

# Influential Women, New World Riches, and Masculine Anxieties in the Development of the Spanish Council of the Indies, 1524–98

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*Sixteenth-century Spain was at the vanguard of European collegiate bureaucratic rule and imperial governance. This article argues that its Council of the Indies became substantially more bureaucratic partly due to the influence of women. Vassals' attempts to shape ministers' decisions via female connections prompted the council's fundamental 1542 and 1571 guidelines. Subsequently, Madrid's anxieties about women's sway, and surfeits of Indies commodities, stirred misogynistic treatises, royal scrutiny, and an increasingly explicit masculine ministerial ethos. Women's influence over council operations nonetheless persisted, through near-invisible labor contributions and petitions. One female author in Peru even envisioned influential women directing the empire.*

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## INTRODUCTION

BY THE SUMMER of 1571, rumors had been swirling in Madrid for three years. Word was that the Council of the Indies had become infected by “partiality and favoritism, solicitation of bribes, amassing of personal fortunes, and arrangement of advantageous marriages for relatives, servants, and various hangers-on.”<sup>1</sup> Ministers' wives, mothers, mothers-in-law, female kin, and acquaintances had inserted themselves into the foremost European institution of New

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<sup>1</sup> Poole, 2004, 119.

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World rule, trading Indies vassals' exotic gifts and courtesies for royal officials' favorable decisions.

King Philip II (b. 1527, r. 1555–98) ordered a secret investigation by Council of the Inquisition minister Juan de Ovando (ca. 1530–75). Ovando soon became president of the Council of the Indies and implemented sweeping reforms, expanding upon the institution's governing 1542–43 New Laws (the *Leyes y ordenanças nuevamente hechas*) with the much more elaborate 1571 Ordinances (the *Ordenanzas reales del Consejo de las Indias*).<sup>2</sup> Both laws, especially the latter, explicitly prohibited Council of the Indies officials from allowing their family, kin, or dependents to influence their decisions.<sup>3</sup> For the next two decades, the Crown nonetheless found itself waging frantic covert efforts to prevent female vassals from illicitly swaying ministers, while authors of treatises, petitioners, royal officials, and the king himself argued for excluding women almost completely from council operations.

Embedded in this narrative is a story about state formation. European states have tended to grow larger and more bureaucratic over time, despite numerous reversals. Historians and sociologists have long sought to pinpoint the forces that stimulated state development. Their many answers virtually always share something in common: a lack of women as important participants. Men led armies, paid and collected taxes, staffed bureaucracies, and engineered state-expanding diplomacy that swelled states' dominions.<sup>4</sup> As this almost entirely male state expands, it acts upon women's lives in various ways, but women virtually never appear in this process as protagonists.<sup>5</sup>

Is a history of women's influence over early modern state formation possible? Scholars have uncovered abundant evidence of women throughout history exercising statecraft, and in the early modern period there are many examples of influential women (queens, dowagers, unmarried heiresses to the throne, princesses, wives of ambassadors, and others) exercising political authority through their patrimonial-dynastic connections. The early modern Spanish Empire was no exception, with Trastámara, Habsburg, and Bourbon noblewomen often at the helm of state affairs.<sup>6</sup>

<sup>2</sup> Poole, 2004, 95–97.

<sup>3</sup> See Council of the Indies. For the 1542 Ordinances, see Archivo General de Indias (henceforth AGI), Patronato 170, R.47.

<sup>4</sup> Huntington; McNeill; Brewer; Tilly, 10–14.

<sup>5</sup> Pihl, 685, notes both women and gender have been “relatively neglected” in this historiography. His analysis traces how sixteenth-century Swedish tax collectors navigated gendered values of women's work, without focusing specifically on women's influences on the state's central administration.

<sup>6</sup> For Spain's sixteenth-century female regents and their rule over the Indies, see Jiménez Zamora, 231–37; Archivo General de Simancas (henceforth AGS), Patronato 26, docs. 14,

However, outside of ruling circles the question of women's roles in state formation remains: How did their actions direct the state, sustain the daily operations of its institutions, or even play roles in shaping its organizational foundations? It is important that historians frame these questions in the context of Europe's increasing delegation of major administrative faculties, once almost entirely patrimonial, to subaltern officials outside of the royal family. Neither Max Weber nor Shmuel Noah Eisenstadt considered women's possible roles in the rise of collegiate bureaucracies. In previous centuries, patrimonial rule was the dominant type of state administration. Princes expanded the state through interpersonal relationships with "personal trustees, table-companions, or court servants."<sup>7</sup> The rise of what Weber called the "collegial councils" or "collegial bureaucracies" tended to displace the "irrationality" of "conciliatory proceedings between kinship-groups."<sup>8</sup> Eisenstadt noted that public servants increasingly developed ethical codes of restraint and service to the common good, which distinguished them from their rulers, who had broad dynastic powers.<sup>9</sup>

This early modern proliferation of collegiate bureaucracies had sweeping consequences for women's roles in European statecraft. Without directly commenting on the rise of officialdom itself, Joan Kelly-Gadol observed how Renaissance Italian women's influence declined as "feudal independence and reciprocity yielded to the state" and ideals of masculine dispassion displaced courtly love.<sup>10</sup> Zita Eva Rohr and Lisa Benz have shown that throughout

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15, 32; AGS, Estado L.21, fols. 231<sup>r</sup>–237<sup>r</sup>; AGS, Patronato 26, doc.108; AGS, Patronato 26, doc.137; Buyreu Juan, 39–68; Monter, 104; Sánchez, 62–70. For an in-depth study of women's power within the queen's court, see García Prieto. By depicting women as having an influence over state formation, I do not mean to suggest that in every case women's actions needed to be deliberate; indeed, as I will argue in this case study, their actions could have many consequences, not all intended.

<sup>7</sup> Weber, 956–59.

<sup>8</sup> Weber, 959. Bendix, synthesizing Weber, defines *patrimonialism* as "government as the ruler's private domain," under which "the ruler treats all political administration as his personal affair." In a purely patrimonial system, royal officials undertake "administrative work . . . as arbitrarily as the ruler acts towards them": Bendix, 334, 345. In a bureaucracy, officials are salaried and their responsibilities are "delimited in terms of impersonal criteria," and they undertake repetitive daily duties in writing. Officials' everyday "business and private affairs . . . are strictly separated" and are thus depersonalized: see Bendix, 418–19, 422–23. Collegiate or collegial bureaucracies operate within the bosom of a patrimonial system. I employ *collegiate* to avoid the awkward double meaning of *collegial* as congenial. For the notion of Indies "bureaucratic-patrimonial" systems, see Larson, 5–20.

<sup>9</sup> Eisenstadt, 160–61.

<sup>10</sup> Kelly-Gadol, 1986, 45.

Europe “women and queens were marginalized as government became more bureaucratic,” and Shifra Armon has noted that Spain’s imperial ascent and its “burgeoning government bureaucracy” encouraged the rise of royal officials with a pronounced masculine ethos.<sup>11</sup> Many feminist scholars of late modern state and corporate bureaucracies similarly highlight the strongly gendered roles of ostensibly dispassionate work praxis among male officials, arguing that these values constitute a major source of women’s exclusion from the highest levels of rule.<sup>12</sup> However, the historical relationships between the early modern collegiate bureaucratization of Europe and the era’s increasing exclusion of women from rule needs closer investigation, especially with respect to European overseas government over the distant and prodigiously wealthy New World.

This article explores the incomplete sixteenth-century transformation of the Council of the Indies, the Spanish Empire’s supreme judicial and administrative institution of New World rule. It demonstrates how women’s influence over the council helped transform it from an embryonic patrimonial clique in 1524 to a more bureaucratic body as the century progressed. My first argument is that the Crown’s move to limit council ministers’ *familiaridad* (illicit personal ties) was not a coherent process of state-directed bureaucratization, but rather the result of a series of conflicts that featured the involvement of influential women, who worked either to defend or undermine ministers’ impartiality.<sup>13</sup> The second argument is that these male officials’ increasingly explicit rules and ethos arose partly due to widespread gendered fears at court about New World commodities’ influence over women. Third is that the Crown and authors of advice literature embraced ever more explicitly gendered visions of rule, which formalized well-connected women’s exclusion from the council. Fourth is that women’s contributions to council praxes endured mostly through subordinate but legitimate channels of litigation and petitioning, and as through their labor contributions, with some female subjects acting as the council’s landladies, archival custodians, and servants. Finally, I argue that though the council entered the seventeenth century not only substantially de-patrimonialized but also masculinized, some women in its orbit continued to imagine a world where female officials could participate in directing the empire.

<sup>11</sup> Rohr and Benz, xx; Armon, 35.

<sup>12</sup> Kelly-Gadol, 1976, esp. 818; Acker; Moss Kanter, 22; Swiebel, 18; Witz and Savage, 4–24.

<sup>13</sup> This is the term Investigator Ovando’s officials used to describe Council of the Indies officials’ patrimonialism: see British Library (henceforth BL), AM-33983, fol. 69<sup>v</sup>. The Council of Italy used the same term (without mentioning women) in 1579: Biblioteca Nacional de España (henceforth BNE), MSS.989, fol. 9<sup>r</sup>.

Spain occupies an important place in the history of European early modern state formation. Perry Anderson noted that it constituted “the earliest great power of modern Europe” and highlighted its role in shaping “the direction of the emergent State-system of the West.”<sup>14</sup> Spain’s bureaucratic specialization and officials’ ideologies developed particularly in the sixteenth century and contributed substantially to its imperial supremacy. With good reason, J. H. Elliot identified this era as the dawn of Spain’s “Age of the Civil Servant.”<sup>15</sup> This rapid bureaucratization collided with another Spanish idiosyncrasy: Spain’s courtiers expected women to have broad patrimonial influence unusual in most of Europe. Elite Spanish families had long possessed a dual patriarchal-matriarchal structure, where women held substantial patrimonial sway over their households.<sup>16</sup> The monarchy’s highest-ranking women also had great influence over imperial affairs throughout medieval and early modern Spanish history, prerogatives that courtiers eagerly emulated. The Spanish case thus pitted long-entrenched traditional patrimonial values against imperial Europe’s first highly developed early modern bureaucratic system.

Spain’s remarkable archives also make it an especially important case study for state formation. This is particularly true for King Philip II’s reign. However, the manuscripts often pose a challenge. The Council of the Indies’ paperwork does not readily surrender evidence on women’s influence. This is likely why Ernst Schäfer’s classic history of this institution lists 483 officials, all men, and never suggests women ever fundamentally influenced its activities or structure.<sup>17</sup> To overcome this obstacle this article draws primarily from the papers of onetime president Juan de Ovando and royal secretary Mateo Vázquez de Lecca (1542–91), many of which are now found in four little-utilized archives. These documents once belonged to the Altamira dynasty’s archives but were dispersed after the family went bankrupt and are located today in New York’s Hispanic Society of America, London’s British Library, and Madrid’s Instituto Valencia de don Juan and Biblioteca Francisco de Zabálburu.

Stitched together, the contents of these four archives reveal what one of King Philip’s officials called the empire’s “most secret concepts.”<sup>18</sup> They include three top-secret investigations of the Council of the Indies that the Crown

<sup>14</sup> Anderson, 60.

<sup>15</sup> Elliott, 170; Brendecke and Martín Romera, 23–26.

<sup>16</sup> Nader, 19.

<sup>17</sup> Schäfer, 1:333–60. He does briefly mention that one minister’s wife’s male cousin was involved in a bribery case in the early 1540s, but does not connect her to Council praxes or the structural changes the institution subsequently underwent.

<sup>18</sup> Biblioteca Francisco de Zabálburu (henceforth BFZ), Colección Altamira, Envío 144-1. All translations are mine except where otherwise noted.

conducted in 1567–71, 1586–87, and 1587–89. Officials shared candid communications about specific transgressions, transgressors, and their gendered solutions. The Altamira papers also offer glimpses of well-connected women—ministers’ and vassals’ wives, sisters, sisters-in-law, mothers, mothers-in-law, daughters, nieces, dependents, and other acquaintances—many attempting to secretly sway council officials without the Crown’s knowledge. Officials’ widespread concerns about these women’s efforts to influence imperial decision-making (imagined or real) were crucial in motivating the all-male bureaucracy to distance itself not only from women but from the feminine.<sup>19</sup>

An overarching narrative emerges from the Altamira papers’ account of modern Spanish institutional development. Well-connected women in Madrid were both vehicles for and casualties of the transformation of patrimonial rule to more bureaucratic forms of state decisionmaking—a transition that had explicit gendered overtones. As the Trastámara and early Habsburg dynasties evolved, ministers first abused and then lost patrimonial prerogatives traditionally reserved for the royal household—creating policy for family gain, breaking laws under extraordinary circumstances, and arbitrarily distributing privileges. Incidents in the 1540s and late 1560s prompted Crown investigations into ministers’ wrongdoings, including women’s illicit involvement in swaying ministers’ important decisions. The investigators’ findings brought the king to sign the 1542–43 New Laws and the 1571 Ordinances, guidelines that formalized ministers’ praxes and would influence the council for centuries.

