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Macao, Manila, and the Spanish Empire/ Litigious Women Religious

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A Thesis presented to the Graduate Faculty
of The College of William & Mary in Candidacy for the Degree of
Master of Arts

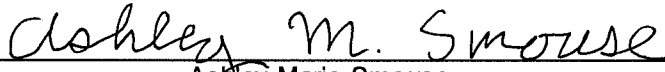
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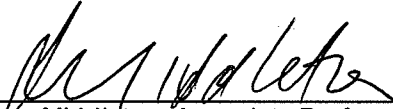


Ashley Marie Smouse

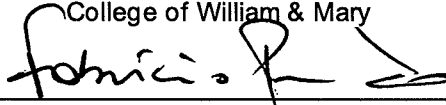
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ABSTRACT

Macao, Manila, and the Spanish Empire

Manila, the capital of the Spanish Philippines, had the potential to become a successful entrepot in Southeast Asia. However, despite facilitating the flow of Chinese silk into New Spain and delivering New World silver to Asian markets, Manila's economy declined during the seventeenth century. This paper analyzes the role that illegal trade with Macao in Manila's economic stability. The methodology in the paper analyzes letters and petitions written by governors, attorneys, and noble Spanish men in Manila, who were concerned with the illicit trade practices between locals in Manila and Portuguese merchants from Macao. These sources are from the Archivo General de Indias in Seville, Spain: accessed from the Spanish archive online portal system. This paper compares the information from the primary source material with current historiography to identify the political and commercial trends that affected Manila and other colonies in the Spanish empire. The research in this paper demonstrates possible political and commercial dissent between empires and their colonies.

Litigious Women Religious

Convent litigation illustrates the entangled interests between sacred and secular spaces and portrays one of the ways professed women exercised individual agency. Spain was a litigious society during the Early Modern Era, and women used litigation to navigate legal and cultural customs that limited their financial autonomy. The research from this paper illustrates that despite the mandate for complete claustration ordered by the Council of Trent, professed women remained connected to secular society through patronage, family ties, and litigation. Nuns retained aspects of their familial identity to litigate and build cases that established their legitimacy to property rights. The entangled details of dowries, renunciaciones, and alimentos conflated the separation of secular and religious identities and facilitated opportunities for litigation. This paper analyzes legal documents and petitions related to convent litigation from the Archivo Historico Nacional in Madrid and Archivo de la Corona de Aragón. The documents include cases from different regions across the Spanish peninsula during the seventeenth century and encompass a variety of concerns, including convent maintenance, inheritance rights, and financial administrative rights.

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Thank you, Doctor Simon Middleton for demonstrating how important economic history is in my area of study during the Early Modern Era. I have developed a genuine interest and passion for studying the developing global economy and the Spanish empire. Where before I saw a history of numbers and value, I now see a history of diverse people across the globe influenced and affected by commercialism, commodities, profit, and exploitation. My paper on trade and smuggling in Manila has become one of my favorite papers and thank you for all your helpful feedback, and encouragement with this research project.

Thank you, Doctor Fabrício Prado for encouraging me to make bold statements and express myself confidently as a historian. I appreciate you for always following my statements and descriptions about my project with a question to provoke further thought and depth in my analysis. Your seminar on the Atlantic world helped me remember that an empire of paper and politics contained a multiplicity of people and experiences and that their narratives are significant. Thank you for taking the time to read through, comment, and advise me on my rough drafts for my paper on nuns and litigation.

I would like to thank the department of graduate studies for providing funding for my research trip to Madrid. Researching sources from the seventeenth century in the Archivo Historico Nacional was the highlight of my academic career and encouraged me to further pursue my goal of becoming a research historian. I would also like to thank the research specialists at AHN who assisted me in finding in locating my sources with kindness and patience.

There are so many friends and family members who supported me emotionally and financially through my master's program. First and foremost, I express my deepest gratitude to my husband, Marco Alexander Smouse. Thank you for practicing Spanish with me and checking my Spanish translations when I doubted myself. Thank you for moving across the country and for financially supporting me throughout this program. Our lives underwent a drastic change, and you were by my side the entire time. You were the rock of consistency in an unfamiliar place, and I will always appreciate you for

making this move with me. Thank you for always reminding me of my value, even when I was struggling with my work.

I would also like to thank my mother Stacy Patterson, my father Daniel Knechtel, Hollie Knechtel, Russel and Liliana Smouse, Gary and Linda Patterson, Damon Knechtel, Kenzie Ray, Ava Knechtel, Stephanie Perry, Austin Fullmer, Marisa Johnson, and Maxxe Albert-Deitch. Thank you for the heartfelt phone calls, online gaming, sincere messages, quick coffee runs, and the gifts of kindness that got us through the lonely and difficult times. The wonderful support system I have behind me fueled this project more than they can ever know.

This M.A. is dedicated to my loving husband Marco Alexander Smouse. Gracias para suportar y creer en mí. Te quiero mucho.

The Diverse Histories of Early Modern Spain

An Intellectual Biography

By Ashley Marie Smouse

I am very grateful for the experience I gained working on these two research papers. Even though one paper focuses on smuggling and the other centers on religious women, both emphasized the diversity and complexity of the Spanish empire. I came to William and Mary intending to build a foundation in researching early modern Spain that could assist me throughout my academic career. I believe that my research for this program helped me accomplish this goal. Even though the papers highlight different topics, people, and regions in the Spanish empire, they both demonstrate the significance of contextualizing individual experiences within larger political and cultural histories.

Both papers gave me valuable experience transcribing and translating seventeenth-century Spanish. My research in the Fall of 2021 relied on transcribing digital sources from PARES, the online database for Spanish archives. In January of 2022, I was privileged to travel to Madrid and conduct research in the Archivo Historico Nacional and I found it to be very gratifying. Studying in the reading *sala* and handling the manuscripts was an extremely reverent experience. While reading directly from the documents, I felt as though I was on the other side of the scribes' communication, receiving a message from hundreds of years ago.

In my Fall 2021 paper, *Macao, Manila, and the Spanish Empire*, I researched the multiple factors which contributed to the decline of Manila's economy in the early to the mid-seventeenth century. This study revealed the complications of maintaining lucrative colonies while prioritizing imperial policies and commercial markets. I completed this paper for the Histories of Capitalism Seminar. I was nervous going into the semester because I didn't have a

lot of experience with economic history, but I didn't expect how invested I would become in this paper. Learning about and researching the Manila galleon trade's connection to Spanish politics and administration opened my perception to the multiplicity of motivations and factors that influenced the tension between an empire and its colonies.

One of the valuable realizations I had while researching this topic is the significance of critically engaging sources. Most of the documents I translated were written by government officials or members of the aristocracy; however, I discovered other histories beneath the authors' rhetoric. This included experiences of Sangley traders and local merchants from Macao and Manila. The stories of silent individuals exist in sources and can be discovered with critical analysis of the authors' personal accounts, motivations, and political context.

I would like to further engage the motivations and political context of the documents' narrators in future studies. Some of the historical characters, including Juan Grau y Monfalcón and Don Pedro Enríquez de Guzmán, have literature written about them. Further investigating their experiences in Spanish society can assist in contextualizing their political stances on extra-legal trade in Manila. I would also like to cut back on the historiography section of the paper. While I feel it has beneficial details for understanding the Portuguese trade in Manila, I also believe this section can be condensed for this paper's purpose. I think it would be beneficial to include more sources that speak to the necessity of extralegal trade rather than relying on historiography summaries.

My Spring 2022 paper, *Litigious Women Religious*, analyzed different trial documentation of litigation involving Spanish nuns in the seventeenth century. I utilized research from my trip to Madrid and gathered the rest of my research from the PARES online database for this project. This paper was for the History of the Atlantic World Seminar, and in many ways, I

felt very at home with this paper. I value women's history and one of my academic goals is to illuminate the plurality of women's experiences. I also feel comfortable with religious history and enjoy studying the adaptive and evolving religious atmosphere in early modern Europe. On the other hand, certain elements of this paper challenged me. It pushed me to expand my knowledge of early modern Spanish legal practices and my understanding of seventeenth-century Spanish legal terms.

One of my goals for this paper was to utilize as many of my translations through direct quotations as possible. I had used my own translations in previous papers but heavily relied on summarization for many of my translated sources. It felt easier to convey meaning from the sources than to provide translations of the author's words while keeping the tone intact. To add a layer of transparency, I included the original Spanish that I transcribed in the footnotes of my paper. There is a sense of authenticity and vulnerability when providing original translations in research papers. I believe practicing this skill has increased my ability to interpret and interrogate sources; I trust my papers reflect my progress.

I would like to go back to my primary sources while for continued research. Some of my sources were shorter, and I was able to translate the whole document, while others contained multiple folios, and I couldn't read all the documents related to the case. My analysis for this paper relied on a close reading of the sources, and I feel that my paper would benefit if I could gather more information about some of the trials. One example is the case involving the Méndez sisters' dowries. Their document packet was twenty-eight folios long, and I only translated the first part of their case's documents. I prioritized breadth over depth of sources in this paper because I wanted to compare multiple trials to a different aspects of convent litigation. I would

like to finish reading their case and see what else their trial reveals about agency and litigation in early modern Spain.

One case that I was unable to finish because I no longer had access to the documents is that of Doña Beatriz González de Berrio and her convent. I transcribed the first document in the folio packet on my fourth day in the Archivo Historico National in Madrid. I was trying to read as many different documents as possible while I was in Spain, and at the time I didn't realize how interesting I would find the case. I would love to return to Madrid and study this suit again as I continue to research this topic.

My work for this portfolio has helped me narrow my focus for when I apply to Ph.D. programs. I would like to continue researching nuns in early modern Spain and across the Spanish Empire. I would also like to continue researching litigation and other expressions of individual and corporate agency in convents. My goal for my continued research will be to contextualize the global narratives that surrounded women in the Early Modern Era and how they navigated their worlds.

Macao, Manila, and the Spanish Empire

A study of the political and economic tension between Empire and periphery in the Philippines during the seventeenth century.

Ashley Marie Smouse

HIST 712. Histories of Capitalism: Research Seminar

Dr. Simon Middleton

December 10, 2021

The Philippines during the seventeenth century was economically complex and turbulent. Multiple European and Asian countries collaborated and competed in a diverse market over access to luxury textiles, spices, and metals. Manila, the capital of the Philippines, acted as a lucrative entrepot between the Asian markets and New Spain. Beginning in 1565, the Manila galleon trade facilitated the flow of Chinese silk into the Spanish Americas and enabled a steady supply of New World silver into Ming China. This lucrative exchange should have secured Manila's longevity as a successful trade city, however, Manila failed to reach its economic potential. Despite rising to economic prosperity at the end of the sixteenth century, Manila lost its momentum in the seventeenth century and stagnated into economic decline.

Five documents written between 1626 and 1642 describe the political and economic contentions in Manila. These documents are letters and petitions written by governors, attorneys, and noble Spanish men in Manila, who were concerned with the illicit trade practices between locals in Manila and Portuguese merchants from Macao. Even though trade between Macao and Manila was prohibited, illegal commercial activity still occurred regularly. The documents seem to condemn the Portuguese merchants for Manila's economic atrophy; however, contextualizing the authors' arguments illuminates how the decline was affected by multiple factors. In addition to describing illegal trade with Macao, the documents reveal the tension between imperial and colonial politics that stifled Manila's economy.

These government and legislative documents are from the Archivo General de Indias in Seville, Spain. This archive houses primary sources from the Spanish Empire in Asia and the Americas, written from the sixteenth through the nineteenth centuries. The sources were accessed virtually through the Portal de Archivos Españoles website, which allows researchers to access digitized sources from multiple archives in Spain. The documents' translations in this

study are original. This study, and interpretation of these documents, focus on illegal trade and how imperial administration complicates colonial policies.

The failure of Manila to rise to its potential as an enduring and successful entrepot in Southeast Asia is an example of how an empire may need to sacrifice the prosperity in one colony for stability in other regions. Throughout the Early Modern Era, Spain's imperial administration and politics which protected Castille's financial interests inadvertently contributed to Manila's economic decline. These policies included royal decrees that limited Manila's trading capacity as well as political contentions in Europe that complicated the Philipines' commercial stability.

Before investigating the information in the primary sources, this essay will examine and analyze Spain's background in the Philippines and the start of the Manila galleon trade. Understanding the complex political and economic relationships between the different colonies and kingdoms contextualizes the information given in the primary sources. Illegal trade played a minor role (if any role at all) in the economic decline of Manila. The factors that played a role in Manila's economic decline are the political contentions in Europe which led to the administrative decisions that truncated Manila's economy. It was not the local extra-legal activity that contributed to Manila's economic decline, rather the Crown's attempts to control and Manila's economic autonomy.

