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by

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**Covert Commerce: A Social History of Contraband Trade in Venezuela, 1701-1789**

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**Covert Commerce: A Social History of Contraband Trade in Venezuela,  
1701-1789**

by

**Jesse Levis Cromwell, B.A.; M.A.**

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Austin, Overlooking Hemphill Park,

May, 2012

# **Covert Commerce: A Social History of Contraband Trade in Venezuela, 1701-1789**

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This project explores how conditions of material scarcity and the potential for profit thrust both foreign and Spanish coastal inhabitants into vast networks of illegal, yet essential, commerce. Based on extensive archival investigations in Venezuela and Spain as well as shorter research trips to archives in England, Colombia, and the United States, I probe the specific dynamics of the largest portion of eighteenth-century Atlantic trade, illicit commerce, as a series of practices imbued with moral economy concerns, political meanings, and legal consequences. The first half of my manuscript uses a prosopographical, collective biography approach to profile the largely unexplored actors in the Spanish Empire's underground economy off the Venezuelan coast: non-Spanish contrabandists, Spanish American merchants, and corrupt Spanish officials. These ordinary folk participated in quotidian transnational trade in basic goods that violated mercantile Spanish law. The second half examines the social impact that smuggling wrought on Venezuela. I focus specifically on the illicit slave trade and Afro-Caribbean contrabandists, the material culture of smuggled goods in Venezuelan daily life, and violent colonial opposition to anti-contraband strictures through several mid-eighteenth

century trade uprisings. Smugglers' shadowy existence between empires revises our understanding of interimperial contact, local identity formation, commercial autonomy, and popular protest in the early modern world. In its complicated and criminal nature, covert commerce also connects large structural shifts in the burgeoning eighteenth-century global economy to local petty traders.

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## I. Introduction

To study accounts of covert commerce in coastal Venezuela is to glimpse an illicit and shadowy world that sustained the economy of this neglected Spanish American colony. Smuggling brought subjects of rival early modern empires into daily contact with one another. The documentation of Venezuela's flourishing black market also illuminates its unintended consequences for commerce, communication, legal understandings, imperial loyalties, and colonial identity formation in the province.

Consider the cases of two captured smugglers that demonstrate the social impact of this economic practice. A Flemish trader named Wilhelm Brundenbrug (identified as Guillermo Brundenbrug in the documents) left from nearby Curaçao in 1731 with a cargo of flour, liquor, and other sundries.<sup>1</sup> His crew of German, Swiss, and Dutch mariners hopped between several Venezuelan ports on the central coast, unloading this merchandise and picking up raw chocolate beans (cacao). Along with its cargo, Brundenbrug's ship carried an array of cannons, mortars, and small arms for defense in case the dangerous and unregulated business of underground exchange became violent.

Brundenbrug claimed not to know any of the Venezuelans he dealt with on shore. Contrabandists frequently made this statement to examining officials. He admitted to leaving a member of his crew with the Venezuelans as collateral assurance of his good intentions and probably had never met his fellow traders. For other smugglers, denying

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<sup>1</sup> For clarity with the nationalities of historical subjects, I have tried to transcribe Hispanicized names from the documents into their appropriate counterparts. In this example, the smuggler Brundenbrug showed up in the documents as "Guillermo Brundenbrug."

previous contact served as a rhetorical flourish meant to protect merchant networks.

From the evidence, it is difficult to determine whether the presence of intricate smuggling rings or the spontaneous exchange of goods between a plethora of willing trading partners more neatly reflected reality along the coast. Either possibility underscored the extent to which contraband trade infiltrated Venezuela in the eighteenth century.

Brundenbrug's case also emphasizes the extent to which clandestine commerce was a commonplace and necessary practice for both buyer and seller. He described trade between Dutch and Spanish subjects as a "daily" occurrence. Echoing the words of so many other illicit merchants, Brundenbrug confessed that he realized the illegality of his actions under Spanish law, but entered into the trade anyway "to make a living" (*ganar la vida*). Several unlucky *zambos* (men of mixed African and Indian ancestry) whom Spanish coastguard officials captured for trading with Brundenbrug's men mirrored his words with their purchases. Too poor to afford the fine manufactures of Europe that a petty trader like Brundenbrug would not carry anyhow, the *zambos* bought simple hats to shade them from the fierce tropical sun.<sup>2</sup>

Like Wilhelm Brundenbrug, Captain Fernando Francisco set off from Curaçao in 1730 to turn a profit through the uncertain and mutable profession of smuggling. Francisco's motley crew included an Indian from Bonaire, a Frenchman from Martinique, and both white and black Curaçaoans. Crew compositions like this were by no means abnormal in the early modern Caribbean. Yet, the transimperial nature of contraband

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<sup>2</sup> Declaración de Guillermo Brundenbrug, Capitán de la balandra Guillermo Joven. Puerto de Patanemo, abordo el navio San Ygnacio. July 9, 1731. Archivo General de Indias (hereafter AGI), Audiencia de Santo Domingo, 781.

trade probably made for especially varied personnel aboard smuggling ships. Like Brundenbrug's crew, Francisco's men traded liquor and small arms in exchange for cacao.

Additionally, the smugglers ferried less-prosaic merchandise to the South American mainland: African slaves. Francisco listed six men and one woman as enslaved in his testimony. All belonged to Curaçaoan residents. Aside from the female slave, whom the traders clearly brought to sell in Venezuela, the intended destinations of the slaves and their legal status under Spanish law once confiscated remained uncertain. Francisco noted that the slaves' owners intended an unspecified number to be sold, whereas others were to "be loaned out and earn wages for their masters who permit them to sail." This gray area in distinguishing between enslaved cargo and crew was common in Caribbean smuggling. It nonetheless made for difficult deliberations as to the status of slaves in Spanish prize courts.<sup>3</sup>

The Spanish American legal system intervened not only in the fates of slaves, but also in the lives of clandestine trade's quotidian participants. Francisco, Brundenbrug, and other captured smugglers in Venezuela and the Spanish Atlantic experienced punishments that contradicted the fluidity of on-the-ground commercial relations between subjects of different empires. Spanish officials sentenced Brundenbrug and his crew to work without pay on coastguard ships in Spain and transported them across the Atlantic. In doing so, authorities ironically put contrabandists to work for the primary operatives of

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<sup>3</sup> Testimonio de Fernando Francisco, Capitán de la balandra holandesa. Puerto Cabello. September 6, 1730. AGI, Santo Domingo, 781.

anti-contraband policing.<sup>4</sup> While prize court judges did not include Francisco and his fellow sailors' punishment in existing court records, sentences for similar offenses over the course of the eighteenth century suggest that it was common for smugglers to be turned over to massive Spanish convict labor programs on either side of the Atlantic.<sup>5</sup> Some contrabandists built and manned forts in defensive outposts of the New World such as Havana, Cartagena, Pensacola or Veracruz. Others worked in coastguard services in Spain or the Caribbean. Some labored away in the confines of Spain's arsenals and North African presidios. In all of these occupations, life expectancies were bleak.<sup>6</sup>

As these two examples illustrate, smuggling touches upon many nodes of Atlantic, early-modern, and Caribbean history. The Brundenbrug and Francisco cases alone raise issues of market economics, material culture, the economy of makeshifts, inter-imperial violence, race relations and slavery, international law, and criminal justice. Still, scholars have conducted surprisingly few serious inquiries into contraband trade.<sup>7</sup>

### **Sources, Historiographical Currents, and Methodologies**

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<sup>4</sup> Auto de Sebastian Garcia de la Torre, Governor of Venezuela. Caracas. December 17, 1731. AGI, Santo Domingo, 781.

<sup>5</sup> Expediente sobre prisión de holandeses y penas que se debían imponer a los extranjeros por ilícito comercio. Visto en el Consejo de Indias. 1736-1739. AGI, Indiferente General, 1829.

<sup>6</sup> Ruth Pike, "Penal Servitude in the Spanish Empire: Presidio Labor in the Eighteenth Century," *The Hispanic American Historical Review* 58:1 (Feb., 1978): 29.

<sup>7</sup> Several recent publications have focused specifically on smuggling and contributed much to our understanding of the topic. See Alan L. Karras, *Smuggling: Contraband and Corruption in World History* (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 2010); Thomas M. Truxes, *Defying Empire: Trading with the Enemy in Colonial New York* (New Haven: Yale University Press, 2008); Wim Klooster, "Inter-Imperial Smuggling in the Americas, 1600-1800," in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. Bernard Bailyn and Patricia L. Denault (Cambridge: Harvard University Press, 2009), 141-180; Christian J. Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713* (New York: New York University Press, 2011).

Understanding the dimensions of “contraband trade” or “smuggling” first requires a definition of these murky words. Wim Klooster’s provides perhaps the clearest understanding of smuggling as “the illegal movement of goods across national boundaries to evade payment of taxes.”<sup>8</sup> As Lauren Benton’s work has shown, legal pluralism in the early modern world made for different definitions of this socially-constructed term.<sup>9</sup> What was smuggling to one empire was simple trade to another. This study focuses on the inter-imperial portion of what the commercial codes of the Spanish Empire identified as contraband trade: the movement of any goods back and forth between Spanish subjects and foreign traders unlicensed by the Spanish House of Trade (*Casa de Contratación*). Among the imperial powers of the Americas, Spanish trade law figured among the most exclusionary in its stance toward outsiders.

A reasonable consensus exists among historians of Spanish America that smuggling ate away at the fiscal foundations of the Spanish treasury even as it invigorated colonial economies and empowered Spain’s Atlantic rivals.<sup>10</sup> However, many surveys of the Spanish commercial system have avoided substantial coverage of

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<sup>8</sup> Klooster, “Inter-Imperial Smuggling in the Americas,” 141.

<sup>9</sup> Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002), 3-6, 24.

<sup>10</sup> A few major works of Spanish American commercial historiography that agree with this contention are Geoffrey J Walker, *Spanish Politics and Imperial Trade, 1700-1789* (Bloomington: Indiana University Press, 1979), ix, 14; Henry Kamen, *Empire: How Spain Became a World Power, 1492-1763* (New York: Penguin, 2002), 436; John Robert Fisher, *The Economic Aspects of Spanish Imperialism in America, 1492-1810* (Liverpool: Liverpool University, 1997), 72-91; Stanley J. Stein and Barbara H. Stein, *Silver, Trade, and War: Spain and America in the Making of Early Modern Europe* (Baltimore: Johns Hopkins University Press, 2000), 3-40; Murdo J. MacLeod, *Spanish Central America: A Socioeconomic History, 1520-1720* (Austin: University of Texas Press, 2008 [1973]), xiii, 348-374; John Lynch, *The Hispanic World in Crisis and Change, 1598-1700* (Oxford: Blackwell, 1992), 242-264; Kenneth J. Andrien, *Crisis and Decline: The Viceroyalty of Peru in the Seventeenth Century* (Albuquerque: University of New Mexico Press, 1985), 11-49.

contraband trade. The basis for this omission is the difficulty in discerning the volume of an illegal practice that was, by its nature, secretive and usually undetected. Several valuable quantitative works have made projections based on records of captured goods or the bullion tallies from non-Spanish colonies to discuss smugglings impact on the political economy of empires.<sup>11</sup> This scholarship is inevitably incomplete as it makes its estimates from the small number of smugglers caught in the act. Nonetheless, studies of how smuggling altered individual colonial societies are few.<sup>12</sup>

This dissertation grew out of the historiographical misinterpretation or outright exclusion of this lifeblood of the Spanish American economy. In my initial archive trips, I expected to encounter nothing but dry lists of contrabandists and items captured. Instead, I found volumes upon volumes of documents cataloguing smugglers' itineraries, contacts, opinions, and loyalties. These records spoke of violent encounters, rebellion, bribery and corruption, but also of cooperation, subaltern agency, geographic mobility, and sustained contact across vast distances and empires. Moreover, like inquisition documents, the prosecution of smugglers offered the palpable voice of common people

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<sup>11</sup> See, for example, Lance Grahn, *The Political Economy of Smuggling: Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997); Nuala Zahedieh, "The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692," *The William and Mary Quarterly*, 3<sup>rd</sup> Ser., 43/4, (Oct., 1986): 570-593; Ramon Aizpurua, *Curazao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993); Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* 2 Vols. (Caracas: Academia Nacional de la Historia, 1984); Sergio Villalobos R., *Comercio y contrabando en el Río de la Plata y Chile* (Buenos Aires: Editorial Universitaria de Buenos Aires, 1977)

<sup>12</sup> For works that address individual colonial development through smuggling, see Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648-1795*. (Leiden: KITLV Press, 1998); Linda M. Rupert, "Contraband Trade and the Shaping of Colonial Societies in Curaçao and Tierra Firme," *Itinerario* 30:3 (2006): 35-54; Zacarias Moutoukias, "Power, Corruption, and Commerce: The Making of the Local Administrative Structure in Seventeenth-Century Buenos Aires," *The Hispanic American Historical Review*, 68:4 (Nov., 1988): 771-801; Maria del Carmen Mena-Garcia, "El contrabando en Santa Marta en los inicios del siglo XVIII," in *Homenaje a Dr. Muro Orejón* vol. 1 (1979), 215-222.

usually overlooked in the historical record. The study produced from these records examines prize court records of seized shipping, interrogations of contrabandists, governmental correspondence, and print material parsed from archives in Venezuela, Spain, Colombia, England, and the United States.<sup>13</sup> It analyzes these sources on their own terms, not to determine how much contraband passed back and forth between empires, but rather to uncover the social history of ordinary Spanish and non-Spanish subjects involved in illicit trade.

This project also bridges divides between methodological approaches used to survey the Caribbean basin. Recently, historians of the Atlantic World have debated whether the history of the Caribbean fits more neatly into the paradigm of Atlantic or Imperial history. Alison Games notes how strange a fit Imperial history is for Caribbean colonies that followed development patterns directed by empires, “even while sometimes sharing space with a rival power and participating in common regional transformations.”<sup>14</sup> Philip Morgan argues that “it is difficult to think of a more appropriate place for a pan-Atlantic, pan-global approach than the Caribbean, since it was such a hub on this emerging Atlantic world.”<sup>15</sup> However, later work by Morgan and Jack

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<sup>13</sup> In Caracas, Venezuela, I looked at prize court records in the Archivo General de la Nación (Venezuela) and the Academia Nacional de la Historia. In Seville, Spain, I investigated more prize court records and imperial correspondence at the Archivo General de Indias. I took subsequent smaller research trips to look at documents pertaining to English smugglers in the National Archives and British Museum in London, England and regarding Venezuela’s western border in the Archivo General de la Nación (Colombia) in Bogotá, Colombia. Finally, a one-semester fellowship at the John Carter Brown Library in Providence, Rhode Island allowed me to research interesting print sources of cacao and the Caracas Company.

<sup>14</sup> Alison Games, “AHR Forum: Atlantic History: Definitions, Challenges, and Opportunities,” *American Historical Review* 111 (Jul., 2006): 744.

<sup>15</sup> Philip D. Morgan, “The Caribbean Islands in Atlantic Context, circa 1500-1800,” in *The Global Eighteenth Century*, ed. Felicity Nussbaum (Baltimore: The Johns Hopkins University Press, 2003), 63.

Greene theorizes that an imperial framework might be better to analyze eighteenth-century struggles between empires in the Caribbean. The authors take this stance because “much activity occurred within a single imperial entity; illicit trade, smuggling, piracy, and venturing across imperial boundaries were the exception, not the norm.”<sup>16</sup> This dissertation contradicts Morgan and Greene’s notions of imperial fixity by demonstrating the importance and frequency of transnational contraband trade in the region.

Far from an exceptional practice, smuggling in the Caribbean offers new insights into both Atlantic and Imperial history. On one hand, illicit trade demonstrated the porosity of boundaries separating subjects of the Caribbean basin. Multinational, multiracial crews moved goods between way stations, negotiated local practices, and brought merchandise, information, and ideas across borders. On the other hand, the unlucky smuggler’s experience with coastguards, prize courts, and criminal justice in a foreign land also underscored the extent to which, to borrow Trevor Burnard’s phrasing, “empire matters.”<sup>17</sup>

The methodology of this study builds upon Michael Jarvis’s Atlantic concept of seeing the world from the deck of a ship. This metaphorical gaze shifts analysis of overarching patterns of transoceanic commerce away from the metropole and onto more peripheral shores where networks of traders bought and sold goods. This perspective is valuable for two reasons: First, it privileges the actions of individual traders, who were

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<sup>16</sup> Jack P. Greene and Philip D. Morgan, “Introduction: The Present State of Atlantic History,” in *Atlantic History: A Critical Appraisal*, ed. Jack P. Greene and Philip D. Morgan (Oxford: Oxford University Press, 2008): 9.

<sup>17</sup> Trevor Burnard, “Empire Matters? The Historiography of Imperialism in Early America, 1492-1830,” *History of European Ideas* 33:1 (Mar., 2007): 87-107.

for the most part inarticulate and fleeting in the historical record. The first part of my work creates collective biographies of foreign and domestic smugglers as well as corrupt officials from many ephemeral documents. These prosopographies, or collective biographies, produce contoured pictures of illicit commerce's participants that any single case would not reveal. Their actions are worthy of study because, as Jarvis acknowledges, "individuals, as much as corporations, nation-states, and imperial bureaucracies, expanded and integrated the various parts of the Atlantic world into a greater whole."<sup>18</sup>

Additionally, looking at maritime commerce and Atlantic history from the deck of a ship emphasizes the mechanics of how separate societies traded and overlapped with one another. Records of smuggling reveal what a messy and intricate process extralegal commerce was, but also how it brought people of together around a common littoral identity separate from the nation-based ones that colonial authorities encouraged them to adopt.<sup>19</sup> Early modern scholars often overlook the "social history of economic practice" as Jane Mangan refers to it, in order to understand broad trends in the political economies of empires.<sup>20</sup>

Along the way, they fail to note connections between these far-reaching political developments and local contexts. Kenneth Andrien observes that the historiography of Spanish America in particular produces excellent studies of common people at the town

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<sup>18</sup> Michael J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (Chapel Hill: University of North Carolina Press, 2010), 6.

<sup>19</sup> Here I am borrowing from Michael Pearson's concept of the "littoral society." Pearson makes a convincing theoretical case that "there is such a thing as littoral society, that is, that we can go around the shores of an ocean, or a sea, or indeed the whole world, and identify societies that have more in common with other littoral societies than they do with their inland neighbors." Michael N. Pearson, "Littoral Society: The Concept and the Problems." *Journal of World History* 17:4 (Dec., 2006): 354.

<sup>20</sup> Jane E. Mangan, *Trading Roles: Gender, Ethnicity, and the Urban Economy in Colonial Potosí* (Durham: Duke University Press, 2005), 3.

and regional level that nevertheless struggle “to link their everyday lived experiences to broader structural changes occurring in the Atlantic world.”<sup>21</sup> The second part of my study unites these courses of investigation by tracing the impact that smugglers had on the slave trade, material culture, and popular protest in Venezuela.

Contrabandists reshaped global commerce. Contrary to recent historiography, which envisions a progressively more rational and orderly transatlantic economy over the course of the eighteenth century, clandestine commerce demonstrates that the formation of free trade was a contested, bottom-up process that owed as much to the actions of illicit traders in the colonies as to the ideas of metropolitan reformers in Europe.<sup>22</sup> Thus, by focusing on an individual colony and working from the Cis-Atlantic approach outlined by David Armitage, this project identifies Venezuela’s place in shaping wider developments in the circum-Caribbean.<sup>23</sup>

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<sup>21</sup> Kenneth Andrien, “The Spanish Atlantic System,” in *Atlantic History: A Critical Appraisal*, ed. Jack P. Greene and Philip D. Morgan (Oxford: Oxford University Press, 2008): 72-73.

<sup>22</sup> For examples of this conception of the budding of an orderly transnational world, see David Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009) and Pierre Gervais, “Neither imperial, nor Atlantic: A merchant perspective on international trade in the eighteenth century,” *History of European Ideas* 34 (2008): 465-473.

<sup>23</sup> David Armitage, “Three Concepts of Atlantic History,” in *The British Atlantic World, 1500-1850*, ed. David Armitage and Michael J. Braddick (New York: Palgrave MacMillan, 2002), 21. For a monograph that uses the Cis-Atlantic perspective successfully see April Lee Hatfield, *Atlantic Virginia: Intercolonial Relations in the Seventeenth Century* (Philadelphia: University of Pennsylvania Press, 2004).



Figure 1: A Contemporary Map of Venezuela and its Surroundings  
 Source: U.S. Central Intelligence Agency Map, 1993.

## **The Venezuelan Context**

Venezuela provides an ideal laboratory to study broad, structural shifts in Spanish colonial trade. Paradoxically, Spanish officials allowed the province to grow up outside of Spanish trade circuits in the sixteenth and seventeenth centuries, but then imposed rigid commercial control in the second quarter of the eighteenth century by making it essentially a company colony. The sudden imperial interest in Venezuelan trade after a long period of disregard provides a rich body of documents to study smuggling, conflict, and colonial

From the sixteenth century, imperial officials had written off Venezuela as an unproductive backwater with few discernible resources to exploit. Though the fleet system proved to be a generally efficient and incredibly secure means to extract bullion from Mexico and Peru, it was entirely inadequate for supplying Spanish American inhabitants, particularly in peripheral regions such as Venezuela, with European commodities. The South American galleons regularly bypassed Venezuela's harbors on their way to Cartagena and Panama. Licensed individual ships from Colombia, Panama, and Mexico sold merchants of Caracas second-run goods. In the latter half of the seventeenth century, merchants sent fewer than five ships from Spain directly to Venezuela. Fewer than six vessels embarked for Venezuela from Spain between 1700 and 1728 and no ship made the return course directly between 1700 and 1721.<sup>24</sup>

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<sup>24</sup> Roland Dennis Hussey, *The Caracas Company, 1728-1784: A Study in the History of Spanish Monopolistic Trade* (New York: Arno Press, 1977 [1934]), 53-58; Jean François Dauxion-Lavaysse, *A Statistical, Commercial, and Political Description of Venezuela, Trinidad, Margarita, and Tobago: Containing Various Anecdotes and Observations, Illustrative of the Past and Present State of these*

With this neglect came an extraordinary degree of governmental self-sufficiency. The Council of the Indies shifted the Province of Venezuela (comprising Caracas and most of the central coast of the present-day nation) back and forth between the Audiencias of Santa Fe and Santo Domingo. Neither judicial body shared economic interests with Venezuelans nor did they interfere much in its affairs. For most of the colonial period, Venezuela did not formally belong to any viceroyalty. Caracas's cabildo (town council) and the province's governor were the most powerful political forces in Venezuela. Caracas was the province's one true city of scale, although its population did not reach 20,000 inhabitants until 1800.<sup>25</sup>

Commercially isolated and politically autonomous, traders in the province developed substantial relationships with foreign merchants as least as early as the mid-seventeenth century.<sup>26</sup> Just as it was ringed by islands off the coast, Venezuela was enmeshed in webs of trade with foreigners. As much as half of the province's trade came illegally from sources outside of the Spanish Empire.<sup>27</sup>

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*Interesting Countries; From the French of M. Lavaysse: With an Introduction and Explanatory Notes by the Editor* (London: Printed for G. and W. B. Whittaker, 1820), 17-18, Found at The John Carter Brown Library (hereafter JCB); Andres Bello, *Resumen de la Historia de Venezuela* (Caracas: La Casa de Bello, 1978 [1810]), 44; Real Compañía Guipuzcoana de Caracas, *Manifiesto, que con incontestables hechos prueba los grandes beneficios, que ha producido el establecimiento de la Real Compañía Guipuzcoana de Caracas,; y califica quan importante es su conservacion al Estado, a la Real Hacienda, al buen publico, y a los verdaderos intereses de la misma Provincia de Caracas* (Madrid: 1749), 2v, JCB.

<sup>25</sup> Eduardo Arcila Farias, *Economía colonial de Venezuela* (Mexico City: Fondo de Cultura Economica, 1946), 33.

<sup>26</sup> Though Venezuelan colonists carried on commercial relations with foreigners as early as the time of the Englishman Sir John Hawkins's voyages in the 1560s and 1570s, more sustained trade did not come until the rise of non-Spanish colonies in the Caribbean in the middle seventeenth century. For Hawkins's trading with Venezuela, see Harry Kelsey, *Sir John Hawkins: Queen Elizabeth's Slave Trader* (New Haven: Yale University Press, 2003), 81.

<sup>27</sup> Getting accurate estimates of the amount of contraband trade in Venezuela is problematic. Wim Klooster says that the Dutch owned at least a thirty percent share in Venezuelan cacao in the 1730s-1750s even before unregistered cacao was counted. Ramon Aizpurua believes that the value of total trade (licit

The growth of European chocolate consumption effectively ended the province's isolation. Venezuela's central coast produced and still produces some of the finest cacao in the world. By the last decades of the seventeenth century, chocolate had become a widely imported and consumed commodity in Europe.<sup>28</sup> At the beginning of the eighteenth century, the central coast experienced an extraordinary cacao boom. Haciendas sprang up in previously uninhabited areas. Cacao producers' foremost clients were not the Spanish, who had entered a period of commercial stagnation, but rather Venezuela's non-Spanish Caribbean neighbors. The province's close proximity to Dutch Curaçao (only forty miles separated the colonies) made the Dutch especially close trading partners. Dutch smugglers followed Venezuela's coastline as they traded European goods with materially-deprived locals in exchanged for their valuable cacao. In the words of Pedro José de Olavarriaga, a special envoy of the king to Venezuela and the one of the Caracas Company's first directors, the Dutch "could justly be called the merchants of Europe. They have recognized for a long time that they can derive a handsome profit from the anemic trade conducted by the Spanish."<sup>29</sup>

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plus illicit) per year in Venezuela was around 1,000,000 pesos/year, or double previous estimates of the value of licit trade alone. Celestino Araúz Monfante says that by 1720, only one-third of Venezuelan cacao made its way legally to Spain. José de Abalos, the first Intendant of Caracas estimated that between 1766 and 1775, 500,000 pesos worth of cacao was sold by Venezuelans to Mexico. However, during that time, 450,000 pesos from those sales ended up in foreign hands. Suffice to say that the volume of contraband trade in the colony was large. Klooster, *Illicit Riches*, 185; Aizpurua, *Curacao y la costa de Caracas*, 124; Araúz Monfante, *El contrabando holandés*, 217; Arcila Farias, *Economía colonial de Venezuela*, 260-261

<sup>28</sup> Sophie D. Coe and Michael D. Coe, *The True History of Chocolate* (London: Thames and Hudson, 1996), 160-176, 204-228; Marcy Norton, *Sacred Gifts, Profane Pleasures: A History of Tobacco and Chocolate in the Atlantic World* (Ithaca: Cornell University Press, 2008), 158-169.

<sup>29</sup> Pedro José de Olavarriaga, *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* (Caracas: Edición Fundación Cadafe, 1981 [1722]), 102.

Venezuela's cacao boom and the accompanying uptick in foreign smuggling on its coasts also spurred Spanish efforts to incorporate the province fiscally and administratively into the empire. After the War of Spanish Succession, the Council of the Indies and the Bourbon King Philip V began to take notice of the economic opportunities presented by Venezuelan cacao and the increasing notoriety of local smuggling. More than their Hapsburg predecessors, the Bourbon monarchs stressed the enforcement of smuggling prohibitions.<sup>30</sup> A newly formed Basque stock company proposed its plan to make Venezuela economically productive to the empire and crackdown on contraband. In 1728, the Crown gave a monopoly over the Venezuelan cacao trade with Spain to the Real Compañía Guipuzcoana de Caracas (more colloquially known as the Caracas Company). In return for this grant, the Crown expected the Company to supply the province with European goods, to provide coastguard patrols that would deter foreign interlopers to Venezuelan trade, and to ship a fixed amount of cacao on Venezuelan planters' private accounts (usually around one-third of a ship's cargo).

The Spanish prize courts of the central coast of Venezuela immediately witnessed a surge in the number of ship seizures for contraband commerce. The swell in cases during these years owed more to the credible enforcement of Spanish trade law for the first time in the province than to an uptick in smuggling. From 1728 until the Company's demise in 1784, and to a lesser extent until independence from Spain, smugglers, governors, company employees, and coastguard officials battled and colluded over who

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<sup>30</sup> John Lynch, *Bourbon Spain, 1700-1808* (Oxford: Basil Blackwell, 1989), 145.

would control Venezuelan trade. They also would do so with a new variety of legal merchants.

The arrival in Venezuela in 1789 of imperial legislation allowing limited free trade (*comercio libre*) between Spanish and Spanish American ports reconfigured various aspects of the Venezuelan commercial world. Legalized and largely unrestricted commerce with other regions of the Spanish Empire, as well as a handful of specific concessions to trade with foreign colonies, provided merchants with more options for conducting licit trade. The chaotic patterns of late-eighteenth century warfare crippled transatlantic Spanish commerce and ensured the proliferation of new forms of smuggling in Venezuela. This illicit commerce displayed a markedly different character than earlier illegal inter-imperial exchange in the province. *Comercio libre* in 1789 thus forms the conclusion of this study.

### **To a Social History of Contraband Trade**

My dissertation will examine the unsettled character of this smuggling society through six chapters. In the first of three prosopographical chapters, this study profiles foreign contrabandists trading on the Venezuelan coast. An in-depth analysis of hundreds of cases finds that these shadowy figures came mostly from foreign colonies close to Venezuela including Curaçao, Martinique, Barbados, and Jamaica, but also from farther afield in some cases. Most traders were under thirty and part of multinational, multilingual, and sometimes multiracial crews composed of usually less than a dozen

men. Part of this heterogeneous character sprung from the numerous colonies (some of them free ports) that vessels would visit in a single circuit through the region.

Although they were outsiders to Venezuela, these contrabandists maintained close contacts on shore. They were savvy to local market conditions, customs, languages, and coastguard operations. Insider knowledge of this sort demonstrates the extent to which sailors exchanged information in port and formed mutually-beneficial bonds with habitual trading partners, but also the important presence of Sephardic Jewish trading networks well-versed in Iberian cultural traditions.

Accounts of foreign merchants also demonstrate that most were petty traders looking to make a living. The names of a few larger merchant houses turn up in smuggler interrogations. Unlike the hierarchical drug smuggling businesses of today, illicit exchange in early-modern Venezuela offered egalitarian and entrepreneurial opportunities for small-time captains willing to trade on their own account. Counterbalancing potential profits were the inherent hazards of coastal violence, wartime privateering, coastguard patrols, exile and forced labor.

The second chapter of this dissertation considers the other half of illicit commercial partnerships: Venezuelan merchants. Centuries of Crown neglect coupled with more recent exclusion from legal trade by Basque Caracas Company employees inadvertently encouraged creole traders to develop extralegal commercial relationships with foreigners. Like foreign smugglers, domestic contrabandists were mostly small-time traders. The existence of larger merchant and agricultural estates as well as the Caracas Company frequently precluded the participation of more humble businessmen in the

lucrative legal cacao trades with Spain and Mexico. As a result, middling cacao producers often traded their harvest directly with outsiders or pooled it with the produce of other small planters to exchange with smugglers on the coast. In return, producers received foreign goods that they marked for either personal consumption or introduction into Venezuelan markets. Coastal Venezuelan smugglers of means frequently smoothed over legal troubles through their connections with local officials, whereas poorer and less influential contrabandists felt the brunt of anti-contraband law enforcement.

Chapter three details the role of Spanish colonial officials as facilitators in contraband trade. The means by which these officials of all ranks bypassed trade restrictions were numerous and complex. Authorities might actively smuggle goods themselves, participate as shareholders in contraband ventures, communicate directly with foreign merchants, or receive bribes to ignore the black market dealings of others. Crooked officials used kinship and professional connections to create and sustain intricate smuggling rings that spanned multiple empires.

This chapter emphasizes that corrupt officials and colonial subjects reached a social compact regarding smuggling and corruption. Residents tolerated administrative graft related to smuggling when, as a by-product, it served to open ports and markets to mutually beneficial trade from abroad. When officials attempted to monopolize the black market or harmed community values in the process of defending their own interests, locals used all means at their disposal to expel offending officers. Ultimately, informal agreements between governors and the governed aided smuggling's diffusion throughout the province.

The second part of this dissertation shifts course away from collective biography and toward smuggling's overall influence on Venezuelan society. Illicit commerce's impact on the slave trade and Afro-Caribbean labor forms the subject matter of chapter four. People of color were involved in smuggling not only as contraband cargo to Venezuela, but also often as active participants in illegal trade. Venezuelan planters frequently sent their slaves to trade with unlicensed foreign merchants. These traders, in turn, sometimes employed their slaves as sailors or porters on smuggling ventures. For slaves and free people of color alike, contraband trade carried the prospects of wage earning and greater autonomy in labor, but also the risks of captivity and enslavement in Spanish dominions. The embargo of foreign contraband vessels produced thorny questions regarding the freedom or bondage of the slaves aboard. Illicit slave trading in eighteenth century Venezuela underscored the difficulties of determining citizenship and property rights across imperial boundaries.

In chapter five, this study analyzes the material culture of the Venezuelan smuggling economy through surveys of both foreign demand for cacao and Venezuelan consumption of European goods. Print sources from the eighteenth century demonstrate that Europeans coveted chocolate because of its associations with cultural practices of luxury and the Enlightenment and also because of its supposedly medicinal properties. For their cacao, Venezuelans received not the exotic items typically associated with illicit trade, but rather mundane wares and foodstuffs such as flour, coarse cloth, liquor, and firearms. Inventories of confiscated contraband suggest both the tremendous inability of the Spanish Empire to supply its more marginal colonies with simple trade and the ways

that Venezuelans creatively used smuggling to deal with this dearth of subsistence goods. Furthermore, court cases of smuggling highlight the importance of women as retail distributors of contraband on land.

The study's final chapter builds upon the theme of colonial moral economy in chapters three and five to discuss the Rebellion of Juan Francisco de León. In 1749, León, a minor official led a multi-class, multi-racial uprising against the Caracas Company that lasted nearly three years and culminated with the temporary expulsion of both the governor of Venezuela and the Caracas Company from the capital. Though this rebellion shook the colony's government to its foundations, it has received little historiographical attention from either Hispanophone or Anglophone scholarship. León's rebellion was linked to dismally low prices paid by the Caracas Company to Venezuelan producers for their cacao and the company's role in closing the colonial safety valve of smuggling. Reacting to these affronts, Venezuelans, along with the military aid of Dutch smugglers who sympathized with them, defended communal concepts of economic justice and asserted their commercial autonomy nearly sixty years before the struggle for independence. The rebellion illustrates the many ways that contraband trade was an integral political force in Venezuela and Spanish America.

As the preceding chapter summaries indicate, smugglers smashed open closed commercial systems governing the contested and entangled spaces that comprised much of the coastal Americas.<sup>31</sup> In doing so, they also forced both colonies and metropolises to

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<sup>31</sup> Eliga Gould has argued that, at least as far as British and Spanish imperial interaction was concerned, much of the coastal spaces of Caribbean basin and North America can be viewed as "entangled worlds" due to the mutually influencing presence of both empires in their midst. Gould's concept is particularly

reevaluate their understandings of the colonial relationship vis-à-vis trade. As creolized societies began to create commercial connections that were not dependent on imperial Europe for sustenance, they came to understand their economic decisions as their own. Even as some members of the imperial chain of command participated in or allowed for illicit transactions, European commercial reformers still treated colonies as extractive investments. They never quite grasped the extent to which economic independence had bled into the formation of communal and regional self-identities in the colonies. These newfound mental geographies did not reflect the tidy imperial lines drawn on treaty maps. The low-intensity warfare that developed between smugglers and law enforcement reflected the failure of locals and imperial bureaucrats to understand each other's positions or to come to a consensus on colonial commercial rights and responsibilities.

Certainly impediments existed to the free movement of extralegal traders. The constraints of a Caribbean basin split along imperial lines imperiled smugglers who found themselves in the clutches of law enforcement officials. Punishments for the daily business of black market exchange were commonly stiffer than the crime warranted. For smugglers of color and enslaved cargos in particular, transcending imperial boundaries meant tossing their legal statuses up in the air. Even when they evaded detection, smugglers frequently struggled with the violence inherent in illegal activities.

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enlightening for places where smuggling and other forms of unsanctioned inter-imperial exchange occurred because, unlike borderlands studies, it does not mandate the empires' immediate overlapping geographical proximity to one another as a pre-condition for analysis. Eliga H. Gould, "Entangled Histories, Entangled Worlds: The English-Speaking Atlantic as a Spanish Periphery," *The American Historical Review* 112:3 (June, 2007): 764-786.

Despite these obstructions, it is remarkable how successful smugglers were as transnational brokers and socio-commercial integrators for the neglected communities in which they traded. They crossed legal jurisdictions and entered into risky business relationships at a time of incredible warfare and unrest in the Caribbean. Both the voyages of interlopers and the punishments visited upon them caused diplomatic squabbles between empires. Even as they infuriated Spanish metropolitan officials, illicit traders sated the material needs of the empire's peripheral regions through their access to the broad Atlantic world of goods. In trading with coastal societies, smugglers (of many races) challenged imperial assumptions about labor in the plantation-dominated Caribbean. As a vocation, smuggling provided a mobility and fluidity that imperial bureaucrats found subversive. In their minds, such transience suggested the undermining of imperial defense systems and confounded efficient extraction of wealth from the colonies. Ultimately, smuggling in Venezuela deeply influenced the development of the colony's commercial independence from the Spanish mercantile system. In doing so, smugglers also forced colonial subjects to challenge the morality of Spanish trade law and ask a fundamental question: why was this vital and natural trade classified as "contraband" in the first place?

## **PART 1: THE MAJOR PLAYERS IN ILLICIT TRADE**

## II. Purveyors of Comfort and Crime: Foreign Smugglers on the Venezuelan Coast

Despite the laws and intentions of imperial bureaucrats, coastal Spanish America was an international marketplace. Shoals, coves, and harbors teemed with foreign merchants buying the agricultural and mineral bounty of Spanish America in return for European finished products unavailable to many Spanish Americans through intra-imperial trade. Whereas the Spanish trade fleets provided for the centers of imperial power in the Americas (mainly Mexico and Peru), inhabitants of more far-flung imperial possessions like Venezuela depended on the illegally-imported wares provided by foreigners. Regional, multi-point, contraband trade shaped the economies and social interactions of coastal Venezuelan towns and made their shores a transnational crossroads for a motley composition of maritime businessmen. These smugglers tested the boundaries and barriers of mercantilism and internationalized commerce in an empire legally closed to outside business.

Consider the case of Manuel Michel, a French captain from Martinique accused of smuggling. Spanish coastguard forces captured Michel and his eight crewmen in eastern Venezuela in 1768. The French captain claimed his ship, the *Saint Charles*, had anchored on the coast to make essential repairs before continuing on to Dutch Curaçao. He held licenses from the French colonial government to trade in the Indies, though not in Spanish territories. His vessel transported mostly liquor and a few slaves bound for Curaçao, but it had stopped off already in English Grenada to trade some of its cargo. The multi-imperial voyage, along with the fact that the *Saint Charles's* had landed on

Spanish shores, raised the suspicions of commercial officials that he intended to trade illegally with Spanish subjects. Michel objected to these suppositions, claiming his goods never made landfall in the Spanish dominions. Despite his complaints, Spanish authorities confiscated his ship and its cargo.

The most fascinating part of Michel's testimony was that he conceived of the Caribbean and its surrounding territories as a collection of commercial routes independent of national designations. He argued that Spanish commercial law applied only "to the offenses of those subjects bound to the [Spanish] king." The Spanish coastguard's liberal interpretation of what constituted Spanish territory impeded his basic ability as a businessman "to trade and transport cargo with ease." Michel stated that he had followed the rules of his sovereign and would be obedient to the laws of his destination. He concluded that it was his compliance with these strictures, not those of the lands and seas he passed en route, that truly mattered.<sup>1</sup> Within the framework of an imperially-divided region, the French captain had asserted his right to navigate and trade freely. The conflict inherent in Michel's legally-pluralistic view of eighteenth-century Caribbean commerce echoes Lauren Benton's contention that, "colonial rule magnified jurisdictional tensions and gave greater urgency and symbolic importance to the task of defining the interactions of various legal forums, sources, and personnel."<sup>2</sup>

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<sup>1</sup> Autos contra Don Manuel Michel, Capitán de la balandra. francesa "San Carlos" en 18 Marzo 1768 a sotovento de la Esmeralda por haberle encontrado generos de ilicito comercio. Caracas. July 28, 1768. Archivo General de la Nación, Caracas, Venezuela (hereafter AGNV), Sección Compañía Guipuzcoana, Tomo XIX, folios 314-376.

<sup>2</sup> Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400-1900* (Cambridge: Cambridge University Press, 2002), 264.

Caribbean and Atlantic scholarship still knows very little about men like Michel who, through their illicit voyages, blurred the neat cartographic lines demarcating empires. Historians have explored the social and economic dimensions of fleet systems, large merchant firms, and transatlantic sailing.<sup>3</sup> Yet, as Michael Jarvis points out for the English maritime historiography, “we know much more about British and Anglo-American mariners involved in transatlantic trade than about the thousands of Anglo-American mariners and entrepreneurs who animated the equally important coastal trades.”<sup>4</sup> This statement also could be applied to a whole host of seafaring petty traders, peddlers, and inter-American merchants who dealt with the Spanish Empire. Even more to the point, studies of contraband trade in Spanish America often subordinate the social history of smugglers themselves to the political and economic consequences of their actions.<sup>5</sup>

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<sup>3</sup> See for example, Pablo E. Pérez-Mallaína, *Spain's Men of the Sea: Daily Life on the Indies Fleets in the Sixteenth Century*, trans. Carla Rahn Phillips (Baltimore: The Johns Hopkins University Press, 1998, [1992]). Carla Rahn Phillips, *Six Galleons for the King of Spain: Imperial Defense in the Early Seventeenth Century* (Baltimore: Johns Hopkins University Press, 1986); Antonio García-Baquero González, *Cádiz y el Atlántico (1717-1778): el comercio colonial español bajo el monopolio gaditano* (Seville: Escuela de Estudios Hispano-Americanos, 1976); Antonio García-Baquero González, *La carrera de Indias: suma de la contratación y océano de negocios* (Seville: Algaida: Sociedad Estatal para la Exposición Universal Sevilla 92, 1992); Enriqueta Vila Vilar, *Los Corzo y los Mañara: tipos y arquetipos del mercader con Indias* (Seville: Escuela de Estudios Hispano-Americanos, 1991); Pierre and Huguette Chauuu, *Séville et l'Amérique au XVIe et XVIIe siècles*. (Paris: Flammarion, 1977); Clarence Henry Haring, *Trade and Navigation between Spain and the Indies in the Time of the Habsburgs* (Cambridge: Harvard University Press, 1918); J.H. Parry, *The Spanish Seaborne Empire* (New York: Knopf, 1966); David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge: Cambridge University Press, 1995)

<sup>4</sup> Michael J. Jarvis, *In the Eye of All Trade: Bermuda, Bermudians, and the Maritime Atlantic World, 1680-1783* (Chapel Hill: University of North Carolina Press, 2010), 122.

<sup>5</sup> Prime examples of this historiographical approach are Lance Grahn, *The Political Economy of Smuggling: Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997); Nuala Zahedieh, “The Merchants of Port Royal, Jamaica, and the Spanish Contraband Trade, 1655-1692” *The William and Mary Quarterly*, 3<sup>rd</sup> Ser., 43:4, (Oct., 1986): 570-593; Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* 2 Vols. (Caracas: Academia Nacional de la Historia, 1984).

This chapter profiles foreign smugglers who served as the sinews and bone of coastal commerce in Venezuela and, by association, most of Spain's maritime peripheries. Their occupation sprung not only from Spanish American material want, but also their own socioeconomic circumstances. Smuggling represented one of several maritime professions open to men who were neither masters nor slaves and who thus struggled to find their place within the plantation complex that came to dominate the Caribbean. Contraband trade provided economic opportunity and occupational stability against marginalization. Nevertheless, the inherent commercial contradictions between rapidly globalizing free trade and age-old mercantilism in eighteenth-century imperial economies left illicit traders in a legal no-man's-land.

To reconstruct the lives of notoriously secretive foreign smugglers, this study uses the methodological approach of a prosopography, or collective biography. The dearth of documentation on contrabandists has caused historians to shy away from studying the trade in general. Obviously, many clandestine traders moved through the Spanish Empire undetected and therefore never appeared in colonial records. Even when captured, illicit traders often divulged as little as possible about themselves and their associates or cloaked their true circumstances and intentions in well-worn deceptions. Political scientists Itty Abraham and Willem Van Schendel contend that highly mobile people like smugglers "often appear in social theory as obscure, fleeting figures, as peripheral social actors with a lowly status in the world order, and as faceless outsiders who fit imperfectly

into neat representations of social reality.”<sup>6</sup> Recovering the stories of *individual* smugglers proves challenging. Examined as a group, however, their testimonies reveal patterns in the motivations, itineraries, working conditions, and socioeconomic statuses of crucial imperial go-betweens.

This chapter breaks its investigation of foreign contrabandists into four analytical sections. First, it dissects the practice of smuggling. Contrabandists’ tricks, networks, and common procedures for carrying out their business reveal both their expertise and their understanding of Spanish commercial enforcement mechanisms in Venezuela. The second section contemplates what sort of person became a smuggler. Though clandestine foreign merchants maintained, at best, ambivalent relationships with the imperial goals of their home nations, they generally shared common bonds of religion, age, and class. The smuggler’s trials and tribulations with the Spanish American criminal justice system comprise a third analysis. Arrest, trial, sentencing, and a range of punishments for contrabandists dramatized the fact that, despite its ubiquity, inter-imperial commerce still constituted a highly illegal economic practice in the Spanish colonies. Finally, a final section examines how illicit trade precipitated sporadic, but long-lasting violence in coastal waters as smugglers and coastguards sought to avenge each other’s raiding.

More than a portrait of one occupational group in the early modern world, the social study of smugglers offers a different vantage point on colonial history. Stories of multinational, polyglot crews and foreign prisoners shuttled all over the Spanish

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<sup>6</sup> Itty Abraham and Willem Van Schendel, “Introduction: The Making of Illicitness,” in *Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization*, eds. Willem Van Schendel and Itty Abraham (Bloomington: Indiana University Press, 2005), 11.

dominions do not fit into the traditional historiographical narrative of separate, mutually exclusive imperial societies. In such histories, smugglers and their deeds factor in only as poorly understood outliers. As political scientists Itty Abraham and Willem Van Schendel contend, highly mobile people like smugglers “often appear in social theory as obscure, fleeting figures, as peripheral social actors with a lowly status in the world order, and as faceless outsiders who fit imperfectly into neat representations of social reality.”<sup>7</sup> It is time to reevaluate these individuals’ contribution to colonial development and disintegration. Beyond the reach of metropolitan policy makers, small-time but well-connected contrabandists provided material comfort for themselves and Spanish America’s neglected provinces while they sewed together dominions that mercantilism sought to keep apart. The common and ordinary maritime foundations of free trade arose from their voyages.

### **The Practices and Networks of Smuggling**

A skilled smuggler tracing the coastlines of Spanish America had innumerable methods to bend and break Spanish commercial law. The range of practices and routes employed by illicit traders was truly astounding. The word “smuggler” brings to mind ingenious criminals slipping like cat burglars past border guards and customs officials. Certainly, covert activity of this kind comprised the lion’s share of unlicensed trade. But these underground rendezvouses marked only one of many strategies concocted between

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<sup>7</sup> Itty Abraham and Willem Van Schendel, “Introduction: The Making of Illicitness,” in *Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization*, eds. Willem Van Schendel and Itty Abraham (Bloomington: Indiana University Press, 2005), 11.

foreign sellers and Spanish American buyers to exchange goods in eighteenth-century Venezuela. In addition to stealth, the art of smuggling relied on veniality, deception, necessity, and apathy. Whether they trafficked their illegal merchandise furtively or with the discreet consent of law enforcement officers, foreign contrabandists in Venezuela relied on wide-ranging networks of foreign and Spanish commercial contacts in Venezuela and throughout the Caribbean to stock their inventories, facilitate safe passage, and serve as willing trading partners.

No matter how many trusted associates they amassed, most contrabandists still sold their wares in quiet coves, out-of-the-way beaches, and shallow anchorages, often under the cover of night. The experiences of Captain Louis Lagarene and his crew followed this example. Lagarene led a trading expedition to Venezuela on behalf of an important Curaçaoan merchant in 1763. The trader, a Dutch Jew named Abraham Henrique Morón, furnished Lagarene with a passport from the governor of Curaçao and a letter introducing him to a Venezuelan commercial contact named Miguel de Acosta Andrade.<sup>8</sup> Captain Lagarene's instructions called for him to bring the ship and European consumer goods belonging to Morón to the Venezuelan coast. Lagarene would find Acosta Andrade, barter the goods for his mules, and then ship the mules to French Martinique. When they returned to Curaçao, the crew would divvy up profits from the sale of the mules with Morón.

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<sup>8</sup> Both Stephen Fortune and Ramón Aizpurua identify the name "Morón" as a significant trading house in Curaçao and Jamaica in the eighteenth century with significant ties to large European cities such as Amsterdam and London. Stephen Alexander Fortune, *Merchants and Jews: The Struggle for British West Indian Commerce, 1650-1750* (Gainesville: University of Florida Press, 1984), 133; Ramón Aizpurua, *Curazao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993), 263.

Unfortunately for the crew, events did not go as planned. Though they made the voyage safely from Curaçao to the Venezuelan coast, they could not find Acosta Andrade. They spent almost three months searching for their contact in vain. Nonetheless, they eventually managed to barter some of their cargo with two Spanish merchants for a handsome sum of cacao. They returned to Curaçao with the cacao only to be told by Morón that he would not receive them until they had made the agreed-upon transactions with Acosta Andrade. Morón ordered them to pick up more consumer goods on the Dutch island of Bonaire and again go looking for the Venezuelan. After the stopover in Bonaire, they ran short of fresh water and had to re-provision on shore in the small inlet of Unare in eastern Venezuela. After three days there, the Spanish coastguard detected the Curaçaoan smugglers and took their ship by force.<sup>9</sup>

The Lagarene voyage emphasizes that covert operations were both vital to the fulfillment of daily trade in the Caribbean basin and fraught with potential legal conflict. The Dutchmen provided Venezuelan subjects with much needed material goods and a market for their cacao. Their actions were also highly illegal. According to Spanish commercial statutes, the Dutchmen were guilty of trespassing into Spanish territory, associating and bartering with Spanish subjects, and exporting Spanish cacao. Though they held a Dutch passport, much of their trade took place outside of the protection of Dutch mercantile law.

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<sup>9</sup> Declaraciones de Louis Lagarene, Capitan de “La Catharina” 49, Abraham Pineda, Escribano, 45, marineros Juan Lorenzo Cristián y Jacobo de Varas, 22. La Guaira. November 29, 1763. AGNV, Compañía Guipuzcoana, Tomo VIII, f. 284v.-290.

Effective smugglers worked discretely to avoid these legal snafus and did so with a regularity that made their actions seem ordinary. Lagarene's crew might have continued their travels unimpeded had not the need for freshwater made them easy prey for coastguard boats. After all, by the time of their arrest, they had made two trips to the Spanish mainland. During the better part of three months, they had explored the coast for Acosta Andrade and surreptitiously traded without detection. Avoiding capture required skills and elusiveness that Lagarene and his crew clearly possessed. And yet, the mundane way in which the captured Dutch sailors discussed an itinerary that would have required them to navigate Dutch, Spanish, and French commercial conventions suggests that they perceived nothing uncommon in this type of shadowy, multi-imperial exchange. Even when their commercial contact failed to materialize, Lagarene confidently improvised. He arranged substitute trading partners to salvage some profit from the voyage. Only factors beyond his control led to the crew's capture.

The mix of hazard and ease embodied by this kind of smuggling astounded François DePons, an early nineteenth-century French traveler to Venezuela. Breaking down the various modes of illicit exchange, DePons described the covert and unassisted smuggling practiced by men like Lagarene as the most difficult and demanding. The practice required its participants "to unload the contraband on a part of the coast distant from frequented ports, and to carry the merchandises by land, to the place of their destination. This method, more decided and direct...is also the most dangerous. A risk is hazarded, not only of being taken by the guards, but of suffering damages more or less considerable." DePons was "struck with the fidelity and good faith of the conductors"

and came to view them “as prodigies.”<sup>10</sup> As the traveler’s depictions made clear, some contrabandists either could not count on or chose not to accept the helping hand of corrupt officials. Fearing the shifting fortunes of life in a coastal no-man’s-land, these men had good reason to aim for remote harbors.

Of course, backwater trading comprised just one implement in the smuggler’s toolkit. In many instances, commercial interlopers entered more-traveled ports with the tacit endorsement of local authorities. Although officially-assisted smuggling involved an infinite number of variations, the three most common practices were: 1. allowing a smuggler to make landfall under the guise of maritime exigencies such as ship repairs, watering, and provisioning 2. ignoring a foreign merchant’s entrance into port (usually for a bribe or kickback) 3. pretending to detain a contrabandist, while at the same time arranging for the private sale of his merchandise.

The practice of superfluously seeking provisions and repairs was often the easiest of the three ruses to carry out, since it could be employed with or without official cognizance and participation. Captain Philip Jongh, a Dutchman, was among seven sailors who left Curaçao in 1760 to trade in Grenada. According to their testimonies, a broken rudder and navigational mishaps forced the men toward Margarita Island, off the coast of Venezuela, in search of fresh water and a place to repair their ship. Had they not been pursued by the Spanish coastguard, the men testified that they would have sought permission from the governor of Margarita to unload goods, fix their ship and replenish

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<sup>10</sup> François Joseph DePons, *A Voyage to the Eastern Part of Terra Firma or the Spanish Main in South-America During the Years 1801, 1802, 1803, and 1804...together with a view of the manners and customs of the Spaniards, and the savage as well as civilized Indians*. Vol. 2 (New York: I Riley & Co., 1806), 328-329.

water supplies. An inventory of the Dutch ship revealed it to be full of clothes, meat, bacon, butter, flour, and wine.<sup>11</sup> Numerous declarations of smugglers caught in the Spanish net include similarly questionable and convenient emergencies.

Though bribery and feigned capture were somewhat less common in the historical record (as these tactics tended to implicate the very Spanish bureaucrats who might be writing these accounts), smugglers still used them often enough. The journal of Thomas Kinder, a British merchant in Buenos Aires in the first decade of the nineteenth century, offered a contrabandist's point of view on bribery and other duplicitous interactions with Spanish officials. Kinder confessed that "a prudent smuggler always carries twenty or thirty onza's in his pocket to provide against unforeseen incidents. When the expence of bribing all the nest of hornets is considered... it cannot be wondered that so few have escaped total loss."<sup>12</sup> Myriad investigations into corruption in the Spanish bureaucracy, which will be the focus of Chapter Four, reveal the similarities between Kinder's observations and the practices of eighteenth-century smugglers on the Venezuelan coast.

Administratively-assisted smuggling might even involve some mix of all three tactics. Père Labat, the French Jesuit chronicler who crisscrossed the Caribbean aboard numerous vessels in the seventeenth and early eighteenth centuries explained as much in his memoirs. Labat instructed in his readership that,

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<sup>11</sup> Declaraciones de Capitan Felipe de Jongh, 49, Mercader Juan Pierrote, 45, Contra maestre Antonio Marcos (negro libre), 35, Contestable, Juan Pedro (negro libre), 29, 2 españoles Domingo Antonio Acuña y Juan José de la Cruz, 40 and 28, y Francisco Martínez, Marinero Contrabandista, 30. La Guaira. July 9 & 11, 1760. AGNV, Compañía Guipuzcoana, Tomo VII, f. 339-345.

<sup>12</sup> An *onza* was a Spanish silver peso or piece-of-eight. Malyn Hewitt, ed., *War, Revolution & Society in the Rio de la Plata, 1808-1810: Thomas Kinder's narrative of a journey to Madeira, Montevideo and Buenos Aires* (Oxford: Signal Books Ltd., 2010), 182.

if you wish to enter one of their ports to trade, you say that you are short of water, fuel, or victuals, or that you have a split mast, or a leak which cannot be plugged without removing the cargo. An officer is sent to explain all these things to the Governor, and, by giving him a good present, makes him believe what you wish him to believe. His officers can be made blind in the same way if necessary, and then permission is granted to enter the port and unload the ship in order to repair her. All formalities are carefully observed. A seal is placed on the door of the warehouse by which the cargo is brought in, but equal care is taken that there is another door left unsealed by which it is taken out at night, and replaced by cases of indigo, cochénille, vanilla, cacao, tobacco, etc., and silver in bars and specie. As soon as this has been done one finds the mast repaired, the leak plugged, and the ship ready to sail.<sup>13</sup>

Clearly, as long as illicit traders and Spanish bureaucrats followed the minimum protocol to provide the latter with an air of plausible deniability, any number of creative deceptions could facilitate illegal trade.

Even without bureaucratic support, willing Spanish accomplices might help foreign smugglers to cloak illicit trade in the guise of legal commerce. As many contrabandists were well-connected in the Spanish and Spanish-American merchant communities, they often piggybacked their illicit items on top of legitimate shipments or activities. Foreigners bought a place for their goods aboard legal vessels. Permits for cargo space aboard individually-licensed register ships typically were sold to the highest Spanish bidder in seventeenth-century Seville. Dutch traders would then pay off Spanish merchants to take on fictitious ownership of the Dutch businessmen's goods. The merchandise made its way successfully across the Atlantic under the names of royally-permitted Spanish traders, but most of the profits cycled back to the original foreign

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<sup>13</sup> Pére Labat. *The Memoirs of Pére Labat: 1693-1705*. Trans. John Eaden. (London: Frank Cass and Company Ltd., 1970 [1931]), 170-171.

purveyors.<sup>14</sup> Both English and French interlopers successfully co-opted Spanish merchant activities aboard the great Spanish trade fleets as well.<sup>15</sup> In the early eighteenth century, French privateers tasked with policing Spanish waters against pirates even used their privateering licenses (*patentes de corso*) as cover to land on Spanish shores and trade illegally.<sup>16</sup>

In Venezuelan coastal waters, this ambiguity between licit and illicit commerce took the form of foreign smugglers employing Spanish subjects as middlemen. These *prácticos* as they were called often proved to be experienced coastal traders whose business coastguard patrols might construe as legal. In the second half of the eighteenth century, Spanish free trade decrees, which allowed for limited licensed trade between Spanish colonies, provided additional cover for Spanish sailors and merchants to roam around the Caribbean basin.<sup>17</sup> During this period, frequent shortages of basic provisions due to war also forced Venezuelan officials to send merchants to nearby foreign islands in search of foodstuffs. Clandestine trade bloomed out of these missions of necessity.

Spanish authorities suspected Salvador Rexat, a Catalan trader working out of Guyana, of committing such offenses. Coastguard forces stopped Rexat's vessel off the coast of Guyana to perform a routine inspection. On board they found various unregistered goods in the hold including several barrels of gunpowder, two pairs of new

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<sup>14</sup> Zacarias Moutoukias, "Power, Corruption, and Commerce: The Making of the Local Administrative Structure in Seventeenth-Century Buenos Aires," *The Hispanic American Historical Review* 68/4 (Nov., 1988): 784.

<sup>15</sup> Ernst Pijning, "A New Interpretation of Contraband Trade," *The Hispanic American Historical Review* 81:3-4 (2001): 735; Geoffrey J Walker, *Spanish Politics and Imperial Trade, 1700-1789* (Bloomington: Indiana University Press, 1979), 20.

<sup>16</sup> Araúz Monfante, *El contrabando holandés en el Caribe*, Vol. 1, 165.

<sup>17</sup> The initial free trade decree ending the Cádiz monopoly occurred in 1765. Venezuela and Mexico were among the last Spanish territories to receive free trade in 1789.

boots, and a few barrels of liquor cleverly hidden in the ship's water stores.<sup>18</sup> According to Rexat, he had left French Martinique with the intent of purchasing Venezuelan cattle for the French and bringing back salted meats and other sundry foodstuffs from Martinique for the Spanish residents of Guayana. He defended the sparse and peculiar contents of his ship's cargo by explaining that the French provisioning official with whom he worked required Venezuelan cattle before he would send any products to Guayana. The French provided the gunpowder to ward off privateers, the boots as a personal gift from the provisioning official to his Spanish counterpart, and the liquor to sate the crew. Rexat even claimed that he had hidden the spirits so that the crew would not abuse them. Although Spanish authorities conceded that he had official permission to travel to the French colony, they doubted the sincerity of his intentions given that he had arrived in a French sloop, produced no papers of sale, and offered only a French letter of passage.<sup>19</sup> Though he eventually released him, a prize court judge confiscated and auctioned off as contraband the contents of Rexat's sloop.<sup>20</sup>

Given their insider knowledge of coastal geography and Spanish coastguard tendencies, prácticos were valuable assets. Foreign traders employed them to guide vessels passing anywhere near potentially-guarded Venezuelan shores. Prácticos

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<sup>18</sup> Auto de Don Josef Farriles, Contador del Ejercito y Real Hacienda de la Provincia and Don Andres de Oleaga, Thesorero y Administrator General. Guayana. July 24, 1779. AGNV, Comisos, Tomo XXXII, f. 87-88.

<sup>19</sup> Confesión de Salvador Rexat. Guayana. August 9, 1779. AGNV, Comisos, Tomo XXXII, f. 91-93.

<sup>20</sup> Auto de Antonio de Pereda. Guayana. August 11, 1779. AGNV, Comisos Tomo XXXII, f. 180-184.

sometimes made payments or bribes in advance of foreigners' visits to the coast.<sup>21</sup> Dutch traders recruited one *práctico*, a Havana native named Francisco Javier de Rosa, in 1763 to ferry Venezuelan cacao and mules from a contested spit of land off the coast known as Isla de Aves to Curaçao.<sup>22</sup> Unlike the French who commissioned Salvador Rexat, Rosa's employers could not claim the veneer of legitimate business. Nevertheless, both trading interests depended on their Spanish middlemen for secure passage.

For cautious and well-to-do smugglers and traders, a safer tactic than hiring a middleman was simply staying at home and waiting for Spanish merchants to come to them. In the second half of the eighteenth century, a group of decrees opened up English, French, and Dutch ports in the Caribbean to regulated trade with foreign merchants who frequented them. So as not to damage the shipping and mercantile systems of these empires, the laws permitted to varying degrees the importing and exporting of certain enumerated products in the free ports.<sup>23</sup> The rise of such sanctioned trading entrepôts led to an influx of Spanish buyers visiting from the South American mainland and Caribbean islands. The frequent lack of Spanish imperial permission to anchor in these ports did not diminish the traders' appetite for outside goods.

Foreign colonial administrators nurtured this easy strategy for black-market commerce with Spanish subjects. British overseas officials' attempts to encourage

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<sup>21</sup> Jeremy Cohen, "Smuggling in Eighteenth-Century Venezuela: The Role of the *Práctico*." Unpublished paper delivered at the 2003 meeting of the Latin American Studies Association. (Dallas, Texas, March 27-29, 2003): 13.

<sup>22</sup> Declaración del Capitán Francisco Javier de Rosa. Puerto Cabello. October 3, 1763. AGNV, Compañía Guipuzcoana, Tomo XI, f. 309-310.

<sup>23</sup> The British free ports, for example, were opened in 1766 and finally ended in 1822. Frances Armytage, *The Free Port System in the British West Indies: A Study in Commercial Policy, 1766-1822* (London: Longmans, Green & Co., 1953), 1-12.

Spanish merchants to trade illegally by bypassing Spanish commercial law on their shores illustrate how profitable these transactions were for British merchants. As early as 1715, the governor of Barbados advocated opening the island to Spanish traders in order to pry Caracas cacao sales away from Martinique, where Spanish subjects arrived in droves.<sup>24</sup> In 1734, royal officials continued to voice Barbadians' demands to allow Spanish cacao merchants onto the island without hassle.<sup>25</sup> Jamaica became a free port in 1766 mostly to resuscitate trade with Spanish smugglers after the British capture of Havana in 1762 led to a ten-month trade fair that glutted Spanish markets with British goods.<sup>26</sup> Further north, the island of Bermuda asked to be made a free port in 1783 so that Spanish merchants could openly purchase British slaves and goods in return for cacao, indigo, and cash.<sup>27</sup>

By the end of the eighteenth century, one British admiral documented a practice carried out by British officials to help Spanish merchant interests trade in British Caribbean harbors. British ships distributed letters of passage from British governors to La Guaira (Caracas's port), Havana and other Spanish ports. Though the documents bore the governors' signatures, they left blank information about the vessels, crew, and captains. After Spanish merchants filled in these *carte blanche* letters, the papers

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<sup>24</sup> Governor Lowther to the Council of Trade and Plantations. Barbados. December 30, 1715. British National Archives (hereafter BNA), Kew, UK, Colonial Office (CO), 28/14, No. 47, 47i.

<sup>25</sup> Governor Lord Howe to the Council of Trade and Plantations. Barbados. November 7, 1734. BNA, CO, 28/24, f. 114-121.

<sup>26</sup> Theodore C Hinkley, "The Decline of Caribbean Smuggling," *Journal of Inter-American Studies* 5:1 (Jan., 1963): 117.

<sup>27</sup> Henry Tucker (Agent for Island of Bermuda) to Lord North. Bermuda. May 3, 1783. BNA, CO, 37/38.

protected them and their cargo from the risk of British seizure.<sup>28</sup> For British colonial interests and increasingly those of the Dutch and French, the gains of commercial integration produced by their smugglers' interaction with Spanish traders outweighed the security of isolationism.

As the previous discussion of smuggling methods and tactics has elucidated, contrabandists lived and died based on the networks they cultivated. Although the lone wolf smuggler could find occasional success in ferrying goods across imperial lines without much in the way of contacts, sustained success demanded an array of foreign and domestic allies. Not all of a contrabandist's acquaintances would be longstanding and familiar. Smugglers met some of their fellow traders and corruptible Spanish administrators for the first time when bartering with or bribing them. Yet even in these cases, buyers, sellers, and facilitators established trust relationships that encouraged future transactions.

There is much the historian cannot know about these conglomerations. Particularly for illicit trade, the source material presents problems of brevity, omission, and credibility. Still, the testimonies of captive merchants in a foreign land represent an entry point for reconstructing such webs of commerce. The empire that judged these people saw them as common criminals to be processed through the legal system, not as subjects worthy of detailed and recurrent study. Thus the vast majority of individual illicit peddlers appear just once in the historical record. Moreover, unlike legitimate

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<sup>28</sup> Extract of a letter from Admiral Sir Hyde Parker to Mr. Nefrean, dated Abergavenuy in Port Royal Harbour Jamaica. October 8, 1799. BNA, Privy Council, 1/45/163.

businessmen, contrabandists kept few if any bills of sale or written correspondence, as these documents would be damning evidence in the event of their capture. Smugglers were also understandably reticent to reveal their contacts. Divulging this information engendered the perception that the accused were habitual smugglers and could increase the severity of their punishments. Furthermore, offering details of the trade could endanger a smuggler's acquaintances or future contrabandists plying the same routes.

Notwithstanding the perceptual limitations posed by these court room proceedings, smugglers' accounts allow for fleeting glimpses of criminalized commercial connections that sustained the economies of contested imperial spaces. Sociologists Joel Podolny and Karen Page elegantly define a network as "any collection of actors...that pursue repeated, enduring exchange relations with one another and, at the same times, lack a legitimate organizational authority to arbitrate and resolve disputes that may arise during the exchange relationships."<sup>29</sup> A prosopographical approach to the brief and cagey declarations of inter-imperial contrabandists illuminates their networks with other foreign businessmen and with Spanish subjects in Venezuela.

