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Unruly Plebeians and the *Forzado System:* Convict Transportation between New Spain and the Philippines during the Seventeenth Century*

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Stephanie Mawson

University of Sydney

This article examines the phenomenon of convict transportation between Mexico and the Philippines during the 17th century. Utilising sources located within the Archivo General de la Nación (México) and the Archivo General de Indias (Sevilla), I argue that was this convict transportation both helped the Spanish extend their power within the Pacific and functioned as a criminal justice measure in response to the emergence of an unruly and disobedient plebeian underclass in the cities and along the highways of New Spain.

KEY WORDS: *Philippines; convicts; New Spain; plebeians; seventeenth century.*

For 250 years, from the late-sixteenth century colonisation of the Philippines to the outbreak of the Mexican Wars of Independence at the beginning of the nineteenth century, the Spanish colonies of New Spain and the Philippines were united by the galleons that traversed the Pacific between Acapulco and Manila.[1] During this period, companies of convict soldiers were shipped

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[1] For general studies dealing with the political and trade history between New Spain and the Philippines, see: Schurz, 1939. Elizalde *et al.*, 2001a. Flynn *et al.*, 2001. Elizalde, 2001b.

to the Philippines each year, alongside the consignments of silver, mercury, religious missionaries and volunteer soldiers and sailors that comprised the annual aid shipment from New Spain. The development and extension of convict transportation during the seventeenth century served two purposes; it was both a reaction to the imperative of maintaining the Spanish imperial project in the Pacific and functioned as a criminal justice measure in response to the emergence of an unruly and disobedient plebeian underclass in the cities and along the highways of New Spain.

This article examines this little known episode of forced transportation during the seventeenth century from the perspectives of its two competing aims – as a utilitarian response to a labour shortage in the Philippines and as a criminal justice measure. Throughout the seventeenth century the viceregal authorities of New Spain feared the development of a disobedient and disorderly underclass; in order to repress this emerging threat they sought to physically remove subversive elements from the territory. According to viceroys such as the Duque de Albuquerque, the forced removal of lower class men to the Philippines was the means by which «this earth has been made clean»[2] – which, in a more contemporary sense, can be understood as a form of «social cleansing». The *forzado* system also sat firmly within the Spanish tradition of utilitarian jurisprudence, as unruly men were put to work instead of imprisoned or subjected to capital punishment. Thus, those who actively destabilised the colonial order in New Spain were forced to serve as convict soldiers responsible for the maintenance and extension of colonial order and imperial authority in the Philippine archipelago. Their loyalty to the Spanish imperial project was assumed, despite the fact that they were removed from one colonial society to another for their disobedient and destabilising behaviour. These inherent contradictions within the *forzado* system gave rise to resistance amongst the *forzados* themselves and also led to growing dissent against convict transportation amongst religious and secular authorities in the Philippines throughout the seventeenth century.

The *forzado* system was more than just a method of conscription used to forcibly recruit soldiers for the military levy. *Forzados* were subject to criminal trials and were frequently enlisted into military service by an officer of the law rather than by a military captain or sergeant. Before moving to an examination of the utility that *forzados* filled within the military of the Philippines,

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Cabrero, 2004. Rodríguez, 1996: 315-326. Sales Colín, 2000a. Yuste López, 1984. Bjork, IX/1 (Manoa, 1998): 25-50.

[2] Archivo General de Indias, Sevilla (AGI), Audiencia de México (hereafter México), leg. 38, núm. 42.

it is important to look at where those who fit the profile of *forzados* were situated within the broader criminal underclass in New Spain, why they were considered so destabilising to the colonial order, and how the philosophy of social cleansing underpinning the *forzado* system emerged. While the system served viceregal officials for over 200 years, significant tensions nevertheless existed between the imperative to cleanse disobedient elements and the judicial practice of putting such individuals to use on the colonial frontier in the Philippines. After positioning the *forzado* system within its place alongside the ordinary levies, the final section of this article thus looks at how the *forzado* system unravelled in the Philippines. Disobedient, and now unfree, elements were introduced into the colony, and significant dissent towards the system emerged amongst the colonial administrators in the Philippines.

Despite its longevity, the *forzado* system of the Philippines has attracted surprisingly little attention from historians of criminal justice in New Spain or of the colonial Philippines. The presently limited nature of colonial Philippines historiography contributes to a lack of historical knowledge regarding the presence of lower class non-indigenous subjects within the archipelago. The strengths of the historiography of the colonial Philippines prior to the beginning of the independence struggles of the nineteenth century lie in histories of exploration and conquest,[3] largely quantitative studies of trade,[4] and studies of indigenous forms of organisation and resistance.[5] While these studies have enlivened our understanding of the social and economic fabric of the Spanish colonial presence in the Philippines, historians are yet to really explore in detail the lives of ordinary people, including *forzados*, who populated the archipelago.

By comparison, the *forzado* system is mentioned in a number of histories of colonial New Spain, particularly in relation to the criminal justice system.[6] These references, although cursory, provide the researcher with a tantalising glimpse into the system, often giving contextual information that has allowed the following study to take detailed shape. Yet, the treatment of the *forzado* system within the historiography of the criminal justice system of New Spain is not without its limitations. Where *forzados* are mentioned, there remains a prevalent assumption that the *forzado* system only became prominent in the eighteenth century.[7] Gabriel Haslip-Viera is most forceful in making this assertion, arguing that «the employment of convict laborers by the royal government continued to be relatively unimportant, at least until the middle of the eighteenth century».[8]

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[3] For example see: Martínez Shaw, 2001: 3-26. Brand, 2001: 1-54. García Abásolo, 2001: 21-36. Rodríguez, 1996: 315-326. Martí Escayol, 2004: 33-62.

[4] For example, see: Sales Colín, 2000a; 18/3 (Madrid, 2000b): 629-661. Yuste Lopez, 1984. Pearson, 2001: 117-138. Boxer, 2001: 165-186. Chuang, 2001: 241-260. Legarda, Jr., 2001: 337-366. Bjork, 1998: 25-50. Pérez Herrero, 2001: 49-74. Bernal, 2004: 485-526.

[5] For example, see: Scott, 1974; 1992. Palanco, 2004: 71-98. Phelan, I/2 (Cambridge, 1959a): 189-201. Phelan, 1959. Gerona, 2001: 265-276. Noelle Rodriguez, 2001: 277-298. Hidalgo Nuchera, 2001: 75-86; 2004: 465-484. Sánchez Gómez, 2004: 37-71.

[6] Jiménez de Muñana, 1994-1995: 565. Kagan, 1977: 41-42. Israel, 1975: 77-78. Gantes Tréllez, 1983: 540-544. Schurz, 1939: 276-277.

There are two existing studies that focus to any real extent on *forzado* migration to the Philippines and both have continued this trend. The first of these studies was written in 1996 by the Mexican historian, María Fernanda García de los Arcos, who deals with the free and unfree military recruitment system of the Philippines between 1756 and 1808.[9] García de los Arcos gives us an exhaustive account of the administrative history of the Philippines levies in this later period, and much of the evidence relating to the functioning of the *forzado* system accords with the evidence I have gathered for the seventeenth century. The second study is Beatriz Cáceres Menéndez and Robert W. Patch's 2006 article, which focuses on a cache of 220 trial records relating to *forzado* transportation to the Philippines between 1722 and 1728.[10] While these authors have acknowledged the role of the *forzado* system in controlling a criminal underclass, their article focuses mainly on notions of family honour in early eighteenth century New Spain exhibited within the trial documents. Taking data from around fifteen percent of their sample, they focus on the way that some individuals were condemned by their relatives or spouses to serve as *forzados* in the Philippines for behaviour that countermanded family values – a circumstance that I have not encountered amongst seventeenth century sources. The authors of both these works acknowledge the current lack of research and consequently limited knowledge of the workings of the *forzado* system prior to their period of focus in the eighteenth century.

This article intends to contribute towards filling this gap in knowledge about *forzado* transportation to the Philippines prior to the eighteenth century. The *forzado* system had its origins in Spain. During the early modern era, the most common form of convict labour in Spain was forced service on the galley ships that patrolled the coasts of the Iberian peninsula; however, the Spanish authorities also sentenced prisoners to labour in mines and to go as forced soldiers to man the forts in Northern Africa.[11] At the same time, impressment into military service was endemic throughout Spain during the sixteenth and seventeenth centuries. While some men joined the army voluntarily to escape poverty, criminal sentences or poor labouring conditions in favour of the relative security of wages, food and clothing offered by the army, the majority of soldiers and sailors were in fact forcibly conscripted.[12] Impressment of soldiers either involved the actual physical detention of men – usually vagabonds and other marginalised men, including deserted soldiers – or it could take place through an organised lottery system known as the *quinta*, whereby every town was obliged to conscript a percentage of their eligible male population.[13] One historian likened these methods of military and naval recruitment to a form of «social cleansing».[14] The clear targeting of the unemployed, vagrants and criminals was a deliberate policy of removing these undesirable elements from towns and urban centres. This same philosophy is replicated within the *forzado* system of the Philippines.