The 1542–43 New Laws laid out specific guidelines for ministers’ protocols and ethical values. Among these specifications was a much stricter version of previous Council of Castile admonitions against secretaries and court *relatores* (court reporters) acting in favor of clients. The New Laws now explicitly prohibited “any dependent, family member, or associate [*allegado*]” from engaging the council’s presidents or ministers, with subjects facing up to ten years’ exile.<sup>20</sup> They also forbade ministers from accepting any gifts or loans from

<sup>19</sup> The only scholar to unite some of these documents to explore the council’s evolution was Stafford Poole. He did not consult the BFZ’s documents or those of the Hispanic Society of America (henceforth HSA), however. He only made a brief mention of women in his work, as his interests lay elsewhere; see Poole, 2004, 120. The only other substantial group of documents that explicitly reveals council wrongdoings during Ovando’s investigation is a 1569 report by the High Judges of Guadalajara in AGI, Guadalajara 5, R.13, N.23, fols. 1<sup>r</sup>–59<sup>v</sup>, though only a fraction of its contents refers to the council.

<sup>20</sup> AGI, Patronato 170, R.47, fol. 3<sup>r</sup>.

vassals in any form. Lastly, they forbade vassals from seeking *cartas en recomendación* (letters of intercession) with ministers through third parties.<sup>21</sup>

The 1571 Ordinances expanded upon the New Laws with more extensive and specific rules. They featured 122 chapters, of which two dealt explicitly with illicit influence. Number 38 forbade non-officials from secretly approaching royal officials for favorable decisions, and also barred “women . . . their children, dependents, servants, or other next of kin” from seeking third-party intercessions to influence ministers. Number 39 specified that vassals were not to bring their spouses to their entreaties before officials. These rules, especially the 1571 Ordinances, cast a long shadow in subsequent decades and centuries. They appeared in the council’s 1636 Ordinances and even in legal compilations during Spain’s final period of imperial decline in the nineteenth century.<sup>22</sup>

Royal fears of women’s illicit sway inadvertently prompted more than the 1542 and 1571 council guidelines. With controversies about female influence raging in royal circles, especially during the Crown’s panics regarding Madrid’s moral laxity in the 1580s, officials began to articulate explicitly gendered ideas of their own responsibilities. This ensured that the Council of the Indies sought to doubly distance itself from women’s influence—both through rules about impartiality and by embracing an explicitly masculine ethos. In the 1580s, the Crown not only printed the 1571 Ordinances but licensed scholars to publish numerous influential tracts that castigated women for influencing politics and encouraged royal officials to avoid women, shun feminine behaviors, and embrace bureaucratic masculine virtues.

The Crown’s gradual distancing of ministers from their patrimonial connections was part of a wider project to ensure the Indies’ vassals would receive impartial justice. Royal anxieties about conquistadors’ ill-begotten wealth, a sincere royal desire to defend Indians, and gendered fears about the effeminizing effects of fabulous New World objects constituted a unique backdrop to this council’s collegiate-bureaucratic evolution. King Philip II’s 1561 decision to make Madrid the empire’s permanent capital resulted in a further integration of Indies vassals and their wealth into court culture, multiplying fears of illicit influence and amplifying gendered concerns about exotic gifts to even greater heights.

These concerns, the emergence of council rules, and ministers’ masculine ethos arose only gradually over the course of the sixteenth century. For centuries, an all-male corpus of ministers had been increasingly assuming most of the Crown’s administrative tasks, albeit under the aegis of the monarch’s approval.

<sup>21</sup> Gilsdorf, 1–2, defines *intercessio* as “third-party advocacy in behalf of groups and individuals,” especially referring to a powerful person’s intervention before a ruler on behalf of a needy client. The Spanish used the terms *interceder* and *intercesión* as well.

<sup>22</sup> Moranchel Pocaterrea; Zamora y Coronado, 398–402.

The first officials to whom the monarchs entrusted Indies rule did not operate under clear rules excluding women or other relations from governance. To the contrary, officials' decisionmaking regarding Indies affairs had been highly patrimonialist since Columbus's 1492 discoveries. A handful of ministers within the Council of Castile assisted Queen Isabella in ruling the New World, adhering only to vague fifteenth-century guidelines, which left this informal system of decisionmaking unchallenged.

The door was wide open for ministers' patrimonial circles to participate in imperial rule.<sup>23</sup> While Queen Isabella nominally oversaw New World affairs until her 1504 death, in practice most daily responsibilities fell to the Junta de Indias, a subcommittee staffed by Council of Castile ministers Archbishop Juan Rodríguez de Fonseca (r. 1493–1524) and his assistant, secretary Gaspar de Gricio (r. 1497–1504).<sup>24</sup> Gricio's successor, secretary Lope de Conchillos (r. 1508–18), would go on to be Fonseca's ally and the de facto co-ruler of the New World.<sup>25</sup> According to the sensationalist but detailed recollections of Bartolomé de las Casas (1484–1566) and Bernal Díaz del Castillo (1492–1582), these officials reigned over the hemisphere like their patrimonial fiefdom.<sup>26</sup> This style of administration evolved after Habsburg King Charles (b. 1500, r. 1516–55) assumed the Castilian throne in 1516. His courtiers would replace Fonseca and other Castilians as the Indies' true administrators.<sup>27</sup> Their arrival further accentuated the informal, patrimonial nature of New World government.

In patrimonial politics, kin relationships are governance. Women's influence was useful and even amplified in a palace context, argued court humanist

<sup>23</sup> Dios. The 1432, 1480, and 1490 rules barred secretaries and court reporters (*relatores*) from working as subjects' legal agents (*solicitadores* and *productadores*): see Dios, 269–87, 303, 312, 319–20.

<sup>24</sup> Martínez Martín, 33; Muro Orejón. See also Gricio's petition before the kings seeking (successfully) to help the governor of Santo Domingo win certain decrees, in AGI, Indiferente 418, L.1, fol. 53<sup>v</sup> (9 September 1501).

<sup>25</sup> Schäfer, 1:43–50.

<sup>26</sup> BNE, MSS.2814, 3.103, fols. 326<sup>v</sup>, 328<sup>r</sup>. For instance, according to Bernal Díaz del Castillo, Fonseca ordered that don Cristobal de Tapia investigate and replace the over-mighty Hernán Cortés (1485–1547), and then sought to marry his own niece to the new governor Tapia, to the dismay of many conquistadors; see Díaz del Castillo, 135, 535.

<sup>27</sup> These included his Piedmontese chancellor Mercurino di Gattinara (1465–1530) and several of his courtiers, such as Flemish chancellor Jean de Sauvage (1455–1518); the Lord of Chièvres, William de Croÿ (1458–1521); and the Mosior de la Mure. See BNE, MSS.2814, 3.98, fol. 306<sup>v</sup>. For Sauvage's biography, see Vermier. For Gattinara, see Headley, 20, 37; for Las Casas, see BNE, MSS.2814, 3.130, fol. 417<sup>v</sup>; 3.133, fol. 426<sup>r</sup>. For de Croÿ, see Headley, 26; BNE, MSS.2814, 3.132, fol. 425<sup>r</sup>; and for de la Mure, perhaps Pieter van der Moere (ca. 1480–1572), see BNE, MSS.2814, 3.102, fols. 322<sup>v</sup>–323<sup>r</sup>.



Francisco López de Villalobos in a ca. 1510 letter to a nobleman. Their contribution was welcome, for they created alliances between otherwise irreconcilable men. López noted that though Castilians and the Flemish were as different as “horses are to asses,” he believed “women can participate in the [realm’s] governance” by creating familial and emotional bonds between these different peoples.<sup>28</sup> Much of Castile soon revolted in protest against Charles’s Flemish courtiers and other problems. Though the young king triumphed, in 1523 Castile’s cities nonetheless demanded he reform his venal government. The cities singled out Indies rule, then still the Council of Castile’s responsibility, for reorganization. Their petitions may have prompted Charles’s foundation of the Council of the Indies. According to eighteenth-century officials, a 1524 decree dictated that this new council was to be independent and fully equal to that of Castile.<sup>29</sup> These changes implied an embryonic degree of formalization, introducing specialized, salaried ministers and other officials for New World rule.

#### WOMEN AND THE 1542–43 NEW LAWS

The Council of the Indies’ vague guidelines soon proved inadequate, for they did not specify officials’ procedures and ethical boundaries. By the 1530s, wealth was pouring in from Mexico and Peru. On 4 April 1531, under unclear circumstances, Emperor Charles and Secretary Francisco de los Cobos (r. 1516–47) issued a decree sternly prohibiting that “my Council, judges of my High Courts, or other judges . . . receive, neither directly nor indirectly, for themselves nor for others,” any gifts “of any value . . . publicly or secretly.” The ruling also banned ministers from financial dealings with Indies vassals. The edict implied that the problem related to “those undertaking their affairs [*negociantes*] and litigants [*pleyteantes*]” and hinted that wealthy Indies merchants were among the culprits.<sup>30</sup> The new Habsburg vision of ministers’ distance from vassals was still in its infancy. This would change in the early 1540s. The earliest surviving ordinances governing the Council of the Indies’ praxes in general, and ministers’ relations with women specifically, were the 1542–43 New Laws. Sometime in 1541 or 1542 the emperor decided the internal affairs of the council demanded investigation. Las Casas had been clamoring for justice for the Indians; rumors alleged favoritism of Council of the Indies ministers

<sup>28</sup> BL, Add. MS 8219, fols. 25<sup>v</sup>–26<sup>r</sup>.

<sup>29</sup> AGI, Patronato 170, R.21; AGI, Indiferente 545, L.4, fol. 175<sup>v</sup>; AGI, Indiferente 545, L.2, fol. 196<sup>r</sup>. The council’s alleged foundational document apparently no longer exists. For historical context, see Espinosa.

<sup>30</sup> AGS, Cámara de Castilla, Diversos 1, 15.

toward specific Peruvian conquistadors; the civil wars of Peru raged; Castilian cities were complaining about Spanish justice in general.<sup>31</sup>

The emperor dispatched the investigator Licenciado don Juan Rodríguez de Figueroa (r. 1540–55), minister of the Council of Castile, to bring the irregularities of Indies rule to an end. From Figueroa's investigations and other lengthy deliberations, he, the Council of the Indies, and the emperor crafted the 1542–43 New Laws, which barred any council officials from attempting to sway cases to favor their associates and kin, forbade ministers from heeding intercessions, and prohibited them from accepting gifts. Unfortunately, historians have not located Figueroa's investigations and findings.<sup>32</sup> However, he had certainly found that council officials and their wives had been creating illicit connections with Indies vassals without the emperor's knowledge.

Figueroa's investigation likely originated in early 1541, as the council wrestled with a great court case pitting Governor Hernando Pizarro (ca. 1501–78) against the son of Diego de Almagro, killed by Pizarro's men in 1538, who now accused Pizarro of murder.<sup>33</sup> Lawyers working for the Pizarros and Almagros took turns accusing council ministers of partiality and demanding they recuse themselves.<sup>34</sup> The emperor recused so many ministers that the Council of Castile intervened. Sancho Díaz de Leguizamo (d.1543) was among these Council of Castile ministers, and soon took center stage in a major controversy. Sometime in early 1541 a priest approached his wife, doña Mencía de Esquivel y Figueroa, "on behalf of Hernando Pizarro."<sup>35</sup> The clergyman returned to offer her "a thousand doubloons for a gold chain . . . [and] requested that the minister not know of this." Doña Mencía informed her husband immediately, and they decided to accept Pizarro's gift, both to avoid incurring his wrath and to prove his attempt at bribery. Leguizamo then relayed this news to the Council of Castile on 22 March 1541. An anonymous official informed the emperor, suggesting he "procure to investigate and know the truth," enforce ministers' "purity of interests . . . as briefly as possible," and unravel certain officials' "familiarity" with the Pizarros.<sup>36</sup>

Upon Charles's early 1542 return to Spain, Figueroa's formal investigation began. The investigator's dragnet snared at least two senior Council of the Indies ministers: Diego Beltrán (r. 1523–42) and Juan Suárez de Carvajal,

<sup>31</sup> Schäfer, 1:78.

