



Religion and power in Europe : Conflict and Convergence / edited by Joaquim Carvalho. – Pisa : Plus-Pisa university press, c2007
(Religious and philosophical concepts : thematic work group 3 ; 2)

322.1094 (21.)

1. Religione e politica – Europa I. Carvalho, Joaquim de

CIP a cura del Sistema bibliotecario dell'Università di Pisa



This volume is published thanks to the support of the Directorate General for Research of the European Commission, by the Sixth Framework Network of Excellence CLIOHRES.net under the contract CIT3-CT-2005-00164. The volume is solely the responsibility of the Network and the authors; the European Community cannot be held responsible for its contents or for any use which may be made of it.

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Lungarno Pacinotti, 43
56126 Pisa
Tel. 050 2212056 – Fax 050 2212945
info.plus@adm.unipi.it
www.edizioniplus.it - Section "Biblioteca"

Member of



Association of American
University Presses

ISBN 978-88-8492-464-3

Manager

Claudia Napolitano

Editing

Francesca Petrucci, Eleonora Lollini, Francesca Verdiani

Informatic assistance

Massimo Arcidiacono, Michele Gasparello

Religion and State Policies in the Age of Philip II: the 1568 Junta Magna of the Indies and the New Political Guidelines for the Spanish American Colonies

MANFREDI MERLUZZI

Roma Tre University

ABSTRACT

The rule of Philip II (1558-1598) marked an important change in the policies of the Castilian Crown towards their American dominions. The Crown had decided to change both its policies and its methods. The first age of the conquest was now considered over and the Crown wanted to improve its ability to control the new domains. Nevertheless, in both viceroyalties, the Kingdom of New Castile and the Kingdom of New Spain, the political situation was quite unstable and the Crown was too far away to maintain its control over the *Reinos de Indias*.

The Royal Council of the Indies, the main body controlling American policies, was under review, having been subjected to a *visita*, a kind of judicial inspection that had declared it both inefficient and corrupt. At the same time, the laws for the New World were shown to be confused and ineffective. In September 1568 the King decided to appoint a Junta, a council of specialists, in Madrid to determine new political strategies for the crown in the Indies.

In this scenario, as in many aspects of Philip's II rule, a key role was played by Counter Reformation Catholicism. The Junta was composed mainly of clerics and theologians and the political guidelines were intended to promote both *gobierno espiritual* and *gobierno temporal*. An important role was assigned to the Church in the Americas, under the control of the King, due to the special Rights of Patronage concerning the conversion of the indigenous population to Christianity. At the same time, new Inquisition tribunals were established in Mexico and Peru to maintain control over colonial religious orthodoxy. Implementation in the Americas of the Junta deliberations was entrusted through Royal instructions to the two viceroys chosen at the same time for Mexico and Peru, Martín Enriquez de Almansa (1568-1581) and Francisco de Toledo (1569-1581).

Il regno di Filippo II d'Asburgo (1558-1598) segnò un momento di importanti trasformazioni politiche e amministrative nella gestione dei domini americani della Corona di Castiglia. La Corona decise di rinnovare sia le proprie strategie che i mezzi di cui servirsi.

La prima fase della conquista venne considerata conclusa e la Corona decise di rendere più efficace la propria capacità di controllo sui nuovi domini d'oltreoceano. La situazione, sia nel vicereame di Nuova Castiglia che in Nuova Spagna, appariva instabile e la Corona era lontana dal controllare i Reinos de Indias. Il Consiglio Real delle Indie, il principale organismo di gestione delle questioni americane era stato sottoposto ad inchiesta, da cui risultò essere inefficace e corrotto. Al contempo, il corpo normativo indiano risultò esser confuso e inadatto. Nel settembre 1568 il Sovrano convocò a Madrid una Junta, un consiglio di personalità esperte, espressamente riunito per trovare nuove soluzioni alla difficile situazione americana.

In questo scenario, come in molti altri aspetti del governo di Filippo II, un ruolo chiave venne assunto dalla fede religiosa di ispirazione controriformistica. Così la Junta venne composta principalmente da religiosi e teologi, e le linee politiche vennero promosse mirando sia al gobierno espiritual che al governo temporal. Un importante ruolo nell'evangelizzazione dei nativi venne conferito alla Chiesa americana, sotto il controllo diretto del Sovrano, grazie agli speciali diritti di Patronato concessi dal Papa.

Nel contempo, per mantenere il controllo dell'ortodossia dei coloni, vennero istituiti tribunali dell'Inquisizione in Perù e Messico. La proiezione americana delle decisioni della Junta venne affidata nelle istruzioni di entrambi i neo-nominati viceré: Martín Enriquez de Almansa (1568-1581), viceré del Messico, e Francisco de Toledo (1569-1581) viceré del Perù.

THE IMPORTANCE OF THE ISSUE AND THE ARGUMENTS OF HISTORIOGRAPHY

On the occasion of the five hundredth anniversary of the death of Philip II and the birth of Charles V, historiography has concentrated much of its attention on the figures and government of these first two Habsburgs of Spain. Several international congresses and a significant amount of academic work – too vast to be analysed in detail here – has enhanced our understanding of this important historical phase to a remarkable extent and there is therefore no need here for a detailed discussion of the importance of the figures of the Emperor and his son.

Many academics agree in emphasizing the profound political and religious changes that took place during the reign of Philip II in the territories of the Catholic Monarchy. In Castile in particular, where the ideological decision to endorse Counter-Reformation Catholicism¹ had important effects on the government, Philip II pursued a more centralized political and administrative line, clearly reflected in his decision to base the Royal Court in Madrid².

According to Manuel Fernández Álvarez, the main objective of Philip II after ending the expensive wars against France, was to improve the finances of the Monarchy³. It should be remembered that when Philip returned to Castile as King after his journey to Flanders, he found a large debt, according to the figures supplied by Modesto Ulloa of approximately 25 million *ducatos*⁴. It is within this context that the remittances of pre-

cious metals from America, especially silver, became important. They represented one of the few sources of finance that had not already been consigned as advance payments to balance previous loans contracted by Spanish sovereigns. Regulating the revenue from precious metals from America was therefore essential in order to maintain the credit granted by bankers to the monarchy.