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[7] Cáceres Menéndez and Patch, 66/237 (Madrid, 2006): 363-392. Haslip-Viera, 1999.

[8] Haslip-Viera, 1999: 105.

[9] García de los Arcos, 1996.

[10] Cáceres Menéndez and Patch, LXVI/237, 2006: 363-392.

The forced transportation of convicts across oceans as part of the early modern system of colonialism is not unique to the Spanish empire. The most well-known examples of convict transportation come from the British Empire.[15] The British Transportation Act was passed in 1717, making the transportation of convicts across the Atlantic legal for the first time in British history, although there is evidence of the practice of convict transportation within the British Atlantic during the seventeenth century as well.[16] The Transportation Act led to 50,000 convicts being transported from Britain to North America in the fifty years prior to the American Revolution.[17] Subsequent to the loss of their American colonies, the British established a series of penal settlements in Australia from 1788, transporting more than 150,000 criminals from British gaols.[18] The British also imported the system of convict transportation into other colonies, such as Mauritius from the early nineteenth century.[19] Yet, convict transportation was not limited to the British Empire. Throughout the sixteenth, seventeenth and eighteenth centuries, the Portuguese utilised convict transportation to fulfil settlement aims in Portuguese India as well as to fill labour shortages within the military, in much the same way as is described here.[20] Convict transportation was also used to a minor extent between different Dutch colonies.[21] Examples such as these and the present study of the *forzado* system of the Philippines pre-date the well-studied establishment of the Australian experiment in convict settlement in the Asia-Pacific region by several hundred years. It is therefore surprising how little attention has been given to the *forzado* system of the Philippines.

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[11] Prior Cabanillas, 2006. Pike, 1983. Kagan, 1977: 6. Thompson, XXI/2 (August, 1968): 244-267.

[12] White, XIX/2 (Nueva Gales del Sur, Australia, October, 2001): 34-35, 41. MacKay, 1999: 135.

[13] MacKay, 1999: 8-9, 136.

[14] White, XIX/2 (Nueva Gales del Sur, Australia, October, 2001): 30-32.

[15] Grubb, LX/1 (Cambridge, March, 2000): 94-122.

[16] Smith, XXXIX/2 (Bloomington, January, 1934): 232-249. Beckles and Downes, XVIII/2 (Massachusetts, 1987): 225-247. Maxwell-Stewart, VIII/11 (2010): 1221-1242.

[17] Eltis, XCVIII/5 (Bloomington, December, 1993): 1407. Anderson, 2000: 2. Butler, II/1 (Bloomington, October, 1896): 12.

[18] Anderson, 2000: 3. Clark, 1998. Shaw, 1977. Nicholas, 1988. Duffield and Bradley, 1997.

[19] Anderson, 2000.

The research presented here is based on seventeenth century archival sources found in the Archivo General de la Nación (México) and the Archivo General de Indias (Seville), most of which are concentrated from the 1640s onwards. Yet, at the same time, this article also seeks to situate the *forzado* system within a framework of trans-oceanic early modern social conflict. I argue that by studying a particular underclass grouping such as the *forzados* we can see that everyday actions of marginalised members of colonial society fomented a sense of disorder and crisis that required constant intervention by the viceregal authorities.[22] The *forzado* system reveals this destabilisation not only through the emerging discourse over the need to repress an unruly underclass in New Spain, but also by demonstrating the almost constant acts of individual and collective disobedience that *forzados* engaged in en route to and in the Philippines. Historians have often looked towards the prevalence of large-scale rebellions in order to assess the magnitude of social instability within colonial Spanish America.[23] It is true that popular rebellions such as those that exploded in Mexico City in 1624 and 1692 represent points of crisis for the viceregal government.[24] Yet, underlying those explosions was the bubbling and seething of everyday cultures of disobedience and criminality among plebeians in New Spain and the Philippines.[25] *Forzados* provide us with a glimpse into the daily instability that, unless actively repressed through the imposition of effective criminal justice measures, could prove damaging to the colonial project.

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[20] Coates, 2001. For a comparison with Brazil, see Amado, VI (Río de Janeiro, suplemento, 2000): 813-832.

[21] Anderson, 2000: 6. Vink, XXIV/2 (Hawaii 2003): 154-155. Van den Boogart, 1986: 55-82.

[22] Jiménez de Muñana, 12-13, 1994-1995: 562.

[23] McFarlane, XIV/3 (Londres, September, 1995): 313-338; 1992: 250-260. Forster and Greene, 1970. Elliott, 42 (Oxford, February, 1969): 35-56.

[24] Israel, 1975. Stowe, 1970. Feijoo, XIV/1 (Mexico, 1964): 42-70. Pernas, LVI (México D. F., September-December, 1999: 20-29. Sigüenza y Góngora, 1932. Cope, 1994: 125-160. Silva Prada, 2007. Feijoo, XIV/4 (Mexico, April-June, 1965): 656-679. Muriel, XVIII (México D. F., 1998): 107-115.

[25] This interpretation is influenced by historiographical and theoretical works such as: Scott, 1985; 1990. Wood, 1999. Linebaugh and Rediker, 2000. Harris, 2001.

The term «plebeians» is utilised throughout this article interchangeably with the contemporary «*plebe*», to refer specifically to the underclass of New Spain. In making this choice of terminology, I am not suggesting that the term «plebeian» should only be used in reference to those who defy society by committing crimes or failing to contribute productively to society. Rather, the distinction is more pragmatic. I am utilising *plebe* as the term which the viceregal authorities themselves used to refer to the most marginalised members of society, many of whom belonged to the particular groups which were targeted by the *forzado* system.[26] This usage of the term *plebe* accords with Thomas Calvo's interrogation of the viceregal language utilised to describe the lower orders in colonial New Spain and Peru. It is Calvo's assertion that *plebe* comprises the most consistent and precise term within the viceregal discourse to denote inferior class and status, particularly as the seventeenth century progressed.[27]

Unfree migration on the Pacific Galleons

As a particularly unpopular theatre for military service, the Philippines relied on the regular dispatch of *forzados* from New Spain. In New Spain, the term *forzado* mostly designated soldiers who had been forcibly recruited into the military by the criminal justice system. Each year, levies were held in the cities and towns of the viceroyalty for individual theatres of military recruitment. The *forzado* system was used in instances when this process failed to attract sufficient voluntary recruits. It thus stands alongside other utilitarian methods of criminal punishment which supplied unfree labour to unpopular enterprises.[28] For the most part, *forzados* were sent to theatres of war where the dangers were great – such as the Chichimec frontier in the north of New Spain[29] – or where the distance from home was perceived by potential recruits as insurmountable – as in the cases of Florida and the Philippines. What is perhaps unique about the Philippines is the sheer distance that men were compelled to travel on a perilous shipping route with limited prospects for returning.

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[26] For example, see Torre Villar, 1991: 584 and 656-658.

[27] Calvo, 2003. See also Cope, 1994.

[28] Kagan, 1977. Salvucci, 1987.

[29] Powell, 1969: 137-140.

As noted above, the *forzado* system in New Spain had its origins in institutions already present in early modern Spain, where convict labour was employed within the galleys, mines and military.[30] Similar measures were adopted by the viceregal authorities of New Spain. In the sixteenth century a number of Spanish criminals were sent from Mexico back to Spain to board the galleys as convict labourers; convicts were also employed in the mines of New Spain and effectively sold to private enterprises to fill labour shortages.[31] In the seventeenth century, by contrast, the use of non-indigenous convict labourers on public works – such as the drainage of the basin of Mexico – became more common.[32] Outside of the military, the major employers of convict labour were the *obrajes*, or textile factories, which relied systematically on convict labour throughout the colonial period. The *obrajes* represent the widespread use of convict labour in private enterprises, and a multiracial convict labour force could also be found in bakeries, butchers, shoe making workshops – almost every workshop and trade in the colony.[33] Samuel Kagan has argued that the private use of convict labour developed from a system of sentencing debtors to work off their debt, which led to the transformation of «the colonial courts into labor bureaus and the magistrates into labor brokers.»[34] These various forms of forced labour thus represent the drawing together of diverse multiracial groupings that were united by their status as marginalised members of society.

The *forzado* system worked in conjunction with the regular Philippines levies to impress criminals and disobedient plebeians for the yearly consignment of material, fiscal and military aid sent from New Spain to the Philippines, known as the *socorro*. Yet, crucially, the *forzado* system was administratively separate from the ordinary levy process, which also often incorporated its own methods of systematic coercion and impressment. Unlike these other modes of military impressment, the *forzado* system was a criminal justice measure, which necessitated a trial and a sentence to *forzado* labour before the impressment was legitimate. Thus, the *forzado* system targeted a particular layer of criminals who were explicitly excluded from the other forms of recruitment – in particular, from the pardons that were regularly offered to criminals in exchange for enlistment during the levy period. Instructions given to the recruiting captains specifically decreed that the most unruly and destabilising of criminals were ineligible for these pardons, specifying the categories of excluded criminals as those who had committed «crimes against the Royal Crown [and] sins against nature», as well as «false witnesses, ... blasphemers, thieves that falsified money, those who resisted the justices or committed treachery», and «soldiers and sailors who had fled, with the pay they had previously received, from their banners and armadas where they were in the paid service of His Majesty».[35] Such criminals fell instead within the jurisdiction of the *forzado* system, and their impressment was considered a criminal punishment.

