

Capítulo 2:

The intra-colonial struggles and the incidence of commercial capital. Buenos Aires at the start of the seventeenth century

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Throughout the long chain of business interests orchestrated by the commercial and mining bourgeoisies, intra-colonial struggles occurred in the southern cone of colonial Spanish America in the first half of the seventeenth century. First, in the main mining enclave, Potosí, and second, in one of its ports of exit, Buenos Aires. Both struggles were manifestations of a similar phenomenon namely the revolutionary role played by commercial capital expressed at the same institutional level, the *cabildo*.¹ In Potosí, the struggle reached extremely violent levels among the Vascongados (Basques), mostly mine and mill owners, and the vicuñas, mostly landowners (of creole or non-Basque Spanish origin), and Portuguese merchants. In Buenos Aires, however, the conflict was between the *beneméritos*, representing the economic interests of internal market-oriented producers, and the *confederados*, representing the interests of smugglers, slave-traders, and new Portuguese settlers. In both cases a victory was finally reached; the vascongados and the *confederados* could preserve the political hegemony.

But the *Beneméritos* and the *Confederados* were *estamentos* (social ranks and estates) as well as political factions within different corporations. Thus, intra-colonial struggles in seventeenth-century Buenos Aires consisted not only of inter-*estamental* conflicts but also of inter-corporative clashes. Late in the sixteenth century, Buenos Aires's *cabildo* membership strongly represented the *beneméritos*, the internal market-oriented interests. The *beneméritos* won hegemony and legitimacy in political matters essentially through the *cabildo*. Early in the seventeenth century the struggles which arose over control of the *Cabildo* appeared as struggles between different social estates and political factions (*beneméritos* versus *confederados*). In reality, however, they were struggles within factions of the ruling elite: the *beneméritos*, who were principally internal market-oriented producers, versus the *confederados*, who were external market-oriented merchants. This longterm struggle stimulated the formation of a new historical bloc. However, the new historical bloc did not consist of a mere class alliance between a great bourgeoisie of external market-oriented merchants and a petit bourgeoisie of retail traders. Nevertheless, the presence of this class alliance helped to create objective and subjective conditions and transformed itself in the base of a new historical bloc.

Left-wing liberals, in characterizing seventeenth-century Buenos Aires politics, considered the *Confederado* faction as a progressive tool for undermining the corporative political structure and the absolutist Peruvian vicerealty.² As a tool against Argentine positivism, the Revisionistas (nationalist historians) exaggerated the capitulating nature of the *confederado* faction and emphasized the "patriotic" character of the *benemérito* faction.³ In contrast, both the new left and the structuralist left considered, following a dependency approach, the penetration of commercial capital under the dominance of the *confederado* faction as a regressive phenomenon which, instead of helping the development of a revolutionary bourgeoisie, as propounded by left-wing liberals, reinforced a corporative regime that consolidated an *estamental* (rank-oriented) society.

However, none of the representatives of these schools of thought got involved in an analysis of why a *benemérito* offensive did not succeed, and why the *confederado* faction was never fully consolidated in seventeenth century Buenos Aires politics. In light of this historiographical deficit, I shall analyze in this chapter the political impact of the penetration of commercial capital taking into consideration the different strategies by which the *confederado* faction broke down the ideological, political, economic, and social bloc of the *benemérito* faction.

By interfering in the economic realm through political decisions both the *Confederado* and the *Benemérito* factions succeeded in shaping the colonial structure. On the one hand, the external market-oriented bourgeoisie, through the *confederado* faction, asserted its hegemony before obtaining control of the municipal power. This process was formulated by gradually establishing a theoretical alternative breaking down the traditional ideological bloc, by conquering the embryonic "civil society", by subordinating traditional bureaucratic officials, and even by destroying it before the struggle had reached a massive stage.

The distinction between political society and civil society, coined by Antonio Gramsci and used in this chapter, is not only a methodological distinction between two superstructural levels, but also a theoretical difference where, according to M. A. Macciocchi, a new and original concept in the Leninist theory of the state is being noted. This new concept uncovered the articulation and the relative independence of the state with respect to its economic base.⁴ According to Gramsci, the concept of state as the dictatorship of a class does not reduce itself purely and simply to repressive apparatus. It does embrace, however, the concepts of mediation and compromise between the interests of the dominant group and the subordinated groups by which the unity of the political and economic goals is determined. The state is not only the political society, in its broadest meaning, but also the *estamental* society during the Ancien Regime and the civil society, during the modern times. This is essentially owing to the fact that it guarantees the bourgeoisie an hegemonic role in the conquest of consensus. It also guarantees the organization of a bloc of multiple social forces. The colonial state works for the formation of a collective will, of an intellectual and moral unity, and of an entire new social body.⁵ For a new ruling class, born in a period of crisis as a result of a high degree of commercial penetration, such as the Buenos Aires mercantile bourgeoisie, a revolutionary task consisted also in subordinating "traditional intellectuals" to the hegemony of "organic intellectuals". The rapidness of this integration depended directly upon the progressive character of the new ruling class and upon the weakness of the organizations led by "traditional intellectuals".⁶