As Ulloa and Fernández Álvarez have observed, the resources from the Indies were one of the means of increasing the Crown's finances during the reign of Philip II⁵. John Lynch finds that the trading and production systems in the Americas had been examined many times by the Crown, although its attention had focussed mainly on the extraction of minerals. In this area, activities began to increase in 1559 and continued to rise steadily from 1560-70, levelling out in the years 1580-90.

In this period "Philip II's foreign policy had become crucially dependent on the capacity of Spanish America to supply revenue from taxation – primarily in the form of the Crown's one-fifth share in silver production – which would pay for the maintenance of large armies in Italy, the Netherlands and Germany and naval forces in both the Mediterranean and the Atlantic"⁶.

There are therefore many reasons for trying to understand why the Spanish king decided in 1565-67 to concentrate his attentions on the needs of the American dominions which, according to some had been badly neglected for a long time. Prior to this, since the end of the 1550s, the aspect that had mainly attracted the Crown's interest had been concerned with the complex vicissitudes of continuing the rights conferred by the *encomienda* system, for which purpose Philip II had sent a commission to Peru. It should also be borne in mind that the situation of the dominions of the New World introduced legal and political questions, particularly concerning the rights of the monarchy with regard to the territories that had been discovered and conquered and its relations with the native Indians and this remained important in the debate in which theologians as well as jurists were involved⁷.

THE 'CRISIS IN THE INDIES': A HISTORIOGRAPHICAL INTERPRETATION?

In a series of studies on the situation of the American territories belonging to the Castilian Crown towards the end of the 1560s, Demetrio Ramos formulated the hypothesis of a so-called 'crisis in the Indies'⁸. This consisted of the failure of the main Crown policies to manage the American dominions, which led the Crown to reflect on ideas that had matured over decades and would eventually signal an important political change. It was also linked to a series of problems that had begun to accumulate since the 1540s, threatening any effective control over the American dominions, in particular Peru. The political instability and uncertainty experienced in New Castile was due to factors inherent in the viceroyalty in addition to external factors related to international politics. Whilst the resistance by native populations had still not been overcome, the Crown also found itself having to face an unresolved struggle with the *conquistadores-encomenderos* (former conquerors and beneficiaries of *encomiendas*).

In addition, the increased presence of the *mestizos* and religious dissent gave Philip II serious cause for concern. A further factor of particular importance was the demographic decline of the native Peruvians. The Crown watched with anxiety as the native population, the main source of labour and tax revenue for the royal coffers⁹, continued to decline.

Amongst the external factors, the delicate relationship with Rome played a important role, although the dynamics of the rest of the empire, whose influence on the American dominions cannot be ignored, should also be considered. The financial crisis and bankruptcy of 1557 were particularly significant in this context.

If the resistance of the native populations was understandable, as a direct consequence of a conquest that was still not complete, and if the intolerance of the *mestizos* could be explained by social unease with regard to restrictive legislation and racial discrimination, the solution to the conflict between the Crown and the *encomenderos* appeared more complex. The latter were a colonial aristocracy, created at the time of the conquest, who were fighting to maintain their privileges¹⁰. After having conquered and colonized vast American territories in the name of the King, they themselves appeared to be threatened by the arrival of civil servants from Spain sent to replace them within the higher ranks of the colonial power structure. Their political aspirations were to have their rights confirmed and their status transformed formally into that of the nobility¹¹.

For the Crown they represented a dual threat: on the one hand, the creation of a colonial aristocracy that could, in the future, aspire to independence and, on the other hand, a perceived military danger. In fact, each of the *encomenderos* possessed men at arms (veterans from the campaigns of the conquest and the civil wars) usually unemployed, who displayed greater loyalty to their protectors than to the Crown. Many viceroys, such as Count Nieva, had to accept the claims made by these men in order to maintain stability within the kingdom and granted them benefits and mercy and often new *encomiendas*¹².

Moreover, as they were the richest and most illustrious citizens, the *encomenderos* were also the most authoritative members in the municipalities in the Indies (*cabildos*), where they could play their political influence against the Crown.

The Crown limited itself to reorganising the *encomienda* system, ensuring it for one or two more generations, thus forcing this rising colonial aristocracy into compulsory integration within the limits set up by the state¹³.

However, it cannot be asserted, as Ramos suggests, that the discontent of the *encomenderos* lay at the origins of the 'crisis in the Indies'. It was more the result of decades of continuous tension and did not, in any way, assume the characteristics of a new phenomenon in the 1560s. In order to understand seriously the factors that caused the 'crisis in the Indies' particularly in Peru, it is necessary to consider the demographic and related economic dynamics which emerged in at least the 1540s, if not as a result of the struggle for the Inca succession between Huascar and Atahualpa. The pacification process

was, understandably, far from rapid and the process of stabilising Peruvian society was slow, painful and filled with mistakes. This phase ended in a period in which concrete transformations in native and colonial society were achieved, whilst the population still continued to pay for the instability and social disorganization caused by previous years of brutal rule¹⁴. Contemporary documentary sources reveal a picture of a society whose levels of production, food reserves and ability to adapt to the difficult surrounding environment were greatly weakened. Colonial society seemed to be condemned to spontaneous survival, faced with an almost total decline in the highly structured Inca society conquered by the Spanish just a few decades before¹⁵. The traditional structures of the Andean economy were inadequate to satisfy the needs of economic growth, a phenomenon which the Crown tried to resolve empirically.

Moreover, during these years the process of converting the Indians to Christianity remained merely superficial. In fact, a huge wave of revolts and pagan religious reaction had spread, provoking a violent and repressive reaction from the Crown¹⁶.

The Viceroyalty of New Spain did not have an easy time either. The most worrying aspect for the Crown, again in Mexico, sprang from the dissatisfaction which spread through the ranks of the *encomenderos* and was to be the origin of the attempted uprising of 1566 in which the sons of Hernan Cortés were implicated.

