The work of race in colonial Peru[1]

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Is 'race' an appropriate term to describe the affinities and enmities, or the identities and affiliations in colonial Spanish America, a center of the early modern Iberian realms? In the 1970s and 1980s Patricia Seed (1983), Robert McCaa (1979), John Chance and William Taylor (1979), and other U.S. historians of Latin America quantified data, for example, collected from 17th- and 18th-century parish records to ascertain whether colonial Latin Americans distinguished themselves according to class, honor, sex, occupation, or caste – or a mixture of these categories. Race, for these scholars, constituted any of the multiple categories employed by Spanish colonizers and the colonized, to mark themselves and others as *mestizo* or *mulato*.[2] Subsequently, historians suggested race was both a social construction and a biological fact and agreed regarding its imposition by colonizers (Cope 1994: 15, 23; Fisher/O'Hara 2009: 6). Since then, historians have questioned whether 'race' was a suitable term to describe the ways that colonizers, enslaved men and women, and indigenous inhabitants claimed their identities and marked their differences in the 16th, 17th, and 18th centuries (Fisher/ O'Hara 2009: 8; Tavárez 2009: 82). For instance, colonizers

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2 In colonial Latin America, *mestizo* or *mestiza* could mean a person who was of mixed indigenous and Spanish descent, but also referred to an indigenous person who took on colonial or Spanish cultural characteristics. In contrast, *mulato* or *mulata* indicated a person of African and Spanish descent, and also indicated a person who spoke Spanish, dressed like a free person, and lived among Spaniards, indigenous people, and other people of mixed cultural characteristics.

and colonized did not employ only fixed, physical characteristics, critical to a modern definition of race, to describe themselves or others. Colonial terminology, in addition, emerged from the religious context of medieval and early modern Spain where Muslims, Jews, and Catholics were associated with a particular lineage or *casta*. Following this historiographical tendency to maintain fidelity to the historical specificity marked by the term, in my Ph.D. dissertation I claimed that the term *casta* was a more appropriate way to label colonial terminologies such as *negro*[3] and 'Indian' that circulated throughout the Spanish Americas (O'Toole 2001: 4). In addition to referencing origin or descent, assumed class, or cultural affect (previous definitions of *casta*), I examined how everyday people employed the names they were called, or their castas. Recognizing the malleability of *casta*– or what I theorized was a performance of identity – I argued that people who inhabited colonial Spanish America noticed speech, language abilities, and clothing as much as, if not more than, physical characteristics. Simplistic notions of race, it would seem, could not be applied to a multi-faceted colonial reality that included slavery, violent labor impositions on indigenous communities, and resource extraction to global markets including tribute collection.

To describe the colonial Latin American past by employing the term 'race', however, illuminates a key colonial logic. Reversing the position I took in my dissertation, following the publication of my monograph I find that 'race' is the most appropriate to describe how people of the colonial Spanish Americas articulated colonial categories of difference. Defined by Sebastián de Covarrubias y Horozco in his 1611 Castilian dictionary, *casta* referred to 'lineage' as well as 'offspring' (Covarrubias [1611] 1994: 316). Thus, according to María Elena Martínez, racial discourse emerged from Iberian ideas of blood purity that began with the policing of religious distinctions in Iberia and was transferred to the Americas as gendered concerns with ancestry and descent. In other words, while Muslims and Jews (identified or hidden) made Catholic rulers and their proxies anxious in the Iberian kingdoms, by the 16th and 17th centuries, a discourse of feminized Indians and masculinized blacks circulated in the Americas (Martínez 2008: 61, 158-159, 169). In a colonial setting, the work of race therefore signifies radical economic, political, and economic changes constituted by institutions such as slavery and those that policed indigenous communities. The construction of colonial Latin American race, took place along multiple axes, with cultural expectations informing how Spanish colonial officials imagined, and eventually attempted to fix, the legal and cultural

3 In colonial Latin America, *negro* or *negra* meant an African or an African-descent person as well as a person associated with slavery.

