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NEGRO RESISTANCE TO SPANISH RULE IN COLONIAL MEXICO

Negroes and persons of African descent constituted a significant percentage of the non-indigenous population of colonial Mexico. During the three centuries of Spanish rule, more than 200,000 African slaves were brought into Mexico. As early as the second half of the sixteenth century, the Negro slave population of Mexico exceeded that of the Spaniards in the archbishoprics of Mexico, Michoacán, Nueva Galicia, and Tlaxcala; and as late as 1742, Negroes, not including *Afromestizos* (persons of mixed African, white, and Indian blood), outnumbered whites 20,131 to 9,814 in New Spain.¹ Despite the large number of Africans entering Mexico, by 1793 the Negro race had been reduced to a small number. The famous Baron Alexander de Humboldt noted in 1793 that "it appears that in all of New Spain there are not six thousand Negroes, and not more than nine or ten thousand slaves, of whom the greatest number belong to the ports of Acapulco and Veracruz, or the warm regions of the coast."² This tremendous decrease in Negroes can be attributed to what in Latin America is called *mestizaje*—the mingling of the races. Dr. Gonzalo Aguirre Beltrán, leading Mexican authority on the Negro of Mexico, in commenting on the above reduction has stated: "The majority [Negroes] had diluted their blood by union with the aborigines and whites,

¹ See Joaquín Boncal, "The Negro Race in Mexico," *The Hispanic American Historical Review*, XXIV (August, 1944), 534-535; and Gonzalo Aguirre Beltrán, *La Población Negra de México, 1519-1810* (México: Ediciones Fuente Cultural, 1946), pp 224-225.

² Alexander de Humboldt, *Political Essay on the Kingdom of New Spain*, trans. by John Black (4 vols.; London: Longman, Hurst, Rees, Orme, and Brown, 1822), I, 236.

thus giving rise to the mixture of bloods that form the biological basis of Mexican nationality.’³

The Spanish considered persons of African blood to be *infames de cerecho* (evil ones), of *mala raza* (bad race), *mala casta* (bad caste), and to have a subversive influence on the Indians. One viceroy advised his successor that mulattoes and *Negros criollos* were “naturally arrogant, audacious, and fond of change.”⁴ Undoubtedly the Spanish attitude and policy toward the Negro was conditioned by the fear of slave revolts. Cardinal Cisneros expressed this feeling of apprehension toward the Negro slave by asserting: “They [Negroes] are fit for war, men without honor and faith, capable of treason and vexation, which, as they increase, infallibly lead to rebellion, for they wish to impose on the Spaniards the same chains which they wear.”⁵

Spanish colonial laws were to some degree reflective of the fear, distrust and antagonism toward the Negro. Spaniards, regarding themselves as *gente de razón* (people of reason), without a *partícula de sangre vil* (particle of bad blood), attempted to establish a social system designed to maintain their alleged purity of blood, to ensure a superior status for their elite, and to relegate the Negro to the lowest rung of the social ladder. A very elaborate color bar (*la línea de color*) and a caste (*casta*) system were the specific devices employed to accomplish these purposes. One’s position in colonial Mexico was to a considerable degree determined by his color.⁶ Persons of color were subjected to numerous restrictions regarding dress, marriage, education, labor, and almost all other details of their lives. Individuals classified as Ne-

³ Gonzalo Aguirre Beltrán, “The Slave Trade in Mexico,” *The Hispanic American Historical Review*, XXIX (August, 1944), 431.

⁴ *Instrucciones que los virreyes de Nueva España dejaron a sus sucesores* (México: Imprenta Imperial, 1867), p. 259.

⁵ Quoted in Carlos Federico Guillot, *Negros Rebeldes y Negros Cimarrones* (Buenos Aires: Fariña Editores, 1961), p. 16.