The main feature of the *Confederado* faction was its ideological offensive expressed in a sort of Erasmian anti-clericalism, nourished by the almost free way in which illegal books were being introduced in Buenos Aires during the Twelve Years Truce (1609-1621). Once Philip III died and the Thirty Years War started, breaking the European balance of power, the opportunities for Portuguese conversos (New Christians) to introduce illegal books and to participate in the Spanish-American life increased even more.⁷ The exuberance of neo-Erasmian or Lascasian thought expressed itself in the way *confederado* militants struggled against genocide and chauvinist patterns of behaviour practiced by the *Beneméritos*. Already, in the 1610s some merchants who were known to be *confederado* militants complained about genocide and chauvinist practices. The scarcely embryonic class consciousness of the mercantile bourgeoisie was being developed through an intense critique of the feudal society. In 1614, Simón de Valdéz and Mateo Leal de Ayala, both *confederados*, prosecuted Francisco de Salas Videla, a *benemérito* leader, for his participation in an Indian massacre which had occurred in 1609 in Córdoba.⁸

Regarding the strategy followed by the *Confederados* in order to conquer power, Juan de Vergara, its main leader, rejected the possibility that the *confederados* could find an authentic revolutionary tool exclusively through the electoral mechanisms of a feudal democracy (cabildos). He

also insisted that the only way to break down the *benemérito* hegemony was by gradually incorporating under the *confederado* hegemony the members of the embryonic "civil society" and by combining two mechanisms to recruit the political elite: Cabildo elections and the purchase of public offices.

Furthermore, unlike the attitude followed concerning genocide and chauvinism, the attitude towards nepotism observed a double standard depending on who practiced it. While already in 1589 and 1627 the cabildo of Buenos Aires confronted the Spanish governors over their attempt to appoint several of their relatives to public positions, proprietary councillors behaved as if this ethical rule did not concern them at all.⁹ As a matter of fact when Juan de Vergara, the leader of the *confederado* faction, purchased five lifetime regimientos or regidurías to Buenos Aires in the Charcas market, he bestowed them upon his father-in-law, Diego de Trigueros, to his brother-in-law, Juan Barragán, and to his godchild, Juan Bautista Angel.¹⁰ Although the Law of the Indies formally prohibited nepotism either in appointments to public office or in the choice of candidates to stand for election to the municipal council the practical implementation of those rules experienced deep ups and downs. In this respect, the intended goal to discourage nepotism was betrayed from the very beginning of the Buenos Aires colonization process by those who supposed to come to break the traditional ideological and political bloc.

By subordinating "traditional" bureaucratic officials to the hegemony of revolutionary officials, the *Confederado* faction was able to break up the political unity of the *benemérito* faction. While the *confederado* officials gradually gained in group unity, the *benemérito* officials lost much of their former cohesion and solidarity. The *benemérito* elite failed to maintain a united front even against aggression. Torn between opposing desires, its members had to make painful personal and political choices.

Already in 1608, by succeeding in convincing the king and the viceroy to subordinate the Rio de la Plata governorship to the judicial control of the *Real Audiencia* of Charcas, the Buenos Aires pioneer *confederado* settlers were able to balance the local power of the *benemérito* elite, traditionally under the Paraguayan hegemony.¹¹ Late in 1608, Diego de Vega, apioneer of the *confederado* faction, succeeded in convincing the *Real Audiencia* of Charcas to reboke governor Hernandarias's sentence against Gaspar de Acevedo, the Escribano de registro y de real hacienda, a public official who had been accused of introducing 198 slaves.¹² Four years later, in 1612, Diego de Vega and Juan de Vergara, forerunners of the *confederado* faction, won to their side the royal treasurer Simón de Valdéz, the ex-Lieutenant General of ex-Governor Hernandarias.¹³ Two years later, in 1614, Simón de Valdéz and Tomás Ferruffino, as members of the Cabildo and leaders of the *confederado* faction, won to their political side Francisco de Manzanares, an *encomendero* and landowner, by promising that he would be appointed procurador general and mayordomo de la ciudad; and councilman Felipe Navarro, in exchange for the promise that he would be appointed Alcalde de la Santa Hermandad.¹⁴ By the same token, Governor Góngora won to the *confederado* side Gabriel Sánchez de Ojeda, a lawyer, who once in the recent past was expelled from Buenos Aires city for trying to defend the interests of the *benemérito* faction.¹⁵ By breaking down the *benemérito* bureaucratic bloc, the *confederado* leadership was able to gradually subordinate under its hegemony the interests of traditional aldermen, notaries, royal officials, and public attorneys.

