

SPAIN  
OVERSEAS  
—  
MOSES

HISPANIC NOTES  
& MONOGRAPHS



SPAIN OVERSEAS  
BY BERNARD MOSES

HISPANIC AMERICAN SERIES

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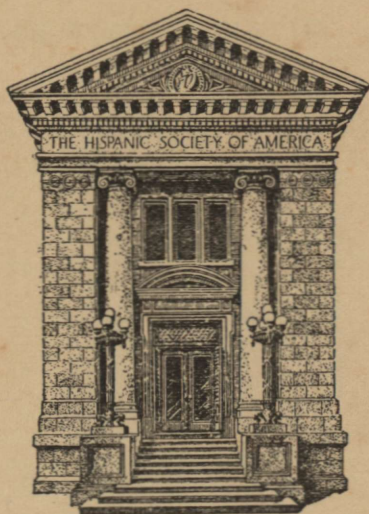
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AMERICAN SERIES



OF AMERICA







# HISPANIC

## NOTES & MONOGRAPHS

ESSAYS, STUDIES, AND BRIEF  
BIOGRAPHIES ISSUED BY THE  
HISPANIC SOCIETY OF AMERICA







# SPAIN OVERSEAS

BY

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## PREFACE

The following chapters are in effect marginal comments on some sections of the general history of Spanish America, and one may refer to that history for light, in case the connection between these chapters does not appear to be clear. The aim of this volume is to emphasize certain topics, thought to be important, at the risk of passing by others of equal or even greater importance.



## SPAIN IN THE COLONIZING PERIOD

Towards the end of the fifteenth century Spain stood, in relation to the other nations of Europe, economically higher than she had ever stood before or has ever stood since. Between 1482 and 1700 her population declined from 10,000,000 to 6,000,000, and there was a corresponding decline in her economical affairs. A conspicuous sign of Spain's decay was the decline of her agriculture. Foreseeing the evil here impending, the Government had, in the thirteenth and fourteenth centuries, undertaken to exempt from seizure animals and implements employed in cultivation, except under certain prescribed conditions. The Council of Castilla, giving an account of the state of the realm in the beginning of the seventeenth century, said "the agricultural districts were becoming deserted, and the inhabitants were disappearing and leaving the fields abandoned."

The depression of agriculture and Spain's loss in population were further intensified by the overthrow of the Moriscos in the Alpujarras and their final expulsion from the Peninsula.

In 1618, a few years after the expulsion of the Moriscos, a commission called to propose a remedy for the ruinous condition of the kingdom, began its memorial to the King with the following lamentation: "The depopulation and want of people in Spain are at present much greater than ever before in the reigns of any of your Majesty's progenitors; it being in truth so great at this time that if God do not provide such a remedy for us as we may expect from your Majesty's piety and wisdom, the Crown of Spain is hastening to its total ruin; nothing being more visible than that Spain is on the verge of destruction, its houses being



in ruins everywhere, and without anybody to rebuild them, and its town and villages lying like so many deserts."

It was of great importance for agriculture that the means of irrigation which the Spaniards found established in the districts taken from the Moors should be maintained and even extended. But the conquerors in this matter appear as inefficient successors of the conquered. Their attempts in this direction were few and ineffectual.

The privileges enjoyed by the sheep-owners who were represented by the Council of Mesta were not without importance for the agriculture of Spain, particularly for the agriculture of Extremadura. When the Spaniards took this province from the Moors, the cities were razed and the inhabitants were destroyed or driven into exile. Peace followed the war, but it was the peace of desolation.

"Vast tracts previously in cultivation were then abandoned, and nature, here prolific, soon obliterated the furrows of man, resumed her rights, covered the soil with aromatic weeds, and gave it up to the wild birds and beasts. . . Only a small portion of the country was recultivated by the lazy, ignorant, soldier-conquerors; and the new population, scanty as it was, was almost swept away by the plague of 1348, after which fifty whole districts were left unclaimed. . . These unclaimed, uninhabited pasturages at last attracted the attention of the highland shepherds of León, Segovia, and Molina de Aragón, who drove down their flocks to them to a milder winter quarter; hence by degrees a prescriptive right of agistment was claimed over these commons, and the districts at last were set apart and apportioned. This feeding their flocks at the expense of others exactly suited the national predilection for self, and as the profit of the wool was great, and long one of the most productive staples of Spain, the flocks naturally multiplied, and with them their encroach-

ments. As the owners were powerful nobles and convents, the poor peasants in vain opposed such overwhelming influence."

Gradually the population of Extremadura increased, resulting in contests between the wandering shepherds and the resident cultivators. In 1556, a compromise was effected, and the privileges of the *mesta* were defined and legally established. Conspicuous among these privileges, two may be cited: one is that the permanent residents were prohibited from plowing land that had not been cultivated hitherto; the other is that they were prohibited from extending their inclosures. The privileges of the *mesta* suggest the hunting privileges of a mediæval aristocracy. They discouraged agriculture, and those who opposed them found it easy to argue that they "doomed to barrenness some of the finest districts of Spain."

An effective obstacle to agricultural progress existed also in the practice of entailing estates in behalf of the eldest son and of bestowing lands in mortmain on churches and monasteries.

Although excuses may have been found for the existence of entailed estates while the aristocracy was powerful and rendering the Crown great service in war, it is difficult to justify that extension of the practice which we observe in the sixteenth century, when the comparatively poor were ennobled, and thus confirmed in their idleness, and made ridiculous in their unsupported pretensions. This practice is noteworthy for its evil effects on the agriculture of the country. In bringing honest work into contempt, and in setting up numerous models of indolent and worthless lives, its influence was so great that in 1552 the Cortes of Madrid was moved to repudiate the privileges which the king was accustomed to grant to persons of little distinction and small wealth, to entail property to the prejudice of the younger children and to the injury of the nation.

Towards the end of the fifteenth century the lands of Spain, whether in public or private hands, were being rapidly denuded



of trees, and the Government had already at that time perceived the need of special action to preserve the forests; but the present treeless condition of a large part of the country is in evidence that no permanently effective provision was made. Besides a number of general ordinances relating to the preservation of the forests, Ferdinand and Isabella caused to be issued, also, special ordinances touching the conservation of the forests of Madrid and those of Medina del Campo.

It may be seen from the instructions given to Diego de Covarrubias, when he was appointed president of the Council of Castilla, that Philip the Second appreciated the seriousness of the situation: "One thing," he said, "I desire to see given thorough treatment, and that is the matter of the preservation of the forests, and their increase which is very necessary; for I believe they are going to destruction. I fear those who come after us may have many complaints that we have allowed them to be used up, and God grant that we may not see this in our day."

Prominent among the causes of the disappearance of the forests was the disposition, which has also prevailed in the United States, to plunder rather than to husband the resources of the country. In order to prepare the soil to receive the seed and to provide abundant pasture, it was the practice in some parts of Spain to burn the forests and the thickets which occupied the ground. The fires, kindled for this purpose, which sometimes extended over several leagues and often caused serious losses, were recognized as an evil to be abated. Ordinances were, therefore, issued to prohibit them, but the abuses proved to be difficult to correct. In this barbarous manner disappeared the forests of Extremadura, Andalucía, Toledo, and other parts of the kingdom, leaving no possibility of being replaced, inasmuch as the new growths, the fresh and tender shoots, were destroyed by the cattle which occupied these fields as pastures.



That some part of the damage might be avoided, Philip the Second ordered that the justices of the districts in which the forests had been burned should not allow cattle to graze where the ground had been burnt over, except as permitted by the license of his council. The ancient right to take wood for the use of the court had also much to do with the destruction of the forests; not that the strict observance of the right itself would have caused any serious damage, but that under the pretense of observing it, a way was found for extensive frauds, in that persons about the court not entitled to the advantage of this privilege ravaged the forests and contributed in a large measure to their ruin.

Concerning the industries of Spain in the sixteenth century, there appear two widely divergent views. According to one opinion, the beginning of the century witnessed an extraordinary development in the silk and woolen industries, which lost their importance in the seventeenth century; while in the other view there never existed in the country any remarkable industrial development. The historical fact, however, lies nearer the first view than the second, but at the same time there is no doubt that tradition has somewhat exaggerated the degree of industrial prosperity which had been attained at the beginning of the sixteenth century. There is no doubt, moreover, that the course of the century was marked by a conspicuous decline in Spanish industry, but it is not now possible to date the several steps of that decline. Among the first symptoms were the complaints made in 1537 that the cloth of Segovia had risen in price in the four preceding years. With these complaints of high prices appeared also denunciations of fraud employed in the processes of manufacturing. On account of these high prices, the common people were unable to use the cloth made in their own country and were granted the privilege of purchasing foreign goods. This was the beginning of the fall of the textile industries

in Spain, which was hastened by the operation of several causes. The most efficient of all the causes of Spain's deterioration in the sixteenth century was the abundance of gold and silver received from America. Accumulated under a national monopoly, these metals, introduced into the coinage of the country, caused a general and unprecedented rise in prices, while prices in the neighbouring countries remained practically unchanged at their low mark, until Spanish traders, induced by the comparative cheapness of foreign wares, defied all restraining laws, and made their purchases abroad. The influx of foreign goods could not be stemmed until Spanish gold and silver, sent over the national border, had equalized prices within the area of Spanish trade. Another cause was the marked decline in the quality of Spanish products, which placed them in an unfavourable contrast with the wares of other countries and destroyed the demand for them. Among these causes may be mentioned, also, the rigidity of the surviving mediæval trade organizations, which, by their narrow views and their illiberal conduct in the management of their monopolies, prevented industrial and commercial growth and made impossible, even in Spanish markets, successful competition with the more liberal industrial systems of other nations. A survey of the industries of Spain throughout the century, however, leads to the conclusion that the manufacture of cloth flourished in the beginning of the sixteenth century, while in the second quarter there were conspicuous symptoms of its approaching decline. "By the middle of the century the evil had become so far aggravated that Spain not only did not export textile fabrics, but was even under the necessity of importing them in order to meet the demands of her own consumption." In the last half of the century the fall was rapid, and all subsequent efforts for revival were fruitless.

Conspicuous among the hindrances to the economic development of Spain in the sixteenth century was the lack of facilities



for transportation. This phase of civilization received little attention from the Moors. The habits of their ancestors, accustomed to free life on the desert or in Northern Africa, made them indifferent to the establishment of roads suited to vehicles with wheels; and the fact that the Spaniards remained in a very large measure satisfied with the beasts of burden as a means of transportation may be in part accounted for by the influence of their Mohammedan neighbours. From the point of view of economics, it is a mistake for a people to consent to make settlements at points to which they cannot take their household goods and industrial elements on carts. An important difference between the Spanish and the English settling in America is that in the one case the settlers have insisted on finding or making roads over which they could drag with them their belongings on carts or wagons, while in the other case they have been content to carry their outfit on the back of mules and have not insisted that their settlements should be connected with the rest of the world by carriage roads.

The lack of convenient and inexpensive means of communication between buyers and sellers suggested the fixing of certain times and places for general meetings. These meetings became the great fairs of the later Middle Ages, survivals of which may still be seen at Leipzig and at other points in Eastern Europe. In Spain they were held at Segovia, Valladolid, Alcalá, Salamanca, Sevilla, Villalón, Medina de Rioseco, and Medina del Campo. On account of the great wealth gathered at Rioseco, the place acquired the title of *India Chica*; but the most important of all the fairs was that of Medina del Campo, whose origin, like the origin of most European fairs, is not a matter of definite historical knowledge.

The apologist of Spain's economic policy with respect to foreign trade in the sixteenth century is disposed to find in the restrictive and artificial system of the Hanseatic League and



the Italian republics an earlier employment of the methods whose origin is ascribed to the Spaniards, claiming that the influence of these powers was felt throughout Europe and that the mercantile system was introduced into Spain not earlier than into France and England. If it struck deeper roots in Spain than elsewhere, it was because Spain controlled the best mines of the world and could not without difficulty give up the thought of monopolizing the precious metals.

In examining the trade with foreign nations and the shifting attitude of the Government towards it, it is not possible to discover any principle which was consistently observed. Many decrees of prohibition issued with respect to exportation were prompted by the desire not to have diminished the store of articles necessary for the support of the people; and if in certain cases the importation of wares was prohibited, it was to avoid too sharp competition with Spain's domestic products. In other cases the principle of the mercantile system, or the desire to increase the amount of specie in the kingdom, was unquestionably the determining factor in the policy. The state of things has been characterized by Colmeiro in the remark that "the mercantile doctrines grew up slowly and without order, indicating the triumph of other ideas, without succeeding in forming a new system; so that the commercial policy of the sixteenth century appears as a web of contradictions."

Passing over the details of the effects of the colonial system and the transatlantic trade, attention may be directed to the influence of the government on the economic affairs of Spain. It may be noticed, in the first place, that the extensive dominions, involving the government in large expenses in carrying on wars into which it was drawn by an aggressive ambition, made a demand on the nation which the public revenue, even when supplemented by the treasures of America, could not satisfy. Through the great undertakings of Charles the Fifth and Philip

the Second the expenditures went on from year to year carrying over an increasing burden upon the income of the future, so that, at the death of Philip the Second, Spain had a debt of 140,000,000 ducats.

Philip's extraordinary need of money to meet his numerous obligations led him to extraordinary means to obtain it. He appropriated for his own uses the silver and gold which came from the Indies for merchants and other private persons. This helped to destroy the fundamental condition of material prosperity, namely, the citizen's sense of security in the possession of his property. The King sold offices and titles of nobility and the lands which belonged to the Crown. He imposed forced loans on prelates and the owners of large estates which were taken with violence and without consideration. He suspended payments to creditors; and in return for payments in money he rendered legitimate the sons of the clergy. Against these abuses the Cortes from time to time protested; and they, moreover, petitioned that luxury in dress might be abated and that the King himself might set the example. In reply to the petitions for restrictions on expenditure in matters of dress, Philip the Second issued the remarkable edict of October 25th, 1563, which Lafuente quotes at some length, and which Prescott describes as "going at great length into such minute specifications of wearing apparel, both male and female, that it would seem to have been devised by a committee of tailors and milliners, rather than of grave legislators."

The scale on which the royal household was ordered also made a draft on the resources of the kingdom. To reduce these expenditures was the object of frequently repeated petitions by the Cortes to the King. The members of the Cortes wished for the court and the nation a simpler form of life, and in this they were supported by the bulk of those who had intelligent opinions on public affairs. They called the attention of the King to "the



pernicious effects which this manner of living necessarily had on the great nobles and others of his subjects, prone to follow the example of their master."

Philip's financial outlook and the condition of the country in the nineteenth year of his reign are characterized in a note written by him to his treasurer: "Having already reached," he said, "my forty-eighth year, and the hereditary prince, my son, being only three years old, I cannot but see with the keenest anxiety the disorderly condition of the treasury. What a prospect for my old age, if I am permitted to have a longer career, when I am now living from day to day without knowing how I shall live on the next, and how I shall procure that of which I am so much in need."

And yet, with a deficit increasing from year to year, he entered upon the building of the Escorial. The cost of construction and interior decoration amounted to about 6,000,000 ducats, a sum equal to \$30,000,000 at present, or more than the total annual revenue of the kingdom of Castilla at that time. Although it may have laid a burden on the nation, yet, according to Fray Alonzo de San Jerónimo, it at the same time placed the Almighty under obligations of gratitude to the King. It illustrates how far Philip's administration was removed from an economic basis. This, his chief work, stands as a monument of economic folly, and in the design of the King it was intended to stay the current of social progress. According to his own declaration, he intended to make a bulwark unconquerable by the new doctrines, and in which the throne and religion should be sheltered so securely that they might not be reached by the ideas then agitating and moving the world. It was important for the economic condition of Spain that the building of the Escorial set a fashion for the magnates of the realm. They felt called upon to manifest their pious zeal in founding churches and monasteries and in purchasing relics, so that at the close of the sixteenth



century there were in Spain about 9,000 cloisters for monks and 988 for nuns, containing about 46,000 monks and 13,500 nuns. And whatever influence these institutions exerted on the spiritual welfare of the nation, it is clear that they were not powerful factors in economic progress. We may count, also, as a hindrance to economic progress the great number of holidays, set apart primarily for exercises of devotion, but which came to be days of pleasure, developing in the people a spirit opposed to that persistent effort necessary to growth in material well-being.

## II

### BASES OF SPANISH COLONIAL SOCIETY

No ideas of governmental organization are so familiar to colonists as those which they have seen realized in the mother country, and for this and other reasons the government of the colony is almost universally a more or less accurate copy of the home government. The spirit, at least, is transmitted, and whatever variation in form appears is due to the peculiar circumstances of the new settlement. The colonies of Spain and England stand in sharp contrast in this regard. A Spanish colony, whether viewed with reference to its organization or to its influence, is widely different from an English colony. The difference is not merely casual; it is fundamental. With certain variations, it is the distinction which existed between the colonization policies of the Greeks and the Romans. The Greek settlements, made up of the voluntary overflow of the population of the mother country, were generally independent from the start. "The migrations of the colonists were commonly undertaken with the approbation and encouragement of the states from which they issued; and it frequently happened that the motive of the expedition was one in which the interest of the mother country was mainly concerned: as when the object was to relieve it of superfluous hands or of discontented and turbulent spirits. But it was seldom that the parent state looked forward to any more remote advantage from the colony, or that the colony expected or desired any from the parent state. There was in most cases nothing to suggest the feeling of dependence on the one side, or a claim of authority on the other. The sons



when they left their homes to shift for themselves on a foreign shore, carried with them only the blessing of their fathers, and felt themselves completely emancipated from their control. Often the colony became more powerful than its parent, and the distance between them was generally so great as to preclude all attempts to enforce submission." The only bond between them was a moral sentiment growing out of the fact of a common origin.