⁶ Social status in colonial Mexico was not entirely dependent upon color. Generally speaking the *españoles de procedencia europea* (European born Spaniards) and the *españoles americanos* (commonly called creoles) were the elite. Many Spaniards, however, were poor whites. In colonial Mexico many of these poor whites became *vagabundos*. See Norman F. Martin, *Los Vagabundos en la Nueva España* (México: Editorial Jus., 1957), for a detailed study of the white, Negro, and Indian *vagabundos*.

groes or mulattoes were required to pay tribute, prohibited from carrying arms or sharp pointed weapons, not accepted into the ecclesiastical orders, not allowed to wear gold, pearls or silk, forbidden to go out after dark, denied the privileges of riding horses, not permitted to live in Indian villages. An *ordenanza* of April 14, 1612, even decreed that it was illegal "for more than four Negro women and men to be present at the burial of a Negro man or woman, or of a free or slave mulatto, male or female."⁷

The Negro of colonial Mexico often experienced cruel and inhuman treatment. It was a common practice, aimed at the clandestine introduction of slaves, to brand (*marca a fuego*) the slaves on the face and shoulders.⁸ The punishment imposed upon Negroes for violating the oppressive Spanish laws was frequently excessive. Viceroy Martín Enríquez on November 6, 1579, for example, declared: "Any Negro slave whom it has been ascertained has escaped from the service of his master and is found in the mountains, shall for the same be arrested and castrated. . . ."⁹ The above decree was, however, contrary to an earlier order of Emperor Carlos which forbade "the penalty of cutting off of those parts which modesty does not permit us to name."¹⁰ It was not uncommon for Spaniards penal law to include provisions for mutilation of the limbs. Negro slaves found guilty of mistreating Indian women were to be given one hundred lashings for first offense, and their ears to be cut off for second offense. Don Guillén Lampart, *enjuiciador* for the Inquisition and an obvious observer of Spanish penal practices, was so moved by the injustice inflicted on the Negro that he accused

⁷ Eusebio Bentura Beleña, ed., *Recopilación sumaria de todos los autos acordados de la Real Audiencia y Sala del Crimen de esta Nueva España, y providencias de su superior gobierno: de varias reales cédulas y órdenes que después de publicada la Recopilación de Indias han podido recogerse así de las dirigidas a la misma audiencia o gobierno, como de algunas otras que por sus notables decisiones covendrá no ignorar* (4 vols. in 2; México: Imprenta por Don Felipe de Zuñiga y Ontiveros, 1787), II, 73.

⁸ The practice of branding slaves was not limited to imposing brands on Negroes. During the period of Indian slavery, it was a common practice to brand Indian slaves.

⁹ Cited in Martin, *op. cit.*, p. 124.

¹⁰ *Recopilación de leyes de los reynos de las Indias* (4th ed., 3 vols.; Madrid, 1791), lib. VII, tít. V, ley XXIII (hereinafter cited as *Recop. de Indias*).

his fellow man of usurping the Negro of his natural rights and

. . . reducing them (the Negro) to the level of brute animals and mistreating them. Considering that they have been born and redeemed—capable of the same heavenly state as you—and are Christians and members of the Catholic church, they are deprived of what is most worthy in life, namely liberty. . . .¹¹

The acquisition of freedom did not necessarily mean for the Negro a decided improvement in his status. A royal decree, for example, issued on April 29, 1577, stipulated that, because of the difficulty in collecting tribute from free Negroes and mulattoes, "it is fitting that they be compelled to live with well known masters, and cannot leave or go over to others without permission from the *Justicia ordinaria*."¹² In general, many of the restrictions imposed on the Negro slave were also applicable to the free Negro.

