup> Tabora brought charges against Bartolomé at the Council of Indies to recover his property (the coins and chattel). Two Spaniards testified that Bartolomé was indeed a slave because he was the son of a María Conbexo – a Muslim slave (*mora*) who had traveled with her master Governor Tabora to Mexico, where Bartolomé was born. In his defense, Bartolomé maintained that he was only a servant; he had escaped because Tabora refused to allow him to return home or compensate him for fourteen years of service. From a legal perspective, the legal status of the mother passed to the child, but Tabora was unable to provide the court with a slave title to prove the connection. The lack of documentation allowed the defense to argue that Bartolomé was “an Indian by nation and therefore free.”<sup>169</sup> This identification of Bartolomé as an Indian required that the mother be so as well, rather than a legal Muslim slave, so the lawyer suggested that María was a native of the Philippines who had been unjustly enslaved.<sup>170</sup> Contending that just-war captivity only pertained to enemy soldiers, the lawyer argued that María

<sup>166</sup> The legal justifications for enslaving Muslims in Iberia and North Africa were based on just-war theory, as articulated by Thomas Aquinas (1225–74), which allowed the capture of soldiers, specifically Muslims, who actively opposed the spread of Christianity or who sought to take the land of Christian kings. In contrast, the justifications for enslaving deists (referred to at the time as “pagans”) in sub-Saharan Africa were mainly based on the property rights of Christians to purchase chattel from foreign sovereigns who dictated their own slave laws. Once slaves were in Iberia, they were beholden to Roman jurisprudence, which said that slave status was inherited through the mother’s line (Womb Law).

<sup>167</sup> The decree was codified as book 6, title 2, law 12 of the Laws of the Indies.

<sup>168</sup> AGI Escribanía 1027B (1655).

<sup>169</sup> *Ibid.*

<sup>170</sup> For a discussion of similar cases, see Tatiana Seijas, “Native Vassals: Chinos, Indigenous Identity, and Legal Protection in Early Modern Spain,” in *Western Visions of the Far East in a Transpacific Age, 1522–1671*, ed. Christina H. Lee (Burlington, VT: Ashgate, 2012), 153–64.

could not have been a slave as a result of a just war. The defense thus used two legal concepts to support Bartolomé's case: he was free because he was an indigenous vassal, and he was an Indian because his mother was a native of the Philippines – not a Muslim. Sadly, Bartolomé died before a decision was made, likely from the injury he received from Tabora, who “raised a sword in anger and slashed his head.”<sup>171</sup> In consequence, the court did not respond to the lawyer's clever defense. No doubt María Conbexo was a legal slave, because the just-war theory did indeed allow the enslavement of women and children. María, however, had to undergo forced conversion, and she also relocated to Mexico, which transformed her into a china slave. In this different colonial context, the son of a china slave could indeed take on the identity of an Indian.<sup>172</sup> Once in Seville, Bartolomé knew to claim he was an indigenous person because that is exactly what other chino slaves did back in Mexico. They became Indians to be free.

#### CONTESTING ENSLAVEMENT IN EARLY COLONIAL MANILA

According to medieval Spanish jurisprudence, a Christian king had the obligation to protect the poor and the wretched (*miserables*). By the sixteenth century, this protection extended to slaves. In consequence, masters were required to have legal documentation that provided a just cause or reason for the individual's enslavement. Slavery was against natural law, but there were specific circumstances that made it legal according to human law.

Having the king's protection, moreover, also meant that slaves had a right to contest their legal status at court. Slaves throughout the empire sued for their liberty, and the authorities had to hear their cases and evaluate the justifications for their captivity. The judge would call on witnesses, review the relevant paperwork, and then make a ruling – confirming either that the person was a legal slave or that he or she was free. This process provided significant recourse to individuals who could provide evidence that challenged the legal reason for their enslavement. At the same time, the process allowed a master who did not have slave titles to

<sup>171</sup> AGI Escríbanía 1027B (1655).

<sup>172</sup> The transformation of chino slaves into Indians is discussed in [Chapters 4 to 6](#).

acquire them at court. It thus worked not only to protect individuals from unjust enslavement but also enabled traders to cover their sad commerce with a veil of law.

In the case of the Philippines, this legal process, which was meant to verify the legality of individual enslavements, worked in contrasting ways for Indians than for foreigners brought by the Portuguese. The concern of the court in Manila focused on freeing Indians from native chiefs. In 1574, and again in 1634, the Spanish crown specifically decreed that the Indians of the Philippines had a right to sue for liberty. On both occasions, the Audiencia of Manila was ordered to appoint a prosecutor (*defensor*) to investigate the claims made by individual Indians and help them gain their “natural liberty.”<sup>173</sup> It proved difficult, however, for individual Indians to access the court. According to one judge, “as soon as Indian masters find out that their slaves want to contact the prosecutor to help them fight for their liberty, they imprison them and inflict a thousand punishments.”<sup>174</sup> As such, few indigenous people were able to challenge their enslavement until the end of the seventeenth century.

The legal process that was supposed to ensure that individuals not be unlawfully enslaved could also be employed for malignant purposes. For slave owners, the process was a way to legalize undocumented slaves, such as individuals captured by pirates in slaving raids. The colonial government required extensive paperwork from the Portuguese, or any other traders, to sell foreign slaves in Manila. Traders had to have proper sale titles and proof of legal possession – the court then ratified this documentation. The process of legalization helped slave owners in that it protected property rights: it confirmed that a sale at the slave market involved chattel property that could be subsequently sold, inherited, or otherwise exchanged, without further registrations.

To claim ownership, Portuguese traders had to file a suit against the individual slave at the ordinary court (*juzgado ordinario*), where the mayor, or another justice, heard the case and made a pronouncement about the defendant’s legal status. A special prosecutor was appointed to represent these “slaves from Oriental India and elsewhere.”<sup>175</sup> In theory, the court was supposed to grant liberty to the defendant if the trader did not provide sufficient evidence to justify enslavement. In reality, the judge

<sup>173</sup> The royal decree was codified as book 6 title 2 law 9 of the Laws of the Indies.

<sup>174</sup> AGI Filipinas 21 R.4 N.17 (1630).

<sup>175</sup> AGI Filipinas 39 N.19 (1623).

almost always decided in favor of the plaintiff and allowed the Portuguese trader to keep the defendant as a legal slave.

The court in Manila allowed Portuguese traders to employ the reasons articulated by the Provincial Councils of Goa for what made someone a legal slave. One trader petitioned the court to have his slaves declared just and legal because they were from the Malabar Coast, and thus they “belonged to a caste and nation that the Provincial Council of India declared to be slaves.”<sup>176</sup> The council did not actually make this particular declaration, but the judge in Manila nonetheless agreed to grant the Portuguese trader legal title to all his slaves. Another trader made a similar appeal, arguing that his slave Menayte belonged to a nation of people who had been condemned to slavery “by the Provincial Council in India because they were enemies of Christians.”<sup>177</sup> In his testimony, Menayte explained that he “had sold his body to a Portuguese man due to hunger and necessity.” The Provincial Councils did not make blanket declarations about enemy nations, but they did recognize self-sale as a just cause, so Menayte actually articulated the real rationale for his enslavement.

In addition, Manila judges allowed Portuguese traders to force the individuals in question to testify against themselves. A man named Gaspar explained, through an interpreter, that he had been bought and sold as a slave several times after being captured in battle by a Portuguese soldier.<sup>178</sup> The judge asked Gaspar whether he had anything to say that could help his case, but Gaspar simply said he had told the truth. Based on this testimony, which supported the trader’s claim that Gaspar was enslaved in a just war, the judge declared that he was a legal slave.

In a similar case, a plaintiff named Jacinto, age fifteen, testified that he was originally from the Malabar Coast, where a Portuguese soldier had taken him as a war captive and sold him as a slave in Malacca.<sup>179</sup> The judge asked Jacinto to speak out in support of his liberty, but Jacinto replied that he did not know what else to say to help his cause. From a legal perspective, Jacinto’s testimony showed he was a just-war captive, so the judge declared Jacinto to be a legal slave.

In their support, Portuguese traders also submitted documentation from clergy throughout the region who were willing to confirm individual enslavements. In 1612, a Portuguese trader sued to have the court declare

<sup>176</sup> AGN Historia 406 f.187r (1616).

<sup>177</sup> AGN Jesuitas 4-26.2 (1620).

<sup>178</sup> AGN Historia 406 f.71 (1635).

<sup>179</sup> AGN Historia 406 f.187 (1616).

that a young girl named Isabela was his legal slave.<sup>180</sup> As proof of ownership, the trader submitted a letter from Fray Juan Pinto, bishop of China, who wrote that Isabela was a “true slave” because her own father had sold her into slavery when she was seven years old. When questioned on the matter of her enslavement, Isabela explained that she had “been a slave as long as she could remember and had served different masters in the city of Macau.” Based on Pinto’s letter and Isabela’s testimony, the judge decided that she had been “acquired in a just war.” The trader had given 75 pesos to Isabela’s father, which, according to the justice, “bound” her for life. So even when the plaintiff’s story did not support a claim of just-war captivity, that justification was nonetheless employed to confirm the trader’s legal possession. Masters in Manila continued to claim through the 1680s that their slaves were legal because they had purchased them from Portuguese traders who had provided “certifications from foreign vicars living on the coast of India” justifying their enslavement.<sup>181</sup>

Traders were also successful in this process because of the ineptitude of the prosecutors and the propensity of the justices in Manila to accept bribes. The prosecutors who represented slaves in Manila claimed that they were committed to “safeguarding liberty,” but they were usually low-paid civil servants with little to no legal training to do so. Ambrosio Corrales was a typical prosecutor; he was appointed to the position as a reward for his twenty years of service as a soldier, including defending the fort at Ternate from Muslim rebels. Ambrosio’s most important qualification for the prosecutor position was that he descended from an Old Christian family.<sup>182</sup> The prosecutors, in other words, lacked the training to investigate individual cases or to provide alternative evidence. They also seemed to lack the will to do so. The position was a reward for service, which meant that the individual expected the office to be a profitable venture. No doubt Portuguese traders made it their business to help them in that regard.

One case in particular illustrates how Spanish officials sabotaged any potential for justice for the slaves. In 1616, a Portuguese trader who had recently arrived from Malacca sued for ownership of a slave named Francisco. In his testimony, Francisco said he was born “a free person” but explained that some fishermen had kidnapped him as a young boy and

<sup>180</sup> AGN Indiferente 2440 exp.21 (1627).

<sup>181</sup> AGI Filipinas 25 R.1 N.46 doc.3 f.20v (1686).

<sup>182</sup> AGI Filipinas 39 N.19 (1623).

then sold him to a Portuguese trader in Goa.<sup>183</sup> His story raised questions about the legality of his enslavement, as kidnapping did not constitute just war, so the judge asked the prosecutor to submit a written petition for Francisco's freedom. The prosecutor "did not respond to the request," so the judge was forced to sentence Francisco to perpetual slavery, and this poor man ended up in Mexico City, where he was categorized as a chino slave.

#### CONCLUSION

The diversity of the slaves in the Manila market prompted important discussions among Spanish colonists and officials about the legality of enslaving certain groups of people. After 1574, Spanish colonists were not legally allowed to own Indian slaves, but native chiefs kept their customary rights. The colonial government had to make allowances for indigenous elites to keep their slaves in order to preserve social order. In contrast, the ongoing enslavement of Muslims was easily rationalized as part of the just war being waged against infidels who opposed the spread of Christianity and Spanish domination. The enslavement of those brought by Portuguese traders prompted the least questioning. Their geographic origin meant that they had been enslaved in regions outside of Spanish political jurisdiction, which freed Spaniards from having to determine their legal status. After about 1700, the only slaves who could be legally declared slaves in Manila were in a subgroup of the slaves once delivered by Portuguese traders – African slaves.

The Manila slave market changed in the late seventeenth century with the complete abolition of indigenous slavery and the end of the Moro Wars. Starting in 1679, the Spanish crown finally enforced the ban on Indian slaves, so that even the slaves of native chiefs were slowly freed.<sup>184</sup> At this time, the colonial government also prohibited slave raiding in Mindanao, which severely limited the influx of Muslim slaves. In 1681, for instance, Governor Juan de Vargas y Hurtado agreed to pay the king of Mindanao 650 pesos in recompense for thirteen Muslim captives who had been taken by Spaniards in a raid back in 1669.<sup>185</sup> Vargas did so because

<sup>183</sup> AGN Historia 407 f.162 (1616).

<sup>184</sup> See [Chapter 7](#) for a discussion of the end of indigenous slavery in the Spanish Philippines in the context of an empire-wide change of policy.

<sup>185</sup> AGI Filipinas 11 R.1 N.24 (1681).

this kind of slave raiding was expressly forbidden under the peace agreements that had brought the Moro Wars to an end.

As a result of the colonial government's new policy on Indian and Muslim slaves, the Manila market shifted to African slaves.<sup>186</sup> The enslavement of Africans and their descendants posed few legal challenges, so they became more prevalent in all sectors of the economy. These slaves were mainly purchased in Portuguese Macau and brought to Manila by Cantonese merchants, who extended their trading activities to Mexico. In 1683, for instance, don Pedro Quintero Fionio, a *sangle*, sold two African slaves to the admiral of the Manila Galleon for sale in Mexico.<sup>187</sup> African slaves continued to arrive in Manila for decades to come, but after about 1700 they were no longer channeled into the transpacific slave trade.<sup>188</sup> The [next chapter](#) details the workings of that trade and explains how it finally came to an end, in part because of the efforts of Atlantic slave traders who sought to monopolize the influx of Africans into Spanish America.

<sup>186</sup> For an analysis of the colony's increased reliance on African slaves, see Pascale Girard, "Les Africains aux Philippines aux XVIe et XVIIe siècles," in *Negros, mulatos, zambaigos: derroteros africanos en los mundos ibéricos*, ed. Berta Ares Queija and Alessandro Stella (Sevilla: Escuela de estudios hispano-americanos, CSIC, 2000).

<sup>187</sup> AGN Historia 408 f.234 (1683).

<sup>188</sup> Some trading continued for a few years to come. In 1708, for example, don Santos de Tagle, a *sangle*, purchased a *negro* in the Parian for 105 pesos and then sold him a year later in Mexico City for 300 pesos. His brother Francisco de Tagle, who lived in Mexico City, joined him in the trade. They sold numerous other African slaves to sugar plantations around the same time. AGN Hacienda 1404 exp.24 (1707).

## The Rise and Fall of the Transpacific Slave Trade

In 1635, a young man from the Malabar Coast in India named Antonio arrived in Acapulco on board the ship *Nuestra Señora de la Limpia Concepción*.<sup>1</sup> His master, a Spanish resident of Cavite in the Philippines, had asked a sailor on the ship to take Antonio with him and sell Antonio on his behalf. The sale price upon landing was 200 pesos, paid by a slave trader who turned around and sold Antonio in Mexico City for almost double the price. The surviving documentation that details Antonio's journey from Asia to Mexico reveals the many steps and intermediaries who were involved in the transpacific slave trade, as well as the profits that drove this commerce.

From the late 1560s through the early 1700s, individual traders brought slaves from the Philippines to Mexico aboard the ships of the Manila Galleon. This chapter examines the transpacific trade during a key period of transition for the larger slave trade to Spanish America, when slavers dealt in people from Asia and Africa. The slaves who crossed the Pacific were part of much larger influx of slaves to Spanish America.<sup>2</sup> As such, their story must be examined in the context of Spain's effort, beginning in the sixteenth century, to supply the colonies with slave labor. This empire-wide framework allows for fruitful comparisons between the Pacific and the Atlantic trades. When they started, both operated under a licensing system, with the Atlantic trade shifting to a monopoly system in the late

<sup>1</sup> AGN Jesuitas 2–6 exp.32 (1635).

<sup>2</sup> According to the Trans-Atlantic Slave Trade Database, approximately 164,080 African slaves disembarked in Spanish America between 1560 and 1700. <http://www.slavevoyages.org/tast/database/search.faces>.



seventeenth century. During this transition, the Pacific remained open to individual traders, which threatened Atlantic interests. As late as 1680, the Spanish crown resisted the efforts of Atlantic traders to shut it down because it had a vested interest in maintaining some direct licensing privileges. It eventually became clear, however, that use of licenses made for a leaky system that allowed a great deal of contraband, which was against everyone's interests, especially the crown's, which lost duties. In time, the monopoly system prevailed in part because the companies were better able to deliver steady rents to the royal treasury and a somewhat regulated number of slaves.

The story of the transpacific slave trade serves as a unique lens for understanding the development of the larger trade to Spanish America. The period of the trade in the Pacific (late 1560s to early 1700s) indicates that the slave trade as a whole changed with the advent of the foreign *asientos* (monopoly companies), which worked out of West Africa. In this sense, the reorganization of the slave trade and the consolidation of supply networks in the Atlantic arena led to the Africanization of slavery at the end of the seventeenth century. In part, Africans became the consummate slaves in Spanish America because European companies that only traded in African slaves came to dominate the market. The end point also marks the larger study as a whole, which focuses on *chino* slaves (the general term for all slaves who traveled across the Pacific) in Mexico. After 1672, there was no market for the *chinos*, for the simple reason they could no longer be legally held as slaves in Spanish America. The end of the transpacific trade thus brings into focus the interconnectedness between these two stories: the rise of the monopoly slave trading companies and the end of non-African slavery in Spanish America.

The transpacific trade involved peoples from disparate places, including East Africa, Portuguese India, the Muslim sultanates of Southeast Asia, and the Spanish Philippines. Once the slaves arrived in Acapulco, they were categorized as either blacks (*negros*), also called *cafres*, or *chinos*.<sup>3</sup> Many slaves, however, were not classified at all in the treasury records of incoming slaves, or in other kinds of documentation. It is therefore impossible to calculate the percentage of slaves who were from any one region.<sup>4</sup> Any estimate of the overall trade must be understood as including both

<sup>3</sup> The word *cafre* stemmed from the Portuguese *cáfer*, which in turn derived from the Arabic *kāfir* for pagan. It was used to refer to black slaves from all parts of Africa.

<sup>4</sup> The records of the royal treasury at Acapulco from 1590 to 1760 are found in AGI Contaduría, volumes 897 to 907.

blacks and chinos. The surviving records only allow for the general observation that Africans became more numerous in the second half of the seventeenth century.<sup>5</sup> Their increased numbers point to the critical shift emphasized in this study, which is that Africans became the sole people who could be legally sold at market throughout the Spanish empire. In this regard, it is also important to emphasize that the transpacific trade shifted to Africans as the result of the crackdown on indigenous slavery in the Philippines and to changes in the supply lines to the Manila market.<sup>6</sup> As the *asiento* holders realized that more and more Africans were arriving via the Pacific route, they moved to end the competition. They thus solidified their own monopoly control over the influx of Africans to Spanish America via the Atlantic by preventing trade on the Pacific.

The chapter is divided into three main sections. The first examines the experience of slaves on the Manila Galleon and approximates the number of people who made the journey. The **second section** outlines the development of the licensing system in the Pacific context and details its governing laws. It also describes how the trade actually functioned at the ground level. The **final section** provides a comparative perspective on the Atlantic by charting the growth of the *asiento* system. It describes how the Atlantic traders solidified their control, with direct reference to the Pacific.

#### SURVIVING THE MANILA RUN

The Manila Galleon, which sailed once a year, was the sole form of transport across the Pacific during this period.<sup>7</sup> It was Spain's link to Asia. The ships, maintained at inordinate cost to the royal treasury, crossed the ocean's vast expanse to connect the colonies (Figure 3.1). Spaniards in the Philippines depended on the Galleon's safe two-way crossing for their economic and political survival. So every year, royal officials in Manila and Acapulco strained to ready the ships and prepare the passengers for

<sup>5</sup> For example, in 1682, don Tomás Mendayas purchased a negro named Antonio Ramos in the Philippines to serve him on his journey to Mexico and sold him on arrival. AGN Historia 408 f.178r (1682). Similarly, the Italian chronicler Gemelli Careri was accompanied by an African slave in 1696. Giovanni Francesco Gemelli Careri, *Viaje a La Nueva España*, trans. Francisca Perujo (México: Universidad Nacional Autónoma de México, 1976), 12.

<sup>6</sup> See Chapter 2 for an analysis of the restrictions faced by Portuguese slave traders after 1640 and the end of the Iberian Union.

<sup>7</sup> A royal decree from 1604 reiterated that Acapulco was to be the sole port allowed to receive merchandise from the Asia trade, which was absolutely banned from Peru. AGI Filipinas 43 N.1 (1604).

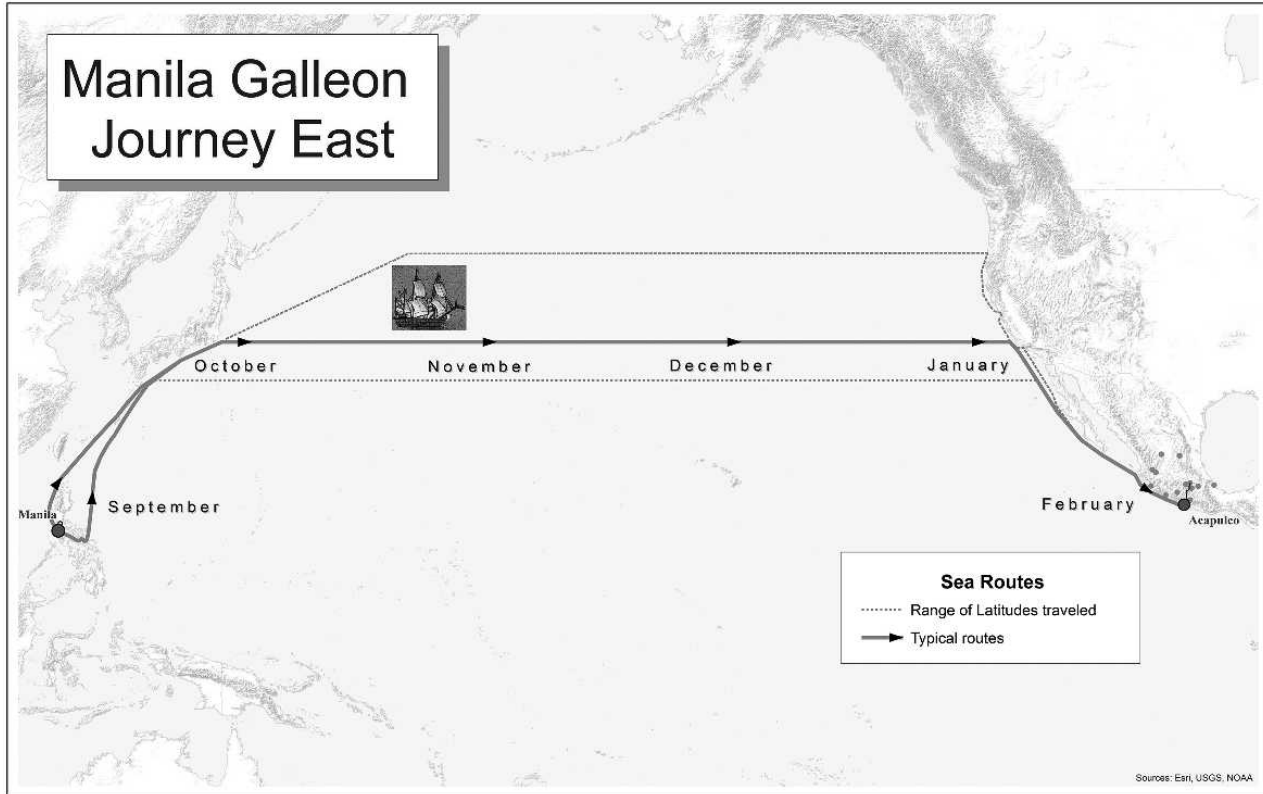


FIGURE 3.1. Manila Galleon Journey East. Map prepared by Eric Johnson, Numeric and Spatial Data Services Librarian, Miami University.

the months-long journey. The slaves who embarked in the Philippines labored in these arrangements and then boarded the ships as human cargo.

The Galleon was part of an empire-wide system of royally sponsored navigation routes or runs (*carreras*), which aimed to regulate trade flows and also protect ships from pirates.<sup>8</sup> In this capacity, the Manila Galleon was sometimes referred to as the Eastern Islands Run (*carrera de las Islas del Poniente*). On the way to Mexico, the ships carried bales of Chinese silks and Indian cottons, porcelain, spices, and wax; they returned laden with silver.<sup>9</sup> As a royal route, there were restrictions on the volume of the ships' cargo known as the permission (*permiso*).<sup>10</sup> The enforcement of these cargo restrictions, however, was notoriously slack, and it was common for galleons to carry merchandise worth four times the official allowance. Despite the dangers of overloading, merchants and officials connived to falsify ship registries and embark with as much merchandise as possible on sealed crates (*tinajas*). One Spaniard threatened before the 1620 voyage to Mexico that he would "stab any passenger found opening his crates, even if his name was Christ."<sup>11</sup> Generalized fraud was commonplace throughout the Galleon's history.

As in the other runs, the ships of the Manila Galleon were funded by the royal treasury, which set strict guidelines for their size and design.<sup>12</sup> The emphasis was on solid construction to safeguard the cargo from the perils of sea travel. For defense purposes, the Manila Galleon was supposed to sail as two armed ships: one headed by an admiral called *almiranta* and another by a captain called *capitana*. There were many years, however,

<sup>8</sup> Carla Rahn Phillips, *Six Galleons for the King of Spain: Imperial Defense in the Early Seventeenth Century* (Baltimore: The Johns Hopkins University Press, 1986).

<sup>9</sup> For information about the Galleon's cargo from Mexico to the Philippines during this period, see Ostwald Sales Colín, "Las cargazonas del galeón de la carrera de poniente: primera mitad del siglo XVII," *Revista de Historia Económica* 18, no. 3 (2000).

<sup>10</sup> En route to Mexico, the permiso allowed each ship to carry a total value of 250,000 pesos in goods; on the return trip, the cargo could not exceed 500,000 silver pesos or bullion. The cargo limitations were a concession to the merchants of Seville, who wanted the Manila Galleon abolished altogether because the ships brought merchandise that competed with their own products. The law capping the amounts of merchandise and silver allowed on the Manila Galleon was first issued in 1593 and re-issued in 1604 and 1619; it was codified as book 9, title 45, law 6 of the Laws of the Indies.

<sup>11</sup> AGN Inquisición 220 exp.8 f.109 (1623).

<sup>12</sup> The crown limited the size of the galleons to 300 tons, but the ships were built in the port of Cavite in the Philippines, far from regular supervision. By the 1620s, the galleons weighed upward of 1,000 tons to accommodate larger cargoes. They remained that size until the eighteenth century, when galleons weighing more than 2,000 tons became common. William Lytle Schurz, *The Manila Galleon* (New York: E. P. Dutton, 1959), 194–5.

when only one ship made the crossing, in part because of the high cost associated with their building and maintenance. The Manila Galleon also required significant crews to navigate and protect the ships, which traversed through the world's "roughest seas and through the greatest currents."<sup>13</sup> Notably, the crew alone amounted to about 250 of the 400 people who generally sailed on each ship during the seventeenth century, including some blacks who were listed as "His Majesty's slaves."<sup>14</sup>

The passage across the Pacific from Manila to Acapulco was extremely long and dangerous.<sup>15</sup> The ships had to navigate against major currents with only the assistance of wind and rowing power. The trip from Manila to Acapulco could take up to six months, exposing the ships to endless storms and inclement weather. The Italian traveler Giovanni Gemelli Careri wrote vividly about his "tedious and dreadful voyage" in 1696: "There was hunger, thirst, sickness, cold, continual watching and other sufferings, besides the terrible shocks from side to side caused by the furious beating of the waves."<sup>16</sup> To add to the miseries, "the ship swarmed with little vermin of sundry colors," so the passengers were "never clear of a universal itch." There was nothing to do day after day except keep clear of the currents of water that poured over every inch of the ship. Gemelli may have bitterly complained, but he was a cabin passenger, which meant that he had a place to hide away from the general squalor of the ship. He also had a slave who cooked his food and tended more generally to his comfort. The conditions endured by Gemelli's slave and the rest are almost unimaginable.

Hernando de los Ríos Coronel wrote numerous reports over his many years as attorney general (*procurador general*) of the Spanish Philippines

<sup>13</sup> AGI Filipinas 8 R.3 N.37 (1626).

<sup>14</sup> The expenses of the Manila Galleon, including crew salaries and food rations, were underwritten by the royal treasury, which regularly noted the service of African slaves. Each ship had approximately 100 sailors and common mariners (*grumetes*), and an armed force (*escolta armada*) of some 80 men, including infantry soldiers and sea gunners. In addition, there were numerous naval officers, including the admiral, captain (if there were two ships), first and second pilots, boatswains (*contramaestres*), guardians, overseers, the surgeon, and other officials including a notary, commissary, chaplain, chief steward, cook, water constable, and head carpenter and caulker. Schurz, 206. Manuel Carrera Stampa, "La Nao de la China," *Historia Mexicana* 9, no. 33 (1959): 103.

<sup>15</sup> For an analysis of the financial loss related to the Manila Galleon's difficult journey, see William J. McCarthy, "Gambling on Empire: The Economic Role of Shipwreck in the Age of Discovery," *International Journal of Maritime History* 23, no. 2 (2011).

<sup>16</sup> Giovanni Francesco Gemelli Careri, *A Voyage to the Philippines* (Manila: Filipiniana Book Guild, 1963), 155. The book is an excerpt of the author's *Giro del mondo*, which was first published in 1699.

about the workings of the Manila Galleon, and the transport of slaves was a regular concern.<sup>17</sup> In 1605, he reported on the “many offenses to God” that took place onboard because passengers and sailors regularly took female slaves as their personal companions.<sup>18</sup> He thought it particularly disgraceful that slave owners shared the women among the other travelers. Fifteen years later, Ríos Coronel reported once again on this “evil,” stressing that the presence of female slaves “angered God” and led to “many disasters.”<sup>19</sup> He knew of one official who had taken fifteen such slaves, all of whom he had gotten pregnant during the voyage, causing generalized outrage among his fellow passengers.

The king was incensed: the trafficking of female slaves was “an affront to God” that required an urgent response. In 1608, he ordered officials in Manila to prevent any female slaves from boarding the ships.<sup>20</sup> Noting that the voyage was “long and dangerous,” the king also commanded that all female passengers had to be married to ensure their protection. As with other prohibitions, however, the barring of women from the Manila Galleon was wholly ignored, so that approximately one-quarter of the slaves who crossed the Pacific were women.<sup>21</sup> In 1620, the king noted with concern that female slaves were still making the journey across the Pacific, even though it was expressly forbidden. Accordingly, he ordered the judges of the Audiencia of Manila (the high court) to pay “particular care at the time of departure” to ensure that such slaves were not hidden onboard the ships.<sup>22</sup> The concern with the transpacific trade extended beyond morality. Coronel also reported on the overcrowding of the Galleon with male slaves “who ate all the provisions,” stole from the passengers, and generally added to the ships’ unsanitary conditions.<sup>23</sup>

The Manila Galleon’s high mortality provides some sense of the discomforts and very real dangers of the crossing. The ships were filled with cargo, so that even the decks teetered with crates, leaving little room for the common sailors and slaves to sleep or seek shelter from the rain.<sup>24</sup> It was said that common sailors were not even given “clothes to protect them

<sup>17</sup> For an analysis of his work, see John N. Crossley, *Hernando de los Ríos Coronel and the Spanish Philippines in the Golden Age* (Burlington: Ashgate, 2011).

<sup>18</sup> AGI Filipinas 27 N.51 f.329v (1605).

<sup>19</sup> Coronel, “Reforms,” 288.

<sup>20</sup> AGI Filipinas 340 L.3 f.41v (1608). The decree was codified as book 9 title 45 law 56 of the Laws of the Indies.

<sup>21</sup> In my data sample, 152 of the 598 slaves who crossed the Pacific were women.

<sup>22</sup> AGI Filipinas 340 L.3 f.68v (1620).

<sup>23</sup> Coronel, “Reforms,” 288.

<sup>24</sup> AGI Filipinas 27 N.51 (1605).

against the cold” during the nights, so there were usually three or four deaths with “each new dawn.”<sup>25</sup> As an example, in 1629, the one ship that sailed experienced a loss of 100 people. Many of their bodies were actually kept on board until they arrived in Acapulco, adding to the ship’s insalubrious conditions. The bodies of the dead remained on the ships so that they could be taken to sanctified ground for proper burial as dictated by custom. The parish in Acapulco even had a set price scale for burials at arrival: ten pesos for Spaniards, five for Indians, and one for slaves.<sup>26</sup>

After months at sea, the ships first sighted land off the coast of California, where they traded with local peoples for fresh food to combat the scurvy and beriberi that often ravaged the passengers. From there, the ships followed the coast southward, making additional stopovers before finally reaching their official destination.<sup>27</sup> These stops were only intended to take on emergency provisions and to send messengers ahead to notify officials in Acapulco and Mexico City of their impending arrival. News of the Galleon caused great excitement in Mexico City; a contemporary reported that the announcement on February 21, 1650, was celebrated with cathedral bell tolls, and again on March 2 when the ship was sighted from Acapulco (Figure 3.2).<sup>28</sup> However brief, the coastal stops provided opportunities for some illegal unloading of goods, which further suggests that the volume of the slave trade was higher than what was noted in the official registries.

The correspondence related to the death of hundreds of passengers on the voyage to Mexico in 1620 sheds light on how the illegal boarding of slaves in Manila took place. That year, the viceroy of Mexico reported to the king that 330 people on board the *San Nicolas* had perished and suggested that the loss was due to inadequate manning and inexperienced

<sup>25</sup> Coronel, “Reforms,” 287. Officials in Manila made frequent requests to improve the conditions for sailors. AGI Filipinas 27 N.110 f.666 (1619). AGI Filipinas 27 N.158 (1633).

<sup>26</sup> We know about this custom because Manila officials complained to the king about a new priest who tried to raise the prices to 80 pesos for Spaniards, 40 for Indians, and 10 for slaves. AGI Filipinas 27 N.239 f.1380 (1640).

<sup>27</sup> The ships were known to stop at the ports of Cabo San Lucas, Manzanillo, Mazatlán, Navidad, Zacatula de los Motines, and Zihuatanejo, among others. According to an early seventeenth-century chronicler, for example, the port of Matanchel “had a safe harbor for the galleons, which went there to take in fresh water.” Alonso de la Mota y Escobar, *Descripción geográfica de los Reinos de Nueva Galicia, Nueva Vizcaya y Nuevo León* (México: Editorial Pedro Robredo, 1940), 82.

<sup>28</sup> In 1652, Guijo wrote that the mayor of Colima had sent notice of having seen the Galleon and capturing two men who had jumped ship. Gregorio Martín de Guijo, *Diario, 1648–1664*, vol. 1 (México: Editorial Porrúa, 1953), 84, 193.



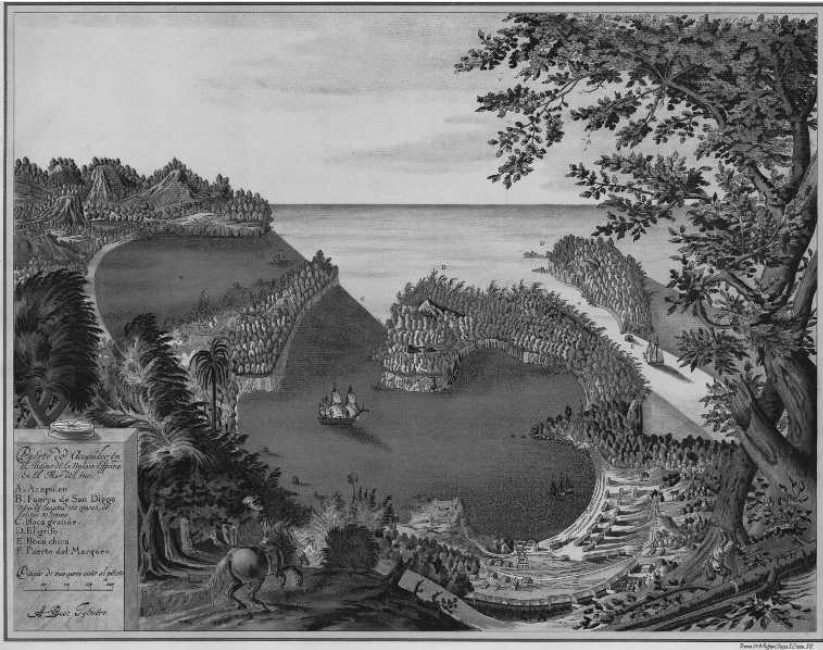


FIGURE 3.2. Port of Acapulco. The Manila Galleon carrying slaves and other commodities arrived in Acapulco annually. From there, slaves traveled on the China Road to Mexico City or elsewhere in the Viceroyalty of New Spain. *Puerto de Acapulco en el Reino de la Nueva España en el Mar del Sur*, Lit. A Ruffoni, Piazza S. Croce, 20, Firenze, after engraving by Adrián Boot, 1618, original in the Archivo General de Indias. Courtesy of the Nettie Lee Benson Latin American Collection, University of Texas Libraries, The University of Texas at Austin.

crew members.<sup>29</sup> The crown was understandably concerned and wrote to the governor of the Philippines asking for an explanation. In his response, Governor Alonso Fajardo de Tenza gave a revealing account of the people who had boarded the Manila Galleon. He said there had been no irregularities: the *San Nicolás* had sailed with the “accustomed” number of officers and the “usual seamen and gunners . . . and many more Indians from this country as common seamen.”<sup>30</sup> In addition, there had been

<sup>29</sup> AGI México 29 N.33 (1620).

<sup>30</sup> Alonso Fajardo de Tenza, “Letter from Fajardo to the King,” in *The Philippine Islands, 1493–1898*, ed. Emma H. Blair and James A. Robertson, 55 vols., vol. 20 (Cleveland: A. H. Clark Company, 1903–9).



“some slaves” belonging to “officers and the passengers who are allowed to take them for their service.”

Governor Fajardo provided this crew and passenger information to dismiss the gravity of the loss of life. In his words, it was clear that as “the passengers are usually kept down to as small a number as possible,” then those who died “were not Spaniards.” The people who died had to “have been blacks and slaves, who were hidden after embarkation by those who took them aboard, with an eye to . . . saving the cost of the duties they owe.” He had registered “some slaves” belonging to officers and passengers with proper licenses but suggested that many more had stowed away. Fajardo’s explanation amounted to an admission that the total number of slaves who regularly boarded the ships superseded the official registrations, and that they thus traveled without licenses. The governor was responsible for the proper functioning of the Manila Galleon, including its provisions, so Fajardo had to dodge culpability by claiming that those who died from hunger and sickness were not supposed to have boarded in the first place. It was a callous explanation, but one that testifies quite frankly to the dangers faced by the slaves who made the crossing.

#### LICENSING THE MANILA GALLEON

During the sixteenth century, the slave trade to Spanish America functioned under a licensing system, in which the crown issued licenses to individuals directly. In time, however, it became clear that there needed to be a way to increase the volume and ensure a revenue flow, so the crown elected to enter into contracts with merchants who could ensure the delivery of larger numbers of African slaves.<sup>31</sup> Prior to the mid-seventeenth century, the *asiento* contracts specifically noted that the crown maintained the right to issue licenses, ranging from 500 to 1,500 per year, in addition to those sold to the *asiento*.<sup>32</sup> Thus, throughout this period, the Atlantic trade involved many more slaves than the allotments of the *asiento* contracts. Moreover, this exception is critical for understanding the development of the licensing system in the Pacific, which never transitioned to

<sup>31</sup> The classic study on the *asientos* is Georges Scelle, *La traite négrière aux indes de Castile, contrats et traités d'asiento*, 2 vols. (Paris: L. Larose & L. Tenin, 1906). Most of the *asiento* contracts are transcribed in Diego Luis Molinari, *La trata de negros: datos para su estudio en el Río de la Plata* (Buenos Aires: Universidad de Buenos Aires, 1944).

<sup>32</sup> See, for example, the contracts with Antonio Fernández Delbas from 1615 and with Manuel Rodríguez Lamego from 1622. Printed copies in AGI Indiferente 2767 L.1 (1615–1654).

contracts. As the *asiento* holders solidified their control over the African slave trade, they moved to end this allowance for small-scale trading through individual licenses and to crack down on contraband at the ports of entry. The Pacific trade thus ended as a result of this shift to real monopoly control.

The limitations of the licensing system and the related contraband make it nearly impossible to quantify the transpacific slave trade. There is much speculation, but in reality the overall volume can only be roughly estimated.<sup>33</sup> The figure proposed here is based on a comprehensive understanding of the workings of the transpacific trade. Despite government efforts to regulate the trade by requiring licenses, the registration of passengers and cargo, and official visitations of incoming ships, traders were able to bring an untold number of slaves without leaving any official records. Some passengers did acquire licenses to take slaves to Mexico, but officials in the Philippines (unlike in Spain) did not keep systematic records of their distribution. Moreover, many traders evaded the licensing requirement altogether by boarding their slaves after the official registrations had been taken and disembarking them off-registry. Contraband leaves no quantifiable records.<sup>34</sup>

The lack of surviving documentation makes it difficult to calculate an annual average. In the 1620s, the crown claimed that 300 slaves entered

<sup>33</sup> Despite the very real lack of sources and of widespread smuggling, a number of scholars have put forth estimates of the trade ranging from several thousand to much larger figures. These estimates also differ in their periodization and as to whom they included. Oropeza suggests that 3,360 chino slaves arrived in Acapulco between 1565 and 1673, calculating 30 slaves for every one of the 121 ships that landed during this period; see Déborah Oropeza Keresey, “Los ‘indios chinos’ en la Nueva España: la inmigración de la nao de China, 1565–1700” (Ph.D., El Colegio de México, Centro de Estudios Históricos, 2007), 69. Guzmán-Rivas estimates a much larger number, suggesting that as many as 10,000 slaves went to Mexico during the whole course of the Galleon’s history (he does not distinguish the slaves’ origins or race); see Pablo Guzmán-Rivas, “Reciprocal Geographic Influences of the Transpacific Galleon Trade” (Ph.D., University of Texas, 1960), 44. Israel estimates a yearly entry of 600 chino slaves (300 illegally) but provides no clear time frame; see Jonathan I. Israel, *Race, Class, and Politics in Colonial Mexico, 1610–1670* (London: Oxford University Press, 1975), 75–6. On a different scale altogether, Luengo claims that the Manila Galleon carried more than 4 million “Filipino” slaves over its 350-year run. His estimate is based on secondary, nonacademic sources and is simply implausible; see Josemaria Salutan Luengo, *A History of the Manila-Acapulco Slave Trade, 1565–1815* (Tubigon, Bohol: Mater Dei Publications, 1996).

<sup>34</sup> For an analysis of the recorded volume of trade at Acapulco based on royal treasury records, see Pierre Chaunu, *Les Philippines et le Pacifique des Ibériques XVIe, XVIIe, XVIIIe siècles, introduction méthodologique et indices d’activité* (Paris: SEVPEN, 1960).

each year off-registry.<sup>35</sup> This figure, however, likely exaggerates the actual traffic, which truly was limited by the size of the Manila Galleon ships and the exigencies of a trading route that prioritized textiles and ceramics over human cargo. A conservative estimate is that each ship carried some 60 slaves. One hundred and forty ships landed in Acapulco from 1565 to 1700, which is the approximate period of the Pacific slave trade.<sup>36</sup> Given that number, we can estimate that the trade overall involved at least 8,100 individuals. It is important to highlight, however, that this number is merely an approximation of the volume because of the realities of smuggling and irregular bookkeeping. The absolute number of slaves will never be known, and the historical importance of the trade is not simply one of numbers.

The slave licensing system had several purposes. One, it allowed the crown to determine who could profit from trading in the Spanish colonies, as everyone who wanted to bring a slave to the Indies had to have a license, including officials, crew members, and passengers.<sup>37</sup> Two, the licenses provided a way to regulate the movement of individual slaves across the empire. In this sense, the licenses served as travel permits and were part of a wider effort by the Spanish crown to control access to the Indies, as everyone (free and slave) who wanted to travel to, from, and across the colonies needed some kind of license or permit. The licensing system thus acknowledged that this was a unique trade involving human beings.

In Spain, the House of Trade (*Casa de Contratación*) issued the licenses; elsewhere, this charge belonged to the highest royal representatives, such as the governor in the Philippines and the viceroy in Mexico. Individuals could obtain these licenses duty free as a special favor (*merced*). Merced

<sup>35</sup> The estimate was referred to in a decree ordering the collection of duties at Acapulco. AGI México 1066, L.8, f.68r (1626); transcribed in Richard Konezke, *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493-1810*, 3 vols., vol. 2 (Madrid: CSIC, 1953), 291-2. The law was codified as book 8, title 18, law 4 of the Laws of the Indies.

<sup>36</sup> The officials of the royal treasury at Acapulco documented the entry of ships; no ships arrived on at least nineteen occasions, mainly because of shipwrecks. For a list of the names of incoming ships, see Shirley Fish, *The Manila-Acapulco Galleons: The Treasure Ships of the Pacific, with an Annotated List of the Transpacific Galleons 1565-1815* (Central Milton Keynes, England: Authorhouse, 2011).

<sup>37</sup> Following Scelle, Palacios Preciado, a historian of the African slave trade to Cartagena, divides the licenses into three categories: licenses issued to individuals who meant to keep them in their personal service, licenses to individuals who intended to sell them on arrival, and licenses to traders who committed to bringing large numbers of slaves to specified regions to support their economies. Jorge Palacios Preciado, *La trata de negros por Cartagena de Indias, 1650-1750* (Tunja: Universidad Pedagógica y Tecnológica de Colombia, 1973), 24-5.

licenses were primarily granted “as rewards to His Majesty’s ministers.”<sup>38</sup> This allowance stemmed from the customary practice of allowing royal officials to transport a few slaves as recompense for the officials’ service.<sup>39</sup> The merced licenses allowed particular individuals to travel with their property, as long as they did not intend to trade and profit from the sale of slaves on arrival. Many officials who served in the Philippines acquired slaves during their stay and took them along to their next posting or even back to Spain when they retired. For instance, after his long tenure as attorney general of the Philippines, Hernando de los Ríos Coronel, an assiduous observer of bureaucratic protocol, acquired licenses in 1621 to travel to Mexico (on his way to Spain) with two slaves, Juan Terrenate and a “chino named Cosme.”<sup>40</sup> Numerous petitions from other officials testify to the outflow of slaves from the Philippines via this channel of merced licenses.<sup>41</sup>

Once in Mexico, individuals had to get an additional license from the viceroy if they wanted to continue on to Spain. These were leniently granted under the economic calculation that this kind of licensing did not encourage trade. One official received a license to take two chino slaves named Andres de Roa and Joseph del Rosario. In his application, he explained: “It is common practice to acquire licenses to pass to the kingdom of Castile without paying duties because the price of the slaves is greater here [Mexico] than where they are going.”<sup>42</sup> The price differential was apparently taken to mean that officials would not sell their slaves on arrival and profit from the trade, but rather keep them in their personal service.<sup>43</sup>

The story of Gregorio Moreno, described as “an Indian of the Chinese nation from the Philippine islands,” testifies to the length of the journeys

<sup>38</sup> A 1579 decree allowed persons in His Majesty’s service to take slaves to the Indies duty free (*libres de derecho*) with special license. The decree was codified as book 8, title 18, law 8 of the Laws of the Indies.

<sup>39</sup> Officials were jealous of this privilege. Admiral Monte Bernardo de Quiróz, for example, became involved in a long suit to ensure he would not have to pay duties for the slaves he brought from the Philippines. AGN Reales Cédulas Duplicadas 16 exp.4 f.2 (1628).

<sup>40</sup> AGI Filipinas 27 N.121 f.698 (1621).

<sup>41</sup> See AGI Filipinas 29 N.80 (1604) and AGI Filipinas 20 R.9 N.61 (1615), among many others. Officials mainly petitioned for these licenses from the Philippines, but also from Mexico. General don Juan de Salaeta, for example, received a license from the viceroy, later confirmed by the crown, to “take in his service two chino slaves named Andres de Roa and Joseph del Rosario” to Castille. AGN Reales Cédulas Duplicadas 29 exp.236 f.383v (1669).

<sup>42</sup> AGN Reales Cédulas Duplicadas 29 exp.236 f.283v (1669).

<sup>43</sup> A number of other license petitions testify to the outflow of slaves from Mexico to Spain, such as one granted to Marco Antonio Ferrer for the passage of a fourteen-year-old chino named Ventura Juárez. AGN Indiferente 4182 exp.10 (1613).

undertaken by slaves in the employ of Spanish officials who used such merced licenses.<sup>44</sup> After being “removed from his land and the home of his parents” and taken to Mexico, his owner don Lope de Ulloa took him to Peru, back to Mexico, and from there to Seville, where Moreno actually petitioned the government for funds to return home.<sup>45</sup> Moreno said he had been made to cross more than 4,500 leagues and now found himself “helpless in a distant land,” with “nothing to eat, not even a piece of bread.”<sup>46</sup> Moreno presented a number of witnesses to testify to his story, and they all called on the crown to help this impoverished man. Remarkably, the king approved Moreno’s request and gave him “100 gold coins” to make the journey, though it proved difficult for him to collect the bequest.<sup>47</sup>

Individuals who did not qualify for merced licenses had to buy them, be it from the crown or after 1595 from the *asiento* holders.<sup>48</sup> The purchase of such licenses obligated individuals to pay significant duties for their property. As such, this part of the licensing system was primarily instituted to ensure the payment of royal duties. Individuals who acquired licenses acknowledged that trading was a favor granted by the crown, which required that they pay for the privilege in the form of duties. The general understanding was that the price of the license included the duties, although the amount of duties and how they were collected changed over time for both the Atlantic and Pacific trades. Individual license holders working on the Atlantic generally paid the duties at the time they acquired them in Spain, which tied the acquisition of the permission to trade with the requisite payment. They could also pay for their licenses and associated duties on arrival, but at a significantly higher price.<sup>49</sup> Similarly, individual

<sup>44</sup> Moreno self-identified as an “*yndio de nacion chino de las islas Filipinas*.” AGI Filipinas 35 N.84 f.1241 (1607).

<sup>45</sup> AGI Filipinas 1 N.86 (1607).

<sup>46</sup> AGI Filipinas 5 N.34 (1607).

<sup>47</sup> The gold coins (*ducados*) would have been given in the form of a letter of credit. AGI Indiferente 449 L.A1 f.143v (1607). AGI Filipinas 5 N.54 (1608).

<sup>48</sup> A royal decree from 1595 specified that the licenses could be purchased from the crown or the *asiento* holder, who was obligated to make the licenses available to anyone who wanted them at storefronts in Seville and Lisbon. The decree was codified as book 8, title 18, law 1 of the Laws of the Indies.

<sup>49</sup> In the early decades of the seventeenth century, individual licenses averaged 30 ducados plus 20 reales in duties if purchased in Spain, versus 40 ducados plus 30 reales in duties if paid in the Indies. Linda A. Newson and Susie Minchin, *From Capture to Sale: The Portuguese Slave Trade to Spanish South America in the Early Seventeenth Century* (Leiden: Brill, 2007), 23.

traders working on the Pacific had to pay the duties at the time they acquired their licenses from the governor of the Philippines.<sup>50</sup>

Alternatively, individuals could take the risk of bringing slaves without licenses and hope that they would be able to disembark upon arrival without being noticed by port officials. This kind of contraband was referred to as trading off-registry (*fuera de registro*), as the slaves were not listed in the ships' official registries. The crown's concern with contraband and the avoidance of the licensing system points to the importance given to the collection of duties.

The crown acknowledged that traders regularly landed their slaves in ports throughout the Indies and bribed customs officials to unload their merchandise, but it proved difficult to curtail the practice. In 1624, the king wrote that it had come to his attention that owners "concealed their slaves" by not registering their licenses and that some even used "false licenses."<sup>51</sup> More gravely, the king knew that port officials accepted such slaves and approved their sale, "saying they had great need for blacks" in their parts of the empire. The crown was not opposed to some profiteering; it merely sought to collect its share. Most traders, however, begrudged the crown's regulations and did everything in their power to avoid the added expense of the duties. The subterfuge included boarding slaves to work as sailors, even though their owners had every intention of selling them on arrival. As the crown admitted, "experience showed" that all slaves bound for the Indies were for trade.<sup>52</sup>

The crown expressed a growing concern with the influx of slaves via the Pacific in a number of royal decrees, which primarily attempted to regulate the trade to ensure that the royal treasury obtained a share of the profits. These decrees, and the corresponding proposal submitted by royal officials that prompted them, tell the story of how the licensing system developed in the Pacific. The crown first acknowledged the trade in the last years of the sixteenth century, decades after it started. In 1597, the king wrote to both the governor of the Philippines and the viceroy of Mexico about his concerns with the trafficking

<sup>50</sup> There was a brief period when the crown changed this policy in the late 1620s and tried to get royal officials to collect the duties at Acapulco, but this was a short-lived effort.

<sup>51</sup> AGI Indiferente 2767 L.1 f.182 (1624).

<sup>52</sup> Regulations issued in 1674 to the royal navy (*Instrucción de los generales de la armada*) specified that all slaves had to be boarded with licenses, so officials had to ensure that the blacks who traveled as sailors were duly trained and made to return to Spain. The orders were codified as book 9, title 15, law 133 of the Laws of the Indies.

(*granjería*) of slaves.<sup>53</sup> He had been informed that it was common for the passengers of the Galleon to board with slaves, who were described as being “blacks and also from places like Japan.” This practice bore too close a resemblance to a profitable trade and called for immediate action. Certain passengers were to be allowed to bring slaves onboard for their personal service with special licenses, but that was all. Government officials had permission to leave with a specified number of slaves at the end of their service in the colony: the outgoing governor could take six slaves, judges four, and other officials two. Merchants “of great fortune” and other “honorable persons” were likewise allowed two slaves each. To ensure enforcement, the viceroy and royal officials in Acapulco were ordered to confiscate the property of those passengers who “exceeded their number.”<sup>54</sup>

The wording of the 1597 decree suggests that the crown initially sought to limit the trade to merced licenses (conceived as travel permits rather than trading rights). The catch, however, was that owners came to employ such licenses to travel with slaves they intended to sell. To contemporary observers, it seemed that every single passenger had at least one slave, from the highest official to the lowliest sailor, to “help them in their necessities.”<sup>55</sup> They all claimed that they needed slaves to help them survive the difficult transpacific journey.

Several decades later, Attorney General Coronel suggested a new quota system to reduce the volume of slaves to diminish overcrowding. The 1597 decree already limited the number of slaves allowed to officials and moneyed passengers, but the licensing system was plainly not being enforced. According to Coronel’s frank assessment, officials were using merced licenses to engage in small-time trade, and the rest of the crew and passengers were boarding slaves without any licenses whatsoever.<sup>56</sup> According to him, owners commonly circumvented the system by bribing officials at Acapulco, where the going price to unload an unregistered slave was 20 pesos.

This acknowledgment prompted a policy change and an opening in the Pacific trade. Coronel had written to the king with a plan to curtail the

<sup>53</sup> AGI Indiferente 606 L.2 f.49 (1597). The decrees were codified as book 9, title 45, law 54 of the Laws of the Indies.

<sup>54</sup> *Ibid.*

<sup>55</sup> Hernando de los Ríos Coronel, “Reforms Needed in Philippines,” in Blair and Robertson, 18:288.

