

## COLONIAL MEXICO: NEW VIEWS FROM THE TOP

- RACE, CLASS, AND POLITICS IN COLONIAL MEXICO, 1610–1670.* By J. I. ISRAEL. (New York: Oxford University Press, 1975. Pp. 305. \$25.75.)
- CRIMINAL JUSTICE IN EIGHTEENTH-CENTURY MEXICO: A STUDY OF THE TRIBUNAL OF THE ACORDADA.* By COLIN M. MACLACHLAN. (Berkeley: University of California Press, 1974. Pp. 153. \$9.00.)
- A MEXICAN FAMILY EMPIRE: THE LATIFUNDIO OF THE SÁNCHEZ NAVARROS, 1765–1867.* By CHARLES H. HARRIS, III. (Austin: University of Texas Press, 1975. Pp. 402. \$15.00)
- BEYOND THE CODICES: AN INTRODUCTION TO COLONIAL NAHUATL DOCUMENTATION.* Edited and translated by ARTHUR J. O. ANDERSON, FRANCES BERDAN, and JAMES LOCKHART. (Los Angeles: University of California Press, 1976. Volume 27 of the UCLA Latin American Studies Series.)

Mexico's colonial elite continues to receive informed, well-documented treatment from American and English scholars. Of the four books under review, one concerns the Acordada, a cornerstone of the reorganized system of justice in the eighteenth century; another examines viceregal politics in the seventeenth century; and a third presents the history of Coahuila's greatest landowning family from 1765 to 1867. All three are firmly grounded in archival sources and yield substantial bodies of new information on the institutions and powerful individuals under consideration. All three were researched and executed in an inductive, oriented manner: The content, time limits, and elite perspective were dictated more by the core documentation than by clearly conceived questions for historical explanation and verification.

Israel's approach to viceregal politics is wide-ranging. He does make conceptual contributions in his examination of seventeenth-century economic cycles in light of colonial politics and in his interest in the "general crisis" of Europe overseas (which apparently accounts for the time limits, 1610–70), although the bulk of the presentation is a straightforward narrative of decision-making at the highest levels, divided into chapters on key viceroys. With rich documentation, Israel presents the competing political forces of Mexico City in action. The central importance of the Church in political life is confirmed and the author moves well beyond to reveal a surprisingly active, sometimes forceful Mexico City Council. The social and political puritanism of the Duque de Olivares through his appointed viceroys, Gelves and Escalona, is shown to have been an important ingredient in the government's response to social and economic tensions in the 1620s and 1630s. The viceroys and archbishops themselves, especially Gelves, Palafox, and Albuquerque, are convincingly portrayed.

Israel provides a much-needed antidote to the standard episodic, petty

appearance of seventeenth-century politics in Mexico. His primary point, developed consistently throughout the book, is the importance of two broad alignments among the politically-active Spaniards that reflected the conflict of interests between colonists and the colonial bureaucracy. One "party" was composed of bureaucrats with peninsular leanings; the other combined the grievances of creole citizens and the secular Church. The conflict was largely played out during this period in ecclesiastical politics—between the regular and secular clergy or viceroys and bishops—which became "a substitute for direct confrontation over social and economic issues" (p. 189).

The relationship between social distinctions and politics is subtle and complicated since ethnic consciousness among creoles apparently was not widespread. Viceregal politics in this period does seem to have centered on "the clash of interests between creoles and administrators" (p. 49), although the peninsular-creole distinction is somewhat overdrawn by the author's assumption that *corregidores* were peninsulars (pp. 36, 226) and that creoles monopolized the *cabildo* posts (p. 97). On the other hand, Israel is careful to qualify the peninsular-creole division of political alignments (p. 108). Peninsular bishops joined forces with creoles against their mutual adversaries, and the Mendicants, while becoming more committed to the bureaucratic party, were internally divided into creoles and peninsulars.

