# COLONIAL INSTITUTIONS AND CONTEMPORARY LATIN AMERICA:

## Political and Economic Life

WOODROW BORAH*

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

OUR SUBJECT is Colonial Institutions and Contemporary Latin America: my portion is political and economic life. Both subject and portion are vast and attractive but fearfully complex. As we all know, Latin America is a continent and a half, by no means of uniform heritage and with regions of considerable cultural diversity. Furthermore, these regions are undergoing change which moves at differential rates and may not even be in the same direction. There are, in addition, ambiguities and assumptions within the topic itself that require at least mention. Within this context, what is an institution? One can accept at once the statement that it is an organized society, or a form of social organization, or an established practice or custom. But is it also an attitude or a complex of attitudes that constitute a way of looking at life and of organizing life? I think that this too must fall within our definition. Next, the subject would seem to contain the idea of survival. Is that term to mean that a colonial institution continues to the present day in demonstrably uninterrupted continuity and value? Here the lapse of old needs and the appearance of new ones obviously have meant in many instances extinction but in many others change in function and value so that one must examine the degree of alteration.

Again, the topic, it seems to me, carries within it a conception of divisions of time and nature of change, which may be summarized as follows: There was a colonial period which began some time after 1492 with the European incursion and came to a close about 1825 when most of Latin America became politically independent of

* The author is Professor of History, University of California, Berkeley. I wish to thank Professor John H. Rowe, Department of Anthropology, University of California, Berkeley, and Professor Dauril Alden, University of Washington, Seattle, for generous help in preparing this paper. This paper and the two which follow were read at the American Historical Association meeting in Chicago, December, 1962.

Europe. During the colonial period a fairly uniform pattern of life developed or was implanted. This has remained as a relatively rigid mold that has broken down more or less gradually in the period of independent states. The latter period is frequently called national on the theory that the states contain nations or will do so in time. This kind of division is characteristic of our textbooks. It has the blessing of many of our own members, and carries with it some interesting analogies to the conception of mega-evolution in the sciences. In comment, let me suggest that one can hold with equally good reason that the colonial period has not yet ended. Today's program with equal logic and identical wording of topic could deal with the institutions that work to keep Latin America impoverished and subservient to other regions. However, since the intention of the Program Committee is clear, I shall accept the definition that colonial means whatever existed in Latin America in 1825, without reference to questions of dependence. Even within those terms, the lapse of time between the coming of Columbus and the achievement of formal political independence for most of Latin America is greater than that since 1825 to our day. Despite the steady acceleration in human history of rate of change, it is unlikely that so long a period of time meant merely an initial explosive contact and then the firm setting of a mold. What is called the colonial period contained fairly steady change even after the first century of European domination. The eighteenth century particularly was one of especially great change, both directed and unplanned, with profound effects upon popular life as well as government. Indeed, I personally should be inclined to hold that the inter-semester pause in the school year, which underlies much of this search for periods, falls better at the middle of the eighteenth century. For, in many ways, the history of Latin America since perhaps 1760 has been the implantation and working out of the ideas of the Enlightenment in administration, religious life, and the application of rational ideas to such matters as economic improvement. In consequence, if we consider colonial anything that appeared in Latin American prior to 1825, however few years earlier, the number and importance of survivals we shall find will be very much greater. Lastly, let me point out that the formulation of the topic and the conception of the nature of the colonial period implicit in it have the virtue of ignoring the problem of origins, that is whether an institution or trait is Indian or European, some blend of the two, or a new development within new needs. We may thus declare irrelevant a particularly thorny set of questions. Now that I have stated

Downloaded from http://read.dukeupress.edu/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

some of my caveats, let me embark upon what must be at best a partial and inadequate catalogue.

In the field of government and administration, perhaps a broader term than political life, even the casual visitor to Latin America is struck by the survival of institutions and features that are patently colonial. The systematic codes of laws clearly derive from the French Revolution and through it from Roman precedent rather than from the codifications of the Iberian monarchs, but behind that logical renewal and revision lie older peninsular and American content and notarial and administrative forms. In most of Latin America notaries continue to draw up legal instruments and serve as witnesses of integrity and credibility; except for the dates and circumstances, their documents are couched in the same form and language as those of their sixteenth century predecessors. Court procedures and writs, in many instances such, notably, as the famous Mexican writ of amparo, represent modifications and adaptations of colonial and earlier Peninsular practice. The very form of administration is inherited from colonial times in a characteristic Latin American phenomenon to which William Whyte has applied the term external administration. The person needing a document or permit must himself coordinate the operations of the various agencies, and even of the people within an agency which must pass upon the issuance of a permit, or authorization or even collection of a tax. The client himself moves his papers from desk to desk and from office to office. He himself arranges to reconcile the conflicts which arise from contradictory hours or severely limited periods of service set by unconcerned agencies. The idea is virtually unknown of a systematic organization of procedure in which the government itself sees that once the application is filed, all steps follow automatically as a coordinated responsibility of its employees. Correspondingly, fees, tips, or bribes for coordinating and expediting functions became an indispensable lubricant.

