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Colonialism and its Contradictions: Indians, Blacks and Social Power in Sixteenth and Seventeenth Century Mexico[1]

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Abstract This article examines patterns in the black/Indian relationship in Mexico during the sixteenth and seventeenth centuries. It focuses on microlevels of society and on the practice of power in two pivotal domains, one centered on instances of labor coercion and civil control, and the other on what was labelled "witchcraft." The analysis suggests that Spanish colonialism embodied contradictions at its very foundations as it created sites of power for both blacks and Indians, who were alternately constituted as dominating and subordinated subjects vis-à-vis each other and the Spanish colonizers.

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During the 1560s the Spanish chronicler and *conquistador* Bernal Díaz del Castillo wrote his memoirs of the conquest of Mexico,[2] a land he had first seen in 1519 in the company of Hernan Cortés. One arresting passage describes an epidemic in 1520, the first of many to hit indigenous peoples particularly hard. Identifying its source as a black man who arrived "covered with smallpox," Bernal Díaz declared the matter to be a "very black affair ... for it was owing to [the black] that the whole country was stricken and filled with [the pox] ... [and] a great number of [Indians] died." "[Black] was the death of so many persons who were not Christians," he concluded (1956[1632]:293-294).

Bernal Díaz was not the only Spaniard to identify a black with some of the calamities of conquest. Colonial officials portrayed African-descent peoples as "bellicose," "pugnacious" and "vicious," and inclined to exploit "miserable"[3] Indians (AGIMex 20,9,1578; AGIMex 19,125,1574; AGNO II, f. 36–38,1623; Cope 1994:17; Israel 1975:73; Palmer 1976:42). Not long after Bernal Díaz composed his memoirs, Viceroy Enríquez wrote to the king:

> One has to take special account of the blacks in this land. Although arms are prohibited to them, they carry hidden knives, and whatever the offense they cause many deaths ...

Cruelest of all, he continued, blacks mistreated "wretched" Indians, who had no "resistance" (AGIMex 20,29,1579). Decades later another viceroy called the king's attention to blacks: "laborers and blacks", he wrote, "are more powerful [and] will do anything they want to the Indian villagers ... they will oppress them" (AGIMex 25,26,1603). Still later in the seventeenth century a high court judge asserted blacks

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"treat Indians as their slaves while they themselves enjoy more leisure and comfort than anyone else" (cited in Israel 1975:74).

While some scholars have considered in passing this feature of black/Indian interaction (Carroll 1991a:89, Israel 1975:67, 73–74; Mörner 1967:30–31; 60 ff; Palmer 1976:60–62), none has analyzed the black/Indian relationship systematically. That relationship merits further investigation because it was composed of diverse practices and imageries, and it elucidates some of the paradoxes and complexities of colonial power in Mexico.[4] Here I explore issues of power through texts depicting black and mulatto[5] contact with Indians from the late sixteenth through the mid-to-late seventeenth century.[6] The texts underscore my focus on microlevels of society and offer insights into the ways categorical differences and similarities between groups were constituted through everyday discourses and practices that spoke to "race" and "class" but are not reducible to them.

This analysis does not exhaust all aspects of colonial social interaction, nor does it fully convey the range of black, mulatto or Indian experiences and perspectives.[7] But texts from the colonial judicial system, in particular, illustrate the practice of power in two pivotal domains, one centered on instances of labor coercion and civil control, and the other on what was labelled "witchcraft" (*hechiceria*),[8] which spoke to interpersonal tensions and to potential sources of collective power.

Emphasizing the interdependence of these domains, I examine networks of social relations and the different kinds of power to which they spoke. I argue that within them dominance and subordination played out differently as blacks and mulattoes were used as agents of colonial control and Indians came to be considered masters of the supernatural. Yet these processes were also interrelated and developed around colonial imaginings of "Indianness" and "blackness" as Spaniards created a labor force made up of heterogeneous and potentially explosive elements and "consumed" the witchcraft of others who threatened to ally in a challenge to Spanish authority. Indeed, the broader colonial picture, to which I cannot fully do justice here, makes ideas of "Spanishness" and the multiple positions of Spaniards (and others, such as mestizos) central to understanding the issues. To this end, I consider Spanish entanglement in the black/Indian relationship and draw particular attention to blacks and mulattoes as connecting links between Spaniards and Indians.[9]

Forging a Colonial Landscape

From the beginnings of Spanish colonialism in the New World, Spaniards used the indigenous peoples they called "Indians" as their principal means of extracting and producing wealth. Some were *de facto* slaves,[10] but most were forced to make labor and tribute

contributions through preexisting networks of authority centered on indigenous polities. Christianizing Indians and protecting them from exploitation were as important to some Spaniards as economic gain and coerced labor were to others.[11] These often conflicting goals engendered friction and debates between the Crown, clergy, colonial officials and settlers, producing early legislation that did not radically change Spanish practices but aimed to protect Indians as well as Crown interests in asserting sovereignty over them. In 1502 the Crown mandated Indians' freedom from enslavement once they became Christians but also imposed an annual tribute on them. In 1510, after Dominican friars called attention to the abysmal treatment of Indians, whom they wished to see separated from Spanish settlers, Spanish jurists drew up the Laws of Burgos demanding better care for Indians and that their conversion be seen to. These laws, however, also contained provisions for involuntary Indian labor as the Crown authorized the continued use of Indians for mining, agriculture and public works projects. At the same time, private uses of Indians were formalized through the *encomienda* system, which granted Indian labor and tribute to individual Spaniards (Liss 1975:17-18; Lockhart and Schwartz 1983:68-71, 92-96; MacLachlan 1988:47-52).