Expeditions and Colonization: 1521-1620

One of the motivations for Spanish exploration for Spanish exploration during the sixteenth century was to expand Spain's influence in the growing commercial market. The

purpose for establishing permanent colonies was to support and generate wealth for the Crown. This was one of Spain's motivations for sending explorers to Southeast Asia.

Spain's history in the Philippines starts with Magellan's expedition to the Portuguese Spice Islands.¹ The voyage left Spain in 1519 and the crew landed on the island of Cebu in Southeast Asia in 1521. Even though Magellan and the crew stayed in what would become the Philippines for a few months, their stay was temporary and cut short. The crew left the Philippines after Magellan was killed during an indigenous conflict. Even though the Spanish were only briefly in the area, the Crown's desire to obtain access to Asian markets would encourage subsequent explorers to colonize the Philippines.

The Spanish made a more permanent presence in Southeast Asia when navigator Miguel López Legazpi arrived in Cebu in 1565. King Phillip II of Spain commissioned López Legazpi for the expedition to return to the Spice Islands where Magellan's crew had landed. López Legazpi established the first colony and became the first governor of the Philippines not long after landing in 1565. He continued to hold a prominent role in the Philippines and established Manila as its capital in 1571. Manila was already a productive trade port before the Spanish arrived in Southeast Asia, which gave Legazpi and advantage to accessing existing trade networks and extending their reach to New Spain.²

In 1565 López Legazpi established the Manila galleon trade and exotic goods such as Chinese silks, spices, and porcelain, were exchanged for New World silver. The first galleon embarked on the voyage to New Spain in 1565; not long after, additional expeditions set sail in

¹ The Spice Islands are also known as the Moluccas and are located Northeast of Indonesia.

² Etsuko Miyata, *Portuguese Intervention in the Manila Galleon Trade: The Structure and Networks of Trade Between Asia and America in the 16th and 17th Centuries As Revealed by Chinese Ceramics and Spanish Archives* (Oxford: Archaeopress, 2017), 3, <https://ebookcentral-proquest-com.proxy.wm.edu/lib/CWM/detail.action?pq-origsite=primo&docID=6628664>.

1567 and 1568.³ Even though the Spanish utilized existing trade networks, it is likely that Portuguese merchants in Macao facilitated early trips made to New Spain. Their assistance was required because López Legazpi refused to deal directly with Chinese and Japanese trade markets until Spain sent naval reinforcements to secure their trade activity with foreign nations. The support that he requested did not arrive until 1570.

Even though it took five years for the reinforcements to arrive, Manila's galleons started trading Chinese merchandise with New Spain in 1565.⁴ How did Manila obtain Asian merchandise if the governor avoided direct contact with the Asian countries? If the governor insisted on waiting for military support, then he would not have been able to trade with the Chinese before 1570. The solution was that Manila obtained Chinese merchandise by trading with the Portuguese. In the early years of the Manila galleon trade, the Portuguese who traveled to Luzon⁵ traded Asian products with the merchants from Manila.⁶ This reveals an important detail about the commercial relationship between Portuguese and the Spanish-Filipino traders in the Pacific: trade relationships and connections were established early, and the Portuguese acted as intermediaries for the Spanish Philippines from the beginning of the Manila galleon trade.

The Portuguese benefited Manila's trade because they had established trade relationships with China, and other Asia nations, fifty years before Spain occupied the Philippines.⁷ Portugal claimed the Spice Islands in 1512 and immediately started to secure trade connections. This gave the Portuguese an advantage when it came to accessing the Asian trade networks. Their early participation in Southeast Asian commercial markets granted the Portuguese more trade

³ Miyata, *Portuguese Intervention in the Manila Galleon Trade*, 14.

⁴ Miyata, *Portuguese Intervention in the Manila Galleon Trade*, 14.

⁵ The largest Island in the Philipines.

⁶ Miyata, *Portuguese Intervention in the Manila Galleon Trade*, 14.

⁷ Miyata, *Portuguese Intervention in the Manila Galleon Trade*, 8.

opportunities than the Spanish; Portuguese merchants consequentially gained valuable knowledge about how to traverse and negotiate within the Asian markets.⁸ Even though Macao was one of Spain's commercial rivals in the Asian markets, Macao's access to merchandise benefited the Manila galleon trade. The collaboration between Portuguese traders and Spanish merchants did not end after López Legazpi received reinforcements from Spain. Even when the Crown restricted foreign commerce, the Portuguese continued to trade with Manila and contributed to the profitable market.

Why did Spain prohibit trade with Macao if it was profitable? The original reason trade with Portugal was prohibited resulted not from Manila's local affairs, but rather from politics in the Iberian Peninsula. All trade with Portugal became illegal due to the Iberian Union in 1580 and the Treaty of Tomar in 1581.

In 1580, following a succession crisis in Portugal, King Phillip II of Spain succeeded the Portuguese throne and assumed another title, King Phillip I. This unification of two empires under one king, called the Iberian Union, lasted from 1580 until 1640. Even though Spain and Portugal shared a monarch, they retained separate empires and administrations. The Treaty of Tomar was signed in 1581 to protect Spain and Portugal's interests. Part of the agreement prohibited trade between the two empires. The limitation on commerce was enacted for all overseas possessions and effectively banned trade between Manila and Macao.⁹ Even though bilateral trade was illegal, the Portuguese were not dissuaded from trading with Manila. After the

⁸ Miyata, *Portuguese Intervention in the Manila Galleon Trade*, 8.

⁹ John Villiers, "Manila and Maluku: Trade and Warfare in the Eastern Archipelago 1580 – 1640" *Philippine Studies* 34, no. 2 (1986): 147, <http://www.jstor.org/stable/42633589>.

treaty of Tomar was signed, the Portuguese continued to illegally trade with Manila and contributed to a profitable market there.¹⁰

In 1591, seven Spaniards in Manila requested permission from the local administration to trade directly with Macao. They reported that the Portuguese experienced favorable economic opportunities by selling trade goods to Manila, and desired the same economic prosperity.¹¹ This account demonstrates how even though the Portuguese were prohibited from selling their merchandise in Manila, they still traded with the local merchants. So much so, that the Spanish merchants were requesting the same opportunities that the Portuguese had. It appears that trading with the Portuguese was such a common practice that some the local merchants contested the restrictions on the market.

Even though the Portuguese held a lucrative role in the Manila trade, Spain's administration would continue to reinforce the restrictions on the commercial market. In 1593, King Phillip II passed a decree that specifically prohibited Manila from trading with Macao.¹² Where before trade between Manila and Macao was banned under the commercial restriction of the Treaty of Tomar, this decree specifically condemned economic interactions between the two colonies. This decree also forbade Manila's merchants from traveling to China to buy and sell merchandise; if the Chinese wanted to sell their goods, they would need to come to Manila. The purpose of this order was to both control trade in the Philippines and raise revenue from importation taxes. And it was these attempts to control trade in the Philippines, that limited Manila's ability to economically grow.

¹⁰ M. N. Pearson, "SPAIN AND SPANISH TRADE IN SOUTHEAST ASIA," *Journal of Asian History* 2, no. 2 (1968), 115, <http://www.jstor.org/stable/41929892>.

¹¹ Pearson, "SPAIN AND SPANISH TRADE IN SOUTHEAST ASIA," 115.

¹² Birgit M. Tremml, "The Global and the Local: Problematic Dynamics of the Triangular Trade in Early Modern Manila," *Journal of World History* 23, no. 3 (2012): 560, <http://www.jstor.org/stable/23320187>.

There was dissonance between Manila's economic practices and the Spanish administration. Manila's administration was more flexible with trade than royal officials would have preferred. Local administration was more permissive to extra-legal trade, and punishments for those crimes were often minor.¹³ The continuation of illegal trade in Manila is an example of how the Crown's motivations and objectives were not always reflected in the local administration and certainly not for the local inhabitants. Regardless of the economic opportunities Manila experienced by trading with Portugal, the Crown actively extended efforts to control and restrict Manila's economic options. Spain's administration prioritized the economy and politics of its Iberian kingdoms before its colonies. Because of this, Macao was not the only city that the Spanish Crown attempted to limit Manila's trade with. Spain's administration also restricted Manila's trade with other Spanish colonies. Towards the end of the sixteenth century, inter-colonial trade became so lucrative Philippines between Spanish Americas, that it began to threaten imperial economic interests.

Spanish American colonies also profited from the transpacific trade network. By the seventeenth century, galleons were making trips between Manila and Acapulco annually. By this time, Manila had an efficient connection to inexpensive Chinese silk that could be shipped directly from the Philippines to New Spain. Rather than having to wait for the Chinese goods to go through Spain before they were sent over the Atlantic Ocean, trading with the Philippines allowed New Spain more direct and affordable access to Chinese products. Chinese silk was significant to Spanish American markets.

¹³ Birgit Tremml-Verner, "The Trilogy of Triangular Trade: Junk Trade, Trans-Pacific Trade, and Provision Trade," in *Spain, China, and Japan in Manila, 1571-1644* (Amsterdam University Press: 2015), 154, <http://www.jstor.org/stable/j.ctt196313j.7>.

Chinese silks from Manila circulated from New Spain to other Spanish American colonies as well. In 1605, Martín Ignacio de Loyola, the bishop of Buenos Aires, informed the Crown that Chinese fabrics had made their way from New Spain to Peru, and the markets of Buenos Aires.¹⁴ This was concerning because it created competition within Spanish imperial markets. More imported silk from the Philippines resulted in the reduction of sales of silk from Seville. Both Granada and Valencia's economies depended on the exportation of silk to the American markets, and the increase of Chinese silks in Mexico threatened their economic stability.¹⁵ This demonstrates how Manila was creating a thriving and profitable market. If Manila had been given the autonomy to commercially expand, it could have continued to grow in both Asian and Spanish American markets. This also demonstrates how the prosperity in Manila did not exactly benefit the overall economic health of the empire. The more Manila profited in commerce with the Americas, the more Manila threatened the stability of Iberian markets.

Peru also directly participated in the Manila galleon trade. The exchange of goods for New World silver was so profitable, that the Crown feared Peru was growing economically independent from Castille. Another motivation to limit Manila's trade was the threat of colonial autonomy. To protect the economic interests of Iberian markets such as Granada and Valencia, and to preserve Iberian and New World commercial, Spain banned trade between Manila and Peru in 1582.¹⁶

Because Manila's economic actions negatively affected markets in Iberia, the Crown was motivated to restrict trade in Manila even if the restrictions hampered Manila's ability to grow

¹⁴ Mariano Bonialian, "'Clothing from China' from the Philippines to Buenos Aires. Circulation, consumption and corporate struggle, 1580-1620," *Revista de Indias* 76, no. 268 (2016): 644, <https://doi.org/10.3989/revindias.2016.020>.

¹⁵ Tremml, "The Global and the Local: Problematic Dynamics of the Triangular Trade in Early Modern Manila," 566.

¹⁶ Tremml, "The Global and the Local: Problematic Dynamics of the Triangular Trade in Early Modern Manila," 566-7.

commercially. One of the main problems with the imperial economy was that founding colonies also created competition in global markets. When considering the economic decline in Manila, is important to remember that Castille continually hampered Manila's trading capacity to preserve the mother country's economic interests. The Spanish Crown protected the peninsula's commercial stability over the success of one of its colonies.

A final note about how European politics affected the economic and political stability in the Philippines is the relationship between Spain and Holland. During the reign of Philip II, the Netherlands revolted against the Spanish empire. The conflict that started in 1568, known today as the Eighty Years War, resulted in the Netherlands' independence from the Spanish empire. The hostilities between Spain and Holland affected trade in the Philippines; the acrimony intensified the conflict and competition between the Spanish Philippines and Dutch Formosa. The conflict between the Philippines and the Dutch is present in the primary sources and the Dutch proved to be more of a threat to Manila's commercial stability than the merchants from Macao.

Spain's administrative policies restricted and impacted the political and economic stability in the Philippines. The Spanish administration passed regulations that would secure the stability of Castille and the Iberian kingdoms while hindering the ability of Manila to economically grow. European politics such as the Iberian Union and the Eighty Years War affected how Castille regulated the empire and how other nations interacted with Spain's colonies. In the sixteenth century, trade with Macao was not restricted to protect Manila's interests, rather it was to protect the imperial policies in Europe. The following letters, petitions, and certificates will demonstrate how the Spanish administration and European conflict affected Manila's economic growth.