<sup>32</sup> Schäfer, 1:77–79. Figueroa does not appear to have investigated other councils simultaneously.

<sup>33</sup> AGI, Patronato 194, R.45, fol. 1<sup>r</sup>.

<sup>34</sup> AGI, Escribanía 1007; AGI, Justicia 1162, R.1; AGI, Justicia 1164, N.2, R.3.

<sup>35</sup> Gan Giménez, 324.

<sup>36</sup> Real Biblioteca del Monasterio de San Lorenzo de El Escorial, &-II-7, fols. 459<sup>r</sup>–462<sup>v</sup>.

bishop of Lugo (r. 1529–42). The lightest charges fell upon Bishop Suárez. Whatever he did must have nonetheless been quite serious. Begging the emperor for clemency, he mentioned having lost his position and paying a massive, 7,000 ducat fine.<sup>37</sup> Doctor Beltrán fared worse. The Crown fired him and revoked a number of his lucrative Indies privileges. Beltrán later hinted at the nature of his wrongdoings in a letter to the emperor. He had apparently paid the Crown a colossal 17,000 ducats, primarily for having colluded with certain major conquistadors, some embroiled in treasonous anti-Crown agitation. However, Beltrán defended his receipt of valuable gifts—including twelve emeralds—from one Gerónimo de Olmos. The conquistador was Beltrán's wife's cousin, and he protested she never had business in the council, so there was no true conflict of interest. To Beltrán's pleas for clemency, the emperor laconically wrote, "as far as the Doctor goes, uphold what is ordered."<sup>38</sup> Some contemporaries blamed Doctor Beltrán's wife for his avarice. Historian Francisco López de Gómara suggested her gambling addiction was partly to blame. Gómara stated the minister had a penchant for bribes since he was not only "quite a gamester," but also because "his wife and sons gambled much, and destroyed him." Gómara moralized: "gambling is an ill to all sorts of men, and worse for those who manage affairs . . . of the king, and the realms."<sup>39</sup>

Council ministers' often nakedly patrimonial principles were notorious in the early 1540s, prompting subjects to privately strategize ways to influence their wives. A letter the governor of Peru, Cristóbal Vaca de Castro (1492–1566), wrote to his wife, doña María de Quiñones, in Valladolid on 28 November 1542 provides concrete proof of one such instance. The governor urged doña María to travel to court and win their family important privileges. To succeed, she would follow a number of steps. First, she would wait for the royal retinue to arrive in Valladolid. There she would visit certain council ministers "in style, on your mule, well accompanied with a squire and an old and venerable chaplain, and a servant boy and pages." She was to sway the all-important royal secretaries Cobos and Juan de Sámano (r. 1519–58); the interim Council of the Indies president García Fernández Manrique, Count of Osorno (r. 1529–42); and the ailing president García de Loaysa (r. 1524–46).

Doña María's success in forming social connections with important women would be central in this game of persuasion. She was to appeal to Cobos's wife, doña María de Mendoza (1508–87), and the Countess of Rivadavia, doña

<sup>37</sup> AGI, Indiferente 737, N.53, fol. 2<sup>r</sup>, and final document, no folios. Suárez would go on to serve in other major offices. See Schäfer, 1:82.

<sup>38</sup> For Beltrán's privileges, see AGI, Santo Domingo 868, L.2, fol. 153<sup>v</sup>; for his letter, see AGI, Patronato 185, R. 34; for the emperor's response, see AGI, Indiferente 737, N.53.

<sup>39</sup> López de Gómara, fol. 193<sup>v</sup>.

María Sarmiento (d. 1566). She was to “stay on speaking terms with doña María de Mendoza, and visit her and give her some things, and that way she will do as we wish.” The governor also noted that “if you should think proper to give some of the gold alloy items to doña María de Mendoza, do it, for I’ll send plenty” from Peru. The countess already owed Vaca de Castro favors and would become especially sympathetic once she laid eyes on this treasure. If his wife could find any other “wife of a Councilor of the Indies or someone else . . . do there as you see fit, since it is good to please people.”<sup>40</sup> The letter ended up in the royal archive in Secretary Sámano’s hands, after the royal accountant of the Panama port of Nombre de Dios intercepted it.<sup>41</sup> Perhaps Investigator Figueroa’s ongoing inquiry had swept this document into its dragnet, though there is no evidence the Crown took action against the individuals involved.

This episode was one of many involving Secretary Cobos’s wife, doña María de Mendoza. She may have even leveraged her influence not just over her husband but over the Council of the Indies as well. Chronicler Bernal Díaz del Castillo suggested that in 1528 Hernán Cortés had tried but failed to woo her sister, doña Francisca, in order to recover his governorship of Mexico. Bernal Díaz also provided a colorful account of how doña María enlisted the conquistador-surgeon-healer Alonso Muñoz (himself badly afflicted by thyromegaly) to cure her infertility in the late 1530s. In exchange she promised him 2,000 ducats and a grant of Indian labor using her favor with the council. Muñoz failed to cure Mendoza, but nonetheless received his tribute.<sup>42</sup>

Doña María’s prominence soon caught the attention of Emperor Charles himself. In 1543, as he delegated his son Philip the regency, he called Cobos a faithful secretary, but warned that “his wife fatigues him, and is the cause of involving him in *pasiones*”—that is, biased conflicts. This has “not ceased to give him a reputation . . . all that is necessary is a few presents, that they [vassals] give his wife.”<sup>43</sup> Charles trusted Cobos for the most part, however, assuring Philip he was confident his warnings had likely sufficed. More ominously, the emperor cautioned Philip that certain other high-ranking royal officials were probably engaging in wrongdoing—and had the young regent in their crosshairs. Charles warned Philip that he should not allow himself to be overpowered by the palace grandees—these might even try to tempt him “through

<sup>40</sup> Archivo Histórico Nacional, Diversos-Colecciones 22, N.43; Lockhart and Otte, 175–82. This is perhaps the only known letter revealing such illicit dealings.

<sup>41</sup> Ministerio de Fomento, 710.

<sup>42</sup> Díaz del Castillo, 758.

<sup>43</sup> BNE, MSS.10509, fol. 16<sup>r</sup>.

the voices of women.”<sup>44</sup> Concerns about women’s illicit influence had reached the highest echelons of Habsburg rule.

Were women well connected to ministers aware of the New Laws and the Crown’s disapproval? The paucity of the record makes this hard to corroborate. However, their at least partial awareness is probable, as royal officials and other courtiers communicated with them regularly. Moreover, doña Mencía’s actions in 1541 indicate that even before the New Laws some grasped that exchanging favor for gifts was illicit. Certainly, even if many women did know, not all were dissuaded from seeking intercession after 1542. At least one pleaded to the influential Dominican friar and bishop Bartolomé de las Casas for help with the council. In 1562, doña Aldonza de Saavedra implored that he help her mestizo (part Indian) relative, Álvaro, once a wealthy rancher in the Spanish town of Belalcázar. Álvaro had lost his livestock in a terrible drought and now needed a royal legitimation to inherit his father’s Indian tribute. She urged Las Casas to “favor him in everything . . . and speak to the judges [ministers].” He was uniquely positioned, “for the King has Your Lordship in total trust.”<sup>45</sup> Documents do not reveal the outcome. Clearly, however, some women were either unaware or undaunted by the New Laws’ prohibition of intercession.

#### WOMEN’S INFLUENCE IN MADRID AND THE 1571 COUNCIL ORDINANCES

Before the 1560s, the royal court’s constant travels throughout Spain and Europe prevented most illicit minister-vassal connections from arising. The Catholic kings had been “exceedingly itinerant,” remaining in no city for more than two weeks before moving on.<sup>46</sup> Emperor Charles was among the world’s most itinerant rulers. King Philip II departed radically from this tradition. He traveled little, and in 1561 made the town of Madrid the imperial court.<sup>47</sup> Now the base of the empire, Madrid would expand and transform to satisfy the needs of the monarchy’s twenty-five million subjects.

The courtyard became a vibrant scene, comprised primarily of men, and some women, from all over the world, conducting every sort of personal, corporate, and royal business. The powerful and the meek of the world rubbed elbows here, gathered around the doors of the various councils. Madrid’s rapid social changes and ideas of good governance now pulled officials harder than ever in three contrary directions. On the one hand there were the Council

<sup>44</sup> BNE, MSS.10509, fol. 15<sup>r-v</sup>.

<sup>45</sup> AGI, Patronato 252, R.15.

<sup>46</sup> Vassberg, 171; Kamen, 8.

<sup>47</sup> Cadenas; Parker, 15–18, 36–43, 62–105.

of the Indies' relatively recent ordinances stressing ministers keep their distance from vassals' entreaties and gifts. Then there was the Habsburgs' own model of patrimonial administration, which celebrated aristocratic wealth and gift giving as royal prerogatives, values many ministers likely wished to privately emulate.<sup>48</sup> A third force was the mass of justice-seeking petitioners eager to conclude their business in this expensive and rather rustic capital city. Complex court cases in particular, but also elaborate privilege petitions, could drag on interminably. The new capital had also grown quickly without proper urban planning, and was expensive and often filthy.

Subjects eager to resolve their business thus frequently cultivated Madrid's seedier side. In 1600, one observer wrote the young King Philip III (b. 1578, r. 1598–1621) that Madrid suffered from “inundations of peoples” who sought to resolve their “affairs of litigation [*justicia*] or grace [*gracia*]” and soon found themselves entrapped by all sorts of delights, temptations, and vices. Justice seekers' desperation also bred rumors of illicit dealings with the Council of the Indies. One subject complained in 1567 that because of bureaucratic delays, “those who seek resolutions procure not very licit methods, be it with grandees, or lawyers, or procurators, or guests of those [ministers] of the above-mentioned Council, or with others.”<sup>49</sup>

Women well connected with ministers had much to gain in this new milieu. Word in the palace was that justice seekers quickly discovered certain female subjects were crucial interlocutors with royal officials. These stories reached the king by mid-1567. By July he had dispatched the Council of the Inquisition minister Juan de Ovando to investigate, who promptly began gathering secret testimonies of Madrid residents. The Inquisitor's witnesses suggested ministers engaged in illicit behavior, mostly in secluded spaces like homes and gardens.<sup>50</sup> There, far from prying eyes, well-connected women seem to have acquired greater capacities to shape ministers' determinations than ever. At the apex of this secret network was doña María de Luna, wife of council president Vásquez himself. According to one witness, vassals could influence the president through María de Lizcano, doña María de Luna's dependent (*criada*). María de Lizcano was a “very public and very notorious . . . route” to a positive ruling from the president, one source reported. Subjects could also directly approach doña María de Luna, who picnicked often in the royal gardens. She and Licenciata Briviesca de Muñatones's daughter were frequently

<sup>48</sup> Lorenzo Cadarso, 65; Lehfeldt.

<sup>49</sup> Bartolomé Leonardo de Argensola (1562–1631) in BNE, MSS.9855, fol. 156<sup>v</sup>; BL, Add. MS 33983, fol. 84<sup>v</sup>.

<sup>50</sup> For gardens, see BL, Add. MS 33983, fol. 34<sup>r</sup> and 103<sup>v</sup>. For homes, see AGI, Guadalajara 5, R.13, N.23, fol. 8<sup>r</sup>; BL, Add. MS 33983, fol. 309<sup>r</sup>.

visible from Madrid's windows, seeking "great friendship" with Indies vassals.<sup>51</sup> Those looking to keep their shoes clean could also meet doña María at the cathedral door after evening Mass, paralleling the king's own duty to address vassals after church.

There were other routes of access to these influential brokers. Licenciata Barrionuevo's wife could apparently facilitate connections to doña María de Lizcano. One witness stated that he heard rumors that subjects could give the sister of Lorenzo Vaca money to "negotiate well."<sup>52</sup> One could also seek doña María de Luna out through her brother. According to Lima High Court attorney Licenciata Cristóbal Ramírez de Cartagena, the wife of Minister Alonso Muñoz (r. 1562–68), doña Catalina de Otálora (1530–94) provided intercession for subjects seeking to "soften the condition" of her insufferable husband. Word in Seville and Madrid was that she could also sway other ministers as well, and others attested that doña Catalina traveled to Burgos and conducted unspecified Indies-related "business" there, perhaps in one of the gardens that certain ministers fancied for gambling with Indies vassals.<sup>53</sup>

Investigator Ovando's witnesses painted a picture of an institution gripped by an integrity crisis that enabled well-connected women to rule the Indies. Nonetheless, having concluded his investigation, Ovando did not fire ministers or subject them to major penalties. He appears to have fined several officials, but generally lacked hard evidence to substantiate most allegations. Moreover, since many ministers were on the verge of retirement, he refrained from prosecuting them, instead turning his attention to reforming the council's next generation of officials.<sup>54</sup> When Ovando assumed the presidency on 28 August 1571, he introduced additional rules to prevent women and others from exercising undue influence upon these new ministers. He and his new ministers would ratify the *Ordenanzas reales del Consejo de las Indias*, which the king ratified on 24

<sup>51</sup> BL, Add. MS 33983, fols. 278<sup>r</sup>–279<sup>r</sup>.

