

# The Spanish Monarchy and the Creation of the Viceroyalty of New Granada (1717-1739)

*The Politics of Early Bourbon Reform  
in Spain and Spanish America*

Francisco A. Eissa-Barroso



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By

Francisco A. Eissa-Barroso



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por Francisco Moreno y Escandón y delineado por José Aparicio Morata” as the book’s cover.<sup>1</sup>

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*F. A. Eissa-Barroso*

Manchester, March 2016

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1 José Aparicio Morata and Francisco Antonio Moreno y Escandón, “Plan Geográfico del Virreinato de Santa Fe de Bogotá Nuevo Reyno de Granada, que manifiesta su demarcación territorial, islas, ríos principales, prouincias y plazas de armas; lo que ocvpan indios bárbaros y naciones extranjeras; demostrando los confines de los dos Reynos de Lima, México, y establecimientos de Portvgal, sus lindantes; con notas historiales del ingreso anual de sus rentas reales, y noticias relatiuas a su actual estado civil, político y militar: formado en servicio del Rey N[uest]ro. S[eñ]or. Por el D. D. Francisco Moreno, y Escandáon, Fiscal Protector de la Real Avdiencia de Santa Fe y Juez Conseruador de Rents. Lo delineo D. Joseph Aparicio Morata año de 1772. Gouernando el Reyno el Ex[elentísi]mo S[eñ]or. Bailio Frey D. Pedro Messia de la Cerda. Fiel reproducción del original elaborada por el Instituto Geográfico Militar de Colombia a solicitud de la Academia de Historia.—1936—Dibujaron J. Restrepo Rivera—A. Villaveces R.—O. Roa A.” Biblioteca Nacional de Colombia. Mapoteca Digital. Mapas de Colombia. Fmapoteca\_262\_frestrepo\_36. Available at [http://catalogoenlinea.bibliotecanacional.gov.co/client/es\\_ES/search/asset/6766/o](http://catalogoenlinea.bibliotecanacional.gov.co/client/es_ES/search/asset/6766/o).

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## List of Abbreviations

AAE	Archives du Ministère des Affaires Etrangères, Paris
ACA	Archivo de la Corona de Aragón, Barcelona
AGI	Archivo General de Indias, Seville
AGN	Archivo General de la Nación, Bogotá
AGS	Archivo General de Simancas, Valladolid
AHN	Archivo Histórico Nacional, Madrid
ANC	Arxiu Nacional de Catalunya, Barcelona
BL	British Library, London
BNE	Biblioteca Nacional de España, Madrid
CPE	Correspondance Politique—Espagne
DGT	Dirección General del Tesoro
EP	Expedientes Personales
GM	Guerra Moderna
HAL-SHS	Hyper Article en Linge—Siences de l'Homme et de la Société
OM	Órdenes Militares
ORM	Órdenes Religiosas y Militares
SC	Sección Colonia
SN-AHN	Sección Nobleza del Archivo Histórico Nacional, Toledo



# Introduction

A *real cédula*, addressed to the tribunal of accounts, or audit court, of Santa Fe de Bogotá on May 27, 1717, informed its members that Philip v, the first Bourbon king of Spain, had decided to create a new viceroyalty in northern South America. Other high-ranking civil and religious authorities across the region received similar documents communicating this decision. According to these documents, a number of “effective reasons of congruency” had convinced the king that it would be “most convenient” to appoint a viceroy to replace the president, governor and captain-general who had so far headed the *audiencia* of Santa Fe.<sup>1</sup> These documents further explained that the newly created viceroyalty of the New Kingdom of Granada would comprise “the Province of Santa Fe, New Kingdom of Granada, [and] those of Cartagena, Santa Marta, Maracaibo, Caracas, Antioquia, Guyana, Popayan, and San Francisco de Quito”. The *audiencia* and tribunal of accounts based in Santa Fe became responsible for supervising the government and administration of all these territories to the exclusion of the courts in the viceroyalty of Peru and the *audiencias* of Santo Domingo, Panama and Quito.<sup>2</sup> Thus, the first Bourbon king of Spain established the first new viceroyalty created within the Spanish Monarchy since the mid-sixteenth century.

The viceroyalty, of course, was an administrative and political institution with a long tradition within the Spanish world. In 1701, when Philip v became king of Spain, the Spanish Monarchy included 10 such entities: Aragon, Catalonia, Navarre and Valencia within the Iberian Peninsula; Majorca, Naples, Sardinia and Sicily in the Mediterranean; and New Spain and Peru in the Americas. However, Philip’s decision to create a further American viceroyalty is puzzling in several ways. Firstly, this monarch’s first reign (1701–1724) is probably best known for the suppression rather than the creation of viceroyalties. Within the context of the War of the Spanish Succession (1702–1713/16), the crown reformed local government in the kingdoms of the Crown of Aragon—Aragon, Catalonia, Majorca and Valencia—effectively abolishing viceregal rule along with most autonomous provincial institutions. This was followed shortly afterwards by the much less well-known *de facto* suppression

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1 “Real cédula por la cual se crea el Virreinato del Nuevo Reino de Granada en 27 de mayo de 1717” reproduced in full in Jerónimo Becker and José María Rivas Groot, *El Nuevo Reino de Granada en el Siglo XVIII* (Madrid: Imp. Del Asilo de Huérfanos del Sagrado Corazón de Jesús, 1921), pp. 200–203, at 200.

2 *Ibid.*, p. 201.



of viceregal rule in Sardinia and Sicily when both islands were reoccupied by Spain in 1718–20.<sup>3</sup> Secondly, the newly created viceroyalty of New Granada turned out to be rather short-lived; the crown suppressed it in 1723, returning the administration and government of the region to how it stood before 1717. Yet, the Spanish crown once again created a viceroyalty in the region a decade and a half later, in 1739; this time around, it would remain in place until the collapse of Spain's continental American empire in the early nineteenth century.

Historians have not failed to notice a reform of this salience. Most textbooks of early modern Spanish American history mention it, usually identifying it, as Peter Bakewell does, as “[t]he one large reform in government made in America before the mid-[eighteenth] century”.<sup>4</sup> However, having been noticed does not mean that it has attracted careful attention. Despite its prominence, few historians have looked at the creation of the viceroyalty of New Granada in much detail. Colombians or Colombianists wrote the bulk of the historiography on the topic in the early- to mid-years of the twentieth century.<sup>5</sup> Because these works tended to be conceived as contributing to national histories, they frequently offer somewhat narrow interpretations of the reasons behind the creation of the viceroyalty. A need to address local circumstances, we are told, led to the creation of the viceroyalty; the first viceroy's poor performance and the unanticipated expenses of viceregal rule explain its suppression; imminent war and defensive considerations led to its restoration in 1739.<sup>6</sup> Historians have

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3 Antonio Álvarez-Ossorio Alvariño, “De la conservación a la desmembración. Las provincias italianas y la monarquía de España (1665–1713),” *Studia Historica. Historia Moderna* xxvi (2004): pp. 191–223 at 221; and Regina María Pérez Marcos, “Cerdeña en el marco de la Guerra de Sucesión: administración y gobierno,” *Jvs Fvgit. Revista de Estudios Histórico-Jurídicos de la Corona de Aragón* xiii–xiv (2004–2006): pp. 479–87 at 482–87.

4 Peter Bakewell in collaboration with Jacqueline Holler, *A History of Latin America to 1825*, 3rd ed. (Chichester: Wiley-Blackwell, 2010), p. 364.

5 See, for instance, Carlos Restrepo Canal, “Erección del Virreynato de Santafé,” *Boletín de Historia y Antigüedades* xxx (1928): pp. 982–1024; Ernesto Restrepo Tirado, *Gobernantes del Nuevo Reyno de Granada durante el siglo xviii*, Publicaciones del Instituto de Investigaciones Históricas, LXV (Buenos Aires: Imprenta de la Universidad de Buenos Aires, 1934); José María Restrepo Sáenz, “El primer Virrey. Don Jorge de Villalonga,” *Boletín de Historia y Antigüedades* xxxii (1945): pp. 120–30; José María Ots y Capdequí, *Instituciones de Gobierno del Nuevo Reino de Granada durante el siglo xviii* (Bogotá: Taller Editorial Universidad Nacional de Colombia, 1950); María Teresa Garrido Conde, *La primera creación del Virreinato de la Nueva Granada* (Seville: Escuela de Estudios Hispano-Americanos, 1965).

6 Demetrio Ramos, “Los proyectos de creación de los Virreynatos de Guatemala y Nueva Vizcaya como ejemplo de la mentalidad ‘correctora’, tras la erección del de Santa Fé,” *Boletín de la*

only begun to look at the creation of the viceroyalty from a different perspective since the 1990s, although usually in passing as part of broader studies of early modern Colombia or of Bourbon reformism.<sup>7</sup>

This book adopts a different perspective. It uses the process leading to the creation of the viceroyalty of New Granada as a case study for analyzing the transformations that swept through the Spanish world in the early Bourbon period. It argues that the creation of the viceroyalty of New Granada reflects profound changes in the understanding of monarchical rule and the role and responsibilities of the king, which drove reform both in Spain and in Spanish America during the reigns of Philip V (1701–1724, 1724–1746). Convinced that the king's main responsibility was to provide his subjects with good economic government and conditions for development, Philip's ministers set out on a quest to increase direct royal authority. They sought to 'recover' for the crown powers delegated by the Habsburgs to both those central institutions of the Monarchy that had traditionally governed the realm in the king's name and to local elites that had come to enjoy seemingly excessive autonomy.

The apparently erratic process through which the viceroyalty was created only to be suppressed five years later and then created once again was primarily the result of struggles taking place at court in Madrid. These featured the proponents of reform, a new generation of Spanish, French and Italian ministers operating mostly out of the newly created offices of the Secretaries of States and the Cabinet, and their opponents, mostly located within the traditional corporations that governed the Monarchy under the Habsburgs. Throughout this process, Spanish American voices, both for and against reform, reached Spain and were heard by those involved in the decision making process. However, far from directly determining policy, Spanish American voices were

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*Real Academia de la Historia* CLXXXIV, no. 2 (1987): pp. 209–234 at 212, 216–17; and Víctor Tau Anzoátegui, "Las reformas borbónicas y la creación de los nuevos virreinos," in *Congreso internacional. El gobierno de un mundo. Virreinos y audiencias en la América Hispánica*, ed. by Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha/Fundación del Pino, 2004), pp. 431–45 at 435–36.

7 See, Anthony McFarlane, *Colombia before Independence: Economy, Society, and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), pp. 190–91; Adrian John Pearce, "Early Bourbon Government in the Viceroyalty of Peru, 1700–1759" (Ph.D. diss., University of Liverpool, 1998), pp. 204–08; Synnøve Ones, "The politics of government in the Audiencia of New Granada, 1681–1719" (Ph.D. diss., University of Warwick, 2000), pp. 297–321; Consuelo Maqueda Abreu, *El Virreinato de Nueva Granada. 1717–1780. Estudio institucional* (Madrid: Dykinson/Ediciones Puertollano, 2007), pp. 177–184; and Francisco A. Eissa-Barroso, "Politics, Political Culture and Policy Making: the Reform of Viceregal Rule in the Spanish World under Philip V (1700–1746)" (Ph.D. diss., University of Warwick, 2010), pp. 118–185, and 252–288.

often manipulated in service of the interests of the quarreling factions at court. In this sense, reform did not originate in Spanish America, nor was it led by Spanish American concerns. Yet, different actors in New Granada were able to take advantage of the opportunities created by reform, adapting in different ways to the circumstances created by changing political fortunes at court and the rapidly evolving international geo-political context.

Philip v's ministers were keen on increasing royal revenue, but the language in which they framed reform, especially in the 1730s, made it clear that they understood this aim to be directly linked to the economic wellbeing of the realm. In maximizing income, the crown did not hesitate to step over the privileges of powerful groups that it believed had usurped some of its economic and political power, even when this meant contravening the Monarchy's long-standing laws and policies. However, while during Philip's first reign the crown often crashed head-on with groups and institutions that opposed reform, during his second reign reformist ministers opted for a process of gradually weakening, dividing and eroding those institutions' capacity and willingness to oppose reform. The significant differences in the process through which the viceroyalty of New Granada was created in 1717 and 1739 testify to these changes. They reveal the mechanisms through which the second reign of Philip v accelerated and consolidated the transition from a judicial to an administrative monarchy, as proponents of reform overcame the obstacles that had constantly plagued reform projects during the first quarter of the century. This process, more than the more salient changes introduced during Philip's first reign, would make the reforms of the later Bourbons possible.

As this book demonstrates, Spanish America was not alien to this process. But early Bourbon reformism targeted in the first instance the institutions of American government in the Iberian Peninsula—namely the Council of the Indies and the merchants' guild of Seville/Cadiz. It was resistance from these corporations, rather than from actors based in Spanish America, that thwarted early attempts at American reform. The crown was only able to introduce long-lasting reforms in the Indies once it overcame these corporations' resistance—by changing their personnel, reducing their legal status and weakening the bases of their economic power. As a result, the reforms introduced by Philip's successors in the second half of the century could be aimed more directly at practices, interests and institutions in Spanish America, triggering new confrontations, this time with the inhabitants of those kingdoms.

## 0.1 Reform under the Early Bourbons

The limited attention attracted by the creation of the viceroyalty of New Granada is most likely due to the fact that the whole process, from its start in 1717 to its completion in 1739, occurred during the period of early modern Spanish American history which is most neglected by historians: that corresponding to the reigns of the early Bourbons—Philip V, Louis I (1724), and Ferdinand VI (1746–1759). Until very recently, the attraction exercised by the region's late eighteenth century had not trickled into the first half of the century; thus, historians who focused on the reforms introduced during the reigns of Charles III (1759–1789) and Charles IV (1789–1808) have tended to see a distinct “Bourbon Age” in Spanish America starting usually around 1763.<sup>8</sup> Fortunately, as the author of a recently published landmark study of early eighteenth-century Peru puts it, “[t]he early Bourbon period in Spanish America is one whose time has finally come”.<sup>9</sup>

The present volume, thus, inserts itself within the growing number of studies focused on the earlier half of Spanish America's eighteenth century.<sup>10</sup> This book, however, is not a synthesis of early Bourbon reforms in New Granada.<sup>11</sup> Instead, it focuses on a single, if rather prominent, reform. It is concerned with the way in which the decisions to create the viceroyalty of New Granada in 1717, to suppress it in 1723 and to re-establish it in 1739 were taken. It is less a book about the impact that the creation of the viceroyalty had upon New Granada, or in Spanish America more generally, but more a study of what drove Spanish

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8 Consider, for example, David A. Brading, *Miners and merchants in Bourbon Mexico, 1763–1810* (Cambridge: Cambridge University Press, 1971), whose title says it all; but see also Guillermo Céspedes del Castillo, *América Hispánica (1492–1898)* (Madrid: Fundación Jorge Juan/Marcial Pons Historia, 2009), which draws the line around 1759; or John R. Fisher, *Bourbon Peru, 1750–1824* (Liverpool: Liverpool University Press, 2003) and Mark A. Burkholder and D. S. Chandler, *From Impotence to Authority: the Spanish Crown and the American Audiencias, 1687–1808* (Columbia, MO: University of Missouri Press, 1977), which takes 1750 as the turning point.

9 Adrian J. Pearce, *The Origins of Bourbon Reform in Spanish South America, 1700–1763* (New York: Palgrave MacMillan, 2014), p. 1.

10 For a detailed and up-to-date overview of the historiography on early Bourbon Spanish America, see *Ibid.*, pp. 1–9.

11 Although a study for New Granada from a perspective similar to Adrian Pearce's still awaits its historian, the need is in some ways less desperate than it was for Peru. After all, Anthony McFarlane's now-classic study covers the whole of the eighteenth century, unlike the foundational works on Bourbon reformism in Peru or Mexico; McFarlane, *Colombia*.

policy making for the Americas under the early Bourbons. As such, this book is concerned with Spain and Spanish politics as much as it is with New Granada.

On the Spanish front, the early Bourbon period is, and was, much less of a historiographical desert than in Spanish America. The late twentieth century witnessed a renewed interest in the study of a period marked by the arrival of a new dynasty and important and frequent international conflict.<sup>12</sup> This led to

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- 12 For much of the eighteenth and nineteenth centuries, scholars saw in the first few years of Bourbon rule in Spain the origins of two great evils, which Spanish historiography would repeatedly lambast. For historians of the former kingdoms of the Crown of Aragon, Philip's reigns became associated with the destruction of the political identity and the autonomy of their communities, and, in the nineteenth century, even of their national identities. See, for instance, Narciso Feliú de la Peña y Farell, *Anales de Cataluña y epílogo breve de los progresos y famosos hechos de la nación Catalana, desde la primera población de España hasta el presente año de 1709* (Barcelona: n.p., 1709); Víctor Balaguer, *Historia de Cataluña y de la Corona de Aragón* (Barcelona: Librería de Salvador Manero, 1860–63); and S. Sanpere y Miquel, *Fin de la nación catalana* [1861] (Barcelona: Tipografía 'L'Avenç', 1905). Meanwhile, for historians of greater Spain, particularly during the nineteenth century, Philip's accession was inevitably associated with an unwelcome French influence, if not outright domination, which had led to the de-hispanization of Spain and opened the door for the Napoleonic invasion of the early 1800s. For an example of this negative interpretation, predominant amongst Spanish historians, see Marcelino Menéndez y Pelayo, *Historia de los heterodoxos españoles*, vol. III (Madrid: Imprenta de F. Maroto e hijos, 1881). For a more positive view, usually put forward by French historiography, see Alfred Braudrillart, *Philippe v et la cour de France* (Paris: Firmin-Didot et cie, 1890–1901). Although both of these views began to be qualified, but not altogether abandoned, by the mid twentieth century, they were replaced on many occasions by further misrepresentations of the period: either as a largely static and inconsequential sequel to the reign of Charles II, or as an age of mostly haphazard and unsuccessful reforms constituting a prelude to the later, properly termed, age of Bourbon reforms. See, for example, José Andrés-Gallego, "1759, el cambio dinástico diferido," in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. by José Fernández García, Ma. Antonia Bel Bravo and José M. Delgado Barrado (Jaen: Universidad de Jaen/Excma. Diputación Provincial de Jaen, 2001), pp. 45–51. Nonetheless, since the 1950s some significant historiographical developments, relevant to the perspective adopted by this book, began to frame the period in a new light. The work of institutional historians concentrating on the new regime introduced by Philip V in the former kingdoms of the Crown of Aragon and on the central institutions of the monarchy, was instrumental in highlighting the broad program of administrative reforms introduced by the first Bourbon king and his ministers. See, amongst the works focusing on the Crown of Aragon, Juan Mercader Riba, "La ordenación de Cataluña por Felipe V: la Nueva Planta," *Hispania* XI (1951): pp. 257–366; and Pedro Voltes Bou, "Felipe V y los fueros de la Corona de Aragón," *Revista de Estudios Políticos* LXXXIV (1955): pp. 97–120. And amongst those concerned with the central institutions of the monarchy, José Antonio Escudero, beginning with his "Orígenes de la administración

a reinterpretation of Spain's early Bourbon period as a transitional phase, characterized by a struggle between two kinds of forces. On the one hand those who projected and implemented administrative reforms and who could be said to favor the introduction of an "administrative monarchy"—characterized most notably by a move away from the traditional system of rule by Councils. On the other, those who opposed, or at least resisted, those changes and sought to preserve a "judicial monarchy", in which extensive horizontal consultation guaranteed that the king's authority was limited by the laws and privileges of the different kingdoms and corporations which comprised the monarchy.<sup>13</sup>

Simultaneously, since the 1980s, the group efforts of a number of French and Spanish scholars provided us with detailed prosopographical studies of the personnel serving in a variety of central and provincial institutions:<sup>14</sup> from the *intendentes* to the officials working under the Secretaries of State,

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central borbónica," in *Administración y Estado en la España Moderna* (Valladolid: Junta de Castilla y León, 2002), pp. 43–51, originally presented at a congress in 1967 and published in 1969. Later contributions, mainly by law historians in the 1980s, transformed our way of thinking about the state in the early modern period by developing concepts such as the "composite monarchy" and stressing the centrality and relevance of "historical constitutions" to the political life of early modern societies. These ideas were originally developed by scholars working in Portugal, Italy and Spain. See, in particular Bartolomé Clavero, "Institución política y derecho: acerca del concepto historiográfico de 'Estado Moderno,'" *Revista de Estudios Políticos* XIX (1981): pp. 43–57; Antonio Manuel Hespanha, *Vísperas del Leviatán. Instituciones y poder político (Portugal, siglo XVII)*, trans. Fernando Jesús Bouza Álvarez (Madrid: Taurus, 1989); and Pablo Fernández Albaladejo, *Fragmentos de monarquía: trabajos de historia política* (Madrid: Alianza Editorial, 1992). Their development in Anglophone historiography came slightly later. See, for instance, John H. Elliott, "A Europe of Composite Monarchies," *Past and Present* no. 137 (1992): pp. 48–71; Jack P. Greene, "Negotiated Authorities: The Problem of Governance in the Extended Polities of the Early Modern Atlantic World," in *Negotiated Authorities. Essays in Colonial Political and Constitutional History* (Charlottesville, VA: University Press of Virginia, 1994), pp. 1–24; and Lauren Benton, "The Legal Regime of the South Atlantic World, 1400–1750: Jurisdictional Complexity as Institutional Order," *Journal of World History* XI (2000): pp. 27–56.

- 13 Crucial in this development was the contribution of Pablo Fernández Albaladejo, "La Monarquía," in *Actas del congreso internacional sobre "Carlos III y la Ilustración"* (Madrid: Ministerio de Cultura, 1989) vol., pp. 1–89, later reprinted as "La Monarquía de los Borbones" in his *Fragmentos*.
- 14 See the seminal work of the "Grupo PAPE (Personal administrativo y político de España)" which incorporated historians based in Spain, France and Germany. Early results were published in Juan Luis Castellano, ed., *Sociedad, administración y poder en la España del antiguo régimen* (Granada: Universidad de Granada/Diputación Provincial de Granada, 1996); and Juan Luis Castellano, Jean Pierre Dedieu and Ma. Victoria López-Cordón,

to army officers and members of the Council of War, diplomats and a long etcetera.<sup>15</sup> By highlighting the interconnections and parallels between the personnel serving in diverse institutions, these studies led scholars to rethink the historical development of those institutions and of the political practices that characterized them. Unfortunately, as is the case with much of the historiography of any period of early modern Spanish history, Spanish American developments have largely been ignored by these studies. As a result, the personnel involved in the government of Spanish America have received less attention than their Iberian-focused counterparts have and we know very little about the impact and importance that the Indies had upon the lives and careers of Spanish agents.<sup>16</sup>

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eds., *La pluma, la mitra y la espada. Estudios de historia institucional en la edad moderna* (Madrid: Marcial Pons, 2000).

- 15 See, amongst many others, Fabrice Abbad and Didier Ozanam, *Les intendants espagnols du 18<sup>eme</sup> siècle* (Madrid: Casa de Velázquez, 1992); Ma. Victoria López-Cordón Cortezo, “Cambio social y poder administrativo en la España del siglo XVIII: las secretarías de Estado y del Despacho”, in Castellano, *Sociedad*, pp. 111–30; Francisco Andújar Castillo, *Los militares en la España del siglo XVIII: un estudio social* (Granada: Universidad de Granada, 1991); Francisco Andújar Castillo, *Consejo y consejeros de guerra en el siglo XVIII* (Granada: Universidad de Granada, 1996); and Didier Ozanam, *Les diplomates espagnols du XVIII<sup>e</sup> siècle: introduction et répertoire biographique (1700–1808)* (Madrid: Casa de Velázquez/Maison des Pays Ibériques, 1998).
- 16 Consider, for instance, the rich work carried out by María Victoria López-Cordón Cortezo and Gloria A. Franco Rubio on the subaltern personnel working in the Spanish ministries throughout the eighteenth century. Despite having studied the personnel involved in the administration of naval matters within the office of the Secretary of State for the Navy and the Indies, they have left out the officials working on American affairs. See, Gloria A. Franco Rubio, “Reformismo institucional y élites administrativas en la España del siglo XVIII: nuevos oficios, nueva burocracia. La secretaría de estado y del despacho de marina (1721–1808),” in Castellano, Dedieu and López-Cordón, *La pluma*, pp. 95–130. The exclusion of Spanish American viceroys and captains-general from the studies devoted to their Iberian counterparts is even more surprising. See, for instance, Francisco Andújar Castillo, “Capitanes generales y capitanías generales en el siglo XVIII,” *Revista de Historia Moderna. Anales de la Universidad de Alicante* XXII (2004): pp. 7–78; and Didier Ozanam with collaboration from René Quatrefages, *Los capitanes y comandantes generales de provincias en la España del siglo XVIII* (Córdoba: Universidad de Córdoba/Caja Sur, 2008). For recent efforts to bridge this gap, see Francisco A. Eissa-Barroso, “‘Of Experience, Zeal and Selflessness’: Military Officers as Viceroys in Early Eighteenth Century Spanish America,” *The Americas* LXVII (2012): pp. 317–45; and by the same author “Las capitanías generales de provincias estratégicas hispanoamericanas durante los reinados de Felipe V: aproximación al perfil socio-profesional de una institución atlántica,” in *Élites, representación y redes atlánticas en la Hispanoamérica moderna*, ed. by Francisco A. Eissa-Barroso, Ainara

Nonetheless, combining these historiographical approaches, historians began to look at the early Bourbon period in a new way: reinterpreting the aims of the reforms introduced during the period, seeing them more as a program than as a series of *ad hoc* measures, and highlighting the coherence and parallels between those reforms introduced in the central institutions of the monarchy and those affecting the former Aragonese kingdoms.<sup>17</sup> Some scholars have even questioned the traditional assumption that the reforms of the later Bourbons were more successful and had more profound effects than those of their predecessors.<sup>18</sup> Yet, whilst significant progress has been made, our knowledge of the period is still uneven. The majority of studies continue to concentrate upon the years of the War of Succession and their immediate aftermath, with few extending to the end of Philip's first reign and even fewer reaching into the second. As a result, we still have a limited understanding of what determined the pace and life-span of reforms introduced under Philip v.

Profoundly influenced by these developments, my enquiry into the protracted process of the creation of the viceroyalty of New Granada from 1717 to 1739 seeks to shed some light upon the politics, policy making and political ideas that characterized the early Bourbon Spanish world. Thus, I am not only concerned with explaining how and why the Spanish crown decided to segregate northern South America from the viceroyalty of Peru; I also consider it fundamental to situate this process within the broader set of reforms introduced by early Bourbon ministers. Therefore, in analyzing the creation of the viceroyalty of New Granada, this book explores wider themes of the early Bourbon period. In particular, I am concerned with three issues. How do reforms reflect the emergence and evolution of new political ideas? What impact did the changing distribution and balance of political power at court have upon the introduction and survival of reform? And how did the evolution of decision making and implementation mechanisms at the heart to the Monarchy's central administration affect the nature and characteristics of reform in the farther reaches of the empire?

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Vázquez Varela and Silvia Espelt-Bombín (Zamora, Mich: El Colegio de Michoacán, forthcoming).

17 For instance, see Jean Pierre Dedieu, "La Nueva Planta en su contexto. Las reformas del aparato del Estado en el reinado de Felipe v," *Manuscrits. Revista de Historia Moderna* XVIII (2000): pp. 113–39.

18 Javier Guillamón Álvarez, "La guerra de sucesión y el comienzo de las reformas borbónicas," in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. José Fernández García, María Antonia Bel Bravo and José Miguel Delgado Barrado (Jaén: Universidad de Jaén, 2001), pp. 529–42.



My main objective is to address these issues, thus, this book is more concerned with the policymaking side of reform than with its impact; it builds upon the existing historiography on the articulation between changing political ideas and the evolution of institutions of provincial governance in the Spanish world.<sup>19</sup> Throughout the chapters, I analyze carefully the discourse surrounding the creation of the viceroyalty of New Granada. I argue that a set of ideas, which emphasize the government's responsibility for providing good economic government (and encouraging regional economic development), gained increased currency during the early Bourbon period and profoundly informed the design of reforms. Similarly, this book argues that the pace and permanence of reform in Spanish America reflected directly the confrontation between proponents and opponents of reform in Madrid. Both reforms and the procedures through which these were implemented gained stability and durability as the crown and its ministers succeeded in neutralizing opposition and resistance at court.

Thus, while it would be unreasonable to claim that the reforms of the early Bourbons were more vigorous, far-reaching or "colonial" than those of their successors.<sup>20</sup> It is time, however, to recognize that not only did they provide a blueprint for latter reformers,<sup>21</sup> but also that they provided them with the tools and conditions necessary to implement their broader and further-reaching program of reform. The early Bourbon period was not an inconsequential continuation of the late Habsburgs, but rather a sort of hinge between it and the late Bourbons, during which ideas and actors that had emerged in the final decades of the seventeenth century gradually became dominant.

Philip V's ministers and trusted officials belonged to a generation that had been born and raised in the times of Charles II (r. 1665–1701).<sup>22</sup> Under the

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19 See, in particular, Colin M. MacLachlan, *Spain's Empire in the New World. The Role of Ideas in Institutional and Social Change* (Berkeley, CA: University of California Press, 1998); Alejandro Cañeque, *The King's Living Image. The Culture and Politics of Viceregal Power in Colonial Mexico* (New York, NY: Routledge, 2004); Fernández Albaladejo, *Fragmentos*; and Gabriel B. Paquette, *Enlightenment, Governance, and Reform in Spain and its Empire, 1759–1808* (Basingstoke: Palgrave Macmillan, 2008).

20 Anthony McFarlane, "The Bourbon Century", in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela, pp. 181–98 (Leiden: Brill, 2013).

21 Allan J. Kuethe and Kenneth J. Andrien, *The Spanish Atlantic World in the Eighteenth Century. War and the Bourbon Reforms, 1713–1796* (Cambridge: Cambridge University Press, 2014), p. 96.

22 Christopher Storrs, "Felipe v: Caesura or Continuity?", in Eissa-Barroso and Vázquez Varela, *Early Bourbon*, pp. 9–21; and Ildefonso Pulido Bueno, *José Patiño. El inicio del*

new dynasty, however, they were able gradually to implement their ideas for reforming the Spanish monarchy. This process was not without opposition or free from mistakes. But it was the process of marginalization and gradual cooptation of the monarchy's traditional institutions, along with the parallel consolidation and strengthening of the offices of the crown's ministers, which allowed the generation of reformers which came to govern the monarchy under Charles III to implement a broader, perhaps more ambitious program of American reforms.

## 0.2 The Structure of the Spanish Monarchy

In studying the dynamics and mechanisms behind the decisions to first create, then suppress and finally to re-establish the viceroyalty of New Granada, this book also offers some insight into the role played by local (New Granadan) interests and, more significantly, the documents which communicated local opinions to the crown in Spain. Understanding this has a significant impact in the way we think about the structure and key characteristics of early modern 'global' empires. This book suggests that we need to reconsider the relationships that existed between local or provincial elites and the Spanish Monarchy. In rough terms, these have been seen through three historiographical lenses. In the early- to mid-twentieth century, historians tended to emphasize the absolutist and extractive character of Spanish rule. They highlighted the lack of representative institutions similar to those present in British North America and the large quantities of bullion sent to Spain from the Indies. From this perspective, it was thought that the Spanish crown held strong control over its American colonies, leaving its subjects little room to alter, negotiate or modify royal commands.<sup>23</sup>

From the late 1970s to at least the 1990s revisionist historiography argued, by contrast, that Spanish authority in the Americas had been extremely weak. It documented extensively the wide ranging and all-pervasive nature of "corruption" in Spanish America. In essence, it argued that the phrase "obedezco pero no cumpla" (I obey but I do not comply), frequently found in Spanish administrative documentation, summarized the character of Spanish imperial rule:

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*gobierno político-económico ilustrado en España* (Huelva: Artes Gráficas Andaluzas, 1998), pp. 31–44.

23 Lillian Estelle Fisher, *Viceregal Administration in the Spanish-American Colonies* (New York, NY: Russell & Russell, 1926); Douglas C. North and Robert P. Thomas, *The Rise of the Western World: A New Economic History* (Cambridge: Cambridge University Press, 1973).

the crown was unable to enforce its authority within its colonies and as a result local elites enjoyed significant amounts of autonomy and self-rule.<sup>24</sup>

More recently, historians, particularly those writing in Spain or Spanish America, have argued that whilst local elites did enjoy substantial access to self-rule and provincial or local autonomy, this was not the result of the Monarchy's weakness, but rather part of how the empire was supposed to work. Developments within the history of law and the revisionist analysis of other supposedly "absolutist" and "centralized" early modern powers have strongly influenced this view. From this perspective, it is argued that Spanish rule provided abundant means through which local elites could make their voices heard: they were in direct contact with authorities in Spain, either through correspondence or through agents in Madrid; they controlled local tribunals and other corporations which acted simultaneously as representative and governmental institutions moderating, negotiating or even rejecting royal commands. From this perspective, historians argue that the same theory or understanding of monarchical government, which recognized the particularities of local societies and considered horizontal consultation indispensable in providing "good"—meaning above all just or fair—government in Spain's Iberian territories, applied to the Indies.<sup>25</sup>

One could very well interpret the American reactions to the creation of the viceroyalty of New Granada in this light. As some historians have argued, the first viceregal experiment in the region may be seen to start to unravel as early as 1720 when the crown simultaneously re-established the *audiencia* of Quito—which it had suppressed at the time of the creation of the viceroyalty—and placed this kingdom back under the jurisdiction of the viceroy of Peru.<sup>26</sup> Presumably, *Quiteño* protests against their inclusion in the viceroyalty and the loss of an important source of local power would have triggered this

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24 Kenneth J. Andrien, "The Sale of Fiscal Offices and the Decline of Royal Authority in the Viceroyalty of Peru, 1633–1700," in *Administrators of Empire*, ed. by Mark A. Burkholder (Aldershot: Ashgate Publishing, 1998), pp. 49–72; Burkholder and Chandler, *From impotence*.

25 In his classic analysis of the Spanish Monarchy as a "composite monarchy", John Elliott famously denied that this interpretation could apply to the Indies as "colonial" territories. See, Elliott, "A Europe". For a contrary interpretation, consider Antonio Manuel Hespánha, "Ancien Régime in the Tropics? A Debate Concerning the Political Model of the Iberian Empires", unpublished working paper, European University Institute Summer School on "Comparative and Trans-national History: Theories, Methodology and Case Studies", Florence Italy, 14–18 September 2008; and Cañeque, *The King's*.

26 Rosemarie Terán, *Los proyectos del imperio borbónico en la real audiencia de Quito* (Quito: Ediciones ABYA-YALA/TEHIS, 1988), pp. 20–21.

decision. However, Spanish American historiography has a tendency to pay little attention to Spain, usually assuming that the Spanish crown produced policy based upon information received from the Indies and clearly identified univocal “royal interests”. Thus, it often focuses too much upon the information sent to Spain and the way in which Spanish American elites reacted to, rejected, or accommodated royal policy. In my view, by taking this approach we get only a limited picture of how Atlantic empires worked, of what bound them together and made them effective (and efficient) political entities.

This book suggests that the picture was in fact much more complicated, in at least two ways. There were, indeed, diverse means through which Spanish American elites could present their interests to Spanish authorities. However, their reaching and being heard by the king or the Council of Indies did not mean that policy would be decided or adjusted in accordance with local interests. Authorities in Spain could ignore, interpret and manipulate Spanish American petitions in order to serve their own interests and advance their own position in the political battles fought at court. Thus, to understand truly the influence that Spanish American elites could exercise in the government of their own provinces, and of the wider Monarchy, we need to take fully into consideration the factious nature of Spanish institutions of American government and their own rival interests.

Additionally, we need to recognize the “multi-territorial” nature of early modern states, composed of “many different interlinked centers which interacted not only with the king but also among themselves, thus actively participating in forging the polity”.<sup>27</sup> In this sense, this book adopts an analytical paradigm that has many similarities to the *polycentric* view adopted by Pedro Cardim, Tamar Herzog, José Javier Ruiz Ibáñez, Gaetano Sabatini and the members of *Red Columnaria*.<sup>28</sup> It seeks to situate developments taking place in northern South America “within the wider context of the Monarchy”.<sup>29</sup> Thus, the book highlights connections and interactions between the central institutions of the Monarchy and New Granadan elites, without losing sight of the complex relations the members of those institutions and the inhabitants of different parts of the new viceroyalty established between themselves, with

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27 Pedro Cardim *et al.*, introduction to *Polycentric Monarchies. How Did Early Modern Spain and Portugal Achieve and Maintain a Global Hegemony?*, ed. Pedro Cardim, Tamar Herzog, José Javier Ruiz Ibáñez, and Gaetano Sabatini (Eastbourne: Sussex Academic Press/Fundación Séneca/Universidade Nova de Lisboa—CHAM/Red Columnaria, 2012), pp. 3–8 at 4.

28 *Ibid.*, pp. 3–8.

29 *Ibid.*, p. 4. Emphasis in the original.

the inhabitants of other parts of the Spanish world, and even with foreign powers and their agents.

I agree with Cardim, Herzog, Ruiz Ibáñez and Sabatini that “histories focused on current nation-states and current conceptions of colonialism have obscured our understanding of the past”. I also agree with their assessment that “all units of the Monarchy considered themselves (and indeed were to some degree) centers, and all adhered to common practices and guidelines as they watched and emulated (or not) one another”.<sup>30</sup> This is evident in the rivalries between Santa Fe and Cartagena de Indias; in the former’s attempts at securing for itself the same prerogatives enjoyed by Lima and Mexico City as viceregal capitals; or in the attempts of Quito and Caracas to retain the economic and political links they had with Lima and Santo Domingo respectively.

However, I think that in their efforts to reject the kind of center-periphery analysis that, they argue, characterizes most interpretations of those entities as composite monarchies,<sup>31</sup> Cardim *et al.* have down played the intrinsically hierarchical, or at least asymmetrical, nature of interactions between the various ‘centers’ of early modern states. Relations and interactions between those centers were not strictly horizontal; the perception that one occupied or was in the process of obtaining a higher position was often at the heart of rivalries and tensions between different kingdoms or provinces. Moreover, the crown and the central institutions of the monarchy saw themselves, and were seen by actors in the other centers of the Monarchy, as rightfully occupying a superior position. In other words, a bi-dimensional model is not enough. Understanding the structure of and the dynamics that characterized early modern empires, as well as explaining the process through which the viceroyalty of New Granada was created, requires us both to recognize the multiple and simultaneous relations between different ‘centers’ and to acknowledge that these relations were often asymmetrical. The interests, connections and interactions of actors in the various ‘centers’ of the Spanish world did contribute to “forging the polity”, but they often did so from a position of, at least, relative subordination.

### 0.3 The Creation of the Viceroyalty of New Granada

Two justifications for the creation of the viceroyalty of New Granada are most prominent in the historiography: the need to improve defenses within the

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<sup>30</sup> *Ibid.*, p. 5.

<sup>31</sup> *Ibid.*, p. 3.

region and the need to curtail foreign contraband and illicit trade.<sup>32</sup> The first one is prominent in the documentation surrounding the creation of the viceroyalty. According to the *reales cédulas* of May 27, 1717, the viceroyalty had been created because of the need to ensure the defense of coastal strongholds.<sup>33</sup> This is not surprising since Cartagena de Indias, in particular, had been one of the most important ports in the Spanish Caribbean since the sixteenth century. The *galeones*, the fleet trading between Spain and Panama—from where Peruvian markets were supplied and Peruvian silver was collected—called in Cartagena on both their way to and from the isthmus. Its excellent natural harbor and extensive fortifications made it ideally suited to protect and re-supply the convoys. It was also the main port for trade with northern South America, exporting both gold and cacao from various parts of the region.

But along Cartagena a string of smaller, much less well-fortified outposts were meant to protect Spanish territories against foreign intrusions and interlopers: Santa Marta, Río de la Hacha, Maracaibo, Margarita, Caracas, and Cumana most prominent amongst them. As Cartagena, all these places relied for support of their garrisons and the upkeep of their fortresses on resources sent from inland provinces such as Santa Fe and Quito. Officials complained that the payment of these transfers of taxes or defensive subsidies, called *situados*, was frequently irregular and perpetually overdue. Thus, the crown hoped to remedy this situation by appointing a higher-ranking official (in the figure of a viceroy) who would be able to coordinate and guarantee the yearly delivery of *situados* to the coastal outposts.

The second justification usually mentioned by the historiography—the suppression of contraband trade in the region—is, however, conspicuously absent from the contemporary documentation. Instead, the crown made it very clear that a central, if not *the* central reason for creating the viceroyalty, was the perceived need to strengthen royal authority in the region.<sup>34</sup> The presence of a viceroy in northern South America should guarantee that “the loud and scandalous disagreements and disturbances which have occurred in the

32 For the importance of defensive concerns, see Restrepo Canal, “Erección”; on contraband as a motive, see Pearce, “Early Bourbon,” pp. 204–08.

33 “Real Cédula por la cual se crea el Virreinato,” p. 200.

34 Historians who have looked at the creation of the viceroyalty from a strictly New Granadan perspective have tended to notice this more frequently. See, for instance, Restrepo Tirado, *Gobernantes*. Those who have touched on the process from wider perspectives, by contrast, often tend to downplay its significance as a motive for the creation of the viceroyalty, emphasizing trade reform and revenue collection instead. See Kuethe and Andrien, *The Spanish*, pp. 84–89, 95; Pearce, *The Origins*, pp. 90–93; and Tau Anzoátegui, “Las reformas,” pp. 435–36.

courts and tribunals [of the region] and among their members, will be excused and avoided".<sup>35</sup> Political disorders, particularly the result of confrontations between provincial governors and high courts, or *audiencias*, had been ubiquitous in northern South America in the preceding decades. In Panama in 1708 and Santa Fe in 1715, a group of *oidores*, or *audiencia* judges, had overthrown the provincial governor. In Quito, the situation had not quite reached these extremes, but the first decades of the century had witnessed a long series of local conflicts that had plagued authorities in Madrid with complaints and demands from both governors and judges. Until recently, we have known relatively little about what triggered these conflicts or about what they tell us about Spain's rule in the Americas. But it is becoming increasingly evident that control over trade, and particularly illicit trade networks, stood at their root. Most significantly, perhaps, changing geopolitical configurations in Europe directly influenced these conflicts.<sup>36</sup>

The conflicts that took place in northern South America in the years preceding the creation of the viceroyalty of New Granada can be seen as the result of clashes between entrenched local interests that had absorbed or co-opted royal officials. They stemmed from a combination of local factional struggles and regional tensions between networks based in different towns and cities, but developments originating far from the region often triggered them. Traditionally, a central part of the crown's role had been to mediate these conflicts. But the events of the early eighteenth century were different in that the maximum representative of royal authority in the respective provinces had been ousted precisely by those officials of the crown who were meant to advise them and work alongside them to provide justice and good government to local populations. The surviving documentation makes it abundantly clear that it was the perception of weakened royal authority in the region, much more than a deliberate attempt at reducing or stopping contraband, that triggered the creation of the viceroyalty. From this perspective, the decision to create a viceroyalty in New Granada was thoroughly in-keeping with the goals and rationale which had driven reform in the Iberian Peninsula under the

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35 "Real Cédula por la cual se crea el Virreinato," pp. 200–01.

36 Aaron A. Olivas, "The Global Politics of the Transatlantic Slave Trade during the War of the Spanish Succession, 1700–1715," in Eissa-Barroso and Vázquez Varela, *Early Bourbon*, pp. 85–110; and Francisco A. Eissa-Barroso, "La Nueva Granada en el Sistema de Utrecht: condiciones locales, contexto internacional, y reforma institucional," in *Resonancias Imperiales. América y el Tratado de Utrecht de 1713*, ed. Iván Escamilla González, Maite Souto Mantecón, and Guadalupe Pinzón Ríos (Mexico City: UNAM-Instituto de Investigaciones Históricas/Instituto de Investigaciones Dr José María Luis Mora, 2016), pp. 47–78.

early Bourbons: it was expected that a viceroy would recover for the crown the authority or prerogatives which it perceived as having been lost to local, regional or imperial mediatizing institutions.<sup>37</sup> The crown sought, above all, to re-establish its authority, reign in the autonomy of local actors and regain control over local revenues which it believed, with reason, had largely fallen under the control of local interests.

Historians have predominantly attributed the suppression of the viceroyalty in 1723 to the poor performance and lack of skill of the first viceroy, Jorge de Villalonga.<sup>38</sup> This viceroy is usually described as a fatuous, ritual-obsessed man more concerned with pageantry and ceremony than with governmental affairs.<sup>39</sup> Certainly, Villalonga was a controversial figure who travelled from Lima, where he was at the time of his appointment, to Santa Fe, and then onto a visit to Cartagena de Indias, with a large retinue and a huge train of provisions and articles for his service. This prompted some authorities to accuse him of participating in illicit trade himself (which he probably did). However, in view of the wealth of literature on the performance of power and the importance of ritual and ceremony in early modern societies,<sup>40</sup> it is increasingly difficult to believe that the viceroy's insistence upon the observance of proper ceremonial protocol would have brought about his own, let alone the viceroyalty's, downfall.

The manner in which the viceroyalty had been created offers a more convincing explanation of its suppression, as this book argues. Reforms introduced within the Peninsula since the arrival of Philip v influenced profoundly the

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37 Here, and throughout the book, I use 'mediatizing' to describe institutions linked to the crown, but in practice autonomous from it, which reduced royal power by exercising a variety of functions originally belonging to the king. Although initially meant to act as mediators, in the sense of conciliators between two parties in dispute, which would guarantee that the king acted always in the common interest of the realm, over time they had developed group or corporate interests of their own, which often differed from those of both the crown and its subjects. Thus, whilst nominally acting on the king's behalf, these institutions were effectively intermediaries or third parties that, far from interceding or intervening in a neutral manner, often did so in order to protect or expand their own political and economic interests and privileges. Adopted from the history of law, the use of '*mediatizante*' in this sense is frequent in works on the political history of the early modern Spanish world written in Spanish.

38 Garrido Conde, *La primera*, pp. 94–111.

39 Maqueda Abreu, *El Virreinato*, p. 165.

40 Linda A. Curcio-Nagy, *The Great Festivals of Colonial Mexico City. Performing Power and Identity* (Albuquerque, NM: University of New Mexico Press, 2004); and Cañeque, *The King's*, pp. 119–156.



way in which the *reales cédulas* of May 27, 1717 were issued. The king's ministers believed that the old system of government by Councils was largely responsible for the slow and inefficient workings of the Monarchy's central administration. Moreover, they were convinced that the sectors of the high nobility and legal profession who controlled the Councils had come to accumulate so much power that it was them, rather than the king, who ruled Spain. The king's ministers advocated a program of reforms both in Spain and Spanish America that aimed at establishing a more executive, effective system of monarchical government in which the king's main responsibility was no longer the provision of justice, mediation, or resolution of disputes, but rather the more active one of providing good economic government and the conditions necessary for development.

The viceroyalty was first created at a moment in time in which the king's ministers enjoyed particularly strong influence and had managed to effectively sideline the traditional Councils, at least temporarily. Thus, this book shows that a rather small group of men who enjoyed the favor of the king at the time took the decision to establish a new viceroyalty in South America without the long and slow process of horizontal consultation that would have normally preceded such a momentous innovation. In fact, the Council of the Indies did not receive official notification that a new viceroyalty had been created until almost 18 months after the event. This peculiarity within the process created an anomalous situation at court and affected interactions between the viceroy and the Council of the Indies until the viceroyalty was suppressed.

The man behind the creation of the viceroyalty in 1717 was Abbot Giulio Alberoni, a clergyman from Parma who had become Philip V's *de facto* prime minister in late 1715. Taking advantage of the trust which the monarch and his queen placed upon him, Alberoni designed a program of fiscal and administrative reforms aimed at securing for the crown the necessary resources for pursuing their ambitious plans to recover the Italian territories lost at the end of the War of Succession. In this process, Alberoni made use of almost unprecedented executive authority. His efforts were initially successful allowing Spain to occupy Sardinia and Sicily in 1718–19. But when European powers reacted against Spanish expansionism destroying the Spanish fleet in the Mediterranean and occupying the Basque Provinces, Philip was forced to dismiss his minister. Alberoni's fall brought about the gradual repeal of most of his reforms as a conservative reaction gained influence at court. In this wave of counter-reformism, the Councils (and other previously marginalized or sidetracked institutions) made a push to regain, at least in part, their lost influence.

It is reasonable to assume that the Council of Indies must have resented the exclusion of its members from such a momentous decision as the creation of

the first viceroyalty since the mid-sixteenth century; even if this were not the case, there is abundant evidence that the Council came, rightly, to perceive that the continued existence of the viceroyalty of New Granada and its viceroy, challenged the tribunal's authority and position. In the months following the fall of Alberoni, and increasingly through 1721 and 1722, the Council's relations with Viceroy Villalonga became increasingly tense. The viceroy frequently dismissed the Council's authority, failed to follow its orders or respond to its letter and often addressed it in ways that the Council considered disrespectful. In turn, the Council became increasingly suspicious of the viceroy's motives; the tone of its letters to him became ever harsher and threatening and, in 1722, it even tried to convince the king to remove Villalonga from office. In his correspondence to the king, Villalonga made the origin of the conflict explicit: he had been appointed viceroy without the Council's intervention and he was very much aware that under Alberoni the Council's previously overarching power for governing the Americas had been formally reduced to little more than the role of an appeals' court. Thus, when the Council tried to give him orders or scrutinize his actions in matters of government or war, the viceroy believed that the Council was overstepping its bounds and "surreptitiously" trying to interfere in matters alien to its new, reduced, jurisdiction. From the Council's perspective, this kind of insubordination simply could not stand, and since its roots laid in the manner in which the viceroyalty had first been created, the more effective way of putting an end to this situation was to suppress the viceroyalty.

Crucially, to press for the suppression of the viceroyalty, and to justify its recommendation, the Council took advantage of a request from the city of Cartagena de Indias to become the capital of the viceroyalty of New Granada. Almost as soon as the viceroyalty was created elites in the port city tried to wrest the viceregal court from Santa Fe and a number of authorities in both cities voiced their opinions for and against the move. For all their rivalries and disagreements, the elites of neither city wanted the viceroyalty suppressed, but their squabble over the capital gave the Council of the Indies the excuse and opportunity to bring about the end of Alberoni's most salient American reform. The Council's recommendation to suppress the viceroyalty and the king's decree implementing it follow very closely the wording of a letter sent to the Council by a disgruntled official in Cartagena de Indias. This shows clearly that the opinions sent from New Granada upon the matter of where the capital of the viceroyalty should be located were read and evaluated. But the outcome of the whole process shows that American demands could be manipulated or twisted to serve particular interests at court. Thus, while there were indeed plenty of channels through which Spanish American voices could

reach Spanish authorities in Madrid, their interests could easily be subordinated to those of squabbling factions at court suggesting that we should not overemphasize the extent to which the Spanish Monarchy offered means of representation and negotiation to its subjects.

The process, of course, did not end there. The crown re-established the viceroyalty in 1739 following a significantly different decision making process which had been in motion since 1734. On this occasion, demands from New Granada, both from Santa Fe, which requested the reintroduction of viceregal rule from as early as 1728, and Cartagena, one of whose former residents played a key role in making the case for the viceroyalty, carried some weight. But most significantly, whilst the process was initiated once again by the crown's ministers, in the later stages it involved the Council of Indies, securing both its agreement with the decision and its input on the selection of the new viceroy. Crucially, however, the involvement of the Council shows the important changes that had taken place within the institution, suggesting that by the late 1730s reformist elements had filtered into its ranks. This weakened the resistance it could offer against royal initiatives. Significantly, also, the second creation of the viceroyalty involved a much more extensive discussion of the impact that a viceroy would have upon the provinces of northern South America. These discussions demonstrate how the discourse that permeated early Bourbon reformism since early in the eighteenth century had become gradually more consolidated and sophisticated. Whilst in 1739 the crown still sought to increase its authority and revenue in New Granada by appointing a viceroy, it hoped to do so by not only reducing the autonomy of mediatizing corporations and local elites whilst sanitizing the administration of royal treasuries and improving tax collection. Now it sought to incentivize economic activity in the region securing new sources of revenue and increasing the sources from which existing ones were collected. By the start of the 1740s, pursuing and implementing schemes aimed at promoting the economic development of the different provinces of the empire had become the prime means through which the monarch was meant to provide "good government" to his subjects.

#### **0.4 Organization of this Book**

The first chapter of this book offers an overview of the origins, development and political dynamics of viceregal rule in the Spanish world under the Habsburgs. It emphasizes the significance of political ideas in the development of institutions of provincial governance and highlights conscious royal attempts to introduce a degree of uniformity across the different viceroyalties.

The chapter provides a baseline from which eighteenth-century developments discussed in the rest of the book can be analyzed. Chapter 2 offers a description of the geographical, economic and demographic characteristics of the territories that became part of the viceroyalty of New Granada in the early eighteenth century, highlighting their strategic position in northern South America and the Caribbean. It also offers an interpretation of the dramatic events which took place in the region around the turn of the century and which became key reasons for the creation of the viceroyalty: the fall of Cartagena de Indias to the French in 1697, the overthrow of the president and governor of New Granada by a clique of judges of the *audiencia* of Santa Fe in 1715 and the rivalries between presidents and *audiencias* in Panama and Quito around the same time.

Chapter 4 analyses the decision to create a viceroyalty in New Granada in 1717. It highlights the fact that the decision was taken through a mechanism that departed from traditional Spanish policy-making, in that it involved very limited consultation and bypassed the traditional institutions of Spanish government. It argues that this was possible because of the series of reforms introduced at the heart of the monarchy following the accession of Philip v that are discussed in Chapter 3. Together, these two chapters suggest that it is only possible to understand the rationale behind the creation of the viceroyalty by looking at a series of additional policies introduced by the ministers of Philip v since the start of the century; thus showing that the creation of the viceroyalty was part of a broader program of reform which reflected important changes in the understanding of monarchical government within early Bourbon Spain.

Chapter 5 examines how the decision to create a viceroyalty was implemented and the process leading to its suppression in 1723. It begins by introducing the two men chosen respectively for setting up the viceroyalty and for serving as the first viceroy. Analysis then turns to the official reception of the first viceroy in Santa Fe de Bogotá, an event which caused a well-known confrontation between both men and which has often been interpreted as a clear manifestation of the viceroy's ineptitude. By contrast, I compare the vice-regal entrance celebrated in Santa Fe with those taking place during this same period in Lima and show how the city of Santa Fe tried to use this occasion to increase its own prerogatives and privileges. The chapter turns finally to the process through which, following the fall of Alberoni, the Council of Indies managed to get the viceroyalty suppressed. Chapter 6 explores some of the reactions generated by the creation of the viceroyalty in Spanish America. It begins by analyzing Villalonga's interactions with *Quiteño* elites, leading to the restoration of the *audiencia* of Quito in 1720, briefly looking also at the reactions of elites in Caracas to the province's inclusion in the viceroyalty. The chapter then

shows how the longstanding rivalry between Santa Fe and Cartagena de Indias materialized in a controversy over which city should be the viceregal capital, the dispute that authorities in the Peninsula used to suppress the viceroyalty. Finally, the chapter turns to the connections and interactions between the viceroy's retinue and elites in Santa Fe and Cartagena, offering further insight into the origins of the accusations of involvement in contraband made against Villalonga in Cartagena and the requests emanating from Santa Fe in the 1720s and 1730s requesting the restoration of the viceroyalty.

Chapter 7 argues that the suppression of the viceroyalty in 1723 did not mark the end of reform and that, despite its brevity, viceregal rule had made an important mark upon New Granada. It first examines the course of politics in Spain in the period between the suppression of the viceroyalty and the beginning of the plans to re-establish it in the mid-1730s. It then explores the tendency to appoint men with a "professional" military background as provincial governors and captains-general in northern South America, suggesting that these appointments were meant to address some of the concerns that had initially prompted the creation of the viceroyalty. The chapter finally analyzes some of the reforms introduced during this period affecting trade and defense in the region.

The final chapter analyzes the process leading to the second and definitive creation of the viceroyalty. It begins by looking at the consultation process initiated by first-minister José Patiño in the mid-1730s that led to the re-establishment of the viceroyalty after the minister's death. It argues that the ratification of this decision by the Council of Indies in 1738 was evidence of the transformation experienced by this and other traditional institutions during Patiño's long and influential tenure. The chapter then examines both the discourse used to justify the second creation of the viceroyalty and the set of economic reforms entrusted to the new viceroy to show that defensive concerns did not primarily dictate the re-establishment of the viceroyalty. Rather it shows how widespread the new rational and "developmentalist" understanding of the purpose and aims of royal government had become. Finally, the chapter goes on to examine the profile of the second viceroy of New Granada, identifying continuities with the military governors of the interregnum, as well as parallels with other Spanish American viceroys of the late 1730s and 40s.

## The Viceregal Institution in the Spanish World under the Habsburgs

The *real cédula* of May 27, 1717, which announced the creation of the viceroyalty of New Granada, joined the roles of governor and captain-general of the new demarcation and that of president of the *audiencia* of Santa Fe into the newly created office of the viceroy. Holding all of these offices should enable the viceroy “to do and make [others] look after and [himself] look after all that which [the king’s] own Royal Person would do and look after if [he] were present” in New Granada.<sup>1</sup> Moreover, the new viceroy was to “rule and govern” his viceroyalty “in the same manner in which those [viceroys] of Peru and New Spain do, with the same powers granted to them by the Laws, *Cédulas* and Royal Decrees, and enjoying the same prerogatives and exemptions styled, practiced and observed in both kingdoms.”<sup>2</sup> Thus, the *real cédula* explicitly acknowledged that the newly created office of viceroy of the New Kingdom of Granada was to operate within the same legal framework as the other Spanish viceroys in the Americas, participating in the same ceremonies and replicating the same government dynamics developed over nearly 200 years of viceregal rule.

The phrasing of the *cédula* and its reference to the *Novohispano* and Peruvian precedents would, as we shall see, constitute the center of a bitter conflict between the man charged with setting up the viceroyalty, on the one hand, and the first viceroy and the city council of Santa Fe de Bogotá on the other.<sup>3</sup> In some ways, this was inevitable, since the viceregal institution, even in the Americas, was steeped into a tradition of government which had developed under the Spanish Habsburgs on both sides of the Atlantic and which in some important aspects stood at odds with the values driving Bourbon reformism since the early eighteenth century. Indeed, by the end of the seventeenth century, both the Spanish crown and Spanish American elites and institutions had come to understand the character and nature of viceregal rule in very specific terms. This unavoidably affected the way in which the news of the creation

1 “Real cédula por la cual se crea el Virreinato del Nuevo Reino de Granada en 27 de mayo de 1717” reproduced in full in Jerónimo Becker and José María Rivas Groot, *El Nuevo Reino de Granada en el Siglo XVIII* (Madrid: Imp. Del Asilo de Húerfanos del Sagrado Corazón de Jesús, 1921), pp. 200–03, at p. 200. All translations are mine, unless otherwise noted.

2 *Ibid.*, p. 201.

3 See *infra* Chapter five.

of the viceroyalty of New Granada was received by the politically influential inhabitants of the New Kingdom.

This chapter, thus, explores the origins and evolution of viceregal rule in the Spanish monarchy before the accession of Philip v. It asks why the kings of Spain decided to introduce this specific institution in their overseas territories? What made viceroys suitable, or necessary, for the governance of distant provinces? What was the purpose of viceregal rule under the Habsburgs? And what were the dynamics and practices which characterized the viceregal institution at the turn of the eighteenth century? It argues that, for the Habsburgs, viceregal rule was closely related to an understanding of monarchical rule which emphasized, above all else, the king's responsibility for providing his subjects with justice. This understanding of the purpose of monarchical government determined the dynamics that came to characterize viceroys' interaction both with other institutions of Spanish rule and with the inhabitants of their viceroyalties. At the same time, the chapter argues that while the Spanish American viceroyalties certainly reflected the Spanish crown's experience with viceregal rule in the Crown of Aragon and the Mediterranean, in the Americas the institution was created entirely at the crown's discretion. It was, thus, a mechanism for addressing the challenges posed by governing such distant territories, rather than the result of demands created by pre-existent local constitutions. As a result, although the crown deliberately sought to homogenize viceregal rule on both sides of the Atlantic, the relations between the viceroy and local corporations retained certain differences. These would eventually determine the different ways in which the Bourbons dealt with the viceregal institution in the Mediterranean and the Americas, as will be shown in chapters three and four.

### 1.1 Aragonese and Columbine Precedents

Even in the second third of the sixteenth century, when the viceroyalties of New Spain (1532) and Peru (1542) were officially created, the idea of establishing viceroys in the Spanish overseas provinces did not materialize out of thin air. José Ignacio Rubio Mañé has suggested that the origins of the viceregal institution can at least be traced back to the *procuratores regis* or *principes provinciae* of early thirteenth-century Aragon. Jesús Lalinde Abadía has traced their precedents as far back as the praetorian prefects of Roman antiquity, while cautiously pointing out that even the institution alluded to by Rubio Mañé, and used in medieval Aragon, differed significantly from that which emerged

in the later fifteenth century.<sup>4</sup> Nevertheless, most authors seem to agree that what determined the evolution of the Iberian viceregal institution were the peculiar constitutional arrangements of the Crown of Aragon.<sup>5</sup>

Since the constitutions of each of the four kingdoms that constituted the core of the Crown of Aragon required the continuous presence of the king, from the thirteenth century onwards, the monarchs began to appoint lieutenants who could occupy their place and do what the monarch himself would do if he were present.<sup>6</sup> These faculties, however, were not initially attached to a specific magistracy; rather, they were given to one official or another when and where the monarchs deemed it necessary.<sup>7</sup> In the peninsular kingdoms of the Crown of Aragon these lieutenants usually co-existed with a magistrate called governor-general or *portant veus*. The governor-general was an ordinary magistrate, that is, one which existed within the local legal order and whose powers and authority were derived from the laws themselves and, for that same reason, significantly limited by the rights and liberties enshrined in the strong contractualist tradition of the Aragonese kingdoms.<sup>8</sup> It was precisely because of these very limitations, which made the governors and governors-general seem unable to guarantee public peace and enforce the king's will, which the monarchs increasingly relied upon lieutenants to rule over these kingdoms.<sup>9</sup>

The crown originally appointed these lieutenants to deal with one specific situation and received a variety of titles during the thirteenth and fourteenth centuries. Whether titled "lieutenant", "viceroy", "lieutenant viceroy", "captain and lieutenant", "reformer", "president", or "rector", they derived their authority

4 José Ignacio Rubio Mañé, *El virreinato I. Orígenes y jurisdicciones, y dinámica social de los virreyes* [1955], 2nd ed. (Mexico City: UNAM / Fondo de Cultura Económica, 2006), pp. 3–5; Jesús Lalinde Abadía, *La institución virreinal en Cataluña (1471–1716)* (Barcelona: Instituto Español de Estudios Mediterráneos, 1964), pp. 22, 42–45.

5 For an extensive review and bibliography of the scholarly debates concerning the institutional origins of the Spanish American viceroyalties, see Ernest Belenguer, "De virreinos indios a virreinos mediterráneos. Una comparación contrastada," in *Congreso Internacional. El Gobierno de un Mundo. Virreinos y Audiencias en la América Hispánica*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha / Fundación del Pino, 2004), pp. 319–339 at pp. 321–24; and Agustín Bermúdez, "La implantación del régimen virreinal en Indias," in Barrios Pintado, *Congreso*, pp. 253–298 at 256–62.

6 Jesús Lalinde Abadía, "Virreyes y lugartenientes medievales en la Corona de Aragón," *Cuadernos de historia de España xxxiv* (1960): pp. 98–172 at *passim*, and particularly 114.

7 Lalinde Abadía, *La institución*, p. 47.

8 Lalinde Abadía, "El régimen virreino-senatorial en Indias," *Anuario de historia del derecho español* (1967): pp. 5–244 at 21, 23.

9 *Ibid.*, pp. 23–24.



directly from the monarch himself and enjoyed extraordinarily wide powers.<sup>10</sup> From the late fourteenth century onwards, rather than appointing viceroys or lieutenants as the circumstances demanded, the Aragonese monarchs began to appoint these magistrates permanently. Since their jurisdiction was so broad and over-reaching, they soon began to be seen as actual *alter egos* of the monarch himself.<sup>11</sup>

With the rapid expansion of the Aragonese monarchy through the Mediterranean in the late fourteenth and early fifteenth centuries, this practice became even more common, so that by the mid fifteenth century it had become customary to appoint representatives of the king to rule over those kingdoms located outside of the Iberian Peninsula, where the king could not be regularly present.<sup>12</sup> Thus, a viceroy regularly governed Sicily from 1415;<sup>13</sup> soon afterwards, the governor of Cagliari also acquired the title of viceroy of Sardinia and eventually viceroys also ruled Albania and the principality of Morea.<sup>14</sup>

After the union of the Crowns of Aragon and Castile in 1469, the vice-regal office became part of the institutional toolbox available to the Catholic Monarchs and their descendants. As such, on April 17, 1492, in the “*Capitulaciones de Santa Fe*”, Christopher Columbus was appointed the first viceroy of what would later become the Indies, even if, as some authors have argued, his appointment was more honorary than effective.<sup>15</sup> Nevertheless, when his appointment was confirmed on May 28, 1493, it was specifically stated that the powers, honors and prerogatives associated with the viceroys and governors of Castile and Leon would be extended to Columbus in the lands that he had recently discovered. The fact that until then no Castilian viceroys had ever existed seemed of little significance.<sup>16</sup> After all, as Jesús Lalinde Abadía has argued, the institutions created for Columbus’s rule were the result of an *ad hoc* agreement and incorporated elements of both the Castilian and Aragonese administrative traditions.<sup>17</sup>

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10 Lalinde Abadía, *La institución*, p. 48.

11 *Idem*.

12 Rubio Mañé, *El virreinato I*, p. 8.

13 Carlos José Hernando Sánchez, “Los virreyes de la Monarquía Española en Italia. Evolución y práctica de un oficio de gobierno,” *Studia Historica, Historia Moderna* xvi (2004): pp. 43–73 at 50.

14 Lalinde Abadía, *La institución*, p. 49.

15 On Columbus’s appointment, see Rubio Mañé, *El virreinato I*, pp. 14–16; and Sigfrido Radaelli, *La institución virreinal en las Indias. Antecedentes históricos* (Buenos Aires: Editorial Perrot, 1957), p. 54.

16 Rubio Mañé, *El virreinato I*, pp. 14–16.

17 Lalinde Abadía, “El régimen,” pp. 29, 36, 41–44.

In practice, however, Columbus's viceregal title was always overshadowed by his office as Admiral.<sup>18</sup> Neither of the men who took over the government of the Indies after Columbus's downfall held that rank. In the thirty years between 1505 and the appointment of Antonio de Mendoza as first viceroy of New Spain, however, the use of the title of viceroy gained importance. This was the result of the controversies between Columbus's heirs and the Spanish crown,<sup>19</sup> of the increasing use of the title by the Castilian governors of Galicia and Granada, albeit in an unofficial manner, and of the institutionalization of viceregal rule in Navarre after the annexation of this kingdom to the Castilian crown in 1512.<sup>20</sup> Moreover, since the accession of Charles V to the Crowns of Castile and Aragon, and due to his continuous absence from the Iberian kingdoms, a series of viceroys were appointed uninterruptedly in Catalonia from 1521, while the *Condestable* of Castile was effectively described by the king as his "viceroys and governor" in the kingdoms belonging to the Crown of Castile.<sup>21</sup>

As a result of these developments, by the third decade of the sixteenth century it was clear that what defined the office of the viceroy, and set it apart from all other administrative offices in use at the time—governors and captains, either general or ordinary, and *adelantados*—, was that all viceregal actions were to be understood as performed by the king himself. As Diego Columbus stated in 1524, his father "had been appointed viceroy, which meant voice or power of the king, implying that he was to do and decide as the royal person himself would do and decide."<sup>22</sup> As such, it was not an administrative office in itself but a title that could be attached to the offices of governor and/or captain, granting the depositary a stature superior to that of his peers.<sup>23</sup> It simultaneously bestowed upon him very specific, yet often controversial, prerogatives such as the exemption from a *residencia* trial, and exclusion of his decisions from the jurisdiction of any appeals courts, which could then only be supplicated from the viceroy or the king himself.

From this intrinsic characteristic of the early viceregal appointment, as a title rather than an office, would evolve some of the most striking traits of

18 *Ibid.*, pp. 48–50. See also Radaelli, *La institución*, pp. 21–42.

19 On the legal battle between the crown and Columbus's heirs, see Bermúdez, "La implantación," pp. 268–73.

20 Lalinde Abadía, "El régimen," pp. 52–54, 59 and nn. 95 and 112; and Jesús María Usunáriz Garayoa, *Historia breve de Navarra* (Madrid: Silex, 2006), p. 156.

21 Lalinde Abadía, "El régimen," p. 64; and Bermúdez, "La implantación," pp. 273–79.

22 Quoted in Lalinde Abadía, "El régimen," p. 32 n. 40.

23 Alfonso García-Gallo, "La capitania general como institución de gobierno político en España e Indias en el siglo XVIII," in *Memoria del tercer congreso venezolano de historia del 26 de septiembre al 1º de octubre de 1977* (Caracas: Academia Nacional de la Historia, 1979), vol. 1, pp. 535–582 at 547.

viceregal rule in Spanish America, particularly, the way in which the viceroys had powers over the four *causas* or areas of government. Viceroys came to have authority in matters of justice, government, war and finance—besides exercising royal patronage over the Church in the Indies—because they came to accumulate offices in all these areas, all under the umbrella of the viceregal title. Therefore, the nature of the viceregal office had several distinguishable facets and often found itself negotiating with or fighting against other institutions that saw the administration of each of these functions as their exclusive sphere. However, the Spanish American viceregal office did not acquire this level of development overnight. Moreover, in parallel to the process through which Spanish American viceroys accumulated functions, they also lost some of the prerogatives originally attached to the title of viceroy, most prominently the exemption from a *residencia* trial. We must look, therefore, back to the appointment of the first viceroys of mainland America, in order to understand the evolution of this office under Habsburg rule.

## 1.2 The King's Justice: The Role of the *Audiencia* in the Peninsula and the Indies

As would be the case in New Granada, the viceroalties of New Spain and Peru were not created in an institutional vacuum. In both cases, the institution of *audiencias* or high courts preceded or accompanied the appointment of viceroys.<sup>24</sup> The *audiencias* and chancelleries had been a central part of the Castilian administrative system since the Middle Ages and, following the long-established principle of a functional separation between tasks of justice and government,<sup>25</sup> they had been a key means through which the kings had delivered justice to their subjects. In the Americas, the Spanish crown originally established *audiencias* alongside local or provincial governors but later modified this system when the complications and complexities of governing such distant provinces became evident.

By the fifteenth century, Spanish political tradition understood the essence of royal authority as the provision of “justice and good government”.<sup>26</sup> As a properly “Catholic” monarch, the Spanish king had to be seen as the tempo-

24 The *audiencia* of Mexico was established in New Spain in 1527, it was followed by those of Panama in 1535 and Lima 1542.

25 Lalinde Abadía, “El régimen,” pp. 13–15.

26 Tomás Polanco Alcántara, *Las reales audiencias en las provincias americanas de España* (Madrid: Editorial Mapfre, 1992), pp. 18–19.

ral manifestation of a “divine, responsive and compassionate ruler” located at the apex of a social hierarchy that replicated God’s celestial court.<sup>27</sup> Thus, the kingdom was an ecclesia, a community of the faithful, and the monarch was responsible for its preservation.<sup>28</sup> In this context, any intervention of the king “could be justified only on the grounds of the common good, moral as well as physical, and benevolent intent”. Royal benevolence constituted therefore the “operational principle of government” and “[t]he model ruler sat in judgment mirroring the celestial function”. Consequently, “[j]ustice not force, served as [his] principal instrument”.<sup>29</sup>

Similarly, in legal terms, whilst there existed a functional differentiation between justice and government, the former was considered intrinsic to an efficient exercise of the latter. Thus, providing justice was defined as “re-establishing a broken equilibrium between two parties by granting compensation to the one who had suffered an injury from the other party [...] without their necessarily being two private individuals”.<sup>30</sup> Government, by contrast, was never as clearly defined. It was generally understood to mean “taking good care of the community”, and in a strict sense it was defined negatively as those actions of the monarch “other than providing justice”. In a broader sense, however, “good government” encompassed justice because the community was equally cared for “by the publication of a writ, by forcibly disbanding a marauding troop or by imposing a punishment through a judicial sentence”.<sup>31</sup> This did not mean that there was no “proper function of government, but rather that [...] it was thought to have no effect in isolation, requiring therefore to be complemented by the judicial function”.<sup>32</sup> Only by the combination of both

27 Colin M. MacLachlan, *Spain's Empire in the New World. The Role of Ideas in Institutional and Social Change* (Berkeley, CA: University of California Press, 1998), p. 1.

28 Alejandro Cañeque, *The King's Living Image. The Culture and Politics of Viceregal Power in Colonial Mexico* (New York: Routledge, 2004), pp. 54–55.

29 MacLachlan, *Spain's*, p. 2.

30 Lalinde Abadía, “El régimen,” p. 14. This compensation could be achieved by reparation of the damage caused, by punishment of the offender or by a combination of both.

31 *Idem.* Carlos Garriga has argued that matters of “government” in *ancien régime* Spain should be understood as “opposed to litigious [matters] and composed of political and economic” affairs. In other words, “government” referred to “those relations of power which did not involve conflicting interests (i.e. those in which no opposed rights were recognized) and which were therefore expressed through decisions which did not require judicial proceedings”, Carlos Garriga, “Gobierno,” in *Diccionario político y social del siglo XIX español*, ed. Javier Fernández Sebastián and Juan Francisco Fuentes (Madrid: Alianza, 2002), pp. 319–335 at 320.

32 Lalinde Abadía, “El régimen,” p. 14.

could a king fulfil his duties and “assure that the people conduct themselves in an honorable and disciplined fashion, disdaining greed and living together in harmony”.<sup>33</sup>

Consequently, the Castilian monarchs had established two *audiencias* in their Peninsular territory to guarantee their subjects access to justice when and wherever their multiple occupations, or long distances, did not allow them to impart justice in person.<sup>34</sup> Hence, in the Peninsula the Royal *audiencias*, comprised of a fixed number of royal councilors called *oidores*, were charged with listening to the pleas and allegations of conflicting parties in order to decide the cases in justice. The chancelleries, by contrast, were responsible for translating the *audiencias*' sentences into royal decisions that could be presented to the monarch himself or sanctioned with the royal seal.<sup>35</sup> Gradually, both institutions became fused so that the *audiencias* acquired the use of the royal seal and thus, in judging, they came “to represent the person and authority of the monarch”, and their decisions bearing the royal seal “had to be obeyed and abided by ‘as if they were the king’s’”.<sup>36</sup>

In a similar manner, the concern that their overseas subjects were not getting an adequate access to justice and the failure of the first gubernatorial officers to establish order and peace in the Indies prompted the Spanish monarchs to extend the *audiencia* system across the Atlantic.<sup>37</sup> From their inception in 1511 in Santo Domingo, the crown hoped that the *audiencias* would serve at least two basic purposes: they would provide the conquistadors and other Spanish settlers with access to justice, particularly in terms of settling their multiplying internecine quarrels; and they would help to protect the new Spanish subjects—the Indians, who had become central to the justification of Spain's dominion over the Indies since the issuing of the Alexandrine Bulls—from abuse at the hands of the conquistadors.<sup>38</sup> In this way, the “benevolent virtues”

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33 MacLachlan, *Spain's*, p. 6.

34 Polanco Alcántara, *Las reales*, pp. 19–20.

35 *Ibid.*, p. 19.

36 *Ibid.*, p. 17.

37 Rubio Mañé, *El virreinato I*, pp. 18–19. In a strict sense the American *audiencias* should be characterized as chancelleries. Their pre-eminences included the right to be called ‘royal’, and to be addressed as ‘your highness’, their sessions were held under a baldachin, they were depositaries of the royal seal which was the ultimate symbol of the monarch and which physically received the same honors as the king (Bernardino Bravo Lira, “Régimen virreinal. Constantes y variantes de la constitución política en Iberoamérica (siglos XVI al XXI),” in Barrios Pintado, *Congreso*, pp. 375–428 at 396–97).

38 Carlos Bosch García, *La polarización regalista de la Nueva España* (Mexico City: UNAM, 1990), pp. 60–61.

of the king, which were “incorporated and demonstrated” in the administration of justice, were initially entrusted in the New World to the *audiencias*, which were expected to provide a “direct link between the monarch and his subjects”. Also through the *audiencias*, the crown hoped to achieve “[t]he preservation of order [which] represented a tangible social benefit and demonstrated the monarch’s ability to impose sanctions”;<sup>39</sup> even across the Ocean Sea. At the same time, the crown was well aware that by establishing order, and justice, it could “model a society which would pay taxes, besides being more easily administered”.<sup>40</sup>

### 1.3 The Creation of the Spanish American Viceregal Offices

The creation of *audiencias* in the Indies, however, was not without problems. In the areas under Columbine jurisdiction, the struggle between the crown and the Admiral and his successors, over which of their decisions could be subjected to review by appeal judges or courts was long standing, and it was not reduced by the creation of the *audiencia* of Santo Domingo.<sup>41</sup> Equally, in New Spain, the establishment of the first *audiencia* (1528–30) increased the tensions and perceived injustices in the region, allowing for the *audiencia* itself to become a tool for the enemies of Hernando Cortés.<sup>42</sup> As a result, towards the end of the 1520s the crown restructured both *audiencias* and provided new ordinances so that they could actually achieve the aims for which they had been created.

In the meantime, the crown had also trialed another scheme for extending royal rule into the Indies providing justice and good government; and in some ways this proved to be the most successful of the administrative schemes implemented in the early sixteenth century. The lieutenant-general of Castilla del Oro was a magistracy established in modern-day Panama, attached to the governorship of the province of Darién, independent from the Columbine viceroyalty and of equally high standing. When Pedrarias Dávila was first appointed in 1514, the king immediately made it clear that his aim was to establish peace and order among the conquistadors, and the different governors and *adelantados* of the mainland, by creating “a single head which could be obeyed

39 MacLachlan, *Spain's*, p. 12.

40 Bosch García, *La polarización*, p. 35.

41 C. H. Haring, *The Spanish Empire in America* (New York, NY: Oxford University Press, 1947), pp. 18–19.

42 Bosch García, *La polarización*, p. 33.

by everyone". To achieve this, the king made it explicit that the lieutenant's commands were to be regarded as if the king himself had issued them.<sup>43</sup>

Unlike the Columbine viceroyalty, which had been part of a negotiated contract, the office of the lieutenant-general of Castilla del Oro was created simply by the monarch's will. Due to this difference in origin, the relationship between the king and Dávila was free from the tensions and demands that characterized relations with Columbus and his heirs. Simultaneously, the crown was able to introduce a series of constraints upon the lieutenant's authority. Dávila, as well as his successors, was subject to a *residencia* trial and the Council of Castile could hear appeals to all the lieutenant's decisions involving sizeable fines or penalties. The authority of the lieutenant general stood in parallel to that of the *audiencia* of Santo Domingo, with which he was specifically required to collaborate on certain occasions.<sup>44</sup> The office of lieutenant-general of Castilla del Oro passed from Dávila to Lope de Sosa in 1519 and from him to Pedro de los Ríos in 1526. By then the institution had acquired sufficient stability for the crown to appoint Ríos simply "under the same terms and limitations with which Dávila had held the office"; at the same time, the use of a combined title—that of "lieutenant, governor and captain-general"—had become common.<sup>45</sup>

The crown was quick to recognize the benefits of an institution like the lieutenancy-general for governing its overseas provinces after the successful experience in Castilla del Oro. Having a single individual invested with a power derived directly from the monarch, whose commands had to be obeyed as if issued by the king himself, offered important advantages over *audiencia* rule. The lieutenant-general, for one thing, could combine judicial and governmental functions, thus fulfilling more comprehensively the role of monarchical government in those distant territories. Additionally it allowed for more rapid resolutions than did a collegiate body such as the *audiencia*.<sup>46</sup> The lieutenancy scheme also offered an advantage as a means of effectively imposing royal rule over the Indies. Unlike the Columbine viceroyalty, the *adelantados* and most of the governorships of the early sixteenth century, the lieutenancy was not a negotiated or capitulated appointment. It derived from the king and was established at his will. Therefore, it did not give birth to endless struggles

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43 Lalinde Abadía, "El régimen," p. 81.

44 *Ibid.*, pp. 83–84.

45 *Idem.*

46 For instances in which the *audiencia* of Mexico proved unable to arrive at critical decisions, see Bosch García, *La polarización*, pp. 44–45. See also Cañeque, *The King's*, pp. 20–26 for an in-depth discussion of the notion of the kingdom as a "mystical body" and the reasons making the "rule of one" preferable to that of a collegiate body.

over seigniorial rights and, moreover, could be used to quell the powers of other provincial authorities which had themselves been the result of royal capitulations.<sup>47</sup>

Not surprisingly, by 1529 the king had already ordered the Councils of the Indies and Castile, along with some members of the Council of Finance to meet together and discuss the creation of a similar magistracy for New Spain, hoping to bring order and justice to the region, a task in which both Cortés and the first *audiencia* had failed.<sup>48</sup> Fray Juan de Zumárraga, the archbishop of Mexico, had urged the king to appoint a person of high standing to the presidency of the *audiencia* of New Spain, hoping that he would be able to end the tyrannical rule of the first *audiencia* and end the fighting among conquistadors.<sup>49</sup> When the joint meetings of the Councils began in 1529, they agreed to replace all the *oidores* of Mexico and discussed different candidates who could be appointed as president of the *audiencia* with the official title of reformer (*reformador*) of New Spain.<sup>50</sup> The reformer was yet another Aragonese institution, almost identical in standing to those of viceroy and lieutenant-general.<sup>51</sup> However, the Councils and the four preferred candidates were unable to reach an agreement regarding the salary and benefits attached to such an office. Given these difficulties the Councils turned the matter back to the king, settling for replacing all the members of the *audiencia* in the meantime.<sup>52</sup>

When the king finally enacted the Councils' recommendation in 1535, he appointed Antonio de Mendoza, not with the title of reformer or lieutenant, but with that of viceroy (and governor) of New Spain.<sup>53</sup> It is not entirely clear why the king preferred this title to the others, perhaps simply because by then it was the most commonly used in Peninsular and Mediterranean kingdoms. It is, however, very clear why he was able to choose this title in 1535 and not before: it was precisely in that year that the struggle between the crown and the Columbus family ended and as part of the settlement the crown bought back from them the title of viceroy of the Indies.<sup>54</sup> However, the use of the other two titles—those of lieutenant and reformer—before the settlement of the Columbine affair, seems to confirm that the Spanish American

47 Bosch García, *La polarización*, pp. 25–31.

48 Rubio Mañé, *El virreinato I*, p. 19; Bravo Lira, "Régimen," p. 397; and Bermúdez, "La implantación," p. 280.

49 Lalinde Abadía, "El régimen," p. 88.

50 Rubio Mañé, *El virreinato I*, pp. 19–20; Lalinde Abadía, "El régimen," p. 89; and Bermúdez, "La implantación," pp. 280–81.

51 Lalinde Abadía, "El régimen," p. 89.

52 Rubio Mañé, *El virreinato I*, pp. 20–21.

53 Belenguer, "De virreinos," pp. 324–25.

54 Lalinde Abadía, "El régimen," pp. 72–73; Bermúdez, "La implantación," p. 281.



viceregal office had its origin in the Mediterranean kingdoms of Spain. Moreover, it suggests that the Spanish American viceregal office did not derive from the Columbine viceroyalty but from the crown's own intention to transplant the Aragonese institution, which had proven effective both in the Peninsula and in the Mediterranean, to its overseas territories.

#### 1.4 Institutional Development of the Viceregal Office under the Habsburgs

The viceregal office, both in the European kingdoms and in the Americas, only developed a concrete institutional character in the years after its creation, once it had become solidly established in the territories under its control. During the second half of the sixteenth century, the king and his Councils produced a significant amount of documentation to streamline the viceregal institution. This process was certainly not free from contradictions and false steps that often had to be corrected; but it seems very clear that, towards the end of the century, viceregal rule in most of the Spanish world had developed in a notably uniform fashion. This degree of development in the early years of the institution allowed it to fall thereafter into a more gradual process of change, in which the crown would only alter viceregal faculties, authority and privileges when pressing circumstances required it so.