During the first decades of colonial rule *encomienda* fully developed in Mexico as Spanish *conquistadores* and their descendants escalated their demands for Indian tribute and labor (Gibson 1964:58-97,194-219; Liss 1975 *passim*). Prompted in part by the Dominican Bishop of Chiapas, Bartolomé de Las Casas, the Crown issued the New Laws in 1542. These declared all Indian enslavement illegal, limited Spanish settlers' private uses of Indians and reaffirmed Crown control over both settlers and Indians, thereby forestalling "feudal fragmentation" in the New World (Cintrón 1979; Liss 1975). *Encomenderos* in Mexico and Peru resisted retraction of their rights, some of which were then restored (Cintrón 1979:28; MacLachlan 1988: 61-62). But *encomienda* weakened during the sixteenth century as the Crown came increasingly to benefit from a greater share of Indian tribute[12] and shifted its policy further towards "free" Indian labor, with the exception of public works and specific industries deemed important to Crown interests. In effect, this shift constituted Indians as royal subjects equal to Castilians in their "freedom to choose" where (but not whether) they would work. The period in question here, however, saw repeated conflicts over Indians' free movement and the requirement that they remain in their villages where tributes were levied and priests attended to conversion (Cintrón 1979; Zavala 1988).

Throughout this time blacks and mulattoes were augmenting the labor force as both free and unfree workers.[13] Enslaved blacks were already an important source of labor in the Caribbean, where Indian

peoples were quickly disappearing and the remaining ones were, as the king had declared in 1510, "weak and of little strength" (cited in Palmer 1976:8). In Mexico these slaves belonged mostly to Spaniards, who named and branded them (Palmer 1976:39; Dusenberry 1948:287). Despite their status as property slaves they theoretically had some rights. Church and state policies encouraged them to marry and allowed them to petition for their own and their relatives' emancipation. In addition, masters were expected to fulfill their "Christian responsibility" (Sweet 1978:97) to clothe and feed them and not to engage in excessive cruelty (AGNRCD 30,1378,1683).

Slave rights, however, were often not enforced (Palmer 1976 *passim*; Davidson 1979:88; but see AGNInq 418,4,1643, Mexico; AGNCr 685,4,1622,Atrisco). Moreover, although the Church attended to blacks' conversion to Christianity and to their subsequent religious training, protracted debates among Spaniards over Indians and their rights to freedom were not extended to blacks (Sweet 1978:91 ff; Bataillon 1971:415-418).[14] Instead, in the view of missionaries and the Church, blacks' spiritual emancipation was to make up for this-worldly inequalities (Sweet 1978:99). According to one Dominican, blacks could not be given their liberty "[because] they [were] untameable and bellicose and would disturb themselves and others if they were free" (cited in Bataillon 1971:417). Many blacks and mulattoes were nevertheless free, since manumission was provided for in law.[15] But they faced a multitude of restrictions, constant surveillance, numerous decrees limiting their movements, and laws obliging them to live under Spanish supervision (Palmer 1976:179 ff; Dusenberry 1948:292 ff). Penalties incurred for routine legal infractions were also more severe for free mulattoes and blacks than for mestizos and Spaniards (Dusenberry 1948 *passim*).

Spaniards, of course, formed an elite class with the most rights, including rights to the labor of others. To a certain extent colonial law recognized an Indian nobility separate from Indian commoners, and it protected Indians from the more extreme forms of exploitation. But even after their demographic decline Indians were the majority of the population[16] and they performed most of the unskilled labor in a variety of industries (Israel 1975: Ch1). Throughout the period in question here legislation protecting Indians from certain arduous occupations and the widespread Spanish belief that blacks were superior workers led also to the intensive use of enslaved blacks in New Spain's sugar plantations, textile workshops, silver mines and pearl fisheries. Yet in many instances Indians were still the dominant labor force, despite laws of protection, and free and unfree blacks and mulattoes came to hold positions as specialized workers, often overseeing Indians (Carroll 1991b:10; Israel 1975:73; Konrad 1980:246; Martin 1985:138-139; Palmer 1976:65-83).

Legislation, Courts and Colonial Voices

Spanish law was tied closely to notions of political and religious authority. It emphasized the Crown's role as God's agent, executing his will and meting out justice through legal institutions (Cintrón 1979; Liss 1975; Elliot 1989, MacLachlan 1988). Legislation[17] distinguished New World groups by ancestry and other status considerations, and gave them certain obligations as well as certain rights. Indians were constituted as legal minors under special Crown protection. To this effect, Crown legislation created two entities subject to different laws and regulations: an Indian Republic (*república de los indios*) and a Spanish Republic (*república de los españoles*). Although the republics were not principally geographical designations, they roughly corresponded to Spanish urban areas and Indian rural villages and symbolized different ways of life (Liss 1975:6): civilization and barbarism, Christianity and paganism, consumption and production, *gente de razón* (people of reason) and *gente sin razón* (people without reason). As the latter, Indians were deemed less responsible than Spaniards (MacLachlan 1988:29).

For a variety of sometimes conflicting reasons missionaries believed Indian conversion would proceed more smoothly if Spaniards and Indians were segregated. Most of them favored the two republics division (Borah 1983:30; Maravall 1949; Phelan 1970), which facilitated sermonizing as it supported Indian autonomy, local political structures and economic practices that did not conflict with Spanish interests. It is well known, however, that Indian autonomy and rights were constantly under attack from outsiders (MacLachlan 1988; Mörner 1970). Crown policy sought to protect those rights, and legislation regarding the separation of Indians was periodically reinforced to that effect (Mörner 1970; Borah 1983:31-32). But Indian polities, which were weakened by the homogenization of disparate native legal traditions, could not independently resist infringement or profoundly influence colonial policy on their own terms (MacLachlan 1988:28). Moreover, structural contradictions made Indian isolation virtually impossible to sustain since colonial and Crown wealth depended on the extraction of goods and labor from Indians, and on black and mulatto contact with them.

