ASSESSING SOCIOECONOMIC AND CULTURAL ROLES: WOMEN IN LATE COLONIAL PASTO

A Thesis

Presented in Partial Fulfillment of the Requirements for
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By

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Adding to the historiography of lower-class women in the urban centers of the transitional areas in Spanish American colonial societies, this study establishes the roles of Indian, mestizo, and slave women in the economy and culture of late colonial Pasto. Exploring the Spanish documents 'against the grain,' the study traces the activities and cultural assumptions regarding those women in testaments, deeds, court records, censuses, letters and reports from the emissaries of the crown and the church, and colonial legislation affecting women.

Female weavers, vendors, cooks, seamstresses, domestic servants, washerwomen, aguardiente distillers, kneaders, and the like, constituted a crucial group of the labor force of the city, providing food, shelter and an environment suitable for life. In the process, they became subordinated by their upper-classes female and male counterparts, shaping an informal network of commercial and credit activities, that enhanced wealthy women's fortune.

The colonial society of Pasto in the late eighteenth century maintained patriarchal views on female sexuality and the notions of honor and sexual virtue intended to control women's individual lives of all social orders. A great number of sexual transgressions challenging
sanctioned standards occurred in the daily life, demonstrating that at the more intimate levels of women's lives the institutions of social control proved unable to intervene effectively.

The notion of honor were maintained among the elites, for whom it functioned as a means of preserve and increase wealth as well as establishing social and ethnic differences as the basis of prestige. However, marriage and family were institutions threatened by the high incidence of adultery, concubinage, abandonment, illegitimacy and single motherhood.

Indian and slave women, legally excluded from many rights accorded to men and white women, resisted in various ways the impositions of the church and the state. Striving to survive unprotected in a society that accorded to them the lowest status, they resorted to the scarce legal resources at hand, and at times they confronted directly the attempts by the church to tie control on their lives.
To Mateo and Lucas, for existing.
ACKNOWLEDGMENTS

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RESEARCH WORKS


FIELDS OF STUDY

Major Field: Latin American History
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<tr>
<td><strong>ACC</strong></td>
<td>Archivo Central del Cauca, Popayán. (Cited by Signatura [Sign.], Fondos [sections]: Judicial [J], Civil [cv], Criminal [cr], Independencia, and by folios)</td>
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<tr>
<td><strong>AGN</strong></td>
<td>Archivo General de la Nación, Bogotá. (Cited by Fondos: Visitas del Cauca, Visitas del Cauca y Bolívar, Tributos, Encomiendas, Censos de Varios Departamentos, Justicia, Independencia, Curas y Obispos, Empleados Públicos del Cauca. The microfilms are cited by rollos [rolls number])</td>
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<td><strong>T</strong></td>
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<td><strong>ff</strong></td>
<td>Folios</td>
</tr>
<tr>
<td><strong>ANHE</strong></td>
<td>Archivo Nacional de Historia del Ecuador, Quito. (All the documents consulted are from the Fondo Popayán, and are cited by year, caja [box number], and by folios)</td>
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<td><strong>FAHMP</strong></td>
<td>Fundación Archivo Histórico Municipal de Pasto. (Cited by caja. All the documents belong to the fondo Cabildo de Pasto)</td>
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<tr>
<td><strong>NPP</strong></td>
<td>Notaria Primera de Pasto.</td>
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<tr>
<td><strong>LC</strong></td>
<td>Libros Capitulares</td>
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<tr>
<td><strong>RC</strong></td>
<td>Royal Cédula</td>
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Spanish proper names for people and geographical locations have been adjusted to contemporary spelling. All translations from Spanish documents into English have been made by the author.
INTRODUCTION

This research is a preliminary investigation of women's roles in the society and culture of colonial Pasto, a medium-sized city in southwestern New Granada—a transitional area of the Spanish American empire. The present study intends to assess the position of women from the lower strata by examining their participation in the colonial urban economy and exploring their social status and the cultural constructions that represented them in daily life.

The city and Province of Pasto had been a border region since pre-Hispanic times. From the Spanish conquest through the Independence period in the early nineteenth century, the jurisdiction of the Real Audiencia of Quito (the juridical-administrative district of Quito) included the Pasto region to the north. This Audiencia was integrated into the Viceroyalty of New Granada by the Bourbon Reforms in 1739. With the Independence, in 1810, the former New Granada split into contemporary Colombia, Venezuela, and Ecuador. The city and the Province of Pasto thus became one of the southern border regions between the two countries. Located in the core of the northern Andes, the city lies on a crossroads linking 1) the western Andean foothills along with the low tropical forest of the Pacific plain to the Amazon forest and, 2) the main trade and administrative centers from the North--Popayán, Santafé and Cartagena--to their counterparts in the South, Otavalo and Quito, the main gateways to the southern Andes and the south Pacific coast.
In the early sixteenth century the region attracted Spaniards because of the existence of abundant Indian labor and fertile lands, which determined the predominant agrarian character of the colonial economy in the Province. In the late eighteenth century, Pasto was largely a Hispanicized city, with a significant population of castas (mixed bloods), particularly mestizos from the lower and middle classes. A great number of indigenous peoples located in the surrounding areas occupied the territories of the resguardos (community land allocated by the crown), living in agrarian tributary communities. They provided foodstuffs and textiles for the urban market and Indian women worked as domestic servants in the vecinos' (Spanish upper and middle class people living in the town) households as well. The city was also the base of the white élites of landowners, encomenderos (holders of encomiendas, grants of labor). There were also some middle-class and poor whites living in the city.

In the late eighteenth century, a process of intense miscegenation had taken place, defining a multicultural landscape where African and indigenous peoples along with white Europeans had met long before in the colonial arena. The city had important commercial ties with Quito in the South and Popayán in the North, importing European consumer goods and selling a small number of items, such as textiles and cloth. Pasto also had an intermitent trade in slaves and goods with Barbacoas, a gold-mining area in the southwestern Andean foothills of the Pasto province. Pasto, a city of the second rank in the Viceroyalty after Santafé and Popayán, was an urban space in a transitional area with extensive cultural interaction, where one can observe how the colonial system worked somewhat differently from the central areas of Mexico and Peru.
This study will examine the position of women in such an urban colonial society by the late eighteenth century, focusing especially on women from the lower classes—references to élite and middle class women will appear when deemed necessary in order to establish cross-class comparisons. Indigenous and slave women worked as servants in the élite and some middle-class households. The household and the marketplace were spaces where mestizo, poor white and indigenous women combined the multiple tasks of being mothers, wives, and workers. Participating in a great variety of productive activities such as cloth making, weaving, food and beverage preparation, domestic services, and commercial activities of all sorts, lower-class women entered into a series of socioeconomic relationships in a position of subordination to male and female merchants, and encomenderas (female holders of encomiendas) and encomenderos. The subordinate position of those women, along with their ethnic and gender condition, defined their social status, which I will study along with the cultural assumptions and values affecting their lives.

This study examines the position of indigenous women, mestizas, black female slaves and poor white women, social groups until recently ignored by historians. The focus of this research is the main loci of women's activity during the late colonial era, namely, the urban economy and the more intimate spaces of sexual and family life. The workplace was a particularly fluid one, however, since women usually combined domestic activities with those other outside the household, from which they made their living. With the exception of the domestic servants, there was not a fixed work place for such women.

Sources and Methods

One of the major obstacles faced by studies of marginalized groups is the paucity and dispersion of the primary sources available in colonial archives. A painstaking search is required in order to find
documents that directly or indirectly offer information about these groups who had little opportunity to make any kind of transaction, participate in business activities, or enter into most contracts. The lack of documents dealing explicitly with women has encouraged scholars to uncover new sources, which illuminate the economic activities of these groups and their social and cultural roles. Thus, testaments of women from different social classes shed light on their relationships with one another and with male merchants as well. Deeds recording transfers of real estate permit to assess the importance of low-scale transactions in which poor and middle-class women participated. Testaments, deeds and court records also allow alternative readings. They play a major role as cultural texts since they convey the colonial discourse in which social values and cultural assumptions regarding women are vividly portrayed. Such documents also reveal the tension between the socially expected behavior for women and their actual behavior as they lived their lives. The reports of the visitadores (emissaries from the Crown in charge of enforcing colonial policies) are unique because they provide privileged insights into the prevalent patriarchal views regarding society and women. They represent the very essence of the dominant colonial discourse. The views of the 'other,' the colonized, expressed by these crown officials is crucial in evaluating the social and cultural forces at play in the colonial environment. Language, in short, is very important in reading documents 'against the grain,' since it conveys cultural meaning. This approach to reading documents is essential in appraising the cultural position of women in society. The present study is, then, based on both the primary sources from different colonial archives of Colombia and Ecuador, and on the very scant secondary literature available for studying the colonial society of Pasto in the late eighteenth and early nineteenth centuries.

The time frame of this research allows the analysis of an urban colonial center in a transitional area in its mature stages. The late
eighteenth and early nineteenth century is also a period for which archival documents are more accessible, since the colonial administration was more interested in recording demographic and other social information in that period. For the specific purpose of studying the division of labor in the late colonial period, statistical data from 1851 was taken since the structure of the Pastusa urban economy showed little change during the first half of the nineteenth century.

**Historiography on Women From the Lower Classes in the Region**

Transitional areas within the colonial economy and society, such as Pasto, and women's history in such an urban and colonial arena, have received particularly scant attention. Nevertheless, women's history in colonial New Granada (the broader geographical context of this research) is a field slowly gaining scholarly interest. Gender studies in this area have addressed four issues: 1) theoretical considerations in studying women's history in Colombia, 2) women and the family in colonial New Granada, 3) the problem of cultural representation of women during the colonial period in New Granada, and 4) the participation of women in the social movements of the late colonial period. Studies on colonial Ecuador and Peru also have focused on the socioeconomic position of women and their roles in the social movements of the late colonial and independence periods. These studies are worth mentioning since Ecuador and Peru are two countries whose past, specially in their Andean zones, have been linked inextricably to that of colonial Pasto since pre-Hispanic times. There are a few studies focusing on these two areas that assess the great variety of productive activities performed by indigenous women in urban areas, which help to understand the emergence of an informal network of commercial activities and the structure of occupational activities of women in late colonial Pasto.

Gabriela Castellanos et al and Suzy Bermúdez discuss theoretical considerations, establishing that language is crucial in the
construction of discourses of gender, specifically at the level of the colonial legal codes. They found that the concept of femininity in the colonial society was socially and culturally constructed through prescriptive literature, religion, and cultural values such as honor, prestige, dignity and a sense of shame. These studies provide useful elements to analyze the social and legal position of women in the colonial society of Pasto, since they illustrate with examples from daily life how the concept of the feminine is constructed.

Women have also been studied in the historiography of the colonial family of New Granada. Pablo Rodríguez studies women's status within marriage and the predominant family forms. Supplementing such topics, Maria Tereza Pérez has focused on illicit sexual relationships in the eighteenth century. Rodríguez has established that the basic familial organization was the conjugal family based on married couples of mestizos, whites and mulattoes. The colonial urban family in New Granada was fairly frail and unstable. Thus, concubinage, children born out of wedlock from unknown fathers, and single women living in illegitimate unions, were often individual responses to the rigid and contradictory matrimonial legislation of the State and the Catholic Church. In the same vein, Pérez explores the character and circumstances of sexual transgressions according to gender and social condition and the dynamics of the juridical system regarding such behavior. She establishes that the state and the church strove to control and model the relationships between the sexes through rigid patterns of proscription, denial and shame. These studies provide a broad view of the nature of the colonial family and deviant behavior which seemed to manifest contours similar to the family and society of colonial Pasto as seen through court records, testaments and reports of colonial administrators.

Research on the cultural perceptions of women by society has established that the imagery brought to America by the Spanish since the
conquest has shaped the historical representations of women in people's minds. The cultural construction of the feminine image was based on a symbolic representation of women as both dangerous and inferior—the witch, and the incomplete macho, for example. This representation was conveyed by both aboriginal myths and mestizo legends, assuming that mythical thought is a symbolic representation of the unconscious meaning of social values. These imaginary representations illuminate the process of the formation of feminity as a social construct. On the other hand, underlying such representations is the clash between Renaissance European culture and the magical views of the universe of the indigenous and African cultures as they met in the colonial arena. These studies identify pivotal elements that determined the cultural definition of femininity as an expression of the cultural encounters operating in the Americas since the Spanish Conquest. Most of these elements were, indeed, present in the cultural context of colonial Pasto, and one finds them underlying the colonial documents as cultural texts.

Women from different social statuses seem to have been particularly active in rebellions against the colonial rule. A few studies of the social movements in the Andean zone (Colombia, Peru and Ecuador) in the late colonial period suggest that some insurrections were family enterprises led by charismatic female leaders. Women contributed to the Independence movement in a great variety of ways—ranging from being simply an emotional support to their male patriot relatives to fighting, themselves, in the battlefields—which attests to the social and political roles of these women in the demise of the colonial system. Since women in late colonial Pasto played similar roles, these studies permit the establishment of points of reference to identify commonalities and particularities of this phenomenon in different areas.
From the present review of secondary literature one can see that, despite the interesting findings of these works and their eventual usefulness to this research, the studies focusing directly on the socioeconomic position of women in the Pasto region are virtually nonexistent. The same can be said of studies on the economy and culture of many other middle-sized cities of New Granada during the colonial period. Such an absence of works at the local level for Pasto and the larger jurisdiction of New Granada prevents this study from doing further comparisons and finding regional contrasts of the various gender patterns suggested for Pasto. This study attempts to overcome such a difficulty by referring to studies in other regions of colonial Latin America, and the very few available for New Granada. The history of women of the lower classes at the local level in colonial regional centers, certainly, deserves more attention from scholars.

Nonetheless, the growing number of studies focusing on the private sphere of women's life in colonial Latin America have proved useful, since they allow one to make regional comparisons and suggest tentatively some new patterns. Studies of cultural values and mentalities such as honor, and gender assumptions of sexuality, which shaped crucial aspects of the personal and social life of women such as marriage and family, offer illuminating approaches to understand the social and cultural position of women in colonial Pasto. Focusing basically on colonial Mexico, Brazil and Argentina, scholars such as Asuncion Lavrin, Susan Socolow, Ramón Gutiérrez, Patricia Seed, and Ann Twinam, establish, in broad terms, the ideas and expectations of the institutions of social control regarding women's behavior in the private sphere. Simultaneously, they point to the most visible gaps between such prescribed behavior and the realities of colonial women's daily life. These studies shed light specifically on the issues of female sexuality in late colonial Pasto such as honor, marriage, family and various forms of sexual transgressions. Some of these studies address
the changing role of the church and the state in the private lives of the people in crucial matters such as marriage choices during the colonial period as well.

Particularly interesting is the debate about the freedom of choice by the couples in marriage decisions and the concepts of love and honor in the colonial society of New Spain. Patricia Seed maintains that the church validated and supported the free will of children against parental control for most of the sixteenth and seventeenth centuries, following the dictates of the Canon law and the cultural assumptions of love and free will as the legitimate reason for marriage. However, according to Seed, with the emergence of capitalism, new ideologies and cultural assumptions about love and marriage emerged as well, stressing patriarchalism and a more pragmatic view of love. With the Bourbon reforms in the late eighteenth century, the church started losing control over the private decisions about marriage, and the state emerged as the main institution of social control. In an attempt to halt interracial marriages, the state imposed parental control in marriage choices in order to secure the preservation of property and social status, and the "passion of interest" increasingly replaced the love and the free will of the partners. Honor as social status prevailed, preventing interracial marriage, which was seen as the source of social disorder in the colonies.

On the other hand, Ramón Gutiérrez holds that during the period from 1690 to 1846 in colonial New Mexico, parents' arrangements of their children's marriages, without regard for their wishes, declined while partners' decisions based on love and personal attraction increased. Since honor as a measure of social status and economic power was crucial in the making of marriage decisions, parental control was central to keeping one's family honor intact. Although marriages forced by parents were often annulled—Gutiérrez maintains—no cross-class marriages
against parents' will were recorded in the Archidiocese of Santa fé. Based on the assumption that marriage was a way of maintaining social inequalities and the only space acknowledged by the church for the realization of sexuality, Gutiérrez argues that the Bourbon reforms threw the increasingly landless population into the labor market, making them wage-earners, and liberating children of the need for their parents' resources for establishing new households. Thus, love and personal preference as the basis of marriage became prevalent over parental consent.

Although Gutiérrez and Seed disagree in both the basis and direction of the change in marriage formation, it is important to notice that each of them worked on different regions of New Spain (New Mexico in the north and central Mexico respectively). Therefore, neither view may obtain for the entire jurisdiction of colonial Mexico. On the other hand, both scholars agree that for the entire colonial period, marriage options were basically negotiated between parents and children. Seed believes that such a negotiation took into account children's will at the least in the sixteenth and seventeenth centuries, and Gutiérrez maintains that such a negotiation varied, ranging from the imposition of parents' control to the realization of childrens' personal choices, with different variants according to social class.

Exploring marriage choices in colonial Buenos Aires, Susan Socolow contributed to the debate adding that even after 1778—the year of the Real Pragmática (a law regulating marriage choices) which imposed parental control over marriage choices—parental permission was usually disregarded by couples in Buenos Aires and Córdoba. In addition, Socolow found that the decisions of the courts of first and second instance did not usually back parental opposition. However, she established that marriages between unequal social classes declined from 23.4% to 10.1%. More strikingly, Socolow maintains that the Real Pragmática increased
the rate of illegitimacy, stressed racial discrimination and restricted social mobility, furthering state control in the more private spheres of marriage and family.\textsuperscript{20}

Although the sources at hand for this research do not yet allow one to hypothesize over marriage choices in late colonial Pasto, it is clear that these studies on the subject illuminate Pastusa women's choices in composing their wills, their marriage relationships, and the issues of honor.

\textbf{Contextual Framework}

To contextualize the position of the colonial economy of Pasto within the colonial system, this study will broadly examine James Lockhart's framework of central, transitional and fringe areas of the Spanish American colonial system, and the workings of the system of trunk lines and feeder lines of long distance commerce in such areas. The central areas of the colonial economy and society--Mexico and Peru, corresponding to the two major indigenous polities extant before the Conquest--possessed the major resources sought by the Spanish conquerors such as silver deposits and highly dense indigenous populations. These civilizations established systems of tribute and labor, supporting a well developed agriculture predating the arrival of the Spaniards in America. The Spanish settlers created a large network of cities, estates, mining centers and long-distance commercial enterprises in these areas. Concentrated in these central areas, strong ecclesiastical and governmental institutions controlled local societies forged by African, Spanish and indigenous ethnic groups. These centers maintained permanent communication with Spain; Lockhart labels them "core" areas within Spanish America. By 1560-1570, Mexico and Peru were the "core" areas and the rest of the Indies fell into the fringes. The fringes are distinguished by different characteristics. There were no major export assets and their first settlers were mostly male Spaniards from the
lower classes. Because these areas lacked precious metals, they were relatively isolated from the central government and the commercial network. There the local societies were less stratified, the social control more flexible and the Spanish institutions more diffused than in the central areas. There was an increasing socioeconomic and cultural interaction leading to an increasing miscegenation. In these areas indigenous cultures created a deeper impact on the Spanish settlers. 21

This model of "core" and "fringes" was a dynamic one, since the intervention of newcomers, exploiting new resources and leading to the development of stable settlements in the fringes, could make the fringe areas into core ones. It was also possible that former central areas, once their resources were exhausted, could become fringe areas. In any case, the concept of centrality is a Eurocentric one, since it is determined by the possession of resources that meet European needs. Transitional areas flourished on the brink of the central ones and must be seen in relation to them. They were colonized by Spaniards coming from the "core" who established Spanish cities and encomiendas, and the Hispanization of society began later and in a weaker manner than in the "core" areas, but, generally speaking, transitional areas assumed the same basic characteristics of the "core," though somewhat later. Due to their less stratified societies, the transitional areas allowed marginal European immigrants to achieve greater success than in the core. Since transitional areas were relatively isolated from transatlantic commerce, few of them were able to trade with neighboring areas. Transitional areas gravitated around the central ones and were connected by commercial and official relationships with one another. 22

Along with northern and central Chile, northwestern Argentina, Guatemala and some parts of the near north of Mexico, New Granada was one of the transitional areas in colonial Spanish America, known as the "gold complex," within which colonial Pasto was located. According to Lockhart, this area was a complex, independent from Mexico and Peru,
which participated in transatlantic commerce with its own export product, gold, through its port at Cartagena. Its mining districts and Spanish cities, drawing on the Andean hinterlands, prospered by supplying the mines and in many ways resembled the characteristics of the "core" areas. However, as opposed to such areas, the mining centers--mobile placer mining sites lying along riverbeds--were scattered and inaccessible, although there were a few main veins. Spaniards controlled a small-scale trade in these centers. Control over taxation was problematic since gold dust circulated as currency. Santafé de Bogotá, the major city of New Granada, did not exert an influence over surrounding settlements comparable to that of Lima or Mexico City. Access to different regions was difficult because of insurmountable geographic barriers, making the gold complex unable to integrate its different sources of wealth in the separate regions.

The system of trunk and feeder lines of long-distance trade follows Lockhart's previous model. The trunk lines run from the main Atlantic port of each central area to the silver mines. The capital, the major administrative center and locus of Hispanic society in the Indies, lay somewhere in between the extremes of the line, connecting the richest lands of dense indigenous population, but not always in the straightest route. The capital became both a) the principal market of the colonial economy actually sustained by silver mining (thereby attracting large numbers of artisans, lawyers and providers of services), and b) a major center of government and religious institutions, generating a more consolidated society than elsewhere in colonial Latin America.23

The settlements located off the trunk lines strove to take part in any commercial activity with those in the trunk lines, seeking a share in the flow of silver to obtain European goods from merchants or firms established along such lines, thus configuring the feeder lines of the system. These lines extended across considerable distances, providing agricultural and indigenous products to the capital city and
the mining areas. In turn, the feeder line areas imported Spanish-style products by using silver-cash. Both directions of such commercial interaction made colonization of remote areas possible. Indigenous social organization, lifestyles, lands, and different structures lasted longer in the areas along the feeder lines than those along the trunk lines. The system of trunk and feeder lines originated in the sixteenth century and remained essentially unchanged in character, until the demise of the Spanish American Empire in the early nineteenth century. Such a system was extended only when new deposits appeared or when new European demand for raw materials stimulated such production in America. Lockhart establishes that Indians found an opportunity to participate independently in the colonial economy by providing transportation and trading on a small scale in the feeder lines.

Within this broad contextual framework, one finds Pasto in southwestern New Granada, as a city of a transitional area, dominated by bureaucratic officials, petty estate owners and middle-scale merchants related indirectly with mining through commercial relations with Popayán, a larger city of the Audiencia; Quito in the South, a major administrative and commercial center; and Barbacoas, a gold placer mining center. Pasto, similar to other cities in New Granada, drew on indigenous peoples from a large area of the Andean hinterland to meet its various labor needs. Within Lockhart's system of long-distance trade, late colonial Pasto may be located as an intermediary center on a feeder line, between Quito (south of Pasto, halfway to Lima) and Popayán (north of Pasto), participating indirectly in the commercial activities of the trunk lines converging in Cartagena (through Popayán) or in Lima (through Quito). The next section addresses more specifically the character of the local economy and society of Pasto, in which the characteristics of the region as a transitional area, functioning on a feeder line of long-distance commerce within the Spanish American colonial system, will be presented in more detail.
Economy and Society in Late Colonial Pasto

This section addresses the general characteristics of Pasto's economic and social structure by the late colonial period, as a general framework for the study of the roles of lower-class women within the local economy and society. Pasto's economy was marked by a threefold orientation: domestic manufactures, farming, and, to a lesser degree, services (primarily domestic services) and commerce. The 1851 Crafts Census of Pasto recorded more than one hundred economic activities, attesting to the relatively diversified urban economy.25 The actual division of labor of the Pastusa urban economy, however, was rather fluid, and some workers alternated various activities at different times of the year and different periods in their lives. This is particularly pertinent for indigenous and mestizo women who performed alternatively as housekeepers and, sellers in the market places, weavers, cooks, washerwomen, kneaders, and some farming activities as well.