<sup>56</sup> AGI Filipinas 340 L.3 f.257v (1620).

traffic. The crown, however, recognized the possibility for profit and opted to open the licensing system to individuals who could buy licenses, rather than limiting it to officials with *mercedes*. This was an opportunity to collect duties. The king likely reasoned that if owners were willing to pay substantial bribes, he could force them to pay duties and thus carry out their trade in a legal fashion. In 1620, the crown decreed that passengers and sailors were to be allowed one slave each, with the exception of “persons of quality” who could board with more slaves “in proportion to their wealth.”<sup>57</sup> Such persons could afford to acquire more licenses. This decree significantly increased the total number of slaves who were legally allowed onboard. The earlier one from 1597 had specified which officials could receive *merced* licenses to travel with their personal servants and forbid any trading. In contrast, the 1620 decree allowed one slave to everyone who made the crossing, so long as the owner acquired a license from the governor. The change was made in acknowledgment of the increased volume of the trade and was intended to encourage traders to register their merchandise and pay the appropriate duties. To strengthen that effort, the decree ordered that license holders had to pay the duties on arrival in Acapulco, rather than in the Philippines. The change would allow owners to use the proceeds of the sale of their slaves in Mexico to pay for the duties. This move was likely driven in part by a similar change in the Atlantic, where the crown had earlier ordered that duties be collected in Veracruz and Cartagena.<sup>58</sup> The drive was to increase collections by linking the payment of duties to the sale of the merchandise, rather than to the acquisition of the licenses.

A subsequent decree confirmed the crown’s desire to regulate and profit from the Pacific trade. In 1626, the crown reiterated that “all slaves brought from the Philippines to Mexico” had to be licensed and registered.<sup>59</sup> The king ordered owners to pay 400 *reales* (equal to 50 pesos) per slave in duties, which was slightly less than the amount paid in the Atlantic at that time. The rate was in keeping with the *asiento* contracts, which

<sup>57</sup> AGI Filipinas 340 L.3 f.257v (1620). The decree was codified as book 9, title 45, law 55 of the Laws of the Indies.

<sup>58</sup> The move to collect the royal duties in the Indies was a concession to the Portuguese *asiento* holder Gonzalo Vázquez Coutiño; he only had to pay duties on the actual slaves he delivered to the Indies rather than paying for the duties as part of the licenses he acquired back in Spain.

<sup>59</sup> AGI México 1066 L.8 f.68 (1626); transcribed in Konezke, 1953, 2:291–2. The decree was codified as book 8, title 18, law 4 of the Laws of the Indies.



dictated that the rates on individual licenses had to match the *asiento* licenses.<sup>60</sup> The 1626 decree firmly acknowledged that this was a trade, which the crown tried to control through the established licensing system.

The king's financial concern is evident in the wording of the original 1626 decree, in which he accused the treasury officials at Acapulco of being sneaky (*mañosos*) and remiss of their duty by permitting the entry of "great numbers" of unregistered slaves "under the protection of generals, admirals, and passengers."<sup>61</sup> He had been informed that the ships of the Manila Galleon arrived each year laden with slaves. Their numbers were so great that Acapulco's population supposedly consisted mainly of slaves, with every household in possession of "three, four, six, ten, twelve, and sometimes sixteen and even eighteen slaves." Overall, the king calculated that more than 300 slaves entered Acapulco each year, representing a loss in revenue of 15,000 pesos per year. The king's anger is palpable: this was large-scale fraud that directly affected the crown's finances. To prevent the ongoing deception, the 1626 decree forbade notaries in Mexico from drawing up slave titles if the seller did not have a letter from the treasury at Acapulco certifying that the slave had indeed been registered and the duties paid. Notaries were also encouraged to denounce owners who did not have the appropriate documentation in return for one-third of the price of the sale. Moreover, the officers of the Manila Galleon were now required to "give guarantees that they would not bring slaves without declaring them" or risk certain confiscation of their property.<sup>62</sup>

Significantly, the 1626 decree describes the incoming slaves as *chinos*, not blacks, even though the crown surely knew that many were in fact Africans. The original wording suggests that the king purposely chose not to acknowledge the entry of Africans via the Pacific so as not to provoke the *asiento* holders. By maintaining that all the Manila Galleon slaves were *chinos*, the government could claim they were a separate category than the slaves of the *asientos* and hence not subject to the same contract regulations. This rendering suggests that the crown may have responded to the increasing restrictions in the Atlantic arena by expanding the licensing

<sup>60</sup> The *asiento* contract from 1615, for example, had set the duty rate at 40 ducados, which equaled approximately 440 reales. AGI Indiferente 2767 L.1 (1615). One ducado equaled 11 *reales castellanos* and 1 *maravedí* (or 375 *maravedies*); and one real equaled 34 *maravedies*; and one peso (also called *real de a 8*) equaled 8 reales. The equivalencies were set in an ordinance from 1497 called the *Real pragmática de Medina de Campo*.

<sup>61</sup> AGI México 1066 L.8 f.68 (1626).

<sup>62</sup> *Ibid.*

system in the Pacific, keeping it as a separate privilege and source of revenue.<sup>63</sup>

Overall, the traffic may not have been as large as the king imagined, but it certainly was significant. The volume is evident in documentation from the years following the 1626 decree, when there was some attempt at implementation. In 1629, for example, the viceroy personally ordered the arrest of General Antonio de Plaza for bringing forty slaves off-registry.<sup>64</sup> Despite repeated attempts to require licenses, traders evidently continued to circumvent the system. Even this case, however, was probably an exception. The more typical passenger brought just one slave, such as the Galleon's pilot who arrived in 1645 with a ten-year-old chino slave named Lucas de Arauso, whom he sold on arrival.<sup>65</sup>

The 1626 decree coincided with a time of growing and more general concern about the Manila Galleon trade. The Marqués de Cadereyta, viceroy of New Spain from 1635 to 1640, looked to the trade as a possible source for income. With the help of another zealous reformer, Pedro de Quiroga y Moya, the viceroy ordered a full inspection of the ships to check for contraband and to ensure the collection of duties for all merchandise.<sup>66</sup> The government's suspicions regarding the inflow of contraband were well founded. When Quiroga carried out a personal inspection in 1637, he valued the cargo of the ships at more than 1 million pesos, which was four times the official allowance.<sup>67</sup> The duties charged for this cargo were the highest in the history of the Manila Galleon, which outraged colonists in the Philippines who depended on the trade. Their coordinated opposition eventually forced the viceroy to backtrack on his attempt to collect revenue from this source.

<sup>63</sup> Duties were paid on at least some of the slaves who entered during the following decade. Slave deeds notarized in Acapulco commonly stated, "*derechos pagados*." AGN Jesuitas 4-50 (1634).

<sup>64</sup> AGI México 32 L.1 f.37 (1629).

<sup>65</sup> AGN Inquisición 583 exp.5 f.537 (1661).

<sup>66</sup> Quiroga was a high-ranking Spanish magistrate who had been appointed to carry out an official visit (*visita*) or assessment of the viceroyalty's finances. For a discussion of his efforts, see William J. McCarthy, "Between Policy and Prerogative: Malfeasance in the Inspection of the Manila Galleons at Acapulco, 1637," *Colonial Latin American Historical Review* 2, no. 2 (1993).

<sup>67</sup> The Manila Galleon that sailed from the Philippines in 1636 and arrived in Acapulco in 1637 consisted of two vessels: the admiral's ship (*almiranta*) *Nuestra Señora de la Concepción* and a smaller captain's ship *San Juan Bautista*. Oswald Sales Colín, "El movimiento portuario de Acapulco: un intento de aproximación, 1626-1654," *Revista Complutense de Historia de América* 22 (1996).

Tellingly, the cargo of the two ships in 1637 included 186 slaves belonging to various owners. Somewhat suspiciously, treasury officials recorded that they all had licenses and paid the duties.<sup>68</sup> This was the one time when so many licenses were ever recorded at Acapulco, likely because Quiroga's presence forced the treasury officials to record their entry and make arrangements to collect the full payment of the duties owed, which totaled 9,300 pesos.<sup>69</sup> As it turned out, however, this new determination to enforce trade regulations was extremely short lived. The governor of the Philippines Sebastián Hurtado de Corcuera suspended the sailing of the Manila Galleon for one year in protest and petitioned the king directly for an intervention.<sup>70</sup> Corcuera's antics succeeded in convincing the king that Quiroga's efforts were misdirected and potentially disastrous to the normal functioning of the Manila Galleon trade. As a result, in 1638 the king instructed the viceroy to cease the inspections and return to normal operations.<sup>71</sup> The crates were not to be opened or weighed on arrival, as Quiroga had insisted, to determine the amount owed. Rather, the duties were to be collected based on the evaluation of the cargo made by the governor before the ships left the Philippines. This move suggests that the crown decided to allow the governor to make the estimation of what the Manila merchants could actually pay. It was obvious that they could not afford (or agree) to pay the actual duties owed, so the treasury would have to accept a lesser amount.

More specific to the slave trade, the crown ordered officials at Acapulco to assume that the duties on the "slaves who come from the Philippines" had already been collected in Manila and to accept the documentation provided by the governor.<sup>72</sup> The 1626 decree, which had ordered the collection of duties in Acapulco to ensure payment, was subsequently ignored. After the Quiroga debacle, traders were allowed to carry on with little oversight. Some traders may have acquired licenses in Manila and paid the appropriate duties, but many others simply made special deals to avoid the added cost. Such dealings took place in Manila at the time of

<sup>68</sup> AGN Reales Cédulas Duplicadas 11 exp.449 f.316v (1637). The pilot of the almiranta, for example, paid 224 pesos for 4 slaves (3 cafres and 1 chino); 50 pesos each for almojarifazgo, plus 2 percent "for port repairs and the costs of the Barlovento armada." AGN Jesuitas 4-50 (1637).

<sup>69</sup> As noted, after 1626, royal duties were to be collected in Acapulco rather than paid as part of the license fee in Manila.

<sup>70</sup> AGI Filipinas 27 N.213 f.1119 (1636).

<sup>71</sup> Copy of 1638 decree in AGI Filipinas 28 N.68 (1660). A year later, the crown further confirmed the need to return to the pre-Quiroga "customs." AGI Filipinas 340 L.5 f.12v (1639).

<sup>72</sup> AGN Reales Cédulas Duplicadas 11 exp.451 f.317 (1637).

boarding, as well as on arrival in Mexico. The reality of contraband suggests that the *asiento* holders had some reason to worry that the Pacific opening might become a threat to their interests.<sup>73</sup> It was clear that officials in Acapulco regularly allowed unlicensed trade, which suggested that the same happened in other ports as well.<sup>74</sup>

The documentation of the visitations that took place in Acapulco reveal that royal officials kept very sporadic records.<sup>75</sup> There was no systematic record of the entry of slaves, with or without licenses. Moreover, there were years with no registrations at all. It appears that officials simply accepted bribes from individuals without the requisite licenses and did not register the true number of incoming slaves. The Acapulco treasury records from just one year provide a general sense of the record keeping. The accounts from 1612 had only three entries for slaves – debits from the nonpayment of duties and credits from the sales of embargoed property.<sup>76</sup> The first listing was an obligation for 150 pesos “for the duties owed on three slaves who were confiscated.” That amount would be credited back to the treasury when the owners paid the necessary fines and duty fees to regain their property. Owners who did not pay the duties had their property embargoed and sold at auction.<sup>77</sup> The second listing was a credit for 98 pesos, which was the amount owed to the crown from the sale of

<sup>73</sup> The danger was twofold. One, allowing a regular annual entry of upward of 100 unregistered slaves was a distinct profit loss because it added slaves to the market at a time (1630s and 1640s) when *asiento* holders received licenses for only 500 to 700 slaves for entry at Veracruz. Two, the entry of unregistered slaves was a competitive disadvantage because the *asiento* holders had to pay substantial duties for each licensed slave, which cut into their profit margin in a way that would not have happened to traders who sold slaves illegally.

<sup>74</sup> During this period, *asiento* holders were limited to a certain number of ports, primarily Cartagena de Indias, Veracruz, and Buenos Aires to a lesser extent. They were not allowed, in other words, to disembark slaves at any other port on first entry.

<sup>75</sup> At Acapulco, the three mandated visitations were carried out by the captain of the port (*castellano del fuerte*), the officials of the royal treasury, and a representative of the viceroy. The first visitation involved drawing up a general registry of the cargo and matching the ship's contents to the official evaluation sent from Manila. Its purpose was to collect the duties owed to the treasury, which were generally set at 10 percent of the value of the merchandise. A second visitation checked for contraband and registered all crew and passengers. In the third visitation, officials oversaw the transfer of the merchandise to safety at port. AGI Filipinas 43 N.1 (1604).

<sup>76</sup> AGI Contaduría 902 (1601–1615).

<sup>77</sup> The profits from the sale of all confiscated property were divided in thirds, minus the sale costs: one-third for the royal treasury, another third for the official who handled the sale, and the final third for the person who made the original denunciation (i.e., alerted the officials to the contraband).

two slaves who had arrived the previous year without registered licenses. The third listing was a similar credit for 48 pesos, also from the sale of a confiscated slave.<sup>78</sup> Overall, the treasury records from Acapulco are insufficient to calculate the actual entry of slaves, as officials obviously did not record the slaves they allowed to disembark illegally. Moreover, they only seem to have embargoed the slaves of those individuals who refused to pay the necessary bribes.

Notably, the transportation contracts that dictated the responsibilities of trading agents included veiled references to this malfeasance. One such contract involving a chino slave named Francisco stipulated that the agent “would not pay any duties.”<sup>79</sup> Moreover, in the event that officials in Acapulco “tried to take the slave” or “if there was any impediment to disembarking,” the agent was to “pay the cost of bringing him to land.” Acapulco officials also made things difficult for owners who were not on hand to make arrangements when the Galleon arrived.<sup>80</sup> In 1602, officials detained Gracia, a china slave who belong to Pedro de Vega, and placed her in embargo because she had been sent without a license. Vega had to come down to Acapulco from Mexico City in person to pay the duties he owed and claim his property. Officials, however, refused to release Gracia, so Vega had to get a special dispensation from the viceroy to recover his property. It seems that the officials in Acapulco wanted to retain Gracia as contraband and sell her at market to pocket the third of the price normally given to informants.

High-ranking treasury officials in Mexico City were aware of the discrepancies in the port records. The treasury books from Acapulco for the years from 1600 to 1603 recorded the entry of only seven slaves.<sup>81</sup> According to Gil Verdugo el Aguila, however, the head accountant of the royal treasury of Mexico, more than 200 blacks arrived in Acapulco during that same period.<sup>82</sup> It is difficult to explain such manifest omissions, but apparently the treasury records sent to Spain were incomplete, as they contained only partial records of the actual entry of slaves. At the highest level of colonial government, the viceroy of New Spain could only

<sup>78</sup> Similarly, in 1615, the treasury noted a credit of 350 pesos from the sale of six female slaves and one male, who were sold at auction as confiscated property. AGI Contaduría 903 (1615–1620).

<sup>79</sup> AGN Historia 407 f.166 (1619).

<sup>80</sup> AGN General de Parte 6 exp.566 f.210v (1603).

<sup>81</sup> AGI Contaduría 901 (1597–1603). AGI Contaduría 902 (1601–1615).

<sup>82</sup> Document cited in Vila Vilar, *Hispanoamérica*, 179 n.74.

complain, repeatedly reporting to the crown that the passengers of the Manila Galleon always brought “a great number of slaves” off-registry.<sup>83</sup>

The profits to be made on the transpacific trade were undeniable, even if we take into account that some traders used agents (sometimes crew members) who received a cut.<sup>84</sup> These go-betweens would arrange for the sale in Mexico and return the profits to the original investor. The typical contract stipulated that the agent would “provide food and beverage and comfort” to a said slave in return for one-third of the selling price.<sup>85</sup> Soldier Juan Méndez, for example, brought a slave named Manuel on the account of a Spanish resident of Cavite, promising to “feed him during the trip . . . and God willing take him to safety at Acapulco to be sold.”<sup>86</sup> For this trade to be profitable, especially considering the danger and high mortality rate on the Galleon, the price differentials in Manila versus Mexico had to be significant, and they were. The trade was even more lucrative for those who ignored the licensing requirements.

Slaves could be purchased cheaply in Manila and sold at much higher prices in Acapulco or elsewhere in Mexico (Figure 3.3). For example, Adrian, born in Manila, was sold in that city’s market for 37 pesos in 1637, and for 200 pesos in Acapulco one year later.<sup>87</sup> The final sale usually doubled or tripled the original price.<sup>88</sup> The increase in prices is exemplified in the case of a slave named Andrés. After living in Mexico for more than 35 years, Andrés could still remember the name of all his former masters and the prices paid for him. Originally from Cochin, he had first been sold

<sup>83</sup> AGI México 29 N.27 (1619).

<sup>84</sup> The seamen who acted as intermediaries were given power of attorney to act as the owner’s legal representative and thus were able to sign the slave title at the time of sale. AGN Indiferente 1355 exp. 37 (1634).

<sup>85</sup> Sailor Manuel Juan de Alcántara agreed to transport a slave named Gaspar from the Malabar Coast on the account of Francisco de Arauso. AGN Historia 407 f.321 (1642). English translation in Gonzalo Aguirre Beltrán, “The Slave Trade in Mexico,” *Hispanic American Historical Review* 24, no. 3 (1944): 421. Similarly, Jacinto de Contreras, the appointed scribe of the ship *San Luis*, arranged to sell Baltasar, “*de casta Bengala*,” on behalf of Joseph de Acuña. AGN Jesuitas 4–50 (1635).

<sup>86</sup> AGN Jesuitas 4–50 (1635).

<sup>87</sup> AGN Historia 407 f.230 (1627). AGN Historia 407 f.229 (1628). AGN Historia 406 f.187 (1616). AGN Historia 406 f.187 (1619).

<sup>88</sup> The profit margin on African slaves was even more marked; one slave named Ignacio, a “*negro cafre*,” was purchased in Manila for 100 pesos and sold at Acapulco for 380 pesos. AGN Historia 408 f.101 (1667).



FIGURE 3.3. Where Chino Slaves Lived. Map prepared by Eric Johnson, Numeric and Spatial Data Services Librarian, Miami University.

in Malacca for the equivalent of 19 pesos, then in Manila for 50 pesos, Acapulco for 150 pesos, and finally in Veracruz for 250 pesos.<sup>89</sup>

A similar pricing differential marked the experience of a chino slave named Adrián: he was sold at auction in Manila for 37 pesos when he was just 12 years old and again a few years later in Acapulco for 200 pesos.<sup>90</sup> Notably, the person who purchased him in Mexico expressed great concern about the legality of his title, perhaps because the document designated that Adrián was a “creole” (*criollo*) and “native of Manila,” which hinted that he was actually an Indian and could conceivably demand his liberty by claiming he was an indigenous vassal and thus protected from enslavement. To facilitate the sale of this questionable slave, the seller signed a promissory note that explained that he would send further documentation of Adrián’s legal status on the next Galleon. It was easier to sell slaves from outside the Philippines because they were obviously not Indians. In 1635, Gaspar, who was originally from the Malabar Coast, was sold in Manila for 62 pesos “as a captive slave subject to servitude with proper title.”<sup>91</sup> Having “all the precautions, certificates, and judicial diligences,” he was resold in Acapulco for 205 pesos just a few years later.<sup>92</sup> Many more cases beyond these examples testify to the significant gains that were made by the traders who engaged in this traffic.<sup>93</sup>

The price that could be obtained in Mexico City, the commercial center of the slave trade in Mexico, was usually higher than in Acapulco.<sup>94</sup> In part, the price difference occurred because of the expenses involved in transporting the slaves from Acapulco to the capital, which was a long, hard journey. The China Road (*Camino de China*) that joined the port to Mexico City was approximately 600 kilometers long, traversing rivers and

<sup>89</sup> Andrés’s testimony of his sales went something like this: “A Portuguese pilot named Antonio Gomes, who said he was Christian, purchased him for 25 *fardados*, which are each worth 6 reales, and took him to Makassar and to the Maluka Islands.” AGN Inquisición 456 exp.2 f.55 (1650).

<sup>90</sup> AGN Historia 407 f.229 (1628). AGN Historia 407 f.230 (1629).

<sup>91</sup> AGN Historia 407 f.274 (1635).

<sup>92</sup> AGN Historia 407 f.321v (1642). AGN Historia 406 f.75r (1643).

<sup>93</sup> Andrés de la Trinidad, a slave from Bengal, sold in Manila for 90 pesos and for 270 pesos in Acapulco just a few years later. AGI Escribanía 1028A (1657). Similarly, Antonio, who was originally from the Malabar Coast, sold in Manila for 150 pesos. By the time he reached Mexico City just one year later, he was worth 318 pesos. AGN Historia 407, f.400 (1644).

<sup>94</sup> A black slave named Salvador, a “bozal recently arrived from the Philippine Islands,” sold for 200 pesos in Acapulco and then 470 pesos in Mexico City just a month later. AGN Jesuitas 4-50 (1635).



mountains, so the freight charge was considerable. In 1662, a chino slave named Manuel traveled from Acapulco to Mexico City with Cristobal Pérez, who was paid 20 pesos “for taking the said slave and providing him with sustenance.”<sup>95</sup> Pérez received an additional 20 pesos for transporting a large container of silks and wax candles on his one horse, so he and Manuel probably walked the whole way, which would explain why Manuel arrived in the capital “in delicate health and with little strength.” Nonetheless, Manuel was sold at auction for 300 pesos, so the cost of the journey was probably worthwhile for the seller.<sup>96</sup>

The disparity in prices also led to special orders, which involved buyers in Mexico making arrangements to have slaves purchased in Manila and sent to them on the Galleon. For example, in 1627 doña Teresa Serín of Mexico City placed an order for a domestic slave. The following year, her contact in Manila sent a “white girl with small eyes” named Isabél, promising that this china was a strong “washerwoman and good slave.”<sup>97</sup> These personal stories give a human face to the transpacific trade. They also suggest there was an evident demand for these slaves’ services, which traders could meet with a limited capital outlay.<sup>98</sup>

#### ATLANTIC SLAVERS AND THE END OF THE TRANSPACIFIC TRADE

As already noted, the transpacific trade must be understood in relation to its Atlantic counterpart and the transformation of the *asientos* from limited royal contracts to large-scale monopoly companies during the course of the seventeenth century. It is therefore useful to chart that development briefly, especially because the *asiento* holders started to refer to the entry of slaves through Acapulco as an infringement of their privileges from the earliest years. At first, the *asiento* holders could do little to prevent the influx through individual licenses, neither did they have the personnel to document widespread contraband. In time, however, they succeeded in abolishing the allowance for individual licenses in the

<sup>95</sup> AGN Inquisición 447 exp.5 f.217 (1662).

<sup>96</sup> *Ibid.*

<sup>97</sup> AGN Indiferente 2440 exp.21 (1627).

<sup>98</sup> In 1666, for example, don Francisco de Corbera y Mesía, an *oidor* of the Audiencia de Manila, purchased a slave named Ignacio for 100 pesos in the town of Rosario Doctrina for Captain Cristóbal Jiménez de los Covos, a resident of Mexico City, who had requested such a slave on special order. After the sale, Corbera sent Ignacio to Cavite to await the next ship to Acapulco. AGN Historia 408 f.99 (1666).

Atlantic, which was a major step in the articulation of the *asiento* as an actual monopoly system. Moreover, the *asiento* holders slowly built an administrative infrastructure that allowed them to tackle the licensing system in the Pacific trade as well.

From 1586 to 1701, the Spanish crown entered into a series of contracts with merchants, and later companies: the first were Portuguese, then Genoese, and briefly Dutch and Portuguese again. Throughout these many years, *asiento* contracts often overlapped, and there were times when the slave trade functioned only through individual licenses. The important fact is that all the *asiento* contracts built on the previous ones and retained the concessions given to different holders, regardless of their nationalities. Their privileges built up over decades, until the *asiento* emerged as a true monopoly at the beginning of the eighteenth century.<sup>99</sup> This shift came about because the crown increasingly identified the slave trade as a source of revenue and thus awarded greater and greater concessions to those who could deliver a steady rent.

Portuguese traders dominated the *asiento* from 1586 to 1640, which corresponds roughly to the years of the Iberian Union. In part, the king contracted with the Portuguese because they were his vassals, but the primary reason was that they controlled the closest supply lines, having established factories along the West Coast of Africa starting in the fifteenth century.<sup>100</sup> From the crown's perspective, the Portuguese *asiento* holders were merely intermediaries, charged with ensuring a steady supply of slaves by making arrangements with the men who actually acquired the

<sup>99</sup> With the ascent of the Bourbons, the *asiento* went to the French Real Compañía de Guinea in 1702. The crown then awarded the *asiento* to the English in 1713 as part of the peace treaty that ended the War of the Spanish Succession. For a discussion of the English *asiento* in relation to the trade to Mexico, see Antonio García de León, "La Real Compañía de Inglaterra y el tráfico de esclavos en el Veracruz del siglo XVIII, 1713–1748," in *Rutas de la esclavitud en África y América Latina*, ed. Rina Cáceres Gómez (San José: Editorial de la Universidad de Costa Rica, 2001). There was no free trade until 1789, when the king finally authorized any Spanish subject to bring slaves to the Indies without the need for any licenses or the payment of any duties. The goal was to increase the volume of trade and thus "meet the dire need for such laborers (*brazos*)." AGN Reales Cédulas Originales 142 exp.144 f.182 (1789).

<sup>100</sup> The Portuguese who purchased the *asientos* belonged to the same merchant families who controlled the royal monopolies for the West Africa trade, which ensured that they had steady access to slaves. Enriqueta Vila Vilar, "La sublevación de Portugal y la trata de negros," *Ibero-Amerikanisches Archiv* 3 (1976). For a recent discussion of the Portuguese *asientistas* (contract holders) and their commercial networks, see Filipa Ribeiro da Silva, "Crossing Empires: Portuguese, Sephardic, and Dutch Business Networks in the Atlantic Slave Trade, 1580–1674," *The Americas* 68, no. 1 (2011).

slaves in Africa (commonly called *negreros*).<sup>101</sup> From the beginning, the *asiento* was supposed to facilitate the large-scale entry of African slaves to Spanish America. According to the negotiations between the crown and the Portuguese, what was needed was “a great multitude of blacks to help the Indians in the work of the mines, the tillage of the land . . . and other husbandry.”<sup>102</sup> The Portuguese succeeded in meeting this stated goal. Their contracts specified only 132,000 slaves, but it has been calculated that they brought between 250,000 and 300,000 African slaves to Spanish America between 1596 and 1640.<sup>103</sup>

During the Portuguese period, the *asiento* holders did not have monopoly terms. They merely paid an annual rent, ranging from 95,000 to 170,000 ducados, for the right to manage a given number of licenses, ranging from 2,500 to 4,250 slaves.<sup>104</sup> In essence, the *asiento* holders purchased individual licenses, which they could then sell to other people or use themselves. For this to be profitable, the annual rent was less than the set value of the licenses (the duties were paid separately). Further evidence of the early *asientos*' weakness is that the Portuguese *asiento* holders organized relatively small trading voyages, which were also highly controlled.<sup>105</sup> They had to register their ships in Spain; collect their cargo at pre-specified locations in Africa; and sail straight to either Veracruz or Cartagena, which were the only ports in Spanish America where they could disembark in order to limit contraband.<sup>106</sup> On arrival, royal officials had to carry out a formal visit (*visita*) prior to unloading to search for contraband and confirm that the number of slaves boarded in Africa matched the number of licenses that were registered in Spain. The visitations were carried out in the presence of the agents or factors (*factores*) of the *asiento* holders, who were supposed to assist royal officials in maintaining accounts of all slave arrivals.

<sup>101</sup> The *negreros* were a varied lot, from rich merchants who provided the capital for whole slaving ships to sailors who carried a couple of slaves for more modest profits. Enriqueta Vila Vilar, *Hispanoamérica y el comercio de esclavos: los asientos portugueses* (Sevilla: Escuela de Estudios Hispano-Americanos, 1977), 59–60, 141.

<sup>102</sup> AGI Indiferente 746 (1599).

<sup>103</sup> Vila Vilar, 1977, 209.

<sup>104</sup> Vila Vilar, 1977, 30, 78. See, for example, the contract of the Portuguese merchant Agustín Cuello from 1609, which is transcribed as document 28 in Scelle, 1:812–25.

<sup>105</sup> During the Portuguese period, the slaving ships were mainly small caravels, which carried upward of 200 slaves. Vila Vilar, 1977, 131–4.

<sup>106</sup> Their ships (called *navios negreros*) were only allowed to carry human cargo, so as to prevent them from profiting from the sale of any other merchandise.

These visitations were often perfunctory. The slaving ships of the *asiento* holders regularly carried more slaves on board than what was noted on the official registries.<sup>107</sup> In fact, their ships often arrived with no registered licenses whatsoever.<sup>108</sup> In this sense, part of the Atlantic trade was carried out along similar lines as in the Pacific, where traders regularly traveled without licenses and disembarked off-registry. The *asiento* holders, however, would never admit that they too were bypassing the licensing system. Instead, they steadily gained concessions to transform their part of the trade into a real monopoly, independent of licenses.

The Portuguese were the first to be concerned with the transpacific trade. Juan Rodríguez Coutiño, who held the *asiento* from 1601 until his death in 1604, collected some payments from individuals who purchased licenses to bring slaves in through Acapulco.<sup>109</sup> He must have realized, however, that most slave traders on the Pacific traveled without licenses. Manuel de Sousa Coutiño (possibly his brother), who worked for *asiento* holders as the “general administrator of the slaves taken to the Indies,” reported with alarm that more than 500 blacks had recently arrived in Mexico “by way of China.”<sup>110</sup> The Coutiños could do little to ebb this flow via Acapulco, but subsequent *asiento* holders took purposeful action. Similarly, Manuel Rodríguez Lamego, who was awarded the *asiento* contract in 1623, insisted that the crown prohibit the entry of slaves through Acapulco.<sup>111</sup> There was nothing in his contract, however, that prohibited the entry through individual licenses or that empowered the *asiento* holders to seize contraband slaves, so his demands likely went unheeded. It was not until many decades later that a different *asiento* holder gained these concessions. The Portuguese *asiento* holders expressed clear concern that the transpacific trade could jeopardize their fledgling business.

During these early years, the primary threat was oversupply. An increased number of Africans had the potential of reducing their selling price if there was a glut on the market. In addition, there was the issue of

<sup>107</sup> Enriqueta Vila Vilar, “Los asientos portugueses y el contrabando de negros,” *Anuario de estudios americanos* 30 (1973).

<sup>108</sup> For example, 146 ships arrived at Veracruz between 1604 and 1640; of these, 73 arrived with no registered licenses, including 16 ships belonging to the *asiento* holders Gonzalo Vázquez Coutiño and Manuel Rodríguez Lamego. Vila Vilar, 1977, appendix (*cuadro*) 3.

<sup>109</sup> Document cited in Vila Vilar, 1977, 179 n.74.

<sup>110</sup> *Ibid.* The administrator was based in the Atlantic port city of Cartagena de Indias – the major entry point for slaves bound to Peru.

<sup>111</sup> Aguirre Beltrán, 1944, 419.

increased choice for the buyers. Chino slaves were clearly cheaper, so the asiento holders may have feared that buyers would purchase chinos rather than Africans.<sup>112</sup> The story of a slave named Francisco reveals that the price differentiation was indeed a major concern for buyers. In 1619, the administrator of a sugar plantation placed a special order for a black but was instead delivered a chino named Francisco. The plantation overseer paid 287 pesos for this chino slave, which was considerably less than the going price for an African ([Appendix 2](#)).<sup>113</sup> The overseer was assured that Francisco was among the best slaves in Manila and that he “could be trusted with an entire household.”<sup>114</sup> No doubt pleased by the savings, the same buyer might well have placed orders for similar chino slaves in the future.

An interesting petition from a group of miners from Zacatecas suggests that buyers in Mexico saw the Pacific route as an alternative supply line for slaves. Claiming to be desperate for laborers, in 1638, they asked the crown to grant them permission to bring 500 African slaves (*cafres*) on the Manila Galleon to work in the mines.<sup>115</sup> By that time, the Portuguese asiento holders had enough influence to sideline that plan and arrange to increase their own deliveries to Veracruz, which were only prevented by the onset of war between Spain and Portugal.

After the end of the Iberian Union and the dissolution of the Portuguese contracts, the trade in the Atlantic went through a decade of anarchy and increased contraband. There was an attempt to have the merchants of Seville take control of the slave trade, but they were unable to deliver a

<sup>112</sup> During the seventeenth century, the average sale price for a black slave was 347 pesos, in contrast to 292 pesos for a chino slave. See [Chapter 4](#) for a discussion of slave prices and how they changed over time. According to Brady, from 1527 to 1623, the price for African slaves in Mexico ranged from 250 to 500 pesos for males and 300 to 470 pesos for females; see Robert L. Brady, “The Domestic Slave Trade in Sixteenth-Century Mexico,” *The Americas* 24, no. 3 (1968): 288. According to Bakewell, the going price for an African slave (negros and mulatos) in Zacatecas in 1656 was 270 pesos, in contrast to the price of a chino slave at 200 pesos. P. J. Bakewell, *Silver Mining and Society in Colonial Mexico: Zacatecas, 1546–1700* (London: Cambridge University Press, 1971), 123.

<sup>113</sup> AGN Historia 407 f.166 (1619).

<sup>114</sup> AGN Historia 407 f.160 (1619).

<sup>115</sup> AGI México 33 L.2 f.17 (1637). AGI Indiferente 2796 (1638). Bakewell writes that the Council of Indies did not make a decision regarding the petition, but Vila Vilar argues that the miners were declined and made to enter into an agreement with the Portuguese asiento holder, who promised to deliver 500 slaves every year through Veracruz. See Bakewell, 200–201; Vila Vilar, 1976, 178. Notably, the miners of Nueva Galicia and Nueva Vizcaya had made a similar request decades earlier. In 1600, they reminded the king of all the times they had requested allowance to import at least 3,000 slaves from Africa, adding that they would also accept “chinos, japones, and jabas [Javanese], who come from the Philippines.” AGI México 258 f.139 (1600).

sufficient quantity of slaves. As a result, the crown was forced to contract again with foreigners. By this time, however, Dutch or English traders controlled the main supply lines out of West Africa. As the crown could not contract openly with merchants from competing colonial powers, it turned to intermediaries.

In 1663, the crown entered into a new seven-year agreement with two Genoese merchants named Domingo Grillo and Ambrosio Lomelín, who promised to deliver 3,500 slaves annually.<sup>116</sup> The Genoese did not bring slaves directly from Africa; they simply carried slaves from Dutch Curaçao and English Barbados and Jamaica to the major ports of Spanish America. The annual rent of 300,000 ducados included the payment of all royal duties, which marked a critical simplification over the earlier system based on the *asiento* buying individual licenses, which had separated the cost of the licenses from the cost of the duties owed. The crown clearly realized that it was easier to receive payment from one monopoly company than to worry about the collection of duties.

In exchange for a steady income, the crown made a critical concession: individual licenses would no longer be issued, with the exception of those granted as favors (*merced* licenses). The *asiento* holders became the only traders who were allowed to bring slaves to Spanish America via the Atlantic; all other slaves were to be confiscated as contraband. The Genoese claimed that the entry of other blacks would reduce their ability to sell their own slaves, which would “harm the royal treasury” as they would be unable to pay the annual rent.<sup>117</sup> Several decades later, the *asiento* holders tried to abolish individual licenses in the Pacific trade as well.

The Genoese period is notable for several other innovations. First, the Genoese succeeded in gaining entry to more ports than had been allowed to the Portuguese, including Portobelo, Caracas, Santo Domingo, and Havana. Grillo also tried to secure access to the ports of Buenos Aires and Lima, but these remained definitely closed to the *asiento* holders until the eighteenth century.<sup>118</sup> The growing interest of the *asiento* holders in

<sup>116</sup> For a detailed analysis of this period, see Marisa Vega Franco, *El tráfico de esclavos con América: asientos de Grillo y Lomelín, 1663–1674* (Sevilla: Escuela de Estudios Hispano-Americanos, 1984).

<sup>117</sup> The 1663 contract is transcribed in “Apendice II” in Vega Franco, 203–17.

<sup>118</sup> The powerful merchants of Lima succeeded in keeping out the *asiento* holders, who would have curtailed their own profitable trade, which involved bringing slaves from Cartagena for sale in the viceroyalty of Peru. The crown prohibited the *asiento* holders from landing in the Pacific until 1713, when article 10 of the English *asiento* gave them the right to embark from Panama to Peru or any other port. See Palacios Preciado, 172.

Acapulco has to be understood as part of this general push to expand their reach beyond the Caribbean ports and enter the markets along the Pacific. Second, the Genoese amplified the bureaucratization of the asientos. Their factors were more powerful and numerous than those of previous asientos.<sup>119</sup> Their contract instituted an altogether new position called the judge conservator (*juez conservador*), who supervised the factors at the three major ports of Cartagena, Portobelo, and Veracruz. This appointment was usually given to the president of the local Audiencia, which meant that some of the most important royal officials in the colonies came to be in the simultaneous employ of the asiento holders. Remarkably, this was not perceived as a conflict of interest, even though the same men were charged with preventing fraud as well as with protecting the asiento holders, who were not above deception.<sup>120</sup> This added manpower allowed the asiento holders to document contraband and move to prosecute offenders.

The period after the Genoese was as tumultuous as the years before in terms of the number of people involved as asiento holders, but they all had the added advantage of the Genoese concessions. From 1696 to 1701, the asiento briefly reverted to the Portuguese, who did much to build on those trading privileges to strengthen their monopoly.<sup>121</sup> Manuel Ferreira de Carvalho, the representative of the Guinea Company, figures prominently as one of the men who pushed most forcefully to end the Pacific trade, specifically by trying to abolish individual licenses as had been done in the Atlantic. This was a daring move that went against the licensing allowances detailed in the then recent Compilation of the Laws of the Indies (*Recopilación de leyes de los reynos de las Indias*), first printed in 1680, which codified some of the decrees from previous decades that allowed the passengers and crew of the Manila Galleon to travel with slaves.<sup>122</sup>

<sup>119</sup> Under the Genoese asiento, the ports of Cartagena, Portobelo, and Veracruz were each assigned a head factor (*real factor*), aided by two other agents. In addition, the asiento holders placed factors at the other allowed ports of entry: Cumaná, Caracas, Santo Domingo, Habana, and San Juan, as well as in other ports such as Lima to watch for contraband. Vega Franco, 128–30.

<sup>120</sup> *Ibid.*, 129.

<sup>121</sup> The crown signed a contract with Bernardo Marín de Guzmán in 1692, who acted as a front for the Portuguese *Companhia de Cabo Verde e Cacheu de negocios dos prêtos*, which was reorganized as the *Companhia da Guiné* (Guinea Company). In 1696, the asiento went to it, whose main stockholder was the king of Portugal.

<sup>122</sup> The *Recopilación* catalogued decrees from decades past that addressed myriad subjects having to do with the administration of the Spanish colonies. *Recopilación de leyes de los reynos de las Indias mandadas imprimir y publicar por la Magestad católica del rey don Carlos II*, 4 vols. (Madrid: Julian de Paredes, 1681).

The company wanted this allowance forfeited and to have all slaves who did not arrive via their expressed order confiscated as contraband.

The Recopilación had a section titled “On slave duties” that articulated the crown’s position on the role of the *asiento* holders at this time.<sup>123</sup> Significantly, the decrees that touched on the slave trade across the Pacific, except for one, were catalogued in a different section altogether, titled “On the navigation and commerce of the Philippines.”<sup>124</sup> The one decree grouped with the *asiento* regulations was a copy of the 1626 mandate ordering the collection of duties in Acapulco discussed earlier.<sup>125</sup> The choice of the decrees that were included in the Recopilación as laws and where they were catalogued within the collection are suggestive in several ways. It seems that the crown wanted to conceive of the Atlantic and Pacific trades as operating under different mechanisms, which would allow it to maintain certain licensing rights, both to give as *mercedes* and to sell to collect additional duties. After the Genoese period, that was no longer possible in the Atlantic, but the crown tried to keep the rights for the Pacific. That said, by 1680, the crown had also come to depend on the ever more powerful *asiento* holders to deliver larger numbers of African slaves to Spanish America. As such, the Pacific exception had to be carefully articulated, so as not to appear to be renegeing on the *asiento* contracts.

The *asiento* holders were not persuaded. After 1680, they pushed to amend the Recopilación by insisting that the crown issue additional decrees limiting the entry of slaves at Acapulco. The first concession was given to the powerful Dutch merchant Baltasar Coymans, who briefly held the *asiento* in recognition that the Dutch controlled some of the major supply ports. The 1687 royal decree read:

It has come to my attention that the ships from the Philippines introduce many pieces [*piezas*] of slaves, which is a grave danger to my service and harmful to the *asiento* . . . so I declare that all blacks that come on those ships are illegal [*de mala entrada*] and can be confiscated by the said *asiento* holder or his factors.<sup>126</sup>

<sup>123</sup> Book 8, title 18 of the Laws of the Indies.

<sup>124</sup> Section titled “De la navegación y comercio de las Islas Filipinas, China, Nueva España y Perú,” Book 9, title 45, laws 54, 55, and 56 of the Laws of the Indies.

<sup>125</sup> “Que se registren y paguen los derechos de esclavos traídos de Filipinas a la Nueva España,” October 16, 1626. The decree was codified as book 8, title 18, law 4 of the Laws of the Indies.

<sup>126</sup> AGI Escribanía 187A f.8v (1687). The change to counting slaves as “*piezas*” rather than individually occurred during the Genoese period; a “*pieza de indias*” was a slave “de siete cuartas de altura, sano, y sin defectos.” The new measure allowed the *asiento* holders to pay fewer duties for arriving slaves who did not meet those criteria. See Vega Franco, 31.



To further the restriction, in 1692, the *asiento* holder Bernardo Marín de Guzmán, representing Portuguese interests, persuaded the crown to specify that individuals could only bring blacks to the Indies from Manila for their personal service. In the event that the owner had to sell his property, the sale price had to be less than the price on the original slave title. Any person who was found to profit from such a sale had “to pay the *asiento* holder the value of the *negro*.”<sup>127</sup> The clause was clearly aimed at preventing passengers from bringing slaves for sale through *merced* licenses for personal servants.

The Portuguese Guinea Company, however, wanted more definitive prohibitions on all slaves, even those who came as servants, so they took concerted legal action against the competition to instigate this change. In 1699, the company sued some of the passengers of the Manila Galleon who arrived with slaves, all blacks, even those who had licenses to bring them as personal servants.<sup>128</sup> The factor sought a specific ruling – that from then on “all blacks introduced by the ships from the Philippines” be declared forfeit and handed over to the *asiento*. Moreover, all the naval officers who claimed that the slaves were for their personal service would have to make a deposit (*fianza*) and pledge that the said slaves would “be returned by way of the same ship.”<sup>129</sup> Notably, when the defendants testified at court, they all referenced “the permission given by His Majesty to the people who come from those islands.”<sup>130</sup> In other words, they all cited the 1626 decree catalogued in the *Recopilación* that did indeed allow passengers to bring slaves.

The case was first heard in Mexico by the *juez conservador*, who sided with the *asiento* and declared that the entry of the slaves in question was indeed illegal. The judge specifically cited the royal decree from 1687 as trumping the *Recopilación*. The defendants then appealed to the Council of the Indies, where their lawyer argued that the said decree could not be understood to refer to slaves brought as servants, because that would be “contrary to the published laws” (i.e., to the *Recopilación*).<sup>131</sup> In the protracted legal battle that followed, the Guinea Company continued to maintain that the Pacific allowance did not “conform to the dictates of the *asiento*” and thus constituted an illicit trade.

<sup>127</sup> AGN Reales Cédulas Duplicadas 24 exp.88 f.263 (1692).

<sup>128</sup> AGI Escribanía 187A (1700).

<sup>129</sup> AGI Escribanía 187A f.10v (1699).

<sup>130</sup> AGI Escribanía 187A f.15 (1699).

<sup>131</sup> AGI Escribanía 187A (1703).

In the end, the defendants succeeded in having the ruling revoked in 1705 and regained possession of their property (the slaves had remained embargoed in Mexico City).<sup>132</sup> By this time, the *asiento* was in the hands of the Real Compañía de Guinea of France, who did not pursue the matter of Acapulco. As one of the lawyers noted, the “declaration of war” by the Grand Alliance meant that the Spanish king had larger concerns.<sup>133</sup> The international market for slaves was fundamentally changed after the War of the Spanish Succession, when the British were awarded the *asiento*, with all the privileges previously accrued. The eighteenth-century *asiento* thus emerged as a true monopoly, with the legal capabilities, economic might, and political weight to determine the supply lines and shut down interlopers in the Pacific. The transpacific trade, which was always part of a much larger trading system concentrated in the Atlantic arena, was a relatively short interlude in the history of the slave trade, which underwent fundamental changes in the context of the Spanish empire.

#### CONCLUSION

Slaves were a side business in the Manila Galleon trade of the seventeenth century. Traders brought them along as personal servants and to help them guard their precious crates filled with silks and porcelains. It was small-time trading, done through individual licenses or as contraband. The space on the Manila Galleon ships was too limited, and the length of the journey was too long, for the transpacific trade to match the volume of the Atlantic slave trade. Dutch and Portuguese *asiento* holders, nonetheless, perceived the transpacific slave trade as a real threat, so they lobbied the Spanish crown to end it.<sup>134</sup> Traders who delivered chattel in the eighteenth century, at least according to the law, had to disembark at designated ports on the Atlantic side of Spanish America.

The Atlantic *asiento* holders made it their business to shut down the competition, and in this they were also helped by a decline in demand. After about 1660, masters were no longer willing to pay top price for non-African slaves.<sup>135</sup> The ambiguous identity of chino slaves and their

<sup>132</sup> AGI Escribanía 960 (1705).

<sup>133</sup> AGI Escribanía 187A (1705).

<sup>134</sup> Royal decrees regulating commerce from the Philippines to Mexico in the eighteenth century made no mention of slaves. AGN Reales Cédulas Originales 45 exp.149 f.510 (1726).

<sup>135</sup> In 1659, María de la Cruz, a china slave, and her three-year-old son Joseph sold in Mexico City for 400 pesos. When the two were sold again a year and a half later, the price was 230

resemblance to Indians made purchasing them a high-risk investment. As a result, fewer slaves were boarded in Manila. Then after 1690, passengers who arrived in Acapulco with slaves for sale had their property confiscated.<sup>136</sup> Ship officials who traveled with personal servants had to make sworn testaments before disembarking that their slaves would return to the Philippines. In 1704, General Theodoro de San Lucas swore that he “brought two slaves named Amaro and Carlos in his service and that they would return in his assistance, both married with wives in Manila.”<sup>137</sup> Apart from the ship captain’s personal servant, no other slaves arrived on board the *Nuestra Señora del Rosario* that year. The trade was over.

pesos. ANM Nicolás de Arauz 12 f.8 (1660); ANM Nicolás de Arauz 12 f.16–18v (1659); ANM Nicolás de Arauz 12 f. 40–40v (1659).

<sup>136</sup> In 1690, the crown ordered royal officials to confiscate slaves who arrived on the Manila Galleon. AGN Reales Cédulas Originales 23 exp.3 f.7 (1690).

<sup>137</sup> AGN Marina 3 exp.2 f.16–18, 20–23 (1704).

## Chinos in Mexico City: Slave Labor and Liberty

In his last will and testament, the master of a chino slave named Diego entrusted him to “maintain and guard” the family house in Mexico City until the property was sold upon his death.<sup>1</sup> Afterward, Diego was supposed to serve his daughters at the convent of Saint Claire. Diego had other plans. The house was on the market for more than two years. During this period, Diego arranged to borrow 110 pesos from a Spanish merchant to purchase his freedom from the two nuns. To pay the merchant back, Diego agreed “to serve him personally in his home . . . at a salary of five pesos per month.” Diego’s transition from being a trusted family slave to working as a free servant illustrates a larger pattern.

The work experience of chino slaves in Mexico City foreshadowed a transformation of slavery in the Spanish colonies: by the early 1700s, chinos were paid Indian laborers. The cultural associations and market choices made by the slave-owning class in the previous century helped bring about this remarkable shift. Masters consciously channeled chino slaves into occupations that provided possibilities for liberty, especially in personal service.

Chinos were mainly servants because Spanish colonists characterized the slaves “who came from the Philippines” as being “more domesticated than blacks (*negros*).”<sup>2</sup> The same quality was attributed to Indians, who were considered to be naturally obedient and to have an aptness for service. In addition, chinos were identified as good servants because most of them had

<sup>1</sup> ANM Hipólito de Robledo 3849 f.112 (1661).

<sup>2</sup> The sentiment was clearly articulated by a group of Spanish settlers in a letter to the king about the state of the colonial economy: “*Los chinos, japones, y jabas que vienen de las Islas Philipinas . . . es gente más domestica que los negros.*” AGI México 258 f.139 (1600).

some knowledge of Iberian languages, customs, and practices, which they gained in the Spanish Philippines or Portuguese India. This cultural affinity, moreover, encouraged some masters to treat chino slaves as they did Indians, which meant having slightly more regard for their natural liberty.

In addition to personal service, a large number of chino slaves were employed in textile mills (*obrajes*) in Mexico City and its environs. Royal officials were particularly vigilant of this urban industry because it was notoriously exploitative of Indian laborers. Chino slaves benefited from this oversight because they were increasingly identified as Indians themselves. Chino slaves thus labored in occupations that enabled them to become free Indians – a status that was eventually confirmed for all chinos. Tellingly, even though African slaves worked in *obrajes* as well, they did not benefit from legislation that protected indigenous laborers in the same way as it did chino slaves.

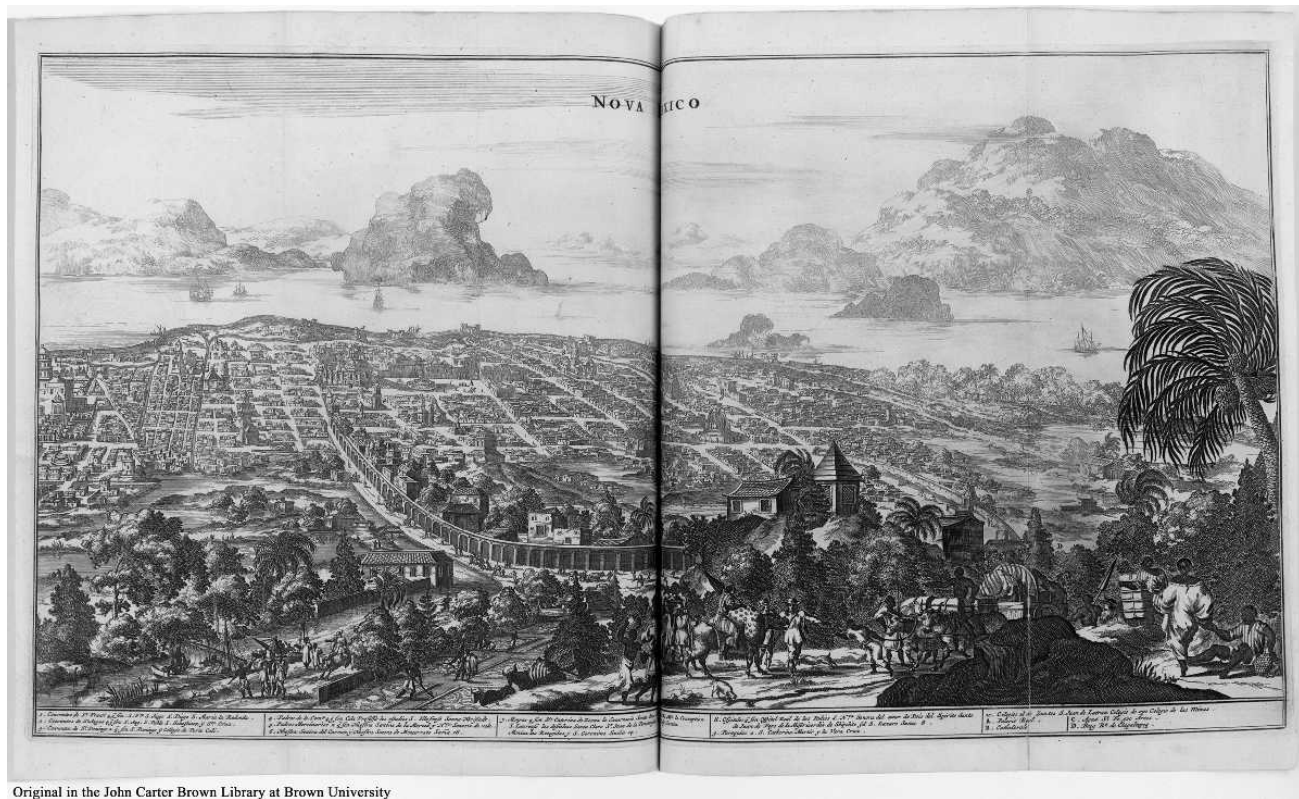
This chapter focuses on the experience of chino slaves in Mexico City – the economic engine for the whole viceroyalty of New Spain (Figure 4.1).<sup>3</sup> It begins with an overview of the labor system in Mexico that shows chino slaves working in urban occupations rather than in agricultural production. The [second section](#) is about domestic servants and the way personal service gave chino slaves access to manumission. Artisanal trades, discussed next, became another avenue to freedom, as chinos apprenticed to become artisans, in spite of guild restrictions, and thus earned money to self-purchase. Finally, the chapter turns to the textile industry and how the government's efforts to protect Indians from slavery extended to chino slaves.

#### THE LABOR SYSTEM IN SIXTEENTH-CENTURY MEXICO

The devastating demographic collapse of the indigenous population in the sixteenth century transformed the labor system in Mexico. The drop in population was almost inconceivable: approximately 15 million native people lost their lives between the 1530s and 1608 in Central Mexico.<sup>4</sup>

<sup>3</sup> The analysis for this chapter on slave labor is based on a database that consists of 598 chino slaves. The documentation does not reveal many details about individual work experiences, but we do know the specific occupations of 182 chino slaves who lived in Mexico City: 104 were personal servants, 42 worked as laborers in *obrajes* and 17 in bakeries (*panaderias*), 14 were artisans, and 5 were peddlers (*tratantes*).

<sup>4</sup> Linda A. Newson, "The Demographic Impact of Colonization," in *The Cambridge Economic History of Latin America: The Colonial Era and the Short Nineteenth Century*, ed. Victor Bulmer-Thomas, John H. Coatsworth, and Roberto Cortés Conde (Cambridge: Cambridge University Press, 2006).



Original in the John Carter Brown Library at Brown University

FIGURE 4.1. Mexico City. “Bird’s-eye view of Mexico City from the shore of a lake. Built environment includes churches, walls, fountains, and dwellings. Also includes domestic animals, dogs, horses, fields outside of the city walls and black or Native American men farming, boating on a canal or river, hauling goods on an ox-drawn cart, and carrying loads on their backs. Items in image are lettered for identification in a key below.” *Nova Mexico, De Nieuwe en onbekende Weereld: of Beschryving van America*, Amsterdam, 1671. Courtesy of the John Carter Brown Library at Brown University.

Indigenous people could not withstand diseases for which they had no immunity, especially smallpox, measles, typhus, and influenza. Towns were emptied of inhabitants, left with gigantic monasteries built in the early conquest period, but with no Indians to attend the friars' masses.

For Spaniards, the loss of life was a political and economic catastrophe. The royal treasury lost income as disease wiped out tributaries, and the economy as a whole reeled from a dearth of Indian workers. During the first century after conquest, Spaniards relied on enslaved and coerced Indian labor, first through *encomienda* labor grants given to individual conquistadors, and then through the *repartimiento* system, which made Indians work for negligible pay.<sup>5</sup> The decline of the indigenous population forced the Spanish crown to reconsider its policy toward Indians and to reorganize the colony's labor system. In order to allow the indigenous population to recover, the crown had to safeguard surviving Indians from exploitative colonists, who were blamed at the time for the high mortality rates. The government's protective response included prohibiting the enslavement of Indians with the New Laws of 1542 and also barring Indians from dangerous industries.