The Roman colonies, on the other hand, formed a part of an elaborate scheme for extending Roman dominion. They were the creatures of the central power and the main instruments for confirming its conquests. "The Grecian colonies were not intended to increase the power of the parent state by enlarging its dominions, and they were usually established in some unoccupied or partially occupied territory." But the Roman colonies were generally "established in existing towns, the citizens of which were ejected and deprived of their lands. . . . Instead of being independent of the parent state, they were strictly dependent on it, and the political rights of the colonists were very limited. In fact, the Roman colonies were in their origin little more than garrisons in conquered fortified places, where land was allotted to the soldiers instead of pay and provisions." In the methods of their establishment, the Grecian colonies were like the colonies of modern England. The colonies of Spain, like the Roman colonies, were creations of the central political organization and were upheld and controlled by a power outside of themselves. Most English colonial dependencies have worked their way to prominence through a struggling age of feebleness. The Spanish dependencies, on the other hand, have been from the outset equipped with ample legal machinery and been controlled and supported by the sagacity and power of the monarch. "The fundamental maxim of Spanish jurisprudence with respect to America," says Robertson, "is to con-

sider what has been acquired there as vested in the crown, rather than in the state. By the bull of Alexander the Sixth, on which, as its great charter, Spain founded its right, all the regions that had been or should be discovered were bestowed as a free gift upon Ferdinand and Isabella. They and their successors were uniformly held to be the universal proprietors of the vast territories which the arms of their subjects conquered in the new world. The leaders who conducted the various expeditions, the governors who presided over the different colonies, the officers of justice, and the ministers of religion, were all appointed by their authority, and removable at their pleasure. The people who composed infant settlements were entitled to no privileges independent of the sovereign, or that served as a barrier against the power of the crown." The power that was exercised by the elected magistrates in the towns was merely municipal and was confined to the regulation of their own interior commerce and police. All political power "centered in the crown, and in the officers of its nomination."

For the purpose of exercising this vast power with which the Spanish Crown was clothed, the Spanish dependencies of America were divided into two governments, each under a viceroy, that of Mexico and that of Peru. The former embraced all the possessions of Spain in North America, and the latter, those of South America. The viceroy, like the monarch whom he represented, exercised a power that was practically absolute within the limits of his government. His authority extended to every department of the administration, and his external pomp was suited to his authority.

But the independent febleness of the English settlement was more conducive to healthy social growth than the rigid and powerful rule of the Mexican viceroy. The knowledge of the viceroy's power and of his uncompromising jealousy of any interference in affairs falling within the sphere of his prerogative



paralyzed all efforts of local self-help; and yet, by reason of the multiplicity of his duties, and the vastness of his dominions, and the indifference of his subordinates, he could render no efficient force to stimulate social action, and stagnation, therefore, necessarily ensued.

But however unlike the English and Spanish dependencies with respect to their social and political organization, there were certain fundamental motives to their establishment which were the same for both. Conspicuous among these was the primary notion on which the mercantile system of economics was constructed, the notion that the precious metals were alone wealth and that that nation which had the largest quantity of these must be regarded as the most wealthy. On this idea was based the colonial policy of modern European states. Spain sought the desired end directly; England, under the influence of the East India Company, advanced towards it in a somewhat more roundabout way. Mexico and Peru furnished these metals directly from their mines and, for this reason, were regarded by Spain as the most desirable possessions conceivable. No effort was spared that might be necessary to conquer and hold them. They contained in abundance what all nations looked upon as the basis of material salvation.

While Spain sought gold directly and legislated to prevent its exportation, England advanced one step farther towards the light and was willing under certain circumstances to allow it to leave the country. But the ulterior aim of the English was the same as that of the Spaniards. Gold and silver might leave England for the purchase of raw material, since raw material, when elaborated into commodities, would be more valuable than in its primitive condition and might in its new form be exported for a return of the precious metals larger than that which had been allowed originally to leave the kingdom. Under this view it became necessary to have a market for manufactured

commodities; hence the idea of colonies under sufficient control to be kept from all kinds of production but that of raw material, in order, in the first place, that such raw material might be cheap and, in the second place, that there might be a demand for the industrial products of the mother country. Thus, the thirst for gold was a common motive in both the English and Spanish struggles for foreign dependencies.

Although the fundamental idea of the mercantile system has been long since discredited, many of its practical consequences survive in modern legislation. The hostility to importation, which marks the commercial policy of many existing states, is a practical survival of an exploded economic theory. England's support of the Southern States of the Union in the Civil War was suggested by the surviving ideas of her colonial policy. The South, an abundant producer of raw material, without manufactures and with a considerable demand for manufactured commodities, was such a colony as the European nations sought in the sixteenth and seventeenth centuries. To draw these States into a close alliance with England was one of the aims of the English, and they were not careful about the means.

From another point of view the English and Spanish policies with reference to colonial dependencies have been somewhat wide apart. While Spain was sending Christian missionaries to extend the kingdom of heaven on earth, England was making her colonies a place of banishment for her convicts. There is no doubt that one of the motives of Spain's action was a genuine and honest desire for the spiritual regeneration of the native population and that this desire was felt by many of those who sought to make themselves the instruments of this regeneration. But, at the same time, ecclesiastics, when they constitute the predominating element, do not furnish a hopeful basis for a new social organism. It may be said that under the priests in the Spanish settlements in America the natives learned the arts of



peace and were well started on the way towards civilized life. Yet, in almost every instance the priestly method of building up a society has had to undergo a revolution before any real progress could become possible. For an illustration of this process it is only necessary to observe the history of California. The missions of California, when they were secularized, had gone about as far as it was possible to go on that line towards civilization. A few thousand natives had been reduced to slave-like submission, and a few thousand cattle had been scattered over the hills and along the valleys, and at this point social progress had stopped. Further advance towards the cultivation of civilized life required the substitution of an entirely new basis of social order. Before a new and more effective structure could be built, the old structure had to be broken down and a new foundation laid.

But the most significant contrast between Spanish and English dependencies appears with reference to the extent of power exercised in matters of local control. In other words, it is a contrast in means of political education. Under the rigid rule of the Council of the Indies and of its subordinates, provided for carrying out the decrees of the Spanish Government, the great body of the people learned only one lesson, and that was the lesson of obedience. The power of self-determination they had no opportunities for acquiring. They only learned to follow, not because they saw any reason for going in one direction rather than in another, but because they were dominated by a superstition born of inexperience in matters of public concern. The result of this was to make possible quiet and orderly conduct as long as the power of the parent state remained unshaken; but it did not prepare the way for independent national conduct. When, therefore, the tie of allegiance to Spain was severed, the communities were like a ship without a rudder or ballast. There were no points of advantage that could be used to give them consistent movement in any direction. They were subject to the

shifting currents of uninstructed prejudice. While the bulk of the people were willing to render obedience, they were without the means of determining to whom it should be rendered. They were perfect material for the demagogue, that is to say, they were the pliant tools of revolutionists. The Spanish American attempts at self-government, therefore, had difficult beginnings; not because of any original incapacity in the stock, but because of the lamentable political education which the dependencies received during their three centuries of bondage to Spain, an education, the evil tendencies of which it will require yet several generations completely to counteract. It is customary to cast the blame for the political shortcoming of Mexico and the South American republics on the republican form of government. The wonder, rather, is that the republican system has been able to find there any tolerable application. Most of the evils which are charged against republicanism, whether in the former Spanish dependencies of America or in the now independent English settlements, cannot with justice be ascribed to democracy but are, rather, attributable to the unfortunate political antecedents of those who attempted to live by the democratic rule. This previous education under monarchy is one of the chief sources of embarrassment to republican government. But on the other hand, colonies in pursuit of republican liberty derive an incalculable advantage from their antecedents when they are derived from a nation in which the spirit of liberty was active at the time of separation. The zeal for political freedom, which was manifest in a large part of the English nation in the seventeenth century, and the ample provisions for self-government, which had already been carried out by the English people, are points not to be overlooked in considering the political affairs of the United States; nor, in seeking a rational explanation of the establishment and long continuance of absolutism in Spanish America, are we to forget that the colonization of that country



took place at a time when the ancient popular liberty of Spain had been suppressed, and the nation, subjected to the despotic rule of the crown. The position and influence of the ecclesiastical institutions of the two nations also furnish data essential to an understanding of the affairs of these nations. In these matters, the United States appears, from a political point of view, to have been the more fortunate. The contrast presented here is between the principle and practice of toleration, on the one hand, and intolerance and the Inquisition, on the other. In one nation, religion tended to become a private matter; in the other it was, and tended to remain, an affair of the State. In some of the settlements of the United States, the ecclesiastical and political organizations were at first merged in one, but the tendency to separate them appeared early and continued until the divorce was complete. But in Spanish America, the alliance continued unbroken for more than three hundred years, the church constantly gaining wealth, power, and compactness of organization. From one end of the realm to the other, there were no affairs of memorable importance but those in which the church was more or less directly concerned. It held a large part of the property of the country and was directed by men whose very calling placed them out of sympathy with those interests on which the prosperity of society depends. Against this powerful organization, wielding immense wealth, has had to be waged the struggle for free, secular government.

The fact that the settlers of the United States were dissenters, bound to no strong hierarchial organization, was significant in that it rendered easy the complete separation of the colonies from England. The Spaniards, on the other hand, were adherents of the Roman Church, and thus the Church of Spanish America and the Church of Spain became allied as parts of one great organism. When, therefore, the struggle for independence came, it was found that it was not enough to break the political bond;

the bond of ecclesiastical union and sympathy remained, always drawing a large part of the new nation back to its allegiance to Spain. The Tories of the thirteen colonies disappeared soon after the Revolutionary period; they either accepted gracefully the fact of independence or wandered off to seek more congenial companionship. But the upholders of Spanish rule during the war for independence remained, when the war was over, a powerful and dissatisfied element in the national politics. The thirteen colonies had achieved intellectual and spiritual independence long before the war for political independence began. But even after the Spanish Americans had achieved their political independence, they remained in ecclesiastical and intellectual bondage to the mother country.

The strength of this conservative element has been one of the main causes of the numerous revolutions which have afflicted the Spanish American Republics. These revolutions, by giving to the inhabitants an unstable character, by preventing them from learning that there is any other way to settle a national issue in politics than by force of arms, have unquestionably made an impression on the mind of the people, which cannot be overlooked in explaining their political institutions and practice. Bad conduct may give a nation, as well as an individual man, bad habits, and these habits in both cases become factors in determining political conduct. Nations that live through two or three revolutions in a generation become familiarized with the idea of effecting results by this means and have constantly to be dealt with as if at the first appearance of dissatisfaction they might fly into revolt. But the English people, in England and the United States, have never shown great sympathy with revolutionary methods. They have generally manifested a firm adherence to legal means for accomplishing public ends. Their allegiance is to impersonal law. But in the Continental nations, in whose governments the monarchical element has played a more conspicuous role, the allegiance of the



subjects partakes of the character of personal devotion to the king or emperor. It is not strange, therefore, that the Spanish Americans, after their long tutelage under absolutism, should find it somewhat difficult to guide their actual conduct by a rule which they cannot attribute to any personal protector.

Of the other phases of national life, which might be examined and set as a background for the presentation of the politics of Spanish America, it must suffice, after what has already been said, to refer to their economic affairs, to the fact of the large unassimilated elements of population, of the poverty of the great bulk of the people, the insignificant development of the practical business sense, and the almost entire want of the spirit of industrial association. These facts indicate national qualities that are influential in determining not only the political law, but also the political customs and usages of a nation.

### III

#### DEVELOPED AND LESS-DEVELOPED RACES IN CONTACT

It is one of the simplest and most evident facts of social growth that, in the early history of peoples now civilized, one generation succeeded another with very few changes either in character or outward condition. If some of these peoples developed peculiar institutions and established, independently, peculiar manners, customs, and ordinances, this result was made possible by their long isolation or their freedom from external influences through extensive periods of time. Such isolation and such freedom were characteristic of the early ages of social life. The barbarians of long ago were left undisturbed through centuries, and if they had capacity, they had also the opportunity to develop an indigenous civilization. The barbarians of today, if they have the capacity, have not the time at their disposal, have not the opportunity to effect an independent development.

The creation of the means of communication, the desire and the ability of the strong, enlightened nations to expand the field of their dominion, and the economic need felt by civilized society for the resources of the whole world take away from the undeveloped peoples the opportunity for a centuries-long process of slow, independent social growth. If it were assumed that the American Indians left to themselves for a thousand years longer would have advanced to a state of civilization, this capacity would have been of no avail because the other factor, the period of a thousand years, was not accorded to them. In the days of old it might have been reasonable to urge the leaving of each



barbarian people to work out its own progress independently. Such a policy then might have been effective. There were few and imperfect means of communication. There were strong prejudices holding one tribe or race aloof from another. The commercial motive that leads civilized men to invade every corner of the world was almost entirely wanting. Then it might have been possible for a people to have a thousand years of isolation in which either to stagnate or to develop its institutions.

All this is now changed. Modern means of communication have drawn together the ends of the earth. They have made every country contiguous to every other country. The representatives of modern enlightenment have laid aside most of the barbarian's race prejudices, and their commercial relations bring them into contact with the inhabitants of every quarter of the world. No tribe or nation, whether rude or civilized, can now maintain its isolation. The view that a rude people should be permitted to develop its own life without foreign interference may have involved a practicable policy in the beginnings of social growth. As applied to the present it is utopian. Dominated by notions founded on ancient traditions, we may think that a policy involving this view ought to prevail; but our opinions of what ought to be the attitude of one people to another have no necessary relation to the facts in the case. The curiosity of the civilized nations and their economic needs have thrown down all partition walls. If there is any people now in the state of barbarism with capacity for independent development under long isolation, it is safe to affirm that it will not achieve such development. The spirit of contemporary civilization is intolerant of barbarian isolation. The peoples of the uncultivated races may not now have the same time for independent development and the freedom from interference that they had in the earlier ages of social progress.



One is likely to lay much stress on political independence and regard it, everywhere and under all conditions, as the paramount political good. But it is quite possible that this is an exaggerated view. An impartial examination of it is presupposed in a critical discussion of a nation's colonial policy and administration; and when it is determined that in the present state of international politics the barbarian tribes or rude peoples have not, under the actual demand for universal intercourse, the opportunity for independent development, part of the basis of the claim that such tribes or peoples should be independent appears to fall away.

In view of these considerations, it becomes necessary to recognize union with some civilized nation as inevitable in these cases. The question of the independence of such countries in the present political state of the world is a purely academic question. Dependence in these cases is not only inevitable, but it may also be advantageous for the social body over which authority is exercised. The advantage, however, does not appear in all cases. The advantage to such communities brought under foreign control appears when that control is exercised by a liberal and enlightened nation. They become associated with representatives of a higher form of life and acquire a knowledge of the arts by which wealth is increased and the physical well-being of a community is promoted. They become familiar with the more effective modes of social organization. They learn the language of an enlightened people, and through it they are brought under the influences that make for cultivation. The dependent body is drawn into the current of the superior nation's life and is carried along by the momentum of its progress. There is, moreover, no necessary connection between political independence and personal liberty. Paraguay threw off the rule of Spain and was politically independent under Dr. Francia. After the death of Francia, the Paraguayans, still independent, fell under the even more brutal domination of López. To them independence brought only



tyranny and disaster. Under independence the nation was broken under the heel of an absolute ruler and led into wars that brought it to the verge of extinction. Independence is not a universal social remedy, nor everywhere a sure introduction to a higher phase of political life.

The dominant political ideal of the societies now on the lower level of civilization is that of arbitrary personal rule. The Javanese accepted the decrees of their native princes as if they were the inevitable decrees of Fate. The subjects of the native princes of India have practically no initiative and submit without question to the will of a ruler whose conduct is not modified by any organized expression of a popular desire. The brief struggle for independence in the Philippines was not a movement to establish the liberty of the people, but an effort to set up the rule of a limited oligarchy. Before the occupation of the Islands by the Americans there were probably not forty persons in the whole population who desired to see political power pass into the hands of the great body of the people. Independence for a people on the social level of the Javanese or of the bulk of the inhabitants of the Philippines means the establishment, immediately or ultimately, of some form of absolute rule, destined to manifest the qualities of a more or less oppressive tyranny. In spite of the exactions of the Dutch in the East Indies or of the strong rule of the English in India, there is a vastly higher grade of popular prosperity and personal liberty in those parts of Java or of India where the people are directly under the Dutch or English control than in the native states where the immediate government of the people is in the hands of the native princes.

The question of vital importance for the inhabitants of dependencies is essentially the same question as that which is important for the members of the dominant nation itself. The popular welfare in both cases depends largely upon the character of the national government. If the authority of a reckless and

tyrannical government is extended over a semi-barbarous people, it is not to be expected that the inhabitants of the dependency will be greatly benefited or have abundant reasons for rejoicing. On the other hand, the extension of a wise and beneficent government's authority over a rude people may furnish it an impulse and guidance towards the attainment of a higher form of life and larger liberty for the individual citizens. Even a nation not especially noteworthy for political wisdom may, in the position of a superior, materially assist a rude people to take important steps towards civilization. The political wisdom of Spain has never been adequate to her great opportunities, yet the inhabitants of the Philippines owe to Spain their most important achievements in social progress. Practically all the qualities they now have, distinguishing them from the non-Christian barbarians of the East Indian archipelago, have been acquired under the direction of their European superiors.

The control of dependencies appears to be part of the general policy of the leading Western nations, and there is no doubt that by this policy, taking into consideration the whole history of colonies, the well-being of the inhabitants of dependencies has been materially advanced by influences that have come to them in consequence of their relation to a superior nation. And the result on the superior nation has been scarcely less advantageous.

America's undertaking in the control of dependencies represents the administrative policy which the enlightened nations have been, and are, gradually approaching. When England, France, and Portugal made their first settlements in India, they had no plans for changing the condition of the people among whom they settled. They sought to trade with them as they were. Gradually it has become clear to the leading nations that highly developed peoples are both better producers and better purchasers than rude nations. The dependency of great natural resources manifests its full commercial significance only when its



population has developed the higher, as well as the lower, needs of a civilized society. To undertake to develop the wealth of a dependency peopled with semi-civilized inhabitants, without at the same time bringing about that social differentiation characteristic of a higher grade of society, is simply to exploit that dependency, for without the forms and institutions of a developed society accumulated wealth will not be largely sought and cannot be maintained. Sometimes a differentiated society is formed in a dependency by introducing members of the dominant nation to constitute the higher ranks. These members then assume all the more important occupations, while the natives are relegated to agricultural and unskilled employments.

A hard line is drawn between the natives and the Europeans and determines the position of persons with mixed blood in such a way as to discriminate unjustly between the native of pure blood and persons having a slight trace of European blood. It appears to maintain the view that the white race should rule, not because it can lift the dependent people to a higher plane of life, but simply because it is the white race and has the necessary power.

