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## THE CHURCH AND STATE IN CONFLICT

The conflicts between the Indians and the Spanish friars were exacerbated by the ongoing battle between the civil and religious Spanish authorities. The only exploitable resources in New Mexico, for the governor's gang and the friars alike, were the Indians. The Franciscans saw gold in Indian souls, while the king's men demanded their labor.

This frontier did not attract the cream of the mother society, but rather the disinherited, people who in many cases were escaping the law or debts. For them, the risks of life on the frontier were infinitely preferable to the certainty of their miserable lot elsewhere in the empire. For soldiers it was a punitive assignment.

What would compel a senior diplomat, or a successful merchant or artist, to want to be sent to distant, dangerous New Mexico? A "comer" in court, or a rising government official, might seek the governorship of New Mexico as a stepping stone, but it was not a "plum," like those available in the Philippines or Peru.

The governor had only a few years to glean what he could from this remote assignment, before the dreaded day when his successor began the *residencia*, or review of his administration. The review was unlikely to be fair. Each succeeding governor brought a "What's in it for me?" mentality to the job, and used the *residencia* to filch a piece of his predecessor's pie. Usually this was accomplished by means of a fine, levied for transgressions real or imagined.

Governor Juan de Eulate, who served from 1618 to 1625, and many other Spaniards dealt in Indian slaves, usually Apaches. The practice had a slight legal veneer. The law allowed Spaniards to acquire Indians "orphaned" through warfare. These orphans were to be taken in, raised in a Spanish home, and given the advantages of Christianity and Spanish culture. But the system was widely abused. Domestic servants were obtained this way, and many slaves were exported to Mexico.

The booming silver mines of Parral in northern Mexico needed two things the New Mexico colony could supply: salt and slaves. The Salinas Pueblo Indians were required under the *repartimiento* system to collect salt from the salines of long-dead Lake Estancia, even as the Spaniards rounded up and enslaved neighboring Apaches.

The soul of an Apache was just as valuable in God's sight as the soul of a Pueblo, but in New Mexico there were so few missionaries and so many Indians. The Pueblos, at least, lived in towns like "civilized" people. Surely the Franciscans would have liked to minister to the Apaches, as well. But how could the church establish a mission to the fearsome Apaches, who were always on the move?

The priests who ministered to the Pueblos appeared to look the other way while the secular Spaniards attacked and captured Apaches. The distinction between sacred and secular was lost on the Apaches, to whom a Spaniard was a Spaniard, any Spaniard was an enemy, and a friend of the enemy became an enemy, too. Apaches, who historically had maintained a good trading relationship with the Pueblos, increased their raiding and the cycle of violence continued.

Many governors exhibited an entrepreneurial flair. For example, in 1637 Governor Luis de las Rosas established workshops in Santa Fe where Pueblos from the Salinas area, as well as Apache slaves, labored on goods for him to sell in Mexico. He also raided the plains to capture slaves he apparently had already contracted to deliver in Mexico.

The empty wagons of the mission supply trains were often commandeered by the governors to haul goods south for sale in Parral or Chihuahua City. Return cargos included coarse and tailored woolen cloth, blankets, drapes, buffalo and antelope skins, pinyon nuts, candles, and leather bags of salt, which were packed through Abo Pass from the Estancia Basin. The wagons that brought priests to save Indian souls also returned to Mexico with Indian slaves. This particularly enraged the Franciscans, who had contracted for the use of the wagons in the first place.

The conflict between church and state in New Mexico came to a head during the controversial tenure of Governor Don Bernardo Lopez de Mendizabal. He earned the enmity of the Franciscans before he even arrived in 1660, and ultimately he and his subordinates would be called before the Inquisition to answer a long list of charges stemming from his brief administration. Trial records provide invaluable insight into life in the Salinas during the early 1660s.

The replacement priests who traveled with Lopez on the mission supply train noted he did not seem to have the proper respect for the church. Rarely did he or his wife leave their wagon for mass during the journey. Once they had the wagon placed so they could hear the mass without having to emerge. Flippant comments the governor made toward the church were documented.

On a later inspection trip to the Salinas pueblos Governor Lopez held a forum and plainly invited the Indians to register any complaints they had against the priests. Someone accused aged Acevedo, who had built the great church at Abo, of sexual impropriety. The accusation itself, and the fact the governor countenanced it, infuriated the priests.

Word quickly spread among the Franciscans that the governor had told Indians they no longer had to obey the priests. The governor likely wanted the support of the Pueblos for economic reasons, and therefore told them to ignore religious obligations that might interfere with their working for him. To the priests, this constituted an outrageous attack on theology.

One of Lopez's first acts as governor was to appoint Nicolas de Aguilar *alcalde mayor* of the Salinas Province to manage civil affairs there. A typical frontier character, Aguilar was at home with rough and tumble ways. He had worked in the tough mining towns of New Spain as a youth, and circumstances later brought him to New Mexico. Very much the governor's man, he gave lip service to the sanctity of the church.