For a foreign smuggler to thrive in the transnational Caribbean, he had to cultivate relationships with other non-Spanish merchants. Attaining the right mix of goods for illicit importation into Spanish America sometimes required leaving one's home port and ranging farther afield. Even without the threat of Spanish coastguard forces, inter-

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<sup>29</sup> Joel M. Podolny and Karen L. Page, "Network Forms of Organization," *Annual Review of Sociology* 24:1 (1998): 59. David Hancock, in his far-reaching survey of the merchant linkages that enabled the Madeira wine trade, uses this definition extensively as the grounding for his discussion of commodity trading networks. David Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009), xxi, 145.

imperial venturers confronted constraints on their freedom of movement posed by war, shifting imperial alliances, privateers, and pirates. Contacts in foreign harbors helped to minimize risk.

Securing passports and letters of passage from multiple empires and ports helped avoid harassment and testified to a smuggler's influence over merchants and officials. One Canary Islander captured near Cumaná in eastern Venezuela in 1762 had passports from Dutch Curaçao and what was then English Guadeloupe. The smuggling captain and his multinational crew all confessed to undertaking the journey between the two islands multiple times on short trading voyages. Their claims that the British had forced them into this trade after capturing them and holding their original papers hostage failed to convince Spanish officials. The presence of English and Dutch papers implied the traders' willingness and familiarity with transnational trade.<sup>30</sup>

In other cases, a suspected smuggler's personal ties to foreign dominions betrayed his guilt. For Francisco Javier de Rosa, the Dutch-employed Spanish middleman mentioned earlier in this chapter, family relationships were particularly damning evidence. Rosa, a sailor from Havana, had married a Dutch woman in Curaçao.<sup>31</sup> Though the particular circumstances of Rosa's marriage remain unknown, his legal attachment to his wife and the colony probably encouraged Dutch businessmen to trust his loyalty. The governor of Venezuela seemed convinced of Rosa's Dutch allegiances,

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<sup>30</sup> Declaraciones. del Capitan José Sicilia, 38, y marineros José Nicolás Altúne, 23, Andrés Paredes, 21, Antonio Rodríguez, 26. La Guaira. February 12 & 13, 1762. AGNV, Compañía Guipuzcoana, Tomo VIII, f. 112-121.

<sup>31</sup> Instancia del Capitán Francisco Javier de Rosa. Puerto Cabello. October 18, 1763. AGNV, Compañía Guipuzcoana, Tomo XI, f. 318.

sentencing him to four years of service in the king's fortifications at Puerto Cabello in Venezuela.<sup>32</sup>

Once a smuggler had used his contacts in foreign and domestic ports to put together cargo and crew, he then turned to Venezuelan associates to mitigate the complications of Spanish mercantile restrictions. Routine trading partners helped foreign contrabandists maximize the efficiency of their voyages. While some ships trawled the coast haphazardly searching for willing buyers and sellers, this type of strategy increased exposure to coastguard ships and militias.<sup>33</sup> The well-connected illicit merchant sought security by reaching out to his connections on land. John Campbell, an English merchant who wrote of his experiences with clandestine commerce throughout Spanish America, described an orderly signaling process between ship and shore after which a "long-boat was sent off well manned, brought the merchants on board with their money, and carried them back with their goods."<sup>34</sup> In Venezuela, several smuggling cases referenced signals exchanged either by torchlight or by cannon blasts.<sup>35</sup> This communication implied previous organization by parties that recognized each other.

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<sup>32</sup> Sentencia por Gobernador y Capitán General Don José Solano. Caracas. May 26, 1764. AGNV, Compañía Guipuzcoana, Tomo XIII, f. 194.

<sup>33</sup> Linda Rupert writes that smuggling required "extensive preparations, a high degree of coordination and communication between all parties involved, clear planning as to the site and time of the encounter, and a certain degree of mutual confidence between the participants." My own sense is that contraband trade could be somewhat more spontaneous than Rupert concedes. Numerous cases discuss smugglers following the coast aimlessly looking for buyers. Linda M. Rupert, "Contraband Trade and the Shaping of Colonial Societies in Curaçao and Tierra Firme." *Itinerario* 30:3 (2006): 39.

<sup>34</sup> John Campbell, *The Spanish Empire in America...By an English Merchant* (London: Printed for M. Cooper, 1747 [1741]), 313-314, Found at The John Carter Brown Library (hereafter JCB).

<sup>35</sup> Información de Gabriel Amengual. Puerto Cabello. September 17, 1733. AGNV, Comisos, Tomo XIV, f. 155-156; Auto. de Louis Lagarene, Capt. de "La Catharina" 49, Abraham Pineda, Escribano, 45, marineros Juan Lorenzo Cristián y Jacobo de Varas, 22. Caracas. November 29, 1763. AGNV, Compañía Guipuzcoana, Tomo VIII, f. 284.290.

A desire to maintain plausible deniability with authorities meant that in many instances, contrabandists established recurring trading arrangements with Spanish subjects without learning much about them beyond their physical appearance. When asked to reveal his Venezuelan accomplices, one illegal trader offered a few names, but also declared that all identities were kept secret unless a Venezuelan came aboard a foreign ship. Thus, for the purposes of accountability, foreign businessmen might force Venezuelan middlemen actually performing transactions to identify themselves, but permit the owners of larger cargos, who employed these small peddlers, to remain unnamed.

For a Dutchman known as Jan Bislick testified in 1761 to trading with Venezuelans “of all kinds (*calidades*) whom we did not know” in several locales around eastern Venezuela.<sup>36</sup> If taken at face value, Bislick’s statement implies that coastal inhabitants were incredibly amenable to illicit trading, even with unconnected smugglers. However, given that Bislick found himself the captive of a prize court, his testimony may have been a concerted strategy to downplay his familiarity with the coast and keep his trading contacts away from further scrutiny. Either possibility demonstrates that foreigners and Spanish subjects formed and renewed plentiful transnational connections in Venezuela.

This is not to say that all relationships between foreign and Venezuelan smugglers were friendly. Conflicts arose from these business affiliations. The criminal nature of

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<sup>36</sup> Declaraciones de Capitán Jan Bislick, 25, Mercader Isaque Abenatar, 48, y el marinero Bartolomé Bode, 25. La Guaira, April 18, 1761. AGNV, Compañía Guipuzcoana, Tomo VIII, f. 10-13.

contraband partnerships added to their volatility. In 1734, for example, one middleman working for the Dutch stabbed a Venezuelan merchant to death in his own home. His impetus to murder the Venezuelan was an unpaid debt of twenty pesos.<sup>37</sup> Close networks of trade and credit clearly had the capacity to endanger, as well as enrich, those involved in the black market.

Acquaintances with corruptible Spanish imperial administrators also paralleled and enriched the connections that foreign smugglers developed with Venezuelan buyers. The entangled worlds of corrupt bureaucrats will be discussed more fully in Chapter Four. Here though, it is important to note that royal officials represented yet another sphere of influence that the prosperous smuggler needed to cultivate.

In studying contraband in eighteenth century Brazil, Ernst Pijning repositions the colonial officer not as a rigid boundary between legal and illegal trade, but rather as a permeable membrane that allowed some smuggling into his realms and rejected other ventures. According to Pijning, “authority over ports was related to the opportunity for local administrators to act as intermediaries in commercial transactions.” By the eighteenth century, illicit commerce had become so normalized in the overall patterns of exchange in the Americas that only the naïve or deluded official believed it could be completely halted. Instead, Pijning believes most authorities separated illicit business into two groups: that which they informally-sanctioned and that which was completely outside of their control.<sup>38</sup> Illicit traders operating in the former category got to know

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<sup>37</sup> Auto de Joseph de Matos, Comandante General y Justicia Mayor de Puerto Cabello. Puerto Cabello. September 2, 1750. AGNV, Comisos, Tomo XXIV, f. 3.

<sup>38</sup> Pijning, “A New Interpretation of Contraband Trade,” 736.

local officials and paid for their administrative neglect. In contrast, smugglers who did not curry favor with port authorities might encounter vigilant opposition.

Though occasional imperial oversight could upset these arrangements temporarily, on the whole foreigners viewed many Spanish officials as dependable trading allies. For example, the royal high court of appeals (*audiencia*) of New Granada prosecuted a local lieutenant of Maracaibo named Juan Gregorio de Oliveres in 1774 for abetting smuggling. Oliveres's specific crime involved, at the request of Spanish subjects, the distribution of captured foreign products among the community in return for cash.<sup>39</sup> Oliveres's actions not only disregarded official protocol regarding embargoed goods, they also performed the work of smugglers by proxy. Despite Oliveres's misfortune, bureaucratic prosecution of this sort occurred infrequently. In general, foreign smugglers depended on reliably corruptible Spanish coastal authorities and followed the advice of British smuggler Thomas Kinder that, "to prevent your vessel being ordered out of harbour, you will likewise have to make a friend of somebody."<sup>40</sup>

### **Who Were the Smugglers?**

The identities of inter-imperial smugglers were every bit as intricate and enigmatic as the tactics and networks they deployed in practicing their trade. As the above cases have implied, contrabandists came from a transnational, multi-racial, and multi-ethnic lot of seafarers. In describing non-Spanish smugglers, legal records first

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<sup>39</sup> Auto de Pablo Sarmiento, Procurador de los del numero de esta Real Audiencia. 1774. Archivo General de la Nación, Bogotá, Colombia (hereafter cited as AGNC), Fondo Contrabando, Tomo VIII, f. 799.

<sup>40</sup> Newitt, Ed., *War, Revolution, and Society in Rio de la Plata: Thomas Kinder's Narrative*, 182.

demarcated their nationality. After all, their first crime involved being an unlicensed foreigner in the Spanish colonies. Following this notation, Spanish American scribes often noted the race and religion of the defendants. Yet, in many ways, the occupational identity of “smuggler” formed a more common denominator than any of these categories. Smuggling represented one of a series of maritime professions that sustained large populations of rootless sailors in the eighteenth-century Caribbean. The interests of itinerant contrabandists sometimes overlapped with those of the large merchant houses and imperial projects of the Dutch, English, and French. However, it would be difficult to label the truly international crews that plied the waters of coastal Venezuela as representatives of any empire or company. Most entered the trade on their own account as a flexible way to make a living in the turbulent Caribbean basin

Certainly, demarcated nationalities shaped the experiences and working routines of non-Spanish illicit traders. Their business flourished because legal boundaries separated mutually willing merchant interests. Furthermore, the conditions and circumstances of their profession changed with war, peace treaties, alliances, and trading agreements between empires. In general, most Dutch, English, and French traders shared their nations’ desire to consolidate trading posts and toeholds in the Antilles that their seventeenth century predecessors had snatched from the Spanish. Most clandestine merchants also hoped to break open, whether by legal or illegal means, the declared Spanish monopoly on trade with New Spain, Central America, and Tierra Firme. Beyond these goals, imperial allegiances were shifting and murky.

Dutch participation in Venezuela's black market provides some sense of where imperial and individual merchant aims overlapped. The Dutch were indisputably the largest player in Venezuela's clandestine economy due to Curaçao's proximity to the Spanish possession.<sup>41</sup> Dutch legal permissiveness regarding smuggling and the proficiency of Dutch shipping also accounted for this dominance.<sup>42</sup> As one mid-eighteenth-century Spanish observer acknowledged, "the commercial genius of the Dutch is their entire means of subsistence."<sup>43</sup>

As there were few distinctions made in Dutch colonial law between legal and illegal trade, the activities of their smugglers tended to define their nation's imperial agenda more than was the case with others. From the beginning of its colonization of the Antilles, the Dutch West India Company (WIC) had set an aggressive, even warlike tone for its trading enterprises. It licensed merchants going to the Spanish mainland, but also privateers, as an entry into territorial conquest. When the first WIC disbanded in 1674, the Dutch Republic converted its approach in the Americas from one of colonial domination to an internationalist perspective on trade. The Dutch became the Caribbean's premier short-haul traders.<sup>44</sup> One Dutch merchant in 1747 described this

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<sup>41</sup> From ship seizures carried out by the Caracas Company that he has reviewed, Ramon Aizpurua concludes that 46% of contraband ships were Spanish, 41% were Dutch, 5% were English, 6% were French, and 2% were Danish. Aizpurua, *Curazao y la costa de Caracas*, 221.

<sup>42</sup> Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648-1795* (Leiden: KITLV Press, 1998), 16. Wim Klooster, "Inter-Imperial Smuggling in the Americas, 1600-1800" in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. Bernard Bailyn and Patricia L. Denault (Cambridge: Harvard University Press, 2009): 154-159

<sup>43</sup> Joseph Jumilla, *El Orinoco ilustrado, y defendido... por sus dichas misiones, y provincial* (Madrid: Por Manuel Fernandez, Impresor de el Supremo Consejo de la Inquisicion, y de la Reverenda Camara Apostolica en la Caba Baxa, 1745), 383, JCB.

<sup>44</sup> Cornelius Goslinga, *The Dutch in the Caribbean and on the Wild Coast, 1580-1680* (Gainesville: University of Florida Press, 1971), 90-107; Benjamin Schmidt, "The Dutch Atlantic: From Provincialism to

short-haul trade as the wedge that might pry open Spanish markets to international commerce. Moreover, he reasoned that the Spanish imperial government should welcome the merchants they now called smugglers. Without their commercial activities “the Spanish colonies would decay completely, whereas right now they are subsisting and even flourishing from this vigorous system.”<sup>45</sup>

Dutch officials and smugglers alike shared the belief that by provisioning trade-starved Venezuela and other neglected Spanish dominions, the Dutch Empire could function as these territories’ surrogate imperial parent. The French traveler François Depons noted that whereas Spanish legitimate trade often ignored Venezuelan needs, Dutch smugglers were “careful to keep this market always well supplied with merchandise suitable to the Spaniards.”<sup>46</sup> Dutch attention to Venezuelan commerce led Andrés Bello, the early nineteenth-century intellectual and historian of Venezuela, to describe Puerto Cabello, where the Dutch had been most active in the eighteenth century, as “condemned to appear for a long time as a dependency of Holland more than a Spanish property.”<sup>47</sup>

Conversely, these designs for economic re-appropriation sometimes reached too far, splitting apart the interests of Dutch colonial administrators and clandestine traffickers. The violence practiced by smugglers in the course of criminalized trading

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Globalism,” in *Atlantic History: A Critical Appraisal*, ed. Jack P. Greene and Philip D. Morgan (Oxford: Oxford University Press, 2008), 166; Christian J. Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713* (New York: New York University Press, 2011), 10.

<sup>45</sup> *Memoria que J.C. Van Laar envía a la Compañía de las Indias Occidentales (holandesa), Curazao, 25 de Diciembre de 1747* in Aizpurua, *Curazao y la costa de Caracas*, 375.

<sup>46</sup> Depons, *A Voyage to the Eastern Part of Terra Firma*, 320.

<sup>47</sup> Andrés Bello, *Resumen de la Historia de Venezuela* (Caracas: La Casa de Bello, 1978 [1810]), 43.

and during retributive assaults on coastguard forces lacked official sanction and caused friction in Hispano-Dutch relations. The establishment of an unofficial Dutch colony in Tucacas, a sparsely-inhabited spit of land in western Venezuela, added to this animosity. On their own accord, smugglers set up this entirely illegal settlement. It became a way station from which sailors shipped newly-arrived Venezuelan cacao, tobacco, and hides to Curaçao.<sup>48</sup> According to one Spanish merchant, the smugglers exchanged goods in Tucacas “with such liberty that it was as if they were in their own dominions.”<sup>49</sup>

Though Dutch officials did not wish to punish those who enriched imperial trade, they knew that the settlers could make no legal claim to rightful possession of a settlement that clearly existed on the Spanish mainland. Additionally, they knew that such an illegal site ran counter to maintaining peace in the waterways separating the mainland from Dutch possessions. Dutch authorities could only watch while successive Spanish raiding parties decimated the post during the mid-eighteenth century.<sup>50</sup> Dutch smugglers also diverged from official objectives in their willingness to supply Dutch competitors with information about Venezuela. The most notorious example of this independence occurred in 1743 when English Admiral Charles Knowles employed Dutch

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<sup>48</sup> Roland Dennis Hussey, *The Caracas Company, 1728-1784: A Study in the History of Spanish Monopolistic Trade*. (New York: Arno Press, 1977 [1934]), 54; Klooster, *Illicit Riches*, 135-137.

<sup>49</sup> Joseph Luis de Cisneros, *Descripción exacta de la provincia de Venezuela*. (Caracas: Academia Nacional de la Historia, 1981 [1764]), 152-153.

<sup>50</sup> Araúz Monfante, *El contrabando holandés en el Caribe*, 65-66.

guides who knew the Venezuelan coasts to help lead his unsuccessful invasion of the province.<sup>51</sup>

In contrast to the Dutch, British smugglers' activities in Spanish America tended to clash more frequently with the projects of governors from Jamaica, Barbados and the British Lesser Antilles. English commerce formed a much smaller percentage of illicit shipping in Venezuela than Dutch smuggling, as the trade winds and currents made it easier for English vessels to land in Colombia. Nonetheless, British officials included Venezuela in discussions of the commercial riches to be gained from the coasts of Spanish South America. Those familiar with the Caribbean spoke of contraband trade as a pivotal portion of the English imperial economy. Jean Baptiste Dubos, who had a hand in negotiations with both the English and the Dutch during the War of Spanish Succession (1701-1714), declared in 1728 that Spanish commerce with the English in the Americas was to the British "what that of Peru or New Spain is to Spain itself."<sup>52</sup>

Early eighteenth-century arrangements between the two governments benefitted contraband trade and closely aligned the interests of British smugglers and Spanish colonial administrators. The *asiento*, a slave trading monopoly given by the Spanish Crown to the English South Sea Company in 1713, became an elaborate cover for a range of smuggling activities. The Company rarely accomplished its stated mission of

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<sup>51</sup> *Journal of the Expedition to La Guira and Porto Cavallos in the West-Indies under the Command of Commodore Knowles. In a Letter from an Officer on board the Burford to his Friend at London.* (London: Printed for J. Robinson, at the Golden Lyon in Ludgate-Street, 1744), 38, JCB.

<sup>52</sup> Jean Baptiste Dubos, *Interesses de Inghlaterra mal entendidos en la guerra presente con España* Trans. Juan de Urtassum (Mexico City: Por Joseph Bernardo de Hogal, 1728), 50, JCB. José Gumilla later quoted Dubos's statement on English smuggling in the Spanish colonies in his *Orinoco ilustrado*. Gumilla, *El Orinoco ilustrado*, 382-383.

adequately provisioning the Spanish colonies with African slaves.<sup>53</sup> A proprietor of the South Sea Company admitted that after overhead costs, the organization made little money from slave trading, so shareholders should view any windfall profits as the result of smuggling.<sup>54</sup>

The flagrancy of illicit trade under the *asiento* eventually irritated Spanish bureaucrats and uncoupled the business of contrabandists from British imperial ambitions in the Caribbean. Widespread instances of smuggling and Spanish coastguard reprisals precipitated the War of Jenkins' Ear (1739-1748). During this conflict, British officials and smugglers united around their desire to destroy impediments to British navigation. Caracas Company ships became frequent targets of British naval operations in this period.<sup>55</sup>

After the war, English governors began to discourage contraband trade in order to persuade the Spanish Crown to open legal trade through diplomatic channels. The war had cost the English the *asiento*. It had also demonstrated that even while contraband trade brought wealth to the British Empire, it made for instability in the Caribbean. Earlier English proposals to show the Spanish a good faith effort by policing English merchants and “detect all fraudulent Traders...to remove the *Spaniards* Jealousy at this Trade” now carried more weight.<sup>56</sup> Robert Semple, an English traveler in Venezuela,

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<sup>53</sup> George H. Nelson, “Contraband Trade Under the *Asiento*, 1730-1739,” *American Historical Review* 51:1 (1945): 56-66; Walker, *Spanish Politics and Imperial Trade*, 68-72.

<sup>54</sup> *An Address to the Proprietors of the South-Sea Capital...by a Proprietor of the said Company* (London: Printed for Stephen Austen at the Angel and Bible in St. Paul's Church-yard, 1732), 12, JCB.

<sup>55</sup> Vicente Amezaga Aresti, *Hombres de la Compañía Guipuzcoana*, (Caracas: Banco Central de Venezuela, 1963), 64-65.

<sup>56</sup> *An Address to the Proprietors of the South-Sea Capital*, 11.

wrote that the crucial phrase in eighteenth-century British diplomatic relations with the Spanish had been “let us trade with you,” since “all our negotiations in South America may be reduced to this proposition.”<sup>57</sup> Beginning in the 1750s, greater enforcement of the century-old British Navigations Acts, which prohibited the importation of any goods not on British ships and restricted the trade of certain enumerated goods, further alienated smugglers from their imperial governors.<sup>58</sup> Contraband trade with Spanish America certainly continued from British ports, but its practitioners could no longer be said to represent the colonial state and its ambitions.

French smuggling with Spanish America differed from its British and Dutch counterparts in that colonial government largely stayed out of debates on the subject. The state remained absent from these discussions mainly because it had little interest in inter-Caribbean trade with the Spanish. Early French imperialism and trade in the Caribbean operated under the auspices of the *Compagnie des Indes*. The French Crown imposed mercantile restrictions by way of the famous prohibitions begun by trade minister Jean-Baptiste Colbert in 1661. Under Colbert’s laws, foreign ships visiting French colonies met with draconian punishments. French subjects trading with these foreigners in French dominions could face prosecution as well. However, French

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<sup>57</sup> Robert Semple, *Sketch of the present state of Caracas: including a journey from Caracas through La Victoria and Valencias to Puerto Cabello* (London: Printed for Robert Baldwin, 1812), 151, JCB.

<sup>58</sup> Alan L. Karras “ ‘Custom Has the Force of Law’: Local Officials and Contraband in the Bahamas and the Floridas, 1748-1779,” *The Florida Historical Quarterly* 80:3 (Winter, 2002): 284-285; Thomas M. Truxes, *Defying Empire: Trading with the Enemy in Colonial New York* (New Haven: Yale University Press, 2008), 39.

officials lacked infrastructure to enforce these restrictions. Furthermore, few prohibitions existed regarding Frenchmen trading in Spanish America.<sup>59</sup>

Unlike the Dutch or English, French state involvement in Spanish American smuggling was muted, leaving smugglers disconnected from the empire's wider goals.<sup>60</sup> The French Crown focused its attention on infiltrating Spanish American commerce through Spain's trade fleets. French products routinely went aboard ships bound for the Indies from Cádiz. In the Americas, France's most profitable illicit trading partners were the English, to whom they sold large quantities of sugar.<sup>61</sup>

There were exceptions. Louis and Jerome Phelypeaux, a father and son team in charge of the French Ministry of the Marine from 1660 to 1715, sought to foment smuggling in the Gulf of Mexico, northern South America and Peru. This support, in combination with the alliance between France and Spain during the War of Spanish Succession (1701-1714), led to a temporary uptick in contraband trade with the Spanish Main.

Beyond this period, French trading in northern South America lagged behind that of the Dutch and English.<sup>62</sup> The French commerce that did occur in Venezuela came mostly from Martinique. As Kenneth Banks has noted, because illicit trade took place

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<sup>59</sup> Philip D. Curtin, *The Rise and Fall of the Plantation Complex: Essays in Atlantic History* (Cambridge: Cambridge University Press, 1990), 130-131; J. H. Parry and P. M. Sherlock, *A Short History of the West Indies* (London: MacMillan & Co Ltd., 1956), 78-79.

<sup>60</sup> The French colonial state came to accept smuggling as a necessary part of trading with Spanish America, but frowned on individual, small-time traders, preferring contraband trade with the Spanish dominions to run through its Indies monopoly company. Shannon Lee Dawdy, *Building the Devil's Empire: French Colonial New Orleans* (Chicago, University of Chicago Press, 2008), 116.

<sup>61</sup> Klooster, "Inter-Imperial Smuggling in the Americas," 164-165; Curtin, *The Rise and Fall of the Plantation Complex*, 141; Truxes, *Defying Empire*, 3-7; Walker, *Spanish Politics and Imperial Trade*, 20.

<sup>62</sup> Klooster, "Inter-Imperial Smuggling in the Americas," 163.

firmly outside of the French imperial sphere of influence, this commerce allowed French colonists to glean information, contacts, and opinions that were unadulterated by the Ministry of the Marine.<sup>63</sup> In turn, because smugglers to the Spanish American coasts felt essentially disregarded by French imperial administrators, they possessed little allegiance to the French Empire.

Given the ambiguous legal and political relationships between these smugglers and their empires of origin, the national designations used by Spanish prize courts to identify foreign contrabandists seem fraught with imprecise classifications. In addition, the realities of manning ships for illicit commerce underscored the difficulty in categorizing individual traders as representatives of a given empire. Because contrabandists, by the very nature of their work, willingly disregarded restrictions on inter-imperial contact, they found nothing objectionable about international crews. A single vessel might have been made in one empire, owned in another, sailed by mariners of three or four nationalities, and contained letters of passage from multiple ports. The question arising from such multinational ventures is, were their crews representatives of any one nation-state?

The case of the *Pitre*, a Danish sloop, highlights the inadequacies of nationality as a descriptive category for illuminating the social history of smugglers. Caracas Company patrols ranging far afield captured the *Pitre* off the southern coast of Puerto Rico and brought it back to Venezuela. The sloop had left from the Danish island of St. Thomas

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<sup>63</sup> Kenneth J. Banks, *Chasing Empire across the Sea: Communications and the State in the French Atlantic, 1713-1763* (Montreal: McGill-Queen's University Press, 2006), 171.

(present-day U.S. Virgin Islands) in 1779 with an assortment of goods. Crew members claimed they put ashore in Puerto Rico only to secure water and firewood for their journey. The vessel itself was Danish. Among her crew were a pilot from Philadelphia, a Dutch, Jewish scribe from Amsterdam, a ship's officer from Languedoc in the south of France, and a Venezuelan common sailor.

Adding another transnational wrinkle to the voyage, the sloop's ultimate destination was New England, where in 1779 war raged between the British and their former subjects. Though none of their testimonies mentioned it explicitly, the crew likely carried supplies from this part of the Caribbean to aid the American revolutionaries.<sup>64</sup> After all, the Dutch island of St. Eustatius, a close neighbor of St. Thomas, served as a key provider of smuggled war materials for the American cause in the war's early years.<sup>65</sup> That these sailors of many separate polities abetted an anti-colonial war suggests that their identities were not bound up with the countries listed on their passports.

A letter written by the pilot and scribe of the *Piter* to the Intendant of Caracas demonstrated the multi-imperial crew's frustration at being detained for little more than their colonies of origin. The pilot and scribe quoted by chapter and verse sections of the navigational laws of the *Recopilación de Castilla* that allowed foreign vessels to land on Spanish shores in order to replenish provisions. Nonetheless, they believed that Spanish laws should not matter for their situation as "there is no precept in natural law nor by the

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<sup>64</sup> Documentos relativos al apreso de la balandra dinamarquesa "El Piter." Caracas. March 13, 1779 – January 18, 1780. AGNV, Compañía Guipuzcoana, Tomo XX, f. 161-230.

<sup>65</sup> J. Franklin Jameson, "St. Eustatius in the American Revolution," *The American Historical Review* 8:4 (Jul., 1903): 683-708; Andrew Jackson O'Shaughnessy, *An Empire Divided: the American Revolution and the British Caribbean* (Philadelphia: University of Pennsylvania Press, 2000), 215-221.

laws of man that impedes the free navigation of the seas or the common use of their wide open spaces.” They added that, “human society requires this liberty to communicate.”<sup>66</sup> That two officers of a relatively unimportant vessel in the Caribbean would make such bold pronouncements indicates what little regard they had for imperial boundaries.

If smugglers frequently did not identify with or conform to the imperial projects of their birthplaces, what commonalities characterized them? For many contrabandists, religion proved a powerful organizing principle. This is not to say that smugglers were a terribly religious group. Rather, many coalesced around the cultural bond of not being Catholics. Spanish interrogations of foreign prisoners nearly always asked defendants and witnesses to declare their religion. Smugglers of northern European descent frequently identified as Lutherans, Protestants, and Jews. Spanish Catholics swore in Protestants, who could not make the sign of the cross, by asking them to swear on a bible or swear by “the evangelical saints.”<sup>67</sup> Judges commanded Jews to pledge to tell the truth “by the laws of Moses.”<sup>68</sup>

Judaism formed an important bond for many smugglers. Many Jewish traders in the eighteenth-century Caribbean were the descendants of the great Jewish transatlantic trading houses centered in Portugal in the sixteenth and seventeenth centuries. Like these

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<sup>66</sup> John Benemen and Manuel Enrique to the Intendant General of Venezuela. Caracas. October 25, 1779. AGNV, Compañía Guipuzcoana, Tomo XX, f. 203-210.

<sup>67</sup> See for example Declaración de Capitán Juan Maddox. March 16, 1764. AGNV, Comisos, Tomo XXVI, f.302-303.

<sup>68</sup> See for example Declaración del escribano de la balandra dinamarquesa, Manuel Enriquez. Caracas. April 1, 1779. AGNV, Compañía Guipuzcoana, Tomo XXII, f. 173-174.

earlier commercial entities profiled by Daviken Studnicki-Gizbert, Jews in the Caribbean often represented “a nation without a state, a collectivity dispersed across the seas.”<sup>69</sup>

Dutch Curaçao, Venezuela’s dominant illicit trading partner, contained an especially high number of Jews in its merchant ranks as the Dutch Republic tolerated Jews in its colonies. What is more, the Dutch perceived them as a strategic commercial resource given the Sephardim’s ties to Iberian empires dating back to Medieval Spain, and continuing with the Jewish expulsion from Spain in 1492. The Jews had populated Dutch ventures in Brazil and later migrated to the Dutch West Indies after the Portuguese had reconquered the colony. By some estimates, as much as one third of trade in Curaçao passed through Jewish hands and the percentage was probably higher if the count only included commerce with Spanish America.<sup>70</sup> Even the tiny and undeclared Dutch smuggler’s settlement at Tucacas had a synagogue.<sup>71</sup>

Many Jewish traders personally undertook voyages from Curaçao to the Venezuelan coast. For example, in 1764 Spanish coastguard officials captured two Jewish smugglers Manuel Taboada and Issac Barugh near the mouth of the Unare River with substantial quantities of cacao, hides, and beef tallow purchased from local merchants at this key contraband crossroads in eastern central Venezuela.<sup>72</sup> In other instances, Jewish merchants hired middlemen to trade their wares for them. One wealthy

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<sup>69</sup> Daviken Studnicki-Gizbert, *A Nation upon the Ocean Sea: Portugal’s Atlantic Diaspora and the Crisis of the Spanish Empire, 1492-1640* (Oxford: Oxford University Press, 2007), 5. See also 67-69, 92-94, 179.

<sup>70</sup> Jonathan I. Israel, “The Jews of Dutch America,” in *The Jews and the Expansion of Europe to the West, 1450-1800*, ed. Paolo Bernardini and Norman Fiering (New York: Berhahn Books, 2001), 339-346; Aizpurua, *Curazao y la costa de Caracas*, 261-264; Klooster, *Illicit Riches*, 65-66.

<sup>71</sup> Araúz Monfante, *El contrabando holandés en el Caribe*, 65.

<sup>72</sup> Declaraciones de Manuel Taboada, 42, mercader judío y Isake Barugh, 21, escribano. La Guaira. March 6, 1764. AGNV, Compañía Guipuzcoana, Tomo XIII, f. 91-93.

Jewish trader from Curaçao employed a Spanish *práctico* to run circuits between Aruba, Curaçao, and Coro to rake salt from barrier islands between these points, to trade merchandise with the Spanish and to bring Venezuelan produce and the salt for further export. The merchant even manufactured fake Spanish licenses to help his middleman avoid capture.<sup>73</sup>

Though their numbers never approached the concentration in the Dutch West Indies, Jewish smugglers were also active in the British Caribbean. Jamaica, in particular, nurtured a thriving Jewish commercial community. By 1720 eighteen percent of Kingston's population was Jewish. Additionally, Jewish financiers contributed to the development of colonies in the British Antilles in that they lent money to both merchants involved in clandestine trade and plantation owners.<sup>74</sup> The inter-imperial contacts of Jewish traders and bankers in Jamaica and Barbados allowed them to undercut competitors and bred resentment within the larger British Caribbean merchant community.<sup>75</sup> Allegiances fostered by religion thus provided important business advantages as well as networking capabilities.

More than religion, demographics and socioeconomic circumstances were more likely to lead men into smuggling and define their identities as illicit traders. In general, participants in clandestine commerce on the Venezuelan coast were young and single. While men in their forties and fifties occasionally appeared in the crew registries of

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<sup>73</sup> Auto de Don Antonio Josef Romana y Herrera. Maracaibo. July 28, 1777. AGNC, Fondo Contrabando, Tomo III, f. 8-14.

<sup>74</sup> Fortune, *Merchants and Jews*, 45-46, 131-139; Nelson, "Contraband Trade under the Asiento," 62; Zahedieh, "The Merchants of Port Royal, Jamaica," 580.

<sup>75</sup> Fortune, *Merchants and Jews*, 155; Zahedieh, "The Merchants of Port Royal, Jamaica" 583.

Spanish prize courts, sailing was a young man's trade. Therefore, ordinary seamen on smuggling ships were most commonly in the second decade of their lives, while ships' officers, captains, and principle merchants might be in their thirties. A sampling of foreign contrabandists who disclosed their ages from surveys of the two largest collections of documents in the Archivo General de la Nación of Venezuela (the *Compañía Guipuzcoana* and *Comisos* sections) confirms this breakdown. Of thirty-one contrabandists who gave their ages, fifty-eight percent were in their twenties or younger, twenty-three percent were in their thirties, and only nineteen percent were forty years old or older.<sup>76</sup> Life expectancies in the Caribbean were low because of tropical diseases and natural disasters. Furthermore, sailing was a dangerous profession. With these caveats in mind, the evidence suggests that smugglers as an occupational group shared a common bond of youth.

Humble origins, as much as age, motivated many contrabandists to enter the business. Most illegal traders captured along the Venezuelan coast were peddlers, not wholesalers. Notwithstanding some outliers, they chose small and maneuverable ships with shallow bottoms to hug the shore and reach areas where larger craft would run aground.<sup>77</sup> Smuggling crews typically numbered less than ten men. They carried a mixed cargo of clothes, foodstuffs, and a few slaves meant to attract a range of buyers.

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<sup>76</sup> Some notes on these statistics: The sample comes from cases I looked at from these two document collections. I did not survey or record every case and testimony from the *Compañía Guipuzcoana* (42 volumes) or the *Comisos* (36 volumes) sections. The sample size is further reduced by the fact that not every contrabandist revealed his age. The *Compañía Guipuzcoana* section of the AGNV contains cases between the years 1726 and 1786. The *Comisos* section goes from 1691 to 1784.

<sup>77</sup> One or two-masted sloops and schooners (*balandras* and *goletas*) dominated records of contraband seizures. Even smaller craft such as crudely-rigged canoes (*canoas*) might even be sailed on short voyages. For descriptions of sloops and schooners, see I.C.B Dear and Peter Kemp, eds. *The Oxford Companion to Ships and the Sea*, Second Edition (Oxford: Oxford University Press, 2006), 495, 540.

These voyages hardly resembled the massive endeavors of *asiento* slave purveyors or the legal commerce of the Spanish trade fleets. Coastguard patrols sporadically ensnared large-scale foreign trade operations on the coast and more frequently captured small vessels financed and provisioned by affluent merchants. Yet, ventures chartered by itinerant hawkers and peopled by small crews overwhelmingly comprised the norm.

Although contraband trade offered a subsistence occupation for foreign and domestic smugglers alike, it rarely provided profound riches for the rank-and-file sailor. He did, however, receive a wage for his voyage and an allotment of space on most boats for Spanish goods he hoped to trade privately. The English merchant John Campbell described a shares system of this kind that made “every private Man on board... a Proprietor,” who “fights for his own Property.”<sup>78</sup>

Defendants often explained that they had entered into clandestine commerce simply to make a living (*ganar* or *buscar la vida*).<sup>79</sup> Juan Piñero, the captain of a Curaçaoan schooner, provided this rationale for his activities on the Venezuelan coast in 1778. Piñero claimed that while he had traded in the employment of a Dutch merchant, he did not realize the severity of his actions. Furthermore, “it had not been my intent to violate the laws of the Spanish monarch, but rather to care for my needs, and those of my family, wife, and children. These concerns impelled me, for the first time, to visit these

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<sup>78</sup> Campbell, *The Spanish in America*, 314.

<sup>79</sup> See for example Testimonio de Graham de Langhe. La Guaira. April 30, 1731. Archivo General de Indias, Seville, Spain (hereafter AGI), Santo Domingo, 781; Confession de Joseph de los Reyes. Caracas. May 6, 1732. AGI, Santo Domingo, 782; Declaración de Guillermo Brundenbrug, Capitán de balandra “Gullermo Joven”. Puerto de Patanemo, abordo el navio San Ygnacio. July 9, 1731. AGI, Santo Domingo, 782.

shores.” After this testimony, Piñero pleaded for clemency.<sup>80</sup> The extent to which he understood the criminality of his actions is debatable. However, it is unlikely that he would have lied about using his trip to support his family.<sup>81</sup> Piñero and others like him smuggled in Venezuela not to strike a blow to Spanish commercial interests, but rather to put food on the table.

Venezuela was not alone in attracting those who practiced commercial crimes as a means of subsistence. Smuggling provided a livelihood to maritime workers throughout the Caribbean and particularly in ports considered peripheral to imperial interests. Caribbean-based, petty merchants in the French Lesser Antilles known as *commisnionnaires* trafficked goods to foreign colonies without royal sanction.<sup>82</sup> In the British case, Michael Jarvis, in his excellent work on the maritime community of Bermuda, highlights the existence of hybrid “merchant mariners” very much like the small-time, foreign traders who visited Venezuela. They built a living around under-the-table trade. Furthermore the dynamics of small ships, where everyone had a stake in a voyage’s success, democratized labor relations on the water.<sup>83</sup>

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<sup>80</sup> Declaración de Juan Piñero, Capitán de “La Perfecta.” La Guaira. August 19, 1778. AGN, Compañía Guipuzcoana, Tomo XXXVIII, f. 219-220 and Juan Piñero to the Intendant General. Caracas. April 24, 1779. *Ibid.*, f. 275-276.

<sup>81</sup> While utterances of this sort sometimes lessened punishments for Venezuelans involved in petty illegal trading, they had no impact on the sentences prize court judges doled out to foreigners. Juan Piñero, for example, received a ten year labor sentence in the castle of San Juan de Ulua in Mexico. Foreign smugglers’ networks of maritime knowledge certainly would have informed them that pleading poverty as a catalyst for their crimes served no purpose. See Informe del Yntendente de Caracas en vista de los autos formados sobre el apresamiento de una goleta olandesa nombrada la Perfecta por los Guardacostas de la Compañía Guypuzcoana de aquella Provincia. August 19, 1780. AGI, Caracas, 839.

<sup>82</sup> Banks, *Chasing Empire across the Sea*, 157.

<sup>83</sup> Jarvis, *In the Eye of All Trade*, 124-125, 152, 461-465.

Smugglers were not only towards the bottom of the socioeconomic ladder, their experiences with structural shifts in Caribbean economies made them a relatively rootless, flexible, and mobile maritime labor force. Starting in the mid-seventeenth century, the sugar revolution in the Antilles meant that planters holding large tracts of land and significant numbers of slaves came to dominate the politics, economics, and territory of the region. By the early eighteenth century, small landholders, transfrontiersmen, buccaneers, and other unincorporated people of humble means had lost a meaningful place in the newly-formed plantation complex as they were neither slaves nor sugar planters. The monocrop dominance of sugar also concentrated legal trade in fewer hands.<sup>84</sup> At the same time, war and displacement in the Caribbean and population pressures in Europe increased the ranks of shiftless men.<sup>85</sup> As non-Spanish colonies in the Caribbean morphed from bases for buccaneering to centers of agricultural production, Antilles officials came to see sea raiders as a nuisance to stability. In the late-seventeenth and early-eighteenth centuries, they branded these men, who had helped to establish non-Spanish footholds in the Caribbean, as pirates and hunted them down.<sup>86</sup>

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<sup>84</sup> Richard S. Dunn, *Sugar & Slaves: The Rise of the Planter Class in the English West Indies, 1624-1713* (Chapel Hill: University of North Carolina Press, 2000 [1972]), 22-23, 156-162; Curtin, *The Rise and Fall of the Plantation Complex*, 79-85. Parry and Sherlock, *A Short History of the West Indies*, 74-80, 92-94.

<sup>85</sup> J.S. Bromley, *Corsairs and Navies, 1660-1760* (London: The Hambledon Press, 1987), 8.

<sup>86</sup> Robert C. Richie, *Captain Kidd and the War against the Pirates* (Cambridge: Harvard University Press, 1986), 135-159; John Latimer, *Buccaneers of the Caribbean: How Piracy Forged an Empire* (Cambridge: Harvard University Press, 2009), 278-280; C.H. Haring, *The Buccaneers in the West Indies in the XVII Century* (Hamden, Ct.: Archon Books, 1966), 200, 230-233; Kris E. Lane, *Pillaging the Empire: Piracy in the Americas, 1500-1750* (Armonk, N.Y.: M.E. Sharpe, 1998), 168-172; Jesse Cromwell, "Life on the Margins: (Ex) Pirates and Spanish Subjects on the Campeche Logwood Frontier, 1660-1716," *Itinerario* 33:3 (Nov., 2009): 43-71.

Despite its questionable legality, inter-imperial trade provided employment opportunities and favorable terms of labor for seafarers displaced by Caribbean upheavals. Illicit commerce comprised part of a life course that might include privateering, legal shipping, naval service, and piracy.<sup>87</sup> This is not to say that the flotsam and jetsam of the Antilles represented the cohesive and self-aware proto-proletariat conceptualized by Marcus Rediker and Peter Linebaugh.<sup>88</sup> Maritime workers' interests and identities sometimes aligned with those of their empires and social betters. However, they sought out occupations that existed on the margins of the plantation complex and that usually defied mercantilist trade objectives. The conflicting imperial legal systems that Caribbean mariners passed through in their seaborne travels blurred the line between licit and illicit professions.

### **Smugglers before the Spanish Courts**

Although the expansive international connections developed by smugglers made contraband trade seem like the normative mode of commercial exchange in the Caribbean, it is worth noting that it was still a highly criminalized economic practice in Spanish America. If the testimonies of illicit traders remind the historian of how arbitrary national designations could be when applied to people and their material

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<sup>87</sup> Ann Pérotin-Dumon, "Cabotage, Contraband, and Corsairs: The Port Cities of Guadeloupe and Their Inhabitants, 1650-1800," in *Atlantic Port Cities: Economy, Culture, and Society in the Atlantic World, 1650-1850*, ed. Franklin W. Knight and Peggy K. Liss (Knoxville: University of Tennessee Press, 1991), 58; Doris Bonet de Sotillo, *El Trafico Ilegal en las Colonias Españoles* (Caracas: Universidad Central de Venezuela, 1955), 23; Franklin W. Knight, *The Caribbean: The Genesis of a Fragmented Nationalism* (Oxford: Oxford University Press, 1990, [1978]), 90-104; Latimer, *Buccaneers of the Caribbean*, 261.

<sup>88</sup> Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Slaves, Sailors, Commoners and the Hidden History of the Revolutionary Atlantic* (Boston: Beacon Press, 2000), 26-35.

transactions, these documents also confirm that imperial commercial boundaries concretely shaped the destinies of many early modern subjects. Put differently, illicit trade was still *illicit* by someone's laws. The only reason smugglers' narratives survive today is because Spanish coastal forces ensnared some of them in dragnets of commercial policing. In Venezuela, the Caracas Company's monopoly on the cacao trade along with its private navy and army produced especially active enforcement structures.

Coastguards stripped smugglers of their mobility and their wares. Investigators prodded them about their itineraries, trading patterns, connections, and intentions in Spanish waters. Prize court judges sentenced guilty contrabandists to exile, jail, and forced labor. To carry out these sentences, the Spanish military complex shipped them all over the Spanish-speaking world. The criminal prosecution of smugglers contradicts narratives of seamless inter-colonial exchange and underscores the lasting human consequences visited upon economic actors who trespassed imperial borders.

Foreign smugglers' first contact with the Spanish justice system came when coastguard patrols captured, impounded, and processed their ships. Spanish marine forces, whether under the auspices of the Crown or the Caracas Company, followed the shoreline of Venezuela looking for suspicious vessels. Any ship captain that acquiesced to the boarding his craft could expect maritime enforcers to review the crew's travel documents and search the ship's hold. By Spanish law, coastguard men had the right to stop ships of any nationality and frequently searched Spanish vessels as well as those of foreign empires. However, non-Spanish shipping usually presented a more tempting target. As only special licenses or emergency circumstances legitimized the presence of

foreign ships in Spanish territorial waters, higher authorities were more likely to declare them contrabandists. In general, foreign vessels also contained a richer cargo of commercial goods.

When coastguard vessels appeared on the horizon, a contrabandist captain had several options. He could loose his sails and attempt to outrun the pursuers. If close to shore, he and his crew could abandon ship and try to hide on land. If he had a good claim to legitimate business or thought he could pay off a coastal patrol, he could allow his vessel to be boarded. Finally, he could stay and fight. This last option was usually a losing prospect as the arms aboard Spanish privateering boats overwhelmingly dwarfed those of most smuggling ships.

The suddenness of a coastguard attack could precipitate fight or flight instincts and the breakdown of discipline among a ship's company. On October 10, 1784, the royal privateer *San Nicolás* overtook a Dutch smuggling schooner called the *San Josef*. The two ships entered into a brief artillery duel until the superior firepower of the *San Nicolás* forced the Dutch into submission. Some Dutch sailors hid in the ship's hold, while others jumped overboard. These panicked actions incriminated the *San Josef*'s crew as smugglers and its cargo as illicit.<sup>89</sup>

Seizures like that of the *San Josef* served the interests of coastguard crews far better than instances in which illicit traders immediately surrendered. Spanish courts would bestow a portion of the spoils from convicted smugglers' cargo upon the members

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<sup>89</sup> Informe del Intendente de Caracas Don Francisco Saavedra sobre el apresamiento de una Goleta Holandesa nombrada San Josef por la Lancha del Real Corso San Nicolas del mando de Don Ygnacio Xavier Emazabel. December 14, 1790. AGI, Caracas, 839; Cedula del Rey al Intendente de Caracas. San Lorenzo. October 10, 1792. AGI, Caracas, 836.

of a patrol ship, making it beneficial for coastguard men quickly to establish the guilt of those they pursued.<sup>90</sup> Self-defense and flight were sure signs of a trader's culpability. Dead or absent foreign sailors could not defend their right to property in prize courts. Within this context, record after record of fleeing smugglers and unattended ships and goods appear suspicious, if not sinister. Might these unpopulated contraband caches signal greater levels of violence against smugglers than coastguard officials freely admitted? Certainly, foreigners had every reason to fear capture as it risked harsh punishments. Yet, the number of documents cataloging abandoned vessels and merchandise imply that the fear of castigation alone could not have produced these results. It is little wonder that one royal accountant (*contador general*) admonished "the carelessness and malice of militias and coastguards in failing to apprehend any suspects" when they seized ships.<sup>91</sup>

If captive smugglers survived the ordeals of arrest, Venezuelan anti-contraband patrols brought them to land for arraignment. Depending on their site of capture, accused contrabandists came before prize courts in La Guaira and Caracas, Puerto Cabello, and Maracaibo. Authorities in port drew up appraisal forms (*avaluos*) that identified all pertinent goods and supplies aboard a seized vessel. Officials then estimated the value of these items as well as the ships in which they arrived. In noting the minutia of a boat's cargo, investigators meant to record evidence of illegal commerce, but also to prepare products for auction if the court determined the voyage to be illicit. In the same

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<sup>90</sup> Klooster, *Illicit Riches*, 150.

<sup>91</sup> Informe del Contador General. Madrid. November 24, 1790. AGI, Indiferente General, 1835.

formulaic manner, Spanish scribes also prepared crew lists, which enumerated the name, nationality, and occupation of each man aboard.

After these procedures, a sort of trial could begin. The word “trial” gives the judgment of contrabandists a certain formality and presumption of impartiality that it did not possess. Though a procedural order of events existed in trying smugglers, individual cases could diverge from these informal norms, adding or omitting steps as they went along.

While a trial is the most appropriate term to conceptualize the flexible series of arrest summaries, interrogations, prisoner and witness testimonies, and magisterial consultations that occurred in most contraband cases, these legal proceedings lacked elements the modern observer would associate with criminal prosecution and defense. Smugglers usually received no legal counsel and rarely could call witnesses or present evidence on their own behalf. No jury was present to judge them. Instead, prize court judges, with the council of governors and occasional outside officials, deliberated on the fates of the defendants. In some tricky cases with extenuating circumstances, magistrates made appeals to the viceregal court or peninsular judges for help with decisions.

However, nothing like present-day due process applied to contraband courts. Prisoners’ status as uninvited foreigners made for the presumption of guilt unless they could prove their innocence. This is not to say that prize courts presided over show trials. As this chapter will discuss later, anti-contraband magistrates exonerated many accused smugglers. On the whole though, captured contrabandists found the deck stacked against them in the courts.

The process of trying the accused began with the testimonies of several coastguard officials to provide eyewitness accounts of wrongdoing and of the arrest. After taking these statements, judges questioned prisoners one-by-one. Interrogators examined as many sailors from a ship's complement as they deemed necessary to establish guilt or innocence. Once they had sworn in a defendant, officials asked for his name, nationality, religion, and sometimes age and marital status. With these formulaic details out of the way, the interrogation became more particular to a given case. Mostly, suspects responded to a group of questions meant to establish where they had been, why they were on the Venezuelan coast, what they carried, and if they knew that unlicensed trade in the Spanish Empire was a crime. In situations where coastal patrols had detected accomplices, judges often asked about their associations with Spanish or other foreign contrabandists.

Authorities occasionally probed for deeper motivations for visiting Spanish dominions. Inquiries about raiding, potential settlement plans, or war movements were not out of the question. Particularly in wartime, officials grilled potential interlopers about strategic military developments in the Caribbean. During the War of Jenkins' Ear in 1741, magistrates pumped one predominantly English crew for news because these men had heard rumors during a stopover in French Guadeloupe of a potential English fleet heading for Cartagena.<sup>92</sup>

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<sup>92</sup> Declaraciones del Capitán de la balandra apresada Daniel Haley, holandés, 3 marineros Johanis Michael Lusk, Alemán, 31, Thomas Case, inglés, 24, Joseph Ray, inglés, 22. La Guaira. June 19, 1741. AGNV, Compañía Guipuzcoana, Tomo I, f. 190-193.

Although prize court records outline basic procedural patterns of smuggling trials, they remain silent about key elements of these legal undertakings. Documents usually include the signatures of a scribe and at least one official, but it is impossible to determine how many people were in the room or who was asking questions during an interrogation. In addition, prize court records almost never speak to how authorities conducted the sessions. Unlike inquisition documents, smuggling cases provide no mention of coercion or torture in order to produce testimony. Nevertheless, conventions of early modern justice make it difficult for the historian to completely rule out physical torment.

The conditions of captivity are a mystery as well. Were the accused well-fed, sheltered, and clothed? If not, did their corporal want influence their testimonies? Numerous cases mention prisoners developing illnesses after their arrests due to jail conditions. Sickness may have allowed for a transfer to better quarters and a means to escape. One sick Venezuelan smuggler named Pedro José de Echeverría requested and received a transfer from his jail cell to the Hospital of San Pedro. When he was found guilty, Echeverría fled from the hospital and successfully avoided recapture for several years.<sup>93</sup>

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<sup>93</sup> Echeverría's case can be found in Informe. El Intendente de Caracas Don Francisco de Saavedra. Sobre un comiso de 3915 pesos en plata 317 id. en generos y 30 dhos valor de una canoa, pertenentes a Pedro José de Echeberría, y Don Juan Andueza, este vecino de la Guayra, y aquel de Curazao; y sobre varios criminalidades contra inculcados en contrabandos, y especialmente sobre el de 14 cargas introducidas en Caracas por la Ensenada del Higuero; y sobre otro comiso hecho en Puerto Cabello. December 22, 1790. AGI, Caracas, 839; For other examples of sick prisoners, see Memorial del Presidente interino de la Casa de la Contratacion al Sr. Intendente General de Marina. August 12, 1754. AGI, Santo Domingo, 792; Representación de Don Felipe de Ugarte ante el Governado. y Capitán General. Caracas. October 12, 1752. AGNV, Compañía Guipuzcoana, Tomo III, f. 283-285; Sentencia de los reos ultimos de

Another major analytical concern of prize court records is how to interpret the voices of suspects in captivity. Smuggling trial documents present virtually the only means to reconstruct the experiences of a group of people who purposefully destroyed any paper trail vouching for their existences. Furthermore, the ad-hoc quality of interrogations meant that nothing was out of bounds in their testimonies. Though smugglers often proved reticent, magistrates allowed them to discuss virtually anything that came to mind in response to inquiries. These points aside, contrabandists' testimonies evince the interlocution of the investigator and the scribe. An interrogator's queries led the illicit trader's narrative in certain directions and toward what a prize court hoped to learn. Most trial documents recorded the accused's utterances in the third person, potentially obscuring what they actually said. First person letters and appeals to higher officials show up only in some cases.<sup>94</sup>

With these limitations in mind, smuggler interrogations permit a glimpse of the general strategies and counterstrategies employed by foreign contrabandists and Spanish legal officials in establishing maritime criminal behavior. From this cat-and-mouse game, both sides expressed their understanding of what was illicit trade. Defendants' first line of defense involved trotting out any explanation that might provide a legitimate air to their voyages. As mentioned previously, bad weather, ship repairs, the need for

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Leon. Auto de Gobernador Don Phelipe Ricardos y Asesor Gen. Don Antonio de Liendo. Caracas. September 28, 1752. AGI, Caracas, 421.

<sup>94</sup> These correspondences present their own problems of representativeness and articulation as defendants who wrote them were normally literate and of a certain social class. Additionally, legal formalism dominated these letters and suppressed a smuggler's true voice.

freshwater and provisions, and other emergencies came up early and often in foreign sailors' testimonies.

Captured traders also claimed to be just passing through commonly-used sea lanes en route to legitimate business elsewhere. The crew of the *Prins Willem*, a Dutch ship, said they had left from St. Eustatius with the intention of buying mules and horses in Curaçao and Bonaire. Though a coastguard vessel captured the sloop near Los Roques, a tiny group of Spanish islands off the coast of Venezuela, the Dutch vessel was nearly thirty leagues from the South American mainland. Despite the believable rationale of the *Prins Willem*'s captain that the vessel engaged only in intra-Dutch commerce and had no intention of sailing for the Spanish coast, the La Guaira prize court pronounced them guilty of clandestine trade.<sup>95</sup>

Other smugglers feigned ignorance that the items they had loaded or unloaded were illegal. Considering the numerous and conflicting trade laws of the various empires transnational smugglers encountered, their claims of obliviousness were sometimes honest. Nonetheless, other contrabandists strained their credibility with outlandish rationales. One foreign merchant disavowed knowledge of the entire Spanish commercial code, remarking that he “was not aware, nor had he heard it said, that a prohibition existed against trading on the coasts of this province.”<sup>96</sup>

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<sup>95</sup> Declaraciones de Juan de Silva, 44, Luise Harse, 21, Juan Henrique, 34, Capitán Mercader, y contra maestre de balandra presa, respectivamente. La Guaira. October 31, 1763. AGNV, Compañía Guipuzcoana, Tomo XII, f. 7-11; Sentencia de Gobernador Solano. Caracas. February 9, 1764. *Ibid.*, f. 68.

<sup>96</sup> Declaración de Juan Piñero. La Guaira. August 19, 1778. AGNV, Compañía Guipuzcoana, Tomo XXXVIII, f. 219-220.

To defend themselves successfully in court, foreign smugglers had to employ these strategies while placing their voyages within the bounds of internationally agreed-upon sailing routes and commercial practices. Context mattered in a defendant's remarks. The trajectory of a ship's itinerary needed to be believable. In 1760, coastal patrols seized one Dutch craft that supposedly sought to replenish their water near Cumaná in eastern Venezuela. The Dutchmen stated that they had intended to fill their barrels after a voyage from St. Eustatius to Grenada and before catching the circular Caribbean currents that would take them back to Eustatius. However, Spanish authorities were incredulous of their need to go to the mainland because, as one investigator pointed out, they could have filled their water supplies on the uninhabited and offshore islands of Isla Blanca or Isla de los Testigos.<sup>97</sup>

The contents of a foreign ship's hold also factored into a story's believability. When coastguard men found vessels nearly empty or containing only non-commercial items, they usually allowed them to go free. Conversely, when Spanish authorities found "goods only produced in the Spanish dominions," they became incredulous of smugglers' stories.<sup>98</sup>

A defendant's actions during and immediately after his capture proved as important as the context surrounding his voyage. It was essential that a crew stick to

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<sup>97</sup> Declaraciones de Francisco Santoyo, 35, Francisco Loreto Marín, 46, José Vincente Ameston, 22, marineros del "Aránzazu". La Guaira. August 1, 1760. AGNV, Compañía Guipuzcoana. Tomo VIII, f. 166-169; Declaraciones de Don José Joaquín Arriaran, Capitán del Jabeque "San Pablo," 45, Juan Cornelio Maris, 40. Vincente Suárez, 43. La Guaira. December 1760. *Ibid.*, f.190.

<sup>98</sup> In this case, Spanish officials questioned the legitimacy of a Dutch sloop, the *Two Brothers*, whose cargo contained cacao, hides, and beef tallow (all products of Venezuela). Representación del apoderado ante el Gobernador y Capitán General. La Guaira. March 6, 1764. AGNV, Compañía Guipuzcoana. Tomo XIII, f. 85-86.

their initial story as changing or multiple narratives rarely convinced prize court judges. Furthermore, Spanish magistrates almost never exonerated foreign sailors who resisted or sought to flee from coastguard patrols. They believed that innocent men would face scrutiny willingly.<sup>99</sup>

When testimonies and deliberations concluded, prize court judges issued a verdict that set in motion the final phase of the legal process. If found guilty, smugglers quickly received a criminal sentence and saw their cargo auctioned off publicly. The Spanish treasury, officials, and others affiliated with the ship's capture divided the proceeds from these sales.<sup>100</sup> If vindicated, defendants retook control of their ship and cargo and sometimes even received restitution for their inconvenience. Such occurred when a Dutch crew carrying meat and cheese from St. Eustatius to French Grenada in 1762 fell into the hands of Caracas Company patrols, the sailors protested the seizure and argued that they had papers for this voyage and carried no contraband. They had followed a

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<sup>99</sup> In 1759, a group of Dutch mariners belonging to the sloop *John Paul* went missing from the temporary jail where officials held them following the *John Paul*'s capture in Barcelona (eastern Venezuela). Their flight from justice was a key piece of evidence for prize court judges in declaring the Dutchmen's actions to be criminal and their cargo worthy of forfeiture. See Expediente No. 5. Expediente sobre el Apresamiento de la Balandra Olandesa nombrada Juan Pedro, que executó el Javequin San Ignacio Corsario de la Real Compania Guipuzcoana, con carga de Mercaderias, Carnes saladas, Bacallao y Caldos. Caracas. November 14, 1759. AGI, Contaduría, 1634.

<sup>100</sup> The exact divisions of the money from these auctions varied from verdict to verdict. Take for example, the proceeds of a contraband haul from 1786. The total value of this large seizure represented 33,120 pesos. Royal taxes took 6,955 pesos. The costs of the trial subtracted another 3,538 pesos. One sixth of the remaining sum went to the judge in the case (3,771 pesos) while 10% went to an informant who facilitated the arrest (1,885 pesos). 8,484 pesos went to the crew of the coastguard vessel. The remaining money flowed into the coffers of a handful of senior officials and the Venezuelan treasury. Another case from 1721 subtracted 643 reales in royal duties from a 9,181 real contraband seizure and then broke up the remaining sum more elegantly into payments of 1/3 for the informant, 1/3 for the judge, and 1/3 for the king. The first breakdown comes from Ynforme del Yntendente de Caracas en vista de los dos testimonios de Autos que remite causados en la aprehension de la lancha Santa Rita y solicita Real Aprobacion de la sentencia pronunciada en ellos. September 19, 1786. AGI, Caracas, 839; The second breakdown comes from Bautista, Juan. Genoves, contrabando que se le aprehendió en Maracaibo y juicio a que fue sometido. Año 1721. AGNC, Fondo Contrabando, Tomo II, f. 811-869.

conventional route between the two islands, and were captured near Grenada. During the time of the crew's imprisonment, Spanish officials auctioned off some of their goods and supplies. In the end, the chagrined governor of Venezuela had to concede the sailors' innocence and to offer them 19,583 reales as indemnity for these lost products.<sup>101</sup>

When trials neared their conclusions, a significant number of contrabandists ducked the verdicts of prize courts by escaping from custody. The case of one 1767 jailbreak illustrates this trend. Three penniless and nearly naked prisoners used a lock pick to flee the royal jail in La Guaira while their guard took a smoke break. The cellmates consisted of two smugglers (one French and one English) taken from two separate voyages in March and April of that year and a Spanish prisoner jailed by the ecclesiastical tribunal for an unspecified offense.

That men of three separate nationalities hatched this escape plot from within one of the enforcement mechanisms of Spanish mercantile law (a prize court holding cell), testifies to the power of inter-imperial cooperation in the region. Pervasive mentions of suspects breaking out of jail suggest that they may also have had help from their captors.<sup>102</sup> A 1787 contraband trade investigation on the island of Trinidad actually discovered and prosecuted one jailer who had received a bribe to help his prisoner

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<sup>101</sup> Autos sobre apreso entre Isla Margarita y Tierra Firme de una balandra holandesa nombrada "La Anna". 1760-1762. AGNV, Compañía Guipuzcoana, Tomo X, f. 188-265.

<sup>102</sup> Gerardo Vivas Pineda notes the incredibly high percentage of fugitives from Venezuelan prize court jails in the second half of the eighteenth century. Between 1762 and 1764, he claims that 90.9% of contraband cases ended with flight from prison. Between 1765 and 1770, that number stood at 58.1%. Gerardo Vivas Pineda, "'La Compañía Guipuzcoana de Caracas: los buques y sus hombres'" in *Los Vascos y America: El Comercio vasco en el siglo XVIII-La Real Compania Guipuzcoana de Caracas*, ed. Ronald Escobedo Mansilla, Ana María Rivera Medina, and Alvaro Chapa Imaz (Bilbao: Fundación Banco de Viscaya, 1989), 314-315.

escape.<sup>103</sup> Official corruption thus played a key role in the criminal justice process and in facilitating transnational trade.

For foreign sailors not fortunate enough to escape jail or to beat the charges against them, smuggling convictions carried stiff punishments. These penalties seem draconian given that unlicensed trade was typically a victimless crime and an essential pillar of the coastal Spanish American economy. Nevertheless, the sentences emphasize that while smuggling represented an ordinary and negligible transgression in the minds of most merchants, Spanish imperial law remained convinced of the offense's severity and eager to prosecute it. Among the lesser punishments meted out to convicted contrabandists were fines, short stints in jail, and deportation from the Spanish colonies. More serious offenders incurred long sentences of convict labor building the great eighteenth-century fortifications of Bourbon Spanish America.

The imperial justice system also deposited the convicted in military posts that Spanish subjects would not willingly man. It shipped them as free labor to presidios and forts, entered them as sailors into the rolls of transportation galleys and coastguard vessels, and converted them to factory laborers in peninsular arsenals. Spanish officials theoretically could order the death penalty for smuggling. However, Spanish judges rarely mandated the execution of smugglers as this grave punishment tended to provoke reprisals among rival governments holding Spanish subjects, and to deplete able-bodied labor for the military arm of the empire.

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<sup>103</sup> Declaración de Manuel Aparicio. La Guaira. July 8, 1767. AGNV, Compañía Guipuzcoana, Tomo XV, f. 266-267; Auto del Conde Miguel Roncali, Theniente Coronel y Ingeniero, Commandante Castellano Theniente y Justicia de La Guaira y Declaración de Diego Lopez, alcalde de la carcel. La Guaira. July 8-9, 1767. AGNV, Compañía Guipuzcoana, Tomo XIX, f. 370-371.

Changes in sentencing of smugglers over time exemplified subtle shifts in the Spanish legal attitude toward contraband trade and foreigners. In Venezuela, the formation of the Caracas Company in 1728 began a period of frequent and strict prosecution of illicit traders. Of course, corruption and bribery still flourished within anti-contraband enforcement structures. Nevertheless, criminal sentences for foreign merchants from the 1730s until roughly the late 1770s tended to be harsh and long in duration. Normal penalties for smuggling between the 1730s and 1760s included four to six years of forced labor in the arsenals of Cádiz, the Spanish presidios of North Africa, or other peninsular fortifications.<sup>104</sup>

During the second half of the eighteenth century, Spanish governors increasingly diverted foreign criminals from Spanish peninsular work details to the expansive Bourbon military projects in the Americas. A royal order in 1754 discouraged shipments of prisoners to Spain.<sup>105</sup> Convicted contrabandists endured four to ten-year work sentences building and manning fortifications in port towns like San Juan, Puerto Rico, Havana, Cuba, San Juan de Ulúa, Mexico, and Cartagena, Colombia.<sup>106</sup>

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<sup>104</sup> Informe de Don Francisco de Varas. Cadiz. January 10, 1737. AGI, Indiferente General, 1829; Tribunal de la Casa de Contratación to the King. Cádiz. February 26, 1742. AGI, Santo Domingo, 790. Memorial del Presidente interino de la Casa de la Contratación. August 12, 1754. AGI, Santo Domingo, 792; Sentencia de Don Gabriel de Zuloaga Mariscal. Caracas. December 3, 1740. AGNV, Comisos, Tomo XX, f. 311-312.

<sup>105</sup> Se ordena que no se envíen reos a los Presidios de España, dándoselos destino en los de la América. Madrid. January 25, 1754. AGNV, Reales Ordenes, Tomo II, f. 98-204.

<sup>106</sup> Autos de apresamiento hecho por Cap. Don Vincente Crespo, Capitán de balandra corsaria “Santa Gertrudis” de la Compañía. Guipuzcoana en la bahía de Cubullon en Puerto Rico en 26 Febrero 1779 de una goleta dinamarquesa “La Juana” cargada con mulas, café, maíz y palo de tinte. AGNV, Compañía Guipuzcoana, Tomo XXXIX, f. 183-283; Autos de apreso en Puerto de Guayanilla, Puerto Rico en 27 Febrero 1779 de una balandra dinamarquesa. AGNV, Compañía Guipuzcoana, Tomo XL, f. 1-67.

By the end of the Caracas Company's tenure in the 1780s and 1790s, the Spanish criminal justice system demonstrated increasing leniency for contrabandists. Long labor sentences gave way to fines. Though royal magistrates still threw the book at captains and head merchants of smuggling voyages, they tended simply to deport rank-and-file crewmembers back to their colonies of origin.<sup>107</sup> These shifts demonstrate the seriousness of purpose and manpower that the Caracas Company brought to prosecuting smuggling as well as its desire to cut out competition in the cacao trade. They also reveal how much Caribbean commerce opened up in the second half of the eighteenth century. With the development of free ports and limited free trade between Spanish harbors, inter-imperial commerce probably seemed more innocuous in the minds of Spanish jurists.