The situation in the Americas in the early 1560s was, on the whole, very unsatisfactory in the eyes of King. Whilst the civil servants in charge of the political management of the American dominions often proved themselves incapable of carrying out their duties, the clergy sent there as missionaries were no strangers to political instability either. In Peru, some of them played an active part in political revolts, such as the one which threatened to kill the Arequipa *corregidor* (local royal agent and judge). Many of the clerics, in particular those from the Dominican order, expressed themselves openly against the Royal Rights to the American dominions and against the possessions of the *encomenderos* resulting from the violent conquests¹⁷.

THE ORIGINS OF THE POLITICAL CRISIS AND THE REACTION OF THE CROWN

Whilst the uneasiness created by local situations remained unsolved, the repercussions on the American viceroyalties must be considered to have originated in events in the European dominions of the Crown which formed part of the overall context of the Spanish Monarchy. Ramos focused on these years in terms of the financial recession and crisis during the first years of Philip II's reign, in addition to the policy of strengthening the Crown's power in all the dominions, causing violent repercussions in Flanders and Alpujarras¹⁸. But the most important additional American factor which worried the Castilian Crown was the difficult stage in its relationship with the Church of Rome. The possible consequences affected the Royal Patronage (*Real Patronato*)¹⁹, the special rights to the Church in the Indies that Pope Julius II had granted to the Spanish Kings in 1508 through the Bull *Universalis Ecclesiae regimini*²⁰. Only two years later, in 1510, the Papal Bull *Eximiae devotionis* gave the Spanish kings the right to use the tithes on

the minerals mined in America and collected in the Indies for the upkeep of the missionaries sent in the New World²¹.

This privileged situation appeared to be undergoing a crisis in the second half of the 1560s when the Pope threatened to become directly involved in the management of Christian conversion in the New World²².

The ecclesiastical hierarchies in Madrid as well as in Rome felt quite disappointed with the poor results of the conversion of the native populations. The creation of a special papal commission which focused on the results of conversion and studied the possibility of establishing a *nunzio* (papal representative) for the Indies was, for the Crown, a sign that it risked losing the rights of Royal Patronage or even complete control over the conversion of the American natives. This would have affected one of the pillars on which the ideology of the Spanish Crown and the confessional politics of Philip II was based²³.

The civil wars amongst the Spanish, abuse of the Indian populations, native rebellions, epidemics, demographic and productive decline, financial crisis, and difficult relationship with the church should all be taken into consideration when formulating the hypothesis of a 'crisis in the Indies'. An important element that may confirm this hypothesis was the failure in the political management of the American territories or in the choice of civil servants in charge of carrying out the important task of governing the Indies.

The most effective demonstration of this political uneasiness was the suspension of the Viceroy of Peru, Count Nieva (in 1563-64) and the Viceroy of Mexico, the Marques de Falces (in 1567), who were considered incapable of managing the difficult situation.

Demetrio Ramos observes that the long period of reflection that Philip II had undergone before appointing new Viceroys was a symptom of the gravity of the crisis, in which both Viceroys were involved until the end of the 1560s²⁴.

On the differing positions regarding Ramos, Assadourian emphasizes the need, when interpreting issues in the Indies, to focus on the evolution of the needs of the Crown in relation to the events in the Indies.

It seems reasonable to prefer an interpretation based on the interaction between the policies of the Crown and the political dynamics, in addition to local economic premises, particularly if we consider the uneasy situation in which the colonies, as well as Castile, were involved. It is then natural to reconsider whether a 'crisis in the Indies' existed, or whether it was not just the result of a historiographical interpretation. Taking into account some contemporary witnesses such as Jerónimo de Mendieta²⁵, who stressed the Crown's desperate need for revenue from the Indies and the disappointing situation with regard to the conversion of the native populations, the European emergencies, relationships with the Church of Rome and the deficit in the State treasury would be considered primary factors, all of which threatened to weaken the overall political strategy of the monarchy.

THE DEFINITION OF A NEW POLITICAL STRATEGY

García Gallo observes that during the reign of Philip II the Indies experienced a more stable political and institutional order, due to a deeper understanding of the issues, and greater political maturity²⁶. This maturity corresponded to the rise to power of Diego de Espinosa and the effect on the Spanish government of what has been called the ‘confessional process’ (the Catholic sectarian influence in politics), with regard not only to the exercise of power, but also to the religious ideology that justified it, and the influence of groups or political factions within the court²⁷. If historiography agrees in emphasizing the profound changes both in policies and in religious matters during the reign of Philip II, in Castile and in the rest of Europe, as well as in the exercise of power²⁸, from the perspective of the American dominions it was towards the end of the 1560s that a series of preconditions essential in determining the overall restructuring – that would eventually take place in the early 1570s – began to mature.

Many historians have used the concept of ‘confessionalism’ with reference to Counter-Reformation politics and, from this perspective, it seems to have had a great influence on Philip II of Spain²⁹.

During his stay in the Netherlands, Philip II had a direct opportunity to verify the progress made by the reformed doctrines and to evaluate their political repercussions on the various European monarchies. As a result, beginning in 1560, Philip II chose to lend a strong impetus to Catholic reform and began to demand from the new Pope the resumption of the tasks of the Council of Trent, for the purpose of definitively establishing Catholic orthodoxy³⁰. Previously, under Paul IV, many conflicts of duty had arisen between the courts of Madrid and Rome at the time regarding the imposition of confessional structures inside the Spanish kingdoms.

These conflicts had concerned the reform of the religious orders, the application of the Council of Trent dispositions, the definition of orthodox religious doctrine and the catechism and educational methods used in society, above all rural society. In this new phase, Philip II pursued a dual objective, implementing the social *disciplinamento* [disciplining] and avoiding discord with the Roman Church, in the defence of specific and conflicting interests masked under a common religious terminology. The Crown wanted to adapt these reforms to its political interests: confessionalism and *disciplinamento* were steered towards imposing an ideology and a uniform social conduct on the population³¹. According to Martínez Millán, the point was to impose an elite culture onto a popular one and the Spanish Inquisition proved to be an appropriate instrument for overseeing dissent³². The Crown’s decision to follow a strongly confessional policy influenced both the balance of the Court and the administrative body of the Monarchy³³.