Latin American government in general is characterized further by a series of survivals which may be grouped under the term centralization. Whatever the legal fiction of local autonomy, the province captures power and revenues from its local units, and the national government in turn strips states and provinces of sustenance and vigor. The extremities are left to a rachitic and penurious existence, in which they are forced to apply to higher authority for assistance in so local and elementary a matter as the repair of a town pump. This destruction of local vigor is clearly not an inheritance from the sixteenth or seventeenth century in Spanish America but rather de-

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

rives from the great reforms of the eighteenth century. In Brazil it may go back to the reforms of the 1690's.

The phenomenon of centralization also embraces the characteristic vesting of power in the executive, converting legislative bodies into adulatory claques and depriving judicial bodies, to a degree that varies widely from region to region, of much of their independence. The effective appointive powers of the center, whatever the legal fictions, reach far down the lines of authority, just as the effective control of the Minister of the Interior extends to all territorial units and very often sets the results of elections. Paralleling and reinforcing this extension of centralized executive authority is the very real fear in lower or regional officials, of making a decision without knowing the mind of the higher official or of the center. In effect, whatever the constitutional provisions, the presidents have the royal power of former regimes but, perhaps because office is not hereditary and tenure is precarious, are somewhat less inclined to show the scrupulous royal respect for vested interests. Further, because of this absorption of all effective power by the executive, and by the supreme executive above all, much of the necessary dealing with government proceeds by personal interview and appeal, which may secure finally an order to enforce rights, or may guarantee that an inconvenient regulation will not be enforced. A number of us who have seen peasant delegations waiting for the President of Mexico in the presidential patio of the National Palace or in the antechambers of Los Pinos have been struck by the fact that we were watching the General Indian Court of New Spain functioning today rather much as it must have when Antonio de Mendoza gave it informal existence or Luis de Velasco II gave it formal structure. Personal intervention and wide use of dispensation, I should hasten to add, although colonial, may well be beneficial and give needed flexibility to an otherwise rigid and at times brutal administration.

Local administration in whatever function is left to it is characterized today very much by a colonial organization. Much of it is carried on through the *cargo* system. Unpaid or very poorly paid local officials work for the social prestige attached to their posts and the posts of local administration, official and customary, are organized in a progressively more responsible and prestigious order. A young man enters upon the lowest of these and works his way upward as a matter of community service and prestige, defraying community expenses out of his own resources. It is the translation to America of the *cursus honorum* of ancient Rome.

Unpaid or poorly paid officials, wide dispensing powers, and the

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

need of each person to negotiate passage of his papers through the numerous official agencies and formalities have fostered survival and perhaps extension of yet another colonial phenomenon. We call it graft; Mexicans, the *mordida*; Brazilians, the *suco.* Virtually every country has its own term, but the phenomenon is really the survival of the characteristic system of the Middle Ages and Early Modern Period, and in many instances of our own time, by which the person who needs an official or legal service or document, pays for securing it. In other words, government service is financed directly through fees of some kind levied upon the person who requires the service. The mordida functions to a great extent as a means of supplementing painfully low salaries or providing payment where there are none through imposition of a moderate surcharge which in turn is earned by prompt and efficient or even extraordinary service. The custom has the vast advantage of enabling the private citizen to cut through bureaucratic detail and spare himself hours and even weeks of exasperation; it is probably as efficient and more accessible to the average man than our own proud invention of the expediter or troubleshooter. In yet another form the mordida functions like the colonial *composición,* payment to the state for dispensation from inconvenient law or conflicting right. It goes back to the vast extension of such practice in the seventeenth century as the impoverished Castilian Crown tried to meet the fiscal burdens of the Thirty Years' War. In its perhaps most unpleasant form, the mordida functions as graft or peculation, but again with ample colonial precedent. One may recognize the practice in accordance with which the viceroy brought an entourage of hungry followers and organized the colony for yield.

