

almost completely. Marchena's documentation of this phenomenon shows that, insofar as the military was concerned, colonial Spanish America conformed to the broader pattern of western civilization as synthesized some years ago by R. R. Palmer in his *Age of Democratic Revolutions*.

This is an impressive book. It raises substantial questions and reaches convincing conclusions of major significance. While subjects such as the percentage of soldiers who confessed before dying may be of minor interest to the average reader, the broader themes that Marchena has developed bear unmistakable importance.

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Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real. By WOODROW BORAH. Berkeley: University of California Press, 1983. Map. Notes. Tables. Appendix. Bibliography. Index. Pp. xxii, 479. Cloth. \$45.00.

Some thirteen years ago, when I was a fledgling graduate student, I once had a conversation with a distinguished historian of colonial Indian Mexico. The topic of the Juzgado General de Indios—the General Indian Court of the Audiencia of Mexico—came up, and this scholar expressed doubt that there ever was such a thing as an institutionalized Indian Court in Mexico City.

Any lingering doubts about the existence and importance of the General Indian Court will be dispelled by this massive study by Woodrow Borah. Established by Viceroy Luis de Velasco II to provide less costly, less cumbersome, and less biased legal procedures for Indians, the Court began functioning in 1592 and continued in substantially the same form until 1820. Headed by the viceroy, the Court and its personnel were financed by a unique sort of "legal insurance": each Indian tributary in the greater part of the Audiencia of Mexico was assessed a half-real each year. In return, Indians who chose to use the Court were exempt from all legal fees (nobles and communities paid half the going rate).

Separate chapters deal with types of cases tried; Court procedures and functionalities; Court financing; and the special cases of the Marquesado del Valle, Yucatán, and the Audiencia of Guadalajara. Case abstracts show that the largest proportion of disputes was over land, the next largest being complaints against Spanish officials and priests. The Court did not, of course, have exclusive jurisdiction over Indian affairs. Local magistrates continued to try many cases and criminal matters were generally not part of the Indian Court's jurisdiction (except for Mexico City). As time wore on, greater flexibility was introduced and Indians were given a greater range of options for legal representation.

In all, Borah has given us yet another major contribution to the study of Indian administration in New Spain. The book amply displays the thoroughness,

crispness of style, and abundant documentation that one has come to expect from this important scholar. The study does have some weaknesses, though they are probably unavoidable given the nature of the documentation. There are the nagging questions of the degree to which the Court's decrees were enforced and whether its decisions were any better enforced than those of local tribunals. The first question is discussed briefly in Chapter 6, but it remains unanswered. Finally, we are still left with the question of how valuable and effective the Court was. This is difficult to answer, yet Borah suggests that the extensive use made of the Court, its greater efficacy as compared to its counterpart in Peru, and the great losses suffered by the Indians when legal equality was introduced in the nineteenth century all underscore its importance.

Questions aside, this book is sure to stand as the definitive study of this interesting institution. Now that the Court's operation and rationale have been laid bare, one hopes that other scholars will take up the challenge to investigate further the relationship between the General Indian Court and the large volume of Indian cases tried at the local and district levels by *corregidores* and *alcaldes mayores*.

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La educación de los marginados durante la época colonial: Escuelas y colegios para indios y mestizos en la Nueva España. By LINO GÓMEZ CANEDO. Mexico City: Editorial Porrúa, 1982. Notes. Appendixes. Bibliography. Index. Pp. xxiii, 425. Paper.

Schools and universities were established early in the course of Spanish colonization. Generally speaking, they were similar to those of the mother country, insofar as they were controlled by the church or state. In New Spain public education was organized essentially by religious orders, bishops, viceroys, audiencias, church or municipal councils, and *cofradías*. The colonial school system was composed of primary, monastery, and convent schools, colleges, seminaries, and universities. This system, it was hoped, would prepare the necessary church and public functionaries and it educated mainly Spaniards and *criollos*. On the other hand, Indians and mestizos could not hope to reach the higher education levels, except with rare exceptions, such as those described by Fr. Lino Gómez Canedo in the Colegio de Santa Cruz in Tlatelolco, or in the Colegio de San Juan de Letrán.

It is within this framework that we find the present book. The author set himself the goal of writing the history of educational institutions for Indians and mestizos in New Spain. Gómez Canedo employs the word *marginados* ("deprived people") to designate Indians and mestizos, so that the reader can get a better