In addition, by breaking down the *Benemérito* ideological bloc, the *Confederado* external market-oriented merchants were able to gradually incorporate under their hegemony the members of Buenos Aires civil society, composed of professionals (medical doctors, lawyers, school teachers), retail traders (artisans, liquor and general storeowners), private administrators (mayordomos de capellanias y cofradías), and non-*encomendero* landowners, and consequently created a new historical bloc. Unlicensed medical doctors (quackers and barbers) and school teachers, considered a sort of "traditional intellectuals", viewed Cabildo licensing with hostility since it barred them from the civil

society and hence deep struggles ensued around this issue.¹⁶

In their intra-colonial struggle against the *beneméritos*, the *confederados* could not claim neither a distinguished descendency from primeros pobladores y conquistadores nor the virtue of their ancestors, as the *Beneméritos* did. By defending the right of those who were of foreign origin or had been artisans and pulperos in the past to be eligible as councilmen or public officials, the *Confederados* were able to make a mockery out of the feudal idea that ancestry hold rights of its own as well as to incorporate new large sectors into their political and economic programs. In march of 1619, for instance, Juan de Vergara, the "organic intellectual" of the *confederado* faction was able to muster support for Juan Cardoso Pardo, a school teacher who had been denied the office of Defensor de la Real Hacienda on the grounds that he was a Portuguese jew.¹⁷ The *confederados* also did their best in 1624 to defend Cristóbal de Torres, a candidate for a cabildo office, against objections based on the fact that Torres had been a shoemaker and a pulpero.¹⁸

The process of breaking down the ideological bloc of the *Benemérito* hegemony consisted not only of defeating or diminishing genocide and chauvinist practices but also of trying to impose a moral, intellectual, economic, and political reform. A moral reform involved an increasing concern on the part of progressive church officials for justice that would be the same for all. This was done through restitutions and bequests imposed as penances on last wills. It was also done through "free will" in marital mate selection at judicial decisions in ecclesiastical courts.

In addition, an economic reform took place, with new company agreements and a sharp increase in credit transactions. Once the ideological and political bloc of the *benemérito* faction had been demolished, Diego de Vega, the head of the smuggling connection, reached a company agreement with Manuel Rodríguez de Acevedo to introduce a huge amount of African slaves into Potosí and Chile.¹⁹ A day later, Manuel Rodríguez de Acevedo ceded his rights in favor of Juan de Vergara.²⁰ Vega and Vergara then sold hundreds of slaves on credit from Buenos Aires to the interior. By advancing slaves on credit Vega and Vergara broadened their political influence and obtained a long list of followers. Most of those who became indebted to Vega and Vergara turned to be the most loyal members of the *confederado* faction (see Table 1).

Because of this polarization the Cabildo membership became deeply divided, signaling a turning point in the history of Buenos Aires colonial politics.

Finally, starting in 1608, long before the main crisis of hegemony in 1614, when most of the old *encomenderos* and founding heads of the Buenos Aires families started losing their economic and social leadership, the new mercantile bourgeoisie centered in the slave trade started a political reform. The Cabildo of Buenos Aires advanced from being almost a *Junta de Encomenderos* to being almost a Consulado de Comercio (merchant's guild). Whenever external market-oriented interests controlled the colonial state of Buenos Aires, the Cabildo resembled more strongly a Consulado de Comercio, and the composition of the Cabildo assembly experienced a sudden expansion. In 1614, for example, and again between 1619 and 1621, royal officials and notaries were able to participate in Cabildo assemblies, and merchants were able to purchase public offices. The position of Buenos Aires as the informal seat of the Rio de la Plata governorship (as well as the residence of a mercantile bourgeoisie) tended to confer upon the Cabildo of Buenos Aires a disproportionately large share of political power for a municipal body, particularly when compare with those of the interior cities, but this shift in the political nature of the Cabildo did not occur without intra-colonial struggles.

The representatives of commercial capital, who were involved in intra-colonial smuggling in the early seventeenth century, began to dominate the Cabildo by purchasing the Buenos Aires municipal offices at the *Real Audiencia* de Charcas. The sale of royal and municipal offices increased the royal

revenues and prevented conflicts concerning the confiscation and subsequent valuation of smuggled merchandise and concerning the granting of customs tax certificates to introduce African slaves, Brazilian staples, and European merchandise. This sale of public offices only affected the regimientos or regidurías, the depositarías, escribanías, alguacilazgos, and oficialías reales. Such sales in both the viceroyalties of Mexico and Perú dated back as early as in 1591, but fifteen years later, in 1606, the Spanish crown ceased to grant regimientos, which became available only by renunciation.²¹ The effect of the Cédula of renunciations of 1606, upon municipal dignities was also evidenced in Buenos Aires.²²