Voices from an Era of Competition and Conflict: 1620-1642

This section will highlight five sources and contextualize them with the economic and political events of Manila from the 1620s to the early 1640s. During this short period, the Spanish Empire encountered many conflicts both in Europe and in the Philippines. This includes the decline of the Iberian Union, the Revolt of Portugal, the Spanish Dutch Conflict, and the first of the Battles of La Naval de Manila. Amidst the political contention, Manila's trade system remained complex, diverse, and divisive.

On July 30, 1626, the interim governor of the Philippines, Fernando de Silva, wrote a letter to the royal courts to report on the state of the islands. De Silva's letter portrayed the complexity of the Manila trade system by explaining the interactions among Japan, China, and Macao. The letter also demonstrates how the conflict between the Netherlands and Spain was interfering with the economic stability in Manila. During this time, Portuguese trade was still illegal in Manila, but the local administration was more relaxed with enforcement. This is reflected by de Silva's desire for Macao to have easier access to Manila.

When De Silva mentioned the Portuguese, he complained about the rising prices of merchandise, not the legality of the trade. He states that "Portuguese trade is harmful as well, because of the expenses, and because they have raised their prices."¹⁷ His statement implies De Silva was aware of the Portuguese's participation in Manila's trade, but does not indicate he believed their actions should be restricted.

¹⁷ Fernando de Silva, "Carta de Fernando de Silva sobre asuntos de gobiernos," FILIPINAS,7,R.6,N.85. *Archivo General de Indias*. Seville, Spain, accessed September 21, 2021, 3, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/420515?nm>.

Fernando de Silva reported on the complications of importing and exporting Chinese silk from Manila. His report contains two key details on Manila's economy: that Manila traded with Macao and that the Dutch were interfering with trade in Southeast Asia. He described how shipments of Chinese silk being sent to Japan were intercepted by the Dutch. He likewise stated merchandise sailing from Macao was confiscated by the Dutch before it could reach Manila. De Silva described how ships arrived "without the fabrics and without the [goods from] abroad, which normally come from Macao."¹⁸ According to de Silva, the harmful impacts on trade were not from the Portuguese, but from the Dutch's interference. Part of the negative impact of Holland's inference was Macao's inability to send more silk to Manila.¹⁹

Even though Portuguese trade was illegal, one of the main complaints in the letter is Manila's difficulty in trading with them. In truth, trade with Macao was discussed rather casually in de Silva's letter. At one point, he describes Portuguese trade as harmful, but only because they raised their prices, not because trade was illegal.²⁰ The main contention in the letter is the actions of the Dutch, which motivated de Silva to mobilize his ships and protect Manila's assets.²¹ De Silva's description of Dutch hostility and hindrance on trade reflects the political atmosphere of the Philippines in the 1620s. Following the Expedition of 1615, the Dutch started setting up blockades around Manila in 1621.²² Although the Dutch efforts to capture Manila were unsuccessful, de Silva's letter demonstrates how their actions affected the economic stability in Manila.

¹⁸ de Silva, "Carta de Fernando de Silva sobre asuntos de gobiernos," 3.

¹⁹ de Silva, "Carta de Fernando de Silva sobre asuntos de gobiernos," 3.

²⁰ de Silva, "Carta de Fernando de Silva sobre asuntos de gobiernos," 3.

²¹ de Silva, "Carta de Fernando de Silva sobre asuntos de gobiernos," 3.

²² Villiers, "Manila and Maluku," 156.

Another letter from a different Spanish governor in the Philippines appears to echo similar topics from de Silva's report. On August 14, 1633, Don Juan Cerezo Salamanca wrote a letter to Castille's administration that described the economic situation in Manila. He described the exchange of silver and drugs between Manila and New Spain while indicating that Macao's interference complicated trade efforts.²³ Salamanca's letter not only confirmed that Portuguese merchants were still trading in Manila but also acknowledged the difficulties that accompanied the restrictions on trade.²⁴

Salamanca stated Manila's merchants were at an economic disadvantage because they were not allowed to trade in Macao.²⁵ The disadvantage stems from the Portuguese practice of buying Chinese merchandise and selling it at a high price to merchants in Manila. Because the Portuguese were buying directly from Chinese markets, the Chinese stopped traveling to Manila to sell their merchandise. Salamanca described this practice in his letter. "Great China's trade has declined so much, because [the] Portuguese of Macao have become the owners of the most healthy [markets], [they] re-sell the goods that the said Sangleyes used to bring straight [to Manila]."²⁶

This arrangement was beneficial for both the Chinese and the Portuguese because both were able to make a profit without paying high importation taxes. When the Chinese sold their goods in Manila, they were required to pay taxes. Even though the Portuguese paid taxes as well they were not as high as the taxes levied upon Chinese merchants.²⁷ Additionally, because

²³In the seventeenth century, *drogas* could mean any plant or herbal supplements consumed for physiological purposes. This includes spices and herbal remedies and medicine.

²⁴Juan Cerezo Salamanca, "Carta de Cerezo Salamanca sobre Japón, China," FILIPINAS,8,R.2,N.21, *Archivo General de Indias*. Seville, Spain, accessed September 21, 2021, 1-4. <http://pares.mcu.es/ParesBusquedas20/catalogo/description/420546?nm>.

²⁵Salamanca, "Carta de Cerezo Salamanca sobre Japón, China,"2.

²⁶Salamanca, "Carta de Cerezo Salamanca sobre Japón, China,"2 ; Sangleyes is a term for Chinese merchants.

²⁷Miyata, *Portuguese Intervention in the Manila Galleon Trade*,4.

Manilas merchants were unable to travel to China to buy merchandise due to the restrictions for the 1593 decree they were forced to accept the prices offered by traveling merchants compensating for importation taxes.

Salamanca believed that lifting the trade restrictions between Manila and Macao would remedy economic difficulties. He stated Manila's merchants should be able to sail to Macao and buy commodities. Salamanca suspected that if Manila was able to freely trade with Macao, then Portuguese merchants would travel to Manila less. Without the Portuguese regularly acting as intermediaries for the Chinese, the Sangley merchants would be more motivated to travel to Manila. Salamanca believed that this would "will increase your Majesty's tax duties," because the Chinese would then pay the higher importation taxes.²⁸ Salamanca indicated without the restriction placed on Manila's trade, the economy would increase and so would the Crown's revenue.

The Dutch also made an appearance in Salamanca's letter. While complaining about economic and communication difficulties he stated that "the Dutch with their customary, irritating, persistence" were interfering with correspondence with Japan.²⁹ This is an example of how the situation between and Dutch and Spanish was escalating in Southeast Asia. He described the actions of the Dutch as acting out against the king of Spain. This is not surprising considering that the Dutch were still at war with Spain and the Crown had yet to acknowledge their independence. This demonstrates how conflicts at the center of the empire affect the periphery. The politics and conflicts of Castile had a rippling effect; the farthest colony in the empire was economically struggling because of Castille's quarrels.

²⁸ Salamanca, "Carta de Cerezo Salamanca sobre Japón, China,"2.

²⁹ Salamanca, "Carta de Cerezo Salamanca sobre Japón, China,"1.

The next source was published only a few years after Salamanca's letter. It is a petition written by Juan Grau y Monfalcón, the attorney general of Manila in 1636. In his petition, he pleaded with the Crown to reenact the same prohibitions placed on Portuguese trade from 1593.³⁰ The focus of his frustration was the actions of the Portuguese at the Canton Fair in the previous year. He described how they would buy merchandise at the fair and then sell the products for a profit in Manila. "The great damage and vexations that the neighbors of this city received were introduced by the Portuguese from Macao, who go and buy merchandise from the Cantón fair in China, and bring the merchandise and to sell it in the city of Manila where they make ponds [pools of money]"³¹ Grau y Monfalcón stated that this economic activity was harmful for two reasons. Firstly, when Portuguese merchants acted as intermediaries between Manila and China, merchants in Manila were unable to purchase products at a lower price. Because the Portuguese from Macao were buying products in mainland, the Chinese merchants were less motivated to deal directly with Manila. He declared that "the Portuguese, who charge three times more money from Manila than the Sangleyes" harm Manila's local trade markets.³² Even though Grau y Monfalcón stated that this trading system was harmful to Manila's economy, it was not a new practice. Before his petition, the Portuguese has frequently brought Chinese merchandise to Manila and sold them to make a profit.³³ His complaints against the Portuguese mirrored the Salamanca's, however, unlike Salamanca, wanted to further restrict trade rather than loosen it.

³⁰ Juan Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," *FILIPINAS*, 41, N.16, *Archivo Genral de Indias*, Seville, Spain, accessed September 21, 2021, 2, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/423111?nm>.

³¹ Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 1.

³² Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 1.

³³ Miyata, Portuguese Intervention in the Manila Galleon Trade,4.

After Grau y Monfalcón described the economic “harm” being done to the locals, he described the second reason for concern. The administration was unable to collect the high taxes that Chinese merchants were required to pay in Manila. Grau y Monfalcón reminded the court “that not only the locals are harmed from the Portuguese who come to her [Manila] with merchandise from China but also loses to your Majesty’s quantities[profit].”³⁴ Like Salamanca, Grau y Monfalcón was also concerned illegal trade interfered with tax revenues collected from Chinese merchants. Once again, the focus on illegal trade has shifted from the wellbeing of Macao's local economy to the royal revenue.

Grau y Monfalcón was also concerned that the Portuguese were trading directly with New Spain and circumventing the Manila galleon trade because believed this trade practice was harmful to Manila’s economy. Even though it appears to be a trespass on trade relations between Macao and Manila, the direct trade between the Portuguese and New Spain was no more original than their tradition of acting as intermediaries between China and Manila. Portuguese products were often found in Buenos Aires, a port the Portuguese did not travel to often. This demonstrates how merchandise traded in New Spain circulated into other Spanish American markets.³⁵ This is another practice that would not have directly harmed Manila's economy, although it was problematic for the empire. The Crown was extremely paranoid that wealth from the New World would flow out of the empire through Southeast Asian trade.³⁶

Grau y Monfalcón’s complaints not only verify two aspects of Manila's complex trade system, but they also invite further questions on the lawyer's motivations. Why would Grau y

³⁴ Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 2.

³⁵ Mariano Bonialian, “‘Clothing from China’ from the Philippines to Buenos Aires. Circulation, consumption and corporate struggle, 1580-1620,” *Revista de Indias* 76, no. 268 (2016): 645, <https://doi.org/10.3989/revindias.2016.020>.

³⁶ Pearson, “SPAIN AND SPANISH TRADE IN SOUTHEAST ASIA,” 123.

Monfalcón be concerned with established practices? Portuguese traders from Macao had a history of acting as intermediaries for Manila with other Asian networks and they also had a history of sending ships to trade with New Spain. Why did Grau y Monfalcón perceive these practices as a threat? The answer may be who Grau y Monfalcón perceives the victims of the illegal trade to be. His emphasis that illegal trade interferes with the collection of taxes is centered on the Crown's interests, not Manila's local economy.

Grau y Monfalcón may have been concerned with multiple victims in Manila's trade. He stated that it was the Sangleyes and Manila's locals who suffered from the Portuguese trade interactions.³⁷ His motives and concern for the Sangleyes, however, should be questioned because of the context of his letter. He specifically brought up the welfare of the Sangleyes on many occasions in his petition. He described that in 1634, two Sangley merchants were sailing to Manila from China, with a shipload of merchandise. Grau y Monfalcón stated that before the Sangleyes could make port at Manila, they were attacked by a ship from Macao and lost their merchandise.³⁸ Piracy and privateering was common in Southeast Asia and would have been a real threat to any ship arriving and departing Manila. Even though multiple groups, including the Dutch, participated in piracy in this era, Grau y Monfalcón blames the Portuguese from Macao and the culpable party. Why would the Portuguese steal from the Chinese when they regularly traded with them? And even if they did, why is Grau y Monfalcón only focusing on Portuguese piracy when other empires are participating in the practice. Because if Grau y Monfalcón's intention for writing the petition is for the implementation of more restrictive policies against Portuguese trade, then he would want them to appear as economically harmful as possible.

³⁷ Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 2.

³⁸ Grau y Monfalcón, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 2.

