

Capítulo 2:

The organic crisis in the american colonial state. The case of Buenos Aires in the Seventeenth century.

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Romantic historians in nineteenth-century Argentina had faced crucial questions such as the primary causes of conflict between the port and the province and the basic causes of crisis within the different corporations and special interest groups in the city of Buenos Aires itself. A short while later, influenced by the commercial boom of the 1860s, local positivist scholars, while acknowledging the existence of a sort of class struggle in seventeenth-century Buenos Aires, denied the utmost repercussion of political crisis.¹

The sharp crisis experienced by the Argentine political history in the late nineteenth century forced a new trend of progressive scholars to heed the political base of Argentine society. In following this school of thought Ricardo Levene, the main representative of the Nueva Escuela Histórica, used an evolutionary perspective and the juridical superstructure as the criteria for characterization of colonial political structures rather than intracolony structures or political crises.² However, despite Levene's knowledge of the history of colonial Spanish American law he entirely failed to explain the reason for the existence in the Spanish American colonies of cyclical political crises.

Later on, left-wing liberals, following an idealist and unilinear diffusionist paradigm, considered political crises in the colonial era as progressive tools for undermining the colonial corporative regime and the *estamental* social stratification, as well as to weaken the absolutist and mercantilist Peruvian viceroyalty. They regarded political crises within the municipal councils as an expression of "colonial liberties" in the middle of an *estamental* (rank oriented) society, and the anticipation of the emergence of a local national bourgeoisie.³ As a tool against Argentine liberalism the Revisionistas (nationalist historians) together with the left-wing nationalists considered that political crises in the colonial era were supported by capitulating foreign-oriented interests (*Confederados*) against the hegemony of patrician and national interests (*Beneméritos*).⁴

In view of the static connotation with which these paradigms interpreted the political impact of the penetration of commercial capital, I am going to analyze in this chapter the nature of a colonial organic crisis, in exclusive relation to the factions competing for political power.

The historical bloc was the political outcome of a long term crisis that lasted almost sixty years. On eight different occasions between 1580 and 1640, the Buenos Aires bloc in power or power bloc reached a crisis of hegemony and intra-colony struggles took place. During the first three crises, which were due to a low degree of commercial penetration, the hegemony of the bloc in power corresponded to the old internal market-oriented forces. However, starting with the fourth crisis, which constituted a sort of revolutionary crisis, the hegemony of the bloc in power, owing to

a high degree of commercial penetration, corresponded to the external market-oriented forces. Apart from the commercial penetration, the way in which public officials were admitted also became a source of crisis depending on whether they were a result of purchase or elections.

During the early seventeenth century, Buenos Aires settlers appeared to be less embarrassed to be less embarrassed about the possibility of Creole rebellions than were the Spaniards of the 1580's when a Creole population in Santa Fé city, most of them Mestizos (of mixed origin) threatened the Spanish political hegemony.⁵ However, by the late 1580's a time of decreased commercial activities, the Cabildo of Buenos Aires was for the first time in confrontation with the Spanish Gobernador-Adelantado Juan de Torres de Vera y Aragón over his attempt to appoint several of his relatives to public positions. As a result of legal action, the Cabildo succeeded, in April of 1589, in frustrating the governor's efforts.⁶ Immediately afterwards, in 1591, the Buenos Aires Cabildo, still representing the internal market-oriented producers, supported by the Council of the Indies, challenged the same governor Torres de Vera, when he also tried to monopolize the hunting of wild cattle.⁷ The main outcome of this crisis was the ability of the Buenos Aires Cabildo, backed by the Council of the Indies, following the precedent established by the city of Santa Fé in the early 1580's and representing the internal market-oriented producers, to take advantage of an antagonistic subordination to metropolitan authorities, thus defying by itself for the first time an external bureaucratic agent.

Late in 1594 the royal accountant Hernando de Vargas, allied with the internal market-oriented creole producers, successfully challenged Governor Hernando de Zárate.⁸ In this cyclical crisis, the Spanish governor represented, for the first time, external market-oriented interests, while the royal accountant represented, for the last time, the internal market-oriented forces.