The large-scale introduction of slaves from Africa facilitated the transition to paid Indian labor and also promoted the recovery of the colonial economy. The Spanish crown arranged for the importation of African slaves so that they could augment the Indian labor force, especially in haciendas, mines, and textile production.<sup>6</sup> In 1599, for example, the Council of Indies advised King Philip III about the colonies' need for "a great quantity of blacks to help the Indians in the mines, cultivation, raising cattle, and other work."<sup>7</sup>

The demographic impact of this forced migration was most evident in Mexico City: between 1570 and 1646, the number of Africans nearly doubled to almost 20,000 individuals.<sup>8</sup> The capital also received a

<sup>5</sup> The laws pertaining to the tributary labor required from indigenous people were codified as book 6, title 12 ("*Del servicio personal de los indios*") in the Laws of the Indies.

<sup>6</sup> For an overview of African labor in these three sectors, see Colin Palmer, "Slavery in the *Ingenios*, the *Obrajes*, and the Mines," in *Slaves of the White God: Blacks in Mexico, 1570–1650* (Cambridge: Harvard University Press, 1976).

<sup>7</sup> AGI Indiferente 746 (1599); quoted in Enriqueta Vila Vilar, *Hispanoamérica y el comercio de esclavos: los asientos portugueses* (Sevilla: Escuela de Estudios Hispano-Americanos, 1977), 29.

<sup>8</sup> The primary sources for the population figures for Mexico City are inconclusive, but they do provide some data. According to Fray Antonio Vázquez, the city had 15,000 Spaniards, 80,000 indios, and 50,000 negros and mulatos circa 1612; Thomas Gage calculated 40,000 Spaniards circa 1625; Fernando Cepeda y Fernando Carrillo, in *Relación del sitio en que está fundada México* (1637), calculated 20,000 Spanish families and 60,000 indios; the



considerable influx of chino slaves during the same period.<sup>9</sup> Slaves never constituted a majority of the population, but their increased presence produced a dramatic shift in the ethnic makeup of Mexico. The slaves who were sent to rural areas, moreover, enabled the development of large-scale export agriculture. These changes to the colony's labor regime prompted a complex response from Spanish property owners, who had to alter their conception of Indians and transition to a greater reliance on slave labor.

In this process, Spaniards made distinctions between enslaved groups of people that had marked social repercussions. On the whole, masters channeled chino slaves into occupations that were closely associated with those of Indians, especially domestic service and textile work. African slaves worked in these same urban sectors, though a significant number were also driven into hard-labor agricultural production. The routing of chinos and Africans into different occupations had real long-term consequences. The work experience of chino slaves in urban areas enabled them to engage the economy, self-manumit in high numbers, and also become associated with Indians. This combination of opportunities and linkages to free native vassals set chinos apart from Africans.

Most slave masters, identified by their use of the honorifics *don* or *doña*, were at the top of the economic hierarchy.<sup>10</sup> They had varied economic interests in the urban and rural sectors.<sup>11</sup> A *don* might primarily be a merchant with a household in Mexico City, but he might also invest in agricultural production and own a hacienda. In that case, a newly purchased slave could become his master's personal servant or be sent away to labor in the countryside. The labor choices made by slave owners determined the work experience of chino slaves. In the vast majority of cases, masters kept their chino slaves in Mexico City.

1689 census (at AGN) noted 1,182 peninsular Spaniards (*peninsulares*); finally, Giovanni Francesco Gemelli Careri, in 1699, wrote that 100,000 residents lived in the "centro" and that "the majority were negros and mulatos." See Francisco de la Maza, *La ciudad de México en el siglo XVII* (México: Fondo de la Cultura Económica, 1968), 19. Aguirre Beltrán calculated that there were approximately 19,440 Africans in Mexico City in 1646, in comparison to 8,000 Europeans, 185,000 people of mixed descent, and 600,000 Indians. Gonzalo Aguirre Beltrán, *La población negra de México, 1519–1819: estudio etnohistórico*, 2 ed. (México: Fondo de Cultura Económica, 1972), 210–19.

<sup>9</sup> See Chapter 3 for an analysis of the transpacific trade.

<sup>10</sup> In my database of 598 chino slaves, 40 percent of the owners had an honorific denoting social status: 186 individuals were listed as a *don/doña*, and 46 as *capitan* (a military title commonly used for status).

<sup>11</sup> Masters did not always list their main occupation. In my database, the breakdown is 68 merchants (*mercader* and *tratante*), 48 artisans (*maestro*), 46 government officials (*oficial*), 37 clergy (*clérigo*, *presbítero*, etc.), 28 textile mill owners (*obrajero*), and 11 hacienda owners (*hacendadolencomendero*).



A number of chino slaves worked in sugar and cacao haciendas, but the majority of the so-called chinos who worked in the cacao haciendas of the Pacific coast were free natives of the Philippines, who were paid laborers, not slaves.<sup>12</sup> The property records of sugar haciendas, moreover, attest to the occupational distinction: chinos were purchased to be servants and to do auxiliary work – not to be field hands. Don Antonio Urrutia de Vergara, for example, rented a sugar hacienda in Pinzandaro, Michoacán, for 6,400 pesos a year, which included twenty slaves, all described as negros except for a chino named Juanico, who was listed separately as a servant.<sup>13</sup>

In part, chino slaves were spared from brutal work, such as harvesting and making sugar, because they were perceived to be physically weaker than African slaves. A chino slave from the Malabar Coast named Tomás, for example, was sold to a sugar hacienda, where he was immediately made to work pushing sugarcane through the rollers at the mill.<sup>14</sup> When Tomás struggled to keep pace, the Spanish overseer lashed at him with a whip and called him “useless,” comparing his work unfavorably to the speed and strength of the *negros* (blacks) and *mulatos* (mulattos) around him. The overseer in this case expressed a very problematic notion that was nonetheless widely believed: slaves of African descent were deemed stronger and more capable of doing hard labor than chino slaves.<sup>15</sup> This comparison is a reminder that slave owners purchased bodies – enslaved people were tools for industry.

Hacienda owners and overseers made work choices based on common assumptions about physical attributes. From their perspective, chino slaves were not as robust or as strong as African slaves. In consequence, chino slaves in haciendas rarely did fieldwork; they were employed as artisans or made to do other kinds of auxiliary work. For instance, Baltasar de la Cruz, the sole chino slave in a hacienda at Amilpas, was a trained

<sup>12</sup> My research focused on the urban economy, but I did examine property evaluations of sugar haciendas in Valladolid and cacao haciendas located in the vicinity of Acapulco. In these records, I tallied 17 chino slaves who worked in sugar haciendas and 25 in cacao haciendas.

<sup>13</sup> ANM Toribio Cobán 728 f.103 (1656).

<sup>14</sup> AGN Inquisición 598 exp.15 f.169 (1663).

<sup>15</sup> For the contribution of African labor to the growth of the sugar industry in Mexico, see Patrick James Carroll, *Blacks in Colonial Veracruz: Race, Ethnicity, and Regional Development* (Austin: University of Texas Press, 1991); Lolita Gutiérrez Brockington, *The Leverage of Labor: Managing the Cortez Haciendas in Tehuantepec, 1588–1688* (Durham: Duke University Press, 1989); Adriana Naveda Chávez-Hita, *Esclavos negros en las haciendas azucareras de Cordoba, Veracruz, 1690–1830* (Xalapa: Universidad Veracruzana, Centro de Investigaciones Historicas, 1987).

carpenter.<sup>16</sup> Similarly, Diego, the single chino slave at the sugar hacienda *San Nicolas Pantitlan*, was an apothecary (*oficial de boticario*).<sup>17</sup> Moreover, even though most chino slaves performed skilled labor in the haciendas, they were consistently appraised at a lower value. When the overseer purchased a lot of ten slaves for a sugar hacienda in Yahualica, the only chino, named Francisco de la Cruz, was listed at the lowest price (250 pesos).<sup>18</sup> The labor of chino slaves, in other words, was considered to be less directly productive than that of their African counterparts, and that is why their purchase price was less than that for black and mulatto slaves (Appendix 2).

This difference in the valuation of slaves is evident in hacienda property records, as well as in slave titles from Mexico City. As the largest slave market in the viceroyalty, the capital supplied slaves for urban industries, as well as for far away mines and haciendas. Slaves were sold by individuals or in public auctions held under the portals of the main plaza, “where slaves walked in circles while buyers made their bids.”<sup>19</sup> A strict comparison of prices shows that slaves of African descent were consistently more expensive than chinos: at every age group, negros and mulatos sold for a higher average price than chino slaves.<sup>20</sup> In the 1610s, the average price for a slave of African descent was 394 pesos, whereas the average for a chino slave was 375 pesos. Notably, chino slaves who were literate and acted as secretaries were priced higher. In 1662, for example, a nobleman paid 400 pesos for a “white chino” named Diego, who was described as “a good writer and accountant” (*buen escrivante y contador*).<sup>21</sup> Overall, however, the disparity between chinos and black slaves increased over time: by the 1670s, the average price for chinos had fallen by more than 100 pesos to 272 pesos. In contrast, the average price of recent arrivals from Africa (*bozales*) in the second half of the seventeenth century was 350 pesos.<sup>22</sup> The price for black slaves who were born in the New World (*criollos*) also

<sup>16</sup> ANM José de Anaya 20 f.460 (1676).

<sup>17</sup> ANM Bernabé Sarmiento de Vera 4371 f.7 (1668). The only two chino slaves at an Augustinian hacienda in the Huasteca were cartwrights (*carreteros*). ANM Pedro de Santillán 4353 f.217 (1630).

<sup>18</sup> ANM Fernando Veedor 4617 f.475 (1673).

<sup>19</sup> AGI Escribanía 291B (1636); quoted in Vila Vilar, 1977, 225.

<sup>20</sup> The comparison is strictly based on slaves sold at market in Mexico City as recorded in slave deeds found in the notarial archive. The sample size is 2,677 slaves of African descent and 183 chino slaves. See Appendix 2 for further details.

<sup>21</sup> The buyer was don Nicolás de Vivero Peredo y Velasco, conde del Valle de Orizaba. ANM Toribio Cobán 732 f.71V (1662).

<sup>22</sup> The sample consists of 49 bozales between the ages of 10 and 40 sold in Mexico City. The average price for men (22) was 336 pesos; the average for women (28) was 395 pesos.

remained high. The variance in prices show that slave owners regularly attributed a higher value to African slaves than to chino slaves, and this had to do partly with their different roles in the colonial economy.

Don Pablo de Carrascosa made choices that illustrate the larger pattern in which chinos were picked to be personal servants whereas Africans were sent to haciendas.<sup>23</sup> The records of his cacao hacienda *Nuestra Señora del Buen Suceso*, located outside of Acapulco, show that he systematically replaced chinos with Africans in hard labor. When he first acquired the hacienda in 1642, the property included ten chino slaves. Thirty years later, a property reassessment showed that the labor force had shifted to African slaves: the hacienda had many more slaves, but only two of them were chinos – the rest were negros and mulatos. In contrast, Carrascosa had a number of chino slaves in his household in Mexico City. His personal secretary Lorenzo de Vergara was a highly Hispanized and literate chino slave from Manila.<sup>24</sup> Carrascosa also arranged an apprenticeship for the free son of Joan Baptista, another of his chino slaves.<sup>25</sup> He likely interceded for the child at the father's bequest, improving Joan's chances for social mobility as a gesture of kindness toward his slave. Carrascosa thus interacted with his chino slaves in a vastly different way than with those slaves who worked at the hacienda, whom he likely never saw or favored in any way.

Like Carrascosa, many other masters made the same choice to keep their chino slaves as servants in Mexico City. Slave owners appreciated that the majority of chinos were fluent in Spanish or Portuguese on arrival, having learned the colonial languages in Portuguese India or Manila.<sup>26</sup> Chino Felipe de Santiago, for instance, was the personal servant of a wealthy Spaniard, who praised him for being a "fine speaker of Castilian."<sup>27</sup> Many of them were also literate, which made them ideal personal secretaries.<sup>28</sup> Fluency in a Hispanic language made it easier for individual slaves to interact with their masters and to function more easily in colonial society.

<sup>23</sup> AGN Tierras 3624 exp.2 f.4v (1642). AGN Tierras 3264 exp.3 f.62 (1650). AGN Tierras 3624 exp.3 (1671).

<sup>24</sup> AGN Matrimonios 195 exp.75 (1639).

<sup>25</sup> ANM Lorenzo de Mendoza 2492 f.4v (1659).

<sup>26</sup> Lucas de Arauso learned at the Jesuit College of Manila "to read from books." AGN Inquisición 583 exp.5 f.520 (1661).

<sup>27</sup> AGN Matrimonios exp.50 (1631).

<sup>28</sup> Juan de la Cruz was the personal secretary of an encomendero from Acapulco who resided in Mexico City. AGN Indiferente 2430 exp.21 (1634).

## OBEDIENT SERVICE FOR MANUMISSION

Doña Ana de Cobarrubias manumitted Joan in acknowledgment of and gratitude for his “love and fidelity” and for “never once causing her grief or displeasure.”<sup>29</sup> He had been an indispensable assistant in her textile business, charged with inspecting the cloth, delivering merchandise, and collecting payments from merchants – all without failure. When she discussed “remuneration” with Joan for his years of service, he explained that liberty was “the greatest recompense” for any man. Joan’s story exemplifies the perseverance of chino slaves who used service as an avenue to freedom.

Masters in Mexico City mainly employed chino slaves within their households as personal servants and domestics.<sup>30</sup> Service afforded opportunities for individual chinos to build social networks and to have some access to the monetized economy, which became an avenue for manumission in the sense that in their wills masters were known to liberate their personal slaves for good service.<sup>31</sup> Servants were also able to foster personal ties with moneyed individuals, who vouched for them with creditors and arranged loans for chinos to self-purchase when free manumission was not forthcoming.<sup>32</sup>

The master–slave relationship in Spanish colonial society called for a certain level of reciprocity: the master provided food and shelter to the

<sup>29</sup> ANM Francisco de Rivera 3861 f.26v (1683).

<sup>30</sup> To a large extent, the work experience of chino slaves was similar to that of slaves of African descent in the Yucatan, which has been documented by historian Mathew Restall. He distinguishes between “auxiliary slaves” and “mass slaves” employed in agricultural production to make important arguments about the slave experience in that part of the viceroyalty. African slaves mainly had urban occupations in service and crafts, which placed them in the middle of Yucatec society, between Spanish colonists and the Maya majority. I see chino slaves occupying a similar in-between place in the urban areas of Central Mexico. Matthew Restall, *The Black Middle: Africans, Mayas, and Spaniards in Colonial Yucatan* (Stanford: Stanford University Press, 2009), 13.

<sup>31</sup> Slaves of African ancestry worked in domestic service as well, which meant they might have had similar access to money, but there is no existing scholarship on the topic of peculium and self-purchase patterns among Africans in Mexico City for comparison.

<sup>32</sup> Access to credit depended on trust and personal reputation. For the workings of credit in the late colonial and early national periods, see Marie E. François, *A Culture of Everyday Credit: Housekeeping, Pawnbroking, and Governance in Mexico City, 1750–1920* (Lincoln: University of Nebraska Press, 2006); Linda Greenow, *Credit and Socioeconomic Change in Colonial Mexico: Loans and Mortgages in Guadalajara, 1720–1820* (Boulder: Westview Press, 1983). The pathbreaking book on sociability and credit is Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (New York: St. Martin’s Press, 1998).

slave, in return for the slave's gratitude and loyal service. Slaves confirmed the patriarchal bond by acting like faithful and worthy servants, with the ultimate goal of being rewarded with manumission. In the household context, the prospect of liberty determined the relationship between masters and chino slaves. As such, the story of chino slaves in domestic service is implicitly about their manumission.

Chinos gained from the church's insistence on testamentary goodwill. Masters were encouraged to manumit their slaves under the Catholic belief that Jesus Christ died to save the souls of all believers, who deserved to live in their natural liberty.<sup>33</sup> The *Siete Partidas*, Spain's foundational legal code, reflected this doctrine; it dictated that slavery was unnatural, but economically necessary and legal under certain circumstances. Churchmen thus urged masters to manumit their slaves in their last will and testament as a pious and charitable act. Chino slaves in domestic service were frequently freed under this mandate, in which masters acknowledged their natural right to liberty and thus liberated them in their wills.<sup>34</sup> The master of Domingo de la Cruz, a "white chino," explained that he wanted him "to enjoy liberty like other people," and in this way also "honor and serve God our Lord."<sup>35</sup>

Chino slaves were part of a large population of servants in Mexico City, where servants were ubiquitous. Anyone who could afford it had someone in his or her service, if not for convenience, then as a marker of status. Having a slave as a personal servant was particularly prestigious. It was common, for example, for wealthy Spaniards to have large entourages of slaves dressed in finery, occasionally armed, accompanying them in their everyday activities. By 1612, colonial officials considered that slave retinues had grown too large and profligate, so they ordered masters to go

<sup>33</sup> The manumission of African slaves was a highly contested historiographical debate in the 1960s and 1970s, when scholars first tried to quantify the rates of manumission in Spanish and Portuguese America. The research engaged the so-called Tannenbaum Thesis, which stipulated that slavery was less harsh in Latin America than in the American South as a result of the influence of the Catholic Church. For an overview of the scholarship, see Alejandro de la Fuente, "Slave Law and Claims-Making in Cuba: The Tannenbaum Debate Revisited," *Law and History Review* 22, no. 2 (2004). Most scholars have since rejected this argument, in part by showing that manumission, though legal, was, in fact, relatively rare and usually involved significant payment. Lyman L. Johnson, "Manumission in Colonial Buenos Aires, 1776–1810," *Hispanic American Historical Review* 59, no. 2 (1979). Stuart B. Schwartz, "The Manumission of Slaves in Colonial Brazil: Bahia, 1684–1745," *Hispanic American Historical Review* 54, no. 4 (1974).

<sup>34</sup> My observations regarding the manumission patterns of chino slaves are based on documentation related to forty-one individuals. Many more former slaves appear in the records, but I have no details about the circumstance of their manumissions.

<sup>35</sup> ANM Hipólito de Robledo 3853 f.36 (1672).

around with only two slaves, be they “*negros, mulatos, or chinos*.”<sup>36</sup> Spaniards’ concern with social standing and having servants had to do with the long-standing Iberian understanding that noblemen (*hidalgos*) were warriors or men of the church, and that manual labor was for peasants and commoners.<sup>37</sup> As such, a man of worth had to be able to sustain a large household with numerous dependents and servants, without involving himself in work directly. In fact, for many Spanish colonists, the stated aim for migrating to the New World was to have other people work for them and to serve them.

Chino slaves worked in the large households of affluent residents of Mexico City, who had a perceived need to have servants (*servientes*) at their side, attending to their every need. As *servientes*, *chinos* were both domestics and personal servants. Domestics cleaned and maintained the premises, prepared food, and ran errands.<sup>38</sup> Personal servants, on the other hand, were comparable to the English positions of valet and lady’s maid.<sup>39</sup> Personal servants did almost everything for their masters, including helping them bathe and dress, and generally seeing to their overall comfort. Chino Gonzalo de Texeda, for example, accompanied his master in all his overseas voyages, attending to all his needs and “caring for him in sickness,” for which he was finally recompensed with freedom upon his master’s death.<sup>40</sup> Such servants were at their master’s side through joys and troubles. During the twenty-odd years that chino Pedro de la Cruz spent serving his mistress, he helped bury her first husband and then watched her start a new life with another man.<sup>41</sup>

<sup>36</sup> Ordinance transcribed in *Legislación* 100.

<sup>37</sup> The word “hidalgo” (originally *fidalgo*) derived from the words “son of someone” (*hijo de alguien*). Sebastián de Covarrubias Orozco, *Tesoro de la lengua castellana, o española* (Madrid: Melchor Sánchez, 1874). For analyses of Spanish attitudes regarding labor, see Ruth Mackay, “*Lazy, Improvident People*”: *Myth and Reality in the Writing of Spanish History* (Ithaca: Cornell University Press, 2006); Bartolomé Bennassar, *The Spanish Character: Attitudes and Mentalities from the Sixteenth to the Nineteenth Century* (Berkeley: University of California Press, 1979).

<sup>38</sup> A chino slave named Ventura served as the assistant to the cook in the archbishop’s household. AGN Matrimonios 49 exp.84 f.219 (1628).

<sup>39</sup> Doña Ana de Aranda, for example, whose immense dowry was valued at more than 26,000 pesos, had four young slaves who were her personal attendants, including a chino named Antonio. ANM Toribio Cobián 731 f.249 (1661). Similarly, Ines Dias had eight *servientes* – two *chinos* and six *negros*. ANM Gaspar Rueda 3840 f.124 (1639).

<sup>40</sup> ANM José Veedor 4596 f.41 IV (1644). Another chino slave named Manuel Texeda similarly traveled with his master, going as far as China. AGN Tierras 3274 exp.15 (1660).

<sup>41</sup> AGN Matrimonios 5 exp.64 f.194 (1633). For similar cases, see AGN Matrimonios 10 exp.185 f.418 (1629); AGN Matrimonios 187 (1637).

Chino slaves understood that masters considered faithful service to be “worthy of remuneration,” and that a slave’s highest compensation was to be granted “freedom from captivity.”<sup>42</sup> As such, the repeating pattern was for chino slaves to plead with their masters to set them free, be it without cost (*gratis*) or by accepting compensation in cash or service (self-purchase). In the majority of cases, masters manumitted chino slaves freely.<sup>43</sup> They often commented on their slaves’ loyal service, making the sentiment something of a trope in testamentary manumissions. Nonetheless, the repeating refrain speaks to the tenacity of chino slaves who served “with love, punctuality, and care” in return for their liberty.<sup>44</sup> A fortunate few received more than manumission: chino Joseph de la Cruz was bequeathed the handsome sum of 600 pesos in gold from his former master, who wanted to leave him “in a good place” (*bien parado*) and enable him “to seek his fortune.”<sup>45</sup>

Captain Diego Sánchez treated his household servants as if they were his family members and rightful heirs. He freed all of his chino slaves, but not Africans, in his will and then divided the assets among them.<sup>46</sup> His personal secretary Juan Sánchez received the most, inheriting two farms and several slaves of African descent. This was a particularly revealing bequest, showing slave owners did indeed separate chinos from other bondsmen. In addition, the captain gave another chino slave named Salvador Sánchez an adobe house and 200 pesos “to build his life” as a free man.<sup>47</sup>

Long service also allowed slaves to build personal relations with other members of their masters’ households. A Spaniard named Melchor de la Rosa, for example, saw an old family servant named Andrés López given away to distant relations, so he arranged with them to pay 30 pesos in exchange for his liberty. In this transaction, Andrés was no doubt helped by being appraised at a very low price, but his experience nonetheless shows that he was able to turn to someone near him to intercede and enable his manumission, even if his late master had not done so.<sup>48</sup>

<sup>42</sup> ANM José Veedor 4596 f.411v (1644).

<sup>43</sup> In my database, 63 percent of chino slaves were freed without conditions; the remainder self-manumitted through payment in cash or in timed service. The majority (76 percent) were men because the chino slave population as a whole was predominantly male.

<sup>44</sup> ANM Fernando Veedor 4614 f.627v (1670).

<sup>45</sup> ANM José Veedor 4593 f.93v (1662).

<sup>46</sup> ANM Gabriel López Ahedo 2236 f.71 (1671).

<sup>47</sup> The remaining five chino slaves were manumitted and given a new set of clothing.

<sup>48</sup> ANM Nicolás Bernal 453 f.21v (1668).



Like male servants, china slaves in domestic service had some opportunities for gaining manumission.<sup>49</sup> They nurtured ties with their masters to be recompensed with liberty. After years of caring for her master with “punctuality and consideration,” china Antonia de Peralta “asked him for her liberty.”<sup>50</sup> Antonia succeeded in fostering a level of intimacy, which her master called “bonds of affection,” that made him feel obligated to set her free. Notably, china slaves, unlike black slaves, did not serve as nursemaids, which might have brought them closer to their masters’ children. China slaves were deemed unsuitable for reasons that masters did not articulate. The actions of one slave owner point to the general preference for African nursemaids. Doña María Perez de Angul directed her heirs to sell all three of her slaves (categorized as a china, a mulata, and a negro), in order to raise capital to purchase a black slave (a negra) “to care for her children.”<sup>51</sup> The clear objective was to obtain the service of an African woman, regardless of the cost, which suggests that masters sought out black women for this particular occupation.<sup>52</sup>

Now, the timing of chino manumissions raises questions about the calculations masters made regarding their inheritable property. Masters freed slaves throughout the period of chino slavery, but the number of manumissions increased starting in the 1660s. The pattern makes sense in that most were testamentary manumissions, meaning chinos had to wait decades after arrival in Mexico to be freed. It is also possible that masters realized that chino slavery was coming to an end, so they freed their chinos as a kind of cheap way of vying for salvation. Many such masters

<sup>49</sup> For the work of African slaves in Mexico City, see María Elisa Velázquez Gutiérrez, *Mujeres de origen africano en la capital novohispana, siglos XVII y XVIII* (México: INAH, 2006), 206–7; Lourdes Mondragón Barrios, *Esclavos africanos en la Ciudad de México: el servicio doméstico durante el siglo XVI* (México: Ediciones Euroamericanas, 1999).

<sup>50</sup> ANM Nicolás Bernal 456 f.31 (1671). Similarly, Antonio López begged his master “to give him his liberty.” ANM Nicolás Bernal 453 f.21v (1668).

<sup>51</sup> ANM Francisco de Olalde 3237 f.16 (1646).

<sup>52</sup> As several scholars have noted, slaves of African descent or free Indians carried out the role of nanny (*ama de leche*) in the households of Mexico City. Velázquez, 184–97. This pattern is somewhat puzzling given that contemporaries expressed concern about the corrupting properties of breast milk. The Italian chronicler Gemelli, for instance, alleged that Spaniards born in Mexico (*criollos*) “hated” Europeans because they acquired “bad customs” from the *mulatas* who breastfed them. Giovanni Francesco Gemelli Careri, *Viaje a la Nueva España* (México: Universidad Nacional Autónoma de México, 1976). These ideas about racial pollution, however, were likely more widespread among European visitors to Mexico than Spaniards who lived there. For a discussion of these ideas, see Jorge Cañizares-Esguerra, *How to Write the History of the New World: Histories, Epistemologies, and Identities in the Eighteenth-Century Atlantic World* (Stanford: Stanford University Press, 2001).



manumitted chinos but kept their African slaves for their heirs. They thus freed their low-cost and potentially illegal chino slaves, at the very least, to receive some religious benefit. Manumission records are a problematic source for gleaning information about how masters truly perceived or felt about their slaves, but testamentary bequests do show that personal service increased chinos' chances for manumission.

When a free bequest was improbable, chino slaves arranged for self-purchase. Slaves in the Spanish colonies had limited property rights (*peculium*); they could collect money or receive gifts to purchase their own liberty.<sup>53</sup> Personal service provided chino slaves with opportunities to learn a trade or a business during their years of service and establish a support system beyond their master's household. Manuel, a chino slave from Bengal, served a master who was a livestock trader for ten years.<sup>54</sup> During this time, Manuel had a long apprenticeship, acquiring skills, capital, and access to credit. Manuel paid his master the large sum of 500 pesos for his freedom and afterward continued to work in the business as a hog dealer.

Similarly, chino slave Simon López acted as his master's personal agent (*corredor*) in the city's silk market (*alcaicería*); he was trusted to interact with customers and keep accounts.<sup>55</sup> Simon became a skilled trader during this time of service, which allowed him to make some money and arrange to be "freed from captivity." In a matter of years, Simon had a stall of his own in the main plaza, where he sold silk fabric and clothes. He was quite successful and socially connected.<sup>56</sup> After manumission, Simon ceased to be a chino; he transformed himself into an Indian vassal and called himself an Indian, which exempted him from paying sales tax (*alcabala*).<sup>57</sup>

As with the men, a number of china slaves had to self-purchase. Teresa, for example, had served her masters for more than thirty-four years when "she asked and begged them to give her liberty."<sup>58</sup> She borrowed 400 pesos from a certain don Juan Montero to pay her masters. In return, they declared that Teresa was "free to reside in whatever place she chose and to

<sup>53</sup> Peculium was based on the precedent of Roman jurisprudence. Bowser, 1975, 344.

<sup>54</sup> ANM Toribio Cobán 726bis f.54 (1650).

<sup>55</sup> AGN Matrimonios 195 exp.29 (1625). AGN Matrimonios 10 exp.106 f.245 (1629).

<sup>56</sup> Simon's social standing is evident from the numerous individuals, slaves and free, who asked him to testify on their behalf; he appears in at least three marriage license petitions. AGN Matrimonios 195 exp.29 (1625). AGN Matrimonios 10 exp.106 f.245 (1629). AGN Matrimonios 113 exp.101 f.258 (1629).

<sup>57</sup> AGN Indios 13 exp.112 f.92 (1640).

<sup>58</sup> ANM Toribio Cobán 732 f.116 (1662).

act like a free person.”<sup>59</sup> Contrary to common assumption, it was actually quite rare for masters to free slaves who were their concubines, be they *chinas*, *mulatas*, or *negras*.<sup>60</sup>

As Mariquita’s and Catalina’s experiences illustrate, physical intimacy was no assurance.<sup>61</sup> These women were the personal attendants of an important crown official for years. They traveled with him from their native Philippines to Mexico, Spain, and back again. On his deathbed, their master thanked them and said that he felt “obligated” to them, yet he lacked the means to set them free. Instead, he bequeathed them as chattel to his wife, who had little affection for the two women who had accompanied and “comforted” her husband while she remained in Mexico City. Mariquita and Catalina gained nothing from their work, except the scorn of another woman.

Black slaves were personal servants too, but their masters were generally less likely to free them, perhaps because of Africans’ higher value. In Mexico, slaves categorized as *negros* and *mulatos* generally had to self-purchase.<sup>62</sup> The experience of siblings María de Osuna and Francisco de Salinas is a poignant reminder that slaves constituted wealth in the colonial economy and that masters tended to free their *chino* slaves more frequently and on better terms than they did other slaves.<sup>63</sup> Their master freed them

<sup>59</sup> ANM Toribio Cobán 732 f.105v (1662). Isabel, another *china* servant, paid for “the value of liberty” by arranging a payment schedule with her mistress. ANM Juan de Oviedo Valdivieso 3235 f.587 (1641).

<sup>60</sup> In Latin America, slave women of African descent were more likely than men to be freed because they had greater physical mobility and thus more access to capital for self-manumission. The higher rate has not been statistically related to masters freeing their concubines. According to Proctor, in Mexico more mistresses than masters freed their female slaves, suggesting that women formed close familial ties with each other, and that these connections were more likely to lead to manumission than having intimate relations with men. Frank T. Proctor III, “Gender and the Manumission of Slaves in New Spain,” *Hispanic American Historical Review* 86, no. 2 (2006). For a general overview of the scholarship on gender and manumission, see Gwyn Campbell, Suzanne Miers, and Joseph C. Miller, “Women in Western Systems of Slavery” *Slavery & Abolition* 26, no. 2 (2005).

<sup>61</sup> ANM Gabriel López Ahedo 2235 f.84 (1665).

<sup>62</sup> According to Bowser’s study of 104 manumission cases, 61 percent of freed slaves of African descent paid for their freedom in cash or service (self-manumitted), and 62 percent were women. Frederick P. Bowser, “The Free Person of Color in Mexico City and Lima: Manumission and Opportunity, 1580–1650,” in *Race and Slavery in the Western Hemisphere: Quantitative Studies*, ed. Stanley L. Engerman and Eugene D. Genovese (Princeton: Princeton University Press, 1975). According to Proctor’s study of 165 manumissions from Mexico City dating from 1673 to 1676, 67 percent of manumitted slaves of African descent were women. Proctor, 2010, 207. For an analysis of manumission patterns in Brazil, which shows a difference between *bozales* and Brazilian-born individuals, see Herbert S. Klein and Francisco Vidal Luna, *Slavery in Brazil* (New York: Cambridge University Press, 2009).

<sup>63</sup> ANM Hipólito de Robledo 3851 (1667).

and also made them his heirs and executors, placing them in the position of arranging a Christian burial. Having no other means to pay for the costs, the siblings were forced to sell a sixty-year-old slave from Angola, which meant that they became former slaves who, like any other masters, subsequently profited from slave labor.<sup>64</sup>

Beyond the household, slave owners also used *chinos* as day laborers (*jornaleros*), or they rented out their labor to other city residents. In the *jornalero* arrangement (common throughout Spanish and Portuguese America), masters required slaves to pay them a set daily fee (*jornal*). In return, the individual slaves could keep the rest of what they earned, be it to live independently beyond their masters' home or to save for self-manumission. A Spanish priest named Bartolome López, for example, collected 4 pesos per month (1 *tomín* per day) from his chino slave Manuel for more than twenty years.<sup>65</sup>

In the rental arrangement, on the other hand, masters received a monthly payment directly from the renter. The practice was called "putting out in service." For instance, the master of Jusepico, a young chino slave, sent him away to live with a bishop and be "in his service."<sup>66</sup>

Chino slaves who were put out in service were clearly at a disadvantage in comparison to those who stayed with their owners. *Chinos* "in service" suffered from more physical abuse and less mobility and were generally unable to establish the personal bonds that could lead to manumission. In the service contract of a chino slave from Japan named Pedro, the owner warned his new master never to remove his chains (*prisiones*), adding that he would not take any responsibility if Pedro were to "break a window" or "run away through the roof."<sup>67</sup> In this sense, the experience of *chinos* like Pedro

<sup>64</sup> The arrangement was atypical because it included a clause that required the new owner to return the slave on payment of the loan price of 55 pesos. A year later, the siblings successfully took the new owner to court for threatening to sell Francisco, arguing that their agreement had been a pawn arrangement (*empeño*), rather than a sale and transfer of property. Francisco had served as security for a loan. The judge ordered the new owner to accept their money in exchange for Francisco's freedom and issue a proper manumission letter. ANM Hipólito de Robledo 3856 (1668).

<sup>65</sup> ANM Juan de Oviedo Valdivieso 3234 f.189 (1636). ANM Diego de los Ríos 3841 f.72 (1643). ANM Hipólito de Robledo 3849 f.12 (1658). A *tomín* was another term for a *real* – a small monetary denomination equaling one-eighth of a peso. Various service contracts for chino slaves are found in ANM Toribio Cobián 728bis (1657).

<sup>66</sup> ANM Gabriel López Ahedo 2235 f.84 (1665). Similarly, the mistress of Lorenzo de la Cruz, a chino slave born in Mexico, sent him away to pay off a loan; pleased with the service, the new master later purchased Lorenzo from her to be his own slave. ANM Martín de Molina y Guerra 2487 f.105v (1655).

<sup>67</sup> The contract described the individual as an "*indio Xapon*." ANM Juan Pérez de Rivera 3357 f.91 (1600).

was similar to that of slaves of African descent, who were rented out by their masters, primarily to textile mills.<sup>68</sup>

As some of the wealthiest institutions in the colony, the convents and monasteries of Mexico City had scores of slaves, who were employed as servants and laborers in their haciendas and other enterprises. Like individual hacienda owners, these religious institutions tended to keep their chino slaves in Mexico City, rather than sending them to their sugar haciendas or to work in other productive industries. The Society of Jesus is the clearest example – a renowned property owner in Mexico, the Jesuits had numerous haciendas that depended largely on African slave labor.<sup>69</sup> Most of their chino slaves were servants, such as Agustín, originally from Bengal, who worked in the Jesuit monastery (*casa profesa*) in Mexico City.<sup>70</sup>

The Hospice of San Jacinto stands apart from other religious institutions for its large number of chino slaves and for the way they were employed.<sup>71</sup> Founded in 1601, the Hospice, also called San Jacinto de China and San Jacinto de los Filipinos, was located in the outskirts of Mexico City (Figure 4.2).<sup>72</sup> The institution had many chino slaves, in part, because it belonged to the Dominican Province of the Philippines. The connection to Manila allowed friars to arrange for the delivery of chino slaves to Mexico. The Hospice was one of five in the Valley of Mexico that provided a place for Spanish missionaries on their way to Asia to rest and prepare for their work, which included studying native languages, geography, and the like.<sup>73</sup>

<sup>68</sup> Proctor, 2010, 21.

<sup>69</sup> James Denson Riley, *Hacendados jesuitas en México, el Colegio Máximo de San Pedro y San Pablo, 1685–1767* (México: Secretaría de Educación Pública, 1976).

<sup>70</sup> ANM Gabriel López Ahedo 2225 f.20 (1634). The founding nuns of the convent of San Bernardo similarly depended on a chino slave from Bengal named Bartolomé. ANM José Veedor 4595 f.377v (1636). Miguel Ángel Sedano Ruíz, “Situación financiera del convento de San Bernardo y su inversión en el otorgamiento de depósitos: siglo XVII,” *Signos Históricos* 15 (2006).

<sup>71</sup> ANM José Veedor 4595 f.418v (1636). ANM Juan de Barrientos 452 f.30v (1639). ANM Martín de Molina y Guerra 2486 f.109 (1652). ANM Diego de los Ríos 3845 f.38 (1656). ANM Fernando Veedor 4618 f.508v (1674).

<sup>72</sup> AGN Reales Cédulas Duplicadas 4 exp.17 f.16 (1601). The Hospice belonged to the Provincia del Santísimo Rosario de Filipinas de la Orden de Predicadores. Miguel A. Medina, OP., “San Jacinto de México entre España y Filipinas,” in *Los Dominicos y el Nuevo Mundo, siglos XIX–XX*, ed. José Barrado Barquilla and Santiago Rodríguez (Salamanca: Editorial San Esteban, 1997).

<sup>73</sup> The Augustinians, for example, had the “Hospicio del señor santo Thomas de Villanueva de la orden del glorioso patriarca San Augustin de los religiosos de la provincia del santísimo nombre de Jesus de las Islas Philipinas” in the town of San Cosme outside of Mexico City, which also had connections to chinos. AGN Indiferente 4547 exp.9 f.1-v (1706).



FIGURE 4.2. Hospicio de San Jacinto, Mexico City. The Hospicio de San Jacinto de China belonged to the Province of the Santísimo Rosario de Filipinas of the Dominican Order. A number of chino slaves worked and lived in this hospice during the seventeenth century. Photograph by Alexandra Hart Brown and Daniel Fermin Pfeffer.

Chino slaves were employed as servants to attend to the traveling men and also to upkeep the rest home. For instance, Agustín de la Cruz, a chino slave from Makassar, was in charge of the orchard that “sustained all the religious of that house.”<sup>74</sup> The friars thus allowed for meaningful personal interaction between themselves and chino slaves, which led to better treatment and more responsibility for individual chinos. In addition, given the Hospice’s objective of introducing friars to foreign traditions, chino slaves may have been employed as cultural intermediaries. They would have had invaluable knowledge of the places and customs that the Dominican friars would soon encounter. Chinos would have been uniquely qualified to describe their countries and answer any questions the friars might have. They could also be of general assistance to those friars who mentored the next generation of missionaries headed to the far reaches of the empire.

<sup>74</sup> AGN Matrimonios 139 exp.36 (1663).

## ARTISANAL TRADE AND SELF-PURCHASE

A number of chino slaves learned artisanal trades, which opened avenues for self-purchase. Remarkably, this training was done in the context of a restrictive guild system. Guilds (*gremios*), also called brotherhoods (*hermandades*), were corporate organizations with established ordinances that regulated artisanal production and maintained quality standards. Spanish artisans organized guilds to promote their particular craft and foster corporate solidarity. From their perspective, these objectives required exclusivity, so many of the guilds prohibited people of mixed descent, as well as slaves, from practicing their craft in an official capacity.<sup>75</sup> Slaves were particularly threatening because their association with a craft diminished the status of all its practitioners.

On close inspection, however, it becomes clear that guilds made a number of exceptions when it came to chino slaves. A few allowed master artisans to have slaves work in their own shops.<sup>76</sup> A chino named Alejandro de la Cruz, an official confectioner, for example, worked with his owner, a master pastry chef.<sup>77</sup> In addition, some of the guilds allowed members to take on chino slaves as apprentices to train them in an official capacity to be journeymen (*oficiales*).<sup>78</sup> Chino Diego Martín, for example, was a licensed goldsmith (*oficial de tirador de oro*).<sup>79</sup> At one point, the goldsmith guild prohibited all slaves (“any black slave, or other color”) from either training in the trade or working in their masters’ shops, but it had to rescind the decree within four years.<sup>80</sup> There were simply too many slaves like Diego working in the industry to make the prohibition tenable.

Despite guild laws prohibiting slaves from silk production, the silk industry employed a number of chino slaves. The property inventory of

<sup>75</sup> The exclusion of individuals based on race had antecedents in early sixteenth-century Spain, where guilds started to deny membership to individuals of “bad race” (*mala raza*) or “infected race” (*raíz infectada*), specifically Jews and New Christians. These efforts were part of wider process that unified a large part of the Iberian Peninsula under a Christian monarchy that demanded religious orthodoxy. Manuel Carrera Stampa, *Los gremios mexicanos: la organización gremial en Nueva España* (México: EDIAPSA, 1954), 11.

<sup>76</sup> *Ibid.*, 243–4. Juan Francisco del Barrio Lorenzot, *El trabajo en México durante la época colonial: ordenanzas de gremios de la Nueva España* (México: Secretaría de Gobernación, 1920).

<sup>77</sup> ANM Toribio Cobán 730 f.249 (1659).

<sup>78</sup> In my database of 178 chino slaves with an identifiable nonagricultural occupation, 14 were categorized as artisans (apprentices and journeymen).

<sup>79</sup> He was sold at auction for 1,000 pesos along with the tools of his trade. ANM Gaspar Rueda 3840 f.307 (1648).

<sup>80</sup> Barrio Lorenzot, 139, 141.

Juan Bautista Venque, a master of the art of silk, from 1625 listed two chino slaves along with the tools in his shop.<sup>81</sup> The date is significant because the silk makers' guild specifically decreed six years earlier that no slave could be taught the craft.<sup>82</sup> Juan was a native of "the kingdom of Scotland," so perhaps he had some antipathy to the notoriously partisan Spaniards in the guild. Similarly, Mateo de Paramo trained his chino slave Manuel to color the silk produced in his shop. Mateo then sold Manuel to a master ink maker for 180 pesos, which he paid in kind, agreeing to make "ink for his silks."<sup>83</sup>

Artisans were willing to take on other people's slaves as apprentices because they provided free labor.<sup>84</sup> Apprentices worked for room and board. Masters did not pay the artisans a fee to train their slaves; rather, artisans accepted the labor of slaves and in return promised to feed and clothe them. In addition, artisans usually promised to pay the master a wage for the slave's labor if it was found that the slave had not been properly trained after a set number of years.<sup>85</sup> Masters, in turn, apprenticed their chino slaves to raise the amount they could charge for their labor in the future. The master of chino Jacinto de la Cruz, for instance, apprenticed him for four years to a Spanish tailor who agreed to "teach [him] the said trade . . . so that he would be able to work in any shop."<sup>86</sup> The contract also stipulated that Jacinto would receive a full suit of clothing and a pair of scissors on completion of his training.

The artisans who trained other people's slaves required apprentice contracts for a different concern: What if the slave ran away? The apprentice contract of chino slave Nicolás de la Cruz had a telling clause. If Nicolás were "to absent himself from work," his owner was obligated to pay the costs of capturing and returning him "in chains" to the master

<sup>81</sup> ANM José de la Cruz 721 f.136 (1625).

<sup>82</sup> Barrio Lorenzot, 46.

<sup>83</sup> ANM José de la Cruz 721 f.46v (1636).

<sup>84</sup> I transcribed eight apprentice contracts dealing with chino slaves.

<sup>85</sup> The apprenticeships of chino slaves followed the wider pattern of Spanish America, in which artisans trained other people's slaves in return for their labor. Lane describes this phenomenon in Quito, where there was a "captivity continuum," in which masters provided gradations of freedom to their slaves, including setting them up as apprentices to gain skills that improved their earning potential and could lead to self-purchase in the long run. Kris E. Lane, *Quito 1599: City and Colony in Transition* (Albuquerque: University of New Mexico Press, 2002), 58–72.

<sup>86</sup> ANM Gabriel López Ahedo 2226 f.14v (1637). Similarly, a chino slave named Juan was sent to live with a tailor to learn the trade when he was nine years old. ANM Toribio Cobián 728bis (1657).



artisan – a cobbler.<sup>87</sup> The artisan, in other words, could not be expected to guard or to be responsible for someone else’s property. Chinos who were apprenticed remained slaves and were treated as such. The apprentice contract for a chino slave named Gabriel specifically allowed the master tailor “to keep him securely in his house with chains.”<sup>88</sup>

Notwithstanding the possible hardships, chino slaves sought out apprenticeships for themselves and their children, knowing that training in a craft provided a path to social mobility. Slaves of African descent likely apprenticed their children as well, but little is known about their experience.<sup>89</sup> Slaves did not have the legal identity to enter into contracts under their own power, so chinos could not arrange apprenticeships directly. They had to acquire their masters’ permission or have their masters arrange for the apprenticeship directly. Chino Diego Baltasar, for example, received a special license from his master that granted him legal capacity to place his son Lázaro with a master barber.<sup>90</sup> Diego took special care to ensure his son’s well-being and to guarantee the quality of his training, including an assurance that the barber would help Lázaro find an employer at the end of four years.<sup>91</sup>

Artisanal training provided chino slaves with a path to freedom. Chino Francisco Jiménez, for instance, arranged with his institutional owner, the Jesuit College of Mexico City, to give him a manumission letter (*escritura de libertad*) in exchange for 330 pesos. He promised to pay 130 pesos on his own by continuing to work for the Jesuits at a rate of 8 pesos per month, which meant he would be free from their service in little over a year. For the remaining 200 pesos, Francisco acquired a loan from a master silversmith. Francisco actively engaged in the economy – working for pay and acquiring credit – with the end goal of laboring as a free man.<sup>92</sup>

<sup>87</sup> ANM José Veedor 4592 f.156v (1661).

<sup>88</sup> ANM Hipólito de Robledo 3849 (1655).

<sup>89</sup> There is no comparable study to this one that touches on the role of apprenticeships in the urban experience of slaves of African descent in Mexico. In one year of research at the notarial archive of Mexico City, I did not come across any apprentice contracts involving the children of African slaves. Historian von Mentz has a database of 200 cases from the 1630s of apprenticed children; she found one boy categorized as a mulato, who was apprenticed to a barber. Brígida von Mentz, *Trabajo, sujeción y libertad en el centro de la Nueva España: esclavos, aprendices, campesinos y operarios manufactureros, siglos XVI a XVIII* (México: CIESAS, 1999), 162.

<sup>90</sup> ANM José Veedor 4595 f.68r (1634).

<sup>91</sup> Chino Domingo de Fonseca acquired a similar license to apprentice his son to a hosier (*calcitenero*). ANM José Veedor 4596 f.529v (1644).

<sup>92</sup> A freed chino named Nicolás, for instance, worked as a paid journeyman for a master tailor. AGN Matrimonios 161 exp.22 (1631).



FROM CHINO TO INDIAN: LIFE AND LABOR  
IN MEXICO'S TEXTILE MILLS

The experience of chino slaves in textile factories points to the complexity of this important industry and its use of coerced and slave labor.<sup>93</sup> The history of slave labor in the obrajes dates from the time of the conquest and the early association of Indians with textile production. In the first years, Spaniards adopted the practice of indigenous rulers of collecting in cotton cloth part of the tribute owed by communities in the Central Valley of Mexico. Then, conquistadors with personal labor allocations (*encomiendas*) used indigenous laborers to develop obrajes as a textile manufacturing system.<sup>94</sup> Textile mills soon became infamous for their brutality. For the rest of the colonial period, the Spanish government struggled to balance the economic interests of this important industry with its responsibility to protect indigenous vassals from overt exploitation.<sup>95</sup>

In the sixteenth century, the oppression of Indian laborers and use of enslaved Indians inspired the colonial government to issue protective legislation to curb the abuses. First, obrajeros were prohibited from using Indian slaves or treating Indians as such. Starting with the New Laws (1542), the Spanish government openly acknowledged the exploitation of Indian workers in these nascent factories and urged colonial officials to intervene. Charles V, for example, explicitly banned the practice of locking up indigenous women “to make them spin and weave cotton” in 1559.<sup>96</sup> Second, the Spanish crown ordered mill owners to employ foreign slaves to move away from any reliance on Indian

<sup>93</sup> The mills varied in size and specialization. The standard structural analysis of the obraje economy is found in Richard J. Salvucci, *Textiles and Capitalism in Mexico: An Economic History of the Obrajes, 1539–1840* (Princeton: Princeton University Press, 1987).

<sup>94</sup> For a history of Indian labor in obrajes, see Carmen Viqueira and José Ignacio Urquiola, *Los obrajes en la Nueva España, 1530–1630* (México: CONACULTA, 1990). Silvio Arturo Zavala, *El servicio personal de los indios en la Nueva España*, 6 vols. (México: Colegio de México, 1984).

<sup>95</sup> Greenleaf and Pratt both suggest that the government's efforts had cursory effects and that Indians worked in close to slave conditions in mills throughout the colonial period. Richard E. Greenleaf, “The Obraje in the Late Mexican Colony,” *The Americas* 23, no. 3 (1967); Francis E. Pratt, “The Obraje in New Spain: A Case Study in the Failure of Royal Authority to Impose Its Will” (Cholula, Puebla: Universidad de las Americas, 1965). The brutality and prison-like conditions are undeniable. Yet, to my mind it is important to distinguish between indigenous laborers who were legally free versus legal slaves, who had no chance of ever escaping the obrajes.

<sup>96</sup> Royal decree transcribed in Luis Chávez Orozco, ed., *El obraje embrión de la fábrica* (México: Talleres gráficos de la nación, 1936), 17.

labor.<sup>97</sup> As such, African slaves and chinos were pressed to work in obrajes to supplement Indian labor starting in the late sixteenth century.<sup>98</sup> Still, indigenous laborers continued to work in the obrajes throughout the seventeenth century and beyond, so the colonial government persisted in its effort to ameliorate their work conditions. Chino slaves benefited specifically from these measures because they were often treated the same as Indians.

The government took concerted actions to implement changes in the mills' labor regime. In 1601, Philip III declared that the "conservation" of the Indians, who were entitled "to live in liberty as vassals," required that they not be allowed to work in obrajes, even if they were paid or sentenced to hard labor as punishment for a crime.<sup>99</sup> In addition, the crown urged officials to exclude the obrajes from the repartimiento system, which delivered Indian laborers to work in industries that were considered vital to the colonial economy for specified periods of time. Instead, mill owners were urged to use "negros or another kind of servile labor."<sup>100</sup> In December 1602, for example, the viceroy, don Gaspar de Zúñiga Acevedo y Fonseca, conde de Monterrey, gave mill owners four months to purchase black slaves and then "to cast out all the Indians working in their obrajes."<sup>101</sup> Enforcement was uneven, but some obrajeros were hit hard; one of the largest mills in Mexico City had to release 120 Indian workers in 1604.<sup>102</sup>

In response, the affected mill owners lobbied the government for special consideration, claiming that the industry as a whole would collapse without Indian labor. The cost of labor was the overriding concern. In their own words, "they did not have the capital to buy the necessary slaves to operate an obraje, which required at least 100 workers."<sup>103</sup> They would go bankrupt from having to buy African slaves "as each *negro* went for

<sup>97</sup> Gonzalo Aguirre Beltrán, "La esclavitud en los obrajes novoespañoles," in *La Heterodoxia recuperada: En torno a Ángel Palerm*, ed. Susana Glantz (México: Fondo de Cultura Económica, 1987), 255.

<sup>98</sup> Several scholars have briefly noted the presence of chino slaves in colonial mills; see Samuel Kagan, "Penal Servitude in New Spain: The Colonial Textile Industry" (Ph.D., City University of New York, 1977), 117. Jonathan I. Israel, *Race, Class, and Politics in Colonial Mexico, 1610–1670* (London: Oxford University Press, 1975), 75–6. Greenleaf, 1967, 241. Silvio Arturo Zavala, *Los esclavos indios en Nueva España* (México: El Colegio Nacional, 1967): 342–5. None of these studies comment on the implications of chino slave labor in the obrajes in regard to the abolition of indigenous slave labor.

<sup>99</sup> Royal decree transcribed in Orozco, 18–30.

<sup>100</sup> Royal decree (1601) transcribed in *ibid.*

<sup>101</sup> Document transcribed in Silvio Arturo Zavala, ed., *Ordenanzas del trabajo, siglos XVI y XVII* (México: Editorial Elede, 1947), 181–8.

<sup>102</sup> Kagan, 88.

<sup>103</sup> Document transcribed in Zavala, 1947, 184–7.

400 pesos.” Taking their threats seriously, the viceroy soon arranged for special licenses to compel Indian laborers to return to work.<sup>104</sup> The crown agreed. In 1609, existing mills were officially allowed to employ Indian workers once again.<sup>105</sup> The industry was simply too important to the local economy to force such a radical change in the workforce, so mill owners received some respite. The official policy became that obrajeros could indeed employ Indians, so long as the individual was paid, had incurred a debt, or had been sentenced to hard labor for a crime.<sup>106</sup> The government, however, remained concerned with reports of excessive punishments and illegal incarceration, which made it seem like obrajeros treated their Indians workers in the same way as the slaves who labored beside them. As such, the government maintained the long-term objective of having obrajeros replace all Indian laborers with slaves. Obrajeros balked at the government’s directive, but they did transition to slave and conscripted labor. They began to buy slaves and turned their mills into workhouses, where authorities sent conscripted criminals.

Obrajeros used this mandate to change their labor policy as an opportunity to change the industry for their own benefit in fundamental ways. By the end of the seventeenth century, non-Spanish operators (*operarios*), rather than Spanish artisans, did most, if not all, work at the obrajes. Laborers who were excluded from trade associations increasingly did the work of making textiles, which had earlier been the preserve of Spanish guild members. Chino slaves, for example, had specialized tasks that corresponded to guild positions; they cleaned the raw wool, carded the fibers, spun the wool into thread, weaved the cloth, and napped it to make it smooth. A chino slave named Simon, for example, was a trained shearer (*tundidor*).<sup>107</sup> In this way, obrajeros increased their own control over production and circumvented guild restrictions. Spanish guild members were left to operate small independent looms (*telares sueltos*) or to work for obrajeros.

In the 1670s, Spanish weavers tried to change their guild’s ordinances to curb the power of obrajeros, but councilmen stymied their efforts by siding

<sup>104</sup> Silvio Arturo Zavala and María Castelo, eds., *Fuentes para la historia del trabajo en Nueva España*, 8 vols., vol. 5 (México: Fondo de Cultura Económica, 1939), 11, 156.

<sup>105</sup> Royal decree (1609) transcribed in Orozco, 31–42.

<sup>106</sup> For example, Gonzalo Perea, a free native of the Philippines, was forced to place his own son in an obraje for four years to pay off a debt of 30 pesos. ANM Juan Pérez de Rivera 4368 f.99v (1651).

<sup>107</sup> AGN General de Parte 8 f.93v (1641). Document transcribed in Silvio Arturo Zavala and María Castelo, eds., *Fuentes para la historia del trabajo en Nueva España*, vol. 7 (México: Fondo de Cultura Económica, 1939), 421–4.

with the latter. The weavers in Puebla were the first to propose new ordinances in 1676, having previously followed the rules established by the guild in Mexico City in 1593.<sup>108</sup> The weavers specifically sought to prevent slaves, “negros, mulatos, or chinos,” from being accredited as journeymen, officials, or masters.<sup>109</sup> In their mind, to have a slave take the examination and be confirmed as a skilled weaver was simply “indecent,” as it diminished the status of the profession as a whole. The weavers, however, had to get these changes approved by the city’s municipal council (*cabildo*), as all guilds had to petition the government to pass and/or change their ordinances. The *cabildo* of Puebla turned down the request. Months later, the weavers’ guild in the capital tried to follow their lead and also petitioned to prohibit chinos, slaves, and freedmen from becoming *oficiales*, but the viceroy rejected the change as well.<sup>110</sup>

The *cabildo* took special exception to the clause changing the eligibility for examinations because it would have meant a reduction in tax revenue. During their first year as masters, all artisans paid a tax called the *media anata*, which usually constituted half of the person’s annual salary. By not allowing “mulatos, mestizos, negros or chinos” to take the examination, the government would have limited the number of men who could become tariff-paying weavers.<sup>111</sup> The government therefore ruled that all men, regardless of their “quality or condition,” who had the required skills could indeed become certified weavers. The only allowance to the guild was that it did not have to accept non-Spaniards as members. In effect, the government allowed *obrajeros* to continue to train and employ non-Spaniards as skilled workers at the highest levels of production and thus enabled them to continue to operate a cheap manufacturing model. The Spanish weavers’ proposals failed because they contravened the government’s financial interest, which overlapped with that of wealthy *obrajeros*.