<sup>52</sup> BL, Add. MS 33983, fol. 190<sup>r</sup>.

<sup>53</sup> These were Ministers Vázquez (r. 1554–71) and Aguilera (r. 1565–72).

<sup>54</sup> BL, Add. MS 33983, fol. 103<sup>v</sup>. For fines, see Macías Rosendo, 56. Tello retired in 1567, and his replacement, Luis Méndez Quijada, died during a 1570 Morisco uprising. Several ministers passed away shortly after: Licenciates Isunza (1567), Valderrama (1567), Muñoz (1568), the interim head of the council Vázquez de Arce (1571), and Salas (1571). One received a promotion—Licenciata Villafañe became a minister of the Council of Castile. Secretaries Francisco de Eraso and Ochoa de Luyando both also died in 1570. Between 1568 and 1572, the council added ministers Botello, Ruiz, Gasca, López, and Gómez; see Schäfer, 1:333–39.

September 1571.<sup>55</sup> These again barred gift giving and ministers' favoritism toward their families, friends, associates, and dependents, including women. The 1571 Ordinances were not to be dead letters during President Ovando's lifetime, and no documents suggest that women influenced ministers until the mid-1580s, despite constant vigilance by the Crown.

### COUNCIL INVESTIGATIONS AND THE JUNTA DE REFORMACIÓN, 1586–89

Madrid's structural challenges remained in spite of these major reforms. As years went by, the capital only became more crowded with desperate justice seekers pursuing favorable outcomes. The Crown soon began to fear that many temporary and permanent residents had begun shedding their Christian values as they left their hometowns for the court. In response, the king, his secretaries, and his closest advisors repeatedly gathered into a special committee to combat moral decline, the Junta de Reformatión, or Junta of Reformation. This junta first gathered in 1574, to assert King Philip II's jurisdiction over Madrid's public and private sins against the pope. Among the junta's main proponents was the king's firebrand confessor Friar Diego de Chávez (1507–92), along with others who warned of the capital's many "sins and abominations."<sup>56</sup> Junta members viewed their moral mission as central to the empire's affairs. In one frequent advisor's words, "it will be necessary for Your Majesty . . . to make the world flip from upside-down to up, to remedy these matters which are so disorderly."<sup>57</sup>

The committee first convened on 11 October 1574, dispatching investigators, especially priests and field justices (*corregidores*), to uncover wrongdoings throughout Madrid. They reported that the city was indeed infested with sin. One testimony suggested that the "liberties of women" in the palace had become a problem.<sup>58</sup> Indeed, the junta's late 1570s and 1580s findings frequently alleged women's political corruption of the republic, through their illicit dealings with ministers.<sup>59</sup> On 10 July 1586, Secretary Vázquez summoned the innermost circle of conciliar presidents and ministers to the junta

<sup>55</sup> Schäfer, 1:136, says the Ordinances' original copies have disappeared. There is a 1585 printed version, the *Ordenanzas reales del Consejo de las Indias*. See also BNE, MSS.3035, fols. 19<sup>r</sup>–37<sup>v</sup>.

<sup>56</sup> Ezquerria Revilla, 1998; Ezquerria Revilla, 2012, 268.

<sup>57</sup> BL, Add. MS 28340, fol. 270<sup>r</sup>, 28 August 1577.

<sup>58</sup> HSA, 5/III/2.

<sup>59</sup> For a 1577 report regarding a Granada high judge, see BL, Add. MS 28340, fols. 224<sup>r</sup>–233<sup>r</sup>.



to establish whether “there are gambling and women among important people.”<sup>60</sup> On August 17, the count was discussing the junta’s ongoing plan to dispatch parish priests to collect information and ultimately “clean the republic of all types of sins and vice without leaving anything to discover.”<sup>61</sup> By September 11 he reported that the junta was investigating ways of “impeding that women negotiate with ministers.”<sup>62</sup>

In the mid-1580s’ context of increasing scrutiny of court women, the Crown found further wrongdoing within the Council of the Indies. Already in 1585 the council president Vega had cryptically told the king that he must uphold “the Ordinances that Your Majesty has made for this Council after the visit of President Juan de Ovando,” and which demanded ministers “be clean” (“fuesen limpios”) especially when making ecclesiastical appointments in the Indies.<sup>63</sup> It was perhaps in this context that the council issued the 1571 Ordinances in print for the first time.

In 1586 the Crown appointed the trustworthy minister of the Council of Castile and the Chamber, Francisco de Villafañe (d. 1587), to investigate Indies ministers’ wrongdoing.<sup>64</sup> Villafañe’s work also responded to a major political crisis that had erupted in the relatively backwater Indies province of New Granada. In 1578 the Council of the Indies had ordered that Licenciado Fernando de Monzón investigate the New Granada High Court. Investigator Monzón had stirred major controversy by alleging over a thousand different abuses by the high judges and president, and by aggressively seeking to improve Indians’ treatment. Reports of the high judges’ execution of another magistrate for murder, and another’s mysterious death, confirmed something was afoot in Bogotá. One of the last surviving judges was a former Council of the Indies attorney, Pedro Zorrilla, who worsened matters by imprisoning Monzón, alleging serious crimes. Alarmed, the council sent another investigator, who ordered Monzón and the high judges back to Madrid to stand trial.<sup>65</sup>

The New Granada judges, desperate and wealthy, developed a reputation in Madrid as particularly unscrupulous in their dealings with the Council of the Indies. By early 1586, Secretary Vázquez and President Hernando de Vega y Fonseca (r. 1584–91) already regarded them as *yndiano* troublemakers—

<sup>60</sup> HSA, 7/II/25; see also HSA, 7/II/26.

<sup>61</sup> HSA, 7/II/28R.

<sup>62</sup> HSA, 7/II/30.

<sup>63</sup> Instituto Valencia don Juan (henceforth IVDJ), Colección Altamira (henceforth CA), Envío 23, Caja 36-373.

<sup>64</sup> BL, Add. MS 28346, fols. 337<sup>r</sup>–338<sup>v</sup>.

<sup>65</sup> Gálvez Piñal, 13n26; Mayorga García, 168–85. Zorrilla accused Monzón, among other things, of inciting rebellion, marrying his daughter to a local, and illegally importing merchandise.

Vázquez fretted that they were “most dangerous” and believed they wished to corrupt ministers.<sup>66</sup> Dire petitions to the king reinforced this fear. A member of the anti-Zorrilla party, Pedro Muñoz de Salazar, wrote an infuriated petition alleging various Council of the Indies ministers had illicit ties to these New Granada officials. Minister Saavedra’s ties to Zorrilla ran not only through his brother’s wife’s father but through his own wife, who was Zorrilla’s first cousin.<sup>67</sup>

Villafañe’s inquiry proceeded from mid-1586 to early 1587, uncovering information that seemed to confirm these suspicions.<sup>68</sup> Salazar testified that “the whole court, and its lettered men [*letrados*] are amazed and shocked, and those who see it can hardly believe . . . the great favor which Licenciata Zorrilla has.” Witnesses agreed that Zorrilla achieved this largely through the intercessions of influential women. He had cultivated several relationships even before he went to the Indies. Muñoz affirmed that Licenciata Alonso Martínez Espadero (r. 1572–89) “favors Licenciata Zorrilla passionately . . . it is public and well known that he visited and [Zorrilla] communicated with his wife as a guest, and it was by her hand he found work in the Council.”<sup>69</sup>

Zorrilla’s ally and codefendant Francisco de Velázquez, the secretary of the New Granada High Court, also appeared befriending women in several testimonies. Monzón’s secretary Luis de Mármol reported that he once headed to the Crown attorney’s house to insist on the crimes of Velázquez and Zorrilla, but that the attorney’s mother-in-law, doña María de Montoya, closed the case. The two defendants openly boasted of having befriended her. Monzón also suggested Velázquez had been befriending and bribing doña Catalina de Montalvo de la Cárcel Bernardo y de Anaya, the wife of Minister Gedeón de Hinojosa (r. 1580–94). He had heard her tell Velázquez, “Gentleman . . . have no shame, for I will promise to send you gratified to your home.”<sup>70</sup>

The former president of New Granada, don Lope de Armendariz, may have also had similar connections. Mármol suggested Council of the Indies President Vega was a *deudo* (dependent) of don Lope’s wife, doña Juana de Saavedra. As a result, “Vega has shown himself very partial in defending those under investigation.”<sup>71</sup> The council’s exact rulings on the New Granada intrigue do not

<sup>66</sup> IVDJ, CA, Envío 23, Caja 36-294, Caja 36-296, Caja 36-297.

<sup>67</sup> IDVJ, CA, Envío 23, Caja 36-313. I have not found evidence of Saavedra’s time in the council; it is possible he served in another council or junta.

<sup>68</sup> Villafañe was bedridden with gout for long periods by the spring of 1586, which may explain why his investigation only began later in 1586; see IVDJ, CA, Envío 23, Caja 36-319.

<sup>69</sup> BFZ, Envío 170-1, fols. 48<sup>r</sup>, 34<sup>r</sup>.

<sup>70</sup> BFZ, Envío 170-1, fol. 7<sup>r</sup>.

<sup>71</sup> BFZ, Envío 170-1, fols. 6<sup>r</sup>–7<sup>r</sup>, 15<sup>r-v</sup>, 21<sup>r</sup>, 34<sup>r</sup>, 48<sup>r</sup>. It is unclear which attorney they attempted to speak with, because the council had several who died within months of each other in the 1580s; see Schäfer, 1:350.

survive, but ministers did appear to favor the high judges over Monzón, fining the former minor fees and the latter the large sum of 4,000 ducats.<sup>72</sup> Other high-ranking Indies officials' long trials in Madrid also stirred fears of women's ability to illicitly sway ministers. Licenciado Rodrigo Ribero, who had arrived in Santo Domingo in 1580 as investigator, was back in Madrid by 1586, defending his excessively harsh actions. Two witnesses claimed Ribero was an "intimate friend" of minister Doctor Lope de Vayllo. Another recalled hearing Ribero brag he had bribed Doctor Lope's wife, doña Juana.<sup>73</sup>

While many subjects who pursued women's intercession were litigants seeking to resolve litigation and investigations, privilege seekers of various sorts also posed problems. One crucial intercessor seemed to have been Minister Hinojosa's wife, doña Catalina de Montalbo. One Juana Rodríguez was also crucial for obtaining privileges and licenses, according to several witnesses. She was Minister Espadero's *ama*, a vague term suggesting he was her dependent. Witness Mármol noted rumors that Rodríguez helped issue travel licenses to the Indies for large sums. Juana also used Minister Espadero's connections with Zorrilla to secure a license for her daughter to reach New Granada, where the judge arranged for her to marry a local captain. The groom was a prominent recipient of Indian tribute, but had once stabbed a local justice, broken a scribe's teeth, lost his tribute privileges, and been sentenced to the galleys. Mármol alleged that council ministers had later freed him. On another occasion, Minister Espadero's mother even wrote directly to New Granada's justices to interfere on behalf of the family's interests. Minister Vayllo's wife also secretly helped vassals obtain licenses for slaves, passports to the Indies, and important royal offices at enormous sums, albeit without specifying how she swayed these decisions.<sup>74</sup>

One witness implicated President Vega himself. Don Francisco de Valverde suggested that the blue-blooded doña Ángela de Tassis, daughter of Spain's chief postman, was capable of intercession for important Indies ecclesiastical

<sup>72</sup> Mayorga García, 190–91.

<sup>73</sup> For Ribero's 1580 appointment, see AGI, Indiferente 739, N.245. For the council's 1583 suspicion of his abuses, see AGI, Indiferente 1956, L.3, fols. 200<sup>v</sup>–201<sup>v</sup>. For reports about him, see BFZ, Envío 170-1, fol. 2<sup>r</sup>; BFZ, Envío 170-1, fols. 2<sup>r</sup>, 53<sup>v</sup>–54<sup>r</sup>. Lugo provided a relatively poor overview of Ribera's investigation; see Lugo, 47, 54–55, 79, 98, 214, 224–29.