In Catalonia, for example, some important differences can be seen between the first proper viceroy, appointed by Ferdinand II in 1479, and the second one, appointed in 1494. The first one, the *Infante* Don Enrique, Count of Ampurias and Segorbe, was the king's cousin, and was appointed indefinitely with extremely broad faculties.<sup>55</sup> The second one, Juan de Lanuza, was "a simple knight", appointed for a three-year term and with somewhat more restricted faculties.<sup>56</sup> Jesús Lalinde has argued that the demands imposed upon the king by the councilors and deputies of the principality and the city of Barcelona explain the high rank of the first lieutenant-general. They demanded the presence of the king and would have opposed the creation of a permanent lieutenancy more energetically had the appointee been a person of lower standing. Similarly, the indefinite duration of his appointment was necessary to allow the Catalans to assimilate the lieutenancy. Only because Don Enrique had remained in office for fourteen years, which allowed the institution to set roots, was the king then able to appoint a member of the lower nobility, without

55 Lalinde Abadía, *La institución*, pp. 61–64.

56 *Ibid.*, p. 66.

facing strong opposition.<sup>57</sup> The means by which the crown established a viceregal office in New Spain were not too different. Although certainly not a member of the Royal family, Mendoza was the son of a grandee and thus part of Spain's high nobility.<sup>58</sup> As Don Enrique in Catalonia, Mendoza was appointed for an indefinite term and held the viceroyalty of New Spain for fifteen years. Similarly, the first viceroy of Peru, Blasco Núñez Vela, was appointed indefinitely; and so were the men appointed as the second viceroys of both American kingdoms.<sup>59</sup>

By 1555, however, Charles v established in a *real cédula* that Spanish American viceroys would be appointed for renewable three-year periods as had become the practice in Mediterranean Spain.<sup>60</sup> By then the viceregency was solidly established in New Spain. Things had been more difficult in Peru, where the *audiencia* deposed the first viceroy, Núñez Vela, who then died in battle with the Pizarros, as he tried to reclaim his authority. The second viceroy, former viceroy of New Spain Antonio de Mendoza, did not face as much opposition in Peru, and made a head start consolidating the institution; but, since he was already about sixty years old and in poor health when he arrived in Lima, he died within two years of his arrival. These difficulties in the viceroyalty of Peru, however, may very well help to explain why the third and fourth viceroys sent to that region were both titled noblemen who were appointed for six-year terms regardless of the *real cédula* of 1555: the Marquis of Cañete and the Count of Nieva.<sup>61</sup> In any case, the limited but renewable tenure, introduced first in Catalonia, soon became the norm—even if not always followed strictly—in most of the Spanish viceroalties.<sup>62</sup> Not all of the traits that came to characterize the office of viceroy, however, were first tried out in the

57 *Ibid.*, pp. 66–67.

58 For biographical details, see Rubio Mañé, *El virreinato 1*, p. 217.

59 *Ibid.*, p. 219; and Francisco José Díaz Casillas, *La administración pública novohispana* (Mexico City: Colegio Nacional de Ciencias Políticas y Administración Pública, 1987), pp. 44–45.

60 See Ernesto de la Torre Villar, estudio preliminar to *Instrucciones y memorias de los virreyes novohispanos*, ed. Ernesto de la Torre Villar, compilation and index by Ramiro Navarro de Anda (Mexico City: Porrúa, 1991), vol. 1, pp. xii–cxliii at xxxvii–xxxviii. For the explicit intention to match the length of viceregal tenure in the Americas to that of Spain and the Mediterranean, see Rubio Mañé, *El virreinato 1*, p. 200, and Lalinde Abadía, “El régimen,” p. 185.

61 Lillian Estelle Fisher, *Viceregal Administration in the Spanish-American Colonies* (New York, NY: Russell & Russell, 1926), p. 31.

62 *Ibid.*, p. 8. According to Hernando Sánchez, “Los virreyes,” p. 61, the introduction of the three-year term represented a milestone in the institutional development of the viceregal

Peninsula and then applied elsewhere. Some developed first in the Americas and were then introduced within the rest of the Spanish Monarchy; a case in point is the viceroy's right to have a personal armed guard, a privilege otherwise reserved for the king. In 1535, when appointing him to New Spain, the king allowed Mendoza to establish a personal guard paid for by the treasury of New Spain.<sup>63</sup> The viceroys of Catalonia only received the same privilege in 1539.<sup>64</sup>

Two other areas of the viceregal institutional character—the assimilation of military power as captain-general, and the regulation of viceregal intervention in matters of justice—merit attention, particularly since in both areas Peninsular, Mediterranean and American viceregalencies reached a similar development, despite having started from significantly different positions. In 1535 Antonio de Mendoza was given military authority above the captain-general of New Spain, which office remained in the hands of Hernando Cortés.<sup>65</sup> By contrast, Mendoza's successor, Luis de Velasco, was appointed viceroy and captain-general, but this was done in separate letters patent.<sup>66</sup> It was only in 1614 that the title of captain-general was officially linked to that of viceroy of New Spain;<sup>67</sup> although, since 1585 the king had been referring to his appointees as “my viceroy, governor and captain-general of New Spain and president of the *audiencia* of Mexico City” in the instructions given to each viceroy at the time of his appointment.<sup>68</sup> Similarly, in Catalonia, since 1512, and then uninterruptedly since 1521,<sup>69</sup> the viceroy had held the title of captain-general. Unlike what happened in the Indies, it seems the two titles were never legally bound together in Catalonia. However, they were always granted simultaneously and legal commentators came to consider the appointment as

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office. A limited term soon became “the keystone of the political dynamic of provincial Courts”.

- 63 “Título de Don Antonio de Mendoza, como Visorrey,” in Torre Villar, *Instrucciones*, vol. 1, p. 76.
- 64 Lalinde Abadía, “El régimen,” p. 225.
- 65 See the equivocally titled “Para que el virrey provea las cosas que se ofrecieren en esta Nueva España, como capitán general,” in Torre Villar, *Instrucciones*, vol. 1, p. 79.
- 66 Rubio Mañé, *El virreinato I*, pp. 23–26.
- 67 See the third law, third title, third volume in *Recopilación de leyes de los reinos de las Indias. Mandadas imprimir y publicar por la Majestad Católica del rey Don Carlos II. Nuestro Señor* [1681] (Madrid: Ediciones Cultura Hispanica, 1973), vol. 11, p. 12v.
- 68 See “Instrucciones al marqués de Villamanrique, 1-III-1585,” in Torre Villar, *Instrucciones*, vol. 1, p. 209. Compare the introductory paragraph with those of the instructions given to Luis de Velasco, the Marquis of Falces, Martín Enríquez and the Count of Coruña in the same volume.
- 69 Lalinde Abadía, *La institución*, pp. 106, 110–111.

captain-eneral as intrinsic to the viceregal office.<sup>70</sup> The same thing happened at different points during the sixteenth century in all of the other Spanish viceroyalties—particularly in Naples, Sicily, Sardinia and Navarre.<sup>71</sup>

The captaincy-general was a military office originally created for border and frontier regions in need of an especial military command.<sup>72</sup> Within their jurisdictions, captains-general were the highest authority in charge of matters of war, government of war and *presidios* or outposts.<sup>73</sup> What this meant in practice was that the captain-general was in charge of commanding the armies (or appointing their commanding officers), organizing the campaigns and governing the outposts; they were also in charge of dispensing military justice. They were first and second instance judges for all soldiers and others deemed to fall under military jurisdiction.<sup>74</sup> In some ways, the association of the viceregal office and that of captain-general was a natural development; after all, the supreme authority of the viceroy made the figure of a separate captain-general somewhat redundant. Additionally, the governmental and administrative functions of the viceroys suited them better for commanding the armies, since they were also able to arrange their sustenance and supply.<sup>75</sup>

Yet, granting the viceroys military jurisdiction also strengthened their power significantly. Although, as we will see, the viceroys technically enjoyed certain civil and criminal jurisdiction within their territories, by the end of the sixteenth century *audiencias* had absorbed most of these powers. Exercising military jurisdiction often allowed viceroys to interfere in matters that could otherwise have been deemed exclusively criminal or civil. While this technically constituted an abuse of the viceroy's power as captain-general, the crown itself often tolerated, if not actually encouraged it, especially in the Peninsular viceroyalties, and occasionally in Italy, where the members of the *audiencias* were not entirely creatures of the king, and often acted as obstacles to royal policy.<sup>76</sup> By the end of the sixteenth century, all the viceroys of the Spanish Monarchy had come to hold jointly the powers of captain-general, as well as those of viceroy and governor.

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70 *Ibid.*, pp. 103–111.

71 See Lalinde Abadía, “El régimen,” p. 124; Lalinde Abadía, *La institución*, p. 104; and Hernando Sánchez, “Los virreyes,” pp. 63–64.

72 Lalinde Abadía, *La institución*, pp. 101–03; Rubio Mañé, *El virreinato I*, pp. 215–16; and Lalinde Abadía, “El régimen,” p. 115.

73 *Ibid.*, p. 120.

74 *Ibid.*, p. 121.

75 *Ibid.*, pp. 125–6; and Lalinde Abadía, *La institución*, p. 110.

76 Lalinde Abadía, “El régimen,” pp. 123–24; see also Belenguer, “De virreinos,” p. 338.

By then, a similar degree of uniformity had developed across the viceroalties with regard to holding the office of president of the *audiencias* within their jurisdiction. As I argued before, in Spanish political thought, the provision of justice and good government was the essence of monarchical rule. As such, anyone who was supposed to represent the person of the king, to act as his *alter ego*, would have had to be able to provide both justice and good government. We have seen, however, that throughout Castile and the Indies, the Spanish kings had initially decided to guarantee their subjects access to justice by instituting *audiencias*. When exercising jointly the judicial functions of the *audiencia* and the ratifying powers of the chancellery these institutions effectively became embodiments of the king as provider of justice. When the crown sent viceroys to the Spanish American territories *audiencias* did not lose their role as representatives of the king in matters of justice, but they came to exercise it, at least formally, in a relation of subordination to the viceroy.<sup>77</sup> From the very beginning, the viceroys of New Spain and Peru were presidents of those *audiencias* based in the cities where they had their court. This meant that the viceroy could represent the monarch by providing both justice and good government to his subjects.<sup>78</sup> At the same time, a relationship was established between viceroys and *audiencias* that, to a certain degree, mimicked that existing between the king and his Councils in which “the former governs taking advice from the latter, and administers justice deliberating with it.”<sup>79</sup> Thus, authorities in the Peninsula constantly reminded viceroys that they were expected to consult with the *audiencias* on serious matters, even if the final decision rested with them alone.<sup>80</sup>

However, since Antonio de Mendoza was appointed simultaneously viceroy and governor of New Spain and president of the *audiencia* of Mexico in 1535, the role played by the Spanish American viceroys in matters of justice had been significantly limited. In his letter of appointment, the king had explicitly deprived Antonio de Mendoza, on account of his not being a jurist, from the right to vote on any matter of justice decided by the *audiencia*.<sup>81</sup> The same

77 Cañeque, *The King's*, pp. 53–65; and Lalinde Abadía, “El régimen,” p. 98.

78 At the same time, the viceroy-*audiencia* formula guaranteed the proper provision of commutative or litigious and distributive justice. See Bravo Lira, “Régimen,” p. 400.

79 Lalinde Abadía, “El régimen,” p. 98. For a more detailed discussion of how relations between the viceroy and the *audiencia* replicated those between the king and his Councils, which in turn reflected the celestial court of God, see Cañeque, *The King's*, pp. 36–50, and 53–65, especially 57–60.

80 Bravo Lira, “Régimen,” p. 397.

81 “Instrucción a Antonio de Mendoza, 17 de abril de 1535,” in Torre Villar, *Instrucciones*, vol. 1, p. 80.

instruction was transmitted to the *oidores* directly,<sup>82</sup> and it was repeated to every viceroy appointed to the Indies. Moreover, Spanish American viceroys always received separate letters of appointment as viceroys and presidents of the *audiencias*, suggesting, as Lalinde has pointed out, that they were not deemed to be the “natural” presidents of the *audiencias*.<sup>83</sup> As such, their power in matters of justice was limited to looking over the administrative workings of the *audiencia*, appointing the different *oidores* to perform particular duties, and only later on, to deciding whether any particular matter was to be deemed as being of justice or government.<sup>84</sup> In matters of justice, the viceroys of Navarre developed in a manner very similar to that of the Spanish American viceregal institution. The Navarrese viceroy presided over the Royal Council of Navarre, but his intervention was limited since 1546 “to take care of straightening and channeling so that the regent and those of the Council, *alcaldes* and other officials may provide it [justice] freely”.<sup>85</sup>

Initially, in the dominions of the Crown of Aragon things were notoriously different. Provision of justice belonged to viceroys and lieutenants-generals from their inception, at least theoretically. They exercised this power through the *audiencias*, and as such were their “natural” presidents, neither requiring nor receiving separate letters of appointment. Moreover, in most of the Peninsular and Mediterranean viceroyalties, the viceroys had originally been allowed to vote in matters of justice being decided by the *audiencias*, regardless of their being jurists, and their vote was usually considered as having more weight than those of the *oidores*, thus breaking any ties which might occur. However, the crown systematically curtailed these extensive powers throughout the second half of the sixteenth century in all viceroyalties, to the extent that by the seventeenth century there was little difference in the extent to which viceroys could intervene in the provision of justice across the Spanish world.<sup>86</sup>

This is not to say that the Spanish viceregal office was entirely uniform and that all viceroys exercised the same powers. There were important differences

82 “Para que los oidores entiendan en cosas de justicia,” in Torre Villar, *Instrucciones*, vol. 1, pp. 79–80.

83 Lalinde Abadía, “El régimen,” p. 102.

84 Rubio Mañé, *El virreinato I*, pp. 51–79. The viceroy’s authority to determine whether a matter was to be deemed of justice or government was granted by Philip IV, in Madrid on 22 November 1631, see 38th law, 15th title, second book *Recopilación de Indias*, vol. 1, p. 335.

85 Quoted in Usunáriz Garayoa, *Historia*, p. 157. The Royal Council of Navarre had been reformed by the Spanish crown in 1525 and for most purposes it was equivalent to the *audiencias* of the other kingdoms. See *Ibid.*, pp. 158–59; and Ma. Isabel Ostolaza Elizondo, *Gobierno y administración de Navarra bajo los Austrias. Siglos XVI–XVII* (Pamplona: Gobierno de Navarra, 1999), pp. 24–39.

86 Lalinde Abadía, “El régimen,” p. 103, 105–08.

from one viceroyalty to the next and, depending upon the particular situation and legislation of each kingdom, the viceroys came to have different powers.<sup>87</sup> Nonetheless, it is evident that by the early seventeenth century, the institution had developed a certain degree of uniformity; the Spanish monarchs repeatedly manifested their intention of having the different viceregal offices resemble one another.

### 1.5 The King's *Alter Nos*: The Viceroy as Physical Representation of the King

Throughout the seventeenth century, the viceregal office continued to develop across the Spanish world. The king and his Councils kept producing extensive legislation, both by reissuing previous *reales cédulas* and *reales órdenes* that they thought were not being strictly obeyed and by writing new ones to regulate an extremely wide range of matters as the circumstances demanded. Additionally the seventeenth century witnessed the production of a plethora of legal treatises through which scholars and theoreticians explored every aspect of the Spanish legal and political system. Logically, these scholars did not ignore the viceregal institution.<sup>88</sup> Because of both these processes, towards the end of the century, the viceregal office had come to operate within an extensive legal framework and to be surrounded by a detailed and complex legal doctrine.

The central characteristic of the viceregal office, that which set the viceroys apart from any other royal officials, continued to be the personal representation

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87 A case in point is the fact that Spanish American viceroys acted as *vicepatronos* of the Church within their jurisdiction (Lalinde Abadía, "El régimen," pp. 124–28). In Europe, especially in Sardinia and Majorca, royal finances were entrusted to a *procurador real* who was entirely independent of the viceroy and often times predated the creation of the viceregal office (*Ibid.*, pp. 129–30). Similarly, actions and decisions of Spanish American viceroys in matters of government (but not of war or military justice) could be appealed to the *audiencia*, where as, in Spain and the Mediterranean, these could only be appealed to the king or the respective territorial Council (*Ibid.*, p. 143).

88 To mention just three of the best known examples, see: Jerónimo Castillo de Bobadilla, *Política para corregidores y señores de vasallos, en tiempo de paz y de guerra, y para jueces eclesiásticos y seglares, y de sacas, aduanas y de residencias, y sus oficiales, y para regidores y abogados, y del valor de los corregimientos y gobiernos realengos, y de las órdenes* [1597] (Antwerp: n.p., 1704); Garsia Mastrillo, *De magistratibus eorum imperio et jurisdictione* (Lugdunum [Lyon]: Antoine Pillehotte, 1620); and Juan de Solórzano Pereira, *Política indiana* (Madrid: Diego Díaz de la Carrera, 1648).

of the king. What this entailed, however, became more explicit. For instance, the *real cédula* of 1542, which established the viceroalties of Peru and New Spain, had only stated that the viceroys would “represent our person”. A later law from 1588 further specified that this representation of the king entitled the viceroys to “provide everything which we would do and provide [...] if [those provinces] were governed by us in person”. This meant that any order or instruction given by the viceroys should be obeyed as if “it had been given by ourselves or in a letter signed by our royal hand” and that those who did not comply would be punished as if they had disobeyed the king.<sup>89</sup>

By the mid seventeenth century, the evolution of the legal theory surrounding the viceroys allowed Juan de Solórzano Pereira to further elaborate this argument claiming that, institutionally, it was pointless to compare the viceroys with governmental officers from classical antiquity since their character was such that they could only be compared to the kings themselves.<sup>90</sup> For Solórzano, viceroys acted as true representatives, vicars or *alter nos* of the king and held, within their provinces, and “in every instance [...], the same power, lordship and jurisdiction as the king who appointed them”. In fact, he argued, “the kings make the viceroys of their own majesty [...] because wherever we find the image of someone, there we find the true representation of them”.<sup>91</sup>

Solórzano considered this character of true representation of the king to be as central to the figure of the viceroy as to merit devoting entirely to the implications derived from this unique trait the first of the three chapters of his *Política indiana* that dealt with the viceregal office. Three of his conclusions merit particular attention. Firstly, as we have seen, the viceroy’s authority was to be considered as equal to the king’s, his actions were to be deemed as the king’s own and any instance of disobedience was to be punished as if the offender had rebelled against a royal command.<sup>92</sup>

This degree of authority, however, did not come without equal responsibility. Solórzano’s second conclusion was that, whilst the kings should be very careful of whom they appointed as viceroys, once appointed, the viceroys themselves were required to act as the king would. They should strive to have the same virtues and qualities of the ideal prince.<sup>93</sup> They should study the maxims and advice of ancient and modern philosophers and they should never forget

89 First and second laws, third title, third book of *Recopilación de Indias*, vol. II, pp. 12r–v. See also Lalinde Abadía, “El régimen,” pp. 134–35.

90 Solórzano Pereira, *Política*, pp. 862–63.

91 *Ibid.*, p. 863. Compare with Cañeque, *The King’s*, pp. 41–45.

92 Solórzano Pereira, *Política*, pp. 861–63.

93 *Ibid.*, p. 865.



that “as the kings themselves” viceroys were not the owners of their provinces, but rather they had been appointed for the benefit of those territories and their inhabitants.<sup>94</sup> For this reason, viceroys would do well to trust the advice of their predecessors, of the *oidores* and of their other advisers, so that they would be better able to provide good government, rewarding those subjects who deserve praise and guaranteeing the provision of the necessary supplies for all the towns and cities in their realms.<sup>95</sup> After all, “that in which viceroys should concentrate their efforts, is in the zeal of justice being administered well and with equality [...] because [...] this virtue contains within itself all the others, and to that end kings were created in the first place”.<sup>96</sup>

The conclusion of the twelfth chapter of book five of *Política indiana* was that viceroys should be entitled to the same ceremonies and pre-eminence as the kings. In Solórzano’s argument, it was crucial that, among many other ceremonies, the viceroys continued to exercise the right to be received under a canopy when they first arrived in their dominions.<sup>97</sup> Bishops and archbishop should also meet them on the steps in front of cathedrals and churches. Viceroys should attend mass on a raised stand adorned with pillows and rugs of silk and embroidery. They should give public audience on a stand and under a baldachin, have a personal guard composed of cavalry and footmen and be preceded by a standard with the royal coat of arms whenever they left their capital cities.<sup>98</sup> Most importantly, though, viceroys should be allowed to make decisions and adopt provisions in the name of and with the royal seal of the king, a privilege that was shared only by the royal chancelleries and the king’s own Councils.<sup>99</sup> In Solórzano’s view, the crown should avoid limiting the viceroys’ ceremonial stature, because, as physical representations of the king, “any act which grants them authority redounds in greater esteem of their offices, and of the Royal Person, whom they represent”.<sup>100</sup>

The fact that Solórzano, as many other seventeenth-century authors, devoted so much attention to ceremonial prerogatives should not come as a surprise. After all, in early modern societies, ritual and public spectacle

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94 *Ibid.*, p. 870.

95 *Ibid.*, pp. 866–69.

96 *Ibid.*, p. 868.

97 For the significance of the *palio* or canopy in Spanish political ceremonial, see Cañeque, *The King’s*, p. 125.

98 Solórzano Pereira, *Política*, pp. 870–73. For some of the ceremonial prerogatives enjoyed by the viceroys of Catalonia, which did not differ much from those listed above, see Lalinde Abadía, *La institución*, pp. 222–32.

99 Solórzano Pereira, *Política*, p. 872.

100 *Ibid.*, p. 870.

constituted “integral parts of the political process and the structure of [...] power”.<sup>101</sup> It was through participation in public ceremonies and the rituals involved in them that power relations were defined, manifested and negotiated.<sup>102</sup> Political power and authority were in a large part defined and articulated around rituals of power.

In this context, the ceremonial pre-eminence enjoyed by the king, his magnificence, constituted “the physical realization and exemplification of the power and majesty of a prince”.<sup>103</sup> Sharing this pre-eminence and being surrounded by the symbols which were associated with the majesty of the king transferred this same majesty to the viceroy,<sup>104</sup> thus making him, as legal doctrine argued, a physical representation of the monarch himself. For this reason, viceroys should constantly appear in public and participate in a vast array of ceremonies. These ranged from regular attendance at mass in the cathedral, to annual civic and religious ceremonies, to events which only happened rarely, like the celebration of the birth of an heir to the Spanish throne, the accession of a new king, or the viceroy’s own first arrival in his province.<sup>105</sup>

It cannot be stressed enough that public ceremonies and power rituals were not mere pageants in which the viceroys performed their magnificence. In fact, they were occasions for political interaction in which not only the viceroy and royal authorities, but also the local elites and broader society, participated. In fact, public ceremonies allowed local societies to both demonstrate their loyalty to the king and his viceroys and to remind them of their obligations towards the kingdom.<sup>106</sup> For example, in New Spain—just as in Peru, Naples, Sicily and Sardinia—during the entry ceremonies celebrated at the arrival of each viceroy, the city council of Mexico and the cathedral chapter erected triumphal arches to welcome the new viceroys.<sup>107</sup> These arches have

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101 Cañeque, *The King’s*, p. 119.

102 *Ibid.*, pp. 132–155.

103 Linda A. Curcio-Nagy, *The Great Festivals of Colonial Mexico City. Performing Power and Identity* (Albuquerque, N.M.: University of New Mexico Press, 2004), p. 18.

104 *Ibid.*, p. 121.

105 For the viceroy’s involvement in ceremonies commemorating rites of passage of the monarch and his family, see Cañeque, *The King’s*, pp. 129–132. For the argument that the viceroy needed to display his magnificence to make the majesty of an (almost) invisible king accessible to the subjects of the Spanish monarch, and the parallels between this representation and that of God through the public display of the consecrated host, see *Ibid.*, pp. 45–50.

106 MacLachlan, *Spain’s*, pp. 22–23.

107 For a detailed description of a seventeenth-century viceregal entry to Mexico City, see Curcio-Nagy, *The Great*, pp. 16–17. On viceregal entrances in Lima see Alejandra Osorio, “La entrada del virrey y el ejercicio de poder en la Lima del siglo XVII,” *Historia Mexicana*

been described as “visual treatises on good government” since they invariably contained numerous depictions of the Christian virtues which characterized an ideal prince.<sup>108</sup> The virtues depicted by the triumphal arches were always the same as those that Solórzano had urged the viceroys to adopt in imitation of the king whom they represented.<sup>109</sup> In this way, triumphal arches, which were displayed and explained publicly during the entry, had simultaneously two different audiences and served two purposes, both intrinsically related to the nature of the viceroy as physical representation of the king.

On the one hand, the arches were intended for the eyes of the new viceroy, and they worked just as Solórzano’s exhortation in his *Política indiana*. Yet, while the latter had urged the viceroy to be virtuous on behalf of the king and the interest of the crown, the arches did the same thing on behalf of those provinces that were placed under the viceroy’s rule. In other words, they reminded the viceroy of the virtues which they were expected to display while in office.<sup>110</sup> Moreover, before being able to pass through these arches and thus be officially received in the city, the viceroy was required to take an oath to respect the rights and privileges of the kingdom and its corporations and to govern them justly, thus acknowledging the limits imposed on his—and the king’s— power.<sup>111</sup> On the other hand, arches were also seen by the common people of the viceroyalty. Since they always described the new viceroy—whose display of magnificence during the entry ceremony emphasized his physical representation of the king—as the incarnation of all those Christian virtues,

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LV (2006): pp. 676–831; and on the Italian viceroyalties Carlos José Hernando Sánchez, “Estar en nuestro lugar, representando nuestra propia persona: El gobierno virreinal en Italia y la Corona de Aragón bajo Felipe II,” in *Felipe II y el Mediterráneo*, ed. by Ernest Belenguer Cebrià (Madrid: Sociedad Estatal para la Conmemoración de los Centenarios de Felipe II y Carlos V, 1999), vol. III La monarquía y los reinos (1), pp. 215–338 at 216–20, and 249–64. Triumphal arches seem not to have been present in Peninsular viceroyalties. For the example of Catalonia, see Lalinde Abadía, *La institución*, pp. 225–28. According to Belenguer, “De virreinos,” p. 336, viceregal entrances in the Italian and American viceroyalties were far more sumptuous and ritualized affairs than in the Aragonese kingdoms, possibly because the monarch could more often be present in the latter.

108 Cañeque, *The King’s*, pp. 26–36, the quote on p. 26.

109 See Solórzano Pereira, *Política*, p. 865.

110 Cañeque, *The King’s*, p. 34.

111 See Curcio-Nagy, *The Great*, p. 21; Cañeque, *The King’s*, p. 125; and MacLachlan, *Spain’s*, p. 25.

they also served to stress the benign nature of Spanish rule, by reassuring the inhabitants of the land that their king, and his viceroy, were ideal princes.<sup>112</sup>

Viceroyalty effectively governed the provinces under their command through a combination of the display of magnificence, achieved by participating in these ceremonies, and the virtuous performance of those practical tasks through which they provided justice and good government—supervision of the *audiencia*'s judicial duties, military defense of the territory, collection of taxes and administration of royal finances, provision of public works, etc. In doing so, they constituted perfect images, or physical representations of the king. In fact, all facets of viceregal rule were intrinsically linked to each other. The viceroy delivered justice and good government by participating in public ceremonies, just as he displayed magnificence by acting as a virtuous governor.

## 1.6 The Political Dynamics of the Viceregal Office in the Seventeenth Century

As is logical, since the viceroy was the king's physical representation and the highest royal officer in his territory, his court functioned as a political arena where "elites and retainers met [...] to negotiate the imperial and their personal agenda, shaped the course of [...] politics and society, and plotted against their enemies".<sup>113</sup> Viceregal courts, therefore, often acted as forums where royal policy was thwarted or amended to accommodate local interests, resulting in the fact that Spanish viceroyalties, as most early modern societies, were ruled more by elite consensus than by the imposition of royal authority.<sup>114</sup>

Despite his wide powers and his stature as physical representation of the king, or rather precisely because of them, the viceroy was not located above the political and social struggles being played out in his court. In fact, he was placed in their very midst and often played a central role whether as a party—negotiating royal policy or demands for increased taxation with the

112 See Curcio-Nagy, *The Great*, pp. 41–66; Horst Pietschmann, "La corte virreinal de México en el siglo XVII en sus dimensiones jurídico-institucionales, sociales y culturales: aproximación al estado de la investigación," in *La creatividad femenina en el mundo barroco hispánico. María de Zayas—Isabel Rebeca Correa—Sor Juana Inés de la Cruz*, ed. Monika Bosse, Barbara Potthast and André Stoll (Kassel: Edition Reichenberger, 1999), vol. II, pp. 481–497 at 491–492.

113 Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues. The Court Society of Colonial Mexico, 1702–1710* (Calgary, Alb.: The University of Calgary Press, 2008), p. 1.

114 Hernando Sánchez, "Los virreyes," p. 57; and Rosenmüller, *Patrons*, p. 19.

city councils and other corporations—<sup>115</sup> or as adjudicator whose favor was sought—in those confrontations between local elites.<sup>116</sup> After all, viceroys were not simple executors of royal laws. The king and his Councils took viceregal advice seriously when deciding new policies.<sup>117</sup> Viceroys were allowed, and expected, to suspend any royal command which, if put into practice, would be detrimental to the order and tranquility of the provinces they ruled.<sup>118</sup> They could enact whatever short-term policies they thought appropriate in the king's name, even if subject to ratification by the king and his Councils. Last, but certainly not least, they exercised powers to distribute royal patronage which were in no way insignificant.<sup>119</sup>

The distribution of patronage and the reward of services and merits played a central role in the understanding of monarchical rule in the early modern Spanish world. Patron-client relations constituted the very fabric of society. Patronage distribution was beneficial to both the giver and the receiver because it created mutual obligations geared around ideas of order, authority and obedience.<sup>120</sup> By receiving patronage, clients became obliged to their patrons, to whom they owed respect and service. In exchange for this loyalty and services, they could expect future favors. In the same way, patrons expected to receive loyalty in exchange for their favors, and were bound to provide future help if they expected their clients to remain loyal.<sup>121</sup>

In this context, the monarchs were expected to distribute patronage among their subjects, because this was also a way of providing them justice and good government. After all, by favoring those who had provided services to the crown they rewarded good subjects and punished bad ones.<sup>122</sup> Solórzano, as many other authors, advised the king “there is no other thing that heightens the stature of kings, and defends and increases their kingdoms, as showing mildness and liberality towards their subjects”.<sup>123</sup> Monarchs would distribute land, jurisdiction, trade monopolies, titles of nobility and religious as well as secular offices.

115 See MacLachlan, *Spain's*, pp. 26–27.

116 See Pietschmann, “La corte,” p. 490, and Rosenmüller, *Patrons, passim*.

117 Díaz Casillas, *La administración*, p. 29; and Pietschmann, “La corte,” pp. 489–90.

118 See Cañeque, *The King's*, p. 56. Also the twenty-second and twenty-fourth laws, first title, second book of *Recopilación de Indias*, vol. 1.

119 Hernando Sánchez, “Los virreyes,” p. 62.

120 Antonio Feros, “Clientelismo y poder monárquico en la España de los siglos XVI y XVII,” *Relaciones. Estudios de historia y sociedad XIX* (1998): pp. 15–49 at 25. See also MacLachlan, *Spain's*, pp. 32–35.

121 Cañeque, *The King's*, p. 161.

122 *Ibid.*, p. 160.

123 Solórzano Pereira, *Política*, p. 264.

By doing this, the monarchs would “acquire the perpetual devotion and service [of their subjects], [who] will defend and keep dutifully and bravely that which is entrusted to them, because they will jointly guard and defend that which has been shared with them”.<sup>124</sup> By distributing patronage, the kings bound their subjects to them in a patron-client relation that effectively held the monarchy together.<sup>125</sup> As such, patronage and the creation of client networks was one of the main tools used by the monarch to negotiate with and integrate local elites and institutions under his rule.<sup>126</sup>

Not surprisingly, as images of the king, viceroys played an important role in this matter. From 1542, the king had established that as governors of the Spanish American provinces the viceroys of New Spain and Peru were to “rule and govern” their territories “in our royal name; to reward, to distribute mercies and favors as they see fit, [and] to make appointments to the offices of justice and government, as accustomed”.<sup>127</sup> Since the viceroys were closer to the inhabitants of provinces located far away from the royal court, by relying on their viceroys the kings could better distribute patronage and guarantee the loyalty of these distant provinces by binding their elites as royal clients.

Legal doctrine also stressed the significance of viceregal exercise of royal patronage. Again, Solórzano urged the viceroys to be liberal and gracious and the triumphal arches erected in New Spain insisted upon the centrality of this virtue for the perfect prince.<sup>128</sup> In practice, viceroys intervened in the distribution of royal patronage in three principal ways: they were allowed to distribute by themselves a number of offices within their jurisdiction; they were also expected to recommend individuals for appointment to higher offices controlled by the king and for other royal favors;<sup>129</sup> they could also influence and alter royal policy to favor certain groups or individuals, or to prevent their interests from being harmed. Viceroys used these powers both

<sup>124</sup> *Ibid.*, p. 265.

<sup>125</sup> See Carla Rahn Phillips, *The Treasure of the San José: Death at Sea in the War of the Spanish Succession* (Baltimore, MD: The Johns Hopkins University Press, 2007), p. 118.

<sup>126</sup> Feros, “Clientelismo,” pp. 20, 45–49.

<sup>127</sup> Fifth law, third title, third book of *Recopilación de Indias*, vol. 11, p. 13r. Also, the second law, in the same place (p. 12v) urged the viceroys to “award prizes and to reward the descendants and successors [of those who] provided us services in the discovery, pacification and population of the Indies”.

<sup>128</sup> Solórzano Pereira, *Política*, p. 868, also 298–306 and 664–71. For the triumphal arches, see Curcio-Nagy, *The Great*, pp. 26–27.

<sup>129</sup> For the Spanish American viceroys, see Lalinde Abadía, “El régimen,” pp. 230–34. Similar powers were exercised by Spanish viceroys, at least in Naples, Sicily and Catalonia. For the latter see Lalinde Abadía, *La institución*, pp. 351–359.

to distribute patronage to the members of the local elites and to reward the members of their own clientele, many of whom accompanied them when they were appointed.<sup>130</sup> Being able to distribute royal patronage in this fashion did not only allow viceroys to act as true representatives of the king but also to include local elites in royal patronage networks. This was also the main means through which viceroys were enabled to govern their provinces. By appointing their own retainers to certain key offices,<sup>131</sup> viceroys could further extend their personal power and authority.<sup>132</sup> At the same time, by being able to distribute various benefits to local elites viceroys were able to reduce opposition to their own and to royal policies, as well as to earn their support in potential crises.<sup>133</sup>

From the point of view of the crown, however, the distribution of royal patronage by viceroys, while necessary, involved important risks. On the one hand, there was always the possibility that patronage distributed by the viceroy could be wrongly understood by the recipient as originating from the viceroy rather than from the king, thus failing to create the bond of loyalty to the monarch that had been intended in the first place. On the other hand, even if the recipient identified the monarch as the origin of patronage, the clienteles created by viceroys, whilst necessary for them to govern their provinces, could also degenerate, thus compromising the viceroy's ability to act as an ideal prince and true representation of the king.<sup>134</sup> A viceroy who failed to use his powers to distribute patronage wisely or whose personal interest became too entangled with local interests could unduly favor one sector of the local elite to the detriment of the rest—generating unrest where he had been sent to maintain peace—or, worse, he could turn to pursuing his own or local interests against those of the king.<sup>135</sup>

To moderate viceregal involvement with local elites, the crown introduced strict regulations over the social life of the viceroys.<sup>136</sup> Both viceroys and

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130 Rosenmüller, *Patrons*, pp. 53–78. For Cañeque, finding the balance between these two groups when distributing patronage was the mark of a skillful and adept viceroy. See Cañeque, *The King's*, pp. 182–183.

131 See, for example, the argument made by the Count of Alba de Liste, viceroy of New Spain, for appointing a client of his as *corregidor* of Veracruz in Cañeque, *The King's*, pp. 170–171.

132 For the broader argument that patron-client networks were necessary for governing the Spanish monarchy see Feros, “Clientelismo,” pp. 41–49. For the case of New Spain see Cañeque, *The King's*, pp. 164–165, 170–172, 174, and 181.

133 Rosenmüller, *Patrons*, *passim*.

134 See *Idem*. See also Cañeque, *The King's*, pp. 165–75; and Hernando Sánchez, “Los virreyes,” pp. 69–71.

135 Cañeque, *The King's*, pp. 178–79, 182–83.

136 Pietschmann, “La corte,” p. 490; and, in more detail, Rosenmüller, *Patrons*, p. 43.

*oidores* were prohibited from receiving presents, visiting members of the local elite, attending burials, weddings, or baptisms and acting as godfathers or best-men to them. Restrictions applied also to which members of a viceroy's family could accompany him to his viceroyalty and to their social activities whilst in office.<sup>137</sup> Although not always applied strictly,<sup>138</sup> these restrictions intended to limit social interaction with the viceroy, thus increasing the significance of public ceremonies and religious festivals, where the viceroy could interact socially with the local elite, whilst representing the monarch most clearly.<sup>139</sup>

Public ceremonies, as mentioned before, were also the arena where power relations and the intrinsic tensions of local societies often played out. Despite the assimilation between the viceroy and the monarch's image, city councils and other corporations, which were the guardians or depositories of local privileges, often made a point of letting the viceroy know that, as a representation, no matter how perfect, he was still not the king. In Catalonia, for instance, the principality's deputation and Barcelona's council of the hundred often made a point of reminding both the king and his viceroys that there were a number of powers and ceremonies that the monarch could not exercise through his *alter nos*.<sup>140</sup> In some occasions, they even refused to recognize a viceroy as such, when a new king had not yet visited the principality himself and sworn to respect its privileges.<sup>141</sup>

In New Spain, whilst there was no equivalent foralist tradition and the limitations of viceregal power *vis-à-vis* the king's were often less vocally stressed, local authorities also made a point of highlighting the difference between the viceroy and the king himself. The triumphal arches erected to celebrate the arrival of a new viceroy, whilst sharing the main tenets of the legal tradition surrounding the viceroys, and often referring to them as "princes",<sup>142</sup> always made a clear difference between the viceroy, usually depicted as a classical hero, and the king, who was portrayed as the god sending the hero/viceroy into

137 See the fiftieth law, sixteenth title, second book of *Recopilación de Indias*, vol. I, as well as the following laws in the same place: 54–64, 75, 82–87 and 91. See also the twelfth law, third title, third book of *Recopilación de Indias*, vol. II, p. 14v.

138 Pietschmann, "La corte," p. 494. For some well documented examples from the seventeenth century see Jonathan I. Israel, *Razas, clases sociales y vida política en el México colonial, 1610–1670* (Mexico City: Fondo de Cultura Económica, 1999), *passim*; and for the early eighteenth century, see Rosenmüller, *Patrons*, *passim*.

139 Rosenmüller, *Patrons*, p. 44.

140 Lalinde Abadía, *La institución*, pp. 214–16.

141 *Ibid.*, pp. 164–76 and cfr., pp. 208–09.

142 Cañeque, *The King's*, p. 30.



the world.<sup>143</sup> Whilst these manifestations did not detract anything from the standing and authority of the viceroys, they were typical of the complex nature of the political dynamics that characterized the interaction between viceroys and those corporations they were supposed to govern.

In a context in which political power was dispersed into a number of corporations with varying degrees of autonomy, inherence, and jurisdiction,<sup>144</sup> it is not surprising that the different actors constantly strove to reassert their prerogatives and privileges. City councils, deputations and *Cortes* often reminded the king and his viceroys that their consent was necessary for levying new taxes or for altering local constitutions. In the same way, *audiencias* systematically opposed viceregal encroachment on their judicial authority whilst insisting upon the viceroy's obligation to consult important matters of government with them. Prelates and the clergy, and especially the Inquisition, were not alien to these struggles and were equally eager to defend religious jurisdiction, government and resources from royal and viceregal encroachment through what they saw as abuses or misinterpretations of royal patronage over the church. As a result, the viceroys, as the kings themselves, could not simply impose their will and power, but needed to negotiate and accommodate this vast array of demands and jurisdictions, whilst defending their own authority and prerogatives.

Of course, given the complexities of viceregal rule and the wide powers and authority enjoyed by viceroys, the crown had also established a series of mechanisms to introduce certain checks on viceregal rule. Spanish legislation urged the viceroys to report regularly and with minute detail upon every aspect of the day-to-day running of their provinces. They were also required to get all their initiatives confirmed by the pertinent royal Council. Certain officers and authorities could raise complaints against the viceroys directly to the king.<sup>145</sup> And, although often the source of controversy between viceroys and the crown, the latter could at any time order a *visita* or general enquiry, which involved sending a special envoy or *visitador* to examine the viceroy's government.<sup>146</sup> Finally, in Spanish America, all viceroys were subject to a *residencia* trial, an

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143 *Ibid.*, p. 28; and Curcio-Nagy, *The Great*, pp. 22–24.

144 Cañeque, *The King's*, pp. 75–77.

145 On institutional limitations introduced in the Italian vicerealties, see Hernando Sánchez, "Los virreyes," pp. 67–69.

146 On *visitas*, both in the Indies and in the Mediterranean, see Belenguer, "De virreinos," p. 335, and n. 56.

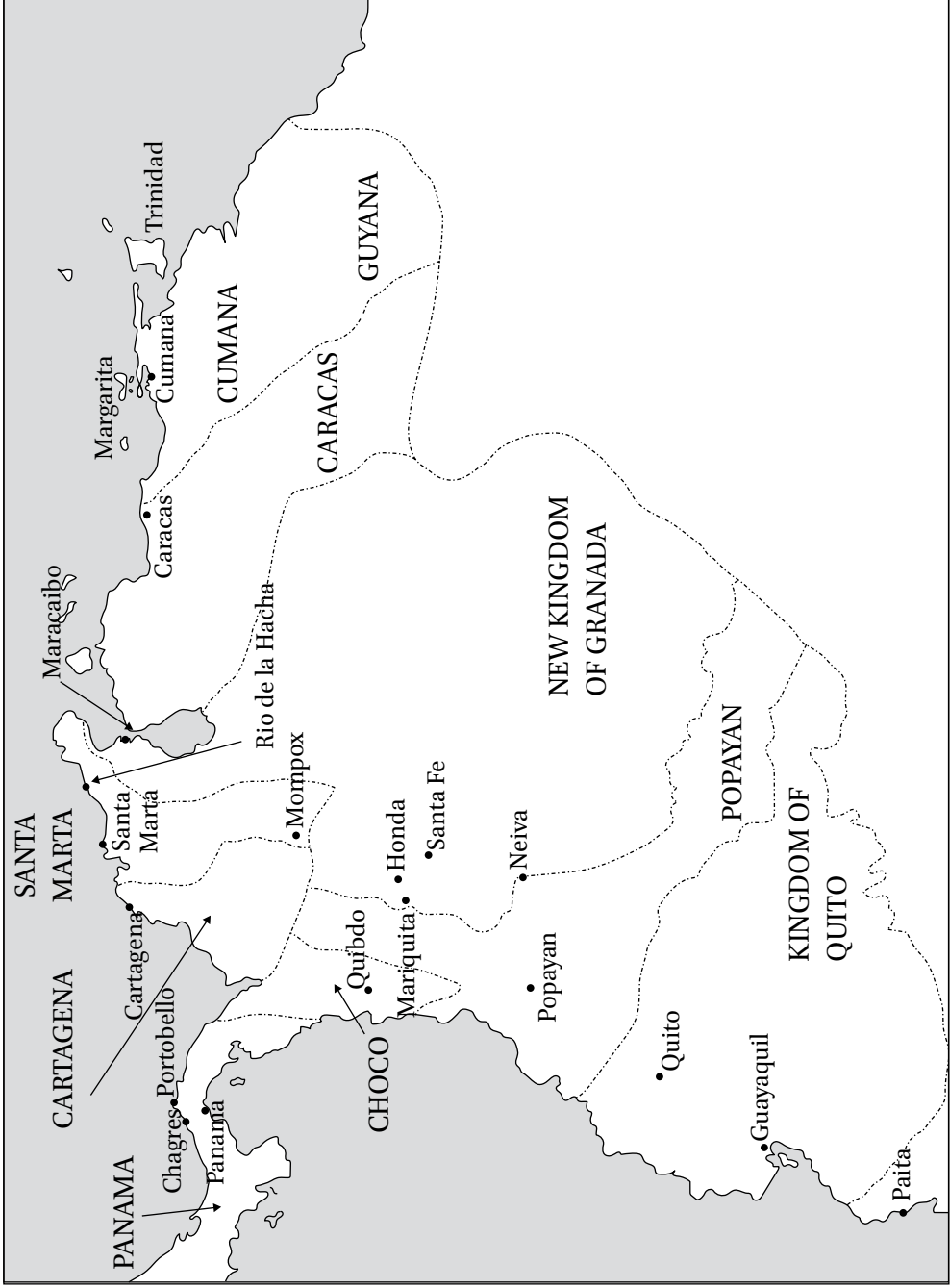
extensive inquiry into their administration at the end of their tenure.<sup>147</sup> But perhaps the most important means by which viceroys were prevented from abusing their powers was the composite nature of the political order of the Catholic Monarchy: the existence of multiple corporations with zealously guarded privileges and limited but undeniable deposits of power which collectively acted as checks to one-another, including the king and his viceroys.<sup>148</sup>

Thus, at the turn of the eighteenth century, the viceregal institution was deeply ingrained in both the philosophical matrix and the political culture of Habsburg Spain. Just as viceroys were representations of the king, viceregal rule, as an institution, reflected the role and functions attributed to monarchical government throughout the Spanish world. Certainly, the crown had encouraged the institutional development of the viceregal office, producing legislation to regulate its powers, explicitly introducing a degree of uniformity across its various incarnations within the Monarchy, and often encouraging viceroys to overstep their institutional limitations as a means of expanding royal authority. Undeniably, however, viceregal rule was also an integral part of local constitutions, a guarantee that elite consensus would continue to be the means through which the Catholic Monarchy was governed. Especially in those kingdoms with stronger contractualist traditions, the constitutional nature of viceregal rule contributed more often to mediatize royal power than to allow the king to impose his own will. As will be shown, it was these traditions which local elites understood were being invoked by the royal decree which created the viceroyalty of New Granada when stating that the new viceroys should enjoy the same power, authority, pre-eminence and stature as the viceroys of New Spain and Peru.

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147 The same did not apply to Italian and Aragonese viceroys, see Hernando Sánchez, "Los virreyes," p. 67.

148 See, for a similar argument, Pablo Fernández Albaladejo, *Fragmentos de monarquía: trabajos de historia política* (Madrid: Alianza Editorial, 1992), pp. 158–59.



MAP 1 The provinces of northern South America and the viceroyalty of New Granada, ca. 1740.

## Northern South America at the Turn of the Eighteenth Century

The *real cédula* of May 27, 1717, which announced the creation of the viceroyalty of New Granada outlined the territory that would fall under its jurisdiction. It included “all the province of Santa Fe, New Kingdom of Granada, those of Cartagena, Santa Marta, Maracaibo, Caracas, Antioquia, Guyana, Popayan and those of San Francisco de Quito, with all [the territory] and boundaries they comprise”.<sup>1</sup> Although the city and province of Panama remained part of the viceroyalty of Peru, the *reales cédulas* also announced the suppression of its *audiencia* and suggested that putting an end to the political instability of that province was part of the motivations behind the radical overhaul of the administrative organization of northern South America.<sup>2</sup>

Indeed, political instability was one of three themes that permeated the history of the region in the late-seventeenth and early eighteenth century, alongside contraband trade and defensive concerns. These three, often interrelated matters impacted directly upon the daily lives, networking strategies and interests of local elites and royal authorities. They determined external perspectives of the region, its problems and the role that it should play within the broader Spanish empire. Several major incidents linked to one or more of these three themes took place in the region in the years spanning the end of Charles II’s reign and the creation of the viceroyalty of New Granada in 1717. Their significance was enough to concentrate the attention of Spanish authorities and, eventually, to determine the implementation of radical solutions trying to prevent their possible repetition. They are particularly telling of the links and interactions between local elites, royal officials, peninsular authorities and foreign merchants; they are also indicative of the amount of self-government that local elites actually enjoyed and of the way in which local politics reflected the shifting balance of local interests and their connection to the wider Spanish and Atlantic worlds.

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1 “Real cédula por la cual se crea el Virreinato del Nuevo Reino de Granada en 27 de mayo de 1717” reproduced in full in Jerónimo Becker and José María Rivas Groot, *El Nuevo Reino de Granada en el Siglo XVIII* (Madrid: Imp. Del Asilo de Húerfanos del Sagrado Corazón de Jesús, 1921), pp. 200–203 at 201.

2 *Ibid.*, p. 203.

This chapter offers a brief overview of the situation in northern South America in the two decades immediately preceding the first creation of the viceroyalty of New Granada. It focuses particularly upon a series of events that worried authorities in Spain and were alluded to, either directly or indirectly, within the documentation surrounding the creation of the viceroyalty: the French occupation of Cartagena de Indias in 1697; the overthrow of the president of the *audiencia* of Santa Fe, Francisco de Meneses, in 1715; and the chronic political infighting in Panama and Quito during the War of the Spanish Succession.

## 2.1 Northern South America and the Spanish Atlantic Empire

At the turn of the eighteenth century, northern South America was strategically significant, but not economically or politically central to the Spanish American empire. In terms of population, generation of revenue and volume of trade it lagged behind the far wealthier kingdoms of New Spain and Peru. Moreover, as Anthony McFarlane has pointed out, most of the region existed largely “independent of the great colonial economic systems that focused around silver mining [...] and st[ood] as a separate and distinctive territory with a character of its own”.<sup>3</sup> On the Caribbean rim, Cartagena de Indias and the province of Panama had enjoyed particular importance in the sixteenth and early seventeenth century because of their role in Spanish trade with Peru; but the decline in the frequency with which the *galeones* reached South America in the last quarter of the seventeenth century had taken its toll.<sup>4</sup> Santa Fe, in the New Granadan interior, had never been more than a provincial administrative center. The once buoyant textile industry of the province of Quito was in decline and the provinces of Venezuela remained little more than a backwater of the Spanish monarchy, important mainly because of its proximity to foreign settlements.

The political organization of the region was complex. Prior to the creation of the viceroyalty, four different *audiencias* had jurisdiction over the fourteen different provinces which would become the viceroyalty’s territory, and each of these had its own governor. The *audiencia* of Panama governed the

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3 Anthony McFarlane, *Colombia before Independence. Economy, Society, and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), p. 1. This section draws extensively on McFarlane’s excellent description of the situation of New Granada at the turn of eighteenth century.

4 Between 1675 and 1700 only six convoys arrived in Cartagena, *Ibid.*, p. 22.

isthmian provinces of Veragua, Darien and Panama. The *audiencia* of Santa Fe, created in 1549, governed the central part of the region, including the provinces of the New Kingdom of Granada, Cartagena, Santa Marta, Río de San Juan and parts of Popayan and Guyana. The southwestern province of Quito, including the city of Guayaquil, and parts of Popayan fell under the jurisdiction of the *audiencia* of Quito. The northeastern provinces of Caracas, Cumana, Maracaibo, Margarita, Trinidad, and parts of Guyana were within the sphere of the *audiencia* of Santo Domingo in the Caribbean.

Of the three *audiencias* residing in the territory that would become the viceroyalty of New Granada, Santa Fe's was the largest, comprising five *oidores* and a prosecutor under the authority of a president. The courts of Quito and Panama comprised only four *oidores*, with lower salaries than those of Santa Fe, a prosecutor, and a president. However, only rarely were all members of the *audiencias* present in the respective courts at the same time.<sup>5</sup> Although, initially *audiencia* presidents had been jurists, over the course of the seventeenth century the position in most Spanish American tribunals had been opened to men without legal training; as a result, they were not allowed to vote upon legal matters and often clashed with the *oidores* over whether a particular matter should be deemed to fall within the remit of government and war, and thus under the jurisdiction of the president, or of justice, pertaining to the *audiencia* alone;<sup>6</sup> a matter which was also frequently the cause of conflicts between the *audiencias* and provincial governors.

By the late seventeenth century, the provinces of Venezuela had developed into a society where creole planters dominated an economy that rested upon African slavery. Cacao was already the staple of plantation agriculture, having replaced cotton earlier in the century, although tobacco, sugar, pearl fisheries and cattle ranching were also important economic activities.<sup>7</sup> Located outside of the Spanish trade fleet system, which did not call at any ports in the region, the provinces of Venezuela traded with Spain through individual ships sailing from Seville or the Canary Islands to La Guaira, near Caracas; the region also developed important internal trade networks and export links to other Spanish possessions from early on.<sup>8</sup> Due to the need of pursuing legal matters at the *audiencia* of Santo Domingo, trade with Hispaniola and Puerto Rico was

5 Synnøve Ones, "The Politics of Government in the Audiencia of New Granada, 1681–1719" (Ph.D. diss., University of Warwick, 2000), pp. 46–47.

6 *Ibid.*, pp. 47–50.

7 Guillermo Morón, *A History of Venezuela*, ed. and trans. John Street (London: George Allen & Unwin Ltd, 1964), pp. 69–71.

8 *Ibid.*, pp. 72–74.

strong, whilst the high demand for cacao in New Spain stimulated trade to Veracruz which consumed nearly all of the region's exports of this commodity in the middle years of the seventeenth century.<sup>9</sup> At the same time, however, the peripheral position of the region within the Spanish trading system and its proximity to Dutch, French and English settlements in the Guianas and the Caribbean gave rise to intensive contraband trade, with the particularity that Venezuela's participation was less through the export of precious metals than that of hides and pearls.<sup>10</sup> Provincial governors appointed from Spain ruled the provinces of Maracaibo, Guyana, Cumana, Trinidad, Margarita and Caracas, but the authorities and corporations of most towns were fiercely zealous of their independence and often resisted what they saw as undue intromissions from their governors. As a result, political unrest was frequent.<sup>11</sup>

In the south, the kingdom of Quito had a large indigenous population and its economy was based primarily upon the production of woollen textiles, which were exported mainly to Peru and later on to southern New Granada. The region had thrived during most of the seventeenth century, thanks to sustained demand from Peruvian silver mines and an abundance of cheap Indian labor for *Quiteño* mills. However, the final decades of the century witnessed a prolonged decline in the textile sector, driven by a perfect storm, which included "diminished demand for cloth at the silver mines, a series of droughts, earthquakes, and epidemics".<sup>12</sup> The influx of contraband and cheap European fabrics that arrived on board French ships and flooded Peruvian markets further affected Quito's economy in the early eighteenth century.<sup>13</sup> The region's politics were fraught with internal conflicts as competing factions within the *audiencia* and the city councils of Quito and other major towns sought to protect their own interest in a difficult economic climate.<sup>14</sup>

The economy of Panama, in the north, revolved around the trade fairs and, after their decline, around contraband. Since the destruction of Nombre de Dios by Francis Drake in 1596, the Caribbean port of Portobello had been the

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9 *Ibid.*, p. 74.

10 *Ibid.*, pp. 73–74.

11 For an archetypical example see the conflict between the governor of Caracas and the town council of Guanaguanare described in Mario Briceño Perozo, estudio preliminar to *Instrucción general y particular del estado presente de la Provincia de Venezuela en los años de 1720 y 1721*, by Pedro José de Olavarriga (Caracas: Academia Nacional de la Historia, 1965), pp. 7–203 at 11–20.

12 Kenneth J. Andrien, *The Kingdom of Quito, 1690–1830. The State and Regional Development* (Cambridge: Cambridge University Press, 1995), pp. 15–16.

13 *Ibid.*, pp. 15–32.

14 *Ibid.*, pp. 165–173.

terminus of the *galeones*—one of the two merchant convoys in which trade between Spain and Spanish America was organized; the other being the *flota* sailing to Veracruz. The Peruvian merchant fleet sailing from Lima on the Pacific Ocean to meet the *galeones* would dock at the city of Panama, on the other side of the isthmus; from there Peruvian merchants and their silver would travel over land or on smaller craft capable of navigating on rivers to Portobello. Once the fair had ended, Peruvian merchants and their cargoes would return to Panama in order to embark back to Peru.<sup>15</sup> This crucial role in Peruvian trade explained the subordination of the province's *audiencia* and its president to the viceroy of Peru. For about a century, from the mid-1500s to the mid-1600s, the *galeones* arrived in Portobello almost every other year and Panama thrived in the provision of services to merchants from both fleets and of rather expensive haulage on mules and barges across the isthmus.<sup>16</sup> As the regularity of the *galeones* declined, however, illicit trade became more and more important, fueled by the isthmus' small production of gold and pearls alongside the profits made by distributing contraband goods to other ports in the Spanish Caribbean and along the Pacific littoral of Spanish America.<sup>17</sup>

Meanwhile, although New Granada—the governorships of Cartagena, Santa Marta, Santa Fe and the New Kingdom proper, Guyana and Popayan—was technically part of the viceroyalty of Peru, the *audiencia* of Santa Fe and its president enjoyed “absolute independence [...] and an almost vice-regal category”;<sup>18</sup> unlike the *audiencias* of Panama and Quito, and like those of Guatemala and Santo Domingo, that of Santa Fe responded directly to the Council of Indies in Spain without direct subordination to either the viceroy of Mexico or Peru.<sup>19</sup> Since the sixteenth century, “the country had its own mining sector, its own connection to the system of Spanish Atlantic trade, and an increasingly distinctive society in which the Indian population was largely replaced by people of mixed race”.<sup>20</sup> The region had largely developed along two complementary economic patterns: small to medium scale agricultural

15 Silvia Espelt Bombín, “Trade Control, Law and Flexibility: Merchants and Crown Interests in Panama, 1700–1750”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 127–142 at 130–134.

16 Celestino Andrés Araúz and Patricia Pizzurno, *El Panamá Hispano (1501–1821)*, 3rd Ed. (Panama: La Prensa, 1997), pp. 70–80 and 168–177.

17 Espelt Bombín, “Trade,” p. 133; and Araúz and Pizzurno, *El Panamá*, pp. 168–177.

18 María Teresa Garrido Conde, *La primera creación del Virreinato de la Nueva Granada* (Seville: Escuela de Estudios Hispanoamericanos, 1965), pp. 1–2.

19 Ones, “The Politics,” p. 46.

20 McFarlane, *Colombia*, p. 1.



production and placer mining of gold. The latter activity had experienced a boom in the late sixteenth century but production had since declined or stagnated and had only started to recover in the closing decades of the seventeenth century. This lull in gold production had allowed the region to develop a rural and largely self-sufficient economy focused on internal trade.<sup>21</sup> In the late seventeenth century, however, and increasingly so as gold production began to recover, the bulk of the region's external trade was channeled through illegal commerce with British, Dutch and French merchants along the northern coast of New Granada, actually generating a lively contraband economy.<sup>22</sup> The importance of this trade was such that, in 1704, the governor of Cartagena, Juan Díaz Pimienta, explained to authorities in Spain that "without illegal commercial activity, there would be no trade [in New Granada] at all".<sup>23</sup>

In parallel to the development of its largely independent economy, northern South America had developed a large degree of self-government. In a manner similar to other parts of Spanish America, through purchase or through more indirect methods—such as marriage, co-optation and control of clerical offices—local elites had come to exercise substantial control over town councils, royal treasuries, *audiencias* and even governorships.<sup>24</sup> This autonomy had significantly detrimental effects for the royal treasury. For example, María Teresa Garrido estimates that a total of about 194 *encomiendas* and 105 pensions based on *encomienda* income existed in New Granada in 1717 with an annual yield of 11,805 pesos. However, fifty percent of these grants had either never been confirmed by the crown or were still enjoyed by the heirs of the original grantee, long after the passing of the first heir, the only one legally entitled to hold the *encomienda* unless the crown explicitly renewed the grant.<sup>25</sup> Similarly, in 1718, the coffers at the royal treasury of Santa Fe held a grand total of nineteen *reales* in cash and a long list of loans and debts owed by treasury officials, private businessmen and merchants;<sup>26</sup> local elites had come

21 *Ibid.*, pp. 17–20.

22 On foreign commercial penetration on the Spanish Caribbean and its coasts, see Stanley J. Stein and Barbara H. Stein, *Silver, Trade and War. Spain and America in the Making of Early Modern Europe* (Baltimore, MD: The Johns Hopkins University Press, 2000), pp. 3–145; on contraband in New Granada, Lance Grahn, *The Political Economy of Smuggling. Regional Informal Economics in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997).

23 Archivo General de Indias, Seville (hereinafter AGI), Santa Fe 435, Díaz Pimienta to king, Santa Fe, January 7, 1704, quoted and translated in Ones, "The Politics," p. 109.

24 Consider, for instance, the profiles of *audiencia* judges in Santa Fe between 1685 and 1725 in, Ones, "The Politics," pp. 50–51.

25 Garrido Conde, *La primera*, p. 9.

26 *Ibid.*, 10.

to exercise such control over royal finances in the region that treasury funds were frequently used as a source of credit for financing private enterprises.<sup>27</sup>

The pervasiveness of contraband trade also posed a challenge to royal finances in the region, depriving the royal coffers of taxes paid on the import, export and sale of smuggled goods. Moreover, because un-minted precious metals usually paid for contraband, the practice also robbed the Spanish crown of the royal fifth. A combination of four factors had accelerated the growth of illicit trade with foreigners in the region during the late seventeenth and early eighteenth centuries. The increasing irregularity with which the *galeones* arrived in Cartagena and Portobello created a scarcity of European goods which foreign interlopers were ready to supply. Moreover, the boom in gold production in New Granada, and more modestly in Panama, starting at the end of the seventeenth century, made the region an even more attractive market for English, Dutch, and French merchants. This mutually beneficial trade was made feasible by the expanse of the region's coastlines, impossible to patrol at all times and full of hiding places also by the presence of foreign agents involved in the legal sale of slaves in Spanish American ports. These men, the *factores* of the *asiento* or slave trade monopoly often acted as intermediaries between foreign suppliers and Spanish American distributors of smuggled goods.<sup>28</sup>

Using the Portuguese agents of the *asiento* as straw men, English and Dutch merchants had been conducting a profitable trade with Spanish possessions in the Caribbean and northern South America since at least the 1670s. In 1695, an English merchant from Bristol admitted that this situation was far more profitable than the previously adopted strategy by which English textiles were exported to the Indies via Cadiz and Seville. In his opinion, whilst the legal route provided a 20 percent profit margin, by trading directly with Spanish America from Jamaica "we do [...] make at least Cent percent, all paid in bullion".<sup>29</sup> Not surprisingly, control of the *asiento* was highly coveted by European powers and its transfer from Portuguese to French slave traders in 1702 was one of the main

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27 For an interesting discussion of the extent to which Spanish American elites controlled royal revenue in the region and the connections between, for instance, defensive subsidies, or *situados*, and private commercial ventures see Regina Grafe and Alejandra Irigoin, "A Stakeholder Empire: The Political Economy of Spanish Imperial Rule in America", *Economic History Review* LXV (2012): pp. 609–651.

28 Ones, "The Politics," pp. 109–112.

29 John Cary, *Essay on the State of England in Relation to its Trade, its Poor, and its Taxes, for Carrying on the Present War against France* (Bristol: n.p., 1695), pp. 74–75, quoted in Stein and Stein, *Silver*, p. 122.

causes of the War of the Spanish Succession.<sup>30</sup> The transfer of the *asiento* from the Portuguese to the French in 1702 and then from the French to the British in 1713 only increased the pervasiveness of contraband trade in the region, thus exacerbating local tensions and competition over control of the networks through which smuggled goods circulated. As we shall see, this had important implications for the political stability of the region as a whole.

Finally, the autonomy enjoyed by local elites in northern South America was evident in the frequent rivalries and confrontations between cities and provinces. At the turn of the eighteenth century, the city of Santa Fe, for example, had a population of about fifteen thousand inhabitants.<sup>31</sup> It was the seat of an *audiencia*, a tribunal of accounts, and an archbishopric. It housed the only royal mint in the region and had become the main educational center, attracting students from the surrounding provinces to its two colleges. Moreover, in 1695, a small group of merchants from the capital had secured a royal grant to establish a *Cosulado*, or merchants' guild, along the lines of those of Mexico City and Lima.<sup>32</sup> Cartagena, for its part, was the most important port in the region ruled by a provincial governor and captain-general, formally subordinated to the president of the *audiencia* of Santa Fe; it was the seat of a bishopric and of the tribunal of the Holy Inquisition. Moreover, the city had secured a number of privileges that limited the authority of the *audiencia* within the city and its hinterland.<sup>33</sup> Historically both cities had competed for supremacy within the New Kingdom. Cartagena, founded in 1533, was the older of the two cities.<sup>34</sup> Santa Fe was only established in 1539, but its more benign climate, larger indigenous population<sup>35</sup> and greater proximity to the gold-rich lands of the southwestern interior helped it to become the region's administrative

30 Stein and Stein, *Silver*, pp. 120–124; Aaron A. Olivas, “The Global Politics of the Transatlantic Slave Trade during the War of the Spanish Succession, 1700–1715”, in Eissa-Barroso and Vázquez Varela, *Early Bourbon*, pp. 85–110 at 87–99.

31 Garrido Conde, *La primera*, p. 2.

32 Robert S. Smith, “The Consulado in Santa Fe de Bogotá”, *Hispanic American Historical Review* XLV (1965): pp. 442–451; and Manuel Lucena Salmoral, “Los precedentes del consulado de Cartagena: el consulado de Santa Fe (1695–1713) y el Tribunal del Comercio Cartagenero”, *Estudios de Historia Social y Económica de América* II (1986): pp. 179–98.

33 Ones, “The Politics,” p. 119.

34 McFarlane, *Colombia*, p. 8. The first attempts to establish a Spanish foothold in the region, before 1510, had been thwarted by Indian resistance. The town of Santa Marta, founded in 1526, is the oldest surviving Spanish settlement in the region.

35 *Ibid.*, pp. 14–15; and Consuelo Maqueda Abreu, *El Virreinato de Nueva Granada. 1717–1780. Estudio institucional* (Madrid: Dykinson/Ediciones Puertollano, 2007), p. 25.

center from early on.<sup>36</sup> However, the long distances and difficult communications across the region allowed Cartagena to act as an independent center of power and challenge Santa Fe's authority. These challenges, often manifested through confrontation between the authorities of the port—mainly its governor—and those of the capital city—the *audiencia* and its president—, became particularly prominent in the aftermath of the occupation of Cartagena by French troops and filibusters in 1697.

## 2.2 Governor Diego de los Ríos and the French Occupation of Cartagena in 1697

Over the course of the sixteenth and early seventeenth century, the city of Cartagena had developed into the “largest military and naval establishment” of the Spanish Caribbean. Every convoy of Spanish ships trading between the Iberian Peninsula and Panama stopped at Cartagena, both on the way to Portobello and as they prepared for the return journey across the Atlantic. The city's excellent harbor had been extensively fortified over the years and by the late seventeenth century it was thought to be virtually inexpugnable. Although modest, compared to the trade fairs at Portobello, Cartagena had developed a trade fair of its own. Raw materials, such as iron and steel, luxury textiles and European commodities such as wine, olive oil and spices were exchanged for New Granadan gold and small quantities of tropical goods such as cacao and tobacco.<sup>37</sup>

In July 1696, authorities in New Granada received news that a French squadron commanded by Bernard-Jean-Louis Desjean, Baron of Pointis, was about to set sail from Brest to attack a Spanish Caribbean port.<sup>38</sup> Early in August, a meeting of the higher-ranking military officers of Cartagena agreed upon a number of measures to implement in order to prepare the city for a potential assault. The governor of Cartagena, Diego de los Ríos y Quesada, wrote to the president of Santa Fe requesting monies to bring the garrisons of the city and its fortresses to their ideal numbers and to repair their artillery and fortifications. The treasury of Cartagena received over 240,000 pesos—over three

36 McFarlane, *Colombia*, pp. 9, 16–17.

37 *Ibid.*, p. 100.

38 Enrique de la Matta Rodríguez, *El asalto de Pointis a Cartagena de Indias* (Seville: Escuela de Estudios Hispano-Americanos, 1979), p. 35. The following three paragraphs are largely based upon this, the most detailed description of the events of 1697. The best analysis of the occupation and its aftermath, however, is Ones, “The Politics,” pp. 174–205.

times the proportion of its annual *situado*, or defense subsidy used for paying the salaries of garrisoned troops—from Santa Fe and Quito between October 1696 and March 1697.<sup>39</sup> Yet, when the French force of some twenty-five ships and 3,000 soldiers<sup>40</sup> arrived in early April 1697 they found the city woefully unprepared and were able to capture it twenty-one days later, encountering almost no resistance. On April 16, defended by less than 140 men out of a nominal garrison of four hundred, the fortress of Bocachica, which guarded the entrance to the Bay of Cartagena, surrendered to the French after just one day of bombardment. The French had suffered only thirteen casualties, and the garrison of the fort had supplies that should have lasted for two months and at least thirty-four working cannons.<sup>41</sup> The following day, the defenders abandoned the fortress of Santa Cruz, which guarded the city's port, without a fight, and the same happened a couple of days later with the fortress of San Felipe de Barajas, which covered the land approach to the city. Having prepared trenches and landed their artillery unopposed, the French opened fire upon the walls of Cartagena's suburb of Getsemaní on April 28, managing to open a gap on it two days later. The French assault found little resistance and on May 1 the French occupied the settlement. The following morning, without further violence, the governor of Cartagena offered to negotiate the surrender of the city and on the morning of May 4 the gates were opened, allowing French troops to march in, although the governor had received word that a 1,800-strong contingent of reinforcements from the inland provinces was less than a day's march out.<sup>42</sup>

Per the terms of the capitulation agreement, governor de los Ríos could leave Cartagena with all the inhabitants who wanted to depart with him. He did so on May 7 accompanied by about four thousand people. The governor also took with him forty trunks that the French did not inspect; these were later found to contain precious metals, jewellery and fine cloth, to an estimated value of some two million pesos.<sup>43</sup> This was an extraordinary amount considering that the total product of the French ransacking of the city was estimated by both sides at around 20 million pesos between the funds taken from the royal treasury (some 300,000 pesos), the property of the city's inhabitants and the monies of inland merchants who had been in the city awaiting the return

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39 Matta Rodríguez, *El asalto*, pp. 71–72.

40 *Ibid.*, pp. 32–34.

41 Juan Marchena Fernández, *La institución militar en Cartagena de Indias, 1700–1810* (Seville: Escuela de Estudios Hispano-Americanos, 1982), p. 76.

42 Matta Rodríguez, *El asalto*, p. 112.

43 *Ibid.*, pp. 126–127.

of the *galeones*.<sup>44</sup> The impressive profit made by the governor and the ease with which the French captured the city led many contemporaries and historians to suspect that de los Ríos had sold the city to the French or at least negotiated secret terms to the city's surrender which were extremely favorable to his own interests.

We know very little about Diego de los Ríos outside of his tenure as governor of Cartagena de Indias. He was born in Spain, probably in Cordoba, and was a younger brother of Francisco Gutiérrez de los Ríos, third Count of Fernán-Núñez,<sup>45</sup> governor general of the Spanish navy of the Ocean Sea. He had served in the Spanish armies in Flanders, Catalonia and in the Navy,<sup>46</sup> and in 1688 he bought for 6,500 pesos future appointments to the *alcaldías mayores* of Cholula, in New Spain, and Soconusco, in Guatemala.<sup>47</sup> In 1691, he exchanged both these appointments for that of governor of Cartagena, of which he took office on November 29, 1695.<sup>48</sup> After the fall of the city, rumors abounded that de los Ríos had embezzled part of the monies sent from Santa Fe and Quito to improve the city's defenses. He had allegedly ordered gun carriages built for the city's cannons, but had them made of cedar, which was usually prohibitively expensive. Slaves belonging to both the governor and the city's treasury officials worked on the carriages, suggesting that their masters had pocketed the monies paid for labor.<sup>49</sup> Similarly, it was claimed that although new muskets had recently arrived in the city at the crown's expense, the governor and his associates had sold them to private individuals in exchange for money and used-weapons that were deposited in the city's armory instead of the new ones.<sup>50</sup> Furthermore, while de los Ríos reported the city's garrison to consist of some 520 men, he allegedly kept only 150 salaried

44 *Ibid.*, pp. 123–124.

45 AGI, Santa Fe, 48, R.2, N.26, Count of Fernán Núñez to Antonio de Ubilla, Cadiz, June 9, 1698.

46 AGI, Contratación, 5456, N.3, R.37, "Título de gobernador y capitán general de la ciudad y provincial de Cartagena para el Maestre de Campo Dn. Diego de los Ríos Quesada", Madrid, March 11, 1691.

47 Ángel Sanz Tapia, *¿Corrupción o necesidad? La venta de cargos de Gobierno Americanos bajo Carlos II (1674–1700)* (Madrid: CSIC, 2009), p. 453.

48 *Idem.*; and Ricardo Magdaleno, José María de la Peña, Miguel Bordonau and Ángel de la Plaza, *Títulos de Indias. Catalogo XX del Archivo General de Simancas* (Valladolid: Patronato Nacional de Archivos Históricos, 1954), p. 684.

49 Matta Rodríguez, *El asalto*, p. 74.

50 *Ibid.*, p. 76.

soldiers, making up the rest of the roster by entering the names of children, dead men, servants, slaves and deserters in order to pocket their pay.<sup>51</sup>

Finally, his family had strong connections with France. In his youth, his brother, the Count of Fernán-Núñez, had been a page in the service of *Infanta* María Teresa, travelling with her to France when she married Louis XIV.<sup>52</sup> In fact, his services had been such that in 1701 the French monarch placed him at the top of a list of Spaniards whose loyalty to the Bourbon dynasty deserved to be rewarded with high offices within the administration of Spain's American provinces.<sup>53</sup> Thus, it would not have been entirely unlikely for de los Ríos to have known the Baron Pointis or even Jean-Baptiste Ducasse, governor of French Saint Domingue, before the attack and perhaps even to have traded illicitly with the later. In any case, it is difficult to explain why an experienced military officer, a scion of the high Spanish nobility, would virtually hand over the most important port of northern South America to the French almost without a fight.

In the end, although the initial aim of the French expedition had been to capture and retain Cartagena for the king of France,<sup>54</sup> an epidemic outbreak of dysentery and rumors that a joint English and Dutch fleet was approaching persuaded the French to leave. They abandoned the city between May 25 and June 3, 1697, taking with them, besides the 20 million pesos worth of treasure, three million pesos worth of artillery pieces, munitions and supplies.<sup>55</sup> Thus, what could have been a permanent loss of Cartagena to the French, with dire repercussions for Spanish trade and rule in northern South America, ended simply in a ransacking of the city in which *Quiteño* and New Granadan merchants were the worst affected, alongside the wealthy inhabitants of the city. This, however, was not the end of the affair.

When news of the fall of Cartagena first arrived in both Madrid and Santa Fe they were received with incredulity. Soon, though, as details of the ease with which the French had taken the city began to circulate outrage took over. On July 3, 1697, the *audiencia* of Santa Fe ordered an investigation into the

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51 *Ibid.*, p. 77.

52 Russell P. Sebold, *Ensayos de meditación y crítica literaria* (Salamanca: Universidad de Salamanca, 2004), p. 197.

53 "Instruction du Roi au Sieur Comte de Marsin Lieutenant Général de ses Armées, allant à Madrid ambassadeur de Sa Majesté", in *Recueil des Instructions données aux Ambassadeurs et Ministres de France depuis les Traités de Westphalie jusqu'à la Révolution Française Vol. XII Espagne (II)*, ed. France Commission des Archives Diplomatiques (Paris: Ancienne Librairie Germer Billière et Co., 1899), pp. 4–54 at 51.

54 Matta Rodríguez, *El asalto*, p. 29.

55 *Ibid.*, p. 124.

conduct of Governor de los Ríos, who had returned to Cartagena after the French departure, alongwith that of the other military commanders of the port. *Oidor* Carlos de Alcedo was dispatched to Cartagena to head the inquest.<sup>56</sup> But de los Ríos refused to subject himself to the *audiencia's* inquisition, arresting Alcedo and, when the *oidor* refused a bribe to abandon his commission, shipping him off to Havana in a badly damaged and poorly supplied brigantine.<sup>57</sup> In a letter addressed to the governor of Havana, de los Ríos argued that he had arrested Alcedo to thwart an attempt by the *audiencia* to interfere in matters of war, which, as captain-general of the province of Cartagena, pertained to him, alone.<sup>58</sup> He used this same argument, with some success, to garner support from military commanders across the province in his escalating confrontation with the *audiencia*.<sup>59</sup> Indeed, the governor's excuses, although in all likelihood based upon the recognition that any inquest into the affairs of 1697 would find him at fault, were typical of most confrontations between provincial governors and *audiencias*.

When news of Alcedo's misfortune reached Santa Fe, the *audiencia* agreed to send its president, Gil de Cabrera y Dávalos, an *oidor* and a prosecutor to Cartagena, escorted by two companies of fifty or sixty armed men each.<sup>60</sup> The president then appointed the governor of Santa Marta as interim governor of Cartagena, declaring de los Ríos' authority void. However, de los Ríos refused to leave his office and as the president approached Cartagena, he took steps to resist Cabrera by arms if necessary, demonstrating a level of activity and determination that had been completely absent in his preparations against the French.<sup>61</sup> The standoff between de los Ríos and the *audiencia* lasted from January to May 1698 when President Cabrera decided to return to Santa Fe and await instructions from Madrid. As Garrido Conde points out, however, de los Ríos remained in power in Cartagena leaving "the political authority of the president and the judicial standing of the *oidores* seriously maimed".<sup>62</sup>

Meanwhile, in Spain, news of the scandalous behavior of military authorities during the French attack had prompted the Council of Indies to send a

56 Enrique de la Matta Rodríguez-Caso, "La 'rebelión' de Diego de los Ríos. Una página inédita de la historia de Cartagena de Indias", *Anuario de Estudios Americanos* XXXI (1974): pp. 955–971 at 956.

57 *Ibid.*, pp. 957–961.

58 *Ibid.*, p. 962.

59 Matta Rodríguez, *El asalto*, p. 151.

60 Matta Rodríguez-Caso, "La 'rebelión,'" p. 963.

61 Matta Rodríguez, *El asalto*, pp. 151–52.

62 Garrido Conde, *La primera*, p. 2.



special investigator to look into the matter and to appoint respected veteran military officer Juan Díaz Pimienta as governor of Cartagena in de los Ríos' stead.<sup>63</sup> In June 1699, Díaz Pimienta arrested the former governor alongside his main supporters and the men who had been in command of the fortresses surrendered to the French.<sup>64</sup> By December, though, de los Ríos had managed to escape from prison never to be heard from or seen again. At this point, the investigation into the fall of Cartagena lost momentum, and it was eventually abandoned in 1706, when Philip v, urged on by his grandfather, Louis XIV, issued a pardon to all involved.<sup>65</sup>

The French ransacking of Cartagena had raised concerns over the loyalty and capacity of some of the government officials in the region. The new governor, Díaz Pimienta, eloquently summarized the situation. Shortly after his arrival in Cartagena, he requested permission to return to Spain, or to his *tercio* in Flanders, arguing ill health. Díaz Pimienta pointed out that remaining in the city placed him in "utmost danger" of losing his "honor and reputation". In America, he claimed, honor meant nothing and "no-one cares for it, no-one believes there could be a bigger sin, either in the Divine or the Human world, than to be loyal to H[is] M[ajesty] and look after his interest".<sup>66</sup> The presence of the ill-fated Scottish settlement in Darien, against which Díaz Pimienta personally led a successful Spanish expedition only months after his arrival in Cartagena, made the imminent risk ever more tangible.<sup>67</sup>

The confrontation between governor de los Ríos and the *audiencia* after the French left revealed even more significant problems within the region, at least from the crown's perspective. Scandalized by the insubordination of the governor, the Council of Indies went to great lengths to confirm that both the *audiencia* and its president had acted lawfully throughout. In a letter addressed to the judicial vicar of the bishopric of Cartagena, the prosecutor of the Council of Indies explained that the *audiencia* had acted within its powers in sending *Oidor* Alcedo to investigate, in ordering that Governor de los Ríos were separated from office and in urging President Cabrera to go to Cartagena with an armed escort.<sup>68</sup> The Council went to great lengths to emphasize that

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63 Matta Rodríguez-Cano, "La 'rebelión,'" p. 965.

64 Ones, "The Politics," p. 182.

65 Matta Rodríguez-Cano, "La 'rebelión,'" pp. 965–71.

66 Quoted in Ones, "The Politics," p. 355; see also his description of the extent of contraband trade taking place in Cartagena, in which even the city's bishop seems to have been involved, quoted in Marchena Fernández, *La institución*, p. 83.

67 *Ibid.*, pp. 84–86.

68 Matta Rodríguez, *El asalto*, p. 156.

the *audiencia* embodied “all royal authority without any doubt”,<sup>69</sup> and went as far as stating that the president enjoyed “the same authority granted by His Majesty to the viceroys of Lima and Mexico”.<sup>70</sup> De los Ríos’ rebellion had made it clear to authorities in Madrid that provincial rivalries in New Granada went beyond simple jurisdictional disputes. The Council’s insistence that the king was represented in the New Kingdom “most immediately by the president and *audiencia*”,<sup>71</sup> was not only an indictment of de los Ríos’ behavior who, as Ones has put it, “by disobeying the *audiencia* [had] also disobeyed the king”.<sup>72</sup> It was also a recognition that royal authority in the region was extremely weak and that it was necessary to strengthen it by whatever means possible. Yet, royal authority and the monarch’s representation were not only diluted by rivalries and confrontations between the authorities of different provinces. As the next sections show, internal divisions among *audiencia* members, and particularly confrontations between *oidores* and their president, further contributed to their erosion. Moreover, these internal conflicts also highlighted the degree of autonomy enjoyed by local elites and the all-permeating influence of contraband trade throughout the region.

### 2.3 The Overthrow of President Meneses

September 1715 witnessed one of the most scandalous events in New Granadan history: Francisco de Meneses Bravo de Saravia, governor and captain-general of the New Kingdom and president of the *audiencia* of Santa Fe, was imprisoned and removed from office by three members of that tribunal. Not surprisingly, this event has attracted significant attention from historians.<sup>73</sup> Although he had been appointed to the governorship of New Granada on September 28,

69 AGI, Santa Fe 459, Representación fiscal y diaria relación sobre la entrega y capitulaciones de la plaza de Cartagena de Indias, Madrid, May 17, 1700, f.182v, quoted in Ones, “The Politics,” p. 181.

70 AGI, Santa Fe 357, Respuesta del fiscal, Madrid, May 21, 1700, quoted in *Idem*.

71 AGI, Santa Fe 357, Respuesta del fiscal, Madrid, May 21, 1700, quoted in *Idem*.

72 *Idem*.

73 Ainara Vázquez Varela, “‘De la primera sangre de este reino’. Composición de las instituciones de justicia y gobierno de Santa Fe de Bogotá (1700–1750)” (Ph.D. diss., Universidad de Navarra, 2008), p. 270 affirms that every single book dealing with early eighteenth-century New Granada she has read deals with the overthrow of President Meneses to some extent. Vázquez Varela’s doctoral dissertation has been published as “*De la primera sangre de este reino: las élites dirigentes de Santa Fe (1700–1750)*” (Bogotá: Universidad del Colegio Mayor de Nuestra Señora del Rosario, 2010).

1707, Meneses did not take up office until February 4, 1712. Almost since the start of his tenure, it became evident that there were strong disagreements and declared enmity between the new president and the senior *oidor* of Santa Fe, Domingo de la Rocha Ferrer.<sup>74</sup> Just over a year after Meneses' arrival, in May 1713, de la Rocha wrote a long letter to the Council of Indies describing and condemning the president's "excesses" as well as the disproportionate influence that Meneses had come to enjoy over the other members of the *audiencia*, particularly *Oidor* Vicente de Aramburu y Muñoz and prosecutor Manuel Antonio Zapata Flórez.<sup>75</sup> Meneses was accused, amongst other misdeeds, of attending *acuerdo* sessions dressed in "military attire", of having created for himself a too large and ostentatious armed guard, of having repeatedly shown his disregard for the other members of the *audiencia* claiming that he "could lead the government by himself", and of having interfered in and manipulated electoral procedures for a number of local institutions, including the city council of Santa Fe and the merchants' guild of New Granada.<sup>76</sup> Yet, despite the senior *oidor's* heartfelt and repeated complaints, by the time of his passing in 1714, the Council of Indies had failed to reprimand Meneses. On the contrary, the Council had confirmed the president's right to have a personal guard of halberdiers and commended him for the way in which he had formed and administered this force, among other actions.<sup>77</sup> In fact, the Council's prosecutor had dismissed de la Rocha's accusations, declining to set up a formal inquiry into the president's behavior.<sup>78</sup>

Nevertheless, on September 25, 1715, the situation took an unexpected turn when *oidores* Vicente Aramburu and Mateo Yepes—who had only arrived in Santa Fe earlier that year—alongside prosecutor Manuel Zapata decided to put an end to Meneses' government. They ordered the New Kingdom's *cabo principal*, Juan Cárdenas Barajas, husband to Zapata's first cousin,<sup>79</sup> to place the president under arrest. The immediate reasons for the confrontation between

74 Ones, "The Politics," pp. 266–267. De la Rocha had been in New Granada since 1678 and had already been an *oidor* during the events discussed in the previous section of this chapter.

75 Vázquez Varela, "De la primera," p. 271; Ones, "The Politics," p. 267, suggests that similar complaints had been raised earlier in 1713 by Santa Fe's archbishop and a small number of the city's *vecinos*.

76 Vázquez Varela, "De la primera," pp. 271–273; Ones, "The Politics," p. 267; De la Rocha's original complaint dated May 23, 1713, and addressed to the Council of Indies can be seen in AGI, Santa Fe, 296, f. 276v.

77 Ones, "The Politics," p. 268.

78 *Ibid.*, p. 271.