Aguilar agreed heartily when the governor attempted to ease restrictions priests had placed on Pueblo ceremonies, the most visible being the kachina dances, in which Indians costumed as spiritual figures danced in the plazas. To the Franciscans the dances were demonic, but Governor Lopez and Aguilar enjoyed their boisterous joviality. Far from condemning the native dances and music, Aguilar was heard to mutter that the Indian chanting "had no more effect than the Gregorian chants of the Fathers." The priests were outraged when Governor Lopez officially allowed the dances again, and even invited Pueblos to dance on the plaza in Santa Fe, before the Palace of the Governors.

In 1659 Las Humanas received a new priest and was upgraded from visita to mission again. The new priest, Fray Diego de Santander, initiated construction of a huge new church to replace the small one Letrado had begun and Acevedo had finished. During construction, word spread that the Indians had been forbidden to assist him. The governor and Aguilar denied it.

In connection with this argument over Indian labor, the subject of Las Humanas' poor water supply surfaced. Water had to be carried to the mission herd, so the governor ordered the herd moved to Abo, which had a greater water supply. The church, of course, saw this as an attack on its affairs.

The priests also claimed Aguilar once ordered twenty Indians at Quarai whipped "because they went to the pueblo of the Jumanos [Las Humanas] to sing in the choir during the celebration of the feast of San Buenaventura." In his defense, Aguilar explained that he

punished the Quarai choir for violating a peace accord he had made with the Apaches. Quarai guards had once inadvertently killed two Apaches who were on their way to Las Humanas to trade. Aguilar had persuaded the Apaches the killings were accidental, and got the Apaches to agree not to venture north of Las Humanas toward Quarai. In exchange, he promised the Pueblos of Quarai would not go to Las Humanas when Apaches were there to trade.

Fray Antonio Aguado, guardian of Abo, required a translator because he could not speak the Indian language. He accused Aguilar of ordering the translator not to enter the convento, on pain of being whipped two hundred lashes. Aguilar claimed he made the threat because the man had bullied other Indians, and certainly did not intend to inconvenience Aguado.



*Left ... Pottery candlestick, Las Humanas*

Aguilar once interrupted a sermon preached at Quarai by Friar Nicolas de Freitas, who was emphasizing the supreme role of God and the church and the necessity of the Indians' obedience. Aguilar declared that no, the Pueblos owed allegiance to the king. It became a shouting match, in the church! Freitas stormed out to his quarters in the convento, and Aguilar followed, still arguing. The Indians observed everything.

Aguilar and the priests repeatedly clashed over the use of Indian labor. Aguilar once forced an Indian woman who cooked for the mission to leave, because women were not permitted to enter the convento. When Aguilar forbade the Pueblo people from going to the mountains to gather firewood, citing the risk of attack by Apaches, Fray Fernando de Velasco persisted and sent them anyway. Aguilar had the Indians whipped for disobeying, and Velasco publicly berated Aguilar calling him "a Calvinist heretic, a Lutheran, and other names of heretics." Witnesses claimed the enraged Velasco actually tried to stab Aguilar.

At Las Humanas, Fray Diego de Santander complained that some of the Indians were careless about attending mass. Aguilar replied that the Indians might not know much about the faith, but they certainly knew "how to guard and herd an infinite number of vestock, to serve as slaves, and to fill barns with grain, cultivated and harvested with their blood, not for their humble homes, but for those of the friars."

When a Salinas man and woman were sent to Aguilar for punishment for an illicit sexual union, he ascertained they were both single, and wanted to marry. He allowed them to do so, judging it a better solution than whipping them.

On another occasion, it was the priest at the Salinas village of Tajiique, Fray Diego de Parraga, who was accused of having had a three-year illicit relationship with an Indian's wife. Aguilar assembled people who might be witnesses, and in the process he asked them questions about the case. A legal uproar resulted when this prior questioning was disclosed at the hearing. By what right did a civil officer, an *alcalde mayor*, investigate the clergy? Was that not the clergy's sole right? Who had ordered what? Had the proper papers been signed? On May 29, 1660, Nicolas de Aguilar was declared excommunicate from the church for violating ecclesiastical immunity, and for showing a lack of respect for the censures of the church.

At the end of his term, Governor Lopez was replaced by Don Diego Dionisio de Penalosa Briceno y Berdugo, who held a residencia. Eventually Lopez, Aguilar, and others were arrested and taken to Mexico City to be tried before the Holy Tribunal of the Inquisition. Lopez died awaiting trial, but on May 8, 1663, Aguilar was read an indictment containing fifty-two articles, including those above, stemming from his administration of the Salinas Province.

Aguilar defended himself vigorously. Did obeying the order of a superior constitute a defense? Which evidence was circumstantial, which direct? Which actions were proper for civil authorities, and which for religious authorities?

In September 1664 Aguilar was found guilty, and he appealed. After three months of reconsideration the final verdict was upheld, and the punishment made more severe. Aguilar was banished from New Mexico for ten years, and barred from administrative office for life. In December this miner, rancher, politician, and instrument of chaos in the Salinas Province admitted and rejected his errors, and was released.