Grau y Monfalcón's petition is a valuable document because it emphasizes many different facets of Manila's commerce and the difficulties of imperial management. Grau y Monfalcón identifies three different victims of Portuguese trade practices in the Pacific. These victims are the local merchants in Manila, the Sangley merchants whom Grau Monfalcón claims were attacked by the Portuguese, and the Crown of Castille because they lost profits from tax revenue. Even though Grau Monfalcón appears to be concerned with the economic stability of the local and indigenous merchants, it would be a shrewd to note that locals had been surviving for decades with the Portuguese trade practices; perhaps, it is the loss of profit from taxes that mostly concerns Grau y Monfalcón and the royal administration.

In the same year as Grau y Monfalcón's petition, Captain Joseph de Naveda Alvarado, an alderman in Manila, also drafted a petition for the royal courts. He blamed the Portuguese for the city's economic hardship and described a similar situation to Salamanca's and Grau Monfalcón's experiences. Alvarado stated, "the Portuguese locals of Macao have come to this city in different ships all the referred years, [and] not without loaded goods from China to sell to Manila."³⁹ This confirms that Portuguese from Macao were still selling Chinese merchandise in Manila illegally. He also described how illegal trade was so commonplace, it could have easily been mistaken as legal. He stated the Portuguese commercial activity "seemed to have legitimated this trade, which is so prohibited by Royal decrees."⁴⁰ Even though he admitted that the Portuguese regularly traded in Manila, he also described their trade activity as damaging to the local economy. "They have become powerful, and the locals of this Republic are today in such a

³⁹ Joseph de Naveda Alvarado, "Petición del Cabildo secular de Manila sobre comercio de portugueses," *FILINPINAS*, 41, N.16, *Archivo Genral de Indias*, Seville, Spain.

5, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/423111?nm>.

⁴⁰ Alvarado, "Petición del Cabildo secular de Manila sobre comercio de portugueses," 5.

miserable state, as they are due to the great sales that have ordinarily been made to them."⁴¹ He described Manila's merchants as miserable because of the economic misfortune in the Asian Pacific.

Alvarado mentioned the Dutch in his letters but still blamed the Portuguese for the contentions in Manila. He stated, "the said Portuguese have intimidated, and usually intimidate the said Sangley merchants, subjecting them to the risks that they will have from encountering Dutch corsairs, and the [Dutch]navies of the ships... that have been robbing these coasts."⁴² The Dutch conflict lasted from 1611-1648. Even though Alvarado blamed the Portuguese over the anxiety of Dutch privateers, his letter reflected the economic competition in the Southeast Asian markets. The threat of Dutch piracy was a possibility for ships trading with Macao. Much like Grau y Monfalcón's petition, Alvarado attempted to blame the Portuguese for the unsafe trade passages, when it was more likely that the Dutch would attack trade vessels to Manila. It was most likely the presence of Dutch pirates that threatened commercial stability, not the actions of Portuguese merchants who had regularly traded with Manila.

The complaints given by men such as Alvarado and Grau y Monfalcón were taken seriously by the Crown. The same year that Alvarado and Grau Monfalcón wrote their petitions a royal decree was passed. The copy of the decree is dated 1636 and appears to be a response to Grau y Monfalcón's petition. It mentioned Grau y Monfalcón by his full name and title and summarized the story about the Canton fair in his petition. The decree stated that it in was in response to "the great damages"⁴³ done by the Portuguese in foreign trade and that from that

⁴¹ Alvarado, "Petición del Cabildo secular de Manila sobre comercio de portugueses,"5.

⁴² Alvarado, "Petición del Cabildo secular de Manila sobre comercio de portugueses,"6.

⁴³ "Copia de real cédula a la Audiencia sobre comercio de portugueses," FILIPINAS,82,N.1, *Archivo General de Indias*, Seville, Spain, accessed September 21, 2021,

1, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/1930423?nm>

point forward “only the Chinese and the Sangleyes can deal and trade freely” in Manila.⁴⁴ Additionally, the Spanish administration re-emphasized the ban on Macao’s merchants from traveling to Manila. The decree also stated that if any Portuguese merchants were found in the city, they would be “completely expelled from these islands.”⁴⁵ Spain likely passed this decree not out of concern for the Sangley merchants, but as an effort to increase royal revenue. Both Alvarado and Grau Monfalcón described commercial strife in Manila, but rather than lifting trade regulations to Manila’s economy could grow, the Crown placed further limitations on trade. The Chinese were allowed to trade in Manila because their taxes raised revenue for the Crown.

The final source highlighted in this essay portrays Manila’s economic and political status during the early 1640s. On June 30, 1642, Don Pedro Enríquez de Guzmán wrote a letter to the royal court about his concerns with Manila's administration and economic stability. The political instabilities in his letter included details about poor local administration and conflict with the Netherlands in the Pacific. The problems he mentioned included economic fraud, corruption, and the illegal trade with Macao in Manila. Enríquez de Guzmán's letter, and his extended list of complaints, demonstrate the difficulty of imperial administration in Spanish colonies and the complexity of the political and economic system in Southeast Asia.

Early in his letter Enríquez de Guzmán proclaimed, “my quill moved with pure zeal and inflamed with the love which I must have for the two Majesties, divine and human, to give account of the state of these Islands for the remedy and restoration of them.”⁴⁶ His words are

⁴⁴ "Copia de real cédula a la Audiencia sobre comercio de portugueses,"2.

⁴⁵ "Copia de real cédula a la Audiencia sobre comercio de portugueses,"2.

⁴⁶ Pedro Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," *FILIPINAS*,85,N.95, *Archivo General de Indias*. Seville, Spain, accessed September 21, 2021, 2. <http://pares.mcu.es/ParesBusquedas20/catalogo/description/425048?nm>.

formulaic to his urgency to report the state of the Philippines and his dedication to the Spanish Monarchy and their interests. To further enhance his point, he pleaded with the royal court for immediate action. He stated the purpose of his letter was to motivate "and repair the ruin and loss of the threat in the future, if in the present it is not attended with haste."⁴⁷ His letter acted as a warning that if action was not taken against the dysfunctional administration, then the Philippines would fall into political ruin.

As Enríquez de Guzmán detailed the corruption and dysfunction in Manila, he identified the justices and ministers as the culpable parties. He argued that Manila's administration was incompetent because they paid little mind to the ordinances they passed. He stated that regulations were "passed and without logic."⁴⁸ Enríquez de Guzmán's critiques could indicate that he felt decisions were made too hastily and without proper consideration, or he could have simply been expressing his opinion concerning the justice and ministers' intellectual abilities. On the same page, he stated that "most [of them] don't know how to read or write...being people of little luck and quality... they settle in places of soldiers, warriors, sailors, and which they were left in without a good education and upbringing."⁴⁹ Enríquez de Guzmán most likely exaggerated when he stated most of Manila's ministers and justices were uneducated and illiterate, however, his exaggerated claims highlight an important aspect of his opinion. He believed the justices and the ministers were underqualified for their positions.

Enríquez de Guzmán suggested that the royal courts should investigate the Philippines' administration and that he should be appointed as one of the investigation's advisors.⁵⁰ In his letter, Enríquez de Guzmán not only described Manila's administration as uneducated and ill-

⁴⁷Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 2.

⁴⁸ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 2.

⁴⁹ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 2.

⁵⁰ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 7.

prepared to handle the affairs of the islands, but he also stated that they were self-interested individuals who added to the corruption of the Philippines. Enríquez de Guzmán stated, "I have seen that the principal [trend] to which attends in the justice ministries [is] for their particular interests."⁵¹ Enríquez de Guzmán is demonstrating the disconnect between the imperial center and local administration. He accused the administration of neglecting their responsibilities and the Crown's interests, and that they were only acting on personal agendas. This provides one perspective of the pull between the center of the Empire and the periphery. One detail to keep in mind is that while Enríquez de Guzmán acted in the Crown's interests, he's perspective does not represent the point of view of Manila's local inhabitants.

Another significant detail in Enríquez de Guzmán's letter is that the Portuguese were still trading in Manila. "Two hundred Portuguese of the city [Macao] enter [with]ships with rich merchandise and silk fabrics."⁵² Even though the decree in 1636 prohibited their presence, and the Portuguese Revolt in 1640 banned trade with Portugal across the empire, illegal trade was still occurring in Manila. Enríquez de Guzmán's concern with the Portuguese was the loss of royal revenue. He described how illegal trade caused "more than two thirds parts of loss of the royal duties that belong[ed] to your majesty."⁵³ He also informed the royal courts that this is a regular practice and causes great loss to revenue. "This is proven with that they enter in this city, every year, [with] more than three million commodities and taxes do not arrive [with them]."⁵⁴ Once again, we see that the concern is not with the people of Manila and is centered on tax revenue. This accentuates the division between local and imperial needs. Local merchants were prohibited from traveling to other markets. Because commerce was restricted, they traded with

⁵¹ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 2.

⁵² Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 6.

⁵³ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 3.

⁵⁴ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 3.

whomever brought them merchandise. The Crown desired revenue and restricted trade in Manila to magnify revenue and profit for the Iberian kingdoms. The people of Manila had different needs and objectives than the Iberian kingdoms. They needed to make money, regardless of they brought the Crown revenue or not.

Even though Enríquez de Guzmán underscored how illegal trade caused a loss in revenue, he blamed the ministers and justices, not the Portuguese merchants. He attributed the royal losses to the local administration by claiming they facilitated illegal trade and hid it from the royal courts. "And they hide it before your prosecutor goes to this Royal Audiencia and royal offices."⁵⁵ Enríquez de Guzmán used illegal trade as strategy to defame the local authorities. He stated, "they take the treasure of the veins hidden deep in the traversed earth, the sustenance and merchandise that comes from foreign kingdoms and from the great China, Macao, and other parts."⁵⁶ Enríquez de Guzmán criticized the administration for not only allowing illegal trade but also for retaining wealth for themselves. Even though he blamed the illegal trade on the unsatisfactory administration, they were likely less responsible than Enríquez de Guzman gives them credit for. Across all the sources highlighted in this review, no matter what limitations and mandates were ordered by the Crown, illegal trade continued.

The conflict with the Dutch in Southeast Asia is also a notable detail in the document. While Enríquez de Guzman insulted the administration in Manila repetitively throughout his letter, he also documented an important moment of conflict with the Dutch. He described how on June thirteenth 1642, a trading vessel left Manila for New Spain and was attacked by the Dutch. He stated that the Dutch were waiting to ambush the galleon on its way to New Spain. He described how there were "four ships of the Dutch enemies which were waiting in the

⁵⁵ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 3.

⁵⁶ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 3.

Embocadero of these islands to overtake them.”⁵⁷ Enríquez de Guzman’s inclusion of this event connects to the larger conflict in the Philippines. The Dutch had used this strategy to raid ships from New Spain in the past and this event foreshadows the escalating contention between the Spanish and Dutch in the Philippines.

After holding the island of Formosa for sixteen years, the Dutch recaptured Formosa from Spain in August of 1642.⁵⁸ This was only a couple of months after Enríquez de Guzman wrote his letter about the corruption in Manila. While he complained about the administration, he briefly included details on a more threatening movement. Enríquez de Guzman was concerned with the administration while the Dutch were the true threat to both Manila's commerce and political holdings. Unfortunately, we do not know the fate of the ambushed ship, because, in the very next lines of the document, Enríquez de Guzman started complaining about the Portuguese in Manila. This illustrates how the concern over the Portuguese may have neglected the actual threats in the Pacific.

It is important to acknowledge that these sources offer a limited perspective. They are all written by men of the Spanish elite and neglect direct observations from other groups or the minorities in the Philippines. The sources reveal how these elite men felt about the political and economic atmosphere of the Philippines. Though they discussed the experiences of the Sangleyes, they are only presented through the perspective of the European elite. Even so, critically engaging the sources uncovers the complex and divisive atmosphere of the Philippines. While most of the authors mention the Portuguese presence, some of them were more concerned with it than others. Salamanca and de Silva were more forgiving of the illegal trade, and

⁵⁷ Enríquez de Guzmán, "Carta de Pedro Enríquez de Guzmán denunciando estado de las islas," 6; The Embocadero de San Bernardino. The strait between the islands Luzon and Samar.

⁵⁸ Stephanie Mawson, "Philippine Indios in the Service of Empire: Indigenous Soldiers and Contingent Loyalty, 1600–1700," *Ethnohistory* 63, no. 2 (2016): 381-413, <https://doi.org/10.1215/00141801-3455363>.

Salamanca advocated for the restriction be lifted. The other authors identified the Portuguese as the cause of commercial strife; however, it was almost always in the context of how illegal trade related to the royal decrees and affected tax revenue. When comparing the military and political movements between the Dutch and Portuguese, the Dutch appeared to be more threatening to the Spanish Empire's economic and political wellbeing.