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[30] Pike, 1983. Kagan, 1977: 6.

[31] Haslip-Viera, 1999: 104-105.

[32] *Ibidem,* 1999: 105.

[33] Kagan, 1977: 8-9.

[34] *Ibidem*, 1977: 1-2.

Given the existence of informal impressment options, the choice to impress criminals for the Philippines levy through the formal criminal justice system was thus taken on the basis of the desire by the viceregal authorities to remove certain elements from the territory of New Spain. In many instances the crime itself – such as «vagabondage» – was not so much the problem as the individual who was perpetrating it – for example, a Spanish «vagabond» living amongst Indians and *castas* and sewing the seeds of idleness. Thus, while the *forzado* system often dealt with serious criminals such as highwaymen, others could be sentenced on the basis of relatively insignificant misdemeanours. The criminal records utilised by Cáceres Menéndez and Patch of 183 *forzados* transported between 1722 and 1728 indicates that the majority of *forzados* were transported to the Philippines for property crimes such as highway robbery, rustling and petty theft.[36] The other major category of *forzados* in this particular period were «undesirables», who constituted the vagabonds, idlers and other men of «evil dispositions» who were deemed unsuitable for integration into society in New Spain.

While no similar records allowing for a statistical analysis have been uncovered for the seventeenth century, anecdotal evidence from the archives offer us comparable insights. A group of eleven *forzados* captured in Tlaxcala and sentenced in Mexico City on 5 March, 1640 reveals that the prisoners had committed the crimes of «cohabitation with a woman», «selling thread at inflated prices to Indians», «reoffending cohabitation», «cohabiting with a mulatta servant who was exiled and violating this exile», «inflicting serious injuries» and vagabondage, the latter of which represented six out of the eleven men.[37] This group of prisoners indicate that sexual crimes were as much an offence as overt criminal activity and vagabondage. The seventeenth-century chronicler, Antonio Robles also mentions some notorious cases of sexual misconduct which resulted in a *forzado* sentence, such as occurred in 1680 when a Oaxacan man was sentenced to ten years in the Philippines for being in an incestuous relationship with his daughter.[38]

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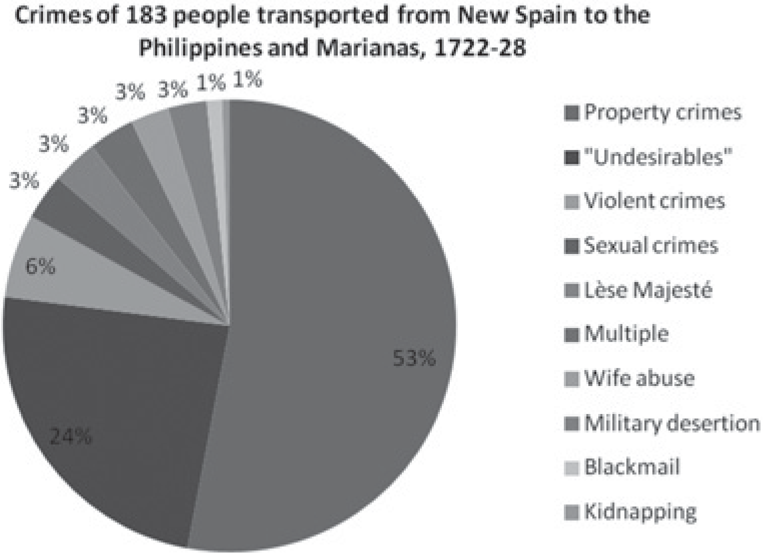
[35] Archivo General de la Nación, México (AGN), Reales Cédulas Originales y Duplicados (hereafter RC), vol. D49, expedientes. 193, 205, 210, 216, 220, 229.

[36] AGI, Escribanía de Cámara de Justicia, leg. 425B, fojas 119r-250v. Cáceres Menéndez and Patch, LXVI/237, 2006: 368. Note: The legajo contains 220 records of convict transportation, but only 183 provided enough information for statistical analysis.

[37] AGN, Real Hacienda, Archivo Histórico de Hacienda, vol. 6, exp. 2.

Figura 1



Source: AGI, Escribanía de Cámara de Justicia, 425B, fojas 119r-250v. Cáceres Menéndez and Patch, LXVI/237 (Madrid, 2006): 368.

Many *forzados* were apprehended by specially appointed constables on the highways of the viceroyalty or by officials such as the *alguaciles de vagabundos* in the urban centres. Constables were typically appointed through a special viceregal commission such as the one granted to Juan Martín Gallardo in December 1644, which instructed him to seek out within the diocese of Mexico City all the «runaway soldiers, artillerymen and sailors who have entered the interior of the country without license from their captains or superiors, and other vagabonds, *solteros* [unconnected people], and *malentretenidos* [those who amuse themselves in immoral ways; idlers] who have no office or occupation».[39] Highwaymen and other criminals were also frequently targeted, particularly in the rural areas immediately outside of major urban centres such as Mexico City and Puebla.[40] Ordinarily, constables would be instructed to send the prisoners that they had caught to the royal gaol in Mexico City, where they would be tried and sentenced; however some constables were granted the authority to hold trials at the site of apprehension or with the help of local authorities.[41] Additionally, local authorities could receive orders from the Viceroy to apprehend a particular number of criminals for the Philippines levy, as happened in February 1645 to Matheo de Aedo y Peña, the chief sheriff of the mines of Tlalpujahua, Tajimaroa and Maravatio, who was specifically obliged to «hand over four criminals with significant cases so that they can serve his majesty in the Philippine Islands as part of the present dispatch».[42]

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[38] Robles, 1972a: 275, 280.

FORZADOS AND THE REBELLIOUS *PLEBE* OF NEW SPAIN

The *forzado* system targeted a particular layer of plebeian society within New Spain – a disobedient medley of vagabonds, highwaymen, criminals and runaway soldiers and sailors. By subjecting these particular miscreants to a criminal trial and sentencing them to a period of military service in the remotest part of the viceroyalty, the viceregal authorities were expressing their philosophical loathing of colonial subjects who refused to abide by the rules of colonial order. A sentence to *forzado* labour provided an opportunity to counterpose the «idleness» of these subjects with forced labour and forced loyalty to the colonial order. Yet, the act of removing these criminals from the territory of New Spain altogether was also an act of social cleansing – of physically removing the seed of social disorder and plebeian disobedience. Viceroy Palafox succinctly expressed these ideological underpinnings of the *forzado* system when he wrote, «that which it is very convenient to take care with, is in apprehending every year the vagabonds to be sent to the Philippines; because those that are here restless at peace, are considerable over there in war».[43] Similarly, in 1657 the Duque de Albuquerque reported to the King that sixty highwaymen had been sentenced by the *sala del crimen* to be sent to serve in the Philippines, «with which the earth has been made clean».[44]

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[39] AGN, RC, vol. D48, exp. 443.

[40] *Ibidem*, vol. D14, exp. 738. AGN, General de Parte, vol. 8, expedientes 61 and 235.

[41] *Ibidem*, vol. D48, expedientes 427 and 454.

[42] *Ibidem*, vol. D50, exp. 30.

[43] Torre Villar, 1991: 427.

The existence of a plebeian underclass in colonial New Spain – and particularly in Mexico City – has long been acknowledged by social historians of the viceroyalty.[45] In his study of vagabonds in sixteenth century New Spain, Norman Martin argued that «the vagabond was a disturber of the peace, since he did not find a "position" within the colonial society, he provoked unrest».[46] Other historians have noted the presence of vagabonds and other criminal elements within the military, on the highways, and in the market places of the urban centres of colony.[47] The presence and growth of a significant layer of poor Spaniards in the viceroyalty during the seventeenth century was often identified as indicative of the growth of a plebeian underclass. Jonathan Israel, for instance, argued that poor Spaniards could enter New Spain illegally, bringing with them the traditions of the *pícaros* of Spain. He suggests that the miscegenation of these elements with the *castas* created a sense of racial betrayal which undermined Spanish dominance in the colony, and for this reason they presented a threat to the established order. Despite this, for Israel and many of his contemporaries, the capacity of these underclass subjects to influence colonial society was limited.[48]

Nevertheless, the idea that plebeians had the capacity to shape viceregal society has increasingly gained currency since R. Douglas Cope published his study of a multiethnic plebeian society in late-seventeenth century Mexico City, which he described as made up of Indians who had settled in the «Spanish Republic», various *casta* groupings and lower-class Spaniards. Within his broader discussion of the formation of a multi-ethnic *plebe*, Cope situates the presence of a disobedient, «idle» population which existed on the margins of «a plebeian subculture ... whose norms were different from, or even opposed to, those of the dominant Spaniards».[49] He argues that idlers and vagabonds were feared by the viceregal authorities because of their propensity to mistreat the indigenous populations and to teach them the bad habits of idleness and other lower class vices. This created a sense of lawlessness, of an emerging marginalised society outside of the control of the authorities. The viceregal authorities constantly feared the possibility of open rebellion among one or another sector of this multiracial *plebe*.[50] Lower class Spaniards assumed a particularly dangerous role for the authorities, since their plebeian manifestation undermined the racial domination of the Spanish elite.[51]

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[44] AGI, México, leg. 38, núm. 42.