The extreme of liberalism in dealing with colonies of an alien race in the tropics is represented by America's government of the Philippines. No line is drawn between the American and the Asiatic. Under these conditions the inhabitants of the Islands enjoy opportunities for their intellectual and political development which were never extended to them before. The essential feature of the new phase of colonial administration is that it sets a higher estimate on the dependent people than was usual when Europeans began to exercise political authority over communities composed of members of other races.

The Spaniards and the Indians in Spain's American dependencies offer an instance of two widely different races in contact. A significant feature of this relation was that the Indians became members of the colonial society, although at the bottom of the

social scale, thus establishing conditions for the amalgamation of the two races with whatever good or evil results might ensue.

The theory that alien races should be governed in accordance with their own traditions has not great practical value, for, wherever civilized man governs, he is moved to govern by his hereditary instincts. He knows only imperfectly the governmental forms of other races, and he knows less about their ideas of administration. Western governments, to illustrate, are based on the idea of individual responsibility to established authority, and they would probably make a very poor display in attempting to apply, for example, a scheme of control under which a clan or an association was responsible for each of its individual members.

If the American government, or any other enlightened government, assumes to exercise authority over territory occupied by members of an alien race, it may maintain temporarily the institutions and usages of the adopted society, but ultimately it must stand for its own laws and the acceptance of its own social ideas. It is not worth while to proceed practically as if the institutions and customs of the undeveloped peoples were to be permanently preserved. Their customs and institutions are often their shackles which make it impossible for them to run the course of progress. Nobody supposes that the institution of caste and its attendant customs are anything but a hindrance to the social progress of India. The spirit of many of the institutions of the less-developed races is the spirit of domination and bondage. The spirit of civilization or enlightenment is liberty. The undeveloped tribes or nations may be politically independent and yet in bondage to their traditions. If America, for example, has any mission outside of her continental limits, it is not to preserve among less-developed peoples such institutions and customs as make for bondage and social stagnation, but to put in their place the ideas that have made for freedom and the laws by which this nation has been enabled to preserve its freedom.



#### IV

### MEXICO THE TYPICAL SPANISH COLONY

Many of the persons who had part in the settlement of Mexico and assisted in organizing the new society brought to their task a certain experience derived from their participation in the occupation of Hayti and Cuba. This experience was not extensive, but it enabled them to avoid in Mexico one of the difficulties that they had encountered in those islands. The large number of the native population in Mexico and their hostile attitude made a determined and united action necessary on the part of the invaders. It helped them to proceed with vigour to the establishment and development of a colony that became a type or model for other Spanish colonies in America. The legal forms adopted for Mexico were applied to the other colonies later, but with less practical completeness. The government, established in Peru, held nominally for many decades supreme authority in the whole of Spanish South America. This authority was necessarily ineffective, and in the course of time other regions rose to the legal status of Peru. They lacked, however, Peru's prestige. Contrary to this practice of distributing colonial power, Mexico remained a governmental unit with centralized power.

In colonial development, however, certain forms and institutions remain stationary while along other lines the advance may be rapid. This is, of course, true of the progress of all nations, but it is more especially true of colonial progress than of any other, partly for the reason that colonies, awakening from their stagnant condition, appropriate, in their completed forms, methods and means that have been slowly and painfully wrought

out elsewhere. It would be very difficult to find a more striking illustration of this than that presented by the history of Mexico. By her inherited Spanish conservatism; by her strong element of Indian stock; by her geographical isolation; by the survival of the spirit of absolutism; and by the dominant power of the church, the people of Mexico remained for generation after generation without important changes in their economic affairs and with very little change of point of view.

The *audiencia* of San Domingo had been influential in extending the conquest to the continent. From San Domingo had proceeded the conquest and settlement of Cuba, and from Cuba had proceeded the expedition led by Cortés for the conquest of Mexico. Diego Velázquez was the governor of Cuba, and the expedition was organized under his authority and in part at his personal expense. Cortés received his appointment from him but very early determined to act on his own account. Velázquez suspected this determination on the part of Cortés before the expedition set sail but too late to repair the mistake of having appointed an insubordinate leader for an expedition on which he had spent a large part of his own fortune. The breach between Cortés and Velázquez was never healed, and all the efforts of the governor to regain his lost advantage only resulted in his impoverishment and ruin. Cortés, on his side, bent his energies to getting his undertaking recognized by some other power than the governor of Cuba. Therefore, soon after his landing on the coast of Mexico, he caused to be organized the municipality of Vera Cruz. It was established on his initiative, and the officers were nominated by him. This was the first political organization effected by Europeans on the soil of Mexico. The two *alcaldes* were Puertocarrero and Montejo, the latter an adherent of Velázquez, and the former a member of the Cortés faction. In view of the limitations placed upon the expedition by the *audiencia* of San Domingo, Cortés's right under Spanish law to



found a city is questionable. But a municipal organization was, nevertheless, formed, and, whether revolutionary in its origin or not, its powers were at least recognized by the leader of the expedition. Into the hands of this body Cortés surrendered his authority and retired, but the next morning he was informed that he had been elected captain-general and *justicia mayor* of the municipality. If Cortés designed this manoeuvre to place behind him for his support some other power than the governor of Cuba, it was in a measure successful, although the adherents of Velázquez denounced the whole proceeding as a conspiracy. At certain periods, when warfare was the conspicuous feature of Spain's activity, the military leader of a Spanish municipality had held a position of recognized dignity and power, and it is possible that Cortés aimed at this advantage.

Before Cortés received any commission directly from Spain, he was authorized, in 1522, by the *audiencia* of San Domingo, "to conquer the whole of New Spain, to brand slaves in accordance with prescribed rules, and to distribute encomiendas." Although this authorization was provisional, it nevertheless came from the supreme representative of the Spanish crown in America and gave a character of legality to the efforts of Cortés to extend the dominions of Spain. In October 1522, the authority which had come to him provisionally from the *audiencia* of San Domingo was confirmed by a commission issued by the emperor. This commission bestowed upon the conqueror of Mexico the titles of royal judge, governor, justice, and captain-general and was accompanied by an expression of the emperor's appreciation of the services which Cortés had hitherto rendered.

There is little doubt that Cortés fancied that, having taken possession of Mexico, he would be allowed to proceed according to his own will without much interference from the Spanish crown and that it would be possible for him, supported by the Indians, to maintain independent authority. "He wrote a letter

to the Spanish crown, the language of which is little known, in which, while he insisted in the plainest manner upon his services and personal devotion, he in the most courtly terms, declined any interference of the royal officers in the administration of the new colony." The Spanish crown had in the meantime sent four officers to Mexico to take charge of the royal interests. These were the treasurer, Alonso de Estrada; the accountant and paymaster, Rodrigo de Albornoz; the factor, Gonzalo de Salazar, and the inspector, Peral Méndez Chirinos.

His conquests in Mexico completed, Cortés directed his attention to establishing means of defense, and his fundamental idea appears to have been derived from European feudalism. Every settler possessed of *repartimientos* of less than five hundred Indians was required to provide himself, within six months from the date of the ordinance, with a lance, a sword, and a dagger, a helmet, two pikes, and either Spanish or native defensive armour. Holders of *repartimientos* with from five hundred to one thousand Indians were required to possess, in addition to these implements of war, one horse fully equipped; while those with *repartimientos* with more than one thousand Indians were required to maintain a still larger equipment. These vassals of the governor were obliged to keep themselves in readiness to answer a summons at any time, and the municipalities were authorized to call them from time to time for a review and to exact penalties in case of their non-compliance.

The municipality of Mexico, like that of Vera Cruz, was created through the appointment by Cortés of municipal officers, among whom Pedro de Alvarado was given the place of the leading alcalde. In 1522 this city had become so conspicuous that the king was moved to grant it a coat of arms. Seven years later its preëminence in New Spain was officially recognized, and in 1548 it was entitled the "very noble, great, and very loyal city." This method of constituting a municipality was, however,



not always followed even in these years, for the municipal organization that was established at Oaxaca was constituted through an election by the settlers. Not long after the municipality of Mexico was organized by Cortés, the appointing power of the governor was limited, and he was required to act in this matter jointly with two other royal officials and to appoint each officer from a list of three which had been nominated by the people. The number of *regidores*, or members of the town council, was, moreover, increased from four to six, and some of them were appointed by the king for life.

The troubles in New Spain, arising out of the clashing interests of jealous parties and the inefficiency of the *audiencia* of San Domingo in dealing with distant affairs, led to the establishment of an *audiencia* at Mexico. It was deemed prudent to curtail the conqueror's power, and it was believed that no single official would be able to do it. There was clearly needed, moreover, some force to put an end to local quarrels and to give to all persons, particularly to the Indians, the protection of an authoritative government. On the 13th of December, 1527, the *audiencia* was created by the appointment of four *oidores*, or judges. Although ordered to embark immediately, they did not sail from Spain until July 1528. As was customary later in the case of the passage of the viceroy from Spain to America, the vessels which conveyed them were placed under the command of the *oidores*. In view of the fact that there was no suitable public building in Mexico in which they might be accommodated, the emperor requested Cortés to receive them in his palace and gave orders that they should be obeyed throughout the conquered region. At the time of their appointment, the conduct of Cortés was under investigation before the king, and, after some delay, Nuño de Guzmán, governor of Panuco, was appointed president of the *audiencia*, to hold office until the termination of Cortés's trial. Guzmán arrived in Mexico in December 1528.

The unsatisfactory state of the public administration of Mexico under the *audiencia* persuaded the King of Spain to place a viceroy in direct control of affairs. It seemed to be necessary to make the headship of the government of such dignity that it might not be attained by an adventurer. The viceroyalty having been established, it became customary to appoint the viceroy from among the distinguished nobles of the Spanish court. They were thus supposed to be placed above the avarice and low ambition which had marked the career of the officers of the first *audiencia*. But, before this plan was carried out, it became necessary to send a new *audiencia*, organized like the first; and whatever hopes were entertained of better results were based on the care taken in the selection of the members. The four *oidores*, or judges, nominated by the president of the *audiencia* of Valladolid, were Juan de Salmerón, Alonso Maldonado, Francisco Ceynos, and Vasco de Quiroga. The presidency of the new *audiencia* was conferred upon the bishop, Fuenleal, who at the time of his appointment was president of the *audiencia* of San Domingo.

The instructions of the *oidores* were dated July 12th, 1530, and provided that, in the absence of the president, the senior *oidor* should preside; the *audiencia* should protect the natives; it should despatch all unfinished business pending before the first *audiencia*; it should proclaim the *residencia* of the officers supplanted, sending the papers to Spain; it should restore to Cortés his estates and maintain friendly relations with him. In case President Guzmán's administration was approved by the *residencia* on judicial examination of his official conduct, he should return to Panuco. The members of the new *audiencia* took their seats on the 12th of January, 1531, but the president did not arrive from San Domingo till the following September. It was found later that the work which devolved upon the *audiencia* was so great that, in order to facilitate its execution,



the president appointed two additional *oidores* for a term of two years.

Soon after sending the second *audiencia* to New Spain, the emperor carried out the suggestion to make that country a viceroyalty. Antonio de Mendoza was appointed viceroy. His commission was dated at Barcelona, April 17th, 1535. He was granted a salary of six thousand ducats, three thousand as viceroy, and three thousand as president of the *audiencia*. There was also granted the sum of two thousand ducats for the expenses of his body-guard. In 1614, the salary of the viceroy of Mexico was fixed at twenty thousand ducats. The viceroys, presidents, judges, and other royal officers in Spanish America were hedged about with numerous restrictions. They might not hold more than one office; they might not marry or contract for marriage within the districts of their authority; and their sons and daughters were under the same restriction. They were prohibited from engaging in any form of commercial enterprise. They might not leave their districts without a special license from the king or the Council of the Indies, and they might not hold more than four slaves apiece. In the affairs of the government, the viceroy was expected to seek the advice of the *audiencia*, but that body had no power to determine his decision, yet in judicial matters the *oidores* were supreme, and the viceroy had no vote. He might, however, exercise the functions of captain-general.

The viceroy, who, in the person of Mendoza, now appears for the first time in Spanish America, represented the person of the king of Spain. He stood at the head of the vice-regal government, exercised his vast governmental powers with justice equally to all his subjects and vassals, and urged such measures as conduced to their peace and elevation. On assuming his duties, his first care, as indicated by the law, was to provide for the service of God and the preaching of the Christian faith for the

benefit of the natives and the inhabitants of the provinces. He was charged to govern and defend his kingdom; to reward services rendered in the exploration, pacification, and population of the Indies; to collect and remit funds due the royal treasury; and to do everything which would devolve upon the king to do were he governing in person, except in cases of special prohibition. All other officers and subjects, ecclesiastical and secular, were ordered to respect and obey him as the representative of the king. He was president of the royal *audiencia*, was captain-general of the provinces within his dominions, and, in the exercise of his powers, maintained the state and dignity of royalty. His court was "formed upon the model of that of Madrid, with horse and foot guards, a household regularly established, numerous attendants, and ensigns of power, displaying such pomp as hardly retained the appearance of delegated authority."

Even before the newly appointed viceroy had reached the Indies, he was treated with distinction. On arriving at Sevilla, he was lodged in the Alcázar and, accompanied by his family and guard, was transported to America without charge. On the voyage, the viceroy was general of the armada, or fleet, from the time of his departure from the port of San Lúcar till his arrival at Porto Bello or Vera Cruz. In order to avoid the temptations to depart from a wise and impartial administration, the viceroy was enjoined from taking with him his married sons or daughters, his sons-in-law and his daughters-in-law. He was ordered on the outward voyage, in passing the cities of Porto Bello and Cartagena, to inspect the public works, the artillery, the munitions, and the men-of-war, and to send a detailed account of their condition and needs. Whenever the viceroy of Mexico was promoted to the viceroyalty of Peru, he was at liberty to take with him his furniture and wardrobe and all his servants, slaves, and other persons in his employment, without paying duty, but he



was obliged to pay the customary costs of transportation. While making the voyage from Mexico to Peru, he was regarded by the generals, admirals, captains, masters, and owners of vessels as their superior, and they were required to obey and salute him, when not impeded by the peculiar circumstances of the voyage. When the viceroy entered the capital of Mexico or Peru for the first time, those engaged in the industries and trade might not be required to go out to receive him; nor should the towns and villages through which he passed be required to pay the expenses of his journey.

At the beginning of his term of service, the viceroy obtained information as to the condition of affairs in his dominions through conferences with his predecessor, from whom also he received the papers belonging to the office. His duties in punishing crime were not limited to acts committed during his term of office but extended to crimes committed under his predecessors. He exercised also the power of pardoning within his dominions under essentially the same condition as the king in Spain. He kept a record of the distribution of the Indians and acted as judge of first instance in cases in which they were involved; and in these cases an appeal lay to the *audiencia*. He had, moreover, the power to place the Indians in positions of feudal dependence, as provided by the laws relating to *encomiendas*, in case they were not already in this position at the time he assumed the duties of his office. The viceroy of Peru might be attended by a captain and fifty soldiers, and each soldier should receive a salary of three hundred dollars, and the captain, six hundred dollars. The viceroy of Mexico might be attended by a captain and twenty soldiers. The term of the viceroy's service was fixed at three years, counted from the day of his arrival in the City of Mexico or Lima, but he might hold his position for a longer or shorter time according to the will of the king. In Peru he received a salary of thirty thousand ducats, in Mexico, twenty

thousand; and these amounts were reckoned from the day on which he assumed his duties until the arrival of his successor, it being provided that there should not be paid at any given time two salaries for the same post. For the journeys from and to Spain six months each were allowed, and both voyages were made at the public expense.

Mendoza arrived in Mexico in 1535. He was made president of the *audiencia* and acting captain-general. His authority extended to all affairs of government; but at the same time his position furnished no exception to the rule under which nearly all the offices of Spanish America were ordered, namely, that every office in the administration should be checked in the exercise of its function by some other office. The viceroy might be checked by the *audiencia*, and both might correspond directly with the Council of the Indies. "But any beneficial effect which this might have had in protecting the people, was counteracted by the inordinate power of the viceroys, and their consequent means of influencing the *audiencia*, and every other subordinate authority, civil, military, judicial, or ecclesiastical." The viceroy's power was, however, in certain respects limited. He could not create offices and increase salaries without the special authority of the king. He could not extend the term of an office beyond the point fixed by law; and, if any person should hold office under such pretended extension, for his services during such time he should receive no pay.

On his arrival at the capital Mendoza was received with marked distinction by the public authorities; but, on this first occasion of the reception of a viceroy, the ceremony was much simpler than it became later. In the course of time the whole journey of the viceroy from Vera Cruz to Mexico assumed the character of a triumphal march. Arches were erected along the way, and the inhabitants of the towns through which he passed came out in holiday attire to do him honour. His entrance to



the capital was made the occasion of displaying all the magnificence which the city could lavish on a high state ceremony. The expenses attending this display became at length so great that the king issued a decree limiting to eight thousand dollars the sum that might be expended for this purpose on any single occasion.

The most important political event in Mendoza's reign of fifteen years was the publication of the "New Laws." These laws proceeded from the Council of the Indies, under the sanction of the emperor, and were designed to bring about new relations between the Indians and the Spanish settlers. Under the system of *repartimientos* or *encomiendas*, the Indians had been the serfs of slaves of the Spaniards. At first, while Columbus was governor in the Indies, lands were apportioned to Spaniards, with authority to require them to be cultivated by a certain specified cacique and his people. Later, under Governor Ovando of San Domingo, an *encomienda* of a certain number of Indians was granted, and the grant of Indians was not always accompanied by a grant of land. The *encomienda* has been defined as "a right, conceded by royal bounty to well-deserving persons in the Indies, to receive and enjoy for themselves the tributes of the Indians who should be assigned to them, with a charge of providing for the good of those Indians in spiritual and temporal matters, and of inhabiting and defending the provinces where these *encomiendas* should be granted to them." The clause in the terms of the grant requiring that the Indians should be taught "the things of our holy Catholic faith" was from the first treated as a mere formality and had little or no influence in determining conduct. The change in the character of the grants, from those made under Columbus to those made under Ovando, was a change from serfdom to slavery. When pressed by suitors for royal favours, Ferdinand, having little else to give, gave Indians; and some of the recipients of these gifts intended to go to the

Indies, while others intended, as absentee proprietors, to farm out their Indians.