While interpreting the sources it is necessary to consider the motivations of these men. The governors were charged with the safety and stability of the islands, and were also required to protect imperial interests. Juan Grau y Monfalcón was the attorney general for the high courts of Manila and because of this, his loyalties would be to the viceroy of New Spain and the Crown. Don Pedro Enríquez de Guzmán was a member of the nobility. He was the Count of Alba and served in several government positions before becoming the Viceroy of New Spain in 1648. His interests were also entwined with Spain's politics. The complaints against the Portuguese from Macao are connected to imperial politics rather than local concerns. What does stand out is how across all sources the Portuguese continued to trade in Manila, which emphasizes an important detail, the merchants in Manila continued to trade with them as well.

Conclusion

Manila's economic decline was a result of many factors, however, illegal trade with the Portuguese from Macao had a negligible effect on Manila's decline. What stifled Manila's economic potential was the external actions and politics of the Spanish Empire. Manila's commercial autonomy was truncated by the Crown's restriction of foreign trade and intra-imperial trade. The European politics between Portugal and Spain determined how foreign relations would be regulated across the periphery of the empire. The European conflict between Spain and the Netherlands agitated the economic and political relations in the Philippines. Illegal

trade was not the cause of Manila's decline, but a strategy for merchants in Southeast Asia to work around the policies and politics that restricted the livelihoods of local merchants.

Manila's economy stands as an example of the difficulties of imperial administration during the Early Modern Era. The situation in Manila demonstrates how the people within an empire encompass a plurality of motivations, goals, and needs. The Crown's goals and motivations were to gain revenue that would support their Iberian markets and generate economic growth in the peninsula. The people who participated in illegal trade were physically and economically removed from the politics in Europe. They were trading with the Portuguese because they needed a livelihood. The merchants in Manila wanted to sell silk in New Spain so they could obtain a profit, while the merchants in Granada also needed to sell silk to protect their industries. This essay is not arguing that the Spanish Empire had poor administrative practices, rather this study accentuates the difficulties of administering over an expansive and diverse empire. It is impossible to create policies that benefit every aspect of a heterogeneous group of subjects.

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Litigious Women Religious
Individual and Corporate Agency of Spanish Nuns During the Seventeenth Century

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In 1657 a *licenciado* named Juan Ruiz de Soba drafted a legal petition on behalf of the Convent of San Vicente El Real. The petition sued Juan Fernández Álvarez over the rightful inheritance of an estate outside of the city of Segovia. Even though the convent acted as a corporation in the suit, their ground for legal action rested on Doña Beatriz González de Berrio. She was a nun in the convent, and Juan Ruiz de Soba argued that she was the last living descendant who had a rightful claim to the property and its assets. He proclaimed that “Religious Doña Beatriz González de Berrio whose head touches the succession of the said estate, [and] to the Convent I represent to be master, are capable [of administering to] the goods and their foundation.”⁵⁹ This petition describes one of many lawsuits in early modern Spain where a convent entered litigation as a corporation on behalf of an individual within the cloistered community. Even though lawsuits were common in Spanish society, Doña Beatriz González de Berrio’s case exemplifies how cloistered women retained connections to secular society and how convent culture facilitated individual agency.

This study analyzes legal documents from different regions during mid-seventeenth century Spain. Most of the sources depict convents engaged in litigation concerning dowries, yearly allowances, convent maintenance, and property rights. Petitions, letters, and other case briefings highlight the different ways nuns maintained secular connections through family, patronage, and litigation. I translated and transcribed all of my sources for this study and all the translations included are my own.⁶⁰

⁵⁹ Juan Ruiz de Soba, “El convento de monjas de San Vicente el Real de Segovia contra Juan Fernández Álvarez sobre la tenuta de los bienes, vínculo y mayorazgo fundado por Pedro González el Mayor y María Vázquez de Berrio.” CONSEJOS, 25741, Exp.3. Archivo Histórico Nacional. Madrid, Spain. January, 14, 2022, 1; “y ala dicha Religiosa Doña Beatriz González de Berrio por cuya cabeza toca la sucesión del dicho Vin[vínculo] a el Convento mi presente por ser amo es capaz de vienes[bienes] y su fundación,” “El convento de monjas de San Vicente,” Archivo Histórico Nacional, 1.

⁶⁰ While I try to stay as close to the original sentence structure, many of the translations are modernized for this paper. All of the original Spanish phrases are provided in the footnotes.

Convent litigation illustrates the entangled interests between sacred and secular spaces and portrays one of the ways professed women exercised individual agency. Through litigation, convents sued members of secular society for financial autonomy, which included the right of administering to inherited property. Even though convents would enter legal suits as institutions, they would do so on behalf of the individual nuns within their communities. The individuals that convents represented, such as Doña Beatriz González, were beneficial to the case and performed active roles in the suit. Their ability to advocate for themselves demonstrates how cloistered life did not limit nuns to a passive existence. They remained connected to temporal communities by maintaining familial ties and protecting their economic interests. By examining different lawsuits of cloistered nuns, their convents, and lay individuals, this study illuminates the possibilities and limitations of individual agency within the framework of institutions and corporations in early modern Spain and emphasizes the maintenance of networks that linked cloistered life to family and secular community beyond the convent walls.

Contextualizing the policies that emerged from the Catholic Reformation movement emphasizes the importance of convent agency and community connection in early modern Spain. From 1545 to 1563, the Council of Trent convened to describe and validate orthodox Catholic doctrine. This resulted in policy reforms that reinforced Catholic ideology in contrast to the Protestant Reformation. In 1563 during the council's twenty-fifth session, the representatives agreed to enforce strict separation between professed women and secular communities. Following the session, Pope Pius V issued a papal bull that mandated complete claustration of professed women in all religious orders, even in those that hadn't required it before.⁶¹ Despite efforts from ecclesiastical reforms to restrict nuns' contact with the outside world, nuns forged a

⁶¹ Elizabeth A. Lehfeltdt, "Discipline, Vocation, and Patronage: Spanish Religious Women in a Tridentine Microclimate," *The Sixteenth Century Journal* 30, no. 4 (1999): 1013, <https://doi.org/10.2307/2544609>.

connection to the community through patronage, familial ties, and litigation. Convents' participation in secular litigation reveals how religious individuals and corporations worked around the restricting policies in the Catholic Reforms.

This study builds upon scholars such as Elizabeth A. Leffeldt, Electa Arena, Stacey Schlau, and Lisa Vollendorf, who emphasized the individual agency and autonomy that nuns had access to in cloistered communities. Arena, Schlau, and Vollendorf explain how literacy and education in convent culture facilitated individual expression and community connections after the Catholic Reforms.⁶² Leffeldt portrays how entering convents allowed women more agency and control over property than some women in the outside world.⁶³ This study contributes to these arguments by utilizing the details in the personal and legal documents analyzed for this research to substantiate the agency of religious women in the seventeenth century. Cloistered life provided nuns with the opportunity to become educated and literate. Writing facilitated agency and the self-expression of Spanish nuns, which helped them remain connected to the secular world.

Litigious nuns are an example of women in the Early Modern Era who utilized ecclesiastical institutions for their benefit by exercising individual agency and assisting in corporate autonomy. Additionally, studying Spanish nuns' agency emphasizes the plurality of women's experiences in early modern Spain. Too often, the experiences of women, and specifically women religious, are generalized as separated from society and as subservient. This research exemplifies how professed women expressed individual agency and challenged

⁶² Electa Arenal and Stacey Schlau, *Untold Sisters: Hispanic Nuns in Their Own Works*, Revised edition, University of New Mexico Press, 2010. ProQuest Ebook Central, <https://ebookcentral.proquest.com/lib/CWM/detail.action?docID=1118971>, 10.; Lisa Vollendorf, "Nuns as Writers: The Cloister and Beyond" in *The Lives of Women: A New History of inquisitional Spain* (Vanderbilt University Press, Nashville: 2005) 98.

⁶³ Elizabeth A. Leffeldt, "Convents as Litigants: Dowry and Inheritance Disputes in Early-Modern Spain." *Journal of Social History* 33, no. 3 (2000): 657, <http://www.jstor.org/stable/3789215>.

subservience through litigation. Despite the efforts of the Council of Trent to restrict nuns' connection to the community, nuns who wrote, petitioned, and engaged in secular lawsuits crossed these boundaries.

Convents, Communities, and Patronage

The Tridentine decrees attempted to limit nuns' connections to the temporal world and discourage spiritual autonomy. During the Council of Trent's sessions, representatives discouraged women's participation in theology and individual spiritual expression through the proclamations of "holy ignorance."⁶⁴ Additionally, the papal bull issued by Pope Pius V, *Circa patoralis*, enforced the full enclosure of all professed women regardless of their order's previous policies.⁶⁵ However, policies such as "holy ignorance" and full enclosure varied in enforcement and individual observance. Nuns throughout the seventeenth century found ways to resist the Tridentine decrees that limited their autonomy and connection to secular community.

Professed women resisted both the limitations on theological participation and the enclosure through writing. Using creative rhetoric strategies, nuns expressed individual spirituality without openly defying Tridentine limitations. Cloistered women wrote poetry, hagiographies, plays, and letters. Many of their written works explored spirituality, and some contained criticism of church hierarchy and orthodoxy.⁶⁶ Written works not only supplied nuns with an outlet for spiritual agency but also strengthened ties with secular communities. Women wrote to family members, and some offered spiritual advice to political leaders. Arenal and Schlau described how a reformed Carmelite nun named Ana de San Bartolomé, participated in secular politics through writing. "By the first decade of the seventeenth century, she was a

⁶⁴ Arenal and Schlau, *Untold Sisters*, 7.

⁶⁵ Lehfeldt, "Discipline, Vocation, and Patronage," 1010.

⁶⁶ Vollendorf, "Nuns as Writers: The Cloister and Beyond," 97.

correspondent, spiritual advisor, and confidante to commanders, clerics, regents, and princesses."⁶⁷ Convent literacy demonstrates how the lack of a physical presence did not equate to spiritual disconnection from the community. Even though women were physically separated from society, they exercised individual agency and preserved community ties through writing.

Another way convents remained connected to secular society was through community patronage. Convents maintained reciprocal relationships with outside communities and relied on community support to sustain themselves. Patronage could be in the form of monetary donations, pledging property, and founding new convents. In return, nuns would pray for members of the community, patrons were buried in church burial spaces, and patrons' social reputations were bolstered by supporting local religious orders.⁶⁸ This relationship ensured that both convents and their surrounding secular community mutually benefited from each other.

Because convents relied on community support, petitioning local authorities for assistance in convent maintenance and repairs was necessary. While convents could advocate for themselves, affiliated individuals also supported local orders through petitioning. A *consejo* (town council) petition dated 1638 illustrates how a *beata* (unprofessed religious woman) named Ana de Cristo and a local prior endorsed a new convent for Dominican nuns in Málaga.⁶⁹ Even though beatas were religious laywomen and lived separate from society, they existed outside of the religious orders. The collaboration between the prior and Ana de Cristo portrays how individuals outside of the cloister desired the presence of a convent and the communal benefits that came with it.

⁶⁷ Arenal and Schlau, *Untold Sisters*, 26.

⁶⁸ Leffeldt, *Religious Women in Golden Age Spain*, 16.

⁶⁹ "Ana de Cristo sobre la fundación de un convento de monjas dominicas en la ciudad de Málaga. Una pieza." CONSEJOS, 25574, EXP.10. Archivo Histórico Nacional. Madrid, Spain. January 10, 2022, 2.

Patronage came from modest and wealthy families. Noble houses, however, had the means to contribute significantly to religious orders, which included founding new convents. One of the benefits of supporting convents was to increase a family's honor and reputation. Because of this, many noble families donated wealth and land to convent foundations in early modern Spain. It appears that reputation through patronage was mutually beneficial when prominent individuals became affiliated with the convent. A letter from the board of matters in Aragon to the royal audiencia, dated 1645, embodies this connection. The letter describes the council's decision on a petition brought forth by the nuns of Santa Maria Magdalena in Valencia. The foundation had required repairs and the nun's requested assistance. "The Nuns of Saint Maria Magdalena refer in a brief, their many needs for the church, which have increased [and] have fallen upon them."⁷⁰ The letter, signed by the Count of Monterrey, Don Fernando de Borja, and Don Christobal Crespo, council members and members of the nobility, supported the convent's request for aid.