The degree of independence of public offices in Buenos Aires depended largely on the type of fiscal policy adopted. The Buenos Aires external market-oriented interests demanded more political authority from sections of the colonial bureaucracy, in which they perceived larger business opportunities and lesser competition. The more powerful the bureaucratic office and the less subject it was to external control, the greater the demand for it and the higher the monetary value. When royal officials and notaries began to be authorized to investigate (visitar) in-coming vessels, the price of public officials reached a high commercial value in the Charcas market. This accelerating value was fueled by the fact that in 1614 (and again in 1619 and 1621) royal officials and notaries were able to participate in Cabildo assemblies. Therefore, when they lost these rights, the market value of these officials plummeted drastically. When public offices were narrowly monopolized, specifically notary offices and alguacilazgos mayores, their prices reached the highest possible value in the Charcas market. Particularly intense competition was likely to ensue. The Escribanía pública y de Cabildo (Cabildo notary), which became vacant after the death of Juan Ramírez de Abreu, was sold to Cristóbal Remón at an auction in 1608 at \$2,900. Seven years later, in another auction, the price of this particular office more than doubled (\$7,500).²³ Further, the Escribanía de Minas, registro y hacienda real (mining and royal exchequer notary) of Buenos Aires, a more valuable office because of its responsibilities for checking the slave trade, was sold in Charcas in 1608 at \$7,000 to Gaspar de Acevedo. Twenty-one years later, Acevedo's son, Domingo de Roxas y Acevedo, sold this same office at almost double of its original price (\$12,000) to Juan Antonio Calvo de Arroyo.²⁴

In the case of regidurías the respective prices remained uncharacteristically low. Since their holders received neither salary nor fees, the offices as such, were seemingly unprofitable. However, as indicated by the commercial value of these seemingly worthless offices, these positions provided entry into other offices which would, in fact, pay off handsomely. These offices were of three distinct types: fee earning offices (the fiel ejecutor), salaried offices (the procurador general, the defensor de menores, the mayordomo de propios, and the mayordomo del hospital), and dignity offices (alférez real). Table 2 shows us a list of Buenos Aires councillors who shared during their public lives those different public positions. For example, regidor Sebastián de Horduña was elected as Alférez real in 1611 and 1614, as fiel ejecutor in 1611 and 1616, as procurador general in 1614 and 1615, and as alguacil mayor in 1615 and 1619. Likewise, regidor Diego de Trigueros was elected as procurador general in 1608, as mayordomo del hospital in 1617 and 1618, and as fiel ejecutor between 1619 and 1621 (Table 2).²⁵

However, the prestige achieved by Buenos Aires (due to commercial and demographic growth) and the fee earning offices offered by the Cabildo figured as the main factors in the relative value of the regidurías. In 1617 six Buenos Aires regidurías were sold at Charcas for \$700 each. Nevertheless, the purchaser Juan de Vergara could not make them effective until 1619.²⁶ Later on new regidurías were sold. In 1624 Vicente Bracamonte purchased a regiduría at \$550. In 1626 Captain Domingo de Ibarra bought another regiduría at \$730. Finally, in 1629, Don Diego de Roxas y Briones purchased another regimiento at \$600.²⁷

Furthermore, also related particularly and specifically with Buenos Aires incorporation into world trade in the early seventeenth century, the prices of the royal offices of accountant and treasurer skyrocketed. In 1615, Francisco García Romero, Felipe Navarro, and Francisco Bernardo Xijón

deposited in Buenos Aires a down payment of 1,000 ducats as bond for the purchase of the accountancy office occupied by Luis de Salcedo.²⁸ As a result of its increasing importance, the value of the accountancy office doubled in Buenos Aires in the 1620s. Precisely, in 1629, the same Luis de Salcedo obtained bond for the same purpose as in 1615, for 2,000 ducats (due to Sebastián de Horduña's and Juan Fernández Camacho's signatures).²⁹ The treasury office exhibited a comparable importance. In 1622, Francisco de Manzanares and Hernán Suárez Maldonado deposited a down payment of 2,000 ducats for the purchase of the treasury office occupied by Alonso Agreda de Vergara.³⁰ Similarly, the price of the office of alguacil mayor skyrocketed. In 1623, when Martín Martínez de Eulate purchased the alguacil mayor office, he had to pay a bond of \$10,000. This high price was covered by seven different bondsmen who also happened to be the main slave smugglers of the time. For example, Antonio de Govea made a down payment of \$2,000. Gaspar de Gaete deposited \$1,000. Alonso Guerrero de Ayala, Alonso Caravallo, Matías Machado, Diego López de Lisboa, and finally, Antonio Alvarez deposited \$1,400 each.³¹

Those who purchased public offices guaranteed their perpetuity in Cabildo positions. For instance, brothers-in-law Juan de Vergara and Juan Barragán served as the regidores perpetuos for almost thirty years. In fact, they voted in every annual assembly from 1619 until 1650. They abstained only between 1615 and 1618 and in 1628-1629 when they banished from the assembly for being *confederados*, old enemies of the *benemérito* faction.³² The fact that certain economic and financial links between powerful merchants and proprietary councillors were established before the municipal authorities took office further consolidated the bloc in power. Table 3 shows a list of councilmen with the dates when they became engaged in the long-distance slave trade as well as the years when they became councilmen or purchased farms or ranches. In all these cases their slave-trade engagement preceded their public positions as well as their real estate acquisitions.