The definition, demarcation and defence of the King’s jurisdiction took place both inside and outside the kingdom, generating a series of jurisdictional conflicts with the papacy³⁴ and creating a rift due to the clash between the theocratic aspirations of the Holy See in a post-Tridentine age and the concept of sovereignty on which the Spanish Crown rested.

Such conflicts also had important consequences for the situation in the American dominions of the Crown. Between 1565-68, the climate of conflict between the Holy See and Madrid was exacerbated. The tensions for the king and the *Consejo de Indias* [Royal Council of the Indies] were provoked, as we have seen, by the Pope's attempt to become involved in the management of Christian conversion in the New World.

The Pope's aspirations were motivated by the general negative opinion of conversion in the Indies and the methods employed to pursue it and constituted a serious risk for the supposed legality of the rights of the king to the American territories. Moreover, according to recent studies, after a long initial period of apparent lack of interest, then curiosity, then disappointment in the true situation of the Spanish dominions in America and the riches flowing from them, towards the 1560s the Roman Curia was beginning to perceive the true extent of the American dominions and the reservoir of wealth they potentially represented for the Habsburg monarchy. This may help to explain the attempts made by Rome to interfere in the management of the Spanish American colonies³⁵.

POLITICAL AND ADMINISTRATIVE CENTRALIZATION AND THE REFORM OF THE AMERICAN GOVERNMENTAL APPARATUS

Ordering and defining the powers and jurisdiction within the different institutions that constituted the complex system of Philip II's dominions was a complicated task which required specific technical knowledge and a team of trustworthy officials³⁶. The management of this project was entrusted to Diego de Espinosa, President of the *Consejo de Castilla* [State Council] and *Inquisidor general* [Head of the Inquisition]³⁷.

In 1566 the unsolved problems of the American dominions caused a certain dissatisfaction in Court. The efforts of Ferdinand and Isabella, as well those of Charles V, did not provide satisfactory results for the Crown³⁸. The constant geographical expansion and changes in the New World seemed to require a phase of definitive consolidation and an overall restructuring both of *gobierno espiritual* [religious organization] and *gobierno temporal* [political government]. The Crown faced the problem in a far-sighted way, proceeding with an overall review of its political strategies and defining new instruments with which they could be implemented.

In the same year, Espinosa delegated a trusted clergyman, Luis Sánchez, who had spent eighteen years in America, to write a report on the situation in the New World³⁹. Sanchez finished his work in August 1566⁴⁰. The document, called *Memorial sobre la despoblación y destrucción de las Indias*, was an evident denunciation of the abuses and atrocities committed by the Spaniards in the Indies. According to Juan Manzano, the impact of the Sanchez report on Espinosa was decisive in initiating the reform of the American governmental apparatus⁴¹. The first step was the *visita* [a judicial inspection that must also be considered part of the Crown's policy of reorganising the various institutional and governmental systems] of the Royal Council of the Indies,

and the second was the convening of a special *Junta* charged with investigating the situation⁴².

Both in Sanchez's opinion and from the results of the inspection of the Royal Council of the Indies, it emerged that there was insufficient information on the real situation in the American dominions, which had led to inadequate measures being taken. This distortion of the facts was intentionally favoured by those who had economic interests overseas and who benefited from the situation remaining confused and unresolved by the Crown.

The *visita* of the Royal Council of the Indies gave the King an opportunity to introduce far-reaching reforms for this institution between 1567 and 1571. A long period of examination was followed by a rapid reorganization⁴³. In few months Philip II modified the structure of the Royal Council of the Indies by applying most of the measures recommended in the conclusions of the inspection⁴⁴. The official entrusted with directing the inspection, a clergyman and member of the Inquisition, Juan de Ovando, also started an extraordinary project to codify the laws in the Indies in order to clarify the duties of the royal officers serving in America⁴⁵. The King was so satisfied with Ovando's work that he promoted him to President of the reformed Royal Council of the Indies⁴⁶.

THE JUNTA MAGNA OF THE INDIES (1568)

The process of selecting the new viceroys for Mexico and Peru took quite a long time, but, finally, Martín Enríquez de Almansa and Francisco de Toledo y Figueroa were appointed. After the choosing the individuals best qualified to carry out the administrative reform of the two viceroalties, the problem of the political administration of the Indies had to be considered and a clear policy defined. The Junta Magna was dedicated to these aspects.

In spite of the alarmist news emanating from the Governor of Peru, *Licenciado* Castro, it was only in 1568 that they considered they had enough knowledge, capabilities and strength to accomplish the second phase of the reform process. Even if Manzano traces the convocation of the Junta directly and entirely back to Sánchez, we must observe that the use of instruments such as the Junta was not an innovation, as it had been widely used in 16th-century Castile. However, Philip II extended its use, leading some historians to speak of 'government by junta' as a new hallmark of the *Rey Prudente's* realm⁴⁷. Moreover, a Junta made up of theologians and other specialists in the various topics that had to be discussed seemed to be the best place to review the new information which was emerging on the situation of the Council of the Indies and the whole of the American administration.

It was merely a coincidence that led to the decision to convene the Junta in 1568, a crucial year in the reign of Philip II. This year saw dramatic events, such as the death of the heir to the Crown, Prince Don Carlos, the *moriscos* uprising in the Sierra of Aplujarras, the Duke of Alba's first forceful suppression of the Flemish revolt and the conflict with Pope Pius V over the Papal Bull *In Coena Domini*. Despite the opinion of some histo-

rians, the convocation of the Junta Magna was not an extemporaneous event, but an element in a process carefully elaborated by the Crown. The meeting was meticulously prepared by Espinosa who took care in selecting both the participants and matters to be examined and archive documents referring to the Indies back to 1520⁴⁸ were studied.

THE MEMBERS OF THE GREAT JUNTA

In September 1568 the Junta assembled in Madrid, at Espinosa's residence. Juan de Ovando was included in its members and during the course of the assembly obtained approval for some of his initiatives, in particular his restructuring of the laws of the Indies. In addition, the newly appointed Viceroy of Peru, Don Francisco de Toledo y Figueroa, was invited to participate, bearing in mind the vital role of this vicerealty for the Monarchy and Toledo's active participation in the preliminary work of the Junta.