The Negro and those of African descent reacted in various ways against Spanish rule. Many fair mulattoes, particularly *mulatos moriscos* (persons having one fourth Negro blood and three-fourths white blood) and others with lesser percentages of Negroid blood, were able to reduce the rigors of the color line by "passing" for white—moving from a lower to a higher social position.¹³ Despite the many efforts of Spanish officials to keep the whites, blacks, and Indians of Mexico racially separated, miscegenation became a common practice, and during the latter days of the colonial period was given official encouragement. One *ordenanza*, for example, proclaimed: "In the pueblos of *gente de razón*, it is understood that all who are not Indian, if not *achocolatados*, shall be called and considered white."¹⁴

¹¹ *Historia Documental de México* (México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Históricas, 1964), I, 260.

¹² *Recop. de Indias*, lib. VII, tit. V, ley III.

¹³ Special precautions were employed against *mulatos moriscos* slaves lest they, because of the fairness of their skin, attempt to pass for white. Dr. Gonzalo Aguirre Beltrán points out that these slaves were frequently branded "in places where the insignia of servitude could not for a moment be hidden. The faces of many of them were completely covered with branded legends . . ." ("Races in the Seventeenth Century Mexico," *Phylon*, VI [No. 3, 1945], 215).

¹⁴ Quoted in Nicolás León, *Las Castas del México Colonial o Nueva España* (México: Publicaciones del Departamento de Antropología Anatómica, 1924), p. 27.

During the closing days of the colonial period, it was possible to buy the title of *blanco* (white), *gracias al sacar*, or to have the *audiencia* to declare “*que se tengan por blancos*” (they may regard themselves as white), the euphemistic expression to denote legal whitewashing. The number of Negroes, *atezado* (very dark) and *retinto* (double dyed), who were able to buy whiteness was limited by their economic circumstances and inferior social status. Likewise, the *mulato prieto* (black mulatto) or *mulato anegrado* (Negro like mulatto) encountered similar disabilities and relative few were able to pass, or at least had to display great audacity in attempting to circumvent the color bar. Baron von Humboldt has pointed out that some swarthy mulattoes were bold enough to petition the *audiencia* to declare them white.¹⁵

The focus of this paper is not centered upon those persons of Negroid blood who, because of their fair complexion, were able to cross *la línea de color*, but on the *achocolatados* and others of darker pigmentation who bore the full brunt of racial discrimination against persons of African ancestry. Negro reaction to Spanish rule will be analyzed in terms of overt defiance of colonial laws and policies. Emphasis on this type of behavior is not to imply that the Afroamerican always actively and vocally rejected Spanish authority. Many Negroes did not openly protest against their miserable position in colonial society; others resorted to passive resistance type tactics, e.g., the so-called lazy slave who rebelled against his deplorable condition by the simple expediency of limiting his manual output.

Numerous Negro slaves, called *cimarrones*, seeking to escape the harsh, cruel, monotonous life in the mines and haciendas, defied the Spanish authorities by running away from their masters and sought refuge in the mountains. One Mexican scholar has estimated that in 1579 some 2,000 Negroes, approximately a tenth of their population, had escaped from their masters.¹⁶ A number of these *cimarrones* became *vagabundos* and frequently attacked, plundered, murdered, and created havoc on the roads and in the pueblos and haciendas. By the end of the sixteenth century the Negro

¹⁵ Humboldt, *op. cit.*, I, 246-247.

¹⁶ Aguirre Beltrán, *La Población Negra de México*, p. 210.

vagabundos constituted a grave problem. In 1571 the king of Spain promulgated an order to deal with "mischief by runaway slaves." This royal decree stated that any Negro slave absent from the service of his master for more than four days could be punished by being tied to a post, given fifty lashings, and remain bound to the post until sun down.¹⁷ The order further declared that if the *cimarrón* had been outside of the city for eight days, he should be given one hundred lashings and required to wear a twelve pound boot for two months. Monetary rewards were offered those volunteering to hunt slaves; such bounty hunters were permitted to keep the escaped slaves, unless they were claimed by the owners.