The colonial state might not have been able to prevent individual individual economic and financial factors from playing a very important role in Buenos Aires politics either. It seems that creditors of possible alcaldes served them as promoters for their candidacy. In 1633, two years before being elected alcalde ordinario, Marcos Sequera borrowed \$5,790 from Licenciado Martín Martínez de Eulate, who at the same time was alguacil mayor, in two transactions.³³ In 1640, a year before being chosen alcalde de segundo voto, Pedro de Giles borrowed \$2,791 from the general attorney of the Jesuit college Father Tomñás de Ureña, S.J..³⁴ In a similar way, debtors of future alcaldes might have played the role of propagandists in their pre-electoral lobbyings. For example, Enrique Enríquez borrowed \$1,000 from Juan de Mena in 1637, a year before the latter was elected as alcalde de primer voto.³⁵

As it was the Cabildo's duty to require future public officials to post bonds, proprietary councillors (those who have purchased their offices) also instrumented bonds to consolidate the bloc in power. Each authority who was subjecto to the juicio de residencia (trial after having left a public office), such as a governor, or whoever handled public funds, such as a treasury official, was supposed to post bonds before his formal reception in the Cabildo. Since the financial requirement for this bond was a high one, governors and royal officials found it impossible to pay the entire amount from their personal savings. Kenneth Andrien has revealed, in the case of Peru that although the payments of a fianza (bond) did not necessarily wed the royal official to the interests of his bondsmen, it did provide an evident link between royal officials in the treasury and prominent local citizens, usually members of the Cabildo.³⁶ Table 4 illustrates these "incestuous" links in Buenos Aires. Tables 3 and 4 reveal how Enrique Enríquez, Juan de Mena, and Marcos Sequera, beginning as slave-traders, ended up a short time afterwards supporting a treasurer, an alguacil mayor, and a governor, respectively, in their legal requisites to post a bond. Moreover, because salaries of Spanish officials were generally low and delayed, many royal officials turned to slave-traders for loans, credit and subsidies. In exchange, royal officials often sold at a discount rate the right to collect their salaries.

However, the perpetuity of purchased offices was not always guaranteed. During the 1630s, issues about bonds and debt instruments were raised with the intent to undermine the power of proprietary officials. Whenever the bondsman responsible died or went bankrupt, public officials were required to seek out new ones. For instance, when Captain Diego Páez Clavijo and Captain Nuño Fernández (both bondsmen vouching for the treasurer Juan de Vallejo) passed away, the Cabildo members --especially Juan de Vergara-- urged Vallejo in 1637 to secure a new bondsman to back his 2,000 ducat bond before he could be reinstated.³⁷ In a similar fashion, whenever public officials owed the Royal Exchequer part of the price of their own office the Cabildo suspended their use of it. After Juan Antonio Calvo de Arroyo purchased the notary office from Domingo de Roxas y Acevedo in 1626, the Buenos Aires Cabildo, under Juan de Vergara's leadership, prevented Calvo de Arroyo from later using his office on the grounds that he still owed part of the office price to the crown and the seller.³⁸

Apart from the alliance with some local social sectors, the new historical bloc hegemonized by Buenos Aires external market-oriented merchants was broadened by a contradictory alliance with northern *encomendero* and miners. This historical bloc was cemented on the basis of the rent produced by northern lands and silver mines. This rent was neither invested nor spent in the interior cities. The rent went to feed Buenos Aires slave-traders, thus favoring the commercial take-off of the region. No wonder that, during the 1630s and 1640s, a widespread Indian rebellion broke out in the Tucumán province (Calchaquí valley). This rebellion proved despite all the good will that the *confederado* leadership might have hypocritically shown, the Indian discontent and opposition to the colonial oppression, orchestrated by the Buenos Aires commercial bourgeoisie and the Upper Peruvian bourgeoisie.³⁹

On the other hand, the main characteristic of the *Benemérito* faction was its ideological negligence expressed in the poverty of its pretended moral and cultural leadership: antisemitism. Obviously this could not be the ideological discourse of a dominant class, capable of supporting an hegemonic leadership, but rather a repressing-mechanism. The indigence of anti-semitism as political program is based upon its negative defense of the status quo, without establishing a theoretical alternative and, much less, without proposing an ideological and intellectual form of class assertion. Already in 1619, Captain Manuel de Frías, General Counsel of the Rio de la Plata, a strong supporter of the Jesuits and a representative of the internal market-oriented producers, submitted to the Spanish crown an extensive memorandum pleading for the inauguration of an office of the Inquisition in Buenos Aires, to halt the numerous arrivals of "new Christian Portuguese formerly jews" that threatened the purity of religion and constituted an economic monopoly because "...many of them are rich and powerful and very intelligent in all kind of merchandise and slaves".⁴⁰ In a similar fashion, when those interests governed Buenos Aires, the *benemérito* faction tried to prevent the church from being penetrated by Spanish priests. Governor Hernandarias wrote the King in 1617 asking him to save the expenses of sending European priests, who he did not trust, and tried by all means to impose those native priests (most of them mestizos), a sort of "traditional intellectuals", who he brought from Aunción del Paraguay.⁴¹ Likewise, when in 1621 the Cabildo Eclesiástico (Cathedral Chapter) chose dena Francisco de Zaldívar, a Paraguayan who represented inside the church the internal market-oriented forces, to replace bishop Carranza, a sort of "organic intellectual", who was out of town, the Buenos Aires secular clergy experienced its first serious internal conflict. By choosing the Dean, the Ecclesiastical Chapter antagonized the bishop's power to appoint prebendaries.⁴²

Finally, the representatives of the internal market-oriented interests tried to prevent the Buenos Aires political structure from the interference of commercial capital by trying to enforce colonial legislation regarding Cabildo elections. When internal market-oriented interests governed Buenos Aires, the Cabildo resembled a *Junta de Encomenderos* and the composition of the Cabildo was

restricted mainly to its traditional elected members.