79 Vázquez Varela, "De la primera," p. 276.

Meneses and the *oidores* can be traced to a few days earlier, when the *audiencia's* president had allegedly locked the *oidores* out of the tribunal's chamber. This unusual proceeding, according to some sources, had made the *oidores* fear for their lives seeking refuge in the city's Augustinian monastery. Despite this, on the morning of September 25, Meneses offered his colleagues a conciliatory gesture: he claimed that he had only ordered the *audiencia's* chamber to be locked for safekeeping while the *oidores* were out and to ensure that the court would only session on those days prescribed by law; Meneses then offered to meet publicly with the *oidores* a few blocks from the governor's palace—where the *audiencia's* chamber was located—so that they could walk back together. The judges agreed to the president's proposal, meeting with him in public and proceeding together to the *audiencia's* hall. But once inside, the judges notified Meneses he had been officially removed from office.<sup>80</sup> Shortly thereafter, the former president was sent to Cartagena de Indias under escort; he would spend several years imprisoned in one of the city's fortresses. The *oidores* justified their proceedings claiming that Meneses' political and moral excesses—they accused him of being a drunkard and a gambler and of living publicly with a married woman<sup>81</sup>—had triggered a popular uprising which had forced them to remove from office the kingdom's highest-ranking royal representative.<sup>82</sup> Yet, there is no evidence of any popular demonstration, riot, or tumult having occurred in Santa Fe at any point during September 1715.

Why had Zapata and Aramburu, who in 1713 had been accused of being under the president's thumb, become two years later the main leaders of the coup that ousted him? In her 2000 doctoral thesis, Synnøve Ones suggested that Meneses' demise had been the result of a clash between men trained in the law (*letrados*) and men of military extraction.<sup>83</sup> De la Rocha's initial complaints against Meneses—for wearing a military outfit<sup>84</sup> and having a

80 Ones, "The Politics," pp. 275–279.

81 *Ibid.*, p. 272.

82 Vázquez Varela, "De la primera," pp. 276–277. The *oidores* further argued that they had received a letter from the *audiencia* of Quito claiming that Meneses owed nearly 40,000 pesos to the royal treasury from the time when he had been *corregidor* of Riobamba. They alleged that such a letter gave them the right, and the obligation, to overthrow the president according to a law in the *Recopilación de Indias*; Ones, "The Politics," p. 273.

83 *Ibid.*, p. 256.

84 Meneses argued that he wore a military uniform when present in the *audiencia* as part of his efforts to improve the morale and conditions of the city's militias and to show that he was ready to coordinate the defense of the kingdom. Moreover, he claimed he had obtained the *oidores* agreement before attending an *audiencia* session in such a garment for the first time. AGI, Santa Fe, 296, Meneses to king, Santa Fe, June 10, 1712.

large armed guard—as well as the frequency with which such confrontations occurred at the time across the Iberian Peninsula and even inside the central administration of the Monarchy would provide some credence to this explanation.<sup>85</sup> Meneses' military credentials, however, were not very impressive, making his depiction as a military man questionable: whilst he had joined the armed forces in 1686, he had only reached the rank of *capitán de infantería*; moreover, he had never served outside Spanish America, where he had been a volunteer soldier ("*aventurero a su costa*") before holding the largely honorary, and usually venal, office of *cabo principal* of the viceroyalty of Peru.<sup>86</sup> This limited martial background make it difficult to compare the president of New Granada with the much more experienced and decorated officers to whom the Spanish crown entrusted the government of the former kingdoms of the Crown of Aragon in the aftermath of the War of the Spanish Succession. These men's confrontations with the *letrado*-led *audiencias* created by the *Nueva Planta* or 'New Layout' are well documented.<sup>87</sup> At the same time, it is not clear why Aramburu and Zapata would have found Meneses' authoritarian behavior and martial airs tolerable early on, yet so completely abhorrent a couple of years later.

Meneses had been born in Santiago de Chile, where his father had served as *audiencia* president and captain-general. It is likely that a young Francisco would have learnt the abrupt and domineering style that characterized his father's tenure at home. In any case, Meneses and his brothers—at least two of whom also occupied important government offices in various parts of Spanish America—followed career paths typical of the offspring of wealthy and influential Spanish American families. In this light, Meneses' military record, much briefer and unimpressive than either his father's or his grandfather's, is clearly that of a merchant with aristocratic pretensions, for whom armed service was always a secondary activity—that provided honor and certain

85 On conflict between jurists and military men in early eighteenth-century Spain see, amongst others, Enrique Giménez López, "El debate civilismo-militarismo y el regimen de Nueva Planta en la España del siglo XVIII", *Cuadernos de Historia Moderna* xv (1994): pp. 41–75.

86 Ones, "The Politics," pp. 341–342.

87 On the military background of Catalonia's captains-general see, amongst others, Joan Mercader i Riba, *Els Capitans Generals (El segle XVIII)* (Barcelona: Editorial Vicens-Vives, 1963); and for their clashes with the jurists serving in the *audiencia*, Eduard Escartín Sánchez, "El desacord del Reial Acord (1716–1755)", *Pedralbes. Revista d'Història Moderna* iv (1984): pp. 113–146.

social promotion—rather than that of a ‘professional’ soldier.<sup>88</sup> Thus, Ainara Vázquez’s explanation of the coup seems more plausible. According to this author the *audiencia*’s president, on the one side, and Aramburu and Zapata, on the other, must have initially shared some common group or personal interests; however, some event must have rendered these incompatible between 1713 and 1715.<sup>89</sup> Unfortunately, Vázquez offers no further detail as to what such interests might have been or as to the causes that led to the falling out.

Several scholars have pointed out that during his tenure in New Granada Francisco de Meneses had received a significant number of gifts and loans (some of which were given under no expectation of repayment) from various individuals, both from Santa Fe and from Cartagena de Indias.<sup>90</sup> It is also clear that the *audiencia*’s president was involved in contraband trade between both cities and that he had often received bribes to facilitate or delay the hearing of cases pending in the *audiencia*.<sup>91</sup> Yet, these activities were neither uncommon nor altogether unexpected; in fact, as Vázquez Varela suggests, there seems to have been no real reason, either from a legal or a defensive perspective, to justify Meneses’ ousting. We are left then with the distancing between his interests and those of the *oidores* and the powerful Flórez family as the most likely explanation for his overthrow. The Flórez, after all, had enormous influence in almost every institution in Santa Fe, and many family members, including Prosecutor Zapata, were involved in the coup.<sup>92</sup>

In trying to explain this falling out, most historiography has failed to take into account the significant international dimension of a conflict that could otherwise seem exclusively local. Thus, for instance, while Ones clearly identified control over contraband trade as one of the key sources of conflict between authorities in Santa Fe and those in Cartagena,<sup>93</sup> she reached the unlikely conclusion that during the War of the Spanish Succession, local officials and American subjects remained absorbed by local politics, despite the disproportionate role played within this arena by the ever expanding foreign illicit trade.<sup>94</sup> What this author seems to have overlooked is that for New Granadan

88 For a summary of the military careers and achievements of Meneses’ father and grandfather, see his brother Fernando’s *relación de méritos*, in AGI, Indiferente, 135, N. 179.

89 Vázquez Varela, “De la primera,” p. 276.

90 *Ibid.*, pp. 279–280; Ones, “The Politics,” pp. 269–271.

91 Vázquez Varela, “De la primera,” p. 279; Ones, “The Politics,” pp. 269–271.

92 Vázquez Varela, “De la primera,” pp. 280–281; for a list of all the men involved in the coup, according to the enquiry conducted by Antonio de la Pedrosa in 1718, see Ones, “The Politics,” pp. 283–284.

93 *Ibid.*, *passim*.

94 *Ibid.*, pp. 261–262.

elites, and for those of Spanish America more generally, the issue of who distributed contraband goods once they entered the region was just as important as from where the goods came. In other words, competition did not arise over who controlled illicitly traded goods once they had arrived in New Granada; the different trading networks had different origins and those who controlled the distribution of goods were often directly related to the international source from where the goods were being imported. Contraband trade, like any other kind of trade, relied heavily upon pre-existing commercial relations established between foreign suppliers and New Granadan distributors. These networks could only develop over time and their participants could not be arbitrarily replaced at any given time.

In a recent study, Aaron A. Olivas has shown quite convincingly, using the province of Venezuela as an example, that the rapprochement between France and Spain and the granting of new commercial benefits to the French in the early years of Philip v's rule brought about the disarticulation of pre-existing dynamics and personal relations which had allowed Portuguese, Dutch, and English contraband to reach South America since at least the last quarter of the seventeenth century.<sup>95</sup> This same scholar has showed how the directors of the French Guinea Company played a key role in securing, organizing the sale of offices in Spanish America to individuals considered loyal, and who could be relied upon to promote both licit and illicit French commercial interests in the region.<sup>96</sup> In this manner, the French Guinea Company and Louis XIV's envoys in Spain had managed to create a wide-ranging network of agents spread across Spanish America, which played a significant role both in furthering French interests and in securing American loyalty to the new Bourbon king of Spain.<sup>97</sup>

From this perspective, conflicts over contraband trade in New Granada take a different hue. Thus, early in the century shortly after the lucrative *asiento*, or monopoly contract for selling slaves in Spanish America, had been granted to the French Royal Guinea Company, newly arrived French agents had clashed with Cartagena's governor, Juan Díaz Pimienta; not because he objected to the illegal introduction of goods *per se*, but because the involvement of the French would presumably have adversely affected the pre-existing trading networks through which Portuguese *asiento* agents based in Cartagena supplied English and Dutch goods to the province.<sup>98</sup> Similarly, a few years later, following

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95 Olivas, "The Global," pp. 92–93.

96 *Ibid.*, p. 100.

97 *Ibid.*, pp. 101 and ff.

98 Ones, "The Politics," p. 262.

the arrival of José de Zúñiga y la Cerda to the governorship of Cartagena, he clashed with the president of Santa Fe, Diego de Córdoba Lasso de la Vega, in 1710, because Zúñiga had allowed two Spanish ships with licenses to trade in Honduras to sell their goods in Cartagena. This was unacceptable to Córdoba because it affected the contraband networks orchestrated around the French *asiento* agents in which the president was involved.<sup>99</sup>

There is abundant evidence that Francisco de Meneses was part of the French-backed network of Spanish American governors expected to defend and further French mercantile interests. Early in the eighteenth century, after serving as a *corregidor* of Riobamba in the kingdom of Quito, Meneses travelled to Spain seeking a new appointment. However, his first port of call was not in Spain, but rather in France, where he landed in 1701. There he secured an audience with Louis XIV in Fontainebleau before continuing his journey overland to Madrid. At the French court, Meneses obtained a letter of recommendation from the Marquis of Torcy, Louis' foreign minister, to the Count of Marsin, one of the French envoys to Madrid. The letter explicitly stated that Meneses sought appointment as president of the *audiencia* of Charchas or that of Santa Fe, or, if neither was available, as a treasurer of the mint of Lima. Moreover, Torcy requested that Marsin did everything within his reach to secure Meneses' appointment.<sup>100</sup> Initially, Meneses' plans ran into an obstacle. By the time Marsin's recommendation arrived in Madrid from Barcelona—where he was in the company of Philip V and his new queen, Maria Luisa of Savoy—the Council of the Indies had already appointed Diego de Córdoba Lasso de la Vega as president of Santa Fe. This situation forced Meneses to make use of his French contacts once more. He pleaded with the Duke of Gramont and the Princess of Ursins to intercede so that he could receive a futurity appointment as president of Santa Fe and, if possible, a *corregimiento* to serve in the meantime.<sup>101</sup>

These objectives were not immediately achieved; in fact, the latter never came to fruition. But Meneses continued to enjoy the patronage of Versailles and the Royal Guinea Company. Thus, in 1706 when he was finally appointed president of Santa Fe in exchange for a pecuniary service of four thousand

99 *Ibid.*, pp. 261–262.

100 Archives du Ministère des Affaires Etrangères, Paris (hereinafter AAE), Correspondance Politique – Espagne (hereinafter CPE), 93, Torcy to the Count of Marsin, Fontainebleau, November 10, 1701, f. 516r.

101 AAE, CPE, 106, Meneses to the Duke of Gramont, Madrid, July 21, 1702, ff. 214r–215v. I am grateful to Aaron Olivas who kindly brought this document and the one cited in the previous note to my attention and graciously provided me with photocopies of them.



pesos,<sup>102</sup> the Company provided him a loan of 1,700 livres, to be repaid in Cartagena de Indias, allowing him to “further and secure his aims” and to cover part of his travel expenses.<sup>103</sup> It is not surprising, therefore, that between 1710 and 1711 Meneses travelled back to France, probably to give thanks in person for the support he had received and to reiterate his willingness to pay back in kind once in office.<sup>104</sup> Again, and for the same reason, it should not be surprising that on February 21, 1711, Meneses received authorization from Spain to set sail for Cartagena on board a French vessel departing from a French port.<sup>105</sup>

Thus, when Meneses arrived in New Granada in late 1711, he did so having incurred significant debts, both moral and economic, with a variety of French interests. He began to pay them back almost immediately upon securing a further loan from a Spanish merchant based in Cartagena de Indias, José Prieto Salazar,<sup>106</sup> who would become his agent in the port. Three years later, when he was ousted, Meneses had managed to pay back much of what he owed to the French Guinea Company, which had stood at nearly fifty thousand pesos. This had only been possible thanks to his active involvement in a contraband network dealing in French goods, introduced by the *asiento* agent into Cartagena, and in gold extracted from the mines inland.<sup>107</sup> Initially, Meneses’ commercial activities would not have constituted a major problem, nor should they have surprised anyone. By favoring French interests in 1712, Meneses was doing the same thing as many other officials in the region. One such example was Bartolomé de Ponte who had been appointed governor of Santa Marta, thanks to Louis XIV’s Minister of Marine, the Count of Pontchartrain, in 1709 and who had also accumulated large debts with the French.<sup>108</sup>

Everything changed, though, with the end of the War of the Spanish Succession and the signing of the Treaties of Utrecht, particularly the *Asiento*

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102 Ones, “The Politics,” p. 342.

103 Quoted in Vázquez Varela, “De la primera,” p. 279.

104 This was common practice among men who had secured an appointment in Spanish America through the intervention of French agents. See, Olivas, “The Global,” p. 103.

105 Ones, “The Politics,” p. 342.

106 Vázquez Varela, “De la primera,” pp. 279–280.

107 *Ibid.*, pp. 279–280. It must not be a coincidence that fifteen years later, Francisco Ibero Echaide, brother to Meneses’ personal secretary, Luis Ibero, should be removed from office as governor of Chocó, the heartland of New Granada’s gold production during the first half of the eighteenth century, precisely because of his involvement in contraband. Caroline Anne Hansen, “Conquest and Colonization in the Colombian Chocó” (Ph.D. diss., University of Warwick, 1991), p. 311.

108 Olivas, “The Global,” *passim*.

Treaty that transferred to the British South Sea Company the exclusive right to import African slaves into Spanish America previously held by the French Guinea Company. Not only did French trade lose ground, but new opportunities emerged for those groups willing to exploit the contraband lanes headed by the new *asiento* agents. Given his pro-French loyalties and the large debts he had accumulated, Meneses would not have been in a position to benefit from, or even to tolerate, these new developments. Other actors, however, particularly those who had been resident in New Granada for long periods of time and who had, perhaps, participated in the trade networks in place before the arrival of the French, would not have had the same scruples. Neither would those who had recently arrived with new appointments to American offices without the intervention of Versailles.

There is no concrete evidence that this was the cause of the falling out between President Meneses and the *oidores* and the Flórez family. Yet, given what we know about social and commercial dynamics at the time, it emerges as a plausible reason which would not only explain the sudden breakup of the alliance denounced by *Oidor* de la Rocha in 1713, but also fits with the chronology of events and with local conditions. We know, for instance, that already as early as August 1713, the arrival of the new governor of Cartagena, Gerónimo Badillo, had started to complicate things for Meneses. Badillo, whose English sympathies were well known,<sup>109</sup> had no qualms of seizing part of Meneses' luggage which had been transported to New Granada on board French *asiento* ships and still remained in Cartagena. The port's governor claimed, probably rightly, that the president's baggage contained large quantities of French contraband.<sup>110</sup> Additionally, it is highly likely that by September 1715 New Granadans would have received news of the expulsion of the Princess of Ursins from the Spanish court, which took place in December 1714, and of the purge of the most prominent French and pro-French ministers—among them Jean Orry and the prosecutor of the Council of Castile, Melchor de Macanaz—which followed shortly afterwards.<sup>111</sup> Taking all events into account, it would

109 As pointed out by Ones, "The Politics," p. 268, shortly after his arrival in Cartagena, Badillo was accused of illicitly importing wheat from Jamaica.

110 *Ibid.*, pp. 268, 342.

111 We know that by the time of Meneses' ousting news of Philip v's second marriage had already arrived in Santa Fe. The *oidores* had used this as an excuse to organize several days of public festivities in the immediate aftermath of the coup. See the anonymous pamphlet titled "Las Brujas. Carta de Felipa Nogales, escrita desde Tolú, á Therencia del Carrizo, residente en Cajamarca", reproduced in part in Appendix 14 to José Manuel Groot, *Historia eclesiástica y civil de Nueva Granada, escrita sobre documentos auténticos* (Bogotá: Imprenta a cargo de Foción Mantilla, 1869), vol. 1, pp. 537–545 at 540. It is not

be reasonable for the *oidores* to consider, not only the new opportunities presented by the British *asiento*, but also the fact that Meneses would have lost most of his backing and support in Spain.<sup>112</sup>

The critical juncture of the end of the War of the Spanish Succession and the transfer of the *asiento* to Great Britain brought about a realignment of the contraband networks active in New Granada. As had been the case over a decade earlier, when the *asiento* had been granted to the French, the loss of influence of the previous *asiento* holders—and contraband suppliers—and the machinations of local elites eager to take advantage of the opportunities created by the changing geo-political configuration triggered a renewal of the administrative personnel in charge of Spanish American government. Meneses, an ally when French contraband networks were booming, had become an obstacle to the ambitions of the Flórez family and its scions in the *audiencia* when the British took over. This, in itself, is not surprising as alliances between members of Spanish American elites were fluid and were often redrawn when material circumstances changed. Nor is it surprising that local elites, in this case the Flórez family, would secure the backing of royal officials through favor, bribery, marriage or even by securing the appointment of family members to crucial offices.<sup>113</sup> What was striking in the Meneses affair, and quite telling of the circumstances in northern South America, was that local interest groups and their members in the *audiencia* dared to strike directly against the highest-ranking Spanish authority in the kingdom.

It was not then that they had removed the Francophile Meneses from office, but that they had ousted the president, governor and captain-general of the New Kingdom of Granada that alarmed the crown and the Council of Indies. The coup against the president demonstrated clearly both the importance of contraband trade networks for local politics and the power that local interests

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clear whether the news referred exclusively to the official marriage, celebrated by proxy in mid-1714, or whether it included information about the arrival of the new queen to Spain in December that year.

- 112 This, of course, turned out to be only partially true. While Meneses had in fact lost a significant part of his networks in Madrid, neither the Council of Indies nor the Spanish crown would take the overthrow of an *audiencia* president lightly. Thus, although Meneses never returned to the presidency, several men involved in the coup ended up paying for their actions with their lives, their freedom or their property. Vázquez Varela, “De la primera,” pp. 278–279; Ones, “The Politics,” pp. 285–294.
- 113 For an excellent and almost contemporary example of how local interest groups in Mexico City courted royal officials, secured their favor and used it to the detriment of their rivals see Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues. The Court Society of Colonial Mexico, 1702–1710* (Calgary: University of Calgary Press, 2008), pp. 79–126.

had acquired within the *audiencia*; moreover, it signalled strongly that local interests believed they could do as they pleased when it came to the internal affairs and government of the kingdom. Perhaps they were not entirely mistaken. Although the Council of Indies disapproved of the coup and ordered Meneses' restoration repeatedly, it proved unable to make the authorities in either Cartagena or Santa Fe listen; when Antonio de la Pedrosa arrived in Cartagena de Indias in September 1717, tasked with setting up the viceroyalty, Meneses was still held prisoner in one of the city's fortresses and local elites and authorities showed no remorse over his overthrow or over them having disobeyed the Council.

#### 2.4 Contraband and Political Infighting in Panama City and Quito during the War of the Spanish Succession

Whilst the overthrow of President Meneses was probably the most salient case of open confrontation between Spanish authorities and local elites fuelled by conflicting interests within a changing international environment, it was certainly not the only one. The volatility created by the boom in contraband trade triggered by the opening of Spanish American ports to French vessels through the concession of the *asiento* to the Royal Guinea Company in 1702, and to British ships following the transfer of the *asiento* to the South Sea Company, reached all areas of northern South America. During the first two decades of the eighteenth century the Meneses affair had close correlations in Panama, Quito, and even Caracas.

As their peers in Santa Fe did seven years later, the *oidores* of Panama ousted President José Antonio de la Rocha Carranza, first Marquis of Villarrocha, in 1708. As in Meneses' case, control of contraband networks played a major role in the confrontation between Villarrocha and the members of the *audiencia* of Panama. Like Meneses, Villarrocha was an American-born merchant—in this case from Quito—son of a Spanish official—and a judge, first in the *audiencia* of Quito, and later on in Lima—who had married a wealthy Spanish American woman.<sup>114</sup> Villarrocha had also had a fleeting military career, secondary to his mercantile endeavors,<sup>115</sup> and had combined the profits of the latter with the honors acquired in the former to secure an appointment as president of the

114 On the career of Diego Andrés de la Rocha, Villarrocha's father, see Guillermo Lohmann Villena, *Los Ministros de la Audiencia de Lima (1700–1821)* (Seville: CSIC/Escuela de Estudios Hispano-Americanos, 1974), pp. 188–89.

115 AGI, Panama, 105, Council of Indies to king, Madrid, June 29, 1703.

*audiencia* of Panama in 1697.<sup>116</sup> In all likelihood, he hoped to increase his fortune by taking advantage of the opportunities that control of the Panamanian isthmus would provide. Unfortunately, for Villarocho, the fall of Cartagena to the French and the Scottish settlement in Darien frustrated his plans: in 1699, shortly after having taken up office, the Council of Indies ordered his removal upon the grounds that he lacked the necessary military experience to deal with the foreign threat.<sup>117</sup>

Although the Council had found no fault with Villarocho's actions *a priori*, his replacement, Pedro Luis Enríquez de Guzmán, second Count of Canillas, discovered that Villarocho had been deeply involved in a contraband network. Villarocho's partner in smuggling fine lace from France into Peru in exchange for Potosi silver was Jean-Baptiste Ducasse—the same director of the French Senegal Company and governor of French Saint Domingue who had participated in the capture of Cartagena in 1697.<sup>118</sup> By 1702, the Council of Indies had found Canillas' accusations to be true, sentencing Villarocho to lose both the right to serve the presidency of Panama and the monies he had paid for it. The Council further banned him from holding any government post in the Americas in the future.<sup>119</sup> But the following year Villarocho managed to be exonerated by an *ad hoc* tribunal which ordered his reinstatement as president of Panama once the current incumbent finished his term in office.<sup>120</sup> It is almost certain that Villarocho had secured this outcome through money, either paid directly to the crown,<sup>121</sup> or indirectly by recruiting, dressing

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116 Villarocho paid 30,000 pesos for the appointment plus a further 15,000 to take up office immediately, jumping ahead of previous appointees awaiting their time of succession. *Idem.*; and Sanz Tapia, *¿Corrupción*, p. 453.

117 AGI, Panama, 105, Council of Indies to king, Madrid, June 29, 1703.

118 *Idem.*; and Olivas, "The Global," p. 911.

119 AGI, Panama, 105, Council of Indies to king, Madrid, June 29, 1703.

120 *Idem.*

121 At the time of his departure for Panama, he owed Bartolomé Flon, the main financier behind a major operation to sell American offices in Spain, 79,000 pesos. On Villarocho's debt to Flon, see Núria Sala i Vila, "Una corona bien vale un virreinato: el marqués de Castellanos, primer virrey borbónico del Perú (1707–1710)", in *El 'premio' de ser virrey. Los intereses públicos y privados del gobierno virreinal en el Perú de Felipe V*, by Alfredo Moreno Cebrán and Núria Sala i Vila (Madrid: CSIC, 2004), pp. 17–150 at 120; on Flon's role in the sale of appointments, Francisco Andújar Castillo, *Necesidad y venalidad. España e Indias, 1704–1711* (Madrid: Centro de Estudios Políticos y Constitucionales, 2008), pp. 95–108.

and arming the 1,200 men of the 'Artillery Regiment of Royal Fusiliers' in 1704.<sup>122</sup> Yet, although Villarocha sailed for Panama in 1706 and took up office for a second time in May 1707,<sup>123</sup> his second tenure would prove to be almost as short-lived as the first.

On July 16, 1708, the *oidores* of Panama placed President Villarocha under arrest claiming that he had been planning to flee to Jamaica to avoid paying a personal debt.<sup>124</sup> Unlike their counterparts in Santa Fe, the Panamanian judges had not proceeded entirely of their own initiative: they had received a letter from the agent of Philip V's main banker, Bartolomé Flon,<sup>125</sup> Villarocha's creditor, demanding the arrest of the president whom he considered a flight risk.<sup>126</sup> Villarocha had landed himself in a complicated position —caught between French, Spanish and Panamanian trading interests—and had managed to alienate almost everyone in Panama before his arrest. Earlier in 1708 the Count of Casa Alegre, general of the ill-fated *galeones* which had docked in Portobello that year, had written angrily to Spain complaining of Villarocha's delays and interference with the organization of the trade fair.<sup>127</sup> Almost simultaneously, the treasury officials of Panama had accused the president of having seized for himself nearly four hundred thousand pesos of the monies recently arrived from Lima for the fair.<sup>128</sup>

Bartolomé Flon had lent Villarocha a sum close to eighty thousand pesos.<sup>129</sup> In all probability, the transaction had taken place around 1703 to help Villarocha secure his reinstatement to Panama with the expectation that he would pay it back within a month of his return to the isthmus.<sup>130</sup> Yet, at the time of his arrest, Villarocha still owed 50,400 pesos of the principal plus over 7,000 pesos in interests.<sup>131</sup> The president of Panama was not the only one of Flon's debtors to be pursued by the banker. In 1707, Flon's son, who

122 Villarocha embarked upon this enterprise with Huberto Hubrecht as a partner. Francisco Andújar Castillo, *El sonido del dinero. Monarquía, ejército y venalidad en la España del siglo XVIII* (Madrid: Marcial Pons Historia, 2004), pp. 67–70. Hubrecht was a close associate and collaborator of Flon, thus it could be that the debt which Villarocha owed to Flon in 1706 was actually only being collected by Flon on Hubrecht's behalf.

123 Ones, "The Politics," p. 303.

124 AGI, Panama, 106, Council of Indies to king, Madrid, May 11, 1713.

125 *Idem.*; on Flon see, Andújar Castillo, *Necesidad*, pp. 67–75 and 95–108.

126 AGI, Panama, 106, Council of Indies to king, Madrid, May 11, 1713.

127 AGI, Panama, 106, Council of Indies to king, Madrid, May 11, 1713.

128 *Idem.*

129 Sala i Vila, "Una corona," p. 119.

130 *Ibid.*, p. 120.

131 *Ibid.*, p. 119n.

had been sent to the Americas with instructions to collect monies owed to his father by men who had purchased appointments there,<sup>132</sup> left Panama for Lima to try and collect some 20,000 pesos owed by the then viceroy of Peru, the Marquis of Castlledosrius.<sup>133</sup> Given the timing of Flon's aggressive attempts to collect the monies owed to him it is likely that the banker was in no doubt as to the possibilities for quick enrichment which the arrival of the *galeones* offered Spanish American officials. The case of the Marquis of Castlledosrius, in whose company Villarocha had travelled from Spain to Cartagena, shows that royal officials could accumulate large fortunes in very short amounts of time.<sup>134</sup>

Both the accusations made against Villarocha by the treasury officials of Panama and the general of the *galeones* and the paper trail left by the first payments that he made to Flon suggest that the president had wasted no time in deriving a profit from his reappointment. He did this by reactivating his trade networks between Panama and Lima.<sup>135</sup> Moreover, there is plenty of evidence that Villarocha was favoring French interests<sup>136</sup> whilst obstructing those of other merchants, not least amongst them those of the Spanish traders who had arrived with the *galeones*.<sup>137</sup> Within the volatile atmosphere generated by the arrival of the first Atlantic fleet to reach South America since the start of the War of the Spanish Succession and the reticence of Peruvian merchants to participate in the fair at Portobello,<sup>138</sup> Villarocha's actions were sure to conflict with the interests of certain sectors of the Panamanian elite.

132 *Ibid.*, p. 120.

133 *Ibid.*, p. 118.

134 *Ibid.*, pp. 110–11 suggests that in three years in office, Castlledosrius had managed to amass a fortune of 1.3 million pesos.

135 *Ibid.*, p. 119.

136 In October 1707, for instance, Villarocha had allowed two French sloops to dock in Portobello and sell goods. This practice was so normalized that the president even wrote to the king about the event, informing that he had collected a 20 percent tax from the French merchants. A scandalized Council of Indies replied on November 27, 1708, imposing a 2,000-pesos fine on Villarocha and a 500-pesos one on *Oidor* Francisco José de Zúñiga who had also been involved. AGI, Panama, 232, L.10, "A los ofizs. Rs. De Pana. que saquen 2[mil] ps. de multa al Preste. Marqs. De VillaRocha", Madrid, November 27, 1708, ff. 348v–350r.

137 He had, for instance, accused the wealthy and influential Antonio de Echeverz y Subiza of attempting to ship illicit merchandise down the Pacific coast without having declared it at the Portobello fair or paid the corresponding tax. AGI, Panama, 232, L.10, "Al Preste. de Pana. en resputa. a dos cartas suyas", Buen Retiro, July 12, 1708, ff. 259v–261r.

138 Geogrey J. Walker, *Spanish Politics and Imperial Trade, 1700–1789* (London: The MacMillan Press, 1979), pp. 34–50.

Even if the *audiencia* of Panama had proceeded against Villarocho with the excuse of complying with orders from Spain, its motives clearly went beyond zeal for the royal service. Following instructions from Spain, the viceroy of Peru designated Juan Bautista de Orueta, an *alcalde del crimen* of Lima, to conduct an official investigation into Villarocho's affairs. Rather than welcoming the news, the Panamanian judges refused to admit Orueta as interim president, obstructed his inquiry and refused to hand over the records of their own investigation. Finally, the *oidores* decided to appoint José de Larrañeta, governor of Portobello, as interim president in his stead.<sup>139</sup> Larrañeta had been a resident of Panama since 1700 and had a prolific career involved in illicit trade through the province's main Atlantic port. In fact, although he had been appointed governor of Portobello for life, he had been removed from office because of his contraband activities and had only recently been reinstated by the crown.<sup>140</sup> Moreover, Orueta—who had no links to Panama and had not been to the Americas before his arrival in Lima in 1707<sup>141</sup>—accused *Oidor* Fernando de Haro Monterroso, the main promoter behind the coup against Villarocho, and Larrañeta of having hijacked the province's government to further their own interests.<sup>142</sup>

As would be the case with the coup against Meneses, the Council of Indies disapproved the ousting of Villarocho. In December 1709, when it first received news that the president had been deposed, the Council reacted cautiously, instructing *Oidor* Haro Monterroso to send immediately all records of the *audiencia's* proceedings to Spain.<sup>143</sup> By July 1710, the *audiencia's* delays and excuses had led the Council to order the arrest of *Oidores* Zúñiga and Haro and of prosecutor José Llorente, the members of the *audiencia* who had overthrown Villarocho. Simultaneously, the Council ordered the reinstatement of the Marquis as president and governor of the province.<sup>144</sup> As did the

139 AGI, Panama, 172, Juan Bautista de Orueta to king, Panama, August 15, 1709.

140 *Idem.*; AGI, Panama, 105, Chamber of Indies to king, Madrid, March 15, 1700; and Archivo General de Simancas, Valladolid (hereinafter AGS), Dirección General del Tesoro (hereinafter DGT), Inventario 2, Leg. 5, "Grado de Brigadier de los Ejercitos para el Maestre de Campo Dn José de Larrañeta, teniente general de la ciudad de Portobelo", Madrid, October 31, 1708, ff. 55r–v.

141 AGI, Contratación, 5463, N.21, "Licencia de pasajero a Indias de Juan Bautista Orueta", Cadiz, March 3rd, 1706.

142 AGI, Panama, 172, Juan Bautista de Orueta to king, Panama, August 15, 1709.

143 AGI, Panama, 232, L.10, "A la auda. de Panamá participando lo que escribe Dn. Fernando Joseph de Haro", Madrid, December 21, 1709, ff. 421r–424r.

144 AGI, Panama, 232, L.10, "Al Dr. Dn Jun. Bauprista de Orueta o a la persona que por su falta o ausenzia governare en la provinzia de Tierr Firme", Madrid, July 28, 1710, ff. 449r–450r.



Meneses affair, the overthrow of Villarocha in Panama shows how prevalent and interconnected contraband trade and political instability were in northern South America, as well as the degree of autonomy and self-sufficiency which local authorities, backed by local elites, thought they had within the Monarchy. The *oidores* of Panama had shown the same confidence in their ability to rid themselves of an obtrusive president, regardless of his high rank and the nature of his representation of the king, as did the *oidores* of Santa Fe seven years later.

The city and kingdom of Quito had also witnessed frequent political infighting and factionalism as a result of alliances created between members of the *audiencia* and local interests. These tensions reached a highpoint in 1711 during the tenure of Juan de Sosaya as *audiencia* president. Sosaya was the first non-jurist ever to serve as the president of Quito and to hold the title of captain-general of the kingdom. Like Meneses and Villarocha, he was a wealthy American-born merchant, a *Limeño*, who had purchased the *audiencia* presidency as a means for increasing his own fortune and accruing merit in the royal service.<sup>145</sup> Upon taking office in Quito in 1707, Sosaya found an internally divided and quarrelsome *audiencia*. The *oidores* formed shifting factions and alliances depending upon their links with local elites, often including former *audiencia* presidents still resident in the kingdom.<sup>146</sup> As in New Granada and Panama, illicit trade was an important force behind shifting political alliances in Quito, although some sectors of the local elite may have resented it more than their counterparts in Panama City or Santa Fe did because of the importance of textile production for the province's economy. As we saw earlier, Quito had traditionally supplied woolen textiles to the Peruvian market, but the start of the War of the Spanish Succession and the irruption of French merchants into the Pacific, allowed for contraband trade in cheaper French fabrics to flood the region. This had significant repercussions in the *Quiteño* economy: whilst some textile mill owners and merchants tried to redirect their trade towards southern New Granada, with some success, and others opted for trying to benefit from active participation in French contraband, the kingdom as a whole experienced a period of economic depression.<sup>147</sup>

145 Sosaya had paid 20,000 pesos in 1705 to succeed the incumbent president. Andrien, *Kingdom*, pp. 166–167; AGI, Quito, 128, N. 15, “Nombramiento de Juan de Zozaya como presidente de la audiencia de Quito”, 1705.

146 Andrien, *Kingdom*, pp. 167–168. See also, AGI, Quito, 128, N. 10, Juan de Larrea to king, Quito, January 28, 1705.

147 Andrien, *Kingdom*, pp. 168–169.

Before his arrival in Quito, like many other Peruvian merchants, Sosaya had privately benefited from trade with the French whilst officially condemning their intrusion.<sup>148</sup> Whilst serving as *almirante* of the South Sea fleet, and later on as *corregidor* of Guayaquil, Sosaya had been involved in a trade network, dealing in both legal and contraband goods, between Quito and Lima through Guayaquil.<sup>149</sup> Once in the *audiencia* he continued to trade in cacao, cloth and oriental goods, taking advantage of his personal friendship with Juan de Meléndez, the *corregidor* of Guayaquil, whilst building strong connections with the *Quiteño* elite. In 1709 he secured authorization from the Spanish crown to marry a local woman: Micaela de Ontañón y Lastra.<sup>150</sup> Micaela was the daughter of Simón de Ontañón, a prominent *Quiteño* merchant and local agent of the influential Navarrese banker Juan de Goyeneche, treasurer to Queen María Luisa of Saboy, and partner of Bartolomé Flon both in the *asiento* company and as financier for the sale of American offices at court in Madrid.<sup>151</sup> Not surprisingly, his links with French interests in South America and his connections to the pro-French faction in Madrid alienated Sosaya from the sector of the *Quiteño* elite that had been more seriously affected by the influx of European cloth.<sup>152</sup> The president's actions, and presumably his strong links to Peninsular and Peruvian interests, exacerbated rivalries over the control of contraband trade by marginalizing players with longer-standing *Quiteño* connections and perhaps not as widespread networks abroad.

By 1710 Sosaya had placed himself at the center of a faction which included *Oidores* Juan de Ricaurte, Fernando de Sierra Osorio and José de La Isequilla. They were pitted against another group including the archbishop of Quito, Diego Ladrón de Guevara, the city's *corregidor*, Juan Gutiérrez Pelayo, *Oidores* Lorenzo Lastero Salazar and Cristóbal de Ceballos, the *audiencia's* prosecutor, José de Llorente, former Quito *alcalde ordinario* Juan Dionisio Larrea Zurbano, and a number of other figures in both Guayaquil and Quito.<sup>153</sup> With Ladrón de Guevara's appointment that year as interim viceroy of Peru, Sosaya's rivals gained a stronger voice; within a year their repeated complaints against the

148 Walker, *Spanish*, *passim*.

149 Andrien, *Kingdom*, p. 169.

150 AGI, Quito, 213, L.10, "Conzede dispensazon. a Dn. Juan de Zozaya", Madrid, August 9, 1709, ff. 114v–115v.

151 Tamar Herzog, *Upholding Justice. Society, State, and the Penal System in Quito (1650–1750)* (Ann Arbor, MI: The University of Michigan Press, 2004), pp. 75, 77. Simón de Ontañón was a long-time resident of Quito where he had occupied various offices in the town council since the late 1680s (p. 119).

152 Andrien, *Kingdom*, p. 169; Herzog, *Upholding*, p. 130.

153 Andrien, *Kingdom*, p. 169; Herzog, *Upholding*, pp. 87, 130.

president persuaded the Council of Indies to launch a formal investigation into his affairs. The Council appointed Juan Bautista de Orueta, the same figure who had headed the investigation over Villarrocha's ousting in Panama, as interim president of Quito, ordering him to remove Sosaya from office and exile him from the city of Quito along with *Oidores* Lastrero de Salazar and Ceballos. Orueta was to carry out a thorough investigation of the president's actions and involvement in illicit trade, excluding *Oidores* Ricaurte and Sierra Osorio from participation in the proceedings.<sup>154</sup> According to Kenneth Andrien, however, Orueta found it impossible to proceed with impartiality so that president's enemies heavily influenced his findings. In the end, in 1713 the Council ordered Sosaya reinstated, awarding him a 12,000-peso indemnification and levying heavy fines on his accusers.<sup>155</sup>

Thus, a clique of self-interested *oidores* backed by local elites had not technically overthrown Sosaya. His removal from office had nonetheless divided the *audiencia*; it had been orchestrated by a non-less self-interested alliance of local elites and royal officials and had been ultimately linked to local struggles over the control of contraband trade networks. To make matters worse, at least in the Council's opinion, it had wasted its ministers' time and the crown's resources by dragging Spanish authorities into what was ultimately an internecine quarrel between local rival factions. As the cases explored before, the Sosaya affair illustrates the degree of interpenetration between local elites and royal authorities, which granted local elites a substantial amount of influence in local government, to the extent that they were able to remove the highest-ranking official in the province. Simultaneously, it shows the very tangible links between local actors, international contraband trade and high politics.

It is clear that northern South America's contraband problem had not emanated from the War of the Spanish Succession or the economic benefits secured by Great Britain through the Treaties of Utrecht. Instead, foreign interlopers had already secured a firm grasp of the region since the middle years of the seventeenth century. Nonetheless, it is clear that the patterns and dynamic of foreign illicit trade in the region experienced significant alterations upon the arrival of the first Bourbon king to the Spanish throne. It was precisely these transformations, coupled with the increase in gold production—which made New Granada particularly attractive both for foreign merchants and for the Spanish crown—, which led the crown to believe that it was necessary to create a separate viceroyalty within northern South America.

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154 Andrien, *Kingdom*, p. 170.

155 *Ibid.*, pp. 171–172.

Ultimately, though, these local conditions, geopolitical concerns and courtly tensions in Madrid, explain the tortuous process that led to the creation of the viceroyalty of New Granada between 1717 and 1739. In order to fully understand the context in which the viceroyalty of New Granada was first created and the ideas and rationale behind it we first need to place this momentous decision within the broader context of political and administrative reform under Philip v.

## Reform under the First Bourbon: The Dawn of the Administrative Monarchy

In the midst of the War of the Spanish Succession (1702–13), on June 29, 1707, Philip v issued a decree by which “all rights, privileges, exemptions and liberties” enjoyed by the kingdoms of Valencia and Aragon and all their inhabitants were abolished.<sup>1</sup> From the king’s point of view, “by dint of the rebellion they did raise against Us, travesting [sic] the solemn oath of allegiance they did swear to Us as their lawful King and Lord” the peoples of Aragon and Valencia had “voluntarily resigned” all their rights and privileges. Moreover, they had only enjoyed those privileges thus far because “We [...] were pleased of Our own bounty to grant them”.<sup>2</sup> Yet, the king also claimed that “one of the principal offices and rights that attach to Kingship is that of Law Giver, wherein are comprehended both the prerogative of creating new laws and that of rescinding old ones”.<sup>3</sup> Exercising this power, Philip had decided “that all the Realms of Spain shall obey the same laws and statutes, and observe the same customs and practices as one another, and that each shall be subject to the Laws of Castille [sic]”, which were to be introduced instead of the thereby abolished rights, privileges, liberties and exemptions.<sup>4</sup>

For much nineteenth and twentieth-century historiography, this decree marked the beginning of Bourbon absolutism, a style of government that Philip had introduced in imitation of and under the direct advice of his grandfather.<sup>5</sup> Nationalist historians of the four kingdoms of the Crown of

1 “Felipe v abolishes Aragonese and Valencian privileges”, in *Spain under the Bourbons, 1700–1833. A collection of documents*, ed. and trans. W. N. Hargreaves-Mawdsley (Columbia, SC: University of South Carolina Press, 1973), pp. 35–36. The decree was later compiled into the *Novísima recopilación de las leyes de España. Dividida en XII libros en que se reforma la Recopilación publicada por el Señor Don Felipe II en el año de 1567, reimpresa últimamente en el de 1775: y se incorporan las pragmáticas, cédulas, decretos, órdenes y resoluciones Reales, y otras providencias no recopiladas, y expedidas hasta el de 1804. Mandada formar por el Señor Don Carlos IV*, (Madrid: n.p., 1805), vol. II, p. 13, first law, third title, third book.

2 I quote from the English translation in “Felipe v abolishes,” p. 35.

3 *Ibid.*, p. 36.

4 *Idem.*

5 For a succinct overview of the historiography on the War of Succession up to the 1950s see María Teresa Pérez Picazo, *La Publicística Española en la Guerra de Sucesión* (Madrid:

Aragon claimed that by this decree Castilian centralism and authoritarianism had been forced upon the rest of the realms, destroying long-standing traditions of autonomous government. At the same time, they argued, the decree brought about the end of Aragonese, Valencian, Catalan and Majorcan “national identities”.<sup>6</sup> In reality, as we shall see, the decree of June 29, 1707, constituted only one step in the complex process through which the new Bourbon king, with the advice and backing of his French ministers and of many of his most distinguished Spanish advisors, tried to reorganize the complex structure of the Spanish Monarchy in the context of a war that brought about the disintegration of Spain’s European empire. Castile was not exempt from Philip’s program of reforms and the changes introduced there were often as significant as those taking place in the Crown of Aragon.<sup>7</sup> In the language of the time, the reorganized political institutions, in their different contexts, were always referred to as the *Nueva Planta*, or new layout.

This label also applied to the first creation of the viceroyalty of New Granada. After all, there were far more similarities between reforms introduced within the Peninsula during the first two decades of Bourbon rule and those designed for the Americas in the same period than has usually been thought. For one thing, historians have often struggled to make sense of the process through which the viceroyalty of New Granada was first created, only to be suppressed shortly afterwards. Yet, this pattern of apparent indecisiveness is not unlike that which characterized many of the reforms introduced under Philip v in Spain. Thus, explaining the reasoning that led the crown to introduce reforms, only to take them back and then to introduce them once again, requires our taking into consideration more than the particular circumstances of those provinces or kingdoms affected by a specific reform. It is necessary to look at each reform within the context of broader policies implemented by the Spanish crown around the same time and to consider the power struggles and

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Consejo Superior de Investigaciones Científicas, Escuela de Historia Moderna, 1966), vol. 1, pp. 5–14.

- 6 For a classic example of this argument see S. Sanpere y Miguel, *Fin de la nación catalana* (Barcelona: Tipografía ‘L’Avenç’, 1905). And for a more recent one, Horst Hina, *Castilla y Cataluña en el debate cultural, 1714–1939. Historia de las relaciones ideológicas catalano-castellanas* (Barcelona: Ed. Península, 1986). For an insightful critique of the idea that the Nueva Planta constituted an attack on Aragonese ‘nationalities’ see Bartolomé Clavero, “Cataluña en España, el Derecho en la Historiografía”, *Anuario de Historia del Derecho Español* (1987): pp. 805–50 at 823–26.
- 7 Benjamín González Alonso, “El fortalecimiento del Estado borbónico y las reformas administrativas,” in *Carlos III y la Ilustración* (Madrid: Ministerio de Cultura, Comisión Nacional Organizadora del Bicentenario, 1988), vol. 1, pp. 83–96 at 84–85.

personal relations affecting the decision making process at court. It is also necessary to keep an eye on those political practices and patterns of government that remained well established in the provinces targeted.

This chapter argues that reforms introduced in Spain over the first fifteen years of Philip v's reign reflected a new understanding of the role and purpose of monarchical government which prioritized good economic government, efficiency and executive implementation above the provision of justice and horizontal consultation. These reforms were urged on by a generation of Spaniards, formed under Charles II, who had come to identify the traditional system of Spanish government as the root cause of the Monarchy's problems. Their views were largely shared by Philip's French advisers. Together, French and Spanish ministers advanced a program of reform aimed, in the first instance, at streamlining the central government and fiscal administration of the Monarchy. Reforms, though, were not universally welcomed. Sectors of the Spanish elite associated with the traditional institutions of the Monarchy—the jurists in the Council of Castile and the *grandees*, for instance—opposed reforms which they saw both as attacks on their political standing and as being antithetical to the principles which characterized Spanish monarchical rule. The ebb and flow of the reformist faction's influence at court, often linked to the changing fortunes of Bourbon forces in the battlefield, determined the pace and durability of these reforms.

### 3.1 The Character of Reform under Philip v

To understand fully the logic behind and significance of the first creation of the viceroyalty of New Granada, we must look at it within the wider context of the extensive administrative reforms introduced under Philip v. These began long before 1717 at the very heart of the government and were, in general, geared towards strengthening royal authority by taking the administration of the monarchy away from the hands of mediatizing institutions and local elites and entrusting it to officials directly dependent upon and loyal to the king. The first important set of reforms introduced after the accession of the former Duke of Anjou, now Philip of Spain, occurred in 1703, coinciding with the beginning of the War of the Spanish Succession and immediately after the king's return from Italy, where he had been when hostilities started.<sup>8</sup> These

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8 Philip had arrived in Madrid in February 1701. In September, he set off for the kingdoms of Aragon. He remained for over six months in Barcelona where he celebrated *Cortes* and received his new bride. As the international situation took a turn for the worse, with growing

first changes aimed at the very heart of the monarchy's central administration and materialized through three institutions created *ex profeso* by the king and his advisors: the Cabinet Council (*Consejo del despacho*), the Secretary for War and Finance (*Secretario del despacho universal de guerra y finanzas*) and the General Treasury of War (*Tesorería general de la guerra*).<sup>9</sup> There can be little doubt that Louis XIV and his emissaries in Madrid supported, if not urged, these reforms. Yet, significant segments of the Spanish political elite also shared the perceived need for major changes within the government of the Monarchy addressed by these reforms.

The creation of the Cabinet Council represented the first step towards a new style of government which placed decision making more directly within the hands of the king and his closest advisors, rather than within the various Councils usually controlled by either members of the high nobility—the grandees—, or the nobility of the robe (*nobleza togada*).<sup>10</sup> It is well known that Louis XIV had little regard for the Spanish tradition of government by Councils, a system that he found slow, unreliable, detrimental to royal authority, and at the root of all of Spain's weaknesses. Historians have often, and accurately, interpreted the advice Louis gave to his grandson, as he was leaving Versailles, urging him to make decisions by himself and not to let himself be governed by others as a warning against the Council system.<sup>11</sup> Perhaps not surprisingly, upon his arrival in Spain the young Bourbon king found government through

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opposition to Philip's succession to the Spanish throne, in April 1702, following Louis XIV's advice the king left the Peninsula for his Italian territories. He visited Naples and Milan and was still in the latter when the war started. After participating in some initial battles, Philip returned to Spain to prepare against a possible invasion of the Peninsula, arriving back in Madrid in January 1703. Henry Kamen, *Philip V of Spain. The King Who Reigned Twice* (New Haven, CT: Yale University Press, 2001), pp. 1–14, 17–22.

9 Concepción de Castro, "Las primeras reformas institucionales de Felipe V: el marqués de Canales, 1703–1704," *Cuadernos dieciochescos* I (2000): pp. 155–83.

10 There was a clear distinction between two kinds of Councils operating in the Spanish Monarchy at the time of Philip's accession. On the one hand there were the Councils that dealt with "matters of State", areas considered the exclusive preserve of the king whose decision applied immediately in the entire monarchy. These included the Councils of State, War and Finance, dominated by the grandees, who were expected to advise the king but to defer to his decision. The second kind of Council comprised the so called territorial Councils or governing Councils—those of Castile, Aragon, the Indies, Italy and Flanders—which were controlled by the nobility of the robe and effectively governed the territories in the name of the king, expecting the monarch simply to acquiesce with the Councils' opinions (*Ibid.*, p. 156).

11 Louis's admonition to his grandson, urging him to "not let yourself be governed, be the master. Do not ever have a favorite or prime minister. Listen to and consult with your



these institutions highly unsatisfactory. As he complained to his grandfather, no one explained the key issues to him and he was simply presented with decisions, which had already been taken by the Councils, for his signature.<sup>12</sup>

Dissatisfaction with the Councils, however, was also widespread in Spain. Especially during the second half of Charles II's reign, government by Councils had come to be seen as slow and tortuous, perennially hampered by conflicts of jurisdiction.<sup>13</sup> A number of political writers identified this kind of government as the main cause of Spain's stagnation and century-long crisis.<sup>14</sup> Moreover, the territorial Councils were increasingly seen as the exclusive domain of a small group of *togado* nobles and members of the *Colegios Mayores*.<sup>15</sup> For many this inbred and self-segregating group did no longer represent the kingdom, thus rendering the whole logic behind government by Councils obsolete.<sup>16</sup> After all, the traditional justification for the authority of the Councils—particularly that of Castile, which claimed to be the original Council, created at the same time as the monarchy—had been to guarantee the pact celebrated between the king and his subjects, by making sure that all royal actions were undertaken according to the reason of justice.<sup>17</sup> In this way, the Council acted both as guarantor of the monarchy's constitution and as a permanent representation

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Council, but reserve resolution to yourself. God, who has made you king, will give you the necessary means as long as your intention is good", is well known. Quoted in *Ibid.*, p. 159.

12 *Ibid.*, p. 160.

13 Christopher Storrs, *The resilience of the Spanish monarchy, 1665–1700* (Oxford: Oxford University Press, 2006), pp. 182–83; and Beatriz Cárceles de Gea, "Juicio y debate del régimen polisindial en las campañas políticas del reinado de Carlos II", *Pedralbes. Revista d'Història Moderna* VII (1987): pp. 103–25, especially at 120–21.

14 *Ibid.*, pp. 115–16, 119–20. See for example Biblioteca Nacional de España, Madrid (hereinafter BNE), Manuscritos, Ms/10.695, Representación a Carlos II del Obispo de Solsona, Madrid, October 5, 1694, ff. 107–21, which urged the king to change the "style" of the Spanish government, which all of Europe identified as the root of Spain's problems, in favor of more clearly defined procedures similar to those adopted by Louis XIV.

15 Cárceles de Gea, "Juicio," p. 118.

16 *Ibid.*, pp. 117–19.

17 Luis María García-Badell Arias, "Felipe V, la Nobleza Española y el Consejo de Castilla. La *Explicación jurídica e histórica de la consulta que hizo el Real Consejo de Castilla* atribuida a Macanaz", *Cuadernos de Historia del Derecho* XII (2005): pp. 125–49 at 138–39; Storrs, *The Resilience*, pp. 183–84; Jean Pierre Dedieu, "Dinastía y elites de poder en el reinado de Felipe V", in *Los Borbones: dinastía y memoria de nación en la España del siglo XVIII*, ed. Pablo Fernández Albaladejo (Madrid: Casa de Velazquez / Marcial Pons, 2001), pp. 381–400 at 390–91; and Antonio Manuel Hespanha, *Vísperas del Leviatán. Instituciones y poder político (Portugal, siglo XVII)*, trans. Fernando Jesús Bouza Alvarez (Madrid: Taurus, 1989), pp. 221–23.

of the interests of the realm; it was thus able even to contradict the king to ensure that he always proceeded with justice; in so doing, the Council became essentially undistinguishable from the king himself.<sup>18</sup>

Even the high nobility perceived the arrogance and greed with which the Council of Castile reasserted its predominance over other bodies where the *grandees* were stronger—such as the Council of Orders or that of War—and its dominant position in matters of government as a threat to the traditional role and privileges of its members.<sup>19</sup> Similarly, for other groups, the presumption by the territorial Councils that the king would mechanically ratify all their opinions was an unacceptable attack upon the king's sovereignty.<sup>20</sup> Others still, condemned the enormous expense involved in running this system. For all of these reasons a number of reforms had tried to reduce the size and operational scope of most Councils during Charles II's reign.<sup>21</sup>

It was in this context that Philip formed the Cabinet Council, a small body, originally comprising the presidents of the territorial Councils, a number of distinguished *grandees* and the king's closest advisors, physically presided over by the king.<sup>22</sup> Within this Council the king could hear his personal secretary present the key issues requiring a royal decision, as well as the opinions of his most trusted advisors before personally making a decision.<sup>23</sup> This new system of government greatly satisfied Philip, as he informed his grandfather.<sup>24</sup>

18 García-Badell Arias, "Felipe v," pp. 139–40; on the fallibility of the monarch, see Dedieu, "Dinastía," p. 385.

19 García-Badell Arias, "Felipe v," p. 137.

20 This opinion, championed by the most fervent supporters of Philip, gained much strength during the first years of Bourbon rule. In 1704, complaining about objections constantly raised by the Council of Castile, Francisco Ronquillo y Briceño, later Count of Gamedo, at the time governor of the armies of Castile, put it this way: "either the authority of the king is independent from that of the Council of Castile and he can act through his Secretary for War, or he is subject to it and he can only act through the Council", which was clearly absurd (quoted in Castro, "Las primeras," p. 174).

21 See Storrs, *The Resilience*, pp. 185–87.

22 The French ambassador was also a regular member of the Cabinet Council, owing allegedly to the need for orchestrating foreign policy and war strategies with Versailles. With the arrival of Michel-Jean Amelot de Gournay as Louis's ambassador in 1705, the French representative came to be the leading figure of the now reduced and streamlined Cabinet Council (Castro, "Las primeras," p. 159).

23 Jean Pierre Dedieu, "La Nueva Planta en su contexto. Las reformas del aparato del Estado en el reinado de Felipe v", *Manuscripts. Revista de Historia Moderna* xviii (2000): pp. 113–39 at 114–15.

24 In an often-quoted letter, Philip told his grandfather, referring to the Cabinet Council, that "this method of working is very satisfactory to me, because I can in this way receive

The Cabinet Council soon took over most of the matters previously discussed by the Councils of State, War and Finance.<sup>25</sup>

The way in which the Cabinet Council worked directly affected the power and significance of the so-called Universal Secretary (*Secretario del despacho universal*). The Secretary had long enjoyed the privilege of being the only official who worked directly with the king—or his *valido*—presenting him with the documents that required his signature and acting as a link between the king and his Councils.<sup>26</sup> Now he gained an even greater power by controlling the agenda of the Cabinet Council, preparing the summaries and personally presenting matters to the Council.<sup>27</sup> Initially Philip's Universal Secretary was a man he inherited from Charles II: Antonio de Ubilla, first Marquis of Rivas.<sup>28</sup>

The king's second major reform recognized and exploited the strong position of the Universal Secretary. On September 15, 1703, the king appointed Manuel Coloma Escolano, Marquis of Canales, as Universal Secretary for War, leaving the Marquis of Rivas as "secretary of everything else".<sup>29</sup> The king explicitly appointed Canales to direct and centralize the war effort, effectively depriving the Council of War of all its previous responsibilities except for the administration of military justice.<sup>30</sup> This reform not only altered the relationship between the king and his Councils, but it also affected the structures linking the king to the territorial administration of the monarchy. Claiming that the demands

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all the explanations I need and can make decisions on each matter with full information" (the quote and translation in Kamen, *Philip V*, p. 27). Concepción de Castro, however, claims these lines referred to the king's personal direction of affairs with his Secretary for War and his advisor Jean Orry at a time where the Cabinet Council had been temporarily relegated. See Castro, "Las primeras," pp. 161, 163.

25 Dedieu, "La Nueva," pp. 116–18.

26 Castro, "Las primeras," p. 158. For a more detailed account of the institutional evolution of the office of royal Secretary in Spain see José Antonio Escudero, "Orígenes de la administración central borbónica", in *Administración y Estado en la España Moderna* (Valladolid: Junta de Castilla y León, 2002), pp. 43–51 at 45–49; and Ma. Victoria López-Cordón Cortezo, "Cambio social y poder administrativo en la España del siglo XVIII: las secretarías de Estado y del Despacho", in *Sociedad, Administración y Poder en la España del Antiguo Régimen*, ed. Juan Luis Castellano (Granada: Universidad de Granada / Diputación Provincial de Granada, 1996) pp. 111–30 at 113–14.

27 Dedieu, "La Nueva," p. 115; and in more detail Castro, "Las primeras," p. 161.

28 For more details on Antonio de Ubilla see María Victoria López-Cordón, "Instauración dinástica y reformismo administrativo: la implantación del sistema ministerial", *Manuscrits. Revista de Historia Moderna* XVIII (2000): pp. 93–111 at 96–98.

29 Castro, "Las primeras," p. 161.

30 *Ibid.*, p. 162.

of the war required the mobilization of all sorts of resources and the collaboration of civilians and local authorities as well as the armed forces, the Secretary for War corresponded almost daily with governors, *corregidores* and all sort of non-military authorities.<sup>31</sup> The administration of the armed forces was placed directly under the authority of the Secretary for War and, as such, commanders and captains-general, who acted also as governors of their provinces, were made directly responsible to the king, through his Secretary, instead of through the Councils.<sup>32</sup>

The third reform, which followed the appointment of Canales, was linked intrinsically to the demands of the war and to the needs of the Secretary for War, who had also come to control most matters of finance. By creating the General Treasury of War, the crown meant to simplify the collection of revenue, by concentrating and prioritizing those monies destined for supporting the army. At the same time, the new treasury would exercise central control over the expenditures of the army by streamlining the provision of supplies and the payment of salaries for the armed contingents.<sup>33</sup> The new treasurer of war, Juan de Orcasitas y Avellaneda, Count of Moriana, was directly under the authority of the Secretary for War to facilitate his directing the war effort. At the same time, a new structure of revenue officials was placed under the treasurer's command, significantly altering the traditional system of tax collection, in place since, at least, the sixteenth century and by which every tax collected in the Spanish Monarchy had its own administrative apparatus with a number of dedicated treasuries and peculiar territorial divisions.<sup>34</sup> The new Treasury of War centralized all the sources of revenue destined for financing the military campaign under a single administrative structure. Provincial treasuries collected the revenue from local treasuries and paid directly to both the soldiery and army suppliers, all under the control of a single treasurer who centralized the information and had at any given time a reliable knowledge of the status of royal finances. The treasurer in turn was directly responsible to the king through the Secretary for War.<sup>35</sup> Needless to say, these changes also

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31 Moreover, military governors and other officials, reassured by direct contact with the king's Secretary started questioning the validity of traditional administrative procedures, like the triennial rotation of *corregidores* and the circulation of *audiencia* and chancery judges, from which the authority of the Council and the Chamber of Castile stemmed (*Ibid.*, pp. 170–175).

32 *Ibid.*, pp. 167–171.

33 *Ibid.*, p. 165.

34 Dedieu, "La Nueva," pp. 133–34.

35 Castro, "Las primeras," p. 166.

affected the position of the Council of Finance which lost all control over those taxes—amounting to over one third of the overall collection—which were now explicitly earmarked for war purposes.<sup>36</sup>

As the king stated in 1714, his reforms aimed at improving and expediting the processes through which the Monarchy was governed. To this end, he intended to be informed, in person, of the most important matters of government and to “take [him]self the determinations on everything, desiring the greatest accuracy for the greatest benefit of the State and tranquility of [his] subjects”.<sup>37</sup> Pablo Fernández Albaladejo described these reforms as characteristic of the process of transition from a judicial to an administrative monarchy.<sup>38</sup> This entailed a change in the style of government, a reorganization of decision-making at the heart of the Spanish monarchy.

Under the traditional “judicial” system, all governmental decisions had required a long process of horizontal consultation that took into consideration the interest of all the potentially affected parties.<sup>39</sup> The Councils implemented this process and it invariably involved a number of opinions or reports commissioned by a Council, a review of these by a prosecutor or a particular councilor and a discussion by the whole Council. Often, the original Council would refer the matter to a second or third Council for further consultation. The output of this process was a *consulta*, a recommendation by the originating Council, which once ratified by the king was transmitted by the same Council to those agents responsible for implementation. The new “administrative” system involved a more direct and vertical procedure. The king heard only the advice of his Secretaries and the members of his Cabinet Council and, perhaps, one or two individuals of utmost confidence who were considered experts in the matter, keeping consultation to a minimum. The king then made a decision and the Secretary, who spoke or wrote in the name of the king, transmitted it

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36 Among those sources of revenue that had been destined to finance the war effort were the state monopolies of stamped paper and tobacco, the *lanzas* paid by the nobility, the *medias anatas* and all the income earmarked for the king’s “secret expenses”. See, *Ibid.*, p. 166.

37 Decree of November 30, 1714, introducing the “Nueva planta de las secretarías del Despacho; y establecimiento de un Consejo de Gabinete, y un Intendente universal de Hacienda”, in *Novísima recopilación*, vol. 11, p. 32, fourth law, sixth title, third book.

38 Pablo Fernández Albaladejo, *Fragmentos de monarquía: trabajos de historia política* (Madrid: Alianza Editorial, 1992), pp. 375–409.

39 Jean Pierre Dedieu, “Lo militar y la monarquía con especial referencia al siglo XVIII”, *Hyper Article en Linge-Sciences de l’Homme et de la Société* (hereinafter *HAL-SHS*), 2007. (*halshs-00184761*, version 1), p. 7.

to those charged with its implementation. This form of communicating royal decisions is as the *vía reservada*; its aim was to transform the priorities of government, emphasizing executive authority, “liberating” governmental matters from judicial oversight and reducing “justice” strictly to the resolution of disputes.<sup>40</sup>

Such transformations, however, did not come about smoothly, and in no way were they exhausted during Philip’s reigns.<sup>41</sup> Whilst the perceived need for extensive reforms had been widespread in 1700, no agreement had existed as to the extent or character that the reforms should take. As is to be expected, the changes introduced by the new Bourbon king and his advisors attracted significant opposition, especially amongst those members of the ruling elite who saw their interests and position harmed. First among these were those members of the nobility strongly linked to the Councils.<sup>42</sup> Opposition, though, also came from those who, like an important segment of the *grandees*, hoped for reforms and saw the weakening of the Council of Castile as a step in the right direction, but objected to what they perceived as “foreign” control over the government.<sup>43</sup> Whilst these disagreements certainly drove some

40 Fernández Albaladejo, *Fragmentos*, pp. 407–08.

41 See, for instance, Benjamín González Alonso, “El fortalecimiento” pp. 83–96 at *passim*; and Javier Guillamón Álvarez, “La guerra de sucesión y el comienzo de las reformas borbónicas”, in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. José Fernández García, María Antonia Bel Bravo and José Miguel Delgado Barrado (Jaén: Universidad de Jaén, 2001), pp. 529–42.

42 Castro, “Las primeras,” p. 175.

43 See Dedieu, “La Nueva,” p. 116, n. 12; Henry Kamen, *The War of Succession in Spain 1700–1715* (Bloomington, IN: Indiana University Press, 1969), pp. 83, 91; and Kamen, *Philip v*, pp. 25–27, 52, 54, and 60. As sensitive an issue as actual segregation from government, if not more so, were changes in ceremonial stature and protocol. Amongst the *grandees*, who prided themselves on being the highest ranking members of Spanish society and the only ones allowed to participate in the different aspects of the king’s every-day life, reforms to the royal household, and particularly the introduction of a parallel French household, could generate more cohesive opposition and organized protest than any changes in the structure and working of the government. See Carlos Gómez-Centurión Jiménez, “Etiqueta y ceremonial palatino durante el reinado de Felipe v: el reglamento de entradas de 1709 y el acceso a la persona del Rey”, *Hispania* LVI (1996): pp. 965–1005. Some authors, however, have suggested that *grandee* opposition to Philip’s reforms had more to do with the nature of the reforms being put into practice than with the personnel implementing them. For Ignacio Vicent, for instance, the “style” of government introduced by Philip was essentially incompatible with the ancient constitution of the Spanish Monarchy. In his opinion those Spaniards who advocated reform intended to change only

members of the opposition openly to adopt the party of Philip's Habsburg rival, Archduke Charles,<sup>44</sup> in most cases, they found the blame not with the king personally, but with his French and Francophile advisors.<sup>45</sup> As a result, the first of Philip's reigns was characterized by a relentless confrontation between three groups: the proponents of the new administrative style, often led by the French ambassador and the king's Secretaries; those who defended what they saw as the traditional Spanish way, with the Council of Castile as their flagship; and those who wanted reforms but wanted them to be placed in the hands, and under the exclusive direction, of Spaniards.

Owing largely to the ebbing and flowing of this struggle, the reforms implemented were often then moderated, or entirely revoked, only to be reintroduced later on. In August 1704, for example, after the loss of Gibraltar to allied forces, Philip had to take a step back on his first reforms, dismissing his Secretary for War and dismantling the General Treasury.<sup>46</sup> By the end of 1705, however, not only had the king appointed a new Secretary for War and Finances, but he had also removed the old Universal Secretary replacing him with a man more sympathetic to reform.<sup>47</sup> The Treasury of War was also reestablished in 1705, still under the Count of Moriana.<sup>48</sup>

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"partial aspects of the Castilian constitution, particularly those pertaining to its finances, which could be substantial, but would never touch the fundamental principles of the [...] constitution, such as the layout of its jurisdictional government or its Catholicism" (Ignacio M. Vicent López, "La cultura política castellana durante la guerra de sucesión: el discurso de la fidelidad," in *Los Borbones: dinastía y memoria de nación en la España del siglo XVIII*, ed. Pablo Fernández Albaladejo (Madrid: Casa de Velazquez / Marcial Pons, 2001), pp. 217–44; and Ignacio M. Vicent López, "Felipe v y la Monarquía Católica durante la Guerra de Sucesión: una cuestión de 'estilo,'" *Espacio, Tiempo y Forma, Serie IV, Historia Moderna* VII (1994): pp. 397–424, the quote at 402).

44 A well-known case is that of the Admiral of Castile. Kamen, *Philip v*, p. 25; Kamen, *The War*, pp. 94–95. For other examples, see *Ibid.*, pp. 308, 314–15, 318–19, 331–32.

45 The Count of Eril, for example, when implicated in a conspiracy in Granada in 1704, argued in his defense that he was "a very loyal subject of His Majesty, but the French are dogs" (quoted in Vicent López, "La cultura," p. 218, n. 4; see also Kamen, *Philip v*, p. 26).

46 Castro, "Las primeras," pp. 177–78.

47 López-Cordón, "Instauración," pp. 97–99.

48 Castro, "Las primeras," pp. 180–81. The new Secretary for War and Finance was José Gutiérrez de Grimaldo y Solórzano who would become a key figure of Philip's government until 1726, and who had been an officer under Canales in 1703. The new Universal Secretary "of everything else" was Pedro Fernández del Campo, Marquis of Mejorada, a somewhat grey figure who also remained in office for a long time. Canales, in the meantime had been appointed "director for matters of war" within the king's Cabinet Council.

In November 1714, following the reorganization of the Cabinet Council into six different sections, the king also reorganized the two Secretaries of the *des-pacho* into five different offices: State, Ecclesiastical Affairs and Justice, War, Finance and the Navy and the Indies.<sup>49</sup> A further reorganization took place in 1721 after the Cabinet Council had ceased to operate, thus leaving all governmental matters in the hands of the king and his Secretaries. The five offices were then transformed into six: State, War, Finance, Indies, Navy, and Grace and Justice, although the Secretaries of the Navy and the Indies continued to be served by the same individual.<sup>50</sup> Appendix 1 provides a list of the men who occupied these offices throughout Philip's reign tracing the changes in the division and structure of the king's ministries.

Similarly, the crown introduced a set of ambitious reforms in November 1713—the *Nueva Planta* of the Councils of Castile, Finance and the Indies, intended to reduce opposition within these bodies by restructuring them and creating new seats for sympathizers of the new style of government. However, when the French faction fell out of grace in 1715 leaving the monarchy temporarily back in the hands of the Councils these changes were completely reversed. The reform had especially targetted the Council of Castile. Since it was almost impossible legally to remove its members, the reform intended to weaken their power by dividing them into five different chambers; the king determined which councilors served in which chamber and could introduce a new rote every six months. At the same time, the number of councilors increased by the appointment of sympathizers of the reforms. Finally, consulting with the Council's *fiscal* or royal prosecutor—an agent of the king's interest who enjoyed direct communication with the monarch—became mandatory. During the period when the reforms were in place, resistance amongst the older members of the Council was strong and sessions were plagued by absenteeism or filibustering in association with the Council's scribes and recorders who also felt their own interests were injured.<sup>51</sup> Everything, however, returned to its pre-1713 state after the fall from power of the French faction led by the Princess of Ursins, Jean Orry and Melchor de Macanaz in 1715.<sup>52</sup> It

49 Dedieu, "La Nueva," p. 116.

50 See, *Ibid.*, p. 118.

51 See *Ibid.*, pp. 118–22.

52 Born in the region of Albacete and educated at Salamanca, Macanaz was secretary to the viceroy of Aragon in 1705 when Philip passed through that kingdom in his first, unsuccessful attempt to suppress the Catalan revolt. The king then took him on as his personal secretary during that campaign and upon returning to Madrid appointed him secretary of the Council of Castile. His opinions upon the government of the Crown of Aragon



was because of this process that the crown came to set and recognize the “new” boundaries of the equivocally named “absolute” royal authority.

### 3.2 Reform beyond the Central Institutions of the Monarchy: The Kingdoms of the Crown of Aragon

Notably, reform under Philip v was not limited to the central institutions of the monarchy. Between 1707 and 1716, it also reached many of Spain's provinces, most notably the kingdoms of the Crown of Aragon, which, during the War of Succession had sided with the Habsburg pretender, Archduke Charles. Reform materialized in the well-known decrees of *Nueva Planta*, which abolished the traditional liberties and institutions of the kingdoms of Valencia, Aragon, Catalonia and Majorca, reducing them to provinces, in theory at least, equal to those of the Crown of Castile.

Whilst there were some important differences between the decrees issued for each province—particularly regarding how much of the old legislation was replaced by Castilian or Common law—<sup>53</sup> a number of characteristics bound them together. In all cases, reforms were mostly confined to the political arena, and had limited impact upon the everyday life of the majority of the population.<sup>54</sup> All decrees abolished traditional representative institutions; all *audiencias* underwent a profound reorganization, as did municipal

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earned him the trust of the French ambassador and leading figure of Philip's government, Michel-Jean Amelot, who entrusted him with the financial reorganization of Valencia in 1707. In 1711, he was appointed *intendente* of Aragon, and in mid-1713 he became prosecutor-general of the Council of Castile. See Henry Kamen, “Melchor de Macanaz and the Foundations of Bourbon Power in Spain,” *English Historical Review* LXXX (1965): pp. 699–716 at 699–706.

53 For instance, whilst virtually all local laws had been abolished in Valencia, local civil law was preserved in Aragon where only Castilian criminal law was introduced (*Novísima recopilación*, p. 401, second law, seventh title, fifth book); and whilst formally the same pattern was followed in Catalonia (Kamen, *Philip v*, pp. 112–16), in practice, Catalan criminal law also survived (Juan Mercader Riba, “La ordenación de Cataluña por Felipe v: la Nueva Planta”, *Hispania* XI (1951): pp. 257–366 at 260).

54 Valencia was the one exception. *Ibid.*, pp. 260–61; and Juan Beneyto, “Una explicación sociológica de la no-devolución del derecho civil valenciano”, *Revista de Estudios Políticos* XLIII (1985): pp. 159–64; Fernández Albaladejo, *Fragmentos*, p. 358; and Mariano Peset, “La creación de la Chancillería de Valencia y su reducción a Audiencia en los años de la Nueva Planta”, in *Estudios de Historia de Valencia* (Valencia: Universidad de Valencia, 1978) pp. 309–34 at 324–26, 334.

government with the introduction of Castilian-style *ayuntamientos* presided by *corregidores*; all privileges excluding Castilians from appointment to offices within these kingdoms were abolished; a system of taxation controlled by the crown replaced autonomous fiscal administration; the king claimed the right to appoint all local authorities.<sup>55</sup> Moreover, in all cases, rule by captains-general replaced viceregal rule.

When it first introduced these reforms in Valencia and Aragon, the crown initially opted to create chancelleries, following the model of those of Valladolid and Granada; but the chancelleries were short-lived. Partly because the decrees were introduced whilst the war was still on, the government of both provinces remained largely in the hands of the same military officers who had commanded the conquering Bourbon armies.<sup>56</sup> This was especially true in Aragon, which fell back under Habsburg control between 1709 and 1710. Coexistence between these military governors and the *togado* presidents of the chancelleries was not easy. Mutual accusations and confrontations soon reached such levels that the crown decided to downgrade the chancellery of Aragon to the rank of *audiencia*, through a decree dated April 3, 1711. The province's captain-general would serve as the president of the new tribunal.<sup>57</sup>

Melchor Rafael de Macanaz, at the time *intendente* of Aragon, opined in a January 1713 report to the king that, since the introduction of the decree of April 3, 1711, the situation in that province had certainly improved, particularly compared to how matters stood in Valencia—where the chancellery was not demoted to *audiencia* until 1716. In Macanaz's view, however, the *audiencia* of Aragon continued to have too much influence in matters other than justice. He suggested its role should be limited to trying civil and criminal cases and to reviewing old *fueros* and local laws, looking for those that were favorable to the king in order to reinstate them, leaving everything else to the captain-general

55 See Ricardo García Cárcel, *Historia de España en el Siglo XVIII. La España de los Borbones* (Madrid: 2002), p. 93, cited in Consuelo Maqueda Abreu, "En torno al decreto de Nueva Planta de Cerdeña, 1717–1720", *Revista de Derecho UNED* 1 (2006): pp. 425–68 at 453.

56 For a more detailed analysis of this process see Francisco A. Eissa-Barroso, "Politics, Political Culture and Policy Making: The Reform of Viceregal Rule in the Spanish World under Philip V" (Ph.D. diss., University of Warwick, 2010), pp. 65–67, 70–74.

57 Archivo Histórico Nacional, Madrid (hereinafter AHN), Consejos, 18190, núm 12, Chamber of Castile to king, Madrid, March 26, 1708; AHN, Estado, 346, D'Asfeld to king, Valencia, August 28, 1708; and Pedro Molas Ribalta, "Las Audiencias borbónicas en la Corona de Aragón", in *Historia social de la administración española. Estudios sobre los siglos XVII y XVIII*, ed. Pedro Molas Ribalta, Javier Gil Pujol, Fernando Sánchez Marcos, María de los Ángeles Pérez Samper and Eduardo Escartín Sánchez (Barcelona: CSIC-Institución Mila y Fontals, 1976), pp. 117–64 at 124–25; and Peset, "La creación," pp. 326–34.

and the *intendente*.<sup>58</sup> However, the *audiencia* continued to raise equivalent complaints. After all, the captain-general was, above all else, a military officer who exercised his political and civil authority in direct subordination to the king, through the Secretary for War. The *audiencia*, on the other hand, was subordinated to the Council of Castile.<sup>59</sup> Tensions between the two of them were not only the result of confrontation between civil and military authorities,<sup>60</sup> but a manifestation at the provincial level of the tensions being played out in Madrid between proponents of government through the king's ministers by the *vía reservada* and those who supported government through the traditional means of the *vía de Consejo*.<sup>61</sup>

To further try and minimize conflict between judges and captains-general, the crown followed a different procedure when designing and introducing the *Nuevas Plantas* for Catalonia and Majorca once the War of the Spanish Succession had ended. Firstly, the king issued a general *instrucción* regulating the role and powers of all the captains-general of the Peninsula on January 1, 1714.<sup>62</sup> Then in March 1715, as Bourbon troops laid siege to Barcelona, the king asked the Council of Castile to recommend the best way to organize the government and administration of justice in Catalonia. Having heard two prominent supporters of the Bourbon succession with extensive experience of Catalonia—the jurist Francesc Ametller and the man who had been in charge of the administration of Catalonia's finances since the start of the Bourbon

58 Melchor de Macanaz, "Informe dado al rey sobre el gobierno antiguo de Aragón, Valencia y Cataluña; el que se había puesto de que se las sujetó con las armas y lo que convendrá remediar", in *Regalías de los Señores Reyes de Aragón. Discurso Jurídico, Histórico, Político por D. Melchor de Macanaz*, ed. Joaquín Maldonado Macanaz (Madrid: Imprenta de la Revista de Legislación, 1879), pp. 2–23 at 12, 21–22.

59 Concepción de Castro, *A la sombra de Felipe v. José de Grimaldo, ministro responsable (1703–1726)* (Madrid: Marcial Pons, 2004), p. 166.

60 On the tensions derived from militarization of government at the local and provincial level in the former territories of the Crown of Aragon see Enrique Giménez López, *Militares en Valencia (1707–1808). Los instrumentos del poder borbónico entre la Nueva Planta y la crisis del Antiguo Régimen* (Alicante: Instituto de Cultura 'Juan Gil-Albert'/Diputación de Alicante, 1990), *passim*; and Fernández Albaladejo, *Fragmentos*, pp. 361–68.

61 In later works Enrique Giménez López has solidly argued this opinion. See especially Enrique Giménez López, *Gobernar con una misma ley. Sobre la Nueva Planta borbónica en Valencia* (Alicante: Universidad de Alicante, 1999), pp. 13–47.

62 "Real instrucción de 1 de enero de 1714 sobre las obligaciones, facultades y sueldo de los Capitanes Generales de Provincia", in *Colección general de las ordenanzas militares, sus innovaciones y aditamentos, dispuesta en diez tomos, con separación de clases, por Don Joseph Antonio Portugués*, ed. Joseph Antonio Portugués (Madrid: Imprenta de Antonio Marín, 1764), vol. II, pp. 1–10.

occupation, José Patiño—the Council recommended the creation of an *audiencia*, without the rank of chancellery, to be presided by the captain-general. However, the Council further recommended that, “to avoid the disputes which would [otherwise] follow”, jurisdiction in matters of justice and government should reside with the *audiencia* and the captain-general jointly.<sup>63</sup> Thus, the system introduced in Catalonia in 1716, in contrast to reforms tried earlier in Valencia and Aragon, was not only the result of more careful consideration and wider consultation, but also attempted to conciliate the different agents of government.<sup>64</sup> In practice, however, the system devised could not effectively reduce conflict. Captains-general and *audiencias* continued to encroach, if not overpower, each other. However, since the *audiencia* remained directly under the command of the Council, whilst the captain-general responded to the Secretary for War, their conflicts were often no more than an echo at the provincial level of tensions between the different segments of the central administration of the Monarchy.<sup>65</sup>

In this light, it is not difficult to explain the different phases of the Aragonese *Nuevas Plantas* or the political dynamics that came to characterize them. As Giménez López has argued, the difference between the *Nuevas Plantas* of Valencia and Aragon in 1707 and those of Catalonia and Majorca in 1715 is partly the result of the different consultation processes behind them. These, in turn, were the result of the predominance of those who favored an administrative monarchy in 1707, and the resurgence of the Council of Castile in 1715.<sup>66</sup> Moreover, if relations between the *audiencia* and the captain-general of Catalonia did not operate according to the conciliatory scheme outlined by the Council in the *Nueva Planta*, this was largely due to the resurgence of proponents of an administrative monarchy under Cardinal Alberoni from 1716 onwards.<sup>67</sup> As Joan Mercader has carefully documented, Catalan captains-general constantly abused their power and treated the *audiencia* as their subordinate.<sup>68</sup> Yet, despite the many complaints raised by the *oidores* to

63 Council of Castile to king, Madrid, June 13, 1715, reproduced in full in Josep María Gay i Escoda, “La gènesi del decret de nova planta de Catalunya”, *Revista Jurídica de Catalunya* LXXXI (1982): pp. 7–42 and 261–348, at 258–348; the quote on p. 328 §230.

64 See, for more detail, Eissa-Barroso, “Politics,” pp. 74–80.

65 *Ibid.*, pp. 83–84.

66 Enrique Giménez López, “La Nueva Planta y la Corona de Aragón”, in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. José Fernández García, María Antonia Bel Bravo and José Miguel Delgado Barrado (Jaen: Universidad de Jaén, 2001), pp. 29–42 at 34–35.

67 Giménez López, *Gobernar*, pp. 20–21.

68 Mercader i Riba, *Els Capitans*, *passim*.

the Council of Castile, the crown never reined in the abuses of the captains-general. In fact, often enough, they were encouraged through the *vía reservada* to exert their authority over that of the *audiencia*.

It should be noted, moreover, that provincial reform was not limited to the rebellious former kingdoms of the Crown of Aragon. For example, when Spain briefly regained control of Sardinia in 1717 and Sicily in 1718, the crown introduced a *Nueva Planta* in both islands.<sup>69</sup> Here too, the decree of November 24, 1717, which introduced the *Nueva Planta* in Sardinia, entrusted the political administration of the island to an *audiencia* presided by the governor and captain-general.<sup>70</sup> Thus, it would probably be more accurate to interpret the *Nueva Planta*, and the suppression of viceregal rule, not as a punishment aimed at rebellious kingdoms, but as set of reforms aimed at strengthening royal authority in the same line as those reforms that had affected the central institutions of the monarchy since 1703. The crown opted to introduce these reforms at the end of the war because military intervention provided the perfect opportunity to make radical changes, which in other circumstances would have faced enormous opposition, if not outright rebellion.

### 3.3 A New Understanding of the Purpose of Government: Royal Authority and Economic Development

An increasing body of literature suggests that the perceived need for reform and the urge to streamline the administrative procedures of the Spanish Monarchy had been widespread since, at least, the second half of Charles II's reign. Beatriz Cárceles de Gea has shown how dissatisfaction with the workings of the Council system and a perceived need to increase the decision-making power of the king and his ministers predated the arrival of the house

69 Antonio Álvarez-Ossorio Alvariano, "De la conservación a la desmembración. Las provincias italianas y la monarquía de España (1665–1713)", *Studia Historica. Historia Moderna* xxvi (2004): pp. 191–233 at 221. On the *Nueva Planta* in Sardinia, see Regina María Pérez Marcos, "Cerdeña en el marco de la Guerra de Sucesión: Administración y Gobierno", *Jvs fvgit. Revista de Estudios Histórico-Jurídicos de la Corona de Aragón* XIII–XIV (2004–2006): pp. 479–87 at 482–87; Maqueda Abreu, "En torno," *passim*; and José Luis Bermejo Cabrero, "Un decreto más de Nueva Planta", *Revista del Departamento de Derecho Político* v (1980): pp. 129–44.

70 Pérez Marcos, "Cerdeña," p. 487; and more clearly, Miguel Ángel Alonso Aguilera, *La conquista y el dominio español de Cerdeña (1717–1720). Introducción a la política española en el Mediterráneo posterior a la Paz de Utrecht* (Valladolid: Universidad de Valladolid—Secretariado de Publicaciones, 1977), pp. 115–19.

of Bourbon to the Spanish throne.<sup>71</sup> Similarly, Francisco Sánchez-Blanco has demonstrated that the intellectual transformations necessary to accommodate such a program of reform had begun well before the arrival of the new dynasty and that the reforms introduced by Philip V were not necessarily alien to the ideas of the nascent circles of the Spanish Enlightenment.<sup>72</sup> Also along these lines, Javier Guillamón has suggested that Philip's reform program did not encounter particular opposition amongst the various social groups of Castile precisely because it consisted mostly of a move in the general direction in which Spanish political attitudes and understanding of royal authority had been moving since the mid-seventeenth century.<sup>73</sup>

Following this argument, the significance of Philip's reform program did not stem from the innovative nature of the ideas behind it, but from its practical scope and (mostly) successful implementation. Philip's ministers and advisors provided a "rhetorical organization" for a series of transformations that had been already underway, structuring them into a more or less coherent program of reform with a distinctive "French-like patina."<sup>74</sup> What made the implementation of these reforms possible in the early eighteenth century, though, was not as much the arrival of a new dynasty, as the dramatic experience and peculiar characteristics of the War of Succession itself. Two aspects of the war set it apart from those military conflicts that had plagued the later years of Charles II's reign. On the one hand, fighting within the Peninsula was widespread for the first time since the *Reconquista*. On the other, the allied armies fighting within the Peninsula on behalf of Archduke Charles mostly comprised of Protestant English and Dutch soldiers. Both factors contributed to make the need for reform more evident and largely to subdue active opposition to Philip's program.