Despite liberalizing attitudes toward the punishment of unlicensed trade at the end of the eighteenth century, smugglers still experienced dislocation and misery as captives laboring in far-flung corners of the Spanish realm. Their position as foreign observers and coerced labor in a mostly xenophobic empire also offers a fascinating perspective on both criminal justice and transnational contact in the early modern Spanish Atlantic. The prisoner narratives that do survive mention poor food, heavy labor, and extreme discomfort. The testimonies of a group of Dutch mariners in 1792 during their trial admit to being "treated in a way that we would not treat a dog." They complained

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<sup>107</sup> Gobernación de Caracas. Comisos, y Presas. Ynformes sobre Expedientes de Presas y Comisos hecho en la Jurisdicción, distribución de ellos; Causas fulminados por Contrabandistas. Competencias entre los oficiales reales de Puerto Cavello, y Caracas ...el Conocimiento en las Causas de Comisos, y sobre otro...de esta materia: desde 1714 a 1809. AGI, Caracas, 839; Cedula del Rey al Intendente de Caracas. San Lorenzo. October 10, 1792 and Cedula al Yntendente de Caracas. San Yldefonso. October 6, 1783. AGI, Caracas, 836; Reales Cédulas, informes y expedientes sobre comisos y presas en Barinas, Maracaybo y Margarita. 1792-1796. AGI, Caracas, 837; Yntendente Estevan Fernández de León al Sr. Don Diego de Gardoqui. Caracas. October 25, 1792. AGI, Caracas, 810.

that the coastguard captured their vessel only to rob it, threw the Dutchmen in jail for three months without due process, and then coerced them into signing false confessions by threatening to “tie us to the church bell and have the executioner beat us with sticks.” The crew even claimed that interrogators tried to force them to renounce their Jewish faith.<sup>108</sup>

Although Spanish authorities shipped convicted smugglers all over the empire, the Spanish military often lacked the money to pay for these logistics. In 1742, one officer bemoaned not having enough food to send along with prisoners embarking for the House of Trade (*Casa de Contratación*) in Cádiz.<sup>109</sup> A British sailor in 1737 wrote that while awaiting transport from Havana to Cádiz, his only food consisted of “turked Beef & maggoty bread.”<sup>110</sup>

Reaching their destinations did not end the men’s hardships. The same anonymous British convict described his time in the infamous Cádiz arsenal and shipyard known as La Carraca. It was a place “where we are put in Gaol every night among all manner of Villains, such as Thieves, Murderers, Turks, Fellows that has committed all manner of Villany.”<sup>111</sup> One of his former shipmates wrote to his wife, informing her that their living quarters were “130 foot long and about 30 broad” and held “300 odd slaves with irons on and Chains” who were, “as full of Vermin as you can think anybody

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<sup>108</sup> Certificación de los marineros olandeses de la Goletta Esperanza sobre el apresamiento de esta. Prision Criminal de San Felipe. September 17, 1792. AGI, Caracas, 810.

<sup>109</sup> Manuel de las Casas y la Quadra to the Tribunal de la Casa de Contratación. San Sebastian. July 2, 1742. AGI, Santo Domingo, 790.

<sup>110</sup> Copy of a letter from Cadiz. Cadiz. February 1, 1737. British Library, London, UK, Additional Manuscripts (hereafter Add. MSS) 32797, f. 148.

<sup>111</sup> Copy of a letter from Cadiz. Cadiz. February 1, 1737. British Library, Add. MSS 32797, f. 148.

else.”<sup>112</sup> Spanish trial records routinely mentioned attaching shackles to a convicted criminal’s leg (*grillete a pie*) as a part of their punishment.<sup>113</sup>

Construction details were harsh as one Englishman learned. In making gun batteries in Cuba, he and his fellow prisoners awoke “every Morning to carry Stones, and cut Wood, which we were compell’d to do, with a Driver at our backs, for six Weeks... In a Word, we were much worse used than their Negroes.”<sup>114</sup> Though these English accounts no doubt exaggerated the suffering of sailors as a propaganda tool around the time of the War of Jenkins’ Ear, their descriptions gave a sense of the captive’s experience.

These forced labor terms proved incredibly hazardous to the health of captured smugglers. Few records survive from which to estimate mortality rates in the Spanish convict labor system.<sup>115</sup> However, bad and insufficient food, harsh toil, overcrowding, and disease (especially in the Caribbean) almost certainly took their toll. Such was the case for Lucas Hanos, a Dutch ship captain sent to Cádiz. An official in the House of Trade interceded in 1754 on behalf of the Dutchman after he had worked and served less

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<sup>112</sup> Copy of a letter from Cadiz. Cadiz. February 6, 1737. British Library, Add. MSS 32797, f. 150.

<sup>113</sup> Autos de apresamiento hecho por Cap. Don Vincente Crespo, Capitán de balandra corsaria “Santa Gertrudis” de la Compañía. Guipuzcoana en la bahia de Cubullon en Puerto Rico en 26 Febrero 1779 de una goleta dinamarquesa “La Juana” cargada con mulas, café, maiz y palo de tinte. AGNV, Compañía Guipuzcoana, Tomo XXXIX, f. 183-283; Autos de apreso en Puerto de Guayanilla, Puerto Rico en 27 Febrero 1779 de una balandra dinamarquesa. AGNV, Compañía Guipuzcoana, Tomo XL, f. 1-67.

<sup>114</sup> Richard Copithorne, *The English Cotejo: or, the Cruelties, Depredations, and Illicit Trade Charg’d upon the English in a Spanish Libel Lately Published, Compared With the Murders, Robberies, Barbarities, and clandestine Trade proved upon the Spaniards. By a Sufferer.* (London: J. Mechell, 1739), 15, JCB. Copithorne’s account is very suspect and filled with geographical inaccuracies. I use this quote only because it is representative of other testimonies and accounts of the working conditions at fortification construction projects during the period.

<sup>115</sup> Lauren Benton has noted that little documentary evidence remains of convict laborers because they had almost no access to legal recourse. Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), 220-221.

than a year in the royal jail. The toil had made him so infirm that he had developed a respiratory ailment that caused him to cough up blood uncontrollably. Spanish authorities eventually gave Hanos passage back to the Netherlands on the condition that he would never smuggle again.<sup>116</sup> The forts and presidios that received these criminals had continual shortages of Spanish manpower for the same grim reasons.<sup>117</sup> Thus convict labor was a necessary method for replenishing ranks ravaged by disease and desertion.

In an irony not lost upon Spanish magistrates, they converted enemies of the state into its soldiers and defenders. Foreign convict labor built and patrolled the walls of all the key strongholds of Spanish military power in the Caribbean basin and some in Spain. Spanish bureaucrats saw exiling clandestine traders to far away defensive positions as a way to increase troop numbers and remove contrabandists from the original site of their crimes.

More surprisingly, imperial authorities recruited captured contrabandists to serve on Spanish ships in the fight against smuggling. Coastguard duty represented a poorly paying and thankless task that, like presidio garrisons, drew from the dregs of society.<sup>118</sup>

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<sup>116</sup> Memorial del Presidente interino de la Casa de la Contratacion to Sr. Intendente General de Marina. August 12, 1754. AGI, Santo Domingo, 792.

<sup>117</sup> Ruth Pike, "Penal Servitude in the Spanish Empire: Presidio Labor in the Eighteenth Century," *The Hispanic American Historical Review* 58:1 (Feb., 1978): 29-31.

<sup>118</sup> In 1793, plans to fill the ranks of Spanish naval ships in Puerto Cabello called for emptying the jails. Julius Sherrard Scott III, "The Common Wind: Current of Afro-American Communication in the Era of the Haitian Revolution" (PhD diss., Duke University, 1986), 91. The Caracas Company also put convicted contrabandists into service on their ships while the smugglers awaited transport to Spain. Gerardo Vivas Pineda, *La Aventura naval de la Compañía Guipuzcoana de Caracas*. (Caracas: Fundación Polar, 1998), 37. The Spanish treasury and local coffers continually underfunded coastguard operations. Lance Grahn, "Guarding the New Granadan Coasts: Dilemmas of the Spanish Coast Guard in the Early Bourbon Period," *The American Neptune* 56:1 (Winter, 1996): 24-26.

In many ways, smugglers, as warm bodies with maritime training and insider knowledge of contraband trade, made strong candidates for coastguard service.

Thomas Gallant points out the early modern “dilemma of setting a thief to catch a thief.” He observed that, “brigandage flourished in the frontier zones and the security forces sent to control their depredations and guard the border were often indistinguishable from the outlaws.”<sup>119</sup> The writings of high-placed Spanish administrators echo these sentiments. A letter from 1735 conscripted foreign prisoners into the king’s ships, but only for use in Old World ports so they could not return to Caribbean smuggling.<sup>120</sup>

By 1738, the Council of the Indies opined that the risk of convicts’ flight and recidivism proved too great to allow forced maritime labor to continue.<sup>121</sup> Despite the Council’s warning, the practice of drafting smugglers into anti-smuggling operations continued throughout the eighteenth century. A royal *cédula* of King Charles IV in 1793 directed his governors to send contrabandists to serve in the regular Spanish army or in the presidios of Africa and the Americas, but forbid their conscription into naval or maritime forces as their crimes made them “not apt” for these duties.<sup>122</sup>

The prosecution, conviction, and punishment of foreign smugglers in Spanish courts and penal systems illustrate that imperial boundaries still constrained transnational

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<sup>119</sup> Thomas W. Gallant, “Brigandage, Piracy, Capitalism, and State Formation: Transnational Crime from a Historical World-Systems Perspective” in *States and Illegal Practices*, ed. Josiah McC. Heyman (New York: Berg, 1999), 47. See also Janice E. Thomson, *Mercenaries, Pirates, and Sovereigns: State-Building and Extraterritorial Violence in Early Modern Europe* (Princeton: Princeton University Press, 1994), 68.

<sup>120</sup> Ynforme del Sr. Fiscal. April 30, 1735. AGI, Indiferente General, 1829.

<sup>121</sup> Consulta del Consejo de Indias. Madrid. January 15, 1738. AGI, Indiferente General, 1829.

<sup>122</sup> *Real cedula de S.M. de 21 de agosto de 1793, en la que se manda que á los reos de contrabando, ó fraude, se les destine inmediatamente al servicio de las armas en los regimientos del ejército, ó en los fixos de los presidios de Africa, ó America, y no siendo aptos para ellos, á la marina, con lo demas que se expresa.* (Madrid : Imprenta de la Viuda de Don. Joaquin Ibarra, 1793), JCB.

commerce in the eighteenth century. Despite endemic corruption in most facets of the legal process, Spanish law itself still approached contraband commerce as a serious and pernicious offense. Its proprietors deserved to suffer. The very real human costs of deportation and coerced labor contradict the perception that smugglers and their accomplices could always disarm enforcement structures with a wink and a nod.

### **Business in a Warzone**

Between the extremes of unfettered commercial networks and imperial regulation of trade and borders existed a range of economic interactions that were both open and bellicose. The Spanish imperial presence on the Venezuelan coast was simply too weak to monitor all commercial exchange taking place in the region. Autonomous violence between foreigners, Spanish subjects, and coastguard men filled this power vacuum. As a result, intermittent, undeclared, and unpredictable warfare represented a familiar hazard for foreigners practicing unlicensed trade.

Foreign merchants' very presence on Spanish shores put them in violation of Spanish commercial codes and legitimized violence inflicted upon them. As the many examples of run-ins with the coastguard have highlighted, outsiders that trafficked wares on the Venezuelan littoral might find themselves subdued by force. Furthermore, the right to seize vessels often imbued Spanish coastal patrols with an appetite to rob or to harm non-nationals whose guilt was more questionable.

No doubt, some Spanish maritime forces violently overstepped their missions because of their zeal for the job or their hatred of Spain's rivals. The capture of two

Dutch ships off the coast of Hispaniola in 1733 underscores this point. Although, the vessels sailed peacefully toward Curaçao and had no discernible connection to contraband trade, the Spanish impounded them anyway. After his men roughed up the Dutch crews, a Spanish coastguard captain told one of his Dutch counterparts that, “if he could seize twenty ships like yours he would.”<sup>123</sup>

In other cases, pure greed overwhelmed the call of duty. The coastguard system, based as it was on organized privateering, encouraged fraud and rapaciousness by its nature.<sup>124</sup> As a group of British West Indian merchants explained, it was “the general custom and usage in the Spanish West Indies for all who engage in these cruising voyages to do it without any certain pay, each man being by agreement to depend entirely for his reward out of the captures they shall make.” In their view, this incentive structure put Spanish coastguard men “on the same footing with freebooters and pirates.” The merchants concluded from their brethren’s complaints that this maritime looting went hand-in-hand with wanton violence.<sup>125</sup>

The Spanish use of force against smugglers dovetailed with the contrabandists’ own militancy. In his work on global smuggling, Alan Karras argues that smugglers rarely resorted to violence in practicing their trade.<sup>126</sup> Yet, numerous incidents on the Venezuelan coast contradict this assessment. Those aboard smuggling voyages often

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<sup>123</sup> Traducion de Letra A de Samuel Wusseluis por la Corte de Holanda. January 4, 1735. AGI, Santo Domingo, 785.

<sup>124</sup> Vivas Pineda, “La Compañía Guipuzcoana de Caracas,” 314; Campbell, “The Spanish Empire in America,” 288.

<sup>125</sup> Memorial of the merchants interested in and trading to H.M.’s Plantations and Colonies in America to the Duke of Newcastle. February 9, 1738. BNA, CO, 5/5, f. 153B.

<sup>126</sup> Alan L. Karras, *Smuggling: Contraband and Corruption in World History* (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 2010), 7.

bore arms and retaliated for Spanish cruelties visited upon their colleagues. Around Venezuela, the British and French did not have the resources or interests in the region to pursue regular reprisals. Of course, Spanish meddling with British shipping did precipitate a large British response in the 1730s culminating with the War of Jenkins' Ear (1739-1748).<sup>127</sup> Nonetheless, it appears that Dutch smugglers committed most freelance acts of revenge in Venezuela.

Dutch violence frequently took the form of forced trade. By this practice, Dutch smugglers used their naval muscle to coerce Spanish subjects into exchange. In 1737, Venezuelan Governor Gabriel de Zuloaga described an incident of forced trade like this: “They [the Dutch] took the cacao violently after they made the cacao producers from whom they stole sign a bill of sale under duress. They also left European products on the beach corresponding to the value of the cacao taken.”<sup>128</sup>

Divining the intentions of both foreign and Spanish subjects in such transactions is difficult. A smuggling party that could take cacao producers captive could steal their cacao as easily as it could pay for it. Why go through the hassle of making the transaction and writing out a receipt?<sup>129</sup> One Spanish royal attorney (*fiscal*) looked

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<sup>127</sup> Sicilian Abbots to Waldegrave. May 26, 1738. BNA, State Papers, 78/218, f. 148-149; Eliga H. Gould, “Entangled Histories, Entangled Worlds: The English-Speaking Atlantic as a Spanish Periphery” *American Historical Review* 112:3, (June, 2007): 777; Earl J. Sanders, “Counter-contraband in Spanish America: Handicaps of the Governors in the Indies” *The Americas* 34 (1977): 79.

<sup>128</sup> Gobernador Don Gabriel de Zuloaga to the King. Caracas. November 14, 1737. AGI, Santo Domingo, 785.

<sup>129</sup> I am grateful to Michael Kwass for sharing with me with an advanced draft of a chapter he has written on the continental French smuggler Louis Mandrin. Mandrin used similarly aggressive tactics of forced trade in mid-eighteenth century France to force the French royal tobacco monopoly to buy *his* contraband leaf. The presence of this practice across the ocean and in a different imperial group suggests that it was a ritualized practice common to eighteenth-century European extralegal commerce. Michael Kwass, email message from the author, March 7, 2012.

suspiciously upon a similar description, explaining that, “the owners of the cacao attempt to buy the illicitly-introduced effects under the pretext that they cannot be held responsible because of Dutch coercion.”<sup>130</sup> Dutch officials also recognized the subterfuge and wrote to their Spanish counterparts that “to avoid the established penalties against prohibited commerce,” Spanish subjects “pretend that they have been compelled [into trade] with violence, when at the same time it is they who have invited and persuaded other nations to do it.”<sup>131</sup>

Spanish American traders certainly used the specter of forced commerce to justify their transactions at times and probably had Dutch participation in this ruse. A record of nine separate cases of coerced trade from 1763 lists the value of products left by the Dutch for each occasion. Amounts ranged from 300 to 5008 pesos; sums far too large for “captives” to have received in coercive situations. That this awkward arrangement of trade occurred nine times in one year on the Venezuelan central coast also casts doubt on the credibility of victims’ accounts.<sup>132</sup>

Notwithstanding this skepticism, Venezuelans sometimes told the truth when they asserted that coerced commerce masked the theft of their possessions. Foreigners had good reason to give off the appearance of trade rather than to steal unabashedly. Leaving goods and receipts, even in instances where their actions approached outright robbery, kept the Dutch from receiving the death penalty for piracy. In 1753, one Dutch smuggling expedition of three ships sent twenty-five armed men of color inland to find a

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<sup>130</sup> El Fiscal al Consejo de Indias. July 29, 1732. AGI, Santo Domingo, 781.

<sup>131</sup> Extracto del Registro de la Resoluciones de sus Alti Potencias los Senores Estados Generales de las Provincias unidas. October 14, 1739. AGI, Santo Domingo 785.

<sup>132</sup> Ynforme del Gobernador de Caracas. Madrid. November 14, 1763. AGI, Caracas, 438.

cacao hacienda. Once there, they tied up the overseer of the farm, took thirty-five fanegas of cacao (roughly 3,850 pounds), and left a token sum of goods.<sup>133</sup> The size of this force, their aggressive binding of the overseer, and the small amount of wares they discarded signal the unlikelihood of collusion between the trading parties.

In addition to forced trade, Dutch aggression took the form of raids against royal and Caracas Company patrols. Spanish enforcement of anti-contraband regulations had created friction since the Dutch took possession of Curaçao in the mid-seventeenth century. In 1689, a Dutch merchant ship opened fire on coastguard troops near Coro in western Venezuela. The men ferried José Anieta, a former governor accused of illicit commerce with foreigners, to Caracas to stand trial. Raiders from the Dutch vessel quickly overwhelmed the Spanish patrol and took Anieta aboard their ship bound for Curaçao. Perhaps they sprung the fallen official from custody because he planned to identify their networks. Possibly they attacked in defense of a commercial ally. Despite this foreign assistance, Spanish officials eventually recaptured Anieta and forced him to pay a 20,000 peso fine.<sup>134</sup>

The early years of the Caracas Company witnessed a surge in contraband arrests and an accompanying uptick in Dutch violence on the Venezuelan coast. Dutch merchants armed themselves as never before and sometimes outgunned their Company foes.<sup>135</sup> In the 1730s, a series of dispatches spoke of bloody raids on Company ships and storehouses in retaliation for Company interference with Dutch trade. Both Spanish and

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<sup>133</sup> Expediente sobre los insultos de los Olandeses e Yngleses de Curazao: años 1753 a 1756. Consejo de Indias. Madrid. May 3, 1755. AGI, Santo Domingo, 792.

<sup>134</sup> Declaración del Theniente Quiroz. Ocumare. April 4, 1689. AGI, Santo Domingo, 217.

<sup>135</sup> Araúz Monfante, *El contraband holandés en el Caribe*, 143.

British accounts discussed a 1737 fleet of Dutch privateers manned by over one hundred sailors that picked fights with Caracas Company ships and looted cacao from Company warehouses. According to the British governor of St. Christopher, the privateers succeeded in killing an infamous Spanish coastguard official known for his viciousness to foreigners.<sup>136</sup>

A year later, another raiding party seized a Company ship transporting Brazilwood (a common dyestuff) to Santo Domingo. The aggressors settled scores with the Company by freeing two imprisoned contrabandists, burning the ship's registers, torturing the ship's captain until he disclosed the whereabouts of treasure aboard the vessel, and executing two Spanish crewmembers with pistols. The Dutch captain's motivation probably came from family relations to the Curaçaoan merchant community, of which his brother was a well-known member.<sup>137</sup>

Such wanton bloodshed soured relations between Caribbean representatives of the two empires and ensured that contraband trade would continue to exist in a quasi-warzone. Dutch calls for reparations in return for improperly-seized ships went unheeded. One Spanish bureaucrat wrote that "so many deaths, drownings, and home invasions on the coasts of Caracas, Cumaná and his majesty's other possessions" in the 1730s made restitution unlikely.<sup>138</sup> The Dutch ambassador to the Spanish court, in turn, denied these accusations. He complained that the Spanish had captured at least five

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<sup>136</sup> Gob. Don Gabriel de Zuloaga to the King. Caracas. November 14, 1737. AGI, Santo Domingo, 785; Governor William Mathew to Council of Trade and Plantations. St. Christophers. June 14, 1737. BNA, CO 152/23.

<sup>137</sup> Carta del Marques de San Gil. Traducido de la francesa por Miguel Joseph de Asiz. February 17, 1738. AGI, Santo Domingo, 785.

<sup>138</sup> Carta del Marques de San Gil, February 20, 1738. AGI, Santo Domingo, 785.

Dutch vessels illegally in the past year, and noted that the Treaty of Utrecht (1713) forbid harassment of Dutch shipping “on the open sea.”<sup>139</sup>

Provoked and emboldened by increasingly strict Spanish coastal policing, Dutch smugglers, and to a lesser extent their foreign contemporaries, accepted violence as part of their trade. If the Caracas Company’s early patrols represented a shock to the status quo of lax enforcement, the raiding of the 1730s was the contrabandists’ response. An unregulated, intermittent, and seemingly unending series of violent engagements punctuated accounts of smuggling in Venezuela throughout the eighteenth century. Of course, many illicit merchants used stealth or a well-placed bribe to pass through Spanish territories unmolested. Yet, contrabandists understood that in the event of confrontation, force, more than treaties, was the ultimate arbiter of their fate.

## **Conclusion**

Contrabandists ran afoul with Spanish commercial law and its enforcers as much because of what these smugglers represented as their toll on the imperial treasury. The Spanish state feared that smugglers’ mobility and economic autonomy inspired insubordination in its subjects. Illicit merchants signified the spread of goods, information, and relationships that the state could not control.<sup>140</sup> Furthermore, their lifestyles evinced a weak allegiance to their home nations and a greater preference for maritime transnationalism. This ethos evoked a long and painful history of piracy and

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<sup>139</sup> Van der Meer to the Marques de la Quadra. Madrid. December, 18, 1738. AGI, Santo Domingo, 785.

<sup>140</sup> Banks, *Chasing Empire across the Sea*, 176.

raiding in Spanish dominions.<sup>141</sup> Metropolitan imperial governors perceived smugglers not just as thieves of revenue, but as a moral contagion.<sup>142</sup> Therefore they targeted contrabandists for arrest and severe punishment.

Although these quasi-stateless actors sometimes collided with the state's enforcement mechanisms, on the whole they were essential agents of global trade, especially in neglected colonies. Allison Games contends that European empires in the Age of Sail, were “not driven and shaped solely by events and actions from a single center” but rather were “built on the ground, in the peripheries, in colonies and trading posts, on islands and in port towns, on board ship and within fortifications.”<sup>143</sup> In Venezuela, smugglers aided the commercial development of the province, albeit in a manner that went against the wishes of peninsular Spanish authorities. Foreign smugglers became vital for the importation of European products and the exportation of Venezuelan produce. Their role as willing traders in a passed-over region, along with the early eighteenth-century boom in cacao, revived the Venezuelan economy.<sup>144</sup>

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<sup>141</sup> Here I am paraphrasing Daviken Studnicki-Gizbert's explanation for Portuguese royal opposition to international networks of crypto-Jewish traders. Studnicki-Gizbert writes that, “what propelled the opposition movement was the sense that the Portuguese mercantile nation represented, in act and in expression, the antithesis of the ‘true’ commonwealth, one based on fixity (rather than mobility), political and economic boundedness (rather than transnationalism), the subordination of commerce to royal prerogative (rather than economic naturalism), religious purity (rather than hybridity and heterodoxy), and undivided loyalty (rather than cosmopolitanism).” Studnicki-Gizbert, *A Nation upon the Ocean Sea*, 13.

<sup>142</sup> Abraham and Van Schendel, “Introduction: The Making of Illicitness,” 9.

<sup>143</sup> Allison Games, *The Web of Empire: English Cosmopolitans in the Age of Expansion, 1560-1660* (Oxford: Oxford University Press, 2008), 11.

<sup>144</sup> Murdo MacLeod similarly identifies how smuggling resuscitated the economies of Central America, another peripheral region in the Spanish empire, toward the end of the seventeenth century. Murdo J. MacLeod, *Spanish Central America: A Socioeconomic History, 1520-1720* (Austin: University of Texas Press, 2008 [1973]), lvii, 385.

More than simply improving the prospects of commerce in Venezuela, smugglers catalyzed free trade and merchant experimentation throughout the Americas. Particularly in peripheral locales, lax imperial control and directives, local autonomy, and material scarcity combined to produce remarkably unfettered trading patterns.<sup>145</sup> As independent participants in the New World marketplace, smugglers cared little for imperially-bound modes of trade and employed a range of commercial strategies in the struggle to provide for themselves.<sup>146</sup> With the aid of willing Spanish American trading partners, foreign contrabandists' business developed from a niche market to the predominant means by which many coastal subjects procuring their daily wares. This exchange rendered closed, mercantile systems of exchange obsolete.

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<sup>145</sup> Amy Turner Bushnell contends that these conditions in Spanish American periphery encouraged low intensity warfare throughout the seventeenth and eighteenth centuries, but also “offered cover to smuggling, profiteering, and bold experiments in self-government.” Amy Turner Bushnell, “Gates, Patterns, and Peripheries: The Field of Frontier Latin America” in *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1820*. ed. Christine Daniels and Michael V. Kennedy (New York: Routledge, 2002), 23; Gabriel Paquette concludes that from a Spanish administrative point of view, experimentation and reform of the legal commercial sector was easier in the periphery than in places with deeply entrenched colonial interests like New Spain and Peru. Following this logic, modifications and experimentation to illicit patterns of trade would be easier in the periphery as well. Gabriel B. Paquette, *Enlightenment, Governance, and Reform in Spain and its Empire, 1759-1808* (New York: Palgrave Macmillan, 2008), 94.

<sup>146</sup> In her work on colonial New Orleans, Shannon Dawdy has argued that colonialism was, in many cases, a fundamentally experimental process carried out by independent agents seeking to develop successful survival strategies. Dawdy, *Building the Devil's Empire*, 5-20.

### **III. Accomplices on the Shore: Venezuelan Merchants and the Proliferation of Illicit Trade**

Although Dutch, British, and French smugglers were ingenious and resourceful, their livelihoods depended on the patronage of Spanish colonists. Traders from Spanish America responded to market inefficiencies or outright breakdowns in the imperial commercial system with independent commercial solutions. By trafficking with foreigners on their own shores and in non-Spanish colonies, they cut out layers of middlemen. Discussing the Mexican and Peruvian perspective on imperial commerce in the early eighteenth century, historian of Spain Geoffrey Walker observes that,

obviously the colonial merchant came to resent the Peninsular merchant. Of course he welcomed the smuggler. Naturally he sought as much freedom as possible from commercial domination by compatriots who lived in the mother country, and who, despite their economic impotence, thought they had the right to dictate the terms of trade.<sup>1</sup>

Walker's statement aptly expresses the frustrations and worldview of Spanish American subjects who turned to extralegal foreign trade in the Americas. Nevertheless, the lives of domestic merchants who depended on smuggling were more complicated than this peninsular-creole divide reveals.

Spanish commercial law placed those who "welcomed the smuggler" in a truly difficult position. Aside from the nationality of their trading partners, the commercial practices of Spanish American smugglers were similar to those of their counterparts who trafficked in legal wares. They studied market conditions and bought and sold the goods

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<sup>1</sup> Geoffrey J. Walker, *Spanish Politics and Imperial Trade, 1700-1789* (Bloomington: Indiana University Press, 1979), 14.

they needed at the best prices they could negotiate. Though they concealed their transactions, historians would nonetheless call them merchants. Yet in their correspondence, Spanish royal officials described their subjects who practiced unlicensed trading with outsiders as traitors and even rebels. One prize court justice in 1718 wrote to his superiors that Venezuela was “a land of uprisings...because every subject is friends with the Dutch and between the two groups there are a thousand entanglements (*enredos*).”<sup>2</sup> Unlike their foreign contacts, who could sail from anchorage to anchorage conducting what Spanish authorities deemed illicit business and then return home, Spanish American contrabandists had to complete most of their transactions in the same legal jurisdictions where they lived.

Internal contradictions attached to illegal exchange only added to the domestic smuggler’s legal stigma. Particularly in Venezuela, the decrepit and monopolistic state of commerce compelled merchants to trade illegally. These individuals either lacked legal trading partners or ended up at a heavy disadvantage because of the terms of licit exchange. By contrast, the ubiquity and utility of smuggling in the neglected colony did nothing to decriminalize the practice in the minds of imperial bureaucrats. Non-Spanish traders stood at the ready to sell their merchandise. Almost anyone, from habitual wholesalers to petty peddlers, could do business with the foreigners off the coast. Yet, royal authorities branded all those who engaged in commerce with non-nationals as

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<sup>2</sup> Salvador Pérez Guzmán to Governor y Capitán General Diego de Matos. Archivo General de la Nación (hereafter AGNV), Caracas, Venezuela, Sección Diversos, Tomo VII, folio 344 cited in Vincente Amezaga Aresti, *Hombres de la Compañía Guipuzcoana* (Caracas: Banco Central de Venezuela, 1963), 11.

“contrabandists” (*contrabandistas*). The term thus lost its ability to denote any specific sort of illegal trader.

With these incongruities of legality and identity in mind, several questions help to elucidate the experiences of Venezuelan black-market merchants. What drove people to smuggle professionally? Who were these accomplices in prohibited foreign trade? And finally, what people and methods facilitated their work?

To address these historical problems, this chapter first examines the complexities of the Venezuelan external commerce that made Spanish official trade unreliable, cumbersome, and unprofitable for most of the province’s merchants. After establishing the primacy of illicit exchange in the Venezuelan economy, it then differentiates the various groups involved in unlicensed business with foreigners. Parsing the socioeconomic diversity of covert traders helps to explain their relationships with authorities and their degree of success in criminal activities. In its final section, this chapter uncovers the methods and personal affiliations of Venezuelan contrabandists in order to explicate how smuggling transcended the narrow commercial sphere and came to infiltrate numerous sectors of civil society in the province.

The historiography of Venezuelan merchants has not sufficiently addressed their participation in illegal trade. Scholarly works on the colony tend to focus on commercial actors only as they factored into resistance and loyalty to Spanish rule in the years immediately preceding the nineteenth century independence wars.<sup>3</sup> Coverage for the

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<sup>3</sup> See for example, Mercedes M. Álvarez F., *Comercio y comerciantes y sus proyecciones en la independencia venezolana*. (Caracas: Tip. Vargas, 1964); P. Michael McKinley, *Pre-Revolutionary Caracas: Politics, Economy, and Society, 1777-1811* (Cambridge: Cambridge University Press, 1985).

earlier eighteenth century emphasizes merchant political activity, portraying them as a unified bloc opposed to the Caracas Company. While these histories admit that unlicensed trade played a big part in the Venezuelan economy, they gloss over the details of domestic merchant participation in these exchanges, only offering an occasional anecdote.<sup>4</sup> Such omissions are particularly surprising given that, according to one study, Spanish American subjects made up the largest percentage by nationality (forty-six percent) of personnel aboard contraband ships seized by the Caracas Company.<sup>5</sup>

The study of illicit merchants also has suffered from the lack of an appropriate methodology. With a few notable exceptions, historians have been content to analyze *licit* commercial agents either through singular biographies or quantitative examinations of their goods.<sup>6</sup> These strategies cannot properly analyze contrabandists because smuggling rarely generated sufficient data to profile individual operatives. Furthermore, historians will never know the full extent of their cargos as so many illicit merchants escaped detection. A prosopography, built from many separate cases of fleeting

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<sup>4</sup> Roland Dennis Hussey, *The Caracas Company, 1728-1784: A Study in the History of Spanish Monopolistic Trade* (New York: Arno Press, 1977 [1934]), 122-149; Francisco Morales Padrón, “La Real Compañía Guipuzcoana de Caracas y la sociedad venezolana.” in *Los Vascos y America: El Comercio vasco en el siglo XVIII-La Real Compañía Guipuzcoana de Caracas*, ed. Ronald Escobedo Mansilla, Ana María Rivera Medina, and Alvaro Chapa Imaz (Bilbao: Fundación Banco de Viscaya, 1989), 217; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 33-34, 43.

<sup>5</sup> Ramón Aizpurua, *Curacao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993), 221. Aizpurua’s work is one of the few produced by Venezuelan historians that pays close attention to domestic smugglers.

<sup>6</sup> David Hancock discusses this historiographical trend in David Hancock, *Citizens of the World: London Merchants and the Integration of the British Atlantic Community, 1735-1785* (Cambridge: Cambridge University Press, 1995), 4-6. His work gets passed this duality. Other examples of collective biographies of merchant groups in the early modern world are Susan Migden Socolow, *The Merchants of Buenos Aires, 1778-1810: Family and Commerce* (Cambridge: Cambridge University Press, 1978); and Xabier Lamikiz, *Trade and Trust in the Eighteenth-Century Atlantic World: Spanish Merchants and their Overseas Networks* (London: Royal Historical Society, 2010).

commercial actors, is again necessary. This methodology, combined with inquiry into the major shifts in Venezuelan commercial policy, proves the best way to get at the day-to-day lives of domestic illicit traders.

A collective survey of criminal proceedings against domestic contrabandists in Venezuela demonstrates that they entered into commerce with foreigners for a variety of reasons in addition to simple profit motive. The backgrounds of smugglers were as diverse as the incentives that propelled them into the trade. This chapter mainly focuses on small-time Venezuelan traders. Their lack of money and clout not only prevented them from evading arrest and prosecution, but also inserted them more frequently into prize court documents.

Most smugglers existed not as full-time criminals marginalized from society, but rather as members of coastal communities. Their influence spread over many sectors of society including the bureaucracy, the Church, kinship groups, and, of course, criminal cliques. Strengthened by these networks, domestic smugglers often engaged in both legal and illegal commercial activities. Illicit business provided monetary gain and material sustenance. Covert commerce also drove Venezuelan merchants, albeit to a lesser extent than their foreign counterparts, into a world of violence and punitive legal action.

Venezuelan smugglers, along with foreign contrabandists and corrupt officials, formed the indispensable parts of a trade that held together the local economy, kept merchants in business, and drove the province toward commercial autonomy. Contraband commerce stocked Venezuelan cupboards. More importantly, contraband trade was not just economic, but also political. It contributed to local self-identity. As

Christian Koot has demonstrated for the British Atlantic colonies, clandestine foreign trade gave domestic smugglers a “growing belief that local interests diverged from imperial concerns and that they, as locals, best understood the commercial needs and opportunities of their colonies.”<sup>7</sup>

Spanish officials could temper this sentiment through enforcement of the law. Indeed, they made life challenging and criminally-tinged for those ranks of professional merchants, peddlers, and private citizens involved in covert foreign trade. However, imperial bureaucrats realized that by killing illegal trade, they would be crippling the economic activity of the society that had hosted it for generations. All but the most naïve officials realized that it was necessary for colonial provisioning and revenue. Therefore, royal authorities negotiated smuggling’s place within imperial rule and settled for prosecuting its most flagrant or most humble domestic practitioners. The stories and circumstances of these unlucky individuals illuminate complex conflicts over everyday patterns of trade in eighteenth-century Spanish America.

### **The Economic and Political Rationale for Smuggling**

Venezuelan merchants chose to join the potentially dangerous business of smuggling for reasons that were sometimes self-evident and sometimes complicated. Basic necessity and convenience mingled with intricate structural shifts in economic practice and geopolitics to compel traders into below-boards exchange. Contact with the

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<sup>7</sup> Christian J. Koot, *Empire at the Periphery: British Colonists, Anglo-Dutch Trade, and the Development of the British Atlantic, 1621-1713* (New York: New York University Press, 2011), 14.

Dutch, English, and French represented more a practical solution to commercial deprivation and inefficiency than inherent criminality or rebelliousness.

At their core, Venezuelans' forays into illicit trade reflected their aspirations for greater profits and more equitable terms of exchange. Local merchants willing to risk criminal prosecution reaped economic rewards from the competitive prices of unlicensed foreign trade. The taxes involved with trading legally could be onerous. Fees were contingent on the goods traded, where a merchant entered port, and varied over time. Merchants from Spain customarily passed these costs onto Venezuelan merchant and consumer.

The result was that a long list of potential duties awaited traders entering Spanish American ports. They all paid the *almojarifazgo*, a large tax required for the privilege of conducting business between multiple Spanish kingdoms. A three-percent tax on merchandise called the *corso* (previously the *armada y armadillo*) financed the coastguard forces, while a one-percent fee (the *avería*) funded the merchant guild (*consulado*). Additional levies included an entry and exit port tax (the *alcabala del mar*), a state tax paid on land (the *alcabala del mar*) and a tax to fund the fleet (*almirantazgo*). Late in the eighteenth century, the Crown also charged merchants a fee to pay for the extraordinarily long period of war with the British (the *subvención de guerra*).<sup>8</sup>

The Venezuelan merchant who paid his transatlantic counterpart such additional costs could not hope to sell his goods at a competitive price. One intendant noted in 1791

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<sup>8</sup> Manuel Lucena Samoral, *Vísperas de la independencia americana: Caracas* (Madrid: Editorial Alhambra, S.A., 1986), 313-324.

that despite passing “by way of overgrown roads and mountain passes inaccessible on horseback,” smugglers avoided “royal duties that are paid...for the exporting to America and importing into this province.” This commercial detour, “leaves the contrabandist a profit that allows him to sell his goods cheaper than those [legally] brought here [Caracas] and to La Guaira.”<sup>9</sup> Though it is difficult to ascertain the exact prices of smuggled goods, the Dutch probably sold clothes an average of twenty percent cheaper than the Caracas Company.<sup>10</sup> Given that the Company had a legal monopoly on cacao going to Spain, and therefore could afford to offer the best prices on legitimately-traded items, Venezuelan merchants without such advantages probably had to charge even higher costs than these inflated sums for their wares. Illicit commerce eliminated such overhead benefitting beleaguered traders.

Covert exchange also helped merchants sell Venezuelan exports effectively. Dutch traders offered better prices for cacao than Caracas Company officials. Given the Company’s unchallenged position in the legal cacao market, its agents depressed prices of the commodity to truly abysmal sums. In the period before the Company’s inception, producers and merchants received around twenty-two pesos per fanega of cacao (a fanega totaling about 110 pounds). During the first twenty years after the Company’s establishment, cacao plummeted to an average of eight pesos per fanega with extreme

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<sup>9</sup> El Intendente General. Joachim Cubells Da en globo una idea General del estado en que se hallan aquellas Provincias, la Real Hacienda, Agricultura, y Comercio. Caracas. February 23, 1791. Archivo General de Indias (hereafter AGI), Seville, Spain, Audiencia de Caracas, Legajo 809.

<sup>10</sup> Aizpurua, *Curacao y la costa de Caracas*, 105.

lows of four to five pesos per fanega.<sup>11</sup> Unless a Venezuelan merchant enjoyed a privileged position in the Company's good graces, he depended on foreign intervention to help him profitably liquidate cacao.

Another obvious but powerful motivation for reaching out to willing foreign purveyors was the colony's scarcity of basic goods and as well as luxuries. Such dearth was especially acute in locations separated by long distances from the trading cores of Mexico and Peru. By the early eighteenth century, Spain's stagnant system of commerce routinely failed to provide either staples or European finery. Although the material conditions and culture of Venezuelan coastal communities will be investigated more fully in chapter five, for now some basic traits of the Venezuelan market deserve mention.

Despite its sixteenth-century origins as a secure bulwark against foreign predations, the Spanish transatlantic trade system had become entirely inadequate for meeting the needs of maturing New World colonies and their merchants. Before the eighteenth century, the annual fleet system (broken up into the *flota* to serve New Spain and the *galeones* for South America) had represented virtually the only legal means of entry for Old World goods into the Spanish Indies. Spanish imperial authorities regarded the provisioning of the New World as a secondary concern to the *flota*'s primary mission of ensuring the safe transfer of Mexican and Peruvian silver to Europe. In addition to neglecting the fleet's role in exporting European merchandise, Seville and Cádiz

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<sup>11</sup> Junta. Caracas. April 22, 1749. AGI, Caracas, 937; Don Julian de Arriaga y Rivera, Governor of Venezuela to Don Juan Manuel de Goyzueta & Don Mathiais Urroz, factores of the Compañía Guipuzcoana. Caracas. March 29, 1750. AGI, Caracas, 418; Robert J. Ferry, *The Colonial Elite of Early Caracas: Formation & Crisis, 1567-1767* (Berkeley: University of California Press, 1989), 138; Enrique Bernardo Nuñez, *Miranda o el tema de la libertad; Juan Francisco de León o el levantamiento contra la Compañía Guipuzcoana* (Caracas: Biblioteca de Autores y Temas Mirandinos, 1979 [1950]), 66.

merchants sought to fleece Spanish American buyers by intentionally under-stocking vessels bound for the Indies and delaying their departure. This tactic drove up prices for goods and helped to extract more bullion from the colonies.<sup>12</sup>

While Spanish reformers in the early eighteenth century realized that foreign interlopers had come to exploit the commercial voids left by this inflexible system, entrenched merchant guild (*consulado*) interests prevented substantial changes. The tremendous costs of operating the fleets eventually led in 1739 to the creation of licenses for individual, unaccompanied register ships from Spain. These vessels replaced the *galeones* trade to South America in 1740 and intermixed with the Mexican flota until 1789 when the latter was finally abolished. During the first half of the eighteenth century, frequent suspensions of the fleet due to warfare and the oversaturation of New World ports with contraband goods meant that the convoys produced more uncertainty than stability in colonial marketplaces.<sup>13</sup>

The distribution of wares that did occur benefitted New Spain and Peru far more than colonies removed from these imperial centers. Products from the fleets reached such peripheries infrequently and at great cost. The complete breakdown of the Portobello Fairs serves as an important signifier of the scarcity of legal trade in places like Venezuela. Ideally, this annual trade fair was supposed to stock Peru and all of northern

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<sup>12</sup> Walker, *Spanish Politics and Imperial Trade*, 13.

<sup>13</sup> Stanley J. Stein and Barbara H. Stein, *Silver, Trade, and War: Spain and America in the Making of Early Modern Europe* (Baltimore: The Johns Hopkins University Press, 2000), 180-199; In 1734, a royal dispatch declared that the Portobello fair would have to be closed again for the following year due to a complete glut of foreign products in the Americas. Real Despacho. San IlDefenso. August 20, 1734. AGI, Caracas, 23.

South America with its cargo of goods from Europe. Between 1696 and 1720 only one Portobello fair took place.<sup>14</sup>

In Venezuela, the paucity of legitimate maritime exchange, aside from that of the exploitative Caracas Company (1728-1784), encouraged subjects' descent into smuggling. In a 1779 petition to the king, the Caracas city council argued that the first half of the eighteenth century had witnessed an explosion in contraband trade "born out of shortages and the poor arrangement of licit commerce." The council tied "the origin and crooked course of how cacao and other exports became illicit" to the Caracas Company's monopoly. The majority of the province's trade with the outside world "continues to be maintained by one hand alone" resulting in "rising prices for their merchandise and falling ones for our exports."<sup>15</sup> Lacking other legitimate options, a Venezuelan merchant, in the council's opinion, had to choose between poverty and criminality.

Throughout the eighteenth century, wartime privations further exacerbated problems in legitimate modes of trade and heightened contraband's appeal for Venezuelan merchants. As the colony lacked ready naval forces or strong fortifications to protect against foreign warships, its inhabitants endured blockades and ship seizures during a slew of conflicts. Bellicose geopolitics stalled already listless Spanish trade to Venezuela during the War of Spanish Succession (1701-1714), the War of Jenkins' Ear

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<sup>14</sup> Walker, *Spanish Politics and Imperial Trade*, 137.

<sup>15</sup> El cabildo de la ciudad de Caracas hace presente al Rey la decadencia y portación de la agricultura, la ventajosa posición geográfica de la provincial y las ventajas que se derivarían de la libertad de comercio que solicita. Caracas. May 14, 1779 in Enrique Bernardo Núñez, *Cacao* (Caracas: Banco Central de Venezuela, 1972), 264.

(1739-1748), the Seven Years' War (1756-1763), the American Revolutionary War (1776-1783) and the conflicts of the French Revolution and Napoleonic Wars (1789-1815).

Such wars crippled licit merchant activity and import consumption in the province, but also opened the door to contraband. At the start of the War of Spanish Succession in 1701, Francisco Gil Arratia, the solicitor general (*procurador general*) of Caracas, presented the governor with a dispatch detailing the complete lack of simple goods in Venezuela such as wine and cooking oil. The severing of Spanish commerce, combined with poor agricultural yields in the province that year pushed Venezuela into famine.<sup>16</sup> Though Caracas Company forces and coastal militias helped to ward off a 1743 English invasion during the War of Jenkins' Ear, they could not break the blockades and end the misery of Venezuelan consumers. One Spanish official approved Caracas Company plans to land goods in Santa Marta and Cartagena, Colombia in 1743 because entering Venezuelan ports remained too dangerous.<sup>17</sup>

Wartime legal commerce further deteriorated in the second half of the eighteenth century, leading merchants to question Spanish imperial sovereignty in the Atlantic. By 1779, superior British sea power began to harass Spanish merchant shipping almost continuously as a series of conflicts blended into one another.<sup>18</sup> The Napoleonic Wars showcased a commercial system in utter disarray. The Intendant of Caracas in 1791 described Caraqueños driven to smuggling with the inhabitants of Cumaná due to a

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<sup>16</sup> Eduardo Arcila Farias, *Economía colonial de Venezuela* (Mexico City: Fondo de Cultura Económica, 1946), 157-159.

<sup>17</sup> Marques de Casas al Juez de Arribadas de San Sebastian. May 10, 1743. AGI, Caracas, 927.

<sup>18</sup> Miguel Izard, "Contrabandistas, comerciantes e ilustrados," *Boletín americanista* 28 (1978): 79.

complete lack of underwear (*lencería*) in the capital.<sup>19</sup> Contraband trade spiked in the 1790s because Spanish American merchants lost confidence in the Crown's ability to protect their interests from foreign navies and to govern commerce in a consistent manner.<sup>20</sup> Merchant behavior during the Napoleonic Wars reveals an historical constant of the war-torn eighteenth century: smuggling increased during times of conflict-induced scarcity.

Whether at war or at peace, a host of political factors also prompted merchants to engage in illicit commerce. Bureaucratic missteps in regulating the Mexico trade encapsulated how imperial politics quashed legitimate trade opportunities in the province. Almost from the beginning of cacao production in Venezuela, the colony had relied upon licensed trade with New Spain. It was perhaps the most important means of legal commerce for the Venezuelan cacao merchant. Mexico provided a crucial market for Venezuelan cacao and an important source of currency (Mexican silver) in return. Moreover, unlike the transatlantic voyage to Spain, the Mexican route required fewer transportation costs meaning that a larger and more diverse group of merchants could participate. From 1674 until the second half of the eighteenth century, Venezuelan merchants and producers enjoyed a monopoly on cacao imports into New Spain.<sup>21</sup> Shipments to Mexico comprised a large amount of the early eighteenth-century cacao

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<sup>19</sup> El Intendente General. Joachim Cubells Da en globo una idea General del estado en que se hallan aquellas Provincias, la Real Hacienda, Agricultura, y Comercio. Caracas. February 23, 1791. AGI, Caracas, 809.

<sup>20</sup> Jeremy Adelman, "Commerce and Corruption in the Late Spanish and Portuguese Empires," in *Corrupt Histories*, ed. Emmanuel Kreike and William Chester Jordan (Rochester: University of Rochester Press, 2004), 438-448; Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton: Princeton University Press, 2006), 5-10, 135-146.

<sup>21</sup> Arcila Farias, *Economía colonial de Venezuela*, 92-96, 211.

trade. In 1728, for example, out of fifty thousand fanegas of legally-traded cacao, twenty thousand remained in the New World for Mexican or internal consumption.<sup>22</sup>

Overregulation, oligarchic meddling, and economic competition from inside the empire chipped away at this pillar of Venezuelan commerce. In 1722, the Marques de Torrecasa, a wealthy nobleman in Caracas, attempted to monopolize the cacao trade with New Spain by limiting the use of his ships for transport to favored individuals. Though the Council of the Indies quickly intervened to break Torrecasa's stranglehold on the Mexico trade, they did little when the Caracas Company sought to expand beyond its initial charter and into the Mexican market in the late 1730s.<sup>23</sup> In 1741, the Company used the rationales of low cacao prices combined with the relative security of its ships during war time to obtain permission to trade in New Spain.<sup>24</sup>

Venezuelan merchants not closely linked to the Company viewed this development with consternation. They believed the Company would come to dominate the market and depress the prices of cacao exported to Mexico just as they had done for supplies of the commodity headed to Spain. Following the Juan Francisco de León rebellion (1749-1751), which demonstrated the Company's overreach in the colony, imperial authorities in 1753 forbade their presence in the Mexican market. However, the Crown also placed strict regulations on the trade including the formation of price lists for enumerated goods that could be bought with cacao.<sup>25</sup>

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<sup>22</sup> Joseph Pérez, *Los movimientos precursores de la emancipación en Hispanoamérica* (Madrid: Editorial Alhambra, 1977), 35.

<sup>23</sup> Pérez, *Los movimientos precursores*, 35; Ferry, *The colonial elite of Caracas*, 5-6.

<sup>24</sup> Real Cédula, El Pardo. January 21, 1741. AGI, Caracas, 926.

<sup>25</sup> Arcila Farias, *Economía colonial de Venezuela*, 441.

Venezuelan cacao merchants and producers not only coped with bureaucratic indifference regarding monopolization of the Mexican chocolate trade, but also endured the Crown's listless response to forbidden competition from Ecuador. Guayaquil was a fertile site for cacao production and a convenient Pacific shipping port to Acapulco, Mexico. Venezuelans resented Ecuadorean intrusion into their supposedly exclusive market. While the king issued a royal order (*real cédula*) in 1724 outlawing the presence of Guayaquil cacao in New Spain, the empire invested few actual resources toward staunching the illicit flow of chocolate from Ecuador. Frequent dispatches from merchants and governors complained that Guayaquil cacao had glutted the Mexican market and dramatically reduced legal cacao prices.<sup>26</sup> Ironically, Venezuelan traders became the victims, rather than the beneficiaries, of smuggling. The gradual decline of the Mexican cacao trade as a viable means of above-board commerce provided yet another impetus to sell Venezuelan produce to foreign markets.

When imperial bureaucrats did institute major, top-down measures to discourage contraband trade and provide legal commercial alternatives, such initiatives had a negligible impact on Venezuelan merchant behavior. Bourbon imperial reforms to the decrepit Spanish transatlantic commercial system were often counterproductive or a step too late for Venezuela's economic development. The early eighteenth century saw much

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<sup>26</sup> Real Cedula que prohíbe comercio de cacao de Guayaquil con Nueva España. Madrid. June 27, 1724 in Nuñez, *Cacao*, 132; Sobre el bajo precio que tiene el cacao de esta provincial en Nueva España por la competencia que le hace el de Martinica y Guayaquil. Cabildo del 18 de junio de 1708. Caracas. June 18, 1708 in *Ibid.*, 124; Representación en que se pide al rey la prohibición de introducir cacao de Guayaquil en Veracruz. Cabildo del 23 de febrero de 1767. Caracas. February 23, 1767. in *Ibid.*, 211; Ynforme del Gobernador de Caracas. Madrid. February 29, 1776. AGI, Caracas, 438.

debate on the need for changes in the Spanish commercial system and numerous schemes for reanimating colonial trade, but little action.<sup>27</sup>

This contentious atmosphere permeated a group of proposals and rebuttals between 1705 and 1706 from the Council of Commerce (*Real y General Junta de Comercio*) in Madrid. This key economic institution came into existence near the end of Habsburg rule, and later proved responsible for many of the Bourbon plans to foment new industry and trade.<sup>28</sup> To energize licit trade and smother smuggling, several members of the junta proposed the creation of a general Spanish company of the Indies in the model of the French *Compagnie des Indes occidentales*. Others encouraged the replenishing of the naval infrastructure and combining sailings of traditional trade fleets with individual register ships. The most forward-thinking proposals suggested there be limited free trade between Spanish American ports and a modicum of highly-regulated commerce with foreigners.

Ultimately, the Council of the Indies and the voting body of the Junta de Comercio rejected or delayed nearly all of these suggestions. Spain was in the midst of war and opted instead to maintain the creaky status quo. Although the Junta discussed measures meant to affect all of Spanish America, they only mentioned Venezuela once in passing. The province, in their opinion, was a territory so devoid of resources except for

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<sup>27</sup> Stein and Stein, *Silver, Trade, and War*, 149-151.

<sup>28</sup> William J. Callahan, "A Note on the Real y General Junta de Comercio, 1679-1814," *The Economic History Review*, New Series, 21:3 (Dec., 1968): 519-528.

cacao and so infiltrated by Dutch and English commerce that it required serious reorganization or inevitable abandonment.<sup>29</sup>

Peninsular bureaucrats chose dramatic intervention over desertion. They began an abrupt transformation of the Venezuelan economy in 1728 by establishing the Caracas Company. Nevertheless, the Company was an outside institution that made its money by exploiting and marginalizing most Venezuelan merchants and producers.<sup>30</sup> The Company's first incarnation (between 1728 and 1749) came undone because its directors refused to acknowledge the constraints of the existing commercial situation and instead sought simultaneously to squeeze merchants and rip up smuggling by the roots.<sup>31</sup> The Rebellion of Juan Francisco de León (1749-1751) ended this first period and led the Crown to reinstitute the Company in a much chastened form. The uprising signaled Venezuelan merchants' frustration with productive, but abusive, legal commerce and their defense of smuggling.

Beyond the contentious imposition of the Caracas Company, later Bourbon commercial reforms offered mixed consequences for Venezuelan traders. After 1765, a cascade of free trade (*comercio libre*) decrees attempted to liberalize overseas commerce. Some of these provisions directly affected Venezuela. Metropolitan authorities abolished old duties on certain commercial items, legalized the direct sale of Venezuelan mules to

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<sup>29</sup> Papeles de Don Manuel Garcia de Bustamante y uno de Don Ambrosio Doubenton tocante de la idea de la Compania Universal para Indias, sus reparos y de las otras navetantes propuesta. 1705-1706. AGI, Indiferente General, 2046A. The specific document that refers to Venezuela is Cuenta de Comercio. January 14, 1706.

<sup>30</sup> This study will discuss the friction between Venezuelans and the Caracas Company more fully in chapter seven.

<sup>31</sup> Aizpurua, *Curazao y la costa de Caracas*, 17; Izard, "Contrabandistas, comerciantes e ilustrados," 27.

Spanish Caribbean islands, and permitted locals to purchase a pardon (*composición*) for illicit goods they had bought unknowingly. The *comercio libre* decrees also opened various trade routes by allowing Spanish vessels from a number of peninsular ports, rather than just Cádiz, to visit the province and by sanctioning completely open intra-Venezuelan trade.<sup>32</sup> A subsequent round of 1777 reforms opened up trading with the French Antilles for food in wartime as well as slaves and hard currency during peacetime. The only restriction was that Venezuelans merchants were not to sell cacao for these items.<sup>33</sup>

The substantive parts of the *comercio libre* decrees came to Venezuelan merchants later than any other colony in the Spanish dominions with the exception of New Spain. The free trade decrees guaranteed many Spanish American ports unfettered trade with each other and a host of peninsular ports in 1765. Many more harbors received these rights in 1774, 1776, 1777, and 1778. New Spain and Venezuela did not gain similar status until 1789.<sup>34</sup> Moreover, aside from very limited trading for slaves and supplies in wartime, Spanish-style free trade did nothing to legalize commerce with foreigners, the most willing trading partners of Venezuelan subjects. As Jeremy Adelman points out, the commercial liberalization of the 1760s and 1770s was “designed

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<sup>32</sup> Arcila Farias, *Economía colonial de Venezuela*, 351; Aizpurua, *Curazao y la costa de Caracas*, 183.

<sup>33</sup> McKinley, *Pre-Revolutionary Caracas*, 39; Arcila Farias, *Economía colonial de Venezuela*, 357.

<sup>34</sup> The dates in which various ports and colonies gained *comercio libre* rights to trade freely with other Spanish ports are as follows: Santo Domingo, Puerto Rico, Margarita, Trinidad, Cádiz, Seville, Alicante, Cartagena, Málaga, Barcelona, Santander, Coruña, and Gijón (1765), Louisiana and Campeche (1768) Yucatán (1770) New Granada, Peru (1774), Santa Marta (1776) Rio de la Hacha (1777) Buenos Aires and Chile (1778) New Spain and Venezuela (1789). Arcila Farias, *Economía colonial de Venezuela*, 349-350.

to reconstitute mercantilist empires on more effective patterns, not to abandon the model.”<sup>35</sup>

Other provisions of the eighteenth-century reforms pleased some merchant groups while upsetting others. The formation of the Caracas *Consulado* (merchants’ guild) in 1793 satisfied elite merchants as it rationalized trade and production. However, this organization excluded traders of more humble means, driving them away from legitimate business.<sup>36</sup> More locally, several governors and intendants sought to clean up the physical space of Caracas’s central market (on the *plaza central*). This initiative contented merchants who desired a more orderly space to sell their wares, but irked purveyors who saw their stalls shut down because they sold contraband.<sup>37</sup>

Competitive advantages, simple circumstances, and complex political transformations all attracted Venezuelan merchants to smuggling. In the neglected and embattled colony, legitimate trade consistently proved prohibitively expensive, inconvenient, unavailable, or dangerous. While it could be a risky proposition to enter the criminal world of illicit exchange, the lackluster conditions of legal commerce presented just as much uncertainty, but comparatively smaller opportunities for profit. The operative question when analyzing Venezuelan merchant motivations is not “why did they smuggle?” but rather, “why trade legally at all?”

### **A Plurality of Merchants**

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<sup>35</sup> Adelman, “Commerce and Corruption,” 432.

<sup>36</sup> Lucena Samoral, *Visperas de la independencia*, 208, 366.; Salazar Bravo, *El comercio diario en la Caracas*, 72-74; McKinley, *Pre-revolutionary Caracas*, 78.

<sup>37</sup> Salazar Bravo, *El comercio diario en la Caracas*, 66, 74, 194.

Given the prevailing commercial circumstances, it is not surprising that Venezuelan commercial agents became smugglers. While for the purposes of outlining the dire conditions of legal trade in Venezuela it has made sense to speak of domestic merchants as a unified bloc, they did not act as such. Local traders separated into many different strata. Their business interests, advantages, and liabilities varied greatly. The factors animating one merchant to exchange goods with a foreign smuggler kept another within the fold of legitimate commerce.

Overwhelmingly, participants in smuggling at the lower end of the class spectrum found themselves more frequently targeted for arrest and prosecution. Of course, this reality reflected their comparatively smaller ability to bribe or buy their way out of trouble. It also illustrated colonial administrators' decision to pursue easy convictions given their limited resources. As authorities needed to punish *someone* to show compliance with their duties, they chose to prosecute those who contributed the least to bureaucratic pocketbooks and imperial coffers.

The term "merchant" provides a convenient designation for all those who bought and sold goods in coastal Venezuela, but fails to express the gradations of commercial participants. This diversity was particularly evident for domestic businessmen involved with clandestine commerce. In his survey of two-hundred years of inter-imperial smuggling, Wim Klooster writes that "the term 'merchant' may be misleading: on the receiving end, there was no prototypical smuggler. People from all walks of life

participated in illicit trade with foreigners.”<sup>38</sup> Career Spanish American smugglers existed in Venezuela, but they surely comprised a small portion of the total body of accomplices within the province. In the less developed colonial society of Venezuela, defining an individual exclusively as a merchant or contrabandist proved difficult. The lack of imperial attention made for greater material need among all classes, but smaller degrees of wealth separating them. Therefore, trading partners of non-Spanish smugglers could be career merchants, versatile opportunists, agricultural producers, clergy members, or just private citizens formally employed in other occupations.

The echelons of those subjects technically-known as merchants, though not representative of all who engaged in smuggling, included a number of class designations. At the top of the heap were the *comerciantes*. To be a member of this group, a merchant needed 30,000 pesos in wealth. Comerciantes oversaw their firms, which dealt in European imports, but did not directly buy or sell anything as they considered this activity beneath their station. They bought and sold in quantities befitting wholesalers and were most active in the transatlantic trade. In Venezuela, the comerciantes usually numbered only about 100 to 120. Most were noblemen and Basque given the Caracas Company’s dominance over the colony.

Beneath the comerciantes, a group of primarily Spanish-born merchants called *mercaderes* bought and sold European imports. They were more active in trades individually, selling mostly dry goods and cloth in smaller quantities and often

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<sup>38</sup> Wim Klooster, “Inter-Imperial Smuggling in the Americas, 1600-1800” in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. Bernard Bailyn and Patricia L. Denault (Cambridge: Harvard University Press, 2009), 142.

participating in Spanish inter-colonial markets. Further down the socioeconomic ladder were the *bodegueros* who mainly sold imported food. Unlike comerciantes and mercaderes, they maintained retail stores in towns. They developed close business relationships with the mercaderes. The *pulperos* were the lowest merchants to own their own shops. In contrast to the *bodegueros*, they sold mostly native (*criollo*) foodstuffs. Finally, at the bottom of the merchant ranks existed the *buhoneros*, who made a living as street vendors without fixed retail space.<sup>39</sup>

Not only varieties of merchants, but planters and agriculture producers also participated in trade and smuggling. Many large-scale planters (known as the *grandes cacao*s or *mantuanos*) could afford the overhead costs that came with trading legally with Spain or New Spain or smuggling through an intermediary. Smaller producers (the *cosecheros*) lacked the financial means to interact with overseas markets or with smugglers by proxy and often carried on trade directly with foreigners. They, along with overseers for large plantation owners (*mayordomos*), sometimes stole cacao from the *mantuanos* to trade with foreigners.<sup>40</sup>

It was not uncommon for subsistence farmers and coastal residents employed in other occupations to trade with foreigners to meet the daily needs of their communities, making them “merchants” of a sort. Immigrants from the Canary Islands (*Isleños*), in particular, conducted brisk business with non-Spanish smugglers. The *Isleños*’ special

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<sup>39</sup> Lucena Samoral, *Visperas de la independencia*, 207-215; Salazar Bravo, *El comercio diario en Caracas*, 110-111.

<sup>40</sup> Francisco Morales Padrón, “La Real Compañía Guipuzcoana de Caracas y la sociedad Venezolana,” in *Los Vascos y America: El comercio vasco en el siglo XVIII-La Real Compañía Guipuzcoana de Caracas*, ed. Ronald Escobedo Mansilla, Ana María Rivera Medina, and Alvaro Chapa Imaz (Bilbao: Fundación Banco de Viscaya, 1989), 217; Aizpurua, *Curazao y la costa de Caracas*, 272-273.

affinity for smuggling stemmed from their fiercely independent and self-made character in Venezuela as well as the marginal lands they had received upon arriving to the colony at the end of the seventeenth century.<sup>41</sup> As a disadvantaged group living far from the main routes of legal trade, the Canary Islanders used contraband commerce as an important bridge to access transatlantic markets.

Considering the hierarchy of domestic smugglers, it was elite merchants who maintained the most ambivalent relationship with the business. Many comerciantes and mercaderes had one foot in legitimate commerce and the other in clandestine trade. These men possessed no ideological affiliation to the Spanish transatlantic system, foreign contrabandists, or the Caracas Company. Instead, they made calculated business decisions regarding which means of trade would maximize their profits in volatile times. For example, the Venezuela merchants and producers who made up “the illustrious families known in Europe” supported León’s rebellion against the Caracas Company’s abuses in 1749. These same patricians became partners in the Company when the Crown granted Venezuelans partial ownership of the venture in 1751.<sup>42</sup> Whereas one of the Bolívar family’s personal slaves had read the news of the Company’s temporary

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<sup>41</sup> John Lynch, “Spanish America’s Poor Whites: Canarian Immigrants in Venezuela, 1700-1830” in *Latin America between Colony and Nation: Selected Essays*, John Lynch (New York: Palgrave, 2001), 60-64; Lucas Guillermo Castillo Lara, *La aventura fundacional de los Isleños: Panaquire y Juan Francisco de León* (Caracas: Academia Nacional de la Historia, 1983), 10-12, 164-166.

<sup>42</sup> Joseph Luis de Cisneros, *Descripción exacta de la provincia de Venezuela* (Caracas: Academia Nacional de la Historia, 1981 [1764]), 121-122.

expulsion to a cheering crowd in 1749, the Bolívars numbered among the many prominent Caracas names inscribed in Company shareholder ledgers several years later.<sup>43</sup>

Throughout the Americas, elite merchants who benefitted from the rigid fleet and register ship systems often bristled at commercial reforms. Many Mexican merchants, for instance, continued to advocate for the flota and annual trade fairs even though they had no personal stake in the success of these institutions. These traders had become master manipulators of the status quo, purchasing and spreading contraband items throughout New Spain and Central America in advance of the fairs to ensure deeply discounted prices on officially-licensed goods.<sup>44</sup> Likewise, many of the top merchants in Venezuela loathed *comercio libre* because it lessened their control over small producers, who gained more options for shipping their cacao.<sup>45</sup>

Wealthy purveyors rejected attempts to open up legal trade with foreigners because non-Spanish merchants would break their dominant influence over the cacao market. The elite-controlled Consulado of Caracas of the late eighteenth century took a strict stance against foreign trade in its pronouncements and actions.<sup>46</sup> Thomas Kinder, a British trader in Argentina at the end of the eighteenth century, confirmed a similar sentiment in Buenos Aires, where “every Merchant here is a decided enemy to the establishment of free trade, & to Englishmen being permitted to settle as Merchants.

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<sup>43</sup> Diligencia del Escribano Gregorio del Portillo. Caracas. April 23, 1749. AGNV, Insurrección del Capitán Juan Francisco de León. Tomo I. f. 33-39 in *Documentos relativos a la insurrección de Juan Francisco de León*, ed. Augusto Mijares (Caracas: Instituto PanAmericano de Geografía e Historia, 1949), 55; Montserrat Garate Ojanguren, *La Real Compañía Guipuzcoana de Caracas* (San Sebastián, Spain: Grupo Doctor Camino de Historia Donostiarra, 1990), 87.

<sup>44</sup> Allyn C. Loosley, “The Puerto Bello Fairs,” *Hispanic American Historical Review*, 13/3, (1933): 330-332; Walker, *Spanish Politics and Imperial Trade*, 214.

<sup>45</sup> Arcila Farias, *Economía colonial de Venezuela*, 365.

<sup>46</sup> Lucena Samoral, *Visperas de la independencia*, 365-366.

They see therein the downfall of these rich profits for which they cannot hope honestly to compensate themselves.”<sup>47</sup>

In contrast to wealthy wholesalers, peddlers depended on covert commerce because they did not have the fiscal resources to conduct business on both sides of the legal divide. One occasional smuggler named Dionysus Black (Dionisio Negra) made ends meet by trading with foreigners near the city of Coro. Black was an Irish immigrant and a self-described “laborer” who had lived in the isolated Venezuelan hamlet of Capadare for many years.<sup>48</sup> After coastal authorities caught him exchanging tobacco for flour and a little imported cloth in 1736, they insinuated that he regularly bought and sold with the Dutch.<sup>49</sup> Black denied the charge, claiming that his business with the Dutch was a singular event.<sup>50</sup> Regardless of whether or not his illicit trading was habitual, the negligible amount of goods he received suggests he probably employed smuggling as a means to supply himself in a region passed over by licit merchants.