[45] Israel, 1975. Martín, 1957.

[46] Martín, 1957: xx.

[47] Powell, 1969: 140. Gantes Tréllez, XL (Sevilla, 1983): 544. Yoma Medina and Martos López, 1990: 54-55.

[48] Israel, 1975: 77-78.

[49] Cope, 1994: 34.

This fear of an unruly and criminal *plebe* is reflected within the viceregal writings of the seventeenth century. Throughout the century a prevalent culture of street violence attained levels of troublesome audacity that beleaguered the viceregal authorities.[52] The focal point for this disorderliness was always Mexico City where, according to the Marqués de Mancera in 1673, the unemployed, itinerant and criminal *plebe* was supposed to number up to 200,000 in the city alone.[53] Earlier viceroys, such as the Marqués de Cerralvo (1624-1635), also located the problems of plebeian disobedience in the prevalence of vagabondage among the lower class Spanish and mestizo populations.[54] From these early itinerant origins, plebeian cultures continued to thrive outside the auspices of servility and obedience that the viceregal authorities attempted to impose. By the mid-seventeenth century, the *plebe* was associated within the viceregal discourse as being overtly criminal and a blight on the stability of colonial society. The viceroy Conde de Salvatierra (1642-1648) gave a particularly scathing account of the level of crime in New Spain and Mexico City:

> The citizens of México were always molested by thieves [and] *escaladores* of houses...; the damages increased by the day and the criminals became habitual delinquents, murdering the owners of the houses that they entered to rob, forcing themselves on the women in the presence of their husbands, [and] all this without resistance.[55]

Urban plebeian socialising took place within the taverns and marketplaces of major cities such as Mexico City and Puebla de los Ángeles. These sites were consequently notorious for their unruliness and criminality.[56] The *baratillo* – a plebeian marketplace located in Mexico City's *plaza mayor* – provided the perfect outlet for criminal activities in the city, being a site for the congregation of thieves and the selling of goods acquired through theft and often violent robbery. At night, plebeian marketplaces were also notorious sites of gambling, drinking, illicit sexual activity and scandalous thefts and assaults.[57]

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[50] *Ibidem*: 15-16.

[51] *Ibidem*: 21-23.

[52] Torre Villar, 1991: 532, 584, 656-657.

[53] *Ibidem*, 1991: 584-5. Calvo, 2003: 21.

[54] *Ibidem*, 1991: 348. Martín, 1957. Cope, 1994: 15-16.

[55] *Ibidem*, 1991: 532.

[56] On taverns, see Taylor, 1979.

[57] Yoma Medina and Martos López, 1990: 54. Cope, 1994: 37-39.

Additionally, while plebeian cultural formation occurred openly within the public spaces of the taverns and the marketplaces, it also took place within underground criminal networks which included associations of thieves, picklocks, coiners and counterfeiters, panhandlers, and vendors of stolen goods. This underground society made use of networks of criminal hideouts within the poor quarters of the cities, evidenced by the constant policing of those who harboured criminals.[58]

Plebeian acts of violence and criminality similarly spilled outside the urban centres to pervade the rural highways. Highwaymen, vagabonds, criminal fugitives and runaway soldiers and sailors assailed the commercial activities of the viceroyalty and threatened the lives of traders and travellers alike.[59] In 1641, for instance, Andrés Hidalgo was given a commission to patrol the towns and highways between Cholula, Huejotzingo and Atlixco, in the vicinity of Puebla de los Ángeles, in search of highwaymen, thieves, vagabonds and other criminals. Hidalgo reported to the Viceroy on the presence of «many persons that are habitual delinquents, criminals, vagabonds, as much negros, mulattoes, mestizos as well as other miscreants, that frequently commit crimes that cannot be prevented although the justices make proceedings towards correcting their damages».[60] He spoke of frequent robberies and other crimes committed in particular against the large land holdings in the area – including damages to livestock and tools – and against the travellers, merchants and carters travelling along the highways between the towns. Another compelling example comes from 1686, when Don Juan de Rojas reported frequent robberies on the mountain roads between Yautepec and Milpa Alta (in the present day state of Morelos), which threatened the viability of the sugar refineries and large land-holdings in the region. He also reported that in some instances mule drivers were poorly treated and even killed, while passengers were robbed.[61]

Although this plebeian threat only erupted into outright rebellion against the viceregal authorities on two known occasions – in 1624 and 1692 – historians have tended to underestimate the ability for plebeian disobedience to pose a continual threat to the everyday order and stability of viceregal domination over the colony.[62] The streets of Mexico City witnessed a constant stream of public punishments throughout the seventeenth century.[63] Prisoners who were executed on the gallows in the plaza mayor were often cut into pieces afterwards, their body parts placed strategically around the city, or sometimes scattered gruesomely over the highways, to act as a warning to future criminals.[64] Nevertheless, by the end of the seventeenth century, the disobedient *plebe* was as strong as ever, leading the Viceroy Ortega y Montañes to comment in 1696 that despite all efforts to «remove such a bad seed ... these kinds of people are as the heads of the Hydra».[65]

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[58] Guijo, 1952a: 147, 196. Robles, 1972a: 6, 203, 210, 225, 260, 276, 277, 306. Robles, 1972b: 10, 21, 40, 62, 91, 120, 137, 138, 140, 141-142, 156, 197, 199, 207, 208.

[59] AGN, General de Parte, vol. 8, exp. 61. AGN, RC, vol. D28, exp. 641. Torre Villar, 1991: 738-739.

[60] AGN, General de Parte, vol. 8, exp. 61.

[61] AGN, RC, vol. D28, exp. 641.

[62] McFarlane, 1992: 250-269. McFarlane, XIV/3 (Londres, September, 1995): 313-338.

The Crown had a number of methods for punishing and controlling the unruly *plebe*. While executions and other forms of public and exemplary punishment were among the most visible and brutal forms of punishment, they were by no means the most common.[66] Execution was in fact limited in its application to those who had committed the most terrible crimes. A number of historians have questioned its deterrent effect within a socio-economic system that forced the poorest elements into a life of crime.[67] The Viceregal authorities tended to prefer utilitarian punishments, such as forced labour in the *obrajes*, which would remove the unemployed and criminal into specified worksites.[68] Haslip-Viera's study of crime and punishment in Mexico City indicates that only around four percent of criminals were subjected to corporal or capital punishment, while the rest were sentenced to convict labour.[69]

Within this context, the *forzado* system emerged alongside a number of other utilitarian criminal justice measures designed to control plebeian disobedience through forced labour schemes. Prisoners could likewise be sentenced to forced labour in the *obrajes*, mines, bakeries, public works or any number of other professional locations.[70] What distinguishes the *forzado* system from these other instances is its longevity, yearly regularity and consequent organisation around the shipment of aid to distant outposts of the empire. Additionally, the imperative for meeting yearly quotas for the Philippines levy lent the *forzado* system a sense of indiscriminateness, as it functioned in many ways like a giant round-up of criminals, itinerants and illegal migrants.

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[63] Haslip-Viera, 1999: 101-102. MacLachlan, 1974: 29.

[64] Guijo, 1952a: 225-226. Guijo, 1952b: 16, 68-69, 72-73, 142, 161-162. Robles, 1972a: 101, 176. Robles, 1972b: 142.

[65] Torre Villar, 1991: 656-657.

[66] Haslip-Viera, 1999: 101-102

[67] MacLachlan, 1974: 29.

[68] Kagan, 1977: 41.

[69] Haslip-Viera, 1999: 102.

[70] Kagan, 1977: 41. Haslip-Viera, 1999: 104-105.