The practical and material implications of fighting at home made the reality of war much more tangible and patent than ever. In the past, many towns and members of the nobility and the clergy had objected strongly to providing additional resources for fighting imperial wars in Italy or northern Europe. Yet, logically, they were more willing to make special concessions to the crown when the fighting was taking place in their own backyard and especially when Bourbon arms met with success—less so when met by military defeat, as the fall of Gibraltar in 1704. At the same time, the crown insisted upon the explicit association between the successful implementation of reforms and success in the battlefield. If this did not magically transform all those who opposed the

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71 Cárceles de Gea, "Juicio," *passim*.

72 Francisco Sánchez-Blanco, *La mentalidad ilustrada* (Madrid: Taurus, 1999).

73 Guillamón Álvarez, "La guerra," *passim*.

74 *Ibid.*, pp. 536–39.

reforms into fervent supporters, it certainly contributed to quell open resistance, associating opposition to the reforms with disloyalty to the king.<sup>75</sup>

In parallel, the presence of large contingents of protestant English and Dutch troops offered the crown an invaluable opportunity for mobilizing support and silencing opposition. As allied troops occupied large areas of the Peninsula, Bourbon supporters did not hesitate to argue that the “archduke undertakes this conquest [...] only with the armies of Holland and England. [And] in all the cities they conquer, they leave behind English or Dutch Governors, Enemies of the Catholic Faith [...] whose] intention [...] is to introduce their Religion on the back of their power”.<sup>76</sup> Philip gained legitimacy as a “truly” Catholic Monarch through the characterization of the war as a religious conflict, in which the Bourbon cause was equated with the defense of Catholicism against the “heretic” armies of the archduke.<sup>77</sup> At the same time, disloyalty to the Bourbon cause was equated with sin and apostasy.<sup>78</sup> By the same token, this characterization of the war as a “higher cause”, made the “outrages and innovations” implemented by the crown more tolerable.<sup>79</sup> As the crown put it, everyone “must contribute with their corresponding share, especially since what is at stake is the preservation of the temples, and of their own houses and property, from the insults and other hostilities of the enemy, the larger part of which is also the enemy of our Holy Faith”.<sup>80</sup>

Yet, the arrival of the new king also contributed to give momentum to changes which had started to take place in the later seventeenth century. The idea of what constituted a perfect king had not changed significantly since the beginning of the previous century.<sup>81</sup> The grand treatise on the moral and

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75 Vicent López, “La cultura,” pp. 222–23.

76 Fray G Beluis y Escriba, *Informe a la Reyna Na. Sa. del Estado y Condición de la guerra, con que las armas enemigas de ambas Magestades Divina y Humana intentan la ruina de España por los Países rebeldes de Cataluña y Valencia* (Pamplona: n.p., 1706), quoted in Vicent López, “La cultura,” p. 223.

77 Vicent López, “La cultura”; and José Miguel Morán Turina, *La imagen del rey: Felipe v y el arte* (Madrid: Nerea, 1990), pp. 44–45. For the popular impact of this depiction of the war see María Antonia Bel Bravo, “La guerra de sucesión desde la ‘Nueva’ Historia Cultural,” in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. José Fernández García, María Antonia Bel Bravo and José Miguel Delgado Barrado (Jaén: Universidad de Jaén, 2001), pp. 67–91 at 67–91.

78 Vicent López, “La cultura,” pp. 224–28.

79 *Ibid.*, pp. 229–30.

80 AHN, Estado, 346, “Instrucción que ha resuelto Su Majestad se forme”, Madrid, September 17, 1708.

81 Morán Turina, *La imagen*, p. 19.

physical qualities of the king, Diego de Saavedra Fajardo's *Idea de un príncipe político-cristiano*, saw numerous reprints during the latter seventeenth and early eighteenth century.<sup>82</sup> However, as the reign of Charles II progressed, many of his subjects began to see a vast distance separating their monarch from that ideal. The pale, sickly and melancholic king fell short of the ideal of beauty associated with an able ruler.<sup>83</sup> The indecisive and paranoid character of the last Habsburg had rendered his government ineffectual, whilst his weakness and lack of affection for military activities were identified with the ruinous state of the Spanish army; both ineffectual government and military weakness were the roots of Spain's troubles.<sup>84</sup> In this context, the succession to Charles II offered hope of a better-suited monarch who would end the tribulations of the monarchy.

The arrival of Philip in Madrid seemed largely to satisfy these expectations. Where the last Habsburg had been sickly, melancholy and indecisive, the first Bourbon, a youth of seventeen years, was handsome and athletic and immediately commanded the adoration of the populace.<sup>85</sup> Most significantly, perhaps, as soon as the war broke out, Philip's soldierly character took the spotlight. Throughout the war, the king manifested his valor and apparent disregard for danger, insisting on leading his troops in several battles. The Spanish elites largely welcomed this bellicose spirit and it triggered a revival of the image of the king as hero.<sup>86</sup> At the same time, the responsibility of the king to protect and enlarge his domains also gained renewed currency.<sup>87</sup>

This resurgence of the king's military duties coincided with a wider change of precedence in royal responsibilities. Under Philip, the opinion that the main responsibility of the king was to provide justice to his subjects lost ground. The

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82 Diego de Saavedra Fajardo, *Idea de un príncipe político christiano: representada en cien empresas. Va enmendada en esta sexta impresion de todos los yerros que avia en las otras* (Valencia: Francisco Cipres, 1675). After the first edition of 1640 Spanish reprints appeared in 1642, 1648, 1656, 1658, 1659, 1660, 1664, 1665, 1666, 1675, 1677, 1678, 1684, 1695 and 1724, with a few others in the later eighteenth century. Latin translations of the Spanish original appeared in 1649, 1650, 1651, 1659, 1660, 1669, 1686, 1748, and 1759. There were also several German editions and an English one in 1700.

83 Morán Turina, *La imagen*, pp. 24–25.

84 For a contemporary example of these arguments see BNE, Manuscritos, Ms/10.695, "Representación a Carlos II," ff. 107–21.

85 Morán Turina, *La imagen*, p. 17.

86 *Ibid.*, p. 48.

87 See, for instance, Pedro Portocarrero y Guzmán, *Teatro monárquico de España* [1700], ed. Carmen Sanz Ayán (Madrid: Boletín Oficial del Estado, Centro de Estudios Políticos y Constitucionales, 1998).



king was still expected to provide this, but above all, he was to provide his subjects with other goods, safety, economic plenty, conditions for development and laws to guarantee their wellbeing. The decrees of *Nueva Planta* introduced within the former eastern kingdoms leave little doubt about this. The new government was introduced so that the inhabitants of each realm could “live in peace, tranquility and abundance”, and so that “trade may bloom and the greater benefit of the country may be achieved”.<sup>88</sup> Similarly, since the old government and laws had been identified as being “in large part the cause” of the rebellion,<sup>89</sup> the king—embodiment of wisdom, military valor, and power over vices and passion—<sup>90</sup> needed to provide new laws which would help his subjects to overcome their natural vices. As Morán Turina would describe it, what had taken place was a reorganization of the different attributes associated with the ideal prince.<sup>91</sup> Justice was no longer at the top of the list, in Fernández Escalante’s words, “justice had been overtaken by efficiency”.<sup>92</sup>

This new prioritization, however, required that the king take control of the administrative apparatus which had previously been left to self-government—in the understanding that the king would only resolve conflicts—and use it to regulate or organize the realm. Again, the roots of this transformation had been clearly present in seventeenth-century Spain. Throughout the century, the significance of the so-called “economic prerogative” of the king had been on the rise. Traditionally, since the king was the father of his kingdoms, he had enjoyed the same authority and responsibilities over them as the *pater familiae* enjoyed for the government of his household: Aristotle’s *oconomia*. Taken to the extreme, this meant that kings were charged with preserving the universal peace and tranquility of their subjects, and that, to that purpose, royal authority in those areas of government that did not involve jurisdiction was virtually absolute.<sup>93</sup> The problem, of course, was that in a corporate monarchy matters of jurisdiction were almost all-encompassing.

During the seventeenth century, however, an active effort to extend the boundaries within which this royal prerogative could be exercised was undertaken. Ironically, the Council of Castile was the leading force behind this

88 *Novísima recopilación*, pp. 405, 409, first law, ninth title, fifth book.

89 *Ibid.*, p. 14, second law, third title, third book.

90 Morán Turina, *La imagen*, p. 66.

91 *Ibid.*, p. 18.

92 Manuel Fernández Escalante, “Concentración del poder y voluntarismo en la implantación del Estado moderno: en torno a dos interpretaciones sobre la última Edad Media castellana”, *Anales de la Universidad Hispalense* XXVII (1966): pp. 169–241 at 197, quoted in Cárceles de Gea, “Juicio,” p. 117.

93 García-Badell Arias, “Felipe v,” pp. 141–42.

effort. Arguing that the Council was indistinguishable from the royal person and the safeguard against his errors, this body claimed for itself, but always in the name of the king, the exercise of the “economic and political prerogative” which could be exercised over the entire realm. This included “all hierarchies of vassals, either ecclesiastical or secular, of every standing, because it is founded upon the universal tranquility and public consonance of government, which has for its only guide the reason of state”.<sup>94</sup> In this manner, the Council attempted to exercise a supreme authority for disciplining the monarchy, organizing its corporate structure, and regulating the multiplicity of privileged jurisdictions that comprised it. The Council of Castile cemented its superiority over the other Councils, especially those of Orders, War and Inquisition, which claimed jurisdictional independence from it, on this basis.<sup>95</sup>

However, the rise of the “economic prerogative”, and its absorption by the Council of Castile, brought about another heated debate: that of the ideal character of the king’s ministers. In particular, the suitability of *letrados* to intervene within the “political and economic” government of the Monarchy. *Letrados* were university-trained jurists whose degrees were testimony, in addition to their technical training and understanding of the law, their ability to decide according to justice. For centuries, they had been the backbone of the Council system and held a large majority in the Council of Castile.<sup>96</sup> Traditionally, *letrados* had been considered ideally suited to perform all consulting, deliberative and jurisdictional functions;<sup>97</sup> consequently, they had been the main source from which the kings chose their ministers, especially at a time when royal government was deemed primarily a matter of providing and guaranteeing justice.<sup>98</sup>

However, two tendencies contributed to weaken the privileged position enjoyed by *letrados* at the beginning of the eighteenth century. On the one hand, a number of voices began to question the suitability of *letrados* to participate within areas of government other than the administration of justice. Those who supported this position argued that the exercise of the “economic prerogative” required practical men, trained in matters of “government,

94 AHN, Consejos, 7176, Council of Castile to king, Madrid, January 28, 1666, quoted in *Ibid.*, p. 141.

95 García-Badell Arias, “Felipe v,” pp. 138–45.

96 On the characteristics of the *letrados* and their position at the heart of the legal system of *ancien régime* Spain, see Jean Pierre Dedieu, “La muerte del letrado”, *HAL-SHS*, 2005 (halshs-00004670, version 1), pp. 1–3.

97 González Alonso, “El fortalecimiento,” p. 88.

98 Dedieu, “La muerte,” pp. 2–3.

administration and economy". Universities did not teach these. Instead, these matters could only be learned through experience. Accordingly, *letrados* had no superior mastery of them by dint of their education. Moreover, holders of this view claimed, an education in the law prepared men for making arguments, for engaging within discussions and controversies that delayed decision-making, a trait that was very commendable in matters of justice, but not in those of government.<sup>99</sup>

The second tendency was to praise the role of men trained "in the arms" above that of men trained in the laws. The French jurist Jean Domat had argued in a treatise published in 1697, that it was usually assumed that justice and the profession of jurists should have pre-eminence within the state over all other lay classes because God had instituted kings to provide justice. Similarly, so that kings could actually provide justice, God had entrusted them with the use of force, in the form of armies. Those who held this opinion argued logically that since the arms had been created to enforce justice, they were subordinate and secondary to it.<sup>100</sup> Domat, however, espoused the opposite view, pointing out that God intended kings not only to act within their states, but also to interact with other princes. In his opinion, whilst the previous argument held perfectly within the boundaries of the state, it did not operate among nations where no superior authority could guarantee justice, other than God. In this scenario, the only possible tribunal where differences could be settled was the battlefield, in which God, the "God of hosts", passed judgement by giving victory to those armies that had justice on their side.<sup>101</sup> It followed, then, that the armies were, through the prince, the instrument of God's justice. The honor of the prince who commanded an army, and equally that of the officers who did it for him, was therefore double, since within this exercise they delivered God's

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99 These arguments would find some of their strongest proponents among future ministers of Philip v, like José del Campillo, and the Marquis of La Ensenada. See González Alonso, "El fortalecimiento," pp. 88–91.

100 Jean Domat, "The publick law", in *The Civil Law in its Natural Order: Together with the Publick Law. Written in French by Monsieur Domat, The late French King's Advocate in the Presidial Court of Clermont in France, And Translated into English by William Strahan, LL.D. Advocate in Doctors Commons. With Additional Remarks on some Material Differences between the Civil Law and the Law of England*, trans. by William Strahan, 2nd ed., (London: Printed for D. Midwinter, A. Bettesworth and C. Hitch, G. Strahan, J. and J. Pemberton, R. Ware, C. Rivington, F. Clay, J. Batley and J. Wood, A. Ward, J. and P. Knapton, T. Longman, and R. Hett, 1737), vol. 11, pp. 260–663 at 419–20. *Le Droit Public* was first published a year after its author's death as the fourth volume of *Lois civiles dans leur ordre naturel*, Domat's grand opus, for which Louis XIV had granted him a state pension in 1689.

101 *Ibid.*, p. 420.

justice and also defended the state, “preserving the goods and lives of all the subjects at the hazard of their own”.<sup>102</sup> Thus, Domat concluded, the profession of the arms had pre-eminence over that of the jurist, ranking first amongst all the classes that comprised society.<sup>103</sup>

With certain similarities, the Bishop of Solsona had urged Charles II to reform his armies and to reward his soldiers liberally. According to the Bishop, the armies were “the true backbone of any Principality”. Yet, due to the “horrendous” nature of war, it was necessary to emphasize the honor and benefits that belonged to those who chose the profession of the arms. Thus, the Bishop claimed, the king had the responsibility of making available as many military rewards as possible and of distributing them with justice. It was in this way that Louis XIV had succeeded in making “the profession of the Arms so reputed [. . .] that hardly any nobleman fails to embrace it, or is willing to give a daughter for wife to a man who has not served the king in the army”.<sup>104</sup> In the Bishop’s view, Spain lacked this, and for this reason, the Monarchy had lost stature amongst the European powers.<sup>105</sup>

These opinions seem to have resonated strongly with Philip V and his closest ministers. During his reign, a major reform of the royal guards transformed these regiments into both the source of a significant number of his most trusted government officials and a means of revitalizing the pride and honor of a military career.<sup>106</sup> To the high honors associated with the military profession, were joined three other characteristics which help to explain the predominance that military officers acquired in governmental positions during the reigns of Philip V. The first one was that military officers, perhaps more than any other class, owed all their promotions and rewards to the king alone. With the reduction of the Council of War to the role of a military appeal court and the exclusion of viceroys and captains-general from appointing or recommending individuals for promotions above the rank of *sargento*, the position of military officers was made increasingly dependent upon direct decisions from the king, a situation which was accentuated for members of the royal guards. Meanwhile, the nobility still derived much of its position from their

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102 *Idem.*

103 *Ibid.*, p. 421.

104 BNE, Manuscritos, Ms/10.695, “Representación a Carlos II,” f. 113v.

105 *Ibid.*, f. 114r.

106 On the new structure of the royal guards and the huge social implications this had, see Dedieu, “La Nueva,” pp. 125–30; Dedieu, “Lo militar,” pp. 9–10; and especially Francisco Andújar Castillo, “La corte y los militares en el siglo XVIII,” *Anales. Real Sociedad Económica de Amigos del País. Valencia* MMI–MMII (2003): pp. 211–38.

wealth, their seigniorial rights and their lineage and relations; similarly, promotion in a career within the judiciary, although ultimately dependent upon the king, was still strongly within the hands of the Councils, particularly the Chamber of Castile.

The fact that matters of war had always been considered one area of government that pertained to the king exclusively, without interference from other jurisdictions, also favored the rise of the military officers.<sup>107</sup> This meant that military officers, more than any other official were exclusive agents of the king who could follow his commands with the urgency required in war, without consultation or compromise.<sup>108</sup> Finally and certainly linked to this last point, there was a growing opinion that military officials were characteristically efficient and executive, particularly when compared to *letrados*. As Pedro Ramírez Barragán stated later in the century, one could see “so assured effects [derived from] Military Government, and so delayed, or rather ineffectual [results] from Political” government under the guidance of *togados*.<sup>109</sup>

Consequently, it became apparent to the king and his ministers that it was important to reward those soldiers who had rendered important services to the crown by appointing them to high-ranking governmental offices such as *corregimientos* and captaincies-general. In addition, due to the nature of these offices and the new understanding of what government involved, it was advantageous for the crown to do so. The king could better provide safety, conditions for development and wellbeing to his subjects by ruling through military officers. The executive character of the new style of royal government required vertical execution, loyalty to the crown and efficiency, characteristics that the political thought of the time saw more often represented in military administrators than in the traditional government officials more strongly linked to the Councils.

Thus, the crown had started to introduce reforms almost from the start of the War of the Spanish succession, often taking advantage of the war itself to

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107 Jean Pierre Dedieu, “Lo military y la monarquía. Con especial referencia al siglo XVIII”, in *Los nervios de la guerra. Estudios sociales sobre el ejército de la Monarquía Hispánica (S. XVI–XVIII): nuevas perspectivas*, ed. Antonio Jiménez Estrella and Francisco Andujar Castillo (Granada: Comares/Junta de Andalucía, 2007), pp. 231–50 at 239.

108 *Idem*.

109 Pedro Ramírez Barragán, “Idea de Político Gobierno”, in *Gobernar en Extremadura. Un proyecto de gobierno en el siglo XVIII*, ed. Ángel Rodríguez Sánchez, Miguel Rodríguez Cacho, José Luis Pereira Iglesias and Isabel Testón Núñez (Cáceres: Asamblea de Extremadura, 1986), p. 160, quoted in Enrique Giménez López, “El debate civilismo-militarismo y el régimen de Nueva Planta en la España del siglo XVIII”, *Cuadernos de Historia Moderna* xv (1994): pp. 41–75 at 71. Ramírez Barragán’s text dates from 1769.

legitimize transformations and quell opposition. Nevertheless, although a perceived need for the introduction of significant reforms to the “style” of government and organization which characterized the Spanish Monarchy had been widespread amongst Spanish elites since the reign of Charles II, there was little consensus as to the shape that these reforms should take. Throughout Philip V’s reigns, these disagreements manifested themselves primarily through tensions between more traditionalist agents, often associated with the highest echelons of the Spanish nobility or the *togado* membership of the territorial Councils, and more radical reformers who pushed for a more executive and dynamic style of government through the *vía reservada*. Behind the ideas and projects of these reformers was a changing understanding of the role of monarchical government which valued the provision of “good economic government and conditions for development” higher than the traditionally more important provision of justice.

This new understanding of the role of the king and the purpose of monarchical government informed a series of reforms that affected both the central institutions of the Spanish Monarchy and provincial government within the former kingdoms of the Crown of Aragon. Both the pace at which these reforms were introduced and their success were affected by the ebb and flow of political power at court with reformism receding whenever the influence of the traditional faction was on the uptake. Still, it is clear that under Philip V a new generation of Spanish ministers, led initially by Melchor de Macanaz, sympathized with the aims and ideas of Philip’s French advisors and pushed forward a program of reform. They sought to strengthen royal authority and to “liberate” government from “justice”, sidestepping or sidetracking deliberative bodies and mediatizing institutions, such as the territorial Councils and the traditional corporations of the Aragonese kingdoms. In pushing forward this program the crown relied increasingly upon military officers, seen at the time as particularly loyal to and dependent upon the king, whilst at the same time thought to have intrinsic characteristics which made them more effective agents of the new kind of executive monarchical government than *letrados*. It was in this intellectual and political context that the decision to create a viceroyalty in New Granada was taken. The next chapter will show that the timing of and manner in which the viceroyalty was created, as well as the aims pursued by the crown in doing so, cannot be understood without taking into consideration the impact which early Bourbon reformism had exerted upon the politics and institutions of the Spanish court in Madrid.

## Giulio Alberoni, Reform through the *Vía Reservada* and the First Creation of the Viceroyalty of New Granada

Although the *reales cédulas* of May 27, 1717, claimed that the decision to create a viceroyalty in northern South America had been discussed “in various occasions”;<sup>1</sup> no corroborative evidence of this has ever been found. The only other document from the period to suggest that the idea of creating a viceroyalty was seriously considered before 1717 is an entry within the memoirs of the Duke of Saint-Simon, a member of Philip V’s French entourage. According to him the Prince of Santo Buono, viceroy of Peru, had recommended in 1716 segregating the provinces of New Granada, Cartagena, Panama and Quito from Peru to establish a third viceroyalty with its capital in Santa Fe. According to Saint-Simon, the king had approved this project that same year.<sup>2</sup> Indeed, the almost complete absence of documentation pertaining to what undoubtedly constituted a dramatic transformation of the administrative structure of Spanish America has long puzzled historians.

There is no record of a *consulta* produced by the Council of the Indies equivalent to that produced by the Council of Castile before the introduction of the *Nueva Planta* of Catalonia. There is no indication that any high-ranking governmental officials based within the province or recently returned from it were consulted, as was the case with the chevalier d’Asfeldt concerning the *Nueva Planta* of Majorca.<sup>3</sup> There is not even evidence that the different authorities who might have been involved in such a decision voiced either support or opposition to it in the months leading up to April 29, 1717, as was the case before the abolition of the *fueros*—and suppression of vice-regal rule—in

1 “Real cédula por la cual se crea el Virreinato del Nuevo Reino de Granada en 27 de mayo de 1717” reproduced in full in Jerónimo Becker and José María Rivas Groot, *El Nuevo Reino de Granada en el Siglo XVIII* (Madrid: Imp. del Asilo de Huérfanos del Sagrado Corazón de Jesús, 1921), pp. 200–03, at 200.

2 Louis de Rouvroy, duc de Saint-Simon, *Mémoires complets et authentiques du duc de Saint-Simon sur le siècle de Louis XIV et la Régence* (Paris: Librairie de L. Hachette et Compagnie, 1856), vol. XIV, p. 17. I am grateful to Aaron Olivas for bringing this passage to my attention.

3 See *supra*, chapter 3.

Valencia and Aragon in 1707.<sup>4</sup> Whilst this lack of a paper trail may be the result of ineffective record keeping or the inevitably eventful history of archival repositories, this chapter argues that it resulted from the context within which the decision was made at court. A series of drastic changes, following the logic and dynamic of the reforms discussed in Chapter 3, had affected the central institutions of American government in the months immediately preceding the decree of April 29 because of the rise to (almost) absolute power of Abbot Giulio Alberoni. Thus, the decision to create a viceroyalty in New Granada was taken through the *vía reservada*, the executive mechanism of government introduced by Philip V during the War of the Spanish Succession allowing the king and his Secretaries of State and the Cabinet to deal with key matters of government without the intervention of the governing Councils. The creation of the viceroyalty of New Granada was part of a series of reforms introduced in 1717 that sought to increase royal authority over Spain's government of and trade with the Indies. Alberoni intended to improve the economic government of the region by weakening and sidestepping institutions such as the Council of the Indies and the merchants' guild of Seville. At the same time, the crown expected to reduce political infighting in northern South America and increase royal revenues obtained from the region.

#### 4.1 Giulio Alberoni's Rise to Power and the Decline of the Council of the Indies

Alberoni, a clergyman from Piacenza and, thus, a subject of the Duke of Parma, had arrived in Spain in 1711 in the service of the Duke of Vendôme, whom he had met and impressed during the Italian campaigns of the War of Succession. Once in Madrid Alberoni displayed extraordinary political skills and managed to become a confidant of Philip's Savoyard wife, Queen Maria Luisa. He also secured appointment as the representative of the Duke of

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4 Enrique Giménez López, *Militares en Valencia (1707–1808). Los instrumentos del poder borbónico entre la Nueva Planta y la crisis del Antiguo Régimen* (Alicante: Instituto de Cultura 'Juan Gil-Albert'/Diputación de Alicante, 1990), pp. 9–19. It is possible that the matter was discussed in one of the *ad-hoc* juntas organized in 1715 and 1716 by Giulio Alberoni to discuss Spanish commercial policy, but if that was the case, no evidence of it has survived. On these juntas see, Adrian J. Pearce, *The Origins of Bourbon Reform in Spanish South America, 1700–1763* (New York: Palgrave MacMillan, 2014), pp. 55–56.



Parma at the Spanish court.<sup>5</sup> Alberoni retained his influence after the queen's death in 1714 and played an instrumental role later that same year in arranging Philip's second marriage to Elizabeth Farnese, the niece of the Duke of Parma.<sup>6</sup> The arrival of the new queen, and her immediate dismissal of the Princess of Ursins, brought about, in February 1715, the fall of the powerful team of French and Francophile ministers, led by Jean Orry and Melchor de Macanaz, who had initially spearheaded the Bourbon program of reforms.<sup>7</sup>

The fall of Orry and Macanaz brought about a momentary recovery of the Councils and the different Spanish influences at court. Thus, a new government led by one of Macanaz's strongest critics and most powerful enemies, the inquisitor-general, Cardinal Francesco del Giudice, and the chameleon-like José de Grimaldo, brought the repeal in 1715 of the drastic reforms of the Councils introduced in 1713. This state of affairs, however, did not last long. Slowly, but surely, Alberoni gained the confidence of the new queen and, through her, that of the king. By the end of 1716, the abbot, soon to be cardinal, had succeeded in replacing Giudice as the leading figure of a new government.<sup>8</sup>

Alberoni remains one of the most obscure figures of Philip's long reigns. Traditionally, he has been at best branded as a "foreign adventurer",<sup>9</sup> at worst berated as a master of intrigues who pursued his own interests and aggrandizement by playing to the dynastic interests of Elizabeth Farnese, joining with her to trick the weak and mentally ill king into a foreign policy which was

5 Henry Kamen, *Philip v of Spain. The King Who Reigned Twice* (New Haven, CT: Yale University Press, 2001), p. 107; and Allan J. Kuethe, "La política colonial de Felipe v y el proyecto de 1720", in *Orbis incognitus: avisos y legajos del Nuevo Mundo. Homenaje al profesor Luis Navarro García*, ed. Fernando Navarro Antolín (Huelva: Universidad de Huelva, 2007), vol. 1, pp. 233–42 at 233.

6 Needless to say, the marriage presented a number of strategic advantages which were appealing to both Madrid and Versailles, and it is not entirely implausible that the marriage would have taken place without Alberoni's intervention. However, as Henry Kamen has shown, Alberoni quite skillfully misrepresented the nature and character of Elizabeth to overcome the initial reticence of the Princess of Ursins, describing the bride-to-be as "an ideal wife, quiet and docile, 'accustomed only to discourses of sewing and embroidery'". See Kamen, *Philip v*, pp. 94–97, the quote in p. 94. See also Concepción de Castro, *A la sombra de Felipe v. José de Grimaldo, ministro responsable (1703–1726)* (Madrid: Marcial Pons, Ediciones de Historia, 2004), p. 301; and for a more detailed account Simon Harcourt-Smith, *Alberoni or the Spanish Conspiracy* (London: Faber and Faber, 1943), pp. 93–102, particularly pp. 94, 96–97 and p. 97, n. 1.

7 Kamen, *Philip v*, p. 97.

8 *Idem.*; also Castro, *A la sombra*, pp. 306–11, 322–26.

9 John Lynch, *Bourbon Spain, 1700–1808* (Oxford: Basil Blackwell, 1989), p. 132.

entirely contrary to Spanish interests. This view derived largely from the public opinion of his time and had strong resonance in nineteenth and early twentieth-century authors.<sup>10</sup> In recent years, however, scholarly opinion has started to change. As Henry Kamen has argued quite convincingly, the Italian campaigns of Alberoni were as much of a goal for Philip himself, as they were for Elizabeth, and the king played an active role in designing his foreign policy. If the queen hoped to secure a princely inheritance for her children, the king kept a watchful eye upon European politics and hoped to play the international balance of power whilst regaining the territories lost in Italy.<sup>11</sup> The loss of these kingdoms during the War of the Spanish Succession, later ratified at Utrecht, had forced a significant number of Italian nobles, loyal to the house of Bourbon, to flee their estates and to seek refuge in the Spanish court. From there “they never ceased to deplore the loss of provinces which Spain had governed for a long time and where it still had plenty of supporters”.<sup>12</sup>

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- 10 Harcourt-Smith, *Alberoni*, is a notable exception. On this matter see the very interesting analysis of the public opinion of Alberoni in Teófanos Egido López, *Opinión pública y oposición al poder en la España del siglo XVIII (1713–1759)*, 2nd ed. (Valladolid: Universidad de Valladolid, Secretariado de Publicaciones e Intercambio Editorial, 2002), pp. 130–43. Moreover, Alberoni’s poor standing amongst historians can be largely attributed to the damning picture painted by the influential Duke of Saint-Simon, one of the abbot’s staunchest contemporary detractors and often considered a classical authority for the history of the period. See, for instance, Louis de Rouvroy duc de Saint-Simon, *Mémoires de Monsieur le Duc de S. Simon, ou l’observateur véridique, sur le règne de Louis XIV, & sur les premières époques des règnes suivants*, 2nd ed. (Paris: Buisson Libraire, 1789), vol. III, pp. 211–46, especially pp. 226–28. More recently, whilst some scholars have remained skeptical, adopting a neutral position towards the abbot (see, for instance, Lynch, *Bourbon Spain*, pp. 132–33), others still adopt an openly, or very thinly veiled, critical stance (see Castro, *A la sombra*, pp. 333–35).
- 11 This was the case, at least, until the later part of 1717 when the king, who Kamen argues suffered from bipolar disorder, underwent a long phase of episodic but frequent depression and isolation. On Philip’s sympathy for the Italian campaigns and his stance on foreign policy, see Kamen, *Philip V*, pp. 104–05, 110–12. Harcourt-Smith, *Alberoni*, p. 96, made the same point, going as far as arguing that Alberoni had been opposed to the Sardinian expedition, which Philip and the Duke of Parma forced on him (pp. 157–158). Unfortunately, Harcourt-Smith offers very little information about his sources and absolutely no references for his quotations, thus making it difficult to lend much credit to his opinions.
- 12 Didier Ozanam, “La política exterior de España en tiempo de Felipe V y de Fernando VI”, in *Historia de España fundada por Ramón Menéndez Pidal. Tomo XXIX. La época de los primeros Borbones. Volumen I. La nueva monarquía y su posición en Europa (1700–1759)* (Madrid: Espasa-Calpe, 1985), pp. 443–699 at 579–80.

In fact, it is likely that this reluctance to abandon the “Italian inheritance” led to Philip v’s second marriage to Elizabeth Farnese, whose hereditary rights only strengthened Spain’s claims in Italy, as Pablo Vázquez Gestal has convincingly argued.<sup>13</sup> Most significantly, perhaps, while the military expeditions to Sardinia and Sicily have traditionally overshadowed Alberoni’s administration, some scholars have recently begun to highlight the broader scope of his policies. The emerging picture reveals strong continuities with the reformist aims pursued earlier in Philip’s reign,<sup>14</sup> along with a serious attempt to consolidate royal authority both in the Peninsula and in Spain’s overseas territories.<sup>15</sup>

For our purposes, perhaps the most significant of Alberoni’s reforms was also one of his earliest. The brief recovery experienced by the Councils after the fall of Orry and Macanaz came to an abrupt end in January 1717. On the 20th, a series of royal decrees dramatically reduced the powers and authority of all Councils, and particularly that of the Indies, by changing their meeting place and regulating to the minutest detail the working hours and practices of their secretaries. Perhaps more than any other of these reforms, the change of the Councils’ meeting place was particularly telling of the transformations that the central administration of the Monarchy was undergoing. Until then, the Councils had met on the ground floor of the Royal Palace in Madrid. Alberoni’s reform relocated them across the street

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- 13 Pablo Vázquez Gestal, “Corte, poder y cultura política en el Reino de las Dos Sicilias de Carlos de Borbón (1734–1759)” (Ph.D. diss., Universidad Complutense de Madrid, 2008), pp. 109–10. The first part of this dissertation has been published by Marcial Pons in 2013 under the title *Una nueva Majestad. Felipe v, Isabel de Farnesio y la identidad de la monarquía (1700–1729)*.
- 14 For the opposite view, namely that “Alberoni’s measures [...] were not part of a long-term reform programme” and were simply a means of achieving his Italian goals, see Lynch, *Bourbon Spain*, pp. 77–80. Kamen, by contrast, considers that Alberoni’s reforms “established the basis of the Bourbon system of government in Spain”, Kamen, *Philip v*, p. 108, and for more detail pp. 112–19.
- 15 See, Kuethe, “La política colonial,” *passim*; Allan J. Kuethe, “Cardinal Alberoni and Reform in the American Empire”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 23–38; Allan J. Kuethe and Kenneth J. Andrien, *The Spanish Atlantic World in the Eighteenth Century. War and the Bourbon Reforms, 1713–1796* (Cambridge: Cambridge University Press, 2014), especially chapters 1 and 2, “Alberoni and the First Stirrings of Reform, 1713–1721” and “Alberoni and Colonial Innovation”, pp. 31–97; and Rafael Daniel García Pérez, “El Consejo de Indias en la Corte de Felipe v: lógica jurídica y lógica política en el gobierno de América”, in *Congreso Internacional. El Gobierno de un Mundo. Virreinos y Audiencias en la América Hispana*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha / Fundación del Pino, 2004), pp. 167–202 at 189, 197.

to the palace of the Duke of Uceda, thus introducing a physical separation between these bodies and the king. This was a material demonstration of the functional separation that had occurred as the Secretaries of State gained power, something made even more evident by the fact that Alberoni distributed many of the rooms within the Royal Palace formerly occupied by the Councils between the officials of the Secretaries of State.<sup>16</sup>

In addition to these changes, the Council of the Indies also underwent a profound internal restructuring. Admiral Andrés de Pez, a close associate of Alberoni, replaced the Council's president, the Count of Frigiliana, who was forced to retire; Alberoni also reduced the Council's membership to only six *togado* councilors and two *de capa y espada*, plus one president or governor, two prosecutors and two secretaries. Beyond the reduction of its size, the Council saw a purge of its old personnel and the appointment of new councilors and secretaries. The decrees also altered the salaries of the Council's officials,<sup>17</sup> suppressed its treasury and reduced the tribunal's jurisdiction to matters "arising from litigious issues and other affairs of strict justice". All "matters of government", specifically anything dealing with the "governmental, economic and providential" rule of the Indies were reserved for the king, to be dealt with through the *vía reservada*.<sup>18</sup>

The decrees enacting these changes repeatedly express that the aim of all reforms was to make the Council process its cases quicker, with secrecy

16 Ma. Victoria López-Cordón Cortezo, "Cambio social y poder administrativo en la España del siglo XVIII: las secretarías de Estado y del Despacho", in *Sociedad, administración y poder en la España del Antiguo Régimen*, ed. Juan Luis Castellano (Granada: Universidad de Granada / Diputación Provincial de Granada, 1996), pp. 111–30 at 125.

17 Once again, the salaries assigned by the reforms of 1717 to the officials of the Councils and those of the Secretaries of State are indicative of the growing power of the later institutions at the expense of the former. In that year, the *oficial mayor* of the Secretary of State for War (the top clerical official working directly under the Secretary) had a nominal yearly salary of 35,000 *reales*, and the lowest ranking officer in that department, the *oficial noveno* one of 15,000 *reales*. By contrast, the *oficial mayor* of the secretary for Peru in the Council of the Indies earned only 18,000 *reales* a year. The difference was again made clear when an independent Secretary of State for the Indies was re-established in 1721; its *oficial mayor* was also given a yearly salary of 35,000 *reales* (Gloria A. Franco Rubio, "La Secretaría de Estado y del Despacho de Guerra en la primera mitad del siglo XVIII", in Castellano, *Sociedad*, pp. 131–56 at 149–50).

18 The five decrees affecting the Council of the Indies are in AGI, Indiferente, 542, L.2, ff. 11–13v. The quote is from the "Real Decreto de 20 de noviembre de 1717 en que se previno que todos los negocios tocantes a lo gubernativo, económico, y providencial se lo reservaba el rey para que se ejecute por la vía reservada, y que en lo tocante a esto se abstuviese el Consejo de mandar expedir cédulas de gobierno", AGI, Indiferente, 542, L.2, f. 10v.

and according to what was established in the laws. Through this reforms the crown sought to obtain “the relief of my vassals”, so that they “may experience, through this means, the convenience offered them by my benignity”.<sup>19</sup> Yet, in restricting the faculties of the Council one of these decrees added a series of justifications which merit individual mention. The decree began by stating the king’s desire to “re-establish the commerce of the Indies in its primitive rules, and its government in the purity and observance of its own laws” before acknowledging that, given the distance which separated the American provinces from the court, all “directions, orders and resolutions” required “the greatest authority and effectiveness”. To this end it was necessary for the king himself “to be informed individually and with all particularity of all of them”, as the only means “to remove all confusion from the handling of business and the issuing of dispatches”. This was the reason why the king reserved for himself, “to be dispatched through the *via reservada* as I shall see fit”, all matters of government, to the exclusion of the Council and its secretaries.<sup>20</sup>

These reforms represented only the latest stage in the long struggle that had been taking place, since almost immediately after Philip’s accession to the Spanish throne, between the advocates of the traditional system of rule by Councils and those who proposed an alternative style of rule through the *via reservada*. In the case of the central institutions of American government, the factions at court were essentially the same as those involved within the wider dispute over the role of the Councils within Spanish government. The most radical of Philip’s French and pro-French advisors went as far as to urge the suppression of the Council of the Indies. According to the Marquis of Louville, suppressing the Council would put an end to fraud within the American administration and allow the king to access the resources necessary to build the naval and military forces required to secure his throne.<sup>21</sup> The *togado* elite, and particularly the members of the Council of the Indies, had taken an opposite view, arguing in favor of strengthening the role played by the Council as a necessary step in restoring the “traditional constitution” of the Monarchy, which allegedly had been corrupted during the later years of Habsburg rule.<sup>22</sup>

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19 AGI, Indiferente, 542, L.2, f. 1r.

20 AGI, Indiferente, 542, L.2, ff. 10r–10v.

21 Charles-August d’Allonville, Marquis de Louville, and L. H. Scipion, Comte du Roure, *Mémoires secrets sur l’établissement de la maison de Bourbon en Espagne* (Paris: Maradan, 1818), vol. 11, pp. 150–54, cited in García Pérez, “El Consejo,” p. 171.

22 García Pérez, “El Consejo,” p. 169.

The Council of the Indies had not escaped unscathed from the earlier stages of these struggles. One of the earliest reforms introduced by Philip, as advised by his grandfather, on March 6, 1701, had abolished the Chamber of the Indies. This was the section of the Council responsible for putting together the terns, from which the king chose new appointees to American offices, and for producing letters patent. The same decree that suppressed the Chamber of the Indies prohibited the sale of offices with jurisdiction over matters of justice in both Spain and the Indies. The immediate purpose of this reform was double: to place appointments to the government of the Indies more directly in the hands of the king and his closest advisors and also to put an end to what Louis XIV saw as one of the principal vices of the Council of the Indies: the retention in the Chamber's treasury of most, if not all, the monies generated by the purchase of offices in the Council itself, the viceregal administrations, and the offices of the treasuries.<sup>23</sup>

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23 See José Antonio Escudero, "El gobierno central de las Indias. El Consejo, la Secretaría del Despacho", in Barrios Pintado, *Congreso*, pp. 95–118 at 104; Gildas Bernard, *Le secrétariat d'état et le conseil espagnol des Indes (1700–1808)* (Geneva: Libraire Droz, 1972), p. 2; Francisco Andújar Castillo, *Necesidad y venalidad. España e Indias, 1704–1711* (Madrid: Centro de Estudios Políticos y Constitucionales, 2008), p. 6; and García Pérez, "El Consejo," p. 171. It is unclear, however, whether the crown intended actually to put an end to all sales of offices in the Indies and whether this practice was seen as intrinsically detrimental to the government of those territories. There is no doubt that Louis XIV opposed the sale of offices, which he identified as one of the most significant vices introduced in Spain under Charles II and therefore one of the principal causes of the desolate state of the Monarchy (Andújar Castillo, *Necesidad*, p. 28). Similarly, it seems like Philip himself was hesitant about resorting to the widespread sale of offices during the War of Succession and initially rejected this proposal (*Ibid.*, p. 29). However, whilst the decrees of March 6, 1701, had prohibited the sale of offices of justice, no equivalent provision was taken for other offices in the Indies; moreover, when the sale of offices in Spain was stopped in 1711, the crown continued to sell those American offices which did not exercise justice. At the same time, some influential officers of Philip's government, such as Jean Orry, had recommended the adoption of a number of programs that involved the sale of offices as early as 1703. Orry's plan to concentrate tax collection by introducing a single tax, the *alivio* that would replace a number of the many existing taxes including the *alcabala* and the *millones*, was prominent amongst those plans. To administer this new tax, Orry proposed the creation of dedicated officials whose appointment would be sold, using the income derived from these sales to cover some of the crown's debt. Implicit in Orry's recommendation was the idea that selling offices in the royal treasury did not automatically make the purchasers unreliable. In general, Orry's attitude seems to have been shared by a majority of his contemporaries as criticism of the sale of offices

The Council had seen its capacity to influence appointments further reduced between 1705 and 1711, when the financial pressures of the War of Succession forced the king to recur once more to the widespread sale of offices, both in Spain and in the Indies. On this occasion, the crown adopted a system of sales that differed in some very significant ways from that used under the Habsburgs in the late seventeenth century. The central figures in the whole enterprise were the Secretary for War, Jose Grimaldo, and a reduced number of private financiers. Would-be-buyers would approach the financiers and present a *memorial*, listing their merits and qualifications and indicating the sum that they intended to pay; the financier would spruce up these memoriales before presenting them to Grimaldo. The Secretary of War would then collect information as to whether the price offered was sufficient and whether the buyer fulfilled the minimum qualifications required. If this was the case, the *memorial* would be presented to the king and, if met with royal approval, Grimaldo would notify the financier so that he or his client could deposit the agreed amount within the General Treasury. Once the treasurer received the money, Grimaldo would issue a royal decree addressed to the pertinent Council ordering that production of the letters of appointment and official dispatches.

While Grimaldo's informers, when consulting upon the price and qualifications appropriate for each office, were usually the president of the Council of Castile, or one of the secretaries of the Council of the Indies, the informant was always approached personally without involving the Councils. Moreover,

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usually focused particularly, if not exclusively, on those offices which enjoyed jurisdiction in matters of justice. See, for example, Melchor Rafael de Macanaz, "Representación que hice y remití desde Lieja al Señor Rey Don Felipe Quinto, Expresando los notorios males que causan la despoblación de España y otros daños sumamente atendibles y dignos de reparo; con los generales advertimientos para su universal remedio", *Semanario erudito, que comprehende varias obras inéditas, criticas, morales, instructivas, políticas, históricas, satíricas, y jocosas, de nuestros mejores autores antiguos, y modernos. Dalas a la luz Don Antonio Valladares de Sotomayor VII* (1788): pp. 158–204 at 191–92, § 41–44, which criticizes the corruption, lack of productivity and lack of qualifications of most employees of the royal bureaucracy, but limits himself to the members of Councils, chancelleries and *audiencias* when criticizing the sale of office. This suggests that contemporaries did not share the opinion voiced by much of the historiography which attributes the loss of control over royal finances precisely to the sale of offices in this branch, e.g., Kenneth J. Andrien, "The sale of Fiscal Offices and the decline of Royal Authority in the Viceroyalty of Peru, 1633–1700", in *Administrators of Empire*, ed. Mark A. Burkholder (Aldershot: Ashgate Publishing, 1998), pp. 49–72; and Adrian John Pearce, "Early Bourbon Government in the Viceroyalty of Peru, 1700–1759" (Ph.D. diss., University of Liverpool, 1998), pp. 50–52.

the opinions voiced by these informants were not binding and Grimaldo could ultimately disregard them. Similarly, whilst the Councils were required to produce the official letters patent, the tribunals were simply asked to execute decisions already taken, without opportunity to protest. Thus, the whole system effectively transferred to the king and his Secretaries the right to make appointments to a vast number of offices to which the Council had thus far been able to make nominations, if not direct designations.<sup>24</sup>

Then, following the occupation of Madrid by the Anglo-Portuguese army of Archduke Charles in 1706, the extensive purges ordered by Philip against all those councilors and subordinate officials who, having failed to evacuate the capital and follow the Bourbon court to Burgos, had answered the archduke's summons to hold sessions in Madrid affected the Council of the Indies. After all, upon receiving the order to relocate to Burgos, some councilors of the Indies—not unlike members of other Councils—had been reluctant to comply and, after the move, its president and prosecutor had to admit that virtually no other minister, and just a handful of subordinate officials, had followed Philip's court.<sup>25</sup> As a result, at least ten members of the Council of the Indies lost their office, as well as a significant number of subaltern officials.<sup>26</sup> Appendix 2 charts changes in the membership of the Council of the Indies, and Appendix 3 does the same for the Chamber.

Finally, the Council of the Indies also experienced the short-lived *Nueva Planta* introduced by Orry and Macanaz between 1713 and 1715. Besides profoundly restructuring the Council, this reform removed all matters of finance from its remit. A decree dated November 10, 1713, divided the presidency of the Council between three different individuals, fixed the number of councilors at twenty, ten *togados* and ten *de capa y espada*, and created two attorney-generals on top of the existing prosecutor and three secretaries. The Council would now hold its sessions as three separate chambers: a plenary including all the councilors; a chamber of government, comprising the three presidents, four *togado* and four *de capa y espada* councilors and the secretaries of New Spain and Peru in alternate days; and a chamber of justice, presided over by

24 See the careful and detailed study of these mechanisms in Andújar Castillo, *Necesidad, passim*, particularly pp. 65–88.

25 Bernard, *Le secrétariat*, pp. 2–3; Luis Navarro García, “La política Indiana”, in *América en el siglo XVIII. Los primeros Borbones*, ed. Luis Navarro García, Historia General de España y América, 11–1 (Madrid: Ediciones Rialp, 1989), pp. 3–64 at 9–10.

26 Bernard, *Le secrétariat*, pp. 3–4; and *infra* Appendix 2. Philip's purges reduced the total number of councilors of Castile, Aragon, Italy, Finance, Indies and Orders from 108 to just 56 and the total number of subaltern officers from 382 to 240. Henry Kamen, *The War of Succession in Spain 1700–1715* (Bloomington, IN: Indiana University Press, 1969), p. 111.



the second or third president, that included the six *togado* councilors who did not attend the chamber of government, the two attorney-generals, and the remaining secretary. The king would allocate Councilors to the different chambers at periodic intervals. This system intended further to reduce the power of the Council by weakening the prestigious figure of the single president, allowing the crown to appoint ten new councilors and balance out the influence of the *togado* elite, which had traditionally controlled the governing Councils with nobles of the military persuasion more sympathetic to the crown.<sup>27</sup>

At the same time, an *ad hoc* body, the *Junta de Hacienda de Indias*, comprising three councilors from the Council of the Indies and three from the Council of Finance would now deal with all matters pertaining to royal finances in the Indies. One of the councilors of Finance would act as president and two prosecutors, one from each Council, and a secretary, would attend the Junta. The king would designate all its members.<sup>28</sup> Not surprisingly, the Council protested strongly against such measure in a carefully drafted *representación* presented to the king in 1714. This document highlighted what Council's members thought were the peculiarities of the Council of Indies which made it different, perhaps more important than the other Councils, and which made it imperative not to alter the structure and procedures developed over nearly two hundred years.<sup>29</sup>

The reform of 1717 went a step further, legally depriving the Council of the Indies of what had been one of its most cherished privileges; one that had made it effectively impossible to circumvent the Council's intervention in the government of Spanish America. According to a *real cédula* issued by Philip II on May 17, 1564, all *reales cédulas* and other instructions and general provisions sent to the Indies had to be "stamped and signed [...] by [the members] of our Council of the Indies". Were these formalities to be missing, all orders arriving from Spain "shall be obeyed and not executed [by] the viceroys, presidents and *oidores*, and any other Judges and Justices of the Indies".<sup>30</sup> This meant that the

27 See Bernard, *Le secrétariat*, pp. 6–7; Escudero, "El gobierno," pp. 102–03; García Pérez, "El Consejo," pp. 175–80; and María Pilar Pérez Canto and Carmen Vázquez Rodríguez de Alba, "El Consejo de Indias ante los decretos de Nueva Planta, 1714," *Boletín Americanista* xxxviii (1988): pp. 227–45 at 241–45.

28 Bernard, *Le secrétariat*, pp. 7–8.

29 For a detailed analysis of this document see Pérez Canto and Vázquez Rodríguez de Alba, "El Consejo," *passim*.

30 *Recopilación de leyes de los reinos de las Indias. Mandadas imprimir y publicar por la Majestad Católica del rey Don Carlos II. Nuestro Señor* [1681] (Madrid: Ediciones Cultura Hispanica, 1973), vol. 1, p. 129, 23rd law, first title, second book.

Council enjoyed “the exclusive privilege of communication with the Indies” and that the king could only issue any orders through the Council itself.<sup>31</sup> In theory, of course, the king could decide whatever he wanted and order the Council to rubber-stamp the necessary documents and send them on to the pertinent American authorities. In practice, however, since the Council had the right, and the obligation, to “consult” the king on all matters it deemed important, it could always delay endlessly any royal order with which it disagreed by issuing a *consulta* and starting the lengthy process of resolving it. The reforms of 1717 effectively removed this obstacle, legally allowing the king and his Secretaries of State to communicate with the Indies without the intervention of the Council.<sup>32</sup> This did not mean that the Council was altogether excluded from the government of the Indies, but it dramatically changed the relationship between the king and the tribunal. In fact, the Council continued to play a very significant role and to process a large number of matters of government, but it did so at the discretion of the crown and only when the king or his Secretaries of State decided to turn some matter over to it.<sup>33</sup>

This crucial blow against the power of the Council opened the door for Alberoni’s wider program of American policies. Starting with the creation of the *intendencia general de marina* on January 28, 1717, all of the major reforms introduced over the ensuing two years—the creation of royal monopoly of tobacco in Cuba, the first creation of the viceroyalty of New Granada, the reform and relocation of the *Consulado* of Seville and *Casa de la Contratación* to Cadiz, the creation of the *Real Factoría de Indias*, the regularization of the four yearly *aviso* ships to New Spain and Tierra Firme and the reform of the American *presidios*—were processed through the *vía reservada*; the Council was not even notified of several of them.

At the time of the first creation of the viceroyalty of New Granada, in April 1717, there were only three Secretaries of State in office: the perennial Grimaldo

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31 Margarita Gómez Gómez, “La nueva tramitación de los negocios de Indias en el siglo XVIII: de la ‘vía del consejo’ a la ‘vía reservada’”, in Barrios Pintado, *Congreso*, pp. 203–50 at 213.

32 Legally, the requirement that all royal commands were co-signed by the Council was not repealed until November 22, 1717, when the crown issued a *real cédula*, through the Council, and in full compliance with the pre-existent laws, stating that those same laws should no longer be obeyed. See AGI, Indiferente, 827; and Gómez Gómez, “La nueva,” p. 215. Nevertheless, there is plenty of documentary evidence that since January the crown had been communicating directly with the Indies, through the *vía reservada*, and that American authorities had obeyed these orders.

33 *Ibid.*, pp. 225–226.

was Secretary for Foreign Affairs, Miguel Fernández Durán for matters of War and the Navy and José Rodrigo for those of Justice, Political Government and Finance.<sup>34</sup> In practice, besides the king's signature, one of his ministers had to ratify all royal orders issued through the *vía reservada*. According to a decree of April 2, 1717, which had reduced the number of Secretaries of State from four to three,<sup>35</sup> most of the matters pertaining to the government of the Indies should have circulated through José Rodrigo's desk. However, as José Antonio Escudero has pointed out,<sup>36</sup> the existing documentation shows that the vast majority of them passed through the hands of the Secretary for War, Miguel Fernández Durán. In fact, Concepción de Castro has argued that between 1717 and 1719, most affairs, not just those of the Indies, were handled by Fernández Durán, simply because Alberoni needed one of the secretaries to ratify all of the decisions which he made in the king's name; he found the Secretary for War more malleable, or at least more agreeable, than Grimaldo and Rodrigo. Thus, Fernández Durán accompanied Alberoni wherever the king went, co-signing all the abbot's orders, whilst the other two Secretaries remained in Madrid.<sup>37</sup>

Most of Alberoni's reforms, therefore, were prepared and implemented within a context of highly centralized decision making and involved rather limited consultation. The vast majority of the reforms enacted between 1717 and 1719 were put into effect by royal decrees bearing some variation of the following expression: "and because it so suits my Royal Service I ordered this [decree, letter of appointment, order, instruction, etc.] issued through the *vía reservada*, signed by my Royal Hand, stamped with my secret stamp and

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34 After its first creation in 1714, the Secretary of State for the Navy and the Indies had been suppressed on April 28, 1715, redistributing its affairs between the other royal Secretaries; see Escudero, "El gobierno," pp. 106–07.

35 The decree had also clarified the ministers' faculties, the areas pertaining to each of their offices, and their relations with the Councils. See *Novísima recopilación de las leyes de España. Dividida en XII libros en que se reforma la Recopilación publicada por el Señor Don Felipe II en el año de 1567, reimpressa últimamente en el de 1775: y se incorporan las pragmáticas, cédulas, decretos, órdenes y resoluciones Reales, y otras providencias no recopiladas, y expedidas hasta el de 1804. Mandada formar por el Señor Don Carlos IV*, Madrid: n.p., 1805, vol. 2, p. 33, fifth law, sixth title, third book. Castro, *A la sombra*, pp. 324–25 has argued that Alberoni used this reform to remove those Secretaries with whom he did not sympathize. Apparently, he even tried to get rid of Grimaldo, but the king would not part with his longest serving Secretary and close confidante.

36 Escudero, "El gobierno," pp. 107–108.

37 Castro, *A la sombra*, pp. 332, 354.

ratified by my undersigning secretary”.<sup>38</sup> This was indeed the procedure followed during the first creation of the viceroyalty of New Granada, as is evident from all the key documentation surrounding the event. From the *reales cédulas* of May 27, 1717, to the first viceroy’s letter of appointment, and the many additional powers and instructions given to him, all the paperwork indicates explicitly that it was produced through the *vía reservada* and bears the signature of Secretary for War, Miguel Fernández Durán. This, in turn, explains why the Council of the Indies did not produce a *consulta* upon a matter as critical as the creation of the first viceroyalty in almost two centuries. Moreover, it explains why the Council itself was not even notified of the creation of the viceroyalty until almost a year and a half after the event.<sup>39</sup> When stating that the idea of creating a viceroyalty had been “considered on various occasions”, the *reales cédulas* of May 1717 make no mention of any of these instances having taken place in the Council.<sup>40</sup> This is in itself most telling, for almost every other royal order involving the government of the Indies explicitly indicates the Council’s involvement with phrases such as: “upon a *consulta* from my Council of the Indies”, “having heard my Council”, or “having seen the opinion of the Council of the Indies”—even in the rare instances in which the king’s decision was contrary to the Council’s opinion.

#### 4.2 The Viceroyalty of New Granada and Alberoni’s Program of American Reforms

Having thus explained the context in which the viceroyalty of New Granada was first created, we must now try to make sense of the motivations behind such a significant decision. The decree of April 29, 1717, and the *reales cédulas* of May 27 are not in themselves very enlightening. They list a number of the

38 See, for example, a selection of the documents in AGI, Santa Fe, 271. It should be noted, however, that the expression “signed by my Royal Hand”, is figurative in most occasions, since the standard procedure throughout the eighteenth century was for the king’s signature to be stamped rather than signed onto most documents, see Gómez Gómez, “La nueva,” p. 220, n. 41. In this regard, it is significant that after his fall from power Alberoni was accused of having sequestered the *estampilla* with the king’s signature, using it freely for his own purposes, see Castro, *A la sombra*, p. 334.

39 The Council was only notified of the creation of the viceroyalty on October 31, 1718. See AGI, Santa Fe, 542, núm. 263, “Decreto de SM en q. previene al Conso. haver establecido Virreynato en el nuevo Rno. de Granada y nombrado para este empleo a Dn. Jorge Villalonga con los honores q. tienen los demas virreyes”, October 31, 1718.

40 “Real cédula 27 de mayo de 1717”, p. 200.

standard concerns repeatedly cited by the crown when providing an office in the Indies: the provision of justice to all the king's subjects, the peace, tranquility and ennoblement of the provinces, the conversion and protection of Indians, the promotion of the Holy Gospels, the political administration and peaceful improvement of all matters spiritual and temporal.<sup>41</sup> Then, in a few obscure and convoluted lines, the *reales cédulas* list the more specific aims for the creation of the viceroyalty. These have often commanded the attention of scholars: the first point is the “attention to and assistance of” the coastal strongholds with the monies assigned to them from the treasuries of Santa Fe and Quito, which a viceroy, being in charge of those treasuries, should be able to supply promptly. Moreover, based in Santa Fe, in the very center of the kingdom, a viceroy should be able to provide “aids and other provisions in the urgencies and cases which should so demand, and therefore, by this means, the loud and scandalous disagreements and disturbances which have occurred in the tribunals, [...] and amongst their members, will be excused and avoided”.<sup>42</sup> Putting an end to these disorders was crucial because they had resulted “very much in the disservice of God, and myself, and in the damage of the public Cause, and in no less detriment of my Royal Finances; having reduced those Dominions, because of these operations [i.e. the disagreements and disturbances], to a miserable state and consternation”. Therefore, “desiring in everything the relief of my subjects” and “to provide a remedy and reparation to such grave and pernicious inconveniences,” the king had decided to establish the viceroyalty.<sup>43</sup>

Thus, the crown's central concern seems to have been, as Synnøve Ones has argued,<sup>44</sup> to put an end to the conflicts between local and provincial authorities. This issue, as we saw in Chapter 2, had become endemic to northern South America, causing serious concern in Madrid. But it should be noted that these conflicts were thought to be the result of difficulties and disagreements regarding the distribution of resources for the defense of coastal cities and that they had resulted in the economic ruin of the provinces now united under the viceroyalty of the New Kingdom of Granada. The decree of October 31, 1718, by which the crown notified the Council of the Indies that the viceroyalty had been created confirms the centrality of these two issues—the defense of the

41 “Real cédula 27 de mayo de 1717”, pp. 200–201.

42 “Real cédula 27 de mayo de 1717”, p. 200.

43 “Real cédula 27 de mayo de 1717”, p. 201.

44 Synnøve Ones, “The Politics of Government in the Audiencia of New Granada, 1681–1719” (Ph.D. diss., University of Warwick, 2000), pp. 298, 301.

coastal cities and putting an end to disorders. In this decree, however, rather than being linked, as before, both concerns are addressed as two separate issues and presented in more detail.<sup>45</sup>

According to the decree, it had been deemed necessary to create the viceroyalty for “the better and more punctual aid and succor of the important strongholds of Cartagena, Santa Marta, and the others within its jurisdiction”, because due to “the long distance which separates them from Lima [...] all the provisions for their protection were either delayed or made useless”.<sup>46</sup> At the same time, and perhaps more significantly, the creation of a viceroyalty was needed

to avoid the disagreements between the ministers of that *audiencia* of Santa Fe which have been frequent at various times, and [especially because of] the late disturbances and scandals, which the Council shall have present, suffered between [the *audiencia*'s] President Don Francisco de Meneses Bravo de Saravia, and the *oidores* who formed it, whose disunion had resulted in unseemly actions, unfit of a tribunal of such stature and representation in which I have deposited the care and better government of that vast kingdom, deserving of my utmost severity and punishment, because of the grave offence of having defaulted, all of them, in their primary obligation of [providing] good Administration of Justice, to the detriment of the public cause and the delay and damage of my Royal Finances, guiltily tolerating the disregard for the important ports and fortification of that jurisdiction.<sup>47</sup>

At the same time, through the suppression of the *audiencias* of Panama and Quito, the crown expected to put an end to the

abuses which with equal disorder were perpetrated by the *oidores* of [those] *audiencias* [...], where divided into parties they cared more for vengeance against their opponents than for the obligations of their ministry, devoting themselves constantly to forming over their particular chimeras a multitude of *autos* and insubstantial papers with which they burdened the Council and obstructed my dispatches [...]<sup>48</sup>

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45 AGI, Santa Fe, 542, núm. 263, “Decreto en q. previene haver establecido Virreynato”.

46 *Idem.*

47 *Idem.*

48 *Idem.*

What these documents show is that the crown perceived an absence of effective royal authority in and around New Granada. In its analysis of the situation, there was no single official or corporation with sufficient authority and representation as to impose itself over the many provincial and local officials who were, thus, left to pursue their private and conflicting interests. In this context, the crown's reasoning suggested that a viceroy, through his immediate representation of the king—which translated into the notion that resisting or disobeying the authority of a viceroy was equivalent to resisting a direct order from the king—was the way of filling that gap. Thus, the superior authority of the viceroy would put an end to rivalries and disunion amongst royal officials and to subordinate private vendettas to the king's service.

Back on April 8, 1717, in a *real cédula* addressed to the viceroy of Peru demanding his cooperation in solving the Meneses affair, the crown had insisted upon the importance of “re-establishing Justice and my authority in that kingdom [of New Granada] and the preservation of respect for he who, representing my person, exercises my jurisdiction and administers justice”. The *cedula* further stressed the need “to make manifest that the abuses committed by the *oidores* and other people shall neither be permitted nor approved”.<sup>49</sup> This document, and the ones that follow in the same *legajo*, are particularly interesting because, unlike those pertaining explicitly to the creation of the viceroyalty, they were produced through the Council of the Indies. The *real cédula* of April 8 evinces that the Council shared the crown's concern for the lack of royal authority in New Granada. Yet neither this document nor the ones which follow it give any suggestion that the creation of a viceroyalty might have been under consideration; most significantly, several of those documents, produced between May and July 1717, are still addressed to an anonymous president, governor and captain-general of Santa Fe,<sup>50</sup> thus providing additional evidence that the Council was not kept in the loop.

These documents, however, offer another important insight as to the motivations behind the creation of the viceroyalty. The vast majority of them were

49 AGI, Santa Fe, 532, L.15, “Al Principe de Sto. Bono previnle. de la resolucion que VM ha tomado en la causa de la deposizn. del Presste. de Sta. Fee Dn. Franco. De Meneses y de los excesos q. a este se le imputan y ordenle. haga observar sus operaciones, y ejecute lo demas q. se expresa en el caso que se previene”, ff. 117r–125v. The quoted text in f. 123r. It is worth noticing that despite such strong expressions the *cédula* suggest that authorities in Spain believed that both the *audiencia* and Meneses had been at fault.

50 See, amongst the various other documents in the *legajo*, AGI, Santa Fe, 532, L.15, *real cédula* “Al Preste. de Sta. Fee sobre q atienda a los socorros de la Ynfantería de Maracaybo”, ff. 227r–228r.

produced between May 23 and 26, 1717, long before the man charged with establishing the viceroyalty departed for Santa Fe, but after the creation of the viceroyalty had been decided by the decree of April 29. Most of them deal with different aspects of the same issue: the production of clear accounts of the royal treasuries, the collection of all monies owed to them and the prosecution of those officials who had defrauded the crown. None of these documents, however, was drafted by the Council itself; they are all dated in Segovia, where the king and Alberoni were staying, and the Council's intervention was reduced to the addition of the phrase "by command of the king" and the signature of one of the Council's secretaries, after the king's mark.<sup>51</sup> It is, therefore, reasonable to presume that the crown drafted them as part of the preparations for the creation of the viceroyalty so the first viceroy could implement them immediately upon arrival in New Granada. Thus, they highlight the urgency of the matter with which they dealt. Not surprisingly, in September that same year, the general overhaul of royal finances consumed most of Antonio de la Pedrosa's time and efforts upon his arrival at Cartagena tasked with setting up the viceroyalty ahead of the arrival of the first viceroy.<sup>52</sup>

Some scholars have suggested that one of the main objectives behind the creation of the viceroyalty was one that, however, is conspicuously absent from the official documentation pertaining to the creation of the viceroyalty: the fight against illicit trade and the restoration of Spain's traditional trading system through yearly convoys. Perhaps the idea most often repeated in the historiography of early eighteenth century Spanish America is that the crown was intent on reining in contraband as a means for regularizing Spanish trade with the Indies.<sup>53</sup> Thus, it is not surprising that scholars have insisted upon

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51 AGI, Santa Fe, 532, L.15, *passim*. In almost all instances the documents are signed by Francisco de Arana, Secretary for Peru; unusually though, a couple of them bear the signature of Andrés de Corovarrutia, Secretary for New Spain.

52 On de la Pedrosa's actions upon his arrival in New Granada see, among others, Sergio Elías Ortiz, *Nuevo Reino de Granada. Real Audiencia y Presidentes. Tomo 4* [*sic for 3*]. *Presidentes de Capa y Espada (1654–1719)*, Historia Extensa de Colombia, Volumen III (Bogotá: Academia Colombiana de Historia, 1966), pp. 343–45; María Teresa Garrido Conde, *La primera creación del Virreinato de la Nueva Granada* (Seville: Escuela de Estudios Hispanoamericanos, 1965), pp. 33–66; Anthony McFarlane, *Colombia before Independence. Economy, Society, and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), pp. 180–90; and Consuelo Maqueda Abreu, *El Virreinato de Nueva Granada. 1717–1780. Estudio institucional*, (Madrid: Dykinson/Ediciones Puertollano, 2007), pp. 259–72.

53 A classic example in Geoffrey J. Walker, *Spanish Politics and Imperial Trade, 1700–1789* (London: The MacMillan Press, 1979), *passim*.



seeing the reduction of illegal trade as one of the main causes, if not the main one, for the creation of the viceroyalty of New Granada.<sup>54</sup>

However, scholarly literature upon the period rarely stresses enough that there was as much disagreement in Philip v's Spain over what constituted illicit trade and what was the best way of re-establishing commerce between Spain and the Indies, as there was over how best to reform the monarchy's central government. It is usually assumed that the crown always intended to re-introduce, on a regular basis, the system of yearly fleets dispatched from Seville (or Cadiz) to Veracruz and Portobello that had become increasingly irregular during the reign of Charles II. In this light, it has been common to argue that all of the trade policies adopted by the crown during the War of Succession, most of which undoubtedly benefited France, were simply desperate measures adopted under extreme circumstances and contrary to Spanish interests in the long term.<sup>55</sup> Nevertheless, if, as we saw in the previous chapter, the crown frequently managed to advance its own interests using the difficulties of the War as opportunities for reform, rather than as obstacles, it would seem strange if this had not been the case on a matter as important as American trade.

The main flaw within the argument that the crown intended to re-establish the yearly fleet system is that it assumes that under such a system the crown controlled Spanish American trade. In reality, the fleet system had placed both trade and communication with the Indies in the hands of the *Consulado* of Seville and the *Casa de la Contratación*, thus making the powerful and wealthy Sevillano merchants an obstacle to the direct exercise of royal authority akin to the territorial Councils and the privileges and constitutions of the Aragonese kingdoms. After all, the wealth obtained from American trade had allowed the *Consulado* to become one of the principal lenders to the Spanish crown. As a result, its members were able to exercise a lot of pressure upon royal policy, to such an extent that, "in practice, all important decisions regarding the [Atlantic] trade were taken by the *Consulado*, while the crown [saw its involvement] limited to ratifying [the merchants'] requests".<sup>56</sup> Seen from this point of view, many of the decisions taken by the crown throughout the War

54 See, for example, Navarro García, "La política," p. 20; Ones, "The politics," p. 305; Kuethe, "La política," p. 236; and Pearce, "Early Bourbon," p. 207, which claims that "the decisive factor [in the creation of the viceroyalty] in 1717, what prompted the reform in an immediate sense, was clearly enough the commercial question".

55 See, among many others, Navarro García, "La política," pp. 3, 5; and Walker, *Spanish*, pp. 19–33.

56 Pablo Emilio Pérez-Mallaina Bueno, *Política naval española en el Atlántico, 1700–1715* (Seville: Escuela de Estudios Hispano-Americanos, 1982), p. 448.

of Succession can be interpreted as attempts at recovering the royal prerogatives usurped by the merchants' guild and reasserting royal authority over, at least, the regulation of trade and communication across the Atlantic, if not its effective control over either activity.<sup>57</sup>

Philip had made it clear from very early on that protection of Seville's monopoly was not a priority for him. Even before the beginning of the War of Succession, he had offered the Catalans access to Spanish American trade from Barcelona<sup>58</sup> and taken the first steps towards liberalizing trade relations with France. In fact, just weeks after Louis XIV had accepted the Spanish throne on behalf of his grandson, a decree infamously known as the "union of the two crowns" allowed French ships access to all Spanish American ports to carry out repairs and replenish their supplies for which purpose they were also allowed to "exchange trinkets" with the local population. Shortly thereafter, the coveted *asiento*, the exclusive right to introduce and sell African slaves within Spanish America, which had until then been in Portuguese hands, was awarded to the French Guinea Company.<sup>59</sup> There can be no doubt that Versailles urged the increased presence of French ships in the Caribbean because it served its own commercial interests.<sup>60</sup> This proposition, though, was not entirely devoid of benefits for the Spanish crown. For one, French activities in the region

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57 *Ibid.*, p. 447–50. The insightful work of Allan Kuethe largely informed the following section. See, in particular Allan J. Kuethe, "El fin del monopolio: los Borbones y el consulado andaluz", in *Relaciones de poder y comercio colonial: nuevas perspectivas*, ed. Enriqueta Vila Vilar and Allan J. Kuethe (Seville: Escuela de Estudios Hispanoamericanos/Texas-Tech University, 1999), pp. 35–66; Allan J. Kuethe, "Traslado del Consulado de Sevilla a Cádiz: nuevas perspectivas", in Vila Vilar and Kuethe, *Relaciones*, pp. 67–82; and Kuethe, "La política".

58 This was one of the most significant economic concessions negotiated by the *Cortes* of 1701. See Joaquim Albareda, "Catluña y Felipe v: razones de una apuesta", in *Los Borbones. Dinastía y memoria de nación en la España del siglo XVIII*, ed. Pablo Fernández Albaladejo (Madrid: Marcial Pons/Casa de Velázquez, 2001), pp. 303–30 at 310–11.

59 See Navarro García, "La política," pp. 5–6; and, on the latter concession, which they see as the immediate cause of the War of Succession, Stanley J. Stein and Barbara H. Stein, *Silver, Trade and War. Spain and America in the Making of Early Modern Europe* (Baltimore, MD: The Johns Hopkins University Press, 2000), pp. 120–21.

60 On the interested nature of Louis XIV's opinions regarding Spain's American territories see, for instance, García Pérez, "El Consejo," pp. 168, 171, 187–88. Pearce, "Early Bourbon," p. 5 goes as far as arguing that the French project was aimed "not just towards collaboration, but towards the absorption of the Empire into the monarchy of the *Sun King*". See also Walker, *Spanish*, pp. 19–33; and Stein and Stein, *Silver*, pp. 109–16, 124–27.

provided Philip with more regular and reliable means of communicating with his American provinces without depending upon the *Consulado* of Seville.<sup>61</sup>

At the same time, allowing the French to participate in the American trade and to benefit from the *asiento de negros* between 1702 and 1712 provided the crown with the necessary means to defend its American provinces without a navy of its own and to extract resources from the Indies to help pay for the war effort. From early on, French ships transported both Spanish and French military engineers, infantry and artillery officials who served in Spanish fortresses in the Indies, along with all sorts of weaponry and military supplies;<sup>62</sup> even the first viceroy appointed by Philip v to New Spain arrived in Veracruz in 1702 on board a French man-o-war.<sup>63</sup> Later on, French men-o-war escorted the return voyage of the fleet that had arrived in New Spain in 1706 and the outward voyage of a makeshift convoy of French and Spanish merchant ships in 1708, returning in 1710. Furthermore, in 1706 French navy ships were dispatched to Peru to collect revenues of the royal treasury and the results of a failed loan demanded from the wealthiest merchants of Lima.<sup>64</sup> Then, in 1709, the viceroy of Peru used French ships—probably some of those involved in transporting contraband between Peru and New Spain—to fight off English privateers operating within the Pacific Ocean.<sup>65</sup> It is certain that France benefited from these agreements more than Spain did and that significant amounts of the monies extracted from Spanish America during the period went directly into the French treasury.<sup>66</sup> Yet, one way or another, given the circumstances of the War, Spain would have had to pay considerable amounts to its ally; amounts that, without French ships would have been very difficult to secure and would have increased the crown's dependency upon Seville's merchants' guild. Indeed, it could be argued that the Spanish crown managed to get the best out of the situation, even manipulating French interests to further its

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61 Evidence of this can be found in Navarro García, "La política," pp. 5–7, 13, although the author's argument is largely that Versailles abused Spain's need to rely upon its naval capacity.

62 *Ibid.*, p. 5.

63 Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues. The Court Society of Colonial Mexico, 1702–1710* (Calgary: The University of Calgary Press, 2008), p. 17.

64 Navarro García, "La política," pp. 10–11.

65 *Ibid.*, p. 15.

66 France charged Spain for the maintenance of ships and officers employed in the defense of the Indies in the same way as it did for the maintenance of the troops serving in the Peninsula (*Ibid.*, p. 6).

own purposes.<sup>67</sup> As Stanley and Barbara Stein put it, in dealing with the French and allowing them access to the Indies, “Spanish state policy yielded only what could not be preserved” repeatedly resisting “French demands for major colonial concessions”.<sup>68</sup>

Moreover, throughout the War, the crown adopted a number of measures that had little to do with French participation in Spanish trade but were clearly directed against the powerful *Consulado* of Seville. In June 1705, Amelot promoted the creation of a *Junta de Restablecimiento del Comercio* to discuss reforms to Spanish trade with the Indies; despite the relevant role which Seville could be expected to play in such matters only two, out of twenty-one members were merchants from that city.<sup>69</sup> To make matters worse, one of them was Bernardo Tinajero de la Escalera, a member of the *Consulado*, who was in Madrid at the time promoting the long-standing grievances of a minority faction of the merchants’ guild against its traditional elites. Tinajero’s complaints had a good reception amongst the French advisors at court and in December another special Junta was organized for inspecting the accounts of the *Consulado* since 1697. Tinajero acted as prosecutor, and not surprisingly, the inquest found the *Consulado* at fault and ordered the arrest of all the consuls and priors who had served between 1689 and 1705.<sup>70</sup>

The other members of the *Junta de Restablecimiento del Comercio* were councilors from a number of Councils, merchants from other parts of Spain and two French advisors. Not surprisingly, such a heterogeneous group produced dramatically contrasting proposals,<sup>71</sup> and nothing concrete came out of the exercise. According to Navarro García, the recommendations of the Junta came to nothing because of the fall of Madrid in 1706, shortly after the Council of the Indies had produced an opinion upon the matter. Alternatively, Stanley and Barbara Stein have suggested that the limited impact of the Junta’s proposals was the result of changes in the balance of power in Versailles, to the detriment of Amelot and other French ministers operating

67 Stein and Stein, *Silver*, pp. 134–35.

68 *Idem.* Moreover, recent studies have shown that the concession of the *asiento* to the French, and the increased influence of French agents in Spanish America played a significant role in securing Bourbon rule in the Indies. See Aaron A. Olivas, “The Global Politics of the Transatlantic Slave Trade during the War of the Spanish Succession, 1700–1715”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. by Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 85–110 at 108.

69 Kuethe, “La política,” p. 38.

70 *Ibid.*, p. 39.

71 Navarro García, “La política,” p. 8.

in Madrid.<sup>72</sup> Nonetheless, news of the Junta's recommendations was leaked and at least some members of the Spanish elite expressed their hopes that they would succeed in "freeing trade [with the Indies] and putting it beyond the claws of the *Consulado* of Seville."<sup>73</sup> The Junta so threatened the interests of Andalusian merchants that the *Consulado* openly refused to lend any additional monies to the crown unless the Junta was suppressed.<sup>74</sup>

Later on, in 1706, the crown suspended payment of a large proportion of its debt to the *Consulado*. Later that same year, when the king purged the Council of the Indies of those councilors and officials who had held sessions under the archduke, Tinajero, by then clearly identified as a member of the pro-French group like Macanaz, was appointed as the Council's secretary for Peru.<sup>75</sup> In November of the following year, the crown granted the Marquis of Montesacro the exclusive right to operate a service of post-ships running regularly between a port in the Basque Provinces and Veracruz and Portobello. This service had been traditionally entrusted to the *Consulado* of Seville. Its concession to Montesacro infringed both the *Consulado's* traditional role in American communication and its commercial monopoly, as the Marquis obtained the right to trade with whatever products he could transport alongside the correspondence. In the end Montesacro, who had been one of the non-Sevillano members of the Junta of 1705, proved unable to provide the agreed service and his contract was cancelled. The project, nonetheless, had caused uproar from both the *Consulado* and the Council of the Indies.<sup>76</sup> At the same time, and throughout the duration of the War, the crown repeatedly sold mercantile licenses, which allowed private merchants from different ports in Spain—and in at least one occasion from France—to conduct one or more voyages to the Indies, in exchange for money paid up front and for transporting royal orders and other correspondence.<sup>77</sup>

72 Stein and Stein, *Silver*, pp. 126–27.

73 Arxiu Nacional de Catalunya, Barcelona (hereinafter ANC), Fons llinatge Senmenat marquesos de Castellodrosius, 1242.19.305, Alonso de Montenegro to Marquis of Castellodrosius, Madrid, June 20, 1705, quoted in Núria Sala i Vila, "Una corona bien vale un virreinato: el marqués de Castellodrosius, primer virrey borbónico del Perú (1707–1710)", in *El 'Premio' de ser virrey. Los intereses públicos y privados del gobierno virreinal en el Perú de Felipe V*, by Alfredo Moreno Cebrián and Núria Sala i Vila (Madrid: CSIC—Instituto de Historia, 2004), pp. 17–150 at 26.

74 Pérez-Mallaina, *Política*, p. 449.

75 Kuethe, "La política", p. 39; Bernard, *Le secrétariat*, p. 229, n. 3.

76 Navarro García, "La política," p. 11.

77 *Ibid.*, pp. 5, 14.

Not surprisingly, the traditional leadership of the *Consulado* voiced strong opposition to these measures, but so did the Council of the Indies. This tribunal shared the merchants' elite's interest in the defense of the monarchy's "traditional constitution" since it had seen its powers and influence equally threatened by the king's reformist ministers.<sup>78</sup> With the fall of the "French party" in February 1715, the *Consulado's* traditional elite experienced a recovery similar to that of the Councils. This led, in April, to the dismissal of Bernardo Tinajero and to the suppression of the Secretary of State for the Indies.<sup>79</sup> Later in that year, the Council of the Indies issued renewed orders and *reales cédulas* to American authorities, urging them to suppress contraband and threatening with extraordinarily harsh punishment for infringement of the Sevillano monopoly and for trading with foreign nations.<sup>80</sup>

Yet, with the arrival of Alberoni the fortunes of the *Consulado*, not unlike those of the Council, once again took a turn for the worse. The appointment of Admiral Andrés de Pez to the presidency of the Council not only replaced the influential Count of Frigiliana with a man of military extraction who was closer to Alberoni and the queen, but also represented a blow against the *Consulado* of Seville; Andrés de Pez was well known as a supporter of advancing Cadiz's position in American trade over Seville's.<sup>81</sup> Then, on January 28 came the appointment of José Patiño as *intendente general* of the Navy, superintendent of the kingdom of Seville and president of the *Casa de Contratación*, with instructions to reside in Cadiz to where the *Consulado* was required to send deputies. Finally, on May 8 a royal decree ordered both the *Consulado* and the *Casa de Contratación* to relocate permanently to the coastal city. The same decree reduced significantly the power of the *Casa de Contratación*, as it transferred all matters pertaining to the Spanish Navy and merchant fleet to the *intendencia general* of the Navy, along with the *Casa's* crucial power to arrange and provide the supplies for all trans-Atlantic fleets and independent

78 *Ibid.*, pp. 5, 11, and especially 14.

79 Kuethe, "Traslado," p. 69.

80 Maqueda Abreu, *El virreinato*, pp. 207–10; see also AGI, Indiferente, 432, L.48, *real cédula* "Para q los Virreies de el Peru y Na. Espa. Prestes. + Govres. y oidores, de los Puertos de ambos Reyos. y demas cavos y ofices. de la Rl. Hasda. Guarden y observen lo que previenen las leyes, establecidas sobre impedir el Ylicito Como. en la forma que se expresa", October 10, 1715, ff., 49r–51v; and, in particular, the strong worded AGI, Indiferente, 432, L.48, *real cédula* "Al Virrey del Peru previnle. de todas las orns. dadas pa. embarazar los Ylicitos Comercios, y manle. con el mas expecial encargo las observe y haga observar precisa, y efectivamente", November 5, 1715, ff. 51v–64r, which makes a detailed recount of all the laws and *cédulas* issued against illicit trade.

81 Kuethe, "Traslado," p. 69.

ships. At the same time, both the *Casa's* tribunal and that of the *Consulado* were dramatically reduced in size.<sup>82</sup>

The relocation of the *Casa* and *Consulado* to Cadiz certainly reflected the port's growing role in American trade since at least 1680; but, as Allan Kuethe has shown, the timing of the official relocation was dictated primarily by political considerations.<sup>83</sup> In the first place, it was a further step in dismantling the power of the merchants' guild, both by explicitly reducing the jurisdiction of the *Casa* and by playing, once again, the internal divisions of the guild against each other. Then, the move, in itself favorable to the Gaditano members of the *Consulado*—who may even have made a significant donation to the crown to secure it—was accompanied by reforms to the composition of the guild's tribunal that ensured that Sevillano members retained significant power over the corporation. This was detrimental to those based in Cadiz, thus weakening the whole institution by exploiting the divisions amongst its members. Yet, perhaps most significantly, the relocation placed both institutions, and indeed the merchants' warehouses and operations, directly under the personal supervision of Patiño.<sup>84</sup> Through these means, the crown expected to reduce fraud against the royal treasury by exercising a tighter control over the goods transported by Spanish merchants. This in itself was simply the extension of a policy that Alberoni had already been implementing against foreign merchants in Cadiz and other ports all over Spain since December 1716, in open contravention of the terms of the Treaty of Utrecht.<sup>85</sup>

Also in 1717, the crown established the *Real Factoría de Indias*, an institution controlled by the *intendente general* of the navy on behalf of the king. *The Real Factoría* was charged with the administration and government of Spanish American royal revenues and the promotion, co-ordination and direct participation in trade with the Indies, transporting mostly iron from the

82 See AGI, Indiferente, 542, L.2, royal decree "Participando la regla y forma de los ministros de que se avia de componer la casa de la contratacion de Indias", May 12, 1717, ff. 21r–24r.

83 Kuethe, "Traslado," p. 68.

84 *Ibid.*, pp. 69–70.

85 As part of the treaty all the privileges and special considerations granted to foreign merchants before the war were renewed. These included the rights to anchor in any port of the Peninsula without having their cargo inspected for a period of three days, to establish warehouses, which were exempt from customs visits, and to appoint *jueces conservadores* to protect their immunities. However, from December 23, 1716, customs officials had begun to conduct immediate inspections of foreign ships arriving in different ports and, escorted by armed guards, they had also begun to visit warehouses regardless of protests from the *jueces*; see Kuethe, "La política," pp. 234–35.

Basque Provinces and tobacco from the recently introduced royal monopoly in Habana. The ambitious plan for the *Real Factoría* included the encouragement of trade in products which were unattractive to private merchants—largely necessity goods which did not yield great benefits—and of others which could produce significant revenues for the royal treasury. The *Factoría* would also generate sufficient funds for paying the return voyages of its own ships without having to wait endlessly in the Indies, to pay the salaries of the judges of the *Casa de Contratación* and to constitute a source of loans for the crown in emergencies. Besides iron and tobacco, the *Factoría* transported a variety of products from Catalonia—textiles, leather goods and belt buckles—intended for the clothing of royal troops in Peru and Buenos Aires, as well as fine textiles from the Royal Factory of Guadalajara.<sup>86</sup>

The picture which emerges from the analysis of these reforms suggests that under Alberoni, the crown was not as interested in suppressing trade activities which violated Seville's monopoly—i.e. those which were conducted outside of the system of yearly fleets which Philip had been forced to reintroduce by the terms of the treaty of Utrecht—as it was in reducing fraudulent trade—i.e. that which was hidden from the royal treasury and thus failed to pay taxes, regardless of whose trade it was or how it was transported.<sup>87</sup> In fact, through the creation of the *Real Factoría*, which was expected to promote regular voyages outside the fleets, and the re-establishment of the four yearly *avisos* the following year, the crown was technically promoting, if not altogether embarking upon, trade practices which violated the privileges of Andalusian merchants and constituted a direct contravention of its international obligations. In this light, it is perhaps less surprising that there was no explicit mention of the suppression of illicit trade within the documentation surrounding the first

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86 See Antonio-Miguel Bernal, "Borbones por austrias: cambio de dinastía y papel de la corona en el comercio colonial", in *El cambio dinástico y sus repercusiones en la España del siglo XVIII*, ed. José Fernández García, María Antonio Bel Bravo and José Miguel Delgado Barrado (Jaén: Universidad de Jaén, 2001), pp. 181–98 at 194–97.