*Obrajeros* were committed to keeping labor costs at minimum, so they employed debtors and criminals and purchased low-priced slaves. Slave owners made critical market choices; they willingly paid premium prices to purchase slaves of African descent to work in agriculture, but not for textile production. Even though work in the mills was backbreaking, *obrajeros* did not equate this labor with the physical strength and stamina

<sup>108</sup> For an overview of the history of *obrajes* in Puebla, see Alberto Carabarán Gracia, *El trabajo y los trabajadores del obraje en la ciudad de Puebla, 1700–1710* (Puebla: Centro de Investigaciones Históricas y Sociales, Universidad Autónoma de Puebla, 1984).

<sup>109</sup> Documents transcribed in *Legislación*, 111–8.

<sup>110</sup> AGN Ordenanzas 6 exp.39 f.44v (1676). Document transcribed in Zavala 1947, 200–13.

<sup>111</sup> *Ibid.*

required for fieldwork. Though difficult to understand, this labor differentiation played out in the slave market. Mill owners turned to chino slaves because they required significantly less capital outlay than African slaves.<sup>112</sup> Jácome Pasalli, for example, purchased a 30-year-old negro for 440 pesos in 1637 to work in his sugar hacienda; five years later, he paid a fraction of that cost – 145 pesos – for a chino slave who was sent to his obraje.<sup>113</sup> Chino slaves, in other words, were much less expensive than Africans, so obrajeros purchased them when available. A chino slave named Bernardo sold for a low price because he was a renowned runaway; the obrajero who purchased Bernardo was certain that he would not escape again because the workers in his mill were kept in chains at all times.<sup>114</sup> The goal was cheap labor, so obrajeros were even willing to take on high-risk slaves.

Change came slowly, but obrajes came to have a varied workforce, which included slaves (chinos and those of African descent) and free men of all ethnic categories.<sup>115</sup> A chino slave named Anton described an especially diverse atmosphere, where chinos interacted closely with indigenous workers, even if they could not speak “Indian” very well. They also celebrated together, becoming inebriated with *pulque* – a native intoxicant made from maguey.<sup>116</sup> At the other extreme, masters also made workers turn against each other. A chino slave named Luis de Peña, described as a *ladino* (fluent in Spanish), testified that his master made him give six lashes to another slave named Juan, a negro from Mandinga, who had cried out and blasphemed God in despair.<sup>117</sup> Seventeenth-century mills were thus characteristic of the personal conflicts that emerged from contrasting labor systems.

The government was vigilant of the industry through regular visits. Colonial officials inspected the mills’ machinery; checked the quality of the cloth; and most significantly, reported on working conditions by interviewing some of the laborers. The investigators concentrated on workers who were Indians, asking them to identify themselves, say why they were working there, and submit a complaint if necessary.

<sup>112</sup> In my database, 42 of 182 chino slaves with an identifiable urban occupation worked in obrajes.

<sup>113</sup> Documents located at the Biblioteca Nacional de Antropología e Historia (Serie Texcoco Rollo 3, 1637; Serie Texcoco Rollo 5, 1642), cited in Viqueira, 251.

<sup>114</sup> ANM Fernando Veedor 4616 f.659 (1672).

<sup>115</sup> Miño, by contrast, argues that the obrajes were “true factories” and that mill owners did not depend on slave labor. Manuel Miño Grijalva, *La protoindustria colonial hispanoamericana* (México: El Colegio de México, 1993).

<sup>116</sup> AGN Inquisición 456 exp.2 f.55 (1650).

<sup>117</sup> AGN Inquisición 356 exp.20 f.26 (1626).

Remarkably, chino slaves spoke up during these visitations and complained as if they were Indians.

Despite their circumscribed positions, individual chinos took personal initiative to make use of protections for Indian laborers. They may not have been able to leave the mills and make personal connections like other chinos in Mexico City, but they did reach out to the government officials who visited their workplace. Chino slaves claimed they were unjustly enslaved, describing their masters' cruelty in great detail. Thanks to the interventions of these inspectors, who followed through on these accusations, some chinos were actually liberated because they were understood to be Indians and could thus not be kept in bondage. This understanding of their ethnic identity set a precedent for their eventual liberation.

In the 1630s, Viceroy don Rodrigo Pacheco y Osorio, marqués de Cerralvo, took special interest once again in rescuing indigenous workers from the obrajes. The government's protective efforts specifically included chino slaves. Cerralvo's officials, for instance, moved to investigate the case of Mariana, an Indian woman married to a chino slave Anton, who claimed that they were both kept imprisoned in an obraje in the outskirts of Mexico City.<sup>118</sup> Under questioning, the mill owner admitted that he had previously used indentured Indians (*naborías* or *laboríos*), but that they had left, forcing him to rely on slaves. From a legal perspective, the obrajero was in his right to keep Anton in chains, but he could not force his Indian wife to work without pay. The inspector in this case spoke to the obrajero on behalf of the couple, ordering the mill owner to respect their marital rights but also to allow the wife freedom to come and go from the mill as she pleased, which was her right as a free Indian.

The judge (*oidor*) who carried out the visitation of six obrajes in Coyoacán in 1660, don Andrés Sánchez de Ocampo, made the typical assessment: he expressed overwhelming concern for Indians and generally disregarded slaves, with the exception of chinos, whom he associated with indigenous laborers.<sup>119</sup> The *oidor* took special care to get information from Indian laborers because he well knew that obrajeros tried to silence them. He listened carefully, for example, when Nicolas Antonio explained that before the scheduled visit, the mill owner had gathered all the Indians

<sup>118</sup> AGN General de Parte 7 f.149v (1632), transcribed in Zavala and Castelo, 6: 579–80.

<sup>119</sup> AGN Historia 117, documents transcribed in Edmundo O'Gorman, "El trabajo industrial en la Nueva España a mediados del siglo XVII: Visita a los obrajes de paños en la jurisdicción de Coyoacán," *Boletín del Archivo General de la Nación* Enero-Marzo (1940).

and threatened them with longer hours and beatings if they were to complain to the officials.<sup>120</sup> Notably, the judge perceived free chinos to be like Indians and recorded their testimonies together. Chino Diego Juárez, for instance, was listed with the other “condemned Indians.”<sup>121</sup>

The workers at the obraje of Melchor Díaz de Posadas gave particularly evocative testimony of the brutality and exploitation that so concerned the colonial government (Figure 4.3). The workers’ complaints of “bad treatment” (*malos tratos*) included unbearably long hours, beatings with “leather whips” and “rods made from quince trees,” as well as constant hunger. Their sleeping quarters were a “dark galley” – a lightless room below ground that was kept locked during the night.<sup>122</sup> Worse still, the workers lamented that Melchor’s son took sadistic pleasure at beating them, sometimes lacerating them with a whip and then rubbing their wounds with the spiky leaves of maguey plants.<sup>123</sup>

In their complaints, Indians made clear that they had a strong sense of what constituted cruel and unusual punishment, and that they had a right to demand the government’s protection (*amparo*) from overt exploitation.<sup>124</sup> The Indians who had been sentenced to hard labor accepted having to pay for their crimes, but they protested about being treated like “beasts.” Juan de San Francisco, for instance, accepted that he had to work – it was his punishment for having killed a man – but he begged the *oidor* to have him transferred to another obraje to carry out his sentence, where he would no longer be given 100 lashes in sets of 20 when he failed to meet the production quota.<sup>125</sup> Similarly, those who were imprisoned for debt wanted to be allowed to leave the premises while they worked off their loans. María Jerónima, for example, admitted that she owed some pesos to the obrajero but claimed that he had no right to have her beaten and dragged to the mill by her hair to work off the debt. Unlike other “natives who did not dare complain,” María asked that she and the

<sup>120</sup> O’Gorman, 49.

<sup>121</sup> Fabian Álvares, condemned to work for six years and Agustín Pérez (both chinos “libres”) were also listed among the *indios* of the obrasjes where they were held. O’Gorman, 78–9, 82–3, 88.

<sup>122</sup> *Ibid.*, 46–7.

<sup>123</sup> *Ibid.*, 61.

<sup>124</sup> Owensby makes a similar observation about Indians who spoke of “libertad” at the General Indian Court; liberty meant having the protection of the king from “arbitrary” abuses. Brian Philip Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008), 165.

<sup>125</sup> O’Gorman, 44.





FIGURE 4.3. Former Textile Mill, Coyoacán, Mexico City. A great number of chino slaves worked in this textile mill owned by Melchor Díaz de Posadas during the seventeenth century. Present home of the presidency of the Consejo Nacional para la Cultura y las Artes. Photograph by Alexandra Hart Brown and Daniel Fermin Pfeffer.

other Indians “be allowed to live in their liberty and to work wherever they wanted to.”<sup>126</sup>

The petitioners asked the judge to be released “in their liberty,” because forced “enclosure” went against their rights as free Indians.<sup>127</sup> The judge moved quickly. Clearly referring to the prohibitions against indigenous slavery, he ordered the immediate release of a number of Indians. Juan de la Cruz, a Chichimec Indian, was liberated immediately “in conformity to His Majesty’s decrees” and given two pieces of cloth to cover his nudity.<sup>128</sup> In some of the cases, the oidor walked out with the freed individuals to the street to ensure that they would be able to leave the premises.

The oidor also took special note of the complaints made by chino slaves. Following the Indians’ lead, they spoke out and petitioned for government protection. A chino slave named Benito de la Cruz, for instance, successfully asked to be allowed to leave the mill for a few hours each week to visit

<sup>126</sup> *Ibid.*, 65.

<sup>127</sup> *Ibid.*, 52.

<sup>128</sup> *Ibid.*



his daughter, who was an Indian from her mother's side.<sup>129</sup> The judge also complied with the request of a chino named Francisco de la Cruz – he wanted the government to require that the obrajero prove he was a slave or else set him free. Unfortunately, documents dating back twenty years verified that Francisco had been purchased as a temporary slave for a period of thirty-four years, so he likely had to remain at the obraje for the remainder of the contract.<sup>130</sup>

The judge inquired specially about the working conditions of chino slaves who were married to Indian women. For instance, he asked Ana María de la Concepción, the Indian wife of Ventura Rodríguez, if she lived in the mill of her own volition. Did she have any complaints about the way she and her husband were treated? Was she allowed to come and go freely? At that moment, Ana María remained silent, but the judge had good instincts: a year later, she escaped to testify that they had all been beaten after his visit and kept behind locked doors.<sup>131</sup> As before, the liberty of Indian women was an extremely complicated and personal issue. Back in 1656, several of Melchor's slaves, including chinos Ventura Rodríguez and Francisco de la Cruz, had petitioned successfully for the church to force their Indian wives to come live with them in the obraje, along with their children. Years later, the husbands changed their minds, likely because their families were made to work as slaves, when the men well knew that Indians "were not subject to captivity."<sup>132</sup>

Juan de Vega's story shows that chinos emphasized that they were Indians to appeal to the government for protection. In his opening statement before the authorities, Juan noted that he was an "Indian native of the Philippines."<sup>133</sup> He thus petitioned the judge as an Indian vassal, not as a chino as he was categorized in the mill records. He had been forcibly taken to Melchor's obraje to work off a 14-peso debt two years earlier, where he was kept chained and regularly beaten. On the morning of the visitation, the owner Melchor had taken off Juan's chains and told him to hide outside the mill behind some bushes, ordering him to say that he was treated like a free man if the judge were to find and interrogate him. That night, Juan followed the judge to the inn where he was staying to seek protection and to make a formal declaration. On hearing the details, the

<sup>129</sup> *Ibid.*, 44.

<sup>130</sup> *Ibid.*, 59, 96–104.

<sup>131</sup> *Ibid.*, 51, 94.

<sup>132</sup> Melchor Díaz submitted documentation regarding this appeal as evidence that he had permission to keep the Indian women in his obraje. *Ibid.*, 105–11.

<sup>133</sup> *Ibid.*, 70–2.

judge granted Juan "protection of his liberty" and ordered that Melchor pay a fine if Juan was forced to return to the obraje. The judge knew that Juan could well be a slave, and that he could not take his word as the sole proof of his legal status, so he ordered further investigation. The final outcome is unknown, but the judge's initial willingness to protect Juan based on his claim that he was an Indian shows that colonial officials did indeed make the important association between chinos and Indians.

In contrast to the judge's concern with Indians and chinos, he took little interest in slaves categorized as negros and mulatos, even those who described the same hellish treatment as the other workers.<sup>134</sup> The judge reported in a few sentences that he had counted and interviewed all slaves at the end of each visitation and asked them if "they received good treatment." According to his report, the slaves had said that "their master treated them well and that they had nothing to complain about." The judge gave the same general assessment for each of the six mills: he dismissed the slaves' complaints and wrote that all slaves were "content."<sup>135</sup> His official recommendation was that the obrajeros should simply be reminded that they had to obey the ordinances and not maltreat their slaves.

The judge listened to the petitions of chino slaves because he linked them to Indians, not because he sought to protect them as slaves. There were no incentives for denouncing abuses against Indians; it was a legal requirement. Chinos could not be ignored because some of them were natives of the Philippines who were, under the law, true Indians. In contrast, the government never extended the same protections to slaves of African descent, who worked in the textile mills through the eighteenth century.<sup>136</sup>

After 1672, visiting officials had to assume the liberty of the chinos held in obrajes and carry out the necessary procedures to have them freed. In 1675, for instance, the husband of a china named Dominga, who was being held in an obraje, arranged successfully for her to be able "to ask for her liberty."<sup>137</sup> The process of manumission was slow but steady: in

<sup>134</sup> The judge did have Jusepe, a "negro," released for lack of papers showing ownership, but two mulatos were forced to return to work because the court claimed not to have the staff to carry out an investigation on their legal status. *Ibid.*, 50, 95.

<sup>135</sup> *Ibid.*, 57, 76, 81, 85, 88, 90.

<sup>136</sup> Proctor shows that slaves of African descent were of central importance to the textile industry throughout the eighteenth century, especially in Mexico City and Querétaro. His study modifies the older historiographical argument that obrajes did not use slaves because they were too expensive. Frank T. Proctor III, "Afro-Mexican Slave Labor in the Obrajes de Paños of New Spain, Seventeenth and Eighteenth Centuries," *The Americas* 60, no. 1 (2003).

<sup>137</sup> AGN Indiferente 1605 exp.7 (1675).

1687, the visiting official freed some of the last chinos who remained in bondage.<sup>138</sup> In contrast to the earlier manumissions, chino slaves in obrajes after the manumission decrees were issued gained their freedom by judicial order.

People categorized as chinos continued to work in the obrajes into the eighteenth century, but these were all free individuals. They were in the mills to pay off debts, serve a sentence, or simply work for a wage. The obrajes continued to serve the function of a jail, meaning that debt and penal captives did labor behind locked doors, but the remainder of the workforce came and went as they pleased.

#### TEMPORARY BONDAGE

As chino slavery became increasingly problematic because of its association with indigenous slavery, masters had to find a way to continue profiting from their property. For some, the answer was to place them in bondage for a number of years. In January 1672, less than a year before chino slavery was prohibited, an apothecary “transferred the right” he had over a chino named Juan, age 14, to another Spaniard to be his servant for 100 pesos.<sup>139</sup> The contract made no reference to slavery – Juan was to serve his new master until he “or someone else” released him from service by paying the same amount. Temporary service thus became a way to contract and profit from chinos’ labor, which circumvented the restrictions placed on purchasing chinos as slaves. The temporary slavery experienced by chinos points to a critical difference between them and African slaves, because there is little evidence that the latter were sold in Mexico under equivalent terms of service. As such, the use of temporary contracts proved to be a critical step in the process by which chinos ceased to be chattel, whereas black slaves remained in legal bondage.

Another way of thinking about the demographic transformation at the end of the seventeenth century is that the labor system in Mexico gave way to a kind of racialized slavery, much in the way it did in some of the English colonies. In Virginia, English colonists employed indentured servants, primarily from Ireland, who worked side-by-side with free and enslaved Africans in the tobacco plantations.<sup>140</sup> Then, in the 1660s, the colony’s

<sup>138</sup> AGN Hospital de Jesús 318 exp.26 (1701).

<sup>139</sup> ANM Fernando Veedor 4616 f.17v (1672).

<sup>140</sup> Michael Guasco, “From Servitude to Slavery,” in *The Atlantic World, 1450–2000*, ed. Toyin Falola and Kevin D. Roberts (Bloomington: Indiana University Press, 2008), 92.

slave codes hardened along racial lines to control the labor force, so that only black slaves remained in the fields. Similarly, Spanish colonists first depended on forced indigenous labor including Indian slaves for agricultural production. After some reform, the labor system moved toward temporary servitude (*repartimiento*), in which Indians were coerced to work for a specified time but given some pay in recompense. Indigenous slavery, moreover, was prohibited. Chinos arrived in Mexico as legal chattel, but soon, they too benefited from some protections, in part because they were not employed in agricultural production. Some chinos, moreover, became temporary slaves, bonded to labor for a specified period, rather than for life. Finally, chinos joined the free population as Indians. Slaves with African ancestry, on the other hand, remained in bondage. This racial shift in the labor force was primarily apparent in hard labor industries such as sugar production.

Temporary slaves were akin to indentured servants in that colonists purchased chinos' labor for a specified time, from several years to decades.<sup>141</sup> A Spanish widow, for example, sold "the service" of a chino named Francisco for 55 pesos. This amount paid for three years of Francisco's labor "as a slave and captive."<sup>142</sup> During the period of such a contract, masters had absolute power over these individuals, but they were also legally bound to free them when that time ended.<sup>143</sup> For instance, the labor of a chino slave named Ventura was sold to the Hospice of San Jacinto in Mexico City for a period of twenty-five years.<sup>144</sup> The years passed, and in 1656 the Dominican friars manumitted Ventura, acknowledging that the contract had been completed and that he was thus free to "enjoy liberty."

In addition, some chino slaves arranged for manumission by entering into indentured service. Andres Francisco, a chino slave from Portuguese India, secured a loan to purchase his freedom from a Spaniard; part of the

B. H. Slicher van Bath, "The Absence of White Contract Labor in Spanish America During the Colonial Period," in *Colonialism and Migration: Indentured Labour before and after Slavery*, ed. P. C. Emmer (Dordrecht: M. Nijhoff, 1986). David Eltis, *The Rise of African Slavery in the Americas* (Cambridge: Cambridge University Press, 2000).

<sup>141</sup> In the English and French colonies, indentured servitude was a relatively common form of coerced labor, based partly on European medieval precedents. Young migrants willingly, or by force, agreed to work for a set period of time in return for their passage and sometimes other recompense.

<sup>142</sup> ANM Nicolás de Arauz 11 f.92 (1656).

<sup>143</sup> Francisco de la Cruz was first sold at age 11 in Manila "for a period of 34 years of service ... and no more." Document from AGN Historia 117, transcribed in O'Gorman, 96.

<sup>144</sup> ANM Diego de los Ríos 3845 f.38 (1656).

payment was “to be a servant in his house, doing as he was ordered” for a period of six months.<sup>145</sup> In a sense, Andres became an indentured servant, obligating himself to work off part of his debt, but he did so as a free man. Similarly, a chino named Ventura arranged to become a servant in the household of the archbishop of Mexico City, who paid for his freedom in exchange for his labor.<sup>146</sup>

#### CONCLUSION

In 1600, black and chino slaves were instruments of labor; 100 years later, chinos were Indians who had to be paid for their labor.<sup>147</sup> This transformation resulted from royal dictate and personal effort. For more than a century, chinos struggled to gain their freedom, and they sought to be disassociated from the institution of slavery. In these two different but related aims, chinos gained from their association with Indians. In the textile mills, where chino slaves were meant to supplement native workers, they benefited from the crown’s goal of abolishing forced indigenous labor. The government’s concern for the welfare of Indians spread to chino slaves. Having first arrived as chattel, chinos were increasingly seen as temporary slaves, bound to service for a specified time like tributary Indian laborers. As such, individual chinos came to perceive their legal condition as something that could change, and that their time in bondage would come to an end. They looked to the experience of the many freed chinos and free natives of the Philippines and conceived of personal freedom as a real possibility.<sup>148</sup> Ultimately, this came true.

<sup>145</sup> ANM Hernando Arauz 7 f.7v (1621).

<sup>146</sup> AGN Matrimonios 49 exp.84 f.219 (1628).

<sup>147</sup> The crown did legislate regarding the treatment of slaves of African descent, providing certain protections and placing limits on what owners could do to their human property. These laws were codified as book 7, title 5 of the Laws of the Indies, titled “De los mulatos, negros, berberiscos, e hijos de indios.” For a general overview regarding the Spanish efforts to safeguard the lives of all slaves, see Abelardo Levaggi, “La condición jurídica del esclavo en la época hispánica,” *Revista de Historia del Derecho* 1(1973).

<sup>148</sup> The experience of free Filipino immigrants is the topic of [Chapter 5](#).

## Joining the Republic of Indians: Free Filipinos and Freed Chinos

In 1651, Francisco García acquired a replacement license at the General Indian Court to peddle “trifles” through the streets of Mexico City and its environs, his old one having “ripped from being in his pocket for many years.”<sup>1</sup> He obtained this privilege as a tributary Indian (*indio*) matriculated in the indigenous neighborhood (*barrio*) of San Juan. Remarkably, Francisco had been born in Portuguese India and was very likely a former slave. So how did he become an Indian? As it turns out, Francisco was one of many chino slaves who underwent this incredible transformation.

Chinos like Francisco followed in the path of free natives of the Philippines who emigrated to Mexico. These Filipinos (confusingly called chinos as well) laid the groundwork for chino slaves, who, like themselves, became indigenous vassals of the Spanish crown after chino slavery was abolished in 1672. Over time, all of their diverse ethnic identities were folded together into one Indian identity. Prior to abolition, however, Filipino immigrants had to contend with the legal and conceptual ambiguities that connected them to chino slaves of various ethnic backgrounds. Filipino immigrants were indeed Indians – the legal term for all indigenous peoples of Spanish colonies – but they nonetheless had to secure membership in the Republic of Indians in Mexico to benefit from the rights, privileges, and protections

<sup>1</sup> AGN Indios 16 exp.28 f.27v (1651). The same Francisco García appears in an earlier document as one of a group of “chinos” who were able to petition the court because they were “matriculated along with the other Indians of New Spain and paid tribute.” AGN Indios 13 exp.126 f.111v (1641).

given to natives of Mexico.<sup>2</sup> Filipinos, in other words, distinguished themselves from slaves by joining the Republic of Indians.

The evolution from chino slave to indigenous vassal depended on the early presence of native people of the Philippines who emigrated freely to Mexico after Spanish conquest.<sup>3</sup> These free immigrants were impressed sailors who opted not to endure the return journey across the Pacific, traders and artisans, or simply adventurers who decided to seek their fortune in Mexico and profit from the recent launch of the Manila Galleon trade. In Mexico, the viceregal government incorporated them, though not without resistance and hesitations, as indigenous vassals into existing judicial and fiscal structures. Filipinos thus became part of an increasingly multiethnic population and took part in redefining Indian identity in Mexico. They also pioneered a path to corporate membership followed by chino slaves after abolition.

The chapter begins with some context about the Republic of Indians and the legal meaning of indigenous vassalage, with its specified rights and obligations. The [second section](#) examines the economy of Indian status, focusing on the kinds of work done by Filipinos and the tax exemptions they gained as Indians. The [next section](#) shifts focus to chino slaves, who tried to run away at every turn with the aim of joining indigenous communities. Masters countered their efforts by branding them on the face, making it visibly impossible for them to pass as free Indians. This brutality highlights Spaniards' concern with categories and their desire to have distinguishing features to separate slaves from Indians. The chapter's [final section](#) is about the notable success of a number of chinos who transitioned from being slaves to becoming Indians prior to abolition. These men played a vanguard role in broadening the membership of the Republic of Indians in Mexico to people born in Asia.

#### THE MEANING OF INDIGENOUS VASSALAGE

Throughout the Spanish empire, colonized indigenous peoples were generally called Indians (*indios*) in reference to their geographic origin in the Eastern and Western Indies. More importantly, the word denoted that they

<sup>2</sup> In the mid-sixteenth century, Charles V decreed that all natives of the colonies who accepted Christianity and Spanish sovereignty over their land were free vassals and protected from enslavement by the crown.

<sup>3</sup> The actual number of immigrants is incalculable but was necessarily small given the size and frequency of the Manila Galleon.

were peoples who had been conquered, forced to accept Spanish sovereignty over their land, and made to pay tribute. In return, Indians had a distinct legal and fiscal status as vassals of the Spanish king. In this sense, the natives of the Spanish Philippines had the same rights as the natives of the Americas. This legal categorization, however, was complicated because free natives of the Philippines who emigrated to Mexico were generally called *chinos*, which was the same word used for slaves from Asia. Sometimes they were also referred to as “Indios chinos,” or simply as natives (*naturales*). The problematic nomenclature created confusion regarding the legal status of all *chinos*. Free natives from the Spanish Philippines thus found themselves in an ambiguous position in Mexico, for colonial administrators found it difficult to conceptualize indigenous vassalage as it pertained to people who were born in Asia. Confused officials often questioned these men’s legal standing and challenged their claims to Indian privileges. Often taken for slaves, free natives of the Philippines struggled to prove their identity as Indians, constantly having to affirm their free status. To differentiate themselves from slaves, they purposely self-described as Indians; they used the ascription given to them by colonial officials and sought to live among natives of Mexico. Free natives of the Philippines embraced their legal identity as Indians to integrate into local society and thus obtain some benefit from being indigenous vassals of the Spanish king.<sup>4</sup>

For much of the seventeenth century, the lives of these free *chinos* were altogether different from those of slaves. They may have crossed the Pacific on the same ships, but their legal status gave free native people rights and privileges that allowed them to become active members of colonial society. *Chino* slaves fostered personal relations with Indians as well, but they were legally unable to join the Republic of Indians unless their masters freed them. In time, however, the presence of free natives of the Philippines in Mexico resulted in *chino* slaves becoming associated with Indians more generally. The growing uncertainty about the legal status and ethnic identity of native peoples from different parts of the empire prompted the crown to take drastic measures and categorize all *chinos* as Indians, including individuals born in faraway India.

<sup>4</sup> A similar process took place a century earlier in Seville, where natives of the Americas self-identified as being Indians and thus petitioned the courts of the House of Trade and the Council of the Indies for protection from enslavement. Nancy E. van Deusen, “Seeing *Indios* in Sixteenth-Century Castile,” *The William and Mary Quarterly* 69, no. 2 (2012). Esteban Mira Caballos, *Indios y mestizos americanos en la España del siglo XVI* (Madrid: Iberamericana, 2000).



Spaniards instituted a complex governing structure for their empire, which divided the population into two distinct republics (*repúblicas*) or political communities.<sup>5</sup> In Mexico, the indigenous majority belonged to the Republic of Indians (*República de Indios*); Spaniards, free people of mixed descent, and all slaves belonged to the Republic of Spaniards (*República de Españoles*). Under this schema, free natives of the Spanish Philippines belonged to the Republic of Indians, whether they lived in their town of birth or elsewhere in the empire. The structure of the republics was meant to promote political stability (*policía*) and facilitate Spanish dominion. This system, which involved residential segregation, separate local governments, and distinct courts, provided legal structure and certain rights to all native people, including protection from enslavement. Free natives of the Philippines who emigrated to Mexico emphasized that they were members of the Republic of Indians to differentiate themselves from chino slaves (who, as slaves, legally belonged to the Republic of Spaniards). They confirmed their corporate membership by paying tribute and also sought legal protection in the General Indian Court.

According to the policy of residential segregation, Indians were supposed to live in indigenous neighborhoods (*barrios de indios*) or villages (*pueblos de indios*) headed by indigenous leaders.<sup>6</sup> The crown's purported objective was to isolate Indians from corrupt colonists.<sup>7</sup> As part of that effort, the colonial government banned non-Indians from living among the native population.<sup>8</sup> From the crown's perspective, political order required

<sup>5</sup> Historian and missionary Fray Jerónimo Mendieta was among the first to theorize in the late sixteenth century that Spanish America was divided into distinct republics or commonwealths. Woodrow W. Borah, "The Spanish and Indian Law: New Spain," in *The Inca and Aztec States, 1400–1800: Anthropology and History*, ed. George A. Collier, Renato I. Rosaldo, and John D. Wirth (New York: Academic Press, 1982). Rarely used in the early colonial period, the term *república de indios* was widely employed to refer to the Indians' independent governing structures by the mid-seventeenth century.

<sup>6</sup> In a marked change to the initial model, communities of people of mixed descent (*castas*) constituted Indian towns by the late colonial period. Bernardo García Martínez, "Pueblos de Indios, Pueblos de Castas: New Settlements and Traditional Corporate Organization in Eighteenth-Century New Spain," in *The Indian Community of Colonial Mexico: Fifteen Essays on Land Tenure, Corporate Organizations, Ideology, and Village Politics*, ed. Arij Ouweneel and Simon Miller (Amsterdam: CEDLA, 1990).

<sup>7</sup> For a discussion of the bad-example theory ("*teoría del mal ejemplo*"), see Magnus Mórner, *La corona española y los foráneos en los pueblos de indios de América* (Stockholm: Instituto de Estudios Ibero-Americanos, 1970).

<sup>8</sup> The repeated prohibitions argued that Spaniards, *negros*, *mestizos*, and other people of mixed blood abused the Indians, taught them bad customs, and generally encouraged idleness and vice. AGN Indios 10 exp.16 f.198–198v (1631). AGN Indios 12 exp.190 f.119–119v (1635). AGN Indios 11 exp.456 f.358v–360v (1640). The ordinances were

that indigenous vassals live in structured civil communities.<sup>9</sup> This stress on separation proved critical because it explains, in part, why the crown eventually proclaimed that *chinos* could not be slaves. Once all *chinos* were perceived to be Indians, they became indigenous vassals and members of the Republic of Indians, which, by definition, did not have slaves. Under this logic, the only people who remained in the Republic of Spaniards as legal slaves were people of African descent.

Belonging to the Republic of Indians meant paying tribute. In fact, taxation was a major basis for residential segregation. It was simply easier to maintain census figures and calculate tribute amounts if native people lived together.<sup>10</sup> To discourage tax evasion, the colonial government tried to deter indigenous people from leaving their place of birth, but a certain level of mobility was accepted.<sup>11</sup> Indigenous people who wanted to move to different areas were supposed to acquire licenses and then report to the local authorities to be included as tributaries in their new place of residence. So, in 1619, Luis Pérez, categorized as a “native of Manila in the Philippines,” acquired such a license to move with his Indian wife from the town of Justlahuaca on the Pacific Coast to the city of Puebla.<sup>12</sup> Apart from the requirements, free *chinos*, like Luis, readily joined the tribute rolls of indigenous communities in Mexico because taxation gained them membership in new communities and access to needed institutional protections. Tribute was a heavy burden, but it helped sustain the bond between the Spanish king and his indigenous vassals.

The General Indian Court (*Juzgado de General Naturales*) in Mexico City was the single most important institution for *chinos* in Mexico because that is where they endeavored to secure their rights and privileges as

codified as book 6, title 2, law 21 of *Laws of the Indies*. For an analysis of non-Indians living in *pueblos de indios*, see Felipe Castro Gutiérrez, “Indeseables e indispensables: los vecinos españoles, mestizos y mulatos en los pueblos de indios de Michoacán,” *Estudios de Historia Novohispana* 25 (2001).

<sup>9</sup> AGI Indiferente 427 L.30 f.295 (1578); transcribed in Alfonso García Gallo, ed., *Cedulario indiano recopilado por Diego de Encinas*, vol. 4 (Madrid: Ediciones Cultura Hispánica, 1946), 341.

<sup>10</sup> The Spanish state entrusted tax collection to local indigenous leaders. The varied taxes included a uniform head tax (*tributo personal*), a cathedral-construction tax (*medio real de fábrica*), a service tax for royal expenses (*servicio real*), and the legal protection tax (*medio real de ministros*). Charles Gibson, *The Aztecs under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519–1810* (Stanford: Stanford University Press, 1964), 201–5.

<sup>11</sup> The decree was codified as book 6 title 2 law 18 of the *Laws of the Indies*. A royal decree from 1536 codified as book 6, title 1, law 12 of the *Laws of the Indies* allowed Indians to move on their own account.

<sup>12</sup> AGN Indios 9 exp.155 f.73v (1619).

indigenous vassals from the colonial administration. Established in the early 1590s to oversee the legal affairs of the Republic of Indians in Mexico, the body was responsible for the “good government” and “prompt administration” of matters relating to the indigenous population.<sup>13</sup> The court provided legal counsel and served as a place where individual Indians could seek justice and insist that the crown follow through on its promised protections.<sup>14</sup> In theory, only free natives of the Philippines could appeal to the *juzgado*, but freed *chinos* went to the court, claimed to be Indians, and were accepted as such. In availing themselves of a legal recourse to become full members of colonial corporate society, freed *chinos* took part in a larger process through which indigenous peoples in the Spanish empire used litigation as a tool for defining indigenous vassalage. These individuals thus embraced the legal and bureaucratic world of empire.

#### THE ECONOMY OF INDIAN STATUS

The natives of the Philippines who settled in Mexico as free men and women had a very different experience than the *chino* slaves who came on the same ships. In contrast to their enslaved brethren, they could enter into legal contracts, own property, and generally enjoy the same privileges of vassalage as natives of the Americas. Whether they came as sailors, merchants, or artisans, this legal status determined their fate in the New World.

The arrival and development of this unique community happened because of the Manila Galleon. From its founding, the ships of this trade route were primarily operated by sailors who were natives of the

<sup>13</sup> The crown approved the establishment of this legal body in 1591, which began functioning in 1592. Its role and administration were codified as book 6, title 1, law 47 of the Laws of the Indies. The classic work on the topic is Woodrow W. Borah, *Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (Berkeley: University of California Press, 1983). Recent scholarship has emphasized indigenous agency and the changing ways in which native peoples used the court to assert their rights. Brian Philip Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2008).

<sup>14</sup> The records of the General Indian Court are housed at the AGN as part of the *Indios* section. There were no legal fees. The court was sustained by a tax of half a real (*media anata*) levied on every indigenous person; Borah refers to this as “legal insurance.” The *juzgado* consisted of a number of officials who primarily dispensed major civil and criminal cases and attended to appeals sent from the lower courts by the indigenous governors and councilors who carried out justice for minor crimes at the local level. Indians could appeal their sentences first to the *juzgado*, then the *Audiencia* (major court), and finally to the Council of Indies in Seville. It also issued individual licenses, special dispensations, and writs of protection (*amparos*).

Philippines.<sup>15</sup> They were a varied lot. Some were veteran sailors; others, especially at the lowest ranks, were unseasoned men who were forced into service as mariners as part of their labor obligation to the crown. Their inexperience and the general lack of provisions made the long navigation across the Pacific a truly dangerous and miserable experience.<sup>16</sup> As a result, an untold number of native sailors decided to settle in Mexico.<sup>17</sup> As evident in royal treasury records, some of them remained at the port of Acapulco, servicing the Galleon in some way, whereas others moved on to other places and occupations.<sup>18</sup> That said, when officials in Manila wrote about these seamen, they described them as “going and coming” from the Philippines, which suggests that the majority of native sailors returned to their families.<sup>19</sup>

<sup>15</sup> William Lytle Schurz, *The Manila Galleon* (New York: E. P. Dutton, 1959), 251–2. Native sailors from the Philippines remained the norm through the colonial period. AGN Marina 78 exp.13 f.189 (1790). In addition, there were some years when a number of the soldiers on board were natives of the Philippines; see Matthew Furlong, “Soldiers, Sailors, and Salesmen: Pampangan Service and Ethnicity in Colonial Mexico, 1591–1691” (paper presented at the XIII Reunión de historiadores de México, Estados Unidos y Canadá, Querétaro, México, October 2010).

<sup>16</sup> A decree codified as book 9, title 45, law 53 of the Laws of the Indies speaks to the misery of the common sailors – “indios de Filipinas” – who died in such numbers that the crown had to threaten to penalize the captains of the galleons for lives lost as a result of inadequate clothing and lack of food. The sailors had to fish to supplement the rations given to “people in service,” which mainly consisted of hardtack. AGI Contaduría 897 (1590).

<sup>17</sup> Oropeza estimates that 3,360 mariners and carpenters from the Philippines came on ships between 1565 and 1700 and suggests that many stayed in Mexico. Déborah Oropeza Keresey, “Los ‘indios chinos’ en la Nueva España: la inmigración de la nao de China, 1565–1700” (Ph.D., El Colegio de México, Centro de Estudios Históricos, 2007).

<sup>18</sup> There are countless appointments (*nombramientos*) of “indios chinos” as common mariners or mates (*grumetes*) in the Marina section of the AGN, as well as in the Archivo Histórico de Hacienda; for examples, see AGN Marina 2 (1592); AGN Hacienda 308 exp.2 (1702). Mates were paid 4 gold pesos per month, plus rations. Skilled laborers, such as carpenters and blacksmiths, earned up to 100 gold pesos annually. Treasury records separated individuals into categories, so there was a separate list of the chinos who were based at the port. In one year alone, the crown paid 1,366 pesos in salary to “indios de Filipinas.” AGI Contaduría 898 f.927 (1592). Similarly, in 1607, officials recorded the salaries of 72 indios chinos who worked as porters, carpenters, blacksmiths, and mates. AGI Contaduría 902 (1606). Notably, a few slaves were sometimes included in these lists, but the category next to their names always denoted that they were a “slave” to distinguish them from the free natives of the Philippines. The two slaves in the 1607 list, Antonio Macan Bique and Lorenzo Malabar, were likely from the Island of Macan and the Malabar Coast as suggested by their names. The lists for some years did not include slaves; see, for example, AGI Contaduría 903 (1615).

<sup>19</sup> AGI Filipinas 27 N.110 f.666 (1619). In addition, sailors generally received their salaries in installments, so it behooved them to return to the Philippines to collect all of it. Schurz, 209–12.

Free natives of the Philippines who stayed in Mexico tended to marry local indigenous women.<sup>20</sup> By marrying native Indians, free *chinos* gained immediate membership in the Republic of Indians and access to extended kinship groups. Notably, some of these men were previously married in the Philippines, which got them into trouble as bigamists. In the eyes of the Catholic Church, the transpacific voyage did not sever the indissoluble bonds of matrimony.<sup>21</sup> The great distance from the Philippines did not preclude chance encounters. Soon after Baltasar Melchor arrived on the galleon *Nuestra Señora del Socorro* in 1668, he found employment as a servant in a hacienda called Apusagualco, located to the northwest of Acapulco.<sup>22</sup> Apparently Baltasar did not realize that the larger community had a significant number of other natives of the Philippines who regularly traveled to and from the port carrying news.<sup>23</sup> Within days of his marriage, at least five people came forward to denounce Baltasar as a bigamist, reporting him to the local cleric as well as to the owner of the hacienda. Among those who denounced him were several native sailors (*marineros chinos*) who knew him back in the province of Cagayan. In addition to testifying to these men's desire to form local ties, Baltasar's experience also points to the close ties that were maintained between the two colonies by sailors who journeyed back and forth across the Pacific.<sup>24</sup>

In a settlement pattern established early on in the history of the Manila Galleon, many native sailors found temporary shelter, and some a permanent home, in the town and parish (*doctrina*) of Coyuca near Acapulco, where there was a special neighborhood for these men called San Nicolás

<sup>20</sup> We have information regarding the marriage of 165 free and enslaved *chinos*, living primarily in Mexico City, Puebla, and Acapulco. Of these, 32 *chinos* married native Indian women.

<sup>21</sup> For a study of the prevalence of second marriages, see Richard Boyer, *Lives of the Bigamists: Marriage, Family and Community in Colonial Mexico* (Albuquerque: University of New Mexico Press, 2001).

<sup>22</sup> AGN Inquisición 612 exp.4 f.495 (1669).

<sup>23</sup> The hacienda of Apusagualco belonged to the ecclesiastical jurisdiction of the Costa de la Mar del Sur (region between Zihuatanejo and Acapulco), which was divided into two benefices, Atoya and Tecpan; in 1683, the area had 2,235 parishioners (*personas de confesión*), including "Indians, españoles, mulatos y chinos." Alberto Carrillo Cázares, *Partidos y padrones del Obispado de Michoacán, 1680-1685* (Zamora: El Colegio de Michoacán, 1996), 335.

<sup>24</sup> Similarly, in 1609, a native of the Philippines named Agustín reported that a *chino* sailor had committed a crime by marrying a certain *mulata*; he could testify that the man's first wife (who was Agustín's aunt) was very much alive back in the Philippines. AGN Inquisición 285 exp.61 f.258 (1609).

Obispo. By the mid-eighteenth century, Coyuca had a significant community of *chinos* who traced their origins to the “indios filipinos who came from Manila in the Galleon . . . [and] ended up staying and marrying Indian women from other towns.”<sup>25</sup> Native mariners, who may have had every intention of going back to the Philippines, instead remained in this “comfortable” place, becoming members of a vibrant and diverse Indian community.<sup>26</sup>

In a letter to the Spanish king from 1619, Sebastián de Pineda, a naval officer, explained that Indians from the Philippines had introduced coconut wine (*vino de cocos*) to Mexico, which was very popular among the natives of Mexico.<sup>27</sup> Purportedly driven by the need for skilled wine makers, the native men “who came as common seamen” were often lead away by locals, so that “scarcely any of them returned to the Philippine Islands.”<sup>28</sup> According to Pineda, the galleon *Espiritu Santo*, which sailed from Manila with seventy-five native seamen, returned with no more than five. Such an exodus was likely a rare case, but other evidence testifies to *chinos*’ involvement in the coconut wine industry.<sup>29</sup> In this sense, the Galleon trade gave natives of the Philippines some opportunities for

<sup>25</sup> AGN Tierras 3624 exp.9 (1757). Coyuca had a *doctrina* (Indian parish) with 120 “chino families” in 1746. José Antonio Villaseñor y Sánchez, *Teatro Americano: descripción general de los reynos y provincias de la Nueva España y sus jurisdicciones*, ed. Ernesto de la Torre Villar (México: Universidad Nacional Autónoma de México, 2005), 258.

<sup>26</sup> AGN Tierras 3624 exp.9 (1757). Part of the letter is quoted in Rolf S. Widmer, *Conquista y despertar de las costas de la Mar del Sur* (México: CONACULTA, 1990), 91–3.

<sup>27</sup> Pineda understated the drink’s popularity among all sectors of society. In fact, local officials were forced to shut down taverns that sold cheap and strong coconut wine in the region of Colima because its sale was reducing the demand for Castilian wine. AGN Ordenanzas 1 exp.144 f.130v (1610). At the same time, the government regularly issued licenses to sell coconut wine, with the caveat that vendors not sell to Indians. AGN Ordenanzas 5 exp.64 f.93v (1671).

<sup>28</sup> AGI Filipinas 38 N.12 (1619). Transcribed and translated as Sebastián de Pineda, “Relation Regarding Philippine Ships and Shipbuilding,” in *The Philippine Islands, 1493–1803*, ed. Emma H. Blair and James A. Robertson, 55 vols., vol. 18 (Cleveland: The A. H. Clark Company).

<sup>29</sup> For a discussion regarding coconut wine production, see Claudia Paulina Machuca Chávez, “Cabildo, negociación y vino de cocos: el caso de la Villa de Colima en el siglo XVIII,” *Anuario de estudios americanos* 66, no. 1 (2009). This article includes transcribed fragments of testaments that list winemaking equipment that belonged to natives of the Philippines. For a discussion of local government and the *indio chino* community in Colima, see Claudia Paulina Machuca Chávez, “El alcalde de los *chinos* en la provincia de Colima durante el siglo xvii: un sistema de representación en torno a un oficio,” *Letras Históricas* 1, no. Otoño-Invierno (2009); Henry J. Bruman, “Early Coconut Culture in Western Mexico,” *Hispanic American Historical Review* 25, no. 2 (1945); Henry J. Bruman, “The Asiatic Origin of the Huichol Still,” *Geographical Review* 34, no. 3 (1944).

physical and occupational mobility, with many making the voyage as mariners, but remaining in Mexico to work in more remunerative occupations.

Natives of the Philippines also got involved in making and selling other types of alcoholic beverages, including *pulque* and *aguardiente* made from the agave maguey plant, which is indigenous to Mexico.<sup>30</sup> Melchor de los Reyes, originally from Manila, traded maguey products, which he marketed for their “approved medicinal” qualities.<sup>31</sup> Similarly, chino Juan Ramos sold *aguardiente* as a service to his customers, who “benefited” from this “healthy” beverage.<sup>32</sup> It is not clear why natives of the Philippines ended up in the spirits industry, but perhaps there was something about these chinos’ foreignness that heartened consumers to purchase controlled beverages from them. Another, less essentializing, possibility is that individuals with more opportunities disparaged alcohol production, which opened this labor market to free chinos.

In addition to the sailors, the Manila Galleon carried free natives of the Philippines who emigrated in search of opportunity. Juan Mateo, described as a “free native of the Philippine Islands” and “fluent in Castilian,” entered into a contract to borrow a large sum from a gentleman in Mexico, which he agreed to pay back by working as his personal servant.<sup>33</sup> The service contract assured him of a wage and room and board, as well as medical treatment in case of injury or sickness. We do not know why Juan needed the money, but his ability to acquire such capital and steady employment speaks to the possibilities available to immigrants.<sup>34</sup> These men were acculturated and had some knowledge of the Spanish labor system, which allowed them to secure important work guarantees through service contracts that were of course unavailable to chino slaves.

Emigrants from the Philippines sometimes traveled in small groups and kept in touch with one another after settling in Mexico. When Juan Gutiérrez petitioned for a license to marry an Indian woman, he presented two men who could testify to his marital status, having known him for more than twenty years.<sup>35</sup> Both Juan Sánchez and Agustín Solaques were

<sup>30</sup> Vidal Salazar Solano, “La industria del bacanora: historia y tradición de resistencia en la Sierra Sonorense,” *Región y sociedad* 19 no. 39 (2007).

<sup>31</sup> AGN Indios 10, exp.212 f.115v (1630).

<sup>32</sup> AGN Indios 10, exp.249 f.142 (1630).

<sup>33</sup> ANM Hernando Arauz 9 f.322 (1637).

<sup>34</sup> Similarly, a free native of the Philippines named Simón apprenticed himself to a Spanish silk maker. ANM Juan Porras Farfan 3363 f.262 (1600).

<sup>35</sup> AGN Matrimonios 98 exp.112 f.298 (1612).



natives of Pampanga in the Philippines. The three men had moved together to Manila as young boys and then made their way to Mexico City, where they settled into different professions and married local Indian women, all the while maintaining close relations with one another.

Given that natives of the Philippines followed a trade route to Mexico, it is unsurprising that many of them were involved in commerce at various levels. From the perspective of the crown, it was advantageous to encourage Indians to engage the market economy through small-scale trading, so that they would then be able to make part of their tributary payments in cash. As such, the colonial government dictated that Indians were the only people who could sell native products. Generally called fruits of the earth (*frutas de la tierra*), these included fruits and vegetables, fowl, salt, honey, and firewood. Indian trading was also supported through tax exemptions. As long as they trafficked in indigenous goods and products, they did not have to pay sales tax (*alcabala*).<sup>36</sup> The ban on non-natives was also meant to discourage Spanish middlemen, who were known to underpay Indian producers and overprice the goods they then sold in urban markets. The prohibitions on selling fruits of the earth extended to slaves as well, so as to prevent Spaniards from having them trade on their behalf.<sup>37</sup> A few chino slaves appear in the records as receiving trading licenses, but these were instances when their masters circumvented regulations by petitioning the high court, or the viceroy, for special trading privileges. Doña Francisca de Torres, for example, received license from the Audiencia of Mexico for her chino slave Antonio de la Cruz to peddle sundry goods “de Castilla, China, y de la tierra.”<sup>38</sup>

Regulations on indigenous trading and tax exemptions in Mexico made reference to free natives of the Philippines starting at the end of the sixteenth century.<sup>39</sup> A viceregal decree from 1592 was very specific: “Indians chinos matriculated with the other Indians of Mexico who paid their tribute” did not have to pay sales tax, except if they sold silks from

<sup>36</sup> The 1567 decree regarding Indians being allowed to trade native products was codified as book 6, title 1, law 25 of the Laws of the Indies.

<sup>37</sup> An early order against “negros and mulatos free or enslaved” specified that chickens and fruits “were things that belonged to Indians.” AGN Reales Cédulas Duplicadas 3 exp.24 f.12 (1587).

<sup>38</sup> AGN Indiferente 4601 exp.29 (1650). There were also a few instances of Indian women being allowed to have their slaves sell native goods on their behalf. AGN Indios 15 exp.74 f.53 (1648).

<sup>39</sup> The previously mentioned trader Gabriel Macalinao had to pay *alcabala* because his merchandise was foreign rather than local indigenous products. AGN Indios 6 exp.78 f.17v (1591).



Castile or China.<sup>40</sup> The exemption was a direct reference to the Manila Galleon trade, which primarily consisted of Chinese textiles. Officials likely did not want native traders of the Philippines claiming to be exempt from the alcabala tax for the sale of foreign textiles. They were thus careful to note that they could only sell products grown or made in Mexico, rather than merchandise from the Philippines or elsewhere in Asia.

During the first decades after the conquest, a number of elite natives of the Philippines were directly involved in the burgeoning Galleon trade. In 1594, Tomás Pangasinam, described as an Indian chino, paid more than 13 pesos in import duties on the clothes (*ropa de china*) he brought from the Philippines to sell in Mexico.<sup>41</sup> A few years later, Gabriel Macalinao, a “native chief of the province of Cebu in the Philippine Islands,” reported his partnership (*compañía*) with a Spaniard, with whom he operated an export–import business involving Chinese merchandise.<sup>42</sup> Elite indigenous traders markedly decreased their involvement in the Galleon business over the course of the seventeenth century. In part, they may have come to resent having to pay sales tax, but there were also more personal reasons. The experience of Marcos García, a “chino native of the Philippines Islands,” illustrates the discrimination that likely lessened their involvement over the years. In 1608, Marcos filed a complaint against port officials, who “maltreated him” whenever he was in Acapulco, always trying to get him to be their servant.<sup>43</sup> Marcos understandably resented the assumption that he was available for service or, worse, that he was for sale. All he wanted was to be left alone and allowed “to make deals and trade freely.” The port officials likely had a bias based on their previous experiences with free chinos who worked as paid servants and chinos slaves. If this was a common pattern, it is not surprising that elite Indians of the Philippines ceased wanting to continue to travel back and forth to Mexico, where officials disregarded their social standing and mistreated them because they were associated with servants and slaves. Despite these kinds of misunderstandings, many natives of the Philippines decided to stay and take advantage of the trading opportunities within Mexico that were available to them as indigenous vassals of the Spanish crown.

These men engaged the trading economy in Mexico in different ways. Most free chinos were itinerant traders (*ambulantes*), bringing everyday

<sup>40</sup> AGN Indios 13 exp.112 f.92 (1640).

<sup>41</sup> AGN Hacienda 1291 f.233 (1594).

<sup>42</sup> AGN Indios 6 exp.78 f.17v (1591).

<sup>43</sup> AGN Indiferente 3724 exp.22 (1608).

goods to the city's different neighborhoods. With baskets on their backs or with the aid of a pack animal, they would walk through the streets, calling out their prices and sometimes stopping at corners to encourage customers to approach them. Francisco Flores, a chino peddler, hawked his goods throughout Mexico City, stopping in plazas, streets, and small markets (*tianguis*).<sup>44</sup> These itinerant traders spoke of supplying city residents with fresh products as an important service. Francisco Matías, for example, said that his work selling honey was "profitable and useful" to his customers.<sup>45</sup> Other free natives of the Philippines had semipermanent stalls (*tendejones*) or simply small tables (*mesillas*) in the city's markets, including the largest one at the main square (*plaza mayor*). In addition, a few chinos were long-distance traders with mule trains, which allowed them to engage in wholesale commerce.

Trading licenses were a critical economic tool for free chinos. Indigenous people did not have to acquire a specific permit to trade in native goods, as that would have involved inordinate paperwork. Individual traders could, however, acquire such a license if they believed that their privileges were being infringed on. A copy of the license then served as proof of their right if, for example, tax officials tried to collect sales tax or charge them other fees. Free natives of the Philippines commonly experienced this kind of harassment. They were at a disadvantage over other native traders because of their association with chino slaves. Officers questioned their status and even tried to prevent them from carrying out their trade. Notably, these traders fought back and regularly appealed for trading licenses from the General Indian Court. Chino Juan Salvador petitioned for a license to sell iron scrap (*ferro viejo*) in the main plaza to fulfill his tributary obligations.<sup>46</sup> The recurring refrain in trading licenses given to chinos was that the viceroy "ordered His Majesty's justices and ministers not to impede" the individual holder from making use of it.<sup>47</sup>

Local tax officials were the main culprits when it came to questioning the trading and selling rights of free chinos. Time and again, free chinos had to explain that they were "free from captivity," born in the Spanish Philippines and therefore free Indians. Antonio de la Cruz, who identified

<sup>44</sup> AGN Reales Cédulas Duplicadas 35 exp.238 f.230 (1644). AGN Reales Cédulas Duplicadas 48 exp.323 f.219 (1644).

<sup>45</sup> AGN Indiferente 3456 exp.21 (1650). Juan Antonio, "matriculated with the natives of San Juan," similarly peddled honey. AGN Indios 20 exp.63 f.38 (1656).

<sup>46</sup> AGN General de Parte 7 exp.221 f.147 (1632).

<sup>47</sup> AGN Indiferente 3681 exp.45 (1644). AGN Indios 24 exp.85 f.48v (1665).

himself as a “free Indian chino,” appealed for protection on several occasions to the General Indian Court.<sup>48</sup> He and his wife Magdalena Luisa, a “native Indian,” ran a small shop out of their home in the city of Puebla, selling native bedding (*petates*), cotton cloth, seeds, firewood, and other indigenous products. In 1639, they complained that a local tax collector claimed that they owed him the alcabala tax. Antonio knew, however, that he and his family were exempt from this tax because they were Indians. Antonio said he was a “native” and “had to be judged as such,” adding as proof that he and his wife were matriculated in the tribute rolls of the Indian neighborhood of Analco. He therefore requested that the *juzgado* issue an order (*mandamiento*) to prevent officials from harassing him on this matter. A year later, Antonio returned to the capital for a writ of protection (*amparo*). Local officials had continued to insist on payment and also raised questions about his weights and measures, perhaps in an effort to pressure him into paying a bribe. Antonio does not appear in the records again, so the letter of protection may have convinced the local justices to abstain from making further demands. It is also possible, however, that he continued to struggle to run his business as local officials saw him as an easy target because he was different.

The experience of Juan Cato, a chino slave, is indicative of the oversight. He spent his days hawking cacao and sugar through the streets of Mexico City to sustain his master.<sup>49</sup> To do this work, Juan’s master, like other slave owners, had to receive special dispensation from the viceroy and swear that he would pay the appropriate sales tax. Tax officials were notorious for badgering peddlers to show their licenses and for imposing fines on those who did not have them, so masters were inclined to comply with the licensing rules. The purpose of this paperwork was to ensure that slave owners did not enjoy the tax exemptions given to native peddlers by having their chino slaves pass for Indians.<sup>50</sup>

The need to reiterate the sales tax exemption for free natives of the Philippines on several occasions is also indicative of their difficulties. In 1631, five traders who had stands in the main plaza specifically requested that the *juzgado* reissue the decree, which was given to all “free Indians

<sup>48</sup> AGN Indios 11 exp.166 f.136v (1639); AGN Indios 11 exp.468 f.373 (1640).