The other members were invited on the basis of their skills and also with a view to maintaining a balance between the different governmental institutions. The Junta therefore included the most influential members of the *Consejo de Estado y Cámara* [King's Private Council of State]: Ruy Gómez da Silva, Prince of Eboli (an acknowledgement of the Ebolist faction in the Court), Gómez Suárez de Figueroa, Duke of Feria, Pedro de Cabrera, Count of Chinchón and Don Antonio de Toledo, Prior of San Juan. Such a large number of members in a body that was in charge of the international policy of the monarchy supports our view that the reforms were considered not only from the point of view of the Indies, but also from the overall perspective of the Spanish system. This idea may be further supported by the participation of important members of the *Consejo de Camara de Castilla* [the King's Private Castilian Council]; in addition to the President Diego de Espinosa, it also included *Doctor* Francisco Hernández de Liébana, *Doctor* Velasco and *Licenciado* Briviesca de Muñatones.

The importance of economic issues, which included the question of the *encomienda* and the native tribute system, as well as Indian labour in the American mines, is attested by the participation of three members of the *Consejo de Hacienda* [King's Financial Council]: Francisco de Garnica, *Licenciado* Menchada and *Doctor* Gaspar de Quiroga.

In contrast, they invited few members of the *Consejo de Indias*, which should have been the institution most closely involved. The President, Luis Méndez Quijada, and the two oldest and most experienced councillors, *Doctor* Juan Vásquez de Arce and *Doctor* Gómez Zapata were invited from the Council, in addition to the Secretary, Francisco de Eraso. Don Antonio de Padilla was invited as the only representative of the *Consejo de Ordenes* [King's Council of Military-Religious Orders]. We have to consider that the Military Orders had little importance in the Indies, so the participation of Padilla seems to be due to political opportunism (probably because of his personal relationship with Espinosa and Toledo).

Among the 22 participants there were also several religious men and theologians. In particular, this included the Bishop of Cuenca, Bernardo de Fresneda, the King's confessor, who would play an important role in the activities. Representatives of the three religious orders that were most active in the conversion of the Indians were also nominated: the Augustine friar Bernardino de Alvarado, the Dominican friar Diego de Chaves (former confessor of the Prince Don Carlos) and the Franciscan friar Medina⁴⁹.

Unfortunately, the first session had to be postponed due the illness and subsequent death of Prince Don Carlos⁵⁰. However, the urgent need to conclude the lengthy work of political and administrative reformation in the Indies and – according to Demetrio Ramos – to resolve the 'crisis in the Indies' led to the first meeting being called on 27 July 1568, only three days after the death of Prince Don Carlos.

THE WORK OF THE JUNTA

The dual priority of facing, on the one hand, the terrible tensions mounting in the Americas and, on the other hand, the exacerbation of the Roman Church's stance on the poor results of conversion, became the guidelines for the work of the assembly⁵¹. The latter pursued the objective of obtaining *la mayor eficacia en la tarea evangelizadora, para quitar todo pretexto al 'incumplimento', reordenándose de raíz la iglesia indiana*⁵² whilst the former tried to resolve the issue of the abolition of the *encomienda* legacy, a pressing concern since the 1540s, when the imposition of the *Leyes Nuevas* [New Indian Laws] failed. They therefore took into consideration the conclusions of the special task force of *comisarios para la perpetuidad de la encomienda* sent by the King to America in 1559 to find a solution to the problem⁵³.

In addition to these two main issues it was necessary to consider several other urgent matters. First of all, there was the military defence of the American dominions in the face of mounting threats from the rival colonial powers France and England. This question was related to both the increase in privateer activity and the settlement of some Protestant colonies on the American continent.

The work was divided into several phases. In the beginning there were some plenary sessions, during which some theoretical principles regarding the matters under consideration were analysed, such as the issue of the rights of the Crown in America and related problems concerning the conversion of the Indians, to which the Crown's right to collect tithes to support the Indian Church was also linked. Finally, they also discussed the right, in theological terms, to impose a forced labour system of tributes on the Indians⁵⁴. The work then continued through special sub-committees which focused on specific topics.

An important source for analysing the dynamics of the Junta is the report especially written by the Bishop of Cuenca for the Junta⁵⁵. It states that part of the meeting was also dedicated to considering some longstanding problems that the Crown had not yet resolved, such as the defence of the so-called 'right titles', the vital importance of

which he confirms. Cuenca also states that Cardinal Espinosa decided that questions related to religious matters would be discussed first of all by the Junta, giving priority to issues related to the clergy and then to the conversion of the Indians. Regarding these two aspects the problems were serious and the debate was quite animated. Medina reminded the assembly of the importance of Evangelical purity and the need to separate the ministers of God from any temporal questions. It was a diplomatic way of avoiding any accusations of corruption, which was considered widespread amongst the clergy in America. However, it was also a clear reminder to those religious men who, following the ideas of Bartolomé de Las Casas, were defending the rights of the natives against the interests of the Crown. It was therefore established that any interference, whether open or not, in the management of the colonies of the Crown was an obstacle to the conversion of the natives and must be eradicated. This dealt a very strong blow to the Lascasian party, especially in Peru, where the movement had gained in strength in recent years. At the same time, it was a means of justifying the *conquista*, in opposition to the Lascasian *restitucionalista* movement. The Bishop of Cuenca stressed that the rights to America, given by Pope Alexander VI to the Crown, were well justified⁵⁶.