In sorting out and explaining the dynamics of high politics in seventeenth-century Mexico, it seems to me that Israel indirectly confirms the longstanding view that this was a time of considerable motion but little movement, "a period of maturation of creole and *mestizo* life behind the decaying facade of Hispanic administration and commerce" (Mario Góngora). The capital and ecclesiastical politics were arenas of conflict and intrigue, not a means of long-term solution to social and economic tensions.

*Criminal Justice in Eighteenth-Century Mexico* is more sharply focussed on the legal history of one institution, the Acordada, which the author considers "the most important law enforcement agency in eighteenth-century Mexico" (p. vii). Most important or not—the Sala del Crimen, Juzgado de Indios, and the *alcaldes mayores* were very active in this period—the Acordada was, as MacLachlan suggests, a major innovation in Spanish American bureaucracy: a specialized and very active judicial body independent of the territorial governors. This study is strong on the internal affairs of the new court, the interdepartmental rivalries that developed out of its independent authority, and its decline after the new liquor laws of the 1790s. MacLachlan also demonstrates the special importance of the early judges, Miguel and José Velásquez, in establishing the Acordada's power from its inception in 1722.

The institutional and legal presentation is weakened at several points by excessive reliance on written laws and the small corpus of administrative records preserved in the Acordada section of Mexico's National Archive to interpret the system of justice in practice. Admittedly, this study is more concerned with "philosophical and political statements" (p. 38) about justice, for which the laws, legal commentaries, and *Ramo de Acordada* are appropriate, but these

sources cannot support such emphatic statements about the judicial system in practice as: "The Sala de Crimen of the Audiencia did not review, approve, or modify sentences imposed by lower officials as originally intended" (p. 53); "local punishment tended to be immediate and of short duration" (p. 42); "ad hoc enforcement of order without reference to specific laws or standard judicial procedures" (p. 41); and "penalties, in keeping with European standards of justice were severe. Whipping regardless of sex was common, and hanging or physical mutilation was frequently the sentence in robbery cases without regard for color or caste" (p. 28).

Trial records for central Mexico and Oaxaca in the late eighteenth century suggest rather different patterns of justice in action: The *alcaldía mayor*, rather than the Sala del Crimen, appears to have been the hanging court, issuing more death and *obraje* service sentences than higher courts; the Sala del Crimen did in fact review many decisions of the *alcaldes mayores* in cases of violent crime and commuted most of the death sentences meted out by lower courts; the Sala del Crimen and the Juzgado de Indios often followed appropriate criminal laws in the *Siete Partidas* rather than operating on an ad hoc, irregular basis; and executions and physical mutilation were not common punishments in the surviving late eighteenth-century trial records for homicide and robbery.

Both Israel and MacLachlan seek to move beyond purely institutional history to use politics and the judicial system to clarify social issues. Israel pursues the connection between social tensions ("race and class") and political events (p. 271), but only the conflict between creoles and peninsulars is systematically documented. Racial groups in colonial society are presented in blanket terms based on composite information and without convincing elaboration. Indians are written off as "an exceptionally docile population" (p. 35); "easily disciplined work gangs that would submit to virtually any conditions of drudgery" (p. 25); weak, gullible, and prone to mass alcoholism (pp. 14, 39, 49); and as having "lapsed into a morbid condition" (p. 14). On the social history of this period, Israel's sources present a special problem. His work is founded on the letters and reports of the viceroys and Audiencia magistrates housed in the Archivo General de Indias (Sevilla). These records are crucial to the close study of high-level politics, but as elite perceptions of society, they are of questionable use for social history when taken alone. Spanish administrators' judgments about the corruption of Indian officials, Indian docility, and Indian life in general go largely unchallenged and without much supplementary evidence (pp. 36, 38, 39, 44). These are views from outside that may tell us more about the Spanish elite than they do about peasants and the urban poor.