<sup>74</sup> BFZ, Envío 170-1, fols. 5<sup>v</sup>, 11<sup>r</sup>, 12<sup>r</sup>, 13<sup>v</sup>, 33<sup>r</sup>. As Sebastián de Covarrubias defined the term, "we call *amo* to the lord whom we serve, because he feeds us . . . and *ama* to the lady, and so the terms *amo* and *moço* [youth] are correlative": Covarrubias Orozco, 62. The witness likely used the term because he did not understand Minister Espadero's precise relationship with Juana, which is mysterious in part because he did give her the title "doña," which would have implied her high birth, and which any true *ama* would have used for herself. It is also possible this was a euphemism for "lover."

positions, in exchange for large bribes, with the president's knowledge. Valverde suggested President Vega also committed many other offenses. A friar had told him Vega accepted bribes from "some little woman" nicknamed "Gradina the Weaver" ("la Texedora Gradina") for an Indies office. Investigator Villafañe stated in his findings that as the president of the Council of Finance, Vega had a reputation for receiving petitions from "loose and unmarried women in the royal courtyard" and at the helm of the Council of the Indies he even accepted their money. Villafañe summarized one witness's allegation about the president as, "he is so given to women that he has lost his authority and credit."<sup>75</sup>

Villafañe's investigation was a partial failure. He produced 228 pages of witness testimonies, but Secretary Vázquez thought his charges inconclusive. Villafañe's deafness and gout meant he could not follow through on any allegations, so his findings never went beyond "hearsay."<sup>76</sup> The Crown nonetheless drew several conclusions. Vega asserted that former minister (and current president of the House of Trade) Hinojosa was "very thorough in cases in which his wife is not biased [*aficionada*] or captivated [*prendada*]"—of this I have heard somewhat bad talk."<sup>77</sup> However, Vega and other top officials held Hinojosa in quite high regard, and the king promoted him to the Council of Castile in 1594.<sup>78</sup> The Crown also chastised Minister Espadero. On 22 December 1587, he wrote a groveling letter to the king defending his actions. He claimed to have worked "free and clean," treating vassals with "equality." He noted that the council was constantly assailed by vassals' gifts but that he had shown "resistance." The only outside influences he sought were the "intercession of the saints and exemplary men of faith."<sup>79</sup> He insisted he would henceforth avoid compromising situations.

Throughout 1586 and 1587 the Junta of Reformation worked alongside Investigator Villafañe to uncover further illicit dealings. By 24 May 1586,

<sup>75</sup> An eminent aristocrat, doña Ángela's father was Raymundo de Tassis, chief postman of Spain and Brussels, and her mother was doña Catalina de Acuña, of the earldom of Buendía; see Salazar Mir, 79. For Gradina, see BFZ, Envío 170-1, fol. 59<sup>r</sup>; for Vega, see BFZ, Envío 170-49.

<sup>76</sup> Secretary Vázquez stated in a 21 June 1588 letter that the now-retired Villafañe's findings totaled 228 pages, including three notebooks containing certain pages that listed his findings. Investigator Moya noted in the same letter, however, that "he did not find them to have substance, because he establishes them as generalities and hearsay—his poor health must have been the cause" of Villafañe's lack of diligence. Vázquez had kept these reports under lock and key before passing them to Moya. See IVDJ, CA, Envío 25, Caja 40-263.

<sup>77</sup> BL, Add. MS 28349, fol. 141<sup>v</sup>.

<sup>78</sup> Schäfer, 1:338. The president reported in February 1587 that Hinojosa was "very clean, important, and a good minister, and very intelligent in the matters and affairs of the Indies": IVDJ, CA, Envío 23, Caja 36-396.

<sup>79</sup> IDVJ, CA, Envío 25, Caja 40-266.

President Vega reported to the king regarding another minister who was allowing earthly enjoyments to interfere with his work.<sup>80</sup> This was Minister Antonio González (r. 1584–89), who was to experience considerable Crown scrutiny until his demotion in 1589. He had a checkered past. While president of Guatemala, an investigator banned him from Indies officeholding and fined him over 2,500 ducats. President Vega still insisted González was a “talented jurist” who later served exceptionally as the senior high judge in Granada.<sup>81</sup> González nonetheless had many flaws, lamented Vega. His relationships with Madrid residents, including women, particularly concerned him. González spent “a great part of his day in gambling with priests and with women, and, they tell me, with Indies vassals [*indianos*] as well.” Compounding the problem, González spent time in “monasteries of nuns and especially in the Franciscan [convent of] the Conception.”<sup>82</sup> Due to González’s social connections, President Vega could not be sure that he was trustworthy and impartial; certainly, he brought dishonor upon the council.

The president’s accusations reached the junta, and on 21 August 1586 don Francisco Zapata y Cisneros (1520–94), Count of Barajas and president of the Council of Castile, informed Secretary Vázquez about his findings. Minister González had insisted to Confessor Chávez that he was contrite and would no longer attend comedies or cavort with court women. Yes, he had gambled “as a pastime and for recreation,” but only for small sums and with very prominent officials. He only visited women with “no sort of suspicion such as wives of ministers, the [wife] of don Pedro Zapata, the two nieces of the deceased Dean of Toledo,” and the wife of a certain Cisneros. He promised to desist from these activities forever.<sup>83</sup> After Investigator Vilafañe’s disappointing findings, the Crown selected a more assertive figure, the archbishop of Mexico, Pedro Moya de Contreras (ca. 1528–91), to conduct yet another examination of the council. The archbishop had resided in Spain since 1587, after undertaking a major investigation of the viceroy of Mexico, which won him the king’s trust.<sup>84</sup> By 1588, he was secretly investigating the Council of the Indies.

That year, President Vega hinted to Secretary Vázquez that yet another scandal was brewing. He and Investigator Contreras were probing what Vega called “the greatest disturbance, the greatest outrage, the greatest injustice, anyone has ever heard of in a court case.”<sup>85</sup> The scene was a major trial over the Duchy of

<sup>80</sup> HSA, 7/II/22RB.

<sup>81</sup> IVDJ, CA, Envío 23, Caja 36-447.

<sup>82</sup> HSA, 7/II/22RB.

<sup>83</sup> HSA, 7/II/29.

<sup>84</sup> Poole, 2011, 125–34.

<sup>85</sup> BL, Add. MS 28349, fol. 142<sup>r</sup>.

Veragua, a patrimonial holding of the Columbus dynasty in Panama. When its last heir died in 1578, a struggle over the duchy began.<sup>86</sup> The case went to the Council of the Indies and became one of its most expensive and convoluted trials ever. When one litigant, the admiral of Aragón, died, his sister, the third Marchioness of Guadalest, doña María Ruiz de Liori Colón y Cardona (ca. 1540–97), picked up his case in 1583. In 1584, and again in 1586, the council ruled in the marchioness's favor, but her opponents appealed and the trial dragged on.<sup>87</sup>

What happened next triggered a remarkably bold act of infiltration by an elite woman into the council's decisionmaking process. Witnesses alleged the marchioness groomed at least two of the council's *relatores* (court reporters) to sway the case in her favor, and even co-opted two ministers. In late 1588 Investigator Moya heard witnesses claiming the marchioness had council ministers in the palm of her hand. One witness claimed she paid a middleman the enormous sum of 16,000 ducats to sway Relator Villarroel (r. 1583–85).<sup>88</sup> Indeed, Villarroel had formerly been the marchioness's lawyer—a clear violation of council ordinances.<sup>89</sup> Another *relator*, Doctor Salvador Núñez Morquecho (r. 1585–95), was also swept up in the investigation into the marchioness's sway. One litigant, don Baltasar Colón, discovered that Núñez was deliberately misrepresenting the arguments of the marchioness's opponents before the council in order to disqualify their strongest arguments. Colón noted Núñez's summaries were different “in more than twenty ways . . . all against this witness and

<sup>86</sup> Veragua was part of what is today Western Panama. It had a moderately low Indian population, but rich gold deposits. In 1537 the Crown granted Columbus's grandson, Luis Colón, the duchy, but the Guaymí peoples' resistance drove him to trade his jurisdiction over for a 7,000-ducats pension. Luis attempted to sire a son out of wedlock, landing him in jail, and the Crown later condemned him to exile in North Africa, where he died. The duchy's two weak claimants, Luis's daughter and his nephew, married and sired don Diego Colon y Pravia, who died in 1578. A battle over the duchy began in Santo Domingo between four major groups: first, don Diego's legitimate daughter doña Francisca Colón and his illegitimate son Luis; second, Francisca's own sister doña Juana, the admiral of Aragón; third, the Count of Gelves, don Álvaro de Portugal; and, fourth, the nun María Colón. See Martínez Cutillas, 442, 474–96, 511–15; BNE, *Por Doña Juana Colon*, Porcones 833(19).

<sup>87</sup> Real Biblioteca de Madrid, Madrid (henceforth RBM), XIV/2995, “Memorial del pleyto,” 1497–1584; RBM, XVI/3015, “Memorial del pleyto,” 1506–1607, fols. 93<sup>r-v</sup>/56<sup>r-v</sup>.

<sup>88</sup> I have not been able to find information about Juan or his wife. Moreover, Villarroel's first name has proven elusive. Schäfer suggests he departed to the Royal Council of Castile in 1585 (see Schäfer, 1:358), but was still overseeing the Veragua case.

<sup>89</sup> HSA, B2883, fols. 15<sup>r</sup>–17<sup>r</sup>.

the other claimants and in favor of the Marchioness.”<sup>90</sup> There can be little doubt that she and her lawyers were aware of the illegality of these actions.

Minister González likely played a central part in boosting the marchioness’s chances. According to President Vega’s 1589 report, González was meddling in the case. So too was Minister Espadero, though Vega provided no specifics on his involvement. González had apparently forced a dying minister to sign a favorable sentence for an unspecified litigant in the case in 1587. González likely favored her, for Vega seethed: “if the original sentence had gone into effect, he and all his lineage together could not have undone the damage this [sentence] would have done.”<sup>91</sup> On 12 July 1589, Vega warned the king of González’s terrible reputation. He was still involved in “perditions of all sorts,” and “it would please me in every extreme to see him out of the Council.” Vega also called Ministers González and Espadero “these two such pernicious judges” and said he had prohibited them from judging any major cases. Ultimately, the marchioness failed to secure the Duchy of Veragua, having spent many years in court and a massive fortune for naught.<sup>92</sup>

Investigator Moya’s findings are unclear.<sup>93</sup> His charges and penalties against the *relatores* are missing. Núñez did not lose his job, and in the 1590s he was the *relator* for the Junta of Puerto Rico, an important royal military committee.<sup>94</sup> Minister Espadero died in early 1589. The king demoted the disgraced González to the presidency of New Granada.<sup>95</sup>

<sup>90</sup> HSA, B2883, fol. 42<sup>r</sup>. On 20 March 1589, council minister Ortegón told Investigator Moya’s investigative team that his legal solicitor Francisco de Guevara had uncovered this fraud, and accused relator Núñez of making substantial changes in the marchioness’s favor; see HSA, B2883, fols. 47<sup>v</sup>–48<sup>r</sup>. In 1590 don Baltasar printed a tract, the *Demanda y oposicion*, which insisted “Relator Villarroel, and Relator Núñez . . . fooled the said council, giving a false account of the proceedings, and producing false summaries”: BNE, *Demanda y oposicion*, fol. 30<sup>r</sup>.

<sup>91</sup> BL, Add. MS 28349, fol. 142<sup>r-v</sup>. The dying minister was one Minister Valcázar.

<sup>92</sup> BL, Add. MS 28349, fols. 142<sup>r-v</sup>, 147<sup>v</sup>. According to the correspondences between Secretary Vázquez and the king, firing González was in the works since mid-February 1589 at the latest: BL, Add. MS 28349, fol. 107<sup>r</sup>. Whether the council blamed the marchioness for corrupting two of the council’s *relatores* and two ministers is unclear. She died in 1591 without leaving children, and the lawsuit raged on until the Count of Gelves triumphed, at least temporarily, in 1605: see RBM, XVI/3015, “Memorial del pleyto,” 1506–1607.

<sup>93</sup> Poole, 2011, 262.

<sup>94</sup> AGI, Indiferente 426, L.28, fol. 103<sup>r</sup>.

<sup>95</sup> Schäfer, 1:338.