For this reason, in the evidence pertaining to capturing targeted criminals we find the proliferation of sources relating to highways, where such itinerants could be caught more easily than within the anonymity of the city. When Andrés Hidalgo was granted his commission in 1641 to patrol the highways in the vicinity of Puebla de los Ángeles, he was specifically instructed to «proceed against these criminals» and «draw out some people for the Philippines and other parts».[71] A similar commission for the jurisdiction of Chalco was granted to Juan Alonzo in December 1648, who was instructed to capture thieves, highwaymen, criminals, vagabonds and runaway soldiers «for the duration of the recruitment for the Philippines».[72] In 1644, Juan Martín Gallardo was commissioned to seek out «runaway soldiers, artillerymen and sailors who have entered the interior of the country without license from their captains or superiors, and other vagabonds, *solteros* [unconnected people], and *malentretenidos* [those who amuse themselves in immoral ways; idlers] who have no office or occupation» in the jurisdiction of Mexico City for the Philippines levy that year.[73]

IMPERIAL PRECARIOUSNESS IN THE PHILIPPINES: *FORZADOS* AND THE PHILIPPINES LEVIES

The *forzado* system was thus firmly located within the early modern Spanish judicial tradition which preferenced utilitarian forms of punishment over the gallows.[74] Therefore we need to consider what utility was being served when the viceregal authorities of New Spain dispatched convict soldiers to the Philippines. A steady stream of documentation emerging from the Philippines during the seventeenth century clearly indicates that the *forzado* system was part of a broader struggle to fill a constant and dire labour shortage within the archipelago. Behind this labour shortage was the precarious frontier reality that characterised the early Philippines colony and which in turn made the life of a soldier sent to the Philippines dangerous and short. Such conditions provide us with an insight into the constant demand for conscripts to bolster the numbers of soldiers sent yearly to the Philippines from New Spain.

Prior to Mexican independence, the Philippines were legally part of the viceroyalty of New Spain, and were both governed by its laws and dependent on the viceroyalty for military survival.[75] Spain maintained only a tenuous foothold in the colony which experienced a turbulent existence throughout most of the seventeenth century. The Philippines were vulnerable to attack from other imperial powers, particularly from the Dutch whose naval forces beleaguered the islands throughout the century. At the same time, the Spanish authorities required increasing numbers of troops to control restless indigenous and Chinese populations, and to further their efforts of colonisation and evangelisation in more remote parts of the archipelago, and the Pacific more broadly.[76] These elements of colonial life in the Philippines underlined the nature of the relationship between the archipelago and New Spain, and propelled increased calls for military aid. Accordingly, a system of regular aid was designed, known as the *socorro*, which involved the yearly consignment of material, fiscal and military aid in the form of goods, money and soldiers. The *forzado* system regularly comprised part of this *socorro* and occurred alongside the regular levies of volunteers. Upon entering the Philippines, lower class subjects of New Spain – both *forzados* and voluntary recruits – were plunged into the turbulence of inter-imperial warfare and internal instability, which underlined a sense of prevalent danger associated with military life in the Philippines.

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[71] AGN, General de Parte, vol. 8, exp. 61.

[72] AGN, RC, vol. D14, exp. 738.

[73] *Ibidem*, vol. D48, exp. 443.

[74] Haslip-Viera, 1999: 102.

The notoriously long and perilous shipping route across the Pacific – one of the longest shipping routes in the world –accounted for at least some of the reluctance among voluntary recruits to enlist for the yearly dispatch. The voyage between Manila and Acapulco took between five and seven months, and the majority of that time was spent on the open sea, without a solitary island breaking up the journey between the Marianas and the coast of New Spain.[77] Francisco de Samaniego Tuesta poignantly encapsulated the monotony that a passenger could feel during the lengthy crossing, writing that «God punished my curiosity well by giving me enough time so that I could count the 11,000 islands that comprise this archipelago».[78] The journey back to Manila was substantially easier, taking on average three months;[79] however this did not render ships immune to the perils of storms that could completely destroy a galleon, as happened to the galleons *Santa Margarita* in 1601,[80] *Nuestra Señora de la Concepción* in 1638,[81] *San Francisco Javier* in 1656,[82] and *Nuestra Señora*

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[75] For an administrative History of the Audiencia of Manila see Cunningham, 1971.

[76] Polanco, 2004: 71-98. Schurz, 1939: 31. Abella, 1974: 11-12.

[77] Lévesque, 1995: 57.

[78] Archivo Histórico Nacional (Madrid), Colección Documentos de Indias, leg. 25, núm. 15.

[79] Schurz, 1939: 262-263.

[80] AGI, Audiencia de Filipinas (hereafter Filipinas), leg. 9, ramo 2, núm. 15.

[81] Lévesque, 1995: 37. Schurz, 1939: 259.

[82] AGI, Filipinas, leg. 22, ramo 9, núm. 45.

del Pilar in 1690.[83] Potentially even more disastrous was the possibility of encountering days and even weeks of calms on the open sea, during which time a whole crew could perish from disease, thirst, or hunger as supplies ran short.[84] Cases were reported of ships drifting idly across the ocean after the entire crew perished.[85] Galleons that sailed with religious passengers – as almost all did – maintained a complex ritual of prayer that was intended to oversee the safe passage of the ships and to maintain the morale of the men onboard during the long and perilous crossing.[86] These factors exacerbated the precarious position of the Philippines and made the trade with New Spain an uneasy and anxious undertaking, reflected by the ceremonies of great jubilation in both Manila and Acapulco upon the safe arrival of the galleons.[87]

The same factors which defined the precarious nature of the Philippines colony and prompted calls for extra military recruits also rendered it a dangerous place for the men who were sent there. When soldiers arrived in the Philippines, they encountered a fledgling colony which continually suffered from shortages in specie and material supplies due to the unreliability of the yearly *socorro*. Additionally, very few returned home before they perished, either due to official corruption which denied the soldiers a return passage or because they fell as casualties of war, disease and indigenous insurrection. In 1685, for instance, a report arrived in New Spain with the returning galleon that «five fathers from the Company [of Jesus] had been martyred and fifty or more soldiers» at one of the outposts in the Philippines.[88] Even when stationed away from imminent danger, life for soldiers in the Philippines was hard. In 1670, the Governor of the Philippines reported that he had been forced to pay the soldiers with rations of meat, because of a perpetual lack of currency. The Governor wrote that this constant lack of goods and funds «disheartens the spirits of those who could help».[89]

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[83] AGI, Escribanía de Cámara de Justicia, leg. 414C.

[84] In 1667, for instance, the galleon *San José* hit a whole month of calm weather just as it came in sight of the coast of the Philippines, which led to a short-lived *forzado*-led mutiny on board, which will be discussed below. Robles, 1972a: 49-50.

[85] Schurz, 1939: 265-266.

[86] Father Bobadilla related saying mass, taking communion, reading spiritual books, reciting the Litanies of the Virgin and undertaking religious teachings every single day of the voyage from Acapulco to Manila. Lévesque, 1995: 65-66.

[87] Guijo, 1952a: 25, 84. Guijo, 1952b: 11, 114-115, 193. Robles, 1972a: 3, 232, 255, 257, 293, 307; Robles, 1972b: 60, 77-78, 108, 174, 193-194, 215, 236. Torres, 1992: 90-91. Schurz, 1939: 283. Reed, 1978: 30.

[88] Robles, 1972b: 109.

[89] AGI, Filipinas, leg. 10, ramo 1, núm. 4.

Alongside these problems, the archipelago was beset by a state of internal conflict and inter-imperial warfare which substantially impacted on the capacity of the colonists to cement their control over the island. Such circumstances propelled the drive for greater military aid and played a large role in supporting the endurance of the *forzado* system throughout the seventeenth century. The Dutch presence in south-east Asia during the seventeenth century posed the greatest threat to the survival of the Spanish colony. Throughout the century, Dutch ships periodically blockaded the shipping routes between China, Manila and New Spain with the hope of capturing ships laden with goods or currency. As one observer noted, «if they are not able to capture the galleons, they will try to burn them with their own old ships, which they take with them for this purpose».[90] The extent of the Dutch presence was a subject of obsession among Spanish *vecinos* residing in the Philippines. Juan de los Ángeles estimated in 1643 that «the Dutch have at this time more than one hundred and fifty ships and *pataches*, at a moderate estimate – all equipped with seamen, soldiers, artillery and other necessary supplies».[91] For the Spanish authorities, who persistently struggled to find crews for their ships, and who continually lost their citizens in endless wars and to tropical diseases, the seemingly endless number of Dutch soldiers and sailors in the region posed a serious threat.

The Spanish *vecinos* consequently feared an imminent invasion by the Dutch throughout this period – a threat that intensified after the loss of Formosa to the Dutch in 1642.[92] «[The Dutch] talk amongst themselves of nothing else than how they will gain Manila, and load themselves with silver», Los Ángeles wrote.[93] Another report informed the King that «with so few Spaniards and the absence of military persons, and little assistance and aid, [there has developed] a great fear of invasion».[94] Thus, the 1640s saw some of the largest *socorros* of soldiers and sailors for the defence of the islands.[95] The *forzado* system was essential to the success of these huge levies. In 1645, for instance, King Philip IV specifically decreed «that the *alcaldes-mayor* and the *corregidores* shall fill the respective quotas allotted to them from the vagabonds and criminals; for otherwise it will be impossible to collect a sufficient number, or to further [the needs of] my service».[96]

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[90] Blair and Robertson, 1906: 130.

[91] *Ibidem*: 151.