MacLachlan's formal, administrative sources also restrict his ability to treat crime in social terms. The Acordada records contain only limited and incomplete summaries of types of crime and punishment processed by the court. They can hardly serve as a random sample or firm basis for such hypotheses as: "There can be little doubt that the formal judicial machinery dealt with the lower and marginally middle-class elements of society" (p. 46; apparently contradicted by the figures on p. 44 that show that 28 percent of those sentenced

were peninsulars and creoles at a time when these groups constituted less than 10 percent of the colonial population). Nor can the fact that the Sala and Acordada summaries show two and one-half times more homicides by Indians than Spaniards be used as support "for the sociological theory that the number and frequency of violent crimes is directly linked to the degree of self-respect of a particular group," when Indians constituted roughly eight times the number of Spaniards in New Spain at this time. In conceiving of the sociology of crime, the author occasionally draws on the "modern study of criminology" for elucidation of colonial patterns, but only the work of Austin Turk is directly mentioned. He dismisses the native legal tradition as "absent" (p. 2) and therefore not relevant to his study, without considering the role of custom and the legal anthropology literature.

Harris examines one family's ownership of the largest (though not the most valuable) landed estate in Mexican history. This book offers a uniquely full description of the operation of an immense estate drawn from the administrative records and correspondence that comprise the Sánchez Navarro papers of the University of Texas research collection. This was an extensively managed latifundio, generating thousands of written records. Consequently, Harris's presentation is rich in valuable details on ranching, labor, the material culture of large estates, and the administrative practices of family leaders over a century's time.

The general store at Monclova, a virtual monopoly, was the financial starting point for the family's commercial and ranching endeavors. However, the personal qualities of Br. José Miguel Sánchez Navarro (1731–1821) and the special advantage of his position as a secular priest on the frontier seem to have been equally crucial to the future rise of the family and its commanding position in the mid-nineteenth century. As recipient of the regional tithe, José Miguel was in a good position to acquire livestock and capital with which to make the early land acquisitions pay. As Harris depicts him, José Miguel had a powerful personality and a passion for detail. His close, efficient administration of the growing properties and market opportunities for wool (in partnership with his brother, José Gregorio), and his "investment" in the education of his nephews laid the foundation for the family's acquisition of enormous holdings after Independence when greater opportunities for commerce and new crops presented themselves.

This study is organized into two chronological parts—pre- and post-Independence—with parallel chapters on complex matters of land tenure, ranching, labor, production, commerce, and politics. Harris offers detailed descriptions of the types of labor, labor shortages and absenteeism, kinship politics, and trading networks, and provides insights into important questions of change over time and debt peonage, which was firmly entrenched and classically exploitative in the far north at this time: "The weakness of debt peonage was that both hacendado and peon operated within a vicious circle in which 'the peon acts as though he works and the master acts as though he pays him.'"

Independence appears to be the important watershed in this family-land history. The Independence wars wrecked the comfortable Sánchez Navarro

pattern of shipping wool south to merchant houses in exchange for finished goods. After a period of retrenchment into the regional economy, the family diversified its activities in response to new opportunities for business and expansion in the 1820s and 1830s, increasing production of sugar cane and cotton, adding mining to the family enterprises, and building the landholdings into a true latifundio, partly through defaults on loans made by José Miguel in the 1790s. After Independence, the family began to take an active interest in politics, with cousins, nephews, and in-laws of the estate owners occupying key positions in state government.

By sticking close to his Sánchez Navarro sources, Harris contributes much to our understanding of a latifundio in operation and personalist politics; but confining the study to one landed family's rise and fall has its limitations. Extensive water rights and the bulk of the property—14.7 of the Sánchez Navarros' eventual total of 16.5 million acres—had been consolidated by the Marqueses de Aguayo long before the Sánchez Navarros became *hacendados*; hence, the latifundio has a much longer history than the Sánchez Navarro tenure. To place the Sánchez Navarros and their estates in context, we need to know more about the Aguayo properties before the Sánchez Navarros acquired them in 1838, and the family's political power in relationship to this enormous estate in the 1820s and 1830s. The Sánchez Navarro records also seem better suited to an institutional, administrative treatment than a close economic history. We learn much, for example, about the types of labor but little about labor input and efficiency. The author notes that the family "built the latifundio to make money" (p. 312) but the data in the chapters on production do not permit an estimate of actual profits.

