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Oswaldo Barreneche, *Crime and the Administration of Justice in Buenos Aires, 1785–1853* (Lincoln, NE, and London: University of Nebraska Press, 2006), pp. x + 179, £40.00, hb.

This book studies the emergence of a criminal justice system in Buenos Aires from 1785, when the second *audiencia* was opened, to 1853, when the federal constitution was passed. In this concise, yet solid and densely argued book, the author succeeds in the identification of important trends in the development of the system (some of them unfortunate) that have characterised the practice of criminal justice in Argentina from its inception to the present.

In the introduction, Barreneche argues that some of the most disturbing traits that characterise the modern Argentine criminal justice system developed in the period under study, namely the institutional subordination of the judiciary to other branches of government (mainly the executive), and the disproportionate responsibilities and powers given to the police, in particular their capacity to shape judicial proceedings and thus influence the outcome of the case.

In the following chapters, the author traces these important questions back to the colonial and early national periods and tests them against several components of the criminal justice system. Thus he explores the main features of Spanish criminal law and the ideas that fed it from the Middle Ages to the late colonial period; the administration of criminal justice in late colonial Buenos Aires; the continuities in the workings of the system from the colonial period to the early national period; the nature of the republican penal discourse and the intellectual debates that shaped it in the first decades of the nineteenth century; and the daily administration of criminal justice in early republican Buenos Aires. In a concluding chapter the author summarises his findings and thesis.

The making of a republican penal discourse in post-independence Buenos Aires is one of the most interesting aspects of the book. In addition to pointing out the circulation of specific intellectual influences, which included, among others, Jeremy Bentham, Cesare Beccaria and Jean Louis Lermnier, the author also investigates the institutional framework and political environment in which these questions were pondered. One of the venues was the Academia de Jurisprudencia de Buenos Aires (founded in 1814) whose main purpose was to train young people in the legal profession, but which its members, such as Manuel Antonio de Castro, also used to promote a monopoly of legal experts over the administration of justice. Particularly illustrative was the debate over the establishment of juries in the new nation. The idea was proposed by Guret Bellemare, a former French judge who had recently arrived in the Río de la Plata and who, contrary to what many local liberals argued, believed that the citizens were ready to judge their peers in a criminal trial. However, members of the Academia who occupied prominent positions in the judiciary rejected the idea, thus retaining their monopoly over the interpretation of criminal principles. Yet, in one of the most intriguing pieces of evidence presented by Barreneche (a point which offers a different angle into the politics of the period), we learn that the proposal attracted the interest and support of Manuel Dorrego, a Federalist leader with a large urban following. In a similar vein, the author shows how the context of political instability and political violence definitely shaped the reception of Bentham and Beccaria on the abolition of the death penalty. Although in principle most of the faculty and the students at the University of Buenos Aires (created in 1821) agreed with the Enlightenment's views on the subject, they were

reluctant to take this instrument of punishment away from the political elite, whom they often aspired to serve (Marco Avellaneda did oppose the death penalty in his dissertation, only to be decapitated years later for his political activities).

Encroachments upon the autonomy of the judiciary also receive extended treatment in this book. The author clearly shows how political instability and the urgency of maintaining public safety in post-independence Buenos Aires encouraged the political elites to meddle in the resolution of specific criminal cases (more often than not at the expense of procedures and principles), in the daily workings of the system and, more decisively, in its construction and the internal distribution of responsibilities. More problematic, as the author shows, was that some members of the judiciary themselves undermined its autonomy from within: officials appointed by the executive often requested instructions from the executive whenever they found themselves at odds with members of the courts of appeals, the highest tribunal of the period. But it was the increasingly important role of the police that epitomised the interference of the executive in the judiciary. After the creation of an urban police force in 1812, its officers directly handled *sumarios* from their beginning to the latter stages of the process, crucially affecting the outcome of cases. This disproportionate role played by law enforcement was also reflected in the funding that the police and the judiciary received in the first decades after independence: while the planned expenses of the police department in 1847 amounted to 29 per cent of the provincial budget, the court of appeal had been allocated a meagre 6 per cent. In sum, this is a useful work that makes a contribution to the historiography of the period.

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Donald E. Chipman, *Moctezuma's Children: Aztec Royalty under Spanish Rule, 1520–1700* (Austin, TX: University of Texas Press, 2005), pp. xi + 200, \$30.00, hb.

In *Moctezuma's Children*, Donald E. Chipman offers a case study of the 'principal heirs' of Moctezuma II, namely, Isabel, Mariana and Pedro Moctezuma, who were officially recognised as such first by Hernán Cortés, and later by the Spanish crown. After the fall of Tenochtitlán, Charles I/V granted Cortés a series of titles accompanied by a number of political offices with important powers. One such office was that of *repartidor*, allowing Cortés to distribute *encomiendas*; the recipients included the three descendents of Moctezuma II. Isabel received the Tacuba *encomienda* while Mariana received Ecatepec. These rich *encomienda* grants allowed Cortés to contract marriage for the women to elite Spanish men. Pedro Moctezuma received the Xochimilco *encomienda*. In the heart of his study Chipman traces how the principal heirs and their descendants repeatedly interacted with the colonial court system, including, in Pedro Moctezuma's case, a visit to Spain, at times to defend, and at other times to expand, their holdings and titles. Chipman concludes that 'Moctezuma II's heirs provide an excellent example of Indian accommodation and Hispanization' (p. 147).

This is a clearly written narrative history, and Chipman adheres closely to the lawsuits and other legal proceedings that he uses to construct his main arguments about the accommodation of the legally recognised Moctezuma heirs to Spanish colonial rule. The legal sources, marriage records, and petitions for titles that form