The colonial municipal state tried to guarantee, according to old traditional Spanish customs, that the election of municipal council members be "free" from the absolute power of the metropolitan state and church, on other words, "free" from the governor, the *Audiencia*, the bishop, or any extra-corporative influence. When the penetration of commercial capital was at stake, as in 1607, the Cabildo of Buenos Aires tried its best to prevent the *Real Audiencia de Charcas* from selling Buenos Aires offices.⁴³ Again in 1615, the Cabildo of Buenos Aires refused to admit the regidor Juan de Bracamonte, who had purchased the office of *fiel ejecutor* at the *Real Audiencia* of Charcas.⁴⁴

In addition, the *Benemérito* councilmen made Cabildo elections a serious matter. In the elections of 1614, for example, alderman Francisco de Salas, *alférez real* Bernardo de León, and regidores Gonzalo de Carvajal and Miguel del Corro, insisted (though to no avail) that those in prison should retain, according to old traditional rules, their voting rights.⁴⁵ Once the *benemérito* alderman Domingo Gribeo, who was in jail, modified his political position and changed over to the *confederado* faction, the *benemérito* councilmen dropped their complaint and denounced Lieutenant-governor Mateo Leal de Ayala and Royal Treasurer Simón de Valdéz, both active smugglers, for having solicited them several times to vote in favor of Domingo Gribeo, a procedure which was forbidden.⁴⁶ Later on, in February of 1619, *encomendero* landowners Gerónimo de Benavídez and Cristóbal Ximénez, both elected regidores who belonged to the *benemérito* faction, were removed from office by the *confederados* on the grounds that new proprietary councilmen or regidores *perpetuos* had priority.⁴⁷ Finally, during Governor Céspedes's tenure all the Cabildo members who did not agree with the governor's policies were forcefully removed from the Cabildo and new obsequious members admitted.⁴⁸ This unstable situation lasted eighteen years, from 1614 until 1632, when finally the King intervened.⁴⁹ Surprisingly, the crown intervened when a direct internal constraint, an Indian rebellion, broke out in the north of the Rio de la Plata province.⁵⁰

In order to guarantee political legitimacy and prevent several different sources of conflict, strict regulations surrounded the requisites of election to the Cabildo. The members of the municipal council were voted into office only by the previous members. Those previous council members could not vote for foreigners, creoles, royal officials, state debtors, relatives, excommunicated officials, *pulperos*, artisans, or themselves.⁵¹ Initially, a secret ballot was utilized. Subsequently, elections were public. The *Acuerdos del Cabildo* (Buenos Aires municipal proceedings or transactions), starting in 1634, recorded the vote of each elector. Unfortunately, it is impossible to ascertain the real motivations behind each vote, because the Cabildo recorded only the final individual choice as expressed in the formal assembly. In order to avoid late challenges which would invalidate the election and ties which would allow the governor to intervene and break the tie, municipal officials held informal meetings where they could reach mutual agreements prior to the formal assembly.

The fact that there were municipal elections, however, did not necessarily transform the Cabildo into a representative institution. Mercantile influence over Cabildo elections was guaranteed through the purchase of public officials. The *alguacil mayor* and the *depositario general* had been granted "voice and vote" in the council, from the very beginning of colonization, without being elected.

As they had the right to speak and cast their votes yearly, they exercised a great and lasting influence on conciliar deliberations. Moreover, it was possible for them to perpetuate their power. For instance, Bernardo de León lasted as *depositario general* from 1606 until 1637, voting in each annual assembly over a thirty year period. In a similar fashion, Francisco González Pacheco lasted as *alguacil mayor* from 1618 until 1657, voting in several assemblies whenever his poor health allowed it. Likewise, mercantile influence over Cabildo elections was augmented by the admission of officials from the Royal Treasury into the council. In 1614 and between 1619 and 1621, Captain Simón de

Valdéz, the royal treasurer, and Tomás Ferrufino and Luis de Salcedo, the royal accountants, participated in municipal assemblies, thus, heavily influencing council elections.⁵² Therefore, the Cabildo did not represent the people; rather, it represented contradictory groups of interest. Notwithstanding, Cabildo officials were naturally more eager to please their electors than the governor or the *Audiencia*, and zealously upheld the city's privileges against the crown.