## GIFT GIVING, INDIES WEALTH, AND INDIES ANXIETIES IN THE COURT

From the 1540s to the 1580s, one of the Crown's overarching fears was the flourishing culture of gift giving between royal officials and ministers in exchange for favorable outcomes. These concerns extended far beyond the Council of the Indies. A 1582 report to the Junta of Reformation by Doctor Villagomez, mayor of the court of Navarre, offered an extended diagnosis of this particular evil. Vassals spent "billions of ducats . . . sending to the court many and very curious presents to persons who were close to the royal [court] of Your Majesty and their women, and to Royal Secretary Gastelu and his wife, and others." Madrid was nothing but "tyranny and robbery and infernal negotiations." Indeed, gifting was the "principle cause of all the bad government of Spain, and in all the states of Your Majesty." Villagómez pleaded that the king investigate "how many mules loaded with presents and gifts enter every day in the court, and where they come from, and who sends them to whom."<sup>96</sup>

Important women were key in these networks. Villagómez suggested that the trail would lead to "the houses of the most principal dependents and ministers of Your Majesty and secretaries. . . . Look at their jewels and gold and silver and tapestries . . . that they have, they, and their women." The mayor offered a radical solution: banning all gift exchange in the capital. Officials should lose their jobs should they accept even the smallest present of food. Ministers' "wives and children and family members and dependents" were to follow the same rules, only deviating with special written permission from the king.<sup>97</sup>

Villagómez's preoccupations repeatedly underscored the relationship between women and gift giving. Indeed, many throughout Europe considered gift giving and gift receiving to have female or effeminate connotations.<sup>98</sup> Some even suggested that men could become effeminized and sexually debased if they opened their doors to bribes. For instance, witness Licenciata Ramírez informed Investigator Ovando in 1567 that one Peruvian vassal boasted how his gifts turned the Council of the Indies' ministers into putative prostitutes and homosexuals, saying, "all that was left for him was to sleep with the [ministers] . . . [and] he swore to God that if he wished, he could marry anyone in the Council."<sup>99</sup>

The gendered problem of gift giving afflicted the entire court, and not just the Council of the Indies, as Villagómez noted. He and other moralists

<sup>96</sup> BL, Add. MS 28343, fols. 241<sup>r</sup>, 243<sup>v</sup>.

<sup>97</sup> BL, Add. MS 28343, fols. 241<sup>r</sup>–243<sup>r</sup>.

<sup>98</sup> Zemon Davis, 210–11.

<sup>99</sup> BL, Add. MS 33983, fol. 69<sup>v</sup>.



described court women as very inclined toward wealth and material luxury—and the court had plenty to go around.<sup>100</sup> The Indies had peculiar characteristics, however, which made these illicit exchanges especially problematic. The three sixteenth-century investigations into Council of the Indies' ministers' conduct revealed the Crown's constant preoccupation with bribery, especially involving New World wealth. Would the Crown allow New World commodities to destroy the Indians and the royal conscience, or could its ministers steel themselves against temptation? Scholars have noted that the Indies' abundant and often-peculiar commodities played a part in creating widespread anxieties about increasing moral laxity in the late sixteenth century.<sup>101</sup> Vassals may have preferred to bribe women in officials' circles, exchanging influence disguised as innocent gifts. They could mask these transactions as innocent acts of kindness and magnanimity, and conceal the size of their bribes by gifting items of exceptional novelty and exquisite craft.

Gift-giving practices had deep roots during the heavily patrimonial early phase of Indies rule. Cortés's 1528 attempts to woo Secretary Cobos's sister-in-law doña Francisca included Indian-made offerings for the entire household, including "many treasures of gold . . . to all those ladies . . . crests of green feathers full of silverwork and gold and pearls."<sup>102</sup> In the 1540s Minister Beltrán lost his position partly because of emeralds that one vassal gave his wife's cousin. Emperor Charles suspected his own secretary's wife, doña María de Mendoza, of accepting gifts, which the governor of Peru confirmed when he instructed his wife to pass her certain Peruvian "gold alloy items."<sup>103</sup> In another letter, the governor listed over 5,800 pesos in valuables, many likely destined for the Council of the Indies and other officials. His agent, whom a royal official arrested in Panama, was bringing gold ingots, a saltshaker, fine gold and turquoise necklaces, small emeralds, and gold and silver chalices, including one "of fine gold, made by Indians."<sup>104</sup>

In the late 1560s, witnesses told Investigator Ovando that Minister Muñoz's wife, doña Catalina de Otálora, also treasured fine gold products, likely from the Indies and made by indigenous craftsmen. Ramírez had heard from one Alonso Castellón that her support had cost him a golden parrot, a barrel of anchovies in escabeche, and "certain moneys." Lima's chief postman, don Diego de Carvajal, also alleged the same Castellón slipped doña Catalina a

<sup>100</sup> Vives, 160.

<sup>101</sup> Warsh, 11, 173; Vilches, 17, 261, 292; Martínez Vega and Pérez Baltasar, 142; Bridikhina, 283.

<sup>102</sup> Díaz del Castillo, 725.

<sup>103</sup> Lockhart and Otte, 175.

<sup>104</sup> Ministerio de Fomento, 502–03.

“golden parrot.”<sup>105</sup> Such gold parrots were rare items in European markets—this was most likely a common type of indigenous sculpture representing birds from Costa Rica or Veraguas (fig. 1). Another witness mentioned a rumor that doña Catalina accepted payments in gold and fine handkerchiefs.<sup>106</sup>

Investigator Villafaña discovered a similar pattern in the mid-1580s. Peru’s former viceroy don Francisco de Toledo, under investigation at the court, allegedly had an agent attempt to pass a gold chain to his niece, the Marchioness of Villena, doña Juana Lucas de Toledo.<sup>107</sup> She was then to bribe Assistant Secretary Pedro de Ledesma for a favorable outcome.<sup>108</sup> Licenciata Ribero allegedly tried the same tactic. Witness Francisco Marmolejo stated that Ribero told him he secured his position as investigator thanks to Minister Vayllo’s wife and planned to repay her with an exquisite silver reliquary made in Santo Domingo. Marmolejo could not confirm whether she received this gift. However, he had seen Minister Vayllo’s daughter wearing an opulent strand of pearls, which he claimed he saw in Ribero’s possession.<sup>109</sup>

Guatemala high judge García de Valverde, in Madrid defending himself after his turbulent tenure, was also reportedly part of the capital’s gift exchange. Witness don Diego de Guzmán claimed Valverde commissioned a magnificent silver platter and saltshakers for Minister Espadero. Guzmán was unsure whether Valverde passed this gift on, but noted that when Espadero traveled to Cáceres, Valverde’s wife suspiciously left Seville to meet him there. Another witness reported that Juana Rodríguez, connected to Espadero, helped a captain receive the position of *corregidor* (field justice) in Peru in exchange for a large golden saltshaker. Yet another suggested that Minister Hinojosa’s wife

<sup>105</sup> BL, Add. MS 33983, fols. 103<sup>r-v</sup>, 268<sup>r</sup>. It is not easy to establish whether this object represented a parrot, an eagle, or another type of bird; one can assume that witnesses lacked the knowledge of tropical New World species and indigenous representational conventions to provide a more accurate description. This would explain why the Metropolitan Museum of Art captions for its many Costa Rican gold objects list “eagles,” while witnesses during Ovando’s investigation used the term “parrots.”

<sup>106</sup> Ramírez overheard in the royal courtyard that doña Catalina helped House of Trade scribe Christoval de Santistevan, who sought a positive ruling against a rival British plaintiff; Santistevan had promised her “as many reales as he could muster.” Ramírez also heard that one don Eugenio de Palta had boasted about “the friendship that he had with the abovementioned doña Catalina,” noting that she met often with him and Pedro de Casadevante, of Honduras, who sought a royal office in Veracruz. Casadevante was hoping to win doña Catalina over with embroidered handkerchiefs: see BL, Add. MS 33983, fols. 103<sup>v</sup>–104<sup>r</sup>.

<sup>107</sup> Ávila, 1:509n14.

<sup>108</sup> IVDJ, CA, Envío 23, Caja 36–498, fol. 113<sup>v</sup>. Ledesma became a salaried official in 1596: see Schäfer 1:353.

<sup>109</sup> BFZ, Envío 170-1, fol. 3<sup>r-v</sup>.



Figure 1. Three gold-cast eagle figures. Metropolitan Museum of Art, New York. Michael C. Rockefeller Memorial Collection, 1979.206.1052; <https://www.metmuseum.org/>.

repeatedly sought out gold, gems, and emeralds from High Judge Zorrilla and Francisco de Velázquez, unbeknownst to Minister Hinojosa. Muñoz also complained of this case, calling the gifts “the greatest bribes in the world.”<sup>110</sup>

This constant royal scrutiny of officials’ material possessions, leisure activities, and after-hours conduct frustrated them greatly. The new policies had made ordinary socialization impossible. One anonymous official remarked that he could no longer “go, deal, converse, gamble, stroll” without appearing suspect.<sup>111</sup> In 1584, Royal Secretary Jerónimo Gasol complained to his colleague Secretary Vázquez, “Being a public minister [*ministro público*] I cannot close the door to anyone, and being a man and not a stone I must have friends and entertainments, and I must rest and desire honor and reward. . . . I place my hope in God that he will give me his grace to govern in a way that I not falter in

<sup>110</sup> BFZ, Envío 170-1, fols. 39<sup>v</sup>, 49<sup>r</sup>–50<sup>r</sup>, 62<sup>v</sup>–65<sup>r</sup>. Muñoz also suggested Velázquez had the council’s favor because his sister was married to don Francisco Beltrán de Caicedo, who was family with Minister Gasca de Salazar: see BFZ, Envío 170-1, fol. 45<sup>r</sup>.

<sup>111</sup> BL, Add. MS 28362, fols. 30<sup>r</sup>–31<sup>v</sup> (15 January 1584). He was likely a high-ranking official, indicated by his use of a rubric to sign his name; however, I have not been able to determine whose rubric this is.

the service of the King.”<sup>112</sup> Others also expressed similar frustrations. How could they financially maintain their extensive networks of *deudos* (dependents) with their modest salaries? An anonymous 1589 letter to the king, apparently by many officials from various councils, stressed that their low wages and Madrid’s costs prevented them from paying for “personal and domestic necessities” and left their “women and children with no remedies.”<sup>113</sup> Ministers’ financial woes encouraged many to treat their offices as patrimonial vehicles of family enrichment.

Before the 1570s and 1580s, the Crown had produced very few such statements theorizing the duties of ministers and their relationship with women. Increasingly, officials in Madrid began circulating memorials detailing the values that the perfect official would possess in order to navigate the opposite poles of palace patrimonialism and government bureaucracy. These virtues included loyalty, organization, promptness, learnedness, experience, knowledgability, secrecy, Christian rectitude, prudence, respectability, incorruptibility, impartiality, mastery over emotions, and approachability for justice seekers.<sup>114</sup> Masculine steadfastness against the mighty was also important. An anonymous letter to Secretary Vázquez from around 1585 emphasized that the perfect president would be a “man who deals with the powerful with a masculine breast [*pecho varonil*] so that he can resist” the mighty.<sup>115</sup> Failure was effeminate—to be given to greed (accepting gifts, gambling), lust (caving to women’s beauty), anger (undue bias), and sloth (entertainment and laziness). Ministers might be stirred to action by the pleas of the weak or by obedience to the king, but would not be moved by their families, friends, or the powerful—including women.

To embody these virtues and overcome temptation, the model minister would also have as few patrimonial burdens as possible. The abovementioned anonymous letter stressed this—its author had heard that one candidate for president of the Council of Castile was ideal because he was “free of obligations and particular respects” with “few or no . . . dependents nor hangers-on in this realm, nor is there news of him having . . . friendships with anyone that can

<sup>112</sup> BL, Add. MS 28362, fols. 38<sup>r</sup>–39<sup>v</sup>. For a copy of this statement see BL, Add. MS 28345, fol. 54<sup>r-v</sup>.

<sup>113</sup> BL, Add. MS 28345, fol. 23<sup>r</sup>.

<sup>114</sup> These values are also detailed by Antonio de Padilla y Meneses, president of the Council of Orders from 1572 to 1579 and later the president of the Council of the Indies from 1579 to 1580: BL, Add. MS 28366, fols. 117<sup>r</sup>–119<sup>v</sup>. For reflections on secrecy, see BL, Add. MS 28381, fols. 47<sup>r</sup>–57<sup>r</sup>, 70<sup>r</sup>–71<sup>r</sup>. On gravity and respectability, see reports discussing ministers’ clothing from 1581 in BL, Add. MS 28357, fols. 392<sup>r</sup>–405<sup>v</sup>.