Various other techniques were developed by the Spanish authorities to try to contain the runaway slaves. In one city a special tax of six *reales* was levied on "each slave to pay for the bands of armed soldiers who shall campaign in search of runaway slaves. . . ."¹⁸ Rewards of money and freedom were offered to those Negro *cimarrones* who could bring escaped slaves back to the city. Lest other Negroes, using the pretext of seeking reward money for capturing runaway slaves, might absent themselves from their masters, it was decreed that "no slave shall go out in search of *cimarrones* without permission from their master and the Justicia. . . ."¹⁹

The Spanish, in their attempt to reduce the menace caused by escaped slaves, eventually resorted to drastic measures. On June 22, 1574 the royal government proclaimed an elaborate decree aimed at reducing the number of Negro *cimarrones* by either military or peaceful means. Later legislation, however, stressed the use of force against this group. The Spanish in effect declared war on the *cimarrones*. A royal order of 1571 delegated to viceroys, *Presidentes*, and governors the responsibility for reducing the number of runaway slaves. The above officials were ordered to spare no expense in this enterprise. A rather ingenious scheme was devised for financing military action against the slaves.²⁰ One-fifth of the cost was to be borne by the *Real Hacienda*, and the remaining

¹⁷ *Recop. de Indias*, lib. VII, tit. V, ley XXI.

¹⁸ *Recop. de Indias*, lib. VIII, tit. XVII, ley VII.

¹⁹ *Recop. de Indias*, lib. VII, tit. V, ley XXII.

²⁰ *Recop. de Indias*, lib. VII, tit. V, ley XX.

four-fifths was to be prorated among the merchants, citizens, and others who benefited from such action taken in their district. All slaves captured in these operations were to be returned to their masters, who would be assessed part of the cost for the capture of such slaves. Special arrangements were made for securing the necessary number of men for these military ventures. A royal order of 1578 stipulated that unemployed Spaniards, mestizos, mulattoes, Negroes, and *Zambaygos* (persons of Negro-Indian descent) would be used in these military expeditions and that those who sought to avoid this service would be punished.

The various measures instituted against the *cimarrones* did not prove very effective. Slaves continued to escape from their masters. For more than a century, the escaped slave was a serious problem in many parts of Mexico.

Negro *cimarrones* and *vagabundos* represented but one hostile element confronting a colonial Society which was constantly plagued by revolutions, conspiracies, and insurrections. The colonial period in Mexico was one of considerable unrest among the various suppressed classes. One Mexican authority has described one hundred rebellions and insurrections in Mexico during the period 1523-1823, and has reasoned that these incidents "created in the great mass of the exploited population a vigorous spirit, such as occurred in no other Spanish colony in America. . . ." ²¹ The vast majority of these incidents did not involve Negroes. Nevertheless, the Negro was affected by this rebellious atmosphere. Román Beltrán points out that "Mexico was the first place in America in which a group of men fought to throw off the yoke of slavery." ²²

Spanish officials were particularly worried lest the defiant Negro slaves would play a role in inciting and uniting with the Indians in rebellion against the Spaniards. It was for this reason that the Spanish unsuccessfully tried to cut off all contact between the Negro and Indian. The colonial authorities exerted pressure coupled with harsh penal sanctions to

²¹ Agustín Cué Cánovas, *Historia Social y Económica de México, 1521-1854* (México: Editorial F. Trillas, segunda edición, 1960), p. 183.

²² Román Beltrán, "Africa en América," *Cuadernos Americanos*, XIV (Marzo-Abril, 1944), 188.

prevent miscegenation between these groups. Viceroy Martín Enríquez became so alarmed by the rapid increase of children resulting from the union between Negroes and Indians that he warned the king

. . . it appears, Our Majesty, that the time is coming when these people will have become masters of the Indians, inasmuch as they were born among them and their maidens, and are men who dare to die as well as any Spaniard in the world. But if the Indians become corrupt and join with them, I do not know who will be in the position to resist them. It is evident that this mischief will take place in several years.²³

The viceroy's prediction about a *zambo* led revolt did not materialize, but the ever cautious Don Martín had real cause to fear the possibility of Negroes intriguing with the Indians to overthrow the Spanish. In 1535 the Spanish established a mint in Mexico. Negro slaves, taking advantage of the Indian's displeasure over having to use Spanish coins instead of his customary cacao seeds, infiltrated among Indian groups, urging them to commit acts of violence.²⁴ The Negro slaves did not take part in such acts. Within a short period of time, however, Negroes in Mexico were actively involved in plans to rebel against the Spanish.