Others relied on smuggling to keep their jobs. A mixed-race servant (*parda*) named Beatriz traded with foreigners not to clothe herself, but rather to dress the family of her employer. According to an informant, Beatriz went aboard a Dutch ship in 1693 to buy finished clothes like shirts and dresses for girls, fabric such as *taffeta* silk, and even a pearl choker on behalf of Juana Agras, her boss. Spanish officials called her a

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<sup>47</sup> Malyn Newitt, ed., *War, Revolution & Society in the Rio de la Plata, 1808-1810: Thomas Kinder's narrative of a journey to Madeira, Montevideo and Buenos Aires* (Oxford: Signal Books Ltd., 2010), 162-163.

<sup>48</sup> Confession de Dionisio Negra. Caracas. May 6, 1737. AGNV, Comisos, Tomo XVII, f. 51-52

<sup>49</sup> Auto de Don Martin Lardizabal. Caracas. October 13, 1736. AGNV, Comisos, Tomo XVII, f. 42-44.

<sup>50</sup> Declaración de Dionisio Negra. Caracas. May 6, 1737. AGNV, Comisos, Tomo XVII, f. 54-55.

“*contrabandista*” charging that she had a history of covert trading with foreigners.<sup>51</sup>

Unlike Dionysus Black, she smuggled because her employment with Agras depended on it. Still, for both of these small-time “traders” (if such a word is applicable), black-market commerce represented the most efficient, and perhaps only, means of entering the European textile market.

Though both rich and poor traders engaged in smuggling, individuals of humble means became convenient and disproportional targets for law enforcement officials.<sup>52</sup> People like Dionysus Black and Beatriz appear more frequently in documents cataloging contraband arrests. Black, for example, received a three-year term of exile from his hometown and the threat that any noncompliance would trigger further removal to one of the Spanish presidios in Africa.<sup>53</sup> Though no sentence against Beatriz exists, it is telling that authorities pursued no legal actions against her boss.

Sometimes authorities arrested even seemingly innocent domestic traders with no discernible connection to foreign contrabandists. The Caracas Company was particularly guilty of such overzealousness. In 1757, even the governor of Cumaná protested how the Company had “cruelly menaced” a group of “poor laborers who brought plantains and other produce from the coastal valleys for their internal trafficking in the province.”

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<sup>51</sup> Carta de Francisco Cáceres que denuncia parda Beatriz como contrabandista. Caracas. Feb 12, 1693. AGNV, Diversos, II, f. 176.

<sup>52</sup> Wim Klooster asserts this argument about class-based enforcement across several imperial legal systems from 1500 to 1830. Klooster, “Inter-Imperial Smuggling in the Americas,” 158.

<sup>53</sup> Sentencia contra Dionisio Negra. Caracas. September 17, 1737. AGNV, Comisos, Tomo XVII, f. 146-148.

Their vessel had permission to trade these foodstuffs along the coast.<sup>54</sup> Similarly, the Company boarded a tiny Venezuelan ship in 1768 near La Guaira whose cargo held nothing more than mules and a license to trade. Juan Vincente Bolívar, the father of Simón Bolívar, protested this seizure from his office of prize court judge, but could not overturn the verdict to confiscate and auction off the vessel and its contents.<sup>55</sup>

Lower class merchants felt the severity of the law more frequently than their wealthy peers for a number of economic, social, and logistical reasons. First and foremost, well-to-do comerciantes and mercaderes had the money and power in many instances to buy their way out of the consequences of criminality. As chapter four will demonstrate, bribes and kickbacks to royal officials were exceedingly common. Appeals to the colonial bureaucracy based on personal connections also allowed rich merchants to avoid punishments for smuggling. Upper class purveyors might even pay for pardons for their offenses. Joseph Vincente Rodríguez was a trader from Maquetía (near La Guaira) suspected of illicit foreign commerce on numerous occasions. He paid two-hundred fifty pesos to forgive the large, four-hundred peso haul of unlicensed merchandise authorities seized from him in 1752.<sup>56</sup>

Royal officials could ease an administrative dilemma by showing leniency or feigning ignorance to the acts of men like Rodríguez. Bureaucrats tasked with policing

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<sup>54</sup> Carta de Justicia del Gobernador y Capitán General de Cumaná Don Mateo Gual al Gobernador y Capitán General de Venezuela. Cumaná. August 10, 1757. AGNV, Compañía Guipuzcoana, Tomo V, f. 164.

<sup>55</sup> Documentos relativos apreso balandra española de Juan de Espinosa. Caracas. August 25, 1769. AGNV, Compañía Guipuzcoana, Tomo XVII, f. 70.

<sup>56</sup> Autos de Joseph Vincente Rodríguez y Marques de la Torre. Caracas. August 12, 1771. AGNV, Comisos XXVIII, f. 228-230.

Spanish American trade had to provide tangible results to demonstrate that they were doing their jobs. However, their enforcement resources were too scarce to prevent all covert commerce.

Furthermore, material necessities compelled officials to allow some illicit trade so that supplies would reach Venezuela. Smuggling smoothed over the market failures produced by unwieldy protectionist commercial schemes. The illicit trade with foreigners also brought down consumer prices throughout the Americas, mitigating unrest that might incite uprisings among the masses.<sup>57</sup>

Protecting the rich from prosecution also concealed the society-wide nature of smuggling and safeguarded imperial returns from the colony. Wealthy merchants' involvement in smuggling helped them accrue vital funds that eventually trickled down into Crown coffers through taxes on these businessmen's licit commercial incomes. To throw the book at upper class brokers would have decimated the pantries and wardrobes of the colony while simultaneously depleting the royal revenues these men produced.<sup>58</sup>

More selfishly, many Spanish officers declined to investigate wealthy merchants because these royal representatives participated in smuggling themselves. While punishing the poor carried little risk, shackling elite members of colonial society (and potential business partners) might bring forth testimonies damning to the conduct of a

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<sup>57</sup> Alan L. Karras, " 'Custom Has the Force of Law': Local Officials and Contraband in the Bahamas and the Floridas, 1748-1779," *The Florida Historical Quarterly* 80:3 (Winter, 2002): 287.

<sup>58</sup> Zacharias Moutoukai points to the pivotal role of elite Buenos Aires merchants who smuggled in funding defense subsidies (the *situado*). Officials were loath to arrest these men and damage payments for much needed imperial revenue streams like the *situado*. In Venezuela, elite taxes paid for the upkeep of similarly important services like coastguard forces, consulados, fleets, and for the funding costly wars. Zacharias Moutoukai, "Power, Corruption, and Commerce: The Making of the Local Administrative Structure in Seventeenth-Century Buenos Aires," *The Hispanic American Historical Review* 68:4 (Nov., 1988): 771-772.

bureaucrat.<sup>59</sup> Royal administrators chose to negotiate with these groups informally and to enforce smuggling prohibitions inconsistently.<sup>60</sup>

In addition to a selective policing of the various secular strata of merchants who engaged in smuggling, Venezuelan officials had to decide what to do with another prominent faction that trafficked in illicit goods: the clergy. As one of the most powerful branches of Spanish colonial society, priests, friars, and missionaries usually found their way into lucrative New World enterprises such as mining and agriculture. It follows that the plethora of cases and royal orders regarding smuggling committed by Venezuelan clergymen demonstrates contraband trade's commanding location atop the provincial economy. The priesthood's success in the business also illuminates the jurisdictional difficulties in prosecuting spiritual authorities.

Some branches of the Catholic Church were more prone to smuggling than others. In Venezuela and throughout the Americas, the Jesuits accrued a particularly noteworthy reputation for illegal trading. Members of this order usually did not originate from Venezuela and therefore felt no compunction about committing crimes in their homeland. They traded heavily in both the legal and illegal cacao markets.<sup>61</sup> At least one scholar

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<sup>59</sup> Lance R. Grahn, "Cartagena and its Hinterland," in *Atlantic Port Cities: Economy, Culture, and Society in the Atlantic World, 1650-1850*, ed. Franklin W. Knight and Peggy K. Liss (Knoxville: University of Tennessee Press, 1991), 169.

<sup>60</sup> Alan Karras comes to a similar conclusion regarding enforcement of elite smuggling between British Grenada and the French Lesser Antilles in the eighteenth century. Alan L. Karras, "Smuggling and Its Malcontents," in *Interactions: Transregional Perspectives on World History*, ed. Jerry H. Bentley, Renate Bridenthal, and Anand A. Yang (Honolulu: University of Hawai'i Press, 2005), 140.

<sup>61</sup> Several scholars have noted the Jesuit presence in illicit trade across the Americas. See, Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII*, Vol. 1 (Caracas: Academia Nacional de la Historia, 1984), 136; Lance Grahn, *The Political Economy of Smuggling: Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), 134-136; Sophie D. Coe and Michael D. Coe. *The True History of Chocolate* (London: Thames and

has speculated that their commercial proclivity, rather than their theological convictions, prompted the Crown to expel them in 1767.<sup>62</sup>

Just like other Venezuelan contrabandists, the clergy had a range of motives for trafficking in foreign wares. Sometimes simple greed and profitability drove their actions. Two priests in 1726 attempted to take ownership and sell off the unlicensed goods of a dead Galician named Joseph Basadre who had brought Flemish products to Maracaibo (western Venezuela) illegally by smuggling them aboard register ships coming from Cádiz. After Basadre passed away in Maracaibo, the governor caught wind of the priests' plan and attempted to stop the sale. Although he protested to the bishop about the rogue actions of the two clerics, the bishop favored his subordinates and refused to reprimand them. In a letter to the king, the exasperated governor expressed his suspicions that many priests wielded their spiritual authority to protect worldly criminal activities.<sup>63</sup>

In some cases, churchmen's interactions with clandestine commerce may have been more benign. In 1734, a group of Jesuit missionaries in the Orinoco River delta sent one of their own out in a canoe carrying a cargo of knives and money in the hopes of securing much-needed foodstuffs for their communities. Officials claimed the goods the Jesuits' representative carried back to the missions came from contrabandists. The order

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Hudson, 1996), 143; George H. Nelson, "Contraband Trade Under the Asiento, 1730-1739," *The American Historical Review* 51:1 (Oct., 1945): 58-59.

<sup>62</sup> Richard M. Morse, "Toward a Theory of Spanish American Government" *Journal of the History of Ideas* 15:1 (Jan., 1954): 77.

<sup>63</sup> Gov. Manuel Fernandez de las Casas to the King. Maracaibo. December 20, 1726. AGI, Santo Domingo, 654.

escaped punishment by pleading ignorance of this fact and insisting that blame for any criminal actions lay with the Venezuelan merchant with whom they had traded.<sup>64</sup>

Officials faced jurisdictional roadblocks in trying to bring clergymen to justice as the Spanish legal system rigidly separated secular and spiritual courts. Priests and friars enjoyed a wide range of privileges and exemptions from prosecution due to a medieval legal franchise (the *fuero*) granted to them by the Spanish kings. Under the *fuero* only separate ecclesiastical courts could try the clergy for crimes. Additionally, authorities could not enter their religious buildings and domiciles without Church permission, making these structures safe havens for many types of people in trouble with the law. A 1757 case in the town of Nirgua, in the western interior of Venezuela, underscores the complications that could arise from investigating clerical crime. A local judge named Joaquín Rivera accused the priests of his parish of harboring smuggled items in their residence. Rivera ordered a search of the premises. When residents refused their request, Rivera's men broke down the door and confiscated the contraband goods.<sup>65</sup> The priests complained bitterly to Rivera that the unauthorized intrusion represented "a sin against God."<sup>66</sup>

To avoid infuriating the Catholic Church and risk the retaliation of excommunication, Spanish officials tread lightly when reining in clerical excess. One of

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<sup>64</sup> Exposición por los Padres Ignacio Ferrer y Carlos Nigri, religiosos Jesuítas sobre la imputación de haber introducido ropa de extranjería. Caracas. February 6, 1737. AGNV, Diversos, Tomo XX, f. 331-336.

<sup>65</sup> Auto Joaquín de Rivera, Theniente de Justicia Mayor de Nirgua. Valle de Alparagattón. September 13, 1757. AGNV, Comisos, Tomo XXVI, f. 55-56.

<sup>66</sup> Fray Juan Pablo, Religioso Presbiterio del sagrado corazón, to Señor Theniente de Justicia. Valle de Alparagattón. September 15, 1757. AGNV, Comisos, Tomo XXVI, f. 57-58.

the simplest means to contain smuggling by Church representatives was to be proactive: to prevent them from traveling routes known for illicit commerce. One governor of Venezuela, for example, denied a clerical request in 1728 for a license to navigate the Yaracuy River near Caracas. The Capuchin friars claimed that they hoped to cut wood on the river banks and to ease the transportation of iron to their monasteries by utilizing the waterway. The governor refused their appeal on the grounds that the Dutch were currently very active in the area.<sup>67</sup> Similarly, Venezuelan Governor Felipe Ricardos declined to allow a priest in 1751 to take wood from Venezuela to Curaçao, which was technically within the Venezuelan diocese, in order to refurbish the church on the island. Ricardos opined that “this concession would equal an open door for contraband.”<sup>68</sup>

Even the king proceeded cautiously when acting against clerical smuggling. A royal cédula in 1730 began by stating that King Philip V hoped churchmen understood what constituted smuggling. He believed that clerical exemption from secular justice made convents and monasteries hotbeds of illicit trade where subjects perpetrated offenses against the Spanish commercial codes “with greater liberty” than out in the open. Philip threatened exile from the Indies for any clergy member caught smuggling.<sup>69</sup> However, by 1748, Philip’s successor, Ferdinand VI had softened this stance. In another cédula, he merely asked the archbishops and bishops “to remedy the disorder experienced

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<sup>67</sup> El gobernador Don Lope Carrillo informa a S.M. sobre los inconvenientes que tiene la permisión de hacer navegable el Río Yaracuy, como solicitan los religiosos capuchinos misioneros de aquella provincia. Caracas. 1728. AGI, Santo Domingo, 701 in Enrique Marco Dorta, *Materiales para la historia de la cultura en Venezuela (1523-1828)* (Caracas: Fundación John Boulton, 1967).

<sup>68</sup> El Gobernador de Venezuela Don Phelipe Ricardos to Marques de la Ensenada. Caracas. November 14, 1751. AGI, Caracas, 366.

<sup>69</sup> Contrabando de los eclesiásticos. Real Cédula, para que se evitara y sancionara. El Soto de Roma. May 7, 1730. Archivo General de la Nación, Bogotá, Colombia (hereafter AGNC), Fondo Contrabando, Tomo VII, f. 658-659.

by the introduction of goods and products of illicit commerce” by warning their subordinates and parishioners about the criminality of smuggling.<sup>70</sup>

The incredible diversity of Venezuelan traders who engaged in illicit commerce prompted Spanish commercial enforcers to vary their treatment of offenders. The wealthy, the well-connected, and the jurisdictionally-exempt usually escaped severe punishment both because prosecuting them presented social challenges and because smuggling on the whole was necessary for a peripheral colony like Venezuela to function. Instead the burden of domestic criminality in foreign commerce fell disproportionately on poor and small-time traders.

### **The Contrabandist’s Toolkit: Habits, Networks, and the Smuggling Ring of Luciano Luzardo**

The practices and networks of domestic smugglers played a large part in determining their success or failure in criminal undertakings. Venezuelan merchants’ methods mostly mirrored those performed by non-Spanish contrabandists. However, the isolationism of Spanish commercial policy imposed restrictions on mobility and navigation that foreign purveyors did not have to contend with in their own empires. These constraints forced domestic illicit traders to hone their relationships within Venezuelan merchant and political communities. Such connections spread the influence of smugglers past the marketplace and into governmental, religious, and kinship structures of colonial society.

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<sup>70</sup> Real Cédula. San Lorenzo. November 6, 1748. AGI, Caracas, 23.

Venezuelan contrabandists conducted business by utilizing a similar, if simplified, set of tactics to those employed by Dutch, English, and French commercial interlopers. Given that the Spanish empire permitted less inter-Caribbean trade than these nations, ranging freely across islands and jurisdictions proved a difficult proposition for many Venezuelan merchants. Instead, foreign contrabandists had to come to them. Merchants and agricultural producers alike often pooled the cacao and tobacco of a group of planters and brought it to the coast. Trading occurred on the beach or aboard foreign ships with the receiving party often serving liquor as a show of hospitality and good faith.<sup>71</sup>

Another way of avoiding prohibitions placed on travel involved a liberal interpretation of Spanish trading licenses. Merchants often used officially-approved voyages to visit unauthorized locales. Cuban authorities in 1784 granted one Spanish captain a license to bring slaves, foodstuffs, tools, and cash from Havana to La Guaira in exchange for cattle. On the return trip to Havana, the merchant stopped off in Danish St. Thomas, returning to Havana with 15,000 more pesos worth of goods than had been on his ship when he disembarked from Cuba.<sup>72</sup> In 1780, two merchants (one Venezuelan and one Puerto Rican) went so far as to forge licenses that they then disobeyed. The fraudulent documents, which provided cover for their voyage, supposedly allowed the two men to conduct reciprocal trade between Venezuela and Santo Domingo. Instead, they visited Curaçao, buying contraband items to sell back in Venezuela.<sup>73</sup> Trips like

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<sup>71</sup> Declaracion de Marcos Jacobo. Puerto Cabello. December 20, 1735. AGI, Indiferente General, 1829.

<sup>72</sup> Cedula al Yntendente de Caracas. Aranjuez. April 11, 1788. AGI, Caracas, 836.

<sup>73</sup> Informe. El Yntendente de Caracas. Sobre los Autos seguidos contra Don Francisco Ygnacio de Areizaga Capitan y Maestro de la Goleta titulada Nsa. Sra. de la Candelaria, y Don Josef Escovar, y

these to foreign islands ultimately fostered relationships of both debt and trust as Spanish subjects bought on credit from foreign sellers.<sup>74</sup>

More so than foreign affiliations, domestic merchant networks connected smugglers to other licit and illicit traders, bureaucrats, and clergymen. Smugglers formed complex rings (*sindicaciones*) that wielded significant power, especially in relatively autonomous provinces like Venezuela. The *sindicaciones* commanded significant influence in politics and threatened the authority and safety of officials who tried to stop them. For contrabandists, these informal unions helped pool resources, establish reliable trading ventures with foreign clients, and avoid prosecution.

The smuggling ring of Luciano Luzardo offers a specific case study on the normally veiled and nebulous relations that aided the proliferation of criminalized commerce in the province. Luzardo served as a second lieutenant (*alferez*) of Maracaibo in 1715 when authorities began to discover his group of smugglers. Luzardo may not have been the leader of this decentralized conglomeration. In fact, the questionable veracity of typical defendant testimonies and the informal nature of many *sindicaciones* make locating their heads of operations nearly impossible. However, the investigation of the smuggling ring centered about the prosecution of Luzardo, so positioning him at the center of analysis gathers together the many narrative strands of this lengthy case.

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Lazcano, por haber extraviado el viage, y destino con que salieron de Puerto Cavello, fingido la Tornaguia, y otros delitos que cometieron para ocultar la furtiva negociacion que practicaron con los Olandeses de Curazao. Caracas. April 14, 1780. AGI, Caracas, 839.

<sup>74</sup> Colin Palmer, *Human Cargoes: The British Slave Trade to Spanish America, 1700-1739* (Urbana: University of Illinois Press, 1981), 128; Lamikiz, *Trade and Trust*, 9-11; Klooster, *Illicit Riches*, 130.

After making a series of arrests, authorities in Maracaibo began to diagram the linkages between seemingly isolated criminals. Rumors of Luciano Luzardo's illicit trading had first led the governor of Maracaibo, Francisco de la Rocha Ferrer, to summon him in June of 1715. Officials hauled in Luzardo along with his trading partner, Nicolás Rodríguez, for questioning. They alleged that Luzardo had served as a broker, assembling the cacao of many producers into a sufficient quantity for Rodríguez. Presumably, Luzardo also used his royal office to smooth over potential inquiry into their illicit dealings. Rodríguez, a merchant and ship owner in the register ship trade between the Spanish colonies, provided a vessel for their partnership as well as an air of legitimate business. With wholesale quantities of cacao coming from Luzardo, Rodríguez could trade raw chocolate in Curaçao for a range of products to import into Venezuela. For his role in pooling cacao, Luzardo received a share of Rodríguez's ill-gotten goods to resell.<sup>75</sup>

Luzardo and Rodríguez's arrangement enjoyed the support of at least one clergyman. Friar Alonso de Galvez, the head of a monastery, allegedly allowed Rodríguez to store his Dutch goods in this sacred space and refused to divulge the merchant's illicit activities to authorities. In early July of 1715, Luzardo made a formal statement claiming that he along with many others had consigned a small amount of his cacao to Rodríguez but had no idea that the trader was bound for Curaçao. He instead

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<sup>75</sup> Decreto de Don Francisco del Rocha Ferrer, Gobernador y Capitán General de Maracaibo. Maracaibo. June 21, 1715. AGNC, Fondo Contrabando, Tomo XIV, f. 815; Gobernador Don Francisco de la Rocha Ferrer to the Fiscal. Maracaybo. May 30, 1716. AGI, Santo Domingo, 652.

believed that Rodríguez planned to sell the cacao in Santo Domingo.<sup>76</sup> After giving testimony, Luzardo abruptly fled to the safety of Galvez's monastery. Displaying his culpability in the ring, the friar who had protected Rodríguez now sheltered the merchant's partner from prosecution.<sup>77</sup>

The verdicts of the investigation reflected the differing manners in which the men defended themselves. Whereas Luzardo immediately fled to the monastery, Rodríguez stayed put and marshaled many witnesses to testify to his good character and innocence. These developments led Governor Francisco de la Rocha Ferrer to conclude that the crimes of Rodríguez and the producers who sold him cacao were trifling when compared to those of Luzardo. The alférez not only had smuggled, but also had tried “to obscure the justification for his crime with a fabricated deposition” that shifted blame onto others. He acquitted Nicolás Rodríguez, but sentenced Luzardo *in absentia* to a four-year term of service in the dismal Castillo de Santa María de Galvez in Pensacola, Florida.<sup>78</sup>

A month after the verdict, more parts of the Luciano Luzardo smuggling ring came to light. In September of 1715, Maracaibo coastguard officials stopped the ship of Bernardo Guillén de Saavedra. He was a merchant, a deacon, and the cousin of Luciano Luzardo. His vessel contained a sizeable amount of merchandise from Curaçao. Among the items confiscated from his ship, authorities found letters meant for Luzardo. In them,

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<sup>76</sup> Declaración del Alférez Luciano Luzardo. Maracaibo. July 1, 1715. AGNC, Fondo Contrabando, Tomo XIV, f. 821.

<sup>77</sup> Auto de Don Francisco de la Rocha Ferrer. Maracaibo. August 1, 1715. AGNC, Fondo Contrabando, Tomo XIV, f. 894-895.

<sup>78</sup> Auto de Don Francisco de la Rocha Ferrer. Maracaibo. August 1, 1715. AGNC, Fondo Contrabando, Tomo XIV, f. 894-895; Auto de Don Francisco de la Rocha Ferrer. Maracaibo. August 29, 1715. AGNC, Fondo Contrabando, Tomo XIV, f. 928-929.

Guillén de Saavedra detailed how he planned to import the foreign wares into Maracaibo. The letters also expressed Guillén de Saavedra's incorrect hunch that Governor Rocha Ferrer would allow him to import illegal merchandise because previous governors had done so.<sup>79</sup> The remark revealed Guillén de Saavedra's perception of the Venezuelan bureaucracy as a familiar institution that his family business could bribe.

Governor Rocha Ferrer's wary management of the Guillén de Saavedra case reflected the limits of administrative power in early eighteenth-century Spanish America. The governor eventually prosecuted the smuggler, but sent him to the House of Trade (*Casa de Contratación*) in Spain for final sentencing. Avoiding public pronouncements of punishment for Guillén de Saavedra was essential "so that there will be no occasion for rebellion against me or my ministers."<sup>80</sup>

The power of the contrabandist's family and the instability of the empire during this period informed Governor Rocha Ferrer's reluctance to act. The tumultuous transition from Habsburg to Bourbon rule had left the colonies unsettled. Many prominent subjects still held loyalties to the old dynasty.<sup>81</sup> One of these colonists was Bernardo Guillén de Saavedra's uncle, Friar Agustín Caizedo. He was an Augustinian friar who traveled back and forth between Maracaibo and Curaçao. He also participated

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<sup>79</sup> Gobernador Don Francisco de la Rocha Ferrer to the Fiscal. Maracaibo. May 30, 1716. AGI, Santo Domingo, 652.

<sup>80</sup> Gobernador Francisco de la Rocha Ferrer to the Fiscal. Maracaibo. October 9, 1715. AGI, Santo Domingo, 652.

<sup>81</sup> John Lynch has commented on the many Habsburg plots circulating in early Bourbon Spanish America. In particular, Lynch notes that Austrian and Flemish Jesuit missionaries were sympathetic to the Hapsburgs and established contacts with Dutch contrabandists in Cumaná, Caracas, and Maracaibo. John Lynch, *Bourbon Spain, 1700-1808* (Oxford: Basil Blackwell, 1989), 53.

in Guillén de Saavedra's smuggling ventures.<sup>82</sup> Rocha Ferrer feared that Caizedo acted as a Habsburg fifth column who "no doubt sows in the hearts of inhabitants of both places a pernicious rift that could cause immense unrest."<sup>83</sup> The friar's political leanings and his familial connection to Guillén de Saavedra signified dangerous threats to Rocha Ferrer's rule. As most governors in the early eighteenth century commanded no standing armies, Rocha Ferrer knew he would be ill-equipped to put down insurrection if a sentence against Guillén de Saavedra aroused the populace.

It is telling that the victor of this factional conflict was the Luzardo smuggling ring. Luciano Luzardo stayed in the monastery for almost three years while family members and acquaintances made appeals to the royal judiciary on his behalf.<sup>84</sup> In 1718, his fortunes improved when authorities conducted an appraisal (*residencia*) of Rocha Ferrer's governorship. Ironically, they found that the executive himself had been involved in smuggling. This discovery nullified his verdicts on commercial crime and left Luzardo a free man.<sup>85</sup> Despite his offenses, Rocha Ferrer eventually became governor and president of the colony of Santo Domingo.<sup>86</sup>

The complexities of *sindicaciones* underscore that the criminal methods of contraband trade not only facilitated the business's success, but also connected various

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<sup>82</sup> Araúz Monfante, *El contrabando holandés en el Caribe*, Vol. 1, 102.

<sup>83</sup> Gobernador Don Francisco de la Rocha Ferrer to the Fiscal. Maracaibo. May 29, 1716. AGI, Santo Domingo, 652.

<sup>84</sup> Petición de Dona Mauricia Gertrudis Luzardo Balues, vecina de Maracaibo, hermana de Luzardo. Maracaibo. February 25, 1718. AGNC, Fondo Contrabando, Tomo XIV, f. 937-940.

<sup>85</sup> Juan Vincente Sanchez de Leon, Procurador de esta Real Audiencia presenta Instrumentos en parte del Sr. Fiscal. Santa Fe de Bogotá. January 17, 1719. Tomo XIV, f. 946-948.

<sup>86</sup> Sentencia del consejo dada en la Residencia tomada al Coronel Don Francisco de la Rocha Ferrer del tiempo que sirvió los empleos de Presidente Gobernador y Capitán General de la Ciudad e Ysla de Santo Domingo. March 3, 1739. AGI, Escribanía de Cámara, 1194.

branches of civil society in eighteenth-century Venezuela. Luciano Luzardo belonged to a smuggling ring that typified illicit merchant organization in many coastal municipalities. Prosecutors traced only the most cursory sketch of what was undoubtedly a much larger association of traders.

Yet, investigators' discoveries offer clues to the critical linkages that made such illicit associations viable. First, smuggling rings courted governmental support. Luzardo held a royal office and his cousin, Bernardo Guillén de Saavedra, assumed that his *sindicación* could buy off officials like Francisco de la Rocha Ferrer. Likewise, the smuggling ring allied itself with representatives of the Church. One friar protected two smugglers from prosecution while another's rebellious leanings hindered judicial efforts to punish his nephew. Kinship connections cemented trust within these otherwise unregulated criminal affiliations. It was no accident that the blood-related trio of Luzardo, Guillén de Saavedra, and Friar Agustín Caizedo all played roles in the ring's operations. Most importantly, *sindicaciones* allowed individual smugglers who might have been easy prey for law enforcement officers to amplify their power and enter the political arena. When confronting an association of smugglers, even governors like Francisco de la Rocha Ferrer feared that they operated from a comparatively weak position.

## **Conclusion**

Without Spanish subjects willing to smuggle, foreign contrabandists would have had no clients and, therefore, no reason to cross imperial boundaries in the first place.

However, domestic smugglers were more than passive buyers of foreign goods or skilled professional traders. The pervasiveness of clandestine commerce in Venezuela meant that they came from all walks of life. Agricultural producers, clergymen, wholesale merchants, and itinerant peddlers all embodied the label of “contrabandists” bestowed upon them by Spanish officials.

A range of economic, material, and political conditions favored Venezuelan domestic smugglers. Onerous taxes and oppressive commercial regimes meant that prices for foreign contraband merchandise undercut those of officially-licensed goods, while foreign merchants tendered much better offers for Venezuelan exports than their Spanish competitors. Scarcity of even the most common goods produced ready markets for domestic traders. Additionally, a slew of administrative reforms did little to promote legitimate Spanish Atlantic commerce in Venezuela. Instead they overturned a status quo to which Venezuelans had grown accustomed and kept Venezuelan traders working in the shadows.

Venezuelan smugglers compensated for the dearth of profitable legal commerce by employing a range of tactics to avoid prosecution. Like foreign contrabandists, they utilized stealth in their trading practices and manipulated existing commercial regulations for their own benefit. Domestic smugglers organized networks that stretched across many sectors of society to maximize their collective influence and minimize risk. While conducting business close to home made them less vulnerable than outsiders to the severity of Spanish justice, violence and imprisonment still figured prominently as pitfalls of the trade.

Not all Venezuelan illicit traders faced the same challenges or possessed the same advantages when confronting obstacles to commerce. The rich and powerful might accomplish more and suffer less. The empire needed smuggling to keep its peripheral subjects fed and clothed and to maintain revenue-producing merchant communities in the colony. At the same time, its bureaucrats had to demonstrate their vigilance against foreign commercial intrusion. The result was that smugglers with more humble origins bore the brunt of commercial enforcement. Nevertheless, the unequal and farcical process by which the Spanish legal system prosecuted its own subjects demonstrates an empire in limbo between the idealized protectionism of its past and the commercial realities of its present. In the same way, the trading practices of Venezuelan smugglers illustrate how deeply the roots of illegal commerce penetrated into every facet of the economic and social activities of the colony.

#### IV. Turning a Blind Eye: Contraband and Corruption in Eighteenth-Century Venezuelan Government

In 1749, nearly fourteen years after first embarking for the Americas, Jorge Juan and Antonio de Ulloa wrote a scathing exposé from Spain on the pervasive political corruption that dominated South America. The naval officers devoted an entire chapter of their jeremiad *Discourse and Political Reflections on the Kingdom of Peru* to illicit trade. The two lamented that,

officials who allow the trade to go on in return for payment of a bribe for each fardo are called ‘men of good will who will harm no one.’ Obviously these functionaries do nothing to remedy the abuses which deprive the royal treasury of revenue. Although the king absolutely prohibits illicit trade, his officials tolerate the smuggling. Although tax revenues belong solely to the king, his agents appropriate them as if they were their very own. Not only do they fail to stop smuggling but they also give rise to a cynicism among the people within their jurisdiction when they fail to enforce the law. Confident that the penalty for their offense will be commuted to payment of a tolerable fine, merchants see the tremendous opportunities for personal gain and are never constrained from pursuing them. It is very rare to find any merchant, large or small, who has not been involved in illicit trade at one time or another.<sup>1</sup>

Juan and Ulloa’s description emphasizes that the complicity of Spanish colonial officials was essential to the success of illicit trade. Authorities actively smuggled goods themselves, participated as shareholders in contraband ventures, communicated directly with foreign merchants, and received bribes to ignore the black market dealings of others. Crooked administrators used kinship and professional connections to create and sustain intricate smuggling rings spanning multiple empires. In Venezuela, they were integral

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<sup>1</sup> Jorge Juan and Antonio de Ulloa, *Discourse and Political Reflections on the Kingdoms of Peru*, trans. John J. Tepaske and Besse A. Clement (Norman: University of Oklahoma Press, 1978), 50.

parts of a sustained parallel economy that ran counter to the trade policies of the Spanish Empire.

Corrupt authorities' pivotal support to smugglers also made the evasion of Spanish commercial law standard operating procedure within Venezuelan society. The unscrupulous actions of colonial officials also encouraged subjects to break the law themselves. Mighty governors and lowly coastguard men both ignored the illicit commerce taking place around them. For foreign and domestic smugglers alike, partnerships with and bribes for coastal authorities mitigated the threats of imprisonment, loss of goods, and exile. Bolstered by the example of their public servants and the knowledge that enforcement of commercial statutes was rare, smugglers and buyers of smuggled goods felt themselves above the law.

Desirous of the material benefits of unrestricted free trade, colonial subjects overlooked covert agreements between smugglers and officials up to a point. Eighteenth-century Venezuela possessed a burgeoning cash crop in cacao. Yet, the Spanish imperial reliance on a closed system of fleet trade presented poor prices and few markets for Venezuelan producers' cacao. Worse still, Spain's limited manufacturing capacities, its rundown merchant houses (the *consulados*), and a monopoly company (the Caracas Company) more concerned with cheaply extracting Venezuelan cacao than bringing in European products all failed to sate consumer demand. As even the Spanish monarch King Philip V acknowledged, insufficient trade between Spain and Venezuela "fomented illicit commerce on the coast pursued by the Dutch and other nations because the populace's need to feed and clothe themselves obliges them to take from foreigners what

the Company should offer with abundance and equity.’<sup>2</sup> Authorities’ complacency with smuggling merely facilitated the transition of goods to a population undersupplied by legal Spanish trade. Thus, Venezuelans did not see the involvement of their functionaries in garden variety illicit trade as in and of itself morally reprehensible. Though these officials’ actions were illegal, so was the majority of Venezuelan trade by contemporary estimates. In the 1720s, for example, legal commerce with Caracas had deteriorated to one registered ship from Spain per year.<sup>3</sup> In the majority of cases, locals welcomed the participation or complicity of willing officials in filling the void left by Spanish commercial stagnancy. As one scholar has put it, “colonial officials understood, in a way which European authorities could not, that practice must dictate what was legal and what was not.”<sup>4</sup>

Nonetheless, subjects’ patience for their officials’ misdeeds had its limits. Despite the seemingly symbiotic and prosperous relationship between bureaucrat and subject, Venezuelan governors frequently appeared in colonial documents as defendants

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<sup>2</sup> El Rey a los Señores Directores de la Real Compañía Guipuzcoana de Caracas. Madrid. September 30, 1744. Archivo General de Indias, Seville, Spain (hereafter AGI), Audiencia de Caracas, Legajo 928.

<sup>3</sup> Pedro José de Olavarriaga, *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* (Caracas: Edición Fundación Cadafé, 1981 [1722]), 95-99; For scholarly agreement with Olavarriaga’s conclusions about the scarcity of register ships and dominance of the Dutch in Venezuelan trade, see Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648-1795* (Leiden: KITLV Press, 1998), 121-138; Aizpurua believes that officials exports of cacao, Venezuela’s principal cash crop, never reached 50% of total production and that 30-50% left as contraband. See Ramon Aizpurua, *Curacao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993), 75.

<sup>4</sup> Alan L. Karras, “‘Custom Has the Force of Law’: Local Officials and Contraband in the Bahamas and the Floridas, 1748-1779.” *The Florida Historical Quarterly* 80:3 (Winter, 2002): 294. Karras examines mainly the enforcement and breach of British trade regulations by British subjects and governors trading from the Bahamas and British Florida with the Spanish in the Caribbean. Though Karras examines another empire, I find his conclusions viable for Spanish bureaucrats’ enforcement of their commercial policy as well.

in extensive imperial investigations into their illicit dealings. Complaints about governors usually came from one of three sources: fellow bureaucrats with an axe to grind, the exclusive legal trader in Venezuelan cacao known as the Caracas Company (*Compañía Guipuzcoana*), or colonists themselves. While the motivations of the first two groups are relatively straightforward, the interests of the locals are more difficult to disentangle. Why would subjects with everything to gain from smuggling turn on governors involved in the trade?

This chapter contends that Venezuelan merchants and producers negotiated moral and commercial thresholds calculating the amount of contraband corruption they would tolerate from officials. These subjects took into account several considerations when evaluating authorities. They had few qualms about administrators who enriched themselves and opened free trade to Venezuela by violating strict commercial regulations. However, in the process of evading detection and prosecution, corrupt bureaucrats also could be vindictive, duplicitous, and ruthless to their subjects. In those instances, the same merchants and planters would seek to overturn governors who lined their pockets at the expense of the community or did violence to it. When officials breeched this line of excess, smuggling as a corrupt practice transformed, in the eyes of Venezuelan subjects, from an essential or tolerable legal transgression into a moral wrong.

Within this spectrum of perceived right and wrong, space existed for parley between shady functionaries, the Spanish legal system, and colonial subjects. A corrupt official's conduct, scale of operations, and leniency towards smugglers all depended upon

a number of variables outside of the law. Likewise, extralegal factors determined the success or failure, evasion or detection, exoneration or conviction, and punishment of government functionaries. An officer's connections to networks of fellow officials, kin, and smugglers, his rank, and the amount he stole from the imperial bureaucracy and Caracas Company might determine his legal impunity. Most importantly for Venezuelans and the contraband trade, these dynamics determined the degree to which authorities would enforce commercial law.

To understand this alternate formation of authority, this chapter examines the role of bureaucratic corruption in facilitating smuggling and commercial fraud in Venezuela in the first half of the eighteenth century.<sup>5</sup> It first outlines the dynamics of bureaucratic engagement with illicit trade by focusing on the criminal actions of low-level magistrates and military men. The means by which officials broke commercial law are important for understanding how they interacted with both foreign and domestic purveyors in the illicit economy. This chapter then employs two case studies of smuggling governors in early eighteenth-century Venezuela to explore how smuggling influenced the relationships of these more senior officials with the subjects they governed, their colleagues, and key sections of the Spanish imperial government. If an analysis of local officials argues primarily that unwritten rules and procedures existed regarding official collusion with

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<sup>5</sup> I use Kenneth Andrien's definition of corruption as "the conscious violation of legally prescribed modes of behavior by public officials in order to advance their own well being or that of some particular interest group." I also agree with Horst Pietschmann and Christoph Rosenmüller that the term "corruption" should be used as an analytical tool for a political process not a moral judgement. Kenneth J. Andrien, "Corruption, Inefficiency, and Imperial Decline in the Seventeenth-Century Viceroyalty of Peru." *The Americas*, 41:1 (Jul., 1984): 1; Horst Pietschmann, "Burocracia y corrupción en la Hispanoamérica colonial. Una aproximación tentativa," *Memorias de la Academia Mexicana de la Historia* 36 (1993) [1985]: 9-11, 35-36; Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues: The Court Society of Colonial Mexico, 1702-1710* (Calgary: University of Calgary Press, 2008): 32.

smuggling, these gubernatorial case studies underscore that the violation of these unspoken agreements with the community could undermine an official's regime. Finally, this chapter traces the courses of both groups of corrupt officials within the legal systems of Spain and the Americas to emphasize the negotiation between Spanish bureaucrats, colonial officials, and local interest groups over contraband corruption. Key variables such as factionalism, rank, and the recovery of Crown revenues determined the fate of crooked administrators and the enforcement of mercantile law.

Source material for an analysis of bureaucratic corruption comes from public investigations (*residencias*), trials, sentences, official correspondence, citizen petitions and testimonies concerning more than thirty Venezuelan officials. The cases presented here are particularly rich, yet representative, examples of governmental diffusion into all aspects of smuggling. Of course, many of these sources contain distinct biases.

Residencias were open inquiries into the conduct and actions of bureaucrats conducted at the end of their terms in office. As such, they were usually rife with partisan speculation and struggle between rival administrative and commercial groups seeking to discredit one another's representatives.<sup>6</sup> The guilt or innocence of particular administrators is not the focus of this chapter's inquiry. Rather, accusations of governmental corruption reveal how officials in general perpetrated illicit trade, who they smuggled with, and how this exchange influenced the legal and commercial world of colonial society.

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<sup>6</sup> C. H. Haring, *The Spanish Empire in America* (New York: Harcourt, Brace & World, Inc., 1963 [1947]), 141-142; Andrien, "Corruption, Inefficiency and Imperial Decline," 1-2.

The historiography of corruption in Spanish America has proffered wildly different explanations as to the significance of venal government, while containing its investigative scope of the practice almost entirely to the administrative realms of society. Most works have tended to view graft and fraud as normalized and even inborn elements of the Spanish Empire's bureaucratic formation. Early studies on the subject confirmed that medieval governmental legacies of personalistic politics and patrimonial relations carried over into early modern states, slowing the emergence of dispassionate, impartial bureaucracies.<sup>7</sup> Some revisionist arguments have contended that corruption even served a positive function in Spanish American government, allowing for greater flexibility in what otherwise would have been a brittle and unwieldy administrative system.<sup>8</sup> By contrast, other historians have perceived fraud and deception on the part of Spanish American rulers as crucial elements in tipping the balance of political power and wealth towards the provincial elite in the seventeenth and early eighteenth centuries. As officials bought royal offices and became beholden to local political and economic moguls, money generated from industries such as mining increasingly stayed within the colonies and

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<sup>7</sup> Magali Sarfatti, *Spanish Bureaucratic-Patrimonialism in America* (Berkeley: Institute of International Studies, University of California, 1966); Frank Jay Moreno, "The Spanish Colonial System: A Functional Approach," *The Western Political Quarterly* 20:2, Part 1 (Jun., 1967): 308-320; John Leddy Phelan, *The Kingdom of Quito in the Seventeenth Century: Bureaucratic Politics in the Spanish Empire* (Madison: University of Wisconsin Press, 1967).

<sup>8</sup> Anthony McFarlane, "Political Corruption and Reform in Bourbon Spanish America," in *Political Corruption in Europe and Latin America*, ed. Walter Little and Eduardo Posada-Carbó (New York: St. Martin's Press, 1996): 41-63; Lance Grahn, "Political Corruption and Reform in Cartagena Province: 1700-1740," (Milwaukee: University of Wisconsin-Milwaukee, Center for Latin America Discussion Paper Series, 1995); Zacarias Moutoukias, "Power, Corruption, and Commerce: The Making of the Local Administrative Structure in Seventeenth-Century Buenos Aires," *The Hispanic American Historical Review* 68/4 (Nov., 1988): 771-801.

residents successfully co-opted royal magistrates.<sup>9</sup> Scholars interested in late eighteenth-century Bourbon responses to this corruption have documented how reformers' efforts to eliminate practices such as the sale of offices and the appointment of creoles to high positions in the imperial bureaucracy brought political unrest to the empire.<sup>10</sup> Finally, recent works delving into the political thought of the eighteenth century have cautioned against the use of the term "corruption" to describe administrative practice in societies where official behavior considered venal by modern standards was the norm.<sup>11</sup> These studies have emphasized that the pervasive infiltration of merchant and bureaucratic networks and patron-client relations into Spanish American government made deciphering what "corruption" was all but impossible. All of these studies provide a quantitative understanding of corruption's structural impact on royal revenues, political thought, and governmental stability, but have failed to discuss the specific manner in which government functionaries committed indiscretions and how their actions created informal compacts with the subjects they ruled.

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<sup>9</sup> Kenneth J. Andrien, "Corruption, Inefficiency, and Imperial Decline," 1-20.

<sup>10</sup> Mark A Burkholder, "From Creole to *Peninsular*: The Transformation of the Audiencia of Lima," *The Hispanic American Historical Review* 52:3 (Aug., 1972): 395-415; Leon G. Campbell, "A Colonial Establishment: Creole Domination of the Audiencia of Lima during the Late Eighteenth Century," *The Hispanic American Historical Review* 52:1 (Feb., 1972): 1-25; McFarlane, "Political Corruption and Reform," 41-63.

<sup>11</sup> See, for example Jeremy Adelman, "Commerce and Corruption in the Late Spanish and Portuguese Empires," in *Corrupt Histories*, ed. Emmanuel Kreike and William Chester Jordan (Rochester: University of Rochester Press, 2004): 428-460; Christoph Rosenmüller, *Patrons, Partisans, and Palace Intrigues*; Pietschmann, "Burocracia y corrupción en la Hispanoamérica colonial," 9-36; Arnold J. Heidenheimer, "Perspectives on the Perception of Corruption," in *Political Corruption: A Handbook*, ed. Arnold J. Heidenheimer, Michael Johnston, and Victor T. LeVine, (New Brunswick, NJ.: Transaction Publishers, 1989): 149-163; Alejandro Cañeque, *The King's Living Image: The Culture and Politics of Viceregal Power in Colonial Mexico* (New York: Routledge, 2004).

By uncovering bureaucrats' engagement with illicit trade and deciphering the legal contours of this engagement for governors and subjects alike, this section adds depth to the existing body of literature on corruption. The symbiosis between corrupt administrators and smugglers, shopkeepers, and coastal dwellers made mockery of Spanish trade policy and nurtured a culture of illegality.<sup>12</sup> In place of the law's rigid dictums, authorities and subjects settled on their own rules to regulate the black market. As central components of circum-Caribbean contraband networks, crooked Spanish American officials not only facilitated smuggling, but also exemplified the power of corruption to energize lagging economies, accentuate factionalism, and shape community norms.

### **How Bureaucrats Became Smugglers**

In the contraband-rich world of eighteenth-century Venezuela, the existence of an honest official was often more remarkable than that of a corrupt one. The complaints of Agustín Fernández de Verastegui confirm this supposition. In 1701, he testified before a Venezuelan criminal court claiming that six men with knives had accosted him on a dark country road and tried to take his life. Luckily for Agustín, he fought off his attackers and escaped unscathed. Since Agustín was a Basque judge in Caracas's prize courts, he

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<sup>12</sup> In this analysis, I agree mostly with Zacarias Moutoukias who argues that the poverty of official salaries is not sufficient to explain corruption in commercial enforcement. Officials belonged to large networks of smugglers and had more complex arrangements of business in mind than simply an economy of makeshifts premised on graft. Moutoukias argues that, "we should ask ourselves up to what point the representatives of the crown, charged with carrying out its legal dispositions, constituted an element separate from the dominant nucleus of smugglers, whose activities they were supposed to repress." Moutoukias, "Power, Corruption, and Commerce," 776.

rightly believed that his assailants' hatred of his office had precipitated this attempted murder. He had enforced anti-contraband policies and convicted those guilty of trading with foreigners.<sup>13</sup> His compliance with the duties of his occupation nearly had cost him his life. Agustín's experience was not unique in colonial Venezuela.

Particularly for local officials, following the letter of the law won neither popular support nor material gains. Enconced in isolated small towns with little administrative aid, many Venezuelan bureaucrats had no desire to tow the line of Spanish mercantile law. A martinet might provoke threats on his life like those Agustín Fernández de Verastegui received.<sup>14</sup> Many officials concluded that it was better to tap into the booming inter-imperial trade than oppose it. In this way, those colonial officials in the lower rungs of imperial bureaucracy leveraged their offices for personal and familial enrichment. Most of the time, Venezuela's smugglers, producers and foreign contacts were all too happy to accept this bargain. Corruption was, therefore, mutually beneficial as well as endemic among the lower ranks.

Bureaucrats' under-the-table arrangement with contrabandists belied their prescribed role as obedient servants of the Crown. Their repetition of illegal behaviors shows that officials and Venezuelan subjects had reached a consensus on what constituted acceptable smuggling for public servants. With each bribe taken, deal made,

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<sup>13</sup> Testimonio de Agustín Fernández de Verastegui. Ocumare. April 17, 1701. Archivo General de la Nación, Caracas, Venezuela (hereafter AGNV), Comisos, Tomo I, f.140-144.

<sup>14</sup> In his wide-ranging work on global smuggling, Alan Karras writes that "corruption helped to relieve tension between those who governed and those who consumed in many societies, in a sense restoring their governability." Alan L. Karras, *Smuggling: Contraband and Corruption in World History* (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 2010), 113.

or sum extorted, governors and the governed solidified these practices in everyday commercial exchange.

The actions of local officials help uncover the simple mechanics of contraband corruption in Venezuelan ports and towns. Compared to more senior officials such as governors and viceroys, who dirtied their hands with illicit trade, local officials had some distinct advantages. Lower-level bureaucrats aroused less attention from the Crown and their superiors because they skimmed smaller quantities of goods and money from royal balance sheets. Minor civil and military officials such as *alcaldes*, prize court judges, militia corporals, and coastguard men were often the only governmental representatives in far-flung outposts. While the number of officers in Caracas diffused each other's power, functionaries placed in Venezuela's coastal hamlets often possessed immense authority over their jurisdictions. The disadvantage to this tremendous sway was that it usually bound lower bureaucrats to one locality and one manner of smuggling. These circumstances make their fascinating stories analytically easier to comprehend. Though this chapter eventually will investigate the multi-faceted complicity of higher authorities towards extralegal commerce, such analysis begins with understanding the daily corruption of officials at the lowest rungs of government.

What motivated administrators to participate in contraband? From the start, the simple process of gaining an appointment drove authorities' desire to profit from illicit trade. Since the mid-seventeenth century, the sale of colonial offices served as a crucial money maker for the royal treasury. A would-be administrator faced heavy costs associated with paying for his appointment, crossing the Atlantic, establishing himself

and his family in the Americas, and often waiting years for the opening of the position. Thus, local offices, unlike positions with longer tenures or greater supervision, became entrepreneurial endeavors.<sup>15</sup> The Crown recognized the inherent nature of corruption in the system, even going so far as levy a tax known as the *media annata*. Officially noted as a tax on the annual salary of officials, the *media annata* in practice functioned as a means to regain revenue lost by authorities' indiscretions.<sup>16</sup>

Poor salaries exaggerated the strain on administrators' funds and contributed to their involvement in illegal activities. Pedro José de Olavarriaga, whose *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* revealed the depths of corruption in eighteenth-century Venezuelan bureaucracy, complained that lesser officials,

lack salaries corresponding to the offices they hold. Although many of them have paid between two hundred and three hundred pesos to obtain these positions, after a year a corporal will have one thousand or two thousand pesos in reserve. Certainly these men could not eat, nor maintain themselves, nor amass wealth in such a short time from their legitimate wages. Thus, it is impossible for them not to have stolen publicly and permitted trade with foreigners. From this they have enriched themselves and from this they pay and have paid the governors for their offices.<sup>17</sup>

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<sup>15</sup> Pietschmann, "Burocracia y corrupción en la Hispanoamérica colonial," 27-28; Andrien, "Corruption, Inefficiency, and Imperial Decline," 6-9.

<sup>16</sup> Anthony McFarlane, "Political Corruption and Reform," 51-52; Pietschmann, "Burocracia y corrupción," 25-28.

<sup>17</sup> Pedro José de Olavarriaga, *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* (Caracas: Edición Fundación Cadafé, 1981 [1722]), 18.

As contraband trade represented one of the most common and profitable crimes in colonial Venezuela, it is not surprising that bureaucratic participation in the business was widespread.<sup>18</sup>

Bureaucratic traditions of graft also predisposed government functionaries to corruption. Local officials encountered relatively little oversight allowing them the flexibility to participate in illicit schemes. Higher authorities at the provincial level frequently appointed lesser officers with the mutual understanding that the chain of command would keep its secrets and share its ill-gotten profits. To reinforce this patronage, governors allowed their subordinates to keep a share of captured contraband spoils.<sup>19</sup>

Venezuelan authorities found many ways to penetrate mercantilist trade restrictions and siphon off for themselves a portion of the enormous foreign trade passing through the region. At one extreme, some bureaucrats actively took on the role of smugglers, engaging in the direct buying and selling of contraband goods from non-Spanish traders or their Venezuelan accomplices. This was risky both due to the frequent violence that characterized illicit commerce and the higher level of exposure an official might incur in the direct perpetration of a crime. However, this tactic was the most efficient means for bureaucrats to profit for it eliminated the middle men. Unlike more senior officials, local authorities could usually keep a higher profile as they frequently governed areas with few other royal representatives to oversee their actions.

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<sup>18</sup> Aizpurua, *Curacao y la costa de Caracas*, 55-56; Klooster, *Illicit Riches*, 133.

<sup>19</sup> Robert J. Ferry, *The Colonial Elite of Early Caracas: Formation & Crisis, 1567-1767* (Berkeley: University of California Press, 1989), 116-118.

The actions of Ambrosio Bello exemplify this type of trader. Bello served as a militia corporal and prize court judge in Morón, a small town near Puerto Cabello in north central Venezuela. In 1733, higher officials charged him with conducting illicit trade with foreigners. Caracas Company agent, Domingo Arosteguí, specifically accused Bello of doing business with a known Irish smuggler named John White (referred to as “Juan Blanco” in the documents), whom anti-contraband patrols had captured bartering with Bello.

According to White’s testimony, the corporal had used his office to orchestrate a complex arrangement of trades with White and other Spanish merchants. Bello asked White to procure gunpowder, musket balls, shotguns, and European foods including cured ham, bacon, wine, and liquor from Curaçao on credit. When White arrived with these items and requested payment, Bello arranged for one hundred zurrones of cacao (a zurrón being about a satchel-sized package often wrapped in animal skin) to be sold to him at the very favorable price of two pesos per zurrón. It was only fifteen days later that White received his payment. Bello subsequently brought Catalan merchants in to trade an additional one hundred fifty zurrones with the Irishman. It seems that Bello and his men kept a portion of the goods to resell in town and gave the rest to the merchants as payment for their cacao. It is unclear whether Bello and his men worked as agents of the Catalans, independent traders, or both. White admitted that Bello and his soldiers had

received commercial benefits from his voyages in the past, indicating a longstanding relationship with the foreign trader.<sup>20</sup>

Ambrosio Bello's connections to merchants, his military appointment, his reputation for discretion, and his willingness to be bought off all inspired trust from both foreign smugglers and Spanish American buyers. His familiarity with an Irish smuggler and Catalan merchants allowed him to arrange favorable trades given his knowledge of circum-Caribbean commercial conditions. In a small town such as Morón, the complacency of an authority such as Bello almost assured impunity. Juan Pascual, one of the traders captured with the Irishman John White admitted that he and the other merchants only traded with White because they knew that Bello was complicit in the trade. Bello could keep a secret. Pascual stated that the terms of trade established by Bello mandated that the names of all merchants involved remain undisclosed to limit their exposure.<sup>21</sup>

The smuggler White's willingness to sell goods to Bello and his soldiers on credit and wait fifteen days for payment also signaled the trust he placed in the corporal. Even if a deal went awry, as this arrangement did, smugglers were confident in their ability to placate virtually any royal representative with cash. Several soldiers involved in capturing White and Bello recounted how their ambush astounded the smuggler. White,

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<sup>20</sup> Información de Juan Blanco. Puerto Cabello. September 17, 1733. AGNV, Comisos, Tomo XIV, f.157-160.

<sup>21</sup> Información de Juan Pascual. Puerto Cabello. September 17, 1733. AGNV, Comisos, Tomo XIV, f.160-161.

assuming these guards were as amenable as Bello, was shocked to learn that they would not take a bribe of two thousand pesos to let him go.<sup>22</sup>

Like Bello, Felipe de Ugarte used his position as corporal to enrich himself through direct commerce. Over the course of his tenure in the Valle de Capaya immediately east of Caracas, Ugarte became friendly with Dutch smugglers and, by local accounts, traded frequently with them. Ugarte was rumored to have boarded Curaçaoan ships on numerous occasions to do business and travel with the Dutch. As evidence of these deals, prosecutors presented receipts confiscated from his belongings that listed goods he had purchased from his foreign friends and letters “signed with very distinct gratitude.” This evidence made Ugarte’s defense, that he had curried the favor of the Dutch smugglers to eventually ambush and overwhelm their ship, ring hollow.<sup>23</sup>

Though hands-on illicit trade was often the most efficient means to accumulate wealth from smuggling, a more passive approach to extralegal commerce was more common. In this scenario, authorities from the viceregal level down to the lowliest corporal might accept bribes and kickbacks for looking the other way when contraband goods came through their jurisdictions. Profits for tolerating smuggling ranged from small side businesses to elaborate enterprises. Connivance with smuggling, while just as damaging for imperial trade revenues as direct exchange, was more difficult to pin on an offending bureaucrat. While anti-contraband forces would have been insufficient to handle the sheer volume of contraband passing along the coast in the best of

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<sup>22</sup> Informaciones de Gabriel Amengual and Joseph Maní. Puerto Cabello. September 17, 1733. AGNV, Comisos, Tomo XIV, f.156-157.

<sup>23</sup> Confesión de Felipe Ugarte. Caracas. October 27, 1756. AGNV, Comisos, Tomo XXIV, f.134-135.

circumstances, it was administrators' complacency with illicit exchange, not breakdowns in imperial defense, which enabled the business to flourish.<sup>24</sup>

Some lower-echelon administrators nibbled at the edges of the contraband trade by ignoring the small-time smuggling of those around them. In 1719, officials in Caracas prosecuted corporal Rodrigo Alvarez, who operated in the Valle de Caruao east of Caracas. They denounced him for his associations with both foreign and domestic illegal traders. Alvarez allegedly had ignored the presence of illegal Dutch slaving vessels from Caruao to La Guaira and allowed them to anchor offshore and unload their human cargoes.<sup>25</sup> As well as facilitating Dutch commerce, he supposedly aided the trade in illicit cacao within Caruao. The corporal owned a store which carried, according to authorities, stolen cacao. This product came to Alvarez's *pulpería* by way of slaves who, in violation of both slave codes and commercial law, swiped discrete amounts of the crop from their masters.<sup>26</sup> While prosecutors suspected Alvarez of involvement as a middleman in both of these smuggling infractions, their only evidence, other than circumstantial witness testimonies, was the presence of tiny amounts of cacao and foreign

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<sup>24</sup> For a concise history of the monetary shortcomings and problems of implementation that beset honest efforts at patrolling contraband, see Earl J. Sanders, "Counter-contraband in Spanish America: Handicaps of the Governors in the Indies" *The Americas* 34 (1977), 59-70. Contrary to this chapter, the author argues that structural limitations in anti-contraband forces hindered governor's attempts to stop illicit trade more than their own venality.

<sup>25</sup> Auto de D. Marcos Francisco de Betancourt y Castro, Gobernador y Capitan General de Venezuela. Caracas. July 22, 1719. AGNV, Diversos, Tomo VIII, f. 452.

<sup>26</sup> Declaración de Rodrigo Alvarez, Cabo de Guerra de valle de Caruao. Caracas. August 7, 1719. AGNV, Diversos, Tomo VIII, f. 456-457.

liquor in his home.<sup>27</sup> A fine of twenty pesos and the costs of his trial were the most that these prosecutors could muster as punishment against the corporal.<sup>28</sup>

Some officials extracted much more substantial and habitual enrichment from smugglers. Sebastián Medrano, the Prize Court Judge of Maracaibo in 1722, tolerated the presence of an elaborate smuggling ring that dwarfed the modest dealings allegedly perpetrated by Rodrigo Alvarez. Medrano appointed his nephew Miguel de Medrano and a friend named Francisco Puche as his lieutenants. Miguel's familial connections to the prize court judge and Puche's knowledge of the trade in contraband clothing made the two effective smugglers. Under Sebastián Medrano's neglectful eye, the two traveled widely throughout the regions surrounding Maracaibo, collecting cacao from many separate producers and selling it for illegal textiles.<sup>29</sup> The governor of Maracaibo noted that though Miguel Medrano and Francisco Puche's job was "to be vigilant against and guard the roads (*celar y descaminar*) against clothing introduced through illicit commerce," in practice they did just the opposite. Though the viceroy had appointed Sebastián inspector of the royal treasury (*visitador de las reales cajas*), the governor noted that "it was notorious and publicly acknowledged that he has done nothing in service to his Majesty" except collect his ten peso per day salary.<sup>30</sup> With this corrupt man appointing them, Francisco Puche and Miguel Medrano not surprisingly believed

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<sup>27</sup> Declaración de Luis Joseph de Aguilera, soldado pagado de La Guaira. Caracas. July 22, 1719. AGNV, Diversos, Tomo VIII, f. 454.

<sup>28</sup> Auto de D. Marcos Francisco de Betancourt. Caracas. September 2, 1719. AGNV, Diversos, Tomo VIII, f.464-465.

<sup>29</sup> Carta del Theniente D. Juan de Olivares al Gobernador y Capitan General & Declaración de Juan de Orosco. Maracaibo. October 3, 1721. Archivo General de Indias, Seville, Spain (Hereafter cited as AGI), Audiencia de Santo Domingo, Legajo 653.

<sup>30</sup> Gobernador de Maracaibo Guillermo Thomas de Roa to the King. Maracaibo. November 22, 1722. AGI, Santo Domingo, 653.

that they could simply sail their ships into port in broad daylight without declaring their cargos.

In addition to the familial connection that cemented the Medranos's smuggling enterprise, their business benefited from administrative and popular support. The governor of Maracaibo believed that the Medranos could still count on the viceroy's backing.<sup>31</sup> His supposition was well-founded, as the Viceroy of New Granada, Jorge de Villalonga, was also involved in illegal trade and later faced charges of defrauding the royal treasury.<sup>32</sup> The clan's immunity to conviction provided further evidence of the clan's bureaucratic favor. Miguel Medrano presumably escaped numerous prosecutions over the years given that documents produced in 1740, some eighteen years after initial suspicions about the Medrano family, detailed his arrest for colluding with smugglers as a lieutenant in Maracaibo's fort.<sup>33</sup>

Popular sentiment most likely favored the Medranos as they provided a much-needed, if illegal, service to the region. The governor observed that before their smuggling, "this city and its province were so lacking and exhausted of goods that not for any price could olive oil, paper, iron, wax, and clothe be obtained." Since "the arrival of Don Sebastián de Medrano and his judges to this city, there has been an abundance of

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<sup>31</sup> Gobernador de Maracaibo Guillermo Thomas de Roa to the King. Maracaibo. November 22, 1722. AGI, Santo Domingo, 653.

<sup>32</sup> Sentencia dada en visito de la residencia tomada a Don Jorge de Villalonga, Virrey Gobernador y Capitan General de el nuevo Reyno de Granada y Presidente que fue de la Real Audiencia de Santa Fe. April 19, 1730. AGI, Escribanía de Cámara, 1194.

<sup>33</sup> Casal y Ferreira, Antonio Benito del. Capitán de infantería española; gobernador que fue de Maracaibo; causas que le siguió por contrabando a Miguel Suárez Medrano y demanda y cargos de éste en el juicio de residencia que se siguió a dicho funcionario. Maracaibo. 1740. Archivo General de la Nación, Bogotá, Colombia (hereafter AGNC), Fondo Contrabando, Tomo IV, f. 1-93.

quality products that would not have been experienced otherwise.”<sup>34</sup> The governor’s back-handed compliment dramatized how the Medranos’s commercial misdeeds brought material prosperity to the area.

As the Medranos uncle-nephew smuggling partnership demonstrates, local officials often had the easiest time overlooking offenses committed by family members. Corrupt administrators not only placed relatives in office, but also disregarded the smuggling of kin not on the payroll. In small towns where one family member held an administrative position, a family business in smuggling might prosper. Such was the case with Andrés de Tovar who held the post of lieutenant in the militia of Nuestra Señora de Pilar de Zaragoza, an inland village west of Puerto Cabello in western Venezuela. Tovar’s son Martín ran a store that sold illicit goods. Andrés not only failed to shut down the shop, but also ignored his son’s frequent trips to transport illegal tobacco to the larger city of Carora where a Spanish merchant arranged for its passage to Curaçao. Martín and Andrés’s actions clearly ran counter to Spanish strictures in Venezuela which tightly licensed the growth and trade of tobacco, the province’s other prominent cash crop, and forbid officers from participating in tobacco production. Tovar’s reluctance to enforce the law stemmed not only from loyalty to his son, but also because, as one resident of the area flatly stated, “it is said publicly that all of the tobacco collected in this jurisdiction is bought by Don Andrés de Tovar.”<sup>35</sup>

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<sup>34</sup> Gobernador de Maracaibo Guillermo Thomas de Roa to the King. Maracaibo. November 22, 1722. AGI, Santo Domingo, 653.

<sup>35</sup> Dec. de Luis Eznal and Nicolas Menendez de Elizondo, residentes de San Phelipe. San Phelipe. September 22, 1736. AGNV, Diversos, XVIII, f.386-387.

Another strategy for officials looking to turn a profit involved embargoing and misappropriating contraband cargoes rather than ignoring them. This practice went against the customary protocol attached to ship seizures. According to approved practice, after seizing and judging a ship's cargo to be contraband, military and civilian officials would sell the goods at public auction. After port duties, sales taxes and the judge had all been paid (around one third of the total sum), between one half and two-thirds of the remaining prize would go to the royal treasury, while the crew of the anti-contraband patrol would divvy up the rest.<sup>36</sup> Local officials who either failed to report a ship seizure or pilfered a portion of this vessel's contents before declaring them significantly impacted royal revenues. In some areas, goods and money from captured shipping represented a significant part of the local economy and was one of the only means by which the Spanish state would recoup any of income lost through illicit trade and tax evasion.<sup>37</sup>

Not surprisingly, the imperial bureaucracy rigorously investigated this type of fraud as it cut into an important revenue stream. Prosecutors accused several of the authorities described earlier of embezzling from embargoed contraband hauls. The Medranos took illegal cuts from seized stockpiles of contraband.<sup>38</sup> Felipe de Ugarte, the corporal of Capaya discussed earlier because of his close connections to Dutch traders, faced charges of misappropriating seized contraband goods in 1750. Rather than

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<sup>36</sup> Lance Grahn, *The Political Economy of Smuggling* (Boulder, CO: Westview Press, 1997), 25.

<sup>37</sup> For the neighboring colony of New Granada, Lance Grahn has deduced that ship seizures and other contraband-derived income accounted for twenty percent of Cartagena's locally-generated revenue between 1713 and 1763. In Rio Hacha, funds from ship seizures more than doubled the revenue obtained from import duties between 1743 and 1765. Grahn, *The Political Economy of Smuggling*, 193.

<sup>38</sup> Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* Vol. 1. (Caracas: Academia Nacional de la Historia, 1984), 102.

registering a detained foreign sloop and its cargo, Ugarte took it to port in Capaya, stripped the vessel of its contents, and distributed the loot among himself and his men. Don Julian de Arriaga, the governor of Venezuela, revealed that an inventory of Ugarte's house and boat turned up goods as diverse as cloth, candles, Castilian soap, two female slaves, stockings, knives, glass, and gin.<sup>39</sup> Arriaga recommended that these impounded items be carefully watched as he feared that the Dutch might seek to reclaim them by force.<sup>40</sup>

Though embezzlement of small amounts of foreign contraband by officials was often tolerated, prosecutors were less likely to tolerate functionaries who stole from Spanish American producers. In the case of Felipe de Ugarte, what caught the governor's attention in the first place was not Ugarte's embezzlement of foreign prizes, but rather his robbery of his neighbors under the auspices of suppressing illicit trade. In 1750, Juan Antonio Rodríguez de Sosa testified that Felipe Ugarte had violently robbed him of four hundred and sixty fanegas of cacao. The hacendado claimed that he had stored the cacao in a shed on the banks of the Río Tuy while awaiting a merchant who would take it to be legally sold. According to Rodríguez de Sosa, Ugarte came to his rancho during this period aboard one of two Dutch vessels. Without provocation, the ships opened fire on Rodríguez de Sosa's property causing him to flee into the woods. As he hid, he saw Ugarte and the Dutchmen carting off his crop and burning his rancho. Ugarte and his accomplices also stole from a Galician hacendado as well, bringing the

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<sup>39</sup> Auto de Don Julian de Arriaga, Gobernador y Capitan General de Venezuela. Caracas. August 23, 1750. AGNV, Comisos, Tomo XXIV, f. 267-268.