<sup>115</sup> BL, Add. MS 28360, fol. 202<sup>r-v</sup>.

impede or twist him in matters relating to his office.”<sup>116</sup> Whereas many Spanish commentators urged noblemen to be knightly by pursuing martial valor, building a household of dependents, and rejecting the inertia of court life, officials were to become masculine by remaining inert, aloof, and detached from vassals. Only this way could they become morally strong and impartial—not unlike friars and churchmen.<sup>117</sup> These traits together undergirded a ministerial ethos of “public utility” where “public peace and royal authority” could reign.<sup>118</sup>

### MASCULINE ANXIETIES AND THE NEW COURT ETHOS IN ADVICE LITERATURE

Gendered concerns about men’s fortitude against the sway of influential women became increasingly explicit in the era’s printed mirrors of princes and of courtiers.<sup>119</sup> Antonio de Guevara’s 1539 *Aviso de privados* (Advice to royal favorites) admonished male subjects to shun amorous relations, and especially with the “many women” at the “court, ruling absolutely and dissolutely.”<sup>120</sup> Fadrique Furió Ceriol (1527–92), the prominent Catalan advisor, had already argued that any minister with strong emotions was “womanly and effeminate, and unable to serve in any council.”<sup>121</sup> Manly strength—not bodily but moral—was necessary for ministers to resist gambling, bribes, flattery, and vanity. However, neither Guevara nor Ceriol warned against ministers’ need to prevent women from participating in decisionmaking.

It was only beginning in the 1590s that tirades against women’s influence became frequent in mirrors of princes.<sup>122</sup> In his 1595 *Tratado de la religión y virtudes* (Treaty of religion and virtues) the Jesuit Pedro de Ribadeneyra (1527–1611) warned that the prince had to guard the court from “excesses”—including gambling, expensive dress, and “the lightness and liberties of women.” He also warned that “communications with foreign nations, the excess of gold and silver and stones and spices, and presents that have arrived from the Indies” had created “an education which is womanly, delicate, and soft.” The court’s feminine joys and formidable women might corrupt everyone, from the city’s youth to ministers to the king himself. This “sexual appetite . . . infects the Republic . . . and makes [men] slaves and captives of a little woman [*mugerzilla*], and subjects to her whims and nonsense.” Feminization had destroyed empires before—after

<sup>116</sup> BL, Add. MS 28360, fol. 202<sup>r-v</sup>.

<sup>117</sup> Leheldt; Armon, 36.

<sup>118</sup> BL, Add. MS 28366, fols. 117<sup>v</sup>, 118<sup>r</sup>.

<sup>119</sup> Armon, 38.

<sup>120</sup> Guevara, fol. clxxxiii<sup>r</sup>.

<sup>121</sup> Furió Ceriol, fol. 53<sup>v</sup>.

<sup>122</sup> For the broader context of these texts, see McKendrick, esp. 30–41.

all, Assyrian King Sardanapalus had met his downfall for being “more woman than man.”<sup>123</sup>

The Carthusian friar Juan de Madariaga offered similar advice in his 1617 *Del senado, y de su príncipe* (Of the senate and its prince). The ideal minister would “not allow himself to be governed by his woman, nor allow her into the Senate”—that is, the council. In strikingly misogynistic terms (even for the era) he stated that “woman, as an imperfect animal,” reached the age of conception quickly, which differentiated her from “man, with his mature and aged counsel.” Women were also particularly vulnerable to bribery, for “gifts find an easy entry in the woman . . . and so lost men later place their gaze in cultivating her . . . putting the husband in a great bind.” He conceded that “there are some prudent women, endowed with much virtue, and firm reasoning [*asiento*], but for the most part they are weak and defective in their use of reason, inconstant, and loose-lipped.”<sup>124</sup>

The Franciscan Juan de Santa María (1551–1622) similarly warned of women’s influence in his 1616 *Tratado de república* (Treatise on the republic). Arguing for the importance that “no judge open his chest to passion,” he cited Plutarch’s commentary on the Thebans, who represented justice as lacking eyes and hands, which rendered them uncorruptible. Santa María took this image down a macabre path: “and if these [hands] be cut from their women as well, it would be that much more justified, because gifts find an open door in them.” Only with this metaphorical mutilation of judges’ and their wives’ hands could kings “comply with their obligation, and free the oppressed, the orphan, the aggrieved widow, [and] send them the light of God.”<sup>125</sup>

Even kings could succumb to effeminacy. Martín de Carvallo Villas Boas’s 1598 *Especo de príncipes y ministros* (Mirror of princes and ministers) warned that the Crown’s highest officials, including the king, had to avoid courtly pleasures. These were “the cause of the man becoming feminine in strength, thoughts, and actions,” and which would leave them “in the humble predicament of being womanly.” Even sovereigns themselves needed to avoid “conversation with their mother, or women,” who would render them effeminate.<sup>126</sup> This advice seems to have permeated officials’ ethos. According to Janine Fayard, Spain’s seventeenth- and eighteenth-century ministers were perhaps the most chaste of the monarchy’s non-religious officials. Though some likely continued to illicitly allow female influence, their dedication to controlling their sexual impulses, evidenced by their few legitimate and illegitimate children, and

<sup>123</sup> Ribadeneyra, 397, 400, 506, 510.

<sup>124</sup> Madariaga, 215–19.

<sup>125</sup> Santa María, fols. 45<sup>r</sup>, 85<sup>v</sup>.

<sup>126</sup> Carvallo, 15, 170–71.

their tendency to marry late in life suggest ministers took previous decades of admonitions to heart.<sup>127</sup>

Authors of conduct literature for women and married couples also increasingly turned their attention toward discouraging female readers from participating in imperial decisionmaking. The eminent scholar Juan Luis Vives's 1523 *De Institutione Feminae Christianae* (The education of a Christian woman) had already lectured that "woman's work is the loom, not the Assembly."<sup>128</sup> Vives did not dwell on this issue at length, however. The Franciscan Francisco de Osuna (ca. 1492–ca. 1540) wrote more pointedly in his 1531 marriage guide *Norte de los estados* (North Star) that men should always lord over women, not the reverse, and warned that "the King's concubine, if he has one, will rule the King, and his royal house." Moreover, it was immoral for a woman to be curious and move about the court "like a minstrel, giving everyone the banquet of her face and breasts."<sup>129</sup> Theologian Luis de León's (1527–91) 1583 *La perfecta casada* (The perfect bride) echoed earlier authors in arguing that men were to govern the outside world and women the domestic sphere, where they were to avoid sinful encounters by limiting guests. León reflected at greater length about women's proper courtly conduct than previous authors, mirroring the Crown's own gendered concerns. He explicitly denounced the female subject who ventured outside her domestic confinement to become a "busybody [*ventanera*], a house-visitor, a street-ambler . . . fabricator, loose-lip, gossip, instigator of litigation, a gambler even, and given entirely to raffles, and to conversation, and to the palace." Headstrong women in general were the destruction of their husbands.<sup>130</sup> More explicitly than previous authors, then, León instructed female subjects to avoid palace life, litigation, and politics altogether.

#### WOMEN'S INFLUENCE AND WORK IN THE COUNCIL AFTER THE ROYAL REFORMS

The Crown and its moralizing allies were not simply engaging in airy piety. Officials seem to have made tangible strides in restricting women's influence over high officials. The Crown investigated, scolded, fined, and sometimes demoted ministers, as demonstrated above. Women also appear to have been chastised and even exiled. In September 1586, the Count of Barajas informed

<sup>127</sup> Fayard, 268–89.

<sup>128</sup> Vives, 246.

<sup>129</sup> Osuna, fols. lxxi<sup>r</sup>, cv<sup>v</sup>.

<sup>130</sup> León, fols. 6<sup>v</sup>, 32<sup>r</sup>–34<sup>v</sup>, 60<sup>v</sup>, 66<sup>r</sup>. For a similar statement, see Luxán, fols. lxxi<sup>r</sup>–lxi<sup>r</sup> and c<sup>r</sup>.

the king of his progress in “impeding that women go to negotiate with ministers.”<sup>131</sup> He and Confessor Chávez had found five court women engaging in major wrongdoings, and exiled one, but provided few specifics.<sup>132</sup> He warned cryptically that one doña Blanca had a powerful husband, and that “it would be much damage to the Republic” if she remained in Madrid, for “it could be possible that she would have all the governance and affairs at her command.” He also expelled one doña Leonor. He did not reveal the nature of their wrongdoing or if this related to Indies affairs specifically. King Philip was pleased. He wrote, “This is good,” before reflecting upon the importance that officials “be elderly and have a reputation of much honesty, for having to deal with so many women.”<sup>133</sup>

The count then directly raised an important problem that arose from this enforcement. What did the junta’s measures mean for women seeking legitimate access to royal justice? Surely, to exclude them would be a new injustice. Confessor Chávez’s report informed the count that the specific exiled women had complained that ministers “did not hear them well” and that these women defended their illicit efforts as symptoms of a system biased against them. These women had taken illegal actions out of desperation. The king, who rarely commented on issues at length, provided an unusually elaborate solution. Ministers were to discourage women with families from petitioning, while providing special attention to those without. He suspected that many women used their feminine powers of persuasion on ministers to further the interests of their male family and friends. As for “the widows and others who have no one to speak for them, it would not be fair” for royal justice to deny them.<sup>134</sup> Women with families would approach ministers only through their male kin via formal written supplications. Widows and orphans would petition without hindrance. No concrete legislation came of the king’s proposed solution, but his sentiment nonetheless suggests the extent of royal hostility to court women’s influence.

Women did maintain three primary and official channels through which they could licitly impact the Council of the Indies’ operations, and which offered them limited spaces to continue shaping the operations and development of the state. The first pathway was through patrimonial ties to the ruling house. This applied, naturally, only to a select few. Nonetheless, queens and regents would continue to have great say in royal governance in subsequent

<sup>131</sup> HSA, 7/II/30.

<sup>132</sup> These were doña Juana de Zarate, doña Juana de Arteaga, Ysabel de Sylva, and Leonor de Silva.

<sup>133</sup> HSA, 7/II/30.

<sup>134</sup> HSA, 7/II/30.



centuries.<sup>135</sup> The second was through petitions and lawsuits. Aristocratic women very often requested privileges from the Crown and litigated as representatives of their dynasties' estates; they remained "some of the most influential women in Europe."<sup>136</sup> Irene Olivares has estimated that some 6 percent of petitions during the reigns of Philip II to Philip IV (b. 1605, r. 1621–65) were submitted by women.<sup>137</sup> She did not tabulate how many sought to change administrative policy, though my own research suggests this was exceedingly rare.<sup>138</sup> Instead, most requested pensions, largely based on their male family members' deeds. Others, especially Indian, part-Indian, and Spanish women, often pursued court case resolutions.<sup>139</sup> While litigation only produced one-off sentences that did not form precedent, petitions of privilege and administrative reform could shape policy for centuries, meaning women sometimes shaped important imperial decisions through licit means. By the 1580s and 1590s, their opportunities to shape royal decisions were nonetheless narrower than before, for well-connected women had lost much of their ability to illicitly sway ministers' major determinations.

Royal efforts to exclude women from council decisionmaking focused largely on barring elite or elite-adjacent female subjects from secretly influencing ministers. Women continued to make humbler but equally important labor contributions to council ministers' work. Labor constituted a third avenue through which women continued to shape the imperial decisionmaking process. However, this received virtually no prestige compared with that enjoyed by the all-male council officers. Feminist scholarship has noted that in most bureaucracies "women are horizontally and vertically segregated into certain occupations and into lower status positions . . . in the organizational hierarchy."<sup>140</sup>

Nonetheless, women's labor was essential for the empire's operations. Officials' wives, sisters, and daughters likely often cared for their clothes and food, and undertook many other domestic tasks. Fragmentary evidence also suggests the king expected Madrid's female and male homeowners to provide housing for royal officials and Indies justice seekers, often for years at a time.<sup>141</sup> This required landladies to make financial investments in their properties, and surely exert great efforts to accommodate their guests. For instance, a ca. 1584

<sup>135</sup> Mitchell.

<sup>136</sup> Coolidge, 8; see also 119–39.

<sup>137</sup> Olivares, 76.

<sup>138</sup> Masters, 378, 392–93.

<sup>139</sup> See, for instance, Van Deusen.

<sup>140</sup> Ramsay and Parker, 259; Crompton and Sanderson; Hakim; Walby.

<sup>141</sup> BFZ, Envío 223-46 (undated; ca. 1586–87).

report stated that doña Inés de Ribadeneyra and her sisters had petitioned the king “diverse times for the privilege of being free of guests.” Doña Ana de Guevara also said her house was in shambles and requested to be exempt.<sup>142</sup> These homeowners’ (often unwilling) contributions were indispensable for ministers conducting their work close to the royal palace.