An elaborate court system heard and resolved a wide variety of disputes while it helped to define and protect the stratified social body, a "natural" hierarchy of "superior, middle and inferior ranks" (MacLachlan 1988:8; Liss 1975:8 ff). The system included the General Indian Court, which was established in the late sixteenth century to help streamline the judicial process for Indians, whose cases were already flooding the courts ten years after the conquest. The General Indian Court was under control of the viceroy, who personally handled administrative complaints brought by Indians. A

court of the first instance in the capital, it had alternate jurisdiction beyond for suits in which Indians were defendants. It also heard Indian complaints against local magistrates and appeals of their decisions (Borah 1982,1983; del Refugio y Lozano 1985). The royal or high court (*audiencia*), to which all non-Indians were subject, was also under viceregal control. It too heard appeals and reviewed decisions of local magistrates, was a court of the first instance in the capital and its environs, and appointed agents beyond that area. An ecclesiastical tribunal, ultimately under viceregal authority as well, heard matters pertaining to the Church and the clergy. Finally, the tribunal of the Holy Office of the Inquisition, modelled after and subordinate to the Spanish institution, and formally established in Mexico in 1571, was responsible for determining blood purity and punishing religious heterodoxy, including witchcraft and "superstition."[18] The viceroy controlled the funds to support the Inquisition, but it was the only judicial institution formally outside of *audiencia* and viceregal control.[19]

Courts clashed over jurisdictional matters, especially with respect to Indians (Borah 1982,1983; Greenleaf 1965,1978).[20] As neophytes and legal minors they not only had a special court to hear their business but also were removed from the Inquisition's jurisdiction after 1571.[21] Nevertheless, Inquisition texts are replete with references to Indian witches, healers, diviners and devil's advocates throughout the late sixteenth and seventeenth centuries (Cervantes 1994:37 ff; 1991:27; Lewis 1996). Blacks were not immune from Inquisitorial persecution even if they generally escaped more serious charges of heresy (Palmer 1976:148-149). They are also well-represented in Inquisition cases, often appearing alongside Indians as well as with Spaniards, mulattoes and mestizos, who, with blacks, were under the institution's jurisdiction. Many court cases involved persons of all backgrounds. In general such cases, and perhaps jurisdictional confusion itself, should probably be viewed as evidence of the incontrovertible fact that there was constant social interaction between people of different "castes".

In addition, many people saw themselves as deserving of justice and the courts as a way of resolving disputes. As one Indian declared, he was a "vassal and tributary of his majesty" and was therefore owed protection (AGNInq 517,13,1674,Tulancingo). It is well known that both Mexican and Andean natives were highly litigious (MacLachlan 1988:48; Borah 1982 and 1983: Stern 1982). Less well known is the fact that in colonial Mexico, as well as in other colonial American contexts (e.g. Lazarus-Black 1994), blacks and mulattoes with a variety of statuses also used the judicial system. In Mexico many petitioned for their freedom, to bear arms and to open businesses; complained of ill-treatment by their masters; brought cases against

each other; testified in criminal, civil and Inquisition cases; and reported to the authorities the blasphemous or heretical acts of Spanish or Portuguese "judaizers." The fact that even those among the most excluded repeatedly used the courts to negotiate their limited rights, suggests that a "legal consciousness"[22] had developed among some sectors of the population. Scholars need to look beyond the legal system as simply a means of punishing those who were subordinated (Lazarus-Black 1994:256) and consider colonial courtrooms as sites for identity construction within the strictures of colonialism.

The detailed and varied testimonies of defendants, plaintiffs and witnessses from colonial Mexican court cases record complex negotiations of power and status based on peoples' strategic understandings and representations of legal and cultural norms (see Lewis 1995). Those norms, of course, remind us that both inside and outside of court Spanish men sat in judgment on non-Spaniards and women. Moreover, distinctions made *between* subordinated peoples were recreated in the court system, for instance facilitating Indian access to justice while limiting it for black slaves. Yet this is part of a more general point: the courtroom itself was part of the lived social world and therefore the systems of meaning and practice related in courtrooms spoke to issues of power both within and outside the context of the court. If court cases are considered as social texts that embody the notions of authority prefigured in their creation, and courts are considered as sites that engendered colonized subjects who could only make themselves heard in particular ways, we can begin to consider the entanglement of subordinated peoples with each other and with Spaniards both juridically and extra-juridically. Reading court records both "with" and "against" the grain,[23] and alongside other kinds of texts, ultimately offers insight into the myriad contradictions of Spanish colonialism itself.

Putting Difference to Work

Like the letters of the colonial officials that opened this essay, judicial records consistently refer to Indian victimization by blacks and mulattoes. As early as twenty-five years after the conquest, for instance, Indians complained of a black slave who had gone to a farm owned by a Spaniard and "without cause or reason" hit and whipped the Indian men and women there. "Not content with this," continued the complaint, "he slashed the face of an Indian woman" (AGNM2,728,1544,Toluca). A somewhat later complaint of an Indian noble describes how a black slave, bequeathed to the Indian by his father and brother,

goes about freely in this village and in others nearby, armed with a knife, a firearm, bows and arrows, forcing and aggravating the Indians and bothering the married Indian women, taking them from their husbands, who are not powerful enough to defend them (AGNInd 6 la,177, 1592, Igualtepec).