On February 22nd, 1512, the King issued from Burgos an ordinance providing that no one, of whatever station, in the Indies, should hold more than three hundred Indians under the laws providing for their distribution among the settlers. If any one had more than this number, the excess should be taken away and distributed among the neighbouring residents, and if, at the expiration of thirty days after the publication of this ordinance in the island of Española, anyone were found to have more than the prescribed number, he should be deprived of all he had and in the future would be incapable of holding others. In such a case the person making the accusation would be entitled to one-third of the Indians, and of the other two-thirds the judge rendering the decision should receive the fifth part, while the other four-fifths should be distributed among the neighbouring settlers.

The laws promulgated in December 1512, relating to the system of *encomiendas* and known as the laws of Burgos, provided that the Indians should be first brought among the Spaniards; that all gentle means should be used towards the *caciques* to persuade them to come willingly. "Then for every fifty Indians four large huts, fifteen by thirty feet, should be made by their masters." A certain amount of land for growing yucca, yams, and pepper, and a certain number of fowls should be set aside for the support of each fifty Indians. A chapel should be constructed where prayers might be said both morning and evening. When the holders of *encomiendas* were engaged in mining, the Indians were required to work five months at a time in the mines, with forty days intervening between the two periods, during which they might till the land on their own account. Each year a small amount of money was given to the Indians with which they might purchase clothes. In each settlement there were two visitors, or inspectors, but inasmuch



as they might have encomiendas, they could not be expected to judge the system impartially. The caciques were permitted to have only six Indians in their service, and the cacique and his servants were to be allotted to the Spaniard holding the largest number of Indians of the same tribe.

Whatever may have been the wishes of the crown as to the spread of this system, it became clear very early that the great advantage in it for the conquerors or colonists made inevitable its extension from the islands, where it originated, to the conquered lands of the continent. Nevertheless, the crown, by an order dated July 26, 1523, undertook to forbid the granting of *repartimientos* in Mexico and to revoke those already granted; but the political and economic interests of Cortés and his followers constituted an obstruction which could not be readily removed. In view of the remonstrances and on the advice of the Council of the Indies, the order of prohibition was withdrawn. The practice was, therefore, continued, and the natives, under the unaccustomed toil to which they were driven, continued to diminish in numbers. The laws provided by the crown and the Council of the Indies contained abundant provisions apparently designed to promote the material and spiritual well-being of the Indians, but, under the conditions of communication then existing between Spain and Mexico, the actual practice in Mexico was determined rather by the wishes of the local authorities than by the will of the King of Spain.

The system of *repartimientos* was also extended to South America. It was carried out here for the first time by Pizarro in connection with the founding of the town of San Miguel in 1532; but, at this time, conditionally "that the new inhabitants might be maintained, and the Indians instructed in the faith, conformably to the orders of his majesty, until it would be decided what was the most suitable for the service of God and of the king, and most advantageous to the natives." The next

year Charles the Fifth authorized the granting of encomiendas in Peru, and by the Law of Succession of 1536 they were granted for two lives. It was provided, also, that one who lived in another province might hold Indians in this relation by appointing an agent who should reside in the province with the Indians concerned.

While these measures were being adopted, the Spanish authorities appear not to have been definitely persuaded of the desirability of the system. Under this condition of affairs, Las Casas, the well-known advocate of the rights of the Indians, announced the proposition before the council at Valladolid that the Indians were by nature free; that, under the crown, they were entitled to its protection; and that they "should be immediately declared free, without exception, and forever." The argument that their labour was necessary to the cultivation of the soil and the development of the mines was swept away as of little weight, since it had not been shown that the mines must be developed or the land cultivated, if these things could be done only by the commission of a great wrong.

Las Casas had been a conspicuous figure in Spain during the preceding two reigns, and Charles the Fifth had grown from boyhood with a full appreciation of his strong and disinterested character. Las Casas had been in the Indies and had, probably, a more thorough knowledge of the public affairs of America than any other man in Spain. His experience in labouring for the conversion of the natives and in peaceably establishing his dominion over them, enabled him to speak as one having authority. He had held an estate with Indian serfs or slaves and had liberated them in obedience to his conviction of the injustice of the relation. His preaching in favour of liberation was followed by his celebrated book on *The Destruction of the Indies* and by the "Twenty Reasons" why the Indians should not be given to the Spaniards in encomienda, or vassalage, or made subject to



individuals in any other manner. In 1539, Las Casas was in Spain, and his great influence was directed to urging the adoption of a law that would release the Indians from bondage and ameliorate their condition. The advocates of this reform were not stimulated by hopes of any material advantage for themselves, but their opponents were moved to resistance by the prospects of the loss of wealth and power. Without being able to command the services of the Indians, they feared the loss of their revenues and a decline in the value of their lands. Although they might have set up claims for vested interests destroyed, yet there was no possibility for recovering an indemnity from any source. The material interests of Spain herself had already begun to decline, and extensive borrowing to meet emergencies had not become a feature of national policy. The holders of land in America had, therefore, grounds for supposing they would be called to face more or less complete ruin in case the proposed laws were passed and executed. In view of the difficulties of the situation, the Emperor's advisers were not of one mind. The laws, however, as they were finally issued by the Council of the Indies were entirely in harmony with the wishes of Las Casas and the other advocates of the liberation of the Indians. They provided, among other things, that after the death of the conquerors, the *repartimientos* of Indians, given to them in encomienda, were not to pass to their heirs but were to be placed under the king; also that all officers of the crown were to renounce their *repartimientos* at once. They provided, moreover, that personal service of the natives was to be entirely abolished and that the only right to be retained by the *encomenderos* was the right to a moderate tribute.

Don Tello de Sandoval, a member of the Council of the Indies, was appointed to carry the "New Laws" to Mexico. By his instructions he was empowered to take the *residencia* of all the royal officers, including the viceroy and the members of the

*audiencia*; to exercise the functions of an *oidor*; to enjoy the rights and prerogatives of an inquisitor; to extend or restrict bishoprics; to convene the bishops of New Spain for the purpose of providing for the spiritual welfare of the people; to improve the colleges, hospitals and churches, and to further the establishment of new ones; and to have in hand all matters of importance to either the crown or the inhabitants. Knowledge of the formation and character of the New Laws reached Mexico before the commissioner, and the Spanish settlers saw themselves threatened with the immediate loss of the results of all their toil and adventure. As feudal lords over the Indians who had been allotted to them and as vassals of the crown, they held positions which promised not only dignity but wealth; and these prospects were to be destroyed at a single blow. The despair which took possession of the inhabitants was shown by their resolution to clothe themselves in mourning robes, as at a funeral and go out of the city to meet the messenger of their evil fortunes. But the viceroy dissuaded them from carrying out this plan. On the 8th of March, 1544, Sandoval arrived at the City of Mexico and was almost immediately met with petitions and remonstrances concerning the publication of the laws he had come to execute. But, in spite of the strong and universal opposition of the Spanish settlers, the laws were published in the city of Mexico, March 24th, 1544. They were read publicly in the presence of the viceroy, the special commissioner, the *oidores*, and the other royal officials. This action of the authorities, showing a determination on their part to disregard the wishes of the *encomenderos*, raised a storm of indignation which threatened to break into open revolt. At this point Bishop Zumárraga poured oil on the troubled waters by calling a meeting at the cathedral and there leading the Spanish settlers to believe that, wherever the laws were opposed to the interests of the Spaniards, they would not be enforced. The settlers took hope not only from the address



of the bishop but also from the knowledge that the clergy were holders of important encomiendas, and that their interests in them were likely to weaken their natural loyalty to the crown. The ecclesiastics were, with very few exceptions, in favour of continuing the system of encomiendas and opposed to the liberation of the Indians. With the church as an ally, the *encomenderos* had very good grounds for believing their cause was not hopeless.

In view of the great losses that the execution of the new laws would entail on large numbers of the Spanish settlers and of the resistance to the authorities that might be aroused by an attempt to enforce them, both Mendoza and Sandoval saw the necessity of at least delaying action. Commissioners representing the municipality and the religious orders were sent to Spain to ask the king to revoke at least those parts of the New Laws which threatened the interests of the settlers. By a royal decree of October 20th, 1545, the desired revocation was granted. This action filled the Spanish settlers with joy and the enslaved Indians with despair.

That the attempt to introduce these laws did not lead to bloodshed or a popular uprising in Mexico was in large measure due to the wise discretion of the viceroy, Mendoza. In Peru, where the first viceroy, Vasco Núñez de Vela, undertook to execute them, the outcome was quite different. The resistance to the proposed laws assumed the form of a far-reaching rebellion, led by Gonzalo Pizarro, which resulted in the death of the Viceroy and the temporary suppression of all authority proceeding from the Spanish crown.

The question concerning the relation of the Spaniards to the Indians was not easily solved and was consequently passed on from decade to decade. The New Laws of 1542 had proposed a solution, but the end sought had not been reached. In 1549, Luis de Velasco was appointed to supersede Mendoza as viceroy.

Mendoza proceeded to Cholula to receive his successor and there delivered to the new viceroy information and instructions concerning the government. During the fifteen years of Mendoza's rule, order had been established throughout the viceroyalty; revolts and conspiracies had been suppressed; and even the agitation caused by the threatened execution of the New Laws had been allayed by their postponement. The vast regions of the north had been explored; mines had been discovered and developed; and towns such as Guadalajara and Zacatecas had been established. Mendoza was transferred to Peru, and Velasco became his successor with the understanding that he might be recalled at the end of three years, provided Mendoza wished to return to Mexico. Mendoza had found it advisable to defer the execution of the New Laws, but now, nine years after their formation, Velasco undertook to apply them. In this he was acting under specific commands from the King. In July 1551, the King ordered that all Indian women made prisoners of war and all males under fourteen years of age should be immediately set free, whether they had been branded as slaves or not. Under this order were brought also the prisoners taken in the Jalisco war. If any person held a prisoner of war in slavery, it devolved upon that person to show that the prisoner had been taken in a just war and in accordance with the law, and, failing in this, the prisoner might go free. This measure encountered vigorous opposition, but it was nevertheless carried, and as a consequence of it a large number of slaves were liberated. By another royal decree, the viceroy and *audiencias* were forbidden to hold Indians in service, except for wages, and no one might hereafter demand personal service from the Indians in payment of tribute.

Among other measures of reform belonging to this period may be mentioned the effort of the viceroy to prevent the practice of compelling the natives to carry heavy burdens. The clergy as well as the laymen were guilty of this abuse, but it was thought



that the clergy could not be accused and corrected without weakening their moral influence with the Indians. While Velasco was viceroy, attempts were made to limit the authority of the caciques in their dealings with their followers, preventing them from inflicting capital punishment or corporal mutilations. A little later efforts were made to cause the natives to live in the towns in order that they might be compelled to adopt habits of industry; and at the same time the succession to encomiendas was regulated.

Prior to 1560 the viceroy had been independent of any other constituted authority in Mexico; his power was limited only by the will of the king. The *audiencia* might correspond directly with the king, but it could not check or modify the viceroy's decisions. Moved by jealousy, or by real or fancied wrongs, the members of the *audiencia* undertook to undermine the King's confidence in Velasco, and thus curtail his authority. They did not attack him openly but led the King to infer that ill health had affected the Viceroy's mind to such an extent as to impair his discretion and the soundness of his decisions. They demanded that he should be required to consult some council before rendering a decision on public affairs; and they succeeded in persuading the King to decree that the Viceroy should take no action without the previous advice and consent of the *audiencia*. By this means the members of the *audiencia* hoped to destroy the Viceroy's power and prestige. But the Viceroy was not without his partisans. The *ayuntamiento* of Mexico and the majority of the leading Spaniards of the kingdom objected to the project to pull down and humiliate the head of the government. Yet the party of the *audiencia* so far temporarily prevailed that on the death of Velasco, in 1564, petitions from certain authorities in the city of Mexico were sent to the King of Spain, asking for the abolition of the office of viceroy. The petition was naturally treated as an interference with the king's prerogatives.

Those who sought the abolition of this office wished the King to appoint Valderrama governor, and the Marquis del Valle captain-general. Valderrama, who was then in Mexico as *visitador*, urged that a viceroy should be appointed, but that he should not be made president of the *audiencia*. On the death of the viceroy, under the law then in force, his power fell into the hands of the *audiencia*; but, at the time of the death of Velasco, the *audiencia* was subject to an investigation. This threw the power practically into the hands of the *visitador*; but, on the completion of Valderrama's mission and his return to Spain, all authority was centred in the *audiencia*. This body, however, was not able to command universal respect, as witness the unrest and conspiracies which disturbed the interregnum between Velasco and his successor. When, however, the new viceroy, Don Gastón de Peralta, arrived in 1566, the *audiencia* was clearly master of the situation. The Viceroy made light of the conspiracy, which, it was pretended, had been put down with great sacrifice, and by this means aroused the opposition of the *audiencia*. In reply to the viceroy's report to the crown that there had been no conspiracy, the *oidores*, or members of the *audiencia*, advanced the charge that the Viceroy was indifferent to the welfare of the country and even disloyal. The King determined to make an investigation and for this purpose sent three commissioners, empowered to take possession of the government and return the Viceroy to Spain. On the outward voyage, one of the commissioners died, but the other two, Alonso Muñoz and Luis Carrillo, arrived in Mexico and took up the reins of authority. The cruel and arbitrary character of their rule, as directed by Muñoz, roused the subjects in indignation against them and led the King to depose them. Power then fell once more into the hands of the *oidores*; and, in the brief period of their administration, they succeeded in allaying the popular fears that had been excited by the merciless rule of Muñoz and Carrillo. They were relieved, in



1568, by the arrival of the new viceroy, Martín Enríquez de Almansa, who remained in power in Mexico twelve years, or until 1580, when he was transferred to the viceroyalty of Peru.

The efforts to break the power of the viceroy had no important result. The office was firmly established, a kingdom had been set up in America, and, after the reign of the viceroy Almansa, it continued yet two hundred and forty years. The throne of New Spain was occupied by sixty viceroys, and their average term of power was four years. At the close of the period of Spanish rule in America, the limits of the viceroy's dominion embraced not only the region to which the name of New Spain was at first applied but also the ancient kingdoms of Michoacán and Galicia, the Californias, the peninsula of Yucatán, and various other provinces which in the course of time had been drawn together under the viceregal government.



## A SOCIAL REVOLUTION AND ITS CONSEQUENCE

The transfer of the Philippine Islands to the United States of America was the last act in Spain's great colonial undertaking. This was the second and final loss of Spanish dominion beyond the seas. The first of these losses was one of the results of a social revolution in the colonies in America, the second was in consequence of the misfortunes of war.

The colonists who established themselves in America had no prevision of the character of the social structure destined to arise through their efforts combined with the forces of their environment. Under influences proceeding from these two sources, the society of Spanish America, in the beginning of the nineteenth century, had departed widely from that which its founders proposed to establish. It had acquired new ideals, and the spiritual life of the component parts rested, at least in part, on a new body of traditions.

But, in the course of this change, colonial life had passed through three phases: the period when the veil of darkness that for ages had hung over this part of the world was gradually withdrawn; then the decades of settlement when centres of civilized life were established and the growing population retained the ideals and purposes of Spain; and, finally, the decades when part of the inhabitants were disposed to renounce the ideals of Spain and to form a new society.

It was in the second phase of her colonial enterprise that Spain performed the greater part of her constructive work with reference to America. The organization formed was a creation of



the Spanish mind, the Spanish mind still true to its European conceptions. And the government of Spain was not less true to these conceptions in its remarkable efforts to carry the Christian faith to the Indians. Spanish America was, moreover, to be assimilated to the mother country not merely with respect to religion but also with respect to the form of society; its life was expected to grow into conformity with the European type. Distinct efforts were made to counteract any democratic influence or any non-European social forms that might issue from the conditions of a new country. A titled nobility was created, and, where titles were not formally granted, the relation of the *encomendero* to his dependents offered a distinctly recognized superior and inferior. And whatever influence the church with its hierarchical order exerted was clearly in favour of centralized authority and in no sense suggestive of equality or of a democratic social organization. In fact, in all the activity of the second phase of colonial life in South America there was no anticipation of a point of view different from that which had been traditional in Spain.

But in the first half of the eighteenth century there were indications that the Spanish view in its completeness had ceased to be entertained by at least a part of the colonial population. There were clear signs of the beginning of a new party, a new society, opposed to the opinions and plans of Spain. As soon as the colonists became conscious of their individuality as communities, the unconventional life of the frontier gave them a sense of freedom and independence which led inevitably to a reaction against a social organization that was created in another environment. This disposition on the part of the colonists was strengthened by Spain's attitude with respect to her American possessions, an attitude determined in large measure by the prevailing opinion that a great gulf was fixed between the Spaniards who lived in Spain and the members of a Spanish colony.

Aristocratic Spaniards, however, were not the only persons who emphasized this distinction; it was made by every colonizing nation of Europe. But on this subject, Spain's views were those of an extremist.

The deprecation of colonists was so extreme and general that Spanish parents who emigrated held in very different regard their children who were born in Spain and those who were born later in America. In public affairs the same prejudice was manifest. The high civil and ecclesiastical offices were given to Spaniards but not to creoles. But in the course of time the creoles became a numerous class. They acquired wealth, and many of them, taking advantage of the facilities for instruction at Lima, Córdoba, Santiago, Bogotá, and Caracas, as well as in different parts of Europe, became men of extensive intellectual attainments and cultivation. They knew the circumstances and needs of the colonies and were conscious of their own fitness to have a part in the colonial government. When, therefore, they were excluded from public office, they very naturally felt that they were the victims of an unjust discrimination. By this attitude of the Spanish government all persons thus unjustly affected, their relatives, their friends, and their dependents were drawn together into the solidarity of an increasingly powerful opposition.

Even in her virtuous solicitude for the welfare of her unmarried daughters, Spain strengthened this opposition and helped to prepare for a social revolution in America. By positive law and by the restraints of an efficient administrative system, unmarried Spanish women were prevented from emigrating. A large number of the persons who went to the colonies were unmarried men. The inevitable consequence of this state of affairs was the rise of a large class of mestizos, who became affiliated with the increasing class of creoles.