In 1537 a group of Negro slaves in Mexico City plotted to drive the Spaniards out of Mexico. The rebels elected a slave king and proceeded to make arrangements to revolt at midnight, September 24, 1537. The ambitious plans of the Negroes included provisions for using the Indians of Tenochtitlán and Tlatalulco in their uprising. Hours before the insurrection was to begin, a Negro slave reported the conspiracy to the Spanish authorities who swiftly suppressed the plot. Twenty-four of the Negro ringleaders were publicly hung and quartered. There is little evidence to indicate that the Indian succumbed to the entreaties of the Negroes, but it appears that the Indians were aware of the plot and were following a wait and see policy. The viceroy, however, was so upset by the machinations of the slaves that he warned the king that "if so small a number of Negroes in this country have dreamed of such an enterprise, for the present the number of Negroes sent here should be curtailed, because a quantity of

²³ Quoted in Aguirre Beltrán, *La Población Negra de México*, p. 262.

²⁴ Guillot, *op. cit.*, p. 111.

them under similar circumstances could place the country under grave danger of being lost.'²⁵ Following the revolt of 1537, the importation of Negro slaves to Mexico was stopped for almost eight years.

The boldness and audacity of the Negro *cimarrón* was strikingly illustrated by the adventures of one of their most colorful leaders, Nanga (Nyanga or Yanga), king of the *cimarrones*. Nanga, reputedly a Congolese chief from an African kingdom bordered by the Nyonga river, was captured by the Portuguese and sold as a slave. In 1575 this chief was brought to Mexico. Escaping from his bondage, Nanga organized a group of slaves, established a strong and almost impenetrable palisade in the mountains near the city of Orizaba. For many years Nanga and his followers preyed with comparative impunity on the travelers using the road from Veracruz to Mexico City and frequently raided the neighboring pueblos and haciendas.

In 1609 viceroy Luis de Velasco decided to eliminate this menace to his rule. Captain Pedro González de Herrera was commissioned to lead an attack against the Negroes.²⁶ The captain gathered a force consisting of 100 Spanish soldiers, 150 Indian archers, and 200 creoles and mulattoes. On January 26, 1609, Captain Pedro González set out to capture and destroy the African marauders. It is interesting to note that Padre Martín Palaez, member of a missionary order which accompanied the military, was attached to the expedition for the purpose of attempting to convert the runaway slaves.

Despite the presence of this formidable military force, the Negro rebels on the same day attacked and put to fire a farm ranch and seized a Spaniard as prisoner. Nanga commanded the Spaniard to write an insolent letter to the viceroy, stating that the gods favored the cause of the Negroes and indicating that the chief was looking forward to matching his strength against the Spanish. In the end Nanga's forces were defeated and his fortress destroyed. Eventually the Spanish soldiers became so impressed by the conduct of the defeated Negroes

²⁵ Cited in Arthur Scott Aiton, *Antonio de Mendoza, First Viceroy in New Spain* (Durham, North Carolina: Duke University Press, 1927), pp. 88-89.