locations (for instance) of Africans, indigenous people of the Americas, and their descendants. As Laura Lewis (2003: 69), Martínez (2008: 221), and I (O'Toole 2012: 86, 150) have found (among many scholars), colonial legislation favored indigenous people partly because Iberian religious state ideology came to conceive of sedentary native groups as naïfs who could conform to Catholicism and therefore deserved land rights and protection as native vassals. Additionally, Martínez describes a colonial construction of blackness that criminalized men of African descent (2008: 158), and in my recent work I point to a legal exclusion of Africans and their descendants (O'Toole 2012: 36, 123). Martínez deftly illustrates that medieval and early modern elite concerns with descent and blood transformed into the marking of racial otherness in the colonial context through assumed cultural characteristics and physical manifestations. While fictional and performative, colonial race was fixed and fixing in ways that discriminated against indigenous and African peoples in the Americas.

In recent historical studies, the term 'race' also performs analytical work to remind us of how authorities, colonizers, intermediaries, and other participants constructed colonial institutions. Slavery, tribute collection, distribution of land, and membership of guilds (as well as other powerful systems) exploited categories of people based on cultural conjecture regarding their perceived differences. Why not employ the historically specific term *casta*, the one found in the historical documents composed by the colonizer and the colonized in the 17th century, in these instances? Undoubtedly, whether they were referred to according to *casta* or race, or whether they were understood as *mestizo* or 'Indian', *morena* or *negra*, had material, political, and legal consequences for the majority of colonial Latin American inhabitants. The term 'race', in my estimation, draws our attention to the ways in which situations became fixed in legal language that – even given the plurality of the law in the 17th century (Benton 2002: 6, 11) – illustrates how the Crown and colonizers attempted to impose order and exact labor. It appears that the choice to engage the analytical, historically fraught, and culturally specific term of race appears to be made according to whether scholars wish to engage with the political consequences of categorization. In other words, not only does the term race indicate a forceful fixity of a colonial reality that included slavery, as well as early modern global economies that relied on indigenous labor, but race also signals an imbalance of power that was located within the multiple structures of Spanish rule. Spanish colonial rule under the Hapsburgs, therefore, was not merely a form of paternalistic neglect, but one of the world's most dynamic empires, which infused the world with silver currency based on industrialized, paid indigenous labor while also jump-starting the transatlantic slave trade. Is it then possible to

theorize how *casta* in colonial Latin America did the work of race as we would understand it in the modern Americas?

Lastly, why not employ the notion of ethnicity to describe these markings and exclusions? Ethnicity was a critical criterion of identity in colonial Latin America, since, for example, indigenous communities developed (or continued) clothing styles to suggest rank and occupation, just as the African Diaspora articulated their *naciones* or ethnicities through religious practices and kinship formation, all critical characteristics of ethnicity (Graubart 2015: 194, 196). Indeed, further elaborating a definition of ethnicity, the term can point to how cultural characteristics including language, residency, and foodways both bound and separated colonial communities (ibid: 192, 195). More pointedly, modern discrimination based on ethnic distinctions in the Americas has denied communities their rights as citizens, targeted groups for genocide, and led to a host of economic and institutional exclusions. To choose between the terms 'race' and 'ethnicity,' or *casta*, *calidad*, or any of the other terms invoked by colonial Latin American historians, however, is to call upon particular intellectual histories. Most especially in the Andes and in Mexico, academic use of the term 'ethnicity' or 'ethnic' has served to elide discussions of slavery's impact, colonial exclusion of land distribution, and state-sponsored discrimination. In Peru, nationalism based on Inca identity, and in Mexico the post-revolutionary hegemonization of regional indigeneities, have served to erase the differences between native populations as well as the complicated national histories of Africans and their descendants. In addition, race has operated in the Andes as a negative descriptor. As is astutely explained by Marisol de la Cadena, because Peruvians, from early 20th-century intellectuals to present-day academics, have subsumed physical markers beneath cultural distinctions, racism becomes a cultural impossibility in the Andes (De la Cadena 2000: 3, 5). Likewise, Mary Weismantel's keen analysis of how Andean 'racism' becomes wrapped up in a rejection of 'race' exposes why both lenses are so profoundly discarded (Weismantel 2001: 92). These and other scholars indicate precisely why other Andeanists, including myself, actually silenced the work of race by delving into the history of casta or other terminologies deemed more historically accurate. Indeed, my choice to employ race, as a historian of colonial Latin America, is, in some ways, an election to engage in a historical accounting that is as much about the present as it is about the past. In the case of my own research and writing, the term 'race' helps to name the distinctions between Africans and Andeans that were not solely ethnic, or about cultural differentiations, however violent, but about imposed legal, religious, and

ideological distinctions that, in turn, became useful to both the enslaved and colonized.