The Indian plaintiff had direct legal control over the slave, who nevertheless wandered about terrorizing several communities and exercising his "practical" authority over Indians. In these cases and more generally the Spanish judiciary served to ameliorate the Indians' inability to protect themselves. Additionally, as other cases suggest, Indians often needed extra-judicial help from Spaniards as well. Not long after the conquest, for instance, a group of Indians had caught a black slave whom they alleged had robbed them. On the way to jail, the Indians were waylaid by a dozen other blacks, who freed the captive slave by assaulting the Indians. Subsequently, the Spanish master took control of the first slave, whom he sent off to jail accompanied by a Spanish constable (AGNCi 28,5,1544, Mexico). When two mulattoes attacked and attempted to rob an Indian couple in the late seventeenth century the couple immediately sought out a Spanish rancher, who aided the Indian town officer in tying up the mulattoes and taking them to jail (AGNCr109,20,1683, Pachuca). In what might be interpreted as an act of symbolic emasculation, the mulattoes had apparently removed the trousers of the male Indian. A lack of prowess might also be imputed to the male Indians mentioned in the case of the noble's marauding slave, who were unable to protect their own women, a recurring theme in these texts.[24]

While the frontispiece of records detailing conflicts between Indians and blacks or mulattoes usually names only the black or mulatto as a defendant, more often than not the body of the text indicates that black and mulatto violence towards Indians originated with Spaniards, who coerced Indian labor or exercised their authority for other, often unstated purposes, through the same blacks and mulattoes they later punished through the judiciary. As well as protecting Indians, Spaniards were the ultimate source of their abuse, and they used their black and mulatto deputies, overseers, assistants, and slaves to "manage" the defeated Indians (Israel 1975:67).

The Spaniards referred to in these cases included local officials, estate owners and even priests. In one incident, "a mulatto named Hernandez Munro, with little fear of God and less esteem for Royal Justice, and contrary to his majesty's decrees and edicts that urge the support, good treatment and liberty of the Indians" was charged by the residents of an Indian village with routinely "aggravat[ing] and oppress[ing]" them by coming to their homes, threatening them and tricking them into carrying messages up to Spanish estates. The mulatto, the Indians claimed, had "strong backing" (literally a "powerful hand" [*mano poderosa*]). If they refused to go he would

catch and beat them, and if they went they were made to work for weeks on end, treated badly and not paid. The mulatto was thus the intermediary coercing labor for the benefit of Spaniards, paid by the Spaniards for the work the Indians did, which effectively made the Indians his slaves (AGNCr 105,18,1644, Ixmiquilpan). In another incident, a mulatto deputy was said to use the "methods and tricks" and "backing" of Spanish district officials to take by force from the Indians "everything they had in their houses":

> he mistreats them very badly ... making them give him people for service without paying ... he also goes to the house [of the plaintiffs] and steals their women from them ... the mulatto has not been punished because he has been favored by the district officials (AGNInd12,55, 1633,Coyuca).

Some texts focus on slaves used to control groups of Indians. One such slave, whom Indian plaintiffs described to the justices as "naturally unsettled and depraved," unwilling to "submit to authority," "arrogant," "haughty" and "extremely bold," was said to have for years terrorized an Indian village for his Spanish master, who needed Indian labor and was also the recipient of the Indians' houses, dismantled by the slave and carried up to his estate (AGNCr 265,26,1647, Tultepec). Indians charged the slaves of a Spanish district official with "mistreating and aggravating" them with the official's consent (AGNInd4,626,1590, Santa Maria Tlalpujahua), and they charged a slave foreman of a textile workshop with "treat[ing] them badly in deed and in word without paying them" (AGNInd23,350,1659,Huexocoapa). In another incident, an abusive priest, angered by what he perceived as Indian disobedience, ordered his slaves to force a group of Indian villagers into a church. One slave wielded a machete as he chased the Indians (AGNB596,13,1682,Mexico).

Other cases focus on the ways slaves were used to control individual Indians. In what they described as a "humiliating" confession, for instance, two Indian nobles reported to the justices that a Spanish official had ordered a slave to beat them, which resulted in a loss of face and much "gossip" (AGNCr235,28,1618, San Agustín de las Cuebas). In a separate incident, an Indian woman was assaulted and jailed by a slave on the orders of the Spanish district official to whom she had appealed when her husband was murdered by the official's assistant (AGNCr57,5,1650,Ixmiquilpan).

In several incidents slave women performed similarly to men in extending Spanish authority. In one case, the mother of a local Spanish official sent female slaves to catch "rebellious" Indians and take them to jail (AGNCr34,13,1639, Tetepango). In another, a mulatto slave woman "companion" of a Spanish man was said to customarily aid him in stealing from Indians. At one point she had incited her dogs to attack

an Indian man, who sustained serious injuries (AGNCr 235,33,1655,Coyoacán). The fact that slave women were deemed useful in such capacities underscores the valuations of black "strength" and Indian "weakness" in systems of colonial social control.

Agency and Alliances

Throughout the sixteenth and seventeenth centuries colonial officials and the Crown responded to Indian complaints not only through the courts but also with repeated directives ordering blacks and mulattoes, as well as mestizos and Spaniards, out of Indian villages (AGNO,AGNM,AGNRCD; Mörner 1970).[25] A royal decree to this effect, issued in 1578, stated that blacks, mulattoes and mestizos were "universally inclined to evil ... treat[ed] [Indians] badly and ma [d]e them serve them" (see Mörner and Gibson [1962] on this aspect of the decree).

On the face of it, official concern with Indians' welfare might be read as paternalistic. Yet, this same decree hints that as much as Spanish officials were dismayed by the violence "blacks, mulattoes and mestizos" perpetrated against Indians, they also perceived negative consequences if Indians were goaded to disobedience or even to organized rebellion. In this vein the king's decree continues, stating that mulattoes, mestizos and blacks taught Indians "their bad customs and viciousness ... [and] some errors and [ways of] life that can spoil or hinder the fruit that is desired for the Indians' salvation" (AGNO6,292,1578; also AGNGP7,122, 1632). More specific objections to the deleterious effects of blacks and mulattoes on Indians were reported by a priest, who wrote to the inquisitors that a group of blacks and mulattoes had convinced the Indians of his district there was no "life," "pain" or "glory" after death, that only what the priest termed "the bestial life" was important (AGNInq303,38,1624,Panuco). In an earlier letter to the Crown a viceroy had reported disbanding a religious brotherhood (*cofradía*) of blacks that was fomenting rebellion, spreading rumors that Indians were "determined to revolt," undermining the job of converting the Indians and hindering their hispanicization through the use of such "vile language" that the Indians came to believe they were "part of nothing" (AGIMex19,82,1572).