Finally, in this series of items relating to administration and political life, let me point to two fundamental features of Latin American society which have strong colonial roots. The first is *caudillismo* or *caciquismo,* the organization of political life in terms of congeries of leaders, each with his band of followers bound to him by personal interest, family, or regional association. The phenomenon is remarkably reminiscent of the Europe of the early Middle Ages, the Spain of the Reconquest, and the America of the Conquest. Since it is essentially social, I merely mention its existence. The second feature is the militarization of political life: the holding of civil office by military, the discharge of civil administration by military process, the predominant advantage of the military career as the means of political and economic advancement, and the special legal and de facto privileges of the military. The widespread nature of

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

this militarization is most easily gauged by the extraordinary degree to which ordinary and unrelated civil administrative posts are held by military men. In its most extreme form such militarization becomes pretorianism: steady interference in political life by the armed services either as organized pressure groups or as participants in a series of coups-d'état. Pretorianism can hardly be ascribed directly to colonial Hispanic America with its monarchs ruling by divine right, but the militarism which has fostered it is a colonial heritage and gives further point to my earlier comment that the centuries of European political domination witnessed continuing change. The governments of the earlier colonial period were singularly devoid of organized military establishments. For decades the only semblance of a regular army was the armed guards around the viceroys. When forces were needed, they were raised by calling for volunteers or by summoning the adult Spanish males to rally around the royal standard with whatever arms they could muster. Enforcement of law and the royal will was secured far more through the persuasion of the Church, just as royal administration relied relatively heavily upon advisers and administrators recruited from the clergy. Until the accession of the Bourbon dynasty in Spain, and the regime of Pombal in Portugal, the only regular forces to come into being in Latin America were the army in Chile and the garrisons at some of the ports. It was the massive reorganization of colonial life in the eighteenth century that changed the pattern. Royal administration relied far less upon the Church and even came into serious public conflict with the Church through the expulsion of the Jesuits. The royal bureaucracy increasingly was recruited from soldiers until the practice of employing military for civil functions became common. Substantial army garrisons were built up, and finally Charles III in his dominions and Pombal in Brazil established an organized militia in the colonies with special privileges, legal, social, and economic. The preferred position gained by the military has been consolidated since. Some may demur that in the collapse of traditional authority in the past century, the armed forces would have become the core of effective authority whatever previous practice. I can only say that the practice was there.

Let me turn now to economic life. This is a field so vast in itself that I can do no more than point to some institutions and practices. Differential rates of change have been especially prominent here so that any generalizations at best apply only to parts of our continent and a half. I shall be brief primarily because, for an audience with your knowledge, I fear that I belabor the obvious.

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

We all know the role of Latin America as a supplier of foodstuffs and raw materials to the industrially more developed countries—colonial in the other possible sense, with concomitants of monoculture, excessive dependence upon world markets and prices, and unfavorable relations of raw to processed materials. In this meaning, despite recent industrialization, nearly a century and a half of independence have made Latin America more rather than less colonial. The point is easily established if we compare the impact upon it of the interruptions of international supply during the eighteenth century, with the shortages and dislocations of 1914-1919 or 1940-1946. Spain and Portugal never were able to achieve such integration in their economic systems.

But, let me return to the more conventional meaning of colonial. Much of the technology of the colonial period continues in use to the present day and tends to preserve with its use the associated practices and forms of organization of production in agriculture, manufacturing, household use, and labor. I need merely mention the Mediterranean plow, the coa, foot plow, and backstrap loom among others. Thus in many regions village life has changed little in the past two centuries and retains traditional land tenures, forms of labor, especially labor exchange among neighbors, and contributions to communal needs in production. In Mexico there has even been an attempt to return more fully to the colonial system of *ejidos* but with the hope of moving away from the old rather than toward it. Throughout most of Latin America, village distribution and even much distribution within the cities remain the colonial one of barrio, town, and regional markets in which the market is not merely the center of economic exchange but provides a welcome social diversion, and may indeed be associated further with the celebration of a saint's feast day. In many regions barrios and towns still specialize in the production of one item which is then exchanged at the markets. In complement to this system, there continues to exist the *pulpería* or general store with its supply of goods on credit and absorption of village products. It fulfills a function of exploiter, patron, and friend that no supermarket can replace.