The yearly election of the Cabildo membership only affected the *alcalde ordinarios* and the *alcaldes de hermandad*. The former were the chief municipal magistrates, of whom one, the *alcalde de primer voto*, acted as mayor, an executive function while the other, the *alcalde de segundo voto* acted as a judicial officer of first instance.⁵³ They also had to act as lieutenant governors and notaries. Aside from criminal litigation, their duties related to civil litigations (the drawing-up of wills and successions, the opening of testaments, the making of inventories, and the awarding of inheritances).⁵⁴ Their legitimacy depended upon the way they administered justice and upon the degree to which common crimes and *pecados públicos*, such as concubinage, gambling, usury, idolatry, sorcery, soothsaying, and blasphemy, were punished.

The *alcaldes de hermandad* represented the town's control of the countryside. There they shared control with the *corregidor* or *protector de naturales*, who had similarly been appointed by the Cabildo, and with overseers and foremen on farms and ranches. They were elected annually from among the largest ranchers. Their duty was to apprehend cattle rustlers and runaway slaves in the countryside.⁵⁵

In addition to *alcaldías ordinarias* and the *alcaldías de Hermandad*, there were six other elected positions on the Buenos Aires council. The *alférez real*, the *fiel ejecutor*, the *procurador general*, the *defensor de menores*, the *mayordomo de propios*, and the *mayordomo del hospital* were chosen by the Cabildo from among its members. Those elected were unable to vote in Cabildo elections. The *alferazgo* (office of the standard bearer) was essentially a ceremonial office which held precedence over the other public offices because of the prestige conferred by permission to carry the royal banner in religious parades and processions. The man with this office held precedence over all other members of the Cabildo; this position was just below that of *alcaldes ordinarios*.⁵⁶ The *alferazgo* was sold for the first and last time in 1631 to Juan de Tapia de Vargas. Although there are no written records for the price paid by Tapia, we know --J. H. Parry has told us-- that the price paid for *alferazgos* was between two and three times the price of *regimientos*.⁵⁷ In 1639, however, as Tapia was unable to ride on horseback during parades, owing to an illness he suffered in both legs, he was obliged to resign his position.⁵⁸ After Tapia's resignation, the Buenos Aires city government retained the *alferazgo* at the disposition of the Cabildo.

The *fiel ejecutor* (inspector of trade) ruled the artisan guilds. He inspected retail stores, *pulperías*, and artisan shops and set standards for weights and measures and for prices on all foodstuffs (with the exception of meat), which were introduced into Buenos Aires.⁵⁹ Baking was the trade most closely supervised by the *fiel ejecutor*, who determined the price, quality, weight, and availability of the bread. Although the office of *fiel ejecutor* was sold in La Plata (Charcas) in 1615 to Juan de Bracamonte, the Cabildo of Buenos Aires did not admit him.⁶⁰ The *procurador general* (attorney general) resembled a public attorney to the extent that he represented clients and watched over the interests of all citizens, especially the poor.⁶¹ The *defensor de menores* also served as an attorney, defending the interests of minor orphans, particularly when a single remaining parent remarried.⁶²

The *mayordomo de propios* and the *mayordomo del hospital* were similar to treasurers, chosen by the Cabildo. They collected rents and maintained accounts which were submitted to the Cabildo for approval after their year's administration.⁶³

Finally, it must be specified that the yearly renewal of the Cabildo did not include the *regidores*

perpetuos (authorities that held a perpetual purchased title). Nonetheless, despite the fact that they had not been elected, the proprietary councillors intervened in municipal elections. Indeed, their voting faithfully reflected a priority order.

In the annual elections of the Cabildo the governor counted the ballots, which usually averaged six in number. Two ballots were cast by the *alcaldes ordinarios* and four by the *regidores*. Those candidates receiving a plurality were declared elected. Whenever a plurality was not obtained, the governor had the responsibility of deciding the election. So deep was the desire to pursue "equality" that anytime the result of elections was a tie, governors, in order to break them, qualified elections by the additional use of the lot. For example, in 1611, Governor Diego Marín Negrón resorted to the "innocence of a child", to cast lots and resolve the election between candidates Cristóbal Naharro and Francisco de Manzanares.⁶⁴

Cabildo elections and reelections constitute one example that illustrates those characteristics of the colonial state that permitted the phenomenon of the historical bloc to arise. However, the most important concern of the Spanish crown in preventing reelections was to impede the formation of strong creole oligarchies. Officials sought to by-pass this obstruction by retiring periodically from office for one or two years in order to be reelected later two or even three times.⁶⁵

The struggle to dominate the opposite faction made the hegemony of each one of these factions transitory and fluctuating. The Cabildo, which was the main political institution reflecting this conflict, maintained a relative autonomy due precisely to the intensity of the struggle and the power of the other opposing bureaucratic agents (bishops and governors). The relativity of its autonomy reflected the character of an elite that structured itself in relation to external and internal economic, social, and political constraints.

Footnotes

¹ Mendoza, 1954; Crespo Rodas, 1955.

² Garretón, 1933.

³ Sierra, 1956-72; and Palacio, 1954.

⁴ Maccocchi, 1980, 198.

⁵ Maccocchi, 1980, 155.

⁶ Maccocchi, 1980, 198.

⁷ Caro Baroja, 1963, 40-48; quoted in Hordes, 1982, 29-30.