87 Compare the difference in terms and emphasis between the documents pertaining to the creation of the viceroyalty, which speak only of damages done to the royal treasury because of the disturbances and permissiveness of royal authorities, with the *reales cédulas* of late 1714 and 1715, which speak specifically of "avoiding trade with foreign ships", and of the "prohibition of illicit trade with foreign nations" and warn the authorities of the Indies to act against the "detrimental introductions" that ruin "the universal trade of my vassals" (AGI, Indiferente, 432, L.48, ff. 1r–2v, 7v–8v, 31r–33r, 34v–36r, 49r–51v, 51v–64r, etc. The quotes in ff. 1r, and 7v).



creation of the viceroyalty of New Granada, whilst the need to eliminate fraud against the royal treasury was prominently present.<sup>88</sup>

Moreover, among the actions undertaken by Antonio de la Pedrosa—the man charged with setting up the viceroyalty before the arrival of the first viceroy—upon his landing in Cartagena, those usually listed as related to illicit trade are much less prominent than his efforts to regularize the operations of the royal treasuries. Moreover, they were also generally directed towards ensuring that all goods traded pay taxes, rather than to stopping trade in illegal goods or outside what was prescribed by the law. One of his very first actions upon arriving in Cartagena is an excellent case in point. Having met with Faustino Fajardo, an officer within the treasury of Cartagena who had sent to Spain repeated reports denouncing the corrupt procedures of his co-workers,<sup>89</sup> de la Pedrosa tried to get other royal officials to recognize their wrongdoings. Not surprisingly, they all denied defrauding the royal treasury; but the arrival of a ship from Cuba that de la Pedrosa boarded and inspected before the port authorities had a chance to intervene revealed that only one fifth of the total cargo had been declared. The rest would enter New Granada without paying taxes by means of a financial compensation to the royal officials involved in overseeing trade.<sup>90</sup> De la Pedrosa's concerns on this occasion were not to make sure that all goods introduced by this and other ships were legally tradeable or traded by Spanish merchants, but rather that they all paid due tax and that the royal officials in Cartagena did not obtain undue financial benefits to the detriment of the royal treasury.

It would seem fair to say, then, that the creation of the viceroyalty was primarily motivated by the need to strengthen royal authority in the northern region of South America. This measure would both subordinate local conflicts and vendettas amongst royal officials, and increase the crown's capacity to extract revenue through better control of royal finances and treasuries. Simultaneously, a viceroy would be better able to direct efforts and

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88 See, for example, AGI, Santa Fe, 271, "Ynstrucion del Virrey del Nvo. Rno. de Granada". This document, given to the first viceroy, Jorge de Villalonga, along with his letters of appointment as viceroy, includes no mention of illicit trade—other than an order not to allow the construction of new textile mills or the planting of new vineyards because the excessive supply of fabrics and wine affected trade between Spain and the Indies. Meanwhile, §60, 61 and 62 were dedicated to the production of accurate accounts of all branches of royal finances, the supervision of treasury officials and the avoidance of tax evasion.

89 Garrido Conde, *La primera*, pp. 12–13.

90 *Ibid.*, p. 34.

resources in case of foreign aggression, a situation which was more than likely given Alberoni's conscious defiance of the agreements of Utrecht and his plans to invade Sardinia and Sicily. Yet, the creation of the viceroyalty was also part of a wider program of reforms through which the crown intended to exercise direct control over the government and trade of the Indies to the exclusion of powerful peninsular institutions—the Council of the Indies and the *Consulado* of Seville.

Examined in detail, the decision to create a new viceroyalty in Spanish America followed a very similar logic to that which had led to the suppression of viceregal rule in Europe and the Peninsula and the reforms of the central institutions of the Monarchy. All these measures aimed at the same objective: strengthening royal authority to the exclusion of mediatizing corporations. If the crown had deemed it necessary to suppress viceregal rule in the kingdoms of the Crown of Aragon it was because there the viceregal institution was deeply engrained within the local constitutions. Provincial corporations derived their power and autonomy from those constitutions and relentlessly employed it the defense of privileges that, amongst other things, amounted to the almost complete exemption of those realms from royal taxation. In Spanish America the situation was significantly different; whilst local government was perhaps as autonomous, if not more so, than it was anywhere else in the Catholic Monarchy, there were no provincial institutions—other than the *audiencias*—and no equivalent *fueros* and constitutions. This meant that the viceregal office was not linked to provincial corporate structures and identities restricting the crown's authority.

In the Indies, limits to royal authority came from two very different sources. On the one hand, strong corporations based in the Peninsula—namely the Council of the Indies and *Consulado* of Seville—regularly used their influence and privileges to prevent the crown from adopting policies that would harm their interests. On the other hand, and particularly in northern South America, the lack of a strong enough central authority at the provincial level had resulted, as we saw in chapter two, in never-ending internecine quarrels and vendettas between local centers of power and also in bitter contests between factious *audiencia* judges.

The first attempt to create a viceroyalty in New Granada intended to address both these problems. The documentation produced by the crown makes it very clear that it expected the viceroy to bring order to the region, subordinating local governors, suppressing the most conflictive *audiencias* and constituting a well-defined center of provincial authority. At the same time, the viceroyalty was created entirely through the *vía reservada*, without notifying the Council

of the Indies as part of a wider set of reforms directed against the privileges enjoyed by both the Council and Andalusian merchants. Moreover, as will become clear in the next chapter, just as had happened within the Peninsula, the introduction of reforms in Spanish America was subject to the ebb and flow of political influences at court.

## Two Architects and Faulty Foundations? Explaining the Suppression of the First Viceroyalty of New Granada

The *reales cédulas* of May 27, 1717, informed their recipients that unlike when the viceroyalties of New Spain and Peru were first established, the crown had decided to send to New Granada a “minister of integrity, standing, authority and representation” ahead of the first viceroy to take the first steps towards the establishment of the new institution.<sup>1</sup> The man commissioned to perform this task was Antonio de la Pedrosa y Guerrero, a member of the Council of the Indies with personal knowledge of New Granada and a long career in the royal service.<sup>2</sup> To ensure that his mission would be successful de la Pedrosa received “as vast power, faculty and jurisdiction as required”. He could reform royal administration at every level and prosecute those officials found to have grossly abused their office whilst acting as the last governor and captain-general of New Granada and president of the *audiencia* of Santa Fe, until the arrival of the first viceroy.<sup>3</sup>

The appointment to this latter office fell upon Jorge de Villalonga i Fortuny, Count of La Cueva. Villalonga was a military officer who held an honorary appointment as Councilor of War, had risen to the rank of *teniente general* of the royal armies, and had served as officer in chief (*cabo principal*) of the land forces of the viceroyalty of Peru and governor of the fortress of Callao

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- 1 “Real cédula por la cual se crea el Virreinato del Nuevo Reino de Granada en 27 de mayo de 1717” reproduced in full in Jerónimo Becker and José María Rivas Groot, *El Nuevo Reino de Granada en el Siglo XVIII* (Madrid: Imp. Del Asilo de Húerfanos del Sagrado Corazón de Jesús, 1921), pp. 200–203 at p. 202.
  - 2 Sergio Elías Ortiz, *Nuevo Reino de Granada. Real Audiencia y Presidentes. Tomo 4 [sic for 3]. Presidentes de Capa y Espada (1654–1719)*, Historia Extensa de Colombia, Volumen III (Bogotá: Academia Colombiana de Historia, 1966), pp. 337–39; Gildas Bernard, *Le secrétariat d'état et le conseil espagnol des Indes (1700–1808)* (Geneva: Libraire Droz, 1972), p. 215, n. 60.
  - 3 “Real cédula por la cual se crea el Virreinato”, p. 202; Ma. Teresa Garrido Conde, *La primera creación del virreinato de Nueva Granada, 1717–1723* (Seville: Escuela de Estudios Hispanoamericanos, 1963), pp. 23–28; and Anthony McFarlane, *Colombia before Independence: Economy, Society and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), p. 189.

since 1708.<sup>4</sup> Villalonga received his letters of appointment whilst in Lima in mid-December 1718. He set out from Callao on May 2, 1719, arriving in Santa Fe, after a long journey over land from Guayaquil, on December 17 of that same year. The arrival of the new viceroy, however, was not a smooth affair and the formalities involving his reception in Santa Fe created tensions between him and de la Pedrosa.<sup>5</sup> Whilst in the end Villalonga got his way, it soon became clear that the viceroy and de la Pedrosa failed to see eye to eye in more than ceremonial matters; the newly arrived official proceeded to question and often revoke many of de la Pedrosa's decisions and appointments.<sup>6</sup> Amidst these tensions, de la Pedrosa decided to return to Spain without waiting his recall or to receive authorization from the king or the Council of the Indies for his voyage.<sup>7</sup>

Apparently, authorities in Spain were not entirely satisfied with the performance of either official. Most of the historiography considers that de la Pedrosa's administration was highly successful, stressing that he both got along with the authorities of New Granada and that the crown approved most of his decisions. Consuelo Maqueda Abreu, however, has accurately questioned this position. She points out that, upon his return to Spain, de la Pedrosa's actions came under careful scrutiny from the Council of the Indies and that a number of his decisions did not meet with royal approval.<sup>8</sup> Regarding Villalonga, by contrast, most scholars opine that the crown saw his government as a

4 José María Restrepo Sáenz, "El primer Virrey. Don Jorge de Villalonga", *Boletín de Historia y Antigüedades* xxxii (1945): pp. 120–30; Sergio Elías Ortiz, *Nuevo Reino de Granada. El Virreynato. Tomo 1 (1719–1753)*, Historia Extensa de Colombia, Volumen iv (Bogotá: Academia Colombiana de Historia, 1970), pp. 29–30; Garrido Conde, *La primera*, pp. 67–68.

5 The affair has drawn significant attention from historians, most of whom tend to reduce it to a clash between the vanity of Villalonga obsessed with ceremonial matters and the frugality and rectitude of de la Pedrosa to whom all pomp was irrelevant. See, for example, Carlos Restrepo Canal, "Erección del Virreynato de Santafé", *Boletín de Historia y Antigüedades* xxx (1928): pp. 982–1024 at 1003. I return to this affair in more detail later in this chapter.

6 See Garrido Conde, *La primera*, pp. 78–79; McFarlane, *Colombia*, pp. 191–92; and the descriptions of letters 10, 11, 13, 15, 18, 19 and 59 sent by Villalonga to the crown showing his disagreement with de la Pedrosa's actions in AGI, Santa Fe, 374, "Apuntamiento de todas las representaciones que ha hecho el Virrey Dn. Jorge de Villalonga". Letter 59 in particular complained about the complete disorder left behind by de la Pedrosa that made Villalonga wonder what his predecessor did during his time in office. This letter prompted the Council of Indies to demand from de la Pedrosa that he presented the files of all the actions that he had taken whilst in New Granada, leading to an in-depth review of his tenure that began on July 9, 1722.

7 AGI, Santa Fe, 368, Council of Indies to king, Madrid, January 2, 1721.

8 Consuelo Maqueda Abreu, *El Virreynato de Nueva Granada. 1717–1780. Estudio institucional* (Madrid: Dykinson/Ediciones Puertollano, 2007), pp. 165, 257.

failure, even though some voices suggest that it had significant impact upon the ground.<sup>9</sup>

Within a couple years of the viceroyalty's creation, authorities in the Peninsula had started to review de la Pedrosa's actions and to look into accusations that Villalonga had become involved in illegal trade activities.<sup>10</sup> Finally, the king decided, in consultation with the Council of the Indies, to suppress the short-lived viceroyalty on November 5, 1723. The *real cédula* which implemented this U-turn stated that "lately it has been considered how important it is for the Government of that *audiencia* and New Kingdom of Granada to run in the same way it was before, being governed by a President, Governor and Captain-General, as determined by the Laws [...] without the authority of a Viceroy".<sup>11</sup> According to this document, vice-regal rule had failed to increase revenue, stop fraud or put an end to disorder. For these reasons it was thought to be better to "extinguish that office, to avoid the waste of as many monies as must be consumed in the up-keep of the Viceroy, his salary and that of his guards, and other major expenses (of his house and family) which are inevitable".<sup>12</sup>

This chapter puts forward a different interpretation of the reasons that led to the suppression of the first viceroyalty of New Granada. It offers a re-evaluation of the character and background of the two men responsible for setting it up in the first place and of their confrontation surrounding Villalonga's official entry into Santa Fe. My interpretation challenges the description of Villalonga as fatuous and obsessed with ceremony, highlighting instead the role of pageantry and public ceremonies in early modern politics. Simultaneously, the suppression of the viceroyalty in 1723 had less to do with the performance of Villalonga and the situation in New Granada than with changes within the political balance in Philip V's court. After all, the viceroyalty was suppressed in the aftermath of the fall of Alberoni at a point in time when the king's depression and the preparations for his abdication left the door open for the opponents of reform to tear down the most salient American *Nueva Planta*.

9 See, again, *Ibid.*, p. 165; and Restrepo Sáenz, "El primer," pp. 123–124.

10 McFarlane, *Colombia*, p. 192. See for more detail AGI, Santa Fe, 374, "Expedientes sobre ilícitos comercios egecutados por el virrey de Sta. Fe, Governador, ministros y oficiales rs. de Cartagena: años 1721 a 1723".

11 "Real cédula sobre que se suprime el Virreynato de Santafé", reproduced in full in Elías Ortiz, *El Virreinato*, pp. 51–52, the quoted text is taken from p. 62.

12 *Idem.*

## 5.1 Two Architects for One Building: The Men Charged with Implementing the Creation of the New Viceroyalty

As shown in the previous chapter, the first creation of the viceroyalty of New Granada was processed entirely through the *vía reservada*, to the complete exclusion of the Council of Indies. In fact, the *reales cédulas* of May 27, 1717, include only one reference to the Council of the Indies: that of Antonio de la Pedrosa's status as councilor in that tribunal.<sup>13</sup> It is likely due to the deceiving fact that a member of the Council was charged with travelling to the Caribbean to establish the viceroyalty that the peculiar circumstances in which such a momentous decision was taken have not been noticed before. Yet, we should bear in mind that de la Pedrosa's connection with the Council was largely spurious: he had only been appointed to that body on January 20, 1717,<sup>14</sup> as part of Alberoni's reforms aimed at weakening the Council and following a career that was not entirely typical of the *togado* members of the territorial Councils of Spain.<sup>15</sup>

Antonio de la Pedrosa y Guerrero, had been born in Seville around 1660. His father, Andrés de la Pedrosa, had served as *corregidor* of Puerto de Santa María, *alcalde mayor* of Seville, Cadiz and San Lúcar de Barrameda, and as *abogado fiscal* of the Navy of the Ocean Sea, developing important links with Spanish American trade. These links led a young Antonio, after obtaining a bachelor's degree from the University of Salamanca in 1681, to seek appointment to the Indies, where his brother José Manuel may have already been living.<sup>16</sup> Thus, in 1683 he secured an appointment as protector of the Indians in the *audiencia* of Santa Fe in exchange for a pecuniary service of 8,000 pesos.<sup>17</sup> Moreover, his letters patent included two particular concessions: he was

13 "Real cédula por la cual se crea el Virreinato", p. 202.

14 AGI, Indiferente, 542, L.2, "Real decreto de 20 de Henero de 1717 en que nombró su Mgd. los Ministros y Srios. de que se avía de componer el Conso. de Yndias", f. 7v; see also Bernard, *Le secrétariat*, p. 215, num. 60.

15 For the typical progression of a *togado* from the lowest rungs of the legal profession to a coveted seat in one of the "Supreme Councils", see Juan Luis Castellano, "La carrera burocrática en la España del siglo XVIII", in *Sociedad, Administración y Poder en la España del Antiguo Régimen*, ed. Juan Luis Castellano (Granada: Universidad de Granada/Diputación Provincial de Granada, 1996), pp. 25–45 at 25–26.

16 De la Pedrosa had also obtained a license from the Royal Councils to practice as an attorney in 1682. Synnøve Ones, "The Politics of Government in the Audiencia of New Granada, 1681–1719" (Ph.D. diss., University of Warwick, 2000), p. 343; AGI, Indiferente, 161, N414, "Méritos de Antonio Ignacio de la Pedrosa".

17 Ones, "The Politics," p. 343; AGI, Indiferente, 161, N414, "Méritos de la Pedrosa".

allowed to wear the dark-red robe worn by *oidores* and prosecutors, known as *garnacha*, and to serve as interim prosecutor whenever the incumbent was ill or in-between appointments.<sup>18</sup> He travelled to New Granada in the *galeones* of 1684, taking up office on March 31, 1685.<sup>19</sup> For the next two decades, he established himself in New Granada, not returning to Spain until 1703.<sup>20</sup>

Although he had travelled to Santa Fe with only one servant,<sup>21</sup> shortly after his arrival in the New Kingdom, de la Pedrosa made it clear that he intended to settle in the country, or at least to build strong links with its elites. In the autumn of 1685 he married María Pisa, daughter of the deceased Andrés Pisa Urreamendi, accountant of the tribunal of accounts of Santa Fe, and Luisa Mesa Bohórquez, descendant of a well-connected New Granadan family.<sup>22</sup> On the same day, de la Pedrosa's brother, José Manuel, married his brother's widowed mother-in-law. Although an *oidor* of Santa Fe acted as de la Pedrosa's *padrino*, the wedding took place without royal consent and became the cause of confrontation between the protector of Indians and the president of the *audiencia*, Gil de Cabrera.<sup>23</sup> This clash, however, seems to have had less to do with Cabrera's concerns over de la Pedrosa's violation of the laws which prevented royal officials from marrying within the territory in which they served, than with the internal politics and commercial interests of *audiencia* factions.

Shortly after his arrival in New Granada, de la Pedrosa had become closely associated with two *oidores* recently promoted from the *audiencia* of Santo Domingo to Santa Fe: Juan Garcés de los Fayos and Francisco López de Dicastillo.<sup>24</sup> For reasons not entirely clear, but probably related to contraband trade, Garcés, López de Dicastillo and de la Pedrosa had fallen out with President Cabrera and *Oidor* Domingo de la Rocha Ferrer, who had been recently promoted from the post of *teniente general*<sup>25</sup> of Cartagena to a supernumerary judgeship in the *audiencia* of Santa Fe.<sup>26</sup> In 1685, Garcés and López

18 Ones, "The Politics," p. 343; *AGI*, Indiferente, 161, N414, "Méritos de la Pedrosa".

19 *Idem*.

20 Ainara Vázquez Varela, *De la primera sangre de este reino: las élites dirigentes de Santa Fe (1700–1750)*, (Bogotá: Universidad del Colegio Mayor de Nuestra Señora del Rosario, 2010), p. 44.

21 *AGI*, Contratación, 5446, N. 27, "Antonio Ignacio de la Pedrosa y Guerrero".

22 Vázquez Varela, *De la primera*, p. 44; Ones, "The Politics," p. 343.

23 Vázquez Varela, *De la primera*, p. 44.

24 On the careers of both men see Ones, "The Politics," pp. 334–35 and 338.

25 The *teniente general* of Cartagena was a jurist, appointed by the crown, charged with advising the governor of the city, usually a military man, on legal matters. See *Ibid.*, pp. 122–23.

26 *Ibid.*, p. 346.



de Dicastillo manoeuvred within the *audiencia* to have Cabrera's charges against de la Pedrosa dismissed.<sup>27</sup> His allies intervened again in 1688 when de la Pedrosa's brother and his mother/sister-in-law sued him in a dispute over property administered by his mother-in-law which de la Pedrosa claimed should have passed to his wife when the mother-in-law married his brother.<sup>28</sup> A few years later, Garcés and López de Dicastillo accused Cabrera and de la Rocha of involvement in smuggling and succeeded in having the Council of Indies investigate their rivals.<sup>29</sup> Although both men were in all likelihood the heads of an extensive network of contraband trade established by de la Rocha during his tenure in Cartagena de Indias, the Council could not find enough evidence to prosecute them.<sup>30</sup> The inquiry, however, led the Council in 1695 to look instead into the affairs of Garcés, López de Dicastillo and de la Pedrosa, suspecting they were all involvement in contraband trade and embezzlement in the collection of the Indian head-tax or *tributo*.<sup>31</sup> The investigation, though, again failed to provide enough evidence of wrongdoing.

Upon his return to Spain, in 1706 de la Pedrosa secured an appointment as *alcalde de casa y corte* in Madrid, a significant and unusual promotion for someone who had never served as *oidor*, neither in the Americas nor in the Peninsula, and whose highest post had been as interim prosecutor in the rather minor tribunal of Santa Fe. Typically, the appointment as *alcalde de casa y corte* was obtained after having served as *oidor* in one of the *audiencias* in Spain, or as prosecutor in one of the chancelleries; after all, the *alcaldes de casa y corte* presumed themselves to constitute the fifth chamber of the Council of Castile.<sup>32</sup> Indeed, given the timing of de la Pedrosa's appointment, he probably bought his position as *alcalde*.<sup>33</sup> Then in 1711 he became *superintendente* of Murcia, and in 1713 *togado* Councilor of Finance, although this latter appointment never took effect because of the introduction of Orry's *Nueva Planta* of

27 *Ibid.*, pp. 66–67.

28 *Ibid.*, pp. 67–68.

29 *Ibid.*, pp. 79–83.

30 In fact, de la Rocha was married to a woman from Cartagena de Indias. The husbands of his wife's two sisters, Sancho Jimeno de Orozco, commander of the fortress of Bocachica in Cartagena, and Toribio de la Torre, first Count of Santa Cruz de la Torre, several-times *alcalde ordinario* of the town of Mompox, were involved in a network which brought contraband goods up from Cartagena and distributed them inland from Mompox. *Ibid.*, pp. 73, 185, 346.

31 *Ibid.*, p. 84.

32 See Castellano, "La carrera," p. 27, and n. 7.

33 On the sale of offices in the *Sala de alcaldes de Casa y Corte*, see Francisco Andújar Castillo, *Necesidad y venalidad. España e Indias, 1704–1711* (Madrid: Centro de Estudios Políticos y Constitucionales, 2008), pp. 159–61.

the Councils. Finally, on January 20, 1717, de la Pedrosa received instead an appointment as a *togado* member of the Council of the Indies.<sup>34</sup> This rapid progression upon his return to the Peninsula suggest that he had accumulated not insignificant funds during his tenure in New Granada and that he may have benefited from other connections and transactions at the Bourbon court.

Jorge de Villalonga i Fortuny, second Count of La Cueva,<sup>35</sup> also had a long trajectory behind him, although he was an experienced military officer rather than a jurist. Unfortunately, we know relatively little about Villalonga's life and career, but what we do know makes his designation as the first viceroy of New Granada seem like an unusual choice. Most of the men who, as part of Alberoni's program of reforms, were appointed to high-ranking offices had proven connections with the abbot himself or with Queen Elizabeth Farnese. Archetypical examples of this are Admiral Pez and José Patiño. Whilst both of them had enjoyed the king's trust for several years, Pez had personally financed part of the new queen's journey to Spain after her marriage by proxy; and Patiño, at the time *intendente* of Catalonia, had been instrumental in orchestrating the myriad details of the journey.<sup>36</sup> Even for those men whose connections are unproven, there is usually a possibility that they might have existed. In the case of de la Pedrosa, for instance, reason suggests that he must have had some personal connection with Alberoni to deserve his commission to establish the vicerealty, particularly since he had received his promotion to the Council of the Indies as part of Alberoni's reforms. Villalonga's case is completely atypical in this respect since, having served in the Americas since 1708, it was impossible for him to have met either Alberoni or Elizabeth Farnese in Spain.

Villalonga had been baptized in Majorca in August 1664 and in 1687 he had been admitted as a *caballero de justicia* in the order of Saint John of Jerusalem.<sup>37</sup> Beyond this, his merits by 1717 seem to have consisted of being a seasoned

34 Vázquez Varela, *De la primera*, pp. 44–45.

35 The title had been granted in 1693 to his older brother Francisco de Villalonga i Fortuny, who died without any male heirs. See Ainara Vázquez Varela, “‘De la primera sangre de este reino’. Composición de las instituciones de justicia y gobierno de Santa Fe de Bogotá (1700–1750)” (Ph.D. diss., Universidad de Navarra, 2008), p. 29; and José Francisco de Villalonga, *La familia de Villalonga*, 2005. Available: <http://www.villalonga.net/villalonga.html> [last accessed February 4, 2010].

36 Allan J. Kuethe, “Traslado del Consulado de Sevilla a Cádiz: nuevas perspectivas”, in *Relaciones de poder y comercio colonial: nuevas perspectivas*, ed. Enriqueta Vila Vilar and Allan J. Kuethe (Seville: Escuela de Estudios Hispanoamericanos/Texas-Tech University, 1999), pp. 67–82 at 68–69.

37 Archivo de la Corona de Aragón, Barcelona (hereinafter ACA), Órdenes Religiosas y Militares (hereinafter ORM), Gran Priorato, Volúmenes y Legajos, 442, “Provas de D. Jordi de Vilallonga, Burguet, Fortuni y Vida”, ff. 395r–44v.

military official, with nearly a decade of experience of the Indies and, as he claimed, of having performed the duties of viceroy of Peru on several occasions whilst serving as *cabo principal* of the Peruvian armies.<sup>38</sup> At first sight, he also seems to have been an unusual choice if we compare him to the men appointed to serve as the first viceroys of other Spanish viceroyalties. Villalonga, although a titled nobleman at the time of his appointment, was a younger son of the main branch of an ancient but only moderately prominent family of the Majorcan nobility.<sup>39</sup> He certainly did not have the pedigree of *Infante* Don Enrique, first lieutenant-general of Catalonia, or the prominent family lineage of Antonio de Mendoza, the first viceroy of New Spain.<sup>40</sup> Nonetheless, his family could claim a long tradition of service in the Council of War,<sup>41</sup> as well as within the autonomous institutions of Majorca.<sup>42</sup> However, the most important, and often overlooked, merit of Villalonga was his appointment as *procurador real* of Majorca between 1702 and 1706.<sup>43</sup>

The *procuración real* was an office of royal appointment charged with the administration and government of all royal property in Majorca. It administered the king's material interests independently from the viceroy and *audiencia* of the island, as well as from the autonomous institutions of the kingdom. Appointment to it was usually for life and reserved for Majorcan noblemen of proven loyalty and financial solvency. The *procurador real* often took over the interim government of the viceroyalty when a viceroy passed away and, on several occasions, appointment to this office was a stepping-stone in the promotion to viceroy.<sup>44</sup> Traditionally, when the office of *procurador real* vacated, the viceroy of Majorca recommended suitable candidates to the Council of Aragon. The Council ranked the candidates proposed and prepared a *consulta* upon which the king made the final decision.

Villalonga, however, was appointed *procurador real* by Philip V in June 1702 during the first Italian campaign of the War of the Spanish Succession in which

38 See Restrepo Sáenz, "El primer," pp. 120–30; Elías Ortiz, *El Virreinato*, pp. 29–30; and Garrido Conde, *La primera*, pp. 67–68.

39 His ancestors had apparently participated in the conquest of Majorca in 1299, remaining in the island kingdom ever since and receiving the recognition of their nobility in 1519 for services rendered to Ferdinand the Catholic; see Villalonga, *La Familia*.

40 See *supra* Chapter 1.

41 Vázquez Varela, "De la primera," p. 23; and Villalonga, *La Familia*.

42 *Idem*.

43 Eduardo Pascual Ramos, "Ostracismo político en la procuración real de Mallorca durante la Guerra de Sucesión", *Memòries de l'Acadèmia Mallorquina d'Estudis Genealògics* XVIII (2008): pp. 37–68 at 38.

44 *Ibid.*, pp. 38–39.

he served alongside the king. Significantly, the king made the appointment without consulting the Council of Aragon, while his predecessor was still alive and in office, and he granted Villalonga the right to appoint a substitute to occupy the post whilst he remained entertained elsewhere in the royal service. The manner of his appointment shocked the Council, even though his predecessor Nicolás Truyols descended from a family closely associated to proponents of the Austrian succession and related to the Admiral of Castile.<sup>45</sup> These circumstances suggest that Villalonga enjoyed the personal confidence of the king long before his appointment as viceroy of New Granada and that perhaps Philip's own authority, rather than any association with Alberoni, secured him such high office. They also suggest that under Philip V, proven loyalty to the crown began to be judged a more important quality than a distinguished lineage or a traditional administrative background when it came to occupying such a high office as a viceregency.<sup>46</sup>

It is unclear whether Villalonga ever served in person as *procurador real* of Majorca, but he formally retained the office until the occupation of the island by the archduke in 1706.<sup>47</sup> That same year, he received an appointment as *cabo principal* of the armed forces of the viceroyalty of Peru and commanding officer of the fortress of Callao. By then, he had reached the rank of *teniente general* of the royal armies and held a seat on the Council of War.<sup>48</sup> When Villalonga received his letters of appointment as viceroy of New Granada on December 15, 1718, he had been serving in Lima for around ten years. After sorting out his affairs in the Peruvian capital, and despite some delays occasioned by the Viceroy Prince of Santo Buono,<sup>49</sup> Villalonga left Callao on May 2, 1719,

45 See *Ibid.*, pp. 39, 44–45.

46 On this point see Francisco A. Eissa-Barroso, “‘Of Experience, Zeal and Selflessness’: Military Officers as Viceroys in Early Eighteenth Century Spanish America”, *The Americas* LXVII (2012): pp. 317–45; and Francisco A. Eissa-Barroso, “‘The Honor of the Spanish Nation’: Military Officers, Mediterranean Campaigns and American Government under Felipe V”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 39–60.

47 Pascual Ramos, “Ostracismo,” pp. 44–45.

48 AGI, Indiferente, 500, L.59, “Título de cabo principal de las Armas de Tierra del Perú al Teniente General de los ejércitos de V. M. Dn. Jorge de Villalonga”, ff. 72r–76v.

49 Villalonga, in one of his first letters to the king after his arrival in Santa Fe complained that Santo Buono had been actively engaged in contraband trade and had delayed his departure for New Granada. See the summary of Villalonga's second letter in AGI, Santa Fe, 374, “Apuntamiento de todas las representaciones que ha hecho el Virrey Dn. Jorge de Villalonga”.

with a retinue of over forty people.<sup>50</sup> After a short voyage, they all landed in Guayaquil from where they proceeded by land to Santa Fe in order for the viceroy to familiarize himself with the territory under his rule before taking over from de la Pedrosa who had, by then, been governing the viceroyalty for nearly two years.

## 5.2 'A Fatuous Viceroy'? Jorge de Villalonga's Formal Entry into Santa Fe de Bogotá

No other event in the ill-fated tenure of the first viceroy of New Granada has attracted more attention from scholars than the preparations for his official entrance in Santa Fe. The instructions provided by Villalonga as he approached the viceroyalty's capital, the city council's response, and de la Pedrosa's reactions and reports have been the primary cause of Villalonga's frequent condemnation. For many historians, the viceroy's insistence on being received with the same ceremonies and celebrations as the viceroys of Lima was damning evidence of his fatuous character "more concerned with increasing the dignity of his person than with the situation of the viceroyalty".<sup>51</sup> Moreover, the tensions surrounding the viceregal entrance have often been seen as the first manifestation of a personal trait which brought about the downfall not only of Villalonga—who was also accompanied by an extraordinary retinue during the visit to Cartagena from which stemmed the accusations of his involvement in illicit trade—but also of the viceroyalty itself. After all, it was suppressed in 1723 allegedly to "avoid the waste of as many monies as must be consumed in the up-keep of the Viceroy, his salary and that of his guards, and other major expenses (of his house and family) which are inevitable".<sup>52</sup> Such opinions, however, suggest a lack of understanding of the purpose served by public ceremonies and physical manifestations of power and authority in *ancien-régime* societies.<sup>53</sup> At the same time, dismissing the whole of Villalonga's tenure in this manner has obscured the reality of the political situation faced by the viceroy

50 Elías Ortiz, *El Virreinato*, pp. 39–40.

51 Maqueda Abreu, *El virreinato*, p. 165; see also Restrepo Sáenz, "El primer," p. 123; McFarlane, *Colombia*, pp. 191–92; and Garrido Conde, *La primera*, pp. 68–70.

52 "Real cédula sobre que se suprime el Virreynato", in Elías Ortiz, *El Virreinato*, p. 52.

53 Concerning this particular case only Ones, "The politics," pp. 312–13 has stressed the political significance that a proper public entrance had for the viceroy's authority. However, she does not take into consideration that the public entrance was not only a forum for the viceroy but that it constituted an occasion in which the city council also manifested its power and thus constituted a crucial opportunity for both authorities to seize each other's power and negotiate the terms upon which relations between them would stand.

and the real motivations behind both the accusations raised against him and the eventual suppression of the viceroyalty.

It was from Popayan, during his long journey from Guayaquil, that Villalonga first informed the authorities in Santa Fe of the way in which he expected his official entrance into the city to be celebrated. With his ambassador, Juan Urdanegui y Luján, he sent the city council of Santa Fe a certified copy of the protocol used by the city council of Lima for the public reception of the viceroys of Peru. He sent to de la Pedrosa a testimony from the tribunal of accounts of Lima specifying the order of precedence and formalities observed by all the tribunals and corporations of that city during the days immediately before and after a viceroy's public entrance.<sup>54</sup>

In the letter with which he accompanied this testimony to de la Pedrosa, Villalonga explained his reasons for following the protocol used in Lima. These stressed the character of the viceroy as a physical representation or living image of the king in a way that was entirely in keeping with the ideas of the time and in words that could have been lifted directly from Solórzano Pereira's *Política Indiana*.<sup>55</sup> In Villalonga's view, strict adherence to the ceremonial protocol used in Lima "seemed crucial [...] both on account of royal regalia, and so that the formalities which shall be practiced before persons who represent so much authority and office can be established". Receiving the viceroy as if he were the king was not negotiable because "the royal and sovereign representation of the master is defrauded if the slightest demonstration regarding his [the viceroy's] authority is omitted". Moreover, these formalities should be observed particularly at the very moment of his arrival since "it is from the first moments that all matters need to be established so that in the future they may succeed in proportion to the image representing all the authority of the master".<sup>56</sup> In other words, to honor the viceroy was to honor the king because the viceroy was, indeed, the living image of the king.

It is possible, however, that there was an additional reason why Villalonga was so adamant that his public reception should be conducted in full royal regalia: the way in which his letters of appointment had been produced.

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54 Both documents in AGI, Santa Fe, 370, "Expediente echo pr. el Sr. Dn. Antonio de la Pedrosa y Guerrero del Consejo de Sm en el Real y supremo de Indias sobre el Recevimiento gastos y entrada Publica del Sr. virrey Dn. Jorge de Villalonga en Satna Fee, con la formalidad de Palio. Los Capitulares con Ropas Talares, fiestas de toros despues de su entrada, y antes de ella a su emvajador, arreglado a la instruzn. que a este fin remitio el Sr. Villalonga al concejo Justicia y Reximto. de esta Ziud."

55 See *supra* Chapter 1, on the viceroy's representation of the king's person and the need to observe towards him the same ceremonies and formalities observed with the king.

56 AGI, Santa Fe, 370, Villalonga to de la Pedrosa, Popayan, October 15, 1719.

As mentioned in the previous chapter, all the documents pertaining to the creation of the viceroyalty were produced through the *vía reservada*, without the, until then, legally necessary ratification of the Council of Indies. Villalonga's letters of appointment were no exception: they were issued in San Lorenzo, on June 13, 1717, "signed by my royal hand, stamped with my secret stamp and countersigned by my undersigning Secretary of State and the universal cabinet of War and the Navy".<sup>57</sup> As was the usual practice, Villalonga received two separate letters of appointment, one as viceroy, governor, and captain-general, and another as president of the *audiencia*.<sup>58</sup> In their text, these were not noticeably different from those issued to previous viceroys of Peru and New Spain, but they were atypical in them having been issued without the Council's stamps and ratification. This procedural shortcoming may have weighed in Villalonga's mind accounting for his insistence upon the full exercise of his ceremonial prerogatives to ensure that his rank and authority were never questioned.

Nonetheless, what is certain is that all Villalonga demanded for his public entrance were the same formalities observed in Lima with the last five viceroys;<sup>59</sup> and the certified copy of the protocol which he sent to the city council of Santa Fe was in no way different from what we know from other sources was actually observed at the time. Villalonga requested the city council of Santa Fe to receive his ambassador outside the city on an agreed day. The members of the city council should assemble beforehand and depart from the *ayuntamiento* on horseback, as a corporation, surrounded by their

57 AGI, Santa Fe, 271, "Titulo de Virrey del Nvo. Rno. de granada para Dn. Jorge de Villalonga".

58 A series of other documents included with Villalonga's letters of appointment were produced on the same day. These included the following: a "General Power", which essentially repeated the text of his letter of appointment but was addressed to all the inhabitants and tribunals of New Granada, rather than to Villalonga himself; an order for the newly appointed viceroy to visit and examine the fortresses of Tierra Firme and Cartagena; an order for the *oidores* of Santa Fe to make sure that the viceroy's palace was ready for his arrival; separate orders for the viceroy to inform whether the *tributo* paid by the Indians was fair, and for him to open roads and build bridges within his jurisdiction; an authorization for the viceroy to dispatch matters which require secrecy with only his private secretary or another person of his confidence; another authorization for the viceroy to draw funds from the royal treasury in case of war or public disturbance upon consultation with the *audiencia* and officers of the treasury; another allowing the viceroy to appoint governors to newly conquered or settled provinces; and one more allowing him to pardon serious crimes. All in AGI, Santa Fe, 271.

59 AGI, Santa Fe, 370, Villalonga to de la Pedrosa, November 15, 1719. Having served as chief military officer of Peru since 1708, Villalonga had at least witnessed and participated in the public entrances of Bishop Diego Ladrón de Guevara in 1710, Archbishop Diego Morcillo Rubio de Auñón in 1716 and the Prince of Santo Buono later that same year.

mace-bearers and inviting the nobility to accompany them. Upon arriving at the agreed place, the ambassador would mount a horse, specially prepared for him by the incumbent viceroy or the *audiencia*, then ride back into the city amidst the members of the city council who would escort him to the viceregal palace. There he would present his credentials before being escorted to his lodgings. Over the following two days the city council should organize bull-fights in the main square. On each occasion, a deputation of two aldermen should go to the ambassador's lodging and escort him in his carriage to the *ayuntamiento* where he would observe the *corridos* from the balcony, sitting between the two *alcaldes* and enjoying sweets and ice-cream, all paid for by the city council.<sup>60</sup>

Then, once the viceroy had arrived near the city and was ready to proceed with his public entrance, he should be met by deputations from all the tribunals in the city and one *alcalde* and two aldermen from the city council at a distance of ten leagues from the city. Having bid him welcome, they would all retire except for the *alcalde* who would accompany the viceroy on the rest of his journey. As the viceroy came closer to the city he should be received by the other *alcalde* and two more aldermen. The city council would arrange for the viceroy to stay in a town or stronghold close to the city offering meals and entertainment for him and his family for three days, during which all the tribunals and private citizens of note should go to compliment him.<sup>61</sup> Afterwards, the official public entrance would take place; and, thanks to the extraordinary painting by Melchor Peres Holguín depicting Archbishop-Viceroy Morcillo's entrance in Potosí in 1716, we know that what Villalonga was demanding was indeed practiced in Peru, and that these seemingly exuberant rites and ceremonies were not only observed in the viceroyalty's capital, but in other cities as well.<sup>62</sup>

On the day of the public entrance, Villalonga expected the city council to leave the *ayuntamiento* riding on horseback as a corporation, surrounded by its mace-bearers, attired in their scarlet velvet robes and caps just as Peres Holguín depicted the aldermen of Potosí:

60 AGI, Santa Fe, 370, "Zertificacion [de] Don Diego Delgado de Salazar escrivano del Rey [...] de esta Ciudad de los Reyes del Peru".

61 *Idem.*

62 The original painting, of an impressive scale and detail, is part of the collection of the Museo de América in Madrid. For a good quality reproduction, see Cruz Martínez de la Torre and Paz Cabello Carro, *Museo de América. Madrid* (Madrid: IberCaja—Colección monumentos y museos, 1997), pp. 50–51.





FIGURE 1 *Melchor Peres Holguín, Entrada del Arzobispo Virrey Morcillo en Potosí. Museo de América, Madrid. Detail of the attire of the members of the city council.*

The administrator of the city's finances (*mayordomo de propios*) would follow the *alcaldes* and aldermen leading a richly adorned horse destined for the viceroy. The city council should then ride to the viceregal palace where it would be joined by the *audiencia*, the *consulado*, the colleges and other tribunals and corporations, all riding as corporate bodies and donning their ceremonial garments. Thus, formed in rigorous order of precedence, they would leave the city and proceed to the agreed meeting place where the viceroy would be waiting sat upon an adorned chair upon a raised stand, richly decorated and paid for by the city council. Next to this stand there would be a triumphal arch "very colorful and respectable"; the typical triumphant arch which, as mentioned in Chapter 1, was used by the secular authorities of the city to remind the viceroy of his duties, and which is once again depicted in Peres Holguín's masterpiece:

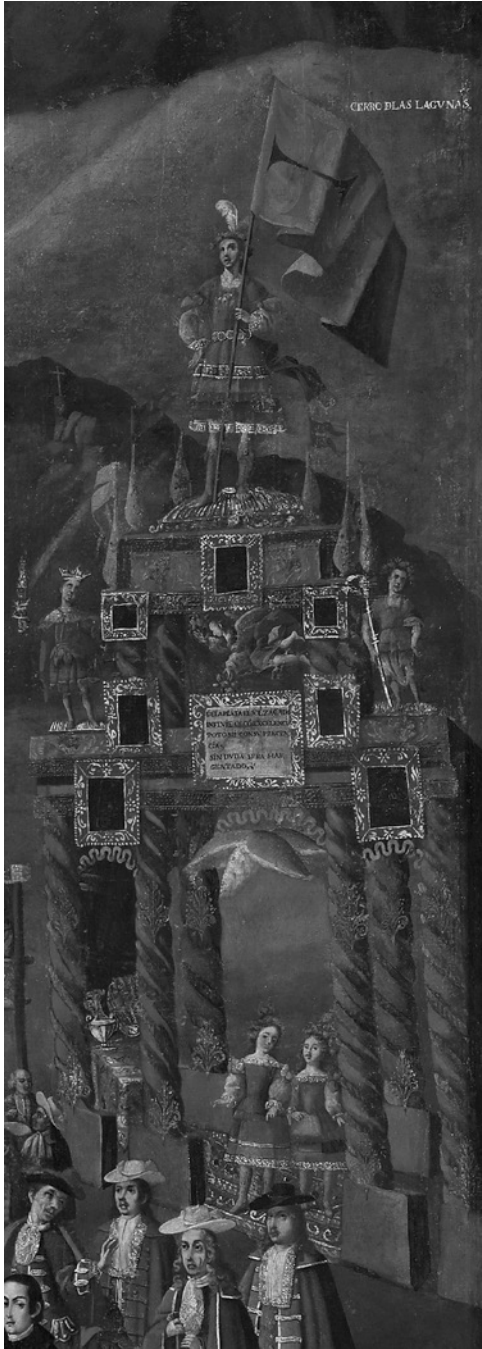


FIGURE 2  
*Melchor Peres Holguín,*  
*Entrada del Arzobispo*  
*Virrey Morcillo en Potosí.*  
*Museo de América,*  
*Madrid. Detail of the arch*  
*erected by the city council.*

Villalonga expected all of the tribunals to pass under the arch saluting the viceroy without dismounting, whilst he would remain seated upon his high chair, under a baldachin, with a carpet and a pillow at his feet and next to a table covered in a rich cloth, bearing a crucifix and a missal. Once the city council arrived in front of the stand, its members should dismount, walk up to the stand and kiss the viceroy's hand. He would then raise from his seat and "swear, over the gospels and before the city council's notary, to keep the pre-eminences, privileges, prerogatives and *fueros* of the city". Having taken such an oath, the viceroy would receive the keys to the city as "supreme governor", he would then sit down and the city's chief constable would fix spurs to his boots. Then the viceroy would mount the prepared horse and ride back to the city, escorted by all the tribunals and riding under a canopy. The aldermen would carry the poles of the canopy through the procession whilst the two *alcaldes*, standing on each side of the viceroy, would hold the reins of his horse, once again, as vividly represented by Peres Holguín:



FIGURE 3 *Melchor Peres Holguín, Entrada del Arzobispo Virrey Morcillo en Potosí. Museo de América, Madrid. Detail of the viceregal procession into the city.*

Arriving at the city the procession would escort the viceroy to the cathedral; there, still under the canopy, he would walk to the cathedral's main entrance where the prelate and ecclesiastical chapter would receive him.

Having performed "the ceremonies there accustomed", the viceroy would enter the cathedral, escorted by the *audiencia*, tribunal of accounts, city council and cathedral chapter for prayer and the appropriate rites. Thereafter, the viceroy would once again mount his horse and proceed under the canopy to his palace where he would enter with the *audiencia*, tribunal of accounts and city council before dismissing them "with the honors corresponding to their representation and to the gifts made" to him. On that day, Villalonga expected to receive from the city council the horse upon which he rode, with all its adornments, the canopy and an elegant carriage with six mules for its train. "On the following days the prescribed celebrations would begin, consisting ordinarily of three days of bull-fighting", paid by the city council.<sup>63</sup>

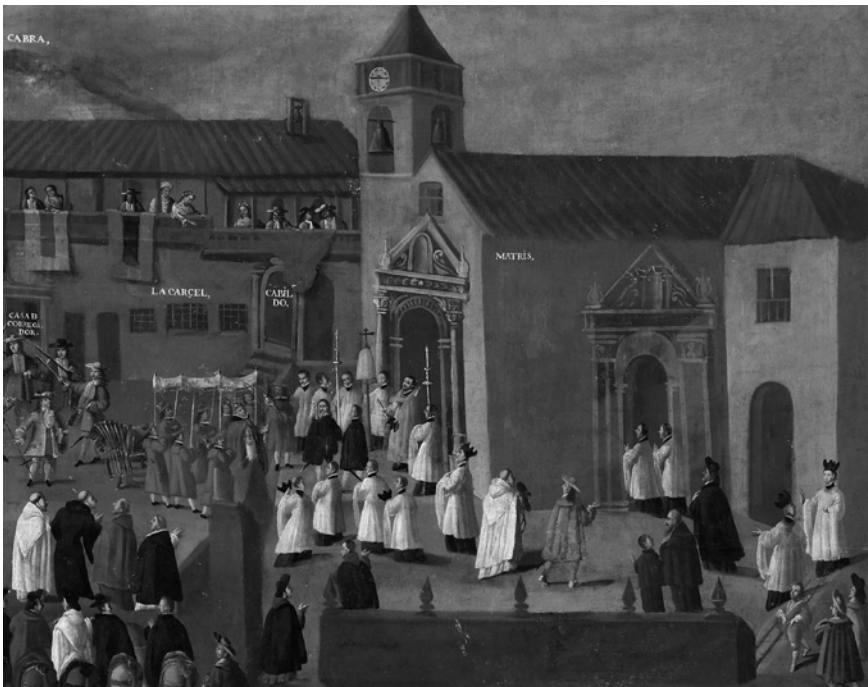


FIGURE 4 Melchor Peres Holguín, *Entrada del Arzobispo Virrey Morcillo en Potosí*. Museo de América, Madrid. Detail of the viceroy's arrival at the cathedral.

63 AGI, Santa Fe, 370, "Zertificacion [de] Don Diego Delgado de Salazar escrivano del Rey [...] de esta Ciudad de los Reyes del Peru".

It is crucial to notice that Villalonga's demands were thoroughly in keeping with "all the pre-eminences and exceptions styled, practiced and observed with [the viceroys of Peru and New Spain]" which had been extended to him by the *reales cédulas* that established the viceroyalty of New Granada.<sup>64</sup> The viceroy had not omitted from the guidelines sent to the city council of Santa Fe those crucial ceremonies that allowed the city to manifest its own power and standing. These included the erection of the triumphal arch, the detailed description of the viceregal oath to keep the city's *fueros*, and the cautionary note that the viceroy would treat the tribunals according to their stature and to the respect showed to him through their presents. It is in this light that we should look at the issues raised by the city council upon reception of the program for Villalonga's public entrance.

When looking at how the city council of Santa Fe approached de la Pedrosa on November 10, 1719, concerning his successor's public entrance, most historians have focused on de la Pedrosa's own account of how the aldermen

expressed the excessive expenses contained in [Villalonga's] instructions for [his] reception and public entrance [...], the utmost impossibility for the city [council] and the individuals who conform it, as well as [the city's] inhabitants, to make any contributions, making to this effect several and repeated expressions, and how extremely saddened they were and what a dire situation the city was in, not having means or strength to comply with [the viceroy's] instructions.<sup>65</sup>

However, if we look at the actual words of the city council, in a letter to de la Pedrosa dated November 13, 1719, the city's concerns take a clearly different meaning. Recalling the wording of the *reales cédulas* of May 27, 1717, in a slightly manipulated quote the aldermen told de la Pedrosa that, the king had ordered

the erection and creation of a Viceroyalty in this Kingdom in the same form and with the same pre-eminences and exceptions which are styled, practiced and observed in the kingdoms of Peru and New Spain [...] and that] on account of the precise expenses required by [a viceroy's public entrance] those kingdoms have been assigned designated [financial]

64 "Real cédula por la cual se crea el Virreinato," p. 201.

65 AGI, Santa Fe, 370, Certified testimony of de la Pedrosa's actions concerning Villalonga's public entrance.

allocations [to cover their expenses] because such presents and receptions are both appropriate and in keeping with the king's will.<sup>66</sup>

In the city council's view, because de la Pedrosa had been commissioned to establish the viceroyalty, he should indicate the sources from which the aldermen could draw funds for Villalonga's reception. The council wittily assumed that the replication of the "pre-eminences and exceptions" observed in New Spain and Peru indicated by the *reales cédulas* did not only apply to the viceroy, but also to the corporations that constituted the viceroyalty itself. Therefore, the city council was using the occasion of the new viceroy's reception to demand for itself privileges that the viceregal capitals of Lima and Mexico City enjoyed. Rather than complaining about Villalonga's demands, the aldermen, who were not inexperienced in organizing lavish celebrations,<sup>67</sup> were using the occasion to press their corporate interests and negotiate for very tangible benefits in exchange for receiving the viceroy as was due to his authority. Not surprisingly, from this perspective, the council then put forward a solution: the legalization of *aguardiente de caña*, an alcoholic beverage produced in abundance within New Granada, but legally prohibited to protect the interests of producers in the Peninsula.<sup>68</sup> The choice of source from which the revenue for viceregal entries would come from was not accidental: the *aguardiente* monopoly, established by the crown after the second creation of the viceroyalty, became one of its prime sources of revenue, comparable to the tobacco monopoly in Peru.<sup>69</sup>

Having heard of the city council's position, de la Pedrosa sent a letter to Villalonga on November 11, 1719. In it he informed the viceroy of the extreme

66 AGI, Santa Fe, 370, Santa Fe city council to de la Pedrosa, Santa Fe, November 13, 1719.

67 As Villalonga later pointed out to de la Pedrosa, the city council had been renowned for the receptions that it had traditionally put together for *audiencia* presidents (AGI, Santa Fe, 370, Villalonga to de la Pedrosa, November 15, 1719). Moreover, to mark the birth of Philip's heir, Prince Louis-Philip, the city had organized nineteen days of celebrations, including religious services, illumination of the streets, fireworks, processions, military parades, masquerades, theatre performances and bullfights. See Ones, "The politics," pp. 315–16; AGI, Santa Fe, 296, Diego de Córdoba Laso de la Vega to king, Santa Fe, April 30, 1708; and Luis Navarro García, "Fiestas de Bogotá en 1708 por el nacimiento del príncipe de Asturias", *Estudios de historia social y económica de América* 11 (1986): pp. 199–216.

68 See the documents copied at the end of AGI, Santa Fe, 370, "Expediente echo pr. el Sr. [...] de la Pedrosa [...] sobre el Recevimiento [...] del Sr. virrey [...]".

69 Adrian J. Pearce, *The Origins of Bourbon Reform in Spanish South America, 1700–1763* (New York: Palgrave MacMillan, 2014), p. 135.

poverty affecting both the city council and the inhabitants of Santa Fe and suggested, strangely enough, that it was not only money which the city was wanting but also the will to organize a public reception as demanded by Villalonga.<sup>70</sup> But “the most essential and principal [problem]”, de la Pedrosa argued in a self-righteous tone, was that the nineteenth law in the eighth title of the third book of the *Recopilación de Indias* explicitly prohibited viceroys from being received under a canopy. The law further stated that local authorities should not go to extraordinary expenses to dress themselves up for the occasion and, de la Pedrosa argued, “while H[is] M[ajesty] has granted Y[our] E[xcellency] the same pre-eminencies which are observed with the Viceroys of Peru and New Spain, it is only in as much as they are not opposed to the laws and regulations He has established”.<sup>71</sup> He concluded the letter by insisting that, as the king’s councilor, he had to urge the viceroy to abide by the law.

In reply to this letter, Villalonga argued that he had never intended to “request [...] presents in contravention of the laws and to the detriment of private individuals”. Yet, he went on to remind de la Pedrosa that the law in question “confirms certain ceremonies and allows for certain expenses, and only prohibits the use of the canopy” and that, despite this prohibition, the city of Lima “has successively received its last five viceroys with this solemnity”.<sup>72</sup> Moreover, Villalonga pointed out that the viceroy’s authority was superior to that of a governor, captain-general, and president, and that “to establish this higher authority and representation [the city’s public] demonstrations should be more singular [than those done previously on occasion of a president’s arrival] even if it were necessary to overcome some obstacles”. The viceroy added that he was only asking “not to tarnish the superior appointment and office which HM has granted me, without ignoring that any blemish which is suffered by the image gives way to the detriment of the original; and that I am not he who could renounce or deprecate [the original’s, i.e. the king’s] regalia”.<sup>73</sup>

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70 Although de la Pedrosa argued that the city’s will to comply with Villalonga’s demands was wanting because there were no financial resources at hand, his having expressed the situation in these terms seems strange, if not outright impolitic. Especially since de la Pedrosa had insisted on writing to Villalonga himself and sending the letter in complete secrecy “without making it explicit that the city had made any insinuations [concerning the difficulty of paying for Villalonga’s entrance] to avoid any inconveniences which might result, for it or its individuals, once [the viceroy] had taken possession [of his office]”. See AGI, Santa Fe, 370, Pedrosa to Villalonga, Santa Fe, November 11, 1717.

71 *Idem.*

72 AGI, Santa Fe, 370, Villalonga to de la Pedrosa, November 15, 1719.

73 *Idem.*

To de la Pedrosa's displeasure the *audiencia's* prosecutor agreed with Villalonga, stating clearly that "HM shall think himself very poorly served if he who represents his Person with such immediacy is not given all the attentions (which are an obligation) in this event, since everything has been determined by the laws, HM's will and the custom of Lima and Mexico".<sup>74</sup> Thus, having made allowances to reduce some expenses, Villalonga celebrated his official entrance in Santa Fe on December 17, 1719, marching under a canopy and with the city council wearing new robes.<sup>75</sup> The city's guilds and colleges covered the bulk of the expenses.<sup>76</sup> Unbeknown to Villalonga, however, his official reception as the first viceroy of New Granada took place thirteen days after Alberoni had fallen from the king's favor.<sup>77</sup> The impact that this event had in the balance of power at court would have very important repercussions for both Villalonga and New Granada.

### 5.3 Court Politics in Madrid and the Suppression of the First Viceroyalty of New Granada

Alberoni's expeditions to Sardinia in July 1717 and to Sicily the following year had finally pushed the European powers too far and in the autumn of 1718 Britain, France, Austria and Savoy had declared war on Spain. Within a few months, the allies had destroyed Spain's brand-new armada off the shores of Sicily, British forces had landed in Galicia and French troops had occupied several towns within the Basque Provinces and Catalonia. The foreign powers made it clear to Philip that, besides Spain's withdrawal from both Sardinia and Sicily, any peace agreement would require Alberoni's dismissal and so the king finally ordered his *de facto* prime minister to leave Spain on December 4, 1719.<sup>78</sup> Not unlike the fall of Orry and Macanaz almost five

74 AGI, Santa Fe, 370, Opinión del fiscal, Santa Fe, November 14, 1719.

75 Garrido Conde, *La primera*, p. 77. It is noteworthy that even the Council of the Indies, despite its critical attitude *vis-à-vis* the existence of the viceroyalty and Villalonga's own procedures (see *infra*), limited itself to expressing its surprise that the viceroy had used a canopy during his public entrance, knowing that this ceremony was reserved for the king himself. The Council then issued a warning to the *audiencia* of Santa Fe that such practice should be avoided in the future (AGI, Santa Fe, 374, Summary and reply to Villalonga's fifth letter to the king).

76 AGI, Santa Fe, 370, Juan José García to Alejo Díaz Muñoz, Santa Fe, June 19, 1720.

77 Concepción de Castro, *A la sombra de Felipe v. José de Grimaldo, ministro responsable (1703-1726)* (Madrid: Marcial Pons, 2004), p. 334.

78 For an insightful analysis of the diplomatic horizon during Alberoni's administration and the formation of successive anti-Alberoni coalitions, see Allan J. Kuethe, "La política



years before, the fall of Alberoni in December 1719 brought about the almost complete repeal of his program of reforms and, perhaps most prominently, a complete reversal of his foreign policy. With Alberoni's departure, some of his most trusted men were separated from office, at least in the short run: Admiral Pez was briefly removed from the presidency of the Council of the Indies, and Patiño lost the *intendencia general* of the navy and all of the offices that he had come to accumulate. After being interrogated about different matters connected with Alberoni's policies Patiño was restored as *intendente general* and president of the *Casa de Contratación*, perhaps through the influence of his brother, Baltasar Patiño, Marquis of Castelar, who was appointed Secretary for War in January 1721.<sup>79</sup> Yet, the vacuum which Alberoni left was only partly filled by Grimaldo, the old and trusted minister who had remained at the king's side since 1705 and who now stood as the leading figure at court.<sup>80</sup> Grimaldo never came near to exercising the vast power that Alberoni had wielded. In fact, during the following four years power at court was more evenly distributed than it had been before and the king's Secretaries of State would often belong to different factions.<sup>81</sup> Indeed, as Kamen has suggested, following Alberoni's fall the king, now recovered from the depressive episodes of the previous years, took government into his own hands, remaining particularly active and involved until at least 1722.<sup>82</sup>

On January 20, 1720, Spain joined the quadruple alliance, officially acknowledging its military defeat.<sup>83</sup> A definite peace settlement would be slow to follow;<sup>84</sup> but to put an end to the war, Spain was forced to recognize the conditions imposed by the Treaty of Utrecht, including the loss of all Italian

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colonial de Felipe v y el proyecto de 1720", in *Orbis incognitus: avisos y legajos del Nuevo Mundo. Homenaje al profesor Luis Navarro García*, ed. by Fernando Navarro Antolín (Huelva: Universidad de Huelva, 2007), vol. 1, pp. 233–42 at 236–38.

79 Kuethe, "Traslado," p. 72.

80 Castro, *A la sombra*, p. 333.

81 Kuethe, "Traslado," p. 74.

82 See, Henry Kamen, *Philip v of Spain. The King Who Reigned Twice* (New Haven, CT: Yale University Press, 2001), pp. 134–38.

83 Kuethe, "La política," p. 238.

84 An international conference only started meeting in Cambrai in 1722 and did not produce a final treaty until August 1724. The final agreement was not a total defeat for Spain as it included the belated recognition by the Austrian Emperor—the former Archduke Charles—of the Bourbon succession to the Spanish throne as well as an agreement by which Philip's first son by Elizabeth Farnese, the *Infante* Charles, later Charles III, was recognized as legitimate heir to the duchies of Parma and Tuscany. See Kamen, *Philip v*, pp. 130–31.

territories, the British *asiento* and Spain's pledge to reinstate its traditional trading system, including the yearly *flotas* and *galeones*.<sup>85</sup> At the heart of the Monarchy, the Councils experienced a marginal and temporary resurgence. This stemmed less from a conscious design on behalf of the king and Grimaldo to revamp the Councils, than from their desire to revert and regularize the policies of the former first minister, who was then accused of having abused royal trust by withholding information and manipulating the king.<sup>86</sup> Crucially, however, unlike what had happened in 1715, Alberoni's 1717 reforms concerning the Councils remained in effect. In early 1720 the three Secretaries of State were once again increased to four, reinstating an independent Secretary for Finance in the person of the president of that Council, Juan de Dios del Río González.<sup>87</sup> Soon thereafter most of Alberoni's reforms to the royal treasuries were revoked.<sup>88</sup> By December that year, the abbot's general treasurer had been removed from office, and on February 22, 1721, his unified General Treasury was returned to its previous structure as the General Treasury of War and placed under the direct supervision of the Secretary for Finance.<sup>89</sup> Most significantly, perhaps, on March 21, 1721, the Council of Castile obtained the suppression of the *intendentes*—which Alberoni had extended to the whole of the Peninsular Spain in 1718—in all but the nine provinces where armed forces were permanently stationed.<sup>90</sup> This amounted to a huge victory as it meant the return of independent *corregidores* and through them the Council's control of provincial government in the Peninsula.<sup>91</sup>

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85 Kuethe, "La política," p. 238. It was Britain that pushed repeatedly for the restoration of Spain's traditional trading practices for the yearly *navíos de permiso*, negotiated as part of the *asiento* treaty at the end of the War of Succession, depended upon the yearly departure of the Spanish merchant fleet.

86 On the perception that Alberoni had regularly tricked the king and Philip's attempts to have him arrested in Rome, see Castro, *A la sombra*, pp. 333–34.

87 *Ibid.*, pp. 352–53.

88 For a detailed description of the reforms implemented by Alberoni in the Peninsula, see *Ibid.*, pp. 335–52.

89 *Ibid.*, p. 341.

90 These were Catalonia, Valencia, Aragon, Majorca, Andalucía, Extremadura, the area of Castile bordering with Portugal, Galicia and Navarre.

91 See *Ibid.*, pp. 341, 359–61. The Council had continuously exerted pressure for the suppression of *intendentes*, producing an official *consulta* on November 22, 1720, which originally met with no success. Only after the suppression of the General Treasury and the discovery of the misappropriations performed by Alberoni's treasurer did the Council's argument gain the upper hand.

Concerning the Indies, the merchants of Seville were the first to benefit from the fall of Alberoni. With Patiño's temporary separation from office, the presidency of the *Casa de Contratación* and the *intendencia general* of the navy were separated. Francisco de Varas, a moderate member of the merchants' guild was appointed president of the *Casa* and, almost immediately, plans to return both it and the *Consulado* to Seville were put in motion. A long process of consultation ensued, involving the creation of an *ad hoc* junta and repeated measurements of the navigability of the Guadalquivir River. Eventually, the merchants' schemes to return the leading institutions of Spanish American trade to Seville succeeded in the immediate aftermath of Philip's abdication in 1724. However, the unexpected death of Louis I later that year stopped the process just short of completion. The return of Philip V to the throne, with Patiño in tow, ultimately ensured that both the *Casa* and the *Consulado* remained in Cadiz.<sup>92</sup>

At the same time, Britain's insistence that Spain adhere to its traditional trading laws, along with the promulgation of the *Proyecto para flotas y galeones* on April 10, 1720, meant the restoration of a significant part of the *Consulado's* privileges. Moreover, the crown's priority regarding American trade would once again focus upon the suppression of contraband and the protection of the Andalusian monopoly.<sup>93</sup> The *Proyecto* confirmed that all trade between Spain and Spanish America should be channelled through a single port. Trade would thus be concentrated in yearly convoys, one sailing to Veracruz and one to Portobello. The *Consulado*, though, did not recover control over the supply and preparation of all ships participating in American trade and travel and the crown decided to collect the taxes derived from trade with the Indies directly.<sup>94</sup> Then, on May 31, that same year, the *Consulado* also took over the administration and operation of the four yearly *aviso* ships, thus recovering its privileged position concerning communication between Spain and Spanish America.<sup>95</sup>

The adoption of the *Proyecto* of 1720 represented a significant victory for Andalusian merchants who took advantage of British pressure upon Spain to

92 See Kuethe, "Traslado," pp. 72–77.

93 Kuethe, "La política," pp. 238–39.

94 See Pablo Emilio Pérez-Mallaina Bueno, *Política naval española en el Atlántico, 1700–1715* (Seville: Escuela de Estudios Hispano-Americanos, 1982), pp. 371–72; and a copy of the *Proyecto* and the *real cédula* informing American authorities of it in AGI, Indiferente, 542, L.2, ff. 153–66.

95 AGI, Indiferente, 542, L.2, "Aprobación de la escritura en que el consulado y comercio de Cádiz se encarga del despacho anual de ocho avisos, para las provincias de Tierra Firme y Nueva España, 1720", ff. 178–88.

adhere to the conditions of the *asiento* treaty. However, whilst it constituted a partial capitulation on behalf of the crown, it fell short of representing a long-term commitment to the defense of convoys as the future of Spanish trade with America. Patiño's pragmatic approach to politics ensured that whilst adhering to its international obligations, Spain opened the door for reform by legalizing the crown's right to license *registros* or individual ships to trade with the Indies outside the fleets and retaining for the crown the right to organize and to regulate the convoys. Furthermore, by simplifying the way in which taxes on exports were calculated Patiño sought to increase revenue collection and reduce illicit trade. He recognized that, whilst under the previous system merchants would have had to pay more taxes, the difficulty in assessing them meant that revenue fell far short of what it should have been. The *palmeo* system, which taxed goods upon their volume irrespective of their value, was an attempt to increase actual revenue collection by reducing the duties paid and simplifying the way in which they were calculated.

The Council of the Indies experienced a less momentous recovery than the *Consuldo*, but gradually from 1720 onwards began to exercise a more central role within the government of Spanish America. Following his questioning over Alberoni's secret intentions Andrés de Pez had been reinstated as governor of the Council of the Indies and on February 8, 1721, he was also entrusted with the newly re-minted office of Secretary of State for the Navy and the Indies. Pez combined both offices until his death in March 1723. During this period, however, Pez repeatedly asked to be excused from office on account of his age and ailments and the Council seized the opportunity to regain *de facto* some of the ground it had lost in 1717.<sup>96</sup> It is no coincidence that the Council did not begin to review the majority of the reports it received from de la Pedrosa until after Alberoni fell from power.<sup>97</sup> The first attempts to remove Villalonga from office came in 1722, as both Pez and the king were increasingly losing protagonism, when the Council reviewed allegations that the viceroy had been involved in contraband.<sup>98</sup>

96 José Antonio Escudero, "El gobierno central de las Indias. El Consejo, la Secretaría del Despacho," in *Congreso Internacional. El Gobierno de un Mundo. Virreinos y Audiencias en la América Hispánica*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha / Fundación del Pino, 2004), pp. 95–118 at 108.

97 Maqueda Abreu, *El virreinato*, pp. 165, 257.

98 See AGI, Santa Fe, 374, "Expedientes sobre ilícitos comercios egecutados por el virrey de Sta. Fe, Governador, ministros y oficiales rs. de Cartagena: años 1721 a 1723"; and McFarlane, *Colombia*, p. 192.

On June 3, 1721, the governor of Cartagena—who as discussed in the next chapter was later found to have been deeply involved in illicit trade—sent a letter to the crown. He claimed that during a visit to Cartagena in 1720–1721 Villalonga had allowed several members of his family to participate actively in illicit trade, whilst prohibiting the merchants of Cartagena from taking their goods to the market in Santa Fe. Moreover, the governor claimed that, upon his departure from the city, the viceroy's luggage contained large quantities of illicit goods.<sup>99</sup> These accusations came to join other complaints against the viceroy—including those of the governor of Popayan,<sup>100</sup> and the authorities of Quito that, in February 1720 had obtained the restoration of the city's *audiencia*. The Council found these accusations plausible and immediately ordered an investigation of Villalonga's affairs. Despite contradictory opinions concerning the viceroy's involvement in contraband, the Council's prosecutor recommended on May 11, 1722, the appointment of “a Minister, or person of integrity, unselfishness and intelligence [...] to proceed against [...] Viceroy Don Jorge de Villalonga, and to immediately separate him from the government and business of such Viceroy, Captain-General, and President of the *audiencia*”.<sup>101</sup> For reasons not entirely clear, although probably due to the direct intervention of Andrés de Pez or of the king himself, the Council decided against this course of action issuing Villalonga, instead, with a “severe reprimand” and suspending all procedures against him until the *residencia* trial at the end of his tenure.<sup>102</sup>

By this time, however, relations between the viceroy and the Council were already very tense and, just as the Council suspected the viceroy, Villalonga resented the Council's interference. In a *representación* dated February 21, 1722, he complained that his letters of appointment had been issued through the *vía reservada* in agreement with the royal decrees of 1717. These stipulated that all matters of finance, war and navigation of the Indies should be handled by the Secretaries of State and that “in contravention of this royal order, and even surreptitiously, the Council ha[d] come to oppose the creation and establishment of the vicerealty”.<sup>103</sup> At the same time, Villalonga blamed the Council for the decision to re-establish the *audiencia* of Quito, separating its territory from the vicerealty of Santa Fe and placing it back under the

99 AGI, Santa Fe, 374, Alberto de Bertodano to king, Cartagena, June 3rd, 1721.

100 Garrido Conde, *La primera*, pp. 83–84.

101 AGI, Santa Fe, 374, “Expedientes sobre ilícitos comercios”.

102 McFarlane, *Colombia*, p. 192.

103 AGI, Santa Fe, 374, “Respuesta Fiscal sre. dependencias del Virrey del Nuevo Reyno de Granada”.

supervision of the viceroy of Peru on February 18, 1720, a measure that he had repeatedly opposed.<sup>104</sup> From the viceroy's complaints, it is clear that he was convinced he was acting in the king's best interest and that he still enjoyed the king's favor, a circumstance which might help explain why the Council could not or would not proceed against Villalonga in mid-1722.

By 1723, however, circumstances had changed and the Council of the Indies was then able to press successfully for the suppression of the viceroyalty. First, Philip had again succumbed to depression and was increasingly obsessed with abdicating the throne. In mid-January, the Council wrote to Villalonga accusing him of "notorious and qualified disobedience" and of having "reached the height of irreverence" in his refusal to adhere in full to the regulations established by the *Proyecto* of 1720.<sup>105</sup> On April 19, in response to a *consulta* from the king, as to whether it would be convenient to transfer the capital of the viceroyalty from Santa Fe to Cartagena, the Council responded with a recommendation to suppress the viceroyalty altogether.<sup>106</sup> By then, the crown had apparently begun to lose its trust in the viceroy and to tire of Villalonga's constant complaints against the Council. By late spring it had begun to consider bringing Villalonga's tenure to an end and on June 6, 1723, it notified the Chamber of the Indies that the king had appointed José Armendáriz y Perurena, Marquis of Castelfuerte, to succeed Villalonga as viceroy of New Granada.<sup>107</sup> Additionally, Andrés de Pez had passed away on March 7, 1723, leaving both the Secretary of State for the Navy and the Indies and the presidency of the Council vacant.<sup>108</sup> Both offices would remain vacant until

104 See the summary of the viceroy's letters in AGI, Santa Fe, 374.

105 AGI, Santa Fe 272, Council of Indies to Villalonga, Madrid, January 17, 1723.

106 AHN, Códices, L.755, núm. 13, Council of Indies to king, Madrid, April 19, 1723, ff. 81r–83r.

107 AGI, Santa Fe, 265, Real despacho "Confiriendo el Virreinato de Sta. Fe a Dn. Joseph de Armendariz, y mandando sele den pr. el Conssejo y Camara, los depachos Correspondientes". The king had re-established the Chamber of the Indies on December 22, 1721. Appointment to it, however, remained strictly under the control of the king and, consequently, its composition guaranteed that the Chamber would be more sympathetic to royal objectives and interests than it had been before. The proportion of councilors *de capa y espada* was noticeably higher than it had been before 1701, and amongst those councilors serving in 1722 many had proven credentials as men loyal to the king and often involved in previous instances of political reform. Ubiquitous for these reasons were Antonio Ubilla y Medina, Marquis of Rivas, former Universal Secretary to the king, and Gonzalo Machado who had served as third president of the Council during the short-lived *Nueva Planta* of 1713. For details of the changing membership of the Chamber of Indies, see *infra* Appendix 3; and Castellano, "La carrera," p. 26.

108 Escudero, "El gobierno," p. 108.

January 1724,<sup>109</sup> thus providing a unique opportunity for the Council to recover most of the matters pertaining to the government of the Indies at a point in time when the king's attention was engaged by the preparations for his abdication.<sup>110</sup>

According to the Council's *consulta* of April 19, the the Council's prosecutor had raised the issue of the suppression of the viceroyalty. Having seen all the reports sent by authorities within the New Kingdom concerning the possibility of transferring the capital of the viceroyalty to Cartagena, the Council's prosecutor found that the introduction of any such novelty was extremely risky. In his opinion, "serious inconveniences and alteration of government" resulted from not following strictly that which the laws of the *Recopilación* prescribed.<sup>111</sup> In the prosecutor's opinion, just as transferring the capital to Cartagena would result in damages to the royal treasury and the disservice of the inhabitants of the kingdom, especially the Indians and miners, the creation of the viceroyalty had been an unfortunate experiment. Therefore,

it would be very important to establish the government as it was before, being governed by a President, Governor and Captain General, as prescribed by the Laws, and with the authority which resided in that office, without that kingdom being ruled by the authority of a Viceroy, *which is not deemed necessary*, for maintaining peace and justice in those Kingdoms, Provinces and Coasts, as is manifest through the experience of so many years since its creation and origin, and the *little to no remedy which has been observed with the creation of the viceroy*, without any increase in revenue, and without having been possible to put an end to

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109 Antonio de Sopena succeeded Pez as Secretary of State for the Navy and the Indies on January 10, 1724 (*Idem.*). On the 28th, Baltasar de Zúñiga, Duke of Arión and Marquis of Valero, former viceroy of Navarre, Sardinia and New Spain, was appointed president of the Council (Bernard, *Le secrétariat*, p. 211, n. 8). See *infra* Appendices 4 and 1 for details of the presidents of the Council of Indies and the composition of Philip v's cabinet.

110 According to Escudero, "El gobierno," p. 108, the Council's resurgence did not end with the appointment of a new Secretary for the Indies, for the personal influence, prestige and personality of the Duke of Arión would completely overshadow Sopena. Only the return of Philip v would revert the balance with the appointment of Johan Willem Ripperdá and then José Patiño as Secretaries for the Indies. It should be noted, however, that the Duke of Arión had originally joined the Council as a *de capa y espada* member, and that in the circles of power at court he was linked to the sector of the *grandees* closest to the king, rather than to the *togados* who had traditionally controlled the Council.

111 AHN, Códices, L.755, núm. 13, Council of Indies to king, Madrid, April 19, 1723, ff. 82r–v.

fraud, and some disorders which have been occasioned, having received very little benefits from the creation of the viceroy;<sup>112</sup>

Moreover, the prosecutor argued, having a viceroy had generated high expenses to the royal treasuries and the inhabitants of the kingdom, who could ill-afford them since the majority of them “are Indians, and very few Spaniards, and this in reduced numbers and of very limited resources”.<sup>113</sup> The Council agreed with the prosecutor that there was no reason for changing the location of the viceroyalty’s capital and, although it officially reserved its opinion concerning the need to suppress the viceroyalty, it chose to raise the prosecutor’s opinion to the king’s attention, offering to produce a *consulta* in all detail if the king deemed it appropriate.<sup>114</sup>

At the king’s request the Council replied that it did “not deem convenient that the viceroyalty created in the New Kingdom of Santa Fe should subsist because this Kingdom and its Provinces are so poor that all the revenues of the royal treasury are not enough to support him [the viceroy], his salaries and those of his Guards”. As evidence of this extreme poverty, the Council argued that the *situado* of the province of Santa Marta had to be paid from Quito, adding that there was no need for a captain-general in Santa Fe, three hundred leagues from the coast, where he was superfluous.<sup>115</sup> In a final *consulta* dated October 6, the Council insisted that “it shall not be necessary to provide [the governor, president and captain-general with] more authority than that which he had before according to the laws”. These clearly specified that the governor should decide all matters before him without appeal to the viceroy of Peru, whilst all matters of justice remained within the hands of the *audiencia*.<sup>116</sup> The king acquiesced with these opinions and ordered the Council on November 5, 1723, to issue the corresponding *reales cédulas* to announce the suppression of the viceroyalty. At the same time, the king ordered the Chamber of the Indies to present him with candidates for the office of president, governor, and captain-general of New Granada. The three *consultas* issued in this matter

112 *Ibid.* f. 82v. Emphasis in the original.

113 *Ibid.* f. 83r.

114 *Idem.*

115 AHN, Códices, L.755, núm.14, Council of Indies to king, Madrid, September 25, 1723, ff. 83v–84r.

116 ANH, Códices, L.755, núm. 15, Council of Indies of king, Madrid, October 6, 1723, ff. 84r–85r.



had included the favorable vote of Antonio de la Pedrosa y Guerrero who had reassumed his post within the Council.<sup>117</sup>

A comparison of the text of the Council's *consulta* of April 19, 1723 and that of the *real cédula* putting an end to the first viceroyalty of New Granada leaves no doubt that the prosecutor's opinion was followed to the last word. Except for the opening lines, which recounted the decision to establish the viceroyalty, and the closing ones, which indicated that the decision was taken by the king "upon *consultas* from my Council of the Indies", the texts are identical.<sup>118</sup> There can be little doubt that the decision to suppress the viceroyalty originated from the Council. Moreover, it seems like it was motivated by political reasons, and that the justifications put forward were little more than unsubstantiated excuses, as some scholars have argued.<sup>119</sup> It is true that perhaps the existence of the viceroyalty *per se* did not affect the Council's position; however, there can be little doubt that the Council would have resented the fact that such a significant decision as the creation of the first viceroyalty in nearly 200 years had been taken without its participation. More so since, as mentioned above, even the letters of appointment given to de la Pedrosa and Villalonga had been produced through the *vía reservada*, in contravention of the traditional procedure and, thus, to the detriment of the Council's authority over the viceroy. Villalonga himself had not failed to grasp this issue, as is

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117 Following Ernesto Restrepo Tirado, Elías Ortiz, *Real Audiencia*, p. 351 has argued that de la Pedrosa was directly responsible for the suppression of the viceroyalty. Apparently, the former president of New Granada prepared an *informe* addressed to the king's confessor on June 29, 1723. In this document, de la Pedrosa would have mentioned all the main reasons given in the *real cédula* ordering the suppression of the viceroyalty. No scholar writing after Restrepo Tirado has been able to locate de la Pedrosa's *informe* and it is not clear what influence such a document would have had on the opinion of the Council's prosecutor, which we have determined was written over two months before this mysterious letter by de la Pedrosa. Moreover, as will be seen in Chapter 6, there can be little doubt the prosecutor's opinion was based on a report from the military justice of Cartagena de Indias received by the Council long before de la Pedrosa's mysterious *informe* was allegedly produced. In any case, the names of those councilors who signed the three *consultas* show that de la Pedrosa did indeed support the suppression of the viceroyalty.

118 See the *real cédula* "Estinguendo el empleo de Virrey del Nuevo Reino de Granada y bolviendo a poner su mando y gobierno en el Presidente de la Audiencia con el título de Capitán General de él" in Maqueda Abreu, *El virreinato*, pp. 617–18; a slightly different version of this document, which includes some additional paragraphs pertaining specifically to the government of Caracas, is reproduced in Guillermo Morón, *Historia de Venezuela IV. La formación del pueblo* (Caracas: Italgráfica, impresores, editores, 1971), pp. 493–95.

119 See, for example, Elías Ortiz, *Real Audiencia*, pp. 353–56; and Garrido Conde, *La primera*, pp. 100–102.

plainly illustrated by his complaints against the Council's intervention in what he thought to be affairs alien to its jurisdiction.

Although it is true that a number of accusations had been raised against Villalonga from Spanish America, which were used by the Council during its first attempt at removing him from office in 1722, it should be noted that no direct mention of these complaints is made in the documentation surrounding the suppression of the viceroyalty the following year. Moreover, although it is impossible to say whether Villalonga was involved in illicit trade or not—and given what we know about many other royal officials serving in Spanish America at the time it would be naïve to think he was completely unblemished<sup>120</sup>—after a rather extensive *residencia* trial he was cleared of all charges. Perhaps most significantly, when authorities in Madrid began discussing the possibility of re-establishing the viceroyalty, between 1738 and 1739, Villalonga was asked to present his opinion upon the matter; the increase in revenue and economic development experienced by New Granada during his viceregency were repeatedly cited as an example of the results that could be expected from such a measure. It seems, thus, that what contributed to the viceroyalty's suppression in 1723 was a combination of mainly two factors. On the one hand, the king's withdrawal from government matters meant that Villalonga began to lose the crown's support. On the other, the death of Admiral Andrés de Pez, the powerful Secretary for the Indies and president of the Council—who had been originally appointed to the later office by Alberoni in 1717—removed the last remaining obstacle in the Council's struggle to regain its lost power. The suppression of the viceroyalty was, therefore, a delayed consequence of the fall of Alberoni and largely the result of changes in Madrid's political scene. In other words, Spanish American reforms were subject to the same ebb and flow that had affected reforms within the Peninsula as a result of tensions at court. Understanding the suppression of the viceroyalty in this manner suggests that Villalonga's personal shortcomings had little to do with the failure of the first viceroyalty; however, that does not mean that New Granadan concerns played no role in the suppression of the viceroyalty. The following chapter will show how authorities within the Peninsula listened and reacted to concerns and demands emanating from northern South America, even if not always in the way in which New Granadans would have had them do.

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120 For more detail, see *infra* Chapter 6.

## The Viceroy's Subjects: New Granada under the First Viceroyalty

Within the territories that formed the viceroyalty of New Granada, reactions to its creation were mainly of two kinds. Those provinces located within the region's periphery were predominantly apathetic, showing a veiled opposition to their inclusion within the new administrative demarcation, depending mainly upon how much "status" and autonomy they perceived to have lost and how viceregal intervention affected their inhabitants personally. The province of Caracas, for instance, had been under the jurisdiction of the *audiencia* of Santa Domingo, which its inhabitants had used as an excuse to engage in a profitable cacao trade with Hispaniola. Finding no equivalent demand for their products in Santa Fe,<sup>1</sup> several voices had pressed for the province's restitution to the jurisdiction of the Caribbean tribunal from early on. More central provinces, by contrast, almost universally welcomed the creation of the viceroyalty. Elites in both Cartagena and Santa Fe stood to benefit from the increased status (and wealth) that the presence of a viceregal court brought with it. Here, only those individuals personally affected negatively by the viceroy's actions and decisions seem to have complained about viceregal rule. These provinces, rather than seeking to release themselves from viceregal oversight, sought to gain control of the viceregal institution for themselves. When the crown finally suppressed the viceroyalty, several members of Villalonga's entourage remained in New Granada, well ingrained into Santafereño elites. Not surprisingly, perhaps, requests for the viceroyalty to be reestablished reached Spain from Santa Fe throughout the decade and a half that separated the suppression of the first viceroyalty and the creation of the second one in 1739.

However, as this chapter argues, the voices raised from New Granada, both in favor and against the continued existence of the viceroyalty did not always meet with the desired end. The controversy between Santa Fe and Cartagena de Indias over the location of the viceregal capital was really a struggle over who should reap the economic and political benefits derived from hosting a viceregal court. Neither city wanted the viceroyalty suppressed. However, as suggested in the previous chapter, the Council of the Indies used their

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1 AGI, Santa Fe, 286, N.28i, extract of Antonio Álvarez de Abreu to Antonio de Cobián y Valdez, Caracas, October 3, 1718.

disagreement as an excuse to persuade the king to revoke another of Alberoni's reforms. The Spanish American reactions to the creation and suppression of the viceroyalty analyzed in this chapter show that elites in the region were quick to understand and try to take advantage of the changes introduced from Madrid. Moreover, they show that opposition to the viceroyalty from within its territory was limited and tepid at best, thus offering further reasons to attribute its suppression to changing political influences in Madrid rather than to factors stemming from the first experience of viceregal rule in the region.