As this text suggests, while conversion was deeply implicated in the "civilizing" process, the spectre of disobedience or downright revolt went beyond religious matters. In fact, colonial perceptions of the nefarious consequences of black and mulatto contact with Indians seem to have been tied to more encompassing imaginings of black shrewdness and Indian gullibility. A case in which a group of Indians claimed to have been attacked by a black slave accompanied by an Indian man encapsulates this fundamental point. In keeping with the idea that Indians were "weak" and blacks "bellicose," the officials

hearing the case excused the Indian from blame because he was "Indian," "ignorant" and "lacked knowledge." As a "domestic" Indian, one pointed out, "he would not have dared to do anything." Instead, "the black" was characterized as "the aggressor of it all ... for he insisted" (AGNCr4,5,1591,Zaqualpa).

These images of the black aggressor and the placid Indian are highly suggestive of general tensions in colonial society over potential alliances among different categories of subordinated peoples. The viceroy's contention that blacks were spreading rumors of Indian revolt, as well as the judicial officials' declarations that an "aggressive" black led an "ignorant" Indian to criminal acts, suggest that attempts to isolate Indians were motivated by efforts to remove them from blacks' influence, as well as from their abuse. While there is no evidence that blacks and Indians formed lasting alliances, and bands of Indians were often used to spot and catch runaway blacks, colonial officials did sometimes raid Indian villages, and even houses, looking for hidden slaves (AGNCr643,2,1612, Huatusco; AGNCr132,2, 1647, Mexico). In addition, although major rural Indian uprisings during this period were rare (Taylor 1979: 113; Katz 1988a, 1988b),[26] organized slave revolts were not (Davidson 1979:89 ff; Palmer 1976:138 ff).

The Uses of Enchantment

If overt uprisings led by alliances of blacks and Indians are difficult to document, there is evidence that covert challenges through other means were also an ongoing concern to the Spanish elite. Such challenges came from witches, who employed divination, herbs, powders and supernatural powers to thwart God's will and to control others. In theory, witchcraft was not the exclusive domain of any one sector of society, as even Spanish men were sometimes accused of practicing it, but most witches were Spanish women and non-Spaniards. While magical practices were engaged in by Indians, Spaniards and blacks independently of one another, when persons distinguished by "caste" together engaged in witchcraft they formed consistent kinds of networks based on differential attributions of power. These networks suggest that Indians were attributed with the most authority in this domain and Spaniards with the least. Yet the idea of Indian "weakness" is still central: in the colonial imagination it exposed Indians to assault and moral turpitude brought on by blacks and mulattoes, and contributed to the particularly strong association between Indians (and women) and the devil, who "seduced" them into performing sacrilegious acts such as witchcraft (Lewis 1996).

Even though Indian witches were not tried by the inquisitors after 1571, many plaintiffs, defendants and witnesses make explicit connections between Indians and witchcraft as they describe their own

involvement in often elaborate entanglements. Such Indians came from all over and were frequently named.[27] Occasionally, they were brought before the inquisitors for extensive questioning (as in AGNInq147,6, 1595 Xochimilco; 209,9,1597, Pazcuaro; 537,9,1691, Querétaro). In one of these cases the inquisitors queried an Indian, whom a mestizo cowhand designated his link to a devil, as to where he had learned to invoke that devil. No one had taught him, the Indian replied. Rather, the knowledge had been "born from his heart" that the devil would help him and take away "the sorrow," as he remembered that the "ancient Indians" invoked the devil to help them (AGNInq 147,6,1595, Xochimilco). Whether or not the Indian believed this, or even stated his belief in such a way, the bedevilled Indian came to represent what Taussig has called in a different Spanish American context "a new social force" created through the Church's struggle to eradicate a phantasmic diabolism among Indians (1987:143; Lewis 1996).

This new force encompassed all social sectors in Mexico, where the belief in the Indian/devil link appears to have been widespread (Cervantes 1991:27; 1994: Ch.1) but had different meanings for different groups. While, for instance, Spaniards accused Indians of forcing what they perceived to be frightening encounters with the devil (AGNInq218,4,1598, Tututepec; 348,4,1624, Michoacán; 442,34,1652, Jalapa), to those who were otherwise powerless (and therefore less orthodox in their beliefs) the devil was more often a helpmate. In this vein, the Indian/devil link and its impact on other subordinated peoples were invoked during one mid-seventeenth century witchcraft scare as an inquisitor stationed in a northern mining town named an Indian woman the source of a witchcraft epidemic "infecting the city with herbs and amatory powders." Each day, he wrote, "the infuence of the devil spreads more and more among common people like mestizo and mulatto women, through the use of herbs and amatory powders ... and of *peyote*."[28] "More and more blacks and slaves," he continued, "whipped and oppressed by the grave punishments ordinary for the mines, blaspheme by cursing God" (AGNInq360,f.31, 1627, Zacatecas).

This text suggests an interesting parallel: just as blacks' "influence" over Indians might empower them through moral corruption, what the inquisitor perceives as an Indian "infection" triggers rebellion among other subordinated peoples. In this regard, the text illustrates a different kind of network of empowerment as the Indian, who is portrayed as the devil's conduit, spreads witchcraft to "blacks," "slaves" and "common" women, who then undermine the authority of Spaniards and men. This counter-system – an afflicted rather than a "healthy" and "functioning" social body – elevated Indians and subordinated Spaniards, with blacks and mulattoes again located betwixt and between.