Some demographic figures allow one to assess broadly the size of Pasto's society and its unexpected variations at the end of the colonial period. In 1780 Pasto's population had reached 11,523,26 and 12,461 by 1797.27 Pasto was smaller than other major colonial centers of the Viceroyalty of New Granada, such as Santafé, the capital, whose population amounted to 17,725 by 1793.28 By 1825 Pasto's population had increased to 27,325 inhabitants. However, by 1851, such figure had dropped sharply to 6,751. Apart from its secondary position as a transitional area within the Spanish American empire, there were specific factors affecting the size of Pasto's population. The Independence War (1809-1825) was particularly destructive because the city had supported the crown's party,29 suffering a siege and two fires.30 To complete this unhappy picture, an earthquake devastated the city in 1834.31 Eduardo André, a French traveller in the nineteenth century, estimated Pasto's population at 8,000 in 1855 and 20,000 in 1875.32 Despite this gradual recovery, those factors slowed considerably the already limited economic and social development of the city.
The range of occupational activities in the Crafts Census of 1851 for Pasto (see table 1) mirror the aforementioned threefold orientation of Pasto's economic structure in the late colonial period. Manufacturing activities as a whole engaged 63% of the working population, giving the city a clear artisan character. Weaving, cloth making, food and beverage making and most of the other craft activities were essentially domestic manufactures. Crafts, in particular, were carried out by male family members in the domestic space, often in a work room called a tienda with a main entrance from the street. Middle-class and poor white males had performed blacksmithing, silversmithing and cobbler crafts since early colonial times, but such trades gradually became practiced by indigenous and mestizo men as well.

Crafts production in colonial Pasto was on a small scale, oriented to the urban market and intended to meet consumption needs of the households and the haciendas (colonial estates). Mopa-Mopa varnish painting—barniz de Pasto—, for example, was an indigenous handicraft of commercial value since pre-Hispanic times, especially traded between the Andean indigenous peoples of the Pasto region and those of Northern Ecuador; the craft incorporated the youngest male members of the household as pupilos (apprentices) in order to perpetuate the tradition of the craft and to supply cheap labor. Most craft activities were strictly urban. Weaving was practiced both in the urban and rural areas.

Such a great variety of craft activities mirrors the urban economic culture of late colonial Pasto, a culture that was highly Hispanicized but still had a strong indigenous background. Silversmithing, blacksmithing, cobblerly, talabartería (engraving leather), tile making, fireworks making, and the like, incorporated a great deal of the European economic culture (techniques and materials). Straw weaving—and other various kinds of weaving—pottery and mopa-mopa
Varnish painting were essentially pre-Hispanic, integrating elements of the Andean cultures of the Pasto region. Once in America, the more European-types of activities were performed by indigenous and mestizo people who incorporated their own knowledge and natural skills, becoming competitive artisans. Hat making, canvas shoe making, woolen poncho weaving and tile making were more mestizo activities, since their products sombreros (hats), alpargatas (canvas shoe), ruanas (woolen ponchos) and tejas (tiles), were components of the mestizo attire and found also in the housing of indigenous and peasant people. As such, this mestizo culture incorporated elements and knowledge from both the Andean indigenous cultures of the Pasto area and the European culture brought by the Spanish.

The service sector was another component of the urban economy. Domestic services, in particular, constituted a predominant activity within the services sector as a whole. Although the service sector only involved 16% of the working population, domestic services comprised 57% of those employed in the whole sector. They accounted for 297 women (79%) and 80 men (21%). These services were performed by indigenous, slave and some poor mestizo women and men in the élite and middle class households. This activity expresses the servile nature of the Pasto's colonial economy. Although by the late eighteenth century the urban mita (forced labor) was formally abolished, the significant presence of domestic servants in the Pasto's urban area and the presence of conciertos, peons and servants in the and estancias, attest to the pervasiveness of such subjugating work relationships.

Although commercial activities only involved 3% of the working population, 20% of those in the service sector were engaged in commercial activities. It is fairly safe to say that this activity was a significant one, since the strategic position of the city along the Quito-Popayán-Cartagena axis favored trade of various sorts. Cloth,
meat, flour, and mopa-mopa varnish paintings, were the main export items. The region imported European-style consumer goods such as cloth, textiles, silverware, wine and jewelry. Pastuso merchants served as intermediaries in the slave trade between Popayán and Barbacoas--a gold mining center to the southwest of the Pasto Province. Slaves were also traded on a small scale for domestic services in the Spanish households of the city and for farming in the local estancias and haciendas. Surmounting geographical obstacles, Pasto's merchants, supported by the mitayos' labor, were able to provide food staples (meat and flour) and cloth to Barbacoas in exchange for dust gold, the main currency. Beyond its economic importance, commerce was a traditional activity in the Pasto region since pre-Hispanic times. There was a great deal of barter and cultural exchange among the various indigenous communities located along the Pasto-Otavalo-Quito axis.

The broad configuration of the urban economy also reveals, in the case of manufacturing activities in particular, the cultural exchange between the indigenous and Spanish cultures interacting in the city. Cloth making, crafts activities, religious services, building and the liberal professions conveyed rather strongly the cultural elements of the Hispanicized society whereas weaving, mopa-mopa varnish painting, food and beverage making, and farming represented the most traditional indigenous activities and culture. Nonetheless, most economic activities attested to the high degree of cultural interaction of both sections of the Pastusa colonial society in which the components of both cultures became, to a greater or lesser extent, mixed and, therefore, altered.

As opposed to its role in the central areas of the colonial system, mining from the neighboring areas brought little prosperity to Pasto's local economy. Pasto maintained commercial links with the gold mining areas of Barbacoas, but its role was rather one of an intermediary between Popayán and Barbacoas in the slave trade, and between Quito and Barbacoas, providing supplies of European consumer goods. As stated above, it was the production of ropas de la tierra,
flour, and meat, which received some stimulus from the neighboring mining areas. The position of Pasto's colonial economy as a transitional area within Spanish America becomes clearer as one realizes the role played by commerce. Pasto merchants sought to trade with Quito in the south and Popayán and Cartagena in the north; Lockhart considered the latter one of the Atlantic ports of the Peruvian trunk line of long distance commerce. Quito was linked to the Peruvian trunk line by a feeder line, bringing manufactured clothing items and food to and importing European items from the areas on the trunk line connecting Guayaquil, Piura, Trujillo, El Callao, and Arequipa, major ports on the Pacific, to Lima and to the silver mining areas in the highlands of Peru. Popayán played a central role on this important feeder line in the New Granada, Popayán-Cali-Buenaventura-Panamá-Cartagena axis, considered by Lockhart as a transitional area. Pasto, then, participated in the long-distance commerce connecting the two aforementioned feeder lines, exporting cloth and weavings on low scale and importing European goods from the centers on the trunk lines in a similarly low proportion.

On the other hand, the significant presence of farming—20% of the working population was involved in this single occupational category—suggests a noticeable rural influence on the local economy of Pasto. This influence came from the agrarian indigenous communities inhabiting the resguardo territories around the city. Twenty-two indigenous towns were located on the hills surrounding Pasto, which lay in the Atrix Valley, providing food staples and labor for farming and domestic services. Indigenous communities from the rural areas of Pasto supplied 29% of the labor in domestic services and 32% of those involved in weaving. The greatest labor component of farming as a whole, 79%, came from the indigenous resguardos corresponding to the indigenous towns. These towns contributed 35% of the total population of the city. Colonial relationships of production took place intensively
in these areas where indigenous women and men were to pay tribute and render personal services mostly in the vecinos's households.

From the occupational data of the census, it is possible to detect the existence of haciendas in the area. Although there is no data recording the size of these units, one might infer from the amount of labor involved in some of them that they were relatively large. A single estate, Chapal de las Monjas, owned by the nunnery of Nuestra Señora de la Pura y Limpia Concepción de la Ciudad de Pasto, employed 251 indigenous labradores (farmers) in farming and farming-related activities such as weaving and domestic services, representing 37% of the total farming workers of the city and its surrounding rural area. This seems to have been a rather exceptional case; in fact the small number of estate owners (12) in relation to the number of people involved in farming (864) suggests that those estates might have been medium-sized incorporating roughly 72 people per unit (32). The census also provides a clue to the new work relationships emerging in the by the late eighteenth century. Day-laborers (jornaleros) represented 3% of the agrarian labor force, a nascent wage-earning group in the midst of a colonial, rural environment. As opposed to the central areas of the Spanish American colonial system, one may see that the bulk of indigenous labor of Pasto's colonial economy was concentrated in farming activities, in haciendas and encomiendas, rather than in mining or mining-related activities. This factor and the small radius of influence of the relatively self-sufficient haciendas of the area demonstrate the role of Pasto's economy as a transitional area, somewhat isolated from the central areas within and outside of New Granada.

The significant indigenous section of the population and its permanent relationship with the Spanish sector of society certainly should have accounted for an intense economic and cultural exchange between the rural and urban populations of Pasto. The structure of the
economy in the indigenous towns, for example, reveals the combination of activities, such as farming and weaving, traditional in indigenous societies, with the more Hispanicized crafts such as sewing, blacksmithing, carpentry and tailoring. However, the more traditional economic activities, weaving and farming, prevailed over the rest, showing the persistence of the indigenous Andean cultures and the importance of such traditional activities for the colonial economy. The diffusion of weaving in the urban parishes of Pasto (29% of the working population was also an expression of these exchanges. The practice of barniz de Pasto painting, for example, was originally an indigenous tradition that gradually became a mestizo and an essentially urban activity. Maize, a traditional indigenous crop and food staple, was gradually replaced by wheat as lands were diverted to cereals which formed a major component in the European diet. Wheat was in great demand in the urban market and served to transform indigenous eating and cooking habits. The incorporation of cattle ranching--originally a European activity--to the hacienda's economy and meat as a food staple was another expression of that economic and cultural interaction.

Pasto's society resembled, broadly, the contours of its economy. It was essentially based on the subjection of most indigenous peoples living in the resguardo areas surrounding the city, who were devoted to agriculture, weaving and urban domestic services. There were also the natives dwelling in the suburban areas of the city, devoted to weaving and small-scale sales in order to meet their tribute obligations. Female slaves serving in the Spanish households and male slaves assigned to agricultural tasks constituted another important sector of the lower strata of this urban society, contributing to its multicultural character. Most of the poor mestizo women and men engaged in cloth making, small scale commercial activities, craftsmanship--predominantly men--and food and beverage making, constituted a slightly higher rank of the Pasto social scale. Occasionally, mestizos performed similar activities to those attributed previously to indigenous people. Although
at a lower rank of society, mestizos were legally considered a "free" population. This status gave them a relative mobility within the colonial economy and society, fostered by the fact that they were relieved from the tribute impositions. Thus, they performed the aforementioned activities within relatively independent domestic workshops and with the contribution of family members' labor. Indigenous and mestizo women participated actively in these manufacturing activities and in the smaller-scale commerce. Poor mestizos, because of their lack of economic resources, were not able to market their products on a large scale, thus confining their income to a subsistence level.

At the top of the urban society were white and creole élites who controlled the access to the main economic resources such as land, labor and, to a certain extent, currency. A local minority attached to land owning (the hacendados), the local officials of the colonial government (linked in matrimonial alliances with land owners) and merchants, similarly tied to property, constituted the local élites. These groups seemed to have had control over both middle-sized quantities of land and labor, and conducted moderate levels of commerce in comparison to those of Popayán and Cartagena, two major cities of New Granada.

A small middle class of white and creole professionals (lawyers, physicians and architects), some artisans, teachers, artists, scribes, military officers and lower-rank government officials, who performed as independent workers enjoyed certain degree of prestige and social mobility. These members conveyed a great deal of the Spanish culture in their daily activities, transmitting the social values of the hegemonic colonial culture.

The active socioeconomic role of artisans and the various sorts of other urban workers in domestic manufactures shaped a singular colonial society in the midst of subjugating relationships of production in the
urban context of Pasto. This circumstance, along with the fact that the estate owners and merchants seem to have exercised control over lesser amounts of economic resources than those of Popayán and Santafé—let alone those of Lima and Mexico City—led to a less stratified society and weaker social institutions in Pasto than those of the major economic and administrative cities. In this sense, Pasto broadly presents the socioeconomic characteristics of the transitional areas of the Spanish American colonial system defined by James Lockart.
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<th>Men</th>
<th>%</th>
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<td>4260</td>
<td>1945</td>
<td>46</td>
<td>2315</td>
<td>54</td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 1. Gender Structure of Occupational Activities, Pasto, 1851.**
NOTES

1. Pasto was a city with a radius of influence reaching far beyond its own urban area. The Pasto Province encompassed a series of little towns such as Túquerres, Ipiales, Guairarilla, Obonuco, Cumbal, Guachucal, Tesquel, Cujacal, Buesaquillo, Canchala, Buesaco, Yacuandu, Sandona, Consacá, Samaniego, La Unión, Ancuya and some others, located in the Andean zone. They were the major nuclei of the indigenous population and most of them occupied territories of resguardos (lands allocated by the crown for Indians).

2. Inca Garcilaso de la Vega, Comentarios Reales de los Incas (Caracas: Biblioteca Ayacucho, 1991 [1608]), 22; Joanne Rappaport, "Object and Alphabet: Andean Indians and Documents in the Colonial Period," in Elizabeth Hill Boone and Walter Mignolo, eds., Writing Without Words. Alternative Literacies in Mesoamerica and the Andes (Durham and London: Duke University Press, 1994), 273. Garcilazo de la Vega asserted that the Inca empire reached "as far as the Angasmayo River running between Quito and Pasto." However, Joanne Rappaport maintains that the Inca influence in the Pasto region lasted no longer than one decade and was concentrated in the south of Pasto.


12. Seed, To Love, Honor, and Obey 231.


15. Ibid., 93.

16. Ibid., 100-01.

17. Seed, To Love, Honor, and Obey, 329.


20. Ibid., 232, 235-36.


22. Ibid., 118-19.


24. Ibid., 113.

25. This study aggregated those activities as seen in table 1, and disaggregated them in separate groups of activities as seen in tables 2 – 8.


29. Gerardo León Guerrero, Pasto en la Guerra de Independencia 1809-1824. V. II (Santa fe de Bogotá: Tecnimpreseores Ltda., 1994), 162. Guerrero establishes that, in the last campaign of the war 1822-1825 alone, there were more than 2000 casualties, mostly young people.


31. Ibid., 222.

32. Ibid., 223.

34. The *mopa-mopa* is a special resin from the eastern foothills of the Colombian southern Andes, adjacent to the northwestern Amazon rain forest.


36. Conciertos refers to forced Indian labor without official contract.

37. Various-sizes estates, mostly devoted to cattle raising (in the Pasto region) and located in the areas surrounding cities and towns.

38. They were mainly *ropas de la tierra*, which was wool and cotton cloth for Indians, peasants and poor mestizos, made by the Indians from Pasto and the Pasto Province.

39. *Mitayos* were Indians rendering the *mita* obligation.

40. Estimations of this study, based on the figures of the Crafts Census for 1851 Pasto.

41. Estimates of this study, based on the figures of the 1851 Crafts Census and Appendix 1.
CHAPTER 2.

COLONIAL WOMEN AND THEIR CONTRIBUTION TO THE URBAN ECONOMY OF PASTO.

By focusing on the position of lower-class women within the socioeconomic structure of late colonial Pasto, particularly on their position within the division of labor in the local economy, it is possible to understand the role and contribution of these women to Pasto's economy. This study argues that women in late colonial Pasto played a range of diverse economic roles in the context of the urban economy; they participated in the urban market supplying the city with food, cloth, and basic services. These women from lower classes became subordinated by their upper-class counterparts, while women from the same kin and social strata established mutually-binding relationships among themselves. Testaments from the late eighteenth century Pasto vividly portray the participation of women within the economic structure of the city. The Crafts census of 1851 provides much of the statistical data to illuminate the position of women in the division of labor of the local economy.

Indigenous, slave and poor mestizo women participated in the economy in a wide variety of ways, acting within an urban market of labor and goods which functioned according to a colonial rationale,
determining that the material needs of the urban colonial élites and the popular strata were fulfilled through a controlled and monopolized market of goods and labor. In such a market, prices and wages, along with work conditions, were established according to the normative codes of colonialism rather than being the outcome of free competition. This means that those who controlled access to the main resources (estate owners, encomenderos, and merchants) determined both wage-levels for the urban and rural workers and even many market prices. Although indigenous women were legally exempt from tribute obligations, in practice, they found themselves forced to pay this tax as well, initially providing weavings and cloth, and later, by the eighteenth century, when tributes were to be in cash, they had to participate directly in the urban market. Thus, working indigenous and mestizo women became even more exploited.

The work place for these women was a rather fluid one. They performed a great variety of crafts and roles in many different environments. As heads of households, mothers, wives, housekeepers, weavers, they were found in their own domestic space. In convents, churches, and in the vecinos' households, others served as cooks, washerwomen, ironners, and housekeepers. While many indigenous and mestizo women carried out sales in the streets and market places, or temporarily worked in farming in their chacras, some of them worked as day laborers in bakeries as kneaders, or distilling aguardiente (sugar cane liquor), fermenting chicha (maize beer), folding cigars and cooking maize to sell in the weekly mercados (market places). The work place in such a colonial environment had not separated completely from the domestic space of the household, and women became doubly responsible for fulfilling the material and supportive needs of their families. Women's manifold responsibilities probably accounted for their assertiveness in society. María Obando del Castillo, for example, was a poor sewing woman.
who proudly stated twice in her testament that she had acquired all of her assets by her own personal effort, receiving no help from any inheritance or from a husband.¹

Women from the urban upper classes, although greatly outnumbered by their lower-class counterparts, had relatively greater freedom to carry out different kinds of business. They ran pulperías (miscellany urban shops), bought and sold urban and rural properties, or slaves, and managed considerable amounts of wealth as executrixes. They also combined such activities with money lending and pawn broking. Doña Ignacia López, among others, traded wheat, candles, soap, rented her mill, allowing her to lend money backed by pawned jewelry, cloth, or other valuable items.¹ Encomenderas were also an economically powerful female group in the city and Province of Pasto, holding numerous encomiendas.⁵ They inherited the right to run such encomiendas from their parents, thus enabling them to play a dominant role over many indigenous women and men.⁶ Other women traded cattle, acquired loans, and accumulated wealth to increase the bienes gananciales (patrimony acquired during marriage), in order to keep and improve their social status.

Position of Lower-Class Women Within the Urban Division of Labor

The statistical data from the Crafts Census of 1851 for Pasto, provide information on the general trends of the gender occupational structure, and permit insights into the status of lower-class women in the division of labor of Pasto's Economy (see table 1). In general, the occupational structure during this period shows a roughly even distribution of the working population between the two sexes. Although the male group was greater (2,315) than the female one (1,945), accounting for 54.35% and 45.65% of the total working population respectively, women represented an absolute majority in several of those productive activities such as weaving (80%) cloth making (61%) and
domestic services (79%). The rather low participation of women in farming (2%) seems to suggest that this activity may have become increasingly masculine. However, these figures should be taken cautiously. It is possible that the recorders considered farming as part of the domestic duties of women in the countryside, so these women may have been recorded under different occupations, such as housekeepers or weavers.

Weaving, the economic activity with the highest rate of female participation, seems to have developed a clear division of labor (see table 2). Tisado (the task of separating out the raw wool fiber before spinning), spinning, dyeing and weaving were consecutive stages of the domestic weaving process in which various groups appear to have developed specialized skills, performing such tasks in different work or domestic spaces. Spinning constituted the more common activity within this craft (84% and 16% of women and men respectively), followed by weaving (77% and 23% of women and men respectively).

The level of demand for the various marketable items also determined the division of labor. Weavers, in general, wove woolen garments and blankets in great demand. Ruaneras and ruaneros (female and male poncho weavers) only wove ruanas (woolen ponchos), principal garments of the mestizo peasants and indigenous attire. Woven belts, a key part of indigenous apparel, were also the object of a specific occupation, employing mainly indigenous women. Although male participation in weaving activities was not insignificant (20%), this craft was predominantly a female occupation (80%) (see table 2), often centered in indigenous households. Many Indian women wove clothing items in their homes because weavings were in great demand in the urban market, and because they were frequently taken as taxes-in-kind by local corregidores (tribute collectors).

Indigenous weavers, as in their original communities, alternated weaving and farming activities on a temporary basis, which reveals the
colonial rationale of the division of labor. Rather than following strict market dictates, the demands of the colonial taxation policies also determined the division of labor. Such demands were fulfilled by adapting the economic culture of the subjected ethnic groups to state policies. Andean cultures, on the other hand, had accorded a great ritual value to woven textiles since pre-Hispanic times. This cultural element might have accounted for the endurance of this craft until the mid-nineteenth century, when most textile and cloth making domestic manufactures were superseded by imported English woolens industry after the imposition of free trade policies in the Republic of Colombia by 1849.

Weaving as an occupational activity also attested to the cultural and economic interaction between the indigenous peoples from the Amazon rain forest and the Quillacingas, the main indigenous group in the Andean highlands of the Province of Pasto. The raw materials used in dyeing were obtained from exchange with the Mocoa Indians from the Caquetá region in the Colombian Amazon. The Quillacingas Indians mixed those dyeing goods with the bleach and sulfur they extracted from the neighboring volcanoes, obtaining the bright colors that distinguished weavings from Pasto. The ruanas from Pasto were especially favored by those living in cold areas, and they constituted important trade items.

Cloth making, as an urban craft, was an activity emerging from the alterations in the clothing habits of the different ethnic groups provoked by the cultural contact among Spaniards, Indians and African slaves in the vecinos' households, the Church, marketplaces and the city streets. Thus, new skills and occupations were incorporated into the structure of occupational activities of the Pasto region to satisfy the market demands of clothing from the various social groups. Cultural factors also contributed to assign to cloth making its own place in the colonial economy such as the gradual imposition of European fashion on
mestizo women and men, along with the mestizaje of the traditional indigenous attire, and the prestige and devotion white and creole women accorded to clothing. In the Andean cultures cloth was also considered binding wealth (a symbol of kinship continuity from mothers to daughters). Indigenous and mestizo women, and men to a lesser extent, became skilled in different cloth-making activities such as sewing, needlework and embroidery.

Locally-produced clothing was sold outside the Pasto region. Speaking of the general crisis of the Province of Pasto after the Independence war in 1820, Miguel Bravo de Lagunas, a merchant from Cumbal, observed that the only item worth commercializing in the region was ropas de la tierra, "because the miserable Indians cannot produce anything else to pay their tributes; their land barely produces potatoes, habas [broad beans] and cebada [barley] to feed themselves." Indians, and particularly women, in the province of Pasto were also devoted to this activity. In 1734 Ipiales, José Fernando de Cabrera, a merchant, claimed that he had sent "twelve bundles of ropa de los Pastos" from Ipiales to Pasto four months before, and reports a new delivery of 2 more bundles made up of 23 anacos (woven shawls) and a pink bedspread, 110 patacones and 6 reales worth."

Sewing and embroidering remained a female activity (71% and 70% respectively) (see table 3). The Church and the convents encouraged needlework and embroidery for ritual uses. Women in such activities represented altogether 61% of labor force in the cloth-making sector, whereas tailoring, though involving only 15% of labor in these crafts, seem to have been completely dominated by men (100%). Men, apparently, faced no competition from women in tailoring, but little is known yet about the Pasto tailor's guild regulations, which usually prevented potential female competitors from gaining access to the craft. On the other hand, men seem to have worked in cloth making (see table 3),
apparently a female craft, without major restriction. Their participation in sewing, for example, slightly less than 30% of labor force, appears quite significant if one takes into consideration the traditional use of female labor for these activities. Cloth making was an occupation favored for women because, along with weaving, they could alternate it with housekeeping. The availability of free labor from their children in the households also accounted for much of domestic cloth making's appeal to working women.