²⁶ The account which follows is based upon the description of this expedition made by Francisco Javier Alegre, *Historia de la Compañía Jesús en Nueva España* (3 vols.; México: Imprenta de J. M. Lara, 1841-1842), II, 10-16.

that they petitioned the viceroy to grant these Negroes the right to establish another village of their own. The viceroy assented to this request and in 1618 the followers founded a village, San Lorenzo, a few miles from Córdoba. Within a short time after the establishment of San Lorenzo, other African villages were founded in the state of Veracruz.²⁷

The swift crushing of the revolt of 1537 did not dim the rebellious spirit of many Negroes of Mexico. In 1546 African slaves of Tlatalulco and Tenocha plotted to overthrow Spanish rule but were quickly overcome by the Spanish authorities. During the latter part of the sixteenth century the Spanish had to put down slave insurrections in Pachuca, Guanajuato, Huaspaltec, Alvarado, Coatzacoalcos, Misantla, Jalapa, Huatulco, Tlalixcoyan, Tlacotalpan, Zongolicia, Riconada, Huatusco, Orizaba, Río Blanco, Antón Lizardo, Medellín, and Cuernavaca.²⁸

A group of Negroes of Mexico City in 1612 initiated an ambitious conspiracy against the Spanish. The Negroes, hoping to take advantage of the fact that the Spaniards would be busy observing the religious ceremonies of the Holy Week and thus unprepared, planned to launch a rebellion on *Jueves Santo* (April 19th).²⁹ The insurrectionists elected a king and queen, and proceeded to attempt to obtain the backing of other Negroes and mulattoes of the city. A successful effort was made to secure the financial backing of Negro *cofradías* (religious societies). Andrés García, overseer of the *cofradías de la Merced*, was offered the title of king but declined because of his age. The conspirators also enlisted the support of Negro sorcerers. One of the latter, Sebastián, slave of Diego Ramírez, planned to bewitch the Spaniards and poison their food and water.

Spanish officials learned about the conspiracy on the

²⁷ Román Beltrán, *op. cit.*, pp. 188-189.

²⁸ Aguirre Beltrán, *La Población Negra de México*, p. 210.

²⁹ The following account is based on a transcript, *Relación del alzamiento que negros y mulatos, libres y cautivos de la ciudad de México de la Nueva España, pretendieron hacer contra los españoles por cuaresma del año 1612 y del castigo que se hizo de las cabezas y culpados*, contained in Luis Querol y Roso, *Negros y mulatos de Nueva España: Historia de su alzamiento en 1612*. Separado de los *Anales* de la Universidad de Valencia, año XII, cuaderno 90 (Valencia: Imprenta Hijo F. Vives Mora, 1935), pp. 25-37.

second day of Lent. Two Portuguese men chanced to hear a conversation between several Negroes. One of the Negroes, speaking in the Angola language which the Portuguese understood because they had formerly engaged in the African slave trade in Angola, voiced her resentment against a Spaniard who had punished a Negro for striking an Indian. The Negro said that her people would soon be free of Spanish oppression because during Holy Week the Spaniards would be slaughtered. The Portuguese men wrote an anonymous letter about this conversation and threw it into the house of Dr. Antonio de Morga, oldest *alcalde* of the *Audiencia*, who delivered the letter to the *sala del crimen*.

The *Audiencia* soon began an intensive investigation of the plot. Collaborating evidence of the conspiracy was received from several other sources. Eventually the officials of the *cofradías* and other ringleaders were arrested and tortured. Now alerted and having full knowledge about the plot, the Spaniards instituted harsh measures against the Negroes. On May 2, 1612, thirty-five Negroes and mulattoes, including seven women, were publicly hung. As a measure of caution, the *oidores* of the *Audiencia* decreed the dissolution of all Negro and mulatto *cofradías*, the disarming of all Negroes and mulattoes, and prohibited all free Negroes who were not employed from attending all gatherings of Negroes. Negroes were also forbidden to display any type of finery, e.g., the wearing of silk garments, jewelry, and shawls. Hubert Bancroft, in commenting on the suppression of this rebellion, has stated: "As during previous interregnum, the government sought to cover its weakness under a mask of cruelty."⁸⁰