<sup>49</sup> AGN Reales Cédulas Duplicadas 18 exp.26 f.39v (1650).

<sup>50</sup> Claiming to be “very poor,” doña Francisca Torres acquired special dispensation to have her chino slave Antonio de la Cruz peddle sugar but was strongly reminded that she had to pay taxes (*reales alcabalas*) and a fee for the right to trade (*derecho de la media anata*). ANM José Veedor 4590 f.296v (1650). AGN Indiferente 4601 exp.29 (1650). AGN Reales Cédulas Duplicadas 18 exp.758 f.287v (1654).

chinos native of the city of Manila in the Philippine Islands who trade in this city.”<sup>51</sup> Less than ten years later, another group of chino traders returned to the juzgado to complain that the alcabala tax collector continuously harassed them and refused to treat them like Indians.<sup>52</sup> In 1658, Gonzalo Márquez de la Cruz similarly complained that justices often demanded payment, going so far as to prevent him from carting his products, when he was well aware that he had the right to sell fruits of the earth because he was a tributary.<sup>53</sup> He also knew that the one major exception for Indian traders was that they could not sell *pulque* (an alcoholic beverage made from maguey). Gonzalo’s petition to the juzgado is exemplary of other chinos who showed themselves to be well-informed legal subjects.

The prejudice experienced by these men was a repeating pattern. In 1641, several chino peddlers filed suit against the municipal council for attempting to charge them for having stands in the main plaza. As in the sales tax issue, the juzgado decided in their favor, excusing all chinos who “were matriculated with the Indians of Mexico and paid their tribute” from having to pay fees (*sitios*) to participate in the market.<sup>54</sup> Their willingness to keep appealing to the juzgado testifies to chinos’ persistence and knowledge of colonial institutions. Moreover, their experience shows that free natives of the Philippines were involved in a constant struggle with colonial officials, who did not always accept that they were true Indian vassals, hinting at the obstacles faced by people who seemed to transgress ethnic categories.

It took decades for officials at all levels to accept that natives of the Philippines were true indigenous vassals, legally no different from natives of Mexico. At the beginning of the seventeenth century, even the judges of the juzgado distinguished between free chinos and other Indians. For example, in 1604, Manuel Sánchez, a “native of the Philippine Islands,” complained that certain officials “impeded his trade,” which involved going to nearby Indian villages to purchase poultry and eggs and then selling the merchandise in Mexico City.<sup>55</sup> He was issued a license to carry on with this trading but also warned not to “aggrieve the Indians,”

<sup>51</sup> AGN Indios 13 exp.112 f.92 (1640).

<sup>52</sup> Just a year later, Juan de la Cruz, a “chino libre” who owned a provisions store (*tienda de bastimentos*), appealed to the juzgado for an individual protection order, asking for a notarized copy of the viceroy’s 1640 decree. AGN Indios 13 exp.248 f.219 (1641).

<sup>53</sup> AGN Tierras 2956 exp.52 f.98 (1658).

<sup>54</sup> AGN Indios 13 exp.126 f.111v (1641).

<sup>55</sup> AGN Reales Cédulas Duplicadas 5 exp.38 f.9v (1606).

implying that the justices perceived him to be somehow different from other Indians. The license to trade in indigenous products was granted in acknowledgment that Manuel was an Indian, so it is unclear why it includes a reference to the common notion that outsiders took advantage of Indians. At this early date, there was an apparent sense that these *chinos* were not true Indians.

Apart from trading and the associated tax exemption, natives of the Philippines also sought out licenses to engage in certain occupations. The most interesting case involved *chinos* who were barbers.<sup>56</sup> As a group, these men sustained a decades-long dispute with Spanish barbers, who tried to keep them from practicing their craft. In 1635, the Spaniards convinced the viceroy to limit the number of licenses given to free *chinos* to twelve, and also to exclude them from certain parts of the city.<sup>57</sup> The native barbers, however, put up a strong defense, arguing that they had a right “to enjoy the same privileges as the Indian natives of this kingdom [Mexico].” In terms of indigenous rights, it is notable that *chino* barbers clearly employed the rhetoric of vassalage in their appeals. As early as 1625, *chino* Francisco Antonio petitioned to be able to carry out his barber’s profession in recognition that he paid his tribute.<sup>58</sup> Moreover, he claimed to give haircuts and shaves only to poor men like himself, suggesting that he posed no threat to Spanish barbers who had a different clientele. Similarly, in his petition for a barber license, Pedro de Asqueta, described as a free *chino*, said he was an Indian from the Philippines who had paid tribute in Mexico for more than twelve years.<sup>59</sup> Moreover, like traders, *chino* barbers also went to the *juzgado* to seek protections from abusive officials. Antonio de la Cruz bitterly complained of officers who “disturbed” him, arguing that he had every right to live in his barbershop and do business because he was a tributary of His Majesty.<sup>60</sup>

<sup>56</sup> Dubs and Smith erroneously assumed that the barbers mentioned in a *cabildo* ordinance were in fact from mainland China. Homer H. Dubs and Robert S. Smith, “Chinese in Mexico City in 1635,” *The Far Eastern Quarterly* 1, no. 4 (1942).

<sup>57</sup> The Spaniards made their appeal through the Audiencia. ANM Francisco de Rivera 3857 f.15v (1660).

<sup>58</sup> AGN Indiferente 3303 exp.8 (1625).

<sup>59</sup> AGN Indios 15 exp.29 f.20v (1648). Juan Agustín, another free *chino*, submitted a petition on the same day. AGN Indios 15 exp.28 f.20v (1648).

<sup>60</sup> AGN General de Parte 8 exp.66 f.46v (1641). The same Antonio returned to demand justice several years later. AGN General de Parte 9 exp.116 f.78 (1643). Another *chino* barber Francisco Vélez also complained of being hassled. AGN Indios 15 exp.86 f.154v (1649).

In 1670, Spanish barbers noted that there were more than 100 chino barbers operating illegally within the city walls.<sup>61</sup> The Spaniards' recurring complaints point to the very real competition they faced from chino barbers, whose economic success depended in some part on their understanding of how to benefit from corrupt practices. Natives of the Philippines like Silvestre Vicente who acquired these barber licenses had to pay the *media anata* tax, which went toward paying the official who was supposed to enforce the twelve-licenses limit.<sup>62</sup> The mechanism for imposing restrictions was readymade for fraud. Officials surely made more money by accepting bribes from individual barbers to look the other way than they did from their salary. As a result, many chino barbers were able to operate without a license in the informal economy.

Free chinos interacted with the colonial government in much the same way as other indigenous vassals, willing to fulfill their obligations to the Spanish king so long as the colonial government protected them from abuses. The juzgado served as a place for natives of the Philippines to seek out justice vis-à-vis abusive landowners. Juan Jéronimo, a chino from the province of Panpanga in the Philippines, considered himself a poor and abused man (*hombre pobre*).<sup>63</sup> In 1654, Juan came before the court to ask for a writ of protection against a Spanish cleric, who allowed his cattle to roam free and spoil Juan's maize fields. In Mexico, agriculture was clearly designated as the work of Indians, who were required to provision Spaniards and render part of their tribute in maize.<sup>64</sup> Referencing this obligation, Juan argued that he needed the juzgado to prevent further damage to his crops.<sup>65</sup>

Beyond occupational rights and other protections, the benefits of Indian vassalage extended to important social privileges; chinos hastened to claim

<sup>61</sup> AGN General de Parte 14 exp.40 f.38v (1670).

<sup>62</sup> The *media anata* was instituted in 1641; individuals who received an office or merced from the crown had to pay half a year's rent. The decree was codified as book 8, title 13, law 4 of the Laws of the Indies. AGN Reales Cédulas Duplicadas 48 exp.136 f.56v (1643). Juan Agustín similarly documented that he had paid the tax to have a barber stand in the main plaza. AGN Indios 15 exp.62 f.44v (1648). AGN Reales Cédulas Duplicadas 18 exp.507 f.249v (1653).

<sup>63</sup> AGN Indios 17 exp.40 f.62v (1654).

<sup>64</sup> A royal decree from 1552 chastised the colonial government for shutting down markets in nearby indigenous villages "to make the Indians go sell their goods in Mexico City." Transcription in Alfonso García Gallo, ed., *Cedulario indiano recopilado por Diego de Encinas*, vol. 4 (Madrid: Ediciones Cultura Hispánica, 1946), 353.

<sup>65</sup> In his analysis of *amparos*, Owensby argues that Indians conceived of freedom (*libertad*) as the privilege they paid for with their tribute and labor, which entitled them to ask for the crown's protection from abuse. Owensby, 164–6.

them in the face of frequent discrimination. Indians were generally not allowed to carry arms or ride a horse. These were considered “liberties” that were the prerogative of Spaniards.<sup>66</sup> As in other matters of privilege, native men (mainly notables) were allowed to petition the *juzgado* for exemptions. Marcos de Villanueva was a member of the indigenous elite (*indio principal*) of the province of Pampanga in the Philippines, and he served the crown for many years in various capacities. Having settled in Mexico, Marcos requested a license to carry a sword and dagger “in consideration” of his loyalty to Spain.<sup>67</sup> Similarly, Antonio Quirós, a native “gentleman” (*caballero*) from the Philippines, insisted that his lineage gave him the right “to enjoy preeminence,” which for him meant being able to bear arms and ride a saddled horse.<sup>68</sup>

The experience of Balthazar de San Francisco, a native of Manila, points to the evident prejudice experienced by indigenous elites, even those who could use the honorific *don*. Balthazar, who wore a sword and dagger for the “ornament and protection of his person,” had to appeal to the *juzgado* in 1611 to recover his weaponry, which had been confiscated by the mayor of the town of Sumpango in Guatemala.<sup>69</sup> Perhaps jealous of Balthazar’s privileged position, the mayor had tried to bribe Balthazar to return his property. Incensed, Baltasar traveled all the way to Mexico City to obtain an order that would allow him to recover his armaments and thus correct the wrong that had been done to his honor and person.

As these cases indicate, the right to bear arms was a critical marker of social status. Especially during the late sixteenth and early seventeenth centuries, free natives of the Philippines sought out this privilege to set themselves apart from enslaved *chinos*. Various ordinances specifically outlawed *chino* slaves from carrying swords, daggers, or knives, under steep penalty.<sup>70</sup> Slave owners were sometimes granted special licenses to arm their slaves for protection, but the crown repeatedly tried to curtail

<sup>66</sup> The repeated prohibition on Indians bearing arms without license was codified as book 6, title 1, law 31 of the Laws of the Indies, and the prohibition on Indians riding a horse without license was codified as book 6, title 1, law 33 of the same.

<sup>67</sup> AGN Indios 19 exp.172 f.90v (1651). AGN Indios 17 exp.19bis f.31 (1654).

<sup>68</sup> AGN Jesuitas 4-56 exp.10 f.22 (1599). AGN Jesuitas 4-56 exp.50 f.72 (1599).

<sup>69</sup> AGN Indiferente 6422 exp.86 (1612).

<sup>70</sup> The decrees also included slaves categorized as *negros*, *mulatos*, and *zambaigos* (Indian and *chino* mix), suggesting in part that officials feared that all slaves might rebel in unison. AGN Tierras 2984 exp.111 f.246-247v (1647). The punishment for a slave caught bearing arms was to be whipped and then sold to the mines or to a textile mill. AGN Reales Cédulas Duplicadas 23 exp.77 f.200 (1661). The prohibitions on bearing arms listed *chino* slaves as late as 1665. AGN Reales Cédulas Duplicadas 23 exp.83 f.207 (1665).

this practice.<sup>71</sup> That said, the outright prohibition on slaves bearing arms was regularly re-issued, which suggests that it was often not enforced. Also telling is that the colonial government expressed growing concern about the increasing number of non-Spaniards who were allowed to carry arms, always fearful of slave rebellions.

Bearing arms, however, did have a more utilitarian role than simply being a marker of class. In 1689, Pedro Muxica, categorized as an “*indio filipinense*,” applied for a license.<sup>72</sup> He owned a mule train, which meant that he had some status as a propertied trader, but he did not claim to be an elite. Instead, he made his request based on the question of safety. Pedro explained that he spent long days on the road and thus needed to carry a sword, dagger, and harquebus (matchlock gun) for self-protection. Similarly, chino Juan Tello de Guzmán, saying he was “a quiet and peaceful man who lived honorably,” petitioned and was granted a license to carry a sword and dagger for his security when he traveled outside of Mexico City to trade.<sup>73</sup>

A few natives of the Philippines acted outside the common pattern of insisting that they were Indians. Instead, they tried to be an in-between category – part Indian and part something else. These individuals attempted to benefit from the rights associated with indigenous vassalage, while avoiding some of the burdens placed on Indians, such as tribute. Juan Alonso had a relatively profitable business as the owner of a large twenty-animal mule train, which he used to provision the mining town of Sultepec. Officials often pestered him, however, declaring that Indians were not allowed to own more than six mules, and that those who did had to prove that they had a certain amount of land under maize cultivation. In his defense, Juan argued that “not withstanding that he was an Indian, he was a chino” and was thus “under no obligation to sow or toil the land.”<sup>74</sup> Juan thus sought to exclude himself from having to take part in agricultural labor. The juzgado approved his petition for an

<sup>71</sup> The 1612 ordinance prohibiting masters from arming their slaves and walking around with slave retinues is transcribed in Richard Konezke, *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493–1810*, 3 vols., vol. 2 (Madrid: CSIC, 1953), 100–101. A similar ordinance also prohibited slaves from gathering at night or wandering the streets in groups larger than three, on pain of 200 lashes and having one ear cut off. AGN Reales Cédulas Duplicadas 15 exp.178 f.140 (1645). Free *castas* were not allowed to bear arms either, except for mestizos; this law was codified as book 7, title 5, law 14 of the Laws of the Indies.

<sup>72</sup> AGN Indios 30 exp.296 f.269v (1689).

<sup>73</sup> AGN Indios 19 exp.172 f.90v (1651).

<sup>74</sup> AGN Indios 6 exp.1200 f.330 (1597).



amparo, writing that the general order regarding the size of mule trains did not pertain to Juan “because he was a chino” rather than an Indian. That same year, Juan was also awarded a license to ride a horse and carry a sword because “he was not a native.”<sup>75</sup> It was the same justification: Juan was not bound by indigenous legislation because he was somehow different. Nonetheless, Juan acquired the amparo and license through the General Indian Court. At some level, Juan acknowledged that he was an Indian, at the same time claiming to be in a different status group to gain special dispensations.<sup>76</sup> Individuals such as Juan employed a mixed strategy that speaks to people’s awareness of the ambiguity of colonial categories, which could be used to negotiate certain privileges from the crown.

At the same time, this tactic of differentiating themselves resulted in some free chinos having difficulty finding social acceptance in certain indigenous communities. Shared legal status did not preclude incidents of real social hostility and conflictive personal dynamics. Free natives of the Philippines may have legally belonged to the Republic of Indians, but particular Indian towns and neighborhoods did not have to welcome them. In 1630, the indigenous leaders of Atacomulco complained that some chinos had come to live among them with their families. The chinos, who were bakers, “aggrieved and harassed” the natives, forcing them to buy their bread.<sup>77</sup> As a result, the townspeople sought to have them expelled. In Mexico, it was common for indigenous leaders to employ the crown’s policy of residential segregation to protect their communities from outsiders, claiming that these individuals threatened the social order and otherwise disturbed village life.<sup>78</sup> However, in this case, the natives’ petition to the juzgado was notably short and did not quote from exclusion decrees or directly refer to the chinos as outsiders or non-Indians. Rather than pointing to ethnic tensions, the case was about exploitative business practices.

<sup>75</sup> AGN Indios 6 exp.1202 f.331 (1597).

<sup>76</sup> Juan similarly petitioned for a riding license six years earlier. AGN Indios 5 exp.1022 f.331v (1591).

<sup>77</sup> AGN Indios 10 exp.273 f.155 (1630).

<sup>78</sup> Andrew B. Fisher, “Creating and Contesting Community: Indians and Afromestizos in the Late-Colonial Tierra Caliente of Guerrero, Mexico,” *Journal of Colonialism and Colonial History* 7, no. 1 (2006). Magnus Mörner and Charles Gibson, “Diego Muñoz Camargo and the Segregation Policy of the Spanish Crown,” *Hispanic American Historical Review* 42, no. 4 (1962): 561.

In contrast, the natives of Huitzucó did emphasize difference and foreignness when they sought to remove their town's governor don Pedro Vásquez. They complained that the governor collected taxes beyond the town's tributary requirements and generally "vexed" them.<sup>79</sup> The townspeople's reason for contesting his reelection was that "he was a chino and not an Indian." They specifically cited the royal decrees outlawing foreigners from being governors of Indian towns. It was a complicated issue, because the suit was filed in 1696, years after chino slaves had been freed and generally assumed to be Indian vassals.<sup>80</sup> The *juzgado*, therefore, was forced to request more information about the circumstances of the said election, rather than relying on the claim that the governor did not qualify for the office because he was not an Indian.

As Indians, Filipinos had access to legal protection and social status. Chino slaves knew this to be true. During the seventeenth century, many of them tried to escape bondage by running away and joining them, whereas others purchased their freedom and reclassified themselves as Indians. The end goal was to have corporate membership. The relative openness of the Republic of Indians, which legally included Filipinos (and informally accepted other natives of Asia), was an open threat to slave owners. The following section addresses this reality.

#### SLAVE OWNERS' RESPONSE TO CHINOS SEEKING TO JOIN THE REPUBLIC OF INDIANS

In 1660, Alonso Gómez appeared before the ecclesiastical court in Mexico City for assistance in recovering his china slave María de la Rosa, who was "also called the white one (*la blanca*)"; she had run away while attending mass a few days earlier.<sup>81</sup> Alonso said María looked like a *mestiza* (of mixed Spanish and Indian descent), but he noted that she was branded on the face, which would serve to identify her as a slave. María had fled before, sometimes stealing silverware and other items, which Alonso attributed to her having many friends who conspired to help her. It is not clear when María was apprehended, but four years later she belonged to a

<sup>79</sup> AGN Indios 32 exp.337 f.297v (1696). AGN Indios 32 exp.350 f.386v (1696).

<sup>80</sup> See [Chapter 7](#) for an analysis of the abolition of chino slavery after 1672.

<sup>81</sup> AGN Indiferente 2306 exp.8 (1661). Another master made a similar petition for a china slave named Juana, who was marked with the shape of a nail on her chin. AGN Indiferente 1388 exp.39 (1637). For a discussion of the changing attitude of the Catholic Church hierarchy about chino slaves in Mexico, see [Chapter 6](#).

different owner, who threatened to send her to live in a different city as punishment for her general disrespect and frequent escapes.<sup>82</sup>

María's story tells of a common complaint: masters claimed that chino slaves were disposed to run away because they could blend into the crowd. The underlying concern was that chinos resembled free people, especially Indians, which made it difficult to single them out as slaves. As prevention, some masters branded their chino slaves on the face, like María, making their legal status more visible. The increasing prevalence of chinos slaves during the course of the seventeenth century testifies to the ambiguity between chinos and Indians that allowed so many chino slaves to join the Republic of Indians.

From the perspective of Spanish masters, chino slaves had skin colors that were too varied to be a marker of slavery. They described chinos as white (*blanco*), brown (*moreno*), dark (*prieto*), and the color of quince (*amembrillado*), among others.<sup>83</sup> The same chino would often be described differently at separate occasions, suggesting that there was no real consensus regarding what he or she looked like, or how his or her skin color related to his or her status as chattel. For instance, Sebastián was categorized in a different way on three occasions: in 1615, he was a mulatto and "creole from Manila"; then he became "a slave of the mulatto nation"; and finally, a year later, he belonged to the "chino nation."<sup>84</sup> The only constant in the three slave deeds was that Sebastián was branded on the face. Apart from a fascination with their complexion and pigmentation, contemporaries also puzzled over where chino slaves came from and whether people from those places could be legally enslaved. From the master's perspective, the ambiguous categorization of chinos slaves like Sebastián made branding necessary as a way to ensure that they would not pass for free people, run away, and disappear among the indigenous population or among people of mixed descent.<sup>85</sup>

<sup>82</sup> This is the same case as appears in [chapter 6](#). The first owner was a textile merchant who had her as a slave; he sold her to the owner of a textile mill, where slaves were often sent as punishment. AGN Indiferente 2447 exp.46 (1665).

<sup>83</sup> A master described his runaway slave Tomé as being "*algo moreno*." AGN Indiferente 2242 exp.29 (1636). Another master described his runaways slave Pedro as "*prieto de color con guedeja y bigote grande*." AGN Indiferente 2289 exp.1 (1658). AGN Indiferente 1388 exp.39 (1637).

<sup>84</sup> AGN Jesuitas 2-6 exp.5 (1615). AGN Jesuitas 2-6 exp. 8 (1616). For a discussion of the malleability of casta categories, see R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660-1720* (Madison: University of Wisconsin Press, 1994).

<sup>85</sup> Runaways who were repeat offenders were sometimes punished by having part of their ears cut off. For example, the slave deed for Diego read: "*herrado en la cara con una ese en*

In that regard, it is telling that masters also branded light-skinned slaves of African descent, described as *mulatos blancos* (white mulattoes), especially in the 1670s when the colonial government started to enforce stricter rules regarding the legal title of non-Africans.<sup>86</sup>

The practice of branding African slaves had a different purpose than it did for chinos or Indians. All slaves who arrived to Mexico from Africa, especially through the Portuguese trade, were branded on the arm or on the chest, sometimes multiple times with the brands of the asiento holder and the ship captain.<sup>87</sup> The brands (usually initials) associated individual traders with specific slaves to facilitate the collection of royal duties by port officials, who used the markings to calculate the tariffs owed.<sup>88</sup> In this sense, branding was a mechanism for controlling the massive import of slaves to Spanish America and ensuring that the Atlantic slave trade was profitable for the royal treasury. In contrast, slaves of African descent who were born in Mexico were much less likely to be branded; there was no associated need to track their transport or collect tariffs.

Smaller in scale, the transpacific slave trade, which ran on individual licenses, had less need for this kind of branding.<sup>89</sup> As a result, most chino slaves who arrived in Mexico were not branded on the chest or arm in the way that Africans were. However, during the course of the seventeenth century, a number of masters branded chino slaves once they were already in Mexico.<sup>90</sup> The typical brand on chinos was an S and a nail (*clavo*),

*el carrillo izquierdo y en el derecho un clavo con algo de las orejas cortadas.*" ANM Gabriel López Ahedo 2225 f.62 (1632).

<sup>86</sup> It was a given that slaves would be branded, especially if they were not born in Mexico, so most slave deeds did not make note of brands. In my database of 2,538 slave deeds of individuals of African descent dating from 1599 to 1699, 77 make reference to brands, usually because of their unique place on the body or distinct shape. Of these, only 18 slaves (15 men and 3 women), all sold between 1659 and 1685, had a brand on their face; 9 were described as *mulatos*, 8 as *mulatos blancos*, and 1 as *negro* (the sale was irregular because the seller did not have the necessary slave title). For example, the slave deed for Juan Gallegos, a *mulato blanco*, who was sold in Mexico City in 1660 for 350 pesos, noted that he was 24 years old, originally from Seville, Spain, and "branded on the face." ANM Hipólito de Robledo 3849 f.128v (1660).

<sup>87</sup> Gonzalo Aguirre Beltrán, "The Slave Trade in Mexico," *Hispanic American Historical Review* 24, no. 3 (1944): 426. The crown did not prohibit the branding of slaves who arrived from Africa until the late eighteenth century. AGN Impresos Oficiales 15 exp. 21 f.77 (1786).

<sup>88</sup> Linda A. Newson and Susie Minchin, *From Capture to Sale: The Portuguese Slave Trade to Spanish South America in the Early Seventeenth Century* (Leiden: Brill, 2007).

<sup>89</sup> See Chapter 3 for an analysis of the Manila Galleon slave trade.

<sup>90</sup> In my database of 598 chino slaves, 39 were described as being branded on the face (21 on "*rostro*," 7 on "*barba*," 7 on "*frente*," 4 on one "*carrillo*"). The documents referencing face brands date from 1615 to 1679; 27 are from after 1646.

which in Spanish reads “*esclavo*” or slave, placed on the individual’s cheeks; others simply had the symbol of the nail on their chins or foreheads.<sup>91</sup> In a few cases, masters sketched out their full name on the slave’s face. A china slave named Gracia, for instance, had “Costanza Rodríguez” etched on her forehead.<sup>92</sup> This kind of marking made it chillingly obvious that one of the functions of face brands was to be physical symbols of masters’ power over their personal property. The other purpose was to distinguish chinos from the native population and make it visibly evident that they were chattel.

Slave deeds with multiple individuals show that chino slaves were much more likely to be branded on the face than slaves of African descent. In 1652, a couple from Puebla sold two slaves: the chino was noted for having a brand on his face; the *negro* was described as being from São Tomé, with no reference to a brand.<sup>93</sup> The face brand on the chino was a visible marker that he was indeed a slave.

To contemporaries, chino slaves were similar in their physiognomy to the indigenous people of Mexico, at least much more so than to African slaves. This was a problematic similarity because Indians, as a category of people, could not be enslaved, so masters had to make sure that their chino slaves looked nothing like Indians. One way to do so was to brand chino slaves on the face.<sup>94</sup> This practice was not customary with black slaves (*negros*), who were already marked by their black skin. Unable to depend on color or other physical markers, masters used face brands to segregate chino slaves from the free Indian population. The brand had to be on the face because the practice had special meaning in the context of indigenous slavery.

The crown became concerned with the practice of branding Indians on the face right after the conquest of Mexico.<sup>95</sup> Franciscan friars were among

<sup>91</sup> The common description in chino slave deeds read as follows: “*herrado en el rostro con ese y clavo*.” ANM Juan López 2224 f.12 (1634).

<sup>92</sup> AGN Indiferente 2269 exp.29 (1618). Bernardo, a chino slave from Makassar, similarly had the name “Pedro Reales” on his forehead. ANM Hernando Arauz 9 f.366v (1639).

<sup>93</sup> ANM Pedro Sánchez Quijada 4369 f.38v (1652). Similarly, a slave deed from 1663 with six individuals included three chino slaves, described as being branded on the face, and three slaves of African descent, with no branding reference. ANM Hipólito de Robledo 3851 (1663).

<sup>94</sup> Notably, slaves from Portuguese India (“*indios de las Indias de Portugal*”) who ended up in Seville were also branded on the face for the similar purpose of indicating their legal status, whereas black slaves were not. Juan Gil, “The Indianization of Spain in the Sixteenth Century,” in *History of Mathematical Sciences Portugal and East Asia*, ed. Luís Saraiva (Hackensack, NJ: World Scientific, 2004), 127–8.

<sup>95</sup> “Real provisión que manda que los Indians naturales de la Nueva España no puedan ser esclavos ni herrados” (1526); transcribed in Alfonso García Gallo, ed. *Cedulario Indiano*

the first to decry the practice in Mexico, where colonists acted “against divine law” by branding free Indians because it served the purpose of cursing them to perpetual bondage.<sup>96</sup> To their mind, it was particularly horrible to mutilate Indians in this way, because so many of them were unjustly enslaved. The king agreed, describing the practice as “a disservice to God.”<sup>97</sup> As such, the crown mandated early on that free Indians could never be marked in this way, which was solely reserved for slaves.<sup>98</sup> Face branding, however, was allowed to continue as punishment for Indian warriors who fought against Spaniards. Indian captives were branded on the face as a transformative practice that turned rebels into slaves, and also to prevent them from escaping bondage.

It took almost a century for the practice of face branding to come under criticism once again. In the 1630s, officials in Chile reported that the Indians’ “worst fear was being branded in the face, which made them despair of peace and seek vengeance by branding Spaniards.”<sup>99</sup> Disturbed by the specter of branded Spanish soldiers, the crown accepted the suggestion that Indian warriors be branded on the hand, instead of on the face. The government could not defend a custom that compelled horrified Indian rebels to continue fighting, but these men had to be marked in some way, because “they easily ran away.” Consequently, colonial legislation categorically protected all Indians from being branded in this way,

*Recopilado por Diego de Encinas*, vol. 4 (Madrid: Ediciones Cultura Hispanica, 1946), 362. AGI México 1088 L.1 f.61v (1528). To “avoid fraud,” the crown made provisions for safeguarding the government’s brands, which were only supposed to be used to mark Indian rebels who were captured in just wars. AGI México 1088 L.1 f.63v (1529). The prohibition, re-issued several times in the following decades, was often cited in individual court cases; for example: “una cédula de 13 días de 1532 años . . . defiende y manda que ninguna persona hierre a ningún indio en el rostro so pena de perdimiento de bienes.” AGI Escribanía 1007b f.11 (1572).

<sup>96</sup> Original letter from 1533 is at the AGI; for a transcription, see “Carta colectiva de los franciscanos de México al emperador Carlos V,” in *Documentos inéditos del siglo xvi para la historia de México*, ed. Mariano Cuevas (México: Porrúa, 1975), 13–16.

<sup>97</sup> AGI Lima 566 L.4 f.243v (1541); transcribed in Konetzke, 1953, 1:204.

<sup>98</sup> The abolition of indigenous slavery under the New Laws of 1542 excluded certain groups of bellicose Indians, such as the Caribs and Arawaks, who could still be taken as captives in just wars and branded as slaves. Richard Konetzke, “La esclavitud de los Indios como elemento en la estructuración social de Hispanoamérica,” *Estudios de historia social de España* 1 (1949), 471.

<sup>99</sup> AGI Chile 166 L.2 f.237 (1635); transcribed in Konetzke, 1953, 2:352–3.

including warriors who had been justly enslaved for defying Spanish rule. This policy change is critical for understanding the significance of branding among chino slaves. Once Indians could no longer be branded, the face brand became a poignant marker of slave status. In warped logic, masters branded chino slaves on the face to prevent them from claiming that they were Indians who had been unjustly enslaved, because a truly free native vassal could never be defiled in this way.

Apart from wanting to disassociate chinos from Indians, masters also branded their slaves on the face when they did not have proper titles, as a way of assuring potential buyers that the individual was indeed a legal slave. A slave deed from 1658 for a chino slave named Domingo included an acknowledgment that the seller “did not have the titles for the said slave which remained in the hands of the previous owner in Manila,” but swearing that he would bring the proper documentation on his next journey.<sup>100</sup> In the meantime, the new owner took Domingo as a slave because he was “branded with a nail on his forehead,” identifying him as chattel property. Despite the missing documentation, the marking was sufficient proof of Domingo’s legal status for the transaction to go forward.

The practice of branding chinos on the face speaks to a generalized concern among masters that these individuals were not real slaves in the sense of being legal property. Chinos ran away, claimed to be Indians, and generally made it difficult for owners to control them. In part, this difficulty had to do with the crown’s protection of Indians – chinos were too much like indigenous people in terms of their physicality to keep them away from the indigenous population. Their coloring, in other words, was worryingly ambiguous. There was also the issue that many chinos were indeed Indians in the sense of being natives of the Philippines and thus indigenous vassals who had been unjustly enslaved. Branding was one of the ways that masters tried to overcome the legal difficulties of owning these particular individuals. In general, it was simply easier to own black slaves, which is clearly evident in pricing patterns from the period in question.<sup>101</sup>

<sup>100</sup> ANM Martín de Molina y Guerra 2489 f.40v (1658).

<sup>101</sup> See [Appendix 2](#) for a pricing comparison between chino and black slaves; through the course of the seventeenth century, chino slaves were increasingly valued less than black slaves. They were considered a risky investment because of their propensity to run away and blend in among the Indian population.

## FREED CHINO SLAVES JOIN THE REPUBLIC OF INDIANS

Chino slaves became Indians through a complicated and drawn out process involving self-identification and colonial ascription that took place over more than a century. At the individual level, chino slaves made great efforts to become part of local communities, but for the most part, serious structural limitations checked slaves' ability to integrate into free Indian society. However, once manumitted, freed chino slaves pressed the boundaries of indigenous identity, following on the way paved by free natives of the Philippines who expanded the meaning of what it meant to be an Indian in Mexico.

In contrast to free natives of the Philippines, relatively few chino slaves married Indian women from Mexico.<sup>102</sup> In fact, most chino slaves married other slaves, be they other chinos or individuals categorized as negros and mulatos. For one, matrimony did not impart a change in legal status.<sup>103</sup> Chino slaves may have gained personal relations by marrying Indian women, but they did not become legal members of the Republic of Indians. From the perspective of the Spanish crown, it was problematic for a free Indian woman to tie herself to an enslaved man because the marriage could potentially mean that she would have to leave her native community and lose some protections. The Catholic Church, on the other hand, supported free choice in marriage, so free people did indeed marry slaves. Nonetheless, in recognition of social realities, free people had to swear that they would always cohabit with their spouses.

Chinos slaves who did marry Indian women tended to meet their partners at their place of work, especially in textile mills (*obrajes*) and plantations.<sup>104</sup> In 1641, Pedro Flores, originally from Bengal, petitioned to

<sup>102</sup> We can identify the spouses of 106 chino slaves (76 men and 30 women) living primarily in Mexico City, Puebla, and Acapulco. The legal status and ethnic category of the spouses are not always known, but at least 50 chino slaves married other slaves. The category breakdown for the slave spouses (men and women) is as follows: 13 chinos, 23 blacks (negros), 10 mulatos, 1 india. In a notable exception to the prohibitions on indigenous slavery, Elvira, married to Manuel, a chino slave from Bengal, was a slave because she had been "captured" and "condemned" years earlier during a rebellion in Santa Bárbara in the northern province of Nueva Vizcaya. AGN Matrimonios 29 exp.43 f.106 (1634).

<sup>103</sup> The 1541 decree dictating that marriage to a free person did not change a slave's legal status was codified as book 7, title 5, law 5 of the Laws of the Indies.

<sup>104</sup> Seventeen chino slaves married Indian women. Agustín, a chino slave, worked alongside his wife Ana, a "free Indian" in a cacao hacienda near Acapulco. AGN Tierras 3624 exp.2 f.4v (1642).



marry María Juana, an “india” from the nearby town of Sultepec.<sup>105</sup> Both worked and lived in the same obraje, which had a number of chino slaves from Portuguese India and also free Indian laborers. Prior to the ceremony, María had to vow that she would “follow her husband wherever his master sent or sold him.” With this statement, María accepted that her husband’s legal status might reduce her mobility and even curtail her own liberty.<sup>106</sup>

A number of cases show that native women who married chino slaves did indeed risk their own freedom. Benito de la Cruz and Francisca Magdalena worked in a mill in Coyocan. At the time of a government inquiry, Francisca complained that she “had not been able to leave the obraje” since she married Benito two months earlier. She very much wanted to visit her daughter who lived in a convent nearby, but “she had no liberty” to do so.<sup>107</sup> Testifying to a similar fate, Josefa Juárez, a native of Cuautla who was married to a chino slave, complained that her husband’s owner treated her as if she was his slave as well, “keeping her oppressed and incarcerated.” Josefa knew, however, that under royal decree, she had the right to come and go freely and know no other “master” than her husband, so she appealed to the juzgado to protect her liberty.<sup>108</sup> These women’s experiences are telling of why so few natives of Mexico married chino slaves. It really would have been an extraordinary sign of commitment to choose to become legally bound to an enslaved person. The one surety these women had was that their children would be free, as the legal principle of the free womb dictated that slavery passed through the mother and not the father.<sup>109</sup>

Despite the legal difficulties, chino slaves who married Indian women were fortunate in that they were able to rely on their wives’ extended

<sup>105</sup> AGN Indiferente 179 exp. 2 (1641).

<sup>106</sup> When Juan Alejandro married Juana Bautista, an india from Mexico City, she similarly had to swear that “she well knew that he was a slave subject to captivity and that she would go with him wherever they sent or sold him.” AGN Indiferente 3878 exp.2 (1604). Ana de los Angeles, an Indian *mestiza*, made the same promise when she agreed to marry Miguel Díaz, a chino slave. AGN Matrimonios 113 exp.135 f.345 (1629).

<sup>107</sup> The original visitation (*visita*) documents are found in AGN Historia 117; transcribed in Edmundo O’Gorman, “El trabajo industrial en la Nueva España a mediados del siglo XVII: visita a los obrajes de paños en la jurisdicción de Coyoacán,” *Boletín del Archivo General de la Nación* Enero-Marzo (1940). The same visitation testified to numerous other chino-Indian marriages. A number of other cases are registered in marriage license petitions found at the Archivo del Sagrario Metropolitano de Puebla (ASMP).

<sup>108</sup> AGN Indios 23 exp.375 f.351 (1659).

<sup>109</sup> The legal corpus *Siete Partidas* codified this Roman precedent in the thirteenth century.

kinship groups. Diego de la Cruz had a brand on his face that marked him as a slave, but his wife's family nonetheless accepted him.<sup>110</sup> In fact, even though Diego was originally from Malacca, by the 1630s he functioned well in Mexico's indigenous world, including partaking in Indian rituals involving peyote (a traditional hallucinogen). Even so, Diego would never be an Indian in the legal sense unless he was freed from bondage. For much of the seventeenth century, property law tied chino slaves to their masters in a way that would have been unimaginable for Indians.

Once freed, formerly enslaved chinos had significant legal options unavailable to other freed people. Starting in 1574, the crown required freed slaves to pay tribute in a similar way as did free indigenous vassals.<sup>111</sup> Such payments, however, did not impart vassal status or membership in the Republic of Indians to former slaves who were categorized as *negros* or *mulatos*. Former slaves of African ancestry could not claim the rights of the native population. In contrast, former chino slaves had to pay tribute, but they were also able to become Indians in the legal sense.<sup>112</sup>

After they were manumitted, individuals changed their identity; they went from being chino slaves to being free Indians. Remarkably, a number of freed chinos made this transition from being slaves to being protected indigenous vassals prior to abolition in 1672. In fact, this allowance for freed chinos to access the institutions of the Republic of Indians, most notably the General Indian Court, testifies to the very real ambiguity between Indians and chinos that led to emancipation. The experience of these former chino slaves suggests that indigenous vassalage could be a

<sup>110</sup> Francisca María was a native *india* from Metepec, but they lived in the town of Tacubaya, which had a mixed population. AGN Inquisición 372 exp.20 (1632). Gruzinski mentions this couple in reference to the Iberian mobilization of people around the world. Serge Gruzinski, *Las cuatro partes del mundo: historia de una mundialización* (México: Fondo de Cultura Económica, 2010), 168.

<sup>111</sup> In 1574, King Philip II decreed that all former slaves, as well as "negros and mulatos who were born free," had to pay tribute along with indigenous people. The decree was codified as book 7, title 5, law 1 of the Laws of the Indies. For an analysis of the development of the crown's tributary legislation, see Cynthia Milton and Ben Vinson III, "Counting Heads: Race and Non-Native Tribute Policy in Colonial Spanish America," *Journal of Colonialism and Colonial History* 3, no. 3 (2002). Various scholars have noted that the *casta* categories and varied ethnic names helped officials identify individuals who owed tribute to the state. See, for example, Lolita Gutiérrez Brockington, *Blacks, Indians, and Spaniards in the Eastern Andes: Reclaiming the Forgotten in Colonial Mizque, 1550–1782* (Lincoln: University of Nebraska Press, 2006), 283–4.

<sup>112</sup> The appointments of tribute collectors specified "*la cobranza de los negros y mulatos y negras y mulatas y chinos y chinas libres*." AGN Hacienda 1423 exp.4 f.27 (1624).

contested category, and that individuals interacted successfully with the colonial government to have some of their liberties guaranteed.

Antonio de la Cruz exemplified the experience of chino slaves who successfully transformed themselves into Indians after manumission.<sup>113</sup> In 1657, when he was fifteen years old, Antonio was sold for 200 pesos.<sup>114</sup> His first master, however, repented, purchased him back, and then granted him his liberty three years later.<sup>115</sup> By 1661, Antonio's legal identity was that of a free Indian matriculated in the Indian barrio of San Juan. "In attention to being a tributary of His Majesty," Antonio was given license to be a peddler and exempted from the alcabala tax as an Indian.<sup>116</sup> In the context of property transactions, the notarial documentation categorized Antonio and his parents as chino slaves. Once Antonio was free, the documentation listed him as a free Indian.<sup>117</sup> Having been manumitted, Antonio self-identified as an Indian and jealously guarded his rights as a member of the Republic of Indians. Similarly, Simon López, who was born and raised in Manila, went from being the chino slave of a silk maker in 1625 to living as a free man and selling silks on his own account four years later. By 1640, Simon was registered as an Indian tributary and thus tax exempt from the profit he made through his trade.<sup>118</sup>

The overriding factor for why the crown prohibited the enslavement of chinos in Mexico was that many chino slaves were, in actuality, Indians from the Philippines who had been illegally enslaved.<sup>119</sup> Nonetheless, individual agency also played a central role in this transformative process, with people from different parts of Asia making the conscious choice of joining the Republic of Indians in Mexico after they had been freed to

<sup>113</sup> The name Antonio de la Cruz was very common, but I took great care to match individuals according to dates and parentage.

<sup>114</sup> ANM Diego de los Ríos 3845 f.68 (1657).

<sup>115</sup> ANM Diego de los Ríos 3846 f.1 (1660).

<sup>116</sup> AGN Indios 19 exp.336 f.190 (1661).

<sup>117</sup> Antonio first turned to the juzgado only months after being manumitted and returned again the following year to have his trading license confirmed.

<sup>118</sup> AGN Matrimonios 195 exp.29 (1625). AGN Matrimonios 10 exp.106 f.245 (1629). AGN Matrimonios 113 exp.101 f.258 (1629). AGN Indios 13 exp.112 f.92 (1640). The experience of Simon López is mentioned in [Chapter 4](#). Given his Portuguese last name, it is very likely that chino Antonio de Silba was a former slave, as masters commonly gave their name to their slaves. When Antonio married an india named María de la Cruz, he joined the indigenous community at the town of Tacuba, where he had license to peddle pork, lard, and sausages to earn money to pay tribute. AGN Indios 21 exp.220 f.192 (1657).

<sup>119</sup> The illegal enslavement of natives of the Spanish Philippines is discussed in [Chapter 2](#).

overcome the stain of slavery. The actions of individuals like Antonio de la Cruz laid the groundwork for the crown to finally make the association between *chinos* and Indians a legal reality at the end of the seventeenth century.

#### CONCLUSION

Looking back at the story that began this chapter, it is evident that “chino” was a fluid ethnic category. A man born in Goa could be categorized as a *chino* when he arrived in Mexico as a slave and then become an Indian once he was manumitted and lived as a free man. The word “slave,” on the other hand, was a strict legal category that marked people with a fixed status as chattel property. Similarly, “Indian” had a precise legal meaning. In addition to being a general ethnic category, it referenced a person who belonged to the Republic of Indians.

The experience of *chino* slaves in Mexico is unique because hundreds of people from different parts of Asia went from being *chino* slaves to being free Indian vassals of the king of Spain. They belonged to different ethnic and legal categories during the course of their lifetime. This remarkable transformation came about, in part, because a small group of free natives of the Philippines (who were sometimes called *chinos* as well) emigrated to Mexico starting in the late 1560s. Throughout the colonial period, free Filipino immigrants mixed with the indigenous population and interacted with colonial institutions as Indians.<sup>120</sup> Emphasizing their common legal status as indigenous vassals, free natives of the Philippines bridged cultural differences in order to live in community and flourish among natives of Mexico. By insisting that they were vassals from the very beginning, they established a precedent for thinking of *chinos* as free people. During the 1600s, freed *chino* slaves were able to follow in the steps of Filipinos and make use of strategies that allowed them to seek legal counsel, carry out commerce, and otherwise participate in society. It is a testament to Filipino immigrants that they helped *chino* slaves in this process: Antonio Cibicos and Juan Gómez Veloz, both barbers, acted as guarantors for Juan de Alvarado, “who had been a slave,” when he took out a 100-peso

<sup>120</sup> A 1613 census from Lima offers tantalizing clues about the presence of *chino* slaves and Filipino immigrants in the Viceroyalty of Peru, where they were similarly categorized as Indians. See Noble David Cook and Mauro Escobar Gamboa, eds., *Padrón de los indios de Lima en 1613* (Lima: Seminario de Historia Rural Andina, 1968).

loan “to finish paying for his liberty.”<sup>121</sup> Finally, through legislative action begun in 1672, the Spanish crown sought to ensure that all natives of the Philippines, even those who had been illegally enslaved and brought to Mexico as chattel, would finally be treated as free, tribute-paying Indian vassals.

<sup>121</sup> ANM Francisco de Olalde 3237 f.572-v (1648).

## The Church on Chino Slaves versus Indian Chinos

In 1700, the commissary of the Inquisition in the town of Orizaba received orders to question Pascuala de los Reyes about her husband, a chino named Joseph Feliciano who was suspected of bigamy. She had to testify about their separation and provide details about his “nature, age, occupation, and identifying features.”<sup>1</sup> The commissary found her living with a widow. First, Pascuala clarified that she had indeed married him some ten years earlier, but his full name was Juan Feliciano de la Cruz. As she said, “his proper name is Juan, and not Joseph, perhaps he changed his name.” Juan had abandoned her when they were living together in Veracruz, when the port city was sieged by pirates, leaving her to find safety on her own. The name change was likely meant to hide his whereabouts, but Pascuala had heard in the intervening years that he was living on the coast of Tabasco. As to his appearance, she said “he had two moles on his right cheek, with hairs coming out,” and “he was tall and had a good body, neither fat or too thin.” Most critically, Pascuala swore that “his *casta* or nature was chino, born in Pampanga.” Juan was a native Filipino. That fact alone terminated the Inquisition’s interest; Indians (*indios*) could not be tried by the Holy Office.<sup>2</sup> The case exemplifies the end result of a long process. During the course of the seventeenth century, the church went from treating chinos as slaves to identifying them as Indians. The ecclesiastical courts were at the center of this change.

At first, the church demanded normative behavior and deference to the slave-owning class. The episcopal court, for example, threatened to

<sup>1</sup> AGN Inquisición 718 f.339–342v (1701).

<sup>2</sup> All native peoples of Spanish colonies were Indians, which meant that they were free vassals of the crown. See [Chapter 2](#) for reasons why the colonial state did not protect Indians from the Spanish Philippines and allowed their enslavement through the seventeenth century.

excommunicate anyone who helped chino slaves run away, and the Inquisition actively prosecuted chino slaves for blasphemous speech and other transgressions. In time, however, the church increasingly associated chinos with Indians and embraced them as individuals who were under their legal purview and needed special protection. As Indians, chinos became *miserables*, which was a designation under canon law that placed them under the direct supervision of ecclesiastical authorities in the same manner as Indians. The church's concern with Indians, derived from its missionary role in Spanish colonization, did not extend to foreign slaves.

This chapter examines chinos' changing legal status and ethnic identity in the context of the church bureaucracy. It begins with an overview of the significance of baptism for Indians versus slaves to understand chinos' distinct status within the church. The [next section](#) on the episcopal court is about the contradictions associated with ministering to people with different legal rights. This court safeguarded slaves' right to have a family, as well as slave owners' right to control their property. The section on the court of the Inquisition illustrates a similar protection of slavery; chino slaves, like African slaves, were prosecuted for challenging the social order. At the same time, this section shows that the Tribunal became a place where chinos' Indian identity was put to the test. All Indians, including Filipinos, were given immunity from prosecution by the Holy Office from the time of its founding in New Spain. Over time, inquisitors implemented the exemption more broadly, releasing all chino slaves because they identified them as Indians. Finally, the chapter discusses the organizational changes that resulted from the abolition of chino slavery, when the church embraced all chinos as Indians and thus confirmed their new status as indigenous vassals.

#### BAPTISM AND SLAVERY: VASSALAGE VERSUS SALVATION

The Catholic Church derived considerable power from its special relationship with Spanish monarchs, who in turn depended on religion to legitimize their conquests and political dominion. The *Patronato Real* cemented this alliance, giving the crown papal consent to fund a missionary enterprise in the sixteenth and seventeenth centuries that spread Christianity to Mexico and then the Philippines.<sup>3</sup> The goal of this singular conversion effort was to extend the spiritual and spatial boundaries of Christendom to

<sup>3</sup> Pope Julius II granted the Spanish monarchs ecclesiastical control over their colonies in the papal bull *Universalis ecclesiae* (1508); this was called *Real Patronato de Indias* (royal patronage).

include all of humanity as believers under the control of a Christian ruler. Spain's imperial expansion thus acquired religious meaning, as it enabled the church to lay the groundwork for universal salvation. Baptism was a critical component of this endeavor because it erased original sin – a critical requirement for heavenly deliverance. In addition, baptism had significance as a rite that symbolized entry into the Spanish political order. When newly conquered peoples accepted baptism, they simultaneously bowed to Spanish sovereignty. As such, one of the church's main goals in the Spanish colonies was to ensure that everyone be baptized.

Baptism had a different significance for Indians than for slaves, which reflected the complex relationship between the church and the Spanish crown, and canon versus civil law. The Spanish crown required people living in the colonies to be baptized.<sup>4</sup> Baptism indicated acceptance of the religion of the state and monarch, who derived power from his or her role as defender of Christendom. As a sacramental rite, the ceremony marked a person as a member of the Christian community. It incorporated individuals into the Christian body and made them subject to the laws of the church.

During the course of the sixteenth century, baptism came to have different political meanings for Indians than for slaves based on civil law. Indians were a colonized people, so baptism was a political tool that incorporated them into the government as vassals.<sup>5</sup> Slaves, on the other hand, were from foreign lands.<sup>6</sup> They were non-Christian outsiders who were baptized to save their souls, but the sacrament did not change their legal status and certainly did not impart freedom.<sup>7</sup> The reasoning,

<sup>4</sup> There were rare exceptions to this policy, such as the Chinese merchant community in Manila, whose members were allowed to maintain their religious traditions, though encouraged to convert, but were required to live in a segregated neighborhood called the *parián* outside the city walls. AGI Filipinas 27–23 (1591). AGI Filipinas 29–57–382r (1595).

<sup>5</sup> By papal concession, the Spanish king held imperial dominion (*dominio imperial*) over the natives of Spain's colonies who had been baptized. These natives owed him tribute. The king had temporal dominion over individuals who were not baptized; unbaptized natives who submitted freely owed tribute, but not those who did not submit to Spanish sovereignty. For a political and economic analysis of the missionary project in Mexico and the meaning of baptism, see Ryan D. Crewe, "Building a Visible Church: The Mexican Mission Enterprise in the Early Spanish Atlantic, 1521–1600" (New Haven: Yale University Press, 2009).

<sup>6</sup> For an analysis of how Spaniards differentiated between Indians and Africans in terms of their alleged bloodlines, reception of Christianity, and loyalty to the crown, see María Elena Martínez, *Genealogical Fictions: Limpieza De Sangre, Religion, and Gender in Colonial Mexico* (Stanford: Stanford University Press, 2008).

<sup>7</sup> A number of Africans were freed after baptism in fifteenth-century Spain, but this provision could not stand after the inception of the Atlantic slave trade for obvious economic reasons. The influential jurist Solórzano confirmed this ruling in his 1629 treatise on the laws of the



moreover, had theological implications for slaves who were freed. A number of churchmen in the Philippines, for example, feared that manumitted slaves from “enemy kingdoms” would be “impelled by a natural love of their homeland” to return there, and that they would then “abnegate the faith they promised to His Majesty and renounce what they had professed in Holy Baptism.”<sup>8</sup> For the most part, however, clergy were not overly concerned with apostasy, especially in the American colonies, where most slaves were oceans apart from their homelands.

Both the church and crown agreed that baptism did not alter the legal standing of African slaves (*negros*). In fact, slaves did not have to be baptized prior to entering the New World. The repeated prohibitions against heretics and new converts from Islam and Judaism traveling to the Americas, which ostensibly sought to protect the Indians from their influence, exempted slaves.<sup>9</sup> The expectation, however, was that slaves would be brought into the Christian fold soon after arrival. In 1545, the crown entrusted masters, on their conscience, to baptize their slaves within six months of purchase. The reasoning was that “all blacks by inclination are amiable to Christianity and easy to convert.”<sup>10</sup> The crown thus expressed concern with the salvation of slaves’ souls but made no effort to provide for their spiritual indoctrination. The responsibility and cost of baptizing slaves was passed on to their owners.<sup>11</sup> The crown also pressured slave traders to baptize their cargo prior to arrival.<sup>12</sup> In contrast, the crown

Indies. Juan de Solórzano Pereira, *De Indiarum Iure, Liber III: De Retentione Indiarum* (Madrid: Consejo Superior de Investigación Científicas, 1994), 113–15.

<sup>8</sup> AGI Filipinas 24–5–28 (1684).

<sup>9</sup> The policy was in place from 1501, when the crown warned the governor of Tierra Firme to keep out “Moors or Jews . . . or any new converts to our faith . . . except if such persons were *negro* slaves or other slaves.” Transcribed in Alfonso García Gallo, ed., *Cedulario indiano recopilado por Diego de Encinas*, vol. 1 (Madrid: Ediciones Cultura Hispánica, 1946), 455. In 1559, the crown followed up with another decree requesting colonial officials to remain vigilant about the threat of heresy and prevent the “entry of Lutherans, Muslims and Jews who want to live by their own law and ceremonies.” Transcribed in Richard Konezke, *Colección de documentos para la historia de la formación social de Hispanoamérica, 1493–1810*, 3 vols., vol. 1 (Madrid: CSIC, 1953): 368–9.

<sup>10</sup> The dictate regarding baptism was part of the “Ordinances regarding the good treatment of *negros* for their conservation” issued in 1545, which also laid out numerous prohibitions, including bans on slaves congregating, riding horses, bearing arms, and traveling without permission from their masters. AGI Patronato 171 N.2 R.10 (1545).

<sup>11</sup> In 1603, for example, the king recommended that officials in Lima urge masters to pay for the sustenance of a priest dedicated to indoctrinating their slaves. AGI Lima 582 L.14 f.170r (1603).

<sup>12</sup> In 1595, the Council of Indies recommended that slave traders be made to present certifications of baptism because so many slaves were not receiving the sacrament prior to arrival in the colonies. AGI Lima 1, N.130 (1595).

bore the cost of the missionary project directed at Indians – it paid for their baptisms. This variance is at the heart of the difference between how the church treated Indians versus slaves. The Spanish monarch employed the church to baptize and guide colonized subjects; the church did not have the same institutional role with regard to slaves.

The church's concern with Indians also stemmed from its sixteenth-century commitment to create a utopian Christian society in the New World.<sup>13</sup> In the context of the first missions, clergymen argued that the church had a special role as defender of the Indians and that they needed to employ peaceful means to convert native peoples. The most important and long-standing argument against enslaving Indians was that the Gospel had to be accepted willingly by free men.<sup>14</sup> As such, the church remained singularly committed to converting and protecting the indigenous population from overt exploitation and enslavement throughout the colonial period.<sup>15</sup> For instance, in 1674, Jesuit Diego de Rosales, who had lived among the Mapuches in Chile, argued that Indians should never be enslaved, under any pretext, "because it frustrated the goal of teaching them the Catholic faith." The church in the Philippines maintained a similar stance; it repeatedly called for the emancipation of Indian slaves owned by native chiefs until this was finally done at the end of the seventeenth century. As a result of these efforts, the crown finally decreed an end to indigenous slavery throughout the Spanish empire; no native person of Spain's colonies could be enslaved or kept in slavery under the guise of making them Christians.

<sup>13</sup> John Leddy Phelan, *The Millennial Kingdom of the Franciscans in the New World* (Berkeley: University of California Press, 1970).