[92] Abella, 1974: 8.

[93] Blair and Robertson, 1906: 156-7.

[94] AGN, RC, vol. 2, exp. 29.

[95] *Ibidem*, exp. 9.

[96] Blair and Robertson, 1906: 196-198.

Imperial rivalry with the Dutch all but destroyed the Spanish colony in the Philippines, and opened it up to threats from Chinese pirates and Moro raids that chipped away gradually at the territorial integrity of the colony until only the provinces of Luzón and the Visayas remained under Spanish control.[97] In 1661 news reached Manila that a Chinese pirate named Koxinga had seized the island of Formosa from the Dutch and was preparing to mount an assault on the Spanish in the Philippines. With the provinces of Pampanga, Pangasinan, Ilocos and Cagayan recently in revolt, the audiencia in Manila voted to withdraw all Spanish infantry from the presidios of Ternate, Zamboanga, Iligan and Calamianes, reducing the number of presidios under Spanish control by nearly half.[98] In 1668, a group of ecclesiastical and secular officials in the Philippines reported that there was such a great shortage of Spanish soldiers arriving from the Indies that they had resorted to recruiting the few natives and mulattos that were deemed trustworthy for the defence of the city walls against the threat of Chinese rebellion or foreign invasion. They also reported that money being sent each year to support the islands was less than half of what was necessary to last the entire twelve months between the arrival of each galleon. At the same time «the commerce with the Chinese had decreased ... because of the wars that were happening with the tartars, who were impeding the coming of the *champanes* [vessels]».[99] Similar complaints were made throughout the following decade.[100]

This situation of insufficient and unreliable *socorros* combined with a siege mentality among the Philippine colonists prompted a steady stream of requests from the Governors of the islands for increased aid throughout the seventeenth century. Yearly levies for the Philippines were conducted in New Spain with this imperative in mind. The *forzado* system existed alongside these levies and worked to bolster the numbers of voluntary recruits. Yet, impressment and coercion of «voluntary» recruits were already standard features of the regular levies for the Philippines. Unlike these other methods of impressment, the *forzado* system involved the trial and sentencing of prisoners often captured on the streets and highways of New Spain during the levy period. The *forzado* system was also administratively separate from the ordinary recruitment process and *forzados* were transported to Acapulco separately from all the other military recruits. Due to their ubiquitous criminality and propensity to mutiny or desert, *forzados* had their own company of guards to ensure the transportation between the royal gaol in Mexico City and the port of Acapulco allowed the least opportunity for escape.[101] Thus, the distinct nature of the *forzado* system only becomes apparent when it is analysed alongside the ordinary levies.

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[97] Schurz, 1939: 49. On pirate raids see: AGI, Filipinas, leg. 12, ramo 1, núm. 45. Lévesque, 1995: 154.

[98] AGI, Filipinas, leg. 9, ramo 2, núm. 3. AGI, Filipinas, leg. 9, ramo 2, núm. 34. AGI, Filipinas, leg. 9, ramo 3, núm. 42.

[99] AGN, RC, vol. D26, exp. 166. The viceroy was thus ordered to drastically increase the *socorro* to the Philippines, both in terms of money and men. AGN, RC, vol. D26, exp. 241 and vol. 13, exp. 60.

[100] *Ibidem*, vol. 13, exp. 93. AGI, México, leg. 44, núm. 23.

Levies for the Philippines were regularly held in the major urban centres of Puebla de los Ángeles,[102] Mexico City,[103] and Veracruz.[104] At times of urgent need, recruiting officials were also known to hold levies in Zacatecas,[105] Antequera,[106] Celaya,[107] Cuernavaca,[108] Tlaxcala,[109] and Acapulco.[110] In the months leading up to the scheduled departure of the galleons in March or April of each year, the Crown officially appointed an infantry captain in each of the levy locations. Captains were instructed to report to the local authorities and then raise a banner in the centre of town and decree publicly that the military levy was in progress.[111] They then established a recruiting booth, «so that all the men and soldiers that want to enlist themselves beneath this banner, to go on the said occasion to serve His Majesty» might do so.[112] The Council of Indies stated in 1663 that the ideal minimum for an ordinary levy was around 200 soldiers split into eight or nine companies of twenty-five men each, although figures were undoubtedly much higher during times of crisis.[113]

Recruiting officers rarely reached the ideal number of voluntary recruits. The viceroy Conde de Salvatierra wrote in 1648, for instance, that volunteers for the Philippines *socorro* «were always lacking, they collected men from the levies of [Mexico] City, Puebla and Veracruz, but from the rest of the recruitment sites there were few or none».[114] At the same time, the pool of volunteers was limited even further by official restrictions relating to racial characteristics of recruits. Recruiting captains were specifically instructed to ensure that all their recruits were «Spaniards and mestizos or sons of those ... and from the necessary parts for military exercises and not elderly, friars, clerics, Indians, negros, Mulattoes, nor those that have transmittable diseases».[115] Spanish authorities were evidently concerned about the introduction of the mixed-race *casta* groupings of the Americas into the already fragile frontier society of the Philippines. In 1664, Governor Diego de Salcedo reported that the socorro of that year was «miserable», not only because it was delayed by many months but also because the infantry comprised just 149 soldiers, nearly all of whom were mestizos, mulattos and Indians. The governor argued that these types of recruits discredited the Spanish in the eyes of the natives and also in the eyes of neighbouring nations. He petitioned the King to order the Viceroy to send better socorros, both in terms of quantity and quality, saying in particular that the infantry must not be black men, but must be white and «appropriate» for service.[116]

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[101] AGN, Real Hacienda, Archivo Histórico de Hacienda, vol. 6, exp. 2 and vol. D49, exp. 286.

[102] AGN, RC, vol. D49, expedientes 196, 197 and vol. D50, exp. 57. AGI, México, leg. 46, núm. 19.

[103] AGN, RC, vol. D49, expedientes 211, 212, 288, 289. AGI, México, leg. 46, núm. 19.

[104] AGN, RC, vol. D49, exp. 209; AGI, México, leg. 46, núm. 19.

[105] AGN, RC, vol. D49, exp. 213.

[106] *Ibidem*, vol. D49, expedientes 229, 230, 231. AGN, RC, vol. D50, expedientes 56, 58, 59.

[107] *Ibidem*, vol. D49, expedientes 219, 220, 221, 223, 252, 269.

[108] *Ibidem*, vol. D49, exp. 241 and vol. D50, expedientes 65-67. AGI, México, leg. 46, núm. 19.

[109] AGI, México, leg. 46, núm. 19.

[110] AGN, RC, vol. D49, exp. 252. AGI, México, leg. 46, núm. 19.

[111] AGN, RC, vol. D49, expedientes 192, 197, 200, 202, 207, 215.

[112] *Ibidem*, expedientes 193, 205, 210, 216, 220, 229.

[113] *Ibidem*, vol. D25, exp. 597. This is consistent with estimates for the *socorros* of the 16th and 18th centuries. Muro, XIX/4 (April-July 1970): 466-491. García de los Arcos, 1996: 7.

Systematic coercion was thus endemic to the military recruitment process, and the levy period offered recruiting captains a number of options for coercing unwilling recruits into their companies. One method used in almost all levies was to offer a pardon to «all of those [criminals] who within the first fifteen days following the pronouncement of this decree do present themselves before the said captain or his deputy to enlist themselves».[117] In this manner, the recruitment process could target petty criminals by providing them with an incentive to enlist in the army. The same captains were also given licenses to apprehend the criminals that failed to present themselves within the fifteen days of the levy period, and to send them to Mexico City for trial as part of the *forzado* system.

In addition, some captains were given extra authority to forcibly recruit runaway soldiers. These soldiers most likely sailed on board the Indies fleets from Spain and deserted their ships or companies upon arrival in Veracruz. During the 1642 levy, captain Don Antonio de Guruista y Vidaurre was instructed that if he came across «any soldiers that had been receiving pay, such as those who had come in the fleets and galleons», that he «add them to [his] company so that this present year they serve under His Majesty in the Philippine Islands». He was authorised to recapture these soldiers in Puebla de los Ángeles and «in the other places that you pass along the way, or where you will stay ... until the time of our embarkation».[118] The same order was given to Juan Gomes de Trespalacios y Estrada, the recruiting captain for the town of Celaya in 1642.[119]

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[114] Torre Villar, 1991: 515.

[115] AGN, RC, vol. D49, expedientes 192, 197, 200, 202, 207, 215. Similar findings exist for the eighteenth century, see García de los Arcos, 1996: 77-78.

[116] AGI, Filipinas, leg. 9, ramo 3, núm. 44.

[117] AGN, RC, vol. D49, expedientes 193, 205, 210, 216, 220, 229.