Another consequence of the amalgamation of the Spanish and Indian peoples was the creation of marked differences among the populations of different districts. The differing Indian peoples in their union with Spaniards produced descendants of varying qualities. Much of the character of the bold, hardy, independent Araucanian reappeared in the Chilean mestizo. The gentle Peruvian Indians, on the other hand, under the severe discipline of their rulers, were unfavourably placed for developing heroic qualities; and they passed on to their mestizo descendants the virtues of gentleness and amiability rather than the sterner qualities of a warlike people. Thus, in the course of time, within the limits of her Spanish American dominions, Spain had to deal not with one homogeneous people but with a number of nations, who, although using a common language, were about as unlike one another as are the nations of Western Europe. These differences of character among the inhabitants of the several political divisions imposed a heavy administrative task upon Spain at a time when she was undertaking to govern her vast colonial empire under a system which took no account of social differences or the varying demands of unlike climatic conditions. Under this state of things Spain's government of her dependencies became gradually more ineffective, and this lessening of the disciplinary power of the legitimate régime permitted the growth of the creole-mestizo party of opposition and the development in it of community self-consciousness and a certain sense of independence. While the application of Spain's rigid system of colonial government might find favour in one quarter, it tended to provoke dissatisfaction and a temper of revolt in another. It pleased Lima, because the merchants of that city enjoyed important commercial privileges; but Buenos Aires had not privileges, had not even the advantages of freedom of trade, and consequently manifested a rapidly declining loyalty; and, as subsequent events proved, the chain of provincial administra-

tions in the colonies was no stronger than the weakest link. The triumphant self-assertion of the new society in one province meant its ultimate domination in all other provinces. The line of cleavage between the new society and the old, between the creole-mestizo element and the Spanish element, appeared from one viewpoint as the line between privileges and no privileges, between the recipients of political favours and those who were excluded from such favours.

In view of the fact that many of the Indians, notably the Chibchas of Colombia, and the Aymarás of Peru, represented a certain phase of civilization, the mestizos shaded off imperceptibly into the Indians of pure blood. In connection with this fact one is able to see the importance of that feature of Spain's policy which provided for the adoption of the Indians as members of the colonial society. This was in marked contrast with the English plan. The Spaniards accepted the Indian but assigned him a social position similar to that held by the dependent class recognized in the European feudal order. With the Indians in feudal subjection to Spaniards it was thought to be possible to preserve in Spanish America differentiated classes corresponding with those of Europe. But the more important result of the adoption of the Indians into the body of colonial society was the fact that, separated by their dependent position from the Spanish *encomenderos* and official class, they became attached to or embodied in the creole-mestizo element and thus constituted an effective part of the new society.

In what may be called the germ of colonial society, there was no middle class between the *encomendero* and his dependent Indians, but the lack was supplied in the course of time by the appearance of the mestizos, the landless creoles, and the adopted Indians. The development continued until the population of Spanish America embraced, on the one hand, a class of Spanish officials and other Spaniards who conserved the interests and



traditions of Spain and, on the other hand, the combined classes of creoles, mestizos, and Indians. When this point had been attained, a far-reaching social change was impending. Its practical crisis, or the self-assertion of the hitherto suppressed party, was delayed by the isolation of the colonies and the consequent absence of free intellectual activity. During the seventeenth century this isolation was practically complete, except for the infrequent communication that was maintained between the colonies and Spain. No enlightenment came to them from the English colonies, for these colonies were still in the period of their feeble beginnings, and the subjects of other European nations were effectually excluded. The importation of books of information was prohibited, and no ray of light reached them, except that which passed through the Spanish ecclesiastic.

A certain change was, however, effected in the beginning of the eighteenth century. Philip the Fifth, a grandson of Louis the Fourteenth, ascended the throne of Spain, and the government at Madrid was controlled in all essential particulars by the king of France. This fact was interpreted by the French people to mean that, so far as the French were concerned, the exclusiveness of the Spanish colonial system was broken down. French merchants and French men of science visited the western shore of South America, and the colonial markets were filled with wares which had not been seen there before. Many Frenchmen belonging to the expeditions to the Chilean or Peruvian ports abandoned their places on the ships and remained to exert a more or less direct influence on the affairs of the colonies. But in less than a score of years the long reign of Louis the Fourteenth had ended; the government at Madrid had become emancipated, and the ports of the Spanish colonies were once more formally closed against the foreign invader. The old policy of privilege and unjust discrimination was reëstablished. The viceroys, the captains-general, the judges, the high ecclesiastics,

the bulk of the priests, in short, all the holders of desirable offices, continued to be sent from Spain; and men born in the colonies, whatever might be their attainments or fitness for the posts in question, were neglected, were left without political recognition. The line excluding the creoles, the mestizos, and the Indians from any participation in the public affairs that concerned them was becoming every year more distinct. The unwise government at Madrid sought to strengthen the barrier between two sections of the colonial population.

The Spanish reaction against French influence after the death of Louis the Fourteenth tended to confirm the loyalty of the colonial officials, but it did not remove the alienation of the increasing body of creoles, mestizos, and Indians. The line of separation became fixed, and although the Spanish government appears to have been entirely unaware of the fact, in the neglected members of the colonies were laid the foundations of a new society. From this point onward through the succeeding decades of Spanish colonial politics we observe the decline of one section of the population and the rise of the other section. We observe, moreover, the attempt on the part of Spain to govern the colonies in accordance with her original plan and the recurring evidence of her inability to adapt herself to the changing conditions and the changing needs of the colonies. Three facts in this history, however, assured the superiority and ultimate domination of the creole-mestizo class. One of these was the continuation by the Spanish government of its uncompromising, repelling, and exclusive attitude towards that class, thus keeping alive class antagonisms; another was the fact that the number of persons creoles and mestizos, born in the colonies, in a given period, was in excess of the number added to the population by immigration; a third was the fact that the creoles and mestizos were practically the only persons who were sufficiently open-minded to receive the liberal idea that gradually drifted into the colonies



from foreign countries in America. The failure of the Spaniards living in the colonies to be influenced by imported ideas was not due to any intellectual inferiority on their part, as compared with the creoles, but to the fact that they were placed in a non-receptive mood by the offices or commercial privileges which they enjoyed and by their natural adherence to the ideas and spirit of Spain. All the higher officials, civil, military, and ecclesiastical, were opposed to any access of liberalism, since their privileges were created and upheld by the government's conservative policy, and coming as they did from Spain, they very naturally stood for the ideas dominant in the country they had left. Thus, the enlightenment which gradually streamed in through the breaking walls of Spain's exclusiveness influenced especially the members of the new society. Their attainment of more liberal ideas through their growing connection with England and the English colonies carried them farther and farther from the position of those who represented the old order of things. The new society became more and more clearly conscious of the separation. It became conscious, moreover, that its interests were opposed to the purposes of the Spanish government and that these interests would be properly safeguarded only by its control of the public affairs which concerned its members.

The discussions, the agitation, the rebellions, and the military campaigns of the later decades of the eighteenth century and the early years of the nineteenth century gave evidence of dissatisfaction with the old order of affairs and reveal efforts, often misdirected, to realize new ideals.

In the presence of influences designed to preserve in America the forms and the spirit of European society, in the presence of monarchical traditions and monarchical experience, in the presence of a titled nobility and a powerful ecclesiastical aristocracy, there was no possibility of organizing governments or establishing social conduct that did not involve the funda-

mental ideas of the new society, and these ideas and sentiments became dominating factors. The creole-mestizo element of the population resented the centuries-long manifestation of Spain's arrogance and exclusiveness; it resented the injustice of her social discrimination; and this resentment, now that the society was predominantly creole-mestizo, repudiated the monarchy of Spain and all its social appurtenances. The new society made the new states.

Thus, in the course of time, there was developed in Spanish America a new society, embracing persons of pure Spanish stock and also persons of mixed Spanish and Indian blood. After the destruction of Spain's authority in America, the several geographical sections of this society, instead of uniting in a great state as the British colonies in America had done, formed a number of independent states and in this way continued the reaction against centralized rule, begun before the achievement of independence. The prejudice in favour of Spaniards born in Spain and settled in America and against Spaniards born in America tended to disappear in the new nations. Although the Spaniards born in Spain had for the greater part appeared as enemies of the creoles and mestizos in the long war for independence, yet the prestige they had acquired under Spanish rule made it impossible for them to be ignored under the new political order. Thus, the ancient class-lines faded out under the republican régime, and the new nations acquired a degree of social unity unknown in the colonial days.



## VI

### SPAIN'S SUCCESSORS IN AMERICA

The inhabitants of the Spanish American states that were organized after their long struggle for independence were heirs of Spain, but, like other heirs, they modified their heritage by additions and omissions. They retained much of the Spaniard's personal dignity but laid aside in a large measure his intolerance. They softened the lines of class inequality, ceased to emphasize distinction of race and birth, and held that the mestizo might hold a high place in society and in the government. They still adhered to the church but abolished the Inquisition. In their reaction against the absolutism of Spain they conceived the project to establish for themselves free republics, but in carrying out this design, their heritage of political ignorance became a serious impediment.

In spite of the fact that some of the lower clergy became advocates of liberty, the church as an organization with its heritage of absolutism was necessarily opposed to any far-reaching plan for individual or political liberty. In the colonial period the church had furnished writers of distinction, many of the priests sought to abate the cruelty inflicted on the Indians by rude explorers and unrestrained miners, crazed by their thirst for gold. The general result of this opposition in Spanish America has been the lessening of ecclesiastical intervention in the affairs of civil government. The contest in Mexico in 1928 only indicates that there the decision of the controversy was delayed.

When colonists, increasing in numbers, proceed to occupy new territory for agriculture, they move upon the land with a

broad and fairly even front. Roads are extended from the settled part of the country, giving the frontier communication with the older society. Whenever the aim of an increasing population is to discover the precious metals and establish mines, it penetrates the wilderness wherever there is hope of reward, and the construction of roads is seldom a prime necessity. The mountain trail serves the needs of the mining settlement, and thus the country remains without a regular frontier, possessing centres of civilization and smaller centres of semi-civilization hidden in the valleys and scattered among the mountains. Some of the countries of Spanish America answered to this character when mines were the principal source of their production.

Existence in the mining centres of Mexico and Peru, life on the vast Argentine plains, and existence under the climatic conditions of Colombia and Venezuela have produced qualities not derived from the Spanish inheritance and developed from the Spanish colonies a series of more or less unlike nations, using a common language but in their varied literary production revealing instances of strong nationality. Besides the natural environment, another force that has made for national differentiation in the growth from colonies to independent states is seen in the variety of native groups that have been brought into relation with the dominant Spaniards. The strong and independent Araucanian has left his mark on the body of the Chilean nation, and the gentler Peruvian is what he is by reason of his contact with the Indians who for many generations had submitted to the authority of the Inca empire. In a greater or less degree, the mind and spirit of the Indians have entered into the Europeans associated with them in all of that vast region from the northern border of Mexico to the southern limit of Chile. The modifications of character and mental attitude that have descended from colonial days have not proceeded merely from the mixture of blood but also from unconscious imitation in the



ordinary intercourse of life. By this double process a new people came into being, acquiring political independence after three hundred years of colonial subjection.

The rise of independent nations in Spanish America was attended by a change of literary, as well as political, activity. In the colonial period almost insurmountable obstacles were maintained against printing and the importation of books. The church, religion, and history from the ecclesiastical point of view had especially engaged the attention of writers in the colonial period, but when the people had declared for independence, a multitude of writers turned their attention to secular affairs, particularly to questions of politics. They were embarrassed in their advocacy of independence by the lack of newspapers, but this want was in a measure supplied by the appearance of a number of small journals that were sometimes issued to champion a special cause and ceased to exist when the cause was either won or lost. Some of these publications survived a few issues only, or even only a single issue, while others ran for a year or longer. Their form was ordinarily a small quarto. The *Aurora*, published at Santiago de Chile, was, however, of larger form than most of the others, and it presented in its columns some of the noted letters or addresses of the early leaders of political thought in the United States. The enthusiastic manner in which these papers were received by the people indicates that the thought and interest of the bulk of the population had moved far from the old colonial standard.

These little journals mark the transition from the arbitrary control or suppression of the press to the full freedom enjoyed by it after the revolution, but writers of the older manner still persisted and chronicled the more or less insignificant and routine doings in the churches. The dominant note of Spanish American literature had, however, been set by the great undertaking to be free, and the worthy outcome is seen in the later literary produc-

tion of the larger states. In their literature one may observe the noteworthy individuality of these states. The historical writings of Chile, for example, reveal genuine distinction among the South American republics, and Colombia, for her poets, holds a conspicuous position. Thus, while the old colonial order aimed to secure uniformity throughout Spain's American dominion, the new order of liberty encouraged political education and the freedom of the spirit to adjust itself to its most propitious environment.

Both Spain and England held a low estimate of their colonists. When the colonists became conscious of their increased political and social importance, they resented the attitude of the mother country that was suggested by this opinion. After this there was only the question of a pretext for revolt. The immediate pretext for revolution in neither case was fundamental. Back of all pretexts existed the increasing and involuntary push for national birth. When the crisis of the British colonies drew near, they had made important development. The organs of local government were in form, and the geographical position of the colonies facilitated the formation of agencies for expressing national activity.

The Spanish Americans, on the other hand, had to face certain difficulties arising from the fact they had no background of democratic national traditions. The British colonists were strongly moved to be free from the domination of the mother country, but no temporary antagonism or even war was able to annul the effect of a thousand years of political activity. Wherever a little group of Englishmen was gathered on this continent, there was a centre of political activity, and as the group increased, a government was developed. Thus, as the colonies grew, the organization grew to meet the increasing need for regulation and control. When, therefore, British interference ceased, a government was ready at hand, adequate to meet the needs of civilized



society. A very different state of things prevailed in Spanish America. The people had only weak traditions of political activity, they were not left to create their colonial administrations, and thus, on the withdrawal of Spain's interference, they had before them the work of creating state governments among the ruins of the old régime and with hands untrained to the task.

The development of political institutions in the territory of the British colonies was from local to higher forms of government, while the effective organization of the Spanish colonies began with a central institution established by absolute authority where the lower forms of government were created by power proceeding from the centre, and only the lowest organization, the municipality, took root in the soil. The withdrawal of Spain left, therefore, the town as the only remaining political body. These disconnected political units were scattered over the vast territory of Spanish America with very imperfect means of communication and with practically no common interests. The inhabitants, who had lived under a government in which they had had no part, were without political experience and had naturally little disposition to sacrifice any part of their local interests for the sake of a common good of which they had never dreamed. If they had had any thought of the common government, it was doubtless the wish that its agents might keep as far as possible from their doors. Yet, the creation of permanent governments, each covering a definite region and its inhabitants, was necessary to the maintenance of order and progress within the territory released from Spain's control, and the establishment of such governments was the task to which the people of Spanish America had to put their hand upon the overthrow of their ancient sovereign.

In carrying out their political undertaking, the emancipated colonists not only suffered the handicap of political inexperience but also encountered the obstacles presented by their vast,

differentiated, and sparsely-peopled territory. Spain, that stood stoutly for governmental unity, had to increase the number of viceroalties in America and recognize as only a little lower in dignity the governments established in Chile, Guatamala, and Venezuela. Nature had contributed in a large measure towards fixing the boundaries of the states that were to arise in Spanish America after the revolution. The city of Mendoza and its adjoining territory east of the Andes acknowledged allegiance to Chile for a certain period, but ultimately a line along the summit of the Andes separated Chile from Argentina. The desert north of Chile was thought to offer a proper state limit until its deposits of nitrate were discovered. The long isolation of the inhabitants of the Colombian tableland gave them a sense of independence and furthered their progress towards statehood. Between Argentina and Bolivia lay the mountain barrier and the contrasts of the mining and the pastoral life. Even Spain, while giving the same fundamental laws to the north and the south, recognized the need of separate agencies of administration for Mexico and South America. When, therefore, the Spanish Americans set themselves to the task of creating states, the natural features of the territory and traditions from the colonial administration helped to fix the limits of these states.

The territorial limits of the proposed states were, in fact, determined already at the time of the revolution, but there remained the important inquiry concerning the form of the governments to be established. Not all of the inhabitants supported the cause of the revolution. Spanish America, as well as British America, had its tories, and these persons favoured maintaining such a connection with Spain as would be secured by setting up Spanish princes in America. The advocates of completely independent republics naturally opposed this view and found an argument in favour of their contention in the order and prosperity of the United States (1).



After the thought of calling Spanish princes had been put aside and European models of government had been rejected, the people looked to the United States for suggestions. That government was then simple and economical. It stood as the guardian of the general interests of the nation and gave little or no evidence of a disposition to encroach upon the legitimate domain of the states. The United States, moreover, presented the most conspicuous instance of organized democracy. The Spanish Americans had, thus, many reasons for approaching the United States and gathering such political suggestions as that nation's forty years of freedom had to offer. There was a certain bond of sympathy between the two peoples in that each had made an heroic and successful struggle for independence, that each was a new people in a new land, and that each was anxious to find a new and better way in politics.

It was less difficult for the emancipated colonists to imitate the government of the United States than that of any of the principal governments of Europe because it was less determined by custom and more by written laws. When a constitution was needed, the fundamental law of the United States could be taken and adapted to the country seeking a government. The new constitutions, when they came from the hands of their framers, were found to be generally much longer and covering more details than the model. This was, at least in part, due to familiarity with the voluminous and specific Spanish colonial law. The federal constitution of the United States might be adequate, though brief, since much of the business of governing was directed by laws of the states, while each of the Spanish American states embraced all governmental activities under a centralized organization, and the constitutions of these states became in some sense composites of the federal and State constitutions of the United States. In the course of time some of these states carried their imitation of the United States a step further and

called their governments federal governments but without, in some cases, an adequate development of the constituent states. Colombia, Mexico, and Venezuela are in this class.

The formation of the new states was attended by far-reaching economic changes. The old world of prohibition, restrictions, and monopoly disappeared, and the economic freedom thus prepared was hardly less important than the political freedom established by the revolution. An absolute state and an absolute church in coöperation had prohibited trade with foreign nations and subjected trade between Spain and her colonies to elaborate restrictions. Books were conceived to be extremely dangerous, and those persons who by chance had come into possession of a few of them kept them hidden in the most secret places of their houses. The authorities predicted and emphasized the evils of positive knowledge. A person who had caused *The rights of man* to be printed was held to be unfit to be at large in any community and suffered years of imprisonment. The free introduction of books prepared the dawn of a better day. Light from new sources stimulated public interest in political affairs and made possible the maintenance of governments that have a stable basis in popular intelligence and knowledge. The government that had been put aside had had ecclesiastics as its chief advisers, men wise in the things of the other world, but these new republicans had for the solution of their political problems need of all the suggestions a freely-imported worldly literature could offer.