### 6.1 Peripheral Antipathy: *Quiteño* Politics and Jorge de Villalonga

As shown in the previous chapter, having received his appointment as first viceroy of New Granada whilst serving as *cabo principal* of the Peruvian armies and governor of the fortress of Callao, Jorge de Villalonga decided to travel by sea from Lima to Guayaquil, the main port in the province of Quito. From there he continued the journey to the newly created viceregal capital over land. During the early stages of his journey to Santa Fe, Villalonga devoted a lot of attention to affairs in Quito. The viceroy stayed in that city for nearly a month, despite the apparently lukewarm welcome offered to him by its inhabitants, who probably resented the recent loss of their *audiencia* and came to resent even more the viceroy's efforts to regularize royal finances in the region.<sup>2</sup> Quito had received news of the suppression of its *audiencia* in October 1718 and the city council had proceeded immediately to observe the usual formalities involved in receiving a *real cédula* of particular importance. On October 28, before the public reading of the *real cédula* that created the viceroyalty, the whole council, riding upon horseback, surrounded by its macebearers and preceded by the city's militias, paraded through the main streets of the city. On the night of the ceremony all inhabitants were ordered to illuminate their houses overnight, the city's churches tolled their bells and there was a fireworks display

2 In more than a dozen separate letters, the viceroy called the crown's attention towards the many problems involving tax collection in Quito. He went as far as urging the dispatch of a *visitador* to remedy the many frauds committed against the royal treasury in that kingdom. See the summaries of Villalonga's letters numbers 21–23, 25–35, 37–38, 61, and 62 to the king in AGI, Santa Fe, 374. On Quito's not overtly enthusiastic reception of the new viceroy, see Sergio Elías Ortiz, *Nuevo Reino de Granada. Real Audiencia y Presidentes. Tomo 4 [sic for 3]. Presidentes de Capa y Espada (1654–1719)*, Historia Extensa de Colombia, Volumen III (Bogotá: Academia Colombiana de Historia, 1966), p. 350; Villalonga himself, however, stated that for his official entry into Quito the city had celebrated for three days with bullfights, comedies and banquets. AGI, Santa Fe, 286, N.7, Villalonga to king, Santa Fe, May 28, 1720, ff. 109r–110v.

and the following morning a solemn mass was sung in the cathedral followed by bullfighting within the main square of the city.<sup>3</sup> In the days following these formalities, the *audiencia* ceased to hold sessions and its ministers stopped receiving their salaries. No immediate complaints were raised (or at least none have reached us) except those voiced by private individuals who had seen suppressed offices for which they had often paid handsome sums.<sup>4</sup> Upon his arrival in Quito, Villalonga confirmed the suppression of the *audiencia*, but he also took a good look at the city's finances and tried to sort out a longstanding conflict amongst local elites over the right to collect the *tributo*, or head-tax, from local indigenous communities.<sup>5</sup>

This head-tax was collected in different ways throughout Spanish America, usually involving its being farmed out to a particular individual or corporation. In Quito, historically, the *corregidor* had been responsible for collecting the *tributo*, but rather than collecting it directly from the indigenous communities he had local landowners collect it from Indians working in their textile mills or lands.<sup>6</sup> However, around 1713 the landowners complained that *Corregidor* Antonio de Oña demanded payment from them, even for those Indians who had died or moved away.<sup>7</sup> Thus, through the city council they asked the *audiencia* to appoint a group of deputies who would collect the tax instead of the local magistrate. To make the proposal appealing to the crown they offered to pay six thousand pesos a year more than the highest return produced under the previous scheme. Before being suppressed, the *audiencia* had granted the

3 Tamar Herzog, "Las reformas borbónicas a escala humana: la extinción y restablecimiento de la Audiencia de Quito (1718–1722)," *Estudios Interdisciplinarios de América Latina y el Caribe* VII (1996): pp. 133–145 at 134.

4 *Ibid.*, p. 134 and *passim*. On individual protests, see the case of Esteban de Oláis, defender of the province's Indians, who tried to argue that his office, for which he had paid 5,000 pesos in 1708, should not be included in those suppressed with the *audiencia*. Carmen Ruigómez Gómez, "La incierta carrera administrativa de Esteban de Oláis, protector y oidor de la Audiencia de Quito (1709–1750)," *Naveg@mérica. Revista electrónica de la Asociación Española de Americanistas* VIII (2012) [Available at <<http://revistas.um.es/navegamerica>>]: pp. 1–21 at 7–10; similarly, the chief accountant of the tribunal of inheritances, which had been attached to the *audiencia*, protested, arguing that he had paid 8,000 pesos for the office. María Teresa Garrido Conde, *La primera creación del Virreinato de la Nueva Granada* (Seville: Escuela de Estudios Hispanoamericanos, 1965), p. 51.

5 AGI, Santa Fe, 286, N.42, Villalonga to king, Cartagena, March 7, 1721, ff. 399r–406v.

6 On the agreements between estate owners and Indian workers concerning the payment of *tributo*, see Kenneth J. Andrien, *The Kingdom of Quito, 1690–1830. The State and Regional Development* (Cambridge: Cambridge University Press, 1995), p. 122.

7 Ruigómez Gómez, "La incierta," p. 5, n. 16.

city council's request and placed the *corregidor* under arrest for defrauding the royal treasury.<sup>8</sup> The *corregidor*, however, had managed to run away and to plead his case to the authorities in Lima. The viceroy of Peru ordered him to be restored to his office and granted him the right to continue to collect the *tributo*. This prompted the city council to send a representative to Lima and appeal the viceroy's decision to the *audiencia* there.<sup>9</sup> Eventually, the *audiencia* of Lima sided with the city council and ordered its deputies to collect all the *tributo* that had gone uncollected whilst the trial was taking place. The city council, however, refused to do this and, having received news of the creation of the viceroyalty of New Granada, wrote to Antonio de la Pedrosa asking not to have to collect any arrears but only to take over the administration of the tax from the next quarter onwards.<sup>10</sup>

When Villalonga arrived in Quito, he found no *tributo* had been paid to the crown in nearly two years (although, presumably, the landowners had continued to collect it from the Indians).<sup>11</sup> On the way there, and during his stay within the city, the viceroy of New Granada had also received many complaints from members of the local elite who did not sympathize with the clique that controlled the city council. These men argued that the aldermen had forced them to pay part of the expenses incurred in litigating against the *corregidor* in Lima, over the collection of *tributo*, and that it had extorted private individuals to pay for the viceroy's reception when he first arrived in Quito.<sup>12</sup> These complaints convinced Villalonga that since the suppression of the local *audiencia* the city council, packed with sympathizers of the last president of the high court, had come to accumulate too much, almost unchecked, power.<sup>13</sup> Thus, he proceeded against the city council, ordering the deputies responsible for the collection of *tributo* to provide higher bonds, proportional to the monies owed, and to pay to the royal treasuries all arrears, as ordered by the *audiencia* of Lima.<sup>14</sup> He also instructed the vacant seats within the city council to be put up for auction. These were at the time occupied by interim aldermen hand-picked by President Larraín without paying for their offices or having paid any

8 AGI, Santa Fe, 286, N.42, Villalonga to king, Cartagena, March 7, 1721, ff. 399r–406v.

9 *Idem.*

10 *Idem.*

11 *Idem.*

12 AGI, Santa Fe, 286, N.47, Villalonga to king, Cartagena, March 7, 1721, ff. 419r–421r; and AGI, Santa Fe, 286, N.7, Villalonga to king, Santa Fe, May 28, 1720, ff. 109r–110v.

13 AGI, Santa Fe, 286, N.44, Villalonga to king, Cartagena, March 7, 1721, ff. 408r–412v.

14 AGI, Santa Fe, 286, N.42, Villalonga to king, Cartagena, March 7, 1721, ff. 399r–406v.

taxes on their salaries.<sup>15</sup> Villalonga also proceeded to appoint new officers to the local treasury, charging them with collecting the overdue *tributo* from the city council;<sup>16</sup> as well as designating a new defender of the Indians to prevent abuses in the collection of the head tax.<sup>17</sup>

Villalonga believed that those Quiteño elites affected by these changes had clamored to Spain for the restoration of the *audiencia* and for the separation of the province of Quito from New Granada to be placed back under the jurisdiction of Lima.<sup>18</sup> In the end, a royal decree issued on February 18, 1720, informed the Council of Indies of the king's decision to re-establish the province's *audiencia*, attaching it once again to Lima as part of the viceroyalty of Peru.<sup>19</sup> The *real cédula* issued on April 29, 1720, implementing this decision established that the tribunal's former president, Santiago de Larraín, should be restored as governor of the province; simultaneously, it indicated that those *oidores* who had not been investigated for their misdeeds should also be reinstated.<sup>20</sup> Crucially, the *real cédula* also established that all subaltern officials should return to their posts. However, because several of these offices had become vacant and the Quiteño elite showed some reluctance to purchase them given the uncertainty created by the initial suppression of the tribunal, the crown ordered these offices to be leased rather than sold.<sup>21</sup> This decision created a dynamic market within Quito, allowing many more members of the elite to secure office in the *audiencia* instead of the entrenchment of specific interests that had occurred under the previous system. It is unclear, however, whether the decision to re-establish the tribunal had been the result of the petitioning of local elites, or of the multiple reports issued by the viceroy and other authorities concerning both the excessive power accumulated by the city council and the rivalries between ecclesiastical and civil authorities during the

15 AGI, Santa Fe, 286, N.44, Villalonga to king, Cartagena, March 7, 1721, ff. 408r–412v.

16 AGI, Santa Fe, 286, N.42, Villalonga to king, Cartagena, March 7, 1721, ff. 399r–406v.

17 Ruigómez Gómez, "La incierta," p. 9. This was Francisco Ramírez de Arellano. This appointment removed from office both the interim *protector* appointed by de la Pedrosa, Baltasar de Cuellar, and the previous *protector*, Esteban de Oláis, who had appealed de la Pedrosa's declaration that his office had been included in those affected by the suppression of the *audiencia*.

18 AGI, Santa Fe, 374, summary of Villalonga to king, Santa Fe, February 21, 1722.

19 Rosemarie Terán, *Los proyectos del imperio borbónico en la real audiencia de Quito* (Quito: Ediciones ABYA-YALA/TEHIS, 1988), pp. 20, 40–41.

20 *Ibid.*, p. 41; and Herzog, "Las reformas," p. 135.

21 *Ibid.*, p. 138.

period when there had been no *audiencia*.<sup>22</sup> Still, however, few *Quiteños* had much to say about Villalonga's tenure when questioned during his *residencia* trial. Some complaints were raised against him and the expenses caused to the city's finances during his visit,<sup>23</sup> but most witnesses highlighted the distance separating the province from Santa Fe, portraying Quito as "a peripheral and distant region, disconnected from the center of power", for which viceregal rule could be thought of as having been irrelevant.<sup>24</sup>

A similar situation developed in Caracas. Although the province had not had an *audiencia* of its own, until the creation of the viceroyalty of New Granada it had been under the jurisdiction of the high court in Santo Domingo. The news of the creation of the viceroyalty and the province's inclusion within the jurisdiction of the *audiencia* of Santa Fe had officially been received in Caracas in January 1719. On January 27 and 28, the city council had organized three days of public celebrations akin to those held in Quito.<sup>25</sup> According to Antonio Álvarez de Abreu, in fact, the city council had welcomed with joy the news of its segregation from Santo Domingo because at the time a former *pesquisidor* of Caracas, Jorge Lozano, with whom the city councilors had clashed, was serving as *oidor* in the Caribbean island.<sup>26</sup> By 1722, the situation had changed and several authorities in the city began to request the province's separation from the viceroyalty and its return to the jurisdiction of Santo Domingo. Álvarez de Abreu attributed this to them having received news that Lozano had been promoted to the *audiencia* of Santa Fe and to the effectiveness of the measures implemented by the viceroy in matters relating to royal finances and the suppression of contraband trade.<sup>27</sup>

Although Villalonga never visited Caracas in person, he actively interfered within the province's government and tried to resolve a long-standing conflict

22 On the latter issue see Terán, *Los proyectos*, pp. 42–43; and Herzog, "Las reformas," pp. 140–41.

23 Tamar Herzog, "La presencia ausente: el virrey desde la perspectiva de las élites locales (Audiencia de Quito, 1670–1747)," in *Monarquía, imperio y pueblos en la España moderna. Actas de la IV Reunión Científica de la Asociación Española de Historia Moderna. Alicante, 27–30 de mayo de 1996*, ed. Pablo Fernández Albaladejo (Alicante: Caja de Ahorros del Mediterráneo/Publicaciones de la Universidad de Alicante/A.E.H.M., 1997), pp. 819–826 at 822, n. 9, and 824.

24 *Ibid.*, p. 826.

25 Mario Briceño Perozo, estudio preliminar to *Instrucción general y particular del estado presente de la Provincia de Venezuela en los años de 1720 y 1721*, by Pedro José de Olavarriaga (Caracas: Academia Nacional de la Historia, 1965), pp. 7–203 at 42–43.

26 AGI, Santa Fe, 286, N.28h, Antonio Álvarez de Abreu to king, Caracas, April 22, 1721.

27 *Idem.*



between the province's governor and the councils of various towns over the former's jurisdiction on matters of illicit trade. As part of this process, Villalonga ordered the governor of Caracas, Marcos de Betancourt y Castro, to be removed from office, appointing Álvarez de Abreu as interim governor.<sup>28</sup> The city council of Caracas, however, had objected to his appointment, claiming the crown had granted the city the privilege of having its *alcaldes* serve as interim governors whenever the governor was absent or there was no governor.<sup>29</sup> Thus, not surprisingly, those who benefited from the viceroy's intervention, or who had reason to believe that they enjoyed his trust, reported favorably upon the existence of the viceroyalty itself.<sup>30</sup> Others, though, asked for the province to be returned to the jurisdiction of Santo Domingo, complaining of the long distances which separated Caracas, and its port, La Guayra, from either Santa Fe or Cartagena. This separation meant that the inhabitants of Caracas were "always deprived of any help or measures needed for their defense and safe-keeping [which a viceroy might have provided]".<sup>31</sup>

Finally, although Panama had not been included within the territory of the viceroyalty in 1717, the creation of the latter had also brought about the suppression of its *audiencia*. The cathedral chapter of Panama, when consulted about the convenience of annexing the province to New Granada in case the viceroyalty's capital was transferred to Cartagena, firmly responded in a letter dated January 4, 1721, that nothing would be gained from doing so. Instead, the canons stressed the dire situation in which Panama was since the suppression of its *audiencia*, claiming that since then conflicts and confrontation between the city council and the diocese had been incessant. The poor, the merchants and everyone else within the province had become victims of the abuses committed by Panama City's *alcaldes ordinarios*. The cathedral chapter urged restoration of the province's *audiencia* as the only way of improving the sad lot of its inhabitants. Following the precedent set by Quito, the Council recommended on October 6, 1721, that the *audiencia* be restored. A primary consideration behind this decision was the recent issuing of the *Proyecto* of 1720 and the imminent departure of the *galeones* for Panama; the Council considered it would be convenient to have a high court within the region, which could resolve any controversies arising out of the Portobello fair. In January 1722, the crown acquiesced with the recommendation, ordering

28 Briceño Perozo, estudio, *passim* and particularly pp. 57–93.

29 AGI, Santa Fe, 286, N.28h, Antonio Álvarez de Abreu to king, Caracas, April 22, 1721.

30 *Idem*.

31 AGI, Santa Fe, 286, N.28f, City council of Caracas to king, Caracas, April 20, 1721; AGI, Santa Fe, 286, N.28g, Alejandro Blanco and Juan de Bolívar to king, Caracas, April 21, 1721.

those *oidores* who had not been promoted or disciplined to retake their seats on the tribunal.<sup>32</sup>

## 6.2 The Coveted Status of Viceregal Capital: Cartagena v. Santa Fe

By contrast, the reaction to the creation of the viceroyalty in central New Granada was predominantly positive. Sectors of the elites of both Santa Fe and Cartagena were well aware of the benefits that could be derived from a viceregal court and were determined to secure them for themselves. As mentioned in Chapter 2, both cities had a long-standing rivalry. In fact, Cartagena had tried several times to have the *audiencia* relocate from Santa Fe to the port.<sup>33</sup> Moreover, in the late seventeenth century, and then again during the War of the Spanish Succession, governors of Cartagena, no doubt spurred by local interests, had urged the crown to establish a viceroyalty in northern South America with its capital on the Caribbean coast.<sup>34</sup> Thus, it should not come as a surprise that as soon as news of the king's decision to establish a viceroyalty in New Granada reached Cartagena in September 1718, long before Villalonga even reached Quito, the city council of Cartagena wrote to the king celebrating the decision, but recommending that the new demarcation's capital be relocated to the port.<sup>35</sup> *Cartagenero* elites argued that the benefits that could be expected from the creation of the viceroyalty, particularly in terms of increased revenue for the crown, would not reach their full potential if the viceroy remained isolated in Santa Fe, far from the coastal provinces and their fortresses. Placing the viceregal capital in Cartagena, they argued, would improve the defenses of all the coastal outposts from Portobello to Caracas; it would also increase revenue from the royal fifth, as the merchants who transported the gold from the mines already visited the city to trade. Thus, they

32 AGI, Panama 106, Council of Indies to king, Madrid, October 6, 1721.

33 Juan de Solórzano Pereira, *Política indiana* (Madrid: Diego Díaz de la Carrera, 1648), p. 763.

34 See Synnøve Ones, "The Politics of Government in the Audiencia of New Granada, 1681–1719," (Ph.D. diss., University of Warwick, 2000), pp. 298–99; AHN, Diversos-Colecciones, 27, N.62, "Relación hecha por el gobernador de Cartagena de Indias de la posición topográfica y estratégica y defensas de que dispone la ciudad, con algunas consideraciones históricas encaminadas a demostrar la conveniencia de su mejor defensa, para lo que pide se eleve a virreinato con inclusión de las islas de Barlovento"; and AGI, Santa Fe, 435, "El Govr. de Cartaxa. represta. a VM el miserable estado de aquella republica y que su unico restablezimiento consiste en hacerla virreinato".

35 AGI, Santa Fe, 286, N.28b, City council of Cartagena to king, Cartagena, July 24, 1720; and AGI, Santa Fe 286, N.28d, Alejo Díaz Muñoz to king, Cartagena, July 25, 1720.

would more willingly have the gold minted there than in Santa Fe, to where they had to make a special trip for converting the metal into coins. Transferring the capital to Cartagena would also help to fight contraband by both reducing the presence of foreigners and facilitating the “pacification” of rebellious Indians in Santa Marta and Darien.<sup>36</sup>

Although Cartagena’s request seems to have reached Spain through the *vía reservada*, the crown turned this relatively trivial matter over to the Council of Indies, asking for its opinion. True to form, the Council responded by requesting a host of authorities and corporations within the viceroyalty to provide their opinion regarding the convenience of relocating the capital to the coast. Early in 1720 letters were sent to the city council and governor of Cartagena, its bishop and the tribunal of the Holy Inquisition. The city council of Santa Fe, Viceroy Villalonga, the archbishop of New Granada and the heads of the Franciscan, Dominican and Augustinian orders within the kingdom were also consulted. The same was done with the city council, the governor of Caracas and a number of other individuals and corporations in Panama, Popayan and other parts of the viceroyalty.<sup>37</sup>

Their responses began to arrive in Madrid in late 1720 and continued piecemeal throughout the following year. As they arrived, the Council ordered them to be archived until all had arrived so that an informed decision could be made.<sup>38</sup> Not surprisingly, civilian authorities from Cartagena unanimously opined that the viceregal capital should be transferred to the port. Those in Santa Fe, again not surprisingly, all recommended that the capital should remain inland.<sup>39</sup> Most of the religious authorities were skeptical of the convenience of changing the capital to the coast<sup>40</sup> and authorities from Caracas expressed a substantial degree of indifference, hinting that it would be best to segregate their province from New Granada, placing it back under the jurisdiction of Santo Domingo.<sup>41</sup>

The arguments for and against moving the viceregal capital were mostly predictable and, to an extent, formulaic. Those who favored Cartagena stressed

36 AGI, Santa Fe, 286, N.28b, City council of Cartagena to king, Cartagena, July 24, 1720.

37 See the various documents in AGI, Santa Fe, 286, N.28.

38 AGI, Santa Fe, 286, N.28g, undated “Nota”, at the end of Alejandro Blanco and Juan de Bolívar to king, Caracas, April 21, 1721.

39 AGI, Santa Fe, 286, N.28b, Opinion of the Council’s prosecutor, Madrid, April 10, 1723.

40 See, for instance, AGI, Santa Fe, 286, N.28e, Provincial of San Augustin to king, Santa Fe, November 4, 1720.

41 AGI, Santa Fe, 286, N.28f, City council of Caracas to king, Caracas, April 20, 1721; and AGI, Santa Fe, 286, N.28g, undated “Nota”, at the end of Alejandro Blanco and Juan de Bolívar to king, Caracas, April 21, 1721.

that the presence of the viceroy within the port city would improve the region's defenses. They argued, with certain reason, that the Santa Fe-based viceroy could not respond in time to any emergency on the coast. With less reason, they claimed that from Cartagena it would be easier to provide for the other coastal outposts. This completely disregarded the fact that wind and sea currents made navigation east of Cartagena so slow and difficult that land-based communication was usually more expedient, despite the lack of roads and the presence of hostile Indians between Santa Marta and Maracaibo. Those who opposed the relocation of the capital argued, with unquestionable logic, that within Cartagena the viceroy would be much further away from the densely populated provinces of the south and their rich gold mines. Moreover, they pointed out, Cartagena's climate was very inhospitable and that the heat and humidity of the lowlands provided ideal conditions for termites to multiply and destroy all of the documents required for the judicial and governmental administration of the viceroyalty. To this, authorities in Cartagena replied with all sorts of far-flung remedies, including the recommended appointment of an individual who would constantly manipulate and "shake" all the files within the viceregal archive to keep the plague at bay. Finally, those opposed to the relocation stressed that it would be very expensive to transfer the capital out of Santa Fe because new buildings for all of the institutions and new houses for their members would have to be built *ex novo* in Cartagena.<sup>42</sup>

This later argument probably points more accurately toward the real reasons why both cities were striving for the status of viceregal capital. Viceroys, as *alter nos* of the king, brought with them people and resources that reproduced a royal court, at a smaller and more provincial scale.<sup>43</sup> Housing and feeding the viceroy's retinue and the many different people who had to travel to court to attend business with the viceroy could prove very lucrative for the local economy. Moreover, direct access to the viceroy provided local elites with valuable opportunities to increase their status by establishing personal and familial relations with the members of the viceroy's retinue, alongwith increasing their economic and social standing by seeking appointment to offices controlled by the viceroy.<sup>44</sup> Similarly, they could try to gain the viceroy's favor and influence for the resolution of pending cases, for accelerating the repayment

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42 See the various documents in AGI, Santa Fe, 286, N.28.

43 Ainará Vázquez Varela, "Jorge de Villalonga's Entourage: Political Networking and Administrative Reform in Santa Fe (1717–1723)", in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. Francisco A. Eissa-Barroso and Ainará Vázquez Varela (Leiden: Brill, 2013), pp. 111–126 at 112–116.

44 *Idem.*

of loans made to the royal treasury or delay the collection of debts owed to the crown. In other words, hosting a viceregal court was socially, politically and economically desirable. The efforts of the city council of Santa Fe to use the arrival of Villalonga in 1719, and the need to offer him a “proper” reception, to try and wrest from the crown fiscal prerogatives akin to those held by the viceregal capitals of Mexico and Lima are evidence of this.<sup>45</sup> Not surprisingly, most responses to the Council of Indies’ consultation, and particularly those penned by the most partisan authorities and corporations, had nothing but praise for the recently created viceroyalty and were quick to highlight the benefits that the institution was sure to provide within the very near future.<sup>46</sup>

However, there was one exception. In a long and detailed letter, Alejo Díaz Muñoz, *auditor de guerra* of Cartagena not only opposed the transfer of the capital to the coast, but also bitterly criticized the creation of the viceroyalty and recommended its suppression.<sup>47</sup> Díaz Muñoz had been a young and promising lawyer, trained in Spain, when he first arrived in New Granada in 1699 in the retinue of Ginés de Inestrosa, an *oidor* from Granada’s high court in Spain, who was sent to the Americas to conduct a special investigation into the affairs of New Granada.<sup>48</sup> For Díaz Muñoz’s misfortune, Inestrosa died shortly after their arrival within the country, leaving him stranded and lacking enough resources to travel back to Spain. Díaz Muñoz then gradually managed to build a career within the legal profession in Cartagena but he seems never to have come to like the place. In 1699, he served briefly as *promotor fiscal* in Antonio de Tejada’s enquiry into the 1697 French occupation of Cartagena and as *abogado fiscal* for the Holy Inquisition; over the following two decades he served repeatedly as interim *auditor de guerra* and interim *teniente general* of the city before his appointment to both offices in 1719.<sup>49</sup> He had profited from involvement in both licit and illicit trade in and around the city and built networks with some wealthy and influential *Cartageneros*.<sup>50</sup> In fact, he had become so

45 See, *supra*, §5.2.

46 See, for instance, the letter from Cartagena which first requested the transfer of the capital which claims the beneficial effects of the viceroyalty are already being felt, AGI, Santa Fe, 286, N.28b, City council of Cartagena to king, Cartagena, July 24, 1720.

47 AGI, Santa Fe, 286, N.28d, Alejo Díaz Muñoz to king, Cartagena, July 25, 1720.

48 AGI, Indiferente, 219, N.31, “Méritos: Alejo Díaz y Muñoz”, Madrid, October 23, 1724; AGI, Contratacion, 5459, N.166, “Ginés de Inestrosa”, Cadiz, March 15, 1699.

49 AGI, Indiferente, 219, N.31, “Méritos: Alejo Díaz y Muñoz”, Madrid, October 23, 1724.

50 In 1725 an enquiry conducted by Juan José de Andía, Marquis of Villahermos, into the affairs of his predecessor as governor of Cartagena, found Díaz Muñoz and several other residents of the port involved in illicit trade. AGI, Escribanía, 611A–C. “Averiguación de los excesos cometidos por Luis de Aponte en el uso y ejercicio de su cargo”, Cartagena, 1725.

ingrained in local networks that Antonio de la Pedrosa had advised against his appointment as *auditor de guerra* in 1719 on account of his many friends and his questionable "character, nature and dealings".<sup>51</sup>

Within his letter to the Council of Indies, Díaz Muñoz described New Granada in a particularly unfavorable light. According to him, Cartagena, and New Granada more generally, were sunk within the most abject poverty. Moreover, he argued, the creation of the viceroyalty, far from contributing to the region's development had only created additional expenses, which the country could ill afford. The viceroy had contributed nothing to the recovery of royal finances, had failed to suppress contraband trade and had only come to constitute a burden on the province's rather small Spanish population.<sup>52</sup> Although New Granada could certainly not compete with New Spain or Peru in terms of wealth, resources or population, Díaz Muñoz's account depicted a dramatic situation far removed from the province's actual conditions. Within this context, his disparaging comments about the failure of the first viceroyalty probably stemmed from his clashes with de la Pedrosa, whose intervention in Cartagena's affairs he resented, plus his concerns that Villalonga might further threaten his interests.<sup>53</sup> In fact, had it not been for the use which authorities in Madrid made of it, his letter would hardly merit an anecdotal mention.

However, of all the reports received by the Council of Indies, its members seem to have chosen to listen exclusively to Díaz Muñoz's account. As shown in the previous chapter, when the Council produced its report upon the convenience of relocating the viceregal capital to Cartagena in 1723, it dismissed the project in a cursory manner, seizing instead the opportunity to recommend the suppression of the viceroyalty. The opinion put forward by the Council's prosecutor in the first instance was later adopted by the Council as a whole and copied almost verbatim into the *real cédula* that suppressed the viceroyalty. Yet, its origins can be traced back to New Granada as the Council's prosecutor lifted his argument for ending the first viceregal experiment virtually word for word from the disgruntled *auditor's* report.<sup>54</sup>

When studying the suppression of the viceroyalty, most historians have refused to believe the arguments put forward by the Council, accurately pointing to the boom in New Granada's gold production during the early eighteenth century and the various accounts suggesting that in most branches revenue

51 AGI, Santa Fe, 368, Pedrosa to Miguel Fernández Durán, Cartagena, April 30, 1718, quoted in Ones, "The Politics," p. 354.

52 AGI, Santa Fe, 286, N.28d, Alejo Díaz Muñoz to king, Cartagena, July 25, 1720.

53 AGI, Santa Fe, 370, Alejo Díaz Muñoz to Juan José García, Cartagena, July 27, 1720, ff. 53r-v.

54 AGI, Santa Fe, 286, N.28b, Opinion of the Council's prosecutor, Madrid, April 10, 1723.

collection during the first few years of viceregal rule in the region increased. However, none have, to my knowledge, traced the Council's arguments back to their original source: Alejo Díaz Muñoz. The reasons why the Council should choose to believe him, whilst disregarding all other reports received from New Granada, are not clear. It seems to me, the prosecutor, and then the Council at large, believed him simply because Díaz Muñoz's letter furnished them with the necessary ammunition to end the uncomfortable remnant of Alberoni's reformism.<sup>55</sup> The episode shows, though, that local concerns did not go entirely unheeded within the midst of court rivalries in Madrid. Ironically, however, Cartagena's attempts to steal the status of viceregal capital from Santa Fe backfired tremendously, bringing about a result that neither city wanted. The elites of both, after all, had wasted no time upon Villalonga's arrival in the viceroyalty to mingle and build alliances with the members of the viceroy's large retinue.

### 6.3 Villalonga's Retinue and New Granadan Society

Whilst many historians have considered Villalonga's tenure to have been grey or uneventful,<sup>56</sup> the viceroy's many letters and reports suggest that he was indeed very active from the moment in which he arrived in New Granada and that his orders and actions sometimes encountered resistance from subordinate officials, provincial institutions or local corporations.<sup>57</sup> As shown, during his journey from Guayaquil to Santa Fe, Villalonga devoted much attention to affairs in Quito and later also concerned himself with matters in Caracas. Indeed, upon his arrival in Santa Fe, Villalonga proceeded to inform himself of the situation within other provinces of his viceroyalty and adopted a significant number of measures to reduce tax evasion, to collect debts owed to the royal treasuries

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55 Díaz Muñoz himself was aware of the fact that the Council had chosen to follow his advice and tried to capitalize on it. In 1724 he sought a promotion to *oidor* of Santa Fe and then again in 1725 to the same position in Panama. AGI, Indiferente, 219, N.31, "Méritos: Alejo Díaz y Muñoz", Madrid, October 23, 1724, and AGI, Indiferente, 142, N.116, "Méritos: Alejo Díaz Muñoz", Madrid, June 26, 1725.

56 See, for instance, Consuelo Maqueda Abreu, *El Virreinato de Nueva Granada. 1717–1780. Estudio institucional* (Madrid: Dykinson / Ediciones Puertollano, 2007), p. 165; and Ones, "The Politics," p. 318.

57 See, for example, the reactions of authorities in Santa Fe to his removal from office of some individuals previously appointed by de la Pedrosa, in Garrido Conde, *La primera*, p. 81.

and to prosecute defrauding officials.<sup>58</sup> He simultaneously proceeded to distribute monies for the defense of coastal fortresses, as well as to suggest different means for improving and expanding fortifications without generating direct costs to the royal treasuries and to recommend other ways of improving royal revenues without overburdening the local population.<sup>59</sup> After 1721, he also directed his attention to the persecution of contraband, denouncing the authorities in Cartagena and presenting the crown with a number of suggestions for regularizing trade between the viceroyalty and Spain.<sup>60</sup> Throughout his tenure, Villalonga regularly exercised his powers to distribute patronage, appointing *visitadores* and *ad hoc* judges to inspect different provinces, removing from office officials appointed by de la Pedrosa and replacing them with new appointees and filling in, in the interim, vacancies in *corregimientos* and other offices of royal appointment.<sup>61</sup>

Following a royal order received at the time of his appointment that he should visit in person the fortifications in Cartagena,<sup>62</sup> Villalonga set off from Santa Fe to the port towards the end of 1720. The viceroy seems to have taken with him a retinue as large as that which had escorted him from Lima,<sup>63</sup> and demanded, as he had done in Santa Fe, an appropriate reception from the authorities in Cartagena.<sup>64</sup> The viceroy arrived at the coastal city in December

58 AGI, Santa Fe, 374, summaries of letters 39, 40 and 42. These informed the crown of the general situation in Cartagena, Santa Marta and Caracas, and reported the viceroy's disagreements with the governor of Cartagena. Letters 43 and 45 led respectively to the removal from office and imprisonment of the governor of Guyana and the treasurer of Santa Fe's mint. See also, Herzog, "La presencia," p. 824, n. 22.

59 AGI, Santa Fe, 374, letters 46 and 47 advised the crown to construct a fort in Guayaquil suggesting that the introduction of a tax on salt and wood in the province would cover the expense. Letter 51 urged the crown to regularize and standardize *tributo* collection and 52 recommended the suppression of *encomiendas*, concentrating them under royal administration. Part of the money raised in this way could then be used to reward deserving vassals.

60 AGI, Santa Fe, 374, summaries of the viceroy's correspondence; Archivo General de la Nación, Bogotá (hereinafter AGN), Sección Colonia (hereinafter SC), Virreyes, 3, D.9, Villalonga orders the publishing of *reales cédulas* relating to contraband trade, Santa Fe, March 4, 1720. See also Ones, "The politics," pp. 318–19.

61 Garrido Conde, *La primera*, pp. 67–94.

62 AGI, Santa Fe, 271, "Para que el virrey Dn. Jorge de Villalonga visite y reconzca los castillos y Fuerzas de tierra firme y Cartgena", San Lorenzo, June 13, 1717.

63 See the descriptions of Villalonga's retinue in José María Restrepo Sáenz, "El primer Virrey. Don Jorge de Villalonga", *Boletín de Historia y Antigüedades* XXXII (1945): pp. 120–30 at 127–28; and Ainara Vázquez Varela, "Jorge de Villalonga's," pp. 116–122.

64 AGI, Santa Fe, 370, Juan José García to Alejo Díaz Muñoz, Santa Fe, June 19, 1720, ff. 51r–52v.



1720 and remained there until May 1721. During his stay, he was involved in constant conflict with the governor of the city and the officials of the royal treasury over matters concerning both fraud to the royal treasury and illicit trade.<sup>65</sup>

Shortly before Villalonga reached Cartagena, a new governor had taken up office within the city. The viceroy clashed with the out-going *interim* governor, Carlos José de Sucre y Pardo, over the latter's use of the almost 250,000 pesos sent to Cartagena from Santa Fe by de la Pedrosa for the upkeep and repair of the city's fortresses.<sup>66</sup> He also had a tense relationship with the new governor, Alberto Bertodano, over the control of contraband trade in and out of the city.<sup>67</sup> In his youth, Sucre had a military career in Spain and Flanders serving under his father, Carlos Andrés de Sucre, Marquis of Preux, within the *tercio de Cataluña*. During the War of the Spanish Succession, already with the rank of colonel of cavalry, he served as *sargento mayor* of Cadiz.<sup>68</sup> When his father bought an appointment as governor of Cartagena de Indias in 1708, Sucre was designated *teniente de rey* of the American port. He left Spain late in 1709 with his wife and children, but English pirates captured their ship and he spent eighteen months as a prisoner in New England, before eventually arriving in Cartagena in early 1711.<sup>69</sup>

In New Granada, however, he received news that the crown had revoked his father's appointment as governor of Cartagena and had cancelled his own as *teniente de rey*. Leaving his family with his brother Alberto, who was serving as captain of the port's cavalry, Sucre returned to Spain where he secured a future appointment as governor of Santiago de Cuba in 1712.<sup>70</sup> In 1715, he was allowed to return to Cartagena de Indias to serve as *teniente de rey* until the

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65 Authorities in Cartagena had expressed their concern that the viceroy's visit might result in another shake-up of matters involving the royal treasury as soon as they received news of the viceroy's intention to travel there (Garrido Conde, *La primera*, pp. 88–89).

66 AGI, Santa Fe, 286, Villalonga to king, Cartagena, March 8, 1721.

67 See AGI, Santa Fe 370, Bertodano to Pedrosa, Cartagena, April 9, 1721, cited in Garrido Conde, *La primera*, p. 90.

68 AGI, Santo Domingo, 682, "Pretendientes al gobierno de Caracas" in Council of Indies to king, Madrid, June 9, 1714; José María Restrepo Sáenz, "Gobernadores de Cartagena en el siglo XVIII", *Boletín de Historia y Antigüedades* XXXV (1948): pp. 57–79 at 61–62.

69 AGI, Santo Domingo, 682, "Pretendientes al gobierno de Caracas"; Ones, "The Politics," p. 361.

70 Ones, "The Politics," p. 361; AGI, Santo Domingo, 450, note to conde de Frigiliana, Madrid, December 25, 1712; AGS, DGT, Inv. 2, Leg. 15, f. 28 "Titulo de gobernador y capitán a guerra de la ciudad de Santiago de Cuba para el coronel don Carlos de Sucre", Aranjuez, June 14, 1715.

governorship of Santiago de Cuba became vacant.<sup>71</sup> He had been serving in Cartagena for about four years when Antonio de la Pedrosa appointed him *juez de comisos* in Mompox. A few months later, in 1719, when the governor of Cartagena Jerónimo Badillo was promoted to Panama, Sucre had taken over as interim governor. The following year, the governorship of Santiago de Cuba had finally become vacant and, upon Bertodano's arrival in Cartagena, Sucre had begun preparations to leave for Cuba.<sup>72</sup>

As Sucre was about to embark, however, Villalonga ordered his arrest and all of his property was seized.<sup>73</sup> According to the viceroy, whilst he was still in Santa Fe, he had received a letter from Sucre, as interim governor of Cartagena. The letter described the dire situation of the city's defenses and the complete lack of muskets, munition and artillery, simultaneously informing that all of de la Pedrosa's remittances had been exhausted. Apparently, Sucre had also asked Villalonga to authorize him to send a person of his utmost confidence to Curaçao to purchase arms and other supplies. This, added to the fact that Sucre had sympathized with de la Pedrosa—presumably disregarding an order to return to Spain with the minister's connivance—made the viceroy suspect that he was involved in illicit trade or defrauding the royal treasury or both.<sup>74</sup> Villalonga's inspection of Cartagena's fortifications led him to conclude that Sucre had been embezzling royal monies. It also provoked repeated confrontations between the viceroy and the long-time chief military engineer of the city, Juan de Herrera y Sotomayor, who claimed the viceroy and the inquisitor, whom Villalonga had placed in charge of overseeing the works, knew nothing of building fortresses.<sup>75</sup>

Villalonga also clashed with the new governor, Alberto Bertodano, who, like Sucre, had a long career within the Indies, having served previously as governor of Cumana (1706–1711), interim governor of Caracas (1715–1716) and interim governor of Puerto Rico (1716–20). A native of Tudela, Spain, Bertodano had spent his life creating familial networks wherever he was stationed and clearly intended to do so again in his new post. He had first married in Luxembourg

71 AGI, Contratacion, 5468, N.2, R.81, "Relación de pasajeros provistos con empleo", Cadiz, September 10, 1715; AGI, Contratacion, 5468, N.2, R.60, "Carlos Sucre", Cadiz, October 1st, 1715.

72 AGI, Santa Fe, 286, N.51, Villalonga to king, Cartagena, March 8, 1721; Ones, "The Politics," p. 352.

73 Juan Marchena Fernández, *La institución military en Cartagena de Indias, 1700–1810* (Seville: Escuela de Estudios Hispano-Americanos, 1982), p. 217.

74 AGI, Santa Fe, 286, Villalonga to king, Cartagena, March 3, 1721.

75 Marchena Fernández, *La institución*, pp. 218–220.

whilst serving in the armies of Flanders. His wife and eight children travelled with him to Spanish America when he obtained his first appointment. One of his daughters, Teresa Cecilia, later married an influential Canarian merchant in Caracas, whilst her father was in office there; she remained well ingrained within the local society even after Bertodano had left, giving birth to two sons in that province in 1717 and 1721. Shortly after his arrival in Cartagena, a by-then-widowed Bertodano married a prominent *Cartagenera*, and so did one of his sons, Carlos Alberto, sometime later.<sup>76</sup>

Bertodano, like Herrera y Sotomayor, complained that during his stay in Cartagena Villalonga had taken control of all aspects of the city's government, either personally or through his associates, and often for the worse. According to the governor, he had nothing left to do but open and close the city's gates.<sup>77</sup> When the viceroy left the city, with the same impressive retinue with which he had arrived, the sheer number of canoes needed to transport his party and the corresponding train of baggage raised more than one eyebrow.<sup>78</sup> Governor Bertodano later argued, as mentioned in the previous chapter, that Villalonga and his entourage had been actively and energetically involved in illicit trade during their stay within the city. In fact, he claimed that the viceroy had prevented all merchants from dispatching any goods inland from Cartagena during his stay to increase prices within the interior so that he could benefit the most from the sale of his contraband.<sup>79</sup>

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76 See AGI, Santo Domingo, 555, Notification to Council of Indies of the appointment of Francisco Danio Granados as governor of Puerto Rico, San Lorenzo, October 9, 1717; AGI, Santo Domingo, 585, Council of Indies to king, Madrid, September 11, 1704; AGS, DGT, Inv. 24, leg. 177, Appointment of Alberto Bertodano as governor of Cartagena de Indias, Madrid, December 8, 1719, fols. 12–13; AGS, DGT, Inv. 24, leg. 178, Appointment of Luis de Aponte as governor of Cartagena de Indias, San Ildefonso, November 29, 1723, fol. 418; Vicente Cadenas y Vicent, *Caballeros de la Orden de Santiago, siglo XVIII* (Madrid: Hidalguía, Instituto Salazar y Castro, 1977), vol. III, pp. 71–73, no. 825, 248–49, nos. 1043–1048, and vol. V, pp. 22–23, no. 1536; Ones, “The Politics,” p. 353; Guillermo Morón, *Gobernadores y capitanes generales de las provincias venezolanas, 1498–1810* (Caracas: Planeta, 2003), p. 141; and Restrepo Sáenz, “Gobernadores,” pp. 62–63.

77 AGI, Santa Fe, 370, Bertodano to Pedrosa, Cartagena, April 9, 1721, cited in Garrido Conde, *La primera*, p. 90.

78 The viceroy's itinerary on his way back to Santa Fe was to pass through Rebolledo—seven leagues outside Cartagena—, Puerto Barranca and up the Magdalena river up to Mompo (Garrido Conde, *La primera*, p. 91).

79 AGI, Santa Fe, 374, Bertodano to king, Cartagena, April 3, 1721, cited in Lance Grahn, *The Political Economy of Smuggling. Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), pp. 111–12.

As previously mentioned, it would be naïve to think that Villalonga and his retinue had no involvement in contraband at all. The viceroy himself was close to the Marquis of Castellodosrius. During his time as viceroy of Peru (1707–1710), Castellodosrius' became wellknown for his commercial activities with French merchants, having organized a 'company' to 'tax' Peruvian merchants introducing illicit goods through the port of Pisco.<sup>80</sup> Moreover, claims that Villalonga himself, as governor of the fortress of Callao, had owned a warehouse for trading in illicit goods had circulated extensively. To this extent, claims by the head of the Augustinian order in Santa Fe that the viceroy had ended smuggling around the viceregal capital may well indicate that the prelate had been involved in contraband himself, rather than represent a trustworthy vindication of Villalonga's performance.<sup>81</sup> At the same time, however, it would be wrong to think that the viceroy had done nothing but look after his own interests during his stay in Cartagena. As Marchena Fernández has pointed out, Villalonga's sojourn within the city resulted in the production of the first modern regulations for the city's garrison. These significantly reduced the number of officers and streamlined the target number of soldiers, whilst organizing them into companies according to the structures and nomenclature introduced by Philip V during the War of the Spanish Succession.<sup>82</sup> Moreover, it is clear that he strove throughout his tenure to increase royal revenue from across the viceroyalty.

At the same time, although Carlos José de Sucre was eventually cleared of the charges brought by Villalonga and allowed to serve as governor of Santiago de Cuba from around 1721 to 1725 and then as governor of Cumana from 1733 to 1736,<sup>83</sup> this does not necessarily mean that he had not been at fault during his tenure in Cartagena. As for Bertodano, there is abundant evidence that his accusations against Villalonga were not the result of selflessness and zeal for royal interests. In fact, it later emerged that the governor and his family were

80 On Castellodosrius "company", see Geoffrey J. Walker, *Spanish Politics and Imperial Trade, 1700–1789* (London: The MacMillan Press, 1979), pp. 36–47; and Núria Sala i Vila, "Una corona bien vale un virreinato: el marqués de Castellodosrius, primer virrey borbónico del Perú (1707–1710)", in *El Premio' de ser virrey. Los intereses públicos y privados del gobierno virreinal en el Perú de Felipe V*, by Alfredo Moreno Cebrián and Núria Sala i Vila (Madrid: CSIC—Instituto de Historia, 2004), pp. 17–150 at *passim*, and at 112 for Villalonga's appointment as Castellodosrius's executor.

81 AGI, Santa Fe, 286, N.28e, Provincial of the Augustinians to king, Santa Fe, November 4, 1720.

82 Marchena Fernández, *La institución*, pp. 89–93.

83 Nicolás del Castillo Mathieu, *Los Gobernadores de Cartagena de Indias (1504–1810)* (Bogotá: Academia Colombiana de Historia, 1998), pp. 87–88.

deeply ingrained in contraband networks and that his wife even served as an intermediary, selling her husband's permission for foreign vessels to enter the port to trade.<sup>84</sup> As Ones has pointed out, links between entrenched contraband networks and newly arrived officials were rapidly built as a result of the need for incoming officials to post bails before taking up office. Local merchants usually lent the money for this to the new governor or treasury official, thus building strong bonds that protected their activities and drew the new arrival into their networks.<sup>85</sup> Establishing stronger bonds between the merchants' families and the governors' often consolidated these networks. In the case of Villalonga, Ainara Vázquez has demonstrated that during his visit to Cartagena the viceroy's retinue included both men who had travelled with him from Peru, many of whom had already or would later become deeply ingrained within Santa Fe's elites, or who had joined him from within the viceregal capital.<sup>86</sup>

Villalonga's retinue during his visit to Cartagena included upwards of forty people: a chaplain with a servant, a secretary with three slaves, an advisor with another two slaves, a seneschal [*mayordomo*], a master of the horse and a gentleman of the chamber with his servant, a *paje de guión* and a *paje de manga*, each with his servants, two pages with servants as well, a physician, a captain of halberdiers, and another of dragoons, two aides, an officer for the secretary, a pastry chef, a pantry master and a cook, each with their own servants.<sup>87</sup> Despite its numbers, Villalonga's retinue was in keeping with those of other viceroys of the period, and even moderate if compared with those of the late seventeenth century. The Marquis of Castellodosrius, for example, had arrived in Peru with twelve gentlemen, two pages, two gentlemen of the chamber, five lackeys, one surgeon, three musicians, two cooks, two cook's helpers and two pastry chefs, a total of 31 men, who were accompanied by an unspecified number of servants and slaves.<sup>88</sup>

84 Grahn, *The Political*, pp. 111, 114; AGI, Santa Fe, 374, Patiño to Andrés de Pez, Cadiz, April 14, 1722, in "Expedientes sobre ilícitos comercios egecutados por el virrey de Sta. Fe, Governador, ministros y oficiales rs. de Cartagena: años 1721 a 1723".

85 Ones, "The Politics," p. 136.

86 Vázquez Varela, "Jorge de Villalonga's". The following paragraphs draw extensively upon this source.

87 Sergio Elías Ortiz, *Nuevo Reino de Granada. El Virreynato. Tomo 1 (1719–1753)*. Historia Extensa de Colombia, Volumen IV (Bogotá: Academia Colombiana de Historia, 1970), pp. 39–40.

88 Carla Rahn Phillips, *The Treasure of the San José: Death at Sea in the War of the Spanish Succession* (Baltimore, MD: The Johns Hopkins University Press, 2007), p. 110; other accounts render the total number of Castellodosrius's entourage as comprising 48 men and 12 women (Núria Sala i Vila, "La escenificación del poder: el marqués de Castellodosrius,

Whilst we do not know who Villalonga took with him from Spain when he was first appointed *cabo principal* of the Peruvian armies, no direct relatives of his seem to have accompanied him to New Granada. By the time he travelled to Cartagena in 1720, however, not only did he take with him men who had joined his entourage in Peru but also a number of retainers from Santa Fe. The captains of the two companies of the viceroy's guards, Juan Ortega Urdanegui and Juan Urdanegui Luján, for example, had travelled with him from Peru. Ortega, the younger of the two men—and the other's nephew—settled in Santa Fe after the suppression of the viceroyalty. Yet, already in July 1724, he was sufficiently ingrained within local society for Villalonga's successor to include him in a list of "people of principal distinction" resident in Santa Fe who could be appointed to the elective offices of the city council.<sup>89</sup> Not long afterwards, Ortega married Margarita Gómez de Salazar Olarte, daughter of the chief accountant of the tribunal of accounts and descendant, on her mother's side, from one of the oldest families of Santa Fe. In the early 1730s, he served as interim chief constable of the *audiencia*, and as *corregidor* of Mariquita. Later, he was appointed governor of Antioquia,<sup>90</sup> a gold-rich province in which mining along the Cauca River was largely controlled by his political family.<sup>91</sup> By 1734, a former accountant of the royal treasury of Cartagena, Bartolomé Tienda de Cuervo, claimed that the Salazars had revolutionized mining within the region by importing large numbers of slaves.<sup>92</sup>

Another member of Villalonga's retinue, Manuel García Araos, who had accompanied him from Callao as a gentleman of his chamber, also built strong links with the local elite. After serving as Villalonga's agent during his *residencia* trial, García Araos married a daughter of one of the most influential men in the capital: José Ricaurte León, treasurer of the royal mint, landowner and miner. García Araos then used part of his wife's dowry to purchase the office of *alcalde provincial* of Santa Fe.<sup>93</sup> The seneschal or head of the viceroy's household, Crsitóbal López Vergara, also married into the upper crust of Santa Fe's society. His wife, María Rosalía Sanz de Santamaría was the widow of

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primer virrey Borbón del Perú (1707–1710)," *Anuario de Estudios Americanos* LXI (2004): pp. 31–68 at 38.

89 Vázquez Varela, "Jorge de Villalonga's," pp. 122–23.

90 *Ibid.*, pp. 123–4.

91 Terán, *Los proyectos*, p. 26.

92 Bartolomé Tienda de Cuervo, "Memoria del Intendente Don Bartolomé Tienda de Cuervo, sobre el estado de Nueva Granada y conveniencia de restablecer el Virreinato", in *El Nuevo Reino de Granada en el siglo XVIII. Parte Primera*, by Jerónimo Bécker and José Ma. Rivas Groot (Madrid: Imprenta del Asilo de Huérfanos del S. C. de Jesús, 1921), pp. 203–230 at 214.

93 Vázquez Varela, "Jorge de Villalonga's," pp. 112, 124.

José Olarte Ospina Angulo, former chief constable and recorder of the *audiencia*, and sister of Nicolás Sanz de Santamaría, elected as *alcalde ordinario* of Santa Fe and *corregidor* of Duitama and Caqueza.<sup>94</sup>

But the viceroy had also absorbed into his retinue men who had long been living in New Granada. Luis Ibero Echaide, for instance, joined Villalonga's entourage in Santa Fe as undersecretary. He had been living within the city since at least 1715 and had been considered a close friend of President Francisco de Meneses and of long time alderman of Santa Fe José Talens. After serving in Villalonga's entourage, Ibero Echaide became the third husband of Juana de Berrio y Guzmán, descendant of another of the most ancient families of New Granada, widow of an official in the tribunal of accounts and of a former commander of the fortress of Bocachica in Cartagena.<sup>95</sup> A few years later, in 1729, his brother, Francisco Ibero, who had been a guard in the king's personal escort, was appointed governor of the gold-rich province of Chocó, only to be separated from office a year later for his involvement in contraband,<sup>96</sup> presumably smuggling gold through Cartagena whilst taking advantage of Luis's connections.

The willingness of Santa Fe's elite to absorb members of Villalonga's retinue into their midst or to secure an appointment within the viceroy's entourage was no accident. After all, as shown in Chapter 1, viceregal courts functioned as political arenas where "elites and retainers met [...] to negotiate the imperial and their personal agenda, shaped the course of [...] politics and society, and plotted against their enemies".<sup>97</sup> Villalonga's court was no exception, as revealed by a couple of remarkable letters found within Antonio de la Pedrosa's papers. The correspondence exchanged between, Alejo Díaz Muñoz, in Cartagena, and Juan José García, interim secretary of the *audiencia* of Santa Fe in the viceregal capital, shows clearly how local elites used their access to the person of the viceroy to secure favors for their friends and to obstruct their enemies' plans. García's letter, written from Santa Fe on June 19, 1720, informed Díaz Muñoz that despite past disagreements with Faustino Fajardo, an officer of the treasury of Cartagena recently removed from his office by de la Pedrosa, he would use his influence with the viceroy to prevent Fajardo suffering any more misfortunes. Similarly, García indicated that he had repeatedly extolled

94 *Ibid.*, p. 125.

95 *Idem.*

96 Caroline Anne Hansen, "Conquest and Colonization in the Colombian Chocó" (Ph.D. diss., University of Warwick, 1991), p. 311.

97 Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues. The Court Society of Colonial Mexico, 1702–1710* (Calgary: The University of Calgary Press, 2008), p. 1.

within the viceroy's presence the merits of Díaz Muñoz and his associates: Lázaro de Herrera, *sargento mayor* of Cartagena, and a man named Manuel de Angulo.<sup>98</sup> Díaz Muñoz's reply was even more explicit in expressing his hopes that de la Pedrosa's unwelcome enquiries into their different business may still end favorably through the intervention of Villalonga.<sup>99</sup>

Moreover, historians have often remarked upon Villalonga's tendency to remove from office those individuals appointed during de la Pedrosa's tenure, replacing them with his own appointees.<sup>100</sup> Whilst this has occasionally been seen as evidence of Villalonga's poor government skills and his unwillingness to recognize and take advantage of the progress made under his predecessor,<sup>101</sup> it is more usefully interpreted as the result of the viceroy's making use of his powers to distribute patronage. As discussed in Chapter 1, appointments of his retainers and other members of the local elite to offices of all sorts within the territory of the viceroyalty was one of the most important mechanisms through which viceroys established the dynamics of government which characterized viceregal rule within the early modern Spanish world. The New Granadan elite took full advantage of this practice.

Thus, it is no surprise that the elite of Santa Fe and Cartagena had expressed no interest in the suppression of the viceroyalty. In fact, no sooner had Villalonga's successor arrived in Santa Fe than requests for the restoration of the viceroyalty began to reach Spain. The new governor of the province of Santa Fe and president of its *audiencia*, urged the crown to increase the powers of the official in command of the kingdom within a report upon the situation of the province, penned in 1729 and which, in all likelihood, was influenced by local interests.<sup>102</sup> A letter dated November 27, 1733, sent by another governor and president of Santa Fe, Rafael de Eslava y Lasaga, brother of the future second viceroy of New Granada, insisted upon the need for re-establishing the viceroyalty.<sup>103</sup> Yet another letter, requesting the restoration of viceregal rule and highlighting all of the benefits that could be derived from it, was written

98 AGI, Santa Fe, 370, García to Díaz Muñoz, Santa Fe, June 19, 1720, ff. 51r–52v.

99 AGI, Santa Fe, 370, Díaz Muñoz to García, Cartagena, July 27, 1720, ff. 53r–v.

100 See, for instance, Garrido Conde, *La primera*, pp. 67–94.

101 *Ibid.*, p. 85.

102 Antonio Manso [Maldonado], "Relación hecha por el Mariscal de Campo D. Antonio Manso, como Presidente de la Audiencia del Nuevo Reino de Granada, sobre su estado y necesidades en el año de 1729", in *Relaciones de mando. Memorias presentadas por los gobernantes del Nuevo Reino de Granada*, ed. E. Posada and P. M. Ibáñez (Bogotá: Imprenta Nacional, 1910), pp. 3–15. For a more detailed discussion of this letter see *infra* Chapter 8.

103 Elías Ortiz, *El Virreynato*, p. 144.



by Santa Fe's cathedral chapter on January 31, 1735.<sup>104</sup> Eventually, when the crown decided to reestablish the viceroyalty in 1739, the *real cédula* which announced the decision mentioned explicitly the repeated requests received from New Granada's inhabitants "begging us to establish the viceroyalty again", as one of the factors which had prompted it.<sup>105</sup>

Local interests played a role within the course of reform, although not always the intended one. Complaints from Quito and Panama secured the restoration of their *audiencias*, probably less so because authorities within the Peninsula agreed with local arguments but because they offered a possibility to remove the reforms introduced by a rival faction. Similarly, rivalry between Santa Fe and Cartagena provided the excuse for the suppression of the viceroyalty. Evidence suggests that neither side wanted the viceroyalty to be suppressed, but rather that Cartagena was trying to benefit from the creation of the viceroyalty and to deliver a substantial blow to Santa Fe's resented superiority. However, the Council of Indies seized the opportunity and used the quarrelling between the two main cities of the viceroyalty as an excuse, and perhaps as evidence, of the little success achieved by the viceroyalty, thus justifying its suppression.

The creation of the viceroyalty, although less enthusiastically supported by the elites of peripheral regions, which saw their autonomy, and particularly their standing, diminished by subordination to Santa Fe, was largely welcomed by the elite within the core provinces of New Granada, more so within the capital itself. This was not because they saw the creation of the viceroyalty as a move by the crown to increase its own authority, but rather because they saw it as an opportunity to increase their own rights and further their interests. Such was the case when authorities in Santa Fe complained about the expense of organizing a viceregal reception; also when Cartagena urged for the capital to be transferred to the coast. Proximity to the viceroy and access to his patronage was a desirable commodity which rekindled urban rivalries because the benefits of inclusion within the viceroy's retinue were only too tangible and attractive.

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104 Terán, *Los proyectos*, pp. 22–23.

105 *Real Cédula*, San Ildefonso, August 20, 1739, quoted in Terán, *Los proyectos*, p. 17.

## The End of Reform? José Patiño and New Granada's Government between 1724 and 1739

New Granada's first viceregal experience effectively ended on February 18, 1724, when *mariscal de campo* Antonio Manso Maldonado arrived in South America to take over from Viceroy Jorge de Villalonga.<sup>1</sup> Manso was to govern as Villalonga's predecessors had, simply with the titles of president of the *audiencia* of Santa Fe, and governor and captain-general of the New Kingdom to which he had been appointed on December 4, 1723.<sup>2</sup> However, whilst the end of Villalonga's tenure closed the chapter upon Alberoni's most salient American reform, it did not mark the end of the crown's attempts at strengthening its authority within the region, nor did it mean a complete end to reform. As shown in the previous chapter, Villalonga's viceregency had left a mark upon New Granadan society, visible through both the incorporation of several members of his entourage into Santa Fe's elite and the reiterated requests sent to Spain, usually through the president, governor and captain-general, for viceregal rule to be reintroduced.

The following decade and a half witnessed the almost uninterrupted appointment of distinguished military officers to the governorships of coastal provinces from Panama to Cumana; this was in an attempt to provide better government to the region whilst at the same time improving its defenses, reducing conflicts between provincial authorities and tackling contraband trade. This process of militarization of provincial government had started earlier in the century and would continue under the later Bourbon kings of Spain. Simultaneously, and particularly after 1726, following José Patiño's emergence as the leading figure of Philip V's second reign (1724–1746), important reforms affecting the region's trade and defenses were introduced. These were not only a partial recovery of Alberoni's wider program of American reforms, but also reflected the continued consolidation of the executive style of government

1 Sergio Elías Ortiz, *Nuevo Reino de Granada. El Virreynato. Tomo 1 (1719–1753)*, Historia Extensa de Colombia, Volumen III (Bogotá: Academia Colombiana de Historia, 1970), p. 63.

2 AGS, DGT, Inv. 2, Leg. 21, "Dn. Antonio Manso, traslado del título que se le dio de Preste. de la Audiencia de Sta. Fe", f. 11; AGS, DGT, Inv. 24, Leg. 178, "Mariscal de Campo Don Antonio Manso, traslado del título de S.M. de Gobernador y Capitán General del Nuevo Reino de Granada", f. 12.

which had driven reform at all levels of the monarchy's government since Philip's accession in 1701.

This chapter offers an overview of the fifteen-year period between the end of Villalonga's viceregency and the restoration of the viceroyalty in 1739. It examines, firstly, the transformations that Patiño's long tenure as Philip's first minister brought into the central institutions of the Monarchy, particularly the Council of Indies, before turning to the process of militarization of provincial government within northern South America. Finally, it outlines some of the most prominent reforms that were introduced into New Granada during the 1720s and 30s. It argues primarily that Patiño's long tenure saw a recovery of reform, but that it came about in ways that created less opposition and confrontation than under his predecessors. Patiño's skillful political maneuvering and his gradual erosion of the resistance to reform offered by institutions such as the Council of the Indies and the merchants' guild of Seville paved the way for the second creation of the viceroyalty of New Granada. This process, initiated by Patiño in 1734 but concluded by his successors five years later is analyzed in the following chapter.

## 7.1 Patiño's Ministry and the Second Wave of Early Bourbon Reformism

Recent works on early Bourbon reformism have argued, with reason, that in the late 1720s and 30s José Patiño, the cardinal's right-hand man, first recovered Alberoni's short-lived program of reforms, which in many ways served as a blueprint for Caroline reformism after the 1760s.<sup>3</sup> Patiño had been appointed Secretary for the Navy and the Indies in 1726 and a few months afterwards he also received the portfolio of Finance. In 1730 he took over as Secretary for War and finally, in 1734, he was also appointed Secretary for Foreign Affairs; thus, he accumulated four out of the five offices of Secretary of State and the Cabinet.<sup>4</sup>

3 Allan J. Kuethe, "Cardinal Alberoni and Reform in the American Empire", in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 23–38 at 36–38; Allan J. Kuethe and Kenneth J. Andrien, *The Spanish Atlantic World in the Eighteenth Century. War and the Bourbon Reforms, 1713–1796* (Cambridge: Cambridge University Press, 2014), pp. 98–131; and Adrian J. Pearce, *The Origins of Bourbon Reform in Spanish South America, 1700–1763* (New York: Palgrave MacMillan, 2014), pp. 63–121.

4 The Ministry of Justice remained in the hands of an ageing José Rodrigo, Marquis of La Compueta. See, José Antonio Escudero, "La reconstrucción de la administración central en el siglo XVIII", in *Administración y Estado en la España Moderna* (Valladolid: Junta de Castilla

During his tenure, a series of important reforms, building on Alberoni's program, reached New Granada, affecting both the defense and provincial administration of the region. More significantly, perhaps, Patiño also continued to transform the crown's relations with the central institutions of the Monarchy, although without introducing formal reforms equivalent to Alberoni's decrees of January 1717. The new dynamics that emerged from this period paved the way for the definitive restoration of the viceroyalty in 1739, as discussed in the following chapter.

The years that followed the suppression of the first viceroyalty of New Granada witnessed a number of significant transformations at the heart of the government in Madrid. Shortly after Jorge de Villalonga's successor departed for New Granada, news of Philip's abdication on January 10, 1724, shocked the Spanish world. His son, sixteen-year-old Prince Louis-Philip, was crowned King Louis I on February 9.<sup>5</sup> But no sooner had the news of the coronation reached Spanish America, and the celebrations of the proclamation of the new king taken place, than news was received of the king's death on August 31, 1724, which put an end of his eight-month lightning reign and brought the return of his father to the throne.<sup>6</sup>

In Spain, the tumultuous year of 1724 had seen a new phase of confrontation between the proponents of a more efficient administrative monarchy and the defenders of the traditional institutions inherited from the Habsburgs. The latter, who had seen an opportunity to regain their position with the accession of the young king, had soon found themselves fighting against the constant intervention of José Grimaldo and other agents of the supposedly retired king-father.<sup>7</sup> Still, Louis's death forced yet another reshuffling of the different influences at court to the extent that before reassuming the crown Philip had to make at least a token gesture of reconciliation towards the Councils and

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y León, 2002), pp. 135–203 at 167–69. For a list of the different configurations of the Spanish ministry throughout Philip's reigns, see Appendix 1.

5 See, amongst others, Henry Kamen, *Philip V of Spain. The King Who Reigned Twice* (New Haven, CT: Yale University Press, 2001), pp. 139–43; John Lynch, *Bourbon Spain, 1700–1808* (Oxford: Basil Blackwell, 1989), pp. 81–84; and Teófanos Egido López, *Opinión pública y oposición al poder en la España del siglo XVIII (1713–1759)*, 2nd ed. (Valladolid: Universidad de Valladolid, Secretariado de Publicaciones e Intercambio Editorial, 2002), pp. 143–51.

6 During the summer, Louis caught small pox and later died from it. Philip reassumed the crown on September 6, 1724. See Lynch, *Bourbon*, pp. 84–85; Kamen, *Philip V*, pp. 150–52; and Egido López, *Opinión*, pp. 155–56.

7 Concepción de Castro, *A la sombra de Felipe V. José de Grimaldo, ministro responsable (1703–1726)* (Madrid: Marcial Pons, Ediciones de Historia, 2004), pp. 362–66; Lynch, *Bourbon*, pp. 82–83; Kamen, *Philip V*, pp. 148–49; and Egido López, *Opinión*, pp. 151–55.

the traditional elites within Madrid.<sup>8</sup> The new order, though, was once again short-lived and 1725 saw the sudden rise to power of a new royal favorite, the Dutch diplomat Johan Willem Ripperdá, Baron Ripperdá, and a realignment of Spanish foreign policy towards the unlikeliest of allies: the Austrian Emperor. Ripperdá had led the Dutch delegation during the negotiation that ended the War of the Spanish Succession before being appointed ambassador to Spain. He later converted to Catholicism and established his residence in Madrid. Between November 1724 and April 1725 he led the Spanish negotiating team at the peace conference which led to the Treaty of Vienna. Because of his diplomatic success, he was created first Duke of Ripperdá and grandee of Spain. Then, in December 1725, the king appointed him Secretary of state without a specific portfolio, in a manner reminiscent of Alberoni. Ripperdá then took over all matters of State in lieu of Grimaldo. Thereafter, he took over as both Secretary for the Navy and the Indies and for War.<sup>9</sup> However, shortly afterwards it became clear that Ripperdá's Austrian alliance had been little more than a mirage and so, on May 14, 1726, the Dutch adventurer fell as suddenly as he had risen to power.<sup>10</sup> When the dust settled, the Patiño brothers, José and Baltasar—having skillfully survived Ripperdá's attempts to get rid of them—<sup>11</sup> emerged as the new leading figures of Spanish government.<sup>12</sup>

Scholars disagree as to the true character of José Patiño. John Lynch, for instance, described him as “a conservative, pragmatic and indefatigable official who possessed superior administrative talents and wide experience” but who “was not an original thinker or even a reformer.”<sup>13</sup> By contrast, Concepción de Castro claims that what set José de Grimaldo and Patiño apart was precisely the “capacity to conceive by himself great projects or reformist initiatives” that the former lacked, and the latter had in abundance.<sup>14</sup> Similarly, Adrian Pearce has described Patiño as “an extremely skilful [sic] organiser [sic] with a prodigious capacity for work, to which was added an ability to master different

8 Pablo Fernández Albaladejo, *Fragmentos de monarquía: trabajos de historia política* (Madrid: Alianza Editorial, 1992), pp. 395–96.

9 See Escudero, “La reconstrucción,” pp. 166–68; and Kamen, *Philip V*, pp. 152–54.

10 See, *Ibid.*, pp. 156–57; Lynch, *Bourbon*, pp. 85–89; and Castro, *A la sombra*, pp. 372–75.

11 See Antonio Rodríguez Villa, *Patiño y Campillo. Reseña histórico-biográfica de estos dos ministros de Felipe V* (Madrid: Establecimiento tipográfico de los sucesores de Rivadeneyra, 1882), p. 61; and Jean O. McLachlan, *Trade and Peace with Old Spain, 1667–1750. A study of the influence of commerce on Anglo-Spanish Diplomacy in the first half of the eighteenth century* (Cambridge: Cambridge University Press, 1940), pp. 147–48.

12 See Castro, *A la sombra*, pp. 375–78.

13 Lynch, *Bourbon*, p. 91.

14 Castro, *A la sombra*, p. 380.

affairs of state quickly and expertly”, identifying him as the main agent of Bourbon reformism in the early eighteenth century.<sup>15</sup> From my perspective, Patiño was as skillful a politician as an administrator: a pragmatist conscious of the benefits that could be derived from avoiding unnecessary confrontations, both internally and internationally; committed to fulfilling the demands and satisfying the expectations of his monarchs; and convinced of the necessity to increase the power of the crown within Spain and the strength of the Monarchy within the international arena.

Although relatively little is known about the politics and inner workings of the Spanish government during the second reign of Philip V (1724–1746),<sup>16</sup> it is clear that much changed during Patiño’s tenure. For the ten years between his first appointment as Secretary and his death, the Milanese minister was the dominant figure of the ministry, often being the only Secretary allowed to see the king and the closest minister to the queen.<sup>17</sup> Patiño’s long ministry—the longest in Philip’s reigns—<sup>18</sup> was marked by two particular characteristics: the withdrawal of the king from most matters of government, from public life, and even from Madrid—brought about by a series of increasingly frequent depressive episodes which began in May 1727 and prevented him from participating directly within the government—<sup>19</sup> and an apparent truce between the Monarchy’s traditional institutions and the, by now solidly established, Secretaries of State.<sup>20</sup> The causes of the latter are in need of some in-depth study, but it would seem likely that the withdrawal of the king, Patiño’s own personality and the changes in personnel which had gradually taken place within those institutions over the first twenty five years of Bourbon rule combined to produce such a result.

15 Adrian John Pearce, “Early Bourbon Government in the Viceroyalty of Peru, 1700–1759” (Ph.D. diss., University of Liverpool, 1998), pp. 11–13, the quote on p. 11.

16 Fernández Albaladejo, *Fragmentsos*, p. 397.

17 Rodríguez Villa, *Patiño*, pp. 62–130; Castro, *A la sombra*, pp. 377–80; and Escudero, “La reconstrucción,” pp. 168–69.

18 See *infra*, Appendix 1.

19 Kamen, *Philip V*, pp. 162–66, 167–68, 178–79, 183–85, 188–90; and Lynch, *Bourbon*, pp. 92–93.

20 According to Fernández Albaladejo, *Fragmentsos*, p. 397, evidence “seems to indicate a sort of compromise [between the traditional institutions and the new Secretaries of State] during the years immediately following 1724, regardless of the fact that the line of action of the most notorious ministers of the period (such as Patiño from 1726 to 1736) did not stop pointing towards a clear preference for the continuity of the process of reform”.

As John Lynch pointed out, during Patiño's tenure "the councils [...] were [...] filled with creatures of the court".<sup>21</sup> In the Council of the Indies, for example, of those councilors active in 1728, only one man, Manuel Francisco de Lira, had been appointed before Philip's accession to the Spanish throne. Moreover, during his term in office, Patiño almost completely renewed the Council's personnel: sixteen councilors either died or retired and eighteen new appointments were made.<sup>22</sup> Because of this reconfiguration of Council membership, Patiño could allow the Councils to retain the position they had regained by 1726, without continuing the invectives against their power previously launched by the likes of Orry and Alberoni.<sup>23</sup>

Similarly, Patiño's relations with the *Consulado* of Cadiz were less openly confrontational than they had been under Alberoni. It has often been claimed, mistakenly, that Patiño was "the great restorer and defender of the traditional system of Spanish trans-Atlantic trade".<sup>24</sup> In reality, the restoration of the system of *flotas y galeones* was not in itself a central objective of Patiño's policy—although the reinvigoration of trade with the Indies, by whichever means possible, certainly was. Not unlike Alberoni, Patiño's main objective was to increase the crown's income and revenue from the Indies.<sup>25</sup> However, unlike the abbot, Patiño realized that the merchants of Cadiz and Seville were sufficiently wealthy and willing to make large contributions to the crown in exchange for retaining the privileges that had made their fortunes. Thus, stating explicitly both the high costs incurred by the crown in maintaining the system of fleets and the disproportionate benefits derived from it by the *Sevillano* merchants, Patiño had no qualms in demanding from the *Consulado* repeated and substantial contributions to the royal treasury as long as the fleets were profitable.<sup>26</sup> Because of these policies, Patiño obtained sizable

21 Lynch, *Bourbon*, p. 94.

22 See Gildas Bernard, *Le secrétariat d'état et le conseil espagnol des Indes (1700–1808)* (Geneva: Librairie Droz, 1972), pp. 212–217; and *infra* Appendix 2 for a table showing the members of the Council on each year of Philip's reigns.

23 See Fernández Albaladejo, *Fragmentos*, pp. 397–98; and Escudero, "La reconstrucción," p. 169.

24 Luis Navarro García, "La política Indiana", in *América en el siglo XVIII. Los primeros Borbones*, ed. Luis Navarro García, *Historia General de España y América*, 11–1 (Madrid: Ediciones Rialp, 1989), pp. 3–64 at 41.

25 McLachlan, *Trade*, pp. 149–50.

26 For an example of Patiño's argument see, José Patiño, "Memoria presentada al Sr. D. Felipe v por D. José Patiño, el año de 1727", in *Diccionario de Hacienda con aplicación a España*, ed. José Canga Argüelles (Madrid: Imprenta de Don Marcelino Calero y Portocarrero, 1834), vol. 11, pp. 121–25 at 123–24.

donations from the merchants' guild in 1727, 1731, 1733 and 1734, as well as an extraordinary contribution of an extra four percent on all the gold and silver arriving from the Indies in 1732. In exchange for its generosity the *Consulado* obtained from Patiño a number of minor privileges; in particular, the right to decide who could and could not obtain membership within the corporation and also reduced fiscal surveillance of its internal affairs from the Council of the Indies.<sup>27</sup>

Simultaneously, however, Patiño never shied from exploring alternative ways of organizing trade with the Indies, often disregarding the *Consulado's* concerns and standing. Indeed, without infringing upon the *Consulado's* right to exclusive trade with New Spain and Tierra Firme, Patiño gave significant impulse to the creation of other privileged companies meant to trade exclusively with certain areas traditionally isolated from the *flotas y galeones'* route. Thus, while Patiño gave strong impulse to a variety of initiatives for curtailing contraband trade in Spanish America, it was under his rule that the Basque Caracas Company was established in 1728, along with the unsuccessful companies of Galicia—meant to trade in dye woods from Yucatan—and of the Philippines, a few years later.<sup>28</sup>

At the same time, Patiño, himself an Italian whose command of the Spanish language always had limitations, tried to stir Spanish foreign policy in such a manner that would allow him to regain the Italian territories still mourned by Philip and the Italian diaspora in Spain, and sought after by the queen. Yet, he proposed to do so without attracting the combined foreign opposition which had brought Alberoni down. Thus, from 1727, Patiño pursued a policy of rapprochement with France and England as a means of strengthening Spain's claims in Italy. After the intended marriage between Philip's eldest son by Elizabeth Farnese, *Infante* Charles, the future Charles III, and the eldest daughter of the Emperor, Maria Teresa, which Ripperdá had championed, fell through, the crown suddenly changed its position and arranged dynastic marriages with Portugal, Britain's closest ally. By this agreement, Philip's heir, the future Ferdinand VI, married Barbara de Braganza, whilst the Portuguese heir married the Spanish *Infanta* María Ana Victoria. Simultaneously, negotiations

27 See Allan J. Kuethe, "El fin del monopolio: los Borbones y el consulado andaluz", in *Relaciones de poder y comercio colonial: nuevas perspectivas*, ed. Enriqueta Vila Vilar and Allan J. Kuethe (Seville: Escuela de Estudios Hispanoamericanos / Texas-Tech University, 1999), pp. 35–66 at 41–42.

28 Navarro García, "La política," pp. 41–42; Rodríguez Villa, *Patiño*, pp. 93–94; Geoffrey J. Walker, *Spanish Politics and Imperial Trade, 1700–1789* (London: The MacMillan Press, 1979), pp. 169–72. See also *infra* section 7.3.



with France and Britain led to the Treaty of Seville of 1729, and British mediation with Austria culminated in the Emperor's recognition of *Infante* Charles as the legitimate heir to the Duchies of Parma, Piacenza and Tuscany. Spanish forces later occupied these territories in 1731. The new alignment within Spain's foreign policy was largely the work of Patiño, who took over most matters of State from 1728, even though Juan Bautista Orendain, Marquis of La Paz, officially continued to be Secretary for Foreign Affairs.<sup>29</sup> Patiño's foreign policy reached its highest point during the War of the Polish Succession, when Spanish forces occupied Naples and Sicily proclaiming *Infante* Charles as king of the Two Scillies in 1735, finally achieving the crown's long-desired recovery of Spanish Italy for the House of Bourbon.<sup>30</sup>

After the Italian campaigns, and despite constant tensions over mutual obligations within the Caribbean, the renewed activity of Spanish coastguards, privateers and continued British settlement of North and Central America, Patiño insisted on favoring a policy of friendship with Britain.<sup>31</sup> Yet, at the same time, he continued actively to pursue the naval and military reconstruction of Spain's power and the increase of the Monarchy's defenses. In the Americas, these policies were the result of mistrust of British intentions, but also of constant territorial encroachments by the Dutch in Guyana and the Portuguese along the southern and western borders of Brazil.<sup>32</sup> Thus, even though Spain's foreign policy under Patiño pursued similar goals to those of Alberoni, especially towards Italy, there were important differences between the styles of government espoused by either man. As Allan Kuethe and Kenneth Andrien have suggested, "Patiño and his fellow reformers [had] learned well from the mistake of Alberoni".<sup>33</sup> Whereas the latter had "stirred up vigorous opposition", Patiño sought manners in which to out manoeuvre, compromise with or outlast his opponents.<sup>34</sup> It probably was precisely Patiño's more moderate

29 See Kamen, *Philip v*, pp. 153–54, 156, 160–62, 167, 175 and 179–80; and Rodríguez Villa, *Patiño*, pp. 73–75; also Lynch, *Bourbon*, pp. 133–36; and Agustín González Enciso, *Felipe v: La renovación de España. Sociedad y economía en el reinado del primer Borbón* (Pamplona: Ediciones Universidad de Navarra, 2003), pp. 48–51. For a succinct description of the clauses contained in the Treaty of Seville see Navarro García, "La política," pp. 38–39.

30 See Kamen, *Philip v*, pp. 190–93, 194–96; and Lynch, *Bourbon*, pp. 136–38.

31 Kamen, *Philip v*, p. 196. On Patiño's skillful balance of American and European policy objectives in his dealings with Britain see Lynch, *Bourbon*, pp. 134–37; and on the mounting tensions between Spain and Britain during the 1730s Navarro García, "La política," pp. 39–41.

32 Navarro García, "La política," p. 41.

33 Kuethe and Andrien, *The Spanish*, p. 128.

34 *Idem*.

and conciliatory politics that rendered his achievements, and his own tenure, much more long-lived and stable than those of his former patron.<sup>35</sup>

Patiño's increased control over the central institutions of the monarchy, his prolonged ministry and astute political manoeuvring allowed him to introduce a number of reforms which directly affected the trade and governance of northern South America within the decade and a half after the suppression of the first viceroyalty of New Granada. Particularly significant, although often overlooked, was the successive appointment of a series of loyal and capable men to key posts within the Indies. These almost invariably experienced military officers served as provincial governors in strategic points throughout the coasts and borders of the region. Yet, Patiño also oversaw the reform of Cartagena's garrison between 1730 and 1736, the creation of the Company of Caracas in 1728 and the suspension of the *galeones* to Cartagena and Panama in 1735.

## 7.2 The Militarization of Provincial Government on South America's Caribbean Coast

Although the historiography has long recognized the Bourbon tendency to appoint military officers as American administrators, this phenomenon has usually been attributed to the turbulent nature of the eighteenth century and the constant threat of foreign attacks upon the ill-defended Indies. Thus, the appointment of military men to government posts has been associated primarily with the defense of Spain's American possessions. A few authors have accurately highlighted the association between executive effectiveness and military discipline which was increasingly in vogue during the 1700s,<sup>36</sup> but

35 This is not to say that Patiño faced no internal opposition. Indeed, the so-called *partido fernandino*, a clique of grandes and other aristocrats that had formed around the new Prince of Asturias since Philip's return to the throne, strongly criticized Patiño's administration, particularly his expensive defense policy. Within the last years of his ministry, Patiño came under constant attack from a Spanish satirical periodical titled *El Duende Crítico*, published weekly from December 1735 to June 1736. See Kamen, *Philip v*, pp. 203–04; Lynch, *Bourbon*, pp. 91–92; and Egidio López, *Opinión*, pp. 164–80; for a detailed study of *El Duende* see Teófanos Egidio López, *Prensa clandestina española del siglo XVIII: "El Duende Crítico"*, 2nd ed. (Valladolid: Universidad de Valladolid, Secretariado de Publicaciones e Intercambio Editorial, 2002), in particular pp. 108–13. See also Rodríguez Villa, *Patiño*, pp. 101–106.

36 See, for example, Eduardo Martíre, "La militarización de la monarquía borbónica (¿Una monarquía militar?)", in *Congreso Internacional. El Gobierno de un Mundo. Virreinos*

rarely have they pointed out the links and correlations between the appointment of military officers to governmental offices in the Americas and similar practices introduced within Spain around the same time. These associations, however, and especially in the case of northern South America, suggest that the suppression of the viceroyalty marked neither the end, nor a suspension of reform in the Indies.

At the time of his appointment as Villalonga's successor, Antonio Manso Maldonado y Teruel boasted over thirty-four years of military service, proven loyalty, and administrative experience—most of them during Philip v's reign. Born in Vélez-Málaga in 1673, he joined the royal armies as a *soldado*, rising steadily through the promotion ladder, whilst fighting against the Moors in Ceuta and against the French in the wars of the late seventeenth century. During the War of the Spanish Succession, he served at the orders of the militant bishop of Murcia and last viceroy of Valencia, Luis Belluga, who transmitted his praise of Manso's valor directly to the king.<sup>37</sup> By the end of the war, he had reached the rank of brigadier, the first rank within the prestigious group of officers-general at the apex of the military structure introduced in Spain under Philip v.<sup>38</sup> Most importantly perhaps, upon the Bourbon occupation of Catalonia, Manso Maldonado had served as *teniente de rey* in Gerona (1716–1719), and Barcelona (1719–1723), witnessing first-hand the implementation of the *Nueva Planta* and the enforcement of royal authority over the principality.<sup>39</sup>

Although he modestly expressed his doubts that these previous appointments qualified him in any way to exercise the political government of the New Kingdom, to the crown they seemed to give him an ideal profile for his new appointment.<sup>40</sup> Indeed, Manso Maldonado was not the only man with this sort of background to be designated to a high-ranking government office

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*Audiencias en la América Hispana*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha/Fundación del Pino, 2004), pp. 447–88 at 453, 463–69.

37 José María Restrepo Sáenz, *Biografías de los Mandatarios y Ministros de la Real Audiencia (1671–1819)*, Biblioteca de Historia Nacional, LXXIV (Bogotá: Editorial Cromos, 1952), p. 63, quoted in Elías Ortiz, *El Virreinato*, p. 61.

38 See, Fernando Sánchez Marcos, “Los oficiales generales de Felipe v”, *Cuadernos de investigación histórica* VI (1982): pp. 241–246.

39 Didier Ozanam with collaboration from René Quatrefages, *Los capitanes y comandantes generales de provincias en la España del siglo XVIII* (Córdoba: Universidad de Córdoba/Caja Sur, 2008), pp. 186–87.

40 Elías Ortiz, *El Virreinato*, p. 62; and AGS, DGT, Inv. 24, Leg. 178, “Mariscal de Campo Don Antonio Manso, traslado del título de S.M. de Gobernador y Capitan General del Nuevo Reino de Granada”, f. 12.

in the Indies at the time. In fact, he was one of several military men appointed to strategic office in the mid-1720s, including to the viceroyalties of Peru and New Spain. Within the territories of the newly suppressed viceroyalty of New Granada, Manso's appointment coincided with that of two other men, part of a veritable wave of "military administrators" arriving in the Indies.<sup>41</sup> Appointed shortly before Manso, but sailing on the same fleet, *Mariscales de Campo* Luis de Aponte and Manuel Alderete were destined to serve respectively as governors of Cartagena and Tierra Firme.

Like Manso, Luis de Aponte had participated in the War of the Spanish Succession, fighting in Portugal and in the campaign to recover the kingdom of Valencia. A colonel since 1707 he had also witnessed firsthand the implementation of the new style of government in the former kingdoms of the Crown of Aragon. Following the conquest of Cartagena in the Mediterranean by Bourbon troops, he had served as the city's *teniente de rey* and acted as its interim commandant.<sup>42</sup> In 1710, he had been appointed military governor and *corregidor* of Alicante,<sup>43</sup> but remained away from the city whilst serving as *mayor general* of the infantry of Extremadura. Having received a promotion to brigadier in 1711, after the end of the War of the Spanish Succession, he was appointed commandant of Tremp, in Lerida, during the Bourbon invasion of Catalonia.<sup>44</sup>

Similarly, Manuel Alderete y Franco had served in the War of the Spanish Succession but primarily with the newly created elite corps of the royal guards. By 1713, he had reached the rank of *exempto* in the *reales guardias de corps*, equivalent to that of colonel in the regular army.<sup>45</sup> These units, reformed by Philip V between 1704 and 1706, served a dual purpose: on the one hand, they protected the king; on the other, they served as elite military troops that could be deployed whenever and wherever necessary.<sup>46</sup> Soon after their creation, the royal guards had become a preserve of those sectors of the nobility that demonstrated the staunchest fidelity to the king. Its proximity to the king and the high standing of guards transformed the body into a prime source from which the crown drew, throughout the eighteenth century, a large proportion

41 See Pearce, "Early," p. 77.

42 Grupo PAPE, *Base de datos biográficos Fichoz*, actor number 00004618.

43 Enrique Giménez López, *Gobernar con una misma ley. Sobre la Nueva Planta borbónica en Valencia* (Alicante: Universidad de Alicante, 1999), p. 227, n. 122.

44 *Fichoz*, actor number 00004618.

45 AHN, OM-Caballeros Santiago, Exp. 255, "Pruebas de Dn. Manuel de Alderete Brigadier de los Ejércitos, Exempto de las Reales Guardias de Corps", 1715.