<sup>40</sup> Carta de Gob. Don Julián de Arriaga y Ribera al Ten. Just. de Capaya D. Juan de Silva. Caracas. August 22, 1750. AGNV, Compañía Guipuzcoana, Tomo III, f. 227.

total amount pilfered to somewhere between six hundred and seven hundred fanegas.<sup>41</sup>

The corporal acquired this large sum not through graft, but by outright piracy.

Felipe de Ugarte pointed to his duties as a corporal to explain his presence at Rodríguez Sosa's property. He testified that he and his men had arrive at the rancho after the Dutch and rallied to capture the ship. Ugarte's men added that Rodríguez de Sosa was not the victim at all, but rather a contrabandist himself who had sold his cacao to the Dutch. They believed that Rodríguez de Sosa sought to settle the score with Ugarte because the latter had embargoed his ill-gotten goods in the past and jailed several of his friends and relatives. Furthermore, they stated that Ugarte had been in the process of transporting the cacao to La Guaira for proper registration when Caracas Company patrols stopped his ship and accused the corporal of the robbery.<sup>42</sup>

For prosecutors involved in the case, Ugarte's excuses did not hold water. The collaboration of a Spanish corporal and Dutch smugglers in the bombardment of a Venezuelan hacendado was intolerable even within administrations given to corruption. The lawyer for the Audiencia of Santo Domingo accused Ugarte's men of perjuring themselves to pay off their debts to him.<sup>43</sup> Governor Felipe Ricardos decried the audacity of an "assistant of the foreigners to take by force from the produce of the inhabitants of

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<sup>41</sup> Declaración de Juan Antonio Rodríguez de Sosa. Caracas. October 12, 1750. AGNV, Comisos, Tomo XXIV, f. 329-331.

<sup>42</sup> Declaraciones que rinden en Caracas por ante el Alcalde Ordinario Doctor Gabriel Martín de Ibarra, los testigos José Clemente Fernández Valladares, de 45 años; José Luciano de la Santa, de 32; Julián Hipólito Mejías, de 19, y Juan Isidro de Liendo, de 37 años poco más o menos. Caracas. January and March, 1751. AGNV, Compañía Guipuzcoana, Tomo IV, f. 2-5.

<sup>43</sup> Carta de Licenciado Don Fernando Thamaris, abogado de la Real Audiencia de Santo Domingo to the Gobernador y Capitan General. Caracas. July 16, 1751. AGNV, Comisos, Tomo XXIV, f. 225-228.

this province to make trade with these foreigners.”<sup>44</sup> The auctioning of Ugarte’s ship and slaves as a legitimate seizure suggested that his legal position was untenable.

Whether they served as smugglers, brokers, facilitators, or accessories in the contraband trade, local officials used their unique positions in the military and political apparatuses of small-town Venezuela to aid illicit foreign commerce into the colony. In the process, such officials enriched themselves and their families, and strengthened smuggling rings. Local administrators’ ability to bypass the law in their favor derived from their status and authority as the sole governmental representative presiding over trade in distant communities. Furthermore, their enterprises benefited from these men’s knowledge of local conditions and connections within the legal system. Finally, the subjects of undersupplied Venezuelan localities usually approved of the increased economic interaction with the outside world brought by crooked officials more than they disapproved of these authorities’ corruption.

Civil servants and military men at the lowest rungs of governmental power present a unique opportunity to understand the mechanics of bureaucratically-aided smuggling. Because these men exercised control over limited geographical and political areas, they tended to stick to only one or two facets of administrative corruption. By analyzing these discrete histories, the basic processes of bureaucratic involvement in smuggling become clear. In the section that follows, this chapter will analyze administratively-facilitated smuggling at the gubernatorial level. These higher authorities

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<sup>44</sup> Confesion de Don Felipe Ugarte. Caracas. October 27, 1756. AGNV, Comisos, Tomo XXIV, f. 133.

combined and permuted many of the contraband trading processes that this discussion of local officials has detailed already.

### **The Tangled Cases of Governors José Francisco de Cañas and Sebastián García de la Torre**

Governors of Venezuela were significant conduits for illicit trade even as their illicit actions made them lightning rods for controversy in Venezuelan society. Corrupt governors enjoyed far more influence in the smuggling business than local officials due to their power and prestige. However they were only as powerful as their connections to governmental, familial, and commercial networks. Caraqueño subjects, specifically the merchant class, ousted governors who threatened community moral codes or monopolized the contraband trade for themselves. In the 1730s, the Caracas Company rose to prominence and wrestled this oversight capacity from the creoles. The Company based its intrusion into Caracas politics on the need to eliminate contraband in the province. Its intervention endangered a long-standing symbiosis between smugglers and officials and engendered the hatred of all classes of Caraqueños.<sup>45</sup> This anger would later boil over into significant rebellions against the Company's rule.

This section offers two case studies of corrupt governors of Venezuela. The transgressions of Jose Francisco de Cañas y Merino and Sebastián García de la Torre are representative of many of their peers. Their experiences with smuggling also illustrate

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<sup>45</sup> Francisco Morales Padron, *Rebelión contra la Compañía de Caracas* (Seville: Escuela de Estudios Hispano-Americanos, 1955), 27.

changes in the commercial and political fabric of the province as a result of the arrival of the Caracas Company.

Venezuelan governors, like Cañas and García, pursued more diverse courses than their subordinates in their circumvention of Spanish trade law. Gubernatorial enrichment through the black market was just as common as commercial crime at the lower levels of government, and often employed the same processes. However, governors ruled over larger geographic areas, participated in more branches of governmental affairs, and had more discretionary powers than local officials. The amount of money an individual governor might skim off the top of imperial trade balances was also much greater than that of a local functionary. As a result, the investigations of their infractions left an immense paper trail in the documentary record.<sup>46</sup> While the diffusion of authority in Caracas meant that there were more Crown and city representatives to monitor a corrupt governor, his wide-reaching authority allowed him to participate more fully in more parts of the contraband business.

One form of gubernatorial smuggling involved direct buying and selling from contrabandists. Although governors in Venezuela sometimes bartered face-to-face with illegal foreign merchants, they engaged in this practice less frequently than their subordinates. It was dangerous to appear on the coast presumably trading with outsiders. One governor unafraid to engage in such trading was José Francisco de Cañas y Merino

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<sup>46</sup> In researching this chapter, references to corrupt local officials, while numerous, were often terse. In the best of cases, investigations of these men lasted a few dozen pages. However, given their high status and the amount of money they were accused of stealing, governors figured prominently in the archival record. My investigations found both a multitude of governors accused of commercial crimes and significant *residencias* and investigations into their conduct (many continuing on for hundreds of folios).

who served a stormy term from 1711 to 1714. The son of a presidio sergeant in northern Africa, Cañas came from a middling military background.<sup>47</sup> During his reign, this magistrate irritated the town council (*cabildo*), the elites, ordinary citizens, the clergy, and virtually anyone else not within his inner circle.

As corrupt as he was relentless, Cañas was a first-rate smuggler. Of the thirty charges enumerated against him by royal prosecutors in his 1716 sentencing, sixteen were linked in some way to illicit trade.<sup>48</sup> Several sources catalogued his brazen trading with the French under the cover of the *asiento*. Cañas used this institution, which allowed appointed foreign contractors to legally import slaves into the Spanish colonies, as a pretext to bring in ships from the French Caribbean that sold him contraband flour and other goods. Though the governor bought flour from the *asiento* ships for seven pesos per barrel, Caracas's starved markets allowed him to sell these same barrels for twenty eight pesos each.<sup>49</sup> As the royal treasurer in Caracas remarked, "he has introduced so much clothing by way of the French that there is not a shop in town that is not full to the rafters with the clothing and flour of the governor."<sup>50</sup>

Cañas also used slave ships from the *asiento* to send his cacao to market in Spain even though it was illegal for these vessels to carry extraneous goods back to Europe.

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<sup>47</sup> Luis Alberro Sucre, *Gobernadores y Capitanes Generales de Venezuela*, second edition. (Caracas: Tipografía Tecnocolor, 1964 [1928]), 207.

<sup>48</sup> Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía de Cámara, 964.

<sup>49</sup> Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía de Cámara, 964.

<sup>50</sup> Consejo. Resumen de diferentes cartas y un memorial sobre la vacante de Paza de contador de la Cajas de Caracas, y declaracion hecha de la de Thesorero de ella. Caracas. November 19, 1713. AGI, Audiencia de Santo Domingo, 751.

The cacao, along with profits from Cañas's illicit trading, crossed the Atlantic under the name of a notary public in Caracas to conceal the governor's involvement in the extralegal shipments.<sup>51</sup> In addition to crooked trafficking under the asiento, Cañas also carried on friendly commercial relations with the Dutch governor of Curaçao. This exchange was particularly brazen given the fact that the two colonies were formally at war during Cañas's term in office.<sup>52</sup>

Seized by an entrepreneurial spirit, Cañas did not limit his commercial crimes to transactions with foreigners. He also purchased several oceangoing vessels and transported his own cacao to Veracruz.<sup>53</sup> Though certain Venezuelan merchants received this privilege, Spanish law forbid royal authorities from directly participating in such trade.

For governors, collusion formed a more sensible path to wealth than direct exchange. By conniving with smugglers but not straightforwardly buying their wares, governors enriched themselves and kept a low profile. The hush money paid to provincial executives by contrabandists helped the latter evade capture, escape from custody, and avoid indictment. José Francisco de Cañas, for example, made it abundantly clear that he would offer safe passage to foreign merchants willing to pay for the convenience. His trial identified two Frenchmen and a Valencian from Martinique

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<sup>51</sup> Declaracion de D. Julio Chourío, Director del Real Asiento de Negros. Caracas. October 7, 1714. AGI, Santo Domingo, 751.

<sup>52</sup> Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía de Cámara, Legajo 964.

<sup>53</sup> El Cabildo Secular de Caracas to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751; Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía de Cámara, 964.

that he had allowed to trade in La Guaira, Venezuela's port, in exchange for sizeable bribes. One smuggler, a Monsieur Buscarons, sold the enormous sum of twenty thousand pesos of clothing from the French Caribbean island to traders in Caracas in return for a payment of three to four thousand pesos to Cañas.<sup>54</sup> Though he withheld arrest and prosecution for these paying salesmen, Cañas vigorously extorted those who would not pay his kickbacks voluntarily. Caracas's cabildo accused Cañas of squeezing nearly 1600 pesos in fines from the merchants of the city after threatening them with confiscation of their goods, which he believed to be contraband from China or New Spain.<sup>55</sup>

Sebastián García de la Torre also excelled at this type of connivance. García served as governor of Venezuela nearly twenty years after Cañas. His brief tenure, from 1730-1732 followed a similarly difficult trajectory, but for different reasons. García lacked his predecessor's bravado for direct smuggling. However, he built an equally large retinue of illegal traders that allowed him to profit from Venezuela's covert commerce.

García's principle offense, in the eyes of his royal superiors, was not his flagrant violation of the law, but rather in his tendency to do nothing. The residencia and trial of García outlined numerous cases where he and his son, who oversaw military and port operations at La Guaira's fort, declined to prosecute their friends and associates for

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<sup>54</sup> Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía de Cámara, 964.

<sup>55</sup> El Cabildo Secular de Caracas to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751; Oficiales Don Juan de Urbina y Don Andres Alonso Gil contra Don José Francisco de Cañas y Merino. Caracas. November 23, 1714. AGNV, Comisos, Tomo II, f. 45-81.

trafficking illicit goods. Of the fifty charges leveled against García in his trial, thirteen concerned instances in which he had let known contrabandists pass through his jurisdiction or freed them from prison without trial.

García seemed like an equal pardoner, forgiving foreigners, Venezuelans, Canary Islanders, Indians, and fellow corrupt officials. According to the report, numerous ships coming into port in 1731 and 1732 with unlicensed goods from Spain, the Canaries, and non-Spanish Caribbean islands dropped anchor and sold their cargoes in broad daylight. In one case, Caracas Company officials seized a ship arriving by way of Trinidad with a cargo of illicit slaves and dry goods originally from Martinique. Though many witnesses testified to the illegal nature of the cargo, García overruled the Company, released the ship's goods, and allowed its captain to sell them under the pretext that the ship came licensed from Puerto Rico. In return, the captain compensated García's son with gifts and purchased one thousand pesos of his cacao.<sup>56</sup>

For his tendency toward legal forgiveness, García built allegiances and received thousands of pesos worth of handsome compensation.<sup>57</sup> The García clan became so notorious for their role in these pursuits that one resident of Caracas admitted that, "it is said that captains of ships bring gifts to the captain of the fort [Sebastián's son, Antonio García] so that he will tolerate the entrance of prohibited goods. With the help of the captain, there was abundant commerce in cacao sent to New Spain, Spain, and the Canary

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<sup>56</sup> Residencia de Sebastián García de la Torre, Gobernador de la Provincia de Venezuela, por Martín de Lardizabal, Comandante General de ella. Caracas. 1735. AGI, Escribania, 727A.

<sup>57</sup> Residencia de Sebastián García de la Torre, Gobernador de la Provincia de Venezuela, por Martín de Lardizabal, Comandante General de ella. Caracas. 1735. AGI, Escribania, 727A.

Islands [illegally].”<sup>58</sup> Sebastián García even released a suspected murder. Don Francisco de Aguiar, likely one of García’s business associates, was a known smuggler. Aguiar negotiated with a corporal in the Valley of Cata to send an assassin to murder his business rival, Don Eustachio Galindo. The killer carried out the homicide of Galindo, yet the corporal and Aguiar both walked from jail without trial.<sup>59</sup>

In addition to taking bribes for their complicity from foreign and domestic smugglers, colonial governors also profited illegally from anti-smuggling efforts. Governors could perpetrate this type of graft in ways that lower officials could not, because they exerted control over the distribution of military funds in the province. Both Jose Francisco de Cañas and Sebastián García de la Torre lined their pockets from imperial endeavors to suppress the contraband trade. One method of perverting these attempts at enforcement involved the embezzlement of portions of a captured contraband stockpile (*comiso*) before prize court judges could lawfully appraise and sell it at auction. Cañas allegedly skimmed a considerable haul of 10,200 pesos worth of goods from various *comisos* over a period of years.<sup>60</sup> Similarly, García had a proclivity for incorrectly evaluating and reporting the values of captured goods.<sup>61</sup> This deceit

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<sup>58</sup> Testimonio de D. Francisco Antonio Emasavel, residente de Caracas. Caracas. July 9, 1733. AGI, Escribanía, 727A.

<sup>59</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Gral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Madrid. July 7, 1742. AGI, Escribania, 964.

<sup>60</sup> Testimonio de D. Diego Reynaldos, vecino de Caracas. Caracas. September 30, 1714. AGI, Santo Domingo, 751.

<sup>61</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742. AGI, Escribanía, 964.; El Marques del Valle de Santiago D. Miguel de Verroteran to El Comandante General. Caracas. August 26, 1735. AGI, Escribanía 727A.

undermined efforts to curb contraband because it diverted pieces of the meager revenue that the Crown was able to recover from illegal trade.

Governors added to their ill-gotten gains from anti-contraband patrols by embezzling money and resources used to fund the colony's defenses against foreign invaders. Royal investigators accused Cañas of stealing gunpowder meant for the protection of La Guaira and selling it to private merchants.<sup>62</sup> Likewise, García pilfered money meant to pay the salaries of soldiers patrolling the coast and instead gave these wages to his family members. For an official who did very little to halt illicit trading, García requested plenty of support to pay for questionable anti-contraband measures. Ironically, the governor who declined to imprison so many alleged smugglers took money from the royal treasury without prior consultation to pay for repairing Caracas's jail.<sup>63</sup>

In certain cases, García's less-than-honest use of defense subsidies even compromised the security of Venezuela. During his tenure, authorities questioned García's conduct with respect to a major trade rebellion. In 1730, Andresote, a slave of mixed African and Indian origins (*zambo*), started a rebellion. The slave, aided by Dutch arms and supplies, led fellow runaways and more than a few white Venezuelans in a three-year fight against the Caracas Company, its involvement in the slave trade, and

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<sup>62</sup> Sentencia en vista de la Causa y Pesquisa Contra Don Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Madrid. June 12, 1720. AGI, Escribanía, 964.

<sup>63</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sevastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742. AGI, Escribanía, 964.; El Marques del Valle de Santiago D. Miguel de Verroteran to El Comandante General. Caracas. August 26, 1735. AGI, Escribanía 727A.

Spain's commercial monopoly. Shortly after the rebellion began, García took the substantial sum of four thousand pesos from the royal treasury without authorization to pay for a raid against the zambo chief. After a short and ineffectual sojourn into the country, García returned to Caracas empty-handed, but presumably with a fatter wallet.<sup>64</sup> Though he also dipped into the Caracas Company's funds to pay for the fortification of the Yaracuy River, a key point of supply for the Andresote rebels, investigations into his conduct concluded that he had not constructed useful defenses there.<sup>65</sup>

Given the litany of bribes, frauds, embezzlements, and smuggling perpetrated by Cañas and García, the issue of impunity comes to the fore. How did bureaucrats like these get away with such blatant violations of the law? Who covered their tracks and what relationships developed out of the inclusion of royal administrators into the structure of Venezuela's illicit economy? Imperial functionaries rarely acted as lone wolves in smuggling. Instead, they were aware of their social surroundings. Governors used their accumulated familial, collegial, and community connections to avoid detection and prosecution. These executives' ability to evade prosecution through alliances, judicial power, and appeasement of their subjects' commercial prerogatives determined their fortunes as contrabandists and officials.

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<sup>64</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sevastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742, AGI, Escribanía, 964; Cabildo de Caracas to the King. Caracas. July 20, 1732. AGI, Santo Domingo, 782. Carlos Felice Cardot, *La Rebelión de Andresote: (Valles del Yaracuy, 1730-1733)* (Caracas: Academia Nacional de la Historia, 1952), 43-45.

<sup>65</sup> Petición de D. Pedro Joseph de Olavariaga, Director de los Navios de la Real Compañía Guipuzcoana. La Guaira. March 24, 1733. AGI, Escribanía, 727B.

Governors given to corruption greatly simplified the process of extralegal enrichment for themselves if they found like-minded authorities with whom to enter into symbiotic relationships. José Francisco de Cañas, for example, paid for two treasury officials, the Urbina brothers, to falsify treasury records as he skimmed off the top of contraband seizures.<sup>66</sup> Sebastián García de la Torre maintained similarly friendly relations with compromised lower officials, in one case withholding damning documents in a smuggling investigation against his lieutenant in San Phelipe.<sup>67</sup>

Due to the highly personalized nature of politics of early modern Spanish America, family relations were as pivotal as bureaucratic connections for many governors involved in contraband trade. Abnormally, no evidence points to Cañas using familial connections to advance his extralegal aims. In contrast to his predecessor, García attempted to mold Venezuela's customs administration into his family's personal domain. As discussed earlier, the governor made his son, Antonio, captain (*castellano*) of the fort at La Guaira, Caracas's port. This appointment stirred conflict in certain Caraqueño merchants circles that thought the twenty-six-year-old vastly under-qualified for his occupation. Despite complaints, Antonio García proved amenable to smugglers and maintained his father's cover for contrabandists. He accepted massive bribes and

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<sup>66</sup> D. Gaspar Caldo, receptor de la Pesquissa de D. Jorge Lozano Peralta. September 12, 1713. AGI, Santo Domingo, 751; Ynforme que hace el Ministro de Campo D. Julio Primo Ascamó a S.M. Catholica de las operaciones del Governador de Caracas, D. Joseph de Cañas. La Guayra. February 15, 1713. AGI, Santo Domingo, 751.

<sup>67</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742, AGI, Escribanía, 964.

plucked his allies from the clutches of prosecution.<sup>68</sup> He also used his advantageous position in La Guaira to arrange for the sale of cacao acquired by his family to merchants who then transported it to markets in New Spain.<sup>69</sup>

Sebastián García's appointments did not stop with his son. He placed other family members in salaried positions as soldiers though these men never showed up for muster. García's personal family fiefdom of customs enforcement was completely ineffectual in preventing smuggling, but a valuable enterprise for his clan. Over the course of his brief tenure, García's nepotism was alternately embraced by most Venezuelan traders and loathed by Caracas Company officials.<sup>70</sup>

Yet there were limits: pliable colleagues and familial relations only could ease the legal pressures on a crooked governor so much. The support of Caraqueños, specifically the local merchants with whom he traded, was paramount to maintaining credit within the Spanish imperial bureaucracy. Unfavorable testimonies of locals could sour the evaluations (*residencias*) of governors at the end of their terms or even lead the imperial government to open secret investigations into a bureaucrat's conduct during his reign. Heavy fines and even jail time could result from such measures. Thus, governors like García and Cañas needed the approval, or at least silence, of the men with whom they traded and connived. The same thresholds of corruption and smuggling set by Venezuelans for their lower officials applied also to their tolerance of governors'

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<sup>68</sup> Testimonio de D. Francisco Antonio Emasavel, residente de Caracas. Caracas. June 9, 1733. AGI, Escribanía, 727A.

<sup>69</sup> Petición de D. Pedro Joseph de Olavariaga, Director de los Navios de la Real Compañía Guipuzcoana. La Guaira. March 24, 1733. AGI, Escribanía, 727B.

<sup>70</sup> Testimonio de D. Francisco Antonio Emasavel, residente de Caracas. Caracas. June 9, 1733. AGI, Escribanía, 727A.

offenses. As García and Cañas's tenures will show, the citizens of Caracas, led by the commercial class, powerfully influenced the outcomes of official inquiries into bureaucratic corruption.

Sebastián García's allegiance to Venezuelan traders was so strong that he even protected them at points when their interests interfered with critical government business. He intervened in merchant affairs only to siphon off bribes from black market transactions. In one such case, García failed to prosecute Pablo Bernardo Enriquez, a *hacendado* who had been trading directly with Andresote, the leader of the failed 1730 slave uprising. Though this cacao producer's commerce with the rebel chief helped fund an insurgency that brought significant upheaval to the province, García gave him a free pass.<sup>71</sup> On the whole, relatively few traders appeared in the records to speak ill of García. This absence underscores the passive and mutually beneficial role that García's facilitation played in the underground commerce of these merchants.

As Sebastián García was, on the whole, a less confrontational and more discrete governor than José Francisco de Cañas, he accumulated fewer enemies. Unfortunately for him, the main adversary he made, the Caracas Company, became a powerful player in Venezuelan politics. As part of early Bourbon efforts to make Venezuela, a marginal part of the empire, economically productive, the Caracas Company exercised broad control over the seas, prize courts, laws, and finances of the province from 1728 onward.

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<sup>71</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742, AGI, Escribanía, 964.

One scholar has suggested that fights over jurisdiction frequently broke out between government officials and Caracas Company employees because both groups wanted the spoils, from either captured goods or kickbacks, which came from illicit trade.<sup>72</sup> Company representatives used their considerable clout to advocate for the removal of corrupt officials who threatened their interests. Such efforts overpowered the Caracas cabildo and citizen petitions' preferences regarding a particular governor. Suddenly, peninsular authorities began to prosecute bureaucratic corruption not when it offended creole thresholds, but rather when it irritated the commercial whims of metropolitan outsiders like the Company.

García, who no doubt saw the Company as meddling to the interests of his smuggler friends, became a general nuisance to its operations. Garcia's men harassed Company ships in port.<sup>73</sup> The governor also granted licenses to Venezuelan merchants to transport cacao to New Spain, the Canary Islands, and Spain all in direct violation of the Caracas Company's rights. These merchants even formed the beginnings of a parallel trading company with García's blessing.<sup>74</sup> Not surprisingly, encouraging direct competition in what was supposed to be a monopoly market enraged the Basque company and hastened García's demise. It was no accident that after an investigation

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<sup>72</sup> Aizpurua, *Curazao y la costa de Caracas*, 204-208.

<sup>73</sup> Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 247.

<sup>74</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. Caracas. July 7, 1742, AGI, Escribanía, 964.

forced him to flee to a Caracas convent in 1732, García's successor served as the first of a string of Basque-born governors of Venezuela.<sup>75</sup>

Unlike García, Jose Francisco de Cañas's interventions in the judicial process sought to strike against his Caraqueño competitors in the smuggling business rather than against a group of outsiders. Many of the most animated complaints against Cañas came as a result of the scandal in which he became embroiled in 1712. In that year, Cañas ordered the summary executions of eleven mule-drivers (*arrieros*) who had been smuggling cacao and tobacco from the hinterlands around Caracas. Though the law allowed for contrabandists to receive the death penalty, in practice this punishment was exceptionally rare in the colonial period. Despite the fact that these men were essentially poor, ignorant middlemen, Cañas ordered them all to be hung after a mere three-day trial. That three of the *arrieros* were minors only increased the infamy of this sentence. The governor overruled an appeal from the men's legal counsel to spare them, threatened the lawyer with physical violence should he continue to question Cañas's will, and executed the mule drivers that day. In doing so, Cañas not only violated judicial procedure with regards to the right of the accused to make appeals, but also the proper interval after sentencing when the guilty could be executed.<sup>76</sup>

As the previous discussion of Cañas's proclivity towards smuggling makes clear, this newfound zeal to prosecute contrabandists to the full extent of the law came not from a sudden change of heart, but rather from a more straightforward motivation: these mule-

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<sup>75</sup> Ferry, *The Colonial Elite of Early Caracas*, 5.

<sup>76</sup> El Cabildo Secular de Caracas to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751.

drivers carried the goods of his competitors. In fact, various accounts credited Cañas throughout his tenure with efforts to tamp down illicit commerce.<sup>77</sup> The governor's leniency only applied to those traders who had cooperated with him. Smugglers not willing to go into business with Cañas experienced his strict adherence to the law.<sup>78</sup> As the citizens of Caracas made clear in a petition to the Crown, "without more cause than the desires of his absolute will, he has treated many of the noble vassals of this republic with public contempt, imprisoning and incarcerating them with shackles and chains in this city and in La Guaira."<sup>79</sup>

Whether out of a desire to deflect attention from his crimes or due merely to a petty sense of vindictiveness, the governor was given to playing the martinet in his public persona. He railed against contraband trade and claimed it sprung forth from the moral depravity of his subjects. He warned of the "grave harm and disorder originating from the many vagrants and people without residence who converge on this site [the hinterlands of Caracas]" and of the "unmarried women capable of causing scandal."<sup>80</sup>

After linking moral vices to commercial crime, Cañas sought to get to the problem's roots. He advocated a two-fold solution. He would resettle immoral subjects and launch a sporadic series of morality campaigns that bizarrely involved the questioning of young women as to their sexual habits. Cañas claimed the authority to enter homes, and then haul away and punish wayward young ladies. Most shockingly,

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<sup>77</sup> D. Joseph Melero to the King. Caracas. October 30, 1711. AGI, Santo Domingo, 751.

<sup>78</sup> El Cabildo Secular de Caracas to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751; Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 211.

<sup>79</sup> El Cabildo Secular de Caracas to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751

<sup>80</sup> Bando de D. Joseph Fran. de Cañas. Cocorote. March 3, 1712. AGI, Santo Domingo, 751.

the governor insisted upon administering virginity tests to determine these women's virtue. As one citizen petition to the king stated,

he removed a measure from his pocket and invoking the name of Your Majesty in such an obscene action, and told them: This is a measure that the king grants us governors to learn who is not a maiden (*doncella*). Thus, [even] if she refuses, I will measure the lady to find out. Fearful, as they were ignorant people, they thought it would be an execrable crime to refuse after having heard the sovereign name of His Majesty mentioned. And they began confessing their weakness and abuses.<sup>81</sup>

Notwithstanding the ambiguities of the text, it is clear that the tests were mere subterfuge for Cañas's sexual violation of the women.

The governor had a two-fold goal: he aimed to shift scrutiny away from his illicit trade and simultaneously indulge his carnal appetites. His conduct threatened the marriage prospects and respectability of these women who, "having been taken before by popular belief for maidens, now were defamed and without credit and took from this occasion such an undignified label."<sup>82</sup> That Cañas successfully executed these lewd actions demonstrated the power a governor held over marginal provinces such as Venezuela.

Despite his authority, outraged subjects skillfully and forcibly argued for Cañas's removal. The petitions of the Caracas cabildo and the citizens of the city emphasized Cañas's commercial fraud and judicial meddling long before they turned to his sexual abuses. The writers of such appeals undoubtedly understood that crimes against the king's money and legal order mattered more to the Council of the Indies than abuses

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<sup>81</sup> Los Vasallos de Caracas to the King. Caracas. May 10, 1714. AGI, Santo Domingo, 751. I wish to thank Asunción Lavrin for her help in translating this particularly opaque passage.

<sup>82</sup> *Ibid.*

against individual subjects. The petitions' authors stressed the violence wrought on the collective good, rather than simply the individual. In their view, the governor's virginity tests and public questioning of the ladies, premised on diverting attention from his own commercial crookedness, had done significant harm to the social order and public credit of the city by leaving its women unmarriageable.

Cañas fought back against these accusations and tried to turn the tables on his opponents. The governor opined that his anti-contraband operations had been received, “very sensitively by the residents of this province, especially the cabildo and vecinos of this city, because they have not been able to carry on their commerce seeing as they have been charged with this and other evils and offenses.” He attributed his initial imprisonment in Caracas to the malevolent hatred of Don Luis Arias, who had petitioned for a royal cédula to take him into custody. This was revenge given that earlier, Cañas had seized the assets and slaves of Arias's sister during the prosecution of her husband, whom the governor believed to have defrauded the king for nearly twenty years.<sup>83</sup>

In spite of his counterarguments, a secret investigation against Cañas eventually resulted in the governor's removal, many thousands of pesos in fines, and his imprisonment in Spain. He only narrowly escaped a death sentence when a royal birth resulted in a general pardon.<sup>84</sup> Though Cañas acquired some friends from his involvement in covert commerce, he clearly alienated significant factions in the merchant community to his detriment.

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<sup>83</sup> D. Joseph Francisco de Cañas to the King. Caracas. December 9, 1714. AGI, Santo Domingo, 751.

<sup>84</sup> Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 212-213.

The investigations and sentencing of Cañas and García demonstrated the divide between the two governors' attitudes toward Caracas's illicit merchants. García's non-confrontational style of governing inspired no ill will from his subjects. The governor never undermined the covert business of others nor sought to monopolize the smuggling trade for himself. On the contrary, he was quick to provide an improper ship license or release contrabandists from the grasp of the law for the right price. His complacency enraged the Caracas Company, a group of Basque outsiders, instead of Venezuelan locals.

That Cañas's secret investigation came about as a result of the incessant complaints of Caracas's cabildo, rather than imperial authorities, highlights the rancor he had incited in the capital. His ruthless intimidation, unlawful arrests, and sexual violation of Caraqueñas overshadowed his utility as a functionary complicit with the contraband trade. Moreover, in attempting to intrude into every aspect of extralegal commerce and viciously cutting out his competition, Cañas threatened the lifeblood of the economy.

The expulsion of Cañas and García by two very different authorities expressed how much had changed in Venezuelan politics in the twenty years between their appointments. Though the two approached Caraqueño society in very different manners, both men served only short tenures in office followed by ignominious exits. It was the cabildo and residents of Caracas that had had the last word in dismissing Cañas. Conversely, despite subjects' favorable impression of García twenty years later, his ouster for smuggling came from outsiders to the colony. The Caracas Company, due to its promise to make Venezuela economically productive for Spain, possessed surprising

judicial clout for a recently-formed institution. It easily removed García and went on to install two Basque governors whom locals almost universally detested. García's removal, along with the appointment of his Basque successors, came to signify an infuriating power grab by a foreign entity. The Company's meddling in the compact between officials on the make and colonists sustained by smuggling fed a creole anger that questioned the organization's right to rule Venezuelan commerce.

### **Smuggling Officials and the Legal System**

So far, this chapter has explored the basic protocol of corrupt bureaucrats and their smuggling's influence on Venezuelan societal and governmental arrangements. This section analyzes the legal system and its punishment of corrupt officials in further detail. For administrators unlucky enough to get caught practicing or tolerating illicit trade, the Spanish legal system proved to be a deeply malleable apparatus. Suspect functionaries based their defenses around demonstrating personal service to the Crown and discrediting their accusers, often by making their own allegations of smuggling. Their trials embodied the hyper-partisan and personalistic nature of early-modern governing structures.

Administrative groups linked by patronage, friendship and kinship sought to dishonor rival bureaucratic clusters. For the guilty, sentencing depended upon connections within the legal system and the amount they had stolen from royal revenues. In punishing the guilty, the imperial government focused primarily on recouping lost funds. Its ability to differentiate between normal graft and extraordinary veniality also

showed that, to some extent, it expected and tolerated the former. The Spanish legal system's subjective treatment of offending officials, like the illicit actions of these administrators themselves, served to regularize contraband trade as a standard commercial practice in Venezuelan society.

In their trials and interrogations, public servants prosecuted for their illicit dealings employed two well-worn defenses to exonerate themselves. Their most important argument was to portray themselves as fervent guardians against illicit trade. Most functionaries could list a few examples where they had hauled in the guilty. From these instances, officials hoped to emphasize their zealous enforcement of commercial law and detract from criminal accusations. Juan de la Tornera Sota, the governor of Cumaná, used this strategy to downplay the claims made against him between 1726 and 1730. According to his accusers Tornera Sota had soured the close trading relations between the province of Cumaná and Margarita, the island province that adjoined it. They claimed that in 1726, Tornera Sota had published an order (*bando*) that prohibited trade and shipping with Margarita because the governor claimed that Margarita was in the midst of a smallpox epidemic. Tornera Sota insinuated that the epidemic had arrived via Dutch vessels.<sup>85</sup>

Despite Tornera Sota's warnings, numerous officials from Margarita testified that no such epidemic existed. The governor's accusers charged him with intentionally keeping subjects of Margarita from passing to Cumaná to discourage outsiders from

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<sup>85</sup> Auto de Don Juan de Vera, Gobernador y Capitan General de Margarita. Margarita. November 8, 1726. AGI, Santo Domingo, 635.

discovering Tornera Sota's illicit commerce with foreigners.<sup>86</sup> Furthermore, he used the smallpox excuse to avoid seizing and properly evaluating Dutch ships. Tornera Sota even imprisoned and quarantined anti-contraband patrols from Margarita who had battled the Dutch.<sup>87</sup>

Tornera Sota denied these accusations, but also quickly pointed to his record of service in the "extinction of illicit commerce with foreigners". He testified to persecuting contraband and contrabandists.<sup>88</sup> He claimed to have stopped Juan de Olea, a Venezuelan smuggler, from going to Martinique with his cargo. Two *autos* which he presented to the king revealed that he had captured two known British smuggling ships during his tenure.<sup>89</sup> In particular, Tornera pointed to his prosecution of Bernabe Angel de Toledo, a merchant who had stolen goods from official register ships.<sup>90</sup> With these examples of dedicated service, Tornera Sota hoped to vindicate his character and cast doubt on the accusations of his rivals.

José Francisco de Cañas, the governor of Venezuela discussed in the previous section, also proffered his deeds as an enforcer in an attempt to nullify charges against him. From Cañas's point of view, Caraqueño society was rife with contraband. The patricians of this city had made a mockery of the law, trafficking with the Dutch from La Guaira whenever possible. Cañas estimated that as much as half (25,000 fanegas) of the

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<sup>86</sup> Declaracion de Miguel de Vetancurt. Margarita. November 9, 1726; Veneficiado D. Antonio de Ugas, Cura Rector de la Sta. Yglesia Parroquial de Margarita. Margarita. November 11, 1726. AGI, Santo Domingo, 635.

<sup>87</sup> Auto de D. Juan de Vera. Margarita. November 26, 1726. AGI, Santo Domingo, 635.

<sup>88</sup> Auto de Juan de la Tornera Sota. Cumana. May 27, 1730. AGI, Santo Domingo, 635.

<sup>89</sup> Auto de Juan de Vera. Margarita. May 26, 1730. AGI, Santo Domingo, 635.

<sup>90</sup> Auto de D. Juan de la Tornera Sota, Gobernador de Cumana, contra D. Bernabe de Toledo y otros sobre comercio. Cumaná. April 15, 1730. AGI, Santo Domingo, 635.

cacao that left Venezuela every year did so illegally. From this, he deduced that the Crown lost around 100,000 pesos annually from duties not paid in Venezuela and Veracruz, the principle departure and arrival points of this cacao.

To combat these excesses, Cañas stressed that he had put his own money into contraband patrols and outfitted four sailing ships with a crew of three hundred men to guard the coast.<sup>91</sup> He championed the formation of a pardo militia to suppress contraband.<sup>92</sup> He even journeyed into the field to personally capture Dutchmen in Barquisimeto.<sup>93</sup> The governor extolled capital punishment of homegrown contrabandists, including the execution of the eleven arrieros describer earlier, as a means of sending a message to those who would break the law.<sup>94</sup>

There was some validity several of Cañas's claims. He isolated the neighboring island of Tucacas, a hotbed of contraband, so that the Dutch momentarily abandoned it. During his tenure legal cacao shipments out of Venezuela doubled. For this vigilance, he found himself chained up in Caracas's jail for eighty days because it was, in his opinion, "everyone's business to destroy me."<sup>95</sup>

To reinforce their personal claims of zeal and hardships in defending royal commercial revenues, officials marshaled their friends and cohorts to testify to their

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<sup>91</sup> Don Joseph Francisco de Cañas al Rey. Caracas. December 9, 1714. AGI, Santo Domingo, 751.

<sup>92</sup> Bando de Don Joseph Francisco de Cañas y Merino, Gobernador y Capitan General de Venezuela. Turmero. February 27, 1712. AGI, Santo Domingo, 751.

<sup>93</sup> Gobernador Don Joseph Francisco de Cañas al Rey. Caracas. May 28, 1712. AGI, Santo Domingo, 751.

<sup>94</sup> Gobernador de Caracas, D. Francisco de Cañas al Rey. Caracas. August 20, 1711. AGI, Santo Domingo, 751; Facts bear witness to the accuracy of some of Cañas's claims. He did isolate the neighboring island of Tucacas, a hotbed of contraband, so that the Dutch momentarily abandoned it. During his tenure legal cacao shipments out of Venezuela doubled. Araúz Monfante, *El contrabando holandes en el Caribe*, 145-150.

<sup>95</sup> Don Joseph Francisco de Cañas al Rey. Caracas. December 9, 1714. AGI, Santo Domingo, 751.

meritorious service. Such corroboration proved a key element of a bureaucrat's legal defense. It also revealed the ways that functionaries courted the loyalty of their peers. Juan de la Tornera Sota, the governor of Cumaná accused of concocting a fake smallpox scare for his own commercial gain, brought captains of the Cumaná militias to testify to his sense of duty. These men acknowledged that "they had neither seen nor made such considerable foreign ship seizures as in the time of Governor Juan de la Tornera Sota."<sup>96</sup> The captains' favorable remarks probably came as a result of the preferential treatment Tornera Sota gave to the militias. His accusers believed that Tornera Sota had showered these military units with the spoils of his trading with the Dutch.<sup>97</sup> Furthermore, he allowed them to buy from his personal stores on credit.<sup>98</sup> Given the precarious financial situation of irregular soldiers throughout the colonial period, these benefits may well have secured positive testimony from the militias.<sup>99</sup>

Corporal Felipe Ugarte showed a similar generosity to the armed forces. As discussed earlier in this chapter, Ugarte stood accused of using Dutch firepower to rob cacao hacendados in his jurisdiction. According to his detractors, Ugarte had liberally gifted portions of his contraband seizures to the soldiers he commanded and in the process bought their loyalty.<sup>100</sup> The soldiers corroborated Ugarte's denial of the robbery,

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<sup>96</sup> Declaración del Escribano Publico de Cumaná, Don Martin Pellon. Cumana. April 18, 1730. AGI, Santo Domingo, 635

<sup>97</sup> Declaracion de Capitan Don Domingo Bermudez, Alcalde Ordinario de Cumaná. Margarita. April 30, 1730. AGI, Santo Domingo, 635.

<sup>98</sup> Declaración del Fray Domingo Rubio Menendez. Cumana. May 12, 1730. AGI, Santo Domingo, 635.

<sup>99</sup> Moutoukias, "Power, Corruption, and Commerce," 788; Grahn, "Political Corruption and Reform," 11; Grahn, *The Political Economy of Smuggling*, 78.

<sup>100</sup> Auto de Don Julian de Arriaga. Caracas. August 23, 1750. AGNV, Comisos, Tomo XXIV, f. 263-264.

confirmed that his accuser, Juan Antonio Rodríguez de Sosa, was a contrabandist, and testified to his bravery in various skirmishes with smugglers.<sup>101</sup>

The second method of defense employed by besieged bureaucrats was to smear the reputations of their accusers. The most popular means of doing this involved hurling counterclaims of smuggling upon their opponents. In this way, corrupt officials made hypocrites of their enemies. Furthermore, as contraband trade was rife in Venezuela, counter-accusations were sometimes true.

Sectional considerations prompted much of the mudslinging. Lineages of corrupt officials defended their interests, protected themselves from conviction, and distributed the riches of smuggling in Venezuela throughout their ranks. These groups of bureaucrats often accused one another of facilitating illicit commerce.

The trial of Governor Diego Portales y Meneses serves to underscore administrative factionalism's importance in contraband trading, smear operations, and legal defense in colonial Venezuela. Partisan politics generated fierce animosities during Portales's twice-interrupted term as governor from 1721 to 1728. Animosity began in 1720, when the Viceroy of New Granada, Jorge de Villalonga, had sent two agents (*jueces comisionarios*) named Pedro José de Olavarriaga and Pedro Martín Beato to Caracas to investigate the state of the treasury and suppress contraband trade. The inquiries of these men led to the dismissal of the previous governor, Marco de Betancourt

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<sup>101</sup> Declaraciones que rinden en Caracas por ante el Alcalde Ordinario Doctor Gabriel Martín de Ibarra, los testigos José Clemente Fernández Valladares, de 45 años; José Luciano de la Santa, de 32; Julián Hipólito Mejías, de 19, y Juan Isidro de Liendo, de 37 años poco más o menos. Caracas. January and March, 1751. AGNV, Compañía Guipuzcoana, Tomo IV, f. 2-5.

y Castro in 1721 for his incessant smuggling. Diego Portales y Meneses replaced Betancourt in the post.

Portales's reign was even more conflict-laden than that of his predecessor. In Portales's first stint as governor he alienated both the viceroy and the Caracas cabildo. Not wanting the viceroy's investigators to meddle around in his affairs, Portales jailed Pedro Martín Beato and Pedro José de Olavarriaga and then liberated the deposed Marco de Betancourt y Castro against the viceroy's orders. Faced with direct disobedience, Viceroy Villalonga ordered Portales's arrest in 1723 on account of his rough treatment of Beato and Olavarriaga. Yet, a royal cédula freed him from jail shortly after his imprisonment.

Portales continued to stoke sectional rancor after his first arrest. He appointed the Bishop of Caracas as his temporary successor, gaining a powerful ally in the clergyman, and began a legal vendetta against members of the cabildo and the viceregal government. After the viceroy's men re-arrested Portales, he served one month in jail in 1724 before fleeing and taking refuge in the Bishop's house. At this point, both Portales's and the cabildo's supporters seemed ready to take up arms against one another to decide who would govern Caracas. After a brief period in exile, Portales returned to the governorship with the authority of a royal cédula in 1726. He governed unopposed until 1728.<sup>102</sup>

For nearly a decade, those partial to the Caracas cabildo, the viceroy, and his agents Beato and Olavarriaga fought a legal battle for control of Caracas against the

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<sup>102</sup> Ferry, *The Colonial Elite of Caracas*, 114-116; Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 231-236.

forces of Portales and the Bishop of Caracas. Throughout this struggle, both cadres used accusations of contraband trading as weapons to weaken and discredit their opponent's right to rule. Pedro José de Olavarría and Pedro Martín Beato accused Diego de Portales y Meneses of a host of infractions, but most involved some form of illicit commerce. In addition to being utterly insubordinate to the viceroy, they alleged that Portales had used presidio troops in La Guaira for his own business purposes.<sup>103</sup> He had also participated in cacao trading despite legal prohibitions against governors entering into such commerce. Furthermore, Portales associated with known smugglers, including Marco de Betancourt y Castro, the former governor, and had let captured contrabandists go without trial.<sup>104</sup>

Olavarría and Beato pointed to their reputations and unjust imprisonment as proof that the governor was tangled up in extralegal trade. Both of the agents had a record of incorruptibility. Olavarría, quite literally, had written the book on smuggling in 1722. His *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* examined the problems inherent in commercial policy and its enforcement, and proffered solutions to Venezuela's contraband crisis. The two men had been integral in bringing down the former governor, Marco de Betancourt y Castro, and now they sought to depose Portales. For this, Portales imprisoned them "with the sole goal of terrorizing us, and at the same time pleasing the illicit merchants...with

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<sup>103</sup> Don Pedro Martín Beato y Don Pedro Olavarría al Rey. Caracas. June 16, 1722. AGI, Santo Domingo, 759.

<sup>104</sup> Sentencia de Visita del Consejo dada en las demandas puestas por Don Ruy Fernández de Fuenmayor y otros, a Don Diego Portales y Meneses Gobernador que fue de al Prov.a de Caracas. November 11, 1732. AGI, Escribanía de Cámara, 1194; Don Pedro Martín Beato y Don Pedro Joseph de Olavarría al Rey. Caracas. October 11, 1722. AGI, Santo Domingo, 759.

the violences done unto us because we had almost extinguished the foreign trade.”<sup>105</sup>

Numerous testimonies from Olavarriaga and Beato as well as others reinforced the agents’ impeccable credentials. During the time they had been in Venezuela, they had fought in pitched battles against Dutch contrabandists and recovered an astonishing 115,049 pesos in seized goods.<sup>106</sup>

Diego Portales y Meneses, for his part, brought forth allegations of Olavarriaga and Beato’s misconduct in an attempt to discredit the two prize court judges. He accused them of embezzling more than eight thousand pesos from their contraband seizures and distributing this money among their fellow officers. Portales also alleged that they had received kickbacks to write pardons for masters who had brought unregistered slaves into the colonies. The governor enlisted the help of the Bishop of Caracas, who testified in his favor and stated that Olavarriaga, Beato, and a host of other officials were “united and congregated to wipe out and destroy the authority and respect of the king’s ministers, putting up litigious impediments to the observance of their duties.”<sup>107</sup> Despite Portales’s arguments, he was unable to sway judicial opinion on Olavarriaga and Beato’s credibility or escape viceregal censure upon termination of his term in office.<sup>108</sup>

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<sup>105</sup> Don Pedro Martin Beato y Don Pedro Joseph de Olavarriaga al Rey. Caracas. October 11, 1722. AGI, Santo Domingo, 759.

<sup>106</sup> Auto de Pedro Joseph de Olavarriaga. Caracas. January 20, 1721. AGI, Santo Domingo, 759; Don Pedro Martin Beato y Don Pedro Olavarriaga al Rey. Caracas. January 23, 1723. AGI, Santo Domingo, 759.

<sup>107</sup> El Obispo de Caracas al Rey. Caracas. April 21, 1726. AGI, Santo Domingo, 774.

<sup>108</sup> Sentencia de Visita del Consejo dada en las demandas puestas por Don Ruy Fernandez de Fuenmayor y otros, a Don Diego Portales y Meneses Gobernador que fue de al Provincia de Caracas. November 11, 1732. AGI, Escribanía de Cámara, 1194.

Occasionally, factional divides broke down not by governmental branch, but rather by province. As the case of Juan de la Tornera Sota mentioned earlier demonstrates, rival provinces could use accusations of illicit trade to damage the fortunes of one another. Tornera Sota's trumped-up rumors of a smallpox outbreak on Margarita no doubt served to discourage trade to that island. Margarita's governor, Juan de Vera, stressed Tornera Sota's proclivity toward smuggling and aiding foreign merchants in his complaints about his island's forced isolation. The allegations exchanged by these warring governors suggested the tension between their provinces.

Partisanship and personalism marked the sentencing of corrupt officials just as it had affected their legal defenses. Those found guilty received inconsistent punishments often dependent on a host of factors. No codified manual determined how the culpable would pay. Instead those officials with the fewest connections in high places and the most enemies often received the harshest sentences. Lower-level officials convicted of anything more than petty smuggling frequently endured harsh punishments because of their lack of influence. Justice was often more consistent and summary at the lowest rungs of the administrative ladder. Conversely, those with friends and allies at the viceregal and imperial levels might see stiff punishments diluted into mere slaps on the wrist.

Nowhere was nepotism and inconsistency more evident than in the contradictory punishments doled out by colonial and imperial courts. Surprisingly, sentencing for contrabandist officials was often harsher in colonial courts than in the appeals stage in Spain. It may be that officials whose cases reached the desks of the Council of the Indies

had reason to believe that this body would treat them leniently. That the council chose to step in at all meant that, in some instances, these men had friends protecting them in Madrid.

Diego Portales y Meneses, the governor who disobeyed the viceroy and prosecuted officials who might inform upon him, possessed these connections in the Spanish court.<sup>109</sup> The viceroyalty of Santa Fe had suggested that Portales be fined three hundred pesos for not confirming *autos* and *expedientes* against contrabandists, 10,000 reales for illegally taking cacao from Venezuelan producers, 15,000 reales for his insider trading, 2500 reales for letting various contrabandists walk away from prosecution, and 2000 reales for not confiscating the assets of several prize court judges. Despite the numerous testimonies against Portales, the Council of the Indies perceived the jail time he had served during two separate interruptions of his term as punishment enough and nullified or lessened most of the fines against the governor.<sup>110</sup>

In addition to the tendency of its individual councilors to protect certain suspects, the Council of the Indies' metropolitan governing priorities sometimes lightened the sentences doled out to bureaucrats. The Council primarily cared about the balance sheets of colonial trade. Even though administrative infighting regarding contraband trade could make the Province of Venezuela ungovernable for spells, as it did with the controversy between Portales and the Caracas cabildo, it did not necessarily affect commercial revenue. Thus, officials who skimmed off the top of contraband seizures or

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<sup>109</sup> Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 236.

<sup>110</sup> Sentencia de Visita del Consejo dada en las demandas puestas por Don Ruy Fernandez de Fuenmayor y otros, a Don Diego Portales y Meneses Gobernador que fue de al Prov.a de Caracas. November 11, 1732. AGI, Escribanía de Cámara, 1194.

accepted bribes from foreign smugglers in a petty fashion tended not to arouse the interest of administrators in Madrid.

Contrarily, in contraband cases linked to widespread embezzlement from the royal treasury or where officials siphoned off large sums destined for imperial coffers, the Council of the Indies took notice. As only bureaucrats from the gubernatorial level and upwards on the administrative chain possessed the clout to misappropriate such amounts of money, the council rarely dealt with the crimes of local functionaries. Of the cases consulted in this chapter, only a handful of the rulings on local officials came from Madrid. The vast majority of council sentences concerned governors and viceroys.

As their first priority, officials in Madrid sought to recover lost funds from wayward colonial administrators. After confirming the guilt of the accused, prosecutors sought to attack the assets and private funds of corrupt functionaries. The documentary paper trail of these lengthy financial inquiries sometimes stretched farther than the trial itself. The case of Sebastián García de la Torre, the governor of Venezuela in the 1730s, demonstrates this money chase. Much like modern police detectives investigating a mob boss's offshore bank accounts, prosecutors spent nearly the contents of an entire *legajo* deciphering where García de la Torre kept his money in both Venezuela and Spain.<sup>111</sup> The diversified geographic nature of his holdings probably originated from García's myriad connections to illicit merchant networks.

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<sup>111</sup> Residencia de Sebastián García de la Torre, Gobernador de la Provincia de Venezuela, por Martín de Lardizabal, Comandante General de ella. Sólo la instancia de Miguel de Berrotán, Marques del Valle de Santiago, con el residenciado sobre paga de 7689 pesos que lastó como su fiador en el juicio de residencia. Fenecida en 1739. 3 piezas. AGI, Escribanía de Cámara, 727A.

Similarly, investigators in Caracas and Madrid traced the path of José Francisco de Cañas's assets and seized what they could. For example, Cañas had sent between 900 and 1,000 pesos aboard an asiento ship consigned under the name of a French merchant with orders to remit them to a contact in Madrid.<sup>112</sup> Cañas also sent his associate 59,000 reales worth of cacao to Spain to be deposited in an account for his wife and three daughters.<sup>113</sup> The detection of these far-flung funds indicated the Spanish imperial government's priorities in the prosecution of smuggling officials.

Repairing the social and commercial damages wrought by corrupt officials in the colonies was more of an afterthought for the Council of the Indies. The governing body applied few physical punishments meant to teach a moral lesson such as prison terms, forced labor, and exile. It often removed these castigations entirely from viceregal sentences. In his study of corruption in Buenos Aires, Zacarias Moutoukias concludes by the end of the seventeenth century, fines had become so routine as the primary punishment for smuggling that "we can speak of a tax on smuggling."<sup>114</sup> With Sebastián García de la Torre, for instance, the council upheld 6,000 of the 8,000 peso fine charged to him, but cancelled a four year labor sentence at the Spanish presidio in Ceuta.<sup>115</sup> In the sentencing of José Francisco de Cañas, the council allowed the "fathers, mothers, wives, children, and heirs" of thirteen arrieros and private traders he had summarily executed for

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<sup>112</sup> Declaracion de Don Julio Chourío, Director del Real Asiento de Negros. Caracas. October 7, 1714. AGI, Santo Domingo, 751.

<sup>113</sup> Auto de Don Jorge Lozano Peralta. Madrid. May 14, 1715. AGI, Santo Domingo, 751.

<sup>114</sup> Moutoukias, "Power, Corruption, and Commerce," 796.

<sup>115</sup> Auto de Revista del Consejo dado en vista de los autos de la Pesquisa de D. Sebastian Garcia de la Torre, Gov. y Cap. Xral que fue de la ciudad de Caracas. Juez; D. Martin de Lardizaval. July 7, 1742. AGI, Escribanía de Cámara, 964.

possession of illicit goods to sue Cañas for damages. It did not, however, directly concede any benefits to them. The government body also permitted two men, whom Cañas had falsely imprisoned for a period of years, to seek the same restitution.

Only in exceptional cases, where the corruption of a governor left a lasting scar on the social fabric of a community, might the Council of the Indies award damages. Virtually every testimony and town petition summoned against Cañas spoke of his infamous sexual abuse of and malice towards the young ladies of Caracas. For six charges ranging from his virginity tests, to the beating, kidnapping, shaming, and possible rape of the young women, the council forced Cañas to pay a five hundred peso fine. To put this in perspective, for illegally sending one shipment of cacao to Spain (about 900-1000 pesos worth) via the asiento, Cañas garnered the same five hundred peso penalty. The fines for Cañas's sexual crimes amounted to only a small portion of the two thousand to three thousand pesos in charges applied to the former governor that the document mentions at various points.

Nonetheless, Cañas's offenses were heinous enough that the council initially sentenced him to ten years of presidio labor in Ceuta, perpetual loss of office and exile from the Indies, and the fines. All this came after he had spent several years in jail in Madrid.<sup>116</sup> As stated earlier, ministers even debated the death penalty for Cañas, though a royal birth during his imprisonment secured him a general pardon with other

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<sup>116</sup> Sentencia en vista de la Causa y Pesquisa Contra D. Joseph Francisco de Cañas Gobernador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Pasose en autoridad de Cosa Juzgada Como Consta de la Presa corriente de dha Causa, en donde esta el Auto y el referido D. Joseph de Cañas es fue yndultado por el Nazimiento de este Ynfante D. Phelipe Cuyareso Quien esta tambien en dha presa C. Pero ay otros Reos. Juez; D. Jorge Lozano y Peralta. Madrid. June 12, 1720. AGI, Escribanía de Camara, 964.

prisoners.<sup>117</sup> By 1720, the year of Cañas's sentencing, his notoriety had spread widely. In a consultation sent to the Audiencia de Filipinas, the Council of the Indies used his case as an example for how to proceed against a governor in Manila. This official, among other offenses, had seized several ships violently resulting in unnecessary loss of life, threatened his subjects, and engaged in insider trading.<sup>118</sup> The legal consultation suggests both Cañas's importance as a legal precedent for dealing with smuggling governors, but also that his was an exceptional case.

What then were the most common sentences issued to wayward administrators by legal bodies in the Americas and Spain? Fines played the largest part in the punishment of offending bureaucrats. The quantities varied dramatically. Rodrigo Alvarez, who had been accused of buying and selling goods stolen by slaves from their masters, paid just twenty pesos for a few questionable items found in his store.<sup>119</sup> At the other end of the spectrum, colonial authorities bled dry Juan de la Tornera Sota, for inventing a smallpox scare to keep his illicit trade private. Officials in Cumaná forced Tornera Sota to pay 8000 pesos to Cumana's treasury for personal trading that he did with merchants in Veracruz and the Canary Islands aboard register ships, 3500 pesos to the treasury for unspecified "excesses committed during the time of his government" and 4,000 pesos to the *real cámara* for leading them to prosecute Bernabe Angel de Toledo, who was later

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<sup>117</sup> Sucre, *Gobernadores y Capitanes Generales de Venezuela*, 212-213.

<sup>118</sup> Consulta del Consejo de Indias informando de la nueva notificación de auto de la junta de indultos del Consejo de Castilla al relator del Consejo de Indias para que haga relación de la causa de José Francisco de Cañas, gobernador de Caracas. Madrid. October 19, 1720. AGI, Filipinas, 94.

<sup>119</sup> Auto de Don Marcos Francisco de Betancourt. Caracas. September 2, 1719. AGNV, Diversos, Tomo VIII, f.464-465.

acquitted.<sup>120</sup> Fines could also take the form of the confiscation of an official's property, particularly when the effects themselves were suspected to be contraband.

Prosecutors of crooked administrators usually removed the guilty from the office and location in which they committed their crimes. One member of Maiquetía's coastguard suspected of tolerating and arranging illicit transactions in the port lost his office and his privilege to go within four leagues of the coast or the town in 1758.<sup>121</sup> Though these penalties represented the soldier's only punishment, forced removal from one's home community in early modern Spanish America represented a significant hardship. Exile might be temporary or permanent depending on an official's misdeeds, but prohibition from holding office was usually perpetual. As this chapter has demonstrated, office-holding and its illicit benefits represented a significant source of income for many men, which they could scarcely afford to lose.

Sentences of the guilty resulted in physical confinement and control less frequently than fines or exile. Officials more selective use of this punishment probably had to do with its potentially lethal nature. As jails in this period were mainly temporary and insecure holding pens meant only for use over the course of a trial, incarceration for long durations occurred rarely. Instead, prosecuting authorities invoked forced labor drafts to castigate many offenders. Just as foreign smugglers frequently found

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<sup>120</sup> Demanda puesta por la Real Contaduría de esta Ciudad de Cumana al Señor Don Juan de la Tornera Sota Gobernador y Capitan General que fue de esta Provincias por las multas y cosas en que por reales provisiones se le condeno. June 7, 1735. AGI, Escribanía de Cámara, 727B; Testimonio de los autos hechos sobre cantidad de pessos que deve el Sargento Mayor Don Juan de la Tornera Sotta a las Reales Caxas de Cumana. Caracas. 1737. AGI, Escribanía de Cámara, 727B; Autos del consejo dado en los autos seguidos por el Sr. Fiscal, contra el capt. Don Bernave Angel de Toledo, sobre diferentes excesos y otras cosas. Villa de Madrid. February 20, 1737. AGI, Escribanía de Cámara, 964.

<sup>121</sup> Sentencia de Don Phelipe Ramirez. Caracas. October 11, 1758. AGNV, Comisos, Tomo XXVI, f. 99-100.

themselves toiling away on the construction of forts and manning military garrisons in inhospitable parts of the New World, Spain, and Africa so did the corrupt officials initially tasked with stopping them. Such back-breaking labor in malarial locales of the Caribbean, violent Spanish beachheads in Africa, and fetid fortifications along the Spanish coast, when combined with poor living conditions and inadequate diet, produced high mortality rates.<sup>122</sup>

Officials deciding the fates of their former colleagues, perhaps mindful of being castigated for their own potential infractions, probably reserved this punishment for the most unconnected officials and egregious offenders. José Francisco de Cañas, as mentioned earlier, initially received a ten-year term to work the African presidio at Ceuta, though the Council of the Indies later absolved this sentence. For Andres Martinez and Andres de Tovar, two lower-level smuggling soldiers, a lack of higher authorities willing to soften their sentences probably doomed the two. In retribution for giving safe passage and info to Dutch smugglers, Martinez, a coastguard official, received an eight year term at Ceuta. Tovar, a lieutenant in the militia of the inland hamlet of Nuestra Señora de Pilar de Zaragoza, faced the prospect of two years of service in Ceuta before he escaped from jail.<sup>123</sup>

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<sup>122</sup> Ruth Pike, "Penal Servitude in the Spanish Empire: Presidio Labor in the Eighteenth Century." *The Hispanic American Historical Review* 58:1 (Feb., 1978), 27-36.

<sup>123</sup> Sentencia en vista de la Causa y Pesquisa Contra D. Joseph Francisco de Cañas Governador y Capn. General que fuese la Provincia de Venezuela y otros Complices. Pasose en autoridad de Cosa Juzgada Como Consta de la Presa corriente de dha Causa, en donde esta el Auto y el referido D. Joseph de Cañas es fue yndultado por el Nazimiento de este Ynfante D. Phelipe Cuyareso Quien esta tambien en dha presa C. Pero ay otros Reos. Juez; D. Jorge Lozano y Peralta. Madrid. June 12, 1720. AGI, Escribanía de Camara, 964; Sentencia de Martin de Lardizabal. Caracas. June 4, 1737. AGNV, Comisos, Tomo XV, f.165; Auto de Martin de Lardizabal. AGNV, Diversos, Tomo XVIII, f. 399-400.

Though capital punishment figured as the most serious punishment an official could receive for facilitating smuggling, its use in practice was exceedingly rare. Royal cédulas of 1706 and 1724 allowed officials to invoke the death penalty for those found guilty of smuggling.<sup>124</sup> The frequency with which smuggling took place and its nature as primarily a commercial crime made capital punishment excessive in the eyes of most administrators.

Overall, the Spanish legal system prosecuted officials involved in smuggling with the same mix of personalistic politics and factionalism that characterized these corrupt functionaries' illicit transactions in Venezuela. Investigations, prosecutions, defenses, and sentencing all built on loyalties and connections running through the administrative chain of command. Returning the lost funds absconded with by smuggling officials figured prominently in the manner that prosecutors conducted their investigations. Both the accusers and the accused talked a good game about the ill effects of contraband trade upon the Province of Venezuela and the evils of the men who allowed it.

Yet, for all this bluster, the cases examined here and the numerous corrupt administrators that evaded detection suggest that the business ventures of shady officials in Venezuela far outstripped the ability or will of Spanish judicial administrators in either Spain or the colony to punish them. In practice, many parties negotiated commercial trade law and the penalties for those who broke it. As a result, the conniving bureaucrat,

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<sup>124</sup> Gobernador de Caracas, D. Francisco de Cañas al Rey. Caracas. August 20, 1711. AGI, Santo Domingo, 751; Autos contra el Alcalde Provincial Don Francisco Figueredo y Juan Nicholas de Lugo, arriero, por haber amparado en la casa que tienen en el sitio que llaman El Desembocadero, a unos tratantes de ili. com., con lo demás que se expresa. Villa de San Carlos. January 4, 1765. AGNV, Comisos, Tomo XXVIII, f.77.

like foreign smugglers, and their Venezuelan accomplices, continued to feature as an integral and regular member of the province's smoothly running illicit trade system.

## **Conclusion**

As this chapter has demonstrated, bureaucratic engagement in smuggling was as integral to illegal trade as it was to the financial wellbeing of officials. Perhaps no amount of policing could have brought smuggling on the Venezuelan coast to a halt. But a fully-functioning and incorruptible system of customs enforcement and prosecution would have crippled the business. Illicit trading perpetrated by foreigners in the dead of night or out of isolated coves would have been more difficult. The category of brazen smuggling that took place in broad daylight or via official apparatuses of trade such as the *asiento* or register ships would have been nearly impossible. Unfortunately for Crown balance sheets, this counterfactual never came to be.

Instead, governmental corruption's role in the smooth operation of illicit commerce proves that local connections and networks greatly influenced bureaucratic actions in colonial Spanish America. Alejandro Cañeque contends that if the early modern state existed at all, it was an "institutional expression of social relationships."<sup>125</sup> As these Venezuelan cases make clear, most officials could scarcely be expected to maintain loyalty and fidelity to the commercial policy of Spanish rulers an ocean away when their local sphere of influence pushed them in the opposite direction. Underpaid

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<sup>125</sup> Cañeque, *The King's Living Image*, 6.

government functionaries seized the opportunity to enrich themselves in the communities in which they lived. With bribes and business partnerships, Spanish American smugglers removed the greatest potential obstacle toward integration within international markets.

In navigating this atmosphere of venal government, eighteenth-century Venezuelans had developed, in collaboration with shady officials, acceptable norms of corruption. Keeping their operations within these standards could determine a corrupt administrator's longevity in office. Most of Caraqueño society perceived no distinct moral wrong in smuggling nor in their governors' use of the business to turn a profit. Furthermore, extralegal international trade benefitted these subjects by opening up necessary markets to Venezuelan cacao.

In his examination of social responses to venial government, Arnold Heidenheimer divides public acceptance of corruption into three categories: black, gray, and white. Black corruption signifies a majority consensus between elites and the masses of a society that a given corrupt practice is objectionable and that the offender should be punished on principle. In gray corruption, elites would like to see a crooked act punished, but at least some portion of the masses view it more ambivalently. With white corruption, the majority of elites and commoners resist attempts to punish a corrupt practice they find tolerable.<sup>126</sup>

Documents detailing the prosecution of corrupt officials for their complicity in smuggling demonstrate that most Venezuelans interpreted this everyday business as

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<sup>126</sup> Arnold J Heidenheimer, "Perspectives on the Perception of Corruption," in *Political Corruption: A Handbook*, ed. Arnold J. Heidenheimer, Michael Johnston, and Victor T. LeVine, (New Brunswick, NJ.: Transaction Publishers, 1989), 160-163.

white corruption. The incredibly frequent occurrence of payoffs, business arrangements, and judicial impunity in colonial Venezuelan documents confirms that illegal traders saw monetary kickbacks to crooked officials as a standard operating cost in their business. When authorities like José Francisco de Cañas crossed the thresholds of tolerable vice, locals quickly turned upon the abuser and used their open channels with higher authorities and the king to circumvent his authority and remove him from office. Yet, as the paucity of such cases reveals, in most instances Venezuelans accepted the complicity of their administrators.

The Spanish legal system, in its inconsistency, served to legitimize contraband corruption as well. Though authorities at the regional and imperial levels sometimes doled out fines and other punishments in the prosecution of colonial officials, the administering of justice was deeply factional and nepotistic. While those who stole large sums via their smuggling might pay a heavy price, common corrupt officers mostly received slaps on their wrists. Lacking the capacity or will to crack down on crooked public servants, Spanish Empire's courts inadvertently regularized the informal exchange between bureaucrat and smuggler. The government, the governor, and the governed all understood the underground economy to be the rule rather than the exception on the Spanish American coast.