During the third crisis, in 1607, the governor was able to prevail against the royal officials by dividing them. Hernandarias defiantly appointed the new royal treasurer Simón de Valdéz as his lieutenant general; he was publicly opposed to the royal accountant Hernando de Vargas. This act was against the will of the majority of the Cabildo. Finally, Hernandarias, in spite of the opposition from the Cabildo, was able to enforce his decision by means of a special decree.⁹ During the same year 1607, governor Hernandarias got into severe conflict with the Real Audiencia of Charcas, for having prosecuted Gaspar de Acevedo, Escribano de Registro y de Real Hacienda, who had been accused of introducing 198 slaves.¹⁰ Two years later, Hernandarias once more antagonized the Cabildo by assigning voz y voto (legal participation in cabildo assemblies) to his newly appointed Alguacil Mayor Gaspar Teves y Britos.¹¹ The main peculiarity of this crisis was the ability of the Cabildo to take profit of the differences between the governor and the Real Audiencia of Charcas with respect to the sale and appointment of notaries, lieutenant governorships, and Alguacilazgos Mayores. However, these repeated crises of the established political hegemony provided the objective conditions for a political takeover by the new social forces.

During the fourth political crisis (1614), the most critical of all, direct external constraints were low because of the Twelve Years' Truce between Spain and the Netherlands. As a result of this truce indirect external constraints (smuggling activities) or, to put it another way, a high degree of commercial penetration in Buenos Aires, were able to generate widespread intracolony struggles. The sole candidacy of Juan de Vergara, a kind of organic intellectual" of the *Confederado* faction, to the municipal council was able to produce a deep intra-colony struggle within the Cabildo membership. Councilman Gonzalo de Carvajal and Francisco de Salas Videla (*Beneméritos*) challenged the candidacy of Vergara on the grounds that he maintained a close relationship to Diego de Vega, a famous Portuguese smuggler.¹² Vergara's pride and vanity were deeply hurt by the fact that he was treated contemptuously by caste-conscious residents of the old encomendero world who continued to measure human values and the right to direct public affairs

by the quality of the ancestors. In order for Juan de Vergara, Sebastián de Orduña, Simón de Valdéz, and Tomás Ferrufino, the *Confederado* councilmen, to be able to gain the majority of the Cabildo, the lieutenant governor, Mateo Leal de Ayala, one of the heads of the *Confederado* faction (who had replaced governor Marín Negrón, absent in Santa Fé) had to put in prison both Alderman Domingo Gribeo and the Cabildo notary Cristóbal Remón, and free from jail Juan Quintero, who was in prison for a common crime. Valdéz and Ferrufino also won to their side councilmen Francisco de Mansanares, an encomendero and landowner, and Felipe Navarro.¹³

In retaliation for the way Gonzalo de Carvaxal had acted, against the candidacy of Juan de Vergara, his vote was declared null and void, owing to the fact that he had voted for himself, a procedure which was traditionally forbidden.¹⁴ In retribution for the way Francisco de Salas, the father-in-law of Captain Gonzalo de Carvaxal, had voted in the Cabildo, the leaders of the *Confederado* faction (Simón de Valdéz and Mateo Leal de Ayala) prosecuted Salas for his participation in an Indian massacre.¹⁵ Finally, twenty-six days after the elections, Governor Marín Negrón, who apparently jeopardized the success of the smuggling connection, died in Santa Fé as a result of a suspicious poisoning, and Domingo Guadarrama, an alguacil menor, who also threatened the smuggling connection, was killed in an ambush.¹⁶

Striking difficulties stand out with regard to this crisis, first the turnover of the crisis, where for the first time, due to the high degree of commercial penetration, the external market-oriented forces removed from an hegemonic position the internal market-oriented sector; second, the power of a Cabildo faction to influence the appointment of a lieutenant governor, and its authority to deprive regularly appointed officials of their voting rights; and third, the almost total strength within the Cabildo, obviously, this critical selection could not continue, and very soon the Real Audiencia de Charcas, together with the Council of the Indies had to restore to power the internal market-oriented forces, whose loyalty to royal authorities was unquestionable, restoring Hernandarias as the new governor in 1616.