THE WORK OF RACE

In the mid-colonial period, or the 17th century, indigenous people who served *mita*, people of African descent who were enslaved, or many people who sold their labor were marked according to a racial categorization. For example, though capable of recognizing broad distinctions, Catholic clerics and Spanish authorities infused the juridical category of 'Indian' with expectations of service. Indigenous communities who converted, settled, and agreed to pay tribute (in labor or in kind) were 'awarded' royal protection as native vassals, or members of the Republic of Indians. As I argued, from their racial location – a constructed and powerful legal category of difference – indigenous people were therefore able to take advantage of limited powers when they correctly 'acted' as Indians or in accord with colonial expectations of docile and child-like subjects (O'Toole 2012: 65, 76). Africans and their descendants were not afforded a similar judicial location; there was not a 'Republic of the Blacks' in colonial Spanish America, and enslaved and free Africans and their descendants were not afforded the status of native vassals. Their *casta* of black often functioned as shorthand for 'slave'. Judicially active and astute in the marketplace though, Africans and their descendants appealed for some limited form of protection against extreme abuse, and requested for some guarantee from ecclesiastical courts to guard against the separation of wedded spouses. Imposed by colonial authorities, slaveholders, and local officials, racial categories perpetuated how Andeans, Africans, and their descendants would experience their exploitation within a colonial society that depended on slavery.

Race also marked and created the means of obtaining freedom. In my current project regarding the meaning of freedom in colonial Spanish America, I find that in notarized manumission agreements that relied on individual negotiations, enslaved and freed people rearranged their racial identities within the web of paternalistic relationships with slaveholders. Often, in their attempt to secure legal freedom, the person attempting to gain individual manumission, or for a member of their family, would document exchanges of funds or agreements of debts and payments that were separate from the official 'letter of freedom'. The contrast between the two documents, the manumission agreement and the debt agreement, could allow enslaved people to identify their relationship with slaveholders and ex-owners as more financial than familiar. Racial categories

were crucial to these distinctions. For example, in the official manumission agreement, a slaveholder referred to one Catalina del Risco as "my *negra* [black woman], my slave" (ADL. Cortijo Quero. Leg. 124 (1714), f. 168v). In the debt agreement that followed in the bound notary book, Catalina del Risco named herself not only as free, but also as a *morena*, or a 'brown woman' (ADL. Cortijo Quero. Leg. 124 (1714), f. 170v). Though Risco agreed to pay 470 *pesos* and remain in the provincial city of Trujillo on the northern Peruvian coast until her debt was paid, she had transacted a change in her race.

In this context, the deliberate use of specific racial categories shifted a person from their status as slave to a status as free person. Her claim was not about culture or clothing. Risco employed a term to affect an institutional change. The transition, however, was difficult. It could take years for enslaved people such as Risco to save the necessary funds to pay for their freedom and that of their family members, and their strategies included borrowing money from multiple parties. Rather than wait until they had collected the complete amount, however, enslaved people would also seize upon an opportune moment such as the death of an owner. One such example is Catalina de Ayala, who promised to pay her deceased owner's testator 401 *pesos* within three and an half years as part of her manumission payment (ADL. Salinas. Leg. 232 (1673), f. 563). Debt agreements around manumission arrangements bound legally free people into new obligations, but also allowed women and men to participate as subjects who would pay, rather than objects who would garner payment. Clara de Carbajal entered into a debt agreement for 410 *pesos* to pay for her manumission from the Santa Clara convent, which totaled 600 *pesos*. She agreed to repay the large sum within a year, but also shifted the language in her official manumission papers (ADL. Ximeno Bohórquez. Leg. 82, Escrituras 15 (1662), f. 137). At the beginning of the document, the notary referred to Carabajal as a *negra criolla*, or a black woman from the Americas, but when discussing the payment in full, switched to identifying her as *morena* (ADL. Ximeno Bohórquez. Leg. 82, Escrituras 15(1662), f. 135v). In this case, a change in her racial self-description worked to secure Carabajal's position as she labored to purchase her freedom. Ethnic or cultural changes may also have occurred during this transaction, in that Carabajal may have moved to another neighborhood or altered her manner of speaking. The notary evidence, however, provides evidence that most pointedly she, and others, used the change in racial category to distance themselves from slavery.