All trade between Spain and the colonies had been subjected to rigid control, which was sometimes exercised to the advantage of one district and to the disadvantage of another. The bulk of Spain's trade with South America was carried on with Peru, while the trade with Buenos Aires was limited to two small ships a year. The exchange of Peruvian exports for imports was made for a long period at the fair on the Isthmus of Panama, and the



Peruvian monopoly was so thoroughly established that goods were sometimes entered there, taken across the Isthmus, down the coast to Lima, and overland half the length of the continent to Buenos Aires. The new governments early undertook to abolish these and other unjust trade discriminations and prepare for the unhampered commercial development of their several territories in accordance with their proper resources. The nearly complete exclusion of foreign nations from trading with the Spanish colonies had caused the colonial markets to be scantily supplied and the great body of the people to remain accustomed to a simple manner of living. When independence was achieved, there was no prospect of their wants being greatly expanded immediately. This fact was not sufficiently impressed upon the minds of foreign traders who saw the ports of Spanish America thrown open to them and imagined rich harvests to be gathered in the fabled land of gold and silver. But when their high-loaded ships arrived, they found that the supplies they had brought far outran the wants of the people, and in some cases there seemed no better way out than to allow both ships and goods to rot in the harbours.

The eagerness of certain European nations to trade with the liberated Spanish colonists suggested to the inhabitants of the continent that instead of "trade following the flag," the flag might follow the trade. Instances of the latter sequence of events, as in India, for example, were sufficient to call attention to the possibility that another case might be added to the list. The forty years of political turmoil and aggression then ending in Europe naturally stimulated a desire in the Americans to remain outside of the European political system, and it devolved on some one of the American nations to give voice to this desire. The United States were then not powerful, but had already an established position, and at that time was the only nation that could have properly assumed the right to be the spokesman of

the continent. The Spanish American states had not fought the last battle of the long war that was to confirm their independence. It was, therefore, inevitable that, if any protest against European aggression was to be made, such a protest had to come from the United States. And it is not to the discredit of the little nation of six million members that it dared to stand as the champion of the national liberty and independence of the whole group of American nations. Although the utterance of the Monroe Doctrine carried no suggestion of a protectorate, it might have been foreseen, perhaps, that it would become a source of irritation after the new nations had reached maturity, for they and their ancestors had been a hundred years longer on the continent than their British neighbours who had assumed to announce a continental policy.

When this announcement was made, the battle of Ayacucho had not been fought, and it required no especially penetrating vision to enable one to see that Spain's only means of saving anything from her vast American possessions was to call to her assistance one of the European powers and divide with it whatever might be saved from the wreck, but President Monroe's announcement helped to make such an enterprise unattractive. That Monroe's position was not seriously challenged at that time may possibly be found in the knowledge of the weakness of the United States and in the thought that the protest might be swept away when necessary. The long struggle of the new nations against Spain was a sufficient indication that they were, and would continue to be, opposed to any intervention of the European states' system in America. This was nothing more or less than the attitude assumed by the United States in the Monroe Doctrine. This utterance was, therefore, an announcement that the United States had, on one point at least, the same interest as the Spanish American nations and stood in a spiritual alliance with them. This announcement assumed, as there was



reason for assuming, that all the states of the continent were opposed to aggression by the states of Europe and that the United States stood as the champion of all the states. It was fortunate for both British and Spanish America that the French Revolution and the Napoleonic wars had left Europe too weary of war and too nearly exhausted to be willing then to take up the American challenge.

Thus, the new nations started on their independent careers with none to molest or make them afraid, and if later they encountered political troubles, these were by foes of their own households, furthered by lack of political training and by the want of proper lines of communication between isolated groups of inhabitants. Rejecting the authority of the old régime during fourteen years of war had tended to weaken respect for all authority and made the seizure of power by local leaders and their union, or subjection, by the strongest serve as steps from political anarchy to established government. Whatever might be the variations from this process, the way was the always-difficult road from political absolutism to democracy.

The free states of Spanish America met peculiar difficulties in attempting to establish democratic governments. The idea and recognition of equality were foreign to Spanish colonial society. The New Englanders moved upon the wilderness, and the Indians disappeared before them. The society there established had no place for the Indians, and as the old-world distinctions among the immigrants faded away, the new communities, composed of members of a single race, revealed a large measure of democratic equality. The Spanish colonies presented a very different aspect. They were composed of Spaniards, creoles, mestizos, and Indians, for here the Indians found a place in the new society, although an inferior place. The presence of these distinct classes and members of two different races made democratic equality quite impossible, at least in the beginning. This

heritage of the new estates from their colonial ancestors offers an adequate reason for whatever failure attended the early efforts to establish democratic governments in Spanish America.

When a nation has lived through all republican forms from aristocracy to complete manhood and womanhood suffrage, submitting complicated laws and difficult administrative problems to popular vote, it is not probable that this situation will satisfy the nation permanently, whence long life for a republic hangs on its delay in approaching this democratic finale.

The Spanish American republics have been slow in acquiring stability, and their reluctance to assume the more extreme phases of radical democracy, if continued, will help to insure the continuance of republican institutions in their several territories.



## VII

### SPANISH REGIME IN THE PHILIPPINE ISLANDS

Spain's relation to the Philippine Islands differed widely from the relation maintained towards the colonies in America, and this difference was in large measure due to the geographical position of the Islands, to their dependence on Mexico, and to the absence of the precious metals. When emigrants from Spain found themselves in Mexico, where the vast deposits of gold and silver stimulated their hopes of wealth, there was little in the prospect beyond the Pacific to tempt them to undertake the long journey. Even persons who had planned to go to the Philippines were liable to become involved in affairs in Mexico while awaiting the annual sailing. The fact that the Spaniards had made settlements only along the coast and had hardly penetrated the interior did not attract persons who found in America an apparently boundless field of adventure. Thus, the lone ship that sailed once a year across the unfrequented sea carried as passengers chiefly officials and employees of the government.

The character of Spain's policy with reference to her colonies was to a very great extent determined by her long crusade against the Moors. This struggle was a part of the crusades. The other part was carried on by the European nations in Palestine. In the East the crusades came to an end by reason of the waning interest of France, Italy, and Germany. These nations were at liberty to cease from the conflict, whenever they were weary of it, without loss of territory or diminution of national honour. But the western wing of the Mohammedan force was within the

borders of Spain. Therefore, although the struggle was ended in the East, Spain was obliged to carry it on single-handed in the West. For two hundred years after the last half-hearted crusaders of France had retired, Spain continued the war with unabated zeal, not merely to defend Western Europe from the Mohammedan conqueror but to preserve her honour, to defend her territory, to maintain her religion, and to perpetuate her national existence.

Seven centuries of conflict with a non-Christian people fixed the essential features of Spain's national character and strengthened her devotion to the forms and doctrines of the church. They made her intolerant, for the difference of belief had for centuries been the real ground of her hostility to the Moors. The Spaniards have not consciously and willingly made themselves conservative and intolerant. The nation has acquired its character as other nations have acquired theirs by the force of inheritance and environment.

The year which closed the Moorish wars was the year of the discovery of America. The experience of the nation had given it the spirit of a crusader, and with the overthrow of the unbelievers in the Peninsula the Spaniards needed a new field for their pious ambition. This was furnished by the uncivilized pagans of America and the Philippines, and in occupying this field Spanish colonization partook of the character of a crusade. No instructions to the royal agents in the New World were oftener repeated than those which commanded these agents to keep especially prominent all those measures that would contribute to the conversion of the Indians and to their growth in a knowledge of Christianity.

In keeping with this general purpose, severe restrictions were imposed upon migration to the colonies, in order that unworthy persons might not have an opportunity to exert an evil influence upon the native inhabitants. All persons converted from Juda-



ism or Mohammedanism to the Catholic faith were forbidden to emigrate. The same prohibition applied to the children and grandchildren of persons who had been under the ban of the Inquisition and also to the descendants of persons who had been burned at the stake or condemned for heresy. By this means it was designed to keep the Indians free from the influence of heretics and provide for their conversion to the orthodox faith. And, to make this prohibition effective, heavy penalties were imposed upon persons who should in any way contribute to the violation of these restrictions.

Since Spain has fallen from the relatively high position which she once occupied, and her colonies have either become independent states or have been brought under the authority of other nations, it is almost inevitable that her achievements should be underestimated; for failure in politics and war leads the world generally to think lightly of all the other phases of a nation's activity. In fact, it has already become the habit to disparage the features of greatness displayed by Spain in exploring and colonizing America and the islands of the Pacific. We can hardly expect that the American will render a just judgment in this case, for he is the historical antagonist of the Spaniard, and because of political rivalry he has always found it difficult to appreciate fully the achievements of the Spaniards. The Spaniard is conservative, while the American is radical. The Spaniard is skillful in formulating rules and methods, the American is prompt in action. The Spaniard's power in constructing legal forms is seen in Spanish colonial legislation, which is more completely unified and systematized than that of any other nation. The laws made for the Spanish colonies were applied to every part of Spain's vast possessions beyond the sea. The supreme court that was established in the Philippine Islands had the same form of organization as that established at Buenos Aires or Guatamala. They were all created under a common law. And the municipal

government that was set up in Chile was formed under the general law which determined the organization of the municipal governments in Mexico and the Philippines. The whole realm of Spain's colonial dominion was subject to a single body of laws which secured to all parts of this dominion similar institutions and the same practical methods.

The most striking difference between the colonial policies of Spain and England relates to the control exercised by the two nations over their respective colonists and the colonial trade. All the ports of England were open to emigration to the colonies or to trade with them, and the English authorities paid little or no attention to the character or standing of the persons who proposed to emigrate. Spain, on the other hand, during the greater part of her colonial period allowed ships to depart for the colonies from only one port, at first the port of Sevilla, later the port of Cádiz, and the most rigorous scrutiny was exercised respecting the emigrants. The British colonist, having reached America, was free to visit or reside anywhere in any of the colonies, while the Spanish colonist was required to announce his destination before his departure, and the law presumed that after his arrival he would remain within the district, or jurisdiction, indicated. Between the two policies there was the contrast of the largest liberty, in the case of England, and the most rigorous restriction on the part of Spain.

In estimating the results of Spain's influence in the Philippine Islands, one must take into account not only the persistently benevolent intentions of the king but also the uncontrolled malevolence of subordinate officers and irresponsible private persons. The king might design the well-being of the islanders, but if his agents had other designs, he was powerless to carry out his intentions, for it must be remembered that during the greater part of the Spanish colonial period, the crown had only the most infrequent, and often indirect, communication with the Philip-



pines. Until the early part of the nineteenth century the Philippine Islands were under the viceroy of Mexico, and the connection between these two parts of the vice-kingdom was maintained by a line of ships between Acapulco and Manila, and the schedule of sailings was one ship a year each way; in fact, the trip from Acapulco to Manila and return lasted usually thirteen or fourteen months.

Under this condition of affairs, the local officers and private merchants might abuse the confidence of the king with impunity; and that they often did this is evident from such appeals to the king as that made by Domingo de Salazar, the first bishop of the Philippines. Having learned of abuses by the Spaniards, the bishop was moved by the hardships which the people suffered and petitioned the king that these abuses might be removed. The people, he affirmed, "ought to be feasted and favored, in order that they might become attached to the Catholic faith, and understand the mercy of God in bringing them to a knowledge of it." In 1583, when the bishop wrote, there were clearly two opinions respecting the manner in which the Filipinos should be treated, just as there have been two opinions ever since.

There is no doubt that many men, whose purpose was rather to spoil than to convert the heathen, found their way to the Spanish colonies. There is no doubt, moreover, that many men have appeared in the Philippines since they have come under American authority, who have had more interest in making great immediate gains than in protecting the Filipinos or in rendering them secure in the possession of their property and their opportunities. But it is not safe in either case to affirm that the persons who would spoil the weak represent the real designs of the nation to which they belong. Whether Spain's colonial expeditions and settlements were carried out by more or less unprincipled men than the similar undertakings of other nations is a subject that at this point need not be minutely investigated. A more profitable

inquiry concerns the specific influences exerted by the Spaniards for the promotion of civilization among the Filipinos; and such an inquiry will probably indicate that no influences proceeding from the Spaniards were more important or more far-reaching in their civilizing effect on the Filipinos than those which resulted in making them a Christian people. It may be difficult to determine to what extent their conversion modified their fundamental race ideas, or to find out how far their thoughts about Christianity coincide with the thoughts of Western Christians on the same subject.

In spite of the fact that the bulk of the Filipinos have apparently retained their fundamental ideas of religion without great change, there is no doubt that the church, in the course of the centuries of its domination, has impressed upon their minds a large number of practical ideas. Through the influence of these ideas, the Filipinos have, to a certain extent, been turned away from the oriental point of view and made to see things as Spaniards see them. The Spaniard, through long contact with the Moors and the infusion of a certain amount of Jewish and Moorish blood, became something of an Oriental, while the Filipino, through long contact with the Spaniards and the infusion of a certain amount of European blood, has become something of a European. In this way the two peoples approached a common character.

On their arrival in the Philippines, the Spaniards found the people still under a tribal organization that apparently contributed very little to the preservation of order and peace, for in the words of a writer in the last half of the sixteenth century, "these people declare war among themselves at the slightest provocation, or with none whatever. All those who have not made a treaty of peace with them or formed with them the blood compact are considered as enemies. Privateering and robbery have a natural attraction for them. Whenever the oc-



casion presents itself, they rob one another, even if they be neighbors or relatives."

Under the influence of the Spaniards in the sixteenth century a sudden change was made in the social condition of the Islands. The Filipinos were led to acknowledge a superior political authority, tribal allegiance disappeared, and in the towns, as they gradually grew up, there was formed a nucleus of a more or less cultivated society that in the course of time acquired a certain European character. The schools that were established made a few of the young Filipinos familiar with subjects ordinarily presented in a European curriculum. When in the course of years young men desired more advanced instruction, they naturally went to Spain and at the end of their studies returned to the Islands more or less thoroughly Europeanized. They returned, moreover, with an ambition to make the institutions of their native country more like those of Europe. They became lawyers and officers in the civil service, and in both capacities they were instrumental in spreading among the people a knowledge of European law on which the public administration was founded and which had been adopted to fix the relations of private persons to one another. The civil law having been made the basis of the legal system of the Islands, all persons in seeking to acquire a knowledge of this system were necessarily led to consider the social conditions in Europe under which this law arose. The law and the administrative system thus constituted the road by which the cultivated minds among the people were drawn back to the ancient source from which European nations have derived much of their culture and legal wisdom. The importance of bringing an oriental people under European law cannot be easily overestimated. It is a purely practical process, and in the case of the Filipinos it was an essential step in the development of a civilized society. The government of the United States in enter-

ing upon its task in the Philippine Islands derived a very great advantage from Spain's preliminary work.

An important step, often an exceedingly difficult step, in preparing for the rise of a rude people to a higher stage of cultivation is the destruction of ancient social forms and prejudices. Without this preliminary work the reconstructive process is impossible. If one would rebuild a city and make it more beautiful, he must first clear away the ruins and ugly buildings that cumber the ground. If one would rebuild society and give it better institutions, he must first clear the ground of such organizations and ideas as are incompatible with the execution of the new design. If old institutions have become rigid by long continuance and are maintained by an uncompromising conservatism, the changes required to introduce a new and better social existence become difficult, if not impossible. Caste as it appears in India furnishes a pertinent illustration. It has become rigid by continuance through a long period; it is upheld by conservatism that is intensified by religious fanaticism; and it is entirely incompatible with the intellectual receptivity and free intercourse of progressive society. It presents an unwavering resistance to England's attempts to ameliorate the condition of the Indian people by the introduction of the new ideas and new institutions that would contribute to the freedom, the enlightenment, and general well-being of the people.

Obstacles like those presented by the system of caste in India are not encountered in the Philippine Islands. There is a strong tie of social union in the sentiment of loyalty to a family or to a personal superior. In the matter of social organization, the people are apparently ready for any new thing. The church has made its leveling influence felt, and not the least of the services it has rendered is that it weakened old prejudices, and traditions, and habits and made possible new governmental organizations and more enlightened communities. It thus prepared the



Filipinos to take advantage of the opportunities presented to them under a liberal government and particularly to profit by a well-manned system of public instruction.

The rule of the Spaniards, moreover, left a marked effect on the personal character and bearing of the cultivated part of the Filipino people. The Spaniards habitually maintain a certain form and ceremony in speech and conduct, and this quality they have communicated to the Filipinos. It is, of course, easier for a barbarous people to acquire the forms than the spirit of civilized life. Through observing the forms, however, there comes gradually an understanding of the spirit. The Spaniards were, therefore, excellent masters in the first stages of the discipline that makes for civilization. Through them the Filipinos attained a noteworthy distinction among the peoples of the Far East for their good manners and generally dignified bearing. As instructors and models in this department, the Americans would have been greatly inferior to the Spaniards. The American goes to the Islands as the representative of a rising civilization, but his personal superiority does not appear in his manners. In this respect the Filipino outranks him. The American, however, justifies his presence as a leader and a teacher in the Islands by the fact that he is able to carry on the work of education and the material development of the country, from the point already reached, more effectively than his predecessors. The Spaniards taught the Filipinos the forms of enlightened society; the Americans are in a position to give them an opportunity to acquire its open-minded, liberal, and practical spirit.

That the cultivated Filipinos under the Spaniards acquired somewhat of the spirit of civilized society as well as the form is indicated by the position of woman in the Islands. Nowhere in the Orient is the position of woman better than in the Philippines. Among the non-Christian Malays she is degraded by polygamy and slavery. In China those whom society seeks especially to

favour are as irrationally treated as those who are found at the other extreme of the social scale. In the Philippines woman is neither a useless ornament nor a beast of burden, but a rational being standing by her husband and contributing her part in the struggle for existence. Even when the struggle has ceased to be hard, she does not appear to be disposed to renounce all effort and all responsibility. She is willing to make sacrifices for her own education, but hitherto her opportunities have not been commensurate with her ambition. The ordinary Filipino woman has a liking for trade. She appears to have less vanity and more business sagacity than her husband. In the more fortunate social circumstances, her bearing is such as to suggest better opportunities and a wider experience than have in reality been her lot. Like the women of Southern Europe, the women of the Philippines are attached to the church and through its influence have been brought into a position quite different from the traditional position of Oriental women.