Since the juicios de residencia no longer controlled forces of corruption and the Thirty Years War had already broken out, the Spanish crown decided to control its colonies through Visitadores Generales (General Visitors). In 1620, a Spanish judge, Matías Delgado Flores, was dispatched with extraordinary powers to investigate Governor's Góngora's behaviour and to put an end to Dutch smuggling. Governor Góngora faced a Cabildo heavily influenced by the legal participation of the oficiales reales and by the removal of the elected councilmen by proprietary councilmen. Thus, Delgado Flores failed to challenge the *Confederado* faction.¹⁷ However, Governor Góngora, despite having encouraged smuggling, started in 1621 to undermine the *Confederado* hegemony by accepting the royal cedula of permission (direct Spanish imports) and by accusing Diego de Vega and the Portuguese of introducing illegal merchandise.¹⁸ Some considerations with regard to this crisis deserve full attention: first, the Cabildo, the governor, and the Oficiales Reales joined together for the first time to successfully resist the formal intervention of an external bureaucratic agent, sent by the Council of the Indies, who responded to the internal market-oriented forces, and second, the ability of the cabildo to take advantage of an ambivalent circulation of a political elite (proprietary versus elected councilmen). Finally, because of Delgado Flores' failure to control the *Confederado* faction the Audiencia de Charcas had to send a new Visitador in the person of Alonso Pérez de Salazar.¹⁹

As a result of renewed direct external constraints caused by the peripheral repercussions of the Thirty Years War (the Dutch took over Bahia and blockaded Callao in 1625), the commercial penetration and the intra-colonial struggles weakened. With the aid of Governor Céspedes, the *Beneméritos* moved back to their old position of assured predominance in public affairs. Captain Pedro Gutiérrez, an old *Benemérito* councilman, was chosen by Governor Céspedes in 1629 as

Alcalde de Primer Voto, and General Gonzalo de Carvajal, also an ex-councilman who belonged to the *Benemérito* faction, was chosen by Governor Céspedes in 1630 to head the expedition to recover Concepción del Bermejo.²⁰ During the sixth political crisis, in 1626-30, the governor was unable to activate the intra-colonial struggle in order to impose his interests, specifically within the Cabildo membership.²¹ An alliance between the Cabildo and the Buenos Aires diocesan clergy, in the person of its first bishop, Fray Pedro de Carranza, a follower of Bishop Vitoria and Bishop Trejo thirty years earlier, challenged Governor Céspedes, on the grounds that the latter, with his two sons, was engaged in extensive smuggling activities, in other words, attempting to compete in a disloyal manner with the traditional external market-oriented forces. Furthermore, the Spanish governor Francisco de Céspedes repeated what he had been previously attempted by Vera y Aragón forty years earlier.²² He had his sons indulged, in a bit of nepotism. However, when Governor Céspedes' sons were appointed to military positions and Juan de Céspedes was chosen as alderman, the entire community protested.²³ As a direct consequence of the preceding, in September of 1627, the alguacil mayor Francisco González Pacheco, publicly announced that the relatives of governors and viceroys could neither participate in cabildos nor occupy government offices.²⁴ So strong was the official objection to nepotism that, at this particular time, it was even forbidden for a regidor to cast his vote for a relative in an election.

Apart from the issue of nepotism other circumstances contributed to an increased animosity against governors. The job of the notary of the Holy Office of Inquisition was to make a thorough copy of the answers given to its commissary by passengers arriving in Buenos Aires as well as to make a complete manifest of the things seized from those found in illegal situations; no wonder then that Governor Céspedes and the Inquisition notary Juan de Vergara, the leader of the *Confederado* faction opposed each other.

In addition, as the job of Escribano de minas, registro y hacienda real (mining and royal exchequer notary) was responsible for checking the slave trade, investigating incoming vessels together with governors and royal officials, whoever retained this office was in a very crucial political and economic position. At that time this notary was Juan Antonio Calvo de Arroyo, an open supporter of Governor Céspedes. Consequently, Vergara found himself in the need to put an end to his career.. The way to do this was to argue the non-fulfillment of financial obligations on the part of the notary. As Calvo continued to owe part of the price of his own office to the crown and the seller, the Cabildo prevented him from using his office. By undermining the royal exchequer notary Vergara found an indirect way to weaken the governor's position.²⁵

As a direct outcome of this particular struggle governor Céspedes put Vergara in prison, and removed, in a way that could be characterized as the first coup d'état in the Rio de la Plata history, all cabildo members from power. The alliance of the Cabildo and the clergy was able to mobilize the Portuguese population against Governor Céspedes and in favor of Vergara's release from prison. Active mobilization was the only political instrument the Portuguese had, since they were legally banned from Cabildo positions as they were not citizens. Moreover, Bishop Carranza dared to excommunicate Governor Céspedes on the ground that he did not respect the ecclesiastical fueros.