<sup>14</sup> AGI Chile 57 (1674). The crown had exempted the Mapuche from the legislation against indigenous slavery as a result of the 1598 rebellion, which was regarded as treason punishable with enslavement. AGI Chile 166 L.1 f.121 (1608). This opinion was subsequently reversed in a series of letters and decrees (AGI Lima 574 L.28 f.215) that were codified as book 6, title 2, law 14 of the Laws of the Indies. For a detailed outline of the legislation on indigenous slavery from 1492 through 1696, see Richard Konetzke, "La esclavitud de los Indios como elemento en la estructuración social de Hispanoamérica," *Estudios de historia social de España* 1 (1949).

<sup>15</sup> Various scholars argue that certain segments of the church became disenchanted with the missionary enterprise in the Americas in the seventeenth century, when they discovered that some Indians had maintained their indigenous beliefs, which resulted in anti-idolatry campaigns. Kenneth Mills, *Idolatry and Its Enemies: Colonial Andean Religion and Extirpation, 1640–1750* (Princeton: Princeton University Press, 1997). Bristol takes this skepticism about Indians' adherence to Christianity to mean that churchmen perceived both Indians and Africans to be "morally ambiguous." Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century* (Albuquerque: University of New Mexico Press, 2007), 43.

The conversation about slaves from Africa and their descendants was altogether separate. The church had a complicated attitude toward slavery in that it accepted the institution as an economic necessity but nonetheless sought to include slaves in its ministry. The church's principal justification of slavery was that it delivered pagans to Christendom. Slavery served as a tool for converting people from places outside of Spanish control.<sup>16</sup> The influential Jesuit Alonso de Sandoval, for example, argued that slavery benefited Africans by making them Christians.<sup>17</sup> A related justification was that the institution benefited formerly pagan slaves by forcing them to live among Christians and be guided by them. The church scarcely addressed the hypocrisy of demanding peace and freedom for the conversion of Indians but not for Africans. For the latter, it was considered enough to ensure their salvation – through forced baptism if need be.

The church's sanctioning of slavery, however, should not be overstated. A number of churchmen publicly opposed the justification of the Atlantic slave trade as a means to convert unbelievers, and they worried that it hindered missionary efforts in Africa.<sup>18</sup> The archbishop of Mexico, Fray Alonso de Montúfar, articulated this opposition. In 1560, he wrote a biting letter to Philip II, arguing that blacks had to be protected from enslavement just as the Indians.<sup>19</sup> A decade later, the jurist Bartolomé de Albornoz similarly contradicted the accepted wisdom regarding the merits of enslavement for saving souls. He wrote: "The law of Jesus Christ" does not dictate that "the liberty of the soul should be paid with the servitude of the body."<sup>20</sup> Apart from these few men, however, there was no organized

<sup>16</sup> See [Chapter 2](#) for a discussion of the debates in the Philippines, where colonists sought to justify their enslavement of the indigenous population by claiming that slavery brought the native peoples to Christianity.

<sup>17</sup> Sandoval's *De instauranda Aethiopum salute*, first published in 1627, also criticized aspects of the slave trade. Alonso de Sandoval, *Un tratado sobre la esclavitud*, trans. Enriqueta Vila Vilar (Madrid: Alianza Editorial, 1987).

<sup>18</sup> José Andrés-Gallego and Jesús María García Añoveros, *La iglesia y la esclavitud de los negros* (Pamplona: Ediciones Universidad de Navarra, 2002).

<sup>19</sup> Montúfar's major concern was that the Portuguese traders who brought slaves from Africa could not verify the legality of their slave titles. He wrote, "such grave, generalized, and reckless commerce" should not be allowed in the lands of Christian princes. The Gospel had to be brought to lands where people were free, body and soul, and could thus come to a true understanding of Christ. Alonso de Montúfar, "Carta al rey del arzobispo," in *Epistolario de Nueva España, 1505–1818*, ed. Francisco del Paso y Troncoso (México: Antigua Librería Robredo de José Porrúa e Hijos, 1940).

<sup>20</sup> Albornoz was a professor of law at the university in Mexico City. In an echo of Orlando Patterson's definition of slavery as social death, Albornoz wrote in 1573: "servitude is the same as death." The slave trade was "manifest robbery." Acknowledging that the Portuguese were legally allowed by their king to trade in slaves, he nonetheless maintained,

effort by the church to oppose slavery by demanding that Africans, like Indians, had to be free body and soul to join the Christian community. Churchmen in Mexico, as such, did not oppose chino slavery; they simply associated chinos with Indians and thus started treating them like free men.

The ongoing discussion about the use of slavery to spread Christianity had special pertinence to the missionary campaign in the Spanish Philippines, where the church had difficulty protecting native peoples from being enslaved. The crown allowed native chiefs in the Philippines to keep their slaves until the end of the seventeenth century, which problematized the political and theological meanings of baptism. The baptism of natives of the Spanish Philippines should have made them free Christian vassals, but this was not the case. Natives of those islands remained in bondage after they were baptized, and they entered the supply chain for the transpacific slave trade.

The religious orders working in the Spanish Philippines may not have been able to protect indigenous people from enslavement, but missionaries did make considerable effort to indoctrinate Indian slaves in the faith. Friars in the Philippines, for instance, taught the catechism to Indians in multiple native languages before baptizing them.<sup>21</sup> By the time enslaved natives of the Philippines arrived in Mexico, they already understood the significance of Christianity in Spanish culture and

“No contract . . . suffices to free from culpability those who keep in servitude [people] who have had their liberty usurped.” Bartolomé de Albornoz, “Arte de los contractos,” in *Obras escogidas de filósofos*, ed. Adolfo de Castro, Biblioteca de Autores Españoles, vol. 65 (Madrid: M. Rivadeneyra, 1873), 231–3. By 1596, the Spanish Inquisition had censured all of Albornoz’s works, which included a treatise on the conversion of the Indians that criticized Bartolomé de las Casas. Eduardo Soto Kloss, “El ‘Arte de los contractos’ de Bartolomé de Albornoz, un jurista del siglo xvi,” *Revista Chilena de Historia del Derecho* 11 (1985). Davis and other scholars have taken the Inquisition’s rebuke of Albornoz’s works to mean that the church silenced the few men who condemned the African slave trade, but it is not at all evident that his short passage on slavery, which was part of very long treatise on contracts, was the cause of the censure. David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca: Cornell University Press, 1966), 189–90.

<sup>21</sup> The missionary effort in the Philippines during the first decades after the conquest differed from the case of Mexico in the sixteenth century, where baptism was commonly administered without previous instruction and often through coercion. The catechism (*doctrina*), first published in Tagalog in 1593, included the Ten Commandments, articles of faith, sacraments, and the major prayers. John Leddy Phelan, *The Hispanization of the Philippines: Spanish Aims and Filipino Responses, 1565–1700* (Madison: University of Wisconsin Press, 1959), 54–61. For the missionary activities of the Dominican Order, see Manuel González Pola, *Evangelización de los Dominicos en Filipinas en los siglos XVI y XVII* (Madrid: Institutos Pontíficos de Filosofía y Teología, 1992); Vicente L. Rafael, *Contracting Colonialism: Translation and Christian Conversion in Tagalog Society under Early Spanish Rule* (Ithaca: Cornell University Press, 1988), 19.

appreciated the power of the church. This knowledge proved to be a great asset for chino slaves.

The religious orders in the Philippines also indoctrinated slaves from other parts of Asia. For instance, Diego de la Cruz, who was originally from Malacca, said that he learned the “*pater noster, ave maria, credo, salve regina*, and the ten commandments of the law of God” during his stay in Manila, before traveling to Mexico.<sup>22</sup> Slaves from Portuguese India, moreover, would have had some religious instruction on which to build, because there was extensive missionary activity in that colony as well.<sup>23</sup> A slave named Anton, for example, explained to church officials in Mexico City that he had learned his prayers at the Franciscan monastery in Goa, where he was also taught to read.<sup>24</sup> Overall, given the vigilance of the church in Manila and the small size of the Pacific slave trade, few if any slaves boarded the Galleon without some knowledge of Christianity.<sup>25</sup>

Chino slaves benefited from this prior exposure to the dominant religion, helping them understand social proscriptions. Lucas de Arauso, for example, learned doctrine and writing from the Jesuits in Manila; this exposure to the church and Spanish language gave him the know-how to turn to the Inquisition in Mexico as a platform to denounce his master’s cruelty.<sup>26</sup> Chino slaves like Lucas knew they were accountable to the authority of the church, but also that the institution protected slaves in certain matters. The experience of chino slaves in Mexico was thus distinct from that of African slaves, who for the most part did not have the same religious literacy on arrival. In fact, many of the African slaves taken to Spanish America were baptized *en masse*, with no concern for their indoctrination, or not baptized at all.<sup>27</sup>

<sup>22</sup> AGN Inquisición 372 exp.20 (1632).

<sup>23</sup> The documentation attached to slave titles sometimes reference baptism, with Christian names replacing individuals’ birth names. For example, in 1622, a man named Anaya (“*casta pareá*”) was enslaved in Cochin; he was sold by the name Andres Anaya in Manila and then sold again as a chino slave named Andres in Mexico in 1634. AGN Jesuitas 4–50 (1634).

<sup>24</sup> AGN Inquisición 454 exp.27 f.443 (1651).

<sup>25</sup> Sample ship registries from Acapulco record the entry of chino slaves with Christian names only. AGI Contaduría 897–903 (Cuentas de Hacienda, Caja de Acapulco).

<sup>26</sup> AGN Inquisición exp.5 f.520 (1661).

<sup>27</sup> In my data sample of 2,677 African slave titles from seventeenth-century Mexico, ten titles have the phrase “not yet baptized” and another fifty list no Christian names for *bozales* (the word used for slaves who were recent arrivals), which means these individuals were also not baptized.

THE EPISCOPAL COURT: CHRISTIAN FAMILY  
AND HUMAN CHATTEL

The episcopal court had jurisdiction over chino slaves as Christians and defended their sacramental rights, but it also handled cases in which they were merely chattel.<sup>28</sup> On the one side, the court affirmed the humanity of chino slaves by helping them maintain their family relations. Marriage was a Christian right and necessary for social stability.<sup>29</sup> On the other side, the episcopal court defended property rights and punished individuals who helped chino slaves escape their masters. This treatment derived from the fact that the church upheld a legal system that allowed humans to be property. The actions of the episcopal court illustrate the position of the church as a whole regarding slavery: slaves had a right to family and kinship under canon law, which had nothing to do with civil law, under which slaves had no rights at all.

Chino slaves sought to be married in the church to legitimate their personal bonds and to have their unions sanctified with religious significance.<sup>30</sup> The church insisted on free choice in marriage. When china María de la Cruz and Spaniard Lázaro Hernández petitioned the ecclesiastical court in Mexico City to be allowed to marry without the reading of the banns, they specifically explained that their consciences had been overburdened from living in a “bad state” for more than six years.<sup>31</sup> Lazaro’s

<sup>28</sup> The episcopal court for the archdiocese of Mexico mainly handled cases that involved clergymen (civil and criminal), Indians (religious wrongdoings), and married couples (marital issues except bigamy). The court also received petitions for intervention in other matters. For an analysis of this tribunal, see Jorge E. Traslosheros Hernández, *Iglesia, justicia y sociedad en la Nueva España: la audiencia del arzobispado de México 1528–1668* (México: Porrúa, 2004).

<sup>29</sup> The crown specifically encouraged marriage among slaves. AGI México 1090 L.6 f.21 (1570); transcribed in Konetzke, 1953, 1:450. The decree was codified as book 7, title 5, law 5 of the Laws of the Indies.

<sup>30</sup> Bennett argues that Christian marriage played an essential role in the lives of African slaves and shaped the development of a sustaining community with a unique culture. Herman L. Bennett, *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570–1640* (Bloomington: Indiana University Press, 2003). For an overview of marriage legislation regarding slaves of African descent in colonial Mexico, see María Elena Cortés, “El matrimonio y la familia negra en las legislaciones civil y eclesiástica coloniales, siglos XVI-XIX,” in *El placer de pecar y el afán de normar* (México: Instituto Nacional de Antropología e Historia, 1988).

<sup>31</sup> AGN Matrimonios 5 exp.16 f.317 (1633). The banns consisted of a statement made by the priest during mass of the couple’s intention to marry to elicit information from the community about possible impediments. On rare occasions, an exemption would be

father was adamantly opposed to the match because she was a slave, so they needed to proceed in haste and secrecy. The couple's urgency speaks to the importance people gave to having their union formalized by the church. Once married, the groom's father would no longer be able to scorn their relationship, and the bride's master would also have to accept that his slave was legally bound to a free man. The marriage ceremony was a sacramental rite, so it had to be carried out with the dignity of freedom.<sup>32</sup> The vicar general, for example, ordered a master to release the chains on his slaves for the rite: "The individuals have to be allowed to leave the textile mill, free of chains, to celebrate their union in full liberty."<sup>33</sup>

Marriage, moreover, accorded chino slaves protection to lead a conjugal life. Slaves could not be separated from their spouses. In 1585, the Third Provincial Council of Mexico ordered masters not to sell their married slaves across long distances, because it would prevent conjugal visitations.<sup>34</sup> Subsequently, chino slaves took legal recourse from this mandate and appealed to the episcopal court for protection. In their petitions, chino slaves explained that they had been unable to see their wives or husbands and asked the court to intercede on their behalf. For instance, in 1612, Pedro de Silva, a black slave from Portuguese India, petitioned to be allowed to have a "marital life" with his wife Damiana (a china slave).<sup>35</sup> He also wanted the court to prevent her mistress "from

made when the petitioner was a slave new to the community. AGN Matrimonios 213 exp.32 (1660).

<sup>32</sup> The Council of Trent dictated that the sacrament of marriage required matrimony, as in a public ceremony involving the consecration of a priest and witnesses. The council met from 1545 to 1563 to formulate a response to Lutheranism; it settled varied doctrinal issues and produced directives for the governing of the church. Prior to Trent, there was no mandated church ceremony, rather, marriage occurred when two people made verbal promises to each other (*palabras de casamiento*) and had sexual relations. Monogamous marriage was the natural way for people to have sexual relations without sin, harnessing lust for the purpose of procreation. Fidelity in marriage was exhorted in Mexico's First Provincial Council. Antonio Lorenzano, ed., *Concilios provinciales primero y segundo celebrados en la muy noble y muy leal ciudad de México, 1555 y 1565*, 2 vols. (México: J. Porrúa, 1981). For a discussion of the church's concern with sexuality, see Asunción Lavrin, "Sexuality in Colonial Mexico: A Church Dilemma," in *Sexuality and Marriage in Colonial Latin America*, ed. Asunción Lavrin (Lincoln: University of Nebraska Press, 1989).

<sup>33</sup> AGN Indiferente 179 exp. 2 (1641).

<sup>34</sup> For an analysis of the church's aims regarding freedom of choice in marriage, see Luis Martínez Ferrer, "La defensa de la libertad de indios y negros para contraer matrimonio en el Tercer Concilio Mexicano, 1585," in *Los indios, el derecho canónico y la justicia eclesiástica en la América virreinal*, ed. Ana de Zaballa Beascochea (Madrid: Iberoamericana, 2011).

<sup>35</sup> AGN Indiferente 151 exp.25 (1612).



mistreating them.” The vicar general agreed and ordered the said mistress “to permit him to enter her house so that he could join and cohabit with [his wife] . . . and not to sell or transport her outside the city.”<sup>36</sup> The petitioners specifically asked the court to pressure the person who was preventing them from having some contact with their loved ones. Juan de la Cruz, a chino slave who was married to a free woman named Inés de Valderama, claimed that her “odious” mother “distorted their married life.” In response, the court issued an order (*auto*) requiring the mother “to allow them to cohabit,” and to do so “as an obligation to the virtue of obedience and under penalty of being excommunicated.”<sup>37</sup> These and various other cases testify to the frequency with which chino slaves turned to the episcopal court for help in keeping their families together.

The mistress of a china slave named Dominga kept her working in chains in an *obraje* (textile workshop), in part to prevent her from petitioning the government for her freedom. The year was 1675, and Dominga’s husband Miguel de la Cruz knew that the crown had freed chino slaves three years earlier. He needed Dominga to have access to a lawyer. So, Miguel petitioned the episcopal court “to stop these cruelties”; the mistress kept the couple apart and refused to give them the “two hours in the morning and two hours in the afternoon” that were supposed to be “conceded to married slaves.”<sup>38</sup> Desperate to have his wife “achieve her liberty,” Miguel turned to the church to intervene in the personal matter of being able to have a “marital life,” with the idea that this allowance would enable Dominga to have a few hours a day to present her case and access secular justice. The vicar at court took action within a day, issuing an order to Dominga’s mistress that “she not impede Dominga and her husband Miguel from cohabiting as God commands and not maltreat them by word or deed.” The order did not mention the issue of her liberty, but this intercession at least gave Dominga the chance to pursue it.

<sup>36</sup> Yet another case is from 1665, in which a chino slave named Alonso Hilario received notice that his wife’s owner was planning on selling his wife María de la Rosa, also a china, to a new master far from Mexico City. He was rarely allowed to visit so he had little information. He nonetheless brought his case to the court and succeeded in having a cathedral canon intervene in his defense. María’s master was warned that he risked excommunication if he did not obey the church and was ordered to cease impeding these slaves from having a marital life together. AGN Indiferente 2447 exp.46 (1665).

<sup>37</sup> This is the same Juan de la Cruz cited in [Chapter 4](#) as a literate personal servant. Inés de Valderama was categorized as a “mulata native of Mexico City.” AGN Indiferente 2430 exp.21 (1634).

<sup>38</sup> AGN Indiferente 1605 exp.7 (1675).



Agustín de la Cruz, a chino slave from Makassar, tried to employ the church's procedures to recover his wife María Josefa.<sup>39</sup> She had recently been sold to a person living in Oaxaca – “a place remote” from Mexico City – so he petitioned the ecclesiastical court to intervene. Agustín claimed that he could not travel to join her and have a “marital life” because his own masters (Dominican friars) needed him. The judge agreed to order María's previous owner to annul the last sale and have her return to Mexico City, so that the two of them could spend Saturday nights together “as customary.” Remarkably, the owner replied that she could not in good conscience return the slave because Agustín was physically abusive, to the point that María feared for her life. To the owner's credit, she presented documentation of having submitted a complaint three months earlier to the same court asking that the marriage between her slave María and Agustín be annulled. At that time, the vicar had requested that Agustín be questioned on the matter, and he had absolutely denied ever “maltreating her,” except for scolding her because she often ran away and thus did “not fulfill her obligation to serve her masters.” Now, María's owner admitted she was notorious for running away, so she had been unable to find a buyer in Mexico City, which led to María being sold in a different town. In all of this, we are missing María's declaration of her own experience and perspective, so it is impossible to know who was telling the truth. It could be that the owner had fabricated the story of abuse to obtain an annulment, which would have freed her to sell María to whomever or wherever she wanted. As such, the case is a good example of the care that must be taken in reading these petitions for intervention, for masters as well as slaves could use them for different purposes. The episcopal court received myriad petitions that were only tangentially related to religious matters.

The church perpetuated a hierarchy in the colonies that placed clergy over laymen and masters over slaves, in the belief that a morally righteous and civilized society required this kind of order. Nothing makes this attitude clearer than the actions of ecclesiastical judges, who helped masters recover their escaped slaves by issuing censures (*censuras*) against individuals who aided runaway slaves.<sup>40</sup> Masters petitioned the episcopal court in Mexico City for these censures against fugitive chinos just as they

<sup>39</sup> AGN Matrimonios 139 exp.36 (1663).

<sup>40</sup> Apart from the cases discussed in this section, see AGN Indiferente 4049 exp.8 (1617); AGN Indiferente 3470 exp.11 (1626); AGN Indiferente 1007 exp.14 (1634); AGN Indiferente 2242 exp.29 (1636); AGN Indiferente 2289 exp.1 (1658).

did for blacks. In canon law, a censure was a spiritual punishment directed at people who went against the Catholic Church; excommunication meant exclusion from the Christian community, whereas an interdiction only barred people from participating in certain rites, particularly communion.

Preserving the rights of property owners was not a doctrinal issue, and yet judges were strikingly willing to use an extreme threat – the denial of salvation through excommunication – to assist slave owners. In this regard, the censures were an instrument for social control. The censures were targeted toward those individuals who helped slaves steal themselves, which was the legal understanding of the crime. In all these cases, the onus was on the community – someone had to have seen the runaway slave or been somehow involved. As such, the threats were meant to encourage individuals to tell on each other. Censures, moreover, were supposed to deter slaves from becoming fugitives. Slaves would know that they would be found out, because no one would endanger their souls to help them escape or stay on the run.

In 1660, Alonso Gómez came before the court to report that his china slave María de la Rosa, called “the white one,” had run away a few days prior when the household was attending mass.<sup>41</sup> She was branded on the face and was wearing a blue skirt, white blouse, and white shawl on the day of her disappearance.<sup>42</sup> Gómez had already made inquiries and looked for María in the homes of her friends to no avail. According to him, María had run away on previous occasions and taken various silver service pieces; this time she had taken off with some keys. After making “extraordinary solicitations to find out who had stolen” his property, Gómez said that his sole recourse was to ask the court to issue censures, “including anathema,” to force “whoever knew about the matter” to come forward.<sup>43</sup> The vicar general conceded to his request and issued a formal censure letter, exhorting individuals who were “hiding the said María de la Rosa” to acknowledge their wickedness. Gómez had every right to know her whereabouts and “be able to press charges” against the perpetrators.

<sup>41</sup> This is the same slave mentioned in [Chapter 5](#). AGN Indiferente 2306 exp.8 (1661).

<sup>42</sup> Scholars have written extensively about the ways descriptions of clothing were used in runaway advertisements in the U.S. South, and what these tell us about cultural perceptions. There are no comparable studies for slaves in Spanish America. For some representative studies, see David Waldstreicher, “Reading the Runaways: Self-Fashioning, Print Culture, and Confidence in Slavery in the Eighteenth-Century Mid-Atlantic,” *The William and Mary Quarterly* 56, no. 2 (1995); Jonathan Prude, “To Look upon the ‘Lower Sort’: Runaway Ads and the Appearance of Unfree Laborers in America, 1750–1800,” *The Journal of American History* 78, no. 1 (1991).

<sup>43</sup> Anathema was a formal curse of excommunication.

Individuals who did not comply with the church's order were "disobedient rebels" who would be given the sentence of major excommunication. The outcome is unknown, but the severity of the language was surely enough to make the situation difficult for María.

The wording of another censure is even more dramatic. Miguel de Irisari turned to the court after his china slave Angelina de la Cruz had been missing for more than two months, having never returned from her daily circuit of the streets selling confections. The judge wrote the censure to be read in every church of Mexico City. If no one came forward after six days, the priests were to carry out an elaborate spectacle for their parishioners. They were to "stand before the doors of their church with a cross covered in a mourning shroud and lit candles in their hands, and sing the psalms."<sup>44</sup> They were then to warn the spectators that they had to obey the Holy Mother Church or risk being "like candles submerged in water, dead, with their souls in hell." The church expected full obedience, warning that people who harbored slaves would have their "bread, wine, meat, salt, and water" cursed and be damned for eternity.<sup>45</sup> As in other church spectacles, these kinds of threats were meant to increase social surveillance. This performance of exemplary punishment thus functioned to encourage compliance with secular law and to uphold the economic institution of slavery.

Apart from the ecclesiastical court, masters also turned to the Inquisition for help in recovering their slaves. The Holy Office was only supposed to judge matters of faith, but in this slave-owning society, the court also served to settle property disputes. In 1619, for example, Álvaro Martínez, a plantation owner, had a commissary of the Inquisition threaten another Spaniard named Diego de Riano with excommunication if he did not return his unnamed chino slave.<sup>46</sup> Riano refused; he had captured the fugitive slave on the road to Veracruz and now demanded that the master pay his expenses. In addition, Riano wrote directly to the tribunal in Mexico City to explain that he had "not committed a crime against the Catholic faith." Martínez was the one at fault – he was shirking his responsibility to pay for the costs of capturing and feeding his runaway slave. Riano wanted the inquisitors to chastise the commissary, who had acted beyond his purview. Both Spaniards, in other words, looked to the Inquisition to settle a case involving a slave in so far as he was property. The outcome of this dispute is unknown, but these men's willingness to

<sup>44</sup> AGN Indiferente 2306 exp.9 (1660).

<sup>45</sup> AGN Indiferente 2306 exp.22 (1663).

<sup>46</sup> AGN Inquisición 328–2 exp.55 f.378 (1619).

turn to the Inquisition for a resolution regarding a financial obligation speaks to the breadth of the tribunal's influence.

Still, the church's stance on slaves was more complicated than these censures might imply. Slaves were not merely chattel; they were human beings who required some protection, at least regarding the sacraments. That said, the Tribunal of the Inquisition handled cases involving slaves that illustrate how the church preserved masters' dominance. Inquisitors had *chinos* disciplined in the same way as black slaves, with harsh rebukes and beatings, until they started identifying *chinos* as Indians and thus protected them from prosecution.

#### THE INQUISITION ON INDIANS VERSUS SLAVES

Spaniard Juan de Huerta was disgusted and shocked: his neighbor Mateo, a *chino*, had taken to throwing out papers on the street with excrement – and the horror was that some had religious imprints.<sup>47</sup> It was blasphemy. Huerta had to denounce Mateo to the Holy Office. How dare he dirty the image of the Holy Trinity or the *Ecce Homo*? On the morning of September 27, 1616, Huerta had an audience at the Inquisition Tribunal, where he described the sordid business to the inquisitor and presented him with the physical evidence. The judge, however, did nothing about the matter.<sup>48</sup> It was unneighborly nastiness. More significantly, Mateo was an “*indio chino*” (i.e., a native Filipino) and the Tribunal had no jurisdiction over Indians. Had Mateo been a *chino* slave, it would have been a different matter; the Inquisition routinely prosecuted slaves for offenses against the faith, such as defacing religious imagery. This case points to the complicated jurisdiction of the ecclesiastical courts in Mexico, and to churchmen's conflicting attitudes toward *chinos* who were free Indians versus *chino* slaves.

<sup>47</sup> AGN Inquisición 312 exp.45 f.228-v (1616).

<sup>48</sup> Procedurally, the Holy Office worked as follows: Inquisitors reviewed letters sent by deputies and familiars detailing allegations and then directed their representatives on how to proceed. They also held audiences at court in the palace of the Inquisition in Mexico City. If a case was considered serious, jurists ordered further investigation and the collaboration of witnesses to make a formal accusation (*sumario*). After receiving the additional information, inquisitors then decided whether to proceed with a trial (*prueba*), which would include submitting the purported offender to further questioning. Finally, after reading all the materials, the inquisitors would issue their definitive sentence (*sentencia*). For an analysis of the functioning of the Holy Office in Mexico, see John F. Chuchiak, *The Inquisition in New Spain, 1536–1820: A Documentary History* (Baltimore: The Johns Hopkins University Press, 2012).

Indians were subject to the church in matters of religious orthodoxy and morality, but the Inquisition did not handle their offenses. When the Mexican Inquisition was founded in 1571, the Spanish crown made a critical exception: the Tribunal would not have jurisdiction over indigenous people.<sup>49</sup> The court was only charged with enforcing religious orthodoxy among Spaniards, people of mixed race, and slaves. Indians were religious novices and hence not accountable to the same standards as Old Christians.<sup>50</sup> Notably, slaves from Africa or Asia, many who were also newly baptized, and thus new to the faith, were not given the same leeway as Indians. The Inquisition, at least in theory, prosecuted slaves for heretical practices under the assumption that they willingly disrespected the church's teachings. In reality, the Tribunal's oversight of slaves had more to do with social control. The Inquisition went after slaves when they committed religious crimes because their actions were an attack on the social order.

The church dealt with the religious infractions of Indians in a way that was altogether different from the way it dealt with slaves. Cases of idolatry related to preconquest religious practices, for example, were charged to the judge ordinary (*provisor oficial*) or vicar general of each bishopric. The bishops maintained their early-conquest role as judges of morality and religious practice over the Indian population. This determination was based on canon law, which categorized Indians as wretched people (*persona miserabilis* in Latin) in need of special protection.<sup>51</sup> They were "new plants in the faith" (*plantas nuevas en la fe*), who had to be treated with

<sup>49</sup> Alberro suggests that the crown issued the decree to prevent the abuses of the early post-conquest period, when a number of churchmen with inquisitorial powers (sometimes referred to as an Episcopal Inquisition) ordered that several high-ranking indigenous men be burned for allegedly relapsing to their traditional beliefs; see Solange Alberro, *Inquisición y sociedad en México, 1571-1700* (México: Fondo de Cultura Económica, 2004). In contrast, Greenleaf suggests that the exclusion was related to the acrimonious conflict over doctrinal jurisdiction between archbishop and episcopal inquisitor Alonso de Montúfar, O.P., who tried to implement the decrees of the Council of Trent, and the secular clergy. Philip II favored the regulars when he excluded the Indians from the formal Inquisition. See Richard E. Greenleaf, *La Inquisición en Nueva España* (México: Fondo de Cultura Económica, 1969), 126-67. For an acute analysis of the consequences of excluding indigenous people from the Inquisition's purview, see David Tavárez, *The Invisible War: Indigenous Devotions, Discipline, and Dissent in Colonial Mexico* (Stanford: Stanford University Press, 2011).

<sup>50</sup> Coming out of the context of the Reconquista, Old Christians were people who could prove they had no ancestors who were Jews or Muslims.

<sup>51</sup> Medieval canon law conceived of *persona miserabilis* as those people who needed the special protection of the church, even beyond matters of morality, because they were the weakest members of society in terms of power and wealth. For the articulation of this

special consideration.<sup>52</sup> The idea was that churchmen who were actively involved in the missionary campaign would have a more nuanced understanding of indigenous culture and be better able to judge their transgressions. Inquisitors were therefore careful not to overstep their authority in regard to Indians. This distinction eventually shaped how they perceived chino slaves.

After Spain's Pacific conquest, the Tribunal in Mexico City was charged with oversight of the Philippines.<sup>53</sup> As in Mexico, the Inquisition had no jurisdiction over native people, who had to respond to the episcopal court under the archbishop of Manila. The Inquisition periodically sent an inspector (*visitador*), but most of the time the judges in Mexico City relied on resident commissaries (*comisarios*), who made inquiries, took testimonies, and wrote reports detailing potential cases of religious wrongdoing in Manila, and farther afield. They sent their findings to Mexico City for review and waited for further directions on how to proceed.<sup>54</sup> Tellingly, when the Inquisition's deputies mistakenly forwarded a case concerning an Indian from the Philippines, the judges returned the documentation to the diocesan authorities. The judges in Mexico City consistently maintained the jurisdictional boundaries; their concern was with Spanish colonists and other foreigners in the Philippines, not with native peoples.

The policy of returning cases to Manila made for some interesting discussions among inquisitors, who were typically ignorant of Asian geography as it concerned the true origins of certain individuals. In general, judges grouped people from elsewhere in Asia with those from the Philippines. In 1662, for instance, the Inquisition in Mexico City received a letter regarding a slave named Francisco Macasar, who was accused of being a diviner (*adivinator*). Overlooking the fact that Francisco's name

doctrine in the Spanish colonies, see Thomas Duve, "La jurisdicción eclesiástica sobre los indígenas y el trasfondo del derecho canónico universal," in *Los indios, el derecho canónico y la justicia eclesiástica en la América virreinal*, ed. Ana de Zaballa Beascochea (Madrid: Iberoamericana, 2011).

<sup>52</sup> The Third Provincial Council in Mexico City (1585) employed this metaphor to articulate the need for the church's continued guardianship of the indigenous population. *Traslosheros*, 2001, 502.

<sup>53</sup> The crown gave jurisdiction over the Philippines to the Mexican Inquisition in 1585. José Toribio Medina, *El tribunal del Santo Oficio de la Inquisición en las Islas Filipinas* (Santiago de Chile: Imprenta Elzeviriana, 1899).

<sup>54</sup> On arrival at Acapulco, the admiral of the Manila Galleon had to hand over the letters and dispatches addressed to the Holy Office to the commissary of the Inquisition. AGN Inquisición 140 exp.8 f.339–345v (1586). The documentation forwarded to Mexico by the commissary in the Philippines, a Dominican friar, for the years 1622 through 1625 is found in AGN Inquisición 220 exp.8 (1623).

indicated that he was from Makassar, in Sulawesi Island rather than from the Philippine Islands, the inquisitor reviewing the case identified him as an Indian from the Spanish Philippines and judged the case to be outside the court's purview.<sup>55</sup> As a foreigner and a slave, Francisco should have been investigated, especially as the inquisitor suspected grave wrongdoing and ordered a sharp reprimand for the Spaniards who had visited him. Francisco's identification as an Indian, however, superseded doctrinal concerns; in terms of religious jurisdiction, the Inquisition could not proceed against the native peoples of Spain's colonies.

In contrast to the cases sent from the Philippines, the Inquisition's policy toward the natives of the Philippines who ended up in Mexico was inconsistent and much more complicated. While they remained in Spain's Asian colony, indigenous people were categorized as Indians and therefore excused from inquisitorial scrutiny. Once these individuals were in Mexico, the distinction was no longer made. Inquisitors, like everyone else, categorized all slaves who arrived from Asia (other than blacks) as chino slaves, whether they were originally from Manila or Goa. In other words, once natives of the Philippines disembarked at Acapulco, they ceased being Indians and became chino slaves – and as slaves they were under the Tribunal's jurisdiction.

That said, Inquisitors did express some confusion over where chino slaves came from and about their relation to Indians. It took decades, however, for the Inquisition to make clear distinctions and to group chinos with Indians under the same jurisdiction. Finally, at the end of the seventeenth century, inquisitors started to classify chinos as Indians, which went along with a broader recognition in society that many chino slaves were in fact natives of the Philippine Islands. To make the distinction, inquisitorial judges became increasingly interested in the part of the testimony when accused individuals gave their life discourse (*discurso de la vida*) and provided details regarding their ancestry. The inquisitors also started to rely on details about people's skin color and customs to distinguish Indians from legal (i.e., non-native) slaves.<sup>56</sup> The judges used chinos' self-rendering, along with their own observations, to draw conclusions about their identity and thus determine the appropriate jurisdiction.

<sup>55</sup> Makassar is in present-day Indonesia. AGN Inquisición 502, exp.6 f.452–474 (1662).

<sup>56</sup> For a discussion of the Inquisition's adjudication of indigenous identity in cases involving castas, see David Tavárez, "Legally Indian: Inquisitorial Readings of Indigenous Identity in New Spain," in *Imperial Subjects: Race and Identity in Colonial Latin America*, ed. Andrew B. Fisher and Matthew D. O'Hara (Durham: Duke University Press, 2009).

In 1621, a commissary of the Inquisition in the city of Puebla wrote to the Tribunal in the capital about a chino slave named Andrés, who was known for selling magical powders, allegedly acquired from the “great Turk.”<sup>57</sup> Men were said to flock to Andrés because he made them feel like they could get any woman of their choosing. The commissary asked for the judges’ opinion on whether to proceed with the inquiry and collect testimonies. At question was the possibility that Andrés might be an Indian. If the slave were indeed a native, then it would be the bishop who would have to intervene. The commissary thus wondered whether chinos were in fact Indians, knowing that the Inquisition could not prosecute an indigenous person.

The growing association between chino slaves and Indians derived in part from their very real connections in everyday life. The case of Diego Juan de la Cruz from 1632 illustrates how chino slaves emphasized their interactions with Indians. In 1632, Diego confessed a string of transgressions to a local priest, from behind a cell wall. He had been on the run from his master for months, trekking through the mountains, until finally being caught and jailed in the town of Toluca.<sup>58</sup> Diego told the priest of his days as a fugitive and showed him “a small black figurine in the shape of a bird” that an Indian had given him. Whenever Diego was in trouble, he would take a bite from the bird and mix it with saliva to spread on his hands, and this would fill him with vigor, which allowed him to go on.

Diego also spoke of demons and slavery. One day, he had called on the devil for help and a demon had instantly appeared to offer his assistance. In exchange, Diego was told that he would have “to draw blood from his veins,” and with this red liquid he was to sign a document that made him the devil’s slave. He confessed to the priest that he had been tempted to sign the demon’s contract but had not done so because he was a true Christian. Diego did not say as much, but his story suggests that creatures that ask for slave contracts are demons, which can be interpreted as a veiled critique of the church for justifying slavery.<sup>59</sup> In this sense, Diego, like other chino slaves, used religious rhetoric to articulate his desire for actual freedom.<sup>60</sup>

<sup>57</sup> AGN Inquisición 486 exp.39 f.201 (1621).

<sup>58</sup> AGN Inquisición 372 exp.20 (1632).

<sup>59</sup> Diego expressed similar religious disdain when he confessed to defecating on an image of Our Lady of the Rosary and then “smashing his rosary to pieces.”

<sup>60</sup> The appropriation of Christian rhetoric by subalterns to contest hegemonic powers is a commonly studied historical topic. For an analysis of how indigenous people in the Philippines employed Catholicism to limit Spanish control, see Rafael, 1988.



Visibly shaken by the stories, the priest admonished Diego and warned him not to say such things “to get out of jail or for fear of his master.” Diego, however, was adamant: he wanted to be absolved by the Inquisition for his sins, which was why he had spoken out in the first place. The priest therefore carried on and gathered testimonies from Diego’s cellmates to write a report for the Tribunal. Among the tales the priest heard from these men was that Diego had repeatedly boasted that he had once grabbed a turkey, which had lain at his feet, and “had a human act with it.” The priest’s detailed report of the confession and testimonies prompted the Inquisition to hear the case, so Diego got the audience he had wanted.

At court, Diego lamented the sorrows and extreme hopelessness that had led him to offend God on many occasions, including thoughts of suicide. He begged “the Holy Office to guide him toward the path to salvation.” Interestingly, Diego changed some of the characters in the stories he told the presiding inquisitor. To the priest and his cellmates, he had allegedly spoken of demons and supernatural powers, but to the inquisitor he related a more personal story about his friendship with an Indian. This unnamed Indian was a kind of healer who had “consoled” and helped him find strength (by giving him the bird figurine). They had parted ways, but that same Indian (rather than the devil) had appeared to him in dreams and one time sent an envoy of sorts, another Indian “dressed in a white cape,” to help him escape from a sugar plantation where he had been working. This caped Indian had shattered the chains that bound Diego and had given him a mare so that he could go back to his family in Mexico City. The Indian had also promised to come to his aid in the future and requested that Diego “offer a fast for him.” When the inquisitor asked what this fasting was about, as “all penitence and mortifications are due only to God,” Diego explained that it was simply a customary phrase used by friends. The Indian had meant that he wanted Diego “to pray for him and commend him to God.” With this elaboration of his visions, Diego humanized his rendering as the tale of a man driven to desperate measures to escape bondage who had received help from a fellow Christian Indian.<sup>61</sup>

The inquisitor was swayed by Diego’s tearful acknowledgment of his errors and effusive contrition. He had come to the Tribunal’s attention as a

<sup>61</sup> Diego referred to him as a *chichimeca*, but there is no sense that he implied a negative connotation, even though the word was often used as a derogatory term for “barbarian” (i.e., bellicose) Indians from the northern frontier.

man who had fiendish temptations. Diego's stories, however, had the effect of transforming him into a wretched and ignorant Indian. The judge was willing to forgive his lapses with a reprimand. The sentence was as follows:

Due to his condition, color, and the experience we have in these parts with the slaves who come from the Philippines . . . he ought to be recognized as a native *indio chino* . . . and having shown signs of repentance, he should be warned not to commit such unlawful acts . . . and be instructed to be a good Catholic Christian, and then be handed over to his master.

The use of the term "indio chino" indicates that in the 1630s, there was already a predisposition to think of chinos as Indians, even in the case of a man who was branded on the face to mark him as a slave. The inquisitor, moreover, specifically identified him as an Indian from the Spanish Philippines, even though Diego said he had been born and baptized in Malacca.<sup>62</sup> On this occasion, the categorization as an Indian did not raise jurisdictional concerns. The inquisitor identified Diego as a slave, which made him subject to the court; Diego's Indian-ness, however, seemed to have made him less culpable, as evident from the judge's lenient ruling.

Over the course of the seventeenth century, chinos showed an increased understanding of what was expected from them during their *proceso* (trial), which was to repent and plead with the presiding inquisitor for forgiveness. There was always a possibility of mercy, even when the evidence was quite damning. Chinos were helped in this performance from their knowledge of Catholic doctrine, which they gained prior to arriving in Mexico.

We know something about their strategies because the surviving documentation includes transcriptions of chino testimonies.<sup>63</sup> These narratives provide insight into how the accused responded to allegations against them and how chino slaves negotiated with this institution. The court notaries who wrote down people's words did act as mediators, often summarizing their responses to (often leading) questions and intermixing juridical jargon. It would have been unthinkable, however, for them to make up personal information or add emotional details, especially as the transcriptions were read back to the witnesses and the accused for confirmation. These transcripts represent what was said at court, minus some unstated understandings.

<sup>62</sup> The Portuguese conquered the Malay city of Malacca in 1511, which was then taken by the Dutch in 1641.

<sup>63</sup> The surviving inquisitorial documentation on chino slaves consists of accusations, indictments, testimonies, and the inquisitors' directives and pronouncements.

The Inquisition prosecuted chino slaves for three main crimes: blasphemy, divination and bigamy. The first and most common accusation was blasphemy, for slaves who cursed or denied the Christian god, often to protest bondage. The second category, divination, involved chinos who allegedly claimed to have supernatural powers and thus swindled ignorant people. The third, bigamy, concerned men who sought to have new families, frequently because their first wives remained in the Philippines. For the accusers, chinos were foreigners with suspicious beliefs and questionable motives. At court, chino slaves sought to challenge these assumptions by stressing their Christian devotion and submission to the power of the church.

Like African slaves, chinos cursed the Christian God to express their desperation and as a way of calling out for help.<sup>64</sup> Women in particular were wont to lash out against religious objects as a way of expressing their anger. In 1626, for instance, a commissary reported that a china slave named Lucia had been accused of striking a crucifix, and he had called on a black slave from the same household to testify on the matter.<sup>65</sup> This witness – a cook – remembered a telling incident. One day she had found Lucia gathering food remains from the floor and asked: “Are you so hungry that you would eat that filth?” In response, Lucia had said she was so hungry that she “wanted to eat a Christian, like the Moors do, who are as fat as sausages.”<sup>66</sup> Lucia had undoubtedly heard about the long-lasting animosity between Catholics and Muslims (*moros*) and used the reference to reflect her own bitterness toward the masters who starved

<sup>64</sup> Several scholars have convincingly argued that blasphemy among African slaves was an act of social resistance, defined as an attempt to act independently and confront a perceived injustice, especially cruel punishments. See especially Frank T. Proctor III, “*Damned Notions of Liberty*”: *Slavery, Culture, and Power in Colonial Mexico* (Albuquerque: University of New Mexico Press, 2010); Javier Villa-Flores, *Dangerous Speech: A Social History of Blasphemy in Colonial Mexico* (Tucson: University of Arizona Press, 2006); Alberro, 472–4. Kathryn Joy McKnight, “Blasphemy as Resistance: An African Slave Woman before the Mexican Inquisition,” in *Women in the Inquisition: Spain and the New World*, ed. Mary E. Giles (Baltimore: The Johns Hopkins University Press, 1999). In contrast, earlier scholarship emphasized the inquisition’s punitive role in social control and thus focused on those cases where slaves were severely punished even when they had blasphemed under duress; see, for example, David M. Davidson, “Negro Slave Control and Resistance in Colonial Mexico, 1519–1650,” *Hispanic American Historical Review* 46, no. 3 (1966): 241.

<sup>65</sup> Another china slave named Ana was similarly accused of assaulting (*abofetear*) a crucifix. AGN Inquisición 1552 f.192 (1626).

<sup>66</sup> AGN Inquisición 365 exp.3 (1628).

her.<sup>67</sup> The inquisitor who read the report discounted her pleas, judging these outbursts to be “of little substance,” rather than insults to God. The judge may have recognized that a slave provoked by fear and misery could slide easily into despair and express it as religious irreverence.

In some cases, chino slaves blasphemed to obtain a reprieve from physical torment – a mechanism similarly employed by slaves of African descent.<sup>68</sup> Their actions can be understood as willful attempts to precipitate the intervention of the Inquisition. Chino slaves cried out to gain an audience at court where they could denounce abusive masters lacking in Christian charity. Chino slaves understood that whoever witnessed blasphemy had to denounce the event to the Inquisition, so they did so to invite the intercession of the Inquisition. The master would not be held responsible, as the sacrilege endangered only the blasphemer’s soul, but the slave could expect the Tribunal to acknowledge the master’s cruelty and insist that he treat slaves more humanely. Chino slaves thus employed the rhetoric of paternalism to ameliorate their condition.

Masters voluntarily turned in their slaves and testified against them, which points to the severe social pressure that led individuals to report heterodox behavior. Slave owners had to pay all costs associated with a trial, including room and board at the inquisitorial jail, so there was actually a financial disincentive to denounce their slaves. Yet, they did. Masters well understood that they were supposed to ensure that their slaves acted like good Christians, and they avoided the perception that they were skirting that responsibility.

Andrés Álvarez, for example, asked the court to punish his chino slave Antón because he had stood up during Sunday mass and renounced God and the Virgin Mary, scandalizing the parishioners. As the inquiry revealed, the outburst had been brewing for some time. Antón had previously run away, so Álvarez kept him in chains at all times. From Álvarez’s perspective, Antón was a “malicious” slave who never completed his work, “grumbled” constantly, and even refused to wash his

<sup>67</sup> See [Chapter 2](#) for a discussion of the historical animosity between Catholics and Muslims in Iberia, and how that shaped Spaniards’ attitude toward slavery.

<sup>68</sup> Proctor suggests that African slaves used blasphemy as a way to “negotiate” what was “acceptable treatment” versus “illegitimate or cruel punishment.” Proctor, 2010, 114–20. Villa-Flores, on the other hand, suggests that slaves often blasphemed to stop the abuse and to prompt the intervention of the Inquisition. Villa-Flores, 2006, 131–40. I emphasize that slaves’ motivations for blaspheming were as varied as their own individual circumstances.

face to attend mass.<sup>69</sup> Álvarez did not add, however, that he had broken Antón's left arm in a beating some days earlier, making it impossible for Antón to carry out his orders. When it came time for Antón to defend himself at court, he told of having previously worked at a textile mill, where slaves often "reneged God" because of the "beatings and punishments" that were meted out. He said that an "old inquisitor with a good face" had ordered their master "to treat them well." Antón had obviously wanted the same thing to happen again: to have the Inquisition admonish Álvarez and make him act in a more Christian manner.

As in other cases involving chino slaves, the presiding inquisitor focused his attention on Antón's lineage, rather than the blasphemy. Antón had said he was a mulatto from the city of Goa; his paternal grandmother had been a slave from Mozambique, his grandfather a Portuguese captain, and his maternal grandparents were Muslims from Terrenate in the Maluku Islands.<sup>70</sup> No further information was taken about his genealogy because the inquisitor thought it "unnecessary to determine the quality of his person." The inquisitor had heard enough to know that Antón was a slave, not an Indian, which meant he fell under the court's jurisdiction. The punishment was 200 lashes. The inquisitor, however, also had severe words for Álvarez, demanding that he stop his cruelties and treat his slaves with "Christian charity." Álvarez was also told to sell Antón to another master, as he was obviously "a hurt (*irritado*) and desperate slave." This case suggests that slaves did indeed count on the Inquisition to mitigate their masters' cruelty, and that judges had to decide on what constituted excessive punishment, which was obviously recognized to be one of the factors that provoked slaves to rebel against their masters, even if the rebellion was suicidal.

The Inquisition's main function was ideological – the inquisitors were charged with enforcing religious orthodoxy and uncovering heresy.<sup>71</sup> That said, inquisitors were generally wary of condemning chino slaves who blasphemed too harshly if they were new converts, understanding that they often spoke out because of ill treatment. As such, the judges were often lenient with chino slaves, acknowledging the difficult circumstances in which they found themselves. In 1626, a chino slave named Gaspar was

<sup>69</sup> AGN Inquisición 454 exp.27 f.443-458v (1651).

<sup>70</sup> *Ibid.*

<sup>71</sup> Inquisitors spent much of their time censoring books and ideas that challenged Catholic dogma. For a study on their intellectual foundations, see Martin Austin Nesvig, *Ideology and Inquisition: The World of the Censors in Early Mexico* (New Haven: Yale University Press, 2009).

caught fleeing from a sugar plantation. Struggling, Gaspar called out injuries to God and His Saints as he was put in iron chains. He immediately expressed deep remorse for his words and “begged for mercy with much sentiment.”<sup>72</sup> In response, the inquisitor wrote that “in attention to the slave’s capacity and regret,” the punishment would be only twenty lashes. In a similar case, a chino slave named Tomás, who had recently arrived at his master’s plantation, blasphemed while fumbling with the sugar press. On review, the inquisitor simply filed the case, noting that the blasphemy had been committed under duress and that the slave had spoken in the context of “oppression.”<sup>73</sup> As with newly converted Indians, churchmen knew that chino slaves might not understand the theological significance of their words because they were ignorant of doctrinal matters. They also understood that people misspoke when they were being abused. The slave in question had to be punished for his or her blasphemy to set an example for others, but the judges allowed some latitude for context.

The Holy Office was charged with enforcing normative behavior, so inquisitors showed less sympathy toward chino slaves who blasphemed in the process of challenging authority. They prescribed strict punishments for slaves who did not abide by established rules of behavior, especially if they tried to avoid work or disavowed their masters’ orders. In 1661, a chino slave named Lucas de Araujo was denounced as a blasphemer. The incident occurred at a bakery late one night when Lucas complained of the workload. To quiet him down, the supervisor sent an Indian worker to bind him. Lucas responded by renouncing God and all His Saints “six or eight times very angry and choleric.”<sup>74</sup> His hands tied, Lucas called on the Virgin and the Saints “to set him free from the ropes of the devil.” Alarmed by this behavior, the supervisor loosened the bonds but did not free him for fear that Lucas would hang himself out of desperation.

The morning after the incident, Lucas was delivered to the Inquisition’s jail, wearing old clothes and carrying a small rosary. During questioning, Lucas first told the court he was a Christian “baptized and confirmed by divine grace.” He claimed not to remember what had happened that night because he had come to work drunk; the following morning, he had found himself bound and naked, hanging from a ceiling beam. Lucas made the same declaration on five different occasions, only to relent and finally admit that he had indeed spoken against God in agony over the pain of

<sup>72</sup> AGN Inquisición 355 exp.18 f.382 (1626).

<sup>73</sup> AGN Inquisición 598 exp.15 f.169 (1663).

<sup>74</sup> AGN Inquisición 583 exp.5 f.520–567v (1661).

severe beatings. As evidence he showed the welts made by the leather whip that were still visible on his backside. He had been ashamed and frightened of further punishment, but he was now ready to ask for mercy from the court.

Lucas also explained that a few days after the incident, while delivering bread, he had stopped at a chapel and confessed to a friar, who absolved him. Lucas's testimony makes clear his religiosity in the sense that he knew his outburst had been sinful and sought to amend his actions through confession. Far from rejecting his faith, Lucas took recourse in petitioning for forgiveness, following the Catholic doctrine of redemption.

The presiding inquisitor inquired in detail about Lucas's genealogy, particularly the legal status of his parents. Lucas was "originally from Manila," so the judge had to be certain that he was not an Indian. After repeated questioning, Lucas explained that both his parents had indeed been slaves, "chinos like him," who had worked at the ship docks, but he knew nothing about his grandparents. His only other known relations were a maternal aunt and a brother living in Manila, who were married to free "Indians from Pampanga."<sup>75</sup> This was a clear distinction: his direct kin were married to natives of the Philippines, but this fact did not make them Indians. Having judged him a legal slave, the inquisitor ordered 200 lashes as punishment and returned Lucas to his master. Lucas had to serve as an "example to other slaves" who might otherwise be encouraged to use God's name in vain.

During the 1650s and 1660s, inquisitors increasingly focused on slaves' origins: they wanted to know where the slaves were born and how they got to Mexico. The answers to these questions determined the legal process. This was the case with a chino slave named Antón, who was commonly referred to as "the wise one" or diviner (*zaborí*).<sup>76</sup> It was said that Antón "said future things by looking at hand lines . . . and was consulted regarding lost items," but that he always made religious references in his prognostications. Antón had credence among his customers because he had the image of the cross "inscribed" (tattooed?) on his palate. Antón's wanton claim to have a special connection to Jesus Christ landed him in the Inquisition's secret prison.

<sup>75</sup> Pampanga is a region in central Luzon Island in the Philippines.

<sup>76</sup> There is extensive documentation from the initial investigation, subsequent proceedings, and an ensuing summary of the case. AGN Inquisición 456 exp.2 f.55-98v (1650). AGN Inquisición 435 exp.253 (1690).

Once in court, Antón tried to maintain his innocence by claiming that he no longer made prognostications or acted like a “false sorcerer” because he was a good Christian. As part of his life discourse, Antón said he was “a native of Cochin in Malabar, land of gentiles, not Muslims or Jews.” He likely made this distinction because he knew about Spaniards’ hatred of Islam and Judaism. Antón explained that a Portuguese friar had baptized him and that he regularly attended mass. He also recited some of the required prayers and stated that he knew how to read and write, but only in his native language. In explaining his sins, Antón admitted that he used to answer questions regarding lost items or about the future, but it had all been a hoax: he would accept “two or four *reales* . . . to buy chocolate and tobacco” and would respond to people’s questions with whatever came to his mind, which seemed to satisfy them. He figured his prognostications might have seemed cryptic because he could not speak Spanish or “Indian” (meaning Nahua) very well.

Antón was brought before the judges several more times but had nothing to add to his first statement. Then, the prosecutor showed him the accusations that had been collected, as dictated by inquisitorial procedure. Antón had to respond, so he changed tactics. Antón pleaded for mercy, emphasizing his ignorance and lack of malice, reiterating that he had only read palms to get money for chocolate and *pulque* (an indigenous alcoholic beverage made from maguey cacti). He had “read so many people’s palms that he could hardly remember them.” People would ask him questions and he would answer according to logical deduction. Once, for example, he had deduced that an allegedly stolen silver plate was to be found in the place where he had seen some servants washing it.

From the testimony, it was clear to the presiding inquisitor that Antón fell under the Inquisition’s jurisdiction. He was a slave from Portuguese India, with no connection to Indians. The palm reading hardly counted as heresy or wizardry. Antón was simply a man who took advantage of poor people’s ignorance and credulity to make a little money. After a long trial, the presiding inquisitor merely gave Antón a sharp reprimand and warned him not to say such “lies and artifice.”

As the seventeenth century wore on, inquisitors increasingly looked to skin color to make the distinction between who was a slave versus who was an Indian. The logic was as follows: an Indian was someone who looked like an Indian; *chinos* looked like Indians so they were Indians, not slaves; slaves were people with African features. For instance, in 1665, an Indian elder (*cacique*) turned in a runaway *chino* slave who had blasphemed. This unnamed *chino* slave, who was “tall and fat,” had yelled and tried to



intimidate the men who attempted to prevent him from running away.<sup>77</sup> The chino had threatened to renege on God if he were not set loose from the straps that bound him, but the cacique refused to loosen the ties for fear that the slave would turn against him or jump into the nearby channel and drown. The day after the incident, several witnesses went to the Tribunal to denounce the slave, confirming the cacique's story, except for the slave's ethnic category. On that regard, there was sharp disagreement: some testified he was a mulatto slave, and others called him a *negro*. The wording of these testimonies suggests that in 1665, the word "black" was being used as shorthand for slave. The accused did not have to testify or even identify who he was. The judge simply accepted the categorization of the Spanish witnesses and treated him as a slave. The unnamed chino looked like a slave, so he was under the court's jurisdiction. In any case, the presiding inquisitor was not concerned with the blasphemy. In the ruling, the judge wrote, "trouble and vexation afflicted [the accused]. . . because he was being taken back to his master." The outburst, in other words, had clearly derived from desperation, rather than malice, so the inquisitor meted out lenient punishment.