## **PART 2: THE SOCIETAL IMPACT OF SMUGGLING**

## V. Socialized into Smuggling: Illicit Trade and the Material Culture of Everyday Life in Eighteenth-Century Venezuela

“There is no kind of dishonesty into which otherwise good people more easily and frequently fall, than that of defrauding government of its revenues, by smuggling when they have an opportunity, or encouraging smugglers by buying their goods.”<sup>1</sup>

-- Benjamin Franklin

Franklin’s quote reveals three important truths about contraband trade in early modern society. First, that ordinary people rarely saw smuggling as a morally-repugnant or particularly severe crime. Second, that they frequently bridged the divide between buyer and seller on the black market. And third, that illicit trade was an incredibly routine means of acquiring material goods.

Why did common people participate in smuggling so often and with so little regard for commercial law? Arjun Appadurai has theorized that “the flow of commodities in any given situation is a shifting compromise between socially regulated paths and competitively inspired diversions.”<sup>2</sup> Put simply, contraband trade will spring up wherever there exists a market for it. In this way, illicit trade follows patterns outlined by scholars of consumption who give primacy to consumer desire over production output to account for the rise of certain goods.<sup>3</sup> Broadly, this chapter examines demand as an

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<sup>1</sup> Benjamin Franklin, “On Smuggling and its various species” *London Chronicle*, November 24, 1767 in *The Memoirs of Benjamin Franklin* (Philadelphia: McCarty and Davis, 1837), 460.

<sup>2</sup> Arjun Appadurai, “Introduction: Commodities and the Politics of Value” in *The Social Life of Things: Commodities in Cultural Perspective*, ed. Arjun Appadurai (Cambridge: Cambridge University Press, 1986), 17.

<sup>3</sup> Breaking with earlier economic histories, Sidney Mintz first pioneered the approach of studying demand rather than production in the rise of commodities. See Sidney W. Mintz, *Sweetness and Power: The Place of Sugar in Modern History* (New York: Viking, 1985); John Brewer, Roy Porter and a host of

impetus for contraband trade in eighteenth-century Venezuela. To understand demand, it analyzes the material goods of exchange in illicit transactions and their everyday meanings for Venezuelans.<sup>4</sup> While it particularly focuses on the European finished products and foodstuffs desired by Venezuelans, it also investigates the commodity of cacao, the province's principal export.

Consumers shape demand as much as the quality and quantity of the goods they purchase. While professional smugglers, merchants, and corrupt officials made the commerce run efficiently, the impetus for their work came from a customer base of rank amateurs who had little experience in criminal activities. These middling storekeepers, housewives, and wage earners are the principal protagonists of this chapter. Their engagement with the black market to meet their fundamental needs signifies that smuggling was far from a luxury business or an occasional substitute for long-distance legal trade.

As a preferred schema for understanding transatlantic and transnational trade structures, scholars have employed the commodity chain. Historians have assessed the importance of goods as varied as sugar, tobacco, emeralds, cod, and cocaine.<sup>5</sup> Such a

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other contributors reified this approach in their important edited volume. See John Brewer and Roy Porter, eds. *Consumption and the World of Goods* (London: Routledge, 1993).

<sup>4</sup> Material culture, here, follows historian Karen Harvey's definition as "not just the physical attributes of an object, but the myriad and shifting contexts through which it acquires meaning. Material culture is not simply objects that people make, use and throw away; it is an integral part of—and indeed shapes—human experience." Karen Harvey, "Introduction: Practical Matters" in *History and Material Culture: A Student's Guide to Approaching Alternative Sources*, ed. Karen Harvey (New York: Routledge, 2009), 3.

<sup>5</sup> See for example Mintz, *Sweetness and Power*; Iain Gately, *Tobacco: The Story of How Tobacco Seduced the World* (New York: Grover Press, 2001); Kris E. Lane, *Colour of Paradise: The Emerald in the Age of Gunpowder Empires* (New Haven: Yale University Press, 2010); Mark Kurlansky, *Cod: A Biography of the Fish that Changed the World* (New York: Penguin Group, 1998); Steven Topik, Carlos

model traces the various goods of sale involved in moving a product from its source to its final market. It also usefully integrates various economic actors (laborers, planters, merchants, consumers) into the story of a single product.

Nevertheless, commodity studies tend to portray people involved in the commodity chain as unflinchingly rational participants who are cognizant of all its links.<sup>6</sup> This approach subordinates the social reasons why people traded (i.e. for reasons of subsistence, communication between regions, and the maintenance of one's place in a cultural hierarchy). When analysis of commodity chains focuses on the most common and regulated means by which merchants brought goods across great distances, it minimizes parallel and less-orderly paths such as smuggling, raiding, and piracy.

The dangers and hassles inherent in obtaining contraband goods demonstrate a desire to trade on the part of early modern buyers that extended beyond monetary and material reasons. The convoluted structure of the black market also reinforces the commercial myopia of many actors within commodity chains. For Spanish American consumers, procuring the daily products they felt they needed was neither easy nor straightforward. They did not conceive of this hardscrabble process as being connected to the transatlantic webs of major merchants or empires. Spanish American buyers

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Marichal and Zephyr Frank, eds. *From Silver to Cocaine: Latin American Commodity Chains and the Building of the World Economy, 1500-2000* (Durham: Duke University Press, 2006).

<sup>6</sup> Steven Topik, Carlos Marichal, and Zephyr Frank have pointed out that actors in commodity chains often did not (and do not) see the wider chain, only their place in it. Steven Topik, Carlos Marichal and Zephyr Frank, "Introduction: Commodity Chains in Theory and in Latin American History" in Topik, Marichal, and Frank, *From Silver to Cocaine*, 11; David Hancock and Kris Lane both point to the importance of research on individual commodities in that these works tend to integrate various economic roles and actors in an emerging global economy. Both authors remain mute, however, on whether commodity chain participants understood all the steps and fellow human beings present between production and consumption. David Hancock, *Oceans of Wine: Madeira and the Emergence of American Trade and Taste* (New Haven: Yale University Press, 2009), xiv; Lane, *Colour of Paradise*, xii, 7.

transgressed legal restrictions and risked punishment or bodily harm to obtain a range of items. Their choices imply that illegal imports possessed a cultural importance set apart from their economic value or integrative commercial potential.

The active pursuit of these illicit products also had a transformative social impact on the periphery. Smuggling necessitated negotiating conflicts with authorities, creating systems of subterfuge, and reevaluating community standards of criminal behavior. By acknowledging the messy and extralegal means by which New World subjects obtained their wares and what the process meant to them, this chapter dispels teleologies that envision the evolution of ever-more routine and streamlined commodity chains as the early modern world gave way to the modern one.

A concentration on illegally-traded items and the consequences of their exchange offers new methodological approaches for the study of material culture. This chapter uses records of seized contraband (known as *comisos*) rather than probate inventories. The differences between the two types of documents underscore why investigating the former provides fresh insights. Probate inventories registered the monetarily-valuable assets of a deceased person for the benefit of heirs and debt collectors. They have become the bedrock records of the social history of possessions as they illuminate consumer patterns and matters of taste. Nonetheless, an analysis of catalogues of seized goods (*comisos*) fills vital gaps in the historical record left by probate inventories.

*Comisos* can function as the underground probate inventories of under-supplied communities. Like probate inventories, they convey a sense of the desires and preferences of consumers. However, *comisos* are simply unedited lists of retail products

whereas probate inventories arrange and omit goods in order to highlight valuable assets. Consequently comisos list cheap commercial items and perishables less likely to show up on probate inventories. Seized contraband registers also record trade goods without necessarily knowing or considering who possessed these items. Thus, they avoid the probate inventory problem of frequently underrepresenting the poor.<sup>7</sup> Comisos offer a diverse picture of what the black market made available to a range of consumers. They also provide rich contextual clues about trading practices and the market because they do not exist in isolation. Since comisos frequently formed parts of larger cases that included testimonies, legal motions, and sentences, they document the circumstances of accused buyers and sellers. Put simply, the material culture of illicit trade allows the historian to study consumer demand in its rawest form.

What then did Venezuelans covet and smuggle, how did they justify this criminal behavior, and how did their illicit activities impact daily life in the province? These

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<sup>7</sup> For a good primer to the pitfalls of probate inventories, see Jan de Vries, “Between Purchasing Power and the World of Goods: Understanding the Household Economy in Early Modern Europe” in Brewer and Porter, *Consumption and the World of Goods*, 100-103. De Vries notes that notaries devised probate inventories mainly to list the assets of the deceased. Therefore, items of little monetary value (such as old clothes, items still belonging to the living, relatives of the deceased, and trinkets) that could not immediately be passed on to descendants or sold to pay off debts tended to be overlooked in the inventories. Food and other perishable materials almost never made these lists. Probate inventories are the most representative when listing new clothes, kitchenware, furniture, and other household implements. Jeffrey Williamson and Peter H. Lindert argue that the poorest citizens are also historically underrepresented in these documents as they often lacked much in the way of value to pass on to heirs and debt collectors. Thus, probate inventories contain sampling biases caused by excluding the poor that tend to minimize wealth inequalities. Jeffrey G. Williamson and Peter H. Lindert, “Long Term Trends in American Wealth Inequality” in *Modeling the Distribution and Intergenerational Transmission of Wealth*, ed. James D. Smith (Chicago: University of Chicago Press, 1980), 40-41; As Lorna Weatherhill states, the “social history of consumerism is confined to the wealthier tradesmen and the gentry, who had the time and resources for an increasing range of goods and services by the later eighteenth century. It is hard to see from this what other consumers, whose behavior is difficult to dramatize, but whose experience was that of a larger proportion of the middle ranking population, were doing.” Lorna Weatherhill, “The Meaning of Consumer Behaviour in Late Seventeenth-and Early Eighteenth-Century England” in Brewer and Porter, *Consumption and the World of Goods*, 207-208.

central questions inform this chapter's three analytical sections. The first examines the basic goods of illegal exchange in coastal Venezuela. Material scarcity bred the covert importation of simple clothing and foodstuffs described by anthropologist James Deetz as "small things forgotten."<sup>8</sup>

The cultural, logistical, and moral rationales that led many cohorts of citizens to engage in small-time illegal trade form the second section of this chapter. Instead of surviving on homegrown and homespun supplies, Venezuelans chose the unequal trade relationships and risks inherent in purchasing black-market European goods. Regardless of these motives, the flagrancy of unregulated commerce infuriated high-placed royal trade officials, who equated smuggling with treason and other morally-revolting crimes. A chasm separated policymakers' convictions and those of captured petty contrabandists.

Finally, this chapter discusses the ambivalent consequences of smuggling for Venezuelan daily life. Black market trading allowed for the affordable purchase of a quantity and variety of goods unimaginable in the closed Spanish trading system. It also facilitated a petty economy of small shops and household trade, particularly among Venezuelan women. More ominously, as Venezuela became the world's premier

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<sup>8</sup> By this, I refer, as Deetz has, to everyday material objects of little monetary value or luxury. In the Venezuelan case, I am referring mostly to basic clothes and foodstuffs of European extraction. James Deetz, *In Small Things Forgotten: An Archaeology of Early American Life* (New York: Anchor Books/Doubleday, 1996 [1977]); Amy Smart Martin and Sidney Mintz have pointed out how clothes and food, respectively, are often overlooked by those studying material culture and consumption due to their great ephemerality and therefore their unlikeliness to survive in the archival or archaeological record. See Amy Smart Martin, "Material Things and Cultural Meanings: Notes on the Study of Early American Material Culture" *The William and Mary Quarterly*, Third Series, 53:1 (Jan., 1996): 9; Sidney W. Mintz, "The Changing Roles of Food in the Study of Consumption" in Brewer and Porter, *Consumption and the World of Good*, 262-263.

producer of the now valuable cash crop of cacao, residents experienced increased policing, surveillance, property confiscation, community strife, and danger on the coast.

Smuggled goods determined material conditions, shaped value systems, and socialized subjects into criminal practices. A range of sources including official Spanish correspondence, ship manifests, Caracas City Council resolutions, and traveler's accounts speak to the unintended societal consequences of illegal transimperial exchange in Venezuela. Inhabitants in and around zones of covert commerce gained access to a world of goods unavailable through legal means, but they also endured insecurity, violence, and isolation. They produced inventive strategies of entrepreneurship and survival and came to accept widespread illegal behavior as an inherent part of their interactions with the marketplace. As clandestine markets coalesced around colonial scarcity and foreign demand for cash crops, the process of securing everyday goods became an uncertain business for buyer, seller, and bystander alike.

### **Stocking Pantry and Wardrobe: Imports and Exports**

Agricultural exports formed the *sine qua non* of Venezuelan illicit trade in the eighteenth century. If foreigners had not coveted a raft of products produced in that province, they would have had no reason to visit its shores and engage in commerce with Spanish subjects. Thus an analysis of what Venezuelans smuggled into their communities during this period first demands a survey of what outsiders extracted from the colony and why they valued these goods.

Despite Venezuela's later notoriety as a smuggling hub, early traders did not covet the commodities that later would fuel its rise from imperial economic obscurity. The region's only answer in the sixteenth century to the precious metal exports that made Spain the envy of Europe were the lucrative, but quickly exhausted, pearl diving grounds of Margarita, Cumana, and Cubagua.<sup>9</sup> Nor did Venezuelan eventual long-term exports of cacao, tobacco, and hides inspire large-scale conquest expeditions to find them or fleets to transport them. Leather was a useful commodity for daily life, but it was nowhere near as profitable to trade as mineral riches. Tobacco and cacao remained exotic goods with few markets for much of the Spanish Empire's early history. The former, at least, became a moderately valuable commodity by the early seventeenth century when illicit trade led the Crown to issue brief and unsuccessful prohibitions on its cultivation in Venezuela.<sup>10</sup> Chocolate achieved popularity in Spain by the end of the sixteenth century, but did not make much of an impact in the rest of Europe until the next century.

European attitudes toward Venezuelan exports changed in the mid to late seventeenth century. As metropolitan demand for tobacco, hides, and chocolate grew,

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<sup>9</sup> For more information on pearl diving and trade, see Molly Warsh, "Adorning Empire: A History of the Early Modern Pearl Trade, 1492-1688" (PhD diss., The Johns Hopkins University, 2009); Venezuela's pearl past carried enough of a commercial cache that the eighteenth-century English merchant John Campbell's only remark on Venezuela's extractive prospects spoke almost exclusively about pearl fisheries. John Campbell, *The Spanish Empire in America* (London: Printed for M. Cooper, 1747 [1741]), 200-203. Found at the John Carter Brown Library, Providence, RI (hereafter JCB).

<sup>10</sup> Due to increasing levels of tobacco smuggling with Spain's rivals in the Caribbean, the Crown issued a Royal Cédula in 1606 prohibiting tobacco cultivation in the provinces of Venezuela, Margarita, and Cumana in 1606. The prohibition was supposed to last for ten years, but public outcry made for its repeal in 1612. Eduardo Arcila Farias, *Economía colonial de Venezuela* (Mexico City: Fondo de Cultura Económica, 1946), 82; Marcy Norton, *Sacred Gifts, Profane Pleasures: A History of Chocolate and Tobacco in the Atlantic World* (Ithaca: Cornell University Press, 2008), 153; Kenneth R. Andrews, *The Spanish Caribbean: Trade and Plunder 1530-1630* (New Haven: Yale University Press, 1978), 214.

consumers came to esteem Venezuelan supplies of these products as some of the finest in the world. Smokers considered tobacco from the interior region of Barinas superior to that of North America and on par with tobacco produced in Cuba. European merchants appreciated the quality hides of Venezuelan cattle bred in the plains (*llanos*).

Connoisseurs proclaimed Venezuelan coastal cacao as the world's most flavorful.<sup>11</sup>

By the eighteenth century, cacao came to dominate all other Venezuelan agricultural products as the crop enjoyed widespread popularity in Europe. The works of Marcy Norton and Michael and Sophie Coe have analyzed cogently the European rise and consumption trends of chocolate. While their research explores the cultural proliferation of chocolate in the Old World, it scarcely acknowledges the illegal trade routes by which much of the New World's cacao arrived in Europe.<sup>12</sup> The growing hunger for the commodity in the eighteenth-century coincided with a “qualitative leap” in smuggling.<sup>13</sup>

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<sup>11</sup> Arcila Farias, *Economía colonial de Venezuela*, 77-89; For late seventeenth century appraisal of Venezuelan cacao's high quality, see Henry Stubbe, *The Indian Nectar, or a Discourse concerning Chocalata* (London: Printed by J. C. for Andrew Crook at the Sign of the Green Dragon in St. Paul's Church-yard. 1662), 41; For a similar appraisal at the turn of the nineteenth century that also mentions the high quality tobacco, see François Joseph Depons, *A Voyage to the Eastern Part of Terra Firma or the Spanish Main in South-America During the Years 1801, 1802, 1803, and 1804* (New York: I Riley and Co., 1806), Vol. 1, v-vi; Pedro José de Olavarría believed that Venezuelan hides were “much esteemed by foreigners.” Pedro José de Olavarría, *Instrucción general y particular del estado presente de la provincia de Venezuela en los años de 1720 y 1721* (Caracas: Edición Fundación Cadafé, 1981 [1722]), 13.

<sup>12</sup> Michael and Sophie Coe mention in brief the tenure of the Caracas Company in Venezuela and the fact that its establishment came in part as a response to rampant smuggling of cacao in the colony. Marcy Norton cites statistics on legal tobacco and chocolate imported to Spain in the seventeenth century versus total imports to point to the lucrative market in smuggling these goods. She also blames contraband trade in tobacco and cacao on taxes. Otherwise, neither work makes further note of the illicit character of large amounts of cacao entering Europe. See Michael D. Coe and Sophie D. Coe, *The True History of Chocolate* (London: Thames and Hudson, 1996), 192; Norton, *Sacred Gifts, Profane Pleasures*, 160-163.

<sup>13</sup> Wim Klooster, “Inter-Imperial Smuggling in the Americas, 1600-1800” in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. Bernard Bailyn & Patricia L. Denault (Cambridge: Harvard University Press, 2009), 162.

The burgeoning appetite for chocolate in Europe accounted for a spike in the production and clandestine trade of cacao in Venezuela. In Spain and the rest of Western Europe, chocolate transcended royal and noble homes and began to attract a more diverse consumer base. “There are some [Spaniards] who are such aficionados that they would sooner go naked than give up drinking chocolate two or three times a day,” wrote Manuel Navas de Carrera, a physician in Spain in 1751.<sup>14</sup> During the reign of Charles III, chocolate consumption in Madrid reached twelve million pounds per year. In Spain, the daily cup (or cups) of chocolate had long been something of an obsession among the well-to-do. At the end of the seventeenth century, one observer described how at the Spanish court, “the great Ladies drink it in a morning before they rise out of their beds.” However, he also noted that chocolate was “lately much used in England, as Diet and Phisick with the Gentry.”<sup>15</sup>

A mix of connoisseurship, religious strictures (drinking chocolate circumvented the ecclesiastical fast), and medicinal theories all stoked European enjoyment of the beverage. Chocolate was a sociable drink regularly quaffed in coffeehouses.<sup>16</sup> The development of these venues and the merchant class that supplied and patronized them

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<sup>14</sup> Manuel Navas de Carrera, *Dissertacion historica phisico-chimica y analisis del cacao su uso, y dosis* (Zaragoza, Spain: Por Francisco Moreno, 1751), 57, JCB.

<sup>15</sup> Philippe Sylvestre Dufour, *The manner of making of coffee, tea, and chocolate... Newly done out of French and Spanish* trans. John Chamberlain (London: Printed for William Crook at the Green Dragon without Temple Bar near Devereux Court, 1685), D4, JCB.

<sup>16</sup> As Marcy Norton notes, chocolate may have created a market for coffee by introducing Europeans to dark, hot, stimulating beverages, rather than the other way around. Marcy Norton, “Tasting Empire: Chocolate and the European Internalization of Mesoamerican Aesthetics” *The American Historical Review* 111:3 (Jun., 2006): 667; Coffeehouses of the period might sell coffee, chocolate, tea, tobacco, and alcoholic beverages. Tea and coffee overtook chocolate in northern Europe as the eighteenth century wore on, but chocolate remained a reliable, if secondary presence in coffeehouses throughout this period. Brian Cowan, *The Social Life of Coffee: The Emergence of the British Coffeehouse* (New Haven: Yale University Press, 2005), 82.

spread drinking chocolate across Europe. Early modern, and specifically eighteenth-century, Europeans enjoyed the warm liquid not only because it was on the menu at gathering places, but also because it bestowed an aura of refinement and good taste upon the consumer.<sup>17</sup> Imbibers of chocolate might even believe that the drink regulated their humors, improved their moods, and augmented their sexual potency.<sup>18</sup>

Connoisseurs of chocolate coveted Venezuelan cacao and thus helped boost Venezuela's reputation as the world's premier purveyor of the commodity. An anonymous English author observed that the English court accepted nothing less than Caracas cacao when preparing chocolate for the king.<sup>19</sup> One bureaucrat tried to persuade the English to use Trinidad as a jumping off point for invading Venezuela in 1797 by arguing that Venezuela, "supplies not only all Europe with cocoa but also New Spain."<sup>20</sup>

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<sup>17</sup> Good taste could be signified in both the lavish accoutrements of the chocolate service and in the ingredients procured to add to chocolate recipes. For chocolate implements see Navas de Carrera, *Dissertacion historica phisico-chimica y analisis del cacao*, 49; Susan Perkins, "Is it a Chocolate Pot?: Chocolate and its Accoutrements in France from Cookbook to Collectible" in *Chocolate: History, Culture, and Heritage*, ed. Louis Evan Grivetti and Howard-Yana Shapiro (Hoboken, NJ: John Wiley & Sons Inc., 2009), 158; Coe, *The True History of Chocolate*, 160; Peter Brown, *In Praise of Hot Liquors: The Study of Chocolate, Coffee, and Tea-Drinking 1600-1850* (York: Fairfax House, 1995), 70-77; For chocolate recipes and additives, see Dufour, *The manner of making coffee, tea, and chocolate*, 72-73; Stubbe, *The Indian Nectar*, preface, 13-14; Navas de Carrera, *Dissertacion historica phisico-chimica y analisis del cacao*, 38; Louis Evan Grivetti, "From Bean to Beverage: Historical Chocolate Recipes" in Grivetti and Shapiro, *Chocolate: History, Culture, and Heritage*, 99-114.

<sup>18</sup> Stubbe, *The Indian Nectar*, 141, 151-152; Navas de Carrera, *Dissertacion historica phisico-chimica y analisis del cacao*, 33; Antonio Lavedan, *Tratado de los usos, abusos, propiedades y virtudes del tabaco, cafe, té y chocolate... pueda servir de alivio y curacion de muchos males* (Madrid: En La Imprenta Real, 1796), 212-213, JCB; Dufour, *The manner of making coffee, tea, and chocolate*, 94-95; D. Quélus, *The Natural History of Chocolate: Being A Distinct and Particular Account of the Cocoa-Tree... Translated from the last Edition of the French, by R. Brookes, M.D* (London: Printed for J. Roberts near the Oxford-Arms in Warwick, 1730), 46-48, JCB.

<sup>19</sup> *The Natural History of Coffee, Thee, Chocolate, Tobacco... with some Remarks upon that Liquor* (London: Printed for Christopher Wilkinson, at the Black Boy over against St. Dunstan's Church in Fleet Street, 1682), 16, JCB.

<sup>20</sup> Communication from Mr. Duff respecting the Island of Trinidad and relations with the mainland [Venezuela]; a brief general appraisal by the British consul in Cadiz. 1797. Massachusetts Historical

François Depons, who visited Venezuela at the twilight of the Spanish Empire, said that Venezuelan cacao sold for almost twice the price of its counterpart from Guayaquil, Ecuador.<sup>21</sup>

Due to European desire for its cash crop, the Venezuelan economy awoke from almost two hundred years of torpor. Previous shifts in agricultural production on the central coast had laid the foundations for the eighteenth century cacao boom. The province transitioned in the early seventeenth century from an *encomienda* economy structured on Indian tribute producing wheat mostly to feed Cartagena, to one built on slaves producing cacao for European and Mexican buyers. By 1631, more than 220,000 pounds of Venezuelan cacao per year flowed to New Spain alone. Shortly thereafter, a cacao tree blight nearly wiped out cultivation altogether, but supplies rebounded in the second half of the seventeenth century.<sup>22</sup> In 1671, the English merchant Lewes Roberts concluded that cacao plantations around Caracas had “of late years grown very considerable.”<sup>23</sup>

Despite European interest in cacao and other Venezuelan agricultural exports, legal Spanish shipping never kept pace with demand. Several factors ensured that Venezuelan commercial needs remained unmet by lawful means and that longstanding

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Society, Francis Russell Hart Collection, Box 1, Folder 35. I wish to thank Elena Schneider for providing me with this reference.

<sup>21</sup> Depons, *A Voyage to the Eastern Part of Terra Firma*, Vol. 2, 294.

<sup>22</sup> Robert J. Ferry, *The Colonial Elite of Early Caracas: Formation & Crisis, 1567-1767* (Berkeley: University of California Press, 1989), 42, 61-67; Arcila Farias, *Economía Colonial de Venezuela*, 89.

<sup>23</sup> Lewes Roberts, *The merchants map of commerce: wherein the universal manner and matter of trade is compendiously handled... for all merchants or their factors that exercise the art of merchandizing in any part of the habitable world* (London: Printed for R. Horn at the South Entrance of the Royal Exchange, 1671), 62, JCB.

patterns of material scarcity continued. A lack of ships, imports, and metropolitan interest certainly played a part.

Such at least was the opinion of Pedro José de Olavarría, a special appointment of the Crown sent to revive Venezuelan trade and one of the founders of the Caracas Company. In 1722 he opined that “among all the efficacious means to enlarge the domains of princes, increase the riches of their vassals, and encourage a love of virtue, commerce is the most considerable.” The failure of bureaucrats to heed this maxim had, by Olavarría’s estimation, led the province to a “shameful state” where a single unreliable register ship from Spain, another from the Canaries, and four or five from New Spain represented the entirety of its legitimate annual commerce.<sup>24</sup>

In 1760, the Caracas Company calculated *legal* consumption of alcohol alone at two hundred barrels of wine, five thousand bottles of white wine, and twelve hundred barrels of liquor (*aguardiente*).<sup>25</sup> Not even adding textiles or food items into the mix, it seems that legal shipping would have been seriously inadequate for the task of importation. In nearby New Granada (Colombia), an area that received greater trade than Venezuela, the Viceroy Jorge de Villalonga worried in 1721 that “although the residents do not want to be accomplices in the commerce with foreigners, they currently suffer a total lack of goods...and everyone is walking about naked.”<sup>26</sup>

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<sup>24</sup> Olavarría, *Instrucción general y particular*, 96.

<sup>25</sup> Ramon Aizpurua, *Curazao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993), 101.

<sup>26</sup> Viceroy Jorge de Villalonga to the King. Cartagena. February 6, 1721. AGI, Santa Fe, 286. Cited in Lance Grahn, *The Political Economy of Smuggling: Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997), 43.

More factors than the paucity of ships frustrated the Spanish commercial revival. An assortment of taxes made arriving legal imports prohibitively expensive for many subjects.<sup>27</sup> The protracted wars of the eighteenth century, in which British and French sea power frequently blockaded the Spanish territories, also contributed to the shortage in European goods.<sup>28</sup>

Though Spanish imperial bureaucrats intended the Caracas Company to provide greater quantities of goods for Venezuelans, its overall impact on licit consumer culture was negligible. Certainly the Company noticeably increased imports to the province. In addition to the inter-imperial trade Venezuelan subjects already engaged in with Mexico and the Spanish Caribbean, they now received at least two ships per year loaded with products from the Caracas Company.

Its official papers heralded the great bounty of items shipped into Venezuela from all corners of Spain including cotton, silk, wool, and taffeta fabric, ribbons and thread, as well as finished clothes such as handkerchiefs and hats. The Company also brought dry goods including tableware, firearms, nails, paper, and wood for furniture. It imported foods such as olive oil, sardines, wine, and flour. According to Company literature, its shipments only supplemented private commercial goods and consumables coming from

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<sup>27</sup> Jean François Dauxion-Lavaysse, *A Statistical, Commercial, and Political Description of Venezuela, Trinidad, Margarita, and Tobago... From the French of M. Lavaysse: With an Introduction and Explanatory Notes by the Editor* (London: Printed for G. and W. B. Whittaker, 1820), 259, JCB; Roland Dennis Hussey. *The Caracas Company, 1728-1784: A Study in the History of Spanish Monopolistic Trade* (New York: Arno Press, 1977 [1934]), 57; John Lynch, *Bourbon Spain, 1700-1808* (Oxford: Basil Blackwell, 1989), 21; Olavarriaga, *Instrucción general*, 96, 103.

<sup>28</sup> Celestino Andrés Arauz Monforte, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* Vol. 1 (Caracas: Academia Nacional de la Historia, 1984), 135; Depons, *A Voyage to the Eastern Part of Tierra Firme*, Vol. 2, 310-319.

New Spain, the Canary Islands, Mérida, Cumaná, Cartagena, Santo Domingo, the Orinoco River Delta, and from illicit Dutch sources in the Caribbean.

All of these opportunities for trade, in the opinion of Company officials, struck down citizen claims that there was a despotic Company monopoly or significant material shortages. Rather, officials argued that the surest way to a commercial “fatal epoch” would be a return to individual register ships or the movement to free trade. In the minds of Company directors, these much-discussed plans would minimize legal goods entering the province.<sup>29</sup>

Independent accounts of what the Company actually imported never matched the organization’s optimistic rhetoric. Though lists of what the Company *could* obtain and transport from Spain were impressive, their ships rarely arrived so full. The Crown frequently admonished Company officials for not importing enough foodstuffs and clothing.<sup>30</sup>

Wartime predation inhibited the ability of private Company ships to enter and exit Venezuela’s ports. When cargoes did arrive, Company merchandise sold almost exclusively in Company stores at prices twenty percent higher on average than Dutch contraband. According to one British observer, Venezuelan consumers received in return “such Wares and Merchandize as probably have been lodged in their stores for 20 years a

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<sup>29</sup> Real Compañía Guipuzcoana de Caracas, *Real Compañía Guipuzcoana de Caracas: noticias historiales practicas de los sucessos, y adelantamientos de esta compañía, desde su fundación año de 1728, hasta el de 1764...que comprehende su Negociacion* (Madrid: 1765), 129, 140-142. JCB; Real Compañía Guipuzcoana de Caracas, *Manifiesto, que con incontestables hechos prueba los grandes beneficios, que ha producido el establecimiento de la Real Compañía Guipuzcoana de Caracas...a los verdaderos intereses de la misma Provincia de Caracas* (Madrid: 1749), 5v-6f. JCB.

<sup>30</sup> El Rey a los Señores Directores de la Real Compañía Guipuzcoana de Caracas. Madrid. September 30, 1744. AGI, Caracas, 928.

back.”<sup>31</sup> Despite the increase in legal merchandise entering the region due to the Company’s shipping capabilities, the province may have experienced a net decline in imports during the Company’s heyday (1728-1749). This was due to the Company’s zealous patrolling of coastal waters for contraband cargoes.<sup>32</sup>

Near the end of the Company’s tenure in 1779, a petition from the Caracas City Council summarized its economic reign in damning terms. Venezuela had “suffered for fifty years a limited and passive commerce...at the hand of one buyer and seller.” Throughout this time, Company meddling had “insensibly weakened the colony’s natural strengths and destroyed its substance and fortitude, reducing it to its present sorry state.”<sup>33</sup> Viewed in light of these circumstances, eminent Venezuelan historian John Lombardi’s contention that “every indication points to a steady, active, and prosperous trade system providing the inhabitants of Venezuela with the bulk of their daily needs” proves untenable.<sup>34</sup>

Since Venezuelan producers and merchants found legal markets inadequate for their harvests, they supplemented licit commercial activity with contraband trade. The

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<sup>31</sup> The quotation is from Observations on the Carraccas and Province of Cumana by Louis Flislale to Major General John Dalling, Governor of Jamaica. November 16, 1782. The British Library (London, England), Additional Manuscripts 36806, f.173; Francisco Morales Padrón, *Rebelión contra la Compañía de Caracas* (Seville: Escuela de Estudios Hispano-Americanos, 1955), 74; Aizpurua, *Curacao y la costa de Caracas*, 105.

<sup>32</sup> Consider that before the Caracas Company, Venezuela had only sporadic coastguard patrols with little central organization. It is not surprising therefore that the number of contraband seizures in the Comisos and Diversos sections of the AGNV and various Audiencia sections of the AGI spike with the arrival of the Caracas Company in 1728.

<sup>33</sup> El cabildo de la ciudad de Caracas hace present al Rey la decadencia y potración de la agricultura, la ventajosa posicion geografica de la provincial y las bentajas que se derivarian de la libertad de comercio que solicita. Caracas. May 14, 1779. AGNV, Actos del Cabildo, 1775, f. 28-37. Cited in Enrique Bernardo Nuñez. *Cacao* (Caracas: Banco Central de Venezuela, 1972), 258.

<sup>34</sup> John V. Lombardi, *Venezuela: The Search for Order, The Dream of Progress* (Oxford: Oxford University Press, 1982), 95.

international black market, in addition to providing more opportunities to sell commodities, also increased the range of goods available to Venezuelan consumers. It offered lower prices than the weak Spanish manufacturing and commercial sectors.

Smuggling cut into potential profits from licensed trade to such an extent that observers came to believe that tougher enforcement of commercial law could not help but increase legitimate commerce. The merchant Joseph Luis de Cisneros, in his 1764 description of Venezuela, wrote that stronger coastal policing of contraband trade during those years had the potential to quintuple legal trade.<sup>35</sup> Whether or not a direct link existed between enforcement and the quantity of licensed trade, traders like Cisneros rightly gauged both the voracious consumer appetite of Venezuelans and how illicit trade satiated it.

What then did unsatisfied Venezuelan subjects choose to buy from the black market with their sought-after agricultural exports? Given the merchandise shortfalls caused by anemic legal trade, it is not surprising that most items purchased illegally were routine, inexpensive staples from Europe. Contraband merchants rarely exchanged money for products as bartering was more usual. Overwhelmingly, slaves figured as the most valuable import into Venezuela given that the price of a single slave could reach as high as several hundred pesos. Despite their worth, slaves appeared infrequently in most inventories of smuggled goods.<sup>36</sup>

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<sup>35</sup> Cisneros put total consumption of goods from Caracas Company stores at 100,000 pesos annually, but estimated, when he wrote his work, that particularly strong crackdowns on smuggling had increased consumption to 500,000 pesos annually. Joseph Luis de Cisneros, *Descripción exacta de la provincia de Venezuela*. (Caracas: Academia Nacional de la Historia, 1981 [1764]), 131.

<sup>36</sup> Chapter six will discuss the underground slave trade in more detail.

A packet of documents (*legajo*) detailing forty-two contraband seizures conducted in small shops (bodegas), homes, streets, and forests in and around Caracas and the central coast of Venezuela in 1721 provides an intriguing glimpse of smuggled goods that trickled down into Venezuelan daily life.<sup>37</sup> While these cases serve as a detailed snapshot of Venezuelan contraband imports during a specific year, rather than a representative sample of all eighteenth-century illicit trade, the confiscations disclose many products commonly smuggled into Venezuelan shops and homes throughout the period. These 1721 seizures are complimented by archival holdings that contain much smaller groupings of household seizures from the 1750s and 1790s. Together they demonstrate that crackdowns on contraband at the neighborhood, town and regional level were routine. A brief survey of these cases reveals similar lists of cheap, subsistence goods and comparable conflicts over governmental intrusion into private space.<sup>38</sup> Such terrestrial, as opposed to shipboard, arrests bring the historian much closer to sites of consumption and illustrate individual buyer preferences. This documentary record of the consumption patterns of Venezuelan subjects suggests that smuggling succeeded neglected communities with basic necessities and, in some cases, supplanted legal trade in the larger Spanish American world.

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<sup>37</sup> Comisos de Géneros Extranjeros. Testimonio de autos sobre varios comisos de géneros extranjeros. Provincia de Caracas. Caracas. 1721. Archivo General de Indias, Seville, Spain (hereafter AGI), Audiencia de Santo Domingo, Legajo 763. While comisos involving ship seizures are plentiful in Venezuelan and Spanish archives, documentary evidence of seized goods from homes, stores, and other inland venues are less common, especially over the course of just one year.

<sup>38</sup> Documents regarding household and storefront contraband confiscations can be found for the 1750s in AGI, Contaduria, 1662 and for the 1790s in AGI, Caracas, 837 and AGI, Caracas, 839.

The 1721 confiscation lists noted that fabric for garment production was the single most frequently confiscated import. Most of this cloth was coarse, of questionable quality, and meant to cover the body rather than appeal to the latest eighteenth-century fashions. *Coleta*, a cheap cotton, and *ruan*, a lightweight and coarse linen from the Rouen region of Normandy used for knee britches, figured most prominently in the household contraband seizures. Behind these fabrics were *listado* (striped linen), *bretaña* (linen from Brittany of slightly higher quality) and *olandilla* (pressed and dyed linen). As the latter two names indicate, most fabrics found among the comisos came from Northern Europe (France, Holland, England, and Flanders).<sup>39</sup> Likewise, officials identified many finished apparel items including, stockings, shirts, shoes, and hats as being of Northern European extraction.

In addition to fabrics and clothes, household and storefront raids in 1721 reveal a proliferation of manufactured European tools. Country folk traded for machetes and other agricultural implements.<sup>40</sup> They also bought guns and gunpowder.

Venezuelans not only sought European textiles and manufactures, but they also craved Old World foodstuffs. Regardless of the fertile soil and plentiful hunting grounds of the region, consumer preferences dictated that Venezuelans import food items from Europe. The inflated prices and paltry stock of legal Spanish goods assured that Venezuelans would import many of these edibles through clandestine means. Typical

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<sup>39</sup> Peter Boyd-Bowman, "Spanish and European Textiles in Sixteenth Century Mexico" *The Americas* 29:3 (Jan., 1973): 336-352-353; Aizpurua, *Curazao y la costa de Caracas*, 104-105; Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648-1795* (Leiden: KITLV Press, 1998), 178; Depons, *A Voyage to the Eastern Part of Tierra Firme*, Vol. 2, 330-333.

<sup>40</sup> Joseph Luis de Cisneros remarked on the common use of iron tools by agricultural laborers in his description of the province. Cisneros, *Descripción exacta de la provincia de Venezuela*, 138-139.

confiscations in 1721 included flour, salted meats and fish, as well as alcoholic beverages ranging from French wine to rot-gut liquor. The presence of imported comestibles demonstrates that locals considered simple European foodstuffs essential for civilization no matter how difficult or potentially illegal they were to procure.

Despite the heavy emphasis on cheap import staples, a few luxury products made their way into homes and stores. Silk, a fabric of the wealthy, figured most prominently among big ticket items.<sup>41</sup> Chinese satin and paper (probably to make screens) came to the province by way of New Spain. The registers also document culinary treats such as raisins, cinnamon, and black pepper.

The scarcity of these indulgences in terrestrial confiscation lists, however, only underscores the subsistence character of smuggling in Venezuela. As other documents of the period testify, many smalltime Venezuelans buyers frequently chose to trade in the black market merely to meet personal consumption needs. One such customer, a free black from the central Venezuelan town of Morón named Joseph Joachim, freely admitted to bartering with his cacao to obtain small amounts of cloth, thread, wax and gunpowder in 1732. According to Joachim, the textiles were to clothe his children and the wax and gunpowder would embellish his town's Corpus Christi celebration.<sup>42</sup> Like many amateur contrabandists trying to extricate themselves from a bad situation, Joachim's testimony stressed that he had entered into the business only to satisfy personal needs.

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<sup>41</sup> Ross W. Jamieson, "Bolts of Cloth and Sherds of Pottery: Impressions of Caste in the Material Culture of the Seventeenth Century Audience of Quito" *The Americas* 60:3 (Jan., 2004): 444.

<sup>42</sup> Confesión de Joseph Joachim. San Phelipe. March 28, 1732. AGI, Santo Domingo, 782.

The goods present in household and storefront confiscations suggest that terrestrial smuggling, unlike the larger maritime contraband sector, catered to amateur customers purchasing items for individual or family consumption.<sup>43</sup> First, land seizures contained lesser quantities of goods, particularly food and alcohol, than their maritime counterparts.<sup>44</sup> A ship might supply many shops and homes and could use its mobility to protect cargo from confiscation. Unlike inland contraband depots, seaborne smugglers rarely conducted just one transaction per voyage. Therefore foreign coastal vessels held a mix of both imports awaiting sale and exports like tobacco and cacao.<sup>45</sup>

Land-based arrests also displayed a smaller variety of goods than maritime seizures. Slaves, an unheard of commodity in bodegas, showed up in shipboard confiscations along with luxury items like gin and castile soap.<sup>46</sup> These specialized products imply that inter-imperial smugglers may have brought them with specific buyers in mind. By contrast, the humble bodega owner sold to a range of retail consumers who he or she could not count on to purchase niche items.

Contraband arrests at the stores and homes of petty traders demonstrate how the inability to secure cheap and reliable licit products squeezed colonial consumers.<sup>47</sup>

Plebian subjects perceived bending and breaking commercial law necessary steps in the

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<sup>43</sup> The following footnotes contain cases with representative examples of these broader trends found in a range of ship seizures. Case titles have been omitted to keep the footnotes uncluttered. Archivo General de la Nación Caracas, Venezuela (hereafter AGNV), Fondo Comisos, Tomo XVI, 1735, folios 96-307.

<sup>44</sup> AGNV, Comisos, XV, 1736, f. 201-244; AGNV, Compañía Guipuzcoana, Tomo XIX, 1768, f. 314-376.

<sup>45</sup> AGNV, Comisos XVI, 1735, f. 96-307.

<sup>46</sup> AGNV, Comisos, Tomo XVIII, 1737, f. 1-252; AGNV, Compañía Guipuzcoana, Tomo XXVIII, 1775, f. 120-176; AGNV, Comisos, Tomo XXIV, 1750, f. 261-367.

<sup>47</sup> For an in-depth analysis of the commercial pressures facing Venezuelan subjects at the turn of the nineteenth century, see Manuel Lucena Samoral, *Vísperas de la independencia americana: Caracas* (Madrid: Editorial Alhambra, S.A., 1986).

struggle to meet their material needs. Venezuelans' difficulty in procuring goods encouraged violence and criminality but also the belief that they could make ends meet best through a combination of their own clandestine arrangements and metropolitan benign neglect.

### **Why Ordinary People Smuggled: The Logic of Defendant Testimonies**

The dearth of European goods alone could not account for the petty retail sale and personal consumption of smuggled goods among inhabitants of the Venezuelan coast. Given the inherent dangers of smuggling and its possible legal repercussions, locals could have reduced risk by trading for stray legal merchandise or making do with items produced in Venezuela or the broader Spanish American dominions. Why not just eat indigenous food and wear homespun cloth?

Although European food and clothes provided no more nourishment or cover to colonists than their New World counterparts, creoles of European descent and newly arrived Spaniards linked their cultural superiority to these imports. This belief in the loftier quality of European products also made them valuable merchandise for Venezuelan retailers hoping to resell contraband goods. Thus Venezuelan buyers tolerated unequal market relationships with foreign smugglers and the criminal consequences of illicit trade.

When caught, they rationalized and downplayed their participation in criminal activity. Judicial officials sometimes viewed smuggling as a moral deficiency. In contrast, suspected contrabandists mostly explained their transgressions through a host of

practical and logistical excuses meant to prove their innocence or at least the innocence of their intentions. In the rarer instances when the accused confronted the moral implications of their crimes, they questioned the very integrity of Spanish trade law, insinuating that it criminalized inescapable transactions in Venezuelan commercial life.

In purely monetary terms, Spanish subjects in Venezuela conceptualized the value of exchange differently than Dutch, English, and French contrabandists. The same basic European food and clothing considered daily staples by foreign traders represented luxuries for trade-starved Spanish American consumers. European manufactures of questionable quality commanded far greater sums in the Americas than they would have in the Old World or even in the English, French, and Dutch colonies.

Some goods sold to Spanish subjects amounted to nothing more than refuse. The English merchant Lewes Roberts wrote that his compatriots looking to trade on the Caracas coast should bring “*English Commodities, Serges, all kinds of Norwich Stuff; all sorts of Stockings*” since “stuffs” not wearable in England “are here saleable.”<sup>48</sup> Sir James Modyford, brother to the governor of Jamaica, composed a similar list of inexpensive items that could be hawked at high markups along the coast of Colombia and Venezuela in 1667.<sup>49</sup> Moreover, foreign merchants sometimes sent “refuse slaves” who could not be sold in the Caribbean sugar colonies to Spanish America.<sup>50</sup>

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<sup>48</sup> Roberts, *The merchants map of commerce*, 63.

<sup>49</sup> A.P. Thorton, “The Modyfords and Morgan: Letters from Sir James Modyford on the affairs of Jamaica, 1667-1672, in the Muniments of Westminster Abbey” *The Jamaican Historical Review* 2:2 (Oct., 1952): 47-48.

<sup>50</sup> Colin Palmer, *Human Cargoes: The British Slave Trade to Spanish America, 1700-1739* (Urbana: University of Illinois Press, 1981), 62.

Foreign plenty and Spanish dearth fostered unequal trade relationships. The result was that non-Spanish merchants bought valuable Venezuelan commodities such as cacao and tobacco well below their European offering prices in return for basic, but substandard, goods. Even so, Venezuelan traders who carried on commerce with foreigners received a more reliable supply of goods for their cacao than they did in dealing with the Caracas Company.<sup>51</sup>

Venezuelan consumers and smugglers also tolerated unequal exchange with foreigners because they perceived more value in European goods than merely their monetary price. Culturally, the consumption of European foods and textiles was crucial for settlers attempting to assert their whiteness and place within the colonial hierarchy. As Arnold Bauer argues, at the crux of Spanish American material culture, “cloth and clothing were, apart from precious metals, overwhelmingly the most important commodities, the most obvious markers of status, and the most revealing element in European self-identity.” The accoutrements of white European society went into making a home (*casa* or *hogar*) as opposed to poor and uncivilized Indian dwellings (*bohio*, *choza*, *jacal*, or *ruca*).<sup>52</sup>

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<sup>51</sup> Aizpurua, *Curacao y la costa de Caracas*, 340; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 22-23; Pérez, *Los movimientos precursores*, 35.

<sup>52</sup> Arnold J. Bauer, *Goods, Power, History: Latin America's Material Culture* (Cambridge: Cambridge University Press, 2001), 74; Beverly Lamire seconds Bauer's argument for the early modern Atlantic, noting that “from the early modern to the dawn of modern times, textiles for home or personal apparel represented the most important investments for the majority of the population. These goods were also imbued with complex economic and cultural meanings. Interactions between societies, East and West, as well as the evolving colonial projects in the Americas, can be discerned through the trade, use and evolution of materials, as well as through the needlework that constructed everyday items.” Beverly Lamire, “Draping the Body and Dressing the Home: The Material Culture of Textiles and Clothes in the Atlantic World, c. 1500-1800” in Harvey, *History and Material Culture*, 85.

Food played a similar role. As well as reminding Spanish immigrants of the tastes of home, Old World dietary products also sated their physiology and self-esteem. White Spanish subjects and their descendants in the New World perceived food, next to climate, as the most important influence on their humors. They believed that too much New World food could alter their constitutions, making them more like Indians.

Historian Rebecca Earle has argued that, for early modern Europeans, food helped to create bodily definitions of race that separated them from indigenous inhabitants of the Americas. In the minds of colonizers, eating European food became an essential part of avoiding the physical corruption produced by New World environments. Therefore a person perceived to have the monetary means and proper bodily constitution to eat European food elevated their status in the racial pecking order.<sup>53</sup>

The cultural and biological importance that Europeans bestowed upon Old World products gave them robust resale values in the colonies. Petty retailers and peddlers might buy what foodstuffs, cloth, and manufactures they could lay their hands on with the assumption that they could sell these items again reliably to individuals for personal consumption. Thus confiscation lists of homes and small shops sometimes evinced a larger array of goods than what their inhabitants could or would consume.

For all of these reasons, it was vital, even in peripheral societies like Venezuela, to acquire coletas, bretañas, flour, olive oil, and wine regardless of whether they were coarse, bitter, shoddy, or expensive. In practical terms, reliably obtaining European

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<sup>53</sup> Rebecca Earle, “‘If You Eat Their Food...’: Diets and Bodies in Early Colonial Spanish America” *The American Historical Review* 115:3 (June, 2010): 690.

products in most of Spanish America meant participating in contraband trade. For many contraband buyers, bending commercial law represented their first and only foray into the criminal world

This reality caused both petty smugglers and those who pursued them to reflect on the ethics, criminality, and justifications of commonplace extralegal trade. For officials not prone to the endemic corruption and graft common to the imperial Spanish bureaucracy, smuggling often seemed like a moral contagion. More level-headed men like Pedro José de Olavariaga understood smuggling to be the byproduct of a rickety and antiquated commercial system.

In contrast, other bureaucrats lumped commercial crimes together with civil misdeeds.<sup>54</sup> Officials interrogating Governor Francisco Xavier Moreno of Maracaibo as part of a wave of prosecutions in that region in 1747 illustrate this point. The investigators asked Moreno, who they suspected of trading with a group of Jesuits involved in a smuggling ring, whether his transgressions meant that he had no respect for religion.<sup>55</sup>

That line of questioning reflected standard interrogations of contrabandists. Officials routinely inquired whether they understood that smuggling was a grave crime “against commerce and the monarchy.” and a mark of “disorder and debauchery.”<sup>56</sup> Such

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<sup>54</sup> Olavariaga, *Instrucción general y particular*, 96.

<sup>55</sup> Cargo al Don Francisco Xavier Moreno. Confesión. Undated. Archivo General de la Nación, Bogotá, Colombias (Hereafter cited as AGNC), Fondo Contrabando, Tomo XVI, f.610-611.

<sup>56</sup> The first quote is from Decreto del Virrey de Santa Fe Don Jorge de Villalonga. Santa Fe. January 23, 1722. AGI, Santo Domingo, 759; Other examples of this style of interrogation include Confesión de Juan Miguel de la Rosa. Caracas. November 2, 1752. AGNV, Comisos, Tomo XXV, f.154-155 and

discourse framed contraband as not just the theft of tax revenues, but also as a treasonous and morally-repugnant offense.

Small-time smugglers and consumers of smuggled goods spoke of clandestine commerce in a more matter-of-fact manner to lessen their legal culpability. Testimonies of the accused gave specific justifications for smuggling designed to mitigate stiff sentences. Thus the reader must view them critically through the prism of desperate individuals looking to evade prison and forced labor stints. Although it is difficult to discern how familiar locals were with the procedural inner workings of prize courts, suspects' responses to interrogations displayed patterns suggesting a practical awareness of which arguments might sway prize court judges. Defendants may have learned from their acquitted predecessors which details to omit, which tropes to stress, and when to tell a lie.

The accused believed that in the minds of royal officials, certain rationales could separate particularly flagrant and damaging smuggling from occasional and innocuous commercial indiscretions. Suspects emphasized the hardships that drove them to smuggle, downplayed their connections to habitual contrabandists, and underscored the extenuating circumstances of their particular cases that might point to their innocence in the crime.

Feigning unfamiliarity with the law and its particulars was the most common defense. Defendants often responded that they did not realize that their trading was illicit

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Testimonio de Graham de Langhe. La Guaira. April 30, 1731. AGI, Santo Domingo, 781; The second quote comes from Comiso de una Valandra Española. Caracas. May 24, 1756. AGI, Contaduria, 1634.

by Spanish commercial codes or that impounded goods were foreign. Juan Cipriano Pérez, an Indian peasant hauled into custody near Puerto Cabello in 1755 for possessing illicit goods, employed this defense. Cipriano Pérez denied any knowledge of trade with foreigners as he “had worked all his life as a peon on a small plot.” According to the laborer, he had only come to possess a parcel of unlicensed clothing as a substitute payment for his usual twenty peso salary, driving cattle for a rancher.<sup>57</sup> On the other end of the economic spectrum, Don Francisco Muxica, an account (*contador oficial*) for the Caracas city government pleaded his ignorance of the illicit origins of expensive silks and other items with which he meant to spoil his wife. Muxica claimed to have received the goods as gifts from friends who had recently arrived in La Guaira by ship.<sup>58</sup>

When ignorance failed as a defense, strategies of the accused often shifted to accentuating their inexperience in the trade and, by association, their harmlessness to legal commerce. This tactic, like others mentioned here, may have reflected the truth about some subjects. Nonetheless, novice and professional smugglers alike tried to pass as first timers. To avoid harsh sentencing in 1765, a mule driver (*arriero*) named Juan Nicolas de Lugo testified to having conducted commerce with a corrupt mayor under investigation. Yet the mule driver was quick to point out that he had traded with him

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<sup>57</sup> Confesión de Juan Cipriano Pérez. Caracas. March 3, 1755. AGNV, Comisos, Tomo XXV, f. 315-316.

<sup>58</sup> Ynforme del Gobernador de Caracas y el Contador oficial Real D. Francisco Muxica en vista de sus respectivas representaciones y de mas documentos remitidos al consejo por la via reserbada, en que el primero, consta, haber fulminado causa al segundo por complice en el trato ilicito; y el segundo expone sus excepciones en el particular, a efecto de vindicar su honor y las obligaciones de su ministerio. Caracas. November 29, 1775. AGI, Caracas, 839.

only once and now realized the error of his ways.<sup>59</sup> Suspects admitted to not understanding the dynamics of contraband transactions and highlighted, if possible, the small quantities of contraband goods they possessed.

Defendants also vehemently denied personally knowing their trading partners as familiarity could indicate their presence in larger smuggling networks. In instances where negating such a relationship proved impossible, many defendants expressed shock and embarrassment that their longtime associates were capable of committing criminal acts and or involving them in the sordid business. This sense of not-so-believable chagrin permeated the testimony of one Choroní landowner who blamed the existence of a cache of unlicensed goods at his house on the rebellious market transactions of his slave.<sup>60</sup>

Finally, when presented with inescapable culpability, subjects might resort to justifications based on their material circumstances or request leniency due to their legal statuses. Captured traders claimed poverty and want as the reason they entered into black market exchanges. Other suspects said they engaged in black market transactions to provide for their dependents. As prize courts rarely doled out harsh sentences to women, female buyers emphasized prescribed feminine gender roles as mothers and household managers in their testimonies. Defendants of indigenous or African descent likewise told prize court judges stories stressing these groups' stereotypical characteristics as simple-minded, poor, and easily-deceived peons. In the case of four Indians, who helped Dutch

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<sup>59</sup> Declaración de Juan Nicolás de Lugo. Villa de San Carlos. January 4, 1775. AGNV, Comisos, Tomo XXVII, f. 33-34.

<sup>60</sup> Confesión de Simon Coupar. Caracas. August 1, 1720. AGNC, Contrabando, Tomo IV, f. 906-907.

and Spanish contrabandists shepherd a large shipment of cotton cloth to shore, this strategy paid off. While the captain of the Spanish ship received an eight-year labor term on a presidio, the indigenous men's involvement only cost them six months of compulsory service on public works projects (*obras reales*) in Caracas.<sup>61</sup>

The diverse legal strategies chosen by defendants demonstrate not only a sophisticated understanding of the prosecution's mindset, but also the realization that these approaches worked. Pleading ignorance, amateurism, or poverty could secure freedom or at least a favorable sentence. It is important to keep these realities in mind when parsing the thoughts of illicit buyers and sellers regarding their crimes.

Despite their sometimes formulaic quality, suspects' testimonies reflected important truths about Venezuelan material society and should not be dismissed as entirely fallacious. The statements of the defendants indicated that they realized the judicial deck was stacked against them. They could not question the nature of the commercial system in court. They could only deflect accusations that they had transgressed it.

Defendants' words also betrayed that, in Venezuela, illicit trade's participants were numerous and connected to many levels of society. How else would captured contrabandists and subjects have learned the well-worn and effective talking points necessary to placate authorities? Furthermore, smugglers' continual rationalization of illegal trade as a means to allay poverty and want suggested their belief that even prize

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<sup>61</sup> Informe del Intendente de Caracas en vista de un Testimonio de Autos causados sobre la apresa de la Balandra Holandesa titula el Leon su Captain Francisco Martínez para trato ilícito. June 23, 1787. AGI, Caracas, 839.

court judges could grasp the conditions of material scarcity that characterized eighteenth-century coastal Venezuela.

In the infrequent instances when illegal traders and their accomplices reached beyond stock rationales and vocalized the deeper ethical contexts of smuggling, they used their testimonies to portray black market commerce as a morally-relative act of the masses. Some smugglers, such as Joseph Morales Guachico, questioned the degeneracy and illegality of smuggling by highlighting how common the business was in Spanish American society. Morales Guachico, who stood accused of illegal trading with Governor Moreno in Maracaibo in 1764, responded to questions of whether he understood smuggling to be a crime by stating that “although in some manner this grave insult and offense could not be hidden,...it occurred to everyone to buy from the ships that frequently and publicly traded on the coasts of Carigua and Puerto Mayor.”<sup>62</sup>

It was the popular belief in Venezuela that illicit exchange hurt nothing and no one except for royal revenues. François Depons related how decrees from the Crown “order the bishops to announce to the faithful, that the contraband is a mortal sin... There is no time worse employed than that which the priest spends in making this publication; for there is no act in the whole ecclesiastic liturgy which makes less impression on the

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<sup>62</sup> Confesión de Joseph Morales Guachico. 1764. AGNC, Contrabando, Tomo XVI, f.627. Guachico’s testimony could be applied to many early modern situations of material deprivation. Heather Shore has shown that in urban eighteenth-century London, neighbors of poorer districts certain crimes such as prostitution, workplace theft, and pilfering as part of the “canvas of the plebian life-cycle.” Venezuelan popular toleration of smuggling followed a similar logic. Heather Shore, “Crime, Criminal Networks and the Survival Strategies of the Poor in Early Eighteenth-Century London” in *The Poor in England, 1700-1850: An Economy of Makeshifts*, ed. Stephen King and Alannah Tomkins (Manchester: Manchester University Press, 2003), 156.

Spaniard.”<sup>63</sup> As Thomas Truxes’s elaborate study of colonial New York’s illicit trade with the enemy French during the Seven Years War demonstrates, the impulse to view unlicensed trade as a benign offense was not unique to Venezuela.<sup>64</sup>

The large cohort of coastal inhabitants whose common purchases included contraband goods identified customs officials as martinets attempting to suppress a crime of necessity. Bureaucrats upholding the Spanish mercantile system tried to tar contrabandists with the same brush they used for murders and thieves, but the characterization never stuck. Adam Smith neatly summed up the gulf between trade law morality and actual commercial practice in the Atlantic World:

to pretend to have any scruple about buying smuggled goods...would in most countries be regarded as one of those pedantick pieces of hypocrisy which...[would] serve only to expose the person who affects to practise them to the suspicion of being a greater knave than most of his neighbours. By this indulgence of the publick, the smuggler is often encouraged to continue a trade which he is thus taught to consider as in some measure innocent; and when the severity of the revenue laws is ready to fall upon him, he is frequently disposed to defend with violence, what he has been accustomed to regard as his just property.<sup>65</sup>

### **The Impact of Smuggling and Smuggled Goods on Daily Life**

As Smith’s quote implies, smuggling and smuggled goods not only dominated commercial circumstances in the Americas, but also intervened in community dynamics at the local level. In Venezuela, surveillance and policing of the population increased in

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<sup>63</sup> Depons, *A Voyage to the Eastern Part of Terra Firma* Vol. 2, 329.

<sup>64</sup> Thomas M. Truxes, *Defying Empire: Trading with the Enemy in Colonial New York* (New Haven: Yale University Press, 2008), 2-7, 202-203.

<sup>65</sup> Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. R.H. Campbell and A.S. Skinner, 2 vols. (Oxford:Oxford University Press, 1976 [1776]) 2:898. Cited in Klooster, “Inter-Imperial Smuggling in the Americas,” 146.

the eighteenth century to keep pace with illegal foreign commerce. Coastguard and militia investigations could turn neighbor against neighbor. In other instances, people protected and sheltered the contrabandists who were more a part of their world than legal traders or Company officials. Women, who rarely smuggled or traded for black market goods on the water, figured prominently in accounts of raids of homes and shops inland. As a low-intensity war raged between smugglers and law enforcement, sporadic violence plagued maritime occupations and disrupted long-standing trade relationships between Venezuelan subjects and their non-Spanish neighbors. Turbulence engulfed the “social life of things” in the province when minor merchants and producers found themselves enmeshed in the illicit trafficking of goods as likely to provoke conflict as to satisfy consumer demand.<sup>66</sup>

The transition from Hapsburg to Bourbon rule ushered in more stringent policing and surveillance of Venezuelan coastal inhabitants and their commercial tendencies. Beginning shortly after the War of Spanish Succession (1701-1714), the Crown and Venezuelan royal officials expanded sea patrols. These coastguard forces multiplied with the entrance of the Caracas Company’s private forces in the 1730s. Around this time, colonial governors throughout Spanish America increased the use of spies and inspectors in large numbers to keep track of residents’ purchasing habits and guard against the

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<sup>66</sup> Arjun Appadurai proposes “that we treat demand, hence consumption, as an aspect of the overall political economy of societies. Demand, that is, emerges as a function of a variety of social practices and classifications, rather than a mysterious emanation of human needs, a mechanical response to social manipulation (as in one model of the effects of advertising in our own society), or the narrowing down of a universal and voracious desire for objects to whatever happens to be available.” Appadurai, “Introduction: Commodities and the Politics of Value,” 29. In other words, demand for material things cannot be removed from the culture and context that produces this desire. This chapter argues that the illicit context of many consumer goods in eighteenth-century Venezuela led to rampant disregard for commercial law and inherently unstable social and commercial conditions on the coast.

diffusion of illicit goods.<sup>67</sup> In the Company's first years, Pedro José de Olavarriaga proposed the addition of "both public and secret guards and spies in the places and paths where they [the contrabandists] turn up." He also defended the right of Company officials to search any house or store in the province.<sup>68</sup> Governors of Venezuela sent forth more spies to patrol the colony during times of crisis, most notably during the Juan Francisco de León Rebellion (1749-1751).<sup>69</sup>

More rigorous patrols meant inconveniences and hassles for interregional trade. By the end of the Company's tenure in the 1780s, one foreigner lamented the plight of Venezuelans in the inland plains (*llanos*) who had to make a one hundred league circuit around the Orinoco and Guarapiche Rivers to purchase clothes and avoid patrols which "entirely cut off all former communication and rendered the wretched Inhabitant still more miserable."<sup>70</sup> Foreign observers often produced exaggerated depictions of Spanish colonial authoritarianism and commercial disorder in order to convince their governments that inhabitants of these territories favored new imperial masters. Despite the questionable credibility of some of these depictions, the attention so many of them devoted to Venezuela indicated that its stringent royal authorities had a reputation for stifling even licit trade.

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<sup>67</sup> Earl J. Sanders, "Counter-contraband in Spanish America: Handicaps of the Governors in the Indies" *The Americas* 34 (1977): 77; Lance Grahn, "Guarding the New Granadan Coasts: Dilemmas of the Spanish Coast Guard in the Early Bourbon Period" *The American Neptune* 56:1 (Winter, 1996): 19-28; Aizpurua, *Curazao y la costa de Caracas*, 148-158.

<sup>68</sup> Petición de Jose de Olavarriaga, Director de la Real Compañía Guipuzcoana. Caracas. September 2, 1732. AGI, Caracas, 925.

<sup>69</sup> Lucas Guillermo Castillo-Lara, *La aventura fundacional de los Isleños: Panaquire y Juan Francisco de León* (Caracas: Academia Nacional de la Historia, 1983), 417; Ferry, *The Colonial Elite of Caracas*, 243

<sup>70</sup> Observations on the Carraccas and Province of Cumana by Louis Flislale to Major General John Dalling, Governor of Jamaica. November 16, 1782. The British Library (London, England), Additional Manuscripts 36806, f.176.

Just as the *llaneros* found their trading routes cut off in the backcountry, coastal consumers also dealt with limited mobility. Imperial surveillance of consumption led to a clampdown on access to some provincial paths and waterways. For many years, colonial officials had considered routes that ran inland from the sea to be suspicious. Dispatches spoke of cacao and illicit goods trafficked on secret paths carved out of the wilderness by contrabandists.<sup>71</sup> Official accounts also portrayed trails and rivers as sites of potential ambush by foreign interlopers. For example, Agustín Reinaldo, a coastguard officer, described how he and his men found harvested cacao on one of these trails near the Tuy River in 1723. A much superior Dutch force surprised Reinaldo and his patrol as they were in the process of confiscating the illicit wares and forced the authorities to flee the site.<sup>72</sup>

To prevent such attacks and lessen covert commerce, the royal government worked hand-in-hand with the Caracas Company to regulate Venezuelan transportation. Officials mandated that newly-founded towns and older settlements wishing to retain their charters curtail access to the sea and tributary waterways.<sup>73</sup> Notwithstanding strict prohibitions on freedom of movement throughout the province and region, smugglers and travelers alike continued to construct unregulated pathways for commerce and transportation. Joseph Luis de Cisneros wrote in 1764 that San Felipe, a town inland

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<sup>71</sup> Luis Enrique González F, *La Guayra, conquista y colonia* (Caracas: Editorial Grafarte, 1982), 119; El Cabildo Secular to the King. Caracas. June 24, 1712. AGI, Santo Domingo, 751.

<sup>72</sup> Testimonio de Agustín Reinaldo. Caracas. February 17, 1727. AGNV, Comisos, Tomo VII, f.561-562.

<sup>73</sup> Curiepe, a newly founded town of free blacks, was established on the condition that local officials limit access to sea routes. Castillo Lara, *La aventura fundacional de los Isleños*, 166; Local governors closed a road to the sea in the town of Petaquire to avoid illicit commerce in 1740. Cierre del camino de Petaquiere al mar para evitar comercio ilícito. 1740. AGNV, Diversos, Tomo XXII, f. 92-93.

from Puerto Cabello, was “a refuge of contrabandists” because “its center is three short leagues from the Yaracuy River which can be navigated easily to the sea...while many paths penetrate its rugged mountains.”<sup>74</sup> Regulation of roads and rivers limited communication, transportation, and trade for many Venezuelans. Their resistance to this intrusion demonstrated the limits of state control.

For policing to succeed at the town and local levels, it had to infiltrate neighborly relationships of trust and conflict. Such was the case of María Francisca de Espinoza, a Caracas widow arrested for possessing foreign cloth. Acting on the tip of an anonymous informant (*denunciador*), authorities failed to find anything in her home, but later discovered over one hundred yards of cloth in the home of a neighbor. When questioned about how she came to own the cloth, María Francisca said that a man she had never met came to her home late one night asking her to store temporarily a bag containing the textiles. Her neighbor, in turn, volunteered to look after the goods. Both María Francisca and her neighbor claimed to be unaware that the rolls of cloth were contraband.<sup>75</sup>

While the veracity of Espinoza’s tale seems doubtful, her case confirms how magistrates’ successful entry into community politics could help authorities uncover smuggled goods. It was not uncommon for small-time contraband busts, such as the Espinoza case, to include the presence of informants paid by royal officials.

*Denunciadores* might receive anywhere from ten percent to one-third of the proceeds

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<sup>74</sup> Cisneros, *Descripción exacta de la provincial de Venezuela*, 152-153.