46 Francisco Andújar Castillo, "La corte y los militares en el siglo XVIII," *Anales. Real Sociedad Económica de Amigos del País. Valencia* MMI–MMII (2003): pp. 211–38, at 213.

of the military officers appointed to political and governmental offices within both Spain and the Indies.<sup>47</sup> By 1715, Alderete y Franco had been promoted to brigadier, and was serving as colonel of the one of the regiments of the king's personal guard. That same year he was offered an appointment as governor of Havana, which he turned down, and a knighthood in the order of Santiago, both because of his military merit. Before his appointment to Panama, between late 1715 and 1723 he had served as *teniente de rey* in Cadiz, where he had received his promotion to *mariscal de campo*.<sup>48</sup>

The similarities between the career paths of Manso Maldonado, Aponte and Alderete y Franco were no coincidence. They came to represent a new breed of Spanish American provincial governor, similar in many ways to the politico-military governors who were introduced to the Iberian Peninsula in the wake of the War of the Spanish Succession. With few exceptions, their successors, too, would come from a similar background; throughout the rest of the eighteenth century, the crown sought to appoint as provincial governors men whose loyalty, personal dependence upon the king and experience promised that they would become reliable administrators and efficient executors of royal commands.<sup>49</sup>

Spanish historiography has documented extensively the militarization of provincial government across peninsular Spain throughout the eighteenth century, beginning with the replacement of the viceroys of Valencia, Aragon, Catalonia, and Majorca by captain-generals and culminating in the subordination of all chancelleries and *audiencias* to their respective provincial captain-general.<sup>50</sup> Similarly, scholars have shown that local government experienced a

47 Francisco Andújar Castillo, "Élites de poder militar: las guardias reales en el siglo XVIII," in *La pluma, la mitra y la espada. Estudios de historia institucional en la edad moderna*, ed. Juan Luis Castellano, Jean Pierre Dedieu, and Ma. Victoria López-Cordón (Madrid: Marcial Pons/Universidad de Burdeos, 2000), pp. 65–94 at 88.

48 AGS, DGT, Inv. 24, Leg. 178, "Mariscal de Campo Dn. Manuel de Alderete, traslado del título de gobernador y capitán general de las provincias de Tierra Firme y Veragua", San Ildefonso, October 15, 1723, f. 440; and *Fichoz*, actor number 00007972.

49 For a detailed analysis of this trend focusing on Spanish American viceroys see Francisco A. Eissa-Barroso, "Of Experience, Zeal and Selflessness: Military Officers as Viceroys in Early Eighteenth Century Spanish America," *The Americas* LXVII (2012): pp. 317–45.

50 Enrique Giménez López, "Marte y Astrea en la Corona de Aragón: la preeminencia de los capitanes generales sobre los togados en los primeros años de la nueva planta," *Revista de Historia Moderna. Anales de la Universidad de Alicante* XXII (2004): pp. 7–53; Francisco Andújar Castillo, "Capitanes generales y capitanías generales en el siglo XVIII," *Revista de Historia Moderna. Anales de la Universidad de Alicante* XXII (2004): pp. 7–78; and Ozanam and Quatrefages, *Los capitanes*, passim.

parallel process of militarization which was most extensive in Catalonia and Valencia, but which ultimately spread to most *corregimientos* along the coasts and borders of peninsular Spain. In fact, by the 1780s at least twenty-one of these *corregimientos* had been formally transformed into politico-military governorships. These were routinely occupied by military officers directly appointed by, and responsible to, the Secretary for War; unlike their predecessors, the *corregidores*, who, whether *togados* or *de capa y espada*, had been under the supervision of the Council of Castile.<sup>51</sup>

In the Indies, beginning around 1713 and increasingly from the mid-1720s onwards, strategic provincial governorships had been largely excluded from the widespread sale of offices, which had characterized the first half of the eighteenth century; appointment to these posts had been predominantly restricted to experienced military officers with long years of active service in Europe.<sup>52</sup> The new kind of provincial governors arriving from the mid-1720s onwards differed from those appointed under the Habsburgs and throughout the War of the Spanish Succession in that they held higher ranks within the military hierarchy and had served for longer than their predecessors. Moreover, their career trajectories show that military service had been their main, if not their only, occupation.<sup>53</sup> This was a significant change when compared to the likes of Francisco de Meneses or the Marquis of Villarocho whose careers,

51 Enrique Giménez López, "Los corregimientos de capa y espada como retiro de militares: el ejemplo de las Cinco Villas de Aragón en el siglo XVIII," *Revista de Historia Jerónimo Zurita* LXIII–LXIV (1991): pp. 171–89; Enrique Giménez López, "Los corregidores de Alicante: perfil sociológico y político de una élite militar," *Revista de Historia Moderna. Anales de la Universidad de Alicante* VI–VII (1986): pp. 67–85; Enrique Giménez López and Vicente J. Suárez Grimón, "Corregimiento y corregidores de Gran Canaria en el siglo XVIII," *Vegueta* III (1998): pp. 117–45; and María Luisa Álvarez y Cañas, "Corregimientos militares en la administración territorial de la Andalucía del siglo XVIII," in *Ejército, ciencia y sociedad en la España del Antiguo Régimen*, ed. Emilio Balaguer and Enrique Giménez López (Alicante: Instituto de Cultura Juan Gil-Albert/Diputación de Alicante, 1995), pp. 343–61.

52 The following paragraphs draw extensively on Francisco A. Eissa-Barroso, "'Having Served in the Troops': the Appointment of Military Officers as Provincial Governors in Early Eighteenth-Century Spanish America, 1700–1746," *Colonial Latin American Historical Review* Second series 1 (2013): pp. 329–359 particularly at pp. 337, 339, 341; and Francisco A. Eissa-Barroso, "Las capitánías generales de provincias estratégicas hispanoamericanas durante los reinados de Felipe V: aproximación al perfil socio-profesional de una institución atlántica", in *Élites, representación y redes atlánticas en la Hispanoamérica moderna*, ed. Francisco A. Eissa-Barroso, Ainara Vázquez Varela and Silvia Espelt-Bombín (Zamora, Mich: El Colegio de Michoacán, forthcoming).

53 Eissa-Barroso, "'Having,'" pp. 342–344.

as suggested in Chapter 2, were essentially those of merchants who had provided some, limited, military services to the crown on the side.<sup>54</sup>

As argued in Chapter 3, within the Iberian Peninsula, the appointment of military officers as government officials was not only a response to the growing realization of the importance of the military for the subsistence of the monarchy, and the concomitant need to reward military men with high honors, although both factors did play a role. The appointment of military administrators was fuelled by transformations concerning the role that the king was expected to play within the monarchy—which prioritized the provision of good government over that of justice—and the opinion, held by many, that military officials were characteristically better suited to perform tasks which required efficiency and executive performance. Moreover, high-ranking military officers were particularly loyal to the crown. Military officers appointed to governmental positions were exclusive agents of the monarch who would follow his commands with the urgency required in war, without consultation or compromise. This was in part because matters of war were the exclusive preserve of the king; but also because of the habits developed throughout a life of service within the armed forces and because their careers and promotions were, from the accession of Philip v, increasingly dependent upon direct favor from the king. Thus, the process of militarization of provincial government can be seen as part of the crown's efforts to increase royal authority and to marginalize mediatizing corporations that came to characterize much of early Bourbon reformism.

This same reasoning led to the increasing tendency to appoint military officers as provincial governors in Spanish America.<sup>55</sup> It should not be a surprise, then, that in extending the process of militarization to the Indies, Philip v and his ministers often made such appointments through the *vía reservada*. In this way, the crown bypassed the Council of the Indies, directly issuing appointees' letters patent through the Secretary of State for War or the Secretary of State for the Indies. Alberoni, for example, made fifteen appointments to strategic Spanish American provinces through the *vía reservada* between 1717 and 1719.<sup>56</sup> Within northern South America, these included *Sargento Mayor* Juan de la Tornera Sota, named governor of Cumana in 1717; *Mariscal de Campo* Jerónimo Badillo, promoted to the governorship of Panama in 1717; *Sargento*

54 This figure, the merchant passing as soldier, came under strong criticism from Philip v's ministers. See AHN, Códices, L.753, no. 212, La Quintana to Villarías, Buen Retiro, June 1st, 1740, ff. 268r–272r.

55 Eissa-Barroso, "Having," *passim*.

56 *Ibid.*, pp. 352–353.

*Mayor* Manuel Fernández de la Casa, appointed governor of Maracaibo in 1718; Colonel Alberto Bertodano, named interim governor of Cartagena de Indias in 1719; and Captain José Díaz de Vivar, designated *teniente general* of Portobello that same year.

Later on, particularly during Patiño's tenure as Minister for the Indies, the crown no longer felt the need to bypass the Council altogether in order to appoint military officers. Instead, it often made appointments in one of two ways: either by ordering the Council to issue the required letters of appointment without having consulted with its ministers, or, after the Council had presented a list of suitable candidates, by choosing men who had not been among those nominated by the councilors.<sup>57</sup> During this later period, however, the crown continued to use the *vía reservada* when designating officials charged with performing specific and sensitive tasks, thus, avoiding any potential opposition or interference from the Council. Such was the case of the appointment of Colonel Antonio de Salas as governor of Cartagena de Indias in 1729, tasked with adapting the regulations of Havana's *batallón fijo* to Cartagena,<sup>58</sup> as well as of the designation of Martín de Lardizabal y Elorza as *comandante pesquisidor* of Caracas in 1732, tasked with investigating both the disagreements between his predecessor, Colonel Sebastián García de la Torre, and the Caracas Company, as well as the complaints raised by the inhabitants of the province against the latter.<sup>59</sup>

However, the later 1720s witnessed another important change when it came to the appointment of military officers to the provincial governorships along the northern coast of South America. The crown's tendency to entrust these offices to soldiers had been noticed since at least 1715. In that year, a curious manuscript document emerged at court; entitled simply "*Discurso y noticias de Indias*", it was meant "exclusively for the eyes of a military gentleman in Europe who has been appointed to one of the best governments in America".<sup>60</sup> The document is a list of those provincial governorships of royal appointment

57 *Idem.*

58 AGI, Mexico, 453, Council of Indies to king, Madrid, March 28, 1741; Nicolás del Castillo Mathieu, *Los Gobernadores de Cartagena de Indias (1504-1810)* (Bogotá: Academia Colombiana de Historia, 1998), pp. 93-94; *Fichoz*, actor number 00006122.

59 AHN, Códices, L.753, no. 231, Council of Indies to king, Madrid, June 30, 1734.

60 BNE, Manuscritos, Ms/1626, "Discurso y noticias de Indias", f. 1r. For a detailed analysis of this document see Thomas Calvo, "Una guía para militares solicitantes en corte. 'Los gobiernos mejores de América' (1715)," in *El gobierno de la justicia. Conflictos jurisdiccionales en Nueva España (s. XVI-XIX)*, ed. Rafael Diego-Fernández Sotelo y Víctor Gayol (Zamora, Mich.: El Colegio de Michoacán/Archivo Histórico del Municipio de Colima/Archivo de Letras, Artes, Ciencias y Tecnologías, A.C., 2012), pp. 51-80.



to which military officers could aspire. The list included brief descriptions outlining the benefits that appointees could expect to derive from service in each province. These notes are indicative of what a Spanish military officer may have been looking for in seeking appointment to a politico-military post within the Indies. They suggest two principal motives: performing military services that would help the incumbent further progress professionally within the army and in politico-military offices; also seizing the (predominantly illicit) opportunities for acquiring personal wealth available within Spanish America. Thus, the governorship of Cartagena de Indias was described as “befitting a high-ranking and distinguished military man because it provides honor and benefit”, whilst that of Caracas was referred to as “a government [...] reasonably profitable through the trade in cocoa beans made on sloops between its coasts and those of Veracruz despite the distance separating them”.<sup>61</sup> Thus, many of the men appointed within the late 1710s and early 1720s behaved whilst in office in ways that were not much different from those of their predecessors. Alberto Bertodano, the governor of Cartagena who accused Villalonga of participating in illicit trade during his visit to the port, whose case was discussed within the previous chapter, is an archetypal example.

Similarly, Jerónimo de Badillo, who preceded Bertodano in the governorship of Cartagena before being promoted to Panama 1718, took every opportunity to integrate himself within the societies that he governed, deriving private economic benefits as he did so. After a long career in the *regimiento de Asturias*, Badillo had reached the rank of *teniente coronel* before being promoted to brigadier in 1706; he served almost seven years as *cabo subalterno* of the garrison of Cadiz, earning a promotion to *mariscal de campo* at the end of the War of the Spanish Succession.<sup>62</sup> In 1713, he was appointed governor of Cartagena de Indias.<sup>63</sup> Although he was briefly separated from office in 1716, for having sided with the *audiencia* and imprisoned Meneses in one of the city’s fortresses, he was restored to office later that year and eventually received a promotion to the governorship of Panama in 1718, which he served until 1724.<sup>64</sup> Like Bertodano, Badillo was suspected of engagement in contraband trade whilst

61 BNE, Manuscritos, Ms/1626, “Discurso,” ff. 2r, 9r.

62 *Fichoz*, actors numbers 00004667, 00011671.

63 AGS, DGT, Inv. 2, Leg. 13, “Título de Govor. y Capitan Genl. de la Ziud. y Provinc. de Cargena de Yndias para el Mariscal de campo Dn. Geronimo Badillo”, Madrid, February 27, 1713, f. 38.

64 José María Restrepo Sáenz, “Gobernadores de Cartagena en el siglo XVIII”, *Boletín de Historia y Antigüedades* xxxv (1948): pp. 57–79 at 59–60, 61; Castillo Mathieu, *Los Gobernadores*, pp. 85–87; AGS, DGT, Inv. 24, Leg. 178, “El Mariscal de campo Dn. Geramo Vadillo, trdo. del título de su Mag. de Presidente de la Auda. de Panama”, Balsain, July 21, 1722.

serving in Cartagena, although neither the accusations raised by Antonio de la Pedrosa in 1718 nor those made by José García de la Luna in 1722 seem to have marred his career.<sup>65</sup> Also like Bertodano, Badillo had travelled to the Indies with all his family, including three young daughters and ten *criados*.<sup>66</sup> Whilst he was serving in Cartagena de Indias, Francisca, his eldest daughter, married Juan Gutiérrez de Arce in Santa Fe. Gutiérrez de Arce, a jurist from Burgos, had purchased an appointment as future *oidor* of Santa Fe in 1712, along with the offices of *auditor de guerra* and *teniente general* of Cartagena de Indias to serve whilst he waited for a vacancy to open within the *audiencia*. Thus, he had served under Badillo in Cartagena between 1713 and 1718. The couple would remain in the Indies for the rest of their lives as Gutiérrez de Arce took up office in Santa Fe in 1718 and later obtained a promotion to Lima.<sup>67</sup> A second daughter, Teresa, married *maestre de campo* Ángel Ventura Calderón, a long-time resident of Panama, whilst her father was serving in Tierra Firme.<sup>68</sup> Thus, although Badillo himself passed away in 1724 whilst still in office, by then his family had already established deep roots within Spanish American society. This tendency of provincial governors to build strong, long-lasting networks within the provinces under their rule, however, would become much less common amongst the governors appointed in the late 1720s and 1730s.

Although there had not been many others, the Council of the Indies' was not the only voice raised against the first creation of the viceroyalty of New Granada. Amongst those others—although admittedly in a veiled fashion—was the anonymous author of a “*Representación a Felipe v sobre la monarquía*”, a text worthy of some attention.<sup>69</sup> The manuscript, written in the early 1720s,<sup>70</sup> discussed several aspects of the government of Spain, and dwelt at some length upon Spanish American affairs. The ideas expressed by the author identify him as a member of the group of Spanish reformers who believed that important changes needed to be made within the Monarchy, but that, largely,

65 Castillo Mathieu, *Los Gobernadores*, p. 87.

66 AGI, Contratación, 5467, N.71, “Jeronimo Badillo”, Cadiz, June 25, 1713.

67 Synnøve Ones, “The Politics of Government in the Audiencia of New Granada, 1681–1719” (Ph.D. diss., University of Warwick, 2000), p. 352. *Fichoz*, actors number 00004667, 0001671.

68 Ones, “The Politics,” p. 352. *Fichoz*, actors number 00004667, 0001671.

69 BNE, Manuscritos, Ms/10.695, “Representación a Felipe v sobre la monarquía,” ff. 95–106.

70 The text is not dated, but it includes references to the revolts in the Basque Provinces provoked by Alberoni's order in 1718 to remove the internal customs barriers placing them instead at the French border. These protests were only brought under control in 1721, after the polemic policy had been repealed.

these changes should not constitute an absolute break with Spain's traditional laws and institutions.

With words which the Council of the Indies could have easily embraced, this author argued that "some ministers of Y[our] M[ajesty] have erred [. . .] in proposing [. . .] *nuevas plantas* for the Councils and Government; [when] care should have only been put in correcting the disorder and wrong practice of the laws". Moreover, these ministers had made another mistake in "acting hastily and without all that time which the actions of government require".<sup>71</sup> In his opinion, transforming Spanish America's government institutions was unnecessary because "in over 100 years not a thought has been given to anything other than perfecting them. There are four volumes in folio of laws, very punctilious printed books, and the most exact notices in the Archive of the Council of the Indies, and YM should believe that the desire to introduce *nuevas plantas* of government is a waste of time, or ambition, and could even be malice".<sup>72</sup> Yet, at the same time, as with some of the most ardent reformists of the period, the mysterious author urged the king to appoint *intendentes* to the American provinces as a safe means of ensuring that royal officials would perform their duties according to the laws and the best interest of the king and his royal finances. At the same time, *intendentes* would regularly provide the crown with the sufficient and reliable information needed to govern distant territories.<sup>73</sup> Moreover, and not unlike Alberoni himself, our author was willing to admit that foreign trade with the Indies, rather than being contrary to Spanish interests, could be a great advantage to the king if suitable duties were levied upon the cargoes imported into American ports.<sup>74</sup>

However, what is of particular relevance for our purposes are the author's opinions about the political government of Spanish America. The author was primarily concerned with the abuses committed by viceroys and their entourages. Because of their cupidity, he argued, "they sell everything there is, they conceal or are unable to investigate the corruption of or robberies by royal officials and the violence and frauds of *corregidores*; what is owed to the royal treasury goes uncollected; the tributes are not paid; and [. . .] as rumor has it, it is all avarice, sale and robbery to YM".<sup>75</sup> The solution to these vices, which were as common to viceroys as to provincial governors, was simple: "appointing good Ministers. The first and almost the only thing

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71 BNE, Manuscritos, Ms/10.695, "Representación," f. 105v.

72 *Ibid.*, ff. 103r–v.

73 *Ibid.*, ff. 104r–v.

74 *Ibid.*, ff. 103r, 104v.

75 *Ibid.*, f. 103v.

that shall be done is to attend to their purity of interests".<sup>76</sup> Those appointed to the Indies "should be men of proven integrity and purity [...] men of righteous character, and they should have certain hope of being appropriately employed upon their return to Spain, if they have acted well".<sup>77</sup> Thus, the idea was straightforward: it was a matter of selecting the appropriate candidates for governing the Indies and providing them with sufficiently valuable rewards if they served properly; a prescription which, it would seem, the crown decided to put to the test when appointing viceroys and provincial governors from the 1720s onwards.

To begin with, the crown demonstrated a clear tendency to appoint as viceroys and provincial governors men who were single, and who would often remain so for life, thus reducing the possibilities of their establishing the kind of familial ties with local elites to which their predecessors had been prone.<sup>78</sup> At the same time, although the causes of this are unclear, the size of the retinues with which viceroys and provincial governors travelled to the Americas experienced a frank reduction. Thus, for example, whilst Badillo had travelled to Cartagena in 1713 with his wife, three daughters and ten *criados*, a decade later, Aponte travelled with only four *criados* and because he was single, he took no family with him.<sup>79</sup> Four years later, in 1727, Juan José de Andía y Vivero, Marquis of Villahermosa, was dispatched to Cartagena as the head of reinforcements for the city's garrison within the context of the un-declared war between Spain and Britain. At the time of his departure, Villahermosa had already been appointed governor of the province, although he had instructions not to take up office until his orders to improve the defenses of the city had been completed. Not only did Villahermosa have no children and remain single for life but, despite his high social rank and his status as a brigadier of the royal armies, he apparently travelled to the Indies with no *criados* at all.<sup>80</sup>

Secondly, by increasing their salaries the crown deliberately attempted to curtail provincial governors' temptation to engage in illicit activities during their tenures within Spanish America. Simultaneously, the crown was trying to make service in the Indies more attractive to the kind of men of "proven integrity, purity and righteous character" which it sought to appoint. Thus, for instance, the salary of the governor of Cartagena de Indias increased during the first half of the eighteenth century from nine hundred thousand to

76 *Ibid.*, ff. 103v–104r.

77 *Ibid.*, ff. 104r–v. Emphasis added.

78 Eissa-Barroso, "Having," pp. 348–350.

79 AGI, Contratacion, 5467, N.71, "Jeronimo Badillo," Cadiz, June 25, 1713; AGI, Contratacion, 5474, N.1, R.34, "Luis de Aponte," Cadiz, December 29, 1723.

80 AGI, Contratación, 5475, N.1, R.45, "Marques de Villahermosa," Cadiz, June 28, 1726.

2.7 million *maravedís* while that of the governor of Cumana rose from 748,000 to 1.8 million *maravedís*, and that of the governor of Caracas was raised from 650,000 to the same 2.7 million *maravedís* earned by the governor of Cartagena.<sup>81</sup>

Finally, the crown seems to have actively sought to provide tangible and enticing rewards to those provincial governors who served faithfully in Spanish America, either by promoting them to more important and reputed posts within the Indies, or by granting them distinctions and appointments in Spain. Upon his return to the Peninsula in 1731, Antonio Manso Maldonado, was appointed interim, and then proprietary, governor of Ceuta; he received a promotion to the rank of *teniente general* of the Spanish armies in 1734 and was finally appointed captain-general of Guipuzcoa in 1739.<sup>82</sup> Similarly, Antonio de Salas, governor of Cartagena de Indias between 1731 and 1737, received an appointment as governor of Veracruz in 1742 after having participated in the defense of Havana during the War of Jenkins' Ear. He later earned a promotion to *mariscal de campo* in 1747.<sup>83</sup> For his part, Dionisio Martínez de la Vega, who had been promoted from the governorship of Cuba to the presidency of Panama in 1735, received a promotion to the rank of *mariscal de campo* in 1736, a key as a gentleman of the king's chamber in 1739 and finally a promotion to *teniente general* of the Spanish army in 1740. Given his advanced age and the fact that he had no children of his own, the Chamber of Indies had deemed this appointment the most suitable reward for his services in the aftermath of Panama City's great fire of 1737.<sup>84</sup> His promotion to *teniente general* was explicitly granted in recognition of his performance within Panama, and, in particular, of his efforts to subdue the rebellious, and contraband enabling, Cuna Indians of Darien.<sup>85</sup> Meanwhile, his predecessor, the Marquis of Villahermosa, who had served as governor of Cartagena between 1728 and 1730, before being appointed president of Panama, was granted license to return to Spain before the end of his tenure in Panama; back in Spain, he received a promotion to the rank of *teniente general* of the royal armies.<sup>86</sup> Even Luis de Aponte,

81 Eissa-Barroso, "Las capitanías".

82 Ozanam and Quatrefages, *Los capitanes*, pp. 186–87.

83 AGI, Mexico, 453, Council of Indies to king, Madrid, March 28, 1741.

84 AGI, Panama, 107, Council of Indies to king, Madrid, March 18, 1738.

85 AGS, Guerra Moderna (hereinafter GM), Expedientes Personales (hereinafter EP), Leg. 33, f. 56, La Quintana to Ustariz, Buen Retiro, January 26, 1740; Kuethe and Andrien, *The Spanish*, p. 125. On the nature of Indian involvement in illicit trade and collaboration with foreign merchants, from the perspective of Santa Marta in New Granada, see Lance Grahn, *The Political Economy of Smuggling. Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), pp. 31, 37, 42.

86 *Fichoz*, actors number 00007246, and 00028964.

whose tenure as governor of Cartagena was brought to a premature end in 1728 when the Marquis of Villahermosa charged him with involvement in contraband trade, received significant compensation in Spain when the king himself deemed Villahermosa's accusations unfounded. Aponte was promised a promotion to *teniente general de los reales ejércitos* with the next cohort and was also given the right to enjoy the full salary pertaining to his rank as if on active duty, even when billeted away from the battlefield or during peace time.<sup>87</sup>

Whilst these measures seem to have had a positive impact upon the quality of government provided by provincial governors—at least from the crown's perspective—<sup>88</sup> it would be naïve to pretend that they suddenly transformed men into saints or thoroughly eliminated the abundant temptations created by contraband and the interests of competing local factions, which awaited them within the Indies. The official tasked with taking his *residencia* trial in 1729 for example, accused Manuel de Alderete, the president of Panama who arrived in New Granada alongside Manso Maldonado and Aponte, of extensive involvement in contraband trade. Essentially admitting his guilt, Alderete took sanctuary within a local convent a few months into the inquest, only to be removed from it by force by his zealous successor, the Marquis of Villahermosa, who had no tolerance for the niceties of tradition or the *fueros* and privileges of the Church.<sup>89</sup>

Even in this case we see a change within the social strategies adopted by provincial governors and their families. Although Alderete died at sea on the way back to Spain, his widow and the two sons who had travelled with him to Panama in 1724 used the significant profits obtained during his tenure to advance their careers and social standing in Spain, rather than building strong connections within Spanish America. One of his sons, Juan Manuel, offered the crown one thousand *dobloones* in 1741 in exchange for a direct promotion from the rank of captain, which he held, to that of colonel.<sup>90</sup> A decade later, Alderete's widow, still had enough resources to purchase from the order of Alcantara the *Real Dehesa* of La Serena in Badajoz. Meanwhile, a daughter, María Ana, presumably born in Panama, was able to enter into the Aragonese

87 AGS, GM, EP, Leg. 3, f. 64, Patiño to Luis de Aponte, Seville, April 18, 1729.

88 Eissa-Barroso, "Having," p. 355.

89 Antonio de Alcedo, *Diccionario Geográfico-Histórico de las Indias Occidentales o América* (Madrid: Imprenta de Manuel González, 1788), vol. IV, p. 47; *Fichoz*, actor number 00007972.

90 Francisco Andújar Castillo, *El sonido del dinero. Monarquía, ejército y venalidad en la España del siglo XVIII* (Madrid: Marcial Pons Historia, 2004), p. 179.

nobility by marrying Francisco Cao de Benos, Baron of Les, politico-military governor of Malaga.<sup>91</sup>

Thus, despite the suppression of the viceroyalty of New Granada in 1723, the Spanish crown continued to try to increase its authority within northern South America by consistently appointing experienced and distinguished military officers as governors of strategic coastal provinces. The period witnessed a shuffling of the elites from which the monarchy traditionally drew its agents and the granting of greater favor and attention to individuals with direct connections to the new dynasty, distinguished primarily for their loyalty, efficiency, and military merit.<sup>92</sup> From the 1720s onwards Panama, Portobello, Cartagena, Santa Marta, Maracaibo, Caracas, Cumana, Margarita and Trinidad were governed, almost without interruption, by “professional” military men with long years of service in Europe and battle-tested loyalty to the House of Bourbon. By appointing men with this profile Patiño hoped to place the region within the hands of more reliable, effective and loyal officials, thus seeking, simultaneously, to increase royal authority, curtail contraband and also to improve revenue collection within the region. As with earlier reforms, however, this transformation in the profile of the personnel chosen to govern the region occurred in parallel with further changes affecting government at the heart of the monarchy and with the introduction of reforms affecting the trade and defense of the region.

### 7.3 Atlantic Trade and Defense under Patiño

Ildelfonso Pulido Bueno argues that at some point during his long tenure as intendant-general of the Navy and president of the *Casa de la Contratación*, Patiño realized that the increase of trade between Spain and America, with its concomitant increase in royal revenue, was largely incompatible with the preservation of the Andalusian monopoly.<sup>93</sup> This realization was clearly

91 Sección Nobleza del Archivo Histórico Nacional, Toledo (hereinafter SN-AHN), Someruelos, C.1, D.1, “Compraventa de cinco mil fanegas en la Real Dehesa de la Serena a favor de Manuela Josefa Muñoz de Tovar, viuda de Manuel de Alderete, Mariscal de campo”, n.p., February 1st, 1752; SN-AHN, Fernán Núñez, C.839, D.5 “Memorial ajustado del pleito seguido por Joaquín Manglano con el barón de Les, como marido de María Ana Alderete sobre la partición de los bienes que quedaron por muerte de Manuel de Alderete y Manuela Muñoz de Tobar, su mujer”, n.p., January 1st, 1771.

92 Eissa-Barroso, “Of Experience,” p. 321.

93 Ildelfonso Pulido Bueno, *José Patiño. El inicio del gobierno político-económico ilustrado en España* (Huelva: Artes Gráficas Andaluzas, 1998), p. 233.

expressed in Patiño's 1727 "Memoria" which expressed his view that the *Consulado*, as the main beneficiary of the fleets' system, should bear the brunt of its cost to the crown.<sup>94</sup> This attitude explains the almost predatory manner in which Patiño approached the merchants' profits from the Indies in the late 1720s and early 30s, as outlined earlier in this chapter. Similarly, it should not be a surprise that he expected the merchants to assume a large part of the responsibility for financing the work of the coastguards established along Spanish America's shores.<sup>95</sup> During his ministry, however, Patiño went well beyond demanding additional taxes and contributions from the *Consulado* in his efforts to increase both the crown's control over Atlantic trade and the revenue derived from it.

The idea of creating one or more privileged stock-companies, to imitate those operating from the Netherlands and England, had circulated within Spanish reformists' circles since the late seventeenth century;<sup>96</sup> Philip V's ministers had been keen to explore their feasibility as an alternative to the traditional system of trading with Spanish America since early on. The short-lived Honduras Company, chartered in January 1714, obtained the right to trade with the provinces of Caracas and Honduras, sailing out of Cadiz but outside of the traditional fleets.<sup>97</sup> Similarly, the Spanish crown had become one of the shareholders of the British *South Sea Company* after the Treaty of Utrecht granted it the *asiento*.<sup>98</sup> At the same time, since before the start of the War of the Spanish Succession, the crown had sought to expand Spanish trade with Spanish America by licensing ports other than Cadiz to trade directly with the Indies. The *Cortes* of 1701 had offered Catalan merchants the right to engage in direct transatlantic trade from Barcelona and the agreement signed with the Marquis of Montesacro in 1707 had entitled him to trade out of a port in northern Spain in exchange for regularly transporting royal correspondence to the Indies.<sup>99</sup>

Since the start of his tenure as minister for the Indies, Patiño made patent his intentions to further pursue alternatives to the traditional fleet system in

94 Patiño, "Memoria," p. 115.

95 Kuethe and Andrien, *The Spanish*, pp. 114–15.

96 Pulido Bueno, *José Patiño*, p. 250.

97 Carmelo Sáenz de Santamaría, "La compañía de comercio de Honduras, 1714–171," *Revista de Indias* XL (1980): pp. 129–157.

98 Antonio-Miguel Bernal, "Borbones por austrias: cambio de dinastía y papel de la corona en el comercio colonial", in *Congreso Internacional. El Gobierno de un Mundo. Virreinos y Audiencias en la América Hispana*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha/Fundación del Pino, 2004), pp. 181–98 at 188–89.

99 See *supra* Chapter 4.



preparation for the complete overhaul of Atlantic trade that he expected to introduce once the *asiento* treaty expired. In 1726, he sought to have the recently founded Ostend Company relocate to Cadiz and, when this project failed, he accepted an offer from the merchants' guild of San Sebastian to establish a stock company to trade with the province of Caracas.<sup>100</sup> The origins of this idea stemmed from the viceroyalty of New Granada; a detailed analysis of the situation within the province of Caracas, commissioned by Jorge de Villalonga in 1720 and written by Pedro José de Olavarriga shortly afterwards, had most recently highlighted the intensity of Dutch smuggling in Venezuelan cacao out of Curaçao.<sup>101</sup> The activities of Dutch interlopers were such that they largely controlled European trade in this commodity and Spain was often forced to import cacao from Amsterdam in order to satisfy its growing internal demand.<sup>102</sup>

In 1728, Patiño negotiated with Felipe de Aguirre, on behalf of the Count of Peñaflores and other members of the merchants' guild of San Sebastian, the creation of the Caracas Company. By the terms of the license granted, the company could send two armed ships annually to the province of Caracas, trading freely in the ports of La Guayra and Puerto Cabello, with whatever goods it chose and without having to call at Cadiz on the way out.<sup>103</sup> On the return trip, company ships would have to call in at Cadiz first, pay the taxes stipulated in the *Proyecto* of 1720, but could then continue their voyage to northern ports without having to unload their goods in Andalusia. Crucially, the company did not obtain a monopoly of trade with Caracas, as the king explicitly retained the right to authorize others to traffic in the region.

In exchange for the right to trade with South America outside the *galeones*, *Guipuzcoano* merchants agreed to fund and organize coast-guard operations between the Orinoco and Hacha rivers. Any seizures of contraband goods would be divided between the company and the officers and crew of the coast guards and the company's share could be sold within Venezuelan ports, free of sales tax. Any vessels seized could be used to increase the coast-guard fleet or to ship additional quantities of cacao back to Spain under the same conditions as the normal return cargo of the company.<sup>104</sup> Moreover, goods leftover after

100 Pulido Bueno, *José Patiño*, pp. 251–53; Kuethe and Andrien, *The Spanish*, pp. 126–27; Walker, *Spanish*, pp. 169–72.

101 Pedro José de Olavarriga, *Instrucción general y particular del estado presente de la Provincia de Venezuela en los años de 1720 y 1721* (Caracas: Academia Nacional de la Historia, 1965), pp. 293–304.

102 Walker, *Spanish*, p. 171.

103 *Ibid.*, p. 245.

104 *Ibid.*, pp. 245–46.

supplying the province of Caracas could be sold within Cumana, Trinidad or Margarita, thus granting the company free access to the whole northeastern corner of Spanish South America. The aim of this right was explicitly to ensure that the inhabitants of these provinces were left with “no excuse or pretext for not abstaining from illicit commerce and communication with foreigners”.<sup>105</sup> In this way, it was hoped that Spain would replace the Dutch as the principal supplier of cacao to Europe.

The Caracas Company began trading with Venezuela in July 1730. Its first five ships to return to Spain in 1731, 1732, and 1733 made a profit of nearly thirty-nine pesos on every *fanega* of cacao sold, allowing the Company to announce, and to pay, a twenty percent dividend to shareholders in 1735.<sup>106</sup> At the same time, these profits allowed the company to pay in full for the thirteen ships that it now owned and to commission the construction of others.<sup>107</sup> This initial success led Patiño to try to replicate the experiment elsewhere. Thus, as early as 1732, he authorized a group of four *Gaditano* merchants to form a company for trade with the Philippines; in 1734, he granted a charter for the creation of company trading out of Galicia with dye-wood from Yucatan and Central America.<sup>108</sup> Although these latter experiments ultimately failed, as Geoffrey Walker pointed out, by 1728 Patiño had made it more than clear that he thought the future of trade between Spain and its overseas provinces no longer ran through the fleet system and the Andalusian monopoly.<sup>109</sup>

After the multiple short-lived or outright failed attempts of the first quarter of the century, the Caracas Company, as Kuethe and Andrien suggest, “clearly ended the historical monopoly of the *Consulado* of Cádiz in the transatlantic trade”.<sup>110</sup> Crucially, in 1728 Patiño deliberately failed even to consult the *Consulado’s apoderado* in Madrid whilst negotiating with the *Guipuzcoano* merchants. Although the Andalusian guild had received word of what was afoot informally, the first official communication that it received on the matter was the printed *real cédula* of September 28, 1728, which effectively chartered the company.<sup>111</sup> Thus, Patiño confirmed that the preservation of the Andalusian

105 Quoted in *Ibid.*, p. 246.

106 Eugenio Piñero, “The Cacao Economy of the Eighteenth-Century Province of Caracas and the Spanish Cacao Market”, *Hispanic American Historical Review* LXVIII (1988): pp. 75–100 at 77–79.

107 Pulido Bueno, *José Patiño*, p. 257.

108 *Ibid.*, pp. 258–61; and Walker, *Spanish*, p. 172.

109 *Idem.*

110 Kuethe and Andrien, *The Spanish*, p. 126.

111 *Ibid.*, pp. 126–27.

monopoly was not part of his plans to reinvigorate trade with the Indies and increase the crown's revenue from its overseas provinces.

Patiño's tenure also witnessed the start of what, according to Adrian Pearce, the historiography now sees as "the most significant commercial transformation of the Bourbon era": the suspension of the *galeones* to Cartagena and Portobello and their replacement with individual ships, or *registros*, sailing to multiple ports in South America.<sup>112</sup> The disastrous results of the *galeones* of 1731 and the *flota* of 1732,<sup>113</sup> demonstrated, without question, the vulnerability of the trade fairs to the presence of Britain's annual ship as established within the Treaty of Utrecht. This situation led Patiño to organize a Junta to "discuss and confer various matters, relating to the Indies, which were pending and in need of being resolved by those knowledgeable".<sup>114</sup> This Junta, presided over by Patiño himself, included amongst other members, representatives of the merchants' guilds of Cadiz-Seville and Lima alongside "ministers of integrity, devotion and experience".<sup>115</sup> Prominent amongst them was Admiral Manuel López Pintado, a strong critic of the abuses committed by the British annual ship. In 1728 López Pintado had been commissioned to escort back to Spain the *galeones* blockaded by the British fleet off Portobello; in 1730 he had served as general of the *galeones*, tasked with a number of special missions aimed at tackling contraband trade within Cartagena and Tierra Firme.<sup>116</sup>

The Junta met throughout 1734, issuing recommendations which served as the basis for the "*Real despacho de 21 de enero de 1735 para el despacho de flotas y galeones*" which restricted the amount of cargo that could be transported in future *flotas* and suspended the *galeones* altogether, until the crown considered the situation to have improved.<sup>117</sup> Although the *real despacho* stated explicitly that the suspension was temporary, it stipulated the crown's right to dispatch *registros*, or individual ships, to supply the region at its own discretion. *Registros* became the principal means of trade between Spain and South America and remained so until the end of the colonial period. The onset of the War of Jenkins' Ear in 1739 prevented the restoration of the *galeones* and

112 Pearce, *The Origins*, p. 133.

113 Walker, *Spanish*, pp. 177–88, 188–90.

114 British Library (hereinafter BL), Manuscripts, Add./20,926, Manuel Lopez Pintado, "[Printed] Memorial of his naval services in Vera Cruz, etc., 1711–1740," ff. 5–6, pp. 10–11.

115 Walker, *Spanish*, p. 195.

116 Walker, *Spanish*, pp. 113, 156, 177–78, 195–96, 200–03.

117 "Real despacho de 21 de Enero de 1735 para el despacho de flotas y galeones," in Rafael Antúñez y Acevedo, *Memorias históricas sobre la legislación, y gobierno del comercio de los españoles con sus colonias en las Indias Occidentales* (Madrid: Imprenta de Sancha, 1797), pp. lxxxiii–xciii; Walker, *Spanish*, pp. 195–200.

even prompted a temporary suspension of the *flotas* to New Spain. Yet, whilst the latter were eventually restored in the 1750s, trade with South America continued to be channelled through individual merchant vessels bringing about important transformations within the region.<sup>118</sup> There is no concrete evidence to suggest that Patiño contemplated the suspension of the *galeones* in 1735 as anything more permanent than suggested by the *real despacho*. However, it is possible that he intended for the suspension to last until 1744 when, free from the conditions of the British *asiento*, he would be able to transform the whole of Spain's transatlantic trading system in a more radical way. After all, the end of the fleet system was in many ways the logical culmination of the reformist trade policy that Philip's ministers had been pushing for since the start of his first reign.

In parallel, and often even hand in hand, with the reforms introduced in commercial policy, Patiño's tenure saw the introduction of a series of additional reforms that recovered or continued Alberoni's defensive and administrative program.<sup>119</sup> The creation of the Caracas Company, for instance, finally brought about the exclusion of the governorship of Caracas from the list of offices to which appointment was regularly sold. Moreover, the difficulties that emerged between the company's agents and Governor Sebastián García de la Torre between 1731 and 1733 prompted Patiño to appoint Martín Lardizabal y Elorza as commander and *juez pesquisidor* of the province, leading to a significant overhaul of the region's administration. Moreover, Lardizabal's successor, Brigadier Gabriel de Zuloaga y Moya would be the first governor appointed to Caracas with the same increased salary that governors of Cartagena had been enjoying since earlier in the century.<sup>120</sup>

Similarly, news of the situation in Panama in 1729, brought back to Spain by the *galeones* escorted by Manuel López Pintado, led Patiño to promote the Marquis of Villahermosa from Cartagena to Panama and to appoint to the former office Colonel Antonio de Salas. As mentioned earlier, Salas received the specific task of adapting to Cartagena the regulations introduced under Alberoni for the creation of the first permanent regular army corps of Spanish America: the *batallón fijo* of Havana.<sup>121</sup> Although implementation was delayed

118 Pearce, *The Origins*, pp. 126–134.

119 Kuethe and Andrien, *The Spanish*, pp. 122–127.

120 Guillermo Morón, *Gobernadores y capitanes generales de las provincias venezolanas, 1498–1810* (Caracas: Planeta, 2003), pp. 146–150; y AGI, Santo Domingo, 682, José Patiño to Miguel de Villanueva, September 8, 1732.

121 Kuethe and Andrien, *The Spanish*, pp. 123–124; and Juan Marchena Fernández, *La institución militar en Cartagena de Indias* (Seville: Escuela de Estudios Hispano-Americanos,

by communication issues and the administrative complications caused by the sojourn of Philip V's court in Seville, the *batallón fijo* of Cartagena was eventually created in November 1736, following the recommendations made by Salas.<sup>122</sup> Almost simultaneously, the reform went one step further when Governor Dionisio Martínez de la Vega was asked to adapt the regulations from Cartagena to Panama. A further *fijo* was created in the isthmus in 1738.<sup>123</sup>

Finally, during the late 1720s, and particularly the 1730s, the Spanish crown encouraged a number of initiatives to combat contraband trade in the southern coast of the Caribbean basin. The kind of military governors discussed in section 7.2 usually drove and implemented these strategies. From 1731, for instance, governors of Santa Marta José Andía y Rivero (1726–1733) and Juan de Vera Fajardo (1733–1736) strove to control smuggling within their jurisdiction and within neighboring Río Hacha by dispatching trusted military officers with instructions to try to subjugate the Guajiro Indians who controlled contraband in the region.<sup>124</sup> Authorities within northern South America recommended alternatively the creation of a “system of sentinels”, or small squads of guards, posted at key points where contraband could be intercepted, and the development of a force of coastguard vessels which could prevent contraband from arriving in the region in the first place.<sup>125</sup> Under Patiño, the crown listened to and gave its backing to both strategies.

It is unclear how successful these anti-contraband offensives ultimately were. Lance Grahn suggests that it is unlikely that they made a significant dent in an activity that had become integral to the political economy of the region. However, the fact that royal income from counter contraband activities within regions such as Santa Marta and Río Hacha during the 1730s rivalled income from legal trade<sup>126</sup> suggests that some progress was indeed made. Moreover, the frequent and increasing complaints raised by British merchants and agents of the South Sea Company throughout the 1730s are additional indication that Spanish efforts were not entirely wasted.<sup>127</sup> Ultimately, however, it is likely that anti-contraband activities were more about controlling, than actually

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1982), pp. 98–108. On Havana's *batallón fijo*, see Allan J. Kuethe, “Cardinal Alberoni and Reform in the American Empire”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 23–38 at 32–33.

122 Kuethe and Andrien, *The Spanish*, p. 124.

123 *Idem*.

124 Grahn, *The Political*, pp. 37–38.

125 *Ibid.*, pp. 51–52.

126 *Ibid.*, p. 29.

127 See *infra*, section 8.3.

eradicating, illicit foreign trade. After all, as Grahn has compellingly argued, northern South America depended upon foreign trade for supply of basic goods, such as lard and wheat flour, which Spanish legal trade, even after the introduction of *registros* in 1735, was not fully able to provide.<sup>128</sup>

Thus, despite the suppression of the viceroyalty in 1723, the later 1720s and early 1730s witnessed the continuation of the crown's efforts to reassert its authority and to increase revenue collection within the region. Patiño's consolidation of the power of the Secretaries of State vis-à-vis that of the Councils and other mediatizing corporations, as well as his gradual transformation of internal composition of the latter, allowed him to recover and to expand a number of Alberoni's reforms. At the same time, by appointing experienced and trusted military officers to political offices within northern South America, he sought to strengthen royal authority within the region. These officers played key roles in implementing significant reforms in defensive and commercial terms, improving and modernizing the garrisons of Cartagena and Panama, fighting contraband across the region and allowing for the consolidation of the Caracas Company within its eastern-most provinces. It was within this context that Patiño began to consider the re-establishment of the viceroyalty of New Granada in 1734.

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128 Grahn, *The Political*, pp. 27–30.

## The Council of Indies and the War of Jenkins' Ear: The Second Creation of the Viceroyalty of New Granada

At the height of his power, in 1734, José Patiño, Philip V's minister for War, the Treasury, Foreign Affairs, the Navy and the Indies, began to reconsider the idea of establishing a viceroyalty in the New Kingdom of Granada. For this purpose, he organized a commission charged with investigating the reasons that had led to the first creation of the viceroyalty in 1717 and to its suppression in 1723.<sup>1</sup> However, for reasons not entirely clear, Patiño had taken no concrete steps towards the restoration of the viceroyalty by the time of his death in 1736. Although the plan to re-establish the viceroyalty did not die with him, it would have to wait until 1739 when, following a broad process of consultation begun two years earlier, the Council of the Indies recommended that the New Kingdom of Granada was once again elevated to the rank of viceroyalty.

As before, the decision to re-establish the viceroyalty responded to a perceived need to improve the region's government, to strengthen royal authority and to increase revenue collection. On this latter occasion, however, reformers also gave extensive consideration to the specific ways in which establishing a viceroyalty would encourage the economic development of northern South America. It was expected that a viceroy would be able to devise policies to incentivize the region's mining, agriculture, fisheries and trade, whilst simultaneously instilling new vigor to the fight against contraband trade and the optimization of revenue collection and administration.

During the final stages of the process, which culminated with the appointment of *Teniente General* Sebastián de Eslava y Lasaga as second viceroy of New Granada,<sup>2</sup> the threat of war with Britain in which Spanish America became for the first time an effective theatre of military conflict,<sup>3</sup>

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1 Anthony McFarlane, *Colombia before Independence: Economy, Society and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), p. 194.

2 Eslava was promoted from *mariscal de campo* to *teniente general* in April 1739, concomitantly with his appointment as viceroy of New Granada. *Ibid.*, p. 196.

3 On previous occasions, particularly during the War of the Spanish Succession, the War of the Quadruple Alliance and the brief Anglo-Spanish conflict of 1727, actions in America and the Caribbean had been largely limited to naval warfare and other actions aimed towards

added a properly defensive motivation to the restoration of viceregal rule. Eslava arrived in Cartagena de Indias on April 24, 1740, bringing a large contingent of soldiers, with instructions to remain in that city for as long as Spain remained at war with Britain and Cartagena was under threat.<sup>4</sup> Eslava's career had not been much different from those of the men appointed to provincial governorships and captaincies-general during the decades following the suppression of the first viceroyalty. Under José Patiño, one of his younger brothers, Rafael, had served as president and captain-general of New Granada (1731–37).<sup>5</sup> Perhaps most significantly, though, at the time of his appointment Eslava enjoyed a reputation as a distinguished military officer and had outstanding connections at court, making him both the archetypical military administrator, which the Bourbons had demonstrated such preference for, and an ideal commander under whom to place the defense of a strategically significant region under threat.

This chapter offers an analysis of the administrative process leading to the reestablishment of the viceroyalty of New Granada from Patiño's first explorations in 1734 until its implementation in 1739. It then turns to an analysis of the reasons which led the crown to restore the viceroyalty before focusing upon the international context in which the decision was taken and its impact upon the selection of Eslava as viceroy. It argues that the rationale behind the second creation of the viceroyalty was very much in keeping with the aims that had characterized reform since the accession of Philip V to the Spanish

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interrupting trade, rather than direct attacks upon Spanish ports and fortresses intending to occupy and/or destroy them. See Anthony McFarlane, *The British in the Americas, 1480–1815* (London: Longman, 1994), pp. 220–22. On the military actions of the War of Jenkins's Ear, see, for instance, Jorge Cerdá Crespo, "La guerra de la oreja de Jenkins: un conflicto colonial (1739–1748)" (Ph.D. thesis, Universitat d'Alacant, 2008); and Luis J. Ramos Gómez, "El viaje a América (1735–1745), de los tenientes de navío Jorge Juan y Antonio de Ulloa y sus consecuencias literarias," in *Época, génesis y texto de las "Noticias Secretas de América", de Jorge Juan y Antonio de Ulloa*, ed. Luis J. Ramos Gómez, (Madrid: CSIC / Instituto Gonzalo Fernández de Oviedo, 1985), vol. I, pp. 103–81, and 203–78.

- 4 See AGI, Indiferente, 513, L.6, "V. M. manda que el Virrey de Sta. Fee Dn. Sevastian de Eslava se mantenga pr. el tiempo que sea necesario en las costas de Tierra Firme pa. evitar el q. sean ynsultadas de Yngleses y q. se le abone y Satisfaga el Sueldo q. le esta asignado desde el dia de su desembarco en ellas," ff. 146r–48r.
- 5 See Ainara Vázquez Varela, "De la primera sangre de este reino! Composición de las instituciones de justicia y gobierno de Santa Fe de Bogotá (1700–1750)" (Ph.D. diss., Universidad de Navarra, 2008), p. 32; and Ainara Vázquez Varela, "Estrategias familiares en Navarra y América durante la edad moderna: los Eslava Lasaga, un linaje de funcionarios y militares" (Research paper for Diploma de Estudios Avanzados, Universidad de Navarra, 2003), pp. 74–95.



throne. It suggests, however, that two traits set the second creation of the viceroyalty apart from the first one. On the one hand, the process followed by the crown in the late 1730s differed from that followed by Alberoni in 1717 in that it deliberately included the Council of the Indies in the decision. This was possible because of Patiño's gradual erosion of this institution's resistance to reform. On the other, the more extensive documentation surrounding the second creation of the viceroyalty allows us a better insight into the ideas and rationale behind the decision. The broad program of economic policies that the new viceroy was meant to implement is a reflection of the new understanding of the role of the king and of monarchical government. The king's responsibility for providing good economic government, which had been used to justify the introduction of the *nuevas plantas* in the kingdoms of the Crown of Aragon and to exclude the Council of the Indies from matter of government under Alberoni, reached its full maturity in the almost developmentalist program contained in the instructions given to Sebastián de Eslava in 1739 as new viceroy of New Granada.

### 8.1 "The Council Must Have Been Confused": The Spanish Court and the Politics of the Second Creation of the Viceroyalty of New Granada

As mentioned above, José Patiño first began to consider the possibility of re-establishing the viceroyalty of New Granada in 1734. Unfortunately, very little is known about the early stages of the process. According to Sergio Elías Ortiz, a letter sent by Rafael de Eslava, president, governor and captain-general of Santa Fe, to the Council of the Indies on November 27, 1733, prompted the idea.<sup>6</sup> In this letter, presumably seen within the Council early in 1734, Eslava would have described the situation in which he found the New Kingdom on his first arrival in Santa Fe, attributing the stagnation and inefficiency of its administration to the lack of sufficiently ample powers and authority invested within his office. According to Elías Ortiz, Eslava proceeded to recommend that the government of New Granada should be entrusted to an official "with greater

6 Sergio Elías Ortiz, *Nuevo Reino de Granada. El Virreynato. Tomo 1 (1719–1753)*, Historia Extensa de Colombia, Volumen IV (Bogotá: Academia Colombiana de Historia, 1970), p. 144. According to this author, Eslava's letter would be located in AGI, Santa Fe, 26. As is the case with most of Elías Ortiz's archival references this citation is incorrect. *Legajo* 26 contains letters from the *Audiencia* and president of Santa Fe written between 1644 and 1649. Eslava's letter is more likely to be located in *legajo* 302, but I have been unable to access it.

attributes of command, who could impress more strength upon his decisions, so that his orders would not be evaded".<sup>7</sup> The tone of Rafael de Eslava's letter, however, seems to have been similar to that of a letter sent by his predecessor Antonio Manso Maldonado, who in 1729 had similarly complained about the lack of authority of his office and the need for a figure with a superior standing to head the province's government.<sup>8</sup>

Within this document, Manso stated that having inquired about the reasons why the inhabitants of such a wealthy kingdom lived in such abject poverty he "found that [he] could not remove them [the reasons], and that only the powerful arm of YM was capable of extricating them and of bringing back to life a Realm almost dead".<sup>9</sup> According to him, the governor of New Granada should have wider powers in matters of economic government.<sup>10</sup> He also sought restrictions on appeals of his orders to the *audiencia*, which out of enmity or other reasons invariably found against the president, thereby obliging him to accept their decisions in order to avoid further confrontation.<sup>11</sup> It is unclear why Eslava's letter would have had more impact than Manso's;<sup>12</sup> or why although both letters were addressed to the Council of the Indies it would be Patiño, rather than the Council, who would act upon them. Nevertheless, what is known is that on August 7, 1734, Patiño presented Bartolomé Tienda de Cuervo, former accountant of the royal treasury of Cartagena, with a royal order, requiring him to prepare a detailed account of the reasons behind the creation of the viceroyalty of New Granada in 1717

7 Elías Ortiz, *El Virreinato*, pp. 143–44.

8 Antonio Manso [Maldonado], "Relación hecha por el Mariscal de Campo D. Antonio Manso, como Presidente de la Audiencia del Nuevo Reino de Granada, sobre su estado y necesidades en el año de 1729," in *Relaciones de mando. Memorias presentadas por los gobernantes del Nuevo Reino de Granada*, ed. by E. Posada and P. M. Ibáñez (Bogotá: Imprenta Nacional, 1910), pp. 3–15. See, in particular, pp. 5–6.

9 *Ibid.*, pp. 5–6.

10 *Ibid.*, pp. 7–9.

11 *Ibid.*, pp. 9–10.

12 A possible explanation, although there is no concrete evidence to substantiate it, could be that by the time that Eslava's letter arrived at the Council of the Indies Antonio de la Pedrosa—who, as shown in Chapter 5, had played an active role in the suppression of the viceroyalty and would perhaps have remained a strong critic and opponent of the idea—had ceased to be a member of the tribunal, thus removing a potentially significant obstacle to any proposed re-establishment. De la Pedrosa had stepped down from the Council on June 28, 1733 (Bernard, *Le secrétariat d'état et le conseil espagnol des Indes (1700–1808)* (Geneva: Librairie Droz, 1972), p. 215, n. 60). The date of his death is unknown but it occurred before 1739.

and its suppression five years later. Patiño added a verbal request that Tienda de Cuervo also inform about the financial benefits that could be expected from re-establishing the viceroyalty.<sup>13</sup>

Bartolomé Craywinckle (he hispanized his surname as Tienda de Cuervo) was born in Antwerp in 1682. In his youth, he settled in Seville, where he married the daughter of another émigré from Antwerp. In 1712, he bought an appointment as accountant of the treasury of Cartagena de Indias for 6,000 pesos. Antonio de la Pedrosa later dismissed him from this office under suspicion of involvement in fraud against the royal treasury and participation in illegal trade. In 1723, however, he obtained a pardon from the crown, was reinstated as accountant of the treasury of Cartagena and was granted license to return to New Granada. In the early 1730s he was appointed military *veedor general* in Cartagena—and, ironically, became renowned for his involvement in the fight against contraband as a leading proponent of the system of land-based sentries. Upon his return to the Peninsula, he served as *intendente* of Puerto de Santa María, in Andalucía, where he was serving when Patiño commissioned his report on the restoration of the viceroyalty.<sup>14</sup> Thus, like Alberoni with

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13 It is a common mistake in the existing historiography to refer to Tienda de Cuervo's *informe* as having been commissioned by the Council of the Indies. There is, however, no reason to believe that this was the case. Although none of the copies of the *informe* which I have been able to consult identify its addressee by name, there is no doubt that it was Patiño. The *informe* itself speaks to a "Most Excellent Sir" or "Your Excellency", rather than to a "Señor" or "Your Majesty" as is the case in all documentation addressed to the Council. Moreover, the Council's 1738 *consulta* concerning the re-establishment of the viceroyalty includes a summarized version of Tienda de Cuervo's *informe* that explicitly identifies Patiño as both Tienda de Cuervo's addressee and the one who commissioned the text. See Bartolomé Tienda de Cuervo, "Memoria del Intendente Don Bartolomé Tienda de Cuervo, sobre el estado de Nueva Granada y conveniencia de restablecer el Virreinato," in *El Nuevo Reino de Granada en el siglo XVIII. Parte Primera*, ed. Jerónimo Bécker and José Ma. Rivas Groot (Madrid: Imprenta del Asilo de Huérfanos del S. C. de Jesús, 1921), pp. 203–230; the original *informe* in AGI, Santa Fe, 385; and AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 26, 1738, ff. 32r–80r.

14 Lance Grahn, "Political Corruption and Reform in Cartagena Province, 1700–1740", Discussion Paper (Milwaukee: Center for Latin America, University of Wisconsin-Milwaukee, n.d.), pp. 5–7; Lance Grahn, *The Political Economy of Smuggling Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), pp. 52–53, 107–111, 124, 138–143 and 190; AGI, Contratación, 5467, N.74, "Bartolomé Tienda de Cuervo," Cadiz, June 28, 1713; AGI, Contratación, 5474, N.1, R.35, "Bartolomé Tienda de Cuervo," Cadiz, December 29, 1723; and AHN, OM-Caballeros Santiago, Exp. 8054, "Pruebas para la concesión del Título de Caballero de la Orden de Santiago de Francisco Tienda de Cuervo Craywinckel, natural de Cartagena de Indias".

Antonio de la Pedrosa, Patiño had chosen a man with abundant experience of New Granada (and with an equally checkered past) to advise on the process of the creation of the viceroyalty.

Tienda de Cuervo produced his report on August 20, 1734, and Patiño then presented it for discussion to a Junta of several ministers, which included Admiral Manuel López Pintado, a veteran sailor, speculator and naval officer who had been involved in Bourbon projects to reform trade with the Indies since at least 1710.<sup>15</sup> Little is known about who else was summoned to this Junta, or the specific motives that led to its creation. López Pintado indicated in a report written a couple of years later that Patiño had convened the Junta in April 1734, several months before commissioning Tienda de Cuervo's *informe*. It is therefore clear that Patiño did not create the Junta specifically to discuss this document, which López Pintado's text would otherwise seem to imply.<sup>16</sup> It is highly likely, that the committee that discussed Tienda de Cuervo's report was the same Junta of "ministers of integrity, devotion and experience" mentioned in chapter seven. Patiño had convened it—also in April 1734 and also with López Pintado amongst its members—to discuss a series of proposals made by representatives of the *Consulados* of Lima and Cadiz-Seville concerning possible ways of improving trade across the Atlantic, upon whose recommendation the *galeones* were suspended in 1735.<sup>17</sup>

After a detailed examination of "each and every part" of Tienda de Cuervo's report, Patiño's commission concluded that it needed to enquire from the Council of the Indies the reasons why its members had deemed it convenient to suppress the viceroyalty in 1723. The members of the Junta saw the Council's *consulta* along with "other documents and a secret vote which [Antonio de la] Pedrosa had made". They found no evidence to justify the suppression of the viceroyalty, arguing that "it must have been confusion on behalf of the ministers who produced the *consulta*, and of Pedrosa himself" which led to such a decision. The Junta, thus, recommended that the viceroyalty be re-established,

15 Pablo Emilio Pérez-Mallaina Bueno, *Política naval española en el Atlántico, 1700–1715* (Seville: Escuela de Estudios Hispano-Americanos, 1982), pp. 10, 341–42, 408; and Geoffrey J. Walker, *Spanish Politics and Imperial Trade, 1700–1789* (London: The MacMillan Press, 1979), pp. 54, 75–77, 94–95, 113, 156, 177–78, 195–96, 200–03.

16 AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca," Madrid, December 20, 1737.

17 "Real despacho de 21 de enero de 1735 para el despacho de flotas y galeones", in *Memorias históricas sobre la legislación, y gobierno del comercio de los españoles con sus colonias en las Indias Occidentales*, by Rafael Antúñez y Acevedo (Madrid: Imprenta de Sancha, 1797), pp. lxxxiii–xciii; and BL, Manuscripts, Add./20,926, "[Printed] Memorial of [the] naval services [of Manuel López Pintado] in Vera Cruz, etc., 1711–1740," ff. 5–6 [pp. 10–11]. On this Junta and its trade-related recommendations, see Walker, *Spanish*, pp. 195–200.

an idea which Patiño approved and presented to the king along with Tienda de Cuervo's report and other documents. According to López Pintado, Patiño later informed the Junta that the king had agreed with their recommendation and would order New Granada to be created a viceroyalty once again.<sup>18</sup>

The project, however, seems to have been abandoned at this point, possibly because of more pressing foreign policy issues and other preoccupations. After all, within the context of the War of the Polish Succession, Spanish forces had occupied Naples without much difficulty in 1734, and found even less resistance in Sicily. War in Italy, however, continued well into 1735 and relations with allied France were not particularly smooth, to the extent that Spain was excluded from the secret negotiations leading to the Peace of Vienna in October 1735. At the same time, escalating tensions with Portugal threatened to force a confrontation with Britain, which kept Patiño busy in critical meetings with the British ambassador. Finally, in late 1735 and early 1736, Patiño seems to have devoted much of his attention to chasing the author of the *Duende Crítico*, the satirical newspaper that had made the minister its preferred target, and a forger who had been sending orders to the Indies bearing Patiño's falsified signature.<sup>19</sup>

In any case, Patiño's death in November 1736 (must have) dramatically affected the workings of the Spanish government. Even though Patiño himself had ceased making policy decisions since becoming ill during the summer and had entrusted the administration of each of his four ministries to their respective chief officers,<sup>20</sup> his death meant that effectively four of the five offices of Secretary of State were vacant. As done following the dismissal of Alberoni sixteen years earlier, Philip v decided not to rely upon a single minister again and to take a more active part in the monarchy's government.<sup>21</sup> At the same time, he appointed some of Patiño's closest collaborators and subordinates as Secretaries of State.<sup>22</sup> The Councils, as well as the *Consulado*,

18 AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

19 See Antonio Rodríguez Villa, *Patiño y Campillo. Reseña histórico-biográfica de estos dos ministros de Felipe v* (Madrid: Establecimiento tipográfico de los sucesores de Rivadeneyra, 1882), pp. 95–106, and 112–15; and Teófanos Egido López, *Prensa clandestina española del siglo xviii: "El Duende Crítico"*, 2nd ed. (Valladolid: Universidad de Valladolid, Secretariado de Publicaciones e Intercambio Editorial, 2002), pp. 112–13.

20 Rodríguez Villa, *Patiño*, p. 115.

21 Henry Kamen, *Philip v of Spain. The King Who Reigned Twice* (New Haven, CT: Yale University Press, 2001), p. 205.

22 Gloria A. Franco Rubio, "La secretaria de estado y del despacho de guerra en la primera mitad del siglo xviii," in *Sociedad, Administración y Poder en la España del Antiguo*

once again seem to have attempted to advance their position,<sup>23</sup> but despite the weak personalities and lack of talent that many contemporaries, and some historians, have attributed to the new Secretaries of State, the *vía reservada* retained the upper hand.<sup>24</sup>

Thus, in 1737 the king appointed a new president to the Council of Indies, after Patiño had kept the post vacant since the death of the previous president in 1727. The appointee, Cristóbal Gregorio Portocarrero, fifth Count of Montijo, was a man of the king's utmost confidence and a prominent member of the queen's household.<sup>25</sup> Something similar happened in 1738, when the Council of War was bold enough to suggest to the king that the office of joint secretary for the Councils of War and State was abolished and that each Council was appointed a separate secretary as before 1714. The king not only denied this request, but even seized the opportunity to replace the president of the Council of War with Casimiro Uztáriz, chief officer of the Ministry for War under Patiño, who was simultaneously appointed Secretary of State and the Cabinet for War.<sup>26</sup> The merchants of Seville and Cadiz had no better luck when, in 1737, they decided to reject the crown's demand for a donation of fifteen percent of the total value of monies and merchandise brought back on-board the *flota* and *azogues* recently returned to Cadiz. The new Secretary

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*Régimen*, ed. Juan Luis Castellano (Granada: Universidad de Granada / Diputación Provincial de Granada, 1996), pp. 131–56 at 136. See also, *infra*, Appendix 1.

- 23 On the Councils, see José Antonio Escudero, "La reconstrucción de la administración central en el siglo XVIII," in *Administración y Estado en la España Moderna* (Valladolid: Junta de Castilla y León, 2002), pp. 135–203 at 169; and Franco Rubio, "La Secretaría," p. 136. On the *Consulado*, Allan J. Kuethe, "El fin del monopolio: los Borbones y el consulado andaluz," in *Relaciones de poder y comercio colonial: nuevas perspectivas*, ed. Enriqueta Vila Vilar and Allan J. Kuethe (Seville: Escuela de Estudios Hispanoamericanos / Texas-Tech University, 1999), pp. 35–66 at 43–46.
- 24 Perhaps the strongest critic of the new ministry was the British ambassador in Madrid, Sir Benjamin Keene. Not surprisingly, historians who rely heavily, and often exclusively, upon his records have perpetuated this opinion. See, for instance, John Lynch, *Bourbon Spain, 1700–1808* (Oxford: Basil Blackwell, 1989), pp. 96, 139. On the attacks against the new ministers from the Spanish satirical press see, Teófanos Egido López, *Opinión pública y oposición al poder en la España del siglo XVIII (1713–1759)*, 2nd ed. (Valladolid: Universidad de Valladolid, Secretariado de Publicaciones e Intercambio Editorial, 2002), pp. 180–87.
- 25 Bernard, *Le secrétariat*, p. 211, nn. 8 and 9, and p. 213, n. 16; Didier Ozanam, *Les diplomates espagnols du XVIII<sup>e</sup> siècle: introduction et répertoire biographique (1700–1808)* (Madrid: Casa de Velázquez / Maison des Pays Ibériques, 1998), pp. 401–02; and Julian de Pinedo y Salazar, *Historia de la Insigne orden del Toyson de Oro* (Madrid: Imprenta Real, 1787), vol. 1, pp. 481–83.
- 26 Escudero, "La reconstrucción," pp. 169–70; and Franco Rubio, "La secretaria," pp. 136–37.

for the Treasury and the Indies, Mateo Pablo Díaz Labandero, first Marquis of Torrenueva, former treasurer-general under Patiño, rejected the *Consulado's* counter offer of a lump sum donation of 250,000 pesos and established an *ad hoc* commission charged with investigating the merchants' finances. The commission "discovered" widespread fraud within the *flota* of 1737 justifying not only the crown's demand for what was really an *indulto*, disguised as a donation, but also finding grounds to impose an additional fine upon the *Consulado*.<sup>27</sup>

Yet, it was not until late in 1737 that the new Secretary of State for the Indies, the Marquis of Torrenueva, recovered the project for re-establishing the viceroyalty of New Granada. On December 11, he sent Tienda de Cuervo's report from 1734 to López Pintado, by then first Marquis of Torre Blanca, asking him in the name of the king, to express his opinions of it in writing. Torre Blanca replied a few days later, giving his backing to Tienda de Cuervo's proposal to re-establish the viceroyalty.<sup>28</sup> Then, on January 7, 1738, the Secretary for the Indies sent Tienda de Cuervo's report to both Francisco de Varas, long-time collaborator of Patiño and president of the *Casa de Contratación*, and Jorge de Villalonga, former viceroy of New Granada, for their opinion. Both men replied later that month, also giving their support to Tienda de Cuervo's proposal.<sup>29</sup>

On February 9, Torrenueva finally took the step that most significantly differentiated the second creation of the viceroyalty of New Granada from the first one. In a letter addressed to the Count of Montijo, the minister asked the Council of the Indies, in the king's name, to produce a *consulta* to aid him in "arriving at the right resolution [...] in a matter of such importance and consequence".<sup>30</sup> True to form, the Council began to explore Tienda de Cuervo's report, along with the opinions issued by Torre Blanca, Varas and Villalonga, the records from the early 1720s on the proposed move of the viceroyalty's capital from Santa Fe to Cartagena, and the Council's own *consultas* recommending the suppression of the first viceroyalty. On June 27, 1738, with the president and nine councilors present, the Council decided by a majority of six votes in favor and four against to recommend that the viceroyalty be re-established. The four dissenting ministers then issued a minority report, which prompted those who had voted with the majority to issue a rebuttal of

27 Kuethe, "El fin," pp. 43–45.

28 AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

29 AGI, Santa Fe, 385, "Informe de Francisco de Varas", Cadiz, January 26, 1738; and AGI, Santa Fe, 385, "Informe del Conde de la Cueva", Madrid, January 29, 1738.

30 AGI, Santa Fe, 385, Marquis of Torrenueva to Count of Montijo, Madrid, February 9, 1738.

their arguments and a defense of the Council's original decision. A definitive *consulta* was only issued on October 20, 1738.<sup>31</sup>

This profound division within the Council seems to be indicative of the changes of personnel taking place within the corporation. After all, of the four councilors who voted with the minority, three were amongst the four more senior members of the Council.<sup>32</sup> By contrast, the group voting on the majority included the president of the Council, two councilors *de capa y espada*,<sup>33</sup> two *togados* recently promoted from the *Casa de Contratación*, and thus, quite probably men of Patiño,<sup>34</sup> and José de Carvajal y Láncaster. The latter was a staunch defender of the role of the Secretaries of State and other reforms introduced by the Bourbons within the central administration of the Monarchy and had only been appointed to the Council in January 1738.<sup>35</sup> This is further evidence that, as argued in Chapter 7, since the 1720s the crown had succeeded in replacing the personnel within the Council with men more sympathetic to its proposals. After all, two former and two future Secretaries of State were serving in the Council at the time.

Later that year, the king acquiesced with the Council's *consulta* (that is, with the majority vote) and on December 15, 1738, informed the Council of his decision to re-establish the viceroyalty of New Granada. At the same time, he advised the Council that the new viceroy's letters of appointment should be issued by that tribunal, and ordered it to create *ex novo* an *instrucción* specific

31 See the original of the Council's *consulta* in AGI, Santa Fe, 264, Council of Indies to king, Madrid, October 20, 1738; and a more accessible copy in AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 26, 1738, ff. 32r–80r.

32 These were Manuel de Silva y Meneses, Antonio de Sopeña y Mioño and José de la Isequilla. Silva, the most senior amongst those voting, and the only one who had been active in 1723, had voted in two of the three *consultas* produced by the Council recommending the suppression of the first viceroyalty of New Granada. Antonio de Sopeña, the only councilor *de capa y espada* to vote with the minority, had been Secretary for the Navy and the Indies under Louis I, but had promptly been dismissed after Philip v's restoration in 1724.

33 The Marquis of Montemayor, a member of the high nobility who had remained loyal to Philip v throughout the War of Succession, and Fernando Verdes Montenegro, former (1724) and future (1740–1741) Secretary for the Treasury.

34 Antonio Álvarez de Abreu, future first Marquis of La Regalía (1738), and José Cornejo e Ibarra. Álvarez de Abreu, moreover, had been governor of Panama in the early 1720s, and whilst in the Indies had assisted José del Campillo, Patiño's protégée, in establishing a royal shipyard in Havana. See Stanley J. Stein and Barbara H. Stein, *Silver, Trade and War. Spain and America in the Making of Early Modern Europe* (Baltimore, MD: The Johns Hopkins University Press, 2000), p. 205.

35 *Ibid.*, p. 320, n. 32.



to the new viceroy based upon the reasons and objectives that had prompted the second creation of the viceroyalty. The king further instructed the Council that, due to his knowledge and experience of the country, he had decided to send Tienda de Cuervo to New Granada as a special adviser to the viceroy. Finally, he ordered the Chamber of the Indies to recommend for appointment as viceroy of New Granada at least three men “of standing, experience, proven conduct and known disinterest [and] of other qualities that should be appropriate to the particular situation that he is to establish a new institution”.<sup>36</sup>

In response to the king’s order that the Council should prepare an *instrucción* exclusively for the new viceroy, the tribunal requested on January 11, 1739, that Tienda de Cuervo expand some of the arguments made within his 1734 report.<sup>37</sup> The *intendente* did so two days later.<sup>38</sup> On February 25, the Chamber of Indies recommended six possible candidates for the office of viceroy of New Granada;<sup>39</sup> from amongst them the king chose Sebastián de Eslava y Lasaga on April 24.<sup>40</sup> Finally, on August 20, the letters of appointment and powers of the new viceroy, along with his *instrucción* based loosely upon Tienda de Cuervo’s reports, were issued by the Council of Indies’ Secretary for Peru.<sup>41</sup>

Thus, the procedure that led to the second creation of the viceroyalty of New Granada differed significantly from that followed twenty-one years earlier. It seems that in both instances the idea came initially from a royal minister close to the crown and the executive institutions of the new “administrative” monarchy. Yet, whilst in 1717 the whole process was handled through the *via reservada*, involving a rather limited number of people, in the 1730s a much

36 The king’s original response to the Council’s *consulta* is reproduced in AGI, Santa Fe, 264, Chamber of the Indies to king, Madrid, February 25, 1739; and a copy in AHN, Códices, L.755, N.12, Council of the Indies to king, Madrid, June 26, 1738, ff. 79v–80r.

37 AGI, Santa Fe, 385, Council of Indies to Tienda de Cuervo, Madrid, January 11, 1739.

38 The original of Tienda de Cuervo’s second report in AGI, Santa Fe, 385, Tienda de Cuervo to Villanueva, Madrid, January 13, 1739; also published in Bartolomé Tienda de Cuervo, “Documento en el que Bartolomé Tienda de Cuervo informa al Consejo de Indias sobre las conveniencias de restaurar el Virreinato de Santa Fe de Bogotá en 1739”, *Revista Lotería (Panama)* 322–323 (1983): pp. 70–99.

39 AGI, Santa Fe, 264, Chamber of the Indies to king, Madrid, February 25, 1739.

40 AGI, Santa Fe, 265, “Haze merced del Virreynato de Sta. Fe nuevo Reyno de Granada a Dn. Sevastian de Eslava con grado de Thente. Genl. de mis Rs. Exercitos,” Aranjuez, April 24, 1739.

41 See AGI, Santa Fe, 265, “Yndice de las copias de los que se dieron a Dn. Sebastian de Eslava con fecha de 20 de Agosto de 1739 con motivo de haver de pasar a servir el Virreynato del Nuevo Reyno de Granada”. See Eslava’s long *instrucción* in AGN, Colonia, Virreyes, 15, ff. 839–82.

wider process of consultation was used. In this regard, it is significant that Eslava's letters of appointment were issued by the Council of the Indies, in contrast with those of Villalonga, produced through the *vía reservada*. It is impossible to say with any certainty if this was done deliberately. Yet, whilst the procedure followed in 1717 suggested a certain degree of exceptionality, and allowed the viceroy to question the authority of the Council of the Indies, the one followed in 1738–1739 not only presented an impression of normality, but also guaranteed that the viceroy was implicitly made to recognize the authority of the Council of the Indies.

Of course, this does not mean that the Council had recovered the almost absolute power that it had enjoyed before the accession of Philip V.<sup>42</sup> Alberoni's decrees of 1717—which had deprived the Council of its privilege of exclusive communication with the Indies—had never been repealed. In 1738, the crown still retained the authority necessary to implement policy in Spanish America without the intervention of the Council, and the fact that both Patiño and Torrenueva began by consulting individuals outside the Council indicates that the ministers were well aware of their power of initiative. Yet, by including the Council in the latter stages of creating the viceroyalty—perhaps only as a gesture, if, as Torre Blanca claimed, the king and Patiño had already made the decision by 1735—the crown had ensured that the second viceroyalty of New Granada enjoyed an additional degree of legitimacy. What is more, by having involved the Council within the decision-making process, the crown had reduced the probability that the tribunal would decide, at a later stage, once more to target the newly created institution in order to reassert its own power.

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42 Fernando Muro Romero, "Instituciones de gobierno y sociedad en Indias (1700–1760)," in *Estructuras, gobierno y agentes de la administración en la América Española (siglos XVI, XVII y XVIII)*. *Trabajos del VI Congreso del Instituto Internacional de Historia del Derecho Indiano en homenaje al Dr. Alfonso García-Gallo*, ed. Demetrio Ramos and Lucio Mijares (Valladolid: Casa-Museo de Colón / Seminario Americanista de la Universidad de Valladolid, 1984), pp. 163–231 at 171–172, has argued that during the 1730s and 1740s, due to the continued accumulation of several secretariats of State in the hands of one or two men, these officials and their subordinates found themselves unable to attend to all matters of government falling within their respective jurisdictions. As a result, the Council of the Indies, and presumably the other Councils as well, continued to issue opinions in a wide variety of matters. Nonetheless, Muro recognizes, the Council's "prestige was much diminished, and all measures important to the monarchy were decided by the personalities at court and through the *vía reservada*".

## 8.2 A Viceroy's Magic Touch: The Discourse of Economic Development and the Calls for the Creation of a Viceroyalty in New Granada

The differences between the first and second creation of the viceroyalty of New Granada went beyond procedural matters. There were also noteworthy differences in the objectives pursued in both instances and in the arguments used to justify the decision. Of course, some motives remained the same; particularly the need to increase royal authority at the center of the New Kingdom and to increase the royal revenue derived from its jurisdiction. Yet, whilst in 1717 the argument for creating a new authority in New Granada had focused on the controversies and confrontations amongst the *oidores* and presidents of the different *audiencias*, in the 1730s, the most serious issue seemed to involve provincial governors. In his 1734 report, Tienda de Cuervo argued that the presence of a viceroy was necessary to bring under control the various provincial governors. Their arrogance, the Independence which they derived from their titles as captains-general and their tendency to "breed bands and factions", had led them to oppose one another and even to resist the authority of the *audiencia* of Santa Fe to the detriment of the public and the royal treasury.<sup>43</sup> In his view, the insubordination of provincial governors was such that during the brief existence of the first viceroyalty, using their titles as captains-general as an excuse,<sup>44</sup> they had opposed the viceroy's every action. They had complained directly to the crown and the Council with all sorts of invented and unjustified claims, thus destroying the viceroy's reputation, and finally succeeding in having the viceroyalty suppressed.<sup>45</sup>

In his own report, Jorge de Villalonga concurred with this assessment, stressing that provincial governors had repeatedly sabotaged his viceregency.<sup>46</sup> Yet what he found more worrisome was the multiplicity of reports and *consultas* that these men sent to Spain, often motivated simply by their desire to undo whatever their predecessor had done, which unnecessarily delayed the work of the central institutions of the monarchy. In his opinion, the only

43 Tienda de Cuervo, "Memoria," pp. 207–09, the quote on p. 208. The same argument in AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

44 In the words of the Marquis of Torre Blanca all provincial governors "each within their district, thought themselves as much of a captain-general as the viceroy" (*Idem.*).

45 Tienda de Cuervo, "Memoria," pp. 210–12.

46 In his opinion they were all "individuals of limited experience [with] greed [as] the[ir] only motive," who, "had no immediate subordination [to the viceroy]," and with the pretext of having written to the king directly postponed, or all together avoided, the implementation of all his projects. AGI, Santa Fe, 385, "Informe del Conde de la Cueva".

possible remedy was to appoint a viceroy clearly identified as being superior to these governors and to make it clear that, rather than governors and captains-general, they were merely governors and captains-at-war.<sup>47</sup> In this way, he argued, the efficiency of government within the New Kingdom would be increased, whilst reducing the bureaucratic burden that these unfounded requests represented for the institutions in Spain to the benefit of both the king and his subjects.<sup>48</sup> The Council agreed with this argument, recommending within its *consulta* stressing that all provincial governors were subordinate to the viceroy. However, it also considered that it would be appropriate to make the governors of Panama, Cartagena and Caracas *comandantes generales*, inferior to the viceroy, but superior to the other governors of the coastal cities and provinces that were to be divided into three circumscriptions, each to be placed under one of the *comandantes generales*. In the Council's view this arrangement would make coordination and accountability easier whilst still enforcing the viceroy's superior authority.<sup>49</sup>

Another reason for establishing a viceroyalty in New Granada, common to both its first and second creation, was the increase of revenue to the royal treasuries. According to Tienda de Cuervo, a comparison of the state of the royal coffers of Santa Fe, both before and after the short-lived viceroyalty with their situation during the tenures of de la Pedrosa and Villalonga, left no doubt about the benefits to be derived from the presence of a viceroy. Whilst de la Pedrosa had found only nineteen *reales* in the treasury and debts more than ten years old, he had succeeded in collecting over two million pesos—some sixteen million *reales*—during his brief time in office. Moreover, if after paying some of the backlog and introducing some reforms de la Pedrosa had left only 78,000 pesos in cash to his successor, Villalonga had managed to leave the significant amount of 200,000 pesos, despite the allegedly high expenses of his guard and household.<sup>50</sup> This argument was also backed by a report sent to the king by the Cathedral Chapter of Santa Fe and seen by the Council of the Indies during its debates of 1738.<sup>51</sup>

47 According to the Marquis of Torre Blanca, Patiño and the king had already decided this after the meetings of the 1734–1735 commission. Patiño's plan gave provincial governors the title of "governor and commander", making it clear that the only captain-general within the viceroyalty, and thus the commanding officer of all provincial *comandantes* would be the viceroy. See AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

48 AGI, Santa Fe, 385, "Informe del Conde de la Cueva".

49 AHN, Códices, L.755, N.12, Council of the Indies to king, Madrid, June 26, 1738, ff. 58v–59r, 62r–v.

50 Tienda de Cuervo, "Memoria," pp. 212, and 217–18.

51 See AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 26, 1738, ff. 53v–54r.

However, the members of the Council who voted with the minority questioned the validity of these claims. They argued that any increase in revenue was not the result of the creation of the viceroyalty, but rather of the suppression of the *audiencia* of Quito and of the transfer to Santa Fe of monies that had, for different reasons, been retained within other treasuries.<sup>52</sup> The councilors within the majority replied that, from the information available to them and the report produced by Francisco de Varas, it was clear that income from the collection of the royal fifth on the production of gold had increased in the same proportion as the output of the mines during the years of the first viceroyalty. Yet, since the suppression of the viceroyalty, whilst production at Chocó had continued to increase dramatically, income from the royal fifth had declined; a situation which the Council attributed to the absence of a superior officer with sufficient authority and commitment to the royal service, and, therefore, as evidence of the convenience of restoring the viceroyalty.<sup>53</sup>

There were also some new arguments, however, for believing that the creation of a viceroyalty would not only be convenient but even necessary. In the opinion of all the informants, creating a viceroyalty in New Granada would help, above all, to tackle what Tienda de Cuervo considered the “most radical abuse [committed] in the Indies”: illicit trade.<sup>54</sup> For the *intendente*, the presence of a viceroy, as “immediate person to H[is] M[ajesty]”, would be sufficient to prevent the inhabitants of the kingdom from participating in contraband, instead “striving to fulfil their obligations and [the] trust”

52 *Ibid.*, f. 63v.

53 This was but one of the various examples that, in the Council’s opinion, demonstrated that re-establishing the viceroyalty would be financially beneficial to the crown. See *Ibid.*, ff. 72r–73v. McFarlane’s findings suggest that this view was at least partially correct. The value of gold coined at the mints of Santa Fe and Popayan during the five-year period 1720–1724 was 54% higher than that of the five years previous and 5% higher than during the five that followed. By 1730–1734, however, the amount of gold coined was already 20% higher than during the first viceroyalty. See McFarlane, *Colombia*, pp. 84, 364.

54 Tienda de Cuervo, “Memoria,” p. 207. Villalonga shared this opinion; and not surprisingly, for Torre Blanca and Francisco de Varas—both of whom had been directly involved in trans-Atlantic trade—this was the principal and most important, if not altogether the only reason for re-establishing the viceroyalty. See AGI, Santa Fe, 385, “Informe del Conde de la Cueva”; AGI, Santa Fe, 385, “Informe del Marqués de Torre Blanca”; and AGI, Santa Fe, 385, “Informe de Francisco de Varas”. The members of the Council of the Indies who voted in the minority agreed that this was the most powerful argument put forward for the creation of the viceroyalty. However, they doubted that a viceroy would actually have sufficient physical resources to achieve this aim, and believed that cheaper and more efficient methods could be found. See AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 23, 1738, ff. 64r–65r.

placed on them, out of fear of the vast powers enjoyed by such a high-ranking official.<sup>55</sup> Perhaps less naively, the Marquis of Torre Blanca emphasized the viceroy's extraordinarily wide "and despotic" powers, as the key that would allow him to end the contraband trade. In his opinion it was justified for the viceroy to proceed summarily against those involved in illicit trade; it would be the only means of ending this elusive practice, because allowing those involved, particularly provincial governors, to plead their cases in Spain was a sure way of guaranteeing that no-one was ever punished.<sup>56</sup>

Examples of instances in which viceregal intervention would help to stop contraband trade were plentiful. In Tienda de Cuervo's view, for instance, the presence of a viceroy would contribute to end illicit extractions of bullion produced in the provinces of Chocó and others. This would reduce the feasibility and attraction of illicit trade. After all, gold was used for trading along the wide unprotected coasts and even within various ports due to the negligence or connivance of local and provincial governors.<sup>57</sup> In the opinion of the Cathedral Chapter of Santa Fe, the first viceroyalty had been particularly effective in reducing this evil.<sup>58</sup> A similar argument, but with regard to Guayaquil's extensive trade with New Spain, was made by former Viceroy Villalonga.<sup>59</sup>

Similarly, it was argued that the presence of a viceroy would help to tackle the multiple abuses committed by subordinate officials and even by some governors who charged exorbitant commissions for the most menial tasks, including those activities from which the laws explicitly prohibited them from claiming an additional income.<sup>60</sup> Moreover, as both Tienda de Cuervo and Torre Blanca argued, only a viceroy could design and implement with sufficient authority the necessary policies to end abusive practices that often crossed the borders of various provincial jurisdictions.<sup>61</sup> In Tienda de Cuervo's opinion, this was particularly the case with contraband in and around the province of Chocó which was connected to Panama and Guayaquil through the San Juan and Atrato rivers. Since these trade routes, which dealt mostly with salt, *aguardiente* and fabrics, would not be easily suppressed, it would be more efficient to legalize

55 Tienda de Cuervo, "Memoria," p. 208.

56 AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

57 Tienda de Cuervo, "Memoria," pp. 213–14.

58 AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 23, 1738, ff. 53v–54r.

59 AGI, Santa Fe, 385, "Informe del Conde de la Cueva". However, the councilors who voted in the minority forcefully contested this (AHN, Códices, L.755, N.12, Council of the Indies to king, Madrid, June 23, 1738, ff. 65r–v).