The Inquisition had to determine individuals' identity and investigate their ancestry with much more care after 1672, when the crown decreed that chinos had to be freed and recognized as Indians. The judges of the Tribunal thus had to categorize chinos carefully to establish jurisdiction. One way for them to make distinctions was through physical features: chinos who looked like Indians were identified as Indians, and their cases were forwarded to another ecclesiastical court. Individuals who had African features or whom witnesses described as *castas* (people of mixed descent) were not identified as chinos/Indians. Individuals who did not resemble Indians, in other words, remained under the court's purview. In 1686, several nuns accused a servant named María Juana de San Ignacio, whom they identified as a china but also described as a mulata with Asian features (*achinada*). The charge was that María had made a pact with the devil to leave the confines of the convent where she was employed.<sup>78</sup> Nothing else is known about María, but it is possible that she was a former china slave who was being forcibly kept in servitude. She may have been acting out to get attention and help in acquiring her freedom. Regardless, the inquisitor did not investigate further; he categorized María as a *casta* and

<sup>77</sup> AGN Inquisición 600 exp.23 f.521-528v (1665).

<sup>78</sup> AGN Inquisición 1551 exp.37 f.546 (1686).

simply ordered that she be severely reprimanded. From the judge's perspective, María was not a china or an Indian – she was merely a lowly casta servant whose trials and tribulations were not the Tribunal's concern.

THE TRIBUNAL FOR INDIAN AFFAIRS  
AND INDIGENOUS PARISHES

During the eighteenth century, the natives of all Spanish colonies were subject to an episcopal body that enforced religious orthodoxy and imposed prescribed social norms among all colonized indigenous peoples. After abolition, *chinos* formally came under the jurisdiction of the episcopal court in charge of Indian affairs. The court's name in the late eighteenth century – Tribunal of the Ordinary Inquisition for Indians and Chinos (*Provisorato de la inquisición ordinaria de indios y chinos*) – testifies to this inclusion.<sup>79</sup> Chinos were now generally assumed to be Indians from the Philippines and categorized as native vassals. In 1769, for example, the tribunal issued a widely distributed edict against idolatry that articulated this categorization. One of the clauses reads as follows: "If anyone knows an Indian born in this archbishopric, or from the Philippine Islands, who are vulgarly called *chinos*, who has committed an offense against our Holy Faith, he must be denounced to the court or the parish priest."<sup>80</sup> The decree also made a telling association about Indians' alleged predisposition to bigamy: "Due to their frailty, Indians and *chinos* may find themselves wanting to remarry while their wife is still alive." The document thus ascribed moral weakness to indigenous peoples from different parts of the empire interchangeably, as if they were all the same. As natives who were new to the faith, they required special guidance to stay on the path of righteousness.

<sup>79</sup> This Provisorato was also called the *Provisorato de Naturales*, *Tribunal de la Fe de los Naturales*, *Inquisición Ordinaria*, *Vicariato de Indios*, and *Juzgado de Naturales*. There is no comprehensive study of the workings of the eighteenth-century court. Richard E. Greenleaf, "The Inquisition and the Indians of New Spain: A Study in Jurisdictional Confusion," *The Americas* 22, no. 2 (1965). See the following works for the institutionalization of the episcopal court (*audiencia*) for Indian "natives" (*naturales*): Jorge E. Traslosheros Hernández and Ana de Zaballa Beascochea, eds., *Los indios ante los foros de justicia religiosa en la hispanoamérica virreinal* (México: Universidad Nacional Autónoma de México, 2010); Jorge E. Traslosheros Hernández, "El tribunal eclesiástico y los indios en el Arzobispado de México hasta 1630," *Historia Mexicana* 51, no. 3 (2001).

<sup>80</sup> AGN Inquisición 1037 exp.6 f.248 (1769).

The ordinary court also became a place where chininos could seek redress for a wrong done to them. In 1677, for example, Felipe de Jesus came before the ecclesiastical judge to raise a complaint against a cleric named Cristobal de Garnica, who had attacked him earlier that day.<sup>81</sup> As Felipe recounted, he had been sweeping the sidewalk in front of his house when Cristobal came toward him very angrily and started yelling profanities and punching him “for no cause or reason.” Felipe’s neighbors had to intervene when Cristobal took out a knife and threatened to kill him. The judge was sympathetic, promising to follow up on the matter. The court therefore acted to defend chininos/Indians from abuses, as part of keeping track of how they behaved in society.

As a result of this jurisdictional change, the Inquisition had to confirm the natural identity (*naturaleza*) of individuals who were called chininos before a case could ensue against them. During the course of the eighteenth century, inquisitors generally asked commissaries to carry out an investigation to verify where accused chininos came from originally, and what the chininos looked like if they lived elsewhere in Mexico. The understanding was that if individuals were really Indians, the Holy Office could not proceed against them.<sup>82</sup>

The wording in these records expresses the Inquisition’s concern. In the case of a chino named Agustín Miguel de Estrada, the judge wrote the following:

The testimonies do not make clear whether he is a *lobo* or a *mestizo*, and some suggest he is an Indian . . . Since the Holy Office does not prosecute the religious offenses committed by Indians, it is necessary to determine if he is a pure Indian by questioning three witnesses who can identify his *casta*.<sup>83</sup>

Who was this man? As it turned out, Agustín was something of a fugitive – on the run from two wives. The people who testified against the bigamist described him as having brown skin and slanted eyes, calling him an Indian, a chino, and different *casta* categories almost interchangeably. Finally, Agustín’s second wife appeared at court and explained that he was a native of the Philippines. She was the key witness. The Tribunal could not bring Agustín to trial because he really was an Indian who had to answer to a different court.

<sup>81</sup> AGN Indiferente 4395 exp.1 (1677).

<sup>82</sup> During the eighteenth century, the Holy Office recorded numerous accusations against chininos but did not proceed further. AGN Inquisición 999 exp.6 f.334 (1750).

<sup>83</sup> AGN Inquisición 872 exp.2 f.36 (1735).

The Inquisition made similar inquiries in the case of a chino named Nicolás Ubaldo de Sosa, who was accused of “marrying in China and Cuernavaca.”<sup>84</sup> The witnesses described him as having small slanted eyes, a flat nose, “chino-colored skin,” and black hair. Based on their testimonies, the presiding inquisitor forwarded the case to the Ordinary court for prosecution. He had the appearance of a chino from Manila, which was where he was from, and that made him a “pure” native. Nicolás was an Indian, and, in the words of the judge, “this tribunal does not proceed against people in this class.”<sup>85</sup>

By the end of the colonial era, the association was complete: Indians from the Philippines, now generally called “Indian Filipinos” rather than chinos, fell under the jurisdiction of the Ordinary court. In 1803, a man from the Philippines, accused of being a great liar (*embustero*), was identified as an Indian because of his “flat nose, general physiognomy, color, and scarce and clumsy Spanish.”<sup>86</sup> The distinction was plainly made on this person’s appearance: he was an Indian because he looked like an Indian.

Freed chino slaves were formally incorporated into the ecclesiastical system as Indians at the end of the seventeenth century. The transformation of chinos into Indians brought them under the indigenous parish system.<sup>87</sup> The parishes of Mexico City were originally organized under a principle of separation: secular clergy headed parishes for Spaniards and

<sup>84</sup> AGN Inquisición 1103 exp.11 f.132 (1772).

<sup>85</sup> In yet another example, witnesses against José Miguel del Sacramento, accused of painting pictures of the devil on his body and loose papers, described him as a mulatto and others as a chino. The inquisitor had to be certain of his ancestry, so he asked for further investigation, writing, “if he turns out to be an indio chino, then the investigation should be suspended” and the case dropped. AGN Inquisición 1281 exp.13 f.59 (1790).

<sup>86</sup> AGN Inquisición 1418 exp.15 f.180 (1803).

<sup>87</sup> After the conquest, Mexico City was divided into two zones (political and religious): Spaniards were supposed to live in the center (called *traza*) and attend parish churches; Indians were supposed to live in the periphery, which was subdivided into smaller neighborhoods (*barrios*), and attend the *visita* chapel in their barrio (the chapels were administered by two *doctrinas*). By the seventeenth century, the city was divided into the following parishes: Sagrario Metropolitano; San Miguel, Santa Catarina Mártir, Santa Veracruz; San José de los Naturales; Santa Cruz y Soledad Cotzincó; San Sebastián Atzacualco; Santa María la Redonda; San Pablo Teopan; Santiago Tlatelolco; and Indios Extravagantes. By 1777, the archbishopric of Mexico City also included Santa Ana, Santa Cruz Acatlán, Concepción Salto de Agua, Santo Tomás de la Palma, and San Antonio de las Huertas. Peter Gerhard, *A Guide to the Historical Geography of New Spain* (Norman: University of Oklahoma Press, 1993), 181. Ernest Sánchez Santiró, *Padrón del Arzobispado de México, 1777* (México: Archivo General de la Nación, 2003).

the religious orders had parishes for Indians called *doctrinas*. By the end of the sixteenth century, the orders found it difficult to maintain their jurisdiction, with many Indians attending the Spanish parishes, which also catered to the city's growing mixed population.<sup>88</sup> The one significant exception was a new parish that developed from a doctrina founded in 1610 by the Dominican Order to minister to Mixtecs who had migrated to the city.<sup>89</sup> In subsequent decades, this doctrina became the parish of Nuestra Señora del Rosario for *Indios extravagantes* (migrant Indians), also called the Language parish (*parroquia de lengua*).<sup>90</sup> This parish was unique because it did not have a specific territory, reaching out to all non-Nahua Indians living across the city. Starting in the late 1660s, the Language parish served Indians from the Philippines (see Figure 6.1).<sup>91</sup> By association, they also served chinos who were from other parts of Asia. Notably, a census-like report from 1692 did not specifically mention Filipinos or chinos, because by this time, churchmen routinely grouped all chinos as migrant Indians.<sup>92</sup> They were no longer slaves or foreigners, but rather members of the Republic of Indians.

During the course of the seventeenth century, the Language parish became a place that brought together Indians of varied regions, far beyond the original constituency of Mixtec-speaking Indians. The parishioners, who would have spoken varied languages, from Zapotec

<sup>88</sup> For the history of the secularization of the parishes in Mexico City, see Matthew D. O'Hara, *A Flock Divided: Race, Religion, and Politics in Mexico, 1749–1857* (Durham: Duke University Press). Cope uses parish records as evidence of "racial" integration of parishes during this period. R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660–1720* (Madison: University of Wisconsin Press, 1994), 61–7.

<sup>89</sup> Juan Javier Pescador, *De bautizados a fieles difuntos: familia y mentalidades en una parroquia urbana, Santa Catarina de México, 1568–1820* (México: El Colegio de México, 1992), 28. The doctrina was housed at the Dominican friary. AGN Indios 11 exp.122 f.98 (1639).

<sup>90</sup> O'Hara suggests that the Franciscans resented that the Dominicans included Indians other than Mixtecos, perceiving it as an attempt to steal their own Indian parishioners. O'Hara, 40–4. For a brief outline of the parish's history, see Francisco Sedano, *Noticias de México*, vol. 2 (México: Colección Metropolitana, 1880), 20–2.

<sup>91</sup> AGN Indios 24, exp.229, f.144–146 (1668). AGN Indios, exp.235 f.148 (1668).

<sup>92</sup> By 1692, the doctrina de Nuestra Señora del Rosario for "indios extravagantes" was composed of "indios naturales mixtecos, zapotecos, mestitlan, criollos, y otras naciones, residentes en esta ciudad." This lack of territoriality was a cause of concern for the parish friar, who complained that many of his parishioners did not attend mass regularly because they lived far from the Dominican friary. AGN Historia 413 exp.1 (1692); transcribed in "Sobre los inconvenientes de vivir los indios en el centro de la ciudad," *Boletín del Archivo General de la Nación* 9, no. 1 (1938), 1–34.



FIGURE 6.1. Chapel of the Virgin of the Rosary at the former Dominican monastery, which once housed the parish for migrant Indians (*indios extravagantes*) that included Filipino Indians. Church of Saint Domingo, Mexico City. Photograph by Alexandra Hart Brown and Daniel Fermín Pfeffer.

to Tagalog, likely communicated in their one common language – Spanish – or in Nahuatl, which became a lingua franca among indigenous people in Central Mexico and beyond.<sup>93</sup> The varied individuals from all over Asia, including the Spanish Philippines, previously grouped as chino slaves, were considered free Indians at the end of the seventeenth century.

The final confirmation of chinos being Indians was that they began to form their own religious brotherhoods or confraternities (*cofradías*) as Indians.<sup>94</sup> Confraternities in Mexico were lay organizations with ecclesiastical ties that promoted religious worship and mutual support. Through these brotherhoods, chinos carved out a place of their own within the church. By 1694, the “natives of San Sebastián from Mexico and the

<sup>93</sup> For the use of Nahuatl as a common language, see Robert C. Schwaller, ed., “A Language of Empire, a Quotidian Tongue: The Uses of Nahuatl in New Spain,” A Special Issue of *Ethnohistory* 59, no. 4 (2012).

<sup>94</sup> Confraternities were also called brotherhoods (*hermandad*); the Jesuit version was called an ecclesiastical congregation (*congregación eclesiástica*).

Philippine Islands” had formed a brotherhood to care for and worship in the presence of the image of Our Lady of Sorrows housed at the convent of San Sebastián.<sup>95</sup> Following the stated purpose of such brotherhoods – Christian devotion – the founders came together every evening in community as Indians to say the rosary.<sup>96</sup> In the words of the constitution, it was a brotherhood for migrant Indians: “If Spaniards sought admission, they would not be allowed to intervene in its affairs.”<sup>97</sup> The confraternity thus provided a space for individual chinos to take leadership roles in the community and foster ties with other Indians, separate from the Republic of Spaniards.

Notably, the chinos who joined these spiritual communities provided one another with a special kind of economic support. Prior to the abolition decree, they appear to have helped one another achieve their liberty.<sup>98</sup> In 1659, for example, the chino brotherhood of Santo Cristo (housed at the convent of Saint Claire) made the following statement: “The members wish to free chino Juan de la Cruz because he belongs to their nation and is the eldest among them; they entreat his mistress to grant him liberty in exchange for the 250 pesos that were collected for his liberty.”<sup>99</sup> The wording conveys the great value they placed on liberty; these chino brothers honored one of their members by making it possible for him to live as a free man.

#### CONCLUSION

The interior life of most chino slaves remains elusive. There is ample evidence that chinos participated in the public life of the church and gave outward expressions of devotion, but little that sheds light on their personal

<sup>95</sup> AGN Bienes Nacionales 1028 exp.28 (1682).

<sup>96</sup> Apart from common prayer, most confraternities promoted attendance at mass, charity work, and participation in processions on feast days.

<sup>97</sup> The archbishop confirmed the confraternity’s constitution in 1694. AGN Bienes Nacionales 1028 exp.28 (1682).

<sup>98</sup> I have found very few documents about chino confraternities from the seventeenth century, so it is impossible for me to make further observations about the ways these communities of chinos helped one another. Historian von Germeten, who wrote a monograph-length study of African brotherhoods in Mexico, suggests that the *cofradías* for Africans and their descendants did not focus on facilitating the manumission of their members; she found only one brotherhood – the Zape *cofradía* in Mexico City – that made such a bequest. Joan Nicole Von Germeten, *Black Blood Brothers: Confraternities and Social Mobility for Afro-Mexicans* (Gainesville: University Press of Florida, 2006), 88.

<sup>99</sup> ANM Juan de Salas 4380 f.59v (1659).



worship or innermost beliefs.<sup>100</sup> Chino slaves might well have carried their native belief systems to the New World, but the surviving historical record does not reveal non-Christian practices.<sup>101</sup> What we do know is that membership in the Catholic Church had real significance and complex consequences for chino slaves, which included their becoming Indians.

The church simultaneously defended the natural liberty of the Indians and justified the institution of slavery. The indigenous peoples of colonized territories were vassals of the Spanish crown who needed to be brought into the Christian fold and protected in their natural liberty; slaves were foreigners. Chino slaves blurred that distinction because they endeavored to become Indians and gain full membership in the church as free men and women. It was critical, in other words, for chino slaves to be seen as natives instead of foreigners to be able to claim that they could not legally be enslaved. By the end of the seventeenth century, the church assented to chinos' self-identification and incorporated chinos into its institutional framework as Indians. Individual churchmen and chinos engaged in a century-long transformation that made chino slaves into free Indians. Theologians may have justified slavery, but they also insisted on the principle of natural liberty and the community of Christians.

The story of a china named Francisca Hernández points to the importance of this Christian communion. Francisca dictated her last will and testament in 1647 from her deathbed at the hospital of San Juan de Dios in Mexico City.<sup>102</sup> She had no heirs and little to pass on, except a keyed trunk, some articles of clothing, a wooden bed, and some textiles. Francisca left these items to the friars who cared for her, empowering them to collect a few debts and sell her belongings to pay for a requiem mass and to be buried “at the new church” (see [Figure 6.2](#)).<sup>103</sup> The religious

<sup>100</sup> Chinos, for example, took on official positions in the church. Chino Joseph Manuel was the sacristan at the Church of Our Lady of Valvanera, which was part of the convent of the Conceptionist nuns in Mexico City. The sacristan was charged with caring for the ornaments and helping the priest prepare for mass. AGN Matrimonios 166 exp.47 (1693).

<sup>101</sup> This study does not directly engage the immense scholarship on the religiosity of African slaves in the Americas, which has tended to emphasize African continuities and the survival of non-Christian spirituality.

<sup>102</sup> The hospital was run by the Brothers Hospitallers of St. John of God – an order that arrived in New Spain in the early seventeenth century and was known for caring for the sick regardless of social class. Josefina Muriel, *Hospitales de la Nueva España, fundaciones de los siglos XVII y XVIII*, vol. 2 (México: Editorial Jus), 10.

<sup>103</sup> ANM Francisco de Olalde 470 f.444 (1647). The Church of San Juan de Dios, where Francisca wished to be buried, was finished in 1647 – the same year as the testament. Muriel 29–38.





FIGURE 6.2. Church of San Juan de Dios, formerly part of the Hospital of San Juan de Dios, Mexico City. Photograph by Alexandra Hart Brown and Daniel Fermín Pfeffer.

wording of her will was partly formulaic in that testators habitually declared their belief in the Trinity and called on the Virgin Mary to be their advocate in heaven, but Francisca's avowed "belief in the Holy Mother Church" rings true. Francisca was far from her "native Philippines," but the church at least gave her some comfort at the time of her death.<sup>104</sup>

<sup>104</sup> There is no mention in the will of her having been enslaved, but the fact that she could not remember her parents' names suggests that she was taken from them at a young age, as would a slave. Moreover, her trade as a seamstress associated her with the textile industry, which was known for employing chino slaves.

## The End of Chino Slavery

Chino slavery came to an end in the late seventeenth century because the Spanish crown included chinos in its campaign to eradicate indigenous slavery. In the early 1670s, a series of royal decrees condemned the enslavement of native peoples, broadly termed Indians (*indios*) and ordered officials throughout the empire to liberate them, from the Spanish Philippines to Chile.<sup>1</sup> The royal decrees sent to the high courts (*Audiencias*) of Guadalajara and Mexico City referred explicitly to chino slaves and included them in the prohibition. The prohibition was a turning point in legislation regarding slavery because it indicated that natives of Spain's colonies were categorically free; they were vassals and thus could not be held in legal bondage. In the words of renowned jurist Juan de Solórzano Pereira, the crown decided "to liberate all Indians without distinction, because liberty is invaluable and favored over everything else."<sup>2</sup> The just-war justification that had previously allowed the enslavement of barbarous Indians who opposed Spanish colonization was no longer valid.

At this time, the Spanish crown also acknowledged that indigenous peoples from the Spanish Philippines (i.e., Indians) were being held in captivity in Mexico. For those officials who tried to liberate them, it was slightly problematic that they were called chinos rather than Indians,

<sup>1</sup> For an overview of sixteenth-century legislation regarding indigenous slavery, see Richard Konezke, "La esclavitud de los indios como elemento en la estructuración social de Hispanoamérica," *Estudios de historia social de España* 1 (1949).

<sup>2</sup> Juan de Solórzano Pereira, *Política indiana* (Madrid 1648; Madrid: Biblioteca de Autores Españoles, 1972), 136.

which was, in fact, their true civic identity.<sup>3</sup> Further complicating the matter was the issue that many chino slaves were not natives of the Spanish Philippines; they were from other places in Asia and hence not Indians. It would have been difficult for colonial authorities, however, to make distinctions between chinos based on their actual place of origin. As such, the royal decrees declaring that these individuals were categorically free used both the words “Indian” and “chino.” This inclusive use of language meant that all chinos, even those who were originally from other places in Asia, were free as well. With this order, all chinos became Indians – as a group, they went from being slaves to being free indigenous vassals. It was a momentous historical change. Individuals from all over Asia and their descendants who had lived in captivity in Mexico became free Indians.

Spaniards had debated the nature of indigenous vassalage and the legality of enslaving Indians for almost 200 years before finally enforcing the prohibitions against indigenous slavery. Back in 1542, the Spanish crown decreed that all natives of the colonies were protected from slavery, but the government also allowed many exceptions. As a result, Indian slaves lived alongside slaves from Africa and elsewhere in regions across the empire. The late-seventeenth-century implementation of the prohibition, therefore, marked a legal and social transformation of the institution of slavery. After this period, all natives of Spanish colonies were categorically free; Africans and their descendants were the only people who could be legally held as chattel in Spain’s American colonies. The legal enforcement of the sanctions against indigenous slavery thus had the additional consequence of altering the ethnic makeup of the slave population in Spanish America.

The abolition of indigenous slavery by the Spanish crown had a long and complicated history, which had to do with a larger concern over the legality of enslaving certain peoples and the nature of the institution of slavery more generally. If abolition of indigenous slavery was one outcome of these discussions, there was no change to the economic justifications for slave labor. The institution of slavery, in other words, remained under the legal and political protection of the Spanish crown. Nevertheless, the fact that it took more than 200 years after colonization for indigenous slavery to be fully abolished suggests that the power of the crown in overseas territories was rather limited. Quite simply, colonists resisted freeing

<sup>3</sup> The term “Indian Chinese” (*indio chino*) gained currency at the end of the seventeenth century and was in common usage during the eighteenth century.

Indian slaves because they needed their labor, and there was little that the colonial government could do to enforce abolition, especially in frontier regions. The long delay before abolition thus underlines the economic importance of slavery in the development of the Spanish empire. The crown did not eradicate indigenous slavery because their labor was an economic necessity.

Jurists, theologians, masters, and slaves all took part in discussions regarding slavery. Each contributed to how questions were framed and helped articulate what was legally possible. Spanish judges, for instance, deliberated on cases in which slaves sued for their freedom. Through their decisions and legal opinions, they expressed concern about what constituted just enslavement and reflected on the meaning of indigenous vassalage. In time, these kinds of deliberations led to the formulation of the idea that all natives of the Spanish colonies had to be justly protected from enslavement. At minimum, the crown had to guarantee the freedom of indigenous vassals if Spain were to claim Christian guardianship over the Indies.

The individual slaves who petitioned the courts for their liberty also played a critical part in the process of defining the boundaries of legal slavery. In Mexico, *chinos* claimed that they were indigenous vassals of the Spanish crown and could not be held as slaves. Chino slaves who were natives of the Spanish Philippines were especially influential in this process. Their very presence, in fact, problematized the debates regarding slavery and indigenous identity. Other *chinos* explained that they had been kidnapped in violent raids, which complicated the notion that they were just-war captives and therefore legal slaves. Chino slaves, moreover, were very clear at court about their concept of liberty – they expressed a great desire for freedom, fully cognizant that their civic status had to change for them to be in full control of their lives.

This chapter describes the process of decline and eventual abolition of indigenous slavery and the ways chino slaves benefited from this protracted process. The [first section](#) provides necessary background on the crown's Indian policy, with an emphasis on the emerging idea that slavery impeded the propagation of Christianity among the natives of Spain's colonies. The [second section](#) returns to chino slaves and examines their own recourse to colonial courts, where they sued for their liberty on the basis of being Indians. The abolition of chino slavery in Mexico is the topic of the following section, which explores the difficulties involved in freeing hundreds of slaves and transforming them into Indian vassals. The [final](#)

section is about the end of indigenous slavery in the Spanish Philippines, where it finally ended with the close of the seventeenth century. For the rest of the colonial period, the natives of Spain's colonies were protected from slavery. Indians had to pay tribute and serve in labor drafts, but they were categorically free – their bodies belonged to themselves.

#### BACKGROUND ON INDIGENOUS SLAVERY

The Spanish debated the legality of enslaving indigenous populations for more than two centuries and in every corner of the empire, from Hispaniola to the Spanish Philippines. The ongoing debate focused on how best to defend the natives of the colonies, while also profiting from their labor. On the one hand, theologians and jurists insisted on the natural liberty of the Indians; on the other, Spanish conquistadors maintained that slaves were just recompense for their colonizing efforts. Faced with this dilemma, the Spanish crown allowed a mixed system of coerced and enslaved Indian labor. As a result of this policy, almost every Spanish colony had Indian slaves long after the initial movement toward the abolition of indigenous slavery between 1503 and 1542.

During the first decades of the sixteenth century, the crown went back and forth on its stand on indigenous slavery. In part, the monarch had to contend with radically different opinions on the nature of the Indians; with Spaniards such as Fray Antonio de Montesinos arguing for their protection as free men, while others suggested that Indians were natural slaves. The argument was famously played out at a debate in Valladolid in 1550 between Bartolomé de las Casas and Juan Ginés de Sepúlveda, which settled in favor of Las Casas, who argued that Indians were fully human vassals and special wards of the crown.<sup>4</sup>

The legislation from the early colonial period reflects the difficult choice faced by Spanish monarchs: to declare that all natives of the colonies (*naturales de las Indias*) were free vassals or to allow for their enslavement for economic ends.<sup>5</sup> In 1503, Queen Isabella agreed with church authorities that indigenous peoples ought to be free; at the same time, she allowed

<sup>4</sup> Sepúlveda was highly influenced by Aristotle, translating several works into Spanish; his thought on natural slavery derived from the philosopher's discussion in *Politics*.

<sup>5</sup> In 1495, the queen asked theologians and jurists to decide if it were possible to own as slaves "in good conscience" the Indians who were brought back by Christopher Columbus. Decree quoted in Konetzke, 1949, 453. Five years later, these individuals were freed and efforts were made to return them to their "countries of birth." AGI Contratación 3249 f.242 (1500); transcribed in Richard Konetzke, *Colección de*

colonists to continue enslaving certain native groups, particularly the Caribs (*Caribes*) of the Antilles.<sup>6</sup> The legal justification for this position on slavery was based on the theory of just war that permitted Christians to fight against peoples who opposed the spread of Christianity and allowed soldiers to enslave the enemy because bondage was considered more merciful than death. The crown allowed the enslavement of Caribs because they were alleged to be cannibals and, more importantly, because they rejected Catholicism and made war on Spanish colonists.

In every new colony, the crown's overall goal was to impose economic and political control over the native population, especially sedentary people. In the words of Emperor Charles V: "Our intention has always been for the native Indians of those parts to live in political order [*policía*], to be industrious, and to learn about the Catholic faith."<sup>7</sup> To achieve this goal of civilizing the indigenous people, the Spanish crown instituted a colonial system that allowed for both coerced and slave labor. During the initial conquest years in Hispaniola, the colonial government distributed labor grants (*encomiendas*) of Indians among Spanish settlers. The colonists, in turn, were supposed to care for their allotted Indians and instruct them in the Catholic faith, in return for the Indians' personal labor. The government officials in charge of the encomienda system generally conceded that the natives of the conquered islands were naturally free, but they insisted as well that these individuals had to be forced to work to become part of Christian society. In addition, colonists were allowed to raid for slaves among non-sedentary peoples. These captives could be sold at market for profit, or they could be employed in agricultural production or mining. In comparison to encomienda Indians, the government made few provisions for the Christianization of captured slaves.

This colonial system, based on a mix of coerced and slave labor, proved problematic because the colonists treated all Indians as chattel and often worked to death both encomienda Indians and slaves. Widespread abuse in Hispaniola prompted the Laws of Burgos (1512–13), which were meant to moderate the overt exploitation of Indians. Notably, this shift in royal policy was related to the onset of the demographic collapse of the

*documentos para la historia de la formación social de Hispanoamérica, 1493–1810*, 3 vols., vol. 1 (Madrid: CSIC, 1953), 4.

<sup>6</sup> AGI Indiferente 418 L.1 f.116 (1503). AGI Indiferente 418 L.3 f.211v (1511); transcribed in Konezke, 1953, 1:31–3.

<sup>7</sup> The quotation is from a letter to Fray Antonio de Montesinos, expressing concern for the death of so many Indians and wanting information about the collection of tribute. AGI Indiferente 420 L.10 f.195 (1525); transcribed in Konezke, 1953, 1:78–80.



indigenous population of Hispaniola and the other islands.<sup>8</sup> Essentially, the crown was concerned with the possible eradication of native communities. As such, the laws set detailed guidelines for how Spaniards were to treat their *encomienda* Indians. Separately, the Laws of Burgos also addressed slavery, reasserting that only those Indians who refused Spanish sovereignty or attacked Christians could be enslaved.<sup>9</sup> These measures did little to stop the loss of population and nothing to quell the ongoing slaving campaigns in the peripheries of Spanish-controlled territory.

In 1530, Charles V decreed, for the first time (albeit temporarily), that the indigenous peoples of newly colonized lands were his vassals, and that they could therefore not be enslaved, even if they were taken in just wars.<sup>10</sup> The king had a moral and political imperative to protect his vassals' life and liberty. From a legal perspective, the prohibition on enslaving indigenous vassals derived from a long-standing tradition maintained by Christian monarchs in Spain, who had required conquered people (primarily Muslims in the Iberian peninsula) to accept vassalage voluntarily or risk enslavement. In the capitulations, or terms of surrender, the monarchs had guaranteed to protect from enslavement new vassals who promised to pay them homage and tribute. In the New World, Charles V extended this precedent of protection to Indians who surrendered peacefully to Spanish soldiers, accepted Christian missionaries, and paid tribute.

Spanish colonists resisted the crown's efforts to categorize all native peoples as vassals and to protect them from enslavement for many decades to come. In the years immediately following the 1530 decree, for example, Charles V was forced to recant on his prohibition and allow the enslavement of just-war captives. In a royal decree from 1534, Charles V explained that

<sup>8</sup> For an overview of the demographic collapse, see Noble David Cook, *Born to Die: Disease and New World Conquest, 1492–1650* (New York: Cambridge University Press, 1998).

<sup>9</sup> AGI Indiferente 419 L.4 f.83 (1513); transcribed in Konetzke, 1953, 1:38–57. Ronald D. Hussey, "Text of the Laws of Burgos (1512–1513), Concerning the Treatment of the Indians," *Hispanic American Historical Review* 12, no. 3 (1932).

<sup>10</sup> The crown also prohibited the practice of rescue (*rescate*), in which Spaniards purchased Indians from other Indians, whom they claimed to be rescuing from cannibalism, or from tyrannical chiefs who endangered their lives. Konetzke, 1949, 466. By 1534, Charles V had retracted the prohibition on indigenous slavery in response to colonists who demanded the right to take slaves in "defensive" wars. AGI Indiferente 422 L.16 f.61v (1534). For a discussion of the role of the emperor in the abolition, see Jesús María García Añoveros, "Carlos V y la abolición de la esclavitud de los indios: causas, evolución y circunstancias," *Revista de Indias* LX, no. 218 (2000).



he had been advised that barbarous Indians needed to fear slavery or they would otherwise continue to rebel.<sup>11</sup>

Nonetheless, the need to protect indigenous vassals retained a moral weight, which forced Charles V to push harder on the matter. In 1542, the king prohibited indigenous slavery once again with the New Laws. The laws were a clearer articulation of the linkage between vassalage and liberty than previous decrees. The wording is revealing: “Our principal aim and wish is to conserve the Indians and augment their numbers . . . and that they be treated as free people and vassals, which they are.”<sup>12</sup> That said, there was still a caveat. Indians who embraced Christianity and accepted Spanish sovereignty were protected from slavery as vassals; Indians who opposed the colonial project and waged war on Spaniards were subject to temporary bondage.<sup>13</sup> This allowance for bonded labor gave Spanish soldiers the right to capture rebel Indians in just wars and sell them into service for a determined period of time, typically ten years. The captives had to be men of fighting age, so women and children younger than 14 years of age were exempt. The goal was to make barbarous (usually meaning non-sedentary) Indians undergo a period of service and training to prepare them to join civil society. The New Laws therefore attempted to discourage colonists from carrying out just wars to capture Indians to sell into slavery, but rather to place them in temporary service.

Royal decrees from the subsequent decades point to the relative weakness of the Spanish bureaucracy at the local level, where colonists either ignored or outright opposed the monarch’s directives prohibiting indigenous slavery. A series of exceptions followed the New Laws, in which the crown reversed its stand on just war captivity and once again allowed for the enslavement of certain indigenous peoples who were considered rebels. These included the Caribs, legally permitted in 1569, and the Araucanians from Chile in 1608.<sup>14</sup> These allowances for indigenous slavery proved to be highly problematic, especially at the peripheries of the Spanish empire,

<sup>11</sup> AGI Indiferente 422 L.16 f.61v (1534); transcribed in Konetzke, 1953, 1:153–9.

<sup>12</sup> AGI Patronato 170 R.47 (1542); transcribed in Konetzke, 1953, 1:216–20.

<sup>13</sup> The decree against indigenous slavery was codified under book 6, title 2, of the Laws of the Indies.

<sup>14</sup> The decrees were codified as book 6, title 2, laws 12 and 14 of the Laws of the Indies. For a discussion of the enslavement of Araucanian Indians in Chile, see Jaime Valenzuela Márquez, “Esclavos mapuches: para una historia del secuestro y deportación de indígenas en la colonia” in *Historias de racismo y discriminación en Chile*, ed. Rafael Gaune and Martín Lara (Santiago: Uqbar, 2009).

where most non-sedentary groups were categorized as rebels for the purpose of enslaving them.

In the northern territories of Mexico, colonists continued to carry out slave raids among native peoples, generally categorized as *Chichimecas*, under the guise that they were fighting just wars against barbarous Indians.<sup>15</sup> Spaniards thus continued to acquire new Indian captives and sell them at market as chattel.<sup>16</sup> The crown tried, albeit unsuccessfully, to mitigate the effects of raiding by mandating that just wars justified only the enslavement of men. In 1548, the Audiencias received royal orders to liberate women and children younger than 14 immediately, rather than needing a trial to determine their status.<sup>17</sup> For the men, masters had to present legitimate slave titles, which were usually distributed by the captains of licensed expeditions against barbarous nations. Fifty years later, however, the crown was still chastising officials such as the governor of the New Kingdom of León for carrying out unlicensed slaving raids, which suggests that non-compliance reached the highest levels of colonial government.<sup>18</sup> In 1651, a ten-year-old Apache Indian was categorized as a Chichimeca slave and sold for 80 pesos in Mexico City.<sup>19</sup>

The royal decrees against indigenous slavery never disputed the legitimacy of the institution of slavery. The Spanish crown insisted on protecting the liberty of Indians to fortify its political dominion and economic control of the crown vis-à-vis conquistadors and colonists, who sought to enslave the indigenous population for their own benefit and support. As such, the decrees were articulations of royal power, which aimed to secure the king's role as lord protector of his indigenous vassals.

The legal foundation for the abolition of chino slavery was that chinos were Indians, and Indians were free vassals of the Spanish crown. The

<sup>15</sup> The term "Chichimeca" was used as a broad category for non-sedentary Indian groups of the northern frontier of Mexico.

<sup>16</sup> For an analysis of the slaving economy in the Pánuco through the 1560s, see Carlos Sempat Assadourian, "Esclavos, plata y dioses en la conquista de los Teúles Chichimecas," in *Dos décadas de investigación en historia económica comparada en América Latina*, ed. Margarita Menagus Bornemann (México: El Colegio de México, 1999). For the enslavement of Chichimecs in Coahuila through the 1680s, see Cecilia Sheridan, *Anónimos y desterrados: la contienda por el "sitio que llaman de Quauyla", siglos XVI-XVIII* (México: CIESAS: M.A. Porrúa Grupo Editorial, 2000), 90–8.

<sup>17</sup> Konetzke, 1949, 471.

<sup>18</sup> AGN Reales Cédulas Duplicadas 2 exp.540 (1593).

<sup>19</sup> ANM Diego de los Ríos 3843 f.13v (1651).

prohibition had little to do with jurisprudence regarding African slavery. The primary reasoning for the legal enslavement of Africans was that they were just-war captives taken in their own nations, or that they had sold themselves into slavery because of famine or debt.<sup>20</sup> In reality, many chino slaves were also the victims of war and starvation. Chinos' lived experience matched that of Africans, but the legal formulation for the enslavement of blacks (*negros*) did not apply to chinos. The fact that some chinos had indeed been enslaved through allegedly legal means beyond Spain's dominion was not taken into account. Instead, chinos were freed from unjust slavery because they were Indians.

In *Política Indiana* (1648), one of the most important treatises on colonial law, Solórzano articulated the contemporary legal consensus: Indians were free and shielded from slavery because they were vassals, whereas Africans were not. According to him, blacks "brought from Guinea, Cabo Verde, and other provinces" were legally slaves because they were captives of just wars or had sold themselves into slavery.<sup>21</sup> Solórzano acknowledged that the Atlantic slave trade involved fraud and contraband, but he wrote that the individual buyer was under no obligation to ascertain the circumstances of the original enslavement so long as there was a legal title.<sup>22</sup> Solórzano, moreover, argued that indigenous slavery was juridically different from African slavery. The crown had to protect Indians because they were vassals, but it had no legal or political obligation to African slaves born in distant lands and enslaved and transported by slavers who were not Spaniards. This legal understanding of Spain's political responsibilities vis-à-vis slavery, along with the colonies' economic need for labor, justified the enslavement of African slaves and their descendants for the remainder of the colonial period.

Church policy and chinos' own individual agency also shaped the process of transformation by which they went from being slaves to being Indians. By the end of the seventeenth century, ecclesiastical institutions treated chinos as if they were Indians. And for their part, chinos sought to become part of indigenous communities and did the work of Indians.

<sup>20</sup> For a general intellectual history of Spanish argumentation regarding slavery, see Jesús María García Añoveros, *El pensamiento y los argumentos sobre la esclavitud en Europa en el siglo XVI y su aplicación a los indios americanos y a los negros africanos*, Corpus Hispanorum de Pace (Madrid: CSIC, 2000).

<sup>21</sup> Solórzano, 1972, 138.

<sup>22</sup> For an analysis of the author's influence, see Javier Malagón and José M. Ots Capdequí, *Solórzano y la Política Indiana* (México: Fondo de Cultura Económica, 1965).

These realities influenced jurists who categorized all chino slaves as Indians (including people who were not natives of the Spanish Philippines) and moved to liberate them because they considered them to be indigenous vassals.

Neither the Spanish crown nor the church conceived of Africans as Indians, which is why chinos were freed whereas Africans were not. The crown collected tribute from freed Africans and their descendants after 1574, but this had nothing to do with Spain's Indian policy.<sup>23</sup> Paying tribute did not turn blacks and mixed-blood individuals into indigenous vassals or enable them to become part of the Republic of Indians; they remained connected to the Republic of Spaniards. In the early decades of the eighteenth century, a number of "Afro-mestizos" (people of mixed African and Indian blood) in Mexico did try to appeal for special protections as indigenous vassals.<sup>24</sup> These individuals, however, were free laborers, not slaves. They did not, in other words, claim to be free because they were Indians; rather, they petitioned the crown as free people. Chinos were the only group of slaves in Mexico who claimed to be Indians at court, and it was for this reason that they were successful in their suits for freedom.

#### SEEKING FREEDOM IN COURT

Chinos who successfully challenged their enslavement at court in Mexico set an important precedent for gaining freedom prior to abolition. In terms of their civil identity, all slaves in the Spanish empire were chattel; they were things with no legal rights. At the same time, the legal system acknowledged that slaves were also people, so they were allowed to act in certain legal capacities, such as serving as witnesses.<sup>25</sup> Most importantly, all slaves were allowed to dispute their enslavement in court. In 1540, Charles V ordered the high courts to carry out justice when "a black

<sup>23</sup> The decrees were codified as book 7, title 5, law 1 of the Laws of the Indies. For a discussion of this legislation, see Cynthia Milton and Ben Vinson III, "Counting Heads: Race and Non-Native Tribute Policy in Colonial Spanish America," *Journal of Colonialism and Colonial History* 3, no. 3 (2002).

<sup>24</sup> Norma Angélica Castillo Palma and Susan Kellogg, "Conflict and Cohabitation between Afro-Mexicans and Nahuas in Central Mexico," in *Beyond Black and Red: African-Native Relations in Colonial Latin America*, ed. Matthew Restall (Albuquerque: University of New Mexico Press, 2005).

<sup>25</sup> For a discussion on how this double legal identity shaped the identity of freed slaves and their descendants, see Magnus Mörner, *La corona española y los foráneos en los pueblos de Indios de América* (Stockholm: Instituto de Estudios Ibero-Americanos, 1970).

man or woman, or anyone held as a slave, proclaims to be free.”<sup>26</sup> In addition, the colonial governments had to appoint a special counsel (*defensor*) with the specific charge of representing such individuals.<sup>27</sup> Slaves – be they Africans, chinos, or Indians – could bring charges against their masters and sue for their liberty. This opening in the legal system allowed a number of fortunate individuals to petition for their freedom. Chinos and Indians were more successful in this process than Africans because jurists found it easier to believe that their original enslavement had been unjust. In addition, chinos recognized that it was advantageous, if not always effective, to claim they were Indians (even if they were from Cochin rather than Manila). In comparison, few if any Africans in Mexico achieved their freedom by claiming that they were unjustly enslaved or that they were, in fact, Indians.

Typically, slaves in Mexico raised two kinds of challenges for their liberty: they claimed to have been manumitted or that they had been unjustly enslaved.<sup>28</sup> In the first situation, manumitted slaves sued whoever prevented them from enjoying their liberty. These cases mostly involved testamentary manumissions, in which the master’s heirs and executors refused to free the individual. These disputes were about breaches of contract because manumission was a legal agreement, which constituted a transfer of property rights from the owner to the slave (who then owned himself as a free man). These kinds of cases were confined to the defense of property rights. In no way did they subvert the institution of slavery. Tellingly, the vast majority of African slaves who sued for their freedom in Mexico relied on this challenge.<sup>29</sup> They sued their former masters’ heirs

<sup>26</sup> The decree was codified as book 7, title 5, law 8 of the Laws of the Indies.

<sup>27</sup> In 1550, the king ordered the Audiencia of Mexico to assign a special attorney (*procurador general*) to represent Indians taken as slaves. AGI México 1089 L.4 (1550); transcribed in Konetzke, 1953, 1:274–6.

<sup>28</sup> María Guevara Sanginés, “El proceso de liberación de los esclavos en la América virreinal,” in *Pautas de convivencia étnica en la América Latina colonial*, ed. Juan Manuel Serna Herrera (México: UNAM, 2005). In nineteenth-century Peru, slaves employed an additional kind of legal challenge; they accused their masters of excessive cruelty in “abuse trials.” Their goal was to be sold to another master or, better, to force their masters to accept payment for their manumission. Christine Hünefeldt, *Paying the Price of Freedom: Family and Labor among Lima’s Slaves, 1800–1854* (Berkeley: University of California Press, 1994). I have not come across this legal challenge in the context of seventeenth-century New Spain.

<sup>29</sup> For an analysis of manumission patterns among slaves of African descent and their liberty suits (primarily involving breaches of contract), see Frank T. Proctor III, “*Damned Notions of Liberty*”: *Slavery, Culture, and Power in Colonial Mexico* (Albuquerque: University of New Mexico, 2010), 152–85.

for their liberty because it had already been granted to them or been purchased by them.

The second kind of challenge employed in liberty cases in Mexico was illegal possession. In these cases, individuals claimed that the original enslavement had been illegal and unjust, and that they could not be considered chattel because they were born free. These cases were more difficult to win than the manumission challenge because the individual had to prove that his or her capture had been illegal. To do so, most individuals relied on witnesses who could testify to their free legal status. The court also required the purported master to submit a property title and bill of sale, which a judge would then review for evidence of illegal possession. This option was risky because some masters did indeed have the necessary slave titles and supporting documentation, in which case they managed to keep their property.

Although *chinos* employed both kinds of legal challenges, they usually opted for the latter. The case of Felipe de Silba, a *chino* slave from Portuguese India, is an example of a suit involving breach of contract. According to Felipe, his late master manumitted him “in remuneration for his good service and assistance in making a fortune.”<sup>30</sup> “To use his liberty,” Felipe petitioned the *alcalde mayor* of Acapulco – the highest legal official in town – for a copy of the testament, which was not being executed. Instead, his master’s heirs continued to maltreat Felipe as if he were a slave, dismissing his claims and calling him a “dark *chino*” (*chino prieto*). As a result, Felipe had to return to the mayor’s tribunal and file a suit for protection, which was supposed to force the will’s executors to grant him a manumission letter (*carta de libertad*). The outcome is unknown, but Felipe’s case shows how laws protecting property could be advantageous to slaves, albeit on rare occasions. Slaves like Felipe were freed because the legal system upheld their masters’ right to dispose of their property as they saw fit.

The second challenge shows that the legal system favored slaves who were not from Africa. Most *chinos* who sued successfully for their freedom claimed that their original enslavement had been illegal and unjust. They gave one of two reasons. First, *chinos* claimed they were innocent victims because they had been captured by pirates, rather than in just wars. For this argument, some *chinos* also noted that they belonged to nations that could not be enslaved. Second, *chinos* argued that they were Indians – not

<sup>30</sup> AGN Indiferente 749 exp.22 (1633).

like them, but actual Indians – and they were thus protected by royal decree. These individuals deliberately identified themselves as Indians even if they were not.

The case put forward by Gaspar Fernández for his freedom advanced many of these arguments. In 1599, Gaspar declared before an ecclesiastical court: “The people of Japan, my nation, are not slaves, nor are they traded as slaves in India or elsewhere.”<sup>31</sup> In addition, Gaspar pointed out that the Hapsburg crown did not allow Spaniards or the Portuguese to capture Japanese people “in just war, which is the principal requisite of slavery.”<sup>32</sup> Gaspar was very well informed, for there were indeed several royal decrees that prohibited the sale of Japanese slaves in Macao and Portuguese India.<sup>33</sup> He was also familiar with the Iberian legal tradition in which slavery was based on the theory of just war. Gaspar’s legal challenge also relied on a third aspect, namely that his late master had treated him like a servant and not as a slave, and Gaspar had Spanish witnesses attest to this treatment. Finally, Gaspar claimed that he was a “Japanese Indian” (*indio xapon*); he was a native like other Indians who were all naturally free. This sophisticated and complex legal argument convinced the presiding judge, who declared Gaspar to be a free man.

A similar set of arguments was put forward in 1661 by Pedro de la Cruz, who sued his master, Alonso Díaz de Herrera, for his liberty. In support of his claim, Alonso explained to the judge that he was from Bengal, and “his nation had never been subject to servitude.”<sup>34</sup> Bengalis were not classified as enemies of either Spain or the Catholic Church. The surviving documentation does not explain further, but Gaspar’s argument appears to have been that Bengalis could not be held as slaves because the nations of Bengal and Spain did not carry out just wars against each other. On the side of the defense, Alonso’s lawyer argued that Pedro was indeed a slave because he had been legally purchased from another Spaniard. The circumstances of the original enslavement, in other words, were irrelevant; it sufficed that it involved a legal title. As such, the lawyer asked the presiding judge to reject Pedro’s claim and “to secure his perpetual silence.”<sup>35</sup> In spite of this argument, the judge ruled against the master and declared

<sup>31</sup> AGN Inquisición Real Fisco 8 exp.9 f.262 (1599).

<sup>32</sup> *Ibid.*

<sup>33</sup> For an analysis of slavery from the perspective of Japanese and European rulers, see Thomas Nelson, “Slavery in Medieval Japan,” *Monumenta Nipponica* 59, no. 4 (2004).

<sup>34</sup> The case came before the Audiencia in Mexico City. AGN Tierras 2963 exp.69 f.218 (1662).

<sup>35</sup> AGN Tierras 2963 exp.69 f.218 (1662).

Pedro to be a free man. The judge's one concession to the previous master was to reserve his right to collect the price he had originally paid from the previous owner. This allowance recognized that a declaration of liberty constituted a monetary loss for the owner. At the same time, the judge firmly decided that Pedro's right to freedom trumped Alonso's economic interests.

Colonial officials facilitated the tracking down of necessary evidence, acting with due diligence on behalf of masters and slaves. A slave owner, María de Esquibel, for instance, received help in opposing the liberty suit of her china slave, Ursula.<sup>36</sup> María needed to present a slave title, which she did not have because her deceased husband had purchased Ursula in Manila years earlier and had misplaced the documentation. In her determination to keep her property, María traveled from her residence in Acapulco all the way to Mexico City to ask the viceroy to write a letter on her behalf to the governor of the Philippines. The viceroy agreed to do so. He charged the governor with finding out the name of the notary who had drawn up the paperwork for the original sale; then acquiring a copy of the slave title; and finally sending the document back to Mexico, where it would be used to defend María's claim to Ursula. As in other instances, the outcome of the case is unknown.

In 1634, María Moreno, a china slave from Java (*china de nación jaba*), appeared before the Audiencia in Mexico City to sue Marciana de Sabira for her liberty.<sup>37</sup> María had the assistance of two lawyers (*procuradores*), who helped her navigate the process of gathering testimonies to support her claim. It turned out that a key witness lived far from the capital in the town of Otucpa. On her lawyers' advice, María asked the presiding judge to write to officials in Otucpa to have them interview the witness and record his testimony. The outcome is unknown, but María's case shows that the legal system supported liberty claims by enabling the person to get legal counsel and present evidence. At the same time, officials advocated for slave owners, who went to inordinate ends to counter these suits.

In another lawsuit, a china named Cecilia spoke vividly about life in bondage and her desire for freedom.<sup>38</sup> Her words, like those of countless other slaves, leave no doubt that they understood the concept of liberty very well indeed, and that they did so long before it was ever espoused by

<sup>36</sup> AGN Tierras 2990 exp.8 f.27 (1653).

<sup>37</sup> AGN Tierras 2973 exp.73 f.170 (1634).

<sup>38</sup> AGN Tierras 2973 exp.53 f.116 (1634).



revolutionaries of the French Enlightenment.<sup>39</sup> Cecilia gave her account in 1634, declaring that she was a free woman who had been subjected to bondage illegally since she was six years old, when Portuguese pirates captured her in her native Bengal. They sold her to a horrifying master, who kept her in chains and branded her on both cheeks to mark her as a slave. Cecilia petitioned the Audiencia of Mexico “to allow her to enjoy the liberty with which she was born” – a liberty “protected by royal decrees.”<sup>40</sup> In support, her lawyer presented copies of several decrees that ordered the Audiencia of Manila to protect the Indians of the Philippines and to ensure their liberty. The lawyer claimed that officials in the Philippines had wrongly concluded that Cecilia was a just-war captive and had thus failed to liberate her. The Audiencia of Mexico now had the opportunity to reverse this injustice. Mercifully, the presiding judge followed the lawyer’s argument, even though he spoke of Bengal, Portuguese India, and Manila as if they were all the same place. At this time, the same Hapsburg monarch did indeed rule parts of India and the Philippines, but these regions were under different legal jurisdictions, and Bengal, of course, was a separate kingdom altogether. Regardless, for Cecilia it only mattered that the judge in Mexico City agreed with her lawyer that she was truly an “Indian” (*una india*), and she could thus not be enslaved.

Tragically, Cecilia’s experience of being branded as punishment for daring to demand her freedom was not uncommon. Anton Rosado, a chino slave born in Goa, described a similar experience.<sup>41</sup> Testifying in 1651 in a blasphemy case, Anton named the many men who had claimed to be his master, remembering Perianes Mendes with particular sorrow: “He branded him on the face because he [Anton] tried to bring legal action against him [Perianes] at the royal Audiencia, arguing that he was not a slave.”<sup>42</sup> Before Anton’s suit could proceed, he was sold to another master who kept him in chains. In this case, there was no justice. Anton continued to curse his masters and their cruelties, including one time at the cathedral in Mexico City, when he screamed out during mass that he reneged on God and the Virgin Mary for having abandoned him.

<sup>39</sup> A number of recent scholars suggest that slaves in Mexico did not have defined notions of liberty but rather lived in a world with different levels of dependency. Proctor argues that liberty was not the primary goal of slaves in seventeenth-century Mexico, but rather “to win degrees of personal autonomy.” Proctor, 2010, 184–5.

<sup>40</sup> AGN Tierras 2973 exp.53 f.1116 (1634).

<sup>41</sup> This was the same Anton Rosado mentioned in [Chapter 2](#). AGN Inquisición 454 exp.27 f.443 (1651).

<sup>42</sup> *Ibid.*

The legal challenge presented by individuals like Cecilia, which confirmed the association that chinos were Indians like the natives of Mexico, served as a partial basis for the abolition of chino slavery in the 1670s. Their efforts established the precedent that chinos were really Indians who could not be enslaved. Decades before the crown confirmed their claim, individual chinos went to court to argue that they could not be held in bondage because their enslavement was unjust. These were not revolutionaries' claims about liberty and equality or a generalized denunciation of slavery as an institution. Rather, these enslaved men and women knew in their hearts that they were free, so they worked within the structures of the time to reclaim their natural liberty.

#### THE ABOLITION OF CHINO SLAVERY IN MEXICO

The efforts to eradicate indigenous slavery in the 1670s were spearheaded by royal officials who sought to put an end to exploitative practices in the northern provinces of Mexico. In this region, colonists had long been allowed to carry out slaving expeditions against bellicose Indians. Long after the New Laws, colonial officials maintained that barbarous Indians could be enslaved legitimately because they took up arms against the crown. The viceroy allowed soldiers to carry out just wars against rebellious Chichimeca Indians and to capture them as war booty.<sup>43</sup> In theory, these captives were held temporarily, so that a soldier could gain from selling the person's labor for a specified period, but not that the person would be held in perpetual bondage.<sup>44</sup> In reality, soldiers seized men and women of all ages and then sold them as slaves.<sup>45</sup> This lawlessness also permitted in the northern regions the sale of natives of the Spanish Philippines, who were delivered directly from the Pacific coast.

<sup>43</sup> For a discussion of decrees and debates surrounding the enslavement of Chichimecas from the late sixteenth to the seventeenth centuries, see Zavala, 1968, 261–332. For a discussion of their enslavement in the context of Muslim slaves, see Karoline P. Cook, “Muslims and the Chichimeca in New Spain: The Debates over Just War and Slavery,” *Anuario de Estudios Americanos* 70, no. 1 (2013).

<sup>44</sup> At mid-century, the Audiencia of Mexico required soldiers to acquire licenses to take just-war prisoners, allowing temporary servitude only. AGN Reales Cédulas Duplicadas 9 exp.21 f.47 (1640).

<sup>45</sup> The sale of Chichimecas as slaves and temporary servants was an ongoing practice. The governor of the province of Nuevo León signed the title of several Chichimecas who were sold as temporary slaves to the Jesuit College in Mexico City in 1646; they were “conquered and pacified” and then “handed over in deposit to serve for a period of ten years.” AGN Jesuitas 2–6 exp.43 (1646).