Figures of food and beverage making activities suggest that this was a rather small-scale productive sector (57 people, 1.3% of W.P.) (see table 4), which reveals the self-sufficiency of Pasto's late colonial Pasto urban economy in basic food stuffs. These figures, however, should be considered carefully, particularly the figures for baking, bread making, milling, and butchering which appear too low in relation for the total population (6,760). In all likelihood, because most of the estancias and casonas (urban dwelling of the vecinos) had their own mills and ovens, they also were self-sufficient in meat. Thus, the figures in table 4 may well be registering the emergence of food and beverage occupations as urban productive activities, recently separating from the domestic production of the estancias, haciendas and the vecino's casonas.

Aguardiente distilling was largely carried out by women. Despite the insignificant figures table 4 shows for this activity, aguardiente was a beverage in great demand in urban and rural areas, especially among the lower classes. Aguardiente distilling should have incorporated a greater number of workers in the late eighteenth century, since the estanco de aguardiente (a tax on aguardiente consumption) was a principal source of income for the colonial administration. In most Andean indigenous communities, women produced chicha, a ritual maize
beverage, also incorporated by mestizos in their festivities in the city, making it a competitor of aguardiente, whose distilling and commerce was heavily controlled by the state. Chicha making and the presence of chicherias,\textsuperscript{12} are missing in the Crafts Census, despite the widespread use of chicha. Because its production and selling was constantly banned by the government until the end of the colonial period,\textsuperscript{13} chicha making was not recorded in the official census.

The supply of bread in the city seems to have been produced mainly by women, who even performed difficult tasks such as kneading (see table 4). Since women controlled bread making in other colonial cities such as Santa fé,\textsuperscript{14} the figure for female bread makers in table 4, should be viewed with some skepticism. The census fails to specify the difference between horneras (bakers), amasadoras (kneaders), and panaderos (bread makers), which is why they are listed as separate occupations in table 4. But it also seems odd that there were no female bread makers listed in the 1851 census, whereas most kneaders were women. Women also cooked and sold maize in the marketplaces, an Andean tradition, along with a variety of cooked foods.

In general, it appears that women played a major role in food and beverage making occupations (see table 4), representing 74\% of those involved in such activities, whereas male participation (26\%) was concentrated in bread making. The actual number of women involved in such tasks may have been reduced by the fact that most food and beverage making activities were still performed at home, oriented to meet needs of individual households.

Women in the domestic services sector (see table 5), mostly indigenous women, happened to be the largest component—79\% of the sector as a whole and 100\% of labor force in cooking, washing, and housekeeping. Servants were, seemingly, evenly distributed between female and male (50\% and 50\% respectively). Domestic slavery\textsuperscript{15} appears
recorded as purely female. Most servants and black female slaves worked in the casonas, performing all sorts of domestic services. Although little is known yet about the situation of these workers in Pasto, it seemed that the subjugating conditions of work for domestic servants in other areas of New Granada such as Santa fé de Bogotá, concerned some ecclesiastical authorities.16

Indigenous and mestizo women in domestic services also worked on a temporary basis in middle-class Spanish and mestizo households. Ironing, cooking and washing (see table 5), most were forced to work because of their poverty. Pastusos, like many Spanish Americans, accorded domestic services a very low social status. The flow of indigenous women to domestic activities in the city should have accounted for much disintegration of the indigenous communities, since they triggered subsequent migration of other members of the community. Such a process also should have contributed to racial mixing in the urban society, as women tended to engage easily in matrimonial or consensual alliances with white and mestizo men when living outside their original communities.

The figures for artisan activities from the Crafts Census of 1851 in Pasto show the contrast between the great variety of crafts activities performed only by men and the rather narrow scope of those activities accessible to women (see table 6). Even in those few activities their participation was fairly low. Indeed, female labor only represented approximately 5% of the total, concentrated in crafts such as canvas-shoe making (eight alpargateras, canvas-shoe makers), pottery (three olleras, pottery makers) and tile making (twelve tejeras, tile makers). Apart from possible inaccuracies of the data, it is striking that female tile makers outnumbered their male counterparts, since this activity involved hard physical labor. Tile making involved the carrying of heavy material and exposure to unhealthy conditions. This work was
carried out by indigenous women and men living in the hills surrounding the city, where the soil provided appropriate material for tile making. The fact that all *pupilos* (apprentices) were men reveals that most craftsmanship activities were conceived as strictly masculine ones.

Regarding farming activities (see table 7), women involved in such occupations represented a tiny minority of 2%, thus showing that farming was a strictly male occupation. It must be said, however, that most indigenous women living in the rural areas of the city participated in farming activities on a daily basis. Indian women traditionally took care of planting and harvesting in their original communities. In fact, most indigenous and peasant women still do so today. Yet in most *casonas* of Pasto, indigenous servants took care of the *solares* (country yard) and town plots, where foodstuffs were grown to meet the consumption needs of the households. Since, as indicated before, there was no clear separation among farming and the various domestic activities for women, the census may have fallen short in recording women's actual combination of occupational activities in the countryside.

On the other hand, the figures for female estate-owning in the Crafts Census seem to have been heavily underestimated (see table 7). Upper class women, as one may see in their testaments, were involved with real estate property; at times they managed their own haciendas and estancias as well.¹⁷

The gender structure of commercial activities, shown in table 8, demonstrates that *pulperas* and *tenderas*¹⁸ constituted 25% of those involved in commercial activities in late colonial Pasto, a strongly masculine activity, however, since 75% of those in the commercial sector were male. Although they do not appear recorded in the census, indigenous and mestizo women selling in public places, as shown earlier in this study, were recorded in the testaments as debtors of the
pulperas. Informal notes from 12 October 1792 record male merchants such as Martin Meléndez, for example, acknowledging the debt payments of women who, such as Brígida Villada, had been indebted to them for on-credit sales of ropas de la tierra.\textsuperscript{19}

Apparently, small-scale sales in pulperías (see table 8) were dominated by women (58\%). One should bear in mind that there was a close economic relationship between most pulperas and tenderas, as well as between pulperas and poor women selling in the market places. Since wealthy women carried out large scale commerce at times, one may suggest that colonial women from Pasto performed varied roles in the colonial commercial network.

A very few women performed as midwives, although this was a very important role in the colonial period. Most women could not afford the services of the few physicians available in the city, all of whom were male. Midwives probably performed various other activities simultaneously, however, explaining why the census' carriers only recorded four of them (see table 1).

Although the Crafts Census only recorded one nun, Nuestra Señora de la Pura y Limpia Concepción had been a major convent functioning in the city since the seventeenth century. That convent also owned considerable amounts of land in the region and benefited from the encomienda, the mita, and concierto systems to supply the labor needs of their haciendas. The Chapal de las Monjas (an indigenous town) alone was only one of the various encomiendas long enjoyed by the nunnery of Nuestra Señora de la Pura y Limpia Concepción de la Ciudad de Pasto (see Appendix 1). Its domains extended beyond this town. In 1778 the Conceptas (as they were popularly called) administered the encomiendas of Chapal-grande and Gualmatán,\textsuperscript{20} and by 1780 they amounted to 20 according to the official census for that year. In 1786 the Conceptas still claimed the title of the Gualmatán and Chapalillo encomiendas.\textsuperscript{21}
On March 13, 1783, the Abbess of that convent, Mother Petronilla de San José, petitioned the ecclesiastical judge to allow Sister María de San Joaquín to issue a license of freedom for Juana de Ayala, a "mulatilla su esclava sujeta a servidumbre" (a mulatto girl slave) who was able to pay for her freedom. María was given the slave by her mother, after she took the veil.²² To date, little is systematically known yet about the nunnery's actual social composition and its economic activities in the city and Province of Pasto.

In general, the categories and figures drawn from the Crafts Census suggest that women from the working class played crucial roles in nearly all parts positions of the labor force of Pasto's colonial economy. These women faced competition from their male counterparts, however, both in traditionally female activities, such as weaving and farming, and in those crafts culturally defined as feminine, such as sewing, in certain domestic services, such as ironing and domestic servants (see the "servants" category in table 5). Conversely, in spite of women's potentiality to perform such activities, they seem to have been prevented from access to traditionally masculine productive occupations—tailoring, bread making, the liberal professions, arts, and most artisan crafts. Farming, and commerce were also predominantly male activities. Building was considered a male task, and most Indians avoided this work, since for many years they were forced to perform it in rendering the urban mita.²³

Concurrently, it is striking the presence of men working as ironners, sewers, spinners, weavers and similar activities traditionally performed by women in the colonial economy. It seems that by the late colonial period, men were prompted to participate in the labor market either at early ages or at old ages. This situation is reflected in the fact that, whereas the male population economically active (P.E.A) in 1851 is 1,811 (see table 9), in reality the male working population
outnumbered such P.E.A. (2,315) by 504. Concurrently, whereas the female P.E.A. was 2,456, the actual number of working women was only 1,945. This meant that 511 women able to work were unemployed. Many women, however, may have not been completely detached from their domestic duties as mothers, wives and housekeepers; they remained in the domestic sphere, either because of social pressures to reject working full-time, because of a deliberate decision, or because their potential occupations were taken by men, at a time when the local economy was evidently facing a long lasting depression after the Independence war.

Finally, a broad view of the gender occupational structure of late colonial Pasto seems to suggest that women played a major role in the colonial society of Pasto as providers of food, cloth and a domestic environment. Men the other hand, were mainly accorded tasks in farming, craftsmanship and, in a rather low proportion, those more skilled liberal professions and teaching. Elinor Burkett, studying gender-class relationships in colonial Peru, found the same pattern in women's activities, especially in colonial Lima, one that she described as the "commercialization of traditional female roles."  

Testaments from late colonial Pasto mirror the subordination of indigenous women to both upper- and middle-class white and mestizo women. On the one hand, Andean women needed cash to pay tributes and to obtain purchasing power in the urban market. These women borrowed money from female merchant-money lenders to be paid either in cash or, mostly, with work or products, especially cloth. When loans were to be paid in cash, women frequently pawned items to guarantee them. Marcela Dueñas, a prominent local vecino's wife, although she was not able to "bring" any capital to her marriage, was an active moneylender whose debtors, Eusebia Indian, Josefa Lazo and Laura Ibarra, among others, had to pawn items to back their loans, which amounted to between seven pesos and ten reales.  

Such items mostly were jewelry and any valuable tool or
The high réditos (interest rates) individuals had to pay for these "loans" at times prolonged their indebtedness, so that debts were usually inherited by their descendants.

The debt relationship also took the form of trabajo por encargo (work by order), in which merchant women advanced money to weavers for making capisayos (woven capes) and ruanas for sale or for the merchant's family use. Felipa Moreno, an upper middle-class women in Pasto in 1795, declared in her testament that she had advanced 13.5 reales to Antonia Bermúdez for weaving a ruana, 2 reales to María López for weaving a capisayo, and 8 reales to Rosa Policarpio for dyeing some wool.27

On the other hand, indigenous and poor mestizo women served as the final link in the commercial network of food and other products of domestic consumption such as candles, aguardiente, soap, maize, wheat, tallow, and some imported garments, thus contributing to the distribution of goods in an urban economy that lacked a well-developed market infrastructure. These items were advanced by merchant women and men, estancieras (female owners of estancias) and sometimes pulperas to indigenous and mestizo women. Juana de Legarda, for example, declared in her will that she had advanced candles worth seven patacones to Maria Escuelera, and candles worth three patacones to Vicente López. She advanced two aguardiente bottles to Isabel Enriquez and three of them to Juan Pérez.28 They sold these items on a small scale in tiendas, market places and in the peripheral areas of the city. These were the so-called ventas al fiado (on-credit sales), by which pulperas and merchants advanced goods to female sellers, who were to pay them back with an additional surcharge. This informal on-credit sales system was very common in dealing with urban small-scale sales. In fact, such sales remain still today in the
petty tiendas of Pasto's most popular neighborhoods. The ventas-al-fiado-system functioned, in practice, as a type of hidden or dissimulated moneylending, since the sellers became as equally indebted as those who borrowed money from usurer merchants; their debts were also inherited by their families.

Doña Ana de Villarreal, estanciera at Pejendino in 1790, for example, declared in her testament that she had advanced to Manuela Indian (Basilio Jachinchoy Indian's wife) 3 fanegas of wheat, 3 yards of bayeta (cotton fabric) and 3 silver pesos to be paid in woven capisayos. Manuela owed 4 pesos to Doña Ana in return of some wheat the latter advanced to her. María Pérez, the blacksmith's wife, and Santiago Indian from Canchala, among others, appear as Doña Ana's debtors. Ignacia López, a well established merchant in 1796 Pasto, in another case, declared in her testament that Liberata Criollo Indian owed her 2 pesos; Tunja Indian's daughters owed her 12 pesos to be paid with woven ruanas; Gregoria Guerrero owed her 20 reales for a fanega of maize Ignacia advanced her. Ignacia López was very active in ventas al fiado. Geronima Melo and Flora Moncayo were some of her debtors for on-credit sales of soap and rebozos (shawls).

The two forms of subordination of indigenous and poor mestizo women by upper class women and men were expressions of these informal credit networks. The existence of such networks of money circulation, among women in many cases, was possible because of the scarcity of specie in a system that monopolized currency in the merchants' and the Church's coffers. Although they were, apparently, outside governmental control, money lenders fixed réditos rather freely. They had to be reasonable enough, however, to suit the financial urgencies of the women from the lower classes, who resorted to money lending and pawning to relieve their economic pressures. These were generally small-scale loans, backed with a pawning-item or by word-of-mouth, payable in cash.
or products; there were, usually, no stipulated terms. The workings of such an informal credit network revealed an important characteristic of the colonial economy. The accumulated capital of merchants was often secured by subjecting labor rather than investing in expansion or diversification of production. The establishment of loan conditions by means other than market determinants, and the fixing of loan terms and conditions by the free will of money lenders, determined that in the colonial urban economy of Pasto, as in other colonial cities, the possession of currency was a major source of power. The accumulation of currency by merchants' and landowners' wives was a source of the subalternization of poor indigenous and mestizo women.

The presence of similar credit and commercial networks in colonial Peru allowed Elinor Burkett to theorize about the existence of "female spheres," connecting women from both different social classes, and among the same social strata by means of their social, economic, and cultural ties.32 This study on colonial women in Pasto maintains that such "spheres," when relating women from different social class, clearly reflected at all times the class relationships of subordination between wealthy women and poor mestizo and indigenous women. The existence of female networks linking women from the same social class and kin, was reflected in their testaments.

**Gender Patterns in Wealth Transmission**

Women's choices in their testaments, strongly suggest both the persistence of various matrilineal patterns of inheritance, and the existence of relations of solidarity among kinswomen. Women tended to prefer transferring their wealth to their daughters, sisters, aunts, nieces (their sisters' daughters), adoptive daughters (mostly in the case of single women), granddaughters (their daughters' daughters) and female godchildren. Appointing their matrilineal descendants as executrices was also a common choice in some women's wills. Such a
pattern was a cross-class one and actually deviated from the spirit of bilateral inheritance promoted by the Laws of Toro.31

The following cases, among others, attest to the presence of such gender patterns in the transmission of wealth. Being the mother of two male and two female children, Marcela Dueñas bequeathed a half of her bienes gananciales to all of her four children in 1796. Nevertheless, she willed an additional fifth of those goods as a mejora (additional aid) only to her two daughters. In addition, she bequeathed 50 pesos of her legacy to her niece (her sister's daughter, not her brother's), Vicenta Caycedo; she left 30 pesos to her other niece Maria de las Nieves.34 Ignacia López was an estanciera actively engaged in trade in Pasto in 1796. She declared that she had three sons and two daughters. Ignacia bequeathed 100 additional pesos to her daughters from the wealth she inherited from her parents, and some jewelry items as mejoras "because that is my will."35 Helena Martínez, a wealthy woman, married a poor Spaniard who abandoned her after three years of marriage. She declared in her testament of 1784 that she had helped her daughter's marriage in numerous occasions of financial need, sometimes with much regret because of the son-in-law she happened to have. Helena listed the numerous loans she gave him and tells about his dishonesty in managing her assets. Helena's strategy, to counteract this son-in-law once she was dead, was to bequeath her wealth not to Doña Juana, her daughter, but to Helena's granddaughter, Doña Francisca Agustina Rosero, Doña Juana's daughter. Helena also appointed Doña Francisca as her executrix and only heir.36 Although she had a brother, Doña Catarina de Segovia, a single estanciera in Pasto in 1785, chose to bequeath her wealth to her sister Doña Margarita de Segovia. The latter was appointed as subsidiary executrix by Doña Catarina. She founded a capellanía37 of 200 pesos and named her sister's son as patron; otherwise, she named any relative in her sister's descendent line as substitute patron.38
Dona Maria Obando del Castillo, a poor sewing woman named above, who made up her testament in Pasto in 1794, declared that she did not have any legitimate children. She devoted her life to sewing an incredible variety of garments, which she detailed in her will. Although not declared explicitly by her, Estefa, Dona Maria's illegitimate daughter received a few cows, cloth, jewelry, pieces of fabric and domestic-use items from her mother. In addition, Dona Maria chose Estefa as her universal heir. Maria also bequeathed one of her best cloth pieces to her goddaughter Dolores, three others to her sister's adoptive daughter, Juana Burbano, and jewelry items to a Black girl she had adopted. Dona Maria left a cow to another goddaughter, Dona Josefa Jurado. Dona Ana Caycedo y Bolaños, a single middle-class woman in Pasto in 1799, had inherited property rights from her mother in sections of several houses owned by her mother, which her mother in turn had received, Ana's grandmother. Ana's inheritance was worth 100 patacones. Ana chose leaving such property rights to Dona Maria Josefa Burbano, her niece Dona Ignacia. Ana left another portion of her mother's legacy to her sisters, Dona Mariana Ordonez (25 patacones) and Dona Juana Torres (25 patacones). To her niece Manuela Bolaños, another Dona Ignacia's daughter, Ana left 100 patacones plus a room she owned at her sister's house. In addition, she appointed Manuela as her executor and universal heir. Although Ana had a brother, Don Manuel Caycedo y Bolaños and he had two sons and a daughter, Ana decided not to bequeath anything to them.

The persistence of matrilineal patterns in wealth transmission, found in women's testaments from late colonial Pasto, seems to resemble some traits of gender parallelism present in most pre-Incaic Andean communities. Irene Silverblatt established that the access to land and wealth was transmitted in a gendered pattern, from fathers to sons and from mothers to daughters. In favoring their female heirs, these women revealed a sense of the mutual bonds among them, also made evident in
their concern about their future. Doña Ana Caycedo, for example, expected to help her nice Doña María Josefa Burbano to pay her dowry "if she were to take the veil."42 Securing a future marriage for their heirs or to entrar en religión43 (taking the veil), were some of the social assumptions for White and some mestizo women's future in Pasto colonial society, which unveils the socioeconomic value attached to marriage and religious life in that urban colonial context.44 James Lockhart found similar relationships among Indian and Spanish women in colonial Mexico.45 Further research on gender patterns of inheritance, by examining men's testaments, should be done before drawing more definitive conclusions on this subject.

The patterns of matrilineal inheritance found in the testaments of colonial women of Pasto are broadly consistent with those found by A. J. R. Russel-Wood in colonial Brazil, particularly in Minas Gerais, Salvador de Bahia, and Sao Pablo during the colonial period. According to Russel-Wood, preference for female heirs, be they widows, daughters, or nieces and their female descendants, even when male heirs existed, was based on the cultural assumption that women were real guardians of honor and the social prestige of the family. Women were also believed to be preservers of the ideals of purity of blood, prevalent in the white colonial society.46 Such cultural assumptions are not present, however, in the testaments examined for colonial Pasto's women of various social classes. Rather, women's concern about the future of their kinswomen suggests that they had little expectations about the capacity of the colonial society to protect them and meet their own material needs.
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Women</th>
<th>%</th>
<th>Men</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spinning</td>
<td>519</td>
<td>84</td>
<td>97</td>
<td>16</td>
<td>616</td>
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<tr>
<td>Weaving</td>
<td>426</td>
<td>77</td>
<td>130</td>
<td>23</td>
<td>556</td>
</tr>
<tr>
<td>Poncho Weaving</td>
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<td>53</td>
<td>24</td>
<td>47</td>
<td>51</td>
</tr>
<tr>
<td>Tisado</td>
<td>12</td>
<td>86</td>
<td>2</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Dyeing</td>
<td>15</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Belt Weaving</td>
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<td>0</td>
<td>0</td>
<td>2</td>
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<tr>
<td>Twisting</td>
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<td>100</td>
<td>0</td>
<td>0</td>
<td>1</td>
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<td><strong>TOTAL</strong></td>
<td><strong>1002</strong></td>
<td><strong>80</strong></td>
<td><strong>253</strong></td>
<td><strong>20</strong></td>
<td><strong>1255</strong></td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 2. Structure of Labor in Weaving Activities by Gender, Pasto, 1851.**
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Women</th>
<th>%</th>
<th>Men</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
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<tr>
<td>Sewing</td>
<td>512</td>
<td>71</td>
<td>205</td>
<td>29</td>
<td>717</td>
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<tr>
<td>Tailoring</td>
<td>0</td>
<td>0</td>
<td>129</td>
<td>100</td>
<td>129</td>
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<tr>
<td>Embroidering</td>
<td>14</td>
<td>70</td>
<td>6</td>
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<td>20</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>526</strong></td>
<td><strong>61</strong></td>
<td><strong>340</strong></td>
<td><strong>39</strong></td>
<td><strong>866</strong></td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAMHP, Caja 49.

**TABLE 3. Gender Structure of Labor in Cloth Making Activities, Pasto, 1851.**
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Women</th>
<th>%</th>
<th>Men</th>
<th>%</th>
<th>Total</th>
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</thead>
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<td>Baking</td>
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<td>Milling</td>
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<td>100</td>
<td>2</td>
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<td>0</td>
<td>0</td>
<td>3</td>
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<td><strong>Total</strong></td>
<td>37</td>
<td>74</td>
<td>20</td>
<td>26</td>
<td>57</td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 4. Gender Structure of Labor in Food and Beverage Making Activities, Pasto, 1851.**
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Women</th>
<th>%</th>
<th>Men</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
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<td>0</td>
<td>88</td>
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<td>2</td>
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<td>5</td>
</tr>
<tr>
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<td>100</td>
<td>0</td>
<td>0</td>
<td>17</td>
</tr>
<tr>
<td>Servants</td>
<td>61</td>
<td>50</td>
<td>60</td>
<td>50</td>
<td>121</td>
</tr>
<tr>
<td>Domestic Slaves</td>
<td>20</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>20</td>
</tr>
</tbody>
</table>

**TOTAL**          | 297   | 79  | 80   | 21  | 377   |

Source: Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 5. Gender Structure of Labor in Domestic Services, Pasto, 1851.**
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Men</th>
<th>%</th>
<th>Women</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Silversmithing</td>
<td>32</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>32</td>
</tr>
<tr>
<td>Hat Making</td>
<td>33</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>33</td>
</tr>
<tr>
<td>Blacksmithing</td>
<td>97</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>97</td>
</tr>
<tr>
<td>Carpentry</td>
<td>154</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>154</td>
</tr>
<tr>
<td>Cobbler</td>
<td>24</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>24</td>
</tr>
<tr>
<td>Canvas Shoe Making</td>
<td>22</td>
<td>71</td>
<td>9</td>
<td>29</td>
<td>31</td>
</tr>
<tr>
<td>Mopa-Mopa Varnish Painting</td>
<td>10</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>10</td>
</tr>
<tr>
<td>Pottery Making</td>
<td>5</td>
<td>62</td>
<td>3</td>
<td>37</td>
<td>8</td>
</tr>
<tr>
<td>Belt Making</td>
<td>5</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Talabarteria (leather engraving)</td>
<td>7</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Tile Making</td>
<td>7</td>
<td>37</td>
<td>12</td>
<td>63</td>
<td>19</td>
</tr>
<tr>
<td>Apprentices Activities</td>
<td>89</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>89</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>485</td>
<td>95</td>
<td>24</td>
<td>5</td>
<td>509</td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 6. Gender Structure of Labor in Craftsmanship Activities, Pasto, 1851.**

52
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Men</th>
<th>%</th>
<th>Women</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farming</td>
<td>735</td>
<td>98</td>
<td>16</td>
<td>2</td>
<td>751</td>
</tr>
<tr>
<td><strong>Conciertos Activities</strong></td>
<td>26</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>26</td>
</tr>
<tr>
<td>Day Laboring (jornaleros)</td>
<td>30</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td>Estate Owning</td>
<td>11</td>
<td>92</td>
<td>1</td>
<td>8</td>
<td>12</td>
</tr>
<tr>
<td>Butlers</td>
<td>5</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Slaves</td>
<td>17</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>17</td>
</tr>
<tr>
<td>Peons</td>
<td>12</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Estate Guards</td>
<td>11</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>847</td>
<td>98</td>
<td>17</td>
<td>2</td>
<td>864</td>
</tr>
</tbody>
</table>

**Source:** Crafts Census 1851 Pasto, FAHMP. Caja 49.

**TABLE 7. Gender Structure of Labor in Farming Activities, Pasto, 1851.**

53
<table>
<thead>
<tr>
<th>Occupations</th>
<th>Men</th>
<th>%</th>
<th>Women</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commerce</td>
<td>57</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>57</td>
</tr>
<tr>
<td>Pulperia Sales</td>
<td>22</td>
<td>42</td>
<td>30</td>
<td>58</td>
<td>52</td>
</tr>
<tr>
<td>Tienda Sales</td>
<td>17</td>
<td>0</td>
<td>3</td>
<td>16</td>
<td>20</td>
</tr>
<tr>
<td>Arriería*</td>
<td>4</td>
<td>100</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>100</td>
<td>75</td>
<td>33</td>
<td>25</td>
<td>133</td>
</tr>
</tbody>
</table>

* The commercial activities of arrieros, mule-trains owners carrying out long-distance trade of various items.