⁸ Molina, 1949, 267.

⁹ Matienzo, 1911, 204; Levene, 1911, 27-28; Garretón, 1933, 345-350; and Peña, 1916, 25 and 33.

¹⁰ Molina, 1950.

¹¹ *Acuerdos*, 1886-91, I, 385 and 502; and Sierra, 1956, I, 409-11.

¹² *Correspondencia de la Ciudad de Buenos Aires con los Reyes de España*, 1918, II, 27ff.

¹³ Molina, 1964.

¹⁴ Cordero, 1978, 273-274.

¹⁵ Molina, 1946, 521.

¹⁶ Cantón, 1928, 242; Garretón, 1933, Cap. XII; Furlong, 1947, 43; Molina, 1948, 57, 83 y 84; y Cordero, 19 , cap.VI.

¹⁷ Acuerdos, III, 633; and Sáenz Valiente, 1939, 138-141.

¹⁸ Peña, 1916, 9.

¹⁹ Archivo General de la Nación (AGN), División Colonia, Sala IX, Escribanías Antiguas, v.6, f.120v.

²⁰ Ibidem, v.6, f.120v.

²¹ Parry, 1953, 29; and Tomás y Valiente, 1976, 101-102.

²² Documentos para la Historia del Río de la Plata, 1912, I, 75ff.

²³ Acuerdos, III, 123-32.

²⁴ Acuerdos, Municip., v.V, 315-370.

²⁵ Other examples were those of Domingo Gribewho who was elected as regidor in 1605, 1607, 1609, 1611, 1613, and 1629, and as alcalde hermandad in 1610 and 1618. Moreover, he was appointed as mayordomo del hospital in 1607, as fiel ejecutor in 1607 and 1609, and as corregidor in 1619. Likewise, Pedro Gutiérrez was appointed as accountant in 1600 and elected as regidor in 1606, 1609, and 1612; as alcalde hermandad in 1607; as procurador general in 1611; and and as alcalde de primer voto in 1629. Finally, he was appointed as fiel ejecutor in 1606 and 1609 and as treasurer in 1615. By the same token, Juan de Tapia de Vargas became alguacil mayor del Santo Oficio between 1630 and 1642; alcalde de primer voto in 1624 and 1632; alférez real from 1631 to 1639; depositario general in 1639; and lugarteniente de gobernador (Lieutenant Governor), justicia mayor, and capitán a guerra in 1631 (see Molina, 1964, 181-212).

²⁶ Acuerdos, Municip., III, 550-586

²⁷ Documentos para la historia del Virreinato, 1912, 88-90.

²⁸ AGN, Div. Colonia, Sala IX, Esr. Ant. Protocolo de Real Hacienda, f.64v.

²⁹ Ibidem, f.620v.

³⁰ Ibidem, f.179.

³¹ Garretón, 1933, 176.

³² Acuerdos, Municip., III and IV.

³³ AGN, v.15, f.357; and v.19, f.404.

³⁴ AGN, v.25, f.552.

³⁵ AGN, v.23, f.271.

- ³⁶ Andrien, 1977, 113.
- ³⁷ Acuerdos, Municip., v.V, 290-294.
- ³⁸ Ibidem, v.V, 315-370.
- ³⁹ Sierra, 1956-72, II, 2nd book, chapterVI, 260-80; and Montes, 1959, 81-159.
- ⁴⁰ Zorraquín Becú, 1952, 139; Molina, 1939, 160; and Israel, 1975, 124.
- ⁴¹ Olaechea Labayén, 1977, 501.
- ⁴² Avella Cháfer, 1976, 321.
- ⁴³ Acuerdos, Municip., v.I, 363.
- ⁴⁴ Ugarteche, 1932, 101-105.
- ⁴⁵ Acuerdos, Municip., II, 312; and Tiscornia., 1973, 142.
- ⁴⁶ Acuerdos, Municip., II, 317.
- ⁴⁷ Ibidem, III, 519.
- ⁴⁸ Pike, 1958, 144.
- ⁴⁹ Peña, 1916, 49
- ⁵⁰ Torre Revello, 1943, 169; and Montes, 1959, 81-159.
- ⁵¹ Pike, 1958, 144.
- ⁵² Acuerdos, Municip., I, 50.
- ⁵³ Lynch, 1958, 203; and Haring, 1963, cap. IX.
- ⁵⁴ Sáenz Valiente, 1952, 223ss.
- ⁵⁵ Ibidem, pp.249ff.
- ⁵⁶ Sáenz Valiente, 1952, 309ss.
- ⁵⁷ Parry, 1953, 46.
- ⁵⁸ Acuerdos, Municip., VI, 20.
- ⁵⁹ Sáenz Valiente, 1952, chapter XI.
- ⁶⁰ Ugarteche, 1932, 101-105.
- ⁶¹ Ibidem, chapter XIV; and Sáenz Valiente, 1952.
- ⁶² Ibidem, chapter X.

⁶³ Lynch, 1958, 209.

⁶⁴ Acuerdos, Municip., II, 194.

⁶⁵ Data Bank.