One of the points most discussed by the Junta, according to the final dispositions, concerned the situation of the American natives and the methods used to convert them to Christianity⁵⁷. Priority was given to detecting and resolving inefficiencies in this area. Friar Diego de Chaves proposed to improve the efficiency of the missionaries sent there; in his opinion, the poor results were caused by wrong choices made by the religious orders that “*no dan lo mejor para allá*”. Chaves thought that the missionaries sent to America often revealed themselves not to be as honest and devoted as they were in Spain, probably because some of them found in the New World occasion to “*huir del recogimiento y disciplina con que acá les tienen*”⁵⁸. The Viceroy Francisco de Toledo argued that the vastness of the American dominions also affected control over the American clergy. In his opinion, it was not just a problem of quality, but also of quantity, and more people (“*prelados y ministros de doctrina, ansi clérigos como religiosos, y casas y conventos*”) were needed to respect the “duties and obligations” that the Crown had undertaken with the Roman Church⁵⁹. The final resolutions of the Junta agreed with Toledo⁶⁰.

A crucial aspect of improving the numbers of clergy in America was the distribution of tithes. The principle approved was that a ninth part of all the tithes collected was destined for the Crown, as a contribution towards the expenses involved in building churches and sending missionaries. As Bishop Fresneda observed, the Indians were exempt from paying tithes to avoid excessive taxation as they were already paying the tribute⁶¹. The subject of the Indian tribute was discussed immediately afterwards, in special committee sessions. Hernández de Liébana pointed out that the Junta’s duty was to establish the general outlines, granting the local authorities the responsibility for shaping particular dispositions according to these general principles.

Unfortunately, we do not have, as yet, any sources that would enable us to understand how these committees, their members and their works interacted. Nor do we know whether there was a final meeting to approve their work⁶². However, we do have the

final dispositions of the Junta and their outlines in the official instructions given by the King to the Viceroy of New Spain (Mexico) and New Castile (Peru)⁶³. According to those documents, many aspects of the Royal Patronage of the Church in the Indies were discussed, including a more precise delimitation of dioceses, the revitalisation of the clergy, the powers of the Viceroy versus the clergy and the establishment of a new Court of Inquisition in the viceroyalties. Obviously, the problems of the *encomienda* and other matters related to government had been debated, as well as peacekeeping in the viceroyalties. However, economic and fiscal matters were also discussed, such as the exploitation of the mines and the rights of the Crown in relation to them, the Indian tribute and the fiscal rights of the Crown with regard to commerce (*almojarifazgo* and *alcabala*). Some special secret economic instructions were also prepared for Viceroy Toledo⁶⁴.

THE IMPLEMENTATION IN AMERICA OF THE JUNTA MAGNA DECISIONS

The conclusions of the *visita* of the Council of the Indies and of the *Junta Magna* were aimed at influencing the future political actions of the Castilian Crown in the New World and finally, after a long period of time, some decisions had been taken on important matters.

There can be no doubt that the 1568 Junta and its successive applications marked a turning point but I believe this must be considered within the context of the other dominions of the Crown, both in America and in Europe.

It is also important to consider certain aspects of continuity, such as the harnessing of needs to stimulate greater incentives and efficacy in the conversion process, in addition to reinforcing the Crown's attitudes towards the *encomenderos*, the real controllers – at that point in time – of the American dominions, due to their military power and their alliance with the native elites.

Can we, therefore, speak about a 'crisis in the Indies' and the political reaction of the Crown as if this was a phenomenon that stemmed from discontinuity rather than continuity? What was the nature of this phenomenon: was it American in origin or a reflection of the European situation? What part did the difficult relationship between the Monarchy and the Roman Church play? The answers to these questions may probably be found by analysing the Crown's new political guidelines for the American dominions or, in effect, the Junta Magna (the Great Council) of the Indies.

In fact, from the end of 1560, means were identified to pursue aims that were already partly in evidence, combined with an intransigent position towards the institution of the *encomienda*. The elaboration of new political strategies and the choice of men able to realize them coincided with a particular phase in the reign of Philip II in which a period of reform, guided by Espinosa, was approved by the sovereign. In those years many of the monarchy's centres of power were reshaped, on a legal, administrative and political level, by replacing officials in key positions.

The reforms in the Indies, which Ramos sees as an answer to the 'crisis' of 1568, have a logical interpretation if considered in terms of this process of political maturity within the Catholic monarchy.

NOTES

- ¹ Bibliographical references can be found for Charles V in L. Ribot García (ed.), *La monarquía de Felipe II a debate*, Madrid 2000; J. Martínez Millán, I. Ezquerro Revilla (eds.), *Carlos V y la quiebra del humanismo político en Europa (1530-1558)*, IV, Madrid 2001, and for Philip II in J. Martínez Millán, C. J. De Carlos Morales (eds.), *Felipe II (1527-1589). La configuración de la Monarquía Hispánica*, Salamanca 1998; and J. Martínez Millán (ed.), *Felipe II. Europa y la Monarquía Católica, IV*, Parteluz, Madrid 1998.
- ² I. Ezquerro Revilla, *La reforma de las costumbres en tiempo de Felipe II: las "Juntas de Reformación" (1574-1583)*, in J. Martínez Millán (ed.), *Felipe II (1527-1589). Europa y la Monarquía Católica*, Vol. III, cit., pp. 179-208.
- ³ M. Fernández Álvarez, *Felipe II y su tiempo*, Madrid, p. 109.
- ⁴ M. Ulloa, *La Hacienda Real de Castilla en el Reinado de Felipe II*, Madrid 1986, p. 150.
- ⁵ Moreover, the Indies revealed one of the territories in which the entrances they would have a sensitive increment, as shown by F. Álvarez, *Felipe II y su tiempo*, cit., pp. 109-123.
- ⁶ J. Fisher, *The Economic Aspects of Spanish Imperialism in America, 1492-1810*, Liverpool 1997, pp. 45-46.
- ⁷ A. Pagden, *The fall of natural man, The American Indian and the origins of comparative ethnology*, Cambridge 1982; L. Pereña (ed.), *Francisco de Vitoria y la Escuela de Salamanca, La ética en la conquista de América*, XXV, Madrid 1984.
- ⁸ D. Ramos Pérez, *La solución de la Corona al problema de la conquista en la crisis de 1568. Las dos fórmulas derivadas*, in *Francisco de Vitoria y la Escuela de Salamanca. La ética en la conquista de América* cit., pp. 716-724.
- ⁹ M. Merluzzi, *Tra l'accrecentamento del reino e la 'conservación de los naturales': la política indígena della Monarquía Católica in Perú negli anni 1560-70*, in "Dimensioni e problemi della Ricerca Storica", 2002, 2, pp. 132-152.
- ¹⁰ R. Konetzke, *Estado y Sociedad en las indias*, in "Estudios Americanos", 1951, III, 8-9-10-11, pp. 33-58.
- ¹¹ For more details and a reconstruction of the *encomenderos'* view of the Monarchy, see M. Merluzzi, *L'impero visto dagli insorti: la ribellione contro le Nuove Leggi in Perú*, in F. Cantù, M. A. Visceglia (eds.), *L'Italia di Carlo V, guerra religione e politica nel primo Cinquecento*, Rome 2003, pp. 233-254.
- ¹² *Acrescentamientos que hizo el Conde de Nieva, Visorrey del Perú*, in *Colección de Documentos inéditos relativos al descubrimiento, conquista y colonización de las colonias españolas de América y Oceanía*, Madrid 1864-1884, XCIV, pp. 153 ff.
- ¹³ The classic reference for this topic is still S. Zavala, *La Encomienda indiana*, México 1973; but see also the much more recent work of J. de La Puente Brunke, *Encomienda y encomenderos en el Perú. Estudio social y político de la institución colonial*, Sevilla 1992.
- ¹⁴ S. Stern, *Perú's Indian People*, cit., pp. 51-80; K. Spalding, *Huarochiri. An Andean Society Under Inca and Spanish Rule*, Stanford 1984, pp. 100-136.
- ¹⁵ J. M. Barnadas, *Charcas 1535-1565. Orígenes históricos de una sociedad colonial*, La Paz 1973.
- ¹⁶ See P. Duviols, *La lutte contre les religions autochtones dans le Pérou colonial: l'extirpation de l'idolâtrie entre 1532 et 1660*, Lima - Paris 1971.
- ¹⁷ There is a very extensive bibliography on this topic, including I. Pérez Fernández, *Bartolomé de Las Casas en el Perú (1531-1573)*, Cuzco 1988; F. Cantù, *Evoluzione e significato della dottrina della resti-*