Indians were not linked explicitly to the devil as a matter of course (but see AGNInq 209,9,1597, Pazcuaro; AGNInq454,14,1650, Mexico). Instead, they were named as the source of much of the witchcraft used by blacks, mulattoes and others. For instance, a black male slave confessed under pressure that he had approached an Indian for "something to attract women" (AGNInq486,70,1621, Querétaro); a black slave woman voluntarily confessed to receiving from an Indian powders made of worms, which she then fed to her husband (AGNInq486,76,1621 Celaya); another black slave woman confessed to receiving from Indians a herb she could give to a certain man so he would "want her" (AGNInq356,f.47,1626, Tepeaca); another boasted that she learned her potent witchcraft from an Indian (AGNInq435,f.148,1650, Zacatecas); and a free mulatto woman accused another of having traded a shirt to an Indian woman for a remedy to "subdue" her mulatto husband (AGNInq435,f.71,1650, San Miguel).

Subordinated to Spaniards and subject to an Inquisition that Indians mostly escaped, blacks and mulattoes – especially women – were frequently accused of bewitching Spaniards. Although blacks and mulattoes could bewitch these Spaniards as well as each other without the help of Indians, and quite frequently did, Indians were sometimes implicated as the source of the witchcraft blacks and mulattoes used to undermine Spanish authority. In one case a mulatto slave woman fed her abusive master herbs she received from Indians (AGNInq356,f.46,1626, Tepeaca). In others a young black slave reported an "old black man" had given him powders acquired from an Indian, which he planned to use so his master would not punish him (AGNInq376,17,1632, Mexico); a mulatto slave woman accused of blinding a Spaniard claimed to have her own Indian source, a herbalist in the plaza of Mexico City (AGNInq599,15,1644, Mexico); another mulatto claimed to have escaped jail by flying, a talent acquired from some Indians, who "taught him to be a witch" (AGNInq516,556,1673, Mérida), and a mulatto slave woman confessed to befriending an Indian man who had given her the "herbs and flowers" she used to escape her master's house. Soon after her journey began she transformed her social identity by dressing like a man and as such "served different masters as a cowboy." She was also able to fight bulls, brawl, break in horses and explicitly invoke the devil to help her, all typically "male" practices (AGNInq525,48,1691, Parral). The Indian's empowerment of the mulatto woman thus both facilitated her escape from her Spanish master and allowed her to transgress the rules of a social world dominated by men.

Blacks and mulattoes who used Indian witchcraft to influence their relationships with Spaniards were in some sense acting as intermediaries in casting powerful Indian witchcraft toward those Spaniards, along with their own wrath. In other ways as well the

colonial hierarchy of authority that facilitated Spanish control of Indians through blacks and mulattoes in one domain was both mimicked and inverted in the other. For instance, Spaniards directly approached Indians or blacks for witchcraft, but they also used blacks and mulattoes as bridges between their world and the Indian one. One black woman reported that her Spanish mistress had sent her to an Indian for yellow "powders" she could use to "tame men" (AGNInq486,76,1621, Celaya); a mulatto servant girl was dispatched by a Spanish woman to find an Indian who had knowledge of a "herb" the Spaniard wanted (AGNInq339,84/89,1621, Taxco); and another black woman reported her master and mistress had sent her to an Indian "famous for being a witch" to save themselves from "exile" (AGNInq376,22,1636, Guadalajara).

These blacks and mulattoes were often servants and slaves of Spaniards, and their mediating role should probably in part be attributed to that status. However, blacks might also have been key because they were considered to have a closer relationship to Indians, whose "superstitious" knowledge and tendencies they were thought to share. This might explain why a free black woman, who voluntarily came to the inquisitors, denounced a "Portuguese"[29] man who had several times "begged" her to talk with an Indian, to make him give her "powders" he could then use to get back a woman who had left him and "didn't love him anymore." The Portuguese had given the black woman money, which she had passed on to the Indian, who brought the powders and then provided instructions for their use. When the Portuguese asked another black woman to sprinkle them on his lover and they failed to have the desired effect (as he said, they "appeared to be tobacco"), he begged the first black woman to accompany him to a village where she could "speak" to yet another Indian who "knew well the art of giving powders." She complied, but warned the second Indian, "although you know about and have [the powders], don't give them to him because he's very angry." The Indian subsequently told the Portuguese he had no remedies for him (AGNInq435,f.86.1650, San Miguel). As well as underscoring the authority of Indians in this domain and the intimacy between blacks and Indians, who communicate here out of earshot of the Portuguese (and perhaps in an Indian language, although this is not clear), this case points to a more generalized phenomenon: Indians were often paid for their knowledge of witchcraft. The commodification of that knowledge, as well as the fact that Indians sometimes sold remedies that "did not work," could be seen as other paths to empowerment more directly related to the developing market economy into which they were being drawn.

The intermediate status of blacks and mulattoes engendered yet another practice that further underscores the different places of Indians, blacks and Spaniards in the colonial world. Along with being

the source of much of the magic blacks and mulattoes used to undermine Spaniards, and Spaniards used for their own ends,[30] Indians could neutralize the effects on Spaniards of black and mulatto witchcraft. Thus, for instance, late in the seventeenth century a Spanish woman approached an Indian couple to cure her husband, whom she believed had been blinded by a mulatto slave he had beaten (AGNInq530, 16, 1695, Mexico) and a Spanish man sought the help of an Indian woman after he was allegedly bewitched by the mulatto slave woman who had been his lover (AGNInq530,6,1695, Mexico). But since potential alliances between blacks and Indians might indeed spill over into the supernatural world, as we have already seen, it is not surprising that when the Spanish man's impairments intensified he began to suspect the Indian "healer" was the mulatto's "accomplice" and therefore one and the same as an Indian "sorcerer."