While the letter acknowledged the foundation's disrepair, it provided an additional reason the church should receive financial assistance. "The necessity that these nuns suffer is notorious and for this [assistance should be granted], as for [the church] being the foundation of Lord King Don Jaime..."⁷¹ By linking the value of the convent to the notoriety of the noble patron, the letter emphasizes the ties created between convents and the secular world. The founder of the convents church, Don Jaime, must have been respected if his name was still being used to negotiate repairs

⁷⁰ "Junta de materias de Aragón: a favor de las monjas de Santa Maria Magdalena de Valencia para que se les prorrogue el derecho de 'barcaje y tiraje'." ACA, CONSEJO DE ARAGÓN, Legajos, 1354, nº 005. Archivo de la Corona de Aragón. Barcelona, Spain. Accessed February 17, 2022, 1, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/2734883?nm>; "Las Monjas de Santa Maria Magdalena refieren en un memorial su mucha necesidad que la ha aumentado haberse les caído la Iglesia," "Junta de materias de Aragón," Archivo de la Corona de Aragón, 1.

⁷¹ "La necesidad que padecen estas religiosas es notoria y así por esto como por ser fundación del Señor Rey Don Jaime." "Junta de materias de Aragón," Archivo de la Corona de Aragón, 1.

and monetary assistance. Because convents and communities were intertwined through patronage and reputation, it was difficult to completely separate their interests.

Despite the efforts of Tridentine decrees, convents, and the nuns cloistered within their walls maintained corporate and personal attachments to secular society. Their connections to temporal communities existed through patronage and wealth acquired through community support. Because convents acquired assets through patronage, they also exercised agency to preserve their institution's stability. They defended their financial autonomy through petitioning town councils and litigation when it was threatened. Familial connections and inheritance claims strengthened attachments to the temporal world. Even though professed women were supposed to sever all ties to the outside world, which included their family, a complete detachment was not always possible.

Mayorazgos, Dowries, and Inheritance

Dowry contracts established both a financial and legal connection between convents and the secular world. When a novice took her vows and became a professed woman, she entered the convent with a dowry arrangement to support her. While dowries provided religious women with an allowance for their cost of living, they also provided ecclesiastical institutions with economic wealth, and convents would litigate to protect their assets. Nun's dowries were typically smaller than marriage dowries and professed living could be a more affordable path for a woman in early modern Spain. Although, nun's dowries were often accompanied by yearly payments called *alimentos* (yearly allowances), which assisted in covering a professed woman's cost of living in the convent.⁷² So while they may have appeared less expensive, *alimentos* for professed relatives

⁷² Leheldt, "Convents as Litigants," 648.

became a consistent payment obligation for families. These financial links between families, convents, and individuals conflated the boundaries between sacred and temporal interests.

The dowry contract often contained a *renuncia*. The renunciias purpose was to abnegate the newly professed women's inheritance claims to property and estate wealth. The renunciias were an interesting aspect of the dowry contract because women could utilize them to their advantage. While women did agree to surrender future claims to the estate and wealth not included in their dowries, they also used renunciias to negotiate how the property they were renouncing would be administered. This included how much wealth would be passed to other female relatives.⁷³ Using renunciias to manage property is one way women exercised individual agency through the legal parameters connected to religious institutions.

Professed women were supposed to separate themselves from their families and abandon their claims to inheritance upon entering cloistered living, but the intricacies of dowries, alimentos, and renunciias complicated this picture. When alimentos were not paid in full to the convents, the institutions sought legal action against the families to demand the assets needed to sustain their religious relatives. Sometimes when the father who agreed to his professed daughter's dowry passed away, the son (and brother) who inherited the estate disagreed with the alimentos arranged in the dowry contract. Other times, women realized that the agreed-upon dowry amount was insufficient in covering their costs of living. Cases like these would be brought to secular court, and convents would sue for financial assets on behalf of the women in the convent.

While some dowery *pleitos* (lawsuits) demonstrate how nuns remained connected to family identity, others illustrate how outside institutions and individuals associated professed

⁷³ Elizabeth A. Leffeldt, *Religious Women in Golden Age Spain*, 86.

women with their natal families. One appeal case from Galicia in 1632 exemplifies the complexity of severing professed women from secular associations. Catalina and Jerónima Méndez were sisters and both members of the Convent of Santa Bárbara in the town of La Coruña. Their father was convicted of heresy in 1631, and as a result the Inquisition ordered their dowries to be confiscated. Rather than surrendering their dowries, the convent petitioned as a unified corporation to appeal the Inquisition's order.⁷⁴ The document states the convent “comes with prosecutors to the Holy Office of the Inquisition of the said Kingdom” and demands “restitution and to have the royal treasury, the dowries and alimentos of Sister Catalina and Sister Jerónima Méndez Professed Nuns in the said convent [returned to their administration].”⁷⁵ According to the brief, the convent demanded “They[the Inquisition office in Galicia] must annul and revoke” the orders of the 1631 auto de fe to confiscate the sisters' dowries along with the rest of the fathers' goods.⁷⁶ The case with the Convent of Santa Bárbara and the Méndez sisters illustrates the reciprocal relationship between women and their convents, and also portrays the difficulty of separating family and convent identity.

One of the most important details in the documents is the emphasis on convent community and collaboration. The documents indicate several times that the Méndez sisters, the abbess, and the nuns within the convent litigated as a unit against the Inquisition.

In the city of la Coruña...from the Convent Santa Bárbara, for the goal of the said monastery on the fourth of November of year one thousand six hundred and thirty-two. They are together, following the lady superior,[the] abbess in the said convent, and Sister Catalina and Sister Jerónima Méndez, professed nuns of the said convent... and the nuns of the said convent, which for all of the thirty-five professed nuns in said convent

⁷⁴ “Pleito fiscal del convento de Santa Bárbara,” INQUISICIÓN,4550,Exp.4. Archivo Histórico Nacional. Madrid, Spain. Accessed February 17,2022, 1, [http://pares.mcu.es/ParesBusquedas20/catalogo/description/4637473?nm](http://pares.mcu.es/ParesBusquedas20/catalogo/description/4637473?nm;).; “porque las dichas dotes fueron y para alimentos de las dichas dos Religiosas que amar gastado mucho mas,” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 1-24.

⁷⁵ “viene con fiscados de el Santo Officio de la Inquisition del dch[dicho] Reino... que pretende...restitu y [h]an al real Fisco las dotes y alimentos de Soror Catalina y Soror Jerónima Méndez Religiosas professas en el dicho convento.” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 1.

⁷⁶ “se deben anular y revocar,” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 1.

accordingly, as they are accustomed, [have] come together as communities for the acts (convictions).⁷⁷

The quote about the nuns litigating together is present in the petition against the Inquisition of Galicia and was written by the convent's male representative: presumably a man named Señor Andres. He described how the abbess, the Méndez sisters, and all thirty-five additional nuns in the convent litigated for the dowry restitution. Early in the document, another author—this one representing the Inquisition's interests—described how the abbess and nuns of the convent of Santa Bárbara were all in *rebeldía* (rebellion) against the Inquisition.⁷⁸ The documents' descriptions of unified litigation are significant because it epitomizes how convent communities acted in self-defense as a unit through legal systems. This case illustrates how women would petition and appeal to different courts to protect themselves from actions that threatened their financial autonomy.

The details of this case exemplify many aspects of convent litigation and financial autonomy. The convent is introduced before the Méndez sisters in the brief, demonstrating the necessity for religious women to litigate as part of a corporation. The document stated, “on [the] seventeenth day of the month of December of this year, they presented before us the petition of the very powerful following contents... [in] the name of the abbess, nuns, and convent...”⁷⁹ The Méndez sisters are introduced by name eight lines later when the document explains that the

⁷⁷ “En la ciudad de la Coruña... del combento[convento] de Santa Bárbara a la portería del dho[dicho] Monesterio a quatro dias del mes de noviembre de mil[mil] y seiscientos treinta y dos años. [h]estando juntas doña mayor de siguera abadesa en dho[dicho] Combento[convento], y Soror Catalina y Soror Jerónima Méndez, monxas[monjas] professas del dho[dicho] combento[convento] ... y las de monxas[monjas] del dho[dicho] combento[convento] que por todos en treinta y cinco professas en dho[dicho] combento[convento], según lo tienen de costumbre de juntarse para los autos de comunidad.” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 21.

⁷⁸ “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 3.

⁷⁹ “en diz siete días de lo mes de diciembre de este año se presentó ante nos la petición del tenor siguiente muy poderoso ... un nombre de la abadesa monjas y Convento...” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 1.

petition was for the restitution of "dowries and alimentos of Sister Catalina and Sister Jerónima Méndez."⁸⁰ Their place in the case is a significant reminder that professed women, such as the Méndez sisters, would not have been able to litigate on their own. However, this does not lessen the importance of the Méndez sisters' roles in the case, rather, this detail exemplifies how women circumnavigated the limitations of the early modern legal system. The pleito of Santa Bárbara and the Méndez sisters against the Inquisition demonstrates how women experienced legal autonomy when acting as a corporation. The Inquisition's order to seize the Méndez sisters' dowries would have disabled their economic authority, and the convent's economic authority as well. Because the convent could enter the suit as a corporation, the Méndez sisters could challenge legal action that disadvantaged them for being related to a secular individual. Even though individuals such as the Méndez sisters required the convent to litigate on their behalf, they still played a significant role as individuals in the case. A nun's personal connections with secular communities, including family relations, were indispensable for convents and their representatives when building legitimate arguments. In some cases, such as Doña Beatriz Gonzalez's petition, the connections to family and inheritance gave professed individuals an advantage. In the Méndez sisters' case, however, their connection to their father is what motivated the Inquisition to seize their dowries. The convent of Santa Bárbara's case against the Inquisition cannot be divorced from the Méndez sisters and their ties to their father.

The importance of family connection is repeated throughout the document. The brief described how the Méndez sisters were "daughters of the licensed [medical doctor] Jerónimo Méndez."⁸¹ Even though they supposedly forsook their family identity when they entered the

⁸⁰ "las dotes y alimentos de Soror Catalina y Soror Jerónima mendez..." "Pleito fiscal del convento de Santa Bárbara," Archivo Histórico Nacional, 1.

⁸¹ "hijas del Licenciado Jerónimo Méndez," "Pleito fiscal del convento de Santa Bárbara," Archivo Histórico Nacional, 1.

convent, their connection to their father legally affected them. Because Jerónimo Méndez was convicted and sentenced for “the crimes of heresy and apostasy,” their dowries were confiscated, and their financial autonomy was threatened.⁸² The brief summarizes the cause and outcome of their father’s conviction because it is the reason the convent required an appeal. “Among the writing processes, books, and records that are in the chamber of the secret said Holy office, is a criminal process dated and produced against the licensed medical doctor Jerónimo Méndez, an inhabitant of the city of la Coruña concerning the offense and crime of heresy.”⁸³ Even though the brief doesn’t directly name which act of heresy Jerónimo Méndez was tried for, the brief does describe his marriage to a Portuguese woman, so the crime could have been judaizing.⁸⁴

The necessity to summarize the details of Jerónimo Méndez's case portrays the difficulty of completely separating religious and family identities.⁸⁵ After their father was convicted of heresy, the Inquisition confiscated all of his financial assets. “In the day that he got involved [in] the crime, they transferred the dominion and ...of all the goods of the said licensed Méndez.”⁸⁶ The Méndez sister's dowries were considered an extension of his financial assets.

Catalina and Jerónima’s petition described the value of the dowries they were entitled to. “In the opened lawsuit, after having committed said crimes, gave the said monastery with the two daughters, who have and entered professed nuns [with] two thousand and four hundred

⁸² “Los delitos de erexia[herejía] y apostassia [apostasía],” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 19.

⁸³ “Entre las escrituras processos, Libros, y registros que hestan [están] en la cámara del secreto de dho [dicho] Santo Off [oficio] hestan [están] un processo criminal fecho y caussado [causado] contra el licenciado Jerónimo Méndez medico vezinco [vecino] de la ciudad de la Coruña sobre el delito y crimen de la erexia[herejía]” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 5.

⁸⁴ “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 6.

⁸⁵ There is a source that describes the auto de fe in 1631 which Jerónimo Méndez would have been convicted of heresy. The source is located at the Archivo Histórico Nacional, reference number INQUISICION, 4551, Exp.3.

⁸⁶ “el día que fee metio [se medio] el delito se transferio el dominio y... de todos los viene[bienes] de dicho Licenciado Méndez.” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 19.

ducats each.”⁸⁷ These are the dowries that the Inquisition ordered to be confiscated. The convent of Santa Bárbara’s pleito not only demonstrates how personal details influenced convents cases but how complicated it could be for nuns to separate themselves from familial relationships and family identity. Even though nuns theoretically severed ties to their families when they officially joined their convents, the tracing of family relationships in the Santa Bárbara appeal illustrates how the separation of religious and family identity was tenuous.