<sup>75</sup> Testimonio de Auttos fhos contra Maria Francisca de Espanosa sobre haverse Rezeptado en su Cassa Generos de Extrajeria de los quales se hallaron algunos en la Cass ynmediata de su Vezina Paula de los Rios. El Sargento Don Pedro Martin Beato por Comission del exmo. Sr. Virrey de Este Distrito. Caracas. May 21, 1721. AGI, Santo Domingo, 763.

from the sale of impounded illegal wares.<sup>76</sup> Though the identities of these individuals almost always remained anonymous in court records, it is a reasonable assumption that a combination of fiscal gain and previous grievances toward the accused motivated them. That an informant would turn in María Francisca Espinoza despite the small monetary value of her cloth indicated that she probably had made her share of local enemies. Investigators deftly engaged these antagonists to indict the accused.

Conversely, the passing of goods in Espinoza's case demonstrated how neighbors formed networks of obfuscation to throw officials off the trail of illicit transactions. Petty clandestine trade, in particular, relied upon trust between trading parties who often knew one another. Espinoza was willing to hide the cloth for the man who came to her door just like her neighbor agreed to harbor it for her. Assuming that Espinoza would not accept a parcel from a total stranger, she also chose to conceal her familiarity with the unidentified man. Or perhaps the man never existed in the first place. Espinoza may have crafted her story to manipulate for her own benefit gendered assumptions that she could not possibly be a willing participant in intricate criminal activities. This tantalizing glimpse into covert distribution chains raises more questions than it answers. Nonetheless, the Espinoza case implies that the number of buyers and sellers involved in the processes of smuggling was much larger than what authorities netted in raids.

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<sup>76</sup> In one proclamation from 1786, informants are promised ten percent. Ynforme del Yntendente de Caracas en vista de los dos testimonios de Autos que remite causados en la aprehension de la lancha Santa Rita y solicita Real Aprobacion de la sentencia pronunciada en ellos. Caracas. September 19, 1786. AGI, Caracas, 839; In a letter from the king in 1802, 1/4 of money raised from the seized assets are allotted to the informant. Despacho del Rey. Madrid. July 16, 1802; AGI, Indiferente General, 1835. In his study of smuggling, Lance Grahn puts the number at 1/3. Grahn, *The Political Economy of Smuggling*, 25.

Subjects who handled contraband goods became savvy about the law and how to negotiate a favorable place within it. Espinoza, like many other minor contraband buyers, was almost certainly aware of the legal repercussions of possessing illicit products though her confession feigned obliviousness in the matter. She probably knew the package to be smuggled goods and had formulated her series of defenses accordingly. Why else would she be so willing to accept the bag's contents yet so hesitant to let the goods continue to reside in her house? Denying knowledge of the items' illicit nature was presumably a calculated strategy to lessen punishment.

On the other hand, Espinoza's open admission that she had had substantial contact with the goods most likely signaled that she considered her crime trifling and did not expect a harsh reprimand from the law. Her calculations proved accurate. Given that she was an old widow with only small quantities of contraband goods, authorities released Espinoza, confining her punishment to a few already-served days of jail times and the confiscation of the cloth.<sup>77</sup>

Given that contraband policing did not observe the boundaries between the home and public space, it is not surprising that women like María Francisca de Espinoza sometimes ran afoul of the law over their consumer preferences and entrepreneurial decisions. Plebian women in colonial society managed their households, but also contributed to their family well-being through a range of short-term strategies that

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<sup>77</sup> Testimonio de Auttos fhos contra Maria Francisca de Espanosa sobre haverse Rezeptado en su Cassa Generos de Extrajeria de los quales se hallaron algunos en la Cass ynmediata de su Vezina Paula de los Rios. El Sargento Don Pedro Martin Beato por Comission del exmo. Sr. Virrey de Este Distrito. Caracas. May 21, 1721. AGI, Santo Domingo, 763.

included petty trade.<sup>78</sup> As the following cases will show, women often viewed contraband goods as raw materials for professional use, surplus income, or financial assets.

The presence of women as defendants in smuggling investigations showcases the extent to which smuggled goods penetrated domestic economic routines. For women in particular, contraband goods often represented the fundamental supplies of artisanal production. In 1721, authorities found a cache of foreign fabric rolls and swatches, yarn, and thread under the bed of María Candelaria Jaramillo. The great variety of small quantities of illicit textiles at her home indicated that she was probably a seamstress who had purchased the contraband items as fabric for her occupation.<sup>79</sup>

Just as unlicensed trade could augment a woman's income or means of production, it could also prove financially detrimental if detected. Because authorities viewed illicit goods as part of an individual's personal wealth, they usually froze all of a suspect's assets. One wife in the town of San Sebastian de Ocumare wrote to the governor of Venezuela in Caracas complaining that her husband had been in jail as an alleged smuggler for a month. During this time, officials had embargoed all the family's assets, including her slave and the goods that comprised her dowry. Whether or not the

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<sup>78</sup> Judith Bennett has revealed the crucial role of women in bringing in extra household income in early modern Europe. Despite the fact that elements of their trade were illegal, Venezuela's female petty traders were not unlike Bennett's brewsters in their willingness to use the market in order to keep family finances solvent. Judith Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford: Oxford University Press, 1996), especially 7, 145-150.

<sup>79</sup> Testimonio de Autos fulminados contra María Candelaria Jaramillo sobre haversele hallado unos xeneros de Yllicito Comercio en su cassa. Caracas. June 6, 1721. AGI, Santo Domingo, 763.

smuggler's wife was aware of her husband's misdeeds, she felt the hardships of his punishment in her home.<sup>80</sup>

In most routine arrests involving women, magistrates' gendered understandings of criminality meant that female suspects enjoyed more leniency than their male counterparts. It is difficult to parse exactly the thoughts of judges from their terse comments. However, their sentences for female suspects suggest that judges either considered women incapable of habitual participation in illicit activities or were unwilling to reprimand them harshly. Authorities concluded proceedings in days and deemed the confiscation of extralegal items, a small fine, and a few days in jail sufficient.<sup>81</sup>

However, in the few specific instances where officials suspected that women associated with more powerful smuggling interests, colonial justice might not operate so smoothly. María Joseph de Escurra of Maracaibo sold small amounts of her own cacao to a middleman trader in exchange for china and glassware. The go-between transported her cacao, along with a much bigger shipment belonging to Second Lieutenant (*alférez*) Luciano Luzardo, to Curaçao for sale to the Dutch. Luzardo, as detailed in chapter three, ran a large smuggling ring in Maracaibo. When authorities uncovered her business arrangements, Escurra claimed she had purchased the goods in order to resell them and care for her sick mother with the profits. She denied knowing that the goods were

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<sup>80</sup> Josepha Antonia Quintero to the Governor. October 21, 1752. AGNV, Comisos, Tomo XXV, f. 153-154.

<sup>81</sup> See for example the cases of Maria Ygnacia Suarez and Rosalia Guevara, two women caught with smuggled goods in their homes. Their cases can be found respectively in Cedula al Gobernador Intendente de Maracaybo. Madrid. October 8, 1796. AGI, Caracas, 837 & Cedula al Yntendente de Caracas. San Yldefonso. August 14, 1803. AGI, Caracas, 837.

contraband or that her cacao was headed for Curaçao. Escurra effectively marshaled witnesses to testify to these points and to confirm the hardships she had endured in supporting her mother.

More importantly, Luzardo possessed a larger fiscal share of the confiscated shipment than Escurra and his behavior was particularly suspicious: during the proceedings he sought asylum in a convent. The governor of Maracaibo eventually pardoned Escurra, declaring her “free of wider involvement” (*libre de sindicación*) in criminal networks. The case indicates that even though María Joseph de Escurra’s contact with large-scale smuggling might have been incidental and subsistence-oriented, it almost cost her dearly.<sup>82</sup>

As the prosecution of smuggling at the household level confirmed, contrabandists might be friends, neighbors, or kin. Therefore, it is not surprising that sections of the Venezuelan populace protected smugglers. One Spanish bureaucrat wrote to José de Gálvez, the Minister of the Indies, that “the Spanish in Caracas punctually advise their Dutch friends in Curaçao of the numbers of the coastguard, the date of their embarkation, and the course they chart.”<sup>83</sup> Smugglers’ popularity contrasted to the hostility many minor Venezuelan producers and storeowners felt toward legal traders and particularly Caracas Company merchants, whom they viewed as exploiters. François Depons noted that smuggling had a “blind protection which no Spaniard, rich or poor, refuses it.—A

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<sup>82</sup> The full case is: Luzardo Balues, Luciano. Causa que le siguió Francisco de la Rocha Ferrer, gobernador y capitán general de Maracaibo, por comercio ilícito de mercancías y cacao entre dicho puerto y Curazao. Maracaibo. 1718. AGNC, Contrabando, Tomo XIV, f.815-950.

<sup>83</sup> Agustín Moreno Enríquez to José de Gálvez. Amsterdam. February 11, 1778. Cited in Aizpurua, *Curazao y la costa de Caracas*, 387.

vessel driven by a storm on the Spanish coasts, is robbed and plundered by the country-people, if the cargo is covered by legal papers: they succour and protect it, if contraband.”<sup>84</sup>

For coastal inhabitants, the consequences of aiding or associating with contrabandists proved unpredictably violent due to sporadic warfare waged between smugglers and customs officials. Coastguard patrols and foreign ships engaged one another in skirmishes, ship seizures, and theft throughout the eighteenth century. The rules of ship confiscations insured that coastguard sailors received a greater percentage of a prize if they had faced violent resistance in capturing it.<sup>85</sup> All factors encouraged the escalation of conflict in the Caribbean. “The clandestine trade is so prodigiously advantageous that they [English merchants] will venture estate, body and soul” reasoned an English governor in Bermuda. The presence of these foreigners encouraged the Spanish coastguard’s cruelty toward them. The governor concluded that Spanish atrocities inspired indiscriminate piracy and low intensity warfare.<sup>86</sup>

Cycles of war worsened relations and entrapped Venezuelan consumers between marauding parties and retributive attacks. Lauren Benton has theorized that

because effective imperial control was defined by sets of narrow corridors and clusters of enclaves, multiple imperial powers could operate in the same region without producing abutting or conflicting spheres of control. The reach of

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<sup>84</sup> Depons, *A Voyage to the Eastern Part of Terra Firma*, Vol. 2, 329.

<sup>85</sup> The law no doubt encouraged violence as it promised greater paydays for martial sailors. Aizpurua, *Curazao y la costa de Caracas*, 174-175.

<sup>86</sup> Lieutenant Governor Hope to the Council of Trade and Plantations. Bermuda. August 21, 1724. British National Archives. Colonial Office, 37/11

jurisdiction could follow a snaking pattern of travel and trade routes that might cross or parallel other passages without entanglement.<sup>87</sup>

As an example, relations between the Spanish and the Dutch rarely reached “entanglement” as defined by a declared war over smuggling. Yet, it would be difficult to follow Benton’s logic and argue that Venezuelan subjects caught between competing commercial spheres avoided being “entangled” in random violence. By consuming goods that required foreign commerce, Venezuelan coastal inhabitants unintentionally positioned themselves in the crossfire between warring factions.

Inter-imperial skirmishes over commerce bred disorder and made the threat of conflict ever present, even between willing traders. The French Jesuit, Jean-Baptiste Labat, was no stranger to illicit trade. He described a typical meeting between French and Spanish contrabandists as a polite, but uneasy standoff where both sides calculated each other’s fighting capabilities:

The merchant and a few men, all well-armed, stand behind this counter, and are guarded by armed members of the crew on the poop. The captain and the rest of the crew, all armed to the teeth, remain on deck to welcome the visitors, give them drinks, and see them politely into their canoes as soon as they have made their purchases... above all it is necessary to be on your guard, and also to be always the stronger, for if the Spaniards see a chance of seizing the ship it is very seldom that they fail to do so.<sup>88</sup>

Encounters with extralegal commerce might be just as anxiety-ridden for small-time, individual traders. La Guaira patrols arrested one such novice, a family man named Don Miguel Ruíz. Ruíz had bought a measly three and a half pesos worth of smuggled

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<sup>87</sup> Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge: Cambridge University Press, 2010), 37.

<sup>88</sup> By “Spaniards,” Labat is referring to Spanish American smugglers, not coastguard officials. P re Labat, *The Memoirs of P re Labat: 1693-1705* trans. John Eaden (London: Frank Cass and Company Ltd., 1970 [1722]), 172-173.

textiles to clothe his family. The unfortunate amateur almost failed to complete the purchase “as he suspected that he might be robbed by the contrabandists.” Ruíz arrived armed to the transaction site as it was “an unpopulated area far from any neighborhood.”<sup>89</sup> The unregulated and persecuted trade in daily goods transformed the act of provisioning the home into cloak-and-dagger affair.

Conflicts over material consumption also impacted less commercial aspects of daily life like transportation and residency. Stricter enforcement of Spanish commercial law affected not just inland subjects moving through the province, but also inconvenienced coastal inhabitants who used the Caribbean Sea as a waterway. As smuggling ships were plentiful and tended to follow the coast, many Venezuelan residents knowingly or unknowingly used them for passage between points. Ubaldo de Arcia, a free pardo living in Mochima on Venezuela’s eastern coast, employed such a strategy. Arcia and his wife sought transport from their home to the city of Cumaná to get treatment for an undisclosed illness the two had contracted. Without their knowledge, the ship they traveled in carried smuggled goods. The two were the only occupants not to flee the vessel when coastguard officials seized it, which suggested their innocence.<sup>90</sup>

Passengers on other coastal journeys walked a finer line between the role of bystander and contrabandist. A Spanish coastguard patrol stopped Alejo Almario aboard a ship carrying Venezuelan cacao and hides between Isla de Aves and Curaçao. Though Almario claimed to be simply a passenger, his presence aboard a vessel carrying cargo

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<sup>89</sup> Declaracion de Don Miguel Ruiz, natural de la villa de Santellana en las montañas de valladolid y vecino de La Guayra. La Guayra. December 11, 1799. AGI, Caracas, 840.

<sup>90</sup> Ynforme de la Contaduria sobre Comiso de una Piragua con 2 ½ Barricas 1 Barril de Aguardientes, Tafia y 3 Votijas de miel. Cumana. Abril 6, 1756. AGI, Contaduria, 1662.

destined solely for illicit inter-imperial commerce cast doubt on this contention.<sup>91</sup>

Likewise, authorities were loath to believe Pedro Mariño de Lovera, a native of Coro. He claimed he had embarked on a voyage to Santo Domingo to place his daughter in a convent and only became involved in contraband shipping to secure his passage back home. Mariño de Lovera's circuitous course, which included stopovers at several foreign islands and an arrest in Cumaná on the far opposite coast from Coro in the west, sullied his defense.<sup>92</sup>

The policing of consumption in the province influenced where subjects could live as well as how they traveled. Laws designed to keep suspicious people out of regions prone to smuggling could be rigid. A French surgeon and apothecary named Pedro Vigot petitioned the governor of Venezuela and the Spanish Crown to allow him to stay in Caracas. Vigot had lived and worked in the city for fourteen years, married a Spanish woman, fathered two children, and donated medicines to the poor in the local hospital. Yet a law published in 1736 to reduce smuggling mandated the expulsion of all foreigners from the province within sixty days. Authorities in Spain eventually made an exception for Vigot, but not before his wife and children temporarily went into hiding to avoid expulsion themselves.<sup>93</sup>

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<sup>91</sup> Autos sobre el apreso de la goleta española de Manuel Rodríguez con cacao y cueros sin licencia de navegar en 27 Jul. 1770 entre Curazao y Isla de Aves. Decs. de Manuel Rodríguez y Alejo Almario, patrón y pasajero. Caracas. November 24, 1770. AGNV, Compañía Guipuzcoana, Tomo XXII, f. 143-178.

<sup>92</sup> Declaraciones ante Justicia Mayor de la Guaira de Francisco Santoya, Ten de balandra corsaria "Nuestra Señora de Aránzazu", 35, Fran. Loreto, 46, José Vincente Amestoy, 22, marineros, y Pedro Mariño de Lovera, dueno de goleta apresada, 34. La Guaira. August 1 & 2, 1760. AGNV, Compañía Guipuzcoana, Tomo X, f.153-161.

<sup>93</sup> Memorial de Don Pedro Vigot. Caracas. July 6, 1737. AGI, Caracas, 365.

The extenuating circumstances of enforcing commercial law on the Venezuelan coast produced a chaotic existence for colonial consumers. Caught between mercantilist laws that inhibited their acquisition of goods and underground commerce that exposed them to violence and criminal prosecution, Venezuelan subjects adapted to their situation. They created ruses to cover up illicit activity and used particular circumstances in their cases to argue for leniency. They sought to avoid danger, but also developed contingency plans in case it came looking for them. Finally, they exploited the chaos and illegality of smuggling to facilitate transportation and profit for themselves and their families. Smuggling was not an ideal gateway to material provisioning or peaceful daily life, but it nonetheless formed an essential part of the colonial economy of makeshifts.

### **Conclusion**

Although it is tempting to view smuggling as an elaborate game of cat and mouse between black market merchants and law enforcement, both sides lacked a *raison d'être* without consumer demand. The desire for cacao in Europe and European textiles, food, and manufactures in Venezuela stimulated contraband trade along commodity chains that stretched across the Atlantic. In the colonial context, smuggling allowed for the provisioning of culturally-favored products, but also infused daily life with conflict and uncertainty.

Records of illicit trade in Venezuela add much to the study of consumer behavior. The meanings human beings attach to objects form the crux of material culture and consumption research. Such investigations employ anthropological theory to examine

the cultural significance embedded in extant objects or inventories of the deceased. This research frequently encounters biases of class and status. With some exceptions, only monetarily valuable objects tend to appear in wills or to be treasured across great spans of time. Yet, in their efforts to suppress contraband trade, coastguard patrols and prize court judges unintentionally left a lasting record of the everyday goods and consumer behaviors of lower class Venezuelans. As most Venezuelan imports and exports from the eighteenth century were comestibles or cheap consumer goods, they have long since disintegrated into nothing. As a result, criminal cases documenting the exchange of illicit wares represent some of the only persistent markers of their (and their owners') existence.

The deeper contextualization of these goods within trading relationships and legal systems can help uncover how they impacted the communities in which they were exchanged. Here, cases of clandestine commerce, which tend to offer detailed notations of the circumstances surrounding sales and consumption, are particularly instructive. For petty Venezuelan buyers and retailers, smuggling was a business filled with violence, risk, and hassle, but also the potential for monetary and material gain. Most of these individuals were novices unlikely to commit more serious crimes. Consequently, their involvement in illicit trade and their relationships with canny, professional smugglers underscore how thoroughly popular commerce deviated from laws codifying permissible exchange. In the colony, the eighteenth century marked not an orderly progression towards a rational Atlantic trading system, but rather a hard scramble to free trade through parallel illegal channels possessing their own idiosyncratic logic.

Everyone from unassuming storekeepers to cut-throat pirates-cum-contrabandists were socialized into smuggling. Venezuelans at the lower rungs of the economic ladder freely ventured into the illicit commercial world in myriad ways. Buying a new shirt, cooking with olive oil, or trimming weeds with a fresh machete were all behaviors that could imply knowing or oblivious participation in the clandestine economy. Venezuelan consumers' willingness to alter patterns of daily life in the pursuit and consumption of material objects demonstrates on one hand, conditions of extreme need in Venezuela, and on the other, the tremendous material and cultural worth they ascribed to black market goods.

## VI. Contraband, Slavery, and Citizenship on the Venezuelan Coast

On the afternoon of April 21, 1763, Spanish corsairs captured a Dutch trading sloop off the coast of Cuyagua, a small port in central Venezuela. The Dutch captain and his fellow white officers escaped to land while three Dutch sailors of African descent stayed aboard.<sup>1</sup> With the contraband vessel boarded and brought to port in Puerto Cabello, Spanish officials began the routine business of appraising and selling the prize. Along with these tasks, officials questioned and sentenced the prisoners taken from the Dutch sloop.

Government functionaries learned from the declaration of one of the crewmembers, a black sailor named Juan Pedro Antonio, that the vessel came from Curaçao with a Dutch license to trade and a cargo of clothing and textiles belonging to a Curaçaoan merchant. The ship had exchanged goods freely with residents of the central Venezuelan littoral until the Spanish patrol had captured it. As a sailor guilty of illegally trafficking foreign wares in the Spanish overseas kingdoms, Juan Pedro Antonio received the customary punishment of a year and a half's worth of forced labor in the royal factory (*Real Fábrica*) of Puerto Cabello.<sup>2</sup> Upon completing his sentence, he lived as a free man in Venezuela.<sup>3</sup>

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<sup>1</sup> Declaraciones de Don Juan Antonio Usabaraza, Don Miguel Antonio Larruleta y Joaquín Petriarza. Puerto Cabello. September 26, 1763. Archivo General de la Nación, Caracas, Venezuela (hereafter AGNV), Compañía Guipuzcoana, Tomo XI, f. 189-190.

<sup>2</sup> Declaraciones de tres negros holandeses. Puerto Cabello. September 27, 1763. AGNV, Compañía Guipuzcoana, Tomo XI, f.190.

<sup>3</sup> Declaración del negro Juan Pedro (aka) Carlos Antonio Méndez. Caracas. September 15, 1768. AGNV, Compañía Guipuzcoana, Tomo XI, f. 220.

The case of Juan Pedro Antonio illustrates several salient themes regarding the linkages between men of color and contraband trade in maritime colonial Venezuela and the larger seafaring Caribbean world. Men of African descent often took to the seas between empires, navigating the short distances and immense political and legal divides separating Caribbean colonies. The robust contraband trade between these dominions offered Africans an unstable means to flee to freedom or ameliorate the harsh conditions of chattel slavery. On illicit voyages between the Spanish, French, Dutch, and English Antilles, both free blacks and slaves found an independence and freedom of movement unthinkable to their land-bound counterparts. As mariners, porters, supercargoes, traders, and go-betweens, they became integral, if not always voluntary, participants in extralegal seafaring commerce.

Men of African descent involved in contraband trading also encountered enormous dangers in addition to those that their white counterparts would face. Covert commerce between Spanish America and rival European colonies in the Caribbean defied mercantilist policies at the bedrock of the colonial Spanish economy even as it benefited many Latin American subjects. Not surprisingly, foreigners and Spanish subjects alike faced stiff penalties when caught in the act of smuggling. Black contrabandists took on the risks of capture, enslavement and forced labor while negotiating overlapping societies that generally shared a belief in white dominance and held independent people of color under suspicion. The seizure of their smuggling vessels in Spanish waters brought into question non-whites' status, their citizenship, their occupational identity, and their ties to contrabandists and masters. Furthermore, a consistent demand for slaves to work cacao

plantations brought many people of African descent to Venezuela in the hulls of ships as smuggled goods rather than the bearers of illicit cargo.

To understand the gradations between bondage and liberty that black contrabandists and slaves faced, sometimes over the course of a single voyage, it is useful to dig deeper into Juan Pedro Antonio's case. The documentary record of Juan Pedro's story might have ended there had his past not caught up with him. Five years after his arrest, a letter arrived in Caracas from a French subject of Martinique named Juan Antonio Marión. Marión claimed that Juan Pedro belonged to him, provided papers proving ownership, and asked that the slave be returned to him.<sup>4</sup> Shortly thereafter, officials in Caracas hauled in Juan Pedro, who had been living in both Caracas and Puerto Cabello for the past three and a half years doing odd jobs and living as free man. Authorities questioned him about the details of how he had come to Venezuela.

Inconsistencies between Juan Pedro's two testimonies began to emerge. In his initial statement of 1763, he claimed to be the slave of José Garabato, a Frenchman who had left Martinique for Curaçao to avoid the brief 1762 English occupation with Juan Pedro in tow. Garabato had hired out Juan Pedro for ten pesos a month to the Dutch sloop on which he was captured. Juan Pedro also stated in his first testimony that his name was actually Carlos Antonio Méndez and that Juan Pedro Antonio was not his name, but that of his father.<sup>5</sup> In his second testimony in 1768, Juan Pedro claimed to be

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<sup>4</sup> Instancia de Juan Antonio Marión ante el Gobernador. Caracas. June 21, 1768. AGNV, Compañía Guipuzcoana, Tomo XI, f. 208.

<sup>5</sup> Declaración del negro holandés. Puerto Cabello. September 27, 1763. AGNV, Compañía Guipuzcoana, Tomo XI, f. 204.

the slave of Marión, not Garabato. The story of his migration and employment aboard the Dutch sloop remained largely the same.<sup>6</sup>

Santiago Francine, Marión's lawyer in Caracas, seized on the contradictions in Juan Pedro's declarations. According to Francine, Juan Pedro had not found employment aboard the Dutch sloop with his master's consent. Rather, the slave had fled Martinique alone, changed his name, and passed himself off as a free man aboard the Dutch ship. The lawyer sought to discredit Juan Pedro's accounts by pointing out that in his two declarations, the slave claimed that two different men were his master. Francine then chastised the Caracas Company, the monopoly company whose patrols caught and punished Juan Pedro, for selling the fugitive into forced labor when they should have returned him to his master. In Francine's opinion "the slave should not be believed in testimony he gives against his legitimate master because he is his master's mortal enemy." To smooth over the legal conflict, Marión's lawyer suggested that his client would be willing to buy back Juan Pedro at the going market rate in Caracas.<sup>7</sup>

Royal officials arbitrated the case by offering Juan Pedro an extremely uncomfortable ultimatum. In response to Juan Pedro's accusations that Marión had cruelly mistreated him, the governor of Venezuela gave the slave six days to find himself another buyer. If he could not find a buyer within this time frame, the governor would sell him back to Marión. With no other option, Juan Pedro, a formerly free man, began the process of selling himself into slavery. An appraisal of the slave by court authorities

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<sup>6</sup> Declaración del negro Juan Pedro (aka) Carlos Antonio Méndez. Caracas. September 15, 1768. AGNV, Compañía Guipuzcoana, Tomo XI, f. 220.

<sup>7</sup> Carta de Don Santiago Francine to Gobernador & Captain General. Caracas. September 28, 1768. AGNV, Compañía Guipuzcoana, Tomo XI, f.223-225.

put his value at nearly half that of a healthy male slave due to an unspecified injury. Given his life's trajectory, it is possible that Juan Pedro sustained physical damage either as a result of his master's cruelty or the harsh labor conditions of his time in the *Real Fábrica*. Notwithstanding his condition, exactly six days after the governor's order, Juan Pedro produced a local Caracas merchant willing to purchase him.<sup>8</sup>

Despite his seemingly expedient solution to the dispute, Juan Pedro's maneuverings came to nothing. Marion's lawyer was not satisfied. Whether out of spite or some other reason not mentioned in the documents, he petitioned the governor not to accept the Caracas merchant's proposal and also withdrew his client's offer to purchase the slave. Instead, he asked that the Juan Pedro be remanded to La Guaira, Caracas's port, to work on the construction of fortifications there. The governor accepted Francine's petition and ordered what probably represented a death sentence by sending the injured Juan Pedro to an indefinite labor term in La Guaira.<sup>9</sup>

Juan Pedro's story represents the possibilities and perils for men of color caught up in the smuggling trade with Spanish America. This chapter uses eighteenth century prize court records and company papers from the Compañía Guipuzcoana to examine blacks' involvement in contraband trade. It first discusses the social history of foreign black mariners and smugglers trading in Venezuela. It then turns its attention to the slaves and servants who aided their Venezuelan masters on the Spanish side of contraband dealings. Finally, this chapter transitions from stories of willing colored

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<sup>8</sup> Instancia del esclavo ante el Gobernador. Caracas. July 28 1769. AGNV, Compañía Guipuzcoana, Tomo XI, f. 248.

<sup>9</sup> Instancia de Francine ante el Gobernador. Caracas. August 14, 1769. AGNV, Compañía Guipuzcoana, Tomo XI, f. 249; Auto del Gobernador. Caracas. August 14, 1769. *Ibid.*

participants in illicit commerce to an assessment of Venezuela's thriving eighteenth-century black market slave trade, an institution which converted people of African descent themselves into contraband goods. While several works have dealt with seafarers of color in the Anglo-maritime world or Venezuelan slaves, scholars have not examined the substantial role of non-white sailors and slaves in the Spanish American smuggling trade.<sup>10</sup>

Illicit commerce between foreign colonies and Venezuela made possible non-conventional work arrangements for men of color in the Southern Caribbean. These jobs were simultaneously autonomous, empowering, and dangerous. Trading along Tierra Firme could lead to freedom, some degree of personal wealth, or less cruel forms of human bondage. It also left people of color subject to capture, imprisonment, forced labor, and enslavement. Added to this misery, inter-imperial slave smuggling represented the means of entry into Venezuela for thousands of Africans. Though men of African descent might carry illegal cargos across the Caribbean, their rights within one empire often disappeared as they crossed into another.

### **Foreign Afro-Caribbean Contrabandists in Venezuelan Smuggling**

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<sup>10</sup> For literature on African-American seamen, see W. Jeffrey Bolster, *Black Jacks: African American Seamen in the Age of Sail* (Cambridge: Harvard University Press, 1997) and David Cecelski, *The Waterman's Song: Slavery and Freedom in Maritime North Carolina* (Chapel Hill: University of North Carolina Press, 2001); For slave mariners, see Michael J. Jarvis, "Maritime Masters and Seafaring Slaves in Bermuda, 1680-1783," *The William and Mary Quarterly* 59:3 (July 2002), 585-622, Stephanie E. Smallwood, "African Guardians, European Slave Ships, and the Changing Dynamics of Power in the Early Modern Atlantic," *The William and Mary Quarterly* 64:4 (Oct., 2007), 679-716, and Emma Christopher, *Slave Ship: Sailors and their Captive Cargoes, 1730-1807* (New York: Cambridge University Press, 2006); For an excellent work on Venezuelan slaves, see Miguel Acosta Saignes, *Vida de los esclavos negros en Venezuela* (Havana: Casa de las Américas, 1978).

Throughout the eighteenth century, English, French, and Dutch merchants bound for the Venezuelan coast widely employed Afro-Caribbean sailors to man their ships. Both slaves and freedmen served aboard small vessels trading for the cacao, tobacco, and hides that the province produced in excess. Blacks and mulattos labored side-by-side with whites on sloops usually crewed by no more than twenty men and averaging closer to twelve. The substantial presence of Afro-Caribbean mariners aboard these vessels challenged the economic logic of Caribbean colonies that featured supplicant African labor as a mainstay in the agricultural production that made their fortunes. Why would societies that saw populations of African descent as plantation chattel and the natural enemies of their masters allow these men to take to the sea, drop anchor in foreign lands, and exchange the precious cargo of white men virtually unsupervised?

The answer to this question involves a complex mixture of Caribbean demographics and economic production as well as the nature of the contraband trade itself. A boom in African populations in the seventeenth and eighteenth centuries on Caribbean islands left colonial officials looking for ways to employ these non-whites. In Curaçao, Venezuela's most prominent contraband supplier, people of color were a majority by the 1660s.<sup>11</sup> By 1789, the free black population on the island outnumbered that of its white inhabitants.<sup>12</sup> Shipping and the slave trade powered the economy of the

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<sup>11</sup> Linda Rupert, "Contraband Trade and the Shaping of Colonial Societies in Curaçao and Tierra Firme," *Itinerario* 30:3 (2006), 43.

<sup>12</sup> Wim Klooster, "Subordinate but Proud: Curaçao's Free Blacks and Mulattoes in the Eighteenth Century," *New West Indian Guide* 68:3&4 (1994), 288.

Dutch colony.<sup>13</sup> Bereft of fertile soils yet blessed with a prosperous transit trade, Curaçao's whites began to introduce freedmen and slaves as sailors onto contraband ships to make productive use of the island's labor force. By 1741, two-thirds of sailors residing in Curaçao were either slaves, free blacks, or mulattos.<sup>14</sup>

Like their Dutch counterparts, English Caribbean merchants similarly introduced people of color into their maritime trade. In the eighteenth century, the British colony of Bermuda experienced a comparable increase to Curaçao in its African-descended population as it grew into a shipping colony. Michael Jarvis's profile of enslaved sailors in Bermuda suggests that as it came to depend on maritime trade for its economic sustenance, the island had one of the highest percentages of non-white sailors in its fleet at one in four by the 1740s.<sup>15</sup> Both of these communities relied on contraband trade with Spanish America and Venezuela in particular as a part of their commercial enterprises. Even among islands reliant on plantation agriculture, Afro-Caribbean sailors became a common sight in the eighteenth century. Edward Long, the eighteenth century historian of Jamaica, estimated in 1773 that fifteen percent of Jamaica's 170,000 slaves were tradesmen, sailors, fisherman, and domestic employees.<sup>16</sup>

In addition to demographic explanations, the hazards of the trade further induced whites to bring aboard Africans as regular crewmen on contraband voyages. As well as the continual threat of capture at the hands of coastguard patrols, deals between foreign

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<sup>13</sup> Johannes Menne Postma, *The Dutch in the Atlantic Slave Trade, 1600-1815* (Cambridge: Cambridge University Press, 1990), 27-51.

<sup>14</sup> Wim Klooster, *Illicit Riches, Dutch Trade in the Caribbean, 1648-1795* (Leiden: KITLV Press, 1998), 68.

<sup>15</sup> Jarvis, "Maritime Masters and Seafaring Slaves," 599.

<sup>16</sup> Quoted in Bolster, *Black Jacks*, 18.

and Venezuelan merchants occasionally turned violent. Robbery and extortion by both traders and coastguard sailors frequently left foreign contrabandists bereft of their goods. Thus, white contrabandists often sent non-white sailors ashore rather than putting themselves at risk.<sup>17</sup>

Ease of recruitment also factored into the decision to hire Afro-Caribbean sailors. Unlike whites, who generally saw sailing as a dishonorable profession, most men of color regarded it as a step up from jobs on land.<sup>18</sup> The famous narrative of Olaudah Equiano, a slave who traversed the Caribbean and Atlantic Worlds in the eighteenth century, offers a rationale for this preference. Even as a sorrowful young boy crossing the Atlantic for the first time as a captive, Equiano expressed wonder over the technology and strangeness of the ship. During the middle passage, he,

asked how the vessel could go? They [his fellow slaves] told me that they could not tell; but that there was cloth put upon the masts by the help of the ropes I saw, and then the vessel went on; and the white men had some spell or magic they put in the water when they liked, in order to stop the vessel. I was exceedingly amazed at this account, and really thought they were spirits.<sup>19</sup>

Though his master initially forced Equiano, like many slaves, into sailing, he grew to enjoy the profession's itinerant nature. He described a stint working on a plantation as "a new slavery; in comparison of which, all my service hitherto [as a sailor] had been perfect freedom."<sup>20</sup> While the travel of seafaring placed Equiano in harm's way (in his years at sea, he fought in naval skirmishes, fell victim to kidnapping by slavers, and got

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<sup>17</sup> Klooster, "Subordinate but Proud," 286.

<sup>18</sup> Bolster, *Black Jacks*, 4.

<sup>19</sup> Olaudah Equiano, *The Interesting Narrative of the Life of Olaudah Equiano, Written by Himself* (Boston: Bedford Books, 1995 [1791]), 55.

<sup>20</sup> *Ibid.*, 86.

into fights with sailors and port dwellers that left him beaten and bloodied), it also offered him the means to buy his freedom. Equiano earned a wage, but also made money by buying glassware and other trinkets on one Caribbean island and then selling them for profit on another.<sup>21</sup> This combined income exceeded that of most land-dwelling slaves.

For both free and enslaved mariners of color, pay served as a crucial impetus for joining a contraband voyage. In contrast to agricultural work, where compensation often came in the form of credit for provisions and shelter, sailing put a man of color in control of coin rather than credit, thus lessening the influence of slaveholders. To counteract this freedom, masters forced bondsmen to surrender around two-thirds of their earnings.<sup>22</sup> Even though seafaring wages for men of African descent were below those of their white counterparts, monetary compensation at any rate attracted men like Olaudah Equiano to work under the masts.<sup>23</sup>

Yet the promise of a sailor's pay was never a certainty. It sometimes lured free black mariners aboard the ships of duplicitous captains. In 1771, a coastguard ship captured four free blacks on the coast near Puerto Cabello. The Dutch smuggling ship's supercargo, a white man identified as Miguel el Mallorquin, had sent the men ashore to trade for cacao. When interrogated, all four sailors confessed to being aboard the contraband ship, but each claimed Miguel had tricked them into serving on the vessel by offering a wage of eight pesos per month to fish. The mariners accepted this paltry sum only to find out once under sail that their ship was full of clothing and other wares to

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<sup>21</sup> *Ibid.*, 103.

<sup>22</sup> Jarvis, "Maritime Masters and Seafaring Slaves," 606.

<sup>23</sup> *Ibid.*, 599.

trade in Venezuela. Though all four sailors professed their ignorance as to the ship's itinerary along with their regret at signing up for the journey, the governor of Venezuela was not swayed. After an extremely brief hearing, he condemned the sailors to five years of hard labor in the Presidio of Puerto de Varcón.<sup>24</sup>

Whether hired aboard a smuggling vessel by means of an honest contract or a captain's sleight of hand, Afro-Caribbean sailors followed itinerant routes common to illicit trade. Rather than heeding borders artificially imposed by metropolitan bureaucrats, merchants ignored the nationalist commercial rules of European powers in the Caribbean and followed currents of commercial advantage. Foreign ships skirting the Venezuelan coast commonly and illegally stopped in the region after first purchasing trade goods in multiple empires. The importance of obtaining the right wares for a given market forced ship captains, and the mariners of African descent who made up part of their ship rolls, to stop at the ports of many empires in their quest of merchandise. Covert commerce on the Venezuelan coast, though typified by a relatively fixed list of goods, was often haphazard in nature. While a smuggler occasionally prearranged meetings with Venezuelan production rings, foreign ships often cruised the coast in search of prospective buyers for their clothing, textiles, foodstuffs, liquor, and arms.<sup>25</sup> Despite the chance character of these interactions, foreign merchants had very little trouble securing trading partners in the colony.

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<sup>24</sup> Diligencias contra Pedro Mascaro, Juan Ventura llamado Luis, Juan Pedro Ventura y Juan Espera en Dios. Puerto Cabello. May 7 1771. AGNV, Comisos, Tomo XXVIII, f. 231-243.

<sup>25</sup> Klooster, *Illicit Riches*, 127.

Blacks traversing the Venezuelan littoral on these covert trading voyages encountered work arrangements that were among the most autonomous available to men of color in the eighteenth century. In addition to receiving a wage for their labor, sailors of color sometimes worked without an overseer. While some masters went to sea with their slaves, others hired off their charges to merchants or ship captains. At sea, men of color labored under minimal supervision and their workload was considerably lighter than field labor on Caribbean plantations.

The case of eleven men of African descent seized in Los Roques in 1775 underscores the unusual labor relations produced by the contraband trade. An English captain deposited the men on the chain of islands off the Venezuelan coast to fish and gather salt. The eleven blacks included seven slaves and three freedmen from Curaçao and one slave from the island of Saba. English and Dutch merchants, as well as the widow of an Englishman residing in Curaçao, loaned these slaves to the ship's complement. For a week, the Afro-Caribbean sailors worked on Los Roques under the supervision of one unarmed white mariner.<sup>26</sup> This arrangement shows that the owners of the slaves clearly had no reservations about leaving them alone or fears of their escape. As Spain had laid claim to Los Roques and wished to prevent the archipelago from becoming a hotbed of contraband, officials promptly deported the sailors back to Curaçao with a stern warning never to return.<sup>27</sup>

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<sup>26</sup> Declaraciones de negros prisioneros. La Guaira. August 22, 1775. AGNV, Compañía Guipuzcoana, Tomo XXX, f. 90-99.

<sup>27</sup> Carta de Joseph de Amenabar to Gobernador & Capitan General. La Guaira. August 22, 1775. AGNV, Compañía Guipuzcoana, Tomo XXX, f. 100.

The independent work arrangements available to Afro-Caribbean contraband sailors opened a window of opportunity to seek their freedom. Jeffrey Bolster's path-breaking scholarship on African-American mariners concludes that, "the very vessels that carried Africans to New World slavery not infrequently became a pipeline to freedom for slaves on the lam."<sup>28</sup> The contraband trade in Venezuela strengthens the validity of Bolster's supposition. Illicit commerce not only separated slaves from their masters, but also allowed them to cross into foreign waters where a slave owner's previous jurisdiction did not necessarily apply. Spanish royal provisions in 1704 and 1711 freed slaves from Protestant colonies who fled to Venezuela and converted to Catholicism.<sup>29</sup> Venezuela was not unique in offering religious refuge to runaways. Non-Spanish slaves in the Caribbean took advantage of similar decrees in Cuba to escape plantations in Jamaica and in Puerto Rico to flee slavery in the Dutch Lesser Antilles.<sup>30</sup> These provisions provided a legal path to freedom, even if Spanish officials frequently blocked it by failing to distinguish between runaways and Afro-Caribbean smugglers.

The working autonomy of the smuggling trade furthered an identity formation among Afro-Caribbean seafarers defined more by their occupation than their status as freedmen or slaves. Slaves toiled next to free blacks and whites. Though men of color rarely became ship captains or merchants and no doubt faced discrimination from their white fellow seamen, they transcended many of the rigid color lines dividing black from

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<sup>28</sup> Bolster, *Black Jacks*, 232. Also see Julius Sherrard Scott, III, "The Common Wind: Currents of Afro-American Communication in the Era of the Haitian Revolution," (PhD diss., Duke University, 1986), 92-109.

<sup>29</sup> Rupert, "Contraband Trade and the Shaping of Colonial Societies," 45.

<sup>30</sup> Scott, "The Common Wind," 93-102.

white in the Caribbean by taking to the sea. Some men of African descent even worked as crew aboard slave ships. Whites almost certainly differentiated these fellow, if unequal, sailors from the shackled and un-aculturated human beings populating the slave ship's hold. On many slaving vessels, for example, even unfree mariners of color received the authority to discipline enslaved cargoes.<sup>31</sup> Emma Christopher, in her work on slave ship sailors, has noted that paradoxically, "Seamen became more accepting of Africans as colleagues than other occupational groups of the time – at the same time sailors continued to be directly involved in the enslavement process which had resulted in such extreme racial inequality."<sup>32</sup>

This shipboard conflict between racial bigotry and the common bonds of seafaring can be seen again in Olaudah Equiano's narrative. As mentioned earlier, though this itinerant African sailor met unscrupulous sailors, captains, and dock dwellers that attempted to and in some cases succeeded in kidnapping him into slavery, Equiano still remembered fondly the compassion of fellow Tars who came to see him off with oranges and small presents.<sup>33</sup> He reflected that Richard Baker, a white sailor became "a faithful friend; who, at the age of fifteen, discovered a mind superior to prejudice." Despite his color, Baker "was not ashamed to notice, to associate with, and to be the friend and instructor of one who was ignorant, a stranger, of a different complexion, and a slave."<sup>34</sup>

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<sup>31</sup> Smallwood, "African Guardians," 683-711.

<sup>32</sup> Christopher, *Slave Ship Sailors*, 87.

<sup>33</sup> Equiano, *The Interesting Narrative*, 87.

<sup>34</sup> *Ibid.*, 62.

Life aboard the *Esperanza*, a Dutch schooner captured by a patrol boat of the Compañía Guipuzcoana off of Los Roques in 1775, confirms how rigid racial and status divisions might become subordinate to the demands of maritime work. Three white Dutchmen, three black Dutch slaves, one Venezuelan ex-slave, and a French captain comprised the *Esperanza*'s crew. The former slave, Juan Livorro, had fled Caracas for Curaçao with a fellow runaway aboard a Dutch ship three years before the *Esperanza*'s capture. Confiscation of the ship and its contraband cargo assured that Spanish officials would return Livorro to his master. In his testimony, Livorro, along with the other three blacks, insisted that aboard the schooner "no one knew him as a slave." Two of his fellow sailors stated that their manumission was impending, but that their masters let them serve as freemen aboard the *Esperanza*.<sup>35</sup> There was thus a hazy understanding existed on the decks of the *Esperanza* as to who was slave and who was free.

Such ambiguity concerning free and slave status was not unique to the *Esperanza*. In a separate case, a free black Curaçaoan mariner who had worked in the contraband trade off and on for sixteen years told royal officials that he was ignorant of the number of slaves working on board his vessel because "we don't treat them as such, but rather as sailors. They come aboard with a license from their masters and for this reason we write nothing more about them in our rolls than their names."<sup>36</sup> No one at sea could deny that these men—whether slave or free—were sailors and integral parts of the contraband vessels they served.

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<sup>35</sup> Declaraciones de los quatro esclavos. Caracas. March 31, 1775. AGNV, Compañía Guipuzcoana, Tomo XXVIII, f. 114-116.

<sup>36</sup> Declaracion de Francisco Agustin. La Guaira. January 22, 1737. Archivo General de Indias, Seville, Spain (hereafter cited as AGI), Indiferente General, Legajo 1829.

Despite the more egalitarian nature of race relations in contraband maritime labor, the seizure of a ship in Spanish maritime waters could separate freedmen from slaves and blacks from whites. Confiscation threw Africans' legal status into chaos. As the situation of the French mariner Juan Pedro Antonio from this chapter's introduction demonstrates, proving freedom or a master's consent to sail was exceedingly complicated from a Venezuelan jail cell. In some cases, prize court judges returned runaways to their masters, while in other instances, they forced the fugitives to serve as cheap labor for the state.

Spanish officials had difficulty determining whether a foreign mariner of African descent was free or slave, an active participant in smuggling missions, property of the ship, or even part of its cargo. Conflicts over jurisdiction and prize money between Venezuela's provincial government and the Compañía Guipuzcoana only added to this uncertainty. Although no printed regulations existed for Spanish judges concerning what to do with enslaved sailors, circumstances usually dictated the magistrates' actions. If a slave master was not involved in smuggling and could be found, government functionaries usually returned the slave. If a master was unavailable or complicit in the trafficking of contraband merchandise, possession of the slave usually reverted to Spanish authorities. The Compañía Guipuzcoana might force slaves into manual labor on coastal fortifications or sell them at auction to a private citizen with proceeds of the sale benefiting the company. It should be noted that Spanish officials were not alone in this

practice. Dutch magistrates in Curaçao often auctioned off as slaves the colored members of Spanish crews that they happened to capture, regardless of their status.<sup>37</sup>

As in many arenas of the Atlantic World, free blacks found their citizenship status the least stable. Scholars have noted the precarious place of freedmen in the Americas, particularly in the eighteenth century when laws began to limit manumissions.<sup>38</sup>

Equiano, a sailor who had passed many times between being free and enslaved, went so far as to state that free blacks, “live in constant alarm for their liberty; which is but nominal, for they are universally insulted and plundered, without the possibility of redress; for such is the equity of the West Indian laws, that no free Negro’s evidence will be admitted in their courts of justice.”<sup>39</sup> Although this passage does not express the universal plight of freedmen before Caribbean courts given that Spanish courts, unlike those of many other empires, regularly allowed men of color to testify, it agrees with the historiography regarding their woes and incongruousness within slave societies.<sup>40</sup>

In contrast to their circumstantial deliberations over slaves, Venezuelan judges followed no distinct precedent in sentencing free blacks convicted of illicit trading. The

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<sup>37</sup> Expediente sobre los insultos de los Olandeses e Yngleses de Curazao: años 1753 a 1756. Consejo de Indias. Madrid. May 3, 1756. AGI, Audiencia de Santo Domingo, 792.

<sup>38</sup> David W. Cohen and Jack P. Greene, “Introduction,” in *Neither Slave Nor Free: The Freedmen of African Descent in the Slave Societies of the New World*, ed. David W. Cohen and Jack P. Greene (Baltimore: The Johns Hopkins University Press, 1972), 17; David Barry Gaspar and Darlene Clark Hine, “Introduction,” in *Beyond Bondage: Free Women of Color in the Americas*, ed. David Barry Gaspar and Darlene Clark Hine (Urbana: University of Chicago Press, 2004), xi.

<sup>39</sup> Equiano, *The Interesting Narrative*, 107.

<sup>40</sup> Roger N. Buckley, “The Admission of Slave Testimony at British Military Courts in the West Indies, 1800-1809,” in *A Turbulent Time: The French Revolution and the Greater Caribbean*, ed. David Barry Gaspar and David Patrick Geggus (Bloomington: Indiana University Press, 1997), 227; Elsa V. Goveia, “The West Indian Slave Laws of the 18<sup>th</sup> Century,” in *Chapters in Caribbean History* (Eagle Hall, Barbados: Caribbean Universities, 1970), 34.

arbitrariness of such decisions is evident in the case of Juan Tomás, a freedman from Curaçao. In 1755, sailors aboard a Compañía Guipuzcoana patrol ship captured Tomás's boat in the midst of a trading voyage to the western coast of Venezuela. Several days prior to his arrest, the anti-contraband forces had seized an unrelated Dutch trading canoe manned by a black slave named Nicolás. Officials at the prize court in Puerto Cabello tried the cases of Juan Tomás, a freeman, and the slave Nicolás together. Though magistrates of the prize court observed the distinction between the two sailors, Juan Tomás probably suffered from the fact that Compañía Guipuzcoana forces captured and tried him at the same time as Nicolás. The cultural assumptions associated with their shared skin color probably trumped their difference in status. While a judge confirmed Nicolás's status and gave him to the Company as a slave, freeman Juan Tomás fared little better as the judge remanded him to the Castillo de Puerto Cabello to work as a personal servant for company officials.<sup>41</sup>

The case of another captured contraband ship from Curaçao demonstrates a similar tendency on the part of Spanish colonial officials to lump together foreign seamen of color captured together. In 1738, a storm shipwrecked Sebastián Atorneo, a free black mariner, and his fellow crewman, a slave named Manuel, as they piloted a rowboat in a desperate attempt to save a sailor who had fallen overboard. Spanish officials discovered Atorneo's status, yet doubted it despite repeated claims from the captive that "he says that he is free" ("*que dice ser libre*").<sup>42</sup> After deducing that the two sailors were part of a

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<sup>41</sup> Auto del Gobernador y Capitan General Ricardos. Puerto Cabello. January 21, 1755. AGNV, Compañía Guipuzcoana, Tomo IV, f. 167.

<sup>42</sup> Testimonio de Sebastián Atorneo. Coro. August 22, 1738. AGNV, Diversos, Tomo XXII, f. 52-53.

contraband expedition, the governor of Venezuela sold the slave Manuel to Spanish America's licensed slave provider, the British *Real Asiento*. Though the documentation does not reveal Atorneo's punishment, a notation where the case cuts off says that Manuel's penalty would likely apply to him.<sup>43</sup>

In contrast to these cases, in which free blacks found themselves treated like slaves, Spanish prize commission judges might, occasionally, dole out the same sentence to men of color as their white counterparts. The entire multiracial crew of the *Esperanza*, referred to earlier, received the sentence of four years' hard labor on Puerto Cabello's fortifications regardless of their citizenship status or race.<sup>44</sup>

Despite outlying judicial results like the *Esperanza*, in the majority of cases, justice was usually anything but blind. Men of color found themselves rushed through trial and without appropriate legal resources. Though Spanish officials allowed men of African descent to make statements in court, a right not always allowed in other empires, these authorities sometimes condemned and sentenced hastily and without proper evidence. Non-whites gave shorter testimonies than their white fellow sailors. White lawyers, such as Santiago Francine, discredited the defendants' statements based on their race. In the end, Afro-Caribbean contrabandists usually received longer and harsher sentences than their white counterparts. While crossing the political and legal lines between empires aboard smuggling ships offered opportunities for work, wages, dignity,

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<sup>43</sup> Auto de Gobernador y Capitán General, Don Gabriel de Zuloaga. Caracas. May 25, 1739. AGNV, Diversos, Tomo XXII, f. 56.

<sup>44</sup> Autos del apreso en el 19 de Julio de 1744 de la goleta holandesa "La Esperanza". Caracas. April 6, 1775. AGNV, Compañía Guipuzcoana, Tomo XXVIII, f. 36-144.

and freedom, the authority of Spanish coastguards and judges could negate these hard-won gains.

### **Spanish Slaves and Smuggling Masters**

Men of color not only brought cargoes from sea to shore, but also participated in the transfer of goods on land from seller to buyer. Colonial documents regarding the prosecution of domestic contrabandists reveal a significant number of Venezuelan slaves and servants complicit in commerce with foreigners. Many Afro-Venezuelans transported their masters' harvests to port to exchange for foreign goods. Others functioned as security details for *hacendados* looking to protect their products from the vagaries of contraband trade. Venezuelan men of African descent also served in coastal militias given to corruption and theft of the illegal goods they confiscated. Like Afro-Caribbean sailors plying the wares of foreign merchants off the coast, Venezuelan blacks might negotiate labor arrangements providing greater independence due to their participation in illicit trade. However, their involvement in covert commerce usually had more to do with their masters' wishes than their own volition. Regardless of their motivations, these bondsmen played a critical role in the smooth performance of complex coalitions of Spanish smugglers and producers that facilitated extralegal international trade and the gradual separation of the Venezuelan economy from strict Spanish control.

Venezuelan slaves and servants frequently toiled as porters who ferried their masters' exports to the homes of smugglers or down to the docks for direct exchange with foreigners. Producers of cacao, Venezuela's most marketable export, usually traded

with outsiders through a broker. When a grower came to an agreement on price with the broker, he sent his crop via one of his slaves. Fear of being caught trading outside of the official Spanish cacao market and contempt for this menial labor compelled cultivators to send their slaves alone with their cargos.<sup>45</sup>

The use of slaves for product transportation implies not only the trust that Venezuelan planters and smugglers bestowed on their slaves not to run away or steal, but also a belief that these laborers were unlikely to inform on their master's illegal activities. In 1734, Spanish officials broke up an extensive coastal smuggling rendezvous comprising over thirty cargos of cacao from many haciendas around Higuerote, a town east of Caracas.<sup>46</sup> Among the testimonies of suspected smugglers and producers involved in illicit cacao trading were two slaves, a *moreno* named Joseph and a mulatto named Vincente. The pair belonged to Juan Sánchez de Yelamos, a Caracas merchant and planter that brought together the cacao harvests of many *hacendados* for sale to French contrabandists. Yelamos loaned out Joseph and Vincente, along with a mule driver (*arriero*) and several mules to a planter named Sebastian de la Oliva so that they might collect Oliva's cacao to bring to the French ship. Yelamos's slaves testified that they helped Oliva bring his crop to port, forcing the cultivator to confess his guilt in the case.<sup>47</sup> After Oliva later fled from jail, the governor discussed condemning him to death if

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<sup>45</sup> For an argument about the success of the Compañía Guipuzcoana in restricting hacendados' ability to sell cacao on the contraband market, see Eugenio Piñero, "The Cacao Economy of the Eighteenth-Century Province of Caracas and the Spanish Cacao Market," *Hispanic American Historical Review*, 68/1 (Feb., 1988), 91-92.

<sup>46</sup> Auto de Don Juan Augustin Henrique de Almeida. Caracas. September 6, 1734. AGNV, Comisos, Tomo XVI, f. 97.

<sup>47</sup> Declaración de Sebastian de la Oliva. Caracas. September 18, 1734. AGNV, Comisos, Tomo XVI, f. 108-111.

authorities could recapture him. The slaves' silence about Yelamos, along with his connections to Caracas's merchant elite, probably accounted for his relatively light punishment of four years' exile from the coast and a seven hundred peso fine.<sup>48</sup>

The discrete task of transporting contraband products was both similar to and unique from other slave duties. Like any other aspect of bondage, a slave's compliance with the illegal assignments presented to them was obligatory. However, the haulage of illicit items allowed slaves to travel sizeable distances with minimal supervision and escape the drudgery of plantation work. In this regard, smuggling was more akin to occasional slave activities such as going to market, selling labor for a wage, or toiling as an artisan than field labor. Scholarship of land-based slavery has asserted that independent production, artisan labor, and market interaction provided a range of benefits for slaves including greater control over labor processes and organization, more access to material goods and cash, a healthier standard of living, and even increased opportunities to purchase their freedom.<sup>49</sup> Venezuelan slaves almost assuredly reaped some of these gains through their participation in contraband trade.

Despite the benefits slaves incurred in transporting illicit goods, this commerce necessitated both an agile mind and a stout heart to overcome its logistical challenges. Venezuelan slaves navigated complicated smuggling rings where satisfying the needs of

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<sup>48</sup> Sentencia de los reos por Don Martin de Lardizabal, Gobernador y Capitan General. Caracas. June 2, 1736. AGNV, Comisos, Tomo XVI, f. 304-307.

<sup>49</sup> Ira Berlin and Philip D. Morgan, "Introduction: Labor and the Shaping of Slave Life in the Americas," in *Culture and Cultivation: Labor and the Shaping of Slave Life in the Americas*, ed. Ira Berlin and Philip D. Morgan (Charlottesville, University Press of Virginia, 1993), 20-41. For a regional study of the effects of wage labor and independent production on slave autonomy in up country South Carolina, see John Campbell, "As 'A Kind of Freeman?': Slaves' Market-related activities in the South Carolina Up Country, 1800-1860," in *Culture and Cultivation: Labor and the Shaping of Slave Life in the Americas*, ed. Ira Berlin and Philip D. Morgan (Charlottesville, University Press of Virginia, 1993), 243-274.

producers, merchants, and foreigners required multiple exchanges. Slaves functioned as their masters' middlemen and representatives on these missions. A lone slave might take the gathered cacao of many hacendados downriver to the coast in order to give it to a broker.<sup>50</sup> In turn, this broker would send the slave back with a variety of goods meant to pay back each of these planters.<sup>51</sup> Convoluted arrangements like these were standard practice in the contraband trade.

Slaves not only executed transactions, but also protected their owners and these men's goods. In the uncertain world of contraband trade, masters employed their slaves as muscle to avoid being robbed or to perpetrate theft themselves. Slaves became ad hoc forces if deals with foreigners turned violent.

Conversely, men of color bore arms to prosecute as well as to protect illicit trade. Both free and enslaved blacks and mulattos filled the ranks of mixed-race (*pardo*) militias that enforced Spanish trade restrictions and captured contrabandists. Though the work of these militias in fortifying Spain's late eighteenth century imperial defenses has been documented, their participation in anti-contraband patrols remains more obscure.<sup>52</sup> The captain of one such *pardo* militia detachment, Nicolás Gutiérrez, was instrumental in prosecuting a smuggling cabal consisting of Venezuelan merchants, planters, slaves, and *arrieros* as well as Dutch smugglers. Gutiérrez's testimony that, as a militia captain roaming the valley of Valencia, he familiarized himself with the trading patterns of two

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<sup>50</sup> "Glossary" in Klooster, *Illicit Riches*, front matter.

<sup>51</sup> Sumaria contra un negro llamada Andrés, esclavo de Pascual Nuñez de Aguilar, por llevar varias fanegas de cacao de su amo a boca del Rio de Tuy a comerciar con los holandeses. Caracas. January 3, 1752. AGNV, Comisos, Tomo XXV, f. 244-248.

<sup>52</sup> Allan J. Kuethe, "The Status of the Free Pardo in the Disciplined Militia of New Granada," *The Journal of Negro History* 56:2 (Apr., 1971), 105-109.

of the principle Venezuelans engaged in commerce with the Dutch helped prove the suspects' guilt.<sup>53</sup> Integrated contraband patrols, like the one Gutiérrez served in, sometimes fulfilled their mission, but also were susceptible to corruption.

Blacks necessarily had intimate contact with officials who took part in illicit trade, sometimes even living with them or profiting from their misdeeds. The transgressions of Don Diego de Matos Montañez affirm the level to which both free and slave blacks often involved themselves in the misdeeds of corrupt authorities. Matos held the office of judge of prize courts (*juez de comisos*) in 1718 when a group of his men, comprised mostly of six free *pardos* and one free black attacked a Dutch ship trading for cacao off the coast of Puerto Cabello. In the process, they killed two non-resisting officers and a cabin boy aboard the foreign vessel. Rather than taking the ship's goods through the proper legal channels of appraisal and resale, Matos's soldiers lined their pockets with the vessels cargo of arms, gold work, money and clothing.<sup>54</sup> Though these men of color claimed that the killings had occurred in their struggle to subdue the ship's crew and zealously exercise their duties, the testimonies of officials and Matos's neighbors painted a different picture.<sup>55</sup> One *alcalde* described how "Don Diego lives with his sons, soldiers, and slaves in a house that is a refuge for delinquents indifferent to

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<sup>53</sup> Declaración de Captain Nicolás Gutiérrez. Valle de San Esteban, Nueva Valencia. September 14, 1734. AGNV, Comisos, Tomo XIV, f. 28-30.

<sup>54</sup> Cargos de autos por Pedro Joseph de Olavariaga. Caracas. April 25, 1721. AGNV, Comisos, Tomo V, f. 177-185; Testimonio de Juan Francisco Carrasquer, vecino de Puerto Cabello. Nueva Valencia. October 5, 1723. AGNV, Comisos, Tomo V, f. 219.

<sup>55</sup> Testimonio de Benito de la Calle. Caracas. April 25, 1721. AGNV, Comisos, Tomo V, f. 189-201.

any concept of justice.”<sup>56</sup> A sum of more than 4,000 pesos found in the house of one of Matos’s pardo underlings three years later suggests that the robbery of the Dutch ship was not an isolated incident.<sup>57</sup>

Neither was Mato’s use of non-whites as active and trusted participants in under the table deals. In 1723, he sent a mulatto slave alone to shepherd nine mules burdened with cacao, liquor, and clothes to trade with a Dutch ship near the port of Nirgua.<sup>58</sup>

When finally prosecuted, Diego de Matos attempted to blame the transaction on his slaves, but the questions of an examining alcalde forced him to admit that “a master was responsible for his slave’s actions.”<sup>59</sup>

Private citizens, like dishonest authorities, often employed their slaves to perform similar acts of violence and robbery in order to profit from the contraband trade. Soldiers found the cacao of Juan Tirado and Simón Marcano in the town of Ocumare immediately before contrabandists loaded it onto a Dutch smuggling vessel in 1727. Authorities deciphered that the cacao belonged to Tirado and Marcano only after the suspects and several of their accomplices attacked three guards protecting the impounded cacao on the first night after the seizure. The bandits, a mixture of free whites, mulattos, blacks, and

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<sup>56</sup> Auto de Francisco Andres de Peñalosa, Alcalde Ordinario. June 26, 1718. Nueva Valencia del Rey. AGNV, Comisos, Tomo III, f. 221-222.

<sup>57</sup> Auto de Salvador Pérez, Teniente de Puerto Cabello. Nueva Valencia. August 22, 1721. AGN, Comisos, Tomo V, f. 319; Matos accumulated an infamous record for smuggling. Though he acted violently toward some factions of Curaçaoan merchants, he sheltered others. The prize court judge allowed the Curaçaoan Jew, “Coche Perreira” to trade openly and illegally with Venezuelan producers for eight months in Puerto Cabello around 1720. See Wim Klooster “The Jews in Surinam and Curaçao,” in *The Jews and the Expansion of Europe to the West, 1450-1800*, ed. Paolo Bernardini and Norman Fiering (New York: Berghahn Books, 2001), 366.

<sup>58</sup> Testimonio de Domingo Viera. Valle de Moron. May 24, 1718. AGNV, Comisos, Tomo V, f. 171-173.

<sup>59</sup> Confesion de Don Diego de Matos Montañez. Caracas. June 25, 1720. AGNV, Comisos, Tomo V, f. 183-187.

slaves employed as muscle by Tirado and Marcano, stabbed one of the guards to death and made off with their illicit goods after the rest of the guards retreated. Though authorities took this brazen attack on anti-contraband forces seriously and promised grave punishments for the culprits, they ultimately arrested no one from the smuggling party.<sup>60</sup>

Given the obvious and immediate connections between white Venezuelan contrabandists and their slaves and servants, Spanish authorities prosecuting these smugglers regularly confiscated their slaves along with other assets. Thus, in an ironic twist of events, a slave who had contributed to a smuggler's means of production in a semi-independent manner became, in legal terms, just another piece of property.

Spanish policymakers were keenly aware of the centrality of Afro-Venezuelan slaves and employees within their masters' illicit commerce. In 1678, King Carlos II reminded his governor in Venezuela that many of those transporting cacao to foreigners were of African descent and that he should "make an example out of both master and slave if they are found guilty."<sup>61</sup> A century later, in 1772, contraband had reached such proportions that the governor of Venezuela issued a proclamation guaranteeing freedom and monetary compensation for any bondsmen that offered information leading to the arrest of their master for this "abominable vice."<sup>62</sup> In spite of the deep racial anxieties characteristic of a society with a substantial slave population, such as Venezuela, the

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<sup>60</sup> Auto de Diego Portales Meneses, Gobernador & Captain General de Venezuela. Caracas. March 11, 1727. AGNV, Diversos, Tomo XII, f. 161-162.

<sup>61</sup> The King to Don Diego de Melo Maldonado, Gobernador & Captain General de Venezuela. Sobre negros esclavos complicados en comercio ilícito. Madrid. November 27, 1687. Archivo Histórico Nacional de Bogotá, Sala de la Colonia, Sección Negros y Esclavos de Venezuela, Tomo I, f. 296-299 in Ermila Troconis de Veracoechea, ed., *Documentos para el estudio de los esclavos negros en Venezuela* (Caracas: Academia Nacional de la Historia, 1969), 224.

<sup>62</sup> Auto de Don Joseph Carlos de Agüero, Gobernador & Capitan General. Puerto Cabello. March 24, 1772. AGNV, Diversos, Tomo XLII, f. 198-199.

governor's bold measure signaled how deeply embedded Afro-Venezuelans were in the extralegal activities of merchants and planters.

### **Slaves as Contraband Goods**

Slaves from Venezuela and outside of Spanish America not only served as conduits and go-betweens in the contraband trade that characterized the majority of commerce on the Venezuelan coast, but also were cargo in this illicit flow. Contraband cut both ways in the life courses of the enslaved. While both Venezuelan and non-Spanish owners sent their slaves to labor in non-licensed trade, providing opportunities for greater working autonomy for these men, the contraband trade in Venezuela also transported thousands of Africans into bondage.

In terms of goods, the illegal slave trade along the Venezuelan littoral was unique among contraband activities. Contraband slavers in this region usually sold mundane goods in addition to their human cargoes. Enslaved Africans, however, represented the only wares aboard a ship's manifest that might cease to be cargo. Unlike holds full of cloth, liquor or foodstuffs, slaves confined within smuggling vessels were animate commodities capable of betraying their carriers. They might rebel aboard ship. If captured by Spanish coastal patrols, slaves who spoke a European language often testified in court to being contraband. Even slaves of "*mala entrada*" (illicit introduction) that smugglers successfully managed to traffic onto Venezuelan haciendas, sometimes revealed their illegal entry to Spanish authorities and thus invalidated a master's claim to

them. Despite their high value among contraband goods, when detected by anti-contraband forces, slaves left an indelible record of a smuggler's activities.

Understanding the development of underground slave trafficking in Venezuela requires a basic knowledge of Venezuelan slavery and the legal slave trade to the colony. Slave populations never exceeded ten percent in Venezuela.<sup>63</sup> Though not a "slave society" like many of the Caribbean islands it traded with, the province still had a sizeable number of forced laborers and a majority mixed race (*casta*) population.<sup>64</sup> In addition to their labor within the contraband trade, described earlier in this chapter, Venezuelan slaves also commonly worked as domestic servants and artisans in Caracas, Puerto Cabello, and several other smaller towns and as field-hands on the cacao and añil plantations that dotted the coast. The production of cacao, Venezuela's most valuable cash crop, required intensive manual labor to cultivate and pick cacao pods, but little specialized equipment or skills. By the late seventeenth century, cacao cultivation came to dominate the Venezuelan economy and slave labor in the region.<sup>65</sup> However, given the demand for workers, slave labor served as the only profitable means to grow cacao. Planters of the crop continually desired more slaves than they could reasonably procure.<sup>66</sup>

Much of the difficulty planters faced with securing sufficient slave labor came from the inefficiency of the slave trade to Venezuela. Since the end of the sixteenth century, slaves entering Spanish America had come from the *Asiento de Negros*. To

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<sup>63</sup> Angelina Pollak-Eltz, *La esclavitud en Venezuela: un estudio histórico-cultural* (Caracas: Universidad Católica Andrés Bello, 2000), 8.