Captains could finally resort to impressment when all other methods of recruitment failed to attract sufficient numbers of recruits. Vocal protests are documented throughout the seventeenth century among the citizens and city council of Puebla de los Ángeles, which demonstrate the way in which impressment was perceived as a gross violation on the rights of the citizens of the city. Recruiting officers were known to target young boys and vagabonds, and when they still could not meet the numbers required for the levy, they would begin to impress respectable citizens. In 1621, the Puebla city council protested that the recruitment officers appointed by the Crown were continually disturbing public order and humiliating the respectable citizens by forcibly recruiting them into the companies of infantry and compelling them to pay hefty bribes for their liberty.[120]

Despite the wide array of coercive recruitment options available to the authorities, they were not enough. In addition to these other methods of impressment, the *forzado* system was utilised consistently in each yearly levy for the Philippines and significantly bolstered the numbers of recruits for the *socorro*.

While fragmentary archival records make the collation of data regarding recruitment numbers difficult, it is possible to make some estimates based on available evidence. The numerical data compiled from a survey of records held in the Archivo General de Indias as well as the chronicles of Gregorio M. Guijo and Antonio Robles can help us reconstruct an idea of the yearly progress of the *forzado* system and, to a lesser extent, the total numbers of soldiers levied for the Philippines galleons. As the table below shows, *forzados* yearly comprised approximately a quarter of all soldiers sent to the Philippines, with an annual average of around 48 men:

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[118] *Ibidem*, exp. 203.

[119] *Ibidem*, exp. 223.

[120] Gantes Tréllez, XL (Sevilla, 1983): 540-544.

TABLA 1

Year	**Voluntary Recruits**	**Forzados**	**Combined Total**	***Forzados* as % of total**
1600	191	18	209	9%
1601	-	-	500	-
1603	-	-	150	-
1604	-	-	150	-
1605	-	-	850	-
1606	-	-	40	-
1608	-	-	350	-
1610	-	-	268	-
1615	182	129	311	41%
1619	124	32	156	21%
1620	-	-	407	-
1621	110	60	170	35%
1622	380	102	482	21%
1631	-	-	80	-
1632	-	-	90	-
1644	-	-	255	-
1645	-	-	254	-
1646	-	-	141	-
1648	-	-	79	-
1649	108	28	136	21%
1650	17	36	53	68%
1653	66	44	100	44%
1654	-	-	167	-
1655	-	-	110	-
1658	104	60	164	37%
1659	-	27	-	-
1660	8	33	-	-
1662	-	-	300	-
1664	-	-	149	-
1666	-	-	70	-
1667	-	-	50	-

TABLA 1 *(cont.)*

Year	**Voluntary Recruits**	**Forzados**	**Combined Total**	***Forzados* as % of total**
1671	87	48	135	36%
1672	58	43	101	43%
1675	-	31	-	-
1676	97	50	147	34%
1677	-	26	-	-
1678	-	40	-	-
1680	70	60	130	46%
1684	150	40	190	21%
1685	170	36	206	17%
1686	100	30	130	23%
1689	117	46	163	28%
1690	-	80	-	-
1691	-	62	-	-
Mean	119	48	201	24%
Median	109	42	150	28%

Table: Comparison of voluntary recruits and *forzados*, 1648-1692.[121]

Thus, the *forzado* system served a dual purpose as a system of criminal justice and as a utilitarian measure for providing soldiers for the Philippines. In its utilitarian guise, the *forzado* system played an important part in the yearly recruitment of soldiers for the Philippines. Its function as an element of the criminal justice system allowed the Crown to impress criminals and transport them to the Philippines in a manner which was intended to effectively mitigate against their potential desertion. In this manner, disobedient plebeians were effectively removed from New Spain.

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[121] AGI, México, leg. 24, núm. 39; leg. 25, núm. 4; núm. 62; leg. 26, núm. 22; núm. 46; núm. 91; leg. 27, núm. 35; leg. 28, núm. 2; núm. 24; núm. 46; leg. 29, núm. 18; núm. 37; núm. 86; leg. 36, núm. 35; leg. 38, núm. 42; leg. 41, núm. 18; leg. 46, núm. 19. AGI, Filipinas, leg. 7, ramo 1, núm. 23; ramo 5, núm. 58; núm. 64; leg. 8, ramo 1, núm. 17; núm. 16; leg. 9, ramo 1, núm. 13; ramo 2, núm. 30; núm. 34; ramo 3, núm. 44; núm. 49; núm. 50; leg. 19, ramo 3, núm. 47; ramo 6, núm. 91; leg. 22, ramo 9, núm. 45; ramo 10, núm. 57; leg. 23, ramo 2, núm. 4. Guijo, 1952a; 1952b. Robles, 1972a; 1972b.

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The viceregal authorities felt that such men could be put to work in the service of the empire, and in this manner their loyalty to the colonial project in the Philippines was assumed. The effectiveness of this method of «social cleansing» is brought into question, however, when we look at the actions of *forzados* en route to and while in the Philippines.

FORZADOS AND THEIR DETRACTORS: THE UNRAVELLING OF THE SYSTEM ON THE COLONIAL FRONTIER

The philosophy of social cleansing – of turning disobedient, unproductive and criminal plebeians into loyal protagonists of the empire – was put to test within the frontier environment of the Philippines. In their article on *forzado* labour in the eighteenth century, Cáceres Menéndez and Patch claim that «the absence of information ... suggests that few, if any, ever succeeded in re-crossing the Pacific».[122] There is, however, a volume of evidence to the contrary for the seventeenth century; furthermore the evidence reveals that *forzados* were engaged in an almost constant mutiny against the system that judicially relegated them to forced labour. Return migration, violence, disobedience and mutiny were constant and persistent problems associated with every phase of the *forzado* system. Thus, we are left with an impression that despite its longevity this unique experiment in colonial criminal justice constantly failed to meet its stated objectives. While forced military exile to the Philippines was undoubtedly a severe and extreme punishment meted out to some of New Spain's most unruly and disobedient plebeian elements, the system nonetheless failed to adequately address the cultures of disobedience present amongst those who made up the *forzado* population. Rather, *forzados* brought to the Philippines their very own set of rebellious and disobedient behaviours that the authorities were so intent on preventing from taking root in New Spain. Yet, suffering as they were from a constant labour shortage, the authorities in the Philippines and their counterparts in New Spain had little choice but to uphold the utility of the system at the same time as the effectiveness of the criminal punishment was itself undermined.

The propensity for *forzados* to return to New Spain illegally on board the galleons raised the most serious concerns about the effectiveness of the system as a criminal justice measure designed to punish criminals in New Spain. In January 1671 two ships arrived in Acapulco from the Philippines, one of them badly damaged by storms encountered at sea. A routine search by officials discovered that «many of the soldiers of the previous musters and no small number of those relegated to service by the tribunals and ministries of justice» were on board, of whom only a few had a license to return to New Spain.[123] Their discovery sparked an investigation which concluded that «for several years many of the *forzados* have come back to [New Spain] without having stayed for the time that they were condemned, they have returned without a licence, a very grave and inconvenient thing considering the gravity of their crimes».[124] The blame for this situation was laid squarely at the feet of the viceregal administrators in the Philippines, and an outraged viceroy Marqués de Mancera sent a letter to the Queen Regent Mariana arguing that «if in the Islands they cannot conserve the men that I have sent there with such solicitude and expense, always they will find themselves in need of sailors and soldiers».[125]

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[122] Cáceres Menéndez and Patch, LXVI/237 (Madrid, 2006): 391.

At the same time, however, the viceroy acknowledged that there was something more insidious behind the return of the *forzados* to New Spain, which he characterised as a revolt against the criminal justice system, as «a great disorder against the *vindicta publica* [exemplary punishment], to the detriment of the Philippine Islands and this kingdom».[126] The *sala del crimen* added to this analysis by arguing that «the criminals and habitual delinquents ... that are returning are much worse than before for the vengeance that they want to take against the ministers that apprehended them and witnesses that testified against them in the trials».[127] Thus, the actions of the *forzados* were seen as not only disobedient but actively antagonistic to the order imposed by the colonial judiciary.

Illegal return migration was not the only problem encountered with the *forzado* system. *Forzados* in fact demonstrated levels of disobedience at almost every stage of their transportation to the Philippines, including whilst en route from the gaol in Mexico City to board the ships in Acapulco. Diego Rodrigues de Prado, the *guarda mayor* of the *forzados* recruited for the 1682 levy, complained that the guards under his authority were constantly afraid of the possibilities of escapes occurring along the roads towards the port, and that this was compounded by the fact that the prisoners were «*gentes facinerosos* [habitual criminals]» who had committed «grave crimes» and were «very aggressive», particularly towards the guards.[128] In March 1645, several prisoners sentenced to serve in the Philippines broke out of the gaol at Villa de Carrión where they were imprisoned.[129] In 1692, Robles reported a notable case of twenty-nine out of fifty *forzados* dispatched from Mexico City escaping before they reached Acapulco. While most of them were recaptured almost immediately, their flight resulted in the galleon setting sail without them on board that year.[130]

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[123] AGN, RC, vol. 13, exp. 13.
[124] AGI, México, leg. 81, ramo 1, núm. 5.
[125] AGI, México, leg. 46, núm. 19.
[126] *Idem*.
[127] *Ibidem*, leg. 81, ramo 1, núm. 5.