**Source:** Crafts Census 1851 Pasto, FAHMP, Caja 49.

**TABLE 8. Gender Structure of Labor in Commercial Activities Pasto, 1851.**
### TABLE 9. Estimates of the Gender Distribution of Labor, Pasto, 1851.

<table>
<thead>
<tr>
<th>Gender</th>
<th>P*</th>
<th>%T.P.**</th>
<th>W. P.***</th>
<th>%T.P.</th>
<th>P.E.A.****</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>3890</td>
<td>57.54</td>
<td>1945</td>
<td>28.77</td>
<td>2456</td>
</tr>
<tr>
<td>Men</td>
<td>2870</td>
<td>42.46</td>
<td>2315</td>
<td>34.24</td>
<td>1811</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6760</td>
<td>100</td>
<td>4260</td>
<td>63.02</td>
<td>4267</td>
</tr>
</tbody>
</table>

* Population  
** % of Total Population  
*** Working Population  
**** Population Economically Active  

**Source:** This study on the basis of the Crafts Census 1851 Pasto, FAHMP, Caja 49.
NOTES


2. Small plots of land assigned to indigenous families.

3. Notaria Primera de Pasto, Libros de Protocolo (hereafter NPP. LP), 1794, folios (ff.) 178, 180.

4. NPP, LP, 1796, ff. 140-140v.

5. AGN, Encomiendas, T. 24, ff. 503-504; T. 29, ff. 871-952; T. 30, ff. 74-161; Archivo Central del Cauca, Signatura (hereafter ACC, Sign.) 3065 (Col-CI-17t). Such documents, among others, record women holding encomiendas in different regions of the Province of Pasto such as Muellamués (Guachucal) in 1753, Sindagua in 1754, Jongovito in 1722, and the encomiendas from the Buises, Bombones, and Serrano Indians in 1769.

6. José María Ots Capdequi, Instituciones Sociales de la América Española. (La Plata: Facultad de Humanidades y Ciencias de la Educación, 1934), 79. A Royal Cédula (hereafter R. C.) from March 4, 1552 established that daughters were entitled to run encomiendas in the absence of sons.


8. The term refers to the cultural exchange between European and Andean cultures, resulting in the transformation of indigenous weaving customs.

9. ACC, Sign. 4080 (CII-6h), f. 2.

10. ACC. Sign. 4345 (CII-10h), f. 1.

11. Fundación Archivo Histórico Municipal de Pasto (hereafter FAHMP), Cabildo de Pasto, Caja 4, January 11, 1758, f. 15. This document from 1758 records a complaint and a petition raised to the Pasto city council from craftsmen regarding "the tolerance of the cabildo in allowing in this city forajidos [indigenous fugitives] and people from
the Quito Province and the Ibarra Village, with title of mechanic masters." The request is for those mechanics to abandon the city in eight days. The document suggests that Pasto craftsmen faced competition from their counterparts in the south of the Pasto region.

12. Vargas, *La Sociedad de Santafé*, 374-82. Chicherías were popular taverns where people, usually Indians and mestizos, used to gather and shared their spare time drinking chicha; they were also shelters for forajidos. Women seem to have been very active in fermenting chicha and running chicherías. Chicherías were regarded as places of sin and dissoluteness by the church.

13. Ibid., 374, 381. In studying chicherías in Santa fé, Vargas established that chicha was a popular urban beverage; it was intermittently banned and efforts to regulate it from 1650 were made, until its definitive proscription in 1752. However, the state proved powerless to control chicherías and chicha consumption.


15. These terms refer to most slave women in the urban households, who were assigned domestic tasks.

16. Julián Ruiz, *Encomienda y Mita en la Nueva Granada en el Siglo XVII*, (Sevilla: Escuela de Estudios Hispanoamericanos, 1975), 302. The author cites a passage related to the subjection of indigenous female servants in the early seventeenth century Santa fé. Juan de Borja, the president of the Audiencia reported to the king that, "[A]fter have deceived, forced and even robbed these Indians, encomenderos' wives, their relatives, and doctrineros [catechizer] priests, employ these servants for their service in their estates and households...and those poor Indians are neither paid salary, nor even they receive the basic food rations, and yet remain locked-in with no chance to get married, just because their masters do not want to loose the service..."

17. NPP, LP, 1794, f. 97; NPP, LP, 1785, f. 213v; NPP, LP, 1784, f. 90v; NPP, LP, 1782, 82v; NPP, LP, 1790, f. 43. Such documents, among others, recorded the following female owners of rural estates in late colonial Pasto: Manuela Guerrero owned the estancia called "Mocondino;" Catarina de Segovia was the proprietor of the hacienda called "El Peñol," and an estancia located in Aranda; Elena Martínez owned an hacienda called "Roma;" María de Benavides had an hacienda called "Panacas;" and Ana de Villarreal owned an estancia called "Quintero" in Pejendino.
18. Women running *tiendas*, which were rather small urban shops distributing mostly food and other domestic consumption items. The *pulperas* were female running *pulperias*, offering a wide range of goods for domestic consumption in the urban households and the rural surrounding areas.

19. NPP, LP, 1792, ff. 96, 97.

20. AGN, Visitas del Cauca y Bolivar, ff. 691-705.


22. NPP, LP, 1783, ff. 33-33v.


25. The monetary unit at that time in New Granada was the peso, constituted by 8 sub-parts called reales. The patacon was a silver peso. As a reference point to assess the purchasing power of money in 1784 Pasto, an inventory and assessment of the *bienes gananciales* of Salvador Narvaez and Feliciana del Pozo, from May 27, 1784, is offered (see Appendix 4).

26. NPP, LP, 1796, ff. 36v-37.

27. NPP, LP, 1795, f. 100v.

28. NPP, LP, 1756, f. 12.

29. A *fanega* was equivalent to 1.5 bushels.

30. NPP, LP, 1790, f. 45v.

31. NPP, LP, 1796, f. 141v.


33. *Leyes de Toro.* Laws VII-X (Madrid: Ministerio de Educación y Ciencia. Dirección general de Patrimonio Artístico y Cultural, 1976), 50; Asunción Lavrin and Edith Couturier, "Dowries," 286; Frank Salomon. "Indigenous Women of Early Colonial Quito as Seen Through their Testaments," *The Americas* 44 (1988):35. In this respect, Lavrin and Couturier maintain that male and female heirs enjoyed equal rights. In addition, women were able to make *mejoras* to their children of a third or a fifth of their properties. Such conditions may have opened an avenue for women to make their personal choices when bequeathing. In the
particular case of Pasto colonial women, they made mejoras out of their property, cash and jewelry. Frank Salomon, in studying indigenous women's testaments in colonial Quito, holds, as opposed to Lavrin and Couturier, that female heirs were given preference over male.

34. NPP, LP, 1796, f. 38v.
35. NPP, LP, 1796, f. 142.
36. NPP, LP, 1784, f. 21v.
37. A pious donation of estates and money to the church. This practice was linked to social prestige and Catholics resorted to it in order to foster the soul's salvation.
38. NPP, LP, 1785, ff. 214-214v.
39. NPP, LP, 1794, ff. 177v-178.
40. NPP, LP, 1799, ff. 222-224.
42. NPP, LP, 1799, f. 222v.
43. NPP, LP, 1782, f. 82v.
44. NPP, LP, 1785, f. 82v.
CHAPTER 3

VIEWS AND REALITIES OF CULTURE AND SEXUALITY: PASTO'S WOMEN IN DAILY LIFE

In exploring the more intimate realms of women's existence, I argue that patriarchal notions of sexuality, marriage, the family, and the gender notions of honor associated with them shaped the private lives of Pasto's women in ways that allowed not only for the practice of the sanctioned sexual behavior but also for various competing forms of it at all levels of society. Such notions affecting women's lives in late colonial Pasto were broadly similar to those present in various other regions of colonial Latin America by that time. Particularly, women from lower classes and nonwhite backgrounds apparently were less concerned than their upper-class counterparts in keeping conventional values such and honor and prestige. Although they were all objects of legal and ideological intervention by the state and the church, indigenous and slave women remained at the bottom of society receiving little or no recognition from it. Slight differences in status, however, apparently existed between these two groups.

Based on the views emerging from the texts of colonial officials' reports, court records, deeds and women's testaments from late eighteenth century Pasto, this chapter will focus on the various loci of gender interaction in the colonial society such as sexuality, marriage
and the family, especially the ways in which women were represented in the discourses of the Church and the judicial system. To help in understanding such a system, the legal status of women in the colonial society must be assessed. Documents recording women's voices, scant as they are, will be utilized to explore the ways women perceived themselves, their roles within marriage and the family, and the responses they offered to the impositions of the Church and the legal system.

The size and composition of the society of Pasto and the Province of Pasto in relation to that of the city¹ and the governorship of Popayán illustrate the social dimensions and ethnic structure of the Pasto's society. The padrón² from 1780, mirrors the nature of Pasto's society and that of the Popayán governorship by the late eighteenth century (see table 10). At a glance, the sharp ethnic stratification of society and the central role of the Catholic Church is evident. The 1780 padrón demonstrates the multiethnic and multicultural character of the Pasto society. White Spanish, Andean indigenous communities and African slaves constituted the basic ethnic groups that met in the colonial arena, and, in the process of cultural and socioeconomic interaction they gave rise to the mestizo population which was represented, along with free black and mulattos, under the "free-of-all-color" category in the 1780 padrón.

By 1780, Pasto's population amounted to 11,519 representing 12% of the governorship's population as a whole (see table 11). Pasto was the third largest city of the Popayán governorship after the city of Popayán (15,402) and Buga (12,234).³ Popayán, the capital of the governorship and its major economic and administrative center, accounted for 16% of its population. The Pasto Province, with a population slightly greater than the city of Pasto (13,236), represented 13.5% of
the governorship of Popayán as a whole. These figures suggest that Pasto was a relatively important city within the governorship and that it was a major urban center within the Pasto Province, with a concentration of nearly the same number of people as the whole province. The population of the Pasto Province scarcely outnumbered that of the city of Pasto (by 1%), although the former was much larger in geographical area than the city and was basically a rural area.

The ethnic structure of Pasto's society, seen in table 11, reveals the predominance of indigenous population over other ethnic groups (5,857, 51%), followed closely by the white population which appeared to be a strong sector representing 40% of the Pasto's society. Interestingly, the mestizos, along with other "free of all colors" (the castes), accounted for a minority of only 8% according to the 1780 padrón, as opposed to both the major presence of mestizos for the governorship as a whole (35%) and the proportion of mestizos in other major cities of the New Granada in the late eighteenth century. Only slaves (1%) appear to be less numerous than these ethnic groups in Pasto. The Province of Pasto shows an even stronger presence of indigenous people (58%) along with a significant component of whites (41%). Slaves and mestizos appear in the padrón as minor ethnic groups in this predominantly rural context. Undoubtedly, such inconsistencies in the distribution of the ethnic structure reveal the bias of the padrón itself. The overestimation of the white population and underestimation of the mestizos might suggest that mestizos, in their quest for social acceptance, presented themselves as white. Thus, many of those recorded as white might have been mestizos bearing Spanish names, speaking the Spanish language, probably using European-fashioned cloth and perhaps bearing the title of "Don" already popular in the eighteenth century amongst non-noble people. In this sense, one may see how the padrón also works as a cultural text, making evident the
cultural and social values of the colonial society and the strategies of the socioeconomic survival of the marginalized groups.

The city of Popayán shows a balance between indigenous peoples and whites (31% ea.,) and, the presence of slaves (19%) is greater than that of the mestizos and other "free" groups (16%) (see table 10). In this case, the overestimation of Whites is likely, hiding the actual number of mestizos. The governorship as a whole, however, presents a different ethnic structure. The mestizo population is the predominant group (35%) followed by the indigenous component (26%). Slaves and whites are almost evenly represented in the ethnic structure of the governorship, with 18% and 19% respectively. The growing mestizo component should have come from cities and provinces of the governorship other than those presented here.5

The padrón indicates that the Pasto's population was roughly balanced between the sexes (51% females and 49% males) (see Appendix A), a singular tendency not observed for any other city or province of the governorship of Popayán. The population of males outnumbered females by 10% in the Province of Pasto. For both, the city and the governorship of Popayán as a whole, females outnumbered males by 8% and 16% respectively. Single women and men prevailed over those married in 1780, except for the city of Popayán where married men outnumbered singles by 24%. Finally, following the general patterns of the expounded ethnic structure of Pasto's society as a whole, we may see, in Appendix 3, that indigenous women were the single largest ethnic group among the whole female population of the city (51%). White women apparently were also a significant demographic component (40%) by 1780. Since mestizo women appeared as a minority (8%), it is clear that the padrón undercounted the number of the castes and overcounted the number of whites, which again indicates the bias of the padrón as a social text.

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In general, Pasto was a medium-sized city in colonial New Granada with a noticeably multiethnic society where the indigenous and mestizo components prevailed over the white European and African elements, which also were present in the Pasto's ethnic structure. Women and men, represented somewhat evenly in the demographic structure of the city, interacted at all levels of society in ways this study will approach next.

**Legal Position of Lower-Class Women in the Colonial System.**

A broad examination of the main legal codes affecting the personal and social life of women in the colonial Latin American societies, allows one to see the views and cultural assumptions about gender by the judicial system. This section focuses on the legal status of women in the colonial system, and attempts to assess the degree of freedom they were accorded and the legal recourses both available and denied to them in pursuing full membership in the social institutions. This section establishes, then, a legal framework as a referent point to evaluate the realities of women's lives in late colonial Pasto.

In the highly hierarchical societies of colonial Spanish America, the notion of full membership in the dominant group, the nobility, was determined by racial, religious, gender, and kinship factors, excluding, in practice, all women from lower classes and nonwhite racial backgrounds. Thus, the dominant strata of society enjoying economic and political power and full social acceptance was an élite of encomenderos, hacendados, estancieros, and merchants. Such a stratum was predominantly male, white and ethnically Spanish with a strong Roman Catholic religious affiliation. The colonial society was particularly stratified according to ethnicity. Both the indigenous peoples and the castas (castes), namely, black slaves, free Negro and Mulatto people were excluded in practice from most civil rights, political power, and many
types of social acceptance. However, their legal status was also slightly different from one another.

The Spanish legal codes prevalent in the Indies accorded to women the status of minors. They were subjected to the patria potestas (paternal duty), which accorded the father supreme authority over his wife and children. Thus, single women were under their father's tutelage until he died. Under the age of 25, they required parental consent before getting married. For the purposes of buying and selling property, negotiating contracts, married women required their husbands' approval. Husbands had the right to manage their wives' assets and to discipline them. In this sense, widows enjoyed more freedom since they were no longer under the patria potestas. Married women were, however, legally allowed to own and inherit property. The dowry they brought to marriage, although managed by their husbands, had to be returned to the wife on the dissolution of the marriage or when the husband died. Men were legally accountable if they alienated their wives' property without their consent or if they dissipated it. The inheritance system allowed children—regardless their sex—to inherit from both parents in equal shares. However, the parents were legally allowed to retain one fifth of their property as a mejora to enhance the inheritance of any of them. The views of the Catholic Church and European medieval society, which considered that women were inferior and weak and, therefore, to be protected, are implicit in the Spanish legal codes, defining legal discrimination against women based upon gender.

Women from the upper classes, while sometime being encomenderas and merchants themselves, were not afforded full legal rights to hold government positions. It seems that, in fact, their husbands assumed those economic positions of power originally bequeathed to their wives.
Some middle-class and upper-class white men became encomenderos, hacendados (estate owners) and miners by holding those positions 'on behalf' of their wives.  

Racial intermarriage often lead to a loss of status for women of the indigenous élites. In the early colonial period, especially in Peru and Mexico, a significant number of interethnic marriages took place. Conquistadors and their male descendants sought matrimonial unions with women from the indigenous elites to take possession of their lands and other wealth. Simultaneously, the Spanish conquistadores ignored these women's customary rights to hold political positions of power within their original communities. Ironically, while the white society accorded some social acceptance to women of the indigenous elites, by virtue of their marital status, their marriages with Spanish men initiated the partial exclusion of their offspring from both Hispanic and indigenous societies, anticipating the marginal condition of most mestizos.

Because of their ethnic condition, indigenous women were subordinated in many other ways like their male counterparts. In practice, these women were obligated to pay tribute and were denied social acceptance. They were legally considered minors and in juridical matters they had to be represented and supervised by a Spanish official called the corregidor or protector de naturales, in charge of enforcing their legal status. At the cultural level, they were denied religious freedom and through a process of forced conversion they became Catholic Christians, thus undergoing a gradual process of assimilation into the dominant Hispanicized society. The Spanish legal codes brought to America were based on concepts of property and marriage previously nonexistent. The concept of private property over lands and the patria potestas proper of the classical law prevailing in medieval Europe, obliterated customary women's inheritance rights in Andean societies.
Beyond the ethnic barriers faced by indigenous and black peoples, women from those ethnic backgrounds under such a patriarchal society experienced further discrimination vis-a-vis their male counterparts. Europeans saw these nonwhite, lower-class females as objects to colonize and control. Their bodies, specifically, were perceived by many Spaniards as another territory of conquest, a territory in which further to exert power. Thus, they were literally taken by the conquerors and even suffered rape. Their sexual relationships with the white Europeans rarely ended in marriage; rather they were treated as mistresses or concubines at best. The offspring of such violent consensual unions, the mestizos, in most cases had the status of illegitimate children, widely rejected by the dominant white society and tacitly distrusted by the members of their original indigenous communities. These women's bodies, ultimately, were treated as spaces of legal intervention in matters ranging from protection against the violence of male Spaniards to the institutionalization of prostitution.

The case of African slave women is similar if not worse, since their condition of nearly absolute subjugation—what Orlando Patterson calls "social death"—allowed their masters to 'use' their bodies as objects for all sorts of sexual abuse in addition to the exploiting of their bodies for work. In the late eighteenth century, as the decline of gold production advanced, female slaves raised complaints about mistreatment and sexual abuse on the part of male slave owners. However, the law only recognized rape if the woman was a virgin at the moment of the violation, in which case a rather complicated and demeaning process followed in order to provide such "evidence."

Mestizo women were exempt from tribute, a condition that elevated their socioeconomic status over indigenous women and men because of their partial European descent. They obtained such recognition by
manipulating the elements available to them in the legal system. Indigenous women showed some preference for their offspring by Spaniards, in an attempt to protect them from the tribute obligation. They also apparently used the Spanish names given them in the baptism and the European-style clothing to hide their native condition and its low status in the colonial society.

Indigenous women found major barriers when seeking to join into religious organizations such as convents, which were reserved mostly for white upper-class women. Such a barrier was legitimized through the dowry. A law from the Recopilación of 1680 established that mestizo women and men were admitted into these religious institutions, after having been excluded from such organizations for a long time.\textsuperscript{20} The dowry, however, remained an economic barrier preventing most mestizos from joining such organizations. Interestingly, at least at the legal level, female and male mestizos enjoyed equal rights in this matter, but, in reality, only the mestizo offspring of prominent Spaniards and indigenous women of the élites were accepted. In this regard, the ethnic barrier worked differently for indigenous women. Because of the interest of the Church in consolidating the Christianization of Indians, indigenous women were admitted into nunneries, after having been largely excluded from this social privilege, but the laws in this matter clearly defined a separate space and a set of rules for indigenous convents, and this right was accorded only to women of the indigenous élites. The first convent in New Spain was opened only to "cacicas" and "indias principales" (indigenous élite women).\textsuperscript{21} One sees, then, that the barrier to full membership in these social organizations was partially surmounted and the ethnic background of these women remained as a source of exclusion. In practice, the vast majority of indigenous women and men were excluded from membership in these institutions.
White nuns in their convents, on the other hand, although apparently enjoying relatively wide autonomy in the cloisters, on more than one occasion faced intervention from the ecclesiastical and secular authorities to regulate internal life and control "immoralities" in these convents. The language used in some Cédulas to prevent religious women and beatas (women devoted to serve the Church) from occupying sacred spaces is revealing. Such sacred spaces in the churches were conceived as male spaces, where the presence of women was considered degrading. That is the representation of women underlying a Cédula Real (crown law) of 1773 in which a bishop is charged for having allowed beatas to clean up the altar, "thus permitting such an indecency as women present in so sacred a space."

Black slaves, who were actually accorded even less acceptance than indigenous peoples, were subject to nearly complete exclusion. By the late eighteenth century, mulatto and freed black women and men were increasing in number. Although liberated from slavery, these people were far from enjoying the social approval and full legal equality of the mestizo or white population, as their new status allegedly entitled them. A law from the Recopilacion of 1680 established that they were obligated to pay tribute to the crown, thus attaining a status comparable to that of natives. However, these mulatto and black women remained in a legal position inferior to that of indigenous women, since the latter, at least at the legal level, were exempt from the tribute. Such an economic subordination, along with their black racial background, led to the perpetuation of their social and political exclusion. The crown also restricted the matrimonial choices of black women and men by dictating that "black men marry black women." Those women remained relegated to the lowest stratum. It took a long while for freed slaves to surmount effectively, or even partially, the ethnic barrier imposed by the predominant white hierarchies of the colonial system, preventing them from exercising full economic freedom and receiving at the least partial social recognition. One must not
overlook, however, the importance of manumission as a legal step in the slow process of surmounting the impediments that kept these people in a state of nearly total socioeconomic and cultural exclusion.

The social status, and in a certain way, the legal status of indigenous women in the colonial society of Spanish America bear some similarities to the social condition of liminality—social death—accorded by Patterson to the slave. In spite of the efforts of the crown to forbid and control the enslavement of indigenous women, in practice, these women were subjected, in ways that resembled greatly the condition of liminality unquestionably faced by black female slaves. This was partly because the law per se left open the possibility of enslaving natives by legitimizing their enslavement under certain conditions. Indians were systematically uprooted and forced to perform exhausting and painful work in the process of gold mining. Spaniards forced indigenous women, particularly, to serve in their households for long periods with little or no contact with the outside world.