- tuzione in *Bartolomé de las Casas*, in "Critica Storica", 1975, 12, 1, pp. 54-143; and G. Lohmann Villena, *La restitución por conquistadores y encomenderos: un aspecto de la incidencia lascasiana en el Perú*, in "Anuario de Estudios Americanos", 1966, 23, pp. 21-89.
- ¹⁸ D. Ramos Pérez, *La crisis indiana y la Junta magna de 1568*, in "Jahrbuch für Geschichte von Staat, Wirtschaft und Gesellschaft Lateinamerikas", 1986, 23, pp. 1-62.
- ¹⁹ See P. Leturia, *El origen Histórico del Patronato de Indias*, in *Relaciones entre la Santa Sede e Hispanoamérica, 1403-1835, I, Epoca del Real Patronato*, Roma - Caracas 1959, pp. 1-29; and the more recent *La teocracia pontifical como título de la Conquista de América*, in P. Castañeda, *La teocracia pontifical en las controversias sobre el Nuevo Mundo*, México 1996, pp. 280-437.
- ²⁰ J. Metzler (ed.), *América Pontificia primi saeculi evangelizationis 1493-1592. Documenta pontificia ex registri sed minutis praesertim in Archivo Secreto Vaticano existentibus*, I, Vatican City 1991, pp. 105-107.
- ²¹ Metzler, *América Pontificia* cit., pp. 110-112.
- ²² On the control by the Crown on the clergy and the management of Christian conversion, see P. Borges, *Historia de la Iglesia en Hispanoamérica y Filipinas*, I, Madrid 1992 and Id., *El envío de misionales a América durante la época española*, Salamanca 1977; F. Cantù, *L'Europa e il Nuovo Mondo: società, cultura, religione all'epoca dell' evangelizzazione dell'America*, in *L'Europa e l'evangelizzazione del Nuovo Mondo*, Milan 1995, pp. 7-32.
- ²³ P. Leturia, *Felipe II y el Pontificado en un momento culminante de la Historia hispanoamericana*, in *Relaciones entre la Santa Sede e Hispanoamérica* cit., I, pp. 59-100.
- ²⁴ Ramos Pérez, *La crisis indiana y la Junta* cit., p. 4.
- ²⁵ J. de Mendieta, *Código Mendieta*, ed. J. García Icazbalceta, 1982, II, pp. 41 ff.
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- ²⁷ J. Martínez Millán, *El proceso de confesionalización: el cardenal Diego de Espinosa y su herencia política (1565-1583)*, in J. Martínez Millán, C.J. Carlos Morales (eds.), *Felipe II (1527-1598)* cit., pp. 99-213.
- ²⁸ Id., *La Corte de Felipe II* cit., pp. 18-19.
- ²⁹ For a good theoretical reference, see W. Reinhard, *Confessionalizzazione forzata? Prolegomeni ad una teoria dell'età confessionale*, in "Annali dell'Istituto storico italo-germanico di Trento", 1982, 8, pp. 13-37; W. Reinhard, *Disciplinamento sociale, confessionalizzazione, modernizzazione. Un discorso storiografico*, in P. Prodi, (ed.), *Disciplina dell'anima, disciplina del corpo e disciplina delle società tra medioevo ed età moderna*, Bologna 1994, pp. 101-124; H. Schilling, *Chiese confessionali e disciplinamento sociale. Un bilancio provvisorio della ricerca storica*, in Prodi, (ed.), *Disciplina dell'anima* cit, pp. 125-160; F. Palomo, *Un manuscrito, dos diccionarios y algunas perspectivas historiograficas para el estudio de la historia religiosa de la época moderna*, in "Lusitana Sacra", 2003, XV, pp. 239-275.
- ³⁰ A. Prosperi, *Il Concilio di Trento: una introduzione storica*, Torino 2001, pp. 44-50.
- ³¹ P. Prodi, W. Reinhard (eds.), *Il concilio di Trento e il moderno*, Bologna 1996, pp. 7-53.
- ³² J. Martínez Millán (ed.), *La corte de Felipe II* cit., p. 22-25. On the Spanish Inquisition see R. García Cárcel, D. Moreno Martínez, *Inquisición, Historia Crítica*, Madrid 2000; especially focused on the American Inquisition the study of Bartolomé Escandell Bonet, *Las adecuaciones estructurales: establecimiento de la Inquisición in Indias*, in J. Pérez Villanueva, B. Escandell Bonet (ed.), *Historia de la Inquisición en España y América*, Madrid 1984, pp. 713-730.
- ³³ Martínez Millán, *Felipe II (1527-1598)* cit., pp. 93 ff.
- ³⁴ A. Borromeo, *Felipe II y el absolutismo confesional*, in *Felipe II, un monarca y su Época: la Monarquía Hispánica*, Madrid 1998, pp. 185-195.
- ³⁵ See G. Pizzorusso, M. Sanfilippo, *L'attenzione romana alla Chiesa Coloniale ispano-americana*, in *Filippo II. Europa y la Monarquía Católica*, 3, cit, pp. 321-333.