Conclusion: Colonialism and the Paradoxes of Power

The idea that "Indianness" embodied contradictory tendencies to heal and to harm can be paralleled to the idea of "Spanishness" as the embodiment of both "justice" and colonial exploitation itself. In the end, Indians were one pole of the colonial world and Spaniards were the other, and both administered remedies, perpetrated offenses, and were victimized in various ways. But within this framework forms of power were conferred on all categories of persons, including those blacks and mulattoes who moved between the Spanish and Indian worlds, bringing them together in networks of force and counterforce. Those networks – generated through witchcraft and what was *not* witchcraft — illustrate how contextual distinctions created different relationships between colonizing and colonized peoples. They also suggest that just as "blackness" and "Indianness" were categories with shifting references to different kinds of power, "Spanishness" contained its own complexities, which fed into these other categories.

In bringing out the ambiguities, I have indicated that the systems of meaning and power referenced through the "witchcraft" and "not witchcraft" contexts were intertwined, mutually constructed and complementary *because* they represented different sides of the same Spanish hegemony. The power of the witch should therefore not be construed simply as "resistance" to subordination, nor should the system of witchcraft that developed through the colonizing process be viewed as an effective corrective for the inequalities and injustices of colonial life. While witchcraft in a sense was a "world of its own," it has to ultimately be understood as part of the social world that produced it (c.f. Munn 1986:215 ff[31]). That social world provided spaces for empowerment. But, in the final analysis, empowerment was

circumscribed by the forces that dispensed justice and kept people in their "natural" places through practices that engendered different forms of domination but privileged some of them over others.

Notes

[1] This paper forms part of a larger study on race, witchcraft and colonialism in Mexico (Lewis forthcoming). The Organization of American States, the Wenner-Gren Foundation for Anthropological Research and the American Bar Foundation supported research and writing. I am grateful to them, and for the many helpful comments I received on various versions, most recently from Kamran Ali, Jonathan Amith, Derek Sayer, Richard Warren and an anonymous *JHS* reviewer.

[2] I use "Mexico," "colonial Mexico" and "New Spain" to refer to the region today known as Mexico, the seat of the Viceroyalty of New Spain with an administrative capital in Mexico City.

[3] The word *miserable* referred to Crown paternalism toward Indians and to Indian "wretchedness" due to poverty and illness.

[4] Early Spanish colonialism in Mexico and elsewhere is in many ways distinctive from later formations under other European powers (Adorno 1993; Klor de Alva 1992). But some of the general themes engaged by scholars studying other colonial situations look familiar through the colonial Mexican lens. These themes include: the tensions that developed between classes of colonizers over the goals and practices of colonialism; the way racial categories were constructed and made meaningful in the context of European supremacy; the engagement of colonizers and colonized in webs of social relations and cultural meanings; and the ways empowerment of the colonized worked through negotiations and tensions within hegemonic processes (John Comaroff 1989; Comaroff and Comaroff 1991; Cooper and Stoler 1989; Dirks 1992; Stoler 1989, 1992; Taussig 1987). I address these themes while contextualizing the development of power *within* the contradictions at the very foundations of early Spanish colonialism.

[5] I follow the terminology of the texts and therefore refer to "blacks" (*negros*), "Indians" (*indios*), "mulattoes" (*mulatos*), "mestizos" (*mestizos*) and "Spaniards" (*españoles*). Mestizos were the offspring of a Spaniard and an Indian; mulattoes of a black and an Indian or a black and a Spaniard. Status followed the mother, so many mulatto offspring of black slave women were slaves. It should be noted, however, that while texts often refer to mulattoes and blacks in similar ways and together, they were not completely interchangeable subjects.

[6] Almost 90% of the texts used here fall between 1570 and 1660, and most are from Central Mexico. They were culled largely from the National Archives in Mexico City during two years of research, and include court proceedings, official correspondence and reports, and royal decrees.

[7] In this respect, some recent ethnohistorical work focuses less on the "colonized subject" and more on indigenous communities as self-governing and internally differentiated entities with pre-conquest roots (e.g. Lockhart 1991, 1992; Ouweneel 1995). Aspects of black autonomy have also been examined (Carroll 1977; Davidson 1979; Palmer 1976: *passim*).

[8] *Hechicería* was a cluster of practices combining material things with malevolent powers that the elite believed were used to undermine God's will. Its repetoires can principally be indentified with indigenous and European

"folk" practices and the demonological heresy developed by a European elite (though rarely the classic "sabbat"), but it engaged all classes of persons (who might or might not have had distinct traditions of malevolent magic). (See Aguirre Beltrán 1963; Alberro 1979,1987,1988; Behar 1987a,1987b,1989; Quezada 1975).

[9] Space limitations prevent extensive references to mestizos, who mediated in ways similar to and different from, blacks and mulattoes.

[10] Indians who resisted Spanish encroachment were enslaved and as the Indian population of Hispaniola fell, Spaniards raided smaller islands for slaves. As Lockhart and Schwartz point out, however, Indian slaves died just as quickly as non-slaves (1983:72).

[11] Religious and economic interests were not always sharply differentiated. Many clergymen were concerned with their own or the Church's economic gain, and many settlers were aware of religious and Crown imperatives meant to mitigate their poor treatment of indigenous peoples.

[12] Beginning in 1580 free blacks and mulattoes were required to pay tribute alongside Indians, but mestizos (and Spaniards) were always exempted.

[13] The slave trade to Mexico continued throughout the colonial period but its heyday fell between 1580 and 1650, a period during which Mexico's African and African-descent population, standing at about 140,000, with 80,000 slaves, was the highest in the Americas (Israel 1975:63-64; Palmer 1976:6-35; Aguirre Beltrán 1972 [1948]; Klein 1986; Rout 1977).