The author supporting the Inquisition provided some perspectives on convent life and financial autonomy. The author stated, “They sustain themselves through alms, and from them being placed in this lawsuit, very serious scandal is upon them, as well as trouble, because they don’t have resources to litigate or to sustain themselves.”⁸⁸ The author recognizes that convents rely on patronage to maintain and expand the foundation, and the nuns benefit from the community, however, the statement suggests that the convents sustained themselves by patronage alone. The author appears to be under the assumption that the dowries only benefit the individual nuns in the convent. “Because the said dowries were for alimentos of the said two nuns, that tend to spend more [than needed].”⁸⁹ What the author either did not realize, or failed to mention, is that while dowries assisted in individual expenditure all financial assets acquired by convents —whether money, property, or estates— assisted in the financial maintenance and growth of a convent as a whole. Convents entered into litigation not only because they supported

⁸⁷ “En el pleito de abrido despues de [h]aber cometado dhos [dichos] delitos dio al dho [dicho] monesterio con dos hijas[hijas] que en el y entran monxas [monjas] professados [profesados] [con] Dos mill y cuatrocientos ducados a cada una.” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 19.

⁸⁸ “se sustentan de limosnas y de haber se les puesto. Heste[Este] pleito se les sigue gravissima nota y se les haze molestia porque no tienen con que litigar ni sustentarse.” “Pleito fiscal del convento de Santa Bárbara,” 2.

⁸⁹ “Pleito fiscal del convento de Santa Bárbara,” INQUISICIÓN,4550,Exp.4. Archivo Histórico Nacional. Madrid, Spain. Accessed February 17,2022, 1, [http://pares.mcu.es/ParesBusquedas20/catalogo/description/4637473?nm.](http://pares.mcu.es/ParesBusquedas20/catalogo/description/4637473?nm;); “porque las dichas dotes fueron y para alimentos de las dichas dos Religiosas que amar gastado mucho mas,” “Pleito fiscal del convento de Santa Bárbara,” Archivo Histórico Nacional, 1.

their sisters in their cloistered communities, but because the convent community benefited from litigation as a whole when it increased their fiscal assets. As in the case of Santa Bárbara and the Méndez sisters, an order that financially harmed the individuals also affected the convent. The convents economically profited from the lawsuits, and their economic gains mutually benefited the individuals they represented. Even though individuals required the assistance of their convents to litigate, they still exercised individual agency through their religious institutions by participating in the case.⁹⁰ Lawsuits such as the Méndez sisters' demonstrate how professed women were prudent with litigation. They could petition and appeal to secular and ecclesiastical courts depending on their convent's needs. The convent's appeal against the Inquisitorial office of Galicia is just one example of how religious institutions, alongside their cloistered individuals, negotiated for financial autonomy in secular society.

All assets transferred to convents from patronage, dowries, and *alimentos* became permanently divorced from the family estate and name.⁹¹ So when nuns increased their convent's pecuniary assets through litigation, they further reduced their family's wealth. This contradicted the early modern Spanish ideologies of family honor, prestige, and property. The preoccupation with maintaining estates to uphold the family reputation and legacy made convent litigation against *mayorazgos* complicated cases.

A *mayorazgo* is a linked family estate. Rather than splitting the estate among successors as in partible inheritance, *mayorazgos* passed to one heir through the right of primogeniture, specifically to the first-born son. The tradition emerged in the thirteenth century and became popular in Spanish society, which viewed the value of the family name as commensurate to the

⁹⁰ In some circumstances, nuns might have been coerced to participate in lawsuits by their abbess or superior. This appeal concerning the Méndez sisters and the convent of Santa Bárbara does not appear to fall into this category because of the nature of the case concerning the nun's father, and how the outcome affected them and the convent.

⁹¹ Leffeldt, *Religious Women in Golden Age Spain*: 40.

size and value of the family estate.⁹² While women were not barred from inheriting mayoralzgos, most families preferred to name their legitimate sons as successors to the estate. In many cases, if a woman inherited a mayoralzgo, it was immediately passed onto a male relative upon her death.⁹³ So, while women could inherit mayoralzgos, the system favored the male line of succession. Entailed estates such as mayoralzgos amplify the complicated sphere of professed women, inheritance, and litigation.

In theory, only professed family members were restricted from inheriting mayoralzgos. If this restriction was enforced, it should have been virtually impossible for professed women to inherit and administer to mayoralzgos. Elizabeth Lehfeltd described in a lawsuit from her article, “Convents as Litigants,” which discussed mayoralzgo inheritance laws. In the case, a professed nun named Ana Manrique, sued her brother Antonio Osorio Manrique, for not paying the agreed amount of alimentos from her dowry contract. Antonio argued that he could not pay the alimentos because he had authority over a mayoralzgo, which could not be split or given to a professed family member.⁹⁴ The court favored Ana because they referenced a legal code called *Leyes de Toro*, which regulated women’s inheritance of mayoralzgo claims. According to *Leyes de Toro*, a woman’s dowry could be paid from the mayoralzgo.⁹⁵ Because of this inheritance law, the court agreed that Ana’s alimentos should be paid from the mayoralzgo and Antonio lost the case.⁹⁶

While Lehfeltd describes the outcomes of the case, she expresses that Ana Manrique would have lost the case if the pleito was for the administration of the estate, rather than alimento

⁹² Lehfeltd, *Religious Women in Golden Age Spain*: 40.

⁹³ Lehfeltd, “Convents as Litigants,” 652.

⁹⁴ Lehfeltd, “Convents as Litigants,” 651-2.

⁹⁵ Lehfeltd, “Convents as Litigants,” 652.

⁹⁶ Lehfeltd, “Convents as Litigants,” 652.

payments. "The distinction here was between the actual administration of the entailed estate—which would have been legally unacceptable—and the right to payment drawn from property encumbered in the Mayorazgo."⁹⁷ With Lehfeldt's argument in mind, the case that introduced this project, the *pleito* of the Convent San Vicente El Real and Doña Beatriz González de Berrio against Juan Fernández Álvarez, becomes even more distinctive. Rather than suing for dowry payment, the nun Beatriz González and her convent sued for inheritance rights to a mayorazgo.

Doña Beatriz González de Berrio's *pleito* stands against the notion that it would be unacceptable for a professed woman to litigate for administration rights to a mayorazgo. Even though legal codes supposedly excluded professed individuals from inheriting mayorazgos, Juan Ruiz de Soba, the convent's representative, clearly argued for the convent's possession of one. "I place a demand of the provisional possession of the estate about the goods entailed and mayorazgo that was founded by Pedro González the Elder and María Vázquez of Berrio, his legal wife..."⁹⁸ While it was acceptable to litigate for dowry or *alimentos* payments from the mayorazgo under the *Leyes de Toro* legal code, Juan Ruiz's argument centers on neither. Instead, he asserted that Beatriz González should inherit, the "entailed estate and mayorazgo and their goods..."⁹⁹ Juan Ruiz used the word *vínculo*, which denotes a "linked" or entailed estate. *Vínculo*'s definition is compatible with the description of the mayorazgo, and both words are used in the petition. Normally, petitions for dowry payments would use the word *dote* (dowry) as part of the grievance for the lawsuit. The word *dote* is absent from Juan Ruiz's argument.

⁹⁷ Lehfeldt, "Convents as Litigants," 652.

⁹⁸ "pongo demandó de tenuta = sobre los bienes vínculo y mayorazo que fundaron Pedro Gonzalez el mayor y María Vázquez de Berrio su legítima mujer..." "El convento de monjas de San Vicente," *Archivo Histórico Nacional*, 1.

⁹⁹ "vincula y mayorazgo y sus vienes[bienes]..." "El convento de monjas de San Vicente," *Archivo Histórico Nacional*, 1.

Juan Ruiz recounted the line of succession, which started with the founder of the mayorazgo, “Pedro Gonzalez El Mayor”, and ended with the last male direct descendent "Don Andes de Berrio" who "through whose death without [surviving] children, leaves no children to the empty [seat of inheritance].”¹⁰⁰ Juan Ruiz argues the case for Beatriz González through this detailed line of succession. He contended that because Don Andes didn't have children, “through no remaining legitimate descendant [can the estate be passed to] other than the said nun.”¹⁰¹ He explicitly named Beatriz González as the only living descendent who could inherit the estate and proclaimed that he “calls to this lawsuit to Juan Fernández of said city of Segovia that pretends to have right to those goods of this entailed estate and mayorazgo.”¹⁰² While he did not provide a detailed list of Juan Fernández's ancestry, his argument suggested that Fernández's lineage is removed enough from the estate to disqualify him as a legitimate successor.

Juan Ruiz also addressed the traditions which normally prohibited professed family members from inheriting mayorazgos. “And founders of [a] mayorazgo of this type cannot exclude their professed religious descendants...”¹⁰³ This salient detail implies that the restrictions placed on professed family members concerning mayorazgos are invalid because of the type of mayorazgo the family founded. Juan Ruiz's argument reveals how some limitations on professed women were not static and could be manipulated in the legal system. At the beginning of the sixteenth century, King Ferdinand “liberalized” mayorazgo laws, which made it

¹⁰⁰ “por cuya muerte sin dejar hijos la vacante...” “El convento de monjas de San Vicente,” Archivo Histórico Nacional, 1.

¹⁰¹ “por no a quedó otro descendiente legítimo sino la dicha Religiosa.” “El convento de monjas de San Vicente,” Archivo Histórico Nacional, 1.

¹⁰² “lamas[llamas] a este pleito a Juan Fernández de dicha ciudad de Segovia que pretende tener derecho a los vienes[bienes] de este vínculo y mayorazgo...” “El convento de monjas de San Vicente,” Archivo Histórico Nacional, 2.

¹⁰³ “y no poder los fundadores en mayorazgo de esta calidad excluir Religioso descendentes suyos.” “El convento de monjas de San Vicente,” Archivo Histórico Nacional, 1.

possible for non-noble families to found mayorazgos and increase their social standing.¹⁰⁴ It is unclear if Juan Ruiz felt it was the status of the family or the type of entailed estate the family founded that could not exclude professed individuals. It is, however, unambiguous that his argument reveals that mayorazgo laws were more flexible than previously believed. While we do not currently have a documented conclusion to Beatriz González's case, the tenacity with which Juan Ruiz argued for their rights to the mayorazgo's administration reveals how legal restriction did not discourage thorough litigation attempts.

Doña Beatriz González's case is not unique. Further investigation has revealed that it was not uncommon for convents to litigate for dowries, alimentos, and property rights to mayorazgos. There are several cases from the seventeenth century in which nuns and their convents litigated for mayorazgo administrative rights. These cases reside in multiple archives including the Archivo de la Real Chancillería de Valladolid, Archivo Histórico Nacional, and Archivo General de Simancas. The previous notion that it would be unacceptable for professed women and convents to litigate for mayorazgo administrative rights should be re-evaluated.

Litigation was a process in which religious women and institutions could challenge the boundaries between sacred and secular spaces, as well as the boundaries in the social hierarchy. Even though it is Juan Ruiz's argument that voices the details of the case, it is important to remember that the women of the convent are extending their agency through him. It is Beatriz González de Berrio's familial connection to the mayorazgo that provided grounds for the convent to sue for administrative rights, and both the convent and individual would benefit if the outcome favored them. The petition thus illustrates one of the ways women negotiated for financial autonomy through litigation and using their religious institutions.

¹⁰⁴ Lehfeltdt, "Convents as Litigants," 649,656.

What Beatriz González de Berrio's and the Méndez sisters' cases reveal is how convents used litigation to maneuver legal restrictions that attempted to limit their control over dowries, renunciaciones, and mayorazgo inheritance. One of the benefits of cloistered living was the ability to exercise financial agency not available to all women in society. Even though convent litigation provided an outlet for agency, it was restricted. Nuns couldn't litigate over inheritance matters without their convent's representation. Likewise, any trial concessions would become the convent's property. Even though convent litigation exemplifies the ties between cloistered and secular interest, and demonstrates how women exercised agency in the legal system, the complexities of the Spanish legal system both helped and inhibited women's efforts for economic autonomy.