One type of female worker within the council appeared often in its paperwork: the *barrenderas* (maids or floor sweepers, sing. *barrendera*). In November 1552, the council issued an edict paying a certain unnamed female sweeper 45 reales.<sup>143</sup> In 1558 the council disbursed 32 reales to Luisa de la Cerda for four months’ work.<sup>144</sup> Ministers did not mention another *barrendera* until 23 November 1563, when they delivered another identical payment to María Vázquez, who worked at least until late 1572.<sup>145</sup> Until the 1580s, the *barrenderas*’ pay seems to have been 8 reales per month, which ministers supplemented with 2-ducat Christmas bonuses beginning in the 1570s.<sup>146</sup> On 24 December 1571 ministers gave 2 ducats to María Vazquez “for the care she has had in sweeping the furniture.”<sup>147</sup> The *barrendera* who appears to have worked best and hardest for the council was “black Damiana” (“la negra Damiana”). In 1585, she petitioned for a dress for her Easter baptism, suggesting she converted recently Christianity. She was likely a slave.<sup>148</sup> Damiana commanded a higher salary than her predecessors, taking home at least 14 ducats in 1586, 50 reales and 2 ducats in 1587, and 8 ducats in 1588.<sup>149</sup> She knew the value of her contributions. She petitioned ministers repeatedly for rewards, including stressing her service in keeping the fire burning in the council offices every morning, and was often successful.<sup>150</sup>

Women also played a particularly sensitive role in caring for council secretaries’ documents—decree books, petitions, court cases, financial records, communications with the king, and other documents. This was because secretaries traditionally held patrimonial custody over their paperwork and passed these

<sup>142</sup> BL, Add. MS 28345, fol. 88<sup>r</sup>.

<sup>143</sup> AGI, Indiferente 424, L.22, fol. 465<sup>r</sup>.

<sup>144</sup> AGI, Indiferente 425, L.23, fols. 346<sup>r</sup>, 363<sup>r</sup>, 392<sup>v</sup>, 408<sup>v</sup>, 426<sup>r</sup>.

<sup>145</sup> AGI, Indiferente 425, L.24, fols. 169<sup>v</sup>–170<sup>r</sup>, 181<sup>v</sup>–182<sup>r</sup>, 198<sup>v</sup>, 219<sup>v</sup>, 248<sup>r-v</sup>, 262<sup>v</sup>; Indiferente 426, L.25, fols. 146<sup>v</sup>, 215<sup>r</sup>.

<sup>146</sup> See AGI, Indiferente 426, L.26, fols. 18<sup>v</sup>–19<sup>r</sup>; Indiferente 426, L.26, fol. 67<sup>v</sup>; Indiferente 426, L.27, fol. 150<sup>r</sup>.

<sup>147</sup> AGI, Indiferente 426, L.25, fol. 146<sup>v</sup>; Indiferente 426, L.26, fol. 145<sup>r</sup>; Indiferente 426, L.26, fol. 192<sup>r</sup>; Indiferente 426, L.27, fol. 175<sup>v</sup>.

<sup>148</sup> AGI, Indiferente 1398, “Damiana”; Indiferente 426, L.27, fols. 125<sup>r</sup>, 149<sup>r</sup>.

<sup>149</sup> AGI, Indiferente 426, L.27, fols. 149<sup>r</sup>, 150<sup>r</sup>; Indiferente 426, L.27, fols. 165<sup>v</sup>–166<sup>r</sup>; Indiferente 426, L.27, fols. 174<sup>v</sup>, 175<sup>r</sup>.

<sup>150</sup> AGI, Indiferente 1398, “Damiana la Negra,” 1585.

documents to their family members upon death. In 1508, the Catholic Kings ordered Secretary Gricio's widow to hand over the papers "touching upon the Indies" to Secretary Conchillos.<sup>151</sup> When Conchillos died, the king ordered his wife, doña María Niño de Ribera, to inventory his Indies papers in 1522 and hand them to the royal secretary Cobos.<sup>152</sup> In 1597 doña Mariana de Ribera, the widow of former official Francisco de Balmaseda, drew up a massive inventory of the council's paperwork, which she had cared for in her home, which she then handed to incoming secretaries Juan de Ibarra and Pedro de Ledesma.<sup>153</sup> Women thus retained this very important patrimonial role as family custodians over the empire's documents, albeit apparently without remuneration or formal recognition from the Crown. The council's collegiate bureaucratization had curbed officials' patrimonial administration, marginalizing influential women while maintaining a two-tiered, gendered labor system with women's important but marginalized work at the bottom of the scale.

### CONCLUSIONS AND A PERUVIAN EPILOGUE

This article has asked if a history of women's influence over early modern government procedures and state formation is possible. Using sixteenth-century Spain's remarkable archives, it has shown that women could be central to this story of state formation. They played this role intentionally and unintentionally, not only as passive subjects acted upon by the state but also as important participants who influenced its ongoing operation, specialization, and bureaucratization. Women therefore played a crucial role in the administration and evolution of one of Europe's most sophisticated collegiate bureaucratic systems of overseas rule.

These changes were often quite sweeping. From 1492 to King Philip II's 1598 death, conciliar rule over the Indies transformed, albeit gradually and never in a complete fashion, from an almost entirely patrimonial system to a collegiate bureaucracy that, though nestled within the patrimonial universe of the Habsburg court, was to follow rules and a clear official ethos. The 1542–43 New Laws marked the Council of the Indies' first major step toward a guideline-limited institution, followed by the even more explicit Ordinances of 1571. These documents established firm injunctions against ministers' illicit contacts and communications with vassals and their own kin and allies. Repeatedly, the Crown punished or chastised ministers who overstepped these rules, even if officials never entirely ceased to contravene them. Both major sixteenth-century

<sup>151</sup> AGI, Indiferente 1961, L.1, ix.

<sup>152</sup> AGI, Patronato 275, R.4.

<sup>153</sup> AGI, Contaduría, 7A.

ordinances went on to influence centuries of future council guidelines. Moreover, ministers in all councils appear to have mostly adhered to these values into the following century, evidenced by their few legitimate and illegitimate offspring and late marriage ages.

The impetus behind this collegiate-bureaucratic transformation was not merely a top-down cabal of Crown counselors but rather a series of complex social conflicts. Indies unrest and hand-wringing about overseas justice, complaints by vassals, investigations gone wrong, a surfeit of exotic Indies commodities, gendered fears, and the unexpected changes that resulted from King Philip II's decision to move the court to Madrid in 1561 all played a part. By the late 1570s and 1580s, officials haphazardly reflected upon their own duties in writing, stressing that public ministers should embody steadfast masculinity and total rectitude against powerful men and women in court. By the 1580s, advice literature for female and married readers objected to women's patrimonial influence. By the 1590s and 1600s, authors wrote and printed increasingly misogynistic mirrors of princes condemning women's pernicious influence on ministers.

Many aspects of post-1570s royal rule did not change from the early Trastámara and Habsburg patrimonial administrative style. The Council of the Indies never became a full-fledged ideal-type Weberian bureaucracy. After all, the collegial-bureaucratic system operated within, not beyond, the sphere of the king's patrimonial largesse, meaning it would be continually permeated by royal power. Women in the 1590s would not be accused of seeking to influence ministers' major judicial, privilege, or administrative decisions unbeknownst to the king, but officials, their wives, and kin could still pursue extraordinary privileges and request special favors through the royally sanctioned system of petitioning the monarch on paper. Despite King Philip's preference that women with male guardians not petition his ministers, the Crown did not punish those who did.<sup>154</sup> Structurally, Madrid's expensive and socially vibrant milieu remained the same (and perhaps worsened), meaning that officials could curtail but never fully prevent ministers from having illicit dealings with vassals. Finally, royal women within the kings' immediate circle retained the Habsburg and Bourbon dynasties' enduring patrimonial prerogatives to participate in rule.<sup>155</sup> Indeed, as Joan Kelly-Gadol observed, complex societies often developed public-private dichotomies that diminished women's

<sup>154</sup> If anything, women with male guardians may have become more vocal in the 1600s; see Olivares.

<sup>155</sup> I have not uncovered further wrongdoing, but 1609 documents relating to the Council of Italy suggest that this year some powerful women were influencing its ministers: see BNE, MSS.989, fol. 4<sup>r</sup>.

influence, but neither bureaucratization nor women's exclusion have ever succeeded entirely.<sup>156</sup>

The Altamira papers and other documents collectively demonstrate the evolution of the Council of the Indies' praxes and ethos in some detail, even providing substantial information regarding the specific actors involved in behind the scenes decisionmaking. As Pierre Bourdieu noted, "the names of scientific inventors are remembered, but not those of bureaucratic inventors."<sup>157</sup> Yet these archives reveal well over thirty influential women shaping the council ministers' internal decisionmaking process, in the case of doña Mencía by protecting its integrity, and in many other cases by acquiring illicit influence through complex kinship networks and dependency bonds. Roughly half of these were ministers' wives, while others included unmarried women, a humble weaver, friends, nieces, daughters, sisters, sisters-in-law, widows, mothers, mothers-in-law, and matrons. While some of these connections may have been nothing but the hearsay and strategy of male courtiers to delegitimize their enemies, several cases demonstrate that women exercised very real influence over ministers.<sup>158</sup>

However, while I have pinpointed the importance of women, I have not always been able to uncover much additional evidence about their lives or perspectives. After all, these archives served to help male officials organize and execute their project of quelling women's illicit influence, not to record their viewpoints. In most cases, there is no way to ascertain how much female subjects knew of the Crown's policies, though their excellent courtly connections imply they may have been well informed. There were certainly moments in which certain women expressed misgivings about these institutional developments, complaining that ministers ignored them unjustly. Nonetheless, the bias of the archives largely obscures their stories.

In at least one case, one female subject connected to the council articulated a more optimistic vision of women as potential rulers. It may well have been a direct response to these reforms. Doña Francisca de Briviesca y Arellano (ca. 1547–1616), the daughter of Council of Castile minister Muñatones, was perhaps the very same individual whom the witness Santillán accused of

<sup>156</sup> Kelly-Gadol, 1976.

<sup>157</sup> Bourdieu, 26.

<sup>158</sup> Some petitioners seem to have had little genuine concern with officials' morality—for example, suggesting they were accusing others to settle scores. In a non-Indies-related incident in 1580s Madrid, one Lara de Buiza recommended to the Crown that officials act against certain nuns' and priests' dalliances, while he himself had been accused of cavorting with prostitutes in hallways he decorated with nude women, despite being married: see Ezquerria Revilla, 2012, 280n57.

trafficking her influence over Indies ministers in Madrid's gardens in the late 1560s, or was perhaps her sister.<sup>159</sup> In 1603, under the pen name Cinela, doña Francisca and her husband, don Diego D'Avalos y Figueroa (1552–1608), alias Delio, published the proto-feminist tract *Miscelánea austral* (Austral miscellany) in Lima, Peru.<sup>160</sup> In one segment, "The Defense of Ladies," Cinela stated, "Justinian wrote in his corpus of imperial law, that he had been much helped . . . from the counsel of his wife in the government of empire. And Aristotle and Pliny say, that women have governed advantageously in many cities, naming in particular Athens, and in Lacedemonia . . . and so as they governed in these cities, they must have governed in many other parts of the world. . . . All this concert with what Plato had said, that public and government offices be given partly to women, having found in them abundant capacity to exercise them."<sup>161</sup>

Cinela's mastery of the Old Testament, of classical Roman and Greek, and of more recent European and Spanish history brought her to the clear conclusion that a government by women was both possible and desirable. Persuaded by Cinela's command of history, Delio relented in his disdain for women. Thanks to her, he hoped, the public might begin to appreciate women's "excellencies, so that they might be given credit, and increase their esteem for those [women] who in past centuries enjoyed them, as well as those who live today."<sup>162</sup> A world of mixed female and male governance seemed an increasingly distant prospect by the mid- to late sixteenth century. The legal and symbolic gendering of the collegial bureaucracy was well underway. Despite these setbacks, however, visions of women excelling as counselors and public officeholders nevertheless persisted.

<sup>159</sup> BL, Add. MS 33983, fol. 218<sup>r</sup>.

<sup>160</sup> Though D'Ávalos took credit for the book, scholars agree that Cinela represents doña Francisca's voice; see Paz Rescala, 26.

<sup>161</sup> D'Avalos y Figueroa, fol. 218<sup>r</sup>.

<sup>162</sup> D'Avalos y Figueroa, fol. 218<sup>v</sup>.

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