All Negro *cimarrones* were not *vagabundos*, highwaymen, and marauders. In a sense many of the runaway slaves can be regarded as colonizers who clandestinely established villages in the mountains where they could to some degree safely live lives of their own. Only in these isolated mountain villages was the Negro able to preserve some of his African culture. In recent years some Mexican anthropologists have begun to study these Negro pueblos. One Mexican scholar, Dr. Gonzalo Aguirre Beltrán, has made a detailed ethnographic study of

⁸⁰ Hubert Howe Bancroft, *History of Mexico* (6 vols.; San Francisco: The History Company, 1883-1888), III, 24.

the village of Cuajinicuilapa, which was established by Negro *cimarrones*.³¹ Professor Aguirre Beltrán cautions that even in these villages the Negro was not completely cut off from society and "in no case could he persist as a pure Negro, neither biologically or culturally."³²

The Spanish in their zeal to contain the Negro and to limit his position in the colonial society often instituted policies that had the reverse effect, creating situations which practically ensured defiance and non-compliance by the Negroes and others. A royal decree, issued on May 11, 1527 and reissued in 1538 and 1541, declared that Negro men should marry Negro women. At the time that these decrees were announced, and for many years afterwards, the Spanish were importing to Mexico three times as many male slaves as female slaves. In view of this ratio of female to male slaves, the Negro was forced to seek conjugal companionship with the only available women, the Indians. By 1551 the Madrid government was officially admitting that many Negroes had Indian concubines. Numerous laws were enacted to limit Negro-Indian contact. For example, in 1551 a law was proclaimed forbidding Negroes, free or slave, from being served by Indian women. Emperor Carlos, in promulgating this law, announced, "it is known that many Negro men have Indian mistresses and treat them badly and oppressively. We, as is fitting to our royal servants, and for the good of the Indians, are obligated to take action against such a grave crime."³³ In addition to imposing harsh penalties, the law also provided for a fine of 100 pesos for slave owners who aided such Negroes in acquiring Indian women. Despite the severity of these measures, Negroes continued to seek the company of Indian women.

The Negro male slave by taking an Indian concubine was in effect circumventing the class stratification of colonial society to the extent of slightly improving the lot of his offspring. According to *Las Siete Partidas del Rey don Alfonso el Sabio*, "Children born of a free mother and a

³¹ The results of this study are reported in *Cuijla: Esbozo etnográfico de un pueblo Negro* (México: Fondo de Cultura Económica, 1958).

³² Aguirre Beltrán, *Cuijla*, p. 11.

³³ *Recop. de Indias*, lib. VII, tít. V, ley VII.

father who is a slave are free because they always follow the condition of the mother, as foresaid.''³⁴ Since Indian women were considered free subjects, their children, regardless of the status of the father, were also free. Viceroy Martín Enríquez sought to have the king eliminate this escape route for children resulting from such unions. Don Martín argued that Negroes sought relations with Indian women solely for the purpose of allowing their children to be free. The viceroy therefore proposed to the king that such children be made slaves. The proposal was acceptable to many church leaders but was turned down by the Council of the Indies. Dr. Gonzalo Aguirre Beltrán, in assessing the action of the Council, maintains that

This attempt to revoke the principle of *ventre libre* [freedom of the womb] of the Indian woman implied a retrogression so profound that the metropolitan government dared not carry it out. The children of Negro men and Indian women continued to be born free and the mixing was the principal source of the *Afromestizo* population of the colonial period, a population which remained under the protection of the native mother and inherited the indigenous cultural patterns.³⁵

Spanish colonial policy was based on the idea that there should be no intermarriage between Spaniards, Indians, and Negroes. We have seen how the Negro found it necessary to form contacts with the Indians. The Spanish *pobladores* found themselves in a position similar to that of the Negro in regards to women. A considerable number of the first Spaniards and many subsequent immigrants were male. This uneven distribution in the European sexes, more pronounced than among the Africans, was not the result of a deliberate policy of the Spanish government. As a matter of fact, the official policy was to encourage Spanish immigrants with families and to impose a special tax on Spanish bachelors who came to the colonies. The tax, however, did not serve as an effective deterrent. Many married men were able to disregard the royal policy and left their wives in Spain. There was an acute shortage of Spanish women in New Spain. Many of the Spaniards elected to keep Negro concubines, slave and free women.