Women, Property Rights, and Litigation

Spain was a litigious society; individuals and institutions across the Spanish empire litigated for a multiplicity of reasons. It was not only royalty and the aristocracy that filed lawsuits. Peasants also sued to protect monetary assets, reclaim debts, and publicly defend their honor and reputation.¹⁰⁵ The secular court system was a place where lawsuits and restitution crossed social boundaries as well. These included peasants suing lords, workers suing employers, and women who sued their husbands over dowry misuse.¹⁰⁶ This allowed marginalized individuals to challenge authority and advocate for themselves.

Many disputes over financial cases were brought to royal courts called *real audiencias*. Real audiencias reviewed appeals from lower courts and issued documents in the king's

¹⁰⁵ Richard L. Kagan, *Lawsuits and Litigants in Castile, 1500-1700* (The University of North Carolina Press, 1981) 90, retrieved from "The Library of Iberian Resources Online," accessed April 21, 2022, 11, <https://onlinebooks.library.upenn.edu/webbin/book/lookupid?key=olbp20872>.

¹⁰⁶ Bianca Premo, *The Enlightenment on Trial: Ordinary Litigants and Colonialism in the Spanish Empire* (New York: Oxford University Press, 2017) Oxford Scholarship Online, 2017, 38, doi: 10.1093/acprof:oso/9780190638726.001.0001.

name.¹⁰⁷ Appeals were not the only cases handled by audiencias, they also dealt with lawsuits that involved inheritance, dowries, and debt.¹⁰⁸ For example, when Juan Ruiz petitioned on behalf of Beatriz González de Berrio, he proclaimed " In addition, the notorious Justice attentive to my present[case] begs to Your Audiencia to order, to give the administration of the goods of this mayorazgo [through the] confidences I offer."¹⁰⁹ Juan Ruiz's address to the audiencia indicates that the petition was being reviewed at that court level but that doesn't mean the nun's case was an appeal. Because the case was concerning family matters and inheritance disputes, it may have gone straight to the audiencia.

Even though women's legal agency had limitations in early modern Spain, widows experienced a measure of autonomy that was unavailable to all women. They could litigate on their own behalf and administer to the estates they inherited.¹¹⁰ It was not uncommon for wealthy widows to either join a convent or patronize one. Joining convents was an appealing option for younger widows who would rather retain control of their finances than remarry and give their new husbands charge over their assets.¹¹¹ For older and wealthier widows, convent patronage was an attractive option for administering property and reinforcing social reputations. Even though widows held more influence over economic matters than married women, this did not mean their financial decisions went unchallenged by relatives and rivals to estate inheritance.

The next document exposes the details of a lawsuit in which a widow and a convent worked together to assert financial autonomy. A trial brief dated 1660, explained that the Countess of Aranda and a convent in the town of Epila contested the contents of the Count of

¹⁰⁷ Kagan, "Lawsuits and Litigants in Castile," 93-4.

¹⁰⁸ Kagan, "Lawsuits and Litigants in Castile," 93-4.

¹⁰⁹ "Otro sí atento la Justicia notoria de mi presente suplica a Vuestra Audiencia le mande darla administración de los bienes[bienes] de este mayorazgo confianzas que ofrezco." "El convento de monjas de San Vicente," Archivo Histórico Nacional, 2.

¹¹⁰ Kagan, "Lawsuits and Litigants in Castile," 86.

¹¹¹ Lehfeldt, *Religious Women in Golden Age Spain*, 42.

Aranda's will. "The Countess of Aranda Doña Philipa Clavero and the nuns of the Purísima Concepción... open to vote on a inventory lawsuit, in which they dispute the value of the last will and testament of the Count of Aranda Don Antonio."¹¹² While women could litigate against their current husbands, aspects of this case imply that the count had passed away. In addition to the suit mentioning the count's will, the brief labeled him as the "Ultimo Poseedor[poseedor]," the last possessor of the estate.¹¹³ Because the countess disputed her late husband's will, this case exemplifies the opportunities and limitations of women's autonomy. Even though the countess, in theory, had financial autonomy as a widow, she was still required to navigate the legal limitations of her husband's will before she could exercise complete authority over her inherited assets.

This case embodies the connections of convents to the outside world through patronage and litigation. The brief insinuates that the countess desired to donate either money or property to the convent, by stressing the nuns' urgent need for assistance. The summary states that delaying the trial, and the possible financial settlement, negatively affected the convent. "Execution of the concessions...that is delayed for a long time in great detriment to the supplicants and particularly of the nuns, whose sustenance and many poor legatees depend on this declaration."¹¹⁴ This statement substantiates the monetary connection between convents and secular society. As stated earlier, convents depended on community support to survive economically. The brief states that

¹¹² "Memorial sobre un pleito de la condesa de Aranda y las monjas de la Purísima Concepción de Epila. Recusación." ACA, CONSEJO DE ARAGÓN, Legajos, 0034, nº 289. Archivo de la Corona de Aragón. Barcelona, Spain. Accessed February 19, 2022. [http://pares.mcu.es/ParesBusquedas20/catalogo/description/3119751?nm](http://pares.mcu.es/ParesBusquedas20/catalogo/description/3119751?nm;).; "La condesa de Aranda Doña Philipa Clavero y las monjas de la Purísima concepción...abren que estando para b[v]otarse un proceso de inventario en que se disputa el valor del Testamento de el conde de Aranda D Antonio..." "Memorial sobre un pleito de la condesa de Aranda," Archivo de la Corona de Aragón, 1.

¹¹³ "Memorial sobre un pleito de la condesa de Aranda," 1.

¹¹⁴ Exécution del privilegio... que se dilate mucho tiempo en gran perjuicio de las Suplicantes y particularmente de las monjas, cuyo sustento y de mucho legatarios pobres depende de esta declaración." "Memorial sobre un pleito de la condesa de Aranda," Archivo de la Corona de Aragón, 2.

the nuns' *sustento* relies on the outcome of the case.¹¹⁵ The use of the word *sustento* (sustenance) can refer to food, monetary donations, and the supplies necessary to maintain stability. This demonstrates how the loss of patronage was not only a pecuniary loss but affected the convent's institutional autonomy and stability.

The countess and the convent exercised individual and institutional agency to litigate and advocate for financial autonomy together. This case not only validates that religious women used the legal system to obtain economic benefits but also stands as an example of women who challenged subjugation and authority. These professed women contested the limitations by remaining connected to secular individuals, communities, and interests.

Economic responsibility over property granted convents (and the women who maintained them) a sense of corporate identity and political authority. Through patronage and dowries, convents could hold titles to multiple towns. This would give the abbess in charge of the convent the power of selecting candidates for responsibilities including the collection of titles and taxes. Some abbesses could have jurisdiction over civil and criminal cases and others influenced who became convent officers.¹¹⁶ This sense of identity and political management melded sacred and secular motivations together. Additionally, though convents acquired land titles and responsibilities, they still needed to defend their assets through litigation when their administrative and financial authority was questioned.

A letter written in 1683 names the legal associates assigned to a lawsuit over an estate in Tosalet and summarizes the parties involved. It portrays two noblewomen engaged in a legal suit with Doña Francisca Tagell and her convent. While the laconic letter does not state which party initiated the suit, it does state that the pleito centered on property rights and administration. "For

¹¹⁵ "Memorial sobre un pleito de la condesa de Aranda,"2.

¹¹⁶ Lehfeltdt, *Religious Women in Golden Age Spain*, 6.

the lawsuit that's pending in the concession of Aragon between Doña Gertrudis Garcia del Híjar, and Cathalan ... of Cardona, with Doña Tagell and the convent and Nuns of the Santissima of Trinidad of Valencia about the place in Tosalet and other goods." ¹¹⁷ This case is undeniably concerned with property rights and administration, but what is less clear is the justification each party has to the estate.

There are many reasons that both the convent and the opposing women could have claimed rights to the property. There are two probable ways the convent could have been connected to the estate. The property (or portions of it) could have been granted through patronage. Secondly, one of the residing nuns could have had inheritance claims to the estate. In this case, however, the individual Doña Francisca Tagell is named in the letter. Because she is emphasized, she likely had a claim to the estate, which could be through family ties, whether as part of her dowry or not. As stated earlier, a renuncia did not always sever ties between the professed women and inheritance claims. This could very easily have been a case where a professed woman, and her convent, felt she has a stronger claim to an estate than her secular relatives. Regardless of whom the estate was originally left to, Francisca Tagell and her convent exercised agency by claiming rights to the estate through litigation.

Another key detail is that the letter uses the title *doña* (lady) for Gertrudis Garcia del Híjar and the nun Francisca Tagell. Doña most often denoted someone of noble status. If this is true for the women in this case, then multiple noblewomen asserted their claims over a valued

¹¹⁷ "Para el pleito entre doña Gertrudis García de Híjar con doña Francisca Tagell, y el convento de monjas de la Santísima Trinidad, sobre el lugar de 'Tossalet'." ACA, CONSEJO DE ARAGÓN, Legajos, 0578, nº 058. Archivo de la Corona de Aragón. Barcelona, Spain. Accessed February 19, 2022, 1, <http://pares.mcu.es/ParesBusquedas20/catalogo/description/2647751?nm> ; "Para el pleito que pende en el conss[concesión] de Aragón entre Doña Gertrudis García del Híjar, y Cathalan ... de Cardona con Doña Francisca Tagell, y el convento y Monjas de la santissima de Trinidad de valencia sobre el lugar de Tossalet y otros bienes." ¹¹⁷ "Para el pleito entre doña Gertrudis García de Híjar con doña Francisca Tagell," Archivo de la Corona de Aragón. Barcelona, 1.

estate. Regardless of whether Doña Francisca Tagell had a renuncia or not, her convent may have utilized her family's social status to reinforce the institution's claim to the estate. This further exemplifies how convents and professed individuals remained connected to family and temporal interests.

Because legal activity was common, it is not the existence of these litigation cases that are significant, but rather what they reveal about women's agency in early modern Spain. Despite the cultural traditions that limited women's ability to administer to property and religious women's contact with secular society; both boundaries were stressed through litigation. Whether the property was awarded through patronage or connected through family inheritance, convents continuously defended financial assets with litigation. They didn't defiantly push against societal conventions, rather like the nuns who quietly wrote to stay connected to the community and express spirituality, they manipulated the existing practices to their advantage. Because litigation for property rights was an accepted and common practice, women and convents used it as a tool for agency.

Conclusion

The study of professed women and litigation is valuable because it emphasizes the lives of everyday individuals who are often overlooked in historical studies. Highlighting political conflicts and resolutions only exposes the experiences of a small group of individuals. Looking at how common, widowed, and religious women navigated legal culture and its parameters, provides more insight into the world of the majority of individuals. The religious women in this study illuminate how individual agency was attained and limited through institutions in early modern Spain. While it is beneficial to study early modern politics and legal systems in terms of defending and subjugating individuals, it is even more useful to analyze how people navigated

those laws and manipulated political limitations to their benefit. Just as it is important to understand the context of why the Council of Trent assembled and issued decrees, it is also necessary to understand how the individuals in society reacted to and adapted to those policies.

The Council of Trent and the Tridentine decrees attempted to homogenize Catholic practice and devotion in the face of a religiously adaptive era. Focusing on the ways religious women resisted the Catholic Reforms demonstrates that despite attempts to regulate spirituality and devotion, individuals in early modern Spain were complex individuals and exemplified a multiplicity of experiences. Despite the efforts to regulate professed women through complete claustration, nuns remained connected to secular society through patronage, family relationships, and litigation. Because convents required charitable donations and patronage to survive, it was inevitable that the institutions, and their cloistered members, would maintain ties to the outside world. Temporal attachments strengthened through family identity and inheritance. Nuns retained aspects of their familial identity to litigate and build cases to establish legitimacy to property rights. The entangled details of dowries, renunciaciones, and alimentos conflated the separation of secular and religious identities and facilitated opportunities for litigation. These divisions blurred as convents acquired property, wealth, and land titles, and the secular responsibilities that came with them.

While most of the documents analyzed for this paper were not written by women, they contained subtle details about their lives and experiences. Even though they are not the main voices in the letters, briefs, and court documents, their stories softly trickle through the rhetoric of legal arguments. This appropriately mirrors the method in which professed women exercised agency. Most did not loudly protest and resist the legal and religious regulations that structured their lives. Rather, they quietly asserted themselves within the parameters of society. Nuns

participated in the legal system and employed their secular connections to negotiate the limitations of their institutional and individual agency. Their soft and simple exercise of agency substantiates the different ways women advocated for themselves in early modern Spain. Just as their physical separation from the community did not equate and spiritual disconnection, quiet acts of advocacy do not equal insignificant resistance.

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