[14] Las Casas eventually came to oppose the slave trade, as did several other clergymen. But their objections produced little debate and no reforms.

[15] Although a slave's right to eventual freedom was an integral part of the *Siete Partidas*, the Crown changed laws to suit New World conditions. For instance, since black male slaves often married free Indian women the Crown nullified the law granting freedom to slaves who married free persons (Palmer 1976: 172).

[16] The Indian population reached a low of about 1,000,000 during the first decades of the seventeenth century (Gerhard 1972; Cook and Borah 1979), the period during which, not coincidentally, most slave importations occurred (Palmer 1976:14). Diseases felled blacks as well as Indians in great numbers (Gerhard 1972:25; Palmer 1976:49), and both blacks and Indians died from malnutrition and overwork.

[17] Legislation in the colonies at first derived principally from Castile. A steady flow of new laws and regulations from various sources eventually caused "legislative chaos" and repeated attempts to consolidate legal authority throughout the seventeenth century, which mostly failed (Lhöest 1992).

[18] The Mexican Inquisition was quite concerned with witchcraft (Greenleaf 1969:158 ff), but gradually it came to be considered a sign of ignorance, rarely calling for the most severe punishments, especially when defendants were women (Alberro 1981:86;1987;1988:192ff; also Behar 1987; Cervantes 1994: Ch.5). Many witchcraft cases were never even brought to trial (Alberro 1988:189).

[19] Sources for the early colonial judiciary include MacLachlan (1974:21-36, 1988:31 ff) on the *audiencia* and viceregal authority; Borah (1982,1983) on the General Indian Court and Indian legal business; Refugio and Lozano (1985) on provincial justice; and Alberro (1981,1988), Klor de Alva (1993), and Greenleaf (1962,1969) on the Inquisition.

[20] Church authority over Indians was confused for several decades and Inquisition investigations of Indians continued throughout the colonial period as it acted as a "fact-finding" arm for the bishops under whose jurisdiction Indians fell (Greenleaf 1965;1978).

[21] They remained under the bishop's supervision, however, and scattered cases of Indian "idolatry" can be found in the *Bienes Nacionales* branch of the AGN.

[22] Following Merry (1990), Lazarus-Black defines "legal consciousness" as "the way people understand and use law" (1994:269, fn4). Her study of black slaves and colonial courts in the British Caribbean is significant for its conclusion that blacks "claimed courts as one of their own forums for expressing rights and resolving disputes" (1994:259) and for its assertion that legal consciousness and practices became hegemonic and important to the ways in which slave communities resolved internal disputes.

[23] Due to limited space, I have not attended to discussions concerning colonial courts as sites of cultural production. However, Dedieu (1986) and Alberro (1988) discuss important aspects of court proceedings and the production of Inquisition texts.

[24] Elsewhere I explore gendered aspects of the colonial project (Lewis 1995; 1996; forthcoming).

[25] Many mulattoes and mestizos had Indian mothers, and were sometimes raised among Indians. This could create tensions for both Indians and Spaniards. One Franciscan friar requested leniency for mulattoes and mestizos who had transgressed religious norms, because they were brought up by Indian women in Indian villages, speaking and dressing like Indians, "in all ways like them" (AGN Inquisición 510, 30,1625, Michoacán). But Indians themselves also used epithets like "mulatto" or "mestizo" in their frequent attempts to invoke Spanish law to exclude unwanteds (cf Ouweneel 1995:770). The records of such disputes often contain long genealogical digressions determining the "real" ancestry of the person in question.

[26] Indians did participate in two Mexico City riots in the seventeenth century (Cope 1994:125-160 *passim*; Israel 1975: Ch.5), and conflicts on the fringes of Spanish territory involving "wild" nomadic "Chichimecas" and unconquered Mayans occurred throughout the sixteenth and seventeenth centuries. But rural Central Mexico was mostly calm, a situation Katz attributes to Church and State attempts to protect Indian rights (1988b:79) and to Indian decimation through disease, which diminished the "will to resist" and the need to do so as conflicts over land, for example, were subsequently avoided (1988a:6). As the Indian population increased in the eighteenth century, so did the number of rural revolts (Katz 1988b:93).

[27] See AGNInq218,4,1598, San Andres de Jerónimo Muñoz; 302, 9,1614, San Francisco de Campeche; 312, 79,1616, Michoacán; 316,17,1616, Mérida; 303,15,1624, Michoacán; 360, f31,1627, Zacatecas; 376,22,1636, Guadalajara; 510 *passim*, 1625, Yurirapundaro; 356 *passim*, 1626, Tepeaca; 372,14,1631, Zacatecas; 371,6,1675, Guanajuato.

[28] *Peyote* was among the most important of indigenous medicinal and magical plants (Aguirre-Belrán 1963:140-162). The inquisitors believed it was used to "uncover robberies and divine other hidden future events which is superstitious activity and against the purity and sincerity of our Holy Catholic Faith" (AGN Inquisición 333,35,1619). It was formally banned in 1620.

[29] Whether or not the man was actually Portuguese is unclear, but just as Indians denounced unpopular villagers as "mestizo" or "mulatto," black and mulatto slaves sometimes denounced their "Portuguese" masters and mistresses for "judaizing." Such denunciations underscore the idea that subordinated peoples were quite conscious of ways the system could work to their advantage.

[30] Lack of space prevents me from addressing the issue in detail, but it should be clear from this analysis that Spaniards did not generally control Indians or blacks through magic.

[31] In her ethnography of Gawan (Papua New Guinea) belief systems Munn (1986) focuses on social value and its transformation, interpreting witchcraft as part of a universe of meaning that produces negative value through the manipulation of socially-defined concepts of "wrongness." Most importantly, negative value is a potentiality that lurks in the very terms and definitions of positive value.

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