The large amount of protectionist laws and provisions issued by the crown during the entire colonial period, urging Spanish officials, encomenderos, miners and even priests, to soften their treatment of native women, attest to the existence of such enslaving practices. Since, for example, these women were frequently forced by the encomenderos to get married at a rather early age in order to exact tribute from their native husbands, the crown outlawed those practices. It was also necessary for the Spanish crown to forbid forcing pregnant indigenous women to work, but it left open the possibility of allowing those who "willingly" wanted to, setting for them salaries equal to those of men. Astonishingly enough, a law forbidding the "lactancia mercenaria"—the practice of forced breast feeding male Spaniards' offspring by native women—implicitly acknowledged the subjection of indigenous women to such practices to the detriment of their own
Finally, a clause of Isabel the Catholic queen of Castille's testament forbidding that female Indians "be locked-in to spin and weave to pay their husbands' tribute,"\textsuperscript{31} attests to the subordination these women experienced under colonial rule. Since the early colonial period there was a constant debate in the courts about the legal status of indigenous people, between those in favor of their enslavement and those against it. The latter position, held by some theologians, finally triumphed.\textsuperscript{32} However, the insistence on the freedom of natives in the colonial legal discourse suggests that they were forced to work mainly in the mining areas of Mexico and Peru.\textsuperscript{33}

On the other hand, the formal recognition of the Indians as "free subjects of the King" made an important difference with respect to the legal status of the slaves. It does not allow one, then, to attribute to the indigenous peoples' legal status the same connotation of social death accorded by Patterson to slaves. Ultimately, such a condition permitted, if not the complete outlawing of the various subjecting practices, at the least the abolition of the encomienda, one of the key sources of over exploitation of the indigenous women and men.

In general, one may say that although the colonial legislation affected the private lives of women from all classes, giving to them a legal status lower than that of men, indigenous and slave women in particular experienced further degradation because of their ethnic condition, although slight differences may have existed between both of them. Insofar as their bodies were matter of legal intervention, women from those ethnic groups experienced additional degradation.

**Female Sexuality, Marriage and Family in Late Colonial Pasto.**

**Views and Attitudes.**

Most studies on the family and sexuality in colonial Spanish America have suggested that the familial institution and the sexual behavior of the people hardly resembled the ideal preached by the church. In fact, the presence of various forms of sexual transgressions
put into question the actual extent of the church's control over the very intimate sphere of women's and men's lives.\textsuperscript{34}

While this appears to have been a cross-class and cross-ethnic pattern, it seems that the church was able to influence women's behavior more readily among the upper and middle classes, whereas at the lower-class level honor, legitimate marriage, and the socially prescribed sexual conduct were rarely the norm in daily life.\textsuperscript{35} In explaining the gap between ideal and actual behavior, Asuncion Lavrin maintains that the moral models proposed by the church--resulting from the Council of Trent in 1563--were practically impossible to achieve. They were based on the assumption that human sexuality threatened spirituality and that there was a dialectical tension between flesh and spirit, whereby the eventual victory of carnality would lead to the eternal damnation. Humans, especially women, were to act with self-restraint regarding their bodies. Thus, while the chances for legitimate sexuality were limited, the opportunities for "sin" were many.\textsuperscript{36}

The familial institution in eighteenth century New Granada was a rather frail and unstable one. Pablo Rodríguez has found that the frequency of concubinage, of children born out of wedlock and from unknown fathers, and of single women living in illegitimate unions, were the responses of women to rigid legislation and social mores.\textsuperscript{37} The records at hand for colonial Pasto permit the establishment of broadly similar patterns. Court records, testaments and official reports from colonial Pasto and its neighboring areas attest to the presence of various forms of deviant sexual behavior. Simultaneously, these documents permit to detect the dominant views of the colonial legal system and the Church regarding female sexuality, through their emissaries' voices, as well as the way in which women managed to survive or circumvent the social control forced upon them by the church and the state. Special attention will be paid to the language used by the state.
officials, the Church ministers and women, when possible, to capture their views and analyze the dynamics of the juridical system at the local level, regarding deviant sexual behavior.

**Honor**

Honor played a significant role in human relationships across the colonial period. Discussing the meaning of honor in colonial Spanish America, Ann Twinam considers it as a social-class marker defined as a complex set of values and ideas for regulating élite behavior, and the "ethos which rationalized the existence of the colonial hierarchy." Honor involved the notion of both purity of birth (limpieza de sangre, racial and religious purity) and a tradition of legitimate--Catholic--marriages and births. Honor was, then, a vehicle for social mobility and political opportunities for those who had it, and an instrument for regulating female sexuality, making women responsible of carrying honor or dishonor for their husbands and families. Having honor meant political power, administrative offices, and business opportunities for men, and choices of marriage for women. Single women were to abstain from sexual relationships and remain virgins until they "take state." Married women were to be faithful. Losing their sexual virtue meant completely losing their reputation and being considered "out of control," nearly becoming a prostitute. Since double standards of morality for men allowed their sexual conduct and reputation to remain unquestioned, failure to keep honor threatened women's social recognition more than men's. Thus, female sexuality was controlled by the colonial concept of honor either through virginity or marital chastity.

Most scholars agree that the two basic notions of honor was both status and virtue. In agreement with Twinam, Ramon Gutiérrez states that honor as a virtue was a gender-defined concept, whereby a man acting with honor must have exercised patriarchal control over his relatives, integrity and allegiance, whereas shyness, discretion, femininity,
shame, and faithfulness to their husbands were to be the women's equivalents of honor. Gutiérrez holds that the main role of honor, in its twofold meaning, was the preservation of the nobility's prestige and privileges.\textsuperscript{41}

In studying the notions of love and honor in colonial Mexico, Patricia Seed points out that the sexual honor of Spanish women and the "sacredness" of a promise of marriage were considered crucial in maintaining honor as virtue. Honor as virtue in turn had a twofold meaning: not only the personal self-esteem but the social recognition of one's integrity and reputation. Since honor was then a matter of public and private interest, people had to care for their own reputation. Since "public embarrassment was worse than death," eventual loss of sexual virtue was quickly covered up by marrying secretly or any other means at hand to maintain the appearance of chastity.\textsuperscript{42}

Honor was a changing cultural value during the colonial period. Seed maintains that during the sixteenth and seventeenth centuries honor as virtue was highly regarded by society and the church. The preserve of a woman's sexual honor was a major concern when sanctifying marriages by ecclesiastical officials, without considering the differences of social and economic status of the families. In this sense, honor was relatively independent of wealth. Thus, the concept of equality among Spaniards was understood as equality of honor as virtuous behavior, instead of equality in wealth or social standing. Interclass marriages, a direct consequence of such a cultural assumption, were allowed and sanctified by the church.\textsuperscript{43} In the period from 1670 to 1730 attitudes of the church supporting protection of women's sexual honor and promises of marriage began to fade, and a more pragmatic notion of honor as social status emerged. By middle and late eighteenth century honor as a cultural value had undergone a sharp redefinition. Social and economic precedence became the main factors associated with honor, and moral virtue was no
longer placed in such high regard. Such a change in mentality took place as novel ideas about self-interest and respectability emerged with the advent of capitalism. It was also a response of the élites to the growing number of interracial marriages as demographic growth also occurred in New Spain in that period.

Acknowledging the existence of the two meanings of honor, Ramon Gutiérrez, on the other hand, asserts that honor was crucial in the preservation of social inequalities. Its maintenance was a major concern in marriage decisions, thus ensuring that parental control was key for keeping one's family honor in colonial New Mexico. After the Bourbon reforms in the late eighteenth century, the increase of wage-earning workers and the ideological separation between nobility and peasantry broke the premise of honor as a symbol of social status, eroding the precedence of such a cultural value among mestizos, landless peasants, and slaves for whom honor was no longer of great value. Simultaneously, marriage for love took precedence over parental decisions.

Finally, the value attributed to honor varied according to social class. The changing larger economy determined a different balance of power between church and state, also modifying the meaning of honor. Honor exigencies were less rigorously invoked on lower-class females because of their need to participate in the labor market and the absence of adult males in their households. Susan M. Socolow found that women from the higher ranks of the colonial society of Buenos Aires with social pretensions were more closely scrutinized in their sexual behavior than poor women, for whom justice and fearful husbands were more tolerant of long-lasting adultery and concubinage. In studying colonial mentalities in Antioquia, in New Granada, Pablo Rodríguez suggests that poor peasant families hardly could inculcate to their daughters the ideals of self restraint, seclusion, and devotion—values strongly appreciated by the local élites. Their women's labor was crucial for the family subsistence, allowing them a certain freedom, but
at the same time, exposing them to permanent aggression from men, especially sexual harassment and abuse.\footnote{50}

The different roles and meanings of honor for colonial Spanish America, discussed above, were present, in one way or another, in the case of the colonial society of Pasto. The documents illustrating honor, concubinage, and adultery, attest to both the distinctive importance of honor as social status and virtue that the various social ranks accorded to such a cultural value, and the burden that the notions of honor and reputation placed on women's sexuality.

The lawsuit of Doña María Tereza Sánchez Huete y Espinoza, literate woman and the governor's wife, exemplifies the role of honor in the local society of colonial Pasto, especially among upper-class women, who viewed reputation as a cultural value linked to female sexuality and marriage. On September 12, 1779 Pasto, she went before the ecclesiastical court to sue a clergyman for defamation. According to Doña María Tereza's own words, "Because I requested it, this court has pressed charges of defamation against Don José Joaquín Tenorio, clergyman, for he has denigrated against my credited reputation, jeopardizing seriously my pristine marriage" (emphasis mine).\footnote{51} Her affected pain is quite noticeable as she goes "fearless of god, [the clergyman] has dared to slander my honor by calling me a loose woman, in presence of several subjects. I beg your honor that you accept this claim to recover my honor and reputation which have been put in jeopardy, along with my life."\footnote{52} What seems to matter most to Doña Tereza is not what the clergyman presumably said, but that he did so publicly, insinuating that in colonial Pasto the notion of honor involved the public recognition of one's worth and integrity. Doña Maria Tereza was aware of the hazard of being viewed as a promiscuous woman basically because of her status in Pastuso society: "...being my marriage so well characterized and so elevated the condition of my husband... [it] is very necessary to vindicate my honor and restore my
reputation." She was the wife of the governor who was going to be known in the area, not surprisingly, for extirpating sexual conducts similar to those that the priest was attributing to her. Doña Tereza's lawsuit clearly suggest that the colonial élites at this local level also placed high value upon women's sexual reputation.

Doña Tereza fought relentlessly to make Don José Joaquín pay for his alleged crime. He was imprisoned for defamation. One year later, having realized that Don José Joaquín had escaped from the convent of San Francisco where he was jailed, Doña Maria Tereza demanded the capture of the escaped clergyman. Conscious of her powerful position, she practically took the command of the judicial process, dictating to the ecclesiastical judge the procedure, step by step, needed to capture the priest.

The consequences of this affair illustrate why honor was one of the most precious social and cultural values in the more élite sectors of the colonial society, and the role of honor in local politics. As a consequence of the rumors, Don Pedro de Becaria faced resistance and insubordination from members of the Pasto and Popayán cabildos (city councils). In his report from November 19, 1778, to Don Manuel Antonio Flórez, Viceroy at Santafé de Bogotá, De Becaria y Espinoza, noticeably depressed, expressed that, "not satisfied with the scandal machine they have set in motion in that city, the magnates from Popayán, have unleashed a wave of disobedience and have resisted all my commands...they have caused so much sorrow to me, mainly for having attempt to tarnish the ingenuousness and innocence of my poor wife. I am afraid that this pain takes away her life."

A married woman's honor was also to be protected when the threats of seduction and adultery were imminent. Don Francisco Sarasti, a tribute collector in 1800 Túquerres in the Province of Pasto, was dismissed and banished "for disturbing the peace of Don Cristobal G arcés
and Doña Josefa Balboa's marriage." Don Francisco was convicted for seduction after having sent love letters to Doña Josefa, inciting her to escape with him to Quito. Interestingly, in this case, owing to the high social standing of the woman, it was the man who was banished. In 1828 Túquerres, a small city in the Pasto Province, a lawyer defending María Montenegro, who apparently killed José Meneses because he insulted María while he was inebriated, argued that "protecting one's honor and precluding denigration of one's family is a social duty and a precept of nature." In colonial Pasto as elsewhere throughout Spanish America, honor was a social and cultural value inextricably bound to women's sexuality, marriage and family values. From the sources analyzed it is possible to see, in general, that honor, a cultural value embedded in European Christian cultures, served to restrain female sexual relationships to the prescribed legitimate marriages, while men's sexual behavior and double standards of morality remained unregulated. Apart from marking clear social and ethnic boundaries, reputation was a major constraint for women, who were also accountable for maintaining the honor of their husbands, male relatives, and families.

**Concubinage and Adultery in Late Colonial Pasto**

The existence of sexual behavior departing from the institutionalized forms of marriage and the family reveals the extent to which women from the various social ranks actually observed the standards of honor and sexual virtue in every day life. The responses of the institutions of social control to deviant conduct mirrored, in turn, the socially and culturally defined views and attitudes of honor and its function in controlling the social order. In her study of honor and legitimacy among élite women in colonial Spanish America, Ann Twinam considers concubinage as the public entering into sexual relationships, in which, either one partner is married and no promise of marriage has been exchanged, or when women have become a cleric's mistress. In most
cases women openly bore the "illegitimate, adulterine, and sacrilegious offspring" of such unions. Women engaged in such an illicit behavior were accorded a status even lower than that of unwed mothers receiving promises of marriage. Whereas some women were able to regain their honor by marrying their lovers, hiding their pregnancies and possibly legitimizing their offspring later on, such options were not available to most women, who remained in a state of "in betweenness," since they still had honor owing to their social background, yet they were neither single virgins nor loyal wives.

Such notions of concubinage were present in late colonial Pasto as well. The strategies used by élite women in the colonial Spanish American society at large, however, may not have been available to most lower and middle-class Pastuso women from nonwhite backgrounds, wishing to regain any sort of social recognition. On the other hand, the notions of honor and sexual virtue were held mainly by white upper class women. In accordance with this, the attitudes of the ecclesiastical authorities regarding concubinage tended to be rather lax for women of the lower classes. In late colonial Pasto concubinage was practiced indiscriminately by married and single women and men, in a cross-class pattern. In turn, the reactions of Popayán's governor Pedro de Becaria y Espinoza to the presence of concubinage, adultery and incest in his visit to the governorship in 1779, reveal the ways in which the state intervened in the private lives of Pastusos, in order to control their sexuality and the social order.

The visitas (inspections) carried out by Pedro de Becaria y Espinosa to Pasto, the Province of Pasto and other areas of the Popayán governorship in 1779-1780, formed part of the Bourbon reforms which sought, among other goals, to recover the social order in the frontier areas of the Spanish American empire. Frontier societies were perceived as barbarian and uncivilized and the crown was concerned in bringing
these societies back to social control by strengthening authority and the legitimized patriarchal institutions of marriage and the family.

Focusing on the correction of sexual behavior that challenged the legitimized familial institution, the visitador (inspector) sought to impose emergency strategies to restore the social order in the area. Thus, concubinage and adultery, and, more specifically, the women involved in such practices, became major targets. The official report of Pedro de Becaria y Espinoza, from the visit carried out in Iscuandé in 1779 illuminates the cultural assumptions regarding female sexual behavior in colonial society at the local level of the Popayán governorship. The report conveys mainly the governor's voice, as an emissary from the colonial state. As a result the depositions of the accused and witnesses are strongly biased by the inspector's views and editing. In his report to the Santafe Viceroy on September 23, 1779, De Becaria claimed his duty, to "clean the excesses, scandals, concubinage and culprits" in order to "extirpate the evil and suppress those who have offended God, so that his holy name be worshipped and glorified." 61

Becaria emphatically blamed the local ecclesiastical and civil authorities for such an "abnormal" state of affairs in the town, making apparent the prevailing animosity between church and state at the time of the Bourbon reforms. 62 To pursue his proceedings, De Becaria acted with painstaking care and iron fist. He looked for the "accomplices" through a "secret investigation" in which several vecinos were interrogated to establish whether they knew of those "living in concubinage and scandal" and whether they knew if local authorities attempted to eliminate such behavior. He prompted the witnesses not to disclose the questions they were asked, and Iscuande's mayor Bernardo Guerrero was even dismissed for having disclosed them to some of the other witnesses. 63

Eighteen married and single persons from all social standings were formally charged with concubinage, as a result of a "secret
investigation" conducted by Becaria himself. Becaria reported that "from such a sinful communication, some of them had children."64 Some of these "illicit communications" had been punished by a prior inspector but "the [ecclesiastical] judges have not taken care of that because they do not patrol nor watch over jealously."65 Most of these relationships had started long time before the denunciations. The witnesses assured Becaria that they knew of them "by having heard" or by "word of mouth" (voz común).66 In absence of more reliable proofs, judges used such evidences in judicial cases in Spain and in the Indies.67

It is clear that authorities perceived concubinage not only as a sin against the social prescriptions of the church, but as a crime, thus manifesting the Bourbon reformer's views of societal order. Those living in such a state of transgression, especially those couples accused of "public" concubinage were considered "accomplices" and their behavior deserved "extirpation." They were major targets because they exposed their "sin" publicly. This language suggests the tensions between private reality and public reputation, customary for the most part of colonial Spanish America.68

The voices of women charged with concubinage shed some light on their views and values. Antonia Salazar acknowledged her living in "illicit friendship" with Estéban Erazo for more than 8 years and claimed to be expecting their fourth child. She was emphatic that her children were Don Estéban's because she "knew no other man." By showing that she had controlled her sexual impulses, Antonia expected to be rewarded with some recognition of her honor, the same strategy that women used in other areas of colonial Latin America.69 She also claimed to have accepted this union only after she obtained a "promise to marry" from her partner. However, Don Estéban married another woman two years before Antonia's deposition, "I do not know why, because he kept living with me all this time."70 Antonia resorted to the strategy of the
"promise of marriage," many women used elsewhere in Spanish America, to legitimate their consensual unions, expecting to fit somewhat into what was seen as legitimate sexual behavior at that time.\textsuperscript{71} In addition, by reasserting her children's paternity, she expected to be recognized for her faithfulness, hoping to fulfill the expected behavior of a married woman.

Paula Guerra, a single woman, faced charges of concubinage and incest, for living in public amancebamiento (concubinage) with her aunt's husband, Vicente Portocarrero, by whom she had a child. She was said to have claimed that "as a frail woman I fell into shame with him."\textsuperscript{72} Moral weakness—women's inability to exercise self-restraint—was commonly assumed to be inherent to the feminine condition. Here, Paula apparently used such an expedient to ease her punishment. As soon as Paula's father found out she was pregnant by her aunt's husband however, he stopped Vicente from coming to visit Paula and immediately reported the case to the local priest, who proceeded to have Vicente put in jail. Paula was hidden by her father.\textsuperscript{73} Although Vicente did not have blood ties with Paula, their relationship was considered incestuous.

The responses of the juridical system to this type of transgression seldom varied. The inspector decided to separate the "accomplices." The implicated women were banished and condemned to serve as cooks in the mines of the area. The married men were forced to rejoin their wives and were fined one silver peso in case they relapsed.\textsuperscript{74} In the case of the unmarried couples living in concubinage both partners were allowed to remain in the city if they promised to get married. Meanwhile, the local priest was prompted to maintain a close control on them.\textsuperscript{75} Those accused of incest, however, faced confiscation of their belongings and banishment.\textsuperscript{76} A few other women pursued divorce demands against their legitimate husbands for abandonment.\textsuperscript{77} A woman was
"deposited" to the Iscuande's mayor Don Bernardo Guerrero, "for him to suffer the hindrance of his blame and be responsible for the sins he committed for carelessness and negligence, for he has not kept guard on the disorder of the accomplices." Isidora had to accept whatever task Guerrero assigned to her, to make her living out of it. 78 Most of these women were poor mestizo and mulatto, since they are not named "Doña," a name usually indicating upper middle class or élite status.

The language used by Becaria and the selective punishment applied to women and men, demonstrate the implicit assumption that women were sinful by nature, and, therefore, to "purify" the town from such sins, deviant women were to be banished. Removing the embodiment of the sin was symbolically the extirpation of the sin itself and the recovery of the social order. Banishing these women was a public degradation, a punishment that held the women solely responsible for the sin. Indeed, while women were banished and degraded to the role of servants in the alien and unhealthy environment of the gold mines, men were simply prompted to fulfill their prescribed roles as husbands, preserving the familial institution protected by the church. They were to be fined only if they "fell back" into such deviant behavior. Besides, Becaria, who proved to be so strict in punishing humble women, also exhibited greater generosity with women from the white elites involved in "ephemeral" deviant relationships. "I refrain from to deciding about other denunciations of concubinage, adultery and incest, resulting from the secret investigation for respect to the public honesty and because of the transitory character of such disorders" (emphasis mine). 79 This statement suggests that the state responded differently to the deviant sexual behavior by women depending on the social status of the transgressor.

Catholic marriage, on the other hand, was seemingly an alternative way of "cleansing" the "sin" for those singles living in concubinage, if they did not want to face the loss of dignity and the shame of
banishment. By accepting this choice—the promise of marriage—the visitador was implicitly underscoring the need to preserve public morality even against the social realities, a sort of double morality standard in interpersonal relationships. In a way, such ambivalence in ecclesiastical politics—their allowance for "cleansing" concubinages along with the practice of concubinage from members of the church themselves—should have conceivably harmed the credibility of the church among the people, since clerics were to be role models of chastity. 80

In any case, what governor Becaria represented as sinful and scandalous behavior obviously was not viewed in this light by the local society of Iscuande in 1779. Most of the relationships denounced by Becaria were long-standing ones, whom the civil authorities left undisturbed so as "to not raise more scandals." 81 One may then establish that lower-class women did not consider Catholic marriage the only choice for establishing sexual partnership or alternative family lifestyles, although marriage was the socially "legitimate" form for sexual relationships. Occasionally, even consensual unions appeared more stable and rewarding than former legitimate marriages, especially in those cases in which one of the partners abandoned or experienced abandonment by a former husband or wife.

Such efforts to stamp out sexual misbehavior occurred in various areas of Spanish America during the period of the Bourbon Reforms. The outcome of Becaria’s visita was similar, for example, to an investigation of Bishop Mariano Martí, a religious reformer carrying out the Bourbon policies in late colonial Venezuela, in 1771. Martí recorded a large number of sexual transgressions by women and men in different regions of colonial Venezuela such as concubinage, adultery, and fornication, incest, prostitution and homosexuality, by women and men from all social classes. Although the reformer blamed women for having

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brought disorder and sin to the bishopric, part of the guilt was also placed on men for their irresponsibility as parents and on clergymen both for their negligence and for practicing some of the same kinds of deviant sexual behavior as their faithful. As opposed to the case of Iscuandé, in colonial Venezuela males accused of adultery were banished from their towns as well as women.