But, in order that an exaggerated impression of the extent of the Spaniard's Europeanizing influence may not be conveyed, it is necessary to recall the fact that this influence was limited by the Spanish policy of communicating as much as possible with the Filipinos in one or another of their own dialects, for wherever the native language was used there was a strong probability that the Spaniards would descend to the Filipino's plane of thought. The Filipinos who were to any considerable extent Europeanized were those who acquired the Spanish language and thus had access to European ideas. The Filipinos who had never learned Spanish remained, except in rare cases, without much knowledge of Europe or sympathy with Europeanizing reform. Therefore, in discouraging the Filipinos from learning Spanish, as was extensively done under the old régime, the Spaniards positively limited the influence which might otherwise have proceeded from their presence. So effectual was this discouragement, or so



few opportunities for learning the language were offered, that, after an occupation of three hundred and fifty years, less than ten per cent of the inhabitants were able to speak Spanish. It is to this limited number that our attention is confined when we speak of the civilizing influence of the Spaniards on the Filipinos.

The influence of the Spaniards was further limited by the fact that they never thoroughly mastered the country. In many parts, instead of building roads that would penetrate the interior and open the lurking places of brigands, they were satisfied to remain on the defensive, failing to make their force recognized everywhere. The ruder inhabitants of the unexplored and unconquered regions acquired a certain contempt for the civilized man and regarded him as a weakling unworthy of imitation, for the first step necessary to make the barbarian accept the ideas of civilization is to let him know that the civilized man is his superior in physical force. To smite the barbarian with a heavy hand is sometimes the surest way to liberalize his mind. This the Spaniards did not always do when it ought to have been done, and consequently there remained, after centuries of nominal control, vast regions where neither the Spaniards nor the civilization which they represented were respected and where there was no disposition to accept their ideas.

Furthermore, the frequent departure of the Spaniards from the economic practices of modern Europe in dealing with the Filipinos delayed the acceptance of those ideas which constitute the basis of modern society. Under the Spaniards much was done by forced labour at a time when practically all labourers in Europe were free and received wages. Considering the relations in which the two peoples lived, it was inevitable that the Filipinos should regard the Spaniards as their teachers, but what they gained from the object lesson in this case was knowledge of a state of things that was not characteristically European, but rather

characteristically Oriental. But in the course of time a new age dawned: the crusading spirit became antiquated; feudalism survived only as a relic of a receding past; the union of ecclesiastical and political functions in a single body was repudiated; and it was clearly seen that Spain, which had stood for these things, was no longer a competent guide.

And thus, although we recognize the zeal and heroism displayed by the Spaniards in discovery and exploration and keep in mind their high purpose to bring to the heathen an uncorrupted faith, it may be reasonably expected that, with less of the crusader's spirit, but with more practical sense, the United States will carry Spain's unfinished work in the Far East to a conclusion which the stereotyped conservatism of the older nation made it impossible for her to reach.



## VIII

### SPAIN'S SUCCESSOR IN THE PHILIPPINE ISLANDS

In turning to the remote colony of the Philippines, one observes a strong contrast to the condition of affairs in Spanish America. The centuries of Spanish control produced no noteworthy change in the greater part of the inhabitants. On withdrawing, the Spaniards left a land of semi-barbarism with a fringe of civilization. No creole-mestizo society had been developed that might form the basis and major element of a new nation. Persons of mixed blood had found no important permanent class of Spaniards ready to claim their alliance, and they, therefore, remained to constitute a superior element of the native population. The retirement of the Spaniards left no educated class sufficiently numerous or with sufficient experience to assume the affairs of government with a reasonable hope of success. This was in a large measure due to the unfavourable geographical position of the Philippines, to the lack of resources as compared with Spanish America, and to the fact that this distant possession was in some sense a dependency of Mexico, where the rich mines, the varied regions inciting to exploration, and the liberality of the Spanish government in granting lands and Indians for its cultivation threw into shadow any attractions the Philippines could offer. One ship, making a round trip between Acapulco and Manila once a year, furnished all the transportation of both persons and goods required. This was little more than the going and coming of Spanish officials and their dependents, and when the Islands had passed under their new sovereign, and the personnel of the Spanish government had withdrawn, only a

negligible number of Spaniards remained. The end of Spain's administration in America and in the Philippines thus left two widely different social and political problems. In the Spanish American states self-government followed as the inevitable consequence of independence. In the Philippines, long accustomed to dependence on an absolute superior and with no knowledge of any other form of government, the inhabitants needed especially two things, a protector and a tutor. Without a preconceived design the United States found itself practically obliged to serve in both of these capacities. Here was an opportunity for popular government to make a monumental blunder, but fortunately the Islands passed under a form of administration closely resembling the *audiencia* established by the Spanish king in the beginning of Spain's colonial enterprises. In this undertaking the President of the United States, as commander-in-chief of the army, exercised power comparable with that displayed by the King of Spain in creating the administrative institutions of the Spanish colonies, and it minimized the shock of passing under a new sovereign, for the people recognized that, although the dominion had passed from Spain to the United States, the Philippine Commission, the immediate instrument of power, did not differ greatly in form or authority from the *audiencia* long familiar as the conspicuous instrument of Spanish government. The progress from absolute power towards the establishment of more liberal institutions naturally inspired the popular thought that, after centuries of Spanish absolutism, an age of liberal government was dawning, and persons were not wanting who mistook the dawn for high noon. They observed the ease with which the progress was made and rushed to the conclusion that they had no further need of tuition. Ignorance, personal conceit, and lack of political experience urged not only the abrogation of all the foreign forces contributing to the political enlightenment of the people, but also the withdrawal of



the power that insured the undisturbed development of the people. This overleaping ambition, if more members of Congress had rallied to its support, might have been an impediment in the way of Philippine progress, but this ambition, duly regulated, bore in itself the promise of political improvement and the hope of a general advance in the social condition of the Islands. It is less difficult to curb and direct the social and political ambition of an undeveloped people than to awaken it, and this ambition in the Filipinos has added efficiency to the efforts of the government established by the United States to facilitate the further progress in the Philippine Islands. The difficulties encountered by the Americans in the Philippines arose largely from the chaotic condition of the Philippine population, the absence of social organizations of a high grade, and the lack of traditions of order. There were better reasons for building on Spanish foundations than for borrowing a system from either Java or India.

Immediately after the American army landed, the military authorities took possession of the civil offices within their lines, collected the internal revenue taxes and customs duties, and executed such laws relating to civil affairs as were valid at the close of Spanish rule. As commander-in-chief of the army, the President took steps to enlarge the scope of the civil offices and to bring the Islands under civil authority as fast as the inhabitants could be pacified. To this end, and acting still as head of the army without special congressional authorization, the President of the United States, after the dissolution of a First Commission, consisting of military and civil officers, appointed the second United States Philippine Commission, composed of five civilians in March 1900, "to continue and perfect the work of organizing and establishing civil government." After the first of September 1900 this commission had authority to exercise, subject to the President's approval, legislative power in the Philippine Islands, formerly held by the military governor. It

included "the making of rules and orders having the effect of law, for the raising of revenue by taxes, customs duties, and imposts; the appropriation and expenditure of public funds of the islands; the establishment of an educational system; the establishment of a system to secure an efficient civil service; the organization and establishment of courts; the organization and establishment of municipal and departmental governments, and all other matters of a civil nature for which the military governor was formerly competent to provide by rules or orders of a legislative character." One might note the likeness of this commission to the *audiencia* established in Mexico.

The next step in carrying out the policy of the United States with respect to the Philippine Islands was that in which the President directed affairs, not as the commander-in-chief of the army, but as authorized by definite congressional action. The action taken by Congress in this matter was essentially the same action as that which had been taken in the case of Louisiana. By a law approved in October 1803, it was provided that, until Congress should have made provision for a temporary government, all the military, civil, and judicial powers then exercised by the officers of the government of Louisiana should be vested in such person or persons and should be exercised in such manner as the President of the United States might direct. The language of this act of 1803 was repeated in a law passed ninety-eight years later, approved March 2nd, 1901, giving the President congressional authority "for the establishment of civil government and for maintaining and protecting the inhabitants of the Philippine Islands in the free enjoyment of their liberty, prosperity, and religion." This was the Spooner amendment to the army appropriation bill for 1902. By it Congress ratified the established authority but at the same time imposed certain restrictions particularly with reference to granting franchises.



The next phase of the insular government was introduced by the change effected July 4th, 1901, through which the executive authority previously exercised by the military governor in the Philippine Islands was transferred to a civil governor. A little later four executive departments were created: the departments of the interior, of commerce and police, of finance and justice, and of public instruction. The president of the commission having become the civil governor, the four other original members of the commission were appointed, with the title of secretary, to be the heads of the four executive departments. The governor and the four secretaries continued to act as members of the commission, which was at this time enlarged by the addition of three Filipinos, and one of the secretaries was appointed vice governor. Under the several secretaries were grouped the various bureaus through which the work of the departments was carried on.

The government thus established embraced a civil governor and four secretaries, who, with the three Filipino members of the commission, constituted the central, or insular, legislature. To this was added later a second house by organizing an elective legislative assembly. Besides the offices already mentioned there was created the office of attorney-general and a system of courts embracing the supreme court, the various courts of first instance, and the local courts, such as the municipal courts and the courts of the justices of the peace.

In most cases the Supreme Court of the Philippines had final authority, but certain cases might be carried to the Supreme Court of the United States. Such cases were all actions, cases, causes, and proceedings in which the constitution or any statute, treaty, title, right or privilege of the United States is involved, or causes in which the value in controversy exceeded twenty-five thousand dollars, or in which the title or possession of real estate

exceeding in value the sum of twenty-five thousand dollars was involved or brought into question.

In establishing local governments, the boundaries of the ancient pueblos, or townships, were recognized as determining the territories of the new municipalities. The ancient names were retained, and the public property of the old pueblos passed to the new organizations. In organizing the municipalities, the first steps were taken towards the establishment of local self-government. The presidente, the vice-presidente and the members of the municipal council were elected. But in view of the limited knowledge and experience of the bulk of the inhabitants, it was found to be expedient to confine the privilege of voting, in the beginning, to a comparatively few persons. It was confined to those who had held some one of the principal municipal offices prior to the American occupation, had property valued at five hundred pesos, or who paid taxes to the annual amount of thirty pesos, and those who could read, write, and speak English or Spanish. It might happen that many of those who had property worth five hundred pesos or who had previously been municipal officers would not be able to read or write either English or Spanish, but it was held that their ability to accumulate property or their previous experience in local government would make it safe to confer upon them the privilege of voting for municipal officers. By granting this privilege to the limited number of persons who had the qualifications required, an incentive was given to the people to acquire the first elements of the knowledge necessary to enable them to govern themselves. This provision was in marked contrast with the law established in Puerto Rico and Hawaii which conferred the highest privileges of citizenship alike upon the fit and the unfit. By this action respecting Puerto Rico and Hawaii, the authorities threw away whatever influence they might have exerted by holding out this privilege as an inducement to the people to make themselves



worthy to participate in the local government. By thus bringing into the government a vast mass of uncontrollable ignorance, the new administrations in those islands began in confusion and with the prospect of achievements that would not constitute a favourable recommendation of republicanism. If more Filipinos acquired and held property or acquired a knowledge of English or Spanish, this would indicate a certain improvement, which, in accordance with the law regulating the suffrage, would be followed by an extension of political rights to other persons; but if no such improvement appeared, the welfare of the local communities would not be endangered by the presence and authoritative interference of ignorant and shiftless persons in public affairs.

Like many of the present townships of New England, the pueblos in the Philippines often contained more than one village, but each one of these villages, or *barrios*, had a certain territory which was recognized as pertaining to it, and the sum of all the tracts of territory pertaining to the several *barrios* coincided with, or was the same as, the territory of the pueblo, or township. Each *barrio* was in the immediate charge of a member of the town council, but the township, and not the *barrio*, was the primary political unit. The town was the lowest distinct governmental group, for the *barrio* was simply a fraction of the pueblo, or town.

Midway between the municipal government and the central government of the archipelago stood the government of the province. When the provinces, one after another, were turned from war to peace, it became necessary to have a form of government under which they might be organized. This form was furnished by the general provincial government act, adopted in February 1901. In accordance with this act, the provincial government consisted of five officers. These were a governor, a supervisor, a treasurer, an attorney, and a secretary. The

governor, the supervisor, and the treasurer constituted the provincial board. The attorney and the secretary were not members of the board. The governor in the first instance, that is to say, on the organization of the provincial government, was appointed by the commission; later he was elected by a provincial assembly, or electoral college, composed of the members of the town councils of the organized municipalities of the province. It was designed that ordinarily the provincial governor would be a Filipino, although at the organization of the several provinces a number of the appointed governors were Americans, and some Americans were elected by the provincial assemblies at the expiration of the first appointed term; still, under a normal condition of affairs, it was expected that the governors of the province would be Filipinos. The supervisor, charged with the building of roads and bridges and the other public works of the province, was required to be an engineer. Both the supervisors and the provincial treasurers were drawn from the classified civil service introduced by the Commission. After the general provincial law had been formed, embracing the outlines of a provincial government, there remained the task of applying it to the several provinces with such modifications as might be needed under the different circumstances.

From the foregoing statements it appears that there were two groups of elected officers in the governmental organization created under American authority. The first group embraced the municipal officers, who were chosen at large by the qualified electors of the municipality. The second group embraced the governors of the provinces who were elected by the provincial assemblies. A third election provided the members of the legislative assembly. These laws secured to the Filipinos a degree of political freedom which transcended their experience under Spanish domination.



It is not to be supposed that the adult members of a barbarous, or even of a semi-civilized, race can be lured very far from their ideals or traditions. The elevation or the spiritual transformation of the race can be achieved only through influences brought to bear upon the young. Thus, whatever has been done or may be done towards the attainment of this end can be most accurately estimated by considering the system or systems under which the children and youth have been instructed. In indicating the change from Spanish to American control, it is necessary to emphasize the educational efforts of both Spain and America with respect to the inhabitants of the Islands.

The system of primary instruction established under Spanish rule made formal provision for one male and one female teacher for each five thousand inhabitants. But even this inadequate provision was never carried out. There was practically no provision made for the education of the bulk of the inhabitants. There were few schoolhouses, no suitable furniture or apparatus, and no proper textbooks. Where there was a schoolhouse it was occupied by the teacher, and the school was held in a part of the building not desired for the residence. Where there were no schoolhouses, which was the ordinary condition, schools were held in the residences of the teachers. School rooms entirely without furniture were not unusual, and in this case the pupils sat on the floor. The teachers were inadequately paid, and to increase their meagre incomes they collected tribute from the pupils. The instruction covered reading, writing, sacred history, and the catechism; in some of the towns the four elementary arithmetical processes were also taught; and a little book on geography was used as a reading book. Girls were taught embroidery and some other forms of needlework. From the beginning the schools were very largely, if not entirely, under the supervision of the religious orders which were disposed to emphasize secondary and higher education for a few pupils,

rather than to promote the primary education of the masses. Special stress was also naturally laid on subjects connected with the Christian religion. The result of this policy was that a few persons stood out prominently as educated Filipinos, while the great mass of the people were either not educated at all or were furnished only with the rudiments of knowledge, learning merely to read and write. The little school instruction the average Filipino had did not give him power of independent thought. There was a disposition on the part of the pupils to give back, like phonographs, what they heard or read or memorized. As a rule they possessed mechanical skill and excelled in writing and drawing, but the Spaniards made very little use of this marked capacity.

It is stated that when the Spaniards took possession of the Islands the members of several of the tribes could read and write their own languages, but it is probable that the utterances on this subject are extravagant. At present there is no tribe all the members of which can read and write either their native language or any other language. During the Spanish period the system of instruction was inefficient. The Spanish minister for the colonies called attention to the fact that the affairs of education had fallen into the hands of the religious orders. In a report made December 5th, 1870, he said that "while every acknowledgment should be made of their services in earlier times, their narrow exclusively religious system of education and their imperviousness to modern or external ideas and influences, which every day become more and more evident, render secularization of instruction necessary."

Yet the system of instruction established by the Spaniards remained essentially unchanged until the advent of the Americans. In a typical school the pupils read at first a religious primer in the native language and later a work on Christian doctrine. They were obliged to commit to memory the exact words of the textbook. Then the teacher heard one pupil at a time while the



others were studying aloud, apparently doing their best to drown the voices both of the teacher and of the pupil reciting. The instruction was thus tediously mechanical, noisy, and inefficient. The schools had no daily programs and were consequently usually in confusion. The teachers held an inferior position in the community, and little or no effort was made to increase their professional knowledge or efficiency, and they themselves manifested little professional enthusiasm. Not only had the schools under the Spanish régime no prescribed courses of study but also no definite standards for each year.

While the Islands were under the control of the American army, important steps were taken towards establishing schools and improving the system of instruction. Better textbooks were brought into use; officers of the army were appointed to be superintendents of schools; soldiers in some instances were detailed to teach English; but the difficulty of getting a sufficient number of properly trained teachers was insurmountable. Without more radical measures than the officers of the army felt justified in taking, it was impossible to lift the schools out of their chaotic condition.

Under the authority of the military governor considerable sums were expended for stationery and textbooks. The Filipinos were eager to learn English, but the soldiers detailed to teach them were not uniformly successful. In order to render the teaching of English more efficient, one thousand teachers were brought from the United States and assigned to positions in the public schools. When, therefore, the power to make laws and control the expenditure of the insular funds passed to the civil commission, the organization of an effective public school system was one of a number of subjects that needed early attention.

The original bill framed to organize public instruction in the Philippines was made brief in the expectation that it would be

amplified later, when its amendments and modifications might be based on a fuller knowledge of the social conditions and the needs of the people in different parts of the Islands. It had been determined that every important bill should be discussed in public and that any person interested might take part in the discussion and oppose or support the provisions of the bill under consideration. The public discussion of the educational bill extended over many days, and a report of it is introduced in the appendix to illustrate the method employed in the beginning in reaching conclusions of great public interest.

Some days after the close of this public hearing the school bill was voted. The section authorizing religious instruction in the school buildings was adopted, but it became a dead letter in practice. In the formation of the law establishing public instruction in the Philippines and in other important laws, careful attention was always paid to the views of those whose interests were to be affected, and ample opportunity was given for the expression of these views.