Harris's principal thesis is that the Sánchez Navarros were shrewd entrepreneurs who, given the vagaries of weather, distant markets, and frontier conditions, followed aggressive business practices, were actively engaged in long-range trade and commerce, and did not attempt self-sufficiency on the estate except in food and labor—rather like the management of estates in the Bajío regions in the same period (see D. A. Brading, "Estructura de la producción agrícola en el Bajío, 1700 a 1850," in Enrique Florescano, ed., *Haciendas, latifundios y plantaciones en América Latina*, Mexico: 1975, pp. 105–31). The Sánchez Navarros were not easy-going aristocrats who lived in opulent lassitude far from their estates. This is an important point, although there are bound to be some qualifications. As the author realizes, "aggressive business practices" were tempered by conservative administrative decisions on such questions as the adoption of merino sheep or the choice of markets; large debts were allowed to accumulate at the Monclova store; and the family seems to have invested less capital in its ranching and agricultural enterprises and to have rented out less of its unused land than did estates further south (Brading, p. 130).

*Beyond the Codices* by Anderson, Berdan, and Lockhart is directly concerned with the society and culture of native *subjects* in this colonial system through the study of written sources in which Indians of central Mexico speak in their own formal language, classical Nahuatl. Intended as a first step toward the systematic, cross-disciplinary study of colonial Nahuatl documentation, this

volume consists of three introductory sections on (1) the potential uses of Nahuatl records, (2) their linguistic significance, and (3) the types and conventions of the known documentation, plus a selection of thirty-five documents reproduced in Nahuatl with English translations on facing pages. The translations strive to convey the meaning in English rather than the Nahuatl thought pattern with its elaborate variations on speaker and place and its limited range in dealing with time. This is the appropriate choice although alternate translations for a few documents would be welcome.

In giving us tantalizing glimpses of Indian viewpoints, this publication opens a very fruitful line of inquiry. As the editors suggest, Nahuatl documentation illuminates some subjects that are not well documented in other sources and some subjects that previously have been treated from a Spanish point of view: provincial units, historical linguistics, landholding and inheritance patterns before European contact, the movement of rural people, and Spanish influence on native life. The selection of documents includes testaments, land claims, municipal government records, petitions, and correspondence.

Based on this sample, it seems too much to claim that Indian language documentation, by its nature contains "the most revealing, intimate, unmasked information" (p. 4). Most of the documents in the collection are conventionalized wills, land records, and local government proceedings produced by the Indian elite—the formal utterances of nobles and notaries. The less standardized types of records such as town histories appended to parish records, letters, petitions, depositions, and transcriptions of testimony (seven examples in this collection) strike me as more intimate and spontaneous. The body of such records in Spanish, often translated from Indian languages for the public record, is probably as large or larger than the sources available in Nahuatl.

The exciting innovation of *Beyond the Codices* over previous work in Nahuatl documentation by historians, anthropologists, and linguists is the promise of systematic, cross-disciplinary study of a potentially large corpus of new documentation (Lockhart believes there are thousands of Nahuatl records in the Archivo General de la Nación and elsewhere). Before going much further, it would be most advantageous to assemble a complete inventory of extant Nahuatl records. Volumes 14 and 15 of the *Handbook of Middle American Indians* makes an important contribution to this end by identifying the location and special characteristics of many lengthy Nahuatl writings associated with pictorial manuscripts.

Classical Nahuatl recently has become more accessible to students, with formal courses offered in several American as well as Mexican universities and the publication of practical textbooks such as J. Richard Andrews' *Introduction to Classical Nahuatl* (Austin: University of Texas Press, 1975). Coupled with *Beyond the Codices* and the ethnohistory volumes of the *Handbook of Middle American Indians*, this interest in Indian language documents is breaking new ground and points the way to major advances in our understanding of Mexican ethnohistory in the years to come.

WILLIAM B. TAYLOR  
University of Colorado