In the colonial societies of Latin America, adultery threatened the stability of legitimate marriages and undermined the honor of the betrayed partner. Although sexual transgressions took a variety of forms, it seems that adulterous concubinage was viewed as the most intolerable sin by the church. In studying sex and the sins of fornication in colonial Mexico, Asuncion Lavrin establishes that the moral and theological basis for condemnation of adultery resided in the assumption that adultery undermined one of the very foundations of marriage—the assurance that sexual relationships were to be held only between the two legitimate partners. Concupiscence and lust, underlying adulterous behavior, were unyieldingly condemned by the church, which considered that adulterers, especially women, were insatiable "animals in heat." The colonial society was rather lax with male adultery, which was tacitly expected. Men were blamed mainly for abandoning their wives and children without economic support, and for parading their adultery publicly, bringing shame to their own families. Women accused of adultery were immediately held in depósito in casas de recogimiento and those of lower classes were mostly "deposited" in the house of a prestigious house, to be closely scrutinized, mostly ending up as servants. Punishing adultery was aimed at restoring the legitimate marriage by bringing the spouses together, redeeming the offended partner from the shame caused by the adulterous one. Exploring the factors propitiating adultery, Kathy Waldron considers as the most frequent: long separations of husbands motivated by work or business; packed households with numerous female slaves and servants; and the
apparent little reinforcement of law in colonial Venezuela. As in other regions of Latin America, Waldron found that in colonial Venezuela adultery was a common cross-class practice. Among élite women alone, Martí, the visitor, recorded 250 cases of adultery. 87

The responses of the juridical system to adulterous behavior, aiming at maintaining the matrimonial institution in colonial Pasto and the Province of Pasto, reflected the views of adultery and marriage common in colonial Mexico. The case of Josefa Leonor Enriquez, a 22-years-old, poor woman accused of having killed her husband, Salomé Bobea, illuminates the role of honor in society and culture, and the representations of women by the colonial juridical system as well. Manuel Carvajal y Tenorio, the lawyer appointed as public prosecutor, convincingly presented some striking considerations that he thought might turn the verdict in favor of the accused, practically playing the role of defender. He asserted that Josefa, possessed by her doubts and blinded by her jealousy, armed herself and ran to "the scene of her dishonor and offense, surprising her husband having sex with another woman." 88 His central argument was that the "excessively irritable" nature of women in love matters, which "poison them" because of their "sensibility and delicacy, superior to that of the other sex," was the cause of the murder. Furthermore, the prosecutor resorted to women's presumed "natural imbecility and the common meanness of their spirit," to justify the weakness of Josefa. 89 These arguments were brought to legitimize breaches of honor, the ultimate reason, as a justification for murder. Invoking the arguments of Classical law, Carvajal y Tenorio supported his defense by citing Juvenal, a Roman law thinker: "Anger and revenge are the favorite passions of the most imperfect sex. Men should secretly congratulate themselves for having received from heaven a soul stronger than women's; in the mess of their passions, women turn to be frenetic and deserve compassion." 90 This construction of gender by the colonial juridical system, inherited from Roman Law, established a clear
stratification between men and women. Women are portrayed as an inferior gender, lacking the essential virtue of men which is rationality, the "stronger soul" mentioned by the attorney. Thus, the feminine is constructed as purely instinctive. Sensibility is equated to instinct and, therefore, the feminine nature is essentially violent and closer to animal nature. The idea of "natural imbecility" is seen as a natural attribute of women. Denying women's intelligence and rational thinking, reducing them to the status of an animal, the colonial juridical system was able to forgive them the "most horrendous crimes" such as murder, for ultimately, such human animals "deserve compassion." While apparently attempting to vindicate Josefa's lost respectability, the prosecutor actually used expedients that assumed her inferiority as human being. The cultural assumption of female's "natural imbecility" was also used in colonial Quito for subjecting women; in some cases women themselves utilized this defense to gain freedom. 91

In the case of Josefa Leonor, the prosecutor used a pragmatic defense of Josefa's legitimate marriage. He wondered "[W]hat would happen if the cause of such an abominable crime is the most fair, reasonable and legitimate one? Because, what is it, an author wonders, civil property compared to that of the heart, the sweet and sacred bond of marriage? And what represents the stealing of goods compared to that of virtue and domestic happiness?" 92

The prevailing views and legal codes regarding adultery turned out to be favorable to Josefa. The prosecutor claimed that "adultery violates matrimonial rights, leaves a deep wound in the offended's heart that impels one to excuse the outraged from the crush that compelled her to kill." 93 Josefa's defender used similar arguments to those of the the prosecutor, Carvajal y Tenorio. He stated that "adultery is against nature, unleashing all sorts of destructive effects even in the most prudent and wise men" subtlety justifying homicide when caused by adultery. 94 Although the customary Castilian law only recognized such
"flexibility" for men, this attorney deemed that "this law may be extended to women, considering for them, however, a more aggravated fault." The prosecutor's claim that the Castilian law, which forgave men who committed murder motivated by jealousy, was extended to women is very intriguing. It illuminates the contingent interpretations of gender by the juridical system of colonial Pasto when supporting the integrity of marriage. On the other hand, such an attitude from the prosecutor might suggest that at this local level of the judicial system, the patriarchal views on adultery were less influential than in the major colonial centers of Latin America and Spain.

Marriage and the Family

In colonial Latin America marriage and family were crucial in institutionalizing sexuality and controlling social order. Lavrin and Gutiérrez agree in defining colonial marriage as the narrow space acknowledged by the Catholic church for realizing human sexual needs, the "physical union of the bodies." The moral basis for legitimizing sexual relationships through marriage was procreation. It was clearly stated by the Canon law that the sexual act was meant not to achieve pleasure but for the mere need of perpetuating the human species. Underlying the concept of marriage was the notion of débito matrimonial (conjugal duty) whereby sexual relationships were defined in the contractual terms of an exchange of sexual requests and payments which ought to be just. The sexual contract was meant to avoid extramarital sexual relationships, concupiscence ensuing if one partner's requests were not fulfilled by the other. Through the Canon law the church intervened in the private sexual life of the married partners, regulating what it saw as acceptable and unacceptable sexual behavior. In addition, the priests had both influence over the sexual behavior of the couples by advising them and the right and duty to reunite couples that had been separated by either the abandonment of one partner by the other, by adultery, or by the concubinage of one or both spouses.
In colonial Pasto, such a concept of marriage was intertwined with strikingly unromantic examples of real behavior. Josefa Leonor's case of murdering an adulterous spouse, analyzed above, also sheds light on the cultural assumptions regarding marriage. The notion of marriage, expounded by defender Carvajal y Tenorio, appears strongly colored by pragmatic concerns. The comparison between civil property and the bonds of marriage as "propiedad del corazón," shows that marriage was conceived as a property right, entitling the partners to claim absolute belonging of one another. Thus, the legal codes suited such an assumption and guaranteed the endurance of marriage. Ironically, as in the case of Josefa Leonor, such property rights prevailed over right to life, thus showing the interest of the judicial system in controlling gender relationships through the institution of matrimony.

On the other hand, the attitudes of married couples regarding business manifest a different sort of pragmatism. In women's testaments, marriage appears conceived of as an enterprise. The language used to refer to marriage is particularly revealing. It is referred to as "the matrimonial consortium." The function of women's dowry is referred to as a way "to help in the matrimonial burden" (cargas matrimoniales.) Usually, the woman declares: "To this marriage, I invested these goods of mine ("Yo puse por bienes míos para este matrimonio ...")," 99 or "my husband did not bring any capital to this marriage." 100

Money issues between the married couple were handled with much rigor and coldness, with the couples acting almost as business partners. They collected their debts against one another's goods. In 1794 in Pasto, María del Castillo, a lower-middle class mestizo woman, had to pay her husband a debt that her brother owed to him before he died, a debt for which María served as guarantor. She paid the ten pesos debt with a saya (a fine skirt). 101 María Obando had to lend six pesos to her brother for him to pay a debt to María's husband. 102 There were also a great many commercial transactions among family members. In 1750 Micaela Cabrera bought the Tambo Pintado estate for 1,839 patacones from her
husband. Gregoria Cerón sold a house on a town plot for 700 patacones to her son. María López sold two houses for 70 patacones to her brother in 1756. In short, the language of the testaments of women in late colonial Pasto suggests that marriage was also assumed as a common enterprise in which the husbands maintained clearly separate property and little concession was exchanged when it came to business matters.

Owing to the rather narrow space culturally and institutionally assigned to human sexual desires and in spite of the efforts by the church and the judicial system to preserve the matrimonial institution, there is as much evidence of marriage instability and looseness in colonial Pasto, as in anywhere else in colonial Latin America. Susan M. Socolow, found a high incidence of illegitimacy, short and long standing concubinage, and adultery in colonial Argentina. Thomas Calvo found high rates of illegitimacy among seventeenth century Guadalajara families and a wide variety of concubinage among most mestizos, priests and members of government. A.J.R. Russell-Wood established that few marriages were performed in colonial Brazil in relation to the total population, and that the presence of marriage sanctioned by the church was related to the racial background and social class. Excessive religious regulation and the legal impediments for interclass and interracial marriages in the late eighteenth century aggravated marital strains, driving uncountable couples into concubinage and adultery, seriously threatening the predominance and stability of the matrimonial institution and social order. Although sexual relationships between whites, Indians and castas were widespread, marriage between them was rare. Absenteeism on the part of their husbands often turned into actual abandonment of their wives. The ambiguity of these matrimonial relationships frequently favored concubinage and illegitimacy.

Marriage was also an arena of power relationships, expressing the tension between patriarchalism and the various ways women managed to circumvent it. Indeed, the position of women within marriage
deteriorated because of their legal subordination to the authority of their husbands and the débito matrimonial. Abandonment, mistreatment and cruelty on the part of the husbands, were but a few of the expressions of patriarchalism in matrimonial and familial life. Simultaneously, the presence of many women as heads of households, the demands for support from their spouses, and divorces—frequent responses of women to the abuses of patriarchalism—manifests the dialectical forces at play in the marriage space.

A deed from June 11, 1784 established that Nicolaza Zambrano, the wife of Don Mateo Cortés, was "repudiated by her husband more than 20 years ago and she had not heard from him anymore." She was selling a tienda from her house to find some financial support. Tomasa Santacruz declared in her testament from Pasto in 1776 that her husband, Don Miguel Muñoz, had repudiated her eight years earlier, taking away not only the cattle he brought to the marriage but also her assets in cattle and 80 patacones of her own money. She declared that after Don Miguel left, she had received no support from him, either for their two children or for herself. Elena Martinez was abandoned by her husband, a poor Spaniard, and she never knew his whereabouts; after 40 years of being married, the only news she heard about him was that he had died in Peru.

Elite women like Isadora Valdés in 1820 in Pasto, married to Nicolás Quiñonez, the Alférez Real of Barbacoas, claimed to be "scorned" by her husband after she had been forced to run away from the patriots of Barbacoas to Pasto, who pursued her for supporting the King's party in the War of Independence. She also complained about the unhealthy weather of Barbacoas in order to justify her staying away from her husband. She sued her husband for support for food, portraying herself as a "deplorable and miserable, unlucky woman," since she was left with no support after moving to Pasto. Her husband consistently refused to provide such support on the grounds that she had deliberately separated from him, although in the first instance she was approved food support.
by the court. Most of these women were left with children and became actual heads of the household, having to fulfill the double responsibility—economic and parental.

The court records for late colonial city and Province of Pasto attest to the many cases of battered women, like María Paz, who was "deposited" to the Real Justicia (judiciary office) after her husband beat her. In 1799, after Joaquina de Seijas y Velazco, a wealthy man's wife, had been mistreated and abandoned in several towns by her husband, Popayán's governor decided that she was to be transferred to Pasto and that Sebastián Burbano de Lara, her husband, was to pay twelve pesos a month for her food support. These cases suggest that women found legal protection against abandonment and from abusive husbands. However, in the confessionals used by priests to guide the faithful, beating was considered an edifying corrective "administered by men and tolerated by women." Priests' interpretation of patriarchal authority in the family accorded the husbands the right to discipline their wives by inflicting "reasonable" punishments. When studying matrimonial conflicts in colonial Mexico, Richard Boyer found many cases of mistreatment and abandonment—la mala vida in the politics of marriage—similar to those reported by the documents for colonial Pasto. As for the case of married women abandoned and mistreated by their husbands in colonial New Spain, Pasto's women apparently abided such a situation for a long time before they reacted either by suing their husbands or running away.

Although it was legally possible to convene a divorce trial, it was generally an endless and expensive process and the church was usually reluctant to grant it. In addition, the church only recognized the physical separation of the bodies, but the bonds of marriage remained indissoluble until the death of either partner. In studying divorce in late colonial Mexico, Silvia Arrom described the steps required for a divorce process and established that although technically it was to last only one month, in practice most petitions took a
considerably longer time. In fact most of the claims were relinquished at some point. Women initiated divorce lawsuits motivated primarily by cruelty, mistreatment, lack of material support, alcoholism, and adultery.\textsuperscript{119} Divorce in colonial Brazil presented similar contours as in late colonial Mexico.\textsuperscript{120}

The records at hand for this research do not allow to assess the incidence of women as heads of households, but its occurrence is suggested in some testaments and deeds of women in Pasto in the late eighteenth century.\textsuperscript{121} Although the phenomenon was more frequent among lower-class women, it seems that it was not uncommon among white upper and middle class families. Women were driven into the role of heads of households primarily for abandonment, widowhood and, to a much lesser degree, by divorce.\textsuperscript{122}

Marriage was also a vehicle of social mobility for some men and women. Manuel Berdugo, a poor Spaniard, married Elena Martinez a wealthy woman from the Pasto elite.\textsuperscript{123} Marcela Dueñas declared in her testament of 1796 in Pasto "that she brought no capital to her marriage for having married poorly" although she married one of the wealthiest men in Pasto, Don Nicolás Burbano de Lara. Soon, she became a prominent money lender.\textsuperscript{124} These cases suggest the existence of interclass marriage.

Most women who did not work outside the home cooperated with their husbands in supporting their immediate families. Those from the elites received aid from their families such as Elena Martinez' daughter, who received continuous economic support from her mother. Others pawned valuable items in moments of financial need. Other poor and lower-middle class women simply contributed their work to the marriage to make their living out of their skills like Doña María de Obando del Castillo who worked as a seamstress.\textsuperscript{125} Although the dowry was a dying institution by the late colonial period, most poor and middle class women in Pasto certainly contributed by their working in various occupations to the support of their families. Sometimes, as in the case of abandoned women,
they had no help from their husbands. These were the type of women more active in the division of labor in the Pasto's economy.

Marriage and family were inextricably bound by similar cultural assumptions. Colonial Latin American cultures shared Christian medieval views of family as the very basic nucleus of the society, legitimized by theological principles emphasizing its sacred nature as an expression of "the divine plan." Patriarchalism, a cultural assumption emphasized by Christianity, was at the very foundation of both of those institutions. The notion of *patria potestas*, which institutionalized the supreme authority of the father over his wife and children, and the unquestionable acceptance of such subordination on the part of these members of the family, was at the basis of patriarchalism. Thus, Christianity, and the Catholic church in particular, conceived the family as a hierarchical unit with the male authority at the top, resembling the social pyramid headed by the king. The ideal of love and reciprocity to harmonize family relationships was mentioned, though it did not question patriarchal authority, which determined the politics of family in daily life.\textsuperscript{126}

In studying women and the colonial family in eighteenth century New Granada, Pablo Rodríguez established that although the conjugal family was the basic familial unit, its social precedence was not indisputable. The conjugal family was often frail. This was motivated by circumstances such as: the coexistence of persons with no consanguineal bonds in the same household, mainly solitary women; the relatively high incidence of single motherhood--nearly one forth of the urban mothers, in the four major cities, were single; the number of young widowed women as heads of households; the prevalence of multifamily residencies--inquilinatos--where one family was the owner of the house and three or more were tenants; and the impressive number of *hijos naturales* and *expósitos*, often with unknown fathers.\textsuperscript{127}
Deeds and testaments from the late eighteenth century suggest that Pasto's colonial society presented most of these features. In addition, those records show that poverty was one important factor affecting family stability among the lower class. Deeds, particularly, show how in lower-class families, female and male heads of households had to sell their humble homes or parts of them to support themselves because of extreme poverty. Sometimes they even sold them to their own children. Isidra Almeida, an indigenous woman living in a hut on a small plot in Pasto in 1798, "prompted by her extreme poverty" sold a tier of land to Tomasa Izquierdo for 10 patacones. In 1797, Martin Pabón, "prompted by his destitution," sold a bedroom of his little house to Josefa Pabón, his daughter, for 115 patacones. In 1786 Pasto, Nicolaza Zambrano sold a tienda for 130 patacones to Esteban Martínez "because of the serious destitution" she was facing. In 1783 in Pasto, Jacinta Zambrano sold her little house to her nephew Salvador Ojeda, to pay for the funeral services of her brother Ignacio Zambrano. Manuela Pérez, "pressured by her notorious poverty," sold a tier of her town plot for 35 patacones to her sister, María Rosa Pérez. These records suggest that the late eighteenth century was a time of financial need for most poor women who were probably not able to participate in the narrow labor market of that time, and then had to sell their small property. For most lower-class women and men, a house or a town plot represented a major investment. Having a secure dwelling engendered a sense of shelter and family unity. In this sense, the family house was a symbolic asset. Having to sell the family house, or parts of it gradually, therefore, might have contributed to the instability of the family.

As already established for other areas of Spanish America, the noticeable presence of illegitimate children, hijos naturales (born from single parents), hijos expósitos and single mothers in the late colonial society of Pasto recorded in the testaments, demonstrates the attitudes of society regarding these children and the status accorded to them.
within the family structure. The hijos expósitos, for the most part, were illegitimate children left at the entrance of their father's home, hoping that the child would be adopted by his family. In other cases, when the mother was a poor woman unable to take care of the child, the hijos expósitos were left at the doors of wealthy families or clerical organizations. It was believed that it was an act of charity to adopt children abandoned at the doors of one's family. Whereas the hijos expósitos, when they were recognized, were seemingly accorded the same rank as the legitimate children--they had specifically equal inheritance rights, for example--the illegitimate children were in fact relegated to a secondary position. Doña Manuela Guerrero, a wealthy woman, bequeathed most of her inheritance to her two hijos expósitos and appointed one of them as her as substitute executor. Doña Ana Villareal, Narciza de Villareal's hija expósita inherited the vast wealth Narciza left. Women appear to have adopted these hijos expósitos rather naturally.

On the other hand, when they were not recognized by their fathers, they usually remained either living with their single mothers, or these children were given in adoption to pious persons, to protect the woman's reputation. These attitudes are mirrored in Felipa Moreno's testament from Pasto in 1795, particularly in the language used to refer to her hijo natural. She stated that, "Before I got married, and because of the misery of this world, I had Alberto Cabrera as my hijo natural, who still survives...and I also declare that I gave no food support to him because my parents gave him to a pious person when he was born." It must be said that this is a rare case of an explicit acknowledgment of her hijo natural on the part of a mother, in a testament. Although Felipa was a middle class woman who had no legitimate children, she left no inheritance to her hijo natural. She just declared his existence to discharge her guilt, but she bequeathed her goods to the church.
The existence of *hijos naturales* and illegitimate children challenged women's reputations. They were acknowledged between lines in the testaments in places other than those usually designated for presenting the legitimate children. When they received inheritance, these children were apparently discriminated against with respect to the legitimate children. Maria Obando, lower-middle class seamstress, acknowledged implicitly the existence of Josefa, her illegitimate daughter, toward the end of her testament. Despite the fact that she had no legitimate children and was able to accumulate some money and some valuable jewelry and luxurious clothes that she made herself, she favored her husband, her sister's adoptive daughter, her goddaughter and the church in her will. She left Josefa "an ordinary chair," a "used rug," some cloth, and some "used household utensils."  

These indications about the presence of illegitimate children in colonial Pasto contrast with what happened in other regions of colonial New Granada, such as Antioquia, in an interesting way. Pablo Rodríguez found, in women's testaments for Medellín in the eighteenth century, that middle and lower classes women did not conceal their illegitimate offspring, and that such a condition did not limit the social recognition of their children. Illegitimate children were able to have sanctified marriages, and their daughters were endowed with modest dowries.  

The records examined so far indicate that the strength of the late colonial family in frontier urban contexts, such as Pasto, appear to have been lessened by the noticeable presence of out-of-wedlock-children, single motherhood, *hijos expósitos*, adultery, concubinage, and the problem of abandoned and battered women. The conjugal family in colonial Pasto, then, coexisted with other forms of different consensual unions by women and men. Marriage was not, by any means, considered the unique territory for the sexual relationships.
Factors such as the persistence of differing relationships over long periods of time, with the apparent acquiescence of the ecclesiastical authorities; the public, deviant behavior of priests, who were not rarely caught living in concubinage; and the relative tolerance of society, demonstrate that although the church was able to intervene in people's private lives, it had less control in Pasto than in the major urban colonial centers.

Women from the lower classes, besides having played an active economic role in society and within their families, were further burdened when they had to face abandonment or single motherhood. Like men, these women challenged the legitimate sexual behavior in the Pasto colonial society, but they were still held responsible for maintaining the honor of their husbands, their families and themselves. Nevertheless, it seems that honor, as a social value, was given greater importance by the white and creole elites, thus serving the role of marking clear boundaries between social classes and ethnic groups.

The Church and Control Over Women and Public Morality

By 1780 the number of priests and other established ecclesiastical authorities in Pasto was rather small (see table 10). Whereas the city of Popayán, a Catholic stronghold of the region, had 261 clerics, Pasto, being the third city of the governorship, only had 72. In other words, while in the city of Popayán there was one member of the church per 59 inhabitants, in Pasto the ratio was one to 160. For the Pasto Province as a whole the ratio was even less—one to 630.137 In terms of its physical presence, these figures suggest that the church had relatively less control over society in Pasto than in other major colonial centers, such as the city of Popayán. The influence of the church seems to lessen even further in the more rural areas such as the Province of Pasto. By studying the church's activity in a more local level the actual spiritual and social control of the church may be illuminated.
Pedro de Becaria's reports on the inspection of Iscuandé in 1779, once again, provide a useful source to assess the success of the church in controlling gender relationships in the areas surrounding the Province of Pasto. As stated earlier, governor Becaria emphatically established that the focus of such disorder was the negligence, tolerance and abuse of the local ecclesiastical judges and officials.

The judges have dissimulated the infinite excesses committed by the people. They have charged excessive fees for carrying out the processes. They have dismissed those processes involving minors, concealing folios to mislead and confuse charges and resolutions. There is much lack of correction and punishment to delinquents... Not only the judges have tolerated local officials to receive demands in holidays but also they have protected concubinage, incest, adultery, idleness, forbidden weapons and games of chance, encouraging the subjects to live fearless of god, in public scandal.¹³⁹

Becaria's blaming the members of the church for the disorder of the area reveals, once again, the tensions in the relationships between the church and the state. Governor Becaria took some emergency measures hoping to regain social and political control. He urged the local cabildo to submit the names of Christian and decent subjects "instead of criminals as seen in the past,"¹³⁹ to occupy the positions in the city council. Becaria also ordered the observance of the Corpus Christ, Holy Bárbara the Saint Patron, Easter, and the Purísima Concepción, "patron of the Spaniards and Indians."¹⁴⁰

The indigenous peoples working in the encomiendas and haciendas were considered targets of evangelization. By focusing on these groups one may achieve further understanding on the social role of the church. The responses of Indians to the the authority of the curas doctrineros,¹⁴¹ and the concerns of these priests by the late colonial period attest to the weakened influence of the church over the
indigenous population, particularly over indigenous women. They also explain much about the conflicts between the ecclesiastical and civil powers.

A letter sent by a cura doctrinero from the Province of Pasto to the Real Audiencia (Supreme Court) of Quito in 1799 reporting the state of unrest of the province deserves close attention, because it also illuminates how the agency of subaltern groups in the colonial society emerged during times of rebellion, illustrating the relationships between rulers and ruled. Tupac Amaru's uprising in Peru in 1780; in the same year, the Comunero revolt in New Granada; riots in Pasto and the assassination of the corregidor Peredo (a tribute collector); created an atmosphere of fear among the local authorities perceptible in the priest's letter. After the priest found out that a new picket of soldiers was sent to the province, he wrote to the Audiencia to express his relief and because he considered it his duty to "specify to your honor the vices that rule here, the causes provoking them as well as the means to restore a good order," and to guarantee that those soldiers help in "suppressing this insolent and corrupted population so that you can stop abuses and modify customs." The cura had been appointed as doctrinero only one year before.

The priest was convinced that the origin of all disorder was "ignorance in religious matters." Astonished by the Indians' lack of learning about the mysteries and sacraments of the church, the cura complained bitterly that "they did not know that the confession was necessary to get the communion, and they even ignored that it was mandatory to confess all the sins. I had to validate confessions from 30 and 40 years ago." The spiritual function of the church at the grass roots level was rather poor, leading to religious laxity by the Indians. The priest also blamed the local hacendados, particularly Don Isidro del Hierro, for not cooperating with the indoctrination and not respecting
ecclesiastical authority, thus showing the disputes between civil and ecclesiastical powers. Simultaneously, the letter reflects the views and attitudes of the church regarding indigenous women at this local level of the Province of Pasto. As the cura stated:

In this regard, it was very harmful the offense and public scandal that he [Del Hierro] promoted last year 1798, when he opposed the three lashes I commanded in order to punish an indiecita párquila [an Indian girl] who failed to attend the rosary; as I implored help from the lieutenant Don Juan Romo, [Del Hierro] confronted him and as he [Del Hierro] incited them against me, I feared a conspiracy from them all, especially because I knew they [the Indians] had revolted three times and set fire to the estanco de aguardiente [the aguardiente factory] in past times. That is why I abandoned the padrón for a long while (emphasis mine).