Arguably, no single royal official did so much to free chino slaves as Fernando de Haro y Monterroso.<sup>46</sup> He commenced his tenure as the prosecutor (*fiscal*) of the Audiencia of Guadalajara in 1671. From the start, Monterroso focused on the issue of indigenous slavery, which he found to be widespread in the provinces under the Audiencia's jurisdiction, including the New Kingdom of Galicia, the New Kingdom of Leon, New Mexico, and Sinaloa. Monterroso explained his actions in a letter to the crown dated March 20, 1672: "The enslavement of Indians has been prohibited from the beginning of the conquest of the Indies; finding many [slaves] in this Audiencia, legal provisions have been executed to liberate Indian chinos, Chichimecas, Sinaloans, and those from Nuevo México and Nuevo León."<sup>47</sup> Monterroso made a critical juridical choice; by specifically categorizing chinos as Indians and listing them with Chichimecas and other Indians group, he turned all chino slaves into Indians and insisted on their legal right to liberty.

Monterroso did not make a proclamation of emancipation; rather, he set in motion a legal process to liberate Indians, chinos included, on an individual basis. Having decided to act, his first achievement was to liberate all Indian women and children without condition.<sup>48</sup> He did so in direct reference to royal orders from the previous century (1553 and 1563) prohibiting colonists to take women and children as just-war captives. In addition, Monterroso ordered slave owners to present legal titles to the Audiencia for the men they claimed to possess. One by one, the judges reviewed the documentation submitted by slave owners, and they found that the captivity of these men was not valid. Soldiers in particular had disregarded the law by either capturing men who were noncombatants, or they had sold licensed war captives as if they were chattel, rather than temporary servants. The actions of the Audiencia thus prompted a larger discussion about the judiciousness of allowing colonists to enslave any Indians whatsoever, even if the captured men had, in fact, challenged the authority of the Spanish crown.

Along with Montessorro, the judges of the Audiencia of Guadalajara also shaped the crown's policy toward indigenous slavery. These men wrote an insightful report (*informe*) about why they had agreed to enforce

<sup>46</sup> Monterroso's career and achievements (*méritos*) are outlined in AGI Indiferente 132 N.22 (1689).

<sup>47</sup> AGI Guadalajara 12 R.1 N.9 (1672); transcribed Konetzke, 1953, 2.2:591-2; also in Virginia González Claverán, "Un documento colonial sobre esclavos asiáticos," *Historia Mexicana* 38, no. 3 (1989).

<sup>48</sup> AGI Indiferente 537 L.7 f.43v (1672); transcribed in Konetzke, 1953, 2.2:592-3.

the unmitigated liberation of Indian captives in their jurisdiction, which they conceived as one more step in the long battle to end indigenous slavery.<sup>49</sup> Regarding the inclusion of chinos, the judges admitted having had some “misgivings” (*dudas*) about defending chinos who were from “other nations” such as Japan, Bengal, and Makassar, but they had nonetheless resolved to liberate all “oriental slaves.”<sup>50</sup> For the judges, the most important goal was to ensure the freedom of all Indians. Indigenous slavery would not come to an end in the frontiers of Mexico so long as soldiers were allowed to undertake slaving parties under the cover of waging just wars. The goal of ending just-war enslavements in this context superseded their other concerns in importance. The judges related the objective of liberating Indian slaves to their personal obligation as Spaniards “to augment the body of the church” (*gremio de la Iglesia*). From their perspective, being “barbarous and gentiles” did not make Indians “enemies of the Church.”<sup>51</sup> As such, the judges decided in favor of ordering the liberation of all Indian slaves to see them transformed into Christian vassals.

The actions of Monterroso and the other members of the Audiencia of Guadalajara became an example for the rest of Mexico, and then a model for other parts of the empire. Queen Regent Mariana of Austria approved highly of this campaign, and she extended her personal thanks to Montesorro, writing, “the liberation of Indians is a most just and appropriate thing to do.”<sup>52</sup> Monterroso was in the absolute right in freeing all the Indians, including chinos. This commendation had life-changing implications for hundreds of chino slaves because the queen then ordered the rest of Mexico to follow his precedent. On December 23, 1672, Queen Mariana sent decrees to the Audiencias of Mexico and Guatemala, ordering the judges to carry out in their own districts the same measures that Monterroso had undertaken in the northern frontier.<sup>53</sup>

The crown mandated the liberation of chinos because Monterroso included them in his efforts to liberate the Indians of his appointed provinces. The inclusion was not arbitrary or incidental. Monterroso provided

<sup>49</sup> The *informe* by the Audiencia of Guadalajara dates from February 21, 1675. AGI México 82 R.2 N.51 (1675).

<sup>50</sup> AGI México 82 R.2 N.51 (1675).

<sup>51</sup> *Ibid.*

<sup>52</sup> AGI Guadalajara 23 I L.4 f.68v (1672). Queen Mariana of Austria was the mother of King Charles II “the bewitched”; she ruled on his behalf during the king’s moments of mental crisis.

<sup>53</sup> AGI Indiferente 537 L.7 f.43v (1672).

a careful account of his actions, explaining that chinos were natives of the Spanish Philippines and thus indigenous vassals. He wrote that in Manila chinos were “traded without compunction, scruples, or distinction,” and that they were then “transported to New Spain.”<sup>54</sup> Monterroso assumed, in other words, that all chinos were from the Spanish colony, without distinguishing between those among the enslaved individuals who had been born elsewhere in Asia. In subsequent decrees, the queen accepted Monterroso’s identification and began to use the words “indio” and “chino” in the royal decrees that ordered the liberation of all Indian slaves. In this way, the crown acknowledged that Indians from the Spanish Philippines (where they were legally held by indigenous chiefs) had indeed entered the transpacific slave market during the preceding decades.<sup>55</sup> A unique allowance in a distant colony was a problem elsewhere in the empire.

The royal mandate to liberate all remaining Indian slaves affected the highest officials in the colonies. For example, in the same year of 1672, the crown reprimanded the governor of Nuevo León for allowing his soldiers to sell Chichimeca Indians at market as slaves.<sup>56</sup> In addition, the royal decree ordered that the soldiers in question had to be fined heavily. In this case, the slaves had been sent to work in the mines, so the royal order reiterated that the practice of sending Indians to work outside their native jurisdiction was unacceptable, as was enslaving Indians “under the apparent pretext of teaching them Christian doctrine.”<sup>57</sup> This royal order was a frank acknowledgment that the wrongdoing stemmed from the highest officials, and that the soldiers who enslaved Indians and colonists who purchased them were also at fault.

Monterroso also instigated the liberation of chino slaves in Mexico City. He viewed it as a natural extension of the process he started in the northern provinces. Monterroso informed the crown about the slaves living in the capital of the viceroyalty: “In New Spain, especially in the jurisdiction of the Audiencia of Mexico, including Mexico City, there are a great number of chinos possessed as slaves, along with their women and children.”<sup>58</sup> Monterroso called on the crown to take action on their behalf.

<sup>54</sup> AGI Guadalajara 12 R.1 N.9 (1672).

<sup>55</sup> A royal decree had ordered Spanish colonists in the Philippines to liberate all Indian slaves a century earlier, but the practice of indigenous slavery continued until this new effort in the 1670s. AGI Filipinas 34 N.62 f.64or (1584). See [Chapter 2](#) for a discussion of the Manila slave market.

<sup>56</sup> AGN Reales Cédulas Duplicadas 30 exp.14 f.19 (1672).

<sup>57</sup> *Ibid.*

<sup>58</sup> AGI Guadalajara 12 R.1 N.9 (1672).

In response, Queen Mariana sent a royal decree on December 23, 1672, to the viceroy and Audiencia of Mexico, ordering them to free all Indians and chinos.<sup>59</sup> Specifically, royal officials were told to follow the lead of their counterparts in Guadalajara, consulting them if necessary. Almost a year later, the viceroy and judges sent a letter back to Spain duly acknowledging receipt of the royal decree and promising to comply with all due reverence.<sup>60</sup>

The Audiencia took several important steps to pursue the abolition. First, the judges drew up an ordinance declaring that all Indian slaves were now free and calling on all concerned parties to come forward.<sup>61</sup> Indians and chinos were urged to challenge their enslavement at court. Slave owners were ordered to register their slaves and present the necessary legal titles. The public crier then read this document in the city's main plazas and popular gathering places. Second, the Audiencia appointed a special counsel or defender (*defensor*) to represent the individuals who wanted to be declared free. The defensor was supposed to pay close attention to the cases involving "Indians from the Philippines called chinos" to ensure that "they would enjoy their freedom in conformity with royal decrees."<sup>62</sup>

The proceedings at court involved complicated legal wrangling. Slave owners in Mexico City reacted in an uproar to the proclamation, doing everything in their power to keep their property. Lawyers deliberated at length over each individual case, but, in the end, the outcome depended on the validity of individual slave titles. The Audiencia judges focused on reviewing the paperwork "for legal possession" and found that "few [owners] had just or legitimate right" to their slaves.<sup>63</sup> In addition, many owners "alleged that their slaves' mothers and grandmothers had been slaves for time immemorial" and thus tried to claim possession through the womb law convention, which dictated that civil status followed the maternal line.<sup>64</sup> The judges, however, ruled that this legal practice did not apply

<sup>59</sup> The decree was a copy of the one sent to the Audiencia of Guadalajara commending Monteroso's efforts. AGI Indiferente 537 L.7 f.43v (1672); copy in AGN Reales Cédulas Duplicadas 30 exp.45 f.78 (1672).

<sup>60</sup> AGN Reales Cédulas Duplicadas 30 exp.94 f.133-133v (1673). AGN Reales Cédulas Duplicadas 30 exp.95 f.134 (1673).

<sup>61</sup> AGI México 82 R.2 N.51 (1675).

<sup>62</sup> AGN Reales Cédulas Duplicadas 22 exp.342 f.356r (1673).

<sup>63</sup> AGI México 82 R.2 N.51 (1675).

<sup>64</sup> In accordance with Roman jurisprudence, slavery in the Spanish colonies followed the legal condition of the mother (Womb Law).

to Indians. As a result, the Audiencia decided in favor of liberating most chino slaves, which resulted in a great number of chinos being freed in the following years. In 1675, for instance, the court manumitted thirty-one chinos.<sup>65</sup>

Still, the liberation process took years to be completed. The Audiencia was frankly overwhelmed with the number of suits. As the judges complained, the Audiencia of Guadalajara had only handled twenty cases, while they had hundreds of petitions to sift through.<sup>66</sup> In addition, it took a while for chino slaves to be able to reach the Audiencia, which further delayed proceedings. A number of individuals therefore remained in bondage long after the initial proclamation. Alejandro de Aranda, for example, was still classified as a “chino slave” in 1679; he belonged to the Confraternity of the Holy Sacrament in Mexico City.<sup>67</sup> He testified on behalf of his niece Isabel de Ortega – categorized as a china who was “free from captivity” – who petitioned to marry a slave. Isabel had been born in Mexico City to enslaved parents, which may be why she consented to bind herself to a person who remained in captivity. Having been liberated, Isabel may have also supposed that the enslavement of other groups of people would soon follow.<sup>68</sup>

As late as January 1676, Spaniard Pedro de Tejada could still claim in his testament that he had slaves in his possession as collateral for a loan, including a chino slave by the name of Francisco.<sup>69</sup> Having accepted a chino slave as guarantee for a large sum, the lender had little choice but to hope that Francisco would not cease being chattel before the loan was returned. Similarly, doña Juana de Soto included four chino slaves in her testament (dated February 1678), whom she no doubt hoped to bequeath as chattel.<sup>70</sup> The heirs, however, were not likely able to claim these individuals as their property because a judge would have had to approve the legal transfer.

Notably, a number of former slave owners maintained hope that the liberation decree would be revoked. Juan de Rivera, for example, made a formal declaration in May 1677 regarding a loss of inheritance: “I certify

<sup>65</sup> Antonio de Robles, *Diario de sucesos notables, 1665–1703*, ed. Antonio Castro Leal, vol. 1 (México: Editorial Porrúa, 1946), 171.

<sup>66</sup> AGI México 82 R.2 N.51 (1675).

<sup>67</sup> AGN Matrimonios 183 exp.131 (1679).

<sup>68</sup> By 1680, Juan de Miranda and Bentura de Arro could say they were “freed from captivity.” AGN Matrimonios 138 exp.60 f.17–18v (1680).

<sup>69</sup> ANM Francisco de Rivera 3860 f.3 (1676).

<sup>70</sup> ANM Francisco de Rivera 3860 (1678).

that a chino named Juan de Santos belonged to me, who has since been declared free by officials; I reserve my legal right over him in case he is declared a slave at some time [in the future].”<sup>71</sup> The idea was not far fetched, as royal mandates were at times reversed in cases of overwhelming contestation and disapproval.

The liberation decree inspired an economic response in Mexico City’s slave market that further hastened the end of chino slavery. Within months of the proclamation, the price of individual chino slaves dropped precipitously. For instance, at the time doña Isabel de Barioz inherited a china slave named Juana, she was valued at 265 pesos in gold.<sup>72</sup> In December 1673, doña Isabel decided to sell Juana, likely because she knew that chino slaves were being freed. The best price she received for Juana was 82 pesos. Similarly, a chino slave named Tomé, originally from Makassar, was sold in June 1674 for 100 pesos, when the price paid for him some twenty years earlier had been two and a half times greater.<sup>73</sup>

In the years following the 1672 decree, it also became more and more difficult to sell a chino slave. Don Gervazio Carrillo, for example, was called back to court in Spain, so he left his young chino slave named Marselo in the care of a cleric, with the charge of selling the child.<sup>74</sup> The cleric attempted to do so repeatedly; he even went so far as to draft a sale deed. The final purchase, however, did not go through, likely because the potential buyer realized that paying 200 pesos for a chino slave in 1674 was a poor investment.

Slave owners in Mexico City also recognized the legal complications of selling or buying a chino slave. In 1675, don Juan de Montemayor made a notarized promise that he would return the price of a chino named Nicolás de Tolentino “if the ministers of the Real Audiencia were to liberate the said slave and declare that he cannot be sold.”<sup>75</sup> This document is an open acknowledgment that the liberation of chino slaves was well underway, but also that the process required an official petition to the court.

Notably, some owners tried to circumvent the law altogether by intentionally changing the ethnic category of their slaves. In July 1672, when Monterroso’s liberation campaign was already under way, Juan López Marroquín traveled all the way from Zacatecas (which was under the

<sup>71</sup> ANM Nicolás Bernal 460 f.49 (1677).

<sup>72</sup> ANM Nicolás Bernal 457 f.137v (1673).

<sup>73</sup> ANM Martín de Molina y Guerra 2486 f.109 (1652). ANM Fernando Veedor 4618 f.508v (1674).

<sup>74</sup> ANM José de Anaya 18 f.114v (1674).

<sup>75</sup> ANM Gabriel López Ahedo 2237 f.8 (1675).



jurisdiction of the Audiencia of Guadalajara) to Mexico City to sell a slave named Antonio.<sup>76</sup> To certify the property transfer, Juan provided several documents, including an old power of attorney in which Antonio was categorized as a chino slave. The bill of sale, however, listed Antonio as a mulatto and noted that he was branded on the chin. Juan must have realized that he was about to lose his property if he kept Antonio in the northern frontier, so he took him on a long journey. Somewhere along the way, Antonio became a slave who had African ancestry, perhaps because he actually had darkish skin. Juan also took the added precaution of having Antonio marked as a slave on the most visible place of his body. Having forced this transformation on Antonio, Juan was able to sell him to a buyer who undoubtedly counted on keeping Antonio imprisoned in his textile mill.

Regardless of the time and effort involved, chinos strove to liberate themselves and their family members. In 1675, a former slave named Petrona Ortiz employed the help of the defensor Juan Pérez de Salamanca to recover her two daughters Juana and Antonia, who had been given to the Convent of Our Lady of Balbaneda in Mexico City by Petrona's former master.<sup>77</sup> The lawyer first had the Audiencia declare that Juana and Antonia were "freed persons." Afterward, he wrote to the archbishop of Mexico to ask for assistance because the convent's abbess refused to release the girls. The archbishop demanded compliance. Individual members of the church like these nuns may have felt personally aggrieved by the liberation decree, but the institution as a whole was in full support of defending the natural liberty of chinos as Indians. Thanks to the archbishop's prompt intervention, Petrona and her daughters were finally reunited. They then matriculated as a family in the Indian town of San Juan Tenochtitlan and carried on their lives as free Indian women.

Other chinos slaves also turned to the church, knowing that they would have the institution's support in defending the integrity of their families. A few years after the liberation decree, Miguel de la Cruz petitioned the ecclesiastical court to help him recover his wife Dominga from her mistress doña Lucia Muñoz, who kept her imprisoned as a slave in a textile mill.<sup>78</sup> According to Miguel, doña Lucia "understood that he wanted his wife to petition for her liberty," so she had Dominga in chains and would not allow Miguel to spend time with her.<sup>79</sup> Spanish law protected marriage,

<sup>76</sup> ANM Fernando Veedor 4616 f.504v (1672).

<sup>77</sup> AGN Bienes Nacionales 45 exp.30 f.100 (1675).

<sup>78</sup> This was the same Dominga mentioned in [Chapter 6](#). AGN Indiferente 1605 exp.7 (1675).

<sup>79</sup> *Ibid.*

which meant that slaves had visitation rights. Miguel knew that the Audiencia was very likely to liberate his china wife, but she had to present her case in person. To enable this to happen, Miguel called on his right as a husband to have free contact with his wife, with the ultimate goal of freeing her from captivity.

One of the last chinios to be freed exemplified individual agency. In 1718, Juan de Valenzuela, originally “from the oriental islands,” petitioned the court for his freedom, stating that he knew about the “royal decree that said chinios were not slaves.”<sup>80</sup> He was a sick man in “an alien land” and desperate for his liberty. Juan presented several witnesses in his defense who testified that he was a “native of the provinces of the Philippines” and that “all chinios from the said islands enjoy liberty.”<sup>81</sup> The judge decided in his favor, saying it was “plain from his appearance that he was a native of those islands.”<sup>82</sup> Juan was visibly an Indian.

The 1672 decree revealed contradictions between freeing some slaves and keeping other human beings in bondage. Martín de Solís Miranda, the prosecutor charged with executing the order in Mexico City, articulated these issues in the most urgent manner. Solís understood the validity of liberating the chinios who were “*indios filipenses*,” as they were Indian vassals born in lands under Spanish dominion.<sup>83</sup> On closer inspection, however, it became evident to him that many chinios were from other regions in Asia, which he called “other oriental provinces,” which presented significant jurisdictional difficulties. These individuals had been born in countries that were not under Spanish dominion; was it then possible to categorize them as indigenous vassals of the Spanish monarch? According to Solís, the answer was no. Chinios from other “nations” were foreign ethnic outsiders who had to be kept from infiltrating the Republic of Indians.

In his efforts to keep non-Indian chinios in slavery and emphasize their foreignness, Solís evoked the common fear that outsiders were a bad influence. As a “genre of people,” chinios were “more competent” than the natives of Mexico and would hence corrupt their “gentleness and sincerity.”<sup>84</sup> As a solution, Solís recommended that the colonial

<sup>80</sup> AGN Indiferente 3044 exp.8 (1718).

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Solís explained his actions and arguments in a series of letters to crown. AGI México 82 R.2 N.51 (1675).

<sup>84</sup> Ibid.

government set aside land for freed chinos in the countryside, where they could live and grow crops for their sustenance.

For Solís, the most serious and troubling discovery was that some chinos belonged to the “Muslim nation” (*nación mahometana*).<sup>85</sup> The captives taken by Spanish soldiers in just wars with Muslim chiefdoms had indeed been channeled into the transpacific slave trade.<sup>86</sup> In 1658, for example, a man named Francisco and categorized as belonging to the “Muslim nation” was legally sold in Mexico City.<sup>87</sup> In addition, many of the slaves sold by Portuguese traders were Muslims from different islands in Southeast Asia. Anton Rosado, for example, converted to Christianity, but he openly admitted that his mother, born in Ternate, belonged to the Muslim nation (*nación mora*).<sup>88</sup> From Solís’s perspective, the fact that individuals like Anton had once been Muslims (*moros*) meant that they might still hold some adherence to Islam. As such, not only were these individuals not Indians, they were, in fact, “enemies of the Church.”<sup>89</sup>

The crown allowed the enslavement of Muslims from Mindanao in the Philippines Archipelago because they came from lands that were not subjugated to Spain.<sup>90</sup> Protection from slavery was reserved expressly for the king’s subjects, which the Muslims of Mindanao were not. These captives came from islands ruled by Muslim chiefs, which remained independent throughout the colonial period. In addition, Muslims could be legally enslaved because they were enemies of the Catholic Church. Francisco de Vitoria, the renowned theologian from the University of Salamanca, articulated the reasoning behind this sanction in a 1539 letter. He explained that Christians could “take as captives and enslave the

<sup>85</sup> Ibid. The crown prohibited the emigration of Muslims and former Muslims (recent converts) to the Indies in 1501, but the prohibition was rarely enforced, especially among slaves.

<sup>86</sup> Zavala briefly discusses slavery in the Spanish Philippines, including the allowance for enslaving Muslims, who were not included in the crown’s juridical opposition to the enslavement of Indians; see Silvio Zavala, *Los esclavos indios en Nueva España* (México: Colegio Nacional, 1967), 288–93.

<sup>87</sup> ANM Diego de los Ríos 3845 f.67 (1657).

<sup>88</sup> The Tribunal’s scribe described Anton as a “mestizo de India oriental.” As noted in [Chapter 2](#), Anton’s mother and maternal grandparents were from “Terrenate,” which was the Spanish name for Ternate, one of the Maluku Islands, which was ruled by a Muslim sultan for most of the colonial period, though nominally controlled at different times by European powers. AGN Inquisición 454 exp.27 f.443 (1651).

<sup>89</sup> AGI México 82 R.2 N.51 (1675).

<sup>90</sup> The royal decree from 1570, re-issued in 1620, was codified as book 6, title 2, law 13 of the Laws of the Indies.

children and women of the Saracens,” because “the war against pagans was continuous and never ending.”<sup>91</sup> The decrees allowing the enslavement of Muslim natives of Mindanao were codified in the *Laws of the Indies* under the title heading “On the liberty of the Indians,” but jurists understood that the exception was made because the captives were Muslims, as well as because they were not, in fact, Indian vassals. Legally they were natives of a territory bordering a Spanish colony, but not under Spanish sovereignty, so the crown had no responsibility to protect them.

Solís understood this jurisdictional reasoning very well, which he derived primarily from Solórzano’s work: “Certain nations are subject to servitude because they follow the sect of Mohamed.”<sup>92</sup> Solís’s point was that *chinos* who were “by nature Muslim” (*que por su naturaleza son mahometanos*) should not be liberated. Once freed, they would surely return to their original faith and spread their heresy among the Indians. In addition, Solís cited a royal decree from 1570 sent to the viceroy of New Spain and the governor of the Philippines, which allowed the enslavement of “*moros* who dogmatized their sect among the Indians.”<sup>93</sup> According to Solís, *chinos* who were converts from Islam were not barbarous Indians, as the Guadalajara judges claimed; they were enemies of Christendom who had to remain in bondage and kept under strict vigilance. Slavery, in this instance, was a way of keeping the enemy at bay.

The other major concern for Solís was the possibility that the liberation of *chinos* would set a precedent for slaves of African descent. He claimed that *negros* and *mulatos* had become “insolent” when they learned that the court was “granting liberty to former Muslims, who were enemies of the church, and leaving them in slavery, even though they had a better nature because they were originally gentiles.”<sup>94</sup> These enslaved Africans pointed out a great contradiction: how could Spaniards free enemy Muslims and keep them in bondage? Should they not be commended for having willingly converted and being good Christians? The question, of course, remained unanswered. In a related point, Solís claimed that the liberation of *chinos* threatened the slave economy; Spanish colonists, for example,

<sup>91</sup> Francisco de Vitoria, *Relecciones sobre los indios y el derecho de guerra* (Madrid: Espasa-Calpe, 1975), 137.

<sup>92</sup> AGI México 82 R.2 N.51 (1675).

<sup>93</sup> *Ibid.*

<sup>94</sup> *Ibid.*

doubted the legality of the African slaves who had recently arrived through the *asiento* contract given to Genoese slave trader Domingo Grillo.<sup>95</sup>

The Spanish government did not respond to Solís's concerns regarding the danger of liberating Muslims, or even to his suggestion that the 1672 decree challenged the integrity of the African slave trade. For royal officials in Spain, it was a legal certainty that the licenses given to Atlantic traders under the *asiento* system made their chattel perfectly legal. The one point that sparked royal interest was the threat to the perceived ethnic homogeneity of the Republic of Indians. The crown asked the Audiencia of Mexico for more information about where to settle the freed slaves "from the Philippines and surroundings (*filipenses y de su comarca*)."<sup>96</sup> In the end, royal officials in Spain were not convinced by Solís's arguments. The crown remained committed to the "most pious and just cause" of liberating Indian slaves, including all *chinos*, and ordered the Audiencia of Mexico in 1676 to proceed without delay.<sup>97</sup>

In addition, Solís did not find support among his colleagues in Mexico. For the other judges of the Audiencia, it was plain that the *chinos* they were liberating were not foreign interlopers, as Solís claimed. Rather, they were all Indians who had long lived and formed ties with members of the Republic of Indians. Whether they were Chichimecas, or Filipinos, or *chinos* from regions near the Philippines, they were all Indian subjects who owed tribute to the crown. As a result, the Audiencia continued to free more and more *chinos* and had them enrolled in the tax rolls of the Indian neighborhoods (*barrios*) of Mexico City.<sup>98</sup>

The matriculation of newly freed *chinos* into the tributary registries granted them true membership in the Republic of Indians and ensured that they would henceforth be protected from enslavement. Since their arrival, *chino* slaves, as well as free Indians from the Philippines, identified and intermarried with natives of Mexico and generally sought to join their world. Starting in the 1670s, the crown recognized their efforts and legally transformed all *chinos* into free native vassals.

<sup>95</sup> *Ibid.* For an analysis of the Atlantic slave trade to the Spanish colonies during this period, see Marisa Vega Franco, *El tráfico de esclavos con América: asientos de Grillo y Lomelín, 1663–1674* (Sevilla: Escuela de Estudios Hispano-Americanos, 1984).

<sup>96</sup> AGI México 1071 L.24 f.433v (1676). Copy in AGN Reales Cédulas Duplicadas 30 exp.1309 f.409 (1676). Transcribed in Konetzke, 1953, 2:626.

<sup>97</sup> AGN Reales Cédulas Duplicadas 30 exp.1313 f.413 (1676).

<sup>98</sup> AGI México 82 R.2 N.51 (1675).

The crown's commitment to achieving the liberation of Indians in Mexico played out in the same way elsewhere. Viceroy, governors, and Audiencias received orders that specifically cited the Guadalajara case. The viceroy of Peru and the Audiencia of Lima, for example, received a letter dated April 2, 1676, ordering them to liberate all Indian slaves, as had been done in Nueva Galicia.<sup>99</sup> A similar order was sent to the governor of Chile, with specific reference to war captives.<sup>100</sup> Monterroso's initiative to free Chichimeca warriors thus instigated efforts at the other end of the continent to disallow the enslavement of Araucanians, which had been permitted for close to 100 years; slavery had been their "deserved punishment" for having rebelled against the Spanish crown.<sup>101</sup>

The new policy on indigenous slavery also affected the guidelines for temporary servitude, in which Indian war captives were forced to endure a kind of indentured servitude. Officials were told to be watchful for abuses for years to come. In northern Mexico, for example, the colonial government insisted that Spaniards who fought Indian groups such as the Comanche could not sell captured warriors as chattel.<sup>102</sup> In addition, the crown was quick to decry and punish Spanish soldiers who orchestrated uprisings to have an excuse to capture Indians.<sup>103</sup>

The aftermath of the Pueblo Revolt in 1680 might appear to call into question the colonial government's commitment to the abolition of indigenous slavery, but the legal distinctions were significant. After the reconquest of Santa Fe in 1692, the governor distributed more than 400 Pueblo Indians to soldiers as punishment for the rebellion. The Council of War, however, imposed an important caveat – this was temporary service, not legal enslavement. The Pueblo had to be returned to their natural liberty after ten years "to avoid the risk of turning them into slaves."<sup>104</sup> Similarly, colonists in

<sup>99</sup> For the decree sent to the viceroy of Peru, which referred to the efforts of the Audiencia of Guadalajara, see AGI Lima 574 L.28 f.215 (1676); transcribed in Konetzke, 1953, 2.2:628.

<sup>100</sup> AGI Chile 57 (1674). A subsequent royal decree from 1679 titled "*Revalida las ordenes de la libertad de los Indios, y de nueva providencia en los de Chile*" was codified as book 6, title 2, law 16 of the Laws of the Indies.

<sup>101</sup> The crown allowed the enslavement of Araucanian men older than age ten and a half and women older than age nine and a half. AGI Chile 166 L.1 f.121 (1608); transcribed in Konetzke, 1953, 2.1:140–2.

<sup>102</sup> Zavala, 1967, 345–446.

<sup>103</sup> AGN Reales Cédulas Originales 24 exp.45 f.108 (1691).

<sup>104</sup> Opinion of the Junta de Guerra de Indias, Madrid, dated July 15, 1691. The royal decree also specified that the punishment could not be meted out to Indians "who were less than 14 years old" and that the "service of 10 years could not pass to their children"; in

New Mexico were not allowed to hold as slaves the people they acquired from the neighboring Navahos, who took captives in their wars against the Pawnee and other groups.<sup>105</sup> These individuals were not legally purchased as chattel. The juridical allowance was that colonists could “rescue” these individuals, which was understood to mean that they were taken from the Navaho to save their souls. The difference between legal sale and legal rescue was more than a legal nicety. Unlike chattel, individuals who were rescued had a legal identity as free people, and the colonial government restricted their masters’ power. Rescued Indians had to be kept within the province of New Mexico, and they could absolutely not be sold into the larger slave market of Mexico. There is no question that individual people suffered under the practice of rescue (*rescate*), and that they were terribly abused by their so-called masters.<sup>106</sup> But unlike its policy toward Africans and their descendants, the colonial government ensured that no indigenous person would ever be considered the legal property of another.<sup>107</sup>

In 1764, Liberato and Hipolito Casiano Saravia, Indians from the town of Santa Catarina Tepehuanes in Durango, petitioned the viceroy to free their mother, who was being illegally held as a slave. The appeal reads, “royal decrees expressly prohibit the sale of Indians. . . or that they be compeled into slavery . . . Indians must always live freely and without the subjugation that is only practiced with negros and mulatos.”<sup>108</sup> The wording could not be clearer. By the eighteenth century, the only legal slaves were of African descent.

addition, the governor was supposed to take down the names and ages of the captured rebels and also the names of the Spaniards that they were to serve, to allow him “to bring them together after the 10 years and return them to their natural liberty.” AGN Reales Cédulas Originales 24 exp.49 f.123–125v (1691).

<sup>105</sup> There is a growing literature on the slave economy in the Spanish borderlands, which became a prominent topic starting with the publication of James Brooks’s pathbreaking book. See James F. Brooks, *Captives & Cousins: Slavery, Kinship, and Community in the Southwest Borderlands* (Chapel Hill: The University of North Carolina Press, 2002). For a more recent overview of the field, see James F. Brooks, “We Betray Our Own Nation”: Indian Slavery and Multi-Ethnic Communities in the Southwest Borderlands “ in *Indian Slavery in Colonial America*, ed. Alan Galloway (Lincoln: University of Nebraska Press, 2009).

<sup>106</sup> See [note 11](#).

<sup>107</sup> The abolition of indigenous slavery in Mexico spread to the northern frontiers in the following decades. In 1715, for example, the head criminal official (*alcalde del crimen*) from the High Court of Mexico traveled northward from Mexico City to present-day Tamaulipas, where he “deprived the Spaniards from their dear slaves and expropriated their best lands” because they “reputed” and “treated” indigenous laborers as if they were slaves rather than vassals of the crown. AGN Historia 29 exp.18 f.201–v (1748).

<sup>108</sup> AGN Indios 60 exp.63 f.93v–94v (1764).

The church played an important role in all these efforts to restrict slavery. Churchmen in the frontiers worked with royal officials like Monterroso to make the Spanish crown take real responsibility for all indigenous peoples. Priests and friars working in Chile wrote to the Council of Indies in the 1670s pleading for an end to the enslavement of rebel Indians. Rather than imposing Christianity by force, they wanted to convert them with “love” and “good treatment.”<sup>109</sup> Remarkably, these appeals convinced the crown to recognize, as it had in the sixteenth century, that indigenous slavery called into question Spain’s commitment to expand Christendom. Accordingly, the royal decrees that ended indigenous slavery specifically referenced the need to spread Christianity and the ongoing importance of the missionary project. In 1689, Charles II decreed: “The Indians of the islands in the West Indies and of the mainland cannot be enslaved because they are my vassals who have enriched my dominions . . . They must come to the Catholic faith with love, so we must protect them from the harshness of slavery.”<sup>110</sup> In the end, the Spanish crown prohibited indigenous slavery because it thwarted the spread of Christianity and undermined peace in the colonies.

#### THE UNIQUE CASE OF THE SPANISH PHILIPPINES

To liberate Indian slaves in the Spanish Philippines, the crown had to impose fundamental social and economic changes. A royal decree from 1584 had prohibited the enslavement of native people, but social and economic circumstances made it extremely difficult to enforce the decree during the subsequent century.<sup>111</sup> Starting in the 1670s, the Spanish crown grappled with a glaring contradiction: indigenous elites in the Philippines were exempt from the ban on owning Indian slaves. The colonial government had come to this agreement with native chiefs to maintain the social order, and also to profit from an existing economy based on slave labor. It was not until the late seventeenth century that the crown brought this native slave system to an end by forcing producers to switch from slavery to other forms of coerced or paid labor.

At this time, the Spanish government also clamped down on the trans-pacific slave trade. The Atlantic *asiento* holders were responsible, in part,

<sup>109</sup> For a summary of the debate at the Council of Indies, see AGI Chile 57 (1674). The royal decree was codified as book 6, title 2, law 16 of the Laws of the Indies.

<sup>110</sup> Royal decree from June 25, 1682; AGI Filipinas 24 R. 5 No.28 (1684).

<sup>111</sup> AGI Filipinas 34 N.62 f.640 (1584).



for this crackdown, for the influx of black slaves via the Pacific threatened their monopoly. The crown, however, recognized that the Manila Galleon carried chino slaves as well, some of whom were natives of the Philippines. This export of indigenous Filipino slaves to Mexico was an affront to the system of two republics; Indians belonged to the Republic of Indians and were supposed of remain in their native communities. The trade, which moved Indians from one colony to another as slaves, infringed on the crown's ability to collect tribute and convert Indians to Christianity. Monterroso made this connection from his post in Guadalajara; he called for the abolition of indigenous slavery in the Spanish Philippines and also for an end to the transpacific slave trade of "native Filipinos."<sup>112</sup> In addition, the transpacific slave trade went against the prevailing economic theory of mercantilism, in which commerce was supposed to benefit the mother country. The colonies were meant to export only to Spain and to act as a market for Spanish goods. The idea that one colony would benefit by selling chattel (i.e., a natural product) to another colony was inconsistent with mercantile ideals.

The arguments against sending indigenous slaves to Mexico prompted resolute action. Drawing on the examples of Mexico and Chile, the crown ordered the liberation of all Indian slaves, which the governor and Audiencia of Manila confirmed in September 1677.<sup>113</sup> To ensure compliance, the crown asked officials in Mexico to keep watch over the implementation process in the Philippines and to provide guidance.<sup>114</sup> Abolition required concerted action in the Spanish Philippines, which proved to be especially challenging. Royal officials claimed to be powerless in the face of local opposition. In addition, the colony had a much larger and more diverse slave population. Within days of the public declaration of the decree, the Audiencia was overwhelmed with an onslaught of petitions, as "a great many slaves appealed for their liberty."<sup>115</sup> As elsewhere, the response of these enslaved men and women confirmed their fundamental desire for freedom from human bondage.

The subsequent actions of the Audiencia judges is revealing of the complexity of the Manila slave market and of the specificity of colonial relationships at this end of the empire. The Audiencia judges had to issue repeated calls to slave owners to comply. Five years after the decree, slave owners were ordered once again to register their property at court; masters

<sup>112</sup> AGI Guadalajara 12 R.1 N.9 (1672).

<sup>113</sup> AGI Filipinas 24 R.5 N.28 (1684).

<sup>114</sup> AGI Filipinas 331 L.8 f.60v (1686).

<sup>115</sup> AGI Filipinas 24 R. 5 N.28 (1684).

who did not have documentation of legal title risked losing their slaves. This mandate came in July 1682. Just a few months later, the judges backed down. They could not withstand the overwhelming pressure from colonists and indigenous elites, who insisted on keeping their slaves. According to the Audiencia, slave owners “did as they pleased.”<sup>116</sup> Claiming defeat, the judges sent a desperate appeal to the crown: the royal decree had to be reversed.<sup>117</sup>

The judges’ description of the social hierarchy in the Philippines, which depended on slaves, helps explain the difficulties they encountered. Slave owners simply refused to abide by the letter of the law. As they had done for more than a century, they insisted that the abolition of indigenous slavery would result in a general collapse of the economy. There would be no one to grow food, nor anyone to work. The judges frankly admitted that native elites had “threatened to destroy the crops” if the Spaniards took their slaves.<sup>118</sup> Facing such “grave danger,” the Audiencia resolved to allow native elites to keep their slaves “according to their own custom” – to do otherwise would have caused “irreparable damage,” possibly even rebellion against the crown.<sup>119</sup>

In defense of their actions, the Audiencia judges also reported that there was widespread confusion over the ethnic and national identities of individual slaves. Their letter to the crown reads: “In the American provinces, all slaves are either black or mulatto, or pure Indians; here, there is such a diversity of nations that it is difficult to comprehend, or even to name them.”<sup>120</sup> The judges reported on the origins and ethnic identity of slaves in Manila to convince royal officials back in Spain that the complexity of the Manila slave market made the liberation of Indian slaves nearly impossible. Some slaves “were from the demarcation of Castile” (i.e., from the Spanish Philippines). Others were Muslims from nearby islands, such as Jolo, Mindanao, Borneo, and Ternate, which were ruled by Muslim kings (*reyes moros mahometanos*). In addition, Portuguese traders brought slaves from “Cochin, Makassar, Timor, and many other [places].”<sup>121</sup> These foreign slaves also included “raisin blacks [*negros de paza*], some of them Muslims and children, from Guinea, Mozambique, [and] Cabo Verde”; the “other black slaves had long hair, like Bengalis and from

<sup>116</sup> AGI Filipinas 24 R.3 N.24 (1682).

<sup>117</sup> AGI Filipinas 24 R. 5 N.28 (1684).

<sup>118</sup> AGI Filipinas 25 R.1 N.46 (1689).

<sup>119</sup> Ibid.

<sup>120</sup> AGI Filipinas 24 R. 5 No.28 (1684).

<sup>121</sup> AGI Filipinas 25 R.1 N.46 (1689).

Malabar.”<sup>122</sup> The judges maintained, however, that most slaves, in fact, were blacks, “commonly called cafres.”<sup>123</sup>

From the judges’ perspective, all moros and black slaves were exempt from the royal decree. The enslavement of these individuals was just and legal. As such, Muslim slaves continued to be sold in Manila. In 1687, for instance, Fray Juan de Paz wrote that the price for a three-year-old moro slave was 30 pesos.<sup>124</sup> Blacks also remained enslaved based on “common custom.”<sup>125</sup> Black slaves were justly enslaved because the Portuguese brought them “from regions subject to a Catholic monarch, where ministers examined the causes and titles of their servitude.”<sup>126</sup> In addition, they claimed existing slaves “belonged to the same castes as the slaves introduced to the kingdoms of Peru and New Spain.”<sup>127</sup>

Ultimately, the judges’ only success was that they liberated Indians and non-African slaves owned by Spanish colonists, who were “left with no one to serve them.”<sup>128</sup> The Audiencia sent a report to Spain listing the particulars of the 571 “heads” (*cabezas*) who had been freed between 1673 and February 1684. Most of these individuals were Indians (*indios y naturales*) from the provinces of Batangas, Bulacan, Cagayan, Camarines, Cebu, Iligan, Iloilo, Pampanga, Tondo (historical province), Visayas, and Zamboanga. They had previously belonged to Spaniards and resident Chinese merchants (*sangleyes*). In addition, the Audiencia liberated a number of foreign slaves who were from Bengal, Cochin, Java, Macao, Makassar, Malabar, Malay, and Timor. These slaves had been the property of Spaniards, *sangleyes*, and a few from elite Filipinos.

The Spanish government disregarded the pleas of the Audiencia judges. Colonists and indigenous elites of the Spanish Philippines received one last order in 1692.<sup>129</sup> The crown allowed native elites to keep their slaves but prohibited them from keeping those slaves’ descendants in bondage. All Indians born after the date of this decree were categorically free. The

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.

<sup>124</sup> José S. Arcilla, “Slavery, Flogging and Other Moral Cases in Seventeenth Century Philippines,” *Philippines Studies* 20, no. 3 (1972).

<sup>125</sup> AGI Filipinas 25 R.1 N.46 (1689).

<sup>126</sup> AGI Filipinas 24 R.3 N.24 (1682).

<sup>127</sup> Ibid.

<sup>128</sup> AGI Filipinas 25 R.1 N.46 (1689).

<sup>129</sup> The decree, dated August 8, 1692, was mentioned in an ordinance from 1696; transcribed in John Leddy Phelan, “The Ordinances Issued by the Audiencia of Manila for the *Alcaldes Mayores* 1642, 1696, and 1739,” *Philippine Social Sciences and Humanities Review* 24, no. 3-4 (1959): 313-14.

colony would have to find an alternative way to sustain itself without indigenous slaves.<sup>130</sup> Royal officials had to maintain a sustained effort. In 1696, for example, the governor promulgated an ordinance throughout the province, reminding regional administrators (*fiscales*) that they were personally responsible for freeing all Indian slaves, even those whom the natives called “customary slaves” (*de usanza*).<sup>131</sup>

The different social layers and complexities of the Philippines made it unique in the Spanish empire in regard to slavery. Indigenous elites maintained their social and economic dominance in the colony as a whole for a far longer period than in Spanish America. As a result, natives of the Spanish Philippines labored as slaves far longer than Indians from the other colonies, which had as-yet unexamined effects on the social development of the country.<sup>132</sup> In addition, Filipino natives were forced to migrate to Mexico, where they took part in the transformation of slavery. Indigenous slavery survived in the Philippines for practical reasons, which prompts us to reconsider the role of slavery in the development of frontier regions in other parts of the empire. As evident in the history of chino slaves, the allowances made at the edges of the Spanish empire had far-reaching consequences for the institution of slavery as a whole.

#### CONCLUSION

The abolition of chino slavery was part of long process that began during Spain’s first years as a colonial power in Hispaniola. There, a few Spaniards, such as Fray Antonio Montesinos, spoke out against the enslavement of indigenous people, inspiring a debate that resulted in the crown prohibiting indigenous slavery in 1542. Spain wanted colonies with tribute-paying vassals rather than slaves. The ban, however, was not fully implemented for another 130-plus years. As a result, countless native people in Spain’s colonies suffered human bondage, among them indigenous Filipinos. Decade

<sup>130</sup> For an analysis of the colony’s increased reliance on African slaves, see Pascale Girard, “Les Africains aux Philippines aux XVIe et XVIIe siècles,” in *Negros, mulatos, zambai-gos: derroteros africanos en los mundos ibéricos*, ed. Berta Ares Queija and Alessandro Stella (Sevilla: Escuela de estudios hispano-americanos, CSIC, 2000). For African slaves in agriculture, see Nicholas P. Cushner, *Landed Estates in the Colonial Philippines* (New Haven: Yale University, Southeast Asia Studies, 1976).

<sup>131</sup> Phelan, 313–14.

<sup>132</sup> Michael Salman, “Resisting Slavery in the Philippines: Ambivalent Domestication and the Reversibility of Comparisons,” *Slavery & Abolition* 25, no. 2 (2004). Michael Salman, *The Embarrassment of Slavery: Controversies over Bondage and Nationalism in the American Colonial Philippines* (Berkeley: University of California Press, 2001).

after decade, enslaved individuals, along with some churchmen and key Spanish officials, struggled to right this moral wrong. They appealed to the Catholic royal conscience, reminding the crown of the promise it once made to protect Indians from slavery. Chinos in Mexico actively engaged in this ongoing conversation, insisting time and again that liberty was their Christian human right. The royal decrees that freed them at the end of the seventeenth century testified to their efforts. They marked the absolute end of legal slavery for Indians: all natives of the Spanish colonies became the “king’s own vassals,” codified in the compilation of the *Laws of the Indies* (1680).<sup>133</sup> At last there were no more exceptions, not even in the Philippines, the colony farthest from Spain.

#### EPILOGUE

After abolition, chino Esteban Cortés was desperate to return home to the Philippines. In 1673, while his suit for liberty was still pending, Esteban tried to return by enlisting as a soldier. He was not alone: many other chinos hoped that the colonial government would pay for their passage on the Manila Galleon if they volunteered to serve the crown in the Philippines.<sup>134</sup> The proposition was not far-fetched. The viceroy in Mexico often resorted to impressing prisoners and vagrants and sending them to the notoriously under-defended colony. So, freed chinos viewed enlistment as a viable option. The military establishment, however, had very different ideas about the ideal ethnic composition of the troops. In Esteban’s case, a sergeant tried to prevent him from enlisting. He argued that the Philippines needed Spanish soldiers, not freed chinos, who would also be taking paid positions that rightly belonged to Spaniards.<sup>135</sup> Despite such protests, the Audiencia of Mexico decided to allow chinos to enlist so long as they proved they were free men. The judges understood that this was an easy way to recruit soldiers, rather than having to rely on forced conscription to protect the Philippines.<sup>136</sup> Unfortunately, we do not know whether Esteban achieved his goal of returning to his birthplace. It is a hopeful possibility to think that men like him boarded the Galleon once again.

<sup>133</sup> The decree, originally titled “Revalida las ordenes de la libertad de los indios, y de nueva providencia en los de Chile,” from June 1679, was codified as book 6, title 2, law 16 of the Laws of the Indies.

<sup>134</sup> AGN Reales Cédulas Duplicadas 22 exp.342 f.356 (1673).

<sup>135</sup> Ibid.

<sup>136</sup> For an analysis of the Spanish government’s ongoing efforts to sustain a militarized presence in the Philippines, see María Fernanda García de los Arcos, *Forzados y reclutas: los criollos novohispanos en Asia, 1756–1808* (México: Potrerillos Editores, 1996).

## Conclusion

The ethnic diversity of the slave population in New Spain came to an end in the late seventeenth century. Previously, natives of the Americas, Asia, and Africa, in addition to their descendants, were all legal chattel. Afterward, the only legal slaves remaining in New Spain had African ancestry. In essence, the transformation of slavery into an institution exclusively dependent on African slave labor involved legal changes. In the early 1670s, the crown categorically freed all Indian and chino slaves, enabling them to join the ranks of free labor. Chinos, moreover, joined the Republic of Indians as a group (*gente*). The colonial government's effort to locate chino slaves and grant them a new civil status was unprecedented. Individuals categorized as negros, mulatos, pardos, and so on were manumitted throughout the colonial period, but the crown never emancipated them by decree in the way it did for Indians and chinos.

The Spanish government made a distinction between peoples of different ancestries when it came to slavery. In the context of colonialism, the natives of the Spanish Philippines and Spanish America were indigenous vassals. These individuals confirmed Spanish sovereignty by paying tribute to their lord and king, who, in turn, defended their natural liberty. Indians, unlike natives of Africa, could not be slaves because it was unjust to enslave the king's subjects. The logic was convoluted, but the payment of tribute, though mandated, did not impart the same legal protections to former slaves from Africa or to their descendants. Manumission made them vassals of the Spanish crown as well, but their individual tributary status was unrelated to the legality of enslaving other Africans. In contrast, Spain's claim to the colonies, and the related concept of indigenous vassalage, required that all

Indians be spared from slavery. After the 1670s, the crown shielded people from the Spanish Philippines and the American colonies from slavery because of their ancestry and geographical origin; the ancestry of people from Africa did not have the same implications.

In the 1670s, the Spanish crown resolutely declared that all Indians were categorically free, which prompted an empire-wide effort to end indigenous slavery. The crown had previously sought to prohibit the enslavement of native peoples in 1542 with the New Laws, but it had also allowed for a number of exceptions. Indians who rebelled against Spanish sovereignty, for example, continued to be legally enslaved as punishment. A century and half elapsed before the prohibitions against enslaving Indians were fully implemented, but the law did change. In this final drive to liberate Indian slaves, colonial officials in Mexico included *chinos*. *Chinos* were thus freed and turned into native vassals by royal mandate.

The rise of racialized slavery in the Americas involved slave owners who looked to physiognomy to identify and classify their property. Masters used physical markers, particularly skin color, to distinguish themselves from slaves with the purpose of exerting power. The crown took part in the racializing process by instituting laws that codified and confirmed these distinctions. In the Spanish empire, racial ancestry and skin color became determinants of legal status in the late seventeenth century.

The Spanish government racialized slavery by prohibiting the enslavement of Indians, and individuals who looked like them (such as *chinos*). Spaniards perceived *chinos*' skin color and general physiognomy as indicators that these individuals were different from African slaves and more similar to Indians. Individual *chinos*, in turn, confirmed the association by finding ways to become Indians prior to abolition. The decrees from the 1670s and 1680s that abolished indigenous slavery once and for all were a critical turning point. They made manifest what had previously been a mere perception, namely that the only people who could be legally subjugated to slavery were individuals of African descent. Once the crown upheld Indian liberty, people with black skin were the only ones left in legal bondage.

The timing of abolition in the Spanish empire coincided with the transition to racialized slavery in the English colonies, when racial lines hardened to control African labor. In Virginia, the process of racialization was particularly evident after Bacon's Rebellion in 1676, when indentured servants from Europe sided with the planter class, leaving people with black skin as the only ones who labored in legal bondage. English colonists

limited individual freedom and racialized slavery because they had to strengthen their physical control over a limited source of labor for their plantations.<sup>1</sup> It has been suggested that the English were the only colonists who racialized slavery by conceiving of Africans as the “consummate slaves.”<sup>2</sup> In fact, the Spanish colonists did much the same thing and at the same time.

Prior to abolition, slave owners in Mexico often described their favorite chino slaves as white (*chinos blancos*). That they did so suggests that owners specifically looked to white skin as a commonality; it was a feature that made chinos resemble free people like themselves. Black skin color, by contrast, was increasingly seen as a marker of slavery.<sup>3</sup> Masters did not explicitly articulate the connection between whiteness and freedom, but the documents show a strong correlation: masters often favored chinos precisely because they were seen to be white. The bishop of Nueva Viscaya, for example, manumitted his slave Bernarda de San Miguel, a “white china,” because he “considered her to be a free person.”<sup>4</sup> The experience of Bernarda and other chinos compels us to reconsider the importance of color in the early modern period, when this observable difference began to have a bearing on people’s experience with the law and one another.<sup>5</sup>

Chinos were an anomalous element in the slave population of seventeenth-century New Spain. Their physiognomy mattered. Their interactions with indigenous people raised questions about identity. Questions about identity in turn raised questions about protections of indigenous vassals under the law. And legal protections eventually led to the liberation

<sup>1</sup> Cristopher Tomlins, *Freedom Bound: Law, Labor, and Civic Identity in Colonizing English America, 1580–1865* (New York: Cambridge University Press, 2010). Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: Norton, 1975).

<sup>2</sup> Michael Guasco, “From Servitude to Slavery,” in *The Atlantic World, 1450–2000*, ed. Toyin Falola and Kevin D. Roberts (Bloomington: Indiana University Press, 2008): 92.

<sup>3</sup> Not once in my research did I come across a “black chino” slave.

<sup>4</sup> ANM Melchor Juárez 2179 f.51 (1657).

<sup>5</sup> In this analysis of the changing meaning of colonial categories and racial terms such as “Indian,” “chino,” and “black,” I am influenced by the work of Rachel Sarah O’Toole on Andeans and African slaves in colonial Peru. She argues that it is critical to examine how individual people employed these categories and engaged colonial institutions to have a more nuanced understanding of everyday life in Spanish America and to recognize the limits of racial domination – to quote from the title of R. Douglas Cope’s groundbreaking book on similar topics. Rachel Sarah O’Toole, *Bound Lives: Africans, Indians, and the Making of Race in Colonial Peru* (Pittsburgh: University of Pittsburgh Press, 2012); R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660–1720* (Madison: University of Wisconsin Press, 1994).



of chino slaves. Their change in status, however, in no way threatened the institution of slavery, which remained fundamentally important to the colonial economy. The crown and the slave-owning class confirmed the legal status of the remaining slaves by linking skin color and geographic origin to bondage. They did so to the detriment of persons of African background. The experience of chino slaves calls for a reevaluation of the chronology of racial slavery in Spanish America.

## Appendix 1

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*Chino Slaves with Identifiable Origins*

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All	225
Spanish Philippines <sup>1</sup>	62
Muslim Philippines <sup>2</sup>	17
India <sup>3</sup>	68
Bengal [Bangladesh and India]	30
Ambon, Borneo, Java, Makassar, Maluku Islands [Indonesia]	15
Melaka, Malay [Malaysia]	9
Ceylon [Sri Lanka]	6
Japan	4
Macau [China]	3
Timor	2
Unrecognizable <sup>4</sup>	9

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Note: My database for this study consists of 598 chino slaves. Of these, only 225 cases involved individuals whose place of origin was identified in the surviving documentation. Slave deeds often noted the embarkation point rather than a slave's place of birth, so we cannot be certain about the provenance of some of the slaves listed as being "from Manila," only those who were "natives of" or "born in" a specific place.

<sup>1</sup> Cagayan, Calamian, Calubian, Camarin, Cavite, Lubao, Manila, Pampanga, Panay, Pasiculas

<sup>2</sup> Jolo, Mindanao, Zamboanga

<sup>3</sup> Chite, Cochin, Corumbi, Goa, Lumbini, Malabar, Mogo

<sup>4</sup> Alternate, Bregui, Chati, Juque, Pali [Bali?], Papua [Papua New Guinea?], Vuica

## Appendix 2

*Average Price (in pesos) of Slaves Sold in Mexico City by Age, 1600-1679*

	1600-1609	1610-1619	1620-1629	1630-1639	1640-1649	1650-1659	1660-1669	1670-1679
<i>Chinos</i>								
age: 10-19	N=0	N=5	N=3	N=2	N=4	N=15	N=4	N=4
avg. price	0	326	242	285	273	268	262	292
<i>Negros and Mulatos</i>								
age: 10-19	N=25	N=85	N=60	N=36	N=46	N=159	N=131	N=140
avg. price	374	330	283	324	291	300	315	314
<i>Chinos</i>								
age: 20-29	N=2	N=8	N=6	N=12	N=8	N=14	N=11	N=8
avg. price	375	360	282	309	304	299	340	274
<i>Negros and Mulatos</i>								
age: 20-29	N=36	N=109	N=65	N=47	N=51	N=155	N=126	N=193
avg. price	413	379	342	399	372	346	356	358
<i>Chinos</i>								
age: 30-39	N=0	N=1	N=2	N=2	N=3	N=13	N=7	N=9
avg. price	0	250	215	300	213	275	260	251
<i>Negros and Mulatos</i>								
age: 30-39	N=18	N=32	N=15	N=28	N=31	N=124	N=87	N=75
avg. price	396	395	334	336	346	337	341	345
<i>Chinos</i>								
age: 40-49	N=0	N=0	N=0	N=2	N=4	N=5	N=5	N=1
avg. price	0	0	0	320	190	264	294	200
<i>Negros and Mulatos</i>								
age: 40-49	N=2	N=8	N=7	N=3	N=10	N=70	N=46	N=52
avg. price	350	305	220	267	266	280	275	273
Average for <i>Chinos</i>	375	312	246	298	263	281	287	272
Average for <i>Negros and Mulatos</i>	394	368	319	353	336	328	337	339



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