Nevertheless, Governor Céspedes succeeded in remaining in office for a few more years by getting the bishop's absolution and by further undermining the once-powerful *Confederado* faction. In effect, Governor Céspedes got the support of several important Buenos Aires settlers such as Juan de Tapia de Vargas, Diego Ruiz de Ocaña, Jerónimo de Medrano, Miguel de Rivadeneyra, and Juan Montes de Oca (a cousin of Fr. Juan de Vergara, the Provincial of the Franciscan order who supported Governor Céspedes), by backing the Cabildo in its insistence upon abolishing the royal Prohibition against introducing silver and African slaves.²⁶ However, this unstable state of affairs

did not last long, and Governor Céspedes got into trouble very soon with the new bishop Gabriel de Peralta. In 1630, a conflict arose over the nature of who should "dar la Paz". Instead of sending the deacon or a priest to "dar la paz", Bishop Peralta humiliated governor Céspedes by appointing a twelve year old boy dressed with a cassock and surplice.²⁷

In order to recover his authoritarian image, Governor Céspedes appointed his son as alderman for a second time in 1631. As a result of this nepotist selection, the Real Audiencia of Charcas appointed Hernandarias as judge. Immediately afterwards, the Spanish crown dismissed Governor Francisco de Céspedes from office, replacing him with General Pedro Estéban Dávila.²⁸ Now, with the aid of Governor Dávila, the *Confederados* moved back to their previous political positions. As a result of the political chaos and the consequent weakening of the colonial bureaucracy, essentially the repressive apparatus, a minority took profit of the critical situation by striking the bureaucracy violently. In the midst of this political crisis, when Governor Céspedes was in the process of resigning, during the year 1631, the creole Chilean Pedro Cajal, a natural son of an oidor of the Real Audiencia of Chile, and the Upper Peruvian Indian Juan Puma assaulted the Buenos Aires royal treasury stealing almost \$10,000. Once they were caught, both robbers were publicly executed.²⁹ This event proves that in periods of crisis, when public crimes were committed, the perpetrators were overpunished in order to emphasize the intrinsic superiority of royal power.

Four interesting considerations stand out strikingly in connection with this particular crisis: first, the power of the Cabildo to break down the *Benemérito* bureaucratic bloc by depriving the governor from the support of the exchequer notary; second, the preponderance of the governor over the Cabildo, and his authority to deprive regularly appointed regidores of their positions and to constitute a new Cabildo if he chose, notwithstanding the prohibition of the laws and opposition of the church; third, the complete control by a governor over a new Cabildo that he had created; and fourth, the ability of the Cabildo to take advantage of the contradictory relations between church and state. Of course, these political conditions could not continue; the crown had to reestablish the traditional balance of power.

During the seventh political crisis in 1637 the alliance of the Cabildo and the governor Pedro E. Dávila opposed the new bishop Cristóbal de Aresti (from Paraguay) for trying to enact an ecclesiastic tribute called *Priimicias* (first fruits), which would have taxed cows, mares, seeds, chickens and suckling pigs.³⁰ The Cabildo succeeded in rejecting the bishop's demands, but the governor suffered as a result of the bishop's counterattack. A short while later, bishop Aresti excommunicated Governor Dávila on moral grounds that were based on his scandalous private life (gambling and womanizing).³¹ This time the Cabildo could not back Governor Dávila. As it was proved that governor Dávila borrowed huge amounts of money from the Royal Treasurer Juan de Vallejo, the Cabildo --especially Juan de Vergara-- refused to reinstate Vallejo in the Royal Treasury unless he could secure new bondsmen --the previous ones have passed away-- to back his 2,000 ducat bond.³² By undermining the Royal Treasurer, a stron ally of Governor Dávila, the Cabildo indirectly helped to ruin the governor's position. Three factors stand out in connection with this particular crisis: first, the combined power of the Cabildo and the governor to overrule the church; second, the power of the Cabildo to break down the Governor's position by depriving him from the support of the Royal Treasurer; and third, the extremely weak position of the governor in the face of the church and the Cabildo offensives combined. It is interesting to note that these inter-corporative conflicts between the governmnet and the church were responsible for establishing a conflictive precedent in state-church relations that reproduced itself in Argentine's history during the latter presidencies of Rivadavia, Roca and Perón.