The language of the local priest expresses his expectations about the subordination of indigenous women to the ecclesiastical authorities, who actually viewed them as virtual slaves. The cura reiterates the earlier notion of spiritual conquest, in the turn of the nineteenth century, with all its oppressive implications. On the other hand, the text also expresses the fear of the ecclesiastical authorities about the rebelliousness of the Indians in the recent past. The priests apparently strong power was also challenged by indigenous men and women's responses to indoctrination.

They make fun of the punishment, pretending to suffer from the lashes on the cloth; they also carry out such mockery by cornering or sitting down altogether in the cemetery and taking other challenging postures; with arrogant recklessness, one by one, each [I]ndian stands up to oppose a relative's, a cousin's, or a brother's punishment. And so behave the female [I]ndians, from ancestral custom. Suffering such blushing and outrages silently, and, because I fear a revolt, I supplicate that your honor command that Tomás García Indian receives 50 lashes, because he was the first who brought here such corruption two years ago.
The priest's feeling of powerlessness is also evident. But the priest reminds us that there were other more subtle strategies of resistance to religious imposition on the part of indigenous women. "...and also the indigenous women marry mestizos, taking by their own the attribution of exempting themselves from the padrón [the obligation to pay tribute, which was tracked through the padrón], resisting the priest's authority; at the same time they are stubborn in that they don't send their children to the doctrina [the catechizing session.]"¹⁴⁶ The cura's words suggest that indigenous women played a less apparent, though not less effective, role in resisting tribute, catechization, and ecclesiastical authority. They used the strategies at hand within the legal system, marrying mestizos to evade the diezmos (a tax for the church) and the imposition of religious beliefs on themselves and their offspring by refusing to attend catechism.

After requesting punishment for the hacendado, the cura doctrinero finishes his letter, by concluding that "...for being all these ladino [Spanish-speaking Indians] so arrogant and of such an awful condition, they certainly need new conquest.... To domesticate these barbarian [I]ndians, I propose that, at least on the holidays, the soldiers escort me in the cemetery, to enforce the punishment prescribed in the the provincial councils of Lima and the constitution no. 27 of the sinodal resolutions of this bishopric."¹⁴⁷ The cura doctrinero defined such "spiritual reconquest" as "the humiliation and surrender of these [I]ndians to the [w]ise [l]aws which are the foundations of these towns and to the royalty goals with which the Catholic [m]ajesty foster evangelical ministers and rectors of souls."¹⁴⁸ The same language and power strategies used in the sixteenth century to carry out spiritual and political submission from the newly conquered souls, seemed to have been necessary 300 years later when such goals had proven less attainable than expected.

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From the sources studied in this chapter, it seems clear that the social and spiritual control of the church over indigenous women and men in rural areas of the Pasto Province and surrounding small towns was rather weak. This weakness attests to the role of Pasto and the Pasto Province as transitional areas of the colonial Spanish American system, where the influence of the church was not as strong as in the central areas of the major colonial cities.

In contrast, the church was rather active in business. In this regard, members of the church in Pasto, along other merchants, appear actively involved as buyers and intermediaries in the slave trade. They maintained connections with individual slave owners and religious orders from Popayán, which carried out a large-scale slave trade by in the late eighteenth century. They would buy and sell real-estate, cattle and were very active borrowing and lending money.

As mentioned in the previous chapter, Pasto's religious orders such as the Nuestra Señora de la Pura y Limpia Concepción nunnery, although very small in size, controlled access to land and indigenous labor over a large portion of Pasto's rural hinterland. Such a situation was frequently a source of conflict. The order was the only encomendera in a large area encompassing Gualmatán and Chapal, two indigenous towns surrounding Pasto. In the visita to the Chapal encomienda, carried out by Pedro de Becaria y Espinoza, governor and general commander of Popayán, on November 19, 1778, the Indians complained about encroachment upon their lands from the nunnery. They argued that few lands to work were left for them, preventing the Indians from paying tribute. The elder Indians testified that they were uprooted from their town by the the order, and, being unable to work, they ended up their lives wandering, after having served the nuns for a lifetime. Indians were
also apparently pressured to work on Saturdays, the only day they had to work for themselves. The most serious complaint raised to the inspector was that,

[A]fter have lived a lifetime in the Chapal Grande town, where the nuns were granted this [encomienda], and because of the construction of the monastery, the Indians were transplanted to one of the nuns' estates and founded a new town, where they apparently have remained, lacking lands. Since the old town bordered the [hacienda de Funes], property of the Jesuits, now expelled, and because they were powerful and the town looked abandoned, they annexed the Chapal Grande town to the said [hacienda]. Because the encomenderas never protested this encroachment, the junta de temporalidades [the board in charge of selling all the Jesuits' assets after they were expelled from Spanish America in 1767] sold the whole estate to Don Lucas Delgado.

These denunciations seemed well grounded, since they survived the censorship of the governor. There is also more documentary evidence of land disputes between religious orders and indigenous communities in the area. The relation between the church and these indigenous communities was characterized by exploitation, encroachment, and uprooting. The litigations and other forms of resistance by the Indians against the curas doctrineros and other representatives of the church were hardly surprising.

Among the upper and middle class, the varied relationships between members of the clergy and women of late colonial Pasto emerge from the documentation. Testaments and deeds of élite women in the late eighteenth century show that a great deal of business was going on among them. Those documents suggest that the members of the higher clergy enjoyed the confidence of élites, particularly among élite women. Such trust was probably an extension of the role of the clergy as confessor, which entitled them with a great deal of trust from the faithful. Élite women entrusted ecclesiastical ministers with keeping money and jewelry
as they trusted these clergymen to keep the precious secrets of confession, the intimate details of their lives. Women also entrusted ecclesiastical authorities with numerous mundane matters. Indeed, clergymen were appointed executors of women's estates; they acted as the legal representatives of women in the buying and selling of land, cattle and slaves. Wealthy female moneylenders deposited considerable amounts of money with their priests to earn interest; testaments and some deeds also show that clergymen themselves frequently engaged in commercial relationships with upper-class women.

In 1782 doña Gertrudis de Erazo entrusted the Reverend Father Mariano Peña Errera from the Seraphico order of Barbacoas with selling a female slave. Tomasa Santacruz, a middle class woman from Pasto in 1796, stated that she sold two bulls to the Presbyter don Manuel Felipe Fernández de Córdova, and two calves to the cura of Buesaco R.P. (Reverend Father) Mariano Alban. She also lent 141 patacones to the Father Don Martin Torres. Simultaneously, she borrowed from the Presbíter don Manuel Fernández de Córdoba the same amount of money. The said cleric Fernández de Córdoba borrowed from Ana Caicedo, a middle class woman, her lifetime savings of 200 patacones at 5% interest rate. Manuela Guerrero paid 52 patacones in 1794 for 52 masses to the mentioned clergyman Fernández, who officiated at memorial masses; later she appointed him as her substitute executor. Maria Ignacia García de Lemus granted power to the R.P. Fray Vicente Moncayo to sell a young slave in 1782 Pasto. In 1790 the Presbyter Dr. Don Bernardo Francisco Sevillano bought a female slave named Petrona from Doña Francisca Legarda.

The confidence displayed by élite women in the clergy endowed these priests with a great deal of power over women's personal lives, which often turned into political power. The priest was able to enter into both the intimate domain of women's lives, through confession, and the more mundane and public domain of their lives through business ties. The credibility and respectability attached to members of the clergy.
allowed women to have relative freedom to interact with men other than their husbands and male relatives, without jeopardizing their reputations and those of their relations. Most élite women had their personal confessor who would have been the only male friend accessible to them, because the severe élite notions of honor constrained women's social contacts.

Lower-class women, on the other hand, apparently had less personal contact with priests and the church, whom they resorted for charity. Some of them, like Lucia Meza who could not afford the mandas forzosas\textsuperscript{160} to subscribe her will in 1797, appealed to the compassion of priests as many poor in moments of need.\textsuperscript{161}

**Religious Values, the Priests and Wealthy Women**

The testaments of women from all classes in colonial Pasto offer glimpses into their more intimate lives, which also provides glimpses of their religious values. Moreover, these records permit insights into the attitudes and assumptions of women in the face of their imminent deaths, which were inextricably tied to their religious values. The salvation of the soul appeared to be a major concern for women and men. Since the Catholic church functioned as mediator between god and humankind, it played a dual role in both the spiritual and mundane worlds in order to offer eternal salvation. The capellanías, the institutions created by the church to attain such goal, consisted of a donation of estates and money, to officiate masses for the salvation of the benefactor's soul and those of her/his family. The capellanías entitled a great deal of social prestige to the donators while fostering the consolidation of the material power of the church, by providing a steady source of annual income. The will to found capellanías were usually expressed in the testaments where the testatrix clearly designated the beneficiaries of the capellanía, usually her own soul and those of her closest relatives. The testatrix usually appointed a male relative in the clergy as
chaplain, intending the position to be passed through subsequent members
of the woman's descendants. Otherwise, her descendants appointed their
male kin; in that case the capellania was called capellania de legos
(lay capellania). In the testaments the capellanías were named "in
perpetual memory," carrying connotation of promoting continuity of the
family ties and functioning as symbols of prominent families' religious
devotion. Promoting the soul's salvation was then validated by material
wealth.

Ignacia López, for example, bequeathed an estate and a
considerable amount of money to establish a capellania appointing her
brother, Father Don Tomás López as patron chaplain. Manuela Guerrero
and Catarina de Segovia, among others, furthered their soul's salvation
and their families' social prestige by donating large amounts to the
foundation of capellanías.

Among the lower classes where women were unable to afford such
donations, they paid limosnas to promote masses for themselves and their
relatives. Ana de Caicedo, for example, a poor woman in 1799 in Pasto,
was able to pay six pesos and four reales, the price of a cow at that
time, for masses to be performed for her soul.

Women also placed great importance on crucifixes, images of the
virgin and saints, religious paintings, and rosaries, which on many
occasions appeared as valuable items that they wanted to preserve by
bequeathing to their female descendants or to the altars of the virgin
and saints in the church. In medieval Europe people believed that
these ritual objects sanctified the spaces they occupied. They provided
a bond between the home and the church. Religious images provided
protection, stability and security in a society where poor people
counted for little; people also believed that the saints responded to
the supplications that the devoted uttered before them. Such cultural
beliefs seem to have been held in colonial Pasto as well, since the
testaments of women of all classes offer many examples of the great value women placed in these objects as symbols of family continuity.

The testaments also reflected the attitudes of women regarding death. In studying Indian women's testament in early colonial Quito, Frank Salomon establishes that testaments served as vehicles of social transformation at the moment of women's death, and, that testating was a personal way for women to make their own history. Lavrin and Couturier considered the testament as an individual record of lifetime accomplishments, a brief woman's biography, which reveals her family and social relationships. Gender patterns in the transmission of wealth also showed how women expected to influence the lives of their relatives after death, using the power of bequests either to reward or punish their relatives. Women also showed their desire to clear their consciences of past injustices and rectify them through compensatory bequests. Most of them showed great Christian devotion in preparing for their soul's salvation, the major concern of so many dying women in this period.

Slave Women in Late Colonial Pasto: Views of Society And the Legal System

Slaves were a rather small group in Pastuso society. By 1780, there were 131 slaves, representing only 1.1% of the city's population, whereas in the city of Popayán slaves accounted for 19% (see table 11). Most of Pasto's slave force, however, was comprised of women (63%). Female slaves were assigned largely as servants in the Spanish households and as washerwomen and cooks in the reales de minas (mining places) of Barbacoas and Iscuandé, two small towns of the Popayán governorship to the southwest of the Province of Pasto. Being accorded the lowest status in the colonial society, these women seldom appeared in the colonial records. Since, as slaves, they were assumed to be commodities in the colonial economy, their presence is traceable,
however, in deeds recording sales and purchases of slaves. The relationships of subordination between slaves and their female and male masters emerged often in court records and letters, which also recorded their status within the legal system. The subordinated position of these women was undeniable but their social roles were also complex.

Deeds recording sales and purchases of slaves shed light on the social status and cultural assumptions of society regarding female slaves. Female slaves were denied a legal identity. Indeed, they were not named by complete personal names but instead by a first name and the caste, "Dominga de nación criolla,"170 "Maria Antonia de nación bosal,"171 and so forth; otherwise they were given their masters last name. Slavery denied these women the status of human beings, relegating them to the category of commodities. As such, they were presented for sale in the market on the basis of their physical qualities, evaluated by their age and caste or race, the way cattle were usually sold. When slaves were sold on large scale they became "pieces."172 When a female slave was sold along with her child it was termed "her brood."173 Their states of health were acknowledged as follows: "[t]his slave is sold with all her vices and public and private diseases;"174 "this slave is exempt from gotacoral [gout] and heart disease,"175 or "this little black is prone to measles and smallpox."176 As property, they were to be libres de censo, hipoteca, venta, empeño y de toda enajenación.177 The deed clearly established the rights entitled to the master and the corresponding complete deprivation of the rights of the female slaves as they were sold. "[T]his slave is transferred to her new master for her to be his slave subject to servitude, and as such he is entitled to possess her, exchange her, sell her, and, in short, to dispose of her at his convenience, as his own belonging, acquired with this just and legitimate title."178 This is the basic format found in deeds which recorded commercial transactions with slaves, a format following "the way black slaves are sold in the Cartagena factories,"179 the major slave market for colonial South
America. Beyond the formal language used in the property titles to designate the slaves and the rights of their masters, are glimpses of how the subordination of female slaves by their masters operated in the daily life and how these women reacted and accommodated themselves to subjugation. By examining court records and letters the views and assumptions of masters and the representatives of the legal system about female slaves, become apparent.

The daily-life tensions between slaves and masters are illustrated in a letter that Agustin de Salamanca, a slave owner from Pasto, addressed to Don Tomás López in January 30, 1791. Agustin asserted that "this slave feigns to have had an accident and she made her gums bleed on purpose and fakes that she is sick." He asked Don Tomás to help in selling her. "With respect to the little black [her son], only because I want to avoid the trip to Pasto and shoot that damned slave, you may issue a freedom license for him, and I do that just for pity and not because I'm afraid of her, for I have no reason for that."

Although slaves were not accorded legal rights, they did have some legal recourses, however limited. Court records register female slaves suing their masters mainly for cruelty and rape. María Lucas Domínguez, for example, sued her master Don José Castillo y Erazo from Barbacoas, in 1826, asking to be sold to another master, declaring that Don José had raped her and severely beat her several times. María Lucas declared that her master beat her because she had presumably been with another man. The judge accepted the deposition of the slave and pressed charges against Erazo. Florentina Freyre, another female slave, declared that Don José whipped María Lucas twelve times in four days. Resorting to the law that forbade the depositions of slaves against their masters and assuming that at the moment of the rape the slave was not a virgin, Erazo's lawyer claimed there was insufficient evidence in the case. The motion was denied; he appealed to the second instance in the city of Popayán's Court. The judge granted a dismissal asserting that "since she
was punished because her master presumed she had been with another man and because he thought she had been raped before, then, all this nullifies the charge of rape. Besides, there is no evidence because there was no examination by a titled forensic surgeon or two decent midwives who could have testified as to what they saw in the sexual parts of the raped. For these reasons the case is dismissed and Castillo is found innocent."

The case reveals the legal and social beliefs regarding the female slave's sexuality. In practice, masters were entitled to rape their slaves and use them "at their convenience" for all sorts of sexual services. Apparently, the law only recognized accountability for rape on the part of the master when the slave had lost her virginity, which never occurred, since, as seen in this case, slaves would have never been able to meet the requirements to present the "evidence" of the rape. It can also be inferred from this document that slaves were allowed to request a change of master when they were ill-treated. Cruelty was usually condemned by Christian expedients. What emerges from the court records where slave women accused their masters of cruelty and rape is that they expected to shake off their master's yoke by asking to be sold and, in a few cases, they even hoped to be granted freedom.

The case of Baleria Piñeyro, a black slave from Barbacoas in 1794, is striking. A 50-folio document in the Popayán Court attests to the stubbornness of this woman who sued her master, the miner Manuel Piñeyro from Barbacoas, for cruelty, continued ill treatment, and serious injuries. In addition, she testified that he stopped providing her and her children with enough food and clothing six years earlier. She asked to be sold to a new master. After being granted a license for a new sale, her master captured her and his lawyer appealed the judge's decision. Baleria escaped from the mine and ended up in Popayán, helped by her husband, a free black man, and brought her case to the Court. All slave witnesses--forbidden by law to testify against their masters--and
Other miners declared that Manuel Piñeyro was a humanitarian master and met his mandatory obligations to his slaves. All of them insisted in that her actions were instigated by her husband, who encouraged her to run away and slander her master. Although the judge decided in favor of the miner Piñeyro, he strongly suggested that he granted Baleria the "paper for sale." 186

Other court records show how slave women sued their masters for seduction and rape not precisely seeking to restore their honor, which some of them timidly claimed, but as a strategy to achieve their freedom. Rita Marin, Miguel Zertucho's slave, denounced that her master seduced her since she was very young, for "comercio ilícito [illicit sexual relationships.]" 187 He punished her after she refused; she allegedly refused again and then, "he seduced me promising freedom for me and all children that I had, thus depriving me of my virginity, and I became pregnant with a daughter that is assigned to the same master; ...since the said promise has not been met by his executor, I formally demand that you compel him to give me my freedom and so too to my daughter and to the others I had from other fathers as he promised since the first seduction." 188 Although these are the defender's words, it is clear how he constructed the defense so that the case would fit into the narrow legal interstices available for these subordinated women to gain freedom. The loss of virginity might have allowed for a charge of rape, since rape was acknowledged as long as the slaves were virgins at the moment of the sexual crime. The expedient of Zertucho's executor to deny licensing freedom to Rita was the usual one. He claimed to have known from Zertucho that he found Rita "corrupted" and that she was already pregnant when Zertucho "was with her." 189

Along with their property rights, which entitled masters to enjoy sexual services from their slave women, there was clearly the assumption on the part of their masters that black slave women were oversexed, and
therefore, they were always available for sex. Part of the condition of being a slave woman was the loss of self-control over her sexual life and her body, a further degradation of slave women based on their gender condition. As for the case of female slaves in colonial Argentina, rape of slaves in colonial Barbacoas was rarely punished.\textsuperscript{195}

Since the lawsuits raised by slave women's protectors were mostly from Barbacoas and other mining areas adjacent to the Pasto Province, it is impossible to generalize from them about the slave women serving in the households of Pasto. Too little is yet known about them. Apparently, toward the end of the eighteenth century, slaves were gradually obtaining freedom. A few slave women were given freedom upon the death of their female masters who expressed feelings of compassion and protection for their female slaves in their testaments.\textsuperscript{191} Other slave women were able to buy their freedom. Deeds recording freedom licenses show that they were often husbands or sons of female slaves, previously granted freedom, who requested and paid for the freedom of their wives and mothers.\textsuperscript{192} In general, it seems that Pasto operated rather as an intermediary point for commercializing slaves between Popayán and both Barbacoas and Quito.\textsuperscript{193} Slave owners from Popayán sought to sell their slave surplus in Quito and the mining areas neighboring Pasto, such as Barbacoas and Iscuandé. Further research has to be done in these as in other aspects of Pasto society before drawing any definite conclusions.

In summary, this chapter has gauged various aspects of female social and individual lives and some of the cultural representations of women prevalent in late eighteenth century Pasto. It has established that the cultural assumptions about the inferiority of women and their presumed lack of rational reasoning suffused the views of the colonial legal system, institutionalizing gender discrimination at all levels of society while leaving indigenous and female slaves at an even lower status.
In daily life, although patriarchalism and its honor values were observed mostly at the upper-classes level, a variety of competing patterns of sexual relationships took place at all orders of society in late colonial Pasto. Such sexual alternatives put into question the models of family and marriage established by the church and supported by the legal system. The notion of honor played a significant role for the elites, in both maintaining ethnic and social boundaries and promoting self-restraint of women's sexuality. In addition, women were responsible for their family's reputation while society was lenient with males' sexual behavior. However, honor was negotiated in different manners among women and men of the lowers classes who apparently placed less regard in it, without feeling harmed their respectability in their communities. In deed, many women participating in the urban economy, in the various ways shown in chapter 2, may have enjoyed a certain degree of freedom, allowing for more contact between the sexes and the resulting high incidence of concubinage, illegitimacy and adultery. Marriage may have been unavailable for these women either for economic reasons, or because of existing social restrictions for interclass and interethnic marriage choices or simply because it was not considered a convenient option. Marriage, ultimately, was weakened by the incidence of adultery, abandonment, battered women, and illegitimacy.

Such non-conventional attitudes, on the other hand, were strikingly mirrored in the relative flexibility of the church regarding sexual behavior of the lower classes, suggesting the lack of social control the church was able to exert at this local level of the transitional areas of Spanish America. The conjugal family and the matrimonial institution, thus, although still prevalent in late colonial Pasto, faced competing forms of relationships between the sexes.

Christian religious culture was very influential in the more intimate aspects of women's lives. Women across the social hierarchies
placed great interest in religious icons. The Church, in mediating between life and death, created the *capellanias* to foster the salvation of the faithful's souls, channeling and concentrating large amounts of wealth from upper-class women. The close relationships between elite women and members of the church in various sorts of business in urban society contrasted with the tensions between the latter and indigenous women and men at the very local level of the rural areas of the Province of Pasto. Specially in times of social unrest, Indians resisted indoctrination and were more prone to resist collectively to the church's attempts at control them. Indigenous women apparently played a role in this matter by preventing their offspring from attending catechism. The church's control over land was an important source of conflict between the indigenous communities and the Church in the rural areas of the Province of Pasto.

Finally, at the lowest echelon of the social ladder, slave women too appeared to have reacted against their master's oppression by using legal recourses in order to either ease exploitation or gain their freedom when they lacked financial means to purchase it.
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**TOTAL**

|                | [11,519] | [13,236] | [15,402] | [97,779] |

* Province of Pasto
** Governorship of Popayán

Source: AGN, Censos Varios Departamentos, Rollo 21.

TABLE 10. Ethnic and Gender Structure of the Population, 1780 Padrón (Extract).
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<th>Popayán</th>
<th>Popayán G.**</th>
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<td>1.1</td>
<td>0.44</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>% S.P.G.</td>
<td>1</td>
<td>0.3</td>
<td>16.3</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>11,519</td>
<td>13,236</td>
<td>15,402</td>
</tr>
<tr>
<td></td>
<td>% S.P.G.</td>
<td>12</td>
<td>13.5</td>
<td>16</td>
</tr>
</tbody>
</table>

* Province of Pasto
** Popayán Governorship.
*** % of the Sub-total corresponding to the whole Popayán Governorship.

Source: This study on the basis of the 1780 padron's data for the Popayán governorship. AGN, Censos Varios Departamentos, Rollo 21.

TABLE 11. The Ethnic Structure of Pasto's Population Within the Governorship of Popayán, 1780.
Notes

1. Popayán was the capital of the governorship and a major administrative and commercial center fostered by gold mining from the surrounding areas of Chocó.

2. It was a cumulative census of population from the constituent cities and provinces of the Popayán Governorship, arranged by ethnic group, sex and civil status, which included the clergy as a separate entity.

3. AGN, Censos Varios Departamentos, Padrones de la Gobernación de Popayán, 1780, Rollo No. 21.

4. Vargas, La sociedad de Santa fé, 33. The 1793 census for Santafé de Bogotá, cited by the author, shows that mestizos (53%) were a strong majority among the different ethnic groups.