³⁴ See Fourth *Partida*, title XXI, law II.

³⁵ Aguirre Beltrán, *La Población Negra de México*, p. 262.

The Negro woman found some advantage in her concubinage. Spanish law provided that children resulting from the union of a free man and a slave woman acquired the status of his slave mother. By 1563 the number of illicit relationships between slave women and Spaniards had become so numerous that the king recognized this fact and showed compassion for the offspring of such unions by declaring: "Many Spaniards have children by slave women and desire to buy them (the children) in order to give them freedom. We declare that it is preferred to sell such children to their fathers, who desire to buy them for this purpose."³⁶ The Negro concubine was thus able to contribute to the growth of *horros* (free Negroes), who by the eighteenth century became more numerous than slaves.

The church found itself in a peculiar situation regarding the moral conduct of both the Negro and white man. Eventually the church was able to have the royal authority to enact legislation obligating master to provide the slave with instruction in the Catholic religion. Masters, slaves, and all other men were expected to abide by the religious laws, and the latter did not include living in sin. Concubinage became so common that the church launched an attack against this practice. One notorious Spanish slave owner expressed the contempt of many slave owners towards the church's attitude by asserting that "it is no sin to live in concubinage with his slave because she is his property."³⁷ This type of logic did not receive ecclesiastical sanction, nor did it dim the quest of the church to deal with this moral problem.

The Catholic church's admonition to Spaniards keeping Negro concubines carried with it the logical corollary that such couples should join in holy matrimony to atone for their sins. Recognizing the rapid growth of the moral sin of concubinage, the church reluctantly consented to permit Spanish men and Negro women, free or slave, to be married in the church. The number of these marriages was probably not numerous, but there are records of such marriages being performed.³⁸ The Negro female slave did not gain freedom

³⁶ *Recop. de Indias*, lib. VII, tit. V, ley VI.

³⁷ Quoted in Gonzalo Aguirre Beltrán, *La Población Negra de México*, p. 252.

³⁸ Gonzalo Aguirre Beltrán in *La Población Negra de México*, pp. 252-253, presents a list of Negroes of Puebla who married Spaniards.

by such marriage, but, obviously, if the union was with her slave masters manumission probably followed for her and any children resulting from this relationship. In any event such mixing of the races, legal and illicit, contributed to the tendency of *mulataje* and gradually helped to provide one of the vehicles for children of future generations to escape the color line.

The church was also opposed to Negroes living with Indian concubines. Reluctantly the royal government recognized marriages between Negroes, free and slave, to Indians. This sanction did not exempt the offspring from such unions from paying tribute. As previously noted, this type of racial mixing led to the process of endoacculturation.

The lot of the Negro of colonial Mexico was not a happy one. Numerous laws were passed to keep him in an inferior position and separate from the whites and the Indians. A number of Negroes did not accept this status, and for many Negroes defiance of the Spaniards became a way of life. The presence of the hostile Negro, who was greatly feared by the Spanish authorities, was complicated by the fact that there were several other oppressed and rebellious groups in the society of the country. Spanish officials had to contend with many types of resistance. Although the Negro and persons of African descent did not constitute a majority of the population, the Negro in many cases was able to exert effective pressure against the Spanish regime and through various avenues of escape and protest to effect a change in his status, notwithstanding the harsh laws. Unlike the situation in colonial United States, the Negro of Mexico was in a better position to defy the white man than his counterpart, the American Negro. Despite the attempts, largely unsuccessful, of the Spanish to maintain racial separation through the *casta*, the Negro in Mexico had greater social mobility than the American Negro. The attempts to maintain a pigmentocracy failed in Mexico and eventually the Negro became a part of the *hombre mezclado* of the country.

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