Such rebellious behaviour could develop into open mutiny once onboard the galleons, as occurred on the *San José* in 1667 where a group of *forzados* attempted a rebellion under the captaincy of «the lowlife "Sofia"», a former soldier sent to the Philippines for committing a brutal murder and deserting his company.[131] An even more destabilising rebellion occurred in Guam in 1688, when «the soldiers of the fort and *presidio* conspired against [the governor], taking him prisoner and removing him violently». In his place, the soldiers elected their own Governor, an individual described as «an assistant, who was from the said *presidio* and has passed there as a *forzado* of those Islands from this Kingdom [of New Spain] because of his evil customs and certain crimes, which did correspond to a sentence of lashings».[132] While this particular rebellion was short-lived, expiring with the arrival of reinforcements on board the galleon from New Spain, mutiny was considered to be a consistent aim of the *forzado* population on Guam. Two years later, a major conspiracy to rise up and murder the Governor and religious officials was uncovered, leading to the death of twenty-three *forzados*. These events exemplify the capacity of the *forzados* to destabilise the colonial frontier.[133]

Secular and religious figures were consequently constantly afraid of the dissemination of *forzado* unruliness and unrest among other lower class elements, especially the indigenous populations in the Philippines and Mariana Islands. Such fears were not baseless. In 1602, Governor Acuña noted that the *forzados* sent to the Philippines had a habit of escaping upon their arrival in Manila and that, because of the low density of Spaniards throughout the archipelago, they were able to disappear into the interior of the islands without trace.[134] This continued to be a problem throughout the century. In

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[128] AGN, RC, vol. D22, exp. 444.

[129] *Ibidem*, vol. D48, exp. 489.

[130] Robles, 1972b: 243-245.

[131] Robles, 1972a: 49. AGI, Filipinas, leg. 9, ramo 3, núm. 51.

[132] AGI, México, leg. 58, ramo 1, núm. 10.

[133] For more information on the soldier mutinies on the island of Guam during the 1680s and 1690s, please see my forthcoming Master's thesis.

[134] AGI, Filipinas, leg. 19, ramo 3, núm. 47.

1677, the *oidor* Diego Calderón y Serrano reported to the King that, upon arriving in the Philippines, the *forzados* were taking the opportunity to turn fugitive among the indigenous populations outside of Manila. He alleged that these *forzados* took to «robbing the indigenous of their beasts of burden and devastating the ranches [*estancias*] of their livestock».[135] Calderón y Serrano went on to suggest that the *forzados* had sought refuge amongst the Chinese population outside the walls of Spanish Manila.

These multiple problems associated with the *forzado* system led to the development of substantial opposition amongst certain secular and religious officials in the Philippines. The most prominent of these was the *oidor* Don Francisco de Montemayor de Cuenca, who sparked a transoceanic debate over the ongoing utility of the *forzado* system within the Philippines. In 1667 he wrote:

> As an *oidor* of this Royal Audiencia ... I recognise the frequency of grave crimes, robberies, highway robberies, and the great abundance of unoccupied men, idlers, and those with few obligations, among whom many are usually condemned to serve ... in the Philippines, from where they easily may return [to New Spain] and continue their crimes; this comes at a considerable cost to Your Majesty in their conduction and sustenance and proves only a limited penalty.[136]

Montemayor questioned the effectiveness of this method of criminal punishment, asserting that it essentially failed in its intention to repress the rebellious *plebe* of New Spain. A far more effective measure, he argued, would be «if the penalty of condemnation to the Philippines was commuted for the galleys in Spain where they could be made to serve with utility».[137]

Montemayor's arguments were considered seriously by both the Council of Indies in Madrid and the Council of War in México; however, the viceroy ultimately rejected Montemayor's suggestions. In 1669, the Council of War «resolved not to adopt any novelties» in the *forzado* system. They acknowledged that «in this kingdom there are many vagabonds, without office or occupation, as much among the natives as among those who come in the fleets and ships from Spain», and that these individuals were undoubtedly harmful to the peace and security of New Spain. However, military aid was required in such large quantities for the «sustenance of the Philippine Islands and the rest of the *presidios* that fall under this government that it is not easy to sustain them» without reliance on the *forzado* system. It was thus only in this capacity that the criminals could «serve and apply themselves to the benefit of the kingdom, and to the service of His Majesty».[138] Having come to this determination, the viceroy reported that he had ordered the *sala del crimen* to capture as many delinquents as possible to supply the Philippine Islands.

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[135] *Ibidem*, leg. 23, ramo 16, núm. 44.

[136] AGI, México, leg. 78, ramo 3, núm. 38.

[137] *Idem*. AGN, RC, vol. 10, exp. 43.

Despite this commitment to the *forzado* system by the viceregal authorities, Montemayor was not alone in criticising the use of convict labour in Spain's Pacific colonies. Friar Sanvitores, who led the religious evangelisation of the Marianas in the 1660s, strongly cautioned against the use of non-voluntary recruits. He argued that the soldiers sent to the Marianas should be intended as much «as examples of Christian living» as for defensive purposes, and as such they should be voluntary recruits selected «at least upon their show of good will, condition, and works during the voyage [from Acapulco]».[139] We know that by the time of the Guam mutiny in 1688 Friar Sanvitores' early idealism had given way to pragmatic considerations, and *forzados* were very much present in the Marianas. In the wake of the mutiny however, one of the friars stationed in Guam, Father Magino Sola, explicitly condemned the *forzado* system. He argued that while the continued evangelisation of the Marianas was impossible without a permanent garrison of soldiers on the islands, these soldiers should only ever be voluntary recruits. It would be too much of a risk, he cautioned, to «experiment another time with the referred inconvenience of having those who come to the said islands as *forzados* and *condenados*».[140]

CONCLUSION

The history of the *forzado* system reveals that a persistent culture of disobedience was present amongst the networks of free and unfree itinerants – especially soldiers and sailors – who traversed across the expanse of the viceroyalty of New Spain during the seventeenth century. The development of the *forzado* system within this colonial environment also reveals that the viceregal authorities were forced to respond to this disobedient culture as it began to undermine Spanish racial domination and colonial order within the viceroyalty. Yet, the tension between maintaining the territorial expanse of the empire and controlling unruly imperial subjects internally presented a constant problem for the viceregal authorities. Despite a stream of evidence relating the inherent problems with the *forzado* system in the Philippines, the viceregal authorities continued to reiterate the decision made by the Council of War in 1669 to uphold the *forzado* system throughout the seventeenth century and onwards into the eighteenth. Behind this decision lay a dogged adherence to the dual aims underlining the *forzado* system – that it could fulfil both a criminal justice function in New Spain and a utilitarian function in meeting the military needs of the Philippines. Nonetheless, these two competing aims resulted in disorder and disruption on the colonial frontier, while failing to adequately deal with the perceived threat of plebeian disorder in New Spain. In the end, the history of the *forzado* system in the seventeenth century is also one of a struggle by the proponents of the Spanish empire to maintain control over its disparate parts and over its multiple subjects.

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[138] AGI, México, leg. 43, núm. 9.

[139] Lévesque, 1995: 393.

[140] AGI, México, leg. 58, ramo 1, núm. 10.

In this way, we can see how lower class subjects – often pointedly excluded from the political histories of the Spanish empire – had the capacity to influence and shape colonial society. We can see this occurring in a reactive sense, in that plebeian disobedience impelled the construction of a criminal justice system that was both repressive of plebeian culture and supportive of the goals of the empire. But at the same time, the presence of rebellious plebeians on the margins of the empire could play a constructive force in defining colonial society. It is this possibility that historians have been reluctant to consider – and more research ought to be conducted into the manner in which cultural and racial *mestizaje* between the soldiers of New Spain and the indigenous and Chinese populations shaped the unique character of the Philippines. I have raised these questions by addressing the *forzado* system as not merely a criminal justice measure, not merely a utilitarian policy of routine impressment, but as a system that related to colonial society in a highly complex manner, influencing the landscape of plebeian society in both New Spain and the Philippines, and defining the relationship between these two distant end-points of the viceroyalty.

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Los plebeyos rebeldes y el «Sistema Forzado»: El transporte de convictos entre Nueva España y las Filipinas durante el siglo XVII

Este artículo examina el fenómeno del transporte de soldados forzados entre México y las Filipinas durante el siglo XVII. Utilizando fuentes del Archivo General de la Nación (México) y del Archivo General de Indias (Sevilla), sostengo que este tipo de transporte forzado ayudó a los españoles a ampliar su poder en el Pacífico. Así mismo, actuó como una medida de justicia penal en respuesta a la aparición de plebeyos rebeldes y desobedientes dentro las ciudades y en las carreteras de la Nueva España.

PALABRAS CLAVE: *Filipinas; forzados; Nueva España; plebe; siglo XVII.*