Alongside the villages there existed and yet exist the haciendas that were both units of production and means of stable investment in an age that had few other outlets for capital. They were an answer further to the Peninsular stress upon land and livestock—particularly cattle and horses—as the basis of social prestige, and blended well with the social relations of caudillismo with its emphasis upon patronage and service. The relations might be reinforced by debt peonage

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024

but were not necessarily oppressive, as indeed the colonial hacienda with its varied relations was not invariably an oppressive institution. It evoked much loyalty on both sides until the development of profitable urban and foreign markets for foodstuffs and special crops in the nineteenth century made possible a much sharper exploitation aimed at large commercial profit and further made possible the life of an absentee landlord in the capital city or abroad. Despite the upheavals of a century and a half, the hacienda is very much a feature of the economic landscape today. With increasing emphasis upon new techniques, expensive machinery, and large-scale production, the hacienda may well triumph over the village. The forms that have been employed to save the village are the cooperative and the collective, the former of restricted feasibility and attraction in Latin America, the latter in the end a new and more efficient hacienda under state ownership.

Capital accumulation in Latin America is obstructed or even prevented by an interesting complex of survivals. Their effectiveness was reinforced through the destruction, early in the nineteenth century, of the well-developed class of artisans with its manufactures, especially textiles and metal goods. They could not compete with the flood of cheap British wares that entered the various countries once the metropolitan commercial system ceased to operate and the new rulers hastened to adopt the latest fashion of economic liberalism. A class that might have furthered habits of saving was thus eliminated, not to be replaced until almost our day and in other ways. As part of this complex of customs and outlook that militate against capital accumulation, one may point to the entire Iberian system of values with its emphasis upon a fairly static investment in land and cattle. It is essentially a non-industrial, non-saving psyche, interested in conspicuous expenditure and usury, in fees, rents, and salary rather than commercial or industrial profits. Such remains the criollo system of values today and the search for government posts often described as *empleomanía*.

In the villages this system of values and customs is paralleled by another, characterized by conspicuous and levelling expenditure, that may go back to the Roman custom of placing municipal burdens upon the wealthy. The holders of municipal and local posts must provide the costs of service and celebration, most often from their own substance. The majordomo of a confraternity in Mexico, for example, will bankrupt himself and his family in order to make prestigious provision of food, drink, and fireworks for the year's feast. Even in Brazil, where the *festeiro* can manage to spread the

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/709903/0430371.pdf by guest on 19 April 2024

cost and even make a profit, the village or district uses in one splurge what is hardly a surplus. What takes place in essence is the consumption of the only possible saving—I repeat it is hardly a surplus—and a steady destruction of any accumulated savings held by any family in the town lest that family emerge above the general level. A recent study in Chiapas has disclosed that in a number of villages most of the saving, especially that which goes into productive forms, is by Protestant families, which as a matter of religious conviction refuse to participate in the system of cargos or *mayordomías*. It is an interesting corroboration of Weber's thesis. Further corroboration may be found in the report that in many Mexican villages returned *braceros* have been made *mayordomos* and have been forced to spend the savings of their labor for the year's festival. They are deliberately prevented from using their savings for investment that might disturb egalitarian village society. Were the missionaries who brought to the New World the European sodalities and confraternities to be polled, they might well approve the twentieth century operation of their work, but obviously further movement of Latin American countries toward capital accumulation and economic improvement will require massive modification in this complex. The counterbalancing factor in this picture is that governmental plunder increasingly results, in part, in productive investment and must be rated, to some extent, as an effective form of capital accumulation.

I should make one final comment. I have sketched (most inadequately) matters as they exist in this year. Inevitably there is an urge to look ahead, for we deal with process that does not halt. We can be sure that the next year will be somewhat different and the situation ten years from now more different. That is as far as we can go with any assurance. We can not even be sure of the direction of change which might permit some prediction of the degree or type of survival, for our ideas are based really upon the first forms of the Industrial Revolution with its emphasis upon metals and fossil fuels and with its temporary superiority of the English-speaking peoples. I recall the confident prediction in the 1920's of one eminent man still alive that Latin America could never hope to have an industrial revolution because it then had no known large deposits of iron ore and coal. Let us by all means discuss survival to this year. Let us further try to scan the future if we will, but let us do so with a decent lack of assurance in our own powers of prophecy.

Downloaded from http://dup.silverchair.com/hahr/article-pdf/43/3/371/770993/0430371.pdf by guest on 19 April 2024