- ³⁶ M. Rivero, *Felipe II y el Gobierno de Italia*, Madrid 1998, p. 220.
- ³⁷ For more details on his role in the Castilian Court, see J. Martínez Millán, *Un curioso manuscrito: el libro de gobierno del Cardinal Diego de Espinosa (1512?-1572)*, in "Hispania", 53, 1, 183, 1993, pp 299-344; J. Martínez Millán, *En busca de la ortodoxia: el Inquisidor General Diego de Espinosa*, in Martínez Millán (ed.), *La Corte de Felipe II* cit., pp. 189-228.
- ³⁸ J. Manzano Manzano, *La visita de Ovando al Real Consejo de las Indias y el Código ovandino*, in *El Consejo de las Indias en el siglo XXVI*, Valladolid 1970, pp. 111.
- ³⁹ J. Manzano Manzano, *Historia de la Recopilación de Indias*, 2 vol., Madrid 1950, I, pp. 80-81.
- ⁴⁰ L. Sánchez, *Memorial sobre la despoblación y destrucción de las Indias*, in Archivo General de Indias (Sevilla), Patronato 171, n. 1, r. 11. Published in *Collección de Documentos Inéditos de Indias*, XI, Madrid 1869, pp. 163-170.
- ⁴¹ D.M. Sánchez, *El deber de Consejo en el estado moderno. Las Juntas "ad hoc" en España (1471-1665)*, Madrid 1993, pp. 96-100.
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- ⁴³ J. Manzano Manzano, *Historia de las Recopilaciones*, I, pp. 99-107; J. La Peña Y Cámara, *Nuevos datos sobre la visita de Juan de Ovando al Consejo de Indias (1567-1568)*, in "Anuario de Derecho Español", 1935, 21, pp. 425-438.
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- ⁴⁶ La Peña Y Cámara, *El manuscrito llamado 'Gobernación espiritual y temporal de las Indias'* cit., pp. 5-72; Id., *Las redacciones del libro de la Gobernación espiritual* cit., pp. 93-146.
- ⁴⁷ Martínez Millán (ed.), *La Corte de Felipe II* cit., pp. 24-25; Rivero, *Felipe II y el Gobierno* cit., pp. 130-140, 213-226.
- ⁴⁸ M. Mustapha, *Contribution a l'histoire de la Junta Magna de 1568*, in "Annales de la Faculté des Lettres et Sciences Humaines de Nice", 1978, 30, pp. 81-100.
- ⁴⁹ Ramos Pérez, *La crisis indiana y la Junta*, cit.
- ⁵⁰ Letter written by Toledo to Espinosa, June 1568, in R. Levillier, *Don Francisco de Toledo supremo organizador del Perú. Su vida y su obra*, IV voll. Madrid - Buenos Aires 1935-1942, IV, *Anexos*, p. 31.
- ⁵¹ The original sources are in the Archivo del Ministerio de Justicia (Madrid), Legajo 41, *Apuntamientos de Indias hechos desde el año de 1568 hasta el de 1637*, partially published in Abril Stoffels, *Junta Magna de 1568. Resoluciones e instrucciones* cit., pp. 129-194.
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- ⁵³ P.J. Bakewell, *La maduración del gobierno del Perú en la década de los '60*, in "Historia mexicana", 1989, 39, 153, pp. 41-47.
- ⁵⁴ Letter written by Toledo to Espinosa, June 1568, in Levillier, *Don Francisco* cit., IV, *Anexos*, pp. 31-36.
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- ⁵⁶ Ramos Pérez, *La crisis indiana y la Junta* cit., p. 9.
- ⁵⁷ See M. J. Abril Stoffels, *Junta Magna de 1568. Resoluciones e instrucciones* cit., pp. 139-146.
- ⁵⁸ Quoted by Ramos Pérez, *La crisis indiana y la Junta* cit., p. 9.

- ⁵⁹ Letter written by Toledo to Espinosa, July 1568, Levillier, *Don Francisco de Toledo* cit., IV, *Anexos*, pp. 31-36.
- ⁶⁰ See Abril Stoffels, *Junta Magna de 1568. Resoluciones e instrucciones* cit., pp. 137-138.
- ⁶¹ Ramos Pérez, *La crisis indiana y la Junta* cit., p. 11.
- ⁶² Ramos Pérez, *La crisis indiana e la solución de la Corona* cit., pp. 439-463.
- ⁶³ On the rule of Enríquez see A. F. García Abasolo, *El Virrey Martín Enriquez y la Reforma de 1568 en Nueva España*, Sevilla 1983; for the rule of Toledo see M. Merluzzi, *Politica e governo nel Nuovo Mondo: Francisco de Toledo viceré del Perú (1569-1581)*, Rome 2003, pp. 63-80.
- ⁶⁴ Unfortunately, the documents have been lost, but we there is a reference in J. Solórzano Pereira, *Politica indiana* (1647), notes by F. Rodríguez Valenzuela, intr. by F. Ochoa Brun, 152-156, Madrid 1942, libro II, cap. IX, 17.

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