The racial terms *morena* and *moreno* ('brown woman' and 'brown man' respectively) could also work as a way to maintain people's association with the status of free individuals, even when they felt the pull back to a status more similar to bondage. As can be imagined, those who had gained their legal

freedom often defaulted on their debt agreements and found themselves making unfavorable arrangements to pay the price of their freedom. Ana María de Santa Cruz explained that she owed *don* Diego Rodriguez de Gusman one hundred *pesos*, and in compensation for the loan she also agreed to serve him, along with her young son (ADL. Cortijo Quero. Leg. 104 (1688), f. 383). Like Ana María de Santa Cruz, in apprenticing her son to a hatmaker, Ana María retained her self-identification as free *morena*, but called her child a *negrito*, or 'little black one'. Though Ana María had gained and maintained her own freedom, her son was entering into another form of servitude, which she marked by using this distinct category. These transitional spaces were dangerous and could provoke free women and men of color to grasp onto the terms *morena* and *moreno* in order to maintain their legal status while they entered into a gray area of contracted servitude. Juan Delgado's notarized agreement read like a standard indigenous laborer's contract, while Feliciana de Ozerin agreed in 1666 to serve as a cook, laundress, and "all the rest that is ordered" on a ship – surely a difficult job for the only woman on board – in exchange for ten *pesos* a month and fifty in advance (ADL. Suárez del Corral. Leg. 242 (1661), ff. 550 – 550v; ADL. Ortiz de Peralta. Leg. 190 (1666), f. 588v). In the shaky terrain where they had gained a legal free status but were still working through a number of economic arrangements to secure their status, freed people of color employed racial categories to stake out what could be rather unstable positions.

Most critically, claiming to be a *morena* or a *moreno* meant a clear separation from the racial categorization of 'black' as slave. As Michele Reid-Vazquez has explained in the context of the way in which Cuban men of color employed colonial militias to mark themselves apart from civilian populations (Reid-Vazquez 2011: 129), free people of color in Trujillo employed racial terms to distinguish themselves from slaves. When selling their own slaves in notarized agreements, free men and women referred to themselves as *morenas* and *morenos*, in contrast to their slaves, who they referred to in the notarized documents as *negras* and *negros*. Illuminating the importance of this distinction among free people of color, when *doña* Escolástica de Toledo Pancorbo and the Royal Treasurer, Cristobal de Egurca, identified Antonia de Toledo in an agreement where they had agreed to exchange slaves, they called her a *negra criolla.* When it became her turn to voice her part of the agreement, she subtly but critically corrected the elite couple. She identified herself as "I, the said Antonia de Toledo *morena*" to clearly distinguish herself from her *negra* (her slave) as well as what the Spanish-descent slaveholders had called her (ADL. Ortiz de Peralta. Leg. 196 (1672), f. 205). There were certainly material distinctions that Toledo wished to mark between the free *negra* she had been

labeled as and the free *morena* she took herself to be. In the transaction between this woman, who was free but could claim no other titles, and one of Trujillo's most powerful couples, the racial term *morena* worked to secure her position – certainly not as an equal, but at least as worthy to engage in the market transaction.

Indicating how free people of color employed the power of a term like *morena*, other free women of color could be relegated to the category of *negra*. Antonia de Toledo was especially vulnerable around Trujillo's most elite. In another exchange of a slave, *Capitan don* Juan de Zevallos, a legally recognized gentleman and city resident who represented *doña* Escolástica de Toledo Pancorbo, demoted Toledo by referring to her as a free *criolla negra*. Still, when the notary turned to Toledo for confirmation regarding the money that would be exchanged, she used the moment to identify herself as a *morena* (ADL. Ortiz de Peralta. Leg. 196 (1672), f. 203). As Michele Reid-Vazquez and Kimberly Hanger have suggested, free women of color negotiated honor in their public displays and employment (Hanger 1997: 98; Reid-Vazquez 2011: 40). If Toledo, like other *morenas* in Trujillo, earned her living from her slaves' daily wages, petty merchandising, and debt management, then her reputation was exceptionally critical to her financial wellbeing. More than merely a cultural marker, their status as *morena* allowed free women of African descent to guarantee that they could engage in the market according to their own volition, and therefore be able to engage in the debt-credit economy that predominated in the colonial Andes.