Finally, during the eighth political crisis, in 1640, the alliance of the Cabildo and Bishop

Aresti, now taking revenge for his previous failure, challenged Governor Mendo de la Cueva y Benavídez on the grounds that he was trying to draft Buenos Aires residents, against their will, into military expeditions that were mainly for the purpose of hunting wild cattle on his own behalf.³³ Some distinguishing factors arose about this last crisis: first, the shifting nature of the bishop's political positions; second, the apparent power of the bishop over the governor; and third, the bishop's capability to deprive the governor of his political power exclusively by ecclesiastical means. When prelates went beyond their ecclesiastical jurisdiction and encroached upon the royal prerogative, their excessive use of episcopal censures (excommunication) was considered judicial. Thus, the excessive use of the ecclesiastical interdict was interpreted to constitute fuerza (force). Cases of fuerza occurred when prelates abused their judicial powers.³⁴ However, considering that Governor Cueva y Benavídez was shortly afterwards replaced by another governor, it seems that he did not have the opportunity to use the right to claim that he had suffered fuerza.

This chapter has shown that vague and vulgar analyses of colonial political conflicts need to be replaced by an explicit recognition that crises of hegemony of different levels of complexity, are likely to evolve differently as a response to the same stimuli, such as the penetration of commercial capital. Considering that Buenos Aires was only an intermediate link in the long mercantile circuit extending between Angola or Brazil and Potosí we can conclude at the political level that the dominant colonial struggle (Spaniards against Indians) was reduced in Buenos Aires to a subordinate one between external market-oriented merchants (slave trading smugglers) and internal market-oriented producers, most of whom were of pioneer lineage. These two opposite factions shared power within the Cabildo, manipulating different offices in order to accomplish different goals, and using different mechanisms to obtain admission into public offices, each faction trying to consolidate itself within a situation of chronic conflict to obtain hegemony. During the three first three conflicts, internal market-oriented interests succeeded in preserving their hegemony in the Cabildo. During the last five conflicts external market-oriented forces were able to obtain hegemony by subordinating the opposing forces.

Footnotes

¹ Ingenieros, 1918, t.I.

² Levene, 1924; and Levene, 1946.

³ Garretón, 1933.

⁴ Molina, 1949.

⁵ Sierra, 1957, 391-395; Leiva, 1971, n.6/7; and Funes, 1974, 159-177.

⁶ Matienzo, 1911, 27-28; and Garretón, 1933, 345-350.

⁷ Matienzo, 1911, 204; Garretón, 1933, 347; Levene, 1924, 27-28; and Ramos Mexía, 1887.

⁸ Correspondencia de los Oficiales Reales de Hacienda del Río de la Plata con los Reyes de España, t.I, 1915; Molina, 1964, 5-41; Cordero, 1978, 100; and Tiscornia, 1973, chapter VII.

⁹ Molina, 1964, 3-27.

- ¹⁰ Correspondencia de la Ciudad de Buenos Aires con los Reyes de España, 1918, t.II, 27ff.
- ¹¹ Garretón, 1933, 353.
- ¹² Acuerdos, Municip., II, 317.
- ¹³ Cordero, 1978, 273-274.
- ¹⁴ Acuerdos, Municip., II, 315.
- ¹⁵ Molina, 1949, 267.
- ¹⁶ Molina, 1949, 203-205; and Cordero, 1978, 210.
- ¹⁷ Acuerdos, Municip., IV, 42; Garretón, 1933, 376; and Carbia, 1914, 134.
- ¹⁸ Sierra, 1957, II, 141 and 144.
- ¹⁹ About Pérez de Salazar's visit, see Canabrava, 1944, chapter XII; and Mora Mérida, 1973, 86.
- ²⁰ Cervera, 1907, I, 361.
- ²¹ Peña, 1916, v.V.
- ²² Crow, 1946, 358; and Registro Estadístico del Estado de Buenos Aires, 1859, t.I, 14.
- ²³ Matienzo, 1911, 204.
- ²⁴ Peña, 1916, 25-33.
- ²⁵ Acuerdos, Municip., V, 315-370.
- ²⁶ Sierra, 1957, 170; and Bruno, 1967, 157 and 161.
- ²⁷ Furlong, 1944, 87.
- ²⁸ Carbia, 1914, I, chapter IV; and Peña, 1916, 49.
- ²⁹ Peña, 1916, 53-60.
- ³⁰ Ugarteche, 1932, 130.
- ³¹ Palacio, 1954, I, 82.
- ³² Acuerdos, Municip., V, 291.
- ³³ Cervera, 1907, 362-736.
- ³⁴ Cunningham, 1919, 420 and 423. About this particular institution, see Farriss, 1968, 70-83. For

the purpose of comparison, see Logan, 1968.