5. Besides the four jurisdictions shown in table 10, the padrón provides demographic information of Cali, Buga, Cartago, Caloto, Almaguer, Anserma, Toro, Iscuande, the Province of Raposo, and Tumaco.


8. Ibid., Laws 7-10, p. 50; 24-26, p. 52.


10. Silverblatt, Moon, Sun, and Witches, 119.

11. Richard Konetzke, ed., Colección de Documentos para la Historia de la Formación Social de Hispanoamérica 1493-1810, 3 vols. (Madrid: Consejo Superior de Investigaciones Científicas, 1953-62), 3:604. The legislation in this matter was still ambiguous in the late eighteenth century. In 1786, the Real Audiencia of Mexico raised a consultation to the Council of the Indies, asking whether or not doncellas (female teenagers), widowers, single females, mulatto female,
negro women, and other female castas were liable to tribute. Acknowledging that in some regions indigenous women were forced to pay tribute, the Council advised following customary practice in each region for this matter.


13. Ibid.

14. Ibid., 120.

15. ACC, Sign, 2494 (Indep-JI-3cv), ff. 18-24; 1-21.


21. Ibid., Consulta y Parecer, Madrid, August 12, 1733, 3:212-14; Royal Carta, San Ildefonso, October 12, 1745, 3:235-36. The last document, in particular, makes evident the tension between Spanish and Indian nuns.


23. Ibid., 261.


25. Ibid., Law v, 2:361.

26. Patterson, *Slavery and Social death*, 39. Patterson defines "liminality" as a state of "social death" in which the slave lives at the bottom of society, between order and chaos.
27. Konetzke, Colección de documentos, R. C. Madrid, May 7, 1574, 1:483. Although the crown had previously forbidden to forcing Indians to work in the mines, a Real Cédula from 1574 authorized miners to do so when deemed "necessary".

28. Ibid., R. C. Granada, November 8, 1526, 1:97; Ruiz, Encomienda, 302 (see chap. 2, n. 16).

29. Ibid., R. C. Madrid, October 18, 1569, 1:447.

30. Thomas Calvo, "The Warmth of the Hearth," in Sexuality and Marriage, 290-91. The author establishes the presence of indigenous, mulatto and black female slaves forced to this practice in colonial Guadalajara as was the case in colonial Pasto.


32. Ibid., 52.

33. Konetzke, Colección de documentos, R.C. of Toledo, December 1, 1525, 1:78; R. C. Granada, November 8, 1526, 1:97; R. C. Granada, November 17, 1526, 1:89; R. C. Granada, November 26, 1526, 1:96; R. C. Madrid, June 10, 1528, 1:107; R. C. Toledo, December 4, 1528, 1:113; R. C. Toledo, August 24, 1529, 1:130; R. C. Madrid, August 2, 1530, 1:134; R. C. Madrid, November 5, 1540, 1:197; R. C. Valladolid, May 21, 1542, 1:215; R. C. Tomar, May 1, 1581, 1:534; R. C. San Lorenzo, August 8, 1587, 1:583. These are just a few of the hundreds of R. C. issued on this matter.


36. Ibid., 49, 52.


38. Twinam, "Honor, Sexuality and Illegitimacy," 123.


40. Ibid., 120-24.

42. Patricia Seed, *To Love, Honor, and Obey*, 62-64.

43. Ibid., 60-71.

44. Ibid., 140-41.

45. Ibid., 149-51.


47. Ibid., 100-01.

48. Ibid., 87-88; 100-01.


50. Rodríguez, *Promesas, seducción, y matrimonio*, 60.


52. AGN, Justicia, T. 3, f. 27.

53. AGN, Justicia, T. 3, f. 28.

54. AGN, Justicia, T. 3, ff. 33-38v.

55. AGN, Justicia, T. 3, f. 53.

56. AGN, Tributos, T. 11, ff. 755-757v.

57. ACC, Independencia (Jl-15-cr), f. 5v.

58. Twinam, "Honor, Sexuality and Illegitimacy," 143.

59. Ibid., 142, 148.

60. Iscuandé was a gold mining area to the southwest of Pasto and the Pasto Province, with which Pasto maintained commercial ties. Although its social characteristics, by the time of the visita, resembled those of a frontier area, the views of Becaria on concubinage, adultery and incest, illustrate the predominant beliefs on the matter for the whole governorship of Popayán, to which Pasto and the Province of Pasto belonged. This document, in the absence of Becaria's reports on the social state of things in the city of Pasto, proved useful for studying the cultural assumptions of state officials. However, this study only attempts to suggest some preliminary hypotheses that further research should test.
61. AGN, Visitas del Cauca, T. 5, ff. 920.

62. AGN, Visitas del Cauca, T. 5, ff. 919v-921.

63. AGN, Visitas del Cauca, T. 5, f. 930.

64. AGN, Visitas del Cauca, T. 5, ff. 922-923v.

65. AGN, Visitas del Cauca, T. 5, ff. 923v-924.

66. AGN, Visitas del Cauca, T. 5, ff. 926v-927.

67. Tamar Herzog, La administración como un fenómeno social: La justicia penal de la ciudad de Quito (1650-1750). (Madrid: Centro de estudios constitucionales, 1995), 275-276. The worth by mouth—and what is known for "having heard"—played a significant role as evidence in the judicial system of colonial Quito as well. Herzog analyzes the process of how, although it was not easy to configure judicial evidence from the voz común, rumors and presumptions conveyed orally from one person to another ended up being taken as evidence. In fact, some prominent judiciaries were charged of concubinage, maltreatment and murder of their wives on the grounds of the voz común, but this expedient was in turn used by them when judging others' crimes.


69. Ibid., 122.

70. Ibid., 932-932v.

71. Ibid., 149.

72. AGN, Visitas del Cauca, T. 5, ff. 933-934.

73. AGN, Visitas del Cauca, T. 5, ff. 940-941.

74. AGN, Visitas del Cauca, T. 5, f. 934v.

75. AGN, Visitas del Cauca, T. 5, f. 935.

76. AGN, Visitas del Cauca, T. 5, f. 935v.

77. AGN, Visitas del Cauca, T. 5, f. 936.

78. Ibid.

79. AGN, Visitas del Cauca, T. 5, f. 936v.
80. AGN, Curas y Obispos, T. 26, ff. 16-22. In Pasto in 1793, the following priests, among others, were tried for concubinage: Agustín Castillo, a priest from the Mercedaria Order; the Presbyter Fernando Erazo; and the Dominican priest Agustín Rojas.

81. AGN, Visitas del Cauca, T. 5, f. 919v.


83. Ibid., 166.

84. Asuncion Lavrin, "Sexuality," 66

85. Ibid., 68; Kathy Waldron, "The sinners," 166.

86. Asuncion Lavrin, "In Search of the Colonial Woman in Mexico: The Seventeenth And Eighteenth Centuries" in Latin American Women. Historical Perspectives.


88. ACC, Independencia (Ji-6-cv), f. 2v.

89. ACC, Independencia (Ji-6-cv), f. 3.

90. ACC, Independencia (Ji-6-cv), f. 3v.


92. ACC, Independencia (Ji-6-cv), f. 4.

93. ACC, Independencia (Ji-6-cv), f. 4v.

94. ACC, Independencia (Ji-6-cv), f. 5.

95. ACC, Independencia (Ji-6-cv), 5v.


98. Ibid., 76-78.

99. NPP, LP, 1794, f. 177.
100. NPP, LP, 1784, f. 89.
101. NPP, LP, 1794, f. 177.
102. NPP, LP, 1794, f. 179v.
103. NPP, LP, 1750, f. 71
104. NPP, LP, 1707, f. 40.
105. NPP, LP, 1756, f. 31a.
111. NPP, LP, 1784, f. 62.
112. NPP, LP, 1796, f. 253.
113. NPP, LP, 1789, f. 89.
114. ANH, Caja 16, ff. 0-16v.
115. ACC, Sign. 10.252 (JIII-15cv), ff. 147-147v.
116. ACC, Sign. 11.457 (JIII-18cv), f. 100.
118. Ibid., 280.
119. Silvia Arrom, La Mujer Mexicana ante el divorcio eclesiástico (1800-1857) (Mexico: Secretaría de educación Pública, 1976), 28, 34.
120. Beatriz Nizza Da Silva, "Divorce in Colonial Brazil: The case of Sao Pablo" in Sexuality and Marriage, 313-342.
121. NPP, LP, 1798, f. 222; NPP, LP, 1797, ff. 145-145v; NPP, LP, 1786, ff. 94-95; NPP, LP, 1783, f. 64.
Russel-Wood. "Female and the Family," 84. Russel-Wood establishes that 45% of the households, in the 1804's census of Villarica in colonial Brazil, were headed by women, 90% of them mulatto women and 10% white women. By the time of the census Villarica was still a fringe area in colonial Brazil.

123. NPP, LP, 1784, f. 89.
124. NPP, LP, 1786, f. 35.
125. NPP, LP, 1794, f. 177.
128. NPP, LP, 1798, f. 222.
129. NPP, LP, 1797, ff. 145-145v.
130. NPP, LP, 1786, ff. 94-95.
131. NPP, LP, 1783, f. 64.
132. NPP, LP, 1794, ff. 97, 98.
133. NPP, LP, 1790, ff. 43-46.
134. NPP, LP, 1795, ff. 99v-100.
135. NPP, LP, 1794, f. 178v.
136. Rodríguez. Promesas seducción y matrimonio, 71.
137. Estimates based on the 1780 padrón's data.
139. AGN, Visitas del Cauca, T. 5, f. 944v.
140. AGN, Visitas del Cauca, T. 5, f. 946.
141. The priests in charge of catechizing the Indians.
142. ANHE, Caja No. 265, Año 1800, f. 17.
143. Ibid.
144. ANHE, Caja No. 265, Año 1800, f.17v.
145. Ibid.

146. Ibid.

147. ANHE, Caja No. 265, Año 1800, f. 18.

148. Ibid.

149. NPP, LP, 1782, ff. 87v-88; NPP, LP, 1782, ff. 51v-52; NPP, LP, 1787, ff. 6-7; NPP, LP, 1757, ff. 42-45; NPP, LP, 1790, ff. 161-163.

150. AGN, Visitas del Cauca, November 19, 1778, ff. 716-717.

151. AGN, Empleados Públicos del Cauca, T. 21, ff. 393-403. There was, for example, a civil trial for land disputes between Fernando Burbano de Lara and the indigenous people of Chachagui, an indigenous resguardo to the north of Pasto, in 1800.

152. NPP, LP, 1782, ff. 108-110.

153. Buesaco is a town located in the Province of Pasto, to the north east of the city of Pasto.

154. NPP, LP, 1796, ff. 253v-254.

155. NPP, LP, 1799, f. 222v.

156. NPP, LP, 1794, ff. 96v, 98.

157. NPP, LP, 1782, ff. 51v-52.

158. NPP, LP, 1790, ff. 161-163.

159. One must not forget that it was a clergyman who apparently caused the rumors affecting Pedro de Becaria's wife's reputation.

160. Taxes on wills oriented to the preservation of the Holy sites and to rescue Christians captives of the Muslim.

161. NPP, LP, 1797, f. 4.

162. NPP, LP, 1796, f. 143v.

163. NPP, LP, 1794, f. 98; NPP, LP, 1785, f. 213v.

164. NPP, LP, 1799, f. 223. The reader may notice that six pesos were equivalent to a cow or a medium sized ox, by 1784 (see Appendix 4).
165. NPP, LP, 1756, f. 13; NPP, LP, 1784, f. 91v; NPP, LP, 1790, f. 44v; NPP, LP, 1794, f. 179.


170. NPP, LP, 1784, f. 147v.

171. NPP, LP, 1782, ff. 141-142v.

172. NPP, LP, 1782, ff. 83-84v.

173. NPP, LP, 1787, ff. 6-7.

174. NPP, LP, 1799, ff. 41v-44.

175. NPP, LP, 1784, ff. 26v-28.

176. NPP, LP, 1797, ff. 118v-120.

177. Slaves, as property, were free from any kind of alienable rights such as mortgages, sale or pawning.

178. NPP, LP, 1799, ff. 41v-44.

179. NPP, 1782, f. 51v.


181. NPP, LP, 1791, f. 15.


183. ACC, Sign. 2494 (Indep. JI-3cv), ff. 18-24.

184. ACC, Sign. 2494 (Indep. JI-3-cv), ff. 1-21.
185. ACC, Sign. 2494 (Indep. JI-3cv), f. 18. This never happened, in fact, since women slaves would have seldom been able to afford such "evidence."

186. ACC, Sign. 10.253 (JII-14cv), ff. 1-26v.

187. ACC, Sign. 10.252 (JII-14-cv), f.1.

188. ACC, Sign. 10.252 (JII-14-cv), f.1.

189. ACC, Sign. 10.252 (JII-14-cv), f.5.


191. NPP, LP, 1794, f. 97v.

192. NPP, LP, 1797, ff. 118-120; NPP, LP, 1799, ff. 187-188.

193. NPP, LP, 1790, ff. 120-21; NPP, LP, 1789, ff. 83-84v; NPP, LP, 1787, ff. 6-7; NPP, LP, 1791, ff. 174-175; NPP, LP, 1794, ff. 147v-149.
Chapter 4

CONCLUSIONS

The nature of this preliminary study allows one to suggest tentative hypotheses on the roles of Pasto's lower-class women in the public and private spheres of a colonial frontier society. Since this study is only based on an initial exploration of the main archival repositories on a very broad range of issues, much further research must be done, focusing in each specific aspect of the participation of women in the colonial economy and their social and cultural roles within the institutions of social control. New research on those topics, then, should test the preliminary conclusions of this study, which only aim at initiating the study of women's lives at the local level of medium-sized colonial cities in transitional areas of Spanish America, such as Pasto, where this topic has remained virtually untouched.

The presence of colonial lower-class women of Pasto in the public sphere may be readily assessed by looking at their participation in the colonial economy. These women worked in nearly all sectors of the labor force in the local economy, providing the urban market with a variety of clothing and food goods, basic domestic services in upper and middle-class households, and selling various sorts of consumer items in the market places. Since they had to combine their public activities for subsistence with the more personal roles as mothers, daughters or wives, the workplace for working-class women was a rather fluid one. They used
their own domestic space in performing their manifold responsibilities as mothers, heads of households, wives, weavers, or seamstresses. Others worked as cooks, washerwomen, ironners or housekeepers in either convents, churches, or the vecino's households.

By the late colonial period, working women in Pasto faced competition from men in those traditionally female activities such as weaving, and sewing, and even in domestic services. Conversely, although they were able to performing such activities, women were excluded from tailoring, bread making, arts, liberal professions, and crafts, activities culturally defined as masculine. It seems that the crisis of the local economy of Pasto by the mid nineteenth century, threw increasing numbers of males into the labor market at early and old ages, taking away work opportunities from women.

Debt relationships based on the cash needs of humble women and the concentration of currency in the élites' pockets, created an informal network of credit in the local economy, whereby indigenous and poor mestizo women became subordinated by their upper-class counterparts. Cash loans, trabajo por encargo, and ventas al fiado, were the various forms of such an informal credit network, which maintained poor women and their descendants in permanent subjection by upper-classes women.

Women's decisions when bequeathing, suggest the existence of close relationships of solidarity among kinswomen. The preference of transferring valuable goods and wealth to their daughters, granddaughters (their daughters' daughters), sisters, aunts, nieces (their sister's daughters), and female godchildren, even when male direct descendants existed, suggest the persistence of matrilineal patterns of inheritance regardless of their social class.
In assessing the position and roles of women in the more private spheres of the colonial society and culture of Pasto, this study explored the legal position of women as well as the role of cultural assumptions such as honor, patriarchalism, and Catholic mores in shaping women's sexuality, and the ideological and judicial intervention of the church and state respectively in women's private lives.

In so doing, this study suggests that although the legal intervention on the more intimate lives of women affected them in a cross-class pattern, assigning to them a status lower than that of men, indigenous and slave women were further degraded because of their ethnic and gender condition, as their bodies were seen as a territory of colonization and constant legal intervention.

The presence of a great deal of deviant sexual relationships challenged the ideal models of sexuality and marriage preached by the church and supported by the legal system, putting into question the actual grip that such institutions of social control had on women's and men's personal lives. Notwithstanding, the documents recording concubinage, adultery, illegitimacy, and other sexual transgressions attest to the burden that honor and reputation placed on women's sexuality. As elsewhere in colonial Latin America, in Pasto honor was a social and cultural value instrumental in restraining women's sexuality and maintaining marriage and family institutions. Conversely, men's sexual conduct and their double standards of morality remained virtually unregulated, thus holding women solely responsible for their husbands' and families' honor.

The notions of honor and sexual virtue, especially when it functioned as a marker social and ethnic boundaries, were held predominantly among white, upper-class women and much less so among the lower orders. Women of the élites, on the other hand, were in a better
position to hide their deviant behavior. The attitudes of the church apparently tended to be rather lax with lower-class people. In spite of the efforts of the church and the state to maintain the matrimonial institution, there is as much evidence of its fragility in late colonial Pasto as anywhere in Spanish America. The presence of out-of-wedlock children, concubinage, adultery, single motherhood, illegitimacy, abandoned and battered women, threatened the solidity of marriage, showing that people did not, by any means, see it as the only choice for the realization of their sexuality. Such misbehavior was also part of the women's subtle responses to the restrictions imposed on their lives by the church and the legal system. Some of them utilized the interstices of the legal system to accommodate their sexual misconduct to the accepted cultural and moral dictates in order to ease their punishments or to achieve other advantages. The behavior of female slaves is a case in point. The court records suggest that slave women, unable to purchase their freedom, used the legal system to sue their masters for rape in order to get their or their children's freedom.

In general, this study proposes that working-class indigenous, mestizo and slave women contributed in a wide variety of ways to the colonial economy, making more visible their roles in the public spheres of the colonial society. Although in a subordinate position they made possible the supply of food and labor to the urban market of this local settings of the colonial economy. At the same time, from the bottom of a hierarchical society, they challenged the prevalent standards of behavior in their private lives and manipulated the codes of the legal system in order to circumvent the further degradation that they experienced based on their ethnic and gender status in the colonial society of Pasto.
APPENDIX A

Civil and Gender Status of the Population,
1780.

<table>
<thead>
<tr>
<th></th>
<th>Pasto</th>
<th>%</th>
<th>Pr. Pasto</th>
<th>%</th>
<th>Popayan</th>
<th>%</th>
<th>G. Popayan</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women</td>
<td>5847</td>
<td>51</td>
<td>5893</td>
<td>45</td>
<td>8312</td>
<td>54</td>
<td>56,819</td>
<td>58</td>
</tr>
<tr>
<td>Men</td>
<td>5676</td>
<td>49</td>
<td>7343</td>
<td>55</td>
<td>7130</td>
<td>46</td>
<td>40,960</td>
<td>42</td>
</tr>
<tr>
<td>Married W.</td>
<td>2409</td>
<td>41</td>
<td>1435</td>
<td>24</td>
<td>2313</td>
<td>28</td>
<td>16,550</td>
<td>29</td>
</tr>
<tr>
<td>Married M.</td>
<td>2362</td>
<td>42</td>
<td>3435</td>
<td>47</td>
<td>4445</td>
<td>62</td>
<td>15,890</td>
<td>39</td>
</tr>
<tr>
<td>Single W.</td>
<td>3438</td>
<td>59</td>
<td>4458</td>
<td>66</td>
<td>5999</td>
<td>72</td>
<td>40,269</td>
<td>71</td>
</tr>
<tr>
<td>Single M.</td>
<td>3242</td>
<td>58</td>
<td>3887</td>
<td>53</td>
<td>4737</td>
<td>38</td>
<td>24,573</td>
<td>61</td>
</tr>
</tbody>
</table>

Source: This study, based on the data from the 1780 Padrón.
## APPENDIX B

**Population of the Indigenous Towns Surrounding Pasto**

1851

<table>
<thead>
<tr>
<th>Indigenous Towns</th>
<th>Women</th>
<th>Men</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aranda and La Laguna</td>
<td>249</td>
<td>221</td>
<td>470</td>
</tr>
<tr>
<td>Pandiaco</td>
<td>118</td>
<td>102</td>
<td>220</td>
</tr>
<tr>
<td>Buesaquillo-Pejendino-Mocondino</td>
<td>54</td>
<td>61</td>
<td>115</td>
</tr>
<tr>
<td>Jamondino</td>
<td>45</td>
<td>47</td>
<td>92</td>
</tr>
<tr>
<td>Males</td>
<td>27</td>
<td>29</td>
<td>56</td>
</tr>
<tr>
<td>Puerres and Canchala</td>
<td>42</td>
<td>39</td>
<td>81</td>
</tr>
<tr>
<td>Tescual</td>
<td>51</td>
<td>48</td>
<td>99</td>
</tr>
<tr>
<td>Chapal de las Monjas</td>
<td>287</td>
<td>159</td>
<td>446</td>
</tr>
<tr>
<td>Obonuco-Jongovito</td>
<td>86</td>
<td>97</td>
<td>183</td>
</tr>
<tr>
<td>Botanilla</td>
<td>80</td>
<td>59</td>
<td>139</td>
</tr>
<tr>
<td>Catambuco</td>
<td>31</td>
<td>30</td>
<td>61</td>
</tr>
<tr>
<td>Partido Botanilla-Quebrada de Cubijan</td>
<td>50</td>
<td>89</td>
<td>139</td>
</tr>
<tr>
<td>Obonuco</td>
<td>77</td>
<td>76</td>
<td>153</td>
</tr>
<tr>
<td>Gualmatan</td>
<td>42</td>
<td>43</td>
<td>85</td>
</tr>
</tbody>
</table>

**Total**                                         1239  1100  2339

*Source:* Crafts Census Pasto, 1851, FAHMP, Caja 49.
APPENDIX C

Gender Structure of the Population by Ethnic Groups for the City and the Province of Pasto, in 1780.

<table>
<thead>
<tr>
<th></th>
<th>Whites</th>
<th>%</th>
<th>Indians</th>
<th>%</th>
<th>Free</th>
<th>%</th>
<th>Slaves</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Women</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasto</td>
<td>2351</td>
<td>40</td>
<td>2962</td>
<td>51</td>
<td>451</td>
<td>8</td>
<td>83</td>
<td>1</td>
</tr>
<tr>
<td>P. Pasto</td>
<td>2751</td>
<td>47</td>
<td>3082</td>
<td>52</td>
<td>34</td>
<td>0.6</td>
<td>26</td>
<td>0.4</td>
</tr>
<tr>
<td><strong>Men</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasto</td>
<td>2215</td>
<td>40</td>
<td>2899</td>
<td>51</td>
<td>442</td>
<td>7.9</td>
<td>48</td>
<td>1.1</td>
</tr>
<tr>
<td>P. Pasto</td>
<td>2621</td>
<td>36</td>
<td>4649</td>
<td>63</td>
<td>26</td>
<td>0.5</td>
<td>27</td>
<td>0.5</td>
</tr>
</tbody>
</table>

*Source:* This study, based on the 1780 Padron's data.
APPENDIX D

Inventory and Assessment of Salvador Narvaez and his Deceased Wife Feliciana del Pozo's Bienes Gananciales.

Pasto, Mayo 27, 1784.
A tile-roofed and walls, small house  $150.00
A frying pan 3 pounds weigh  3.00
A tame horse  13.00
A colt  6.00
Two old suitcases  1.00
An old saddle  3.00
A new hatch  2.40
An old shovel  2.00
A machete  1.00
A medium-sized ox  7.00
A shaft  6.00
A sheet with its lock  3.00
A coral bracelet  4.00
An old horse  3.00
A caw  6.60
Two old locks  0.40
An old mortar for smashing maize  0.02
An altarpiece of the Nuestra Señora del Rosario Virgen  0.02
A medium green vessel  1.00
A four varas* piece of purple flannel  2.00
A moth-eaten cloak  2.00

**Source:** NPP, LP, 1784, f. 53.

* A vara = 0.70 m.
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