In addition to distinguishing free people of color from the enslaved, peers were more likely to correctly employ the terms *moreno* and *morena* than Trujillo's elite. In my extensive study of Trujillo's notary records, a scribe's widow, a temporary resident, and a *ladino* indigenous man, immediately named the partners in their transactions *morena* or *moreno*. In these cases, the terms *morena* and *moreno* worked as an adequate nomenclature not only of the people but also of the relationship. Free people of color, like others of modest but adequate means, could work to make a store profit, or pay the rent on a house, as did Agustina de Bracamonte and Catalina de Jesús y San Joan (ADL. Cortijo Quero. Leg. 101 (1681), f. 179; ADL. Cortijo Quero. Leg. 106 (1692), f. 219v). In some cases, *morena* or *moreno* was easily employed in the notarial document – for example, when free people of color like Juana Sanbrossia lent money to a merchant who did not employ the honorific don (ADL. Álvarez. Leg. 83 (1653), f. 328v). Though the official documents were written by a notary, in their use of *moreno* and *morena* these middling urban landlords and petty merchants who were not identified as free people of color indicated that they recognized

morenas and *morenos* as independent, responsible, and worthy of engagement in financial transactions. In this way, those who were not free people of color undertook the task of communicating the value of racial categories to themselves and to others.

CONCLUSIONS

Moreno and *morena* marked a thin line that was carefully policed between those who were free and respectable, and those closer to slavery. Free people of color employed these and other terms to maintain their distance from the enslaved. Since the time between slavery and freedom could extend indefinitely, in the seventeenth and early 18th centuries, when those who had secured a legally free status often continued to pay their debts, multiple markers were necessary. Surely there were ethnic distinctions. Free people of color tried to change their residency, their clothing, and other cultural markings, which were also significant ways to change their status. At the same time, there were clearly material consequences of either the invocation or the dismissal of the terms *moreno* or *morena*. Those who referred to themselves using these racial categories worked to assure their positions as free people, a status that meant they, unlike slaves, were capable of being responsible for debts, keeping their own households, and serving in the local militia. The categories of *moreno* and *morena*, therefore, carried the financial possibilities of freedom when employed by a free person of color or their peer. It would remain to be seen how these economic and military positions would translate into dominant political positions in the later 18th century.

Indicating the discriminatory uses of race, Trujillo's elites could deny free people of color their claim to the status of *moreno* and *morena*. With the exception of one or two wealthy free people of color, most *morenos* and *morenas* inhabited this status tentatively. By labelling them with another racial category such as *negra* (through a public performance or a legal exchange), a slaveholder or wealthy patron demoted a free person of color and reduced their abilities to maintain their freedom by associating them with the category employed for slaves. These terms, therefore, performed racial work in that the labels themselves affixed, people to material positions, though they could also unfix. Hardly an example of class in the modern sense, race work in the 17th century included the cultural manipulations of casta terminology. Legally, free people of color had gained their manumission papers, but economically as well as in day-to-day relations they continued to struggle to maintain their positions.

These activities could be cultural, legal, and economic, or a combination thereof. In this case, the work of race marked the distinctions between those allowed into credit networks and those who were excluded based on complicated formulations of performances of loyalty, Catholic sensibilities of debt, and the intimate labor of social bondage. Hardly modern and codified, but likewise, though changeable, not simply fluid, the status of free people of color depended on how they could gain access to these multiple valences of the work of race. Regardless, when a person named someone a *moreno* or a *morena*, or named themselves thus, they engaged in a construction of race particular to the mid- to late 17th-century Trujillo, and one that was both useful to and binding of free people of color, and one that worked.

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