60 Tienda de Cuervo, "Memoria," p. 225. See also AGI, Santa Fe, 385, "Informe de Francisco de Varas".

61 AGI, Santa Fe, 385, "Informe del Marqués de Torre Blanca".

them and to bring both Panama and Guayaquil under the viceroy's jurisdiction so that unified policies could be implemented. The same, he argued, applied to Caracas, Maracaibo and even Portobello.<sup>62</sup> Villalonga echoed this argument, pointing out that only a viceroy who was informed of the situation within the different provinces could effectively identify the trade routes and commercial links that connected the different provinces and, thus, implement policies which would contribute to the common benefit.<sup>63</sup> Tienda de Cuervo's argument with regard to the connections between Chocó and Panama proved decisive in the Council's recommendation that Panama was effectively placed under the jurisdiction of the newly created viceroyalty, unlike what had happened in 1717.<sup>64</sup>

The same unity of command that the superior authority of a viceroy would provide was, in Tienda de Cuervo's view, necessary to coordinate the different military forces of the New Kingdom and adjoining provinces and thereby increase the effectiveness of the realm's defense. This was crucial, for instance, because a joint operation between the governors of Panama, Cartagena and Santa Fe was the only means of subduing the rebellious Cuna Indians, who continued to wreak havoc within the province of Darien.<sup>65</sup> Similarly, a joint military command was needed to contain, and hopefully push back, the Dutch settlements in Suriname, a problem that, according to Tienda de Cuervo's report, had also been aggravated because of the disunity and rivalry amongst provincial governors.<sup>66</sup> A viceroy's supervision was also the most effective way of guaranteeing that city walls and other defensive infrastructure received appropriate maintenance at reasonable costs.<sup>67</sup>

Nevertheless, the most striking characteristic of the arguments put forward during the discussions about the second creation of the viceroyalty of New Granada was the insistence upon the material benefits that the kingdom

62 See Tienda de Cuervo, "Memoria," pp. 220–21, 227.

63 AGI, Santa Fe, 385, "Informe del Conde de la Cueva".

64 AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 23, 1738, ff. 60r–v.

65 Tienda de Cuervo, "Memoria," p. 222. This was also the opinion of the Council, AHN, Códices, L.755, N.12, Council of Indies to king, Madrid, June 23, 1738, f. 60r.

66 Tienda de Cuervo, "Memoria," p. 224. Further to this end, Tienda de Cuervo suggested that all the *situados* of Cartagena, Santa Marta, Chocó, Panama, Caracas, Cumana, Trinidad and Guyana were paid directly from the treasury of Santa Fe at the viceroy's command, so that the subordination of all provincial governors to his authority would be further stressed. For a similar take on the need for a viceroy to coordinate any offensive against the Dutch see, AGI, Santa Fe, 385, "Informe del Conde de la Cueva".

67 See *Idem.*; and Tienda de Cuervo, "Memoria," p. 226, which argues that this had been exemplarily done in Cartagena during Villalonga's visit to that port.

itself would derive from the viceroy's powers and active participation in its economic government. Tienda de Cuervo, Villalonga and Varas all stressed the incredible potential wealth of the New Kingdom and the abject poverty in which its inhabitants lived for lack of appropriate government.<sup>68</sup> Although less convinced about its relevance, even the councilors who voted within the minority accurately identified this as the main argument in Tienda de Cuervo's plan for re-establishing the viceroyalty.<sup>69</sup> Most significantly, however, the Council was convinced that guaranteeing that New Granada achieved its full economic potential was the real reason why the king was entertaining such a proposal. Quoting the terms of the royal order which had asked the Council to produce a *consulta* on the matter, the councilors within the majority chastised the authors of the minority report for their short-sightedness in trying to reduce the proposed viceroyalty to a mechanism for fighting contraband.<sup>70</sup>

In defending the idea that appointing a viceroy would improve the economic condition of the inhabitants of New Granada, the Council resorted to the metaphor of how a good administrator, solely by his dedication and skill, could return to glory a household ruined by confusion and neglect, claiming that the same applied to a city, a province or a kingdom.<sup>71</sup> The metaphor, of course, was completely appropriate; not only because economic government technically means government of the household but because, as we have seen,<sup>72</sup> the argument that the king could do within his kingdom all what a *pater familiae* could do within his household had been central to the articulation and expansion of the economic prerogative of the monarch.

Once again, the idea that the king—or in this case his viceroy—could have an impact and, moreover, a responsibility for the wellbeing of his subjects was not new. Ever since Philip v's accession to the Spanish throne his decrees had consistently stressed, or at least hinted at, this ideation.<sup>73</sup> This argument simultaneously justified the king's efforts to extend the power and authority of the crown and evinced the new hierarchy of the obligations of the king towards

68 See Tienda de Cuervo, "Memoria," *passim*; AGI, Santa Fe, 385, "Informe del Conde de la Cueva"; and AGI, Santa Fe, 385, "Informe de Francisco de Varas".

69 AHN, Códices, L.755, N.12, Council of the Indies to king, Madrid, June 23, 1738, f. 62v.

70 *Ibid.*, ff. 70v–71v.

71 *Ibid.*, f. 71r.

72 *Supra*, Chapter 3.

73 For the argument that this was the case in the Aragonese decrees of *Nueva Planta* and that the same ideas were implicit in the terms of the *real cédula* creating the first viceroyalty of New Granada, see Francisco A. Eissa-Barroso, "Politics, Political Culture and Policy Making: The Reform of Viceregal Rule in the Spanish World under Philip v" (Ph.D. diss., University of Warwick, 2010), pp. 100, 114–15, 129–30, 140–41.



his subjects—which prioritized the provision of good (economic) government above the provision of justice. Indeed, as Colin M. MacLachlan has argued, coinciding with the accession of the Bourbons to the Spanish throne, a major change within the ideological justification of monarchical government took place. Although the fundamental principle of the king's benevolent intent was not abandoned, its impulse “shifted from a remote divine source to a definite material foundation”. This new articulation was based upon “an economic justification [...] that linked the state to the prosperity and [material] well-being of the individual”.<sup>74</sup> In this regard, Tienda de Cuervo's report and the Council's adoption of it represent perhaps the culmination of this transformation. In examining Tienda de Cuervo's report within the context of previous requests for the creation of a viceroyalty in New Granada, there can be no doubt that a change in the understanding of the role of the king, or of monarchical government, had taken place during the first four decades of the eighteenth century. By the late 1730s, then, the understanding of the king's role in matters of economic government had acquired a new importance.

The earliest documented request for the creation of a viceroyalty in New Granada is the one attributed to José Daza Guzmán, governor of Cartagena between 1675 and 1679.<sup>75</sup> The governor began his argument by describing the geographical location of Cartagena, its fortresses and city-walls, its harbor, the fortresses guarding the entrance to the bay and the war ships destined for its defense. The only defect that the author found in these constructions was the chronic lack of a garrison strong enough to man them. In his view, the city's location and fortifications made it such an important element in the defense of Spanish America, and particularly of Peru, that its fall would be catastrophic to Spain's imperial structure. He, therefore, advised the king to create a new viceroyalty in northern South America, with its capital in Cartagena, so that the city's defenses would be “as inexpugnable in reality as they are in appearance”.<sup>76</sup> Moreover, the author argued, appointing a viceroy

74 Colin M. MacLachlan, *Spain's Empire in the New World. The Role of Ideas in Institutional and Social Change* (Berkeley, CA: University of California Press, 1998), p. 67. See also Gabriel B. Paquette, *Enlightenment, Governance, and Reform in Spain and its Empire, 1759–1808* (Basingstoke: Palgrave Macmillan, 2008), pp. 57–67.

75 See Synnøve Ones, “The politics of government in the Audiencia of New Granada, 1681–1719” (Ph.D. diss., University of Warwick, 2000), p. 299, n. 7.

76 AHN, Diversos-Colecciones, 27, n. 62, “Relación hecha por el gobernador de Cartagena de Indias de la posición topográfica y estratégica y defensas de que dispone la ciudad, con algunas consideraciones históricas encaminadas a demostrar la conveniencia de su mejor defensa, para lo que pide se eleve a virreinato con inclusión de las islas de Barlovento,” n.p., n.d.

and transferring the *audiencia* of Santa Fe to Cartagena would—in imitation of the wise government practices of the Romans, Greeks and Carthaginians—guarantee that the inhabitants of all the region would have equal access to litigious and distributive justice.

As part of his argument, the author referred to the vast resources and wealth of Cartagena—including “gold, sugar, cotton, timber [...] cocoa beans, rice, maize, pigs [...], cows, goats, rams, and [...] plenty of fish.”<sup>77</sup> The sole purpose of this list, however, was to demonstrate that Cartagena was never short of supplies; these riches were taken as a given, which contributed to the paramount importance of the port and city but which had nothing to do with the government. The author recommended the appointment of a viceroy simply because Cartagena was a rich and important port, the foremost defensive bastion of Spanish America, which would gain further improvement of its defenses, the presence of a sufficient number of troops and easier and quicker access to justice. In this sense, the author’s argument suggests an understanding of the role of monarchical government perfectly in keeping with Spain’s traditional philosophical matrix: the king—through his viceroy—was primarily expected to guarantee his subjects access to justice and protection from foreign threats.<sup>78</sup>

José de Zúñiga y la Cerda, governor of Cartagena from 1706 to 1713, penned on March 15, 1708, a second request for the establishment of a viceroyalty, in which some significant differences are immediately evident. Military considerations were still very much present, and the letter described Cartagena was once more as the key to the kingdoms of New Granada and Peru. Rather than detailed descriptions of the privileged location and excellent fortresses of the city, however, the author began by detailing the “miserable state to which the city had been reduced on account of the extreme poverty of its inhabitants.”<sup>79</sup> According to the author, the ruin of the city and its province were largely the long-lasting legacy of the French ransacking of 1697 and of the almost complete collapse of maritime trade during the on-going War of the Spanish Succession. Cartagena, it emerged, had been one of Spain’s richest ports and its wealthy merchants had always been able and willing to lend money to the crown in any emergency; but none of this remained. By 1708, amongst the few merchants living in the city “there were men [...] so poor and overburdened

77 *Idem.*

78 See *supra*, Chapter 1, particularly section 1.2.

79 AGI, Santa Fe, 435, “El Govr. De Cartaxa. repressa. a VM el miserable estado de aquella republica y que su unico restablezimiento consiste en hacerla virreinato,” Cartagena, March 15, 1708.

with debt that they would consider it financially convenient to be lost at sea or high-jacked by the enemy”.<sup>80</sup>

Yet, this dire situation was not beyond remedy. In the governor’s view, all the city’s problems could be easily resolved by establishing a viceroyalty with its capital in Cartagena. Such a measure would result in “population growth, increase of royal revenue and private wealth and the perpetual defense of the city”, thus constituting “the easiest and cheapest means of preserving those domains”.<sup>81</sup> In addition to this, and whilst the viceroyalty could be established, the author recommended that the crown promoted trade by allowing for regular ships trading in foodstuffs to visit Cartagena from other parts of the Spanish Caribbean and from the Canary Islands. This would encourage producers from the inland provinces to bring their wares to the city, increasing both revenue and private profit. At the same time, such a measure would perhaps attract new residents amongst those merchants, sailors and transporters participating in this trade and once they had settled they would begin to cultivate the fertile lands of the province.

This argument and the few specific suggestions put forward by Zúñiga indicate that, for him, there was more to monarchical government than the provision of justice and defence. Firstly, in stark contrast with earlier documentation, there was not a single mention of the provision of justice within the text. Secondly, although there was still a very clear demand for appropriate defense—and in some ways a critique of the poor job previously done on this front during the invasion of 1697—the whole argument was structured around the poverty and economic ruin of Cartagena and its province; conditions which, the author suggested, was the crown’s job to remedy. The mechanisms through which this would be tackled were only partially explained. It is certain, though, that in 1708 Cartagena expected to secure, through the appointment of a viceroy, the appropriate defense of its coasts and the recovery of both its population and wealth, a recovery that it was repeatedly pointed out, would benefit both the inhabitants of the city and the king.

By the later 1720s and 1730s the economic concerns first put forward in 1708 had gained in prominence and the articulation of the mechanisms through which tangible economic benefits could be obtained were growing in clarity. Thus, Antonio Manso Maldonado began his already-mentioned letter of 1729 in a similar fashion to Zúñiga’s request for the creation of a viceroyalty. Upon his arrival in Santa Fe, Manso had found the Kingdom “in utmost desolation [...]

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80 *Idem.*

81 *Idem.*

and lamentable poverty".<sup>82</sup> Yet, when he turned his attention to finding out whether, despite this situation, the province was as rich as it was reputed to be, he found that the resources available in New Granada far surpassed the idea of them circulating at court. Not without some exaggeration, Manso claimed that within 50 or 60 leagues of Santa Fe, one could find "every precious and valuable thing found in the most opulent kingdoms of the Orient".<sup>83</sup> Gold and silver were found everywhere, as were sources of precious stones. The kingdom had copper enough to "provide artillery for the entire Monarchy",<sup>84</sup> lead, tin, excellent timber, resins, alum, sulphur, and many other resources to the extent that one could argue "nothing that is precious or useful is lacking in this Kingdom which could even supply others with its surplus".<sup>85</sup>

Faced with this apparent contradiction between a kingdom rich in resources and a population sunk into poverty and economic desolation, Manso set out to identify the reasons why the country's riches had not been transformed into wealth. Foremost amongst these was "the ruler's oversight [...] which had left the people become lazy to the extent that [...] there is no-one willing to work".<sup>86</sup> To remedy this situation he proposed the draconian method of condemning all vagrants and unoccupied people to forced labor within the mines; such a measure, Manso argued, would increase the productivity of the mines, scare the unproductive members of society into finding suitable occupations and free Indian laborers to cultivate the land.<sup>87</sup> Simultaneously, he suggested that the king should implement other measures to encourage economic activity, such as advancing both quicksilver and African slaves to the miners, upon the agreement that they would repay their value directly from the metals extracted, thus benefiting both the miners and the royal treasury.<sup>88</sup> However, as mentioned before, he found that his authority was not enough to put these measures into place and that only the king's strong arm could solve New Granada's problems. He, thus, urged the king to increase the power and superiority of the royal official charged with the government of the New Kingdom so that his authority might be closer to the king's.<sup>89</sup>

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82 Manso [Maldonado], "Relación," p. 3.

83 *Ibid.*, p. 4.

84 *Ibid.*, p. 5.

85 *Idem.*

86 *Ibid.*, p. 6.

87 *Ibid.*, pp. 6–7.

88 *Ibid.*, pp. 7–8.

89 *Ibid.*, pp. 5, 10, 15.

What is most relevant in Manso's argument, beyond the solutions that he proposed, is the reasoning behind these. It is evident that by the late 1720s royal government was seen as having a direct impact in and responsibility for securing a region's economic wellbeing. It was only the implementation of the appropriate policies that could "resuscitate an almost deceased Kingdom and give happiness to its subjects, abundance to the royal treasuries and envy to the most opulent nations".<sup>90</sup> Within this argument the desire for Spain to regain its position amongst the European powers, the recovery of the royal finances and the happiness—understood as material wellbeing—of the inhabitants of New Granada were all linked to the appropriate economic government of the realm.<sup>91</sup> The letter made it very clear that it was the crown's responsibility to provide adequate incentives to transform New Granada's plentiful natural resources into wealth.

The same reasoning guided the arguments made by Tienda de Cuervo in 1734. His description of New Granadan resources was even more hyperbolic: he described a kingdom rich in fertile soils, abundant fresh water and a variety of climates such that all sorts of plants, both American and European, could be grown. The subsoil was loaded with gold, silver, emeralds and other precious stones, its riverbeds with pearls, and even sources of copper and quicksilver had been discovered. Its different provinces already produced cocoa beans, indigo, tobacco, and Brazil wood, woollen fabrics and cotton enough to "load several ships each year".<sup>92</sup> The abundance of both industrial timber and precious woods and of all sorts of cattle were beyond description.<sup>93</sup> Nonetheless, these vast resources were invariably underutilised and wasted, primarily through "lack of encouragement (*fomento*)".<sup>94</sup> In his view, New Granada's vast resources were incontestable, and only through the establishment of a viceroyalty could "necessary and consistent measures be put into practice and sustained by his authority [... thus] transforming [New Granada] in a short

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90 *Ibid.*, pp. 5–6.

91 The notion that the greatness of the nation, the solvency of the state and the well-being of the subjects were intrinsically interconnected is present in many of the political treatises written during Philip V's reign. See, for instance, Melchor de Macanaz, "Auxilios para bien gobernar una monarquía católica, o documentos, que dicta la experiencia, y prueba la razón, para que el Monarca merezca justamente el nombre de Grande," *Semanario Erudito que comprehende varias obras inéditas, críticas, morales, instructivas, políticas, históricas, satíricas y jocosas de nuestros mejores autores antiguos y modernos, dalas a la luz Don Antonio Valladares de Sotomayor v* (1787): pp. 215–303.

92 Tienda de Cuervo, "Memoria," pp. 204–06.

93 *Ibid.*, p. 205.

94 *Ibid.*, p. 204.

period of time into the most powerful, rich and profitable [of Spain's provinces], both for the king and his subjects".<sup>95</sup>

Yet, what set Tienda de Cuervo more clearly apart from previous authors was the detailed plans and information that he provided concerning why and how a viceroy could deliver appropriate economic government for New Granada. For example, he suggested that by creating certain incentives and implementing specific policies, a viceroy should advance the draining of flooded mines,<sup>96</sup> the reestablishment of crews of African divers, and the necessary boats for fishing pearls out of the Hacha River,<sup>97</sup> as well as the suppression of marauding Indian groups who made the roads impossible to travel.<sup>98</sup> He also advocated the provision of adequate garrisons and fortresses that would help protect the property of the king's vassals, the defense of royal fiscal interests, and the control of forced laborers.<sup>99</sup> Simultaneously, the viceroy should guarantee that Indians were well paid and regularly rotated so that they worked better in the mines while their fields were maintained.<sup>100</sup> He should introduce controlled navigation in certain rivers, as well as improving and opening new roads, order the minting of new coins at the crown's expense to be later exchanged for un-minted gold directly from the miners without them having to transport their own product to Santa Fe.<sup>101</sup> His argument was packed with innumerable examples of the effects that even the short-lived experience of the first vicerealty had on the productivity and development of the region. In particular, he continued at great length about the province of Chocó. He attributed its success to the presence of a particularly skillful governor who had provided adequate facilities and incentives so that the miners would import slave laborers, have access to tools of both iron and steel, and other necessary supplies such as beef, maize, salt, firewater and tobacco. Yet, all over the country, he argued, mines lay abandoned or under exploited "due to absence of commitment and lack of people" or because of "great decadence [...] both of monies and of spirits".<sup>102</sup> All, however, could be remedied if the appropriate incentives and resolutions were put into place with "the authority of a viceroy".<sup>103</sup>

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95 *Ibid.*, p. 207.

96 *Ibid.*, p. 216.

97 *Ibid.*, pp. 216–17.

98 *Ibid.*, p. 217.

99 *Ibid.*, pp. 217–18.

100 *Ibid.*, pp. 218–19.

101 *Ibid.*, p. 219.

102 *Ibid.*, pp. 214–215.

103 *Idem.*

Certainly, Tienda de Cuervo's understanding of what a viceroy could do seems often unrealistic, if not outright fantastic. For instance, he seemed to completely disregard the huge distances separating the various provinces of the New Kingdom, claiming repeatedly "if there were a viceroy in [Santa Fe . . . ] he could from there remedy all the abuses suffered by such a vast kingdom".<sup>104</sup> Yet, to his contemporaries there was substance within his propositions. The Council's *consulta* of August 20, 1739, shows clearly that the members of the tribunal, as well as the king, were impressed by the variety of concrete proposals that he put forward and his broad grasp of the different areas of New Granada's economy. This combination of detailed planning and comprehensive understanding of "the interlocking nature of the country's problems" is precisely what set eighteenth century *proyectismo*, based on the economic justification of monarchical rule, apart from the proposals of seventeenth century *arbitristas*.<sup>105</sup> This was the reason why the crown and the Council decided to include a number of Tienda de Cuervo's specific recommendations in the *instrucción* given to the new viceroy. The same reasoning was behind the decision to send Tienda de Cuervo to New Granada with the title of "*visitador* of the provinces of the New Kingdom, and of the warehouses, provisions and ammunitions of its district", to advise and assist the viceroy in obtaining the aims intended by the creation of the viceroyalty.<sup>106</sup> In all likelihood, this was also the reason why the Council decided to give its backing to Tienda de Cuervo's ultimately unsuccessful request to be made councilor of the Indies.<sup>107</sup>

### 8.3 Choosing a New Viceroy: Sebastián de Eslava and the Defense of New Granada

The sources make it perfectly clear that the perceived need to provide appropriate economic oversight for the provinces of the New Kingdom was the central motivation behind the decision to reestablish the viceroyalty of New Granada—along with the need to increase the royal revenues and the

104 *Ibid.*, p. 214.

105 See MacLachlan, *Spain's*, p. 68, whence the quote; and José Muñoz Pérez, "Los proyectos sobre España e Indias en el siglo XVIII: el proyectismo como género," *Revista de Estudios Políticos* LXXXI (1955): pp. 169–95, especially at 171–83.

106 AGI, Santa Fe, 264, Council of the Indies to king, Madrid, April 10, 1739. Tienda de Cuervo was chosen for this mission because he was "learned in the situation of those provinces and in the means contained in the plan made" for the creation of the viceroyalty.

107 AGI, Santa Fe, 264, Council of the Indies to king, Madrid, June 30, 1739.

reinforcement of royal authority over the arrogant and quarrelsome provincial governors. Yet, given the timing of and the international context within which the decision was made, it is difficult not to think that defensive concerns must have weighed heavily in the minds of those involved in making it.<sup>108</sup> After all, despite Patiño's earlier efforts at appeasement, tensions between Spain and Britain had escalated during the latter 1730s; by 1739, a break between both nations seemed increasingly likely.

The joint commission established by the Treaty of Seville of 1729 to discuss mutual complaints arising from the implementation of the *asiento* treaty had begun meeting in 1732, but made little to no progress, leaving the governments and merchants of both nations dissatisfied.<sup>109</sup> Since at least the late 1720s Spanish authorities, both within the Peninsula and the Indies, had blamed British contraband in the Caribbean and Buenos Aires—and increasingly that performed under the cover of *asiento* activities—for the deterioration of trade between Cadiz and the Indies.<sup>110</sup> From the British perspective, Spain had failed to comply with a number of its international commitments, repeatedly violating the commercial treaties of 1667, 1670, and 1713–14. Moreover, the operations of the Spanish coast guards, aimed at tackling illicit trade in the Caribbean, were seen as encroaching upon British privileges, impeding normal trade between Britain and its possessions in the West Indies.<sup>111</sup>

Nonetheless, despite persistent tensions over trade issues, at the time of Patiño's death, relations between Britain and Spain had been mostly cordial; they continued to be so until at least the autumn of 1737.<sup>112</sup> This was due,

108 Historians have often identified defensive concerns as the crown's key motivation. See, for instance, McFarlane, *Colombia*, p. 196; and Adrian John Pearce, "Early Bourbon Government in the Viceroyalty of Peru, 1700–1759" (Ph.D. diss., University of Liverpool, 1998), pp. 209–10.

109 Jean O. McLachlan, *Trade and Peace with Old Spain, 1667–1750. A study of the influence of commerce on Anglo-Spanish Diplomacy in the first half of the eighteenth century* (Cambridge: Cambridge University Press, 1940), pp. 91–92. For an account of the commission's proceedings, see Ernest G. Hildner, "The Role of the South Sea Company in the Diplomacy Leading to the War of Jenkins' Ear, 1729–1739," *Hispanic American Historical Review* XVIII (1938): pp. 322–41 at 326–238.

110 Walker, *Spanish*, pp. 164, 67; Harold W. V. Temperley, "The Causes of the War of Jenkins' Ear, 1739," *Transactions of the Royal Historical Society Third Series*. III (1909): pp. 197–236 at 204–05.

111 Walker, *Spanish*, p. 168; McLachlan, *Trade*, pp. 88–90; Temperley, "The Causes," p. 206; and Cerdá Crespo, "La guerra," pp. 43–45. According to some of the complaints made by the British government, Spanish coastguards had illegally seized nearly 180 British ships between 1713 and 1731. See *Ibid.*, p. 17.

112 McLachlan, *Trade*, pp. 96–97.



at least in part, to the fact that Spanish persecution of British contrabandists and interlopers in the Caribbean and off the American coasts was eased between 1733 and 1737, largely for political reasons.<sup>113</sup> At this point, however, there developed what Jean McLachlan has termed “a crisis of depredations” which soon escalated, bringing Britain and Spain to the brink of hostilities, despite the attempts of both courts to avoid war. In the summer of 1737, the governor of the Leeward Islands complained of new attacks by Spanish coastguards and privateers on a number of British ships.<sup>114</sup> This led the British ambassador in Madrid to present a series of claims for compensation between October and December 1737;<sup>115</sup> Sebastián de la Cuadra, Philip v’s Secretary for Foreign Affairs, in consultation with the Council of the Indies, replied to these claims with promises to investigate further those cases that were not entirely clear. In the meantime, he ordered the return of those ships that were indeed in Spanish possession and offered to punish the governors of Puerto Rico and Cuba who had tolerated these actions.<sup>116</sup> Unfortunately, it took five months, from the time when the most serious of British complaints had been put forward, for the Spanish authorities to produce a reply. During this period indignation within Britain mounted and the ambassador was instructed to press his claims and to remind the Spanish court of all the previous demands which had gone unresolved, dating at least back to the 1720s.<sup>117</sup> This further complicated the situation, because, whilst the Spanish crown seemed willing to offer compensation to the victims of recent captures, it was less receptive to older claims; public opinion within Britain received badly the excuses and justifications put forward by the Spanish ministers.<sup>118</sup> At the same time, the British ministry began granting letters of reprisal to those merchants whose ships, or property, were being held by Spanish authorities, thus marking the starting point of an all-out “battle of corsairs” which long pre-dated the formal declaration of war between both countries.<sup>119</sup>

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113 *Ibid.*, pp. 92–93.

114 *Ibid.*, pp. 102–03.

115 According to Temperley, “The Causes,” p. 209, forceful demands were made by Britain at this time because of the widely held perception that relations between France and Spain were at their lowest point for years. The Duke of Newcastle reasoned that, knowing it could not count on French military backing, the Spanish ministry would be most receptive to British demands backed by the threat of war.

116 Cerdá Crespo, “La guerra,” pp. 65–69; McLachlan, *Trade*, pp. 102–04.

117 *Ibid.*, pp. 104–05.

118 *Ibid.*, pp. 105–06.

119 Temperley, “The Causes,” pp. 209–10; and Cerdá Crespo, “La guerra,” pp. 61–63, and 69–70.

By the spring of 1738, West Indian merchants—a community which had been actively involved in (illicit) trade with Spanish America since the late seventeenth century—<sup>120</sup> had inundated the British parliament with stories of Spanish abuses and brutality, demanding compensation.<sup>121</sup> With support from the opposition, they had ventilated their cause through the press. When news arrived in late March that thirty-one British sailors were in a prison in Cadiz, other groups, including the cities of London and Bristol, joined in their clamor against Spain.<sup>122</sup> Throughout the summer Robert Walpole, the head of the British government, tried to appease the merchants and resist the pressure from the House of Commons, whilst negotiating with Spain an arrangement that, it was hoped, would resolve the grievances on both sides and preserve the peace.<sup>123</sup> However, the tactless communications of the Duke of Newcastle, Britain's Secretary of State for the south, plus the presence of a British fleet off Gibraltar, reduced the efficacy of Walpole's manoeuvres and increased Madrid's fear that Britain might be on the warpath.<sup>124</sup>

Nevertheless, in September 1738 a convention was signed in London, later to be ratified in Madrid, by which the king of Spain agreed to pay a lump sum for the settlement of all claims by West Indian merchants. At the same time, both nations agreed to appoint plenipotentiaries to settle their disagreements over navigation rights in the Caribbean, as well as other disputed matters.<sup>125</sup> Hopes that the convention would avert war were high on both sides.<sup>126</sup> It soon became clear that the convention could not be fully implemented in the terms it had been drafted.<sup>127</sup> Both sides, though, still hoped that war would be avoided by the signing of a new convention that would include all the conditions of the first one whilst excluding the specific phrases

120 McLachlan, *Trade*, pp. 84–96; and Stein and Stein, *Silver*, pp. 122–23.

121 One of these tales was that of Captain Robert Jenkins, whose ear, presumably severed by a Spanish coastguard and later presented to Parliament in a jar, would give name to the war of 1739–1748. For the divergent opinions as to whether Jenkins actually lost his ear, see Temperley, "The Causes," p. 197.

122 McLachlan, *Trade*, pp. 106–09; Temperley, "The Causes," pp. 210–11; and Cerdá Crespo, "La guerra," pp. 51–61.

123 McLachlan, *Trade*, pp. 110–13; Cerdá Crespo, "La guerra," pp. 61, 63–64.

124 McLachlan, *Trade*, p. 114; Cerdá Crespo, "La guerra," p. 61; Temperley, "The Causes," pp. 212–13.

125 McLachlan, *Trade*, p. 117; Hildner, "The Role," pp. 334–36.

126 McLachlan, *Trade*, pp. 117–18; Temperley, "The Causes," pp. 216–17.

127 On the terms of the convention see McLachlan, *Trade*, pp. 117–19; and Hildner, "The Role," pp. 328–30, and 334–38.

which had rendered it impracticable.<sup>128</sup> The new agreement, the Convention of El Pardo, was signed in January 1739 and ratified the following month. Both sides were still hopeful that the new convention would avoid hostilities: in Britain orders were issued for the fleet stationed off Gibraltar to return home and the ambassador in Madrid received instructions to explore the possibility of establishing a permanent alliance between the two crowns. Similarly, in Spain, ships were disarmed and military officials given leave, whilst instructions for the restoration of trade with the Indies, particularly for the immediate return of the *azogues*, were issued. The fury with which opposition within the British parliament met the news of the Convention must have dissolved most expectations, however.<sup>129</sup>

By spring 1739, it was clear that war was imminent. Pressure from parliament had forced Walpole and Newcastle to redeploy the fleet off Gibraltar and the Mediterranean;<sup>130</sup> within Spain Torrenueva had been dismissed from office as both Secretary for Finance and Secretary for the Navy and the Indies. He was replaced in the latter office by José de la Quintana, a man whom the British ambassador described as “the enemy of all strangers’ with ‘his head full of Spanish smoke’ and than whom ‘a more difficult, tenacious, disputable antagonist never was met with’”.<sup>131</sup> Continued disagreements between the Spanish crown and the South Sea Company meant that by May the Spanish king was still to pay the stipulated compensation to British merchants; when Newcastle demanded payment Madrid made it conditional upon the withdrawal of the British fleet from the Mediterranean.<sup>132</sup> By the beginning of the summer, British merchants had been advised to remove themselves from Spain. Shortly thereafter, the South Sea Company ordered its factors in Spanish America to suspend trade and to transport all company property to safe ports.<sup>133</sup> Almost simultaneously, an additional detachment was sent to reinforce the fleet off Gibraltar and a squadron under Admiral Edward Vernon was sent to the Caribbean.<sup>134</sup> In August, the British ambassador in

128 Cerdá Crespo, “La guerra,” pp. 73–76; McLachlan, *Trade*, pp. 118–19.

129 *Ibid.*, p. 119; Ramos Gómez, “El viaje,” p. 103; Cerdá Crespo, “La guerra,” pp. 76–78; Temperley, “The Causes,” pp. 217–18, and 226–27; and BL, Manuscripts, Add./20,926, Lopez Pintado “[Printed] Memorial,” f. 8, pp. 15–16.

130 Temperley, “The Causes,” pp. 229–30.

131 Cerdá Crespo, “La guerra,” pp. 77–80; and McLachlan, *Trade*, pp. 120–21, the quote, on p. 101, is from a letter from Benjamin Keen to the Duke of Newcastle dated March 9, 1739.

132 Hildner, “The Role,” p. 340; Temperley, “The Causes,” pp. 231–32.

133 Hildner, “The Role,” pp. 340–41.

134 Walker, *Spanish*, p. 207.

Madrid was recalled to London.<sup>135</sup> Thus, although the official declaration of war did not occur until October 1739 the inevitability of hostilities must have been known to all involved at least six months previously.

It is impossible to say with certainty what impact the tensions of the “crisis of depredations” had upon the early stages of the process that led to the second creation of the viceroyalty of New Granada. Although it is undeniable that the threat of war was looming at various points during 1738<sup>136</sup>—whilst the Council of the Indies was debating the convenience of re-establishing the viceroyalty—it is striking that no defensive considerations, which specifically referred to the possibility of an international war, were present in the debates. Moreover, whilst a number of measures related directly to the possibility of war were halted or abandoned in late 1738 and early 1739—when hopes that diplomacy had successfully averted war were high—the plans for re-establishing the viceroyalty seemed to continue at full steam. Only as the expectations that peace could be maintained faded during the spring of 1739, preparations for the re-establishment of the viceroyalty began to reflect the imminence of war.

As previously mentioned, on February 25, 1739, the Chamber of the Indies presented the king with a list of six candidates for the office of viceroy of New Granada.<sup>137</sup> Five of those nominated were experienced military officers, all with the rank of *mariscal de campo* of the royal armies. First on the list was a grandee, the Duke of Abrantes, of whose life and military career, unfortunately, very little is known.<sup>138</sup> In second place, the Chamber proposed Sebastián de Eslava, at the time *teniente de ayo*, or deputy head of the household, of Philip's third son, *Infante* Philip. Eslava had a long career in the royal guards

135 Hildner, “The Role,” p. 341.

136 The June 1738 issue of *Mercurio Histórico y Político Español* published reports that a British fleet destined for the Caribbean was being prepared. Its August issue suggested that British military preparations had been completed and the outbreak of war was imminent. See Cerdá Crespo, “La guerra,” pp. 69–71.

137 AGI, Santa Fe, 264, Chamber of the Indies to king, Madrid, February 25, 1739. For a more detailed analysis of this *consulta* and the profiles of the men nominated within, see Francisco A. Eissa-Barroso, “The Honor of the Spanish Nation: Military Officers, Mediterranean Campaigns and American Government”, in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era (1700–1759)*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 39–60.

138 Born in 1688, Juan Antonio de Carvajal y Lancaster was the oldest brother of José de Carvajal y Lancaster, councilor of the Indies, and future Secretary of State. Their mother was the younger sister, and heiress, of the Duke of Linares who had served as viceroy of New Spain in the 1710s. See Ozanam, *Les diplomates*, pp. 216, 436.

and was a distinguished veteran of the conquest of Oran and the Italian campaigns of earlier in the decade.<sup>139</sup> In third place came councilor of the Indies, José de Carvajal, the only man without a military background to be included on the list. The fourth candidate was Bernardino Marimón y Corberá, commanding officer of the mounted company of royal grenadiers, an elite force incorporated into the royal guards under Patiño.<sup>140</sup> At their head, Marimón had participated in the conquest of Oran in 1732 and in the Italian campaigns of 1733–35. Fifth on the list was Francisco Javier de Avellaneda Sandoval y Lucena, third Marquis of Torre Mayor, another veteran of the campaigns of Philip's second reign, who had fought in the siege of Gibraltar of 1727 and the conquest of Oran where he had been taken prisoner by the Turkish armies.<sup>141</sup> In last place, the Chamber recommended Juan Francisco de Güemes y Horcasitas, captain-general of Cuba since 1734, also a veteran of Gibraltar and Oran.<sup>142</sup>

Whilst only one of the candidates of 1739, Güemes y Horcasitas, had any previous governmental experience, this is not to say that the rest lacked administrative expertise altogether. A number of them—especially Eslava, Torre Mayor and Güemes himself—had served as military inspectors; as such, they had held significant responsibilities in the internal administration of army corps during peacetime.<sup>143</sup> At least three of them were still, or had until very

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139 For a succinct description of his career see Didier Ozanam, with collaboration from René Quatrefages, *Los capitanes y comandantes generales de provincias en la España del siglo XVIII* (Córdoba: Universidad de Córdoba / Caja Sur, 2008), pp. 132–33; and in much more detail, Ainara Vázquez Varela, “Los Eslava-Lasaga. Un linaje de funcionarios y militares”, in *Navarros en la monarquía española del siglo XVIII*, ed. Agustín González Enciso (Pamplona: EUNSA, 2007), pp. 215–53.

140 Marimón was a Catalan noble, the sixth son of the first Marquis of Cerdanyola (also Serdañola or Zardañola). In 1731, José Patiño asked him to organize the mounted company, the latest addition to the corps of royal guards. Marimón understood his appointment as an opportunity for rewarding those Catalan nobles who had remained loyal to the Bourbons throughout the War of Succession and so, he packed the officer corps of the new company with old comrades at arms from the two regiments of dragoons in which the youth of the Catalan nobility had been serving since 1703. See Francisco Andújar Castillo, “Nobleza catalana al servicio de Felipe v: la Compañía de Granaderos Reales,” *Pedralbes. Revista d'Història Moderna* XXVII (2007): pp. 293–314.

141 See Joseph del Campo-Raso, *Memorias políticas y militares, para servir de continuación a los comentarios del Marques de San Felipe, desde el año de MDCCXXV, en que concluyó este autor su obra, hasta el presente* (Madrid: Imprenta Real, 1792), vol. III, p. 76; and Ascensión Baeza Martín, “Las argucias de la guerra: El gobernador Cagigal y el asedio inglés desde Guantánamo en 1741,” *Temas Americanistas* XIX (2007): pp. 37–51 at 39.

142 Ozanam and Quatrefages, *Los capitanes*, pp. 158–59.

143 *Ibid.*, pp. 132 and 159; and Baeza Martín, “Las argucias,” p. 39.

recently been, in command of active troops and had distinguished themselves in the military campaigns of Oran and the War of the Polish Succession—earning their promotions to the first ranks of the choice corps officers-general in these campaigns. It is, therefore, probable that the Chamber's decision to nominate precisely these individuals, rather than nominating officers with more politico-military experience—who would have been away from the theatre of war for a longer period of time—, was directly related to the perceived imminence of war. Of course, the Chamber produced its six-man list in February, when apparently there were still hopes that the Convention of El Pardo would manage to avert war with Britain. It seems significant, though, that during the “crisis of depredations” at least three other men, fresh from active duty, had been appointed to the viceroyalty of Navarre, and the captaincies-general of Extremadura and Old Castile.<sup>144</sup> In any case, there can be little doubt that by late April, when Philip v chose Sebastián de Eslava from amongst the candidates presented by the Chamber,<sup>145</sup> war had begun to look more and more likely, and that the need to appropriately defend the fortresses of northern South America must have seemed more pressing.

Eslava—like many of the military officers appointed to Spanish American government posts before him—was a descendant of a minor branch of an ancient family of provincial nobility. His relatives and ancestors had served for generations within the provincial institutions of Navarre and in the Spanish army.<sup>146</sup> Urged on by an older cousin, Eslava started his military career in 1701 as an *alférez* in one of the *tercios* of Navarre; when Philip v reformed the royal guards, he secured a place as *cadete* in the *guardias de corps*.<sup>147</sup> By 1705, he had transferred again, this time to one of the Spanish companies of the infantry guards where he continued to serve for thirteen years, progressing steadily up the promotion ladder and participating in the principal battles of the War of the Spanish Succession.<sup>148</sup> In 1714–1715, he participated in the siege and final assault on Barcelona. By then he had reached the rank of captain in the infantry guards, equivalent to that of colonel in the regular regiments and

144 See the entries for Antonio Lanzós y Taboada, fifth Count of Maceda, Gabriel Bernaldo de Quirós, third Marquis of Monreal, and Pedro Bosseau y Doigneu, first Marquis of Châteaufort, in Ozanam and Quatrefages, *Los capitanes*, pp. 81–82, 89, and 176–177.

145 AGI, Santa Fe, 265, “Haze merced del Virreynato de Sta. Fe nuevo Reyno de Granada a Dn. Sevastian de Eslava con grado de Thente. Genl. de mis Rs. Exercitos,” Aranjuez, April 24, 1739.

146 Vázquez Varela, “Estrategias,” pp. 10–44.

147 *Ibid.*, pp. 48–50.

148 *Ibid.*, pp. 51–54.

the following year he received a knighthood in the Order of Santiago.<sup>149</sup> In 1718, under the future viceroy of Peru, Marquis of Castelfuerte, Eslava participated in the conquest of Sicily, receiving in 1720 an *encomienda* in the Order of Calatrava and an appointment in 1721 as inspector of the infantry of Aragon, Navarre and Guipuzcoa.<sup>150</sup> He spent most of the 1730s in Italy, arriving in Tuscany with the troops of the Count, later Duke, of Montemar in 1731.<sup>151</sup> He participated in the conquest of Oran and earned a promotion to brigadier in 1732.<sup>152</sup> His participation in the campaigns of the War of the Polish Succession and his continued services as army inspector earned him a promotion to the rank of *mariscal de campo* in 1734.<sup>153</sup> He remained in Italy, stationed in Florence, as inspector for several infantry regiments in the service of both the Spanish crown and the king of the Two Sicilies,<sup>154</sup> before returning to Madrid in 1737 and receiving his first appointment in the household of *Infante* Philip.<sup>155</sup>

Although Eslava's military record was certainly impeccable, the documents related to his viceregal appointment make no specific mention of his merits as a soldier. In February 1739, the Chamber of the Indies had recommended him on account of "his good judgement, demonstrated capabilities and conduct, disinterestedness, [...and] sufficient wisdom to adopt measures, create rules and new institutions".<sup>156</sup> In April, the king had chosen him "on account of his services, his demonstrated conduct, and the particular traits which will aid him in successfully fulfilling such an important task".<sup>157</sup> Perhaps most striking, his letter of appointment, issued on August 20, simply stated that it had been deemed "convenient to appoint to the office of viceroy [of New Granada] an individual of the necessary qualities [and that] seeing that these [we]re present in [...] Sebastián de Eslava" the king had chosen him as his viceroy.<sup>158</sup> In other words, it seems that despite the imminence of war,

149 *Ibid.*, pp. 54–55.

150 *Ibid.*, pp. 57–58.

151 *Ibid.*, p. 59.

152 *Idem.*; and Ozanam and Quatrefages, *Los capitanes*, p. 132.

153 Vázquez Varela, "Estrategias," p. 59 mistakenly gives the rank as "*mariscal de guerra*"; Ozanam and Quatrefages, *Los capitanes*, p. 132 dates his promotion to *mariscal de campo* on November 2nd, 1734.

154 Vázquez Varela, "Estrategias," pp. 59–60.

155 *Ibid.*, pp. 61–62.

156 AGI, Santa Fe, 264, Chamber of the Indies to king, Madrid, February 25, 1739.

157 AGI, Santa Fe, 265, "Haze merced del Virreynato a Dn. Sevastian de Eslava".

158 AGI, Santa Fe, 541, L.1, "Titulo de virrey del nuevo rno. de Granada a Dn. Sebasan de Eslava," San Ildefonso, August 20, 1739, f. 1r.

Eslava's promise as an ideal military-administrator played a major role in his nomination as second (first) viceroy of New Granada.

However, there can be no doubt that increasingly throughout 1739 Eslava came to be seen as the perfect man to have at the head of New Granada in preparation for the coming war. Already in July, the crown had repeatedly expressed the need for the new viceroy to set sail as soon as possible so that he could take command of the defenses of Cartagena.<sup>159</sup> Then, in September, as the details of his transportation were being organized, Eslava received new orders, prepared through the *vía reservada*. These instructed him to remain on the coast upon his arrival in New Granada, making full use of his powers as viceroy, to ensure the defense of its ports, "especially of Portobello, in the present constitution of the hostilities executed by the English", without needing to go inland to Santa Fe to take up office.<sup>160</sup> In fact, the crown's awareness of the need to defend Portobello was clear since August 1739, when letters addressed to the viceroy of Peru and the governor of Cartagena had informed them of the imminent departure from Cadiz of two warships transporting Eslava and six hundred men for the port's garrison.<sup>161</sup>

As it happened, however, Eslava did not leave Cadiz until October 18, 1739;<sup>162</sup> by the time he arrived in Cartagena de Indias on April 24, 1740, there was little that he could do to defend Portobello. Following Britain's declaration of war in October 1739, Admiral Vernon, who had set sail for the Caribbean in July, had launched an attack on the city, forcing its surrender on December 2nd, 1739, destroying its fortifications before abandoning the port two months later.<sup>163</sup> Yet, Eslava had a chance to prove his worth soon enough. For, in March 1741, Vernon turned his attention to Cartagena, confident that he would meet with the same result as the previous winter, only to be proved wrong by the outstanding defensive manoeuvres of Viceroy Eslava and Admiral Blas de Lezo.<sup>164</sup>

159 McFarlane, *Colombia*, p. 196.

160 AGI, Indiferente, 513, L.6, king to Eslava, San Ildefonso, September 2nd, 1739, ff. 146r-148r.

161 See Ramos Gómez, "El viaje," p. 119.

162 *Ibid.*, p. 120.

163 Walker, *Spanish*, pp. 207-08; Ramos Gómez, "El viaje," pp. 126-30; and Cerdá Crespo, "La guerra," pp. 105-15.

164 The sources and historiography on Vernon's failed siege of Cartagena are extensive. See, for example, *Diario de todo lo ocurrido en la expugnación de los fuertes de Bocachica, y sitio de la ciudad de Cartagena de las Indias: formado de los pliegos remitidos à Su Magestad (que Dios guarde) por el Virrey de Santa Fé Don Sebastián de Eslava con Don Pedro de Mur, su Ayudante General* ([Madrid]: [Imprenta de la Gaceta], 1741); James Alexander Robertson, "The English Attack on Cartagena in 1741; And Plans for an Attack on Panama", *Hispanic American Historical Review* 11 (1919): pp. 62-71; Charles E. Nowell, "The Defense



Thus, some important differences set the first and second creations of the viceroyalty of New Granada apart. Whilst in 1717 the whole process had been handled through the *vía reservada*, in the 1730s the inclusion of the Council of Indies in the discussions and the implementation of the restoration of the viceroyalty imbued the whole process with an air of normality and legitimacy that had been absent under Alberoni. Involving the Council of Indies may have been possible in the 1730s because of the profound changes within the tribunal's composition, which had taken place during Patiño's long tenure as minister of the Navy and the Indies. There is no doubt, however, that by doing so the crown removed one of the main causes of tensions between the viceroy and the Council, which had ultimately brought the first viceregal experiment to a close. However, there is little doubt that just as it had been the case in 1717, the creation of the viceroyalty in 1739 reflected very clearly the new understanding of the role of monarchical government, which had come to characterize early Bourbon reformism. If anything, Bartolomé Tienda de Cuervo's report, its adoption by the Council and the *instrucción* given to Sebastián de Eslava, show how strongly accepted the idea that the king's main responsibility was the provision of good economic government and conditions for development had become.

Finally, it should also be noted that the second creation of the viceroyalty differed from the first in some aspects of how the various territories which conformed the viceroyalty were integrated. Unlike in 1717, when the viceroyalty was re-established in 1739 the *audiencia* of Quito was not suppressed, although it became explicitly subordinated to the viceroy. Similarly, the province of Tierra Firme, which this time was included within the jurisdiction of the viceroyalty, retained the *audiencia* of Panama; at least until 1750, when the reality of the extinction of the *galeones* allowed for the tribunal's permanent suppression. Finally, although the provinces of Venezuela became once again part of the viceroyalty of New Granada, its inhabitants were only placed under the jurisdiction of the *audiencia* of Santa Fe for matters of political and fiscal government; for matters of strict justice, they remained subjected to the *audiencia* of Santo Domingo. These differences with the first creation of the viceroyalty showed more sensitivity towards local conditions. Unintentionally, perhaps, so did Eslava's permanence in Cartagena de Indias throughout his term as viceroy. Although spurred on by defensive concerns, the anomaly of the viceroy's presence on the coast, whilst the *audiencia* remained in Santa Fe, neutralized, at least temporarily, the rivalry between both cities.

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of Cartagena", *Hispanic American Historical Review* XLII (1962): pp. 477–501; Elías Ortiz, *El Virreinato*, pp. 197–232; and Cerdá Crespo, "La guerra," pp. 248–66.

## Conclusion

From start to finish Sebastian de Eslava's tenure as viceroy of New Granada constituted a sort of state of exception. The viceroy never travelled inland from Cartagena, deputising, instead, the former governor and captain-general of Santa Fe to officially be received by the *audiencia* in his stead.<sup>1</sup> As a result, Eslava never celebrated a formal entrance like that which had created so much tension between Villalonga and de la Pedrosa twenty years earlier. Moreover, because Eslava had sailed for New Granada amidst war preparations and with at least a pretense of stealth,<sup>2</sup> he travelled with an unusually small retinue. The viceroy's sour personality and rigorous zeal for the royal service seem to have made relations between Eslava and his entourage difficult, to the extent that half of the eleven men who travelled with him to New Granada had returned to Spain before the end of his tenure. Furthermore, those who remained with him, and the men who filled in the vacant posts, seem to have refrained from establishing the usual relations of clientage and patronage with local elites, which characterized viceregal courts, out of fear of the viceroy's displeasure; in fact, none of them seems to have settled in New Granada following the end of Eslava's tenure.<sup>3</sup> Finally, although he remained in office in Cartagena until December 1749, as early as 1744, he had been anxiously awaiting the right conditions to return to Spain. On that year, having declined a promotion to the viceroyalty of Peru, Eslava requested permission to return to Spain. The king allowed this, with the caveat that he should delay doing so until the war was over.<sup>4</sup> Nevertheless, a combination of his long tenure, the unusual conditions of his viceregency and the particularities of the process that led to the second creation of the viceroyalty contributed to the consolidation of the institution and prevented its suffering the same fate as the first viceroyalty.

Although local resistance to the first creation of the viceroyalty was relatively limited, in the 1740s, the threat, followed by the reality, of war allowed for the consolidation of viceregal rule. As had been the case in the Iberian Peninsula during the War of the Spanish Succession, the presence of belligerent foreign enemies within the immediate vicinity of Spain's American

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1 Ainara Vázquez Varela, "Redes de patronazgo del virrey Sebastián de Eslava en el Nuevo Reino de Granada," *Príncipe de Viana* LXXII (2011): pp. 135–147 at 143 and n. 33.

2 AGI, Santa Fe, 572, José de la Quintana to Marquis of Villarías, Buen Retiro, August 30, 1739.

3 Vázquez Varela, "Redes," pp. 141–142.

4 AGI, Santa Fe, 572, Eslava to king, Cartagena, March 3rd, 1744; AGI, Santa Fe, 572, King to Eslava, Madrid, December 24, 1744.

possessions helped to reduce opposition. The attacks on the settlements themselves, rather than simply upon vessels and trade routes as had been the case during the previous wars of the century, allowed the crown simultaneously to portray reform as necessary to military success and opposition as akin to treason. War also meant that despite his desire to return to Spain Eslava remained viceroy for ten years; like the prolonged tenures of Antonio de Mendoza in New Spain and the *Infante* Don Enrique in Catalonia, this must have helped to institutionalize the new viceroyalty. The importance of war in consolidating reform was equally visible on the commercial front. The suppression of the *galeones* introduced by Patiño in 1735 as a temporary measure became permanent after ten years of war. The consolidation of the system of *registros*, instead of yearly fleets, did not only deliver a major blow to the *Consulado* of Cadiz but constituted the most significant transformation in Spanish American trade.<sup>5</sup>

The War of Jenkins' Ear (1739–1748) also served to highlight the importance of military reform in the Indies. This had started under Alberoni with the creation of the *batallón fijo* of Havana, the only one of the Italian's major American reforms not to be undone after his fall.<sup>6</sup> Although often overlooked by the historiography, military reform continued under Villalonga in New Granada with the introduction of a modernized structure of Cartagena's garrison in 1721, before the extension of the *fijo* model to both Cartagena and Panama in the 1730s. The process of reform of Spanish America's armed forces went hand in hand with the process of appointment of "professional" military officers to government posts.<sup>7</sup> The process of creation of the viceroyalty of New Granada offers further evidence that this trend, often associated with the latter Bourbons, had begun much earlier, if perhaps timidly, under Alberoni with the designation of Jorge de Villalonga as viceroy of New Granada. It continued, almost uninterrupted, with the appointment of experienced and high-ranking officers as provincial governors throughout the 1720s and 1730s,<sup>8</sup> before the appointment of Eslava in 1739, followed closely by those of the Duke of La Conquista and Juan Francisco de Güemes y Horcasitas as viceroys of New Spain and José Antonio

5 Adrian J. Pearce, *The Origins of Bourbon Reform in Spanish South America, 1700–1763* (New York: Palgrave MacMillan, 2014).

6 Allan J. Kuethe and Kenneth J. Andrien, *The Spanish Atlantic World in the Eighteenth Century. War and the Bourbon Reforms, 1713–1796* (Cambridge: Cambridge University Press, 2014).

7 Francisco A. Eissa-Barroso, "Of Experience, Zeal and Selflessness": Military Officers as Viceroys in Early Eighteenth Century Spanish America," *The Americas* LXVII (2012): pp. 317–45.

8 Francisco A. Eissa-Barroso, "Having Served in the Troops": the Appointment of Military Officers as Provincial Governors in Early Eighteenth-Century Spanish America, 1700–1746," *Colonial Latin American Historical Review* Second series 1 (2013): pp. 329–359.

Manso de Velasco for Peru.<sup>9</sup> This process would reach its conclusion in the 1750s, when following a recommendation from José Pizarro, Marquis of Villar and viceroy of New Granada, Eslava, by then Secretary for War, approved a list of provincial offices within the viceroyalty that would henceforth be reserved for military officers. This list included those strategic provinces along the coastlines which had been served by military officers since the 1720s—such as Cartagena, Panama, Portobello, Santa Marta, Maracaibo or Cumana—but added a number of internal provinces that had until then continued to be sold to the higher bidder: Quito, Guayaquil, Popayan, Mariquita, Choco, Antioquia, Tunja, San Juan Giron, Santiago Atalayas, and Neiba.<sup>10</sup>

Although the bulk of the historiography tends to pay more attention to Spain's military failures, such as the loss of Portobello to Admiral Vernon's forces in 1739 or the fall of Havana in 1762, the defensive system created by the early Bourbons showed extraordinary resilience during the mid-years of the eighteenth century. Thus, during the first few years of the War of Jenkins' Ear, before its merging into the War of the Austrian Succession redirected hostilities towards European battlefields, Spanish forces successfully fended off British attacks on Cartagena de Indias, Havana, La Guaira, Santiago de Cuba and Puerto Rico.<sup>11</sup> They even launched an attack from Florida into British Georgia, occupying the port of Carolina for a few days.<sup>12</sup> A large part of these successes was due to the high quality of the captains-general serving as governors of strategic provinces, such as Gabriel de Zuloaga in Caracas (1737–1747) and Eslava, himself, in Cartagena de Indias.

At the same time, the creation of the viceroyalty seems to have increased royal authority within the region, reducing conflict and increasing the collection of revenue. Although Eslava and his successors continued to complain that local officials were untrustworthy, claiming that their orders were often disregarded or modified by those charged with implementing them, McFarlane's findings suggest that the viceroyalty strengthened royal authority

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9 Francisco A. Eissa-Barroso, "The Honor of the Spanish Nation': Military Officers, Mediterranean Campaigns and American Government under Felipe v," in *Early Bourbon Spanish America. Politics and Society in a Forgotten Era*, ed. Francisco A. Eissa-Barroso and Ainara Vázquez Varela (Leiden: Brill, 2013), pp. 39–60.

10 AHN, Codices, L.754, N.23, Council of the Indies to king, [Madrid], [ca. 1756], ff. 51v–53r.

11 See, for details of these events, Jorge Cerdá Crespo, *Conflictos coloniales: la Guerra de los Nueve Años, 1739–1748* (Alicante: Universidad de Alicante, 2010), although I do not share the author's interpretation.

12 *Ibid.*, pp. 217–18.

and curbed the autonomy of provincial interests.<sup>13</sup> This was probably most evident through the increase in revenue generated by the viceroyalty. It was partly the result of measures undertaken by Eslava and his successors to reduce tax evasion and to simplify the collection of existing taxes.<sup>14</sup> Yet, it was also helped significantly by the full implementation, under Eslava, of the cane-liquor monopoly across the viceroyalty.<sup>15</sup> At the same time, trade between Cadiz and Cartagena increased. The years after the creation of the viceroyalty saw the development of a “more frequent and stable system of transportation for Spanish trade with New Granada”.<sup>16</sup> This, however, was probably more directly related to the introduction of *registros* to replace the *galeones* than to the creation of the viceroyalty itself.

It is less clear whether contraband abated with the creation of the viceroyalty. In 1744, for example, the treasury officials in Cartagena de Indias received an order that Eslava’s part of the monies raised through the auctioning of seized contraband goods should be used to pay what the viceroy owed of his *media anata*. The officials responded by pointing out that during his tenure income from this source had been minimal.<sup>17</sup> Given the boom in illicit foreign trade during the early years of the war, and the relative success in curbing contraband experienced following Blas de Lezo’s restructuring of the coastguard system in 1737 and until the destruction of his ships in 1741,<sup>18</sup> it would seem these activities were at least partially neglected by the viceroy. Alternatively, it is unlikely that the creation of the viceroyalty would in itself make a significant dent in an activity that had become integral to the political economy of the region. After all, as Lance Grahn has suggested, the fight against contraband was more about controlling than eradicating illicit trade.<sup>19</sup> British and French sources, nonetheless, suggest that by the late 1740s and the 1750s direct trade with New Granada’s coasts had become less profitable.<sup>20</sup>

Finally, neither the elites of other parts of Spanish America nor subsequent reformist ministers failed to notice the precedent set by the creation of the viceroyalty of New Granada. In 1751 residents of northwestern New Spain urged

13 Anthony McFarlane, *Colombia before Independence. Economy, Society, and Politics under Bourbon Rule* (Cambridge: Cambridge University Press, 1993), pp. 198–99.

14 *Ibid.*, p. 200.

15 *Ibid.*, pp. 200–201; and Pearce, *The Origins*, p. 135.

16 McFarlane, *Colombia*, pp. 116–20, the quote on p. 116.

17 AGI, Santa Fe, 272, Oficiales reales de Cartagena to king, Cartagena, March 12, 1744.

18 McFarlane, *Colombia*, pp. 116–17.

19 Lance Grahn, *The Political Economy of Smuggling. Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), p. 29.

20 McFarlane, *Colombia*, p. 117.

the crown to create a viceroyalty in the provinces of Sonora and Sinaloa to protect the northern Pacific coast from encroachment by British, Dutch and Russian expeditions. Later, in 1760 and 1761 respectively, the crown explored the possibility of establishing viceroyalties in New Biscay (in northern New Spain) and in Guatemala.<sup>21</sup> As Demetrio Ramos pointed out, these projects, as the creation of the viceroyalty of New Granada itself, sought to use a traditional institution—the viceroy—to address new concerns: defense against foreign attacks, effective administration and revenue collection and economic development.<sup>22</sup> Whilst none of these projects came to fruition, the crown would finally establish a fourth viceroyalty within Spanish America in 1776 by separating the provinces of the River Plate, Upper Peru and Paraguay from the viceroyalty of Lima. As was the case with the viceroyalty of New Granada, the decision to create a viceroyalty in the provinces of River Plate would be taken by the king's ministers with limited consultation and in a secretive manner. However, it would be driven primarily by defensive considerations, with fiscal and economic concerns a close second, reinforced in 1782 by the introduction of *intendentes*. The new understanding of the role of the monarchy, and by extension of viceregal rule, would be evident in the fact that an *audiencia* was not created in Buenos Aires until 1783.<sup>23</sup>

Historians tend to agree that one of the most important characteristics of Bourbon rule in Spain was the move away from rule by Councils and the increased prominence enjoyed by the king's Secretaries of State.<sup>24</sup> There is no doubt that the bulk of the reformist initiatives of the late Bourbons were the work of dynamic, assertive and often visionary ministers; neither is there reason to doubt that the transformations which allowed these latter ministers to achieve such protagonism had begun under the early Bourbons. The chronology of this process, though, is far less clear. The study of the protracted process of the creation of the viceroyalty of New Granada shows that neither the creation of the offices of Secretaries of State in 1714, nor the formal diminution of

21 Demetrio Ramos, "Los proyectos de creación de los Virreinos de Guatemala y Nueva Vizcaya como ejemplo de la mentalidad 'correctora', tras la erección del de Santa Fé", *Boletín de la Real Academia de la Historia* CLXXXIV (1987): pp. 209–234.

22 *Ibid.*, pp. 214 and 233.

23 Víctor Tau Anzoátegui, "Las reformas borbónicas y la creación de los nuevos virreinos," in *Congreso internacional. El gobierno de un mundo. Virreinos y audiencias en la América Hispánica*, ed. Feliciano Barrios Pintado (Cuenca: Universidad de Castilla-La Mancha / Fundación del Pino), pp. 431–45, at 436–37.

24 Cfr. Christopher Storrs, "Felipe v: Caesura or Continuity?," in Eissa-Barroso and Vázquez Varela, *Early*, pp. 9–21; Anthony McFarlane, "The Bourbon Century," in Eissa-Barroso and Vázquez Varela, *Early*, pp. 181–98; and Kuethe and Andrien, *The Spanish*.

the Councils' faculties in 1717, marked a clear-cut point of inflection. The backlash against Alberoni in the early 1720s clearly demonstrates that the Councils and the conservative political forces within Spain had the potential to resist the advances of the new "administrative" monarchy. Much more significant seems to have been Patiño's gradual process of erosion of the Councils' resistance by renewing their personnel throughout the late 1720s and 1730s. As the procedure followed during the second creation of the viceroyalty of New Granada suggests, the changes made during this period allowed for the consolidation of the power of the Secretaries of State, even in the absence of strong personalities, such as Patiño and his successors in the 1740s, José del Campillo and Zenón Somodevilla, first Marquis of la Ensenada.

Similarly, the contents of Bartolomé Tienda de Cuervo's reports, their adoption by both the crown and the Council of Indies, plus their influence in the drafting of Eslava's *instrucción* for governing New Granada are further evidence of the importance of the new understanding of the role of the monarchy and its obligation to provide the necessary conditions for economic development. As Anthony McFarlane has pointed out, historians have long been aware that these ideas circulated within early Bourbon Spain in the works of Melchor de Macanaz, Juan de Cabrera or Benito Jerónimo Feijoo.<sup>25</sup> However, it has frequently been assumed, if not argued explicitly, that these ideas did not begin to be implemented in the Americas until the regalist works of José del Campillo and Bernardo Ward were recovered by the later Bourbons.<sup>26</sup> Yet, the fact that neither Alberoni nor Patiño left extensive treatises outlining their rationale, nor the short duration of Campillo's ministry in the early 1740s, should be taken as an indication that the ideological tenements of late Bourbon reformisms played no role in the design of policy for Spanish America before 1763.

The foundations laid under the early Bourbons were unquestionably limited in their reach and impact. But foundations they were: Charles III and his ministers would build upon them, striving to further increase royal authority and revenue collection in the Indies; extending the reform and size of the army to the farthest reaches of the empire; entrusting government to loyal and experienced military officers more evenly and at lower levels of the provincial administration; and finally ending the sale of offices across the region. This new and stronger wave of reform, however, would once again arrive on the wings of war and would be designed and implemented by the efficient structures

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25 McFarlane, "The Bourbon", p. 186.

26 Gabriel B. Paquette, *Enlightenment, Governance, and Reform in Spain and its Empire, 1759–1808* (Basingstoke: Palgrave Macmillan, 2008).

of executive government that, under Philip v, had gradually replaced the Monarchy's traditional system of rule by Councils.

Finally, the protracted process through which the viceroyalty of New Granada was created reveals a rich and complex image of the multiple forces and interests at play within early modern Spanish America. The decision to create the viceroyalty in the first place had been prompted by local tensions and confrontation within northern South America that had been, at least in part, the result of the region's vibrant connections with foreign merchants. These connections and the tensions they generated were directly affected by changing geopolitical configurations within Europe. The manner in which the viceroyalty was first created and then suppressed constituted very tangible American manifestations of the ebb and flow of reformism within Madrid and a reflection of the on-going squabbles at court. At the same time, New Granadan interests had not been oblivious to the opportunities that these changes offered and had striven to take advantage of them. The brief existence of the first viceroyalty, under Jorge de Villalonga, left deep marks within New Granada. Although the viceroy returned to Spain in 1724, many members of his retinue remained in Santa Fe, where they became deeply engrained within the local society. Some of these men, as well as residents of Cartagena during the first viceroyalty, played important roles in the restoration of the viceroyalty over a decade later, thus, completing a story in which people, money, policies and an assortment of particular interests travelled to and fro across the Spanish Atlantic.





# Appendix I

## *Chronology of Philip V's Secretaries of State (1701–1746)*

### 1701–1703

Antonio Ubilla y Medina, 1st Marquis of Rivas

Universal Secretary of the Cabinet  
\* Jean Orry and the Cabinet Council enjoy considerable power

### 1703–1704

Antonio Ubilla y Medina, 1st Marquis of Rivas

Universal Secretary of the Cabinet for 'everything else'

Manuel Coloma Escolano, 2nd Marquis of Canales

Universal Secretary of the Cabinet for matters of war and finance  
\* Jean Orry retains significant power

### 1704–1705

Antonio Ubilla y Medina, 1st Marquis of Rivas

Universal Secretary of the Cabinet

### 1705–1709

José Gutiérrez de Grimaldo (later 1st Marquis of Grimaldo, 1714)

Secretary of State and the Cabinet for matters of war and finance

Pedro Fernández del Campo, 2nd Marquis of Mejorada

Secretary of State and the Cabinet for everything else

\* Michel-Jean Amelot, French ambassador, leads the government

## 1709–1710

José Gutiérrez de Grimaldo (later 1st Marquis of Grimaldo, 1714)	Secretary of State and the Cabinet for matters of war and finance
Pedro Fernández del Campo, 2nd Marquis of Mejorada	Secretary of State and the Cabinet for everything else
	* Grimaldo leads the government

## 1710–1714

José Gutiérrez de Grimaldo (later 1st Marquis of Grimaldo, 1714)	Secretary of State and the Cabinet for matters of war and finance
Pedro Fernández del Campo, 2nd Marquis of Mejorada	Secretary of State and the Cabinet for everything else
	* 1711–1712 Jan van Brouhoven, Count of Bergeyck leads the government
	* 1713 Jean Orry returns from France and replaces Bergeyck

## 1714–1715

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Miguel Fernández Durán (later 1st Marquis of Tolosa, 1719)	Secretary of State and the Cabinet for matters of war
Bernardo Tinajero de la Escalera	Secretary of State and the Cabinet for matters of the navy and the Indies
Manuel Vadillo y Velasco	Secretary of State and the Cabinet for matters of justice
Jean Orry	Comptroller-General of Finance
Lorenzo de Armengual, Bishop of Girona	Universal Superintendent of Finance
	* Jean Orry and Melchor de Macanaz lead the government

**1715–1716**

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Miguel Fernández Durán (later 1st Marquis of Tolosa, 1719)	Secretary of State and the Cabinet for matters of war
Manuel Vadillo y Velasco	Secretary of State and the Cabinet for matters of justice
Lorenzo de Armengual, Bishop of Girona	Secretary of State and the Cabinet for matters of finance
	* Cardinal Giudice heads the government

**1717–1720**

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Miguel Fernández Durán (later 1st Marquis of Tolosa, 1719)	Secretary of State and the Cabinet for matters of war and the navy
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and finance
	* Giulio Alberoni heads the government

**1720–1721**

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Miguel Fernández Durán, 1st Marquis of Tolosa	Secretary of State and the Cabinet for matters of war, the navy and the Indies
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and political government
Juan de Dios del Río González, 1st Marquis of Campoflorido	Secretary of State and the Cabinet for matters of finance
	* Grimaldo heads the government

## 1721–1724

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Baltasar Patiño y Rosales, 1st Marquis of Castelar	Secretary of State and the Cabinet for matters of war
Andrés de Pez (vacant from 1723)	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and political government
Juan de Dios del Río González, 1st Marquis of Campoflorido	Secretary of State and the Cabinet for matters of finance
	* Grimaldo and the Marquis of Castelar are the leading figures of government

## 1724 (Under Louis I)

Juan Bautista de Orendain (later 1st Marquis of La Paz, 1725)	Secretary of State and the Cabinet for matters of State
Baltasar Patiño y Rosales, 1st Marquis of Castelar	Secretary of State and the Cabinet for matters of war
Antonio de Sopena y Mioño	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and political government
Fernando Verdes Montenegro	Secretary of State and the Cabinet for matters of finance
	* Grimaldo, from San Ildefonso, remains the leading figure of government

## 1724–1725

José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Baltasar Patiño y Rosales, 1st Marquis of Castelar	Secretary of State and the Cabinet for matters of war

Antonio de Sopena y Mioño	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and political government
Juan Bautista de Orendain (later 1st Marquis of La Paz, 1725)	Secretary of State and the Cabinet for matters of finance * Grimaldo's leadership is challenged by Orendain

## 1725–1726

Johan Willem Ripperdá, Baron Ripperdá, 1st Duke of Ripperdá	Secretary of State and the Cabinet without portfolio
José Gutiérrez de Grimaldo, 1st Marquis of Grimaldo	Secretary of State and the Cabinet for matters of State
Johan Willem Ripperdá, Baron Ripperdá, 1st Duke of Ripperdá (from 1726)	Secretary of State and the Cabinet for matters of war
Johan Willem Ripperdá, Baron Ripperdá, 1st Duke of Ripperdá (from 1726)	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós (later 1st Marquis of La Compuesta, 1726)	Secretary of State and the Cabinet for matters of justice and political government
Juan Bautista de Orendain, 1st Marquis of La Paz	Secretary of State and the Cabinet for matters of finance * Ripperdá leads the government and effectively takes over Grimaldo's portfolio.

## 1726–1730

Juan Bautista de Orendain, 1st Marquis of La Paz	Secretary of State and the Cabinet for matters of State
Baltasar Patiño y Rosales, 1st Marquis of Castelar	Secretary of State and the Cabinet for matters of war
José Patiño y Rosales	Secretary of State and the Cabinet for the navy and the Indies

José Rodrigo y Alós, 1st Marquis of  
La Compuesta

Secretary of State and the Cabinet for  
matters of justice and political  
government

José Patiño y Rosales (briefly in 1726  
Francisco de Arriaza)

Secretary of State and the Cabinet for  
matters of finance

\* J. Patiño leads the government

### 1730–1734

Juan Bautista de Orendain, 1st  
Marquis of La Paz

Secretary of State and the Cabinet for  
matters of State

José Patiño y Rosales

Secretary of State and the Cabinet for  
matters of war

José Patiño y Rosales

Secretary of State and the Cabinet for the  
navy and the Indies

José Rodrigo y Alós, 1st Marquis of  
La Compuesta

Secretary of State and the Cabinet for  
matters of justice and political  
government

José Patiño y Rosales

Secretary of State and the Cabinet for  
matters of finance

\* J. Patiño leads the government

### 1734–1736

José Patiño y Rosales

Secretary of State and the Cabinet for  
matters of State

José Patiño y Rosales

Secretary of State and the Cabinet for  
matters of war

José Patiño y Rosales

Secretary of State and the Cabinet for the  
navy and the Indies

José Rodrigo y Alós, 1st Marquis of La  
Compuesta

Secretary of State and the Cabinet for  
matters of justice and political  
government

José Patiño y Rosales

Secretary of State and the Cabinet for  
matters of finance

\* J. Patiño leads the government

## 1736–1739

Sebastián de la Cuadra (later 1st Marquis of Villarias, 1738)	Secretary of State and the Cabinet for matters of State
Sebastián de la Cuadra (interim) / Casimiro de Uztáriz (1738)	Secretary of State and the Cabinet for matters of war
Mateo Pablo Díaz Labandero, 1st Marquis of Torrenueva	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós, 1st Marquis of La Compuesta	Secretary of State and the Cabinet for matters of justice and political government
Mateo Pablo Díaz Labandero, 1st Marquis of Torrenueva	Secretary of State and the Cabinet for matters of finance * Sebastián de la Cuadra acts as chief minister

## 1739–1741

Sebastián de la Cuadra, 1st Marquis of Villarias	Secretary of State and the Cabinet for matters of State
Casimiro de Uztáriz	Secretary of State and the Cabinet for matters of war
José de la Quintana	Secretary of State and the Cabinet for the navy and the Indies
José Rodrigo y Alós, 1st Marquis of La Compuesta	Secretary of State and the Cabinet for matters of justice and political government
Juan Bautista Iturralde (1739) / Fernando Verdes Montenegro (from 1740)	Secretary of State and the Cabinet for matters of finance * Sebastián de la Cuadra acts as chief minister

## 1741–1743

Sebastián de la Cuadra, 1st Marquis of Villarias	Secretary of State and the Cabinet for matters of State
José del Campillo y Cossío	Secretary of State and the Cabinet for matters of war



José del Campillo y Cossío	Secretary of State and the Cabinet for the navy and the Indies
Sebastián de la Cuadra, 1st Marquis of Villarias	Secretary of State and the Cabinet for matters of justice and political government
José del Campillo y Cossío	Secretary of State and the Cabinet for matters of finance

### 1743–1746

Sebastián de la Cuadra, 1st Marquis of Villarias	Secretary of State and the Cabinet for matters of State
Zenón Somodevilla, 1st Marquis of La Ensenada	Secretary of State and the Cabinet for matters of war
Zenón Somodevilla, 1st Marquis of La Ensenada	Secretary of State and the Cabinet for the navy and the Indies
Sebastián de la Cuadra, 1st Marquis of Villarias	Secretary of State and the Cabinet for matters of justice and political government
Zenón Somodevilla, 1st Marquis of La Ensenada	Secretary of State and the Cabinet for matters of finance

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# Appendix II

## Councilors of the Indies (1700–1746) by Date of Appointment

CyE: *de capa y espada*

T: *togado*

■ / ■: period of confirmed tenure in the Council

■ / ■

▨ / ▨: unconfirmed tenure in the Council; date of appointment or termination unknown

▨ / ▨

	1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713
Francisco de Haro y Guzmán	CyE	■	■	■	■	■	■	■	■	■	■	■	■	■
Pedro Fernández de Velasco y Tobar, 2nd Marquis of Fresno, Count Consort (5th) of Peñaranda de Bracamonte	T	■	■	■	■	■	■	■	■	■	■	■	■	4I
Francisco Camargo y Paz ( <i>Lic</i> )	T	■	12.VIII	■	■	■	■	■	■	■	■	■	■	■
José Díaz Ortega ( <i>Lic</i> )	T	■	■	16.III	■	■	■	■	■	■	■	■	■	■
Manuel García Bustamante	CyE	■	■	■	■	■	18.IX	■	■	■	■	■	■	■
Manuel Francisco de Lira	T	■	■	■	■	■	■	■	■	■	■	■	■	■
Juan de Castro y Gallego	CyE	■	■	■	■	■	18.IX	■	■	■	■	■	■	■
Alonso Carnero	T	■	■	■	■	■	■	■	■	■	■	■	■	■
Martin de Solís y Miranda ( <i>Lic</i> )	T	■	■	■	■	■	12.IV	12.II	■	■	■	■	■	■
Juan de Larréa	T	■	■	■	■	■	21.IV	■	■	■	■	■	■	■
Antonio Aranguren y Zubiate ( <i>Lic</i> )	T	■	18.III	■	■	■	■	■	■	■	■	■	■	■
Mateo Ibáñez de Mendoza	T	16.II	■	■	■	■	??	■	■	■	■	■	■	■
Francisco Bernaldo de Quiros	T	18.III	■	■	■	■	■	■	■	■	■	■	■	■
Diego Hermoso Romero y Aragón	T	22.IV	■	■	■	15.XI	■	■	■	■	■	■	■	■
Alonso Pérez de Araciel	T	5.V	■	■	■	■	■	■	■	■	■	■	■	22.II
Baltasar de Zúñiga y Guzmán, 2nd Marquis of Valero, later 1st Duke of Arjón and grandee of Spain (1725)	CyE	6.VI	■	■	■	Viceroy of Sardinia	■	■	■	■	■	■	■	■
Luis de Restorga	T	9.VI	■	■	■	■	■	■	■	■	■	■	■	■
Pedro Colón de Larrategui ( <i>Lic</i> )	T	■	■	25.VI	5.IV	■	■	■	■	■	■	■	■	■
Pedro de Gamarra y Arriaga	T	■	■	25.VI	■	■	18.IX	■	■	■	■	■	■	■
Juan de Aguilera	T	■	■	■	5.II	■	■	■	■	■	■	■	■	■
José Bolero y Muñóz ( <i>Lic</i> )	T	■	■	■	5.II	■	18.IX	■	■	■	■	■	■	■
Sebastián Ortega y Melgares	T	■	■	■	27.II	■	■	■	■	■	■	■	■	■
Manuel Gamboa	T	■	■	■	9.VI	■	??	■	■	■	■	■	■	■













		1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714
Mateo Ibáñez de Mendoza y Córdoba ( <i>Lic</i> )	T															
José de la Isequilla ( <i>Lic</i> )	T															
Juan de la Cruz Pizarro de Aragón, 2nd Marquis of San Juan de Piedras Albas	CyE															
Fernando Vedes Montenegro	CyE															
Marquis of Capicelatro	CyE															
Antonio Álvarez de Abreu, 1st Marquis of La Regalia (1738)	T															
José de Valdivieso, ( <i>Lic</i> )	T															
Francisco Antonio Aguirre y Salcedo	CyE															
Andrés de Orbeta, ( <i>Lic</i> )	T															
Marquis of Montehermoso	CyE															
Antonio de Pineda y Capdevila ( <i>Lic</i> )	T															
José Cornejo e Ibarra ( <i>Lic</i> )	T															
Pedro Domingo de Contreras ( <i>Lic</i> )	T															
Marquis of San Gil	T															
Diego Yopulo	CyE															
Mauro de Mendoza	CyE															
José Francisco de Aguirre ( <i>Lic</i> )	T															
Francisco Sagardía y Palencia ( <i>Lic</i> )	T															
José de la Quintana	CyE															
José de Carvajal y Láncaster ( <i>Lic</i> )	T															
Esteban José de Abaria e Ymaz	CyE															
Luis Fernando de Isla ( <i>Lic</i> )	T															
Pedro Martínez de Arizala ( <i>Lic</i> )	T															
Mateo Pablo Díaz, first Marquis of Torrenueva	CyE															
Ventura de Pinedo, Count of Villanueva	T															
Tomás Gerladino	CyE															

S.N&I: Secretary of State for the Navy and the Indies.



		1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712	1713	1714
Martín Lardizaval	T															
Gama y Portocarrero, Count of Valdeparaiso	CyE															
Casimiro Osorio Rubín de Zelis	CyE															
Álvaro de Navia y Bolaño	T															
Juan Bautista de Herrera y Loysaga	T															
Jerónimo de Sola y Fuente ( <i>Lic</i> )	T															
Prudencio Antonio de Palacios ( <i>Lic</i> )	T															
Francisco Fernández Molinillo	CyE															
Antonio Jacinto Romay Aranda y Sotomayor ( <i>Lic</i> )	T															
Juan Vázquez de Agüero ( <i>Lic</i> )	T															
Felipe del Arco Riba Herrera	CyE															
Antonio Hermenegildo Querejazu y Molinedo ( <i>Lic</i> )	T															
Rodrigo de Torres y Morales, Marquis of Matallana de Val Madrigal (1745)	T															
Manuel de Sacedo	CyE															
Gaspar de Leyva	CyE															
José Torrero	CyE															

ELABORATED WITH DATA FROM: BERNARD, GILDAS. *LE SECRÉTARIAT D'ÉTAT ET LE CONSEIL ESPAGNOL DES INDES (1700-1808)*. GENEVA: LIBRAIRE DROZ, 1972.



# Appendix III

## Members of the Chamber of the Indies (1700–1746) by Date of Appointment

CyE: *de capa y espada*

T: *togado*

 /  : period of confirmed tenure in the Chamber

 / 

 /  : unconfirmed tenure in the Chamber; date of termination unknown

 / 

		1700	1701		1716		1721	1722	1723
Francisco Camargo y Paz ( <i>Lic</i> )	T								
Manuel Francisco de Lira	T								* Probabl Chamber
Juan de Castro y Gallego	CyE								
Alonso Carrero	T								
Juan de Larrea	T								
Francisco Bernaldo de Quiros	T								
Baltasar de Zúñiga y Guzmán, 2nd Marquis of Valero, later 1st Duke of Arión and grandee of Spain (1725)	CyE			6.VI					?
Antonio de Ubilla y Medina, 1st Marquis of Rivas	CyE								22.XI
Manuel de Silva y Meneses	T								22.XI
Diego de Zúñiga y Tobar ( <i>Lic</i> )	T								22.XI
Gonzalo Machado ( <i>Lic</i> )	T								22.XI
Manuel Silva Ribera, 6th Marquis of Montemayor	CyE								
José de la Isequilla ( <i>Lic</i> )	T								
Antonio Álvarez de Abreu, 1st Marquis of La Regalia (1738)	T								
Mateo Ibáñez de Mendoza y Córdoba ( <i>Lic</i> )	T								
Mateo Pablo Díaz, first Marquis of Torrenueva	CyE								
José de Canajal y Lancaster ( <i>Lic</i> )	T								
José de la Quintana	CyE								
Antonio de Sopeña y Mioño	CyE								
Francisco Javier de Goyeneche, 1st Marquis of Belzunce (1731?)	CyE								
Rodrigo de Torres y Morales, Marquis of Mataliana de Val Madrigal (1745)	T								

The Chamber was suppressed on 6 March 1701 and re-established on 29 April 1716

The Chamber was suppressed on 11 March 1717 and re-established on 22 December 1721

ELABORATED WITH DATA FROM: BERNARD, GILDAS. *LE SECRÉTARIAT D'ÉTAT ET LE CONSEIL ESPAGNOL DES INDES (1700–1808)*. GENEVA: LIBRAIRE DROZ, 1972.





# Appendix IV

## Presidents of the Council and Chamber of the Indies (1700–1746)

by Date of Appointment

CyE: *de capa y espada*

T: *togado*

 /  : period of confirmed tenure as president of the Council

 /  : period of confirmed tenure as governor of the Council

		1700	1701	1702	1703	1704	1705	1706	1707	1708	1709	1710	1711	1712
Luis Francisco de la Cerda Aragón y Floch de Cardona, 9th Duke of Medinaceli	CyE		29.IX		?.?									
Juan Francisco Téllez-Girón, Duke Consort (4th) of Uceda, 3rd Count of la Puebla de Montealbán*	CyE				30.IV			?.?	26.II			?.?		
José Sarmiento de Valladares y Arines, 1st Duke of Atrisco	T						31.VIII			10.IX				
Rodrigo Manuel Manrique de Lara, 2nd Count of Firgiliana	CyE											17.I		
Alonso Pérez de Araciel**	T													
Gonzalo Machado**	T													
Andrés Matías de Pez	CyE													
Baltasar de Zúñiga y Guzmán, 1st Duke of Añón	T													
Cristóbal Gregorio Portocarrero, 5th Count of Montijo	CyE													



\* Bertrand provides inaccurate name and biographical details of the Duke of Uceda. According to this author Uceda left his position as president of the Council in 1706 when he took the side of the archduke in the War of Succession, but was later pardoned by Philip v and returned to the Council. Hobbs suggests instead that Uceda remained loyal to Philip v until 1711 when he changed sides and went to reside in Vienna. According to this account, Uceda would have been assigned a number of missions, including a failed attempt to recover Sardinia in 1710–11, in the later years of his presidency which made him regularly absent from Madrid.

\*\* Pérez de Araciel and Machado were ordinary councillors before being appointed second and third president during the short-lived reform of 1713–1715. They both returned to their posts as councillors after the reform was repealed.

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 /  : retired or excused from attendance with retention of the title of president

1713	1714	1715	1716	1717	1718	1719	1720	1721	1722	1723	1724	1725	1726	1727				1737	1738	1739	1740	1741	1742	1743	1744	1745	1746	
10. XI	10. XI																											
		5. VIII	5. VIII																									

The presidency was vacant between 1727 and 1737



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