The law provided that the English language, as soon as practicable, should be made the basis of all public school instruction and that soldiers might be detailed as instructors until such time as they might be replaced by trained teachers. To supply the demand for trained teachers, authority was given to the general superintendent to obtain from the United States one thousand such teachers at monthly salaries of not less than seventy-five dollars and not more than one hundred and twenty-five dollars. The general superintendent was to determine, within these limits, the salary of each teacher in accordance with the efficiency of the teacher in question and importance of the position held.

Besides its general provisions, this law established three special schools. The first was a normal school to be organized at Manila for the education of Filipino teachers. The second



was a school of trades which was also to be maintained at Manila and which was designed to instruct the Filipinos in the useful trades, to give them skill in working in wood and metals. The third was a school of agriculture which was to be established in the island of Negros.

Before the enactment of the school law the commission had assumed control of the schools that had come down from the Spanish régime or had been organized under the military authorities. To these it added, shortly after the first of September 1900, a system of night schools. The eagerness of many mature persons to learn English and the large measure of success that attended the work of the first night school led to the early establishment of other schools of a similar character. There were classes for women taught by women, as well as classes for men.

The enrollment in the night schools increased very rapidly; the number of pupils rose in the course of a few weeks to over nineteen hundred. Many occupations were represented; there were clerks, merchants, newspaper reporters, bookbinders, salesmen, teachers, police officers, firemen, secretaries, mechanics, cigar makers, janitors, physicians, labourers, barbers, and persons from a variety of other callings. At first, only the English language was taught; later other subjects were introduced, particularly history, arithmetic, and geography. Some of the schools had classes in bookkeeping, stenography, typewriting, and telegraphy. Persons wishing to enter the civil service, or persons already employed in that service, resorted to the night schools for the preparation necessary for their admission or promotion. Filipino teachers, knowing that English would ultimately be the language used in public instruction, took advantage of the facilities here offered to fit themselves to hold their positions under the new régime. The night schools that were subsequently established in provincial towns where Ameri-

can teachers had been stationed were attended by members of all classes. The municipal officers and, sometimes, the governors of provinces embraced this opportunity to acquire a knowledge of English.

Many of the teachers of English in the regular day schools were employed as teachers in night schools, but there were not enough of these available to meet the demand, and recourse was had to other persons, who, except for this work in the night schools, were not employed in teaching.

Some of the interior towns presented a peculiar problem. Few, if any, of the inhabitants knew any language but a native dialect. In view of the demands of other and more important towns, they could not be supplied by the insular government with American teachers or with suitable Filipino teachers; they were too poor to offer effective attractions to teachers of any sort. There were no institutions within reach where their own youth might be trained to be teachers. It was clear that, if they were entirely neglected, their barbarism would perpetuate itself. As an amelioration of the situation, it was provided by law that the municipalities in question might expend from the school funds, or from any municipal funds not otherwise appropriated, forty pesos a month during the school year towards the support of two residents of the municipality at any public secondary school established under the department of public instruction. The municipalities included under this provision were those where no American public school teacher was maintained or where there was no public school of secondary instruction. The persons thus supported should be one young man and one young woman between the ages of fifteen and twenty-five years, whose parents should not be able to pay their expenses while attending a secondary school. It was provided, moreover, that these persons should be appointed by the president of the municipality, with the approval of the majority of the members of the council, sub-



ject to confirmation after one month's attendance by the principal of the school in which they might be appointed to receive instruction. It was understood that the persons receiving this support would be trained for teachers, and their services, on due compensation, might be claimed by the municipality.

Under the Spanish régime, educational effort was directed to topics not especially important for the development of the material interests of society. This fact determined in a measure the policy of the American government. It became clear to the authorities very early that the theoretical teaching of the Spaniards should be supplemented by instruction in subjects immediately practical. To reach this end, the first school law provided for the establishment of a school of agriculture, a school of trades, and a normal school. If the school of trades was not at the very beginning successful in interesting a large number of pupils, this was due mainly to a strong social prejudice against manual labour that existed in the Philippines, as well as in all other lands which had been long under Spanish dominion. A Filipino lad remarked on one occasion that the physical training required in a school of mechanical trades was quite appropriate for Americans who were strong in their arms, but was not appropriate for Filipinos who were strong in their heads. This conceit and the aversion to manual labour, developed by the example and teachings of the Spaniards and by a climate inducing lassitude and indolence, made it necessary to approach the character which it was designed that instruction in the Philippines should ultimately assume by a somewhat round-about method. Before significant results with respect to any form of instruction could be achieved, an enthusiasm for education had to be awakened, and the children led to acquire the habit of going to school. These ends could not be reached by presenting, without alternative, teaching of a kind that ran counter to the notions and prejudices of that part of the people

who had any interest whatsoever in the schools. A beginning was, therefore, made on the side of the Filipino's chief interests, and it was fortunate that this involved instruction on a subject of primary and fundamental importance.

The predominant ambition of the young Filipinos was to hold a clerkship under the government, and they naturally did not see how learning to work in wood and metals would advance them towards their desired object. But when it became necessary for the civil government to take over the telegraph lines that had been controlled by the military authorities, a school of telegraphy was established to prepare persons to become operators. Many students were enrolled as soon as the school was opened, and the number increased from week to week. Here was an opportunity for them to fit themselves for an occupation that approached closely the object of their ambition.

After the government printing plant had been established, it was determined to make use of it in teaching young Filipinos the art of printing and to have instruction furnished under the actual conditions of effective work. With this end in view, the secretary of public instruction, who exercised a general supervision over the affairs of the public printing office, wrote to the several division superintendents of schools throughout the archipelago and asked them to recommend a certain number of boys to become apprentices in the bureau of public printing. It was made clear to them that the government would cause them to be instructed in the art of printing and that it would provide for the most efficient of them opportunities for work in the public printing office. Yet, even under these conditions it was found that some of the parents to whom the subject was presented entertained a strong prejudice against having their sons learn a trade involving manual labour. The success, however, of some of the boys who applied and were accepted and their subsequent promotion in the bureau of public printing, with reasonable



compensation, helped to weaken this prejudice and led to the acceptance, by some persons at least, of a more rational view of work. The prejudice, however, remained; and the government had to recognize that the wishes and ambitions of the people had much to do, in the beginning, in determining what form of instruction could be successfully given.

In attempting to improve the condition of members of a less-developed race, whether in America or Asia, the Spaniards sought to change the most fundamental and permanent of all racial ideas—the idea of religion. The Americans, on the other hand, showing that much can be done for the advancement and cultivation of a people without imposing on it a specific creed, have corrected their efforts by applying a system of education which, without omitting other sources of culture, emphasized the knowledge of the practical achievement of the western nations.

Thus, in establishing and administering a government in the Philippines, the United States undertook to carry on every branch of beneficent public activity which had been established by the Spaniards and in addition to lay stress on certain phases of instruction which had been neglected by them.



## APPENDIX

### AN EXTRACT FROM THE OFFICIAL REPORT OF MEETINGS OF THE PHILIPPINE COMMISSION

The section of the bill to organize public instruction that excited more comment than any other was that treating the relation of the schools to the church. It became manifest in the course of the discussion that there were two opinions on this subject. One favoured making the public schools in the Philippine Islands hold the same relation to the church as the public schools in the United States. The other proposed to introduce the system tried for a short period at Faribault, Minnesota. A certain element in the church in America approved of this plan, and this fact furnished a political consideration in favour of its adoption. The section covering this subject was presented in the following form:

"No teacher or other person shall teach or criticise the doctrines of any church, religious sect or denomination, or shall attempt to influence the pupils for or against any church or religious sect in any public school established under this act. If any teacher shall intentionally violate this section, he or she shall, after due hearing, be dismissed from public service.

"Provided, however, that it shall be lawful for the priest or minister of any church established in the pueblo where a public school is situated, either in person or by a designated teacher of religion, to teach religion for one-half an hour three times a week in the school buildings of those public-school pupils whose parents or guardians desire it and express their desire therefor in writing filed with the principal teacher of the school, to be



forwarded to the division superintendent, who shall fix the hours and rooms for such teaching. But no public-school teacher shall either conduct religious exercises, or teach religion, or act as a designated religious teacher in the school building under the foregoing authority, and no pupil shall be required by any public-school teacher to attend and receive religious instruction herein permitted. Should the opportunity thus given to teach religion be used by the priest, minister, or religious teacher for the purpose of arousing disloyalty to the United States, or of discouraging the attendance of pupils at such public school, of creating a disturbance of public order, or of interfering with the discipline of the school, the division superintendent, subject to the approval of the general superintendent of public instruction, may, after due investigation and hearing, forbid such offending priest, minister, or religious teacher from entering the public school building thereafter."

In the public discussion of the proposed law only a few of those who participated spoke in favour of the provisions of this section. All of the Filipinos but one opposed the introduction of the proposed plan. Two or three speakers advocated projects not involved in the bill. Thomas G. del Rosario, representing the newly-formed federal party, wished to have the first section require that primary instruction should be gratuitous and compulsory. He was informed by the commission that the bill as originally drawn provided for compulsory instruction, but, in view of the fact that existing schoolhouses and other facilities in the Islands were entirely inadequate to provide for all the children of school age, it was thought expedient to postpone the enactment and enforcement of such a requirement. Señor Rosario urged, moreover, that the section providing for religious instruction in school buildings should be stricken out. He expressed the belief that it would be a source of discord in the field of public instruction. He held that the schools and the

church should be kept absolutely distinct and affirmed that this concession to the church was opposed to the sentiments of the mass of the Filipino people. He cited as evidence of the attitude of the Filipinos on this question the action of the Malolos Congress which, after thorough argument, decreed the absolute separation of the church and the state.

Modesto Reyes advocated the appointment of a council to act in conjunction with the general superintendent and also the establishment of a school of agriculture near Manila. Pedro A. Paterno supported the plan of having a council to advise with the general superintendent. He wished the law to direct the superintendent more specifically as to places in which schools should be established and urged that there should be a school in every *barrio* or one for every five hundred inhabitants. Dr. Xeres y Burgos appeared, as he said, not on behalf of any political party or church organization, but as the father of a family interested in its welfare. He directed his remarks entirely to the section treating of the relation of the church to the schools. He amplified the arguments already advanced against religious teaching in the school buildings and urged the omission of this section. He feared the concession proposed would engender strife and bitterness and bring to the surface again all the ills against which the Filipinos had struggled and from which they now believed themselves free. Individual liberty would be limited, and the subtle influence of the churchmen would impose itself further and further upon the consciences of the people and gradually stifle all political freedom. If the priests of the several creeds wished to spread their faiths, they might do so freely in their churches or in other places without the assistance of the state but under its vigilance. He expressed his belief that if the Filipinos who love their country could vote on this question the proposed section would not be adopted.



Another view of the question was presented by Manuel Ravago, manager of *Libertas*, a newspaper conducted in the interest of the friars. He spoke of the work done by the Catholic Church in the Islands and its strong hold on the hearts and minds of the people. The people wished their sons and daughters taught the Catholic faith and no other, and, as they supported the schools, they had the right to demand that the teachers should be Catholics and that only Catholic schools should be established. If other sects existed, they were in the minority, and if they wished to teach their religion, they should maintain their own teachers. He objected to the statement that religion should be taught in the churches because the people were accustomed to have religion taught in the schools and because in the country districts churches were not easily accessible. The parents could not give religious instruction, as they were not familiar with the church doctrines. He urged, therefore, that religion should be taught in the schools but that the teaching should be confined to the Catholic religion. He wished the section in question to be amended so as to provide: 1. That all primary teachers throughout the archipelago should be Catholics; 2. That as long as the Catholic religion continued to be the universal religion professed in the Philippines it should be taught in the schools; 3. That this religious instruction should form a part of the daily instruction which the teacher should be compelled to impart to the children who attended the school. Referring to the project to take teachers from America, Señor Ravago argued that such teachers should be brought only in case sufficient native teachers could not be had, and then, only to the extent of this deficiency. He expressed his belief that there was no need of American teachers; the teaching of English was not a necessity. He held that the native teacher was better qualified to teach the Filipinos than American teachers. Further-

more, the United States could not send teachers to the Islands because it did not have enough for its own needs.

The president stated to Señor Ravago that the amendments proposed were clearly in violation of the instructions of the commission and of every principle that prevails under the American constitutions, whether state or national, and that they could not possibly be adopted by the commission. Señor Rosario then replied to Ravago and affirmed that the position taken by the *Centro católico de Filipinas*, represented by Ravago, was the best argument he could produce against permitting a participation of the church in the affairs of the schools; that what the church wanted, and has always wanted, was the exclusive control of education. He denied the statement that seven million Filipinos, or any considerable number outside of the religious orders, desired religious instruction in the schools. The very thing the *Centro católico* was contending for was the thing that had brought down Spanish sovereignty in the Islands, for the revolution of this people was not a political war, and was not against the Spaniards, but was against the desire on the part of the church to impose itself upon every action of the people. Señor Rosario rejected the conclusions of the previous speaker concerning American teachers, saying that what the Islands needed were new modes of thought and new modes of instruction and that, as English was the commercial language of the Orient, it should be given the first place in the instruction of the children.

Señor Cataline Sevilla, a Filipino teacher of much experience and a writer on education, took up the theme that engaged the special attention of all the speakers. He said that, while it was the evident purpose of the law to separate religious instruction from the teaching in the public schools, he believed that the permission it was proposed to give to teach religion in the school buildings, even though outside of school hours, would vitiate



the intention of the commission. He called attention to the fact that the majority of the teachers were Catholics and subject to the influence of the priests, at the same time affirming that he was a Catholic. As the law in the form proposed would give the priests the right to use the schoolhouse, the result, especially in country districts, would be to perpetuate the old order of affairs. The teachers would be under the religious dominion of the priests and would be compelled to give religious as well as secular instruction to the children; that is, they would be required to see that the children were kept in the schoolroom to attend to the religious instruction which the parents wished them to receive. In case Protestants demanded this privilege, where the teachers were Catholics, the situation would be embarrassing, for, as Catholic teachers, they might be instructed by the priests to have nothing whatsoever to do with Protestantism.

Replying to the assertion that the churches would be inconvenient for religious instruction, Señor Sevilla maintained that this would not be the case in Manila, while in the country districts houses could be readily found that would be suitable for the purposes of instruction; and this would prevent the government, the children, or the teachers from having anything to do with religious differences and the schoolhouse from being the source of disorder.

In response to a query as to what would probably be the attitude of the people, should religious teaching be prohibited in the school buildings, the speaker said that such an order had been in effect more than a year, and yet over two hundred and forty pupils were enrolled in his school, and he had noticed no falling off in attendance. He thought that this would be the case in all the large towns, but he could make no statement concerning the smaller places as he was not familiar with them.

In a brief address, Señor Maseras called attention to the need of better schoolhouses, stating that he had been for eight years an hygienic inspector, but that his recommendations had not been followed. He referred to the fact that teachers lived in the schoolhouses and took boarders and that frequently pigs were staked out in the rooms. He was opposed to the coeducation of the sexes, holding that the maintenance of such a system in the Islands was impossible. His conservatism was further manifest in his endorsement of the opinions of Ravago and the *Centro católico* and in his recommendation of an amendment to provide for a committee of censorship for the examination of textbooks in order that they might contain nothing obnoxious to the Catholic church or the friars.

Later in the course of the discussion Señor Sevilla was again heard. He referred to the fact that the law did not provide what qualifications Filipino teachers should have in order to secure positions, nor what disposition would be made of teachers who had acquired rights under the Spanish régime. He showed the basis of his remarks by explaining that under the Spanish system a teacher acquired a vested right to his position and after a certain period of service was allowed to retire on a pension. He wished to know whether such rights would be respected by the United States, and also whether the American teachers would have charge of the schools and the native teachers be merely assistants, or whether native teachers would be continued as principals, the American teachers simply teaching English. In reply to his inquiries he was told that the selection of teachers was left to the superintendents, and whether the native teachers were continued as principals or as assistants would depend upon their qualifications; that the United States recognized no vested right to civil positions, although it was its policy to deprive no person of his position arbitrarily or without reason, as long as he served the government faithfully.



The brilliant Filipino lawyer, Felipe de Calderón, spoke, in the beginning of his address, in favour of the project to create an advisory board to assist the general superintendent. His utterances on the main topic of the discussion were more extreme than the facts seemed to justify. He said that, if the law did not contain a provision allowing priests to teach in the schools, within five days there would not be a child in attendance. His attention was, however, called to the fact that religious teaching had been prohibited for more than a year without any such results as he had predicted. Still, he believed that public opinion would favour religious teaching in the school, and he gave little weight to the provisions of the Malolos constitution, saying that it was never enforced. Referring to the section providing for a normal school, he inquired whether it was designed for women as well as for men. When told that it was for both, he stated that under existing conditions in the Islands a separate normal school for women would have to be provided, or no woman would attend. In this there was more of prejudice than of prophetic vision. The fact of the admission of both sexes has not apparently hindered the attendance of either and has caused no more embarrassment than appears in the normal schools of America.

The discussion of the school bill by volunteers from the general public was closed by Señor Pedro Serrano, who argued that the law should provide for the compulsory attendance of children who were not under the control of parents. In cases where there were parents, the desire to have their children educated would render such a provision unnecessary. He referred to the control exercised by the church over education during Spanish times and its suppression of all reforms in the schools. With this church pressure removed, he believed that the Filipino teacher would prove both willing and capable and would give good re-

sults. When questioned as to the advisability of the coeducation of the two sexes, he replied that he not only thought it feasible, but that it would prove more expedient than the system followed heretofore. He expressed the belief that the Spanish system rather conduced to immorality instead of tending to prevent it and that the adoption of the American system would result in gaining for women the same freedom and the same respect that existed in Anglo-Saxon countries.



## NOTES

(1) Reference is made to this subject in the author's book on *The intellectual background of the revolution in South America, 1810-1824*. New York, The Hispanic Society of America, 1926.

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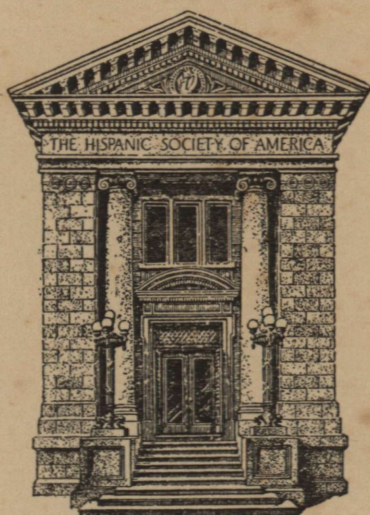








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