<sup>64</sup> A partial census of 1787 counted 147,564 "libres de color" and 53,055 slaves. Frederick P. Bowser, "Colonial Spanish America," in Cohen and Green, Eds., *Neither Slave Nor Free*, 37.

<sup>65</sup> Pollak-Eltz, *La esclavitud en Venezuela*, 45.

<sup>66</sup> Acosta Saignes, *Vida de los esclavos negros*, 65, 129.

overcome Spain's lack of African possessions or trading forts from which to extract slaves, the *asiento* allowed private traders and companies to enter into contracts with the Spanish Crown for exclusive rights to supply Spain's New World dominions with slaves. Though the king initially gave the *asiento* to private traders of both Spanish and foreign nationalities, by the last quarter of the seventeenth century, state companies of the English, French, and Dutch nations had replaced private traders in competing for this monopoly.

Though the *asiento* assured Spanish America some supply of slaves, Spanish regulations and quotas made slave transportation, distribution, and sale cumbersome. Before entering Caracas, *asiento* slaves from foreign Caribbean ports had to pass first to Cartagena or Portobelo and then be re-exported. Spanish laws meant to prevent the smuggling that often accompanied *asiento* ships set rigid terms for purchasing slaves that handicapped both buyer and seller. Until the late eighteenth century, payment for slaves could occur only in specie. This proved burdensome to Venezuelan planters who were frequently cacao rich, but cash poor. Slaves came to these planters at costs much higher than the going rate throughout the non-Spanish Caribbean due to Spanish royal tariffs and transportation costs. For foreign *asiento* traders, legal profits remained small as a result of Spanish strictures on where they could trade and a Crown order mandating that their ships depart from Spanish American ports empty, save for cash payments. The Spanish

Crown also frequently abrogated asiento contracts with companies as a result of European wars.<sup>67</sup>

In addition to these restrictions on trade, companies holding the asiento compounded the problems of hacendados by failing to comply with their contractual obligations. Asiento companies rarely imported the number of slaves they promised to the Spanish government. Even when companies honestly tried to meet specified numbers, the vagaries of procuring and transporting human beings from Africa complicated the trade. Slave acquisition in Africa and the Caribbean was not an exact science by any means. Political conditions in Africa, European naval wars, and local market conditions all affected the supply of Africans.<sup>68</sup> Disease aboard insalubrious slave ships also decimated the slave populations available for trade. Numerous customs declarations spoke of quarantining or refusing entry to slaves infected with smallpox.<sup>69</sup>

Most asiento companies, however, did not make such good faith efforts. In the case of the English asiento (1713-1739), South Sea Company factors in charge of the contract had a much greater interest in opening up both legal and contraband trade with Spanish America than in providing slaves.<sup>70</sup> One historian believes that between 1730

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<sup>67</sup> Pollak-Eltz, *La esclavitud en Venezuela*, 41-42.

<sup>68</sup> Colin Palmer, *Human Cargoes: The British Slave Trade to Spanish America, 1700-1739* (Urbana: University of Illinois Press, 1981), 20.

<sup>69</sup> Resoluciones del Cabildo de Cumaná acerca de los negros enfermos de viruelas traídos en la nave de Nicolás de Sosa. Cumaná. October 25, 1620. Academia Nacional de la Historia. 6-Der-5. Residencia Juan de Aro. f. 300-301, 310-311 in Troconis de Veracochea, 173-174; Autorización a la Compañía de Caracas para introducir 2000 esclavos en esa Provincia y en la de Maracaibo. El Rey. Madrid. October 31, 1765. Archivo de Colombia. Reales Cédulas, 1744-1807. Arch. V, vol. 12, T. VI, f. 59-63 in *Ibid.*, 263-264; Acosta Saignes, *Vida de los esclavos negros*, 38.

<sup>70</sup> Curtis Nettels, "England and the Spanish-American Trade, 1680-1715," *The Journal of Modern History* 3:1 (Mar., 1931): 8; Vera Lee Brown, "Contraband Trade: A Factor in the Decline of Spain's American Empire," *The Hispanic American Historical Review*, 8:2 (1928): 179.

and 1739 as much as ninety percent of illicit goods entering Spanish America came through the *asiento*.<sup>71</sup> Spain gave the English *asiento* the privilege of taking one thousand tons of non-slave shipping each year to Spanish America. These so-called annual ships, along with goods smuggled aboard slaving vessels, became a backdoor method to flood Spanish markets with English goods and contributed to the destruction of the Portobelo trade fairs. British contraband trade through the *asiento* forced Spain eventually to revoke the South Sea Company's contract and served as a key impetus for the War of Jenkin's Ear (1739-1742).<sup>72</sup> Though the English *asiento*, like the many agreements before and after it, brought some slaves to the Americas, foreign slaving companies neglected this facet of their business in favor of more lucrative illegal pursuits.<sup>73</sup>

These factors greatly constricted the availability of legal slaves in Venezuela throughout the colonial period and led to a number of Venezuelan governmental pleas for slaves as cacao production flourished in the eighteenth century. In 1707, the *sargento mayor* of the island of Margarita urged the Captain General of Trinidad to comply with the king's orders and allow the French *asiento* to bring more slaves to the island of Margarita.<sup>74</sup> Little had changed throughout the eighteenth century when, in 1773, the governor of Cumaná wrote that "one of the major impediments to the development of

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<sup>71</sup> George H. Nelson, "Contraband Trade Under the *Asiento*, 1730-1739," *The American Historical Review* 51:1 (1945), 63.

<sup>72</sup> *Ibid.*, 65-66; Nettels, "England and the Spanish-American Trade," 31.

<sup>73</sup> Palmer, *Human Cargoes*, 94, 136.

<sup>74</sup> Petición hecha al Capitán General de Trinidad, Don Phelipe de Artieda por el *sargento mayor* Don Cristobal de la Villa Herrera, vecino de la isla de Margarita. Margarita. November 16, 1707. AGNV, Diversos, Tomo II2, f.103-113.

these provinces has been the lack of slaves to work the land and cultivate agricultural products.”<sup>75</sup> Despite Crown orders to bolster the number of slaves being introduced throughout the seventeenth and eighteenth centuries, planters wishing to purchase slaves legally remained handcuffed to an awkward and insufficient means of distribution.<sup>76</sup>

Thus, the same conditions of material scarcity and insufficient trade that made Venezuela a central hub for foreign contrabandists trading in general goods also provided a ready market for smugglers who sought to supplant the *asiento* and break Spanish slave trade regulations. Since the famous voyages of Sir John Hawkins to Tierra Firme in the 1560s and 1570s, a plethora of slave traders had come ashore in Venezuela to peddle their human cargos. Hawkins gained notoriety for sometimes trading with Venezuelans in coastal towns at the point of his cannons, but also for using the ruse of force and thus allowing colluding Venezuelan authorities to pretend they had no other choice but to trade with him.<sup>77</sup> A century later, as cacao production and consumption took off and the need for slaves increased, foreign merchants no longer needed to “force” inhabitants of the Venezuelan coast into trading for slaves with foreigners. Though accurate counts of illegally-introduced slaves are obviously impossible to come by, one Venezuelan historian estimates that as many as half of the slaves imported to Venezuela were contraband.<sup>78</sup>

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<sup>75</sup> Quoted in Miguel Acosta Saignes, *La trata de esclavos en Venezuela* (Caracas: Revista de Historia, 1961), 18.

<sup>76</sup> For example, in 1670 King Carlos II the introduction of 500 slaves to Venezuela. *Ibid.*, 5.

<sup>77</sup> Harry Kelsey, *Sir John Hawkins: Queen Elizabeth's Slave Trader* (New Haven: Yale University Press, 2003), 81.

<sup>78</sup> This calculation is based on another estimate of 50,000 slaves imported legally into Venezuela between the sixteenth and eighteenth centuries with 6596 having been imported in the sixteenth century,

Venezuela's proximity to formidable slave trading centers further eased the introduction of unlicensed slaves into the colony. Slave depots in Jamaica, Martinique, Barbados and Curaçao existed a stone's throw away from Venezuela. The Netherlands' dominant involvement in the slave trade from the mid-seventeenth century until the English acquisition of the *asiento* in 1713 depended on eager Spanish markets through both the Dutch *asiento* (1662-1713) and less legal means. Curaçao became a free port in 1675, making it easy for Venezuelan ships to make the forty mile journey to the island. When not in control of the *asiento* themselves, the Dutch functioned as middlemen, supplying foreign *asientistas* with slaves to take to Spanish America.<sup>79</sup> Additionally, a settlement of Dutch Jews in Tucacas, a formerly uninhabited island off the coast of western Venezuela, played an active role in illegal slave trafficking until Venezuelan authorities made an effort to eradicate the colony in the mid-eighteenth century.<sup>80</sup>

Both colonial authorities and the King of Spain noted the prevalence of the illegal slave trade between Venezuela and these foreign ports and enacted legislation that sought to curb it. In 1705, Philip V, at the behest of the French Royal Guinea Company, issued a royal *cédula* lamenting, "the ease with which the English and Dutch fraudulently introduce their slaves from the islands of Jamaica and Curaçao into Caracas as well as all the coasts of Venezuela." As a deterrent to potential buyers, the king ordered a three

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10,147 in the seventeenth, and 34099 in the eighteenth. Thus, the calculation puts the total number of slaves imported through legal and illegal means into Venezuela at as high as 100,000. Pollak Eltz, *La esclavitud en Venezuela*, 39.

<sup>79</sup> Postma, *The Dutch in the Atlantic Slave Trade*, 40-51; H. Hoetink, "Surinam and Curaçao" in Cohen and Greene, eds. *Neither Slave Nor Free*, 65; Klooster, *Illicit Riches*, 117-118; Cornelius Goslinga, *The Dutch in the Caribbean and on the Wild Coast, 1580-1680* (Gainesville: University of Florida Press, 1971), 310, 338.

<sup>80</sup> Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* Vol. 1 (Caracas: Academia Nacional de la Historia, 1984), 66.

hundred peso fine for and the confiscation of each contraband slave a master owned. Recognizing how deeply embedded Venezuelans were in the contraband slave trade, Philip V also offered a means to legalize illicitly-introduced slaves. For one hundred pesos, an owner could buy a pardon (*indulto*) to legalize his slave. This pardon also extended legalization at no additional cost to any children of that slave. Finally, the king encouraged his subjects to abide by the laws of trade by offering monetary compensation for free men and freedom for slaves who denounced owners for keeping illegally-trafficked slaves.<sup>81</sup> Both the severity of punishments and the date of the *cédula* (almost seventy years before the governor of Venezuela would promise freedom for slaves who informed on their masters for general contraband trading) revealed the seriousness of the contraband slave trade in the king's eyes. The embarrassment and financial obligation associated with the Spanish king's own subjects breaking binding contracts he had signed with foreign companies no doubt compelled Philip V to appreciate the gravity of the offense.

The *indulto* system of slave legalization became both a prevalent and pragmatic means to cope with the influx of contraband slaves into Venezuela. By offering a means to purchase amnesty, the royal treasury actually recouped money from slaveowners' contraband purchases, something it rarely accomplished through punitive measures. Furthermore, the self-confession of slave masters required none of the costly naval patrols, militias, or court cases commonly used to reduce illicit trading. King Carlos II

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<sup>81</sup> *Real Cédula de la instancia hecha por la Compañía Real de Guinea por la introducción fraudulenta de negros de Jamaica y Curazao a Venezuela y Portobelo*. Madrid. October 25, 1705 in Troconis de Veracoechea, *Documentos para el estudio de los esclavos*, 240-242.

admitted as much when he encouraged his governor in Maracaibo to promote the indulto as an easier, more expedient means to minimize contraband's pernicious economic effects.<sup>82</sup>

The indulto also became a useful tool for slaves who understood the legal process to escape cruel masters by informing on them and becoming the property of the state.<sup>83</sup> Records of indultos show that the procedure was used frequently in Venezuela. For example, between 1716 and 1719, ninety-one slaves were legalized in Caracas via this method. Only Panamá and Portobelo had a higher number of indultos among Spanish possessions where the pardon existed.<sup>84</sup> The willingness of slaveowners to use this system perhaps speaks a dearth of legal slaves for purchase rather than their reluctance to buy slaves through legal means.

Beyond legislation and softer measures designed to contain the contraband slave trade, Spanish officials employed the same *guardacosta* patrols and Compañía Guipuzcoana ships that chased regular contrabandists to hunt slave smugglers. In the 1730s, the right of the Company to stop, search, and impound smuggling vessels came into conflict with the desire of English *asiento* ships not to be disturbed in their trade. As noted earlier, the English slave merchants participated in substantial amounts of smuggling under the banner of the *asiento*. It was little wonder then that they complained about Guipuzcoana ships searching their holds. Not wanting to alienate either side, the

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<sup>82</sup> Carta del Rey al Gobernador de Maracaibo, Don Gaspar de Mateo de Acosta, sobre comisos de negros. Madrid. October 1, 1697. Archivo de la Academia Nacional de la Historia. Colección Los Andes. Vitrina 2, vol. 55. Cedula III: 1697. f. 25-26 in Troconis de Veracoechea, 239.

<sup>83</sup> Acosta Saignes, *Vida de los esclavos negros*, 68.

<sup>84</sup> Palmer, *Human Cargoes*, 91-93.

king issued two orders in July and October of 1731 which specified that Guipuzcoana vessels had the right to stop any ship, but could not search asiento vessels.<sup>85</sup> This contradictory policy diluted the authority of Guipuzcoana patrols to combat the asiento's smuggling in any meaningful way.

Leaving aside asiento merchants, the slave smugglers who sought to evade Spanish coastal patrols differed little in their methods from other contrabandists on the Venezuelan coast. Unlike the asiento companies' massive ships, independent slave smugglers sailed small sloops, brigs and coastal schooners and usually carried no more than twenty slaves.<sup>86</sup> Contrabandists involved in the slave trade rarely sailed solely with human cargo. To appeal to the widest possible market, a trader might combine slaves with whatever mundane European goods would fetch a decent price along the coast.

A textbook case of this sort of multipurpose smuggling is the story of the *Catalina*. The Spanish coastguard stopped this small craft on its way between Curaçao and La Guaira, Caracas's port, in 1770. The ship's crew, composed of mostly Spaniards, had purchased ten creolized slaves in Curaçao from their Dutch masters with the intent to sell them in La Guaira. The slaves, a mix of men, women, and children, were only part of the ship's wares. The *Catalina* also brought European cloth to sell covertly. Just as the crew of the ship saw the slaves as just another part of their cargo, authorities in port drew the same conclusion, auctioning off the people of color side-by-side with the

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<sup>85</sup> Acosta Saignes, *La trata de esclavos*, 14.

<sup>86</sup> The Dutch, for example, had virtually no ships made specially for slave trading. Slaves were put in the middle decks, rather than the hold, of multipurpose cargo vessels. Ships after the Dutch announced free trade in slaves from Curaçao in 1730 tended to be smaller and more numerous. Postma, *The Dutch in the Atlantic Slave Trade*, 144.

impounded fabrics and the vessel.<sup>87</sup> However, contrary to the rest of the goods in the ship's hold, the slaves of the *Catalina* told a story in their testimonies that linked the Venezuelan crew of the ship to Dutch traders in Curaçao.<sup>88</sup> Given the incriminating details these slaves knew of the smugglers' habits, it is hardly surprising that they jumped ship before the Spanish could come alongside the *Catalina*.

Like the sailors of the *Catalina*, contrabandists engaged in the trafficking of slaves almost never went directly from Africa to the Venezuelan coast. Most slavers brought their ships first to Caribbean way stations like Jamaica, Curaçao, or Martinique before then proceeding into Spanish America. The dangerous and disease-ridden nature of the middle passage necessitated time to refresh slaves, crew, and ship in a friendly port before proceeding with the covert passage along the coasts of Tierra Firme. Smugglers also took on excess trade goods and sold off a portion of their slaves in non-Spanish Caribbean ports. A stopover in the Caribbean was also useful to pick up "refuse slaves." Illicit traders frequently took on these sickly or recovering slaves at discount rates to then re-sell on the black market.<sup>89</sup> The contrabandists correctly calculated that due to high prices, general scarcity, and the risk of capture and confiscation, Spanish American customers buying in secret were less discriminating than their counterparts who purchased Africans legally from the *asiento*.

More than the simple contrabandist, the slave smuggling captain needed an extensive knowledge of market conditions in many corners of the Atlantic World and the

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<sup>87</sup> Remate de bienes. September 7, 1770. AGNV, Compañía Guipuzcoana, Tomo XXII, f. 196-197.

<sup>88</sup> Declaraciones de cinco esclavos. Puerto Cabello. August 13, 1770. AGNV, Compañía Guipuzcoana, Tomo XXII, f. 184-187.

<sup>89</sup> Palmer, *Human Cargoes*, 84.

flexibility to adapt to the unforeseen circumstances that human trafficking presented. The experience of John Maddock, an English slaving captain captured in 1764, sheds light on these traits. A Compañía Guipuzcoana cruiser overtook Maddock's frigate near Tortuga, an island off the eastern Venezuelan coast. The Company's authorities accused Maddock of going toward Venezuela to trade his cargo of twenty slaves and European clothes from Barbados. Maddock claimed merely to be refreshing his supplies of freshwater before sailing the slaves to Maryland.

Parceling out whether or not Maddock told the truth proves difficult based on available documentation. However, when pressed by interrogators, Maddock revealed an itinerary of startling complexity. He had left London a year earlier with wheat to drop off in Tenerife. He exchanged the wheat for wine. From Tenerife, he steered toward Senegal where he offloaded the wine and took on provisions. After several stops along the Gambia River trading European guns and liquor, Maddock had amassed one hundred slaves to bring to Barbados. He arrived in the Caribbean with seventy slaves. Of these, he sold fifty in Barbados. According to Maddock, the remaining twenty slaves were destined for Maryland plantations.<sup>90</sup> The inventory of his frigate's hold contained a laundry list of goods, including sugar, cotton, tobacco, añil, ginger, brazilwood, rice, naval timbers, copper, gunpowder, and hats. In addition to his slaves, Maddox clearly possessed wares to peddle for nearly any situation.<sup>91</sup>

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<sup>90</sup> Declaración de Juan Maddock. La Guaira. March 24, 1764. AGNV, Comisos, Tomo XXVI, f. 313-314.

<sup>91</sup> Traducción de papeles ingleses. La Guaira. March 17, 1764. AGNV, Comisos, Tomo XXVI, f. 308-310.

Captured slave traders often proffered excuses similar to Maddock's for why they found themselves in Spanish coastal waters. Re-supplying exhausted provisions or freshwater was a common justification that was protected under treaties between Spain and most European powers. Likewise, international agreements covered putting ashore to repair a vessel after squalls. Smugglers also claimed to have lost their way navigating or due to storms.

Spanish prize court judges evaluating these rationales rarely believed the stories of contrabandists. Contrary to the court experience of black contrabandists, whose testimonies were often brief, forgettable affairs in the eyes of Spanish interrogators, the words of slaves being transported as cargo frequently carried more weight than those of their white captors. Slaves, unlike contrabandists, had no reason lie about their voyages. Even so, a slave's ordeal aboard a confiscated ship usually ended much the way his or her life in bondage had begun: with evaluation, appraisal, and sale at public auction. Depending on who had caught the smuggler, proceeds from the sale of contraband slaves went to either the provincial treasury or the coffers of the *Compañía Guipuzcoana*. In a few cases, the slaves themselves served as a sort of currency, being given to labor on the company's fortification projects as payment for services rendered.<sup>92</sup>

Despite investigations, seizures, and confiscations, the efforts of coastal patrols and pardons to stem the tide of illegal importation of African slaves were ultimately ineffectual. Venezuelan planters and contrabandists reacted to slave scarcities and

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<sup>92</sup> Autos sobre el apreso de la goleta "La Buena Esperanza" con siete negros esclavos. La Guaira. December 20, 1759. AGNV, *Compañía Guipuzcoana*, Tomo III, f. 9-291.

anticipated, by their illicit transactions, the policy changes to come. By the last quarter of the eighteenth century, the Spanish Crown began to reduce tariffs on slaves entering Venezuela and the rest of Spanish America through the *asiento*.<sup>93</sup> In 1791, a royal decree finally ended the *asiento* and opened up the slave trade in most of Spanish America to all nations. Spanish subjects would also be allowed to go abroad to foreign colonies in search of enslaved laborers.

Ironically, the free trade in slaves came too late to be useful for Venezuela, where the cacao boom had mostly passed by 1791. Venezuelan planters had prefigured the royal decree opening the slave trade with more than two hundred years of illicit trade with foreigners. By the time of the *cédula*, many hacendados had already transitioned to peasant (*peon*) labor for cacao production as a cheaper alternative to procuring and caring for slaves.<sup>94</sup> In many ways, the *cédula* had also occurred a generation too late for planters and officials traumatized by the upheaval of the Haitian Revolution. Slave imports waned in many Caribbean colonies as a result of the long shadow cast by the only successful slave revolt in the Western Hemisphere. In 1792, the Intendent of Caracas prohibited the buying or selling of French slaves, even if they were recently arrived Africans on French ships.<sup>95</sup> To Spanish officials, the Haitian contagion presented a threat not to be taken lightly. Similarly, the Intendent of Caracas turned away a cargo of 31 creolized slaves from Curaçao because he believed that “creole slaves or those educated

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<sup>93</sup> Pollak-Eltz, *La esclavitud en Venezuela*, 65.

<sup>94</sup> *Ibid.*, 44.

<sup>95</sup> Sr. Intendente del Ejercito a Joseph María Chacon. Caracas. September 1, 1792. AGI, Audiencia de Caracas, 23.

in the foreign colonies are prejudicial to these provinces.”<sup>96</sup> Although fears of a second Haiti stunted slave sales for a time, the unprecedented break with Spanish mercantilist trade policy, brought on by the contraband slave trade, acknowledged the sad centrality of African labor within emerging Caribbean plantation societies and fueled the nineteenth century sugar booms.

### **Conclusion**

Whether mariners aboard foreign ships, porters of goods for their masters, soldiers in anti-contraband operations or captive cargoes in the holds of outlaw slave ships, freedmen and slaves of African descent formed an integral part of the thriving illicit trade that contributed to the formation of a Venezuelan economy distinct from that of the Spanish Empire. These men trafficked the wares of others between empires in direct violation of Spanish mercantilism. Many also came across the Atlantic unwillingly and in secret as chattel. Through their experience with these commonplace, yet dangerous, transactions, men of color understood far better than colonial policymakers the extent to which profit trumped patriotism in matters of international commercial exchange.

Venezuela’s flourishing contraband trade created contradictions between freedom and slavery that challenged rigid distinctions of work, citizenship status, and property rights in the slave societies of the Caribbean. The illicit and informal nature of the

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<sup>96</sup> Acosta Saignes, *La trata de esclavos*, 39; Scott, 81; Due to its more mild slavery as a result of greater face-to-face contact between masters and slaves in Curaçao, the island developed a reputation in the eighteenth century for undisciplined and unruly slaves. See also H. Hoetink, “Surinam and Curaçao,” 67-69.

business allowed for working arrangements of greater autonomy for men of color both in Venezuela and at sea. Non-whites of Spanish, French, Dutch, and English nationality escaped the drudgery of plantation labor for jobs in which they were entrusted with valuable cargo and bargaining power. As a plethora of cases involving runaways demonstrate, this escape frequently defied the wishes of white slave masters. Moreover, the criminality of unregulated trade sometimes worked in favor of slaves, winning them their freedom when the colonial justice system punished masters for illegally purchasing unlicensed slaves.

On the other hand, Venezuela's illicit commerce presented thorny legal questions for men of African descent caught up in it. Royal officials were inconsistent in the prosecution of non-white contrabandists and smugglers. Capture by Spanish anti-contraband forces might throw the carefully cultivated freedom of seafaring men of color, like the Frenchman Juan Pedro Antonio, to the wind. For other slaves, confiscation of their vessels merely served to exchange a foreign master for a Spanish one. Though Spanish officials might capture cargoes of illegally trafficked Africans, these seizures rarely halted their sale to hacendados. Creolized Venezuelan slaves often morphed from smugglers' accomplices into seized assets in the eyes of the Spanish authorities who caught their masters. This difficulty in separating contraband participant from human property defined the uneasy status of black contrabandists in the imperially-fluid early modern Caribbean.

## VII. Smuggling and Popular Protest in Mid-Eighteenth-Century Venezuela

On the afternoon of April 20<sup>th</sup>, 1749, a force of between four to six-hundred armed men amassed on Caracas's central plaza. Entering the city under blue and white flags emblazoned with red crosses and to the sounds of beating drums, the deployment comprised a cross-section of Venezuela's races, social classes, and occupations.<sup>1</sup> They followed Juan Francisco de León, a cacao planter and small-town official, and shouldered their weapons as a popular protest "in the name of the city [of Caracas], the nobility, and the masses." Disregarding the potentially ominous specter of so many armed insurgents, Caraqueños instead overwhelmingly welcomed León's troops with open arms. As one observer remarked, everyone in the city from shopkeepers "to the nuns give thanks to León, wishing him success and commending him to God."<sup>2</sup>

Royal officials and Caracas Company employees living in the city, however, felt none of these cordial sentiments. For the rebels, with León as their mouthpiece, declared as the central aims of their uprising the extermination of the joint stock company and the expulsion of its hated Basque employees from the province. Approximately four hundred Basques fled the city and the rebels put the governor of Venezuela under de facto house

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<sup>1</sup> Certificación de Faustino Areste y Reina, vecino y escribano publico de Caracas. Caracas. May 23, 1749. Archivo General de Indias (Hereafter AGI), Audiencia de Caracas, Legajo 937.

<sup>2</sup> Extracto de los Testimonios, y papeles que ha remitido el Govr., y de los que sobre ellos dice en quatro Cartas, una de 10 de Mayo, dos de 19 de Junio, y otra de 20 del mismo mes; con la Lysta de los 97 Capitulares y Nobles, que concurrieron a la Junta de 22 de abril que se refiere. Caracas. 1749. AGI, Caracas, 419.

arrest while they presented their demands.<sup>3</sup> Several days after entering Caracas, the hapless Governor Luis Francisco Castellanos acceded to the rebels' terms, suspending the Company and formally expelling the outsiders. On April 23<sup>rd</sup>, a slave named Florenzio, the property of Simón Bolívar's father Juan Vincente Bolívar, read the news to a large crowd in the plaza central. When he rhetorically asked three times who had demanded the expulsion of the Caracas Company, the crowd enthusiastically cheered "the whole province!"<sup>4</sup> By August of that year, rumors circulated that León's forces numbered between four and seven-thousand men throughout the province.<sup>5</sup> It would be the largest, and arguably the most important, revolt witnessed in Venezuela before the independence wars.

How did the Venezuelan colonial relationship reach this fever pitch of near insurrection? What passions and convictions brought Venezuelans from throughout the province into the streets of Caracas to upend the Caracas Company, the region's dominant commercial, economic, and political entity of the mid-eighteenth century? The

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<sup>3</sup> Extracto de los Testimonios, y papeles que ha remitido el Govr., y de los que sobre ellos dice en quatro Cartas, una de 10 de Mayo, dos de 19 de Junio, y otra de 20 del mismo mes; con la Lysta de los 97 Capitulares y Nobles, que concurrieron a la Junta de 22 de abril que se refiere. Caracas. 1749. AGI, Caracas, 419.

<sup>4</sup> Diligencia del Escribano Gregorio del Portillo. Caracas. April 23, 1749. Archivo General de la Nación-Venezuela (Hereafter AGNV), Insurrección del Capitán Juan Francisco de León. Tomo I. f. 33-39 in *Documentos relativos a la insurrección de Juan Francisco de León*, ed. Augusto Mijares (Caracas: Instituto PanAmericano de Geografía e Historia, 1949), 55.

<sup>5</sup> Auto de Gregorio del Portillo, Escribano Público. Caracas. August 1, 1749; Auto del Teniente General Domingo de Aguirre y Castillo. Caracas. August 2, 1749 in *Juan Francisco de Leon: Diario de una insurrección, 1749* (Caracas: Tipografía Vargas, S.A., 1971), 115-116.

answers to these questions are entwined deeply with Venezuela's coastal history of smuggling and marginality.

With the rise of the Caracas Company in the second quarter of the eighteenth century, Venezuelan subjects experienced commercial transformations that dramatically altered the centuries-old expectations about overseas trade relations. The Company stimulated cacao production and exportation and an overall increase in legal trade. This sudden attention to Venezuela's commercial opportunities did not, however, do much to improve the material prospects of ordinary Spanish American subjects. With the aid of its near monopoly over Venezuelan cacao, the Company began to exploit producers by depressing cacao prices. At the same time that it excluded hacendados from a competitive legal market for their cacao, the Company used its own private fleet to ramp up contraband policing on the coast. These actions threatened illegal, yet previously tolerated, patterns of subsistence through smuggling.

The historiographies of both Venezuela and Spanish America have neglected the León Rebellion and its connections to illicit trade. Scholarship on the major late eighteenth-century rebellions in Spanish America seem ignorant of the existence of León's revolt or only reference it obliquely.<sup>6</sup> To my knowledge, only two English-

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<sup>6</sup> Anthony McFarlane's three articles on the comparative history of the Quito, Comunero, and Tupac Amaru rebellions only refer to the León Rebellión once. Anthony McFarlane, "Rebellions in Late Colonial Spanish America: A Comparative Perspective" *Bulletin of Latin American Research* 14: 3 (Sept., 1995): 313-338; Anthony McFarlane, "Civil Disorders and Popular Protests in Late Colonial New Granada" *The Hispanic American Historical Review* 64:1 (Feb., 1984): 17-54; Anthony McFarlane, "The Rebellion of the Barrios: Urban Insurrection in Bourbon Quito" *The Hispanic American Historical Review* 69:2 (May, 1989): 283-330; The rebellion is entirely lacking from three major monographs on late colonial unrest. Sergei Serulnikov, *Subverting Colonial Authority: Challenges to Spanish Rule in Eighteenth-Century Southern Andes* (Durham: Duke University Press, 2003); John Leddy Phelan, *The People and the King: The Comunero Revolution in Colombia, 1781* (Madison: University of Wisconsin Press, 1978); Carlos de la

language works devote more than a couple of sentences to the uprising.<sup>7</sup> Many Venezuelan scholars have investigated the León Rebellion as part of their broader projects, but only Francisco Morales Padrón, Enrique Bernardo Nuñez, and Lucas Guillermo Castillo Lara have made it the central theme of their studies.<sup>8</sup> Among Venezuelan historians, the traditional interpretations of the rebellion's causes have emphasized it either as a proto-nationalist struggle, a battle between Basques and Canary Islanders for control of the province, a result of economic hardships, or a fight strictly over the fate of the Caracas Company.<sup>9</sup> None of these treatments have emphasized sufficiently the role of contraband trade in the rebellion's development.

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Torre Reyes, *La revolución de Quito de Agosto 1809* (Quito: Banco Central de Ecuador, 1990); Only Joseph Perez seems to acknowledge the León Rebellion in any substantial way and he devotes only thirteen pages out of a 156 book to it. Joseph Pérez, *Los movimientos precursors de al emancipación en Hispanoamérica* (Madrid: Editorial Alhambra, 1977), 31-44.

<sup>7</sup> Ronald Hussey and Robert Ferry each spend a chapter of their respective books on the Caracas Company and the elites of Caracas discussing the rebellion. Both focus on the rebellion as an economic consequence of Caracas Company rule. Roland Dennis Hussey, *The Caracas Company, 1728-1784: A Study in the History of Spanish Monopolistic Trade* (New York: Arno Press, 1977 [1934]); Robert J. Ferry, *The Colonial Elite of Early Caracas: Formation & Crisis, 1567-1767* (Berkeley: University of California Press, 1989)

<sup>8</sup> The most recent of these works was published more than twenty five years ago. Francisco Morales Padrón, *Rebelión contra la Compañía de Caracas* (Seville: Escuela de Estudios Hispano-Americanos, 1955); Enrique Bernardo Nuñez, *Juan Francisco de León o el levantamiento contra la Compañía Guipuzcoana* (Caracas: Biblioteca de Autores y Temas Mirandinos, 1979 [1950]); Lucas Guillermo Castillo Lara, *La aventura fundacional de los Isleños: Panaquire y Juan Francisco de León* (Caracas: Academia Nacional de la Historia, 1983)

<sup>9</sup> For the idea of the rebellion as a proto-nationalist movement, see Luis Alberto Sucre, *Gobernadores y Capitanes Generales de Venezuela*, second edition (Caracas: Tipografía Tecnocolor, 1964, [1928]); Mercedes Alvarez de Ramos Marquez, *Aspectos de Nuestros Orígenes Patrios* (Caracas: La Asociación Cultural InterAmericana, 1944); Augusto Mijares, Prologue to *Documentos relativos*; J. A. de Armas Chitty, Prologue to *Juan Francisco de León: Diario*; Nuñez, Juan Francisco de León; Arguments for the uprising as an ethnic conflict between Basques and Canary Islanders can be found in Vincente Amenzaga Aresti, *Hombres de la Compañía Guipuzcoana* (Caracas: Banco Central de Venezuela, 1963); Ramón de Basterra, *Los navios de la ilustración: una empresa del siglo XVIII* (Madrid: Ediciones Cultura Hispanica, 1970); Castillo Lara, *La aventura fundacional*; Works prioritizing the economic dimensions of the rebellion include José Estornés Lasa, *La Real Compañía Guipuzcoana de Navegación de Caracas* (Buenos Aires: Editorial Vasca Ekin, 1948); Analola Borges, "Los Canarios en las revueltas venezolanas del siglo XVIII (1700-1752)," *Boletín de la Academia Nacional de la Historia* 46:181 (1963): 128-140; John V. Lombardi, *Venezuela: The Search for Order, The Dream of Progress* (Oxford: Oxford University Press, 1982);

The uprising's causes, events, and consequences are complex and demand multifaceted coverage. The first part of this chapter will delve into the pre-rebellion sea changes occurring in Venezuelan trade as a result of the Company's overarching presence in the province. Company control over commerce, politics, and economic practice angered colonists, sparked several protests early on in the Company's tenure, and alienated the province from metropolitan directives. Following this treatment, a second section will examine the events of the León uprising itself. The unique developments of this trade rebellion allowed Venezuelan subjects, via popular protest, to participate informally in the colonial political arena. The third and final part of this chapter will analyze petitions and correspondence of the insurgents to reveal elements of their moral economies, political thought, and communal identities.

The León Rebellion brings into sharp focus the interplay between community standards of economic fair play and contraband trade frequently overlooked by scholars. Too often, historians have marginalized transnational illicit exchange as tangential to the interests of empires and as the purview of wealthy individuals seeking luxury goods. Many have conceptualized smuggling also as an act of naked self-interest thereby discounting the worldviews and politics of those involved in the trade.<sup>10</sup>

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Francisco Morales Padrón emphasizes the rebellion as strictly a struggle against the Caracas Company. Morales Padron, *Rebelión contra la Compañía de Caracas*

<sup>10</sup> Among larger works on imperial politics and society, Clarence Haring emphasizes the impact of smuggling on imperial balance sheets and diplomatic affairs, but also conceptualizes illicit trade only in terms of bullion, china, and other luxuries. J.H. Parry argues that preventing smuggling was among the major aims of the Bourbon kings, but otherwise confines his analysis of smuggling to the revenues of the Spanish Empire. Henry Kamen and John Elliott both note the importance of contraband trade in the everyday colonial economy, but do not get beyond economic matters in their examinations. While Jeremy Adelman's work underscores the importance of illicit trade in colonial politics, his analytical scope rarely strays from the elite merchants of the *consulados*. Anthony Pagden's monumental study of the ideologies

Contrary to these understandings, early modern smuggling in the Caribbean was, in many cases, a subsistence practice of the needy designed to compensate for inadequate legal trade. Investigations of prize court records are far more likely to find sacks of flour, bolts of coarse cloth, and cheap wine among lists of confiscated contraband than fine china, jewelry, or silks. Otherwise loyal Spanish subjects, such as the León insurgents, benefitted from everyday illegal trade and used popular protest to defend it against commercial concessions that encroached upon smuggling's central position in the colonial economy of makeshifts.

Contraband commerce was also political. Though illegal traders were not a formal political faction themselves, they heavily influenced how provincial elites reacted to metropolitan orders. Illicit trade represented a disdain for the mercantilist commercial policies of empires and for metropolitan ignorance of local conditions. Those who

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of Spanish, French, and British imperialism devotes a scant two pages to smuggling, mainly as a means to frame eighteenth-century reforms in trade policy. Scholarship focused on illegal trade often uses the same interpretive lenses. Ramón Aizpurua, Lance Grahn, and Celestino Araúz Monfante both concentrate on the political economy of smuggling, but reveal little about the worldviews of smugglers or common people affected by smuggling. Two exceptions that examine how common colonial subjects perceived smuggling and how the practice shaped their ideologies and politics are the recent publications of Wim Klooster and Alan Karras. See C. H. Haring, *The Spanish Empire in America* (New York: Harcourt, Brace & World, Inc., 1963 [1947]); J. H. Parry, *The Spanish Seaborne Empire* (Berkeley: University of California Press, 1990 [1966]); Henry Kamen, *Empire: How Spain Became a World Power, 1492-1763* (New York: Penguin, 2002); J. H. Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2006); Jeremy Adelman, *Sovereignty and Revolution in the Iberian Atlantic* (Princeton: Princeton University Press, 2006); Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain, and France, c. 1500-c. 1850*. (New Haven: Yale University Press, 1995); Ramón Aizpurua, *Curazao y la costa de Caracas: Introducción al estudio del contrabando de la Provincia de Venezuela en tiempos de la Compañía Guipuzcoana, 1730-1780* (Caracas: Academia Nacional de la Historia, 1993); Lance Grahn, *The Political Economy of Smuggling: Regional Informal Economies in Early Bourbon New Granada* (Boulder, CO: Westview Press, 1997); Celestino Andrés Araúz Monfante, *El contrabando holandés en el Caribe durante la primera mitad del siglo XVIII* Vol. 1. (Caracas: Academia Nacional de la Historia, 1984); Wim Klooster, "Inter-Imperial Smuggling in the Americas, 1600-1800" in ed. Bernard Bailyn and Patricia L. Denault, *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830* (Cambridge: Harvard University Press, 2009); Alan L. Karras, *Smuggling: Contraband and Corruption in World History* (Lanham, Md.: Rowman & Littlefield Publishers, Inc., 2010).

smuggled or benefitted from smuggled goods were equal parts political reactionaries, in their wish to reinstitute a Hapsburg period of salutary neglect, and forward thinkers, in their desire to create free trade from the bottom up.

Finally, clandestine trade was an indicator of a strong sense of colonial autonomy and self-identity. Venezuelan contrabandists and their accomplices were notoriously hostile to outsiders' attempts to enforce anti-smuggling ordinances. They identified most strongly with their Venezuelan homeland, although in the mid-eighteenth century very few harbored any desire to be politically independent of Spain. From a position of creole commercial autonomy, Venezuelan traders and producers formed close trading partnerships and alliances with merchants of foreign empires despite strict Spanish prohibitions against such contact. Though Venezuelan subjects looked to Spain for much of their cultural and political allegiances, they reached out to non-Spanish traders to fill their shopping baskets and bring their produce to market. The tension in this dichotomy of colonial character manifested itself in the actions and words of León and his insurgents.

Historians of Venezuela and Spanish America should not assume that either León's uprising or contraband trade was politically and ideologically inert. Anthony McFarlane has argued forcefully that uprisings of the late eighteenth century in Spanish America, including the Quito, Comunero, and Tupac Amaru rebellions, were not just spontaneous outbreaks of violence resulting from utter desperation, but rather they

possessed basic political ideologies grounded in the defense of community rights.<sup>11</sup> The revolt of 1749-1751 in Venezuela, the predecessor of these more well-known protests, was no different. As a politically-charged event, it shed light on tendencies and characteristics in Venezuelan society that were a product of illicit trade. In the León Rebellion and the popular protests that preceded it, smuggling transcended its simple definition as an illegal economic exchange and became a pivotal building block for informal political expression and local identity formation.

### **The Caracas Company and its Malcontents**

The early Bourbon kings realized that, due to the province's peripheral status within the Spanish Empire and its abundant cacao, Venezuela was uniquely situated to join the illicit international economy. Its long coastline was full of secluded coves and rivers running to the sea from inland. Years of neglect and the War of Spanish Succession (1701-1714) had defanged any threat posed to smugglers by coastguard ships. All of these factors made the Venezuelan central coast a perfect environment for smuggling. In short, bringing Venezuela's potentially profitable cacao reserves into the Spanish state's revenue stream would require drastic action.

As mentioned earlier, the Crown decided in 1728 to use an economic platform (the royal trading company) that was very much in vogue at the time.<sup>12</sup> Among the

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<sup>11</sup> McFarlane, *Civil Disorders and Popular Protests*, 52-53; McFarlane, "Rebellions," 327.

<sup>12</sup> One Spanish merchant floated an early petition for a monopoly company of the Indies in 1705. *Petición de Don Manuel de Bustamante*. Madrid. August 15, 1705. AGI, Indiferente General, 2046A; For the economic theory behind trading companies see P.W. Klein, "The Origins of Trading Companies," in *Companies and Trade: Essays on Overseas Trading Companies during the Ancien Régime*, ed. Leonard

commercial privileges given to the Caracas Company were royal protection, exclusive rights to the shipping of cacao between Venezuela and Spain, reductions in port duties, and freedom from disembarking their goods at the House of Trade (*Casa de Contratación*) in Cádiz. Fourteen years later they added to these concessions by securing rights to ship to New Spain, Venezuela's other major legal trading partner.<sup>13</sup>

The Company's *carte blanche* control over Venezuelan ports ushered in the province's first substantial legal trading system, dramatically increased royal revenues coming from the colony, and generally brought Venezuela to the economic attention of Madrid for the first time.<sup>14</sup> During the first twenty years of the Caracas Company's existence in Venezuela, it improved the ports, defenses, and roads of major coastal cities

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Blussé and Femme Gaastra (Leiden, Netherlands, Leiden University Press, 1981) 17-28; Guillermo Morón, *A History of Venezuela*, trans. John Street (New York: Roy Publishers, 1963), 74; Gerardo Vivas Pineda, *La Aventura naval de la Compañía Guipuzcoana de Caracas* (Caracas: Fundación Polar, 1998), 267; Lynch, *Bourbon Spain*, 145-148. For the founding precepts and organization structure of the major eighteenth-century Spanish trading companies, see Raquel Rico Linage, *Las reales compañías de comercio con America: los organos de gobierno* (Seville: Escuela de Estudios Hispano-Americanos, 1983), 5-27.

<sup>13</sup> For the initial royal order establishing the Caracas Company and its privileges, see Real Compañía Guipuzcoana de Caracas, *Real Cedula de la Fundacion de la Real Compañía Guipuzcoana de Caracas, y Reglas Economicas de buen gobierno con que la estableció la M.N. y M.L. Provincia de Guipuzcoa, en Junta General del año de 1728. Con adición de las Posteriores Declaraciones de S.M. sobre varios puntos, hasta el año de 1753. donde se comprehenden tambien algunas Gracias, y el Fuero privilegiado para las Causas de los Dependientes de la Compañía*, (Madrid: Oficina de Don Antonio Sanz, 1765), Found at the John Carter Brown Library, Providence, RI (hereafter JCB); For additional concessions given to the Company, see Vivas Pineda, *La Aventura naval*, 39.

<sup>14</sup> François Joseph Depons, *A Voyage to the Eastern Part of Terra Firma or the Spanish Main in South-America During the Years 1801, 1802, 1803, and 1804. Containing A description of the Territory under the jurisdiction of the Captain-General of Caraccas, composed of the Provinces of Venezuela, Maracaibo, Varinas, Spanish Guiana, Cumana, and the Island of Margaretta; and embracing every thing relative to the Discovery, Conquest, Topography, Legislation, Commerce, Finance, Inhabitants and Productions of the Provinces, together with a view of the manners and customs of the Spaniards, and the savage as well as civilized Indians*. Vol. 2 (New York: I Riley & Co., 1806), 271-277; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 89; Otto Pikaza, *Don Gabriel José de Zuloaga en la gobernación de Venezuela (1737-1747)* (Seville: Escuela de Estudios Hispano-Americanos, 1963), 90-91. Amenzaga Aresti, *Hombres de la Compañía Guipuzcoana*, 31.

and towns to facilitate smoother commerce.<sup>15</sup> Annual Venezuelan cacao exports to Spain between 1700 and 1730 averaged approximately 21,000 fanegas (or about 2.3 million pounds in today's measurements). From 1730 until 1748, during the first eighteen years of the Caracas Company, annual Venezuelan cacao exports to the mother country more than doubled to around 50,000 fanegas (5.5 million pounds).<sup>16</sup>

To accommodate this increased cargo and patrol for interlopers, the Company used its own private fleet for all commercial traffic and coastguard activities. The fleet insulated the Company somewhat from both the vagaries of shipping costs and more pronounced governmental oversight into their patrols.<sup>17</sup> The Company's initial tenure in Venezuela witnessed the most stringent anti-contraband measures in the colony's history. A paramilitary fleet of between ten and twenty ships and several hundred men a year patrolled coastal waters harassing foreign and domestic shipping alike suspected of illicit trade.<sup>18</sup>

The Company quickly became the primary governing force in the province as well. It handpicked the governor, usually from among Basque candidates. The governor

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<sup>15</sup> Real Compañía Guipuzcoana de Caracas, *Manifiesto, que con incontestables hechos prueba los grandes beneficios, que ha producido el establecimiento de la Real Compañía Guipuzcoana de Caracas,; y califica quan importante es su conservacion al Estado, a la Real Hacienda, al buen publico, y a los verdaderos intereses de la misma Provincia de Caracas* (Madrid: 1749), 9v-14f; Andres Bello, *Resumen de la Historia de Venezuela* (Caracas: La Casa de Bello, 1978 [1810]), 43-45; Eugenio Piñero, "The Cacao Economy of the Eighteenth-Century Province of Caracas and the Spanish Cacao Market" *The Hispanic American Historical Review* 68/1 (Feb., 1988), 97. Lombardi, *Venezuela*, 97; Estornés Lasa, *La Real Compañía Guipuzcoana de Navegación de Caracas*, 66-75.

<sup>16</sup> Depons, *A Voyage to the Eastern Part of Terra Firma*, 273; Vivas Pineda, *La Aventura naval*, 43; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 19.

<sup>17</sup> Vivas Pineda, *La Aventura naval*, 34, 44.

<sup>18</sup> Real Compañía Guipuzcoana de Caracas. *Real Compañía Guipuzcoana de Caracas: noticias historiales practicas de los sucessos, y adelantamientos de esta compañía, desde su fundación año de 1728, hasta el de 1764. por todos los Ramos que comprehende su Negociacion* (Madrid: 1765), 114. JCB; Depons, *A Voyage to the Eastern Part of Terra Firma*, Vol. 2, 276; Pikaza, *Don Gabriel José de Zuloaga en la gobernación de Venezuela (1737-1747)*, 64.

then received a yearly payout of between two and four-thousand pesos from the Company for his role as an arbiter (*juez conservador*) for the venture in Venezuela. His secretary received one-thousand pesos annually to defend the legal suits and rights of the Company. At the lower administrative rungs, the Company helped appoint prize court judges to rule over ships seized by its maritime forces.<sup>19</sup> These sudden and far-reaching manipulations quickly made the province's judicial and administrative systems intolerant of anything contrary to the Company's interests, including Venezuelan smuggling.

Despite the Caracas Company's promises of greater prosperity for Venezuela as a whole, locals rapidly came to resent the intrusion of these outsiders. Elites saw the Company's meddling in government as a threat to their political control over the province through the *cabildo*.<sup>20</sup> Moreover, both elite and petty merchants perceived the danger to their interests posed by the Company's ascendancy in the cacao trade. With their dominant share of the province's legal commerce, the Caracas Company depressed the prices it would pay producers for their cacao. From a pre-Company rate of around twenty-two pesos per fanega (a fanega equaling 110 pounds), the going price paid for cacao during the Company's initial twenty years plummeted to an average of eight pesos

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<sup>19</sup> Castillo Lara, *La aventura fundacional de los Isleños*, 63, 185-188, 196-198; Sucre, *Gobernadores*, 257-268; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 75; Nuñez, *Juan Francisco de León*, 67.

<sup>20</sup> According to reports by the Governor of Venezuela, more than ninety-seven "noble people" turned out for the first *cabildo abierto* after León first entered the city in April of 1749 demonstrating elite anger with the Company's political ambitions. Extracta de carta del Gobernador de Caracas. Undated. AGI, Caracas, 418; Francisco Morales Padrón, "La Real Compañía Guipuzcoana de Caracas y la sociedad Venezolana." in *Los Vascos y America: El Comercio vasco en el siglo XVIII-La Real Compañía Guipuzcoana de Caracas*, ed. Ronald Escobedo Mansilla, Ana María Rivera Medina, and Alvaro Chapa Imaz (Bilbao: Fundación Banco de Viscaya, 1989), 217; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 33-34, 43.

per fanega and, in some cases, as low as four to five pesos per fanega.<sup>21</sup> Company ships set sail only after their intentional delays forced planters and merchants into bad deals. Company buyers purchased only what the overseas market would buy at a high price and left excess cacao to rot in port.<sup>22</sup> The inability of Venezuelan producers to sell their crop legally at anything approaching a fair market price decimated their fortunes.

Locals were also dismayed by how the Company shirked its responsibilities to provision the colony. Complaints of inadequate, substandard, and prohibitively expensive goods and foodstuffs were common. On several occasions during the Company's first twenty years, lapses in Company shipping forced Venezuelan residents to petition to buy flour from neighboring colonies.<sup>23</sup> Just five years before León's uprising, King Philip V wrote to Caracas Company directors regarding Caraqueño complaints of a dearth of wheat flour, liquor, and clothing. The monarch scolded Company officials for allowing conditions in the province to reach a point where "the necessities of eating and clothing themselves oblige residents to take from foreigners

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<sup>21</sup> Junta. Caracas. April 22, 1749. AGI, Caracas, 937; Don Julian de Arriaga y Rivera, Governor of Venezuela to Don Juan Manuel de Goyzueta & Don Mathiais Urroz, factores of the Compañía Guipuzcoana. Caracas. March 29, 1750. AGI, Caracas, 418; Ferry, *The Colonial Elite*, 138; Nuñez, *Juan Francisco de León*, 66.

<sup>22</sup> Ynforme de la Provincia y Cavildo Esclesiastico de Santiago de Leon de Caracas sobre la pretension y estado del Cacao que sale de aquella Provincia segun el deznio que esta dentro. Caracas. November 7, 1734. AGI, Caracas, 438; Interragatorio (made by Juan Francisco de León). Undated. AGI, Caracas, 418; Ferry, *The Colonial Elite*, 165, 182; Montserrat Garate Ojanguren, *La Real Compañía Guipuzcoana de Caracas* (San Sebastián, Spain: Grupo Doctor Camino de Historia Donostiarra, 1990), 301.

<sup>23</sup> Governor Luis Francisco de Castellanos to the King. La Guaira. October 15, 1749. AGI, Caracas, 418; Montserrat Garate Ojanguren, *La Real Compañía Guipuzcoana*, 301; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 22-23; Morón, *A History of Venezuela*, 33.

what this company should be offering them in abundance.”<sup>24</sup> Notwithstanding this admonishment, clothes became so scarce that the rector of the university in Caracas in 1749 issued an impassioned plea for additional supplies. The province’s population of 140,000 needed roughly one million pieces of clothing “to cover their nudity.” He opined that just as “the laws of god and man oblige one to solicit covering for beasts, so do they for the necessity of the human condition.” The rector chastised the Company that “since its establishment has allowed for a continual dearth of the most common and usual goods, of foodstuffs and supplies...subjecting [the province’s] inhabitants to an intolerable nudity and compelling them by necessity to look for a remedy wherever the possibility presents itself.”<sup>25</sup> When Company merchandise did reach Venezuela, price gouging frequently put it out of the populace’s reach. One complaint noted that the Company bought barrels of flour at ten pesos each and then sold them to the general public at twenty-three pesos per barrel.<sup>26</sup>

At the same time that Venezuelans went without basic supplies, the Company hauled in tidy profits. Shareholders earned dividends between twenty and thirty percent for the 1730s and 1740s. A twenty peso difference between the Company’s buying and selling price on cacao per fanega easily covered overhead expenses.<sup>27</sup>

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<sup>24</sup> El Rey a los Señores Directores de la Real Compañía Guipuzcoana de Caracas. Madrid. September 30, 1744. AGI, Caracas, 928.

<sup>25</sup> Petición del Sr. Rector de la Real y Pontificia Universidad. Caracas. June 12, 1749. AGI, Caracas, 419.

<sup>26</sup> Interrogatorio. Undated. AGI, Caracas, 418.

<sup>27</sup> Garate Ojanguren, *La Real Compañía Guipuzcoana de Caracas*, 46; Vivas Pineda, *La Aventura naval*, 43; Morón, *A History of Venezuela*, 70.

These developments fueled a shared anxiety among Venezuelan coastal inhabitants that the Company had come to monopolize the province's economic and political resources for its own extractive gain. Local merchants and planters felt cut out from their own province's wealth and commercial boom. Undergirding this anxiety was the Caracas Company's role in smuggling enforcement. Whether through neglect or commercial restrictions, Venezuelans were used to sparse legal trade opportunities. However, the Company's patrols gradually tightened the provincial safety valve of smuggling. Most scholarly estimates of Venezuelan illicit trade say it dropped during the first twenty years of Company rule.<sup>28</sup> Coastguard ships rounded up contrabandists in record numbers (their prize court cases filled up forty-two volumes in Venezuela's Archivo General de la Nación). The regulations of corsairing allowed maritime patrols to collect between one-third and one-half of the value of impounded contraband.<sup>29</sup> Coastguard men therefore had the incentive to seize goods whether they were illicit or not. In addition, Company coastguard patrols frequently assaulted both foreign and domestic smugglers causing colonists to view them as dangerous.<sup>30</sup>

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<sup>28</sup> Eugenio Piñero points to the increase in cacao prices in Amsterdam during this period. See Piñero, *The Cacao Economy*, 91; Also see Hussey, *The Caracas Company*, 76; Aizpurua, *Curacao y la costa de Caracas*, 154-159; Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648-1795* (Leiden: KITLV Press, 1998), 146-152.

<sup>29</sup> Grahn, *The Political Economy of Smuggling*, 25; Luis Enrique González F. *La Guayra, conquista y colonia*. (Caracas: Editorial Grafarte, 1982), 122; Garate Ojanguren, *La Real Compañía Guipuzcoana*, 42; Aizpurua, *Curacao y la costa de Caracas*, 15; Klooster, *Illicit Riches*, 148.

<sup>30</sup> Examples of *guardacosta* violence abound in primary source documentation on smuggling. In 1732, several coastguard men found themselves on trial for using excessive force to kill several alleged Dutch smugglers in front of their Spanish associates. Autos criminales contra Francisco de la Rosa, Juan Lorenzo, Juan de la Cruz por decomiso de una balandra en Manzanillo. Coro. March 28, 1732. AGNV, Comisos, Tomo XIII, f. 1-134; English merchant John Campbell gave an account of the hanging of sixteen Spanish merchants by coastguard forces for smuggling. John Campbell, *The Spanish Empire in America* (London: Printed for M. Cooper, 1747 [1741]), 288, JCB; Foreign powers found Caracas Company forces just as violent. Dutch authorities protested numerous times to Spanish colonial officials that Compañía

Tighter enforcement of illicit trade by the Company did nothing to quiet Venezuelans' persistent whispers that Company officials themselves were deeply involved in smuggling. Tax fraud resulting from Company ships transporting undeclared cacao to Spain and untaxed luxury items to Venezuela was common. Mariners and ship captains frequently overloaded these vessels with undeclared items to such an extent that the ships became unseaworthy. In 1738, customs officials in Spain seized one Company ship that had failed to declare 40,000 pesos of Mexican silver.<sup>31</sup> Company men in port proved no more scrupulous than their seafaring counterparts. Juan Francisco de León himself would later accuse one Company employee of working at a store full of Dutch goods known as the “warehouse of Curaçao” and another of illegally importing slaves into Venezuela under the pretext that they were captured goods. He included transcripts of letters between Caracas Company factors and Dutch merchants summarizing their transactions as further proof of criminal commercial activity.<sup>32</sup>

Venezuelan subjects thus viewed Company employees not only as hypocrites, but also as pernicious monopolizers of the vital black market. Aline Helg has observed that subjects on the periphery declined to rebel against the colonial order “because they could live on its legal or geographical margins—either by smuggling or by surviving

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Guipuzcoana patrols had captured and injured their law-abiding subjects for traversing routine shipping lanes to Curaçao. Traducion de Letra A de Samuel Wusseluis por la Corte de Holanda. January 4, 1735. AGI, Santo Domingo, 785; The Company harmed and imprisoned English mariners in such numbers that one English governor considered arming privateers to combat Company ships. Governor William Mathew to the Council of Trade and Plantations. St. Christophers. June 14, 1737. British National Archives. Colonial Office, 152/23.

<sup>31</sup> Expediente sobre aberiguar el fraude de 13 cajones que se tubo noticia traia de Caracas el navio de la Compania Santa Ana que arrivo a Cadiz. Caracas. 1738. AGI, Caracas, 926; Vivas Pineda, *La aventura naval*, 18, 64-66.

<sup>32</sup> Interrogatorio. Undated. AGI, Caracas, 418; Cartas 1-10. 1746 and 1747. AGI, Caracas, 418.

semiautonomously in the backlands.” John Elliott politicizes this dynamic, noting that rather than formally refusing to import licensed European goods as in British North America, Spanish American subjects protested their empire’s commercial policies by enthusiastically engaging in illicit trade.<sup>33</sup> The Caracas Company’s intrusion into the underground economy snuffed out these modes of passive resistance to Spanish commercial regulations. Though subjects would cloak their complaints about the Company in the appropriate language of lost legal trade opportunities, it was the business’s anti-smuggling operations that animated their claims for redress and eventual revolt.<sup>34</sup>

In order to protect its image in Spain, the Caracas Company parried Venezuelans’ criticism with its own perspective on the previous twenty years of history. Numerous letters to royal officials offered a full-throated defense of Company patrols as “the brake on illicit trade” and the only real military measure against foreign invasion.<sup>35</sup> More importantly, at the height of the León Rebellion several senior Company officials led by its director Joseph de Yturriaga published a manifesto defending the Company’s

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<sup>33</sup> Aline Helg, *Liberty & Equality in Caribbean Colombia, 1770-1835* (Chapel Hill: The University of North Carolina Press, 2004), 72; Elliott, *Empires of the Atlantic World*, 316-317.

<sup>34</sup> In this interpretation, I agree mostly with Ronald Hussey. Hussey’s argument emphasizes the anti-contraband operations of the Caracas Company as their original sin in the minds of Venezuelans. Though I concur that the Company’s enforcement of contraband restrictions played a prominent role in colonial complaints, even if they could not be articulated as such, Hussey’s argument is moralistic and over-determinant in its belief “that monopoly and all-inclusive governmental regulation were evil principles upon which to found an economic system” and its overriding assumption that colonists single-mindedly wanted free trade. See Hussey, *The Caracas Company*, viii, 99. Mercedes Alvarez de Ramos Marquez also agrees with Hussey’s contention that Company crackdowns on contraband caused the León Rebellion in Alvarez de Ramos Marquez, *Aspectos de Nuestros Orígenes*, 106-109. However, this interpretation almost entirely lacks supporting documentation. I have attempted in this chapter to provide documentation and a more nuanced analysis than this previous literature.

<sup>35</sup> El Yngeniero Don Juan Gayangos. Puerto Cabello. May 19, 1749. AGI, Caracas, 418; Los Directores de la Compañía de Caracas to Marques de la Ensenada. San Sebastian. October 12, 1750. AGI, Caracas 929.

continued presence in Province of Venezuela. The document is notable for its measured tone and orderly arguments, which contrasted sharply with the impassioned pleas of creole petitions. It minimized the rebellion's importance, claiming that a few bad apples (mostly elite Caraqueño merchants and foreigners) had led an otherwise loyal populace astray. In the view of these Company men, the minority that hated the Basque merchant venture did so because it enforced anti-smuggling prohibitions. The Manifesto rejected the idea of the Company as a malevolent monopoly, reasoning that colonists could legally trade with Mexico, the Canary Islands, and the interior provinces outside of the Company's control. Moreover, the Company had benefitted the region. The authors pointed to increased cacao production, the construction of deep harbors and forts, and defensive outlays of 15,000 pesos annually as proof that the Company had Venezuela's best interests in mind. These gains were not, as petitioners had misconstrued them, the result of "*tyranny, oppression, mistreatment, or poverty*, but rather advantages that gave *help, assistance, opportune aid, and fecundity* to the province."<sup>36</sup>

This rubicund portrayal to Madrid notwithstanding, coastal Venezuela was the scene of frequent unrest prior to the 1749 uprising. León's revolt did not constitute the first armed protest against the Company. Venezuela's coastal inhabitants voiced their dismay through two previous tumults.

The first of these civil disorders, the Andresote Rebellion, flared up virtually from the moment of the Caracas Company's installation in 1730. Named after Andrés Lopez de Rosario, an ex-slave of African and indigenous descent (*zambo*), the amorphous

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<sup>36</sup> Italicization in the text. Real Compañía Guipuzcoana de Caracas, *Manifiesto*, JCB.

uprising lasted nearly two years with sporadic skirmishes occurring in Nirgua and Barquisimeto.<sup>37</sup> Andresote led sophisticated smuggling rings, which traded from the coast near Puerto Cabello deep into these interior towns to the southwest by way of the Yaracuy River. His rebellion comprised many slaves and free blacks and a few whites. His followers fired on Company officials and troops and destroyed the homes and property of several authorities and planters loyal to the Basques. Andresote's men received arms and logistical support from the Dutch, who were his trading partners and stood to gain from the destruction of the Company. The rebel leader used Dutch ships to hop between Venezuela and Curaçao where he was, according to one observer "received with great applause and satisfaction by the residents [of Curaçao] and especially their governor who bestowed on him magnificent hospitality at his country estate."<sup>38</sup> When royal troops finally put down his rebellion for good in 1732, Andresote fled to Curaçao, presumably remaining there in exile for the rest of his life.

Nine years later, another anti-Company protest broke out in San Felipe, a city near the site of Andresote's uprising. The uprising started in 1741 when San Felipe's inhabitants expelled Don Ygnacio Basaraval, a Company-backed *justicia mayor* known for his zealous prosecution of contrabandists. The protestors took control of the town and plotted various actions against the Caracas Company, including setting fire to a nearby Company factory. Like the Andresote rebels, San Felipe's insurgents received arms from

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<sup>37</sup> To my knowledge, the largest concentration of primary source material on the Andresote Rebellion is Expediente sobre el Zambo levantado llamado Andresote años de 1732 a 1733. AGI, Santo Domingo, 782; The major secondary source on the rebellion is Carlos Felice Cardot, *La Rebelión de Andresote: (Valles del Yaracuy, 1730-1733)* (Caracas: Academia Nacional de la Historia, 1952).

<sup>38</sup> Don Sebastian Garcia de la Torre, Governor of Venezuela to the King. Caracas. October 22, 1732. AGI, Santo Domingo, 782.

the Dutch. After several months, royal soldiers put down the revolt, entered the city, and reinstalled Basaraval.<sup>39</sup>

Although both the Andresote and San Felipe uprisings represented popular anger with the Caracas Company's active commercial policing, several factors explain why neither rivaled Juan Francisco de León's rebellion in size and scope. First, both revolts lacked a distinct, driving ideology. San Felipe protesters rallied around the idea of expelling their local judge, but never moved much beyond these personal politics. The Andresote Rebellion developed a split personality that vacillated between freedom for contrabandists and the empowerment of Afro-Venezuelans. The rebels frequently pursued no greater cause than the survival of their own insurgency.<sup>40</sup>

Both revolts also failed to encompass a broader base of support and most importantly the aid of elites. This was the case in San Felipe because the rebellion never reached outside the confines of the city. Andresote's insurgency initially held sway over local elites involved in the contraband trade. They saw the rebel chief as their puppet. However, as the uprising progressed, white planters and traders became horrified by black rhetoric proclaiming that "the time has arrived when the whites will serve them or they [the blacks] will kill them all." Though the veracity of these declarations is uncertain given that royal officials included the racially-charged language in their leading

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<sup>39</sup> The largest group of documents on the San Felipe riot can be found in Expediente sobre el tumulto de la ciudad de San Felipe. Provincia de Caracas. 1741. AGI, Santo Domingo, 788.

<sup>40</sup> Felice Cardot, *La Rebelión de Andresote*, 15, 49.

questions to witnesses of the uprising, the documents demonstrate nonetheless that elite opinion of the Afro-Venezuelan-led rebellion had soured.<sup>41</sup>

Furthermore, the San Felipe and Andresote uprisings never attained the critical mass of León's rebellion because they never reached Caracas. The short duration and small geographical scope of the San Felipe riot failed to attract significant attention in Caracas. Andresote's two year revolt owed its longevity more to the guerrilla tactics of its perpetrators and the rugged jungle terrain of its setting than to any province-wide participation or sympathy in the capital.<sup>42</sup> Ultimately, these two protests had little impact on the Caracas Company's control over Venezuela, but rather indicated the consistent current of unrest that Juan Francisco de León would channel later into a substantial movement.

Like León and his followers, Spain's competitors acutely recognized local frustration with the Caracas Company and sought to capitalize on the underlying anger. This chapter has noted the prominent interventions of the Dutch in pre-León uprisings. English subjects also sympathized with anti-Company protests. One Boston newspaper cheerily recognized the bravery of "Andrew Scoso [Andresote], a Mulatto agitated by a generous Passion of relieving his distress'd Countrymen."<sup>43</sup>

In addition to continuing illicit trade with Spanish subjects and thus undermining the Caracas Company's cacao monopoly, foreigners made several overtures to

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<sup>41</sup> Declaración de Don Francisco Leal, asistente en los pardos de Guama. San Felipe. July 10, 1732. AGI, Santo Domingo, 782.

<sup>42</sup> Felice Cardot, *La Rebelión de Andresote*, 16, 21-22.

<sup>43</sup> "Barbados March 3" *Boston News-Letter*, April 20, 1732, 2. I wish to thank Charles Foy for providing me with this citation.

Venezuelan coastal inhabitants encouraging them in rebellion against the Company and the Spanish Crown. The English, in particular, employed this tactic. During the War of Jenkins' Ear, English Admiral Charles Knowles sought to create a fifth column of Venezuelans disaffected by the Company to aid his invasions of La Guaira and Puerto Cabellos in 1743. He sent leaflets in Spanish ahead of himself to both ports explaining that the war between the English and Spanish had begun only out of need

to reprimand the insolence of these pirates commonly called coast guards (*guarda costas*) of which the Viscayans are particularly noteworthy. They practice acts of cruelty and barbarism not just against the English, but against their own countrymen, the Spanish, treating them worse than Turks, jailing them, violating their ancient right to trade with other nations, and daily throwing them into the galleys.

Knowles proposed to establish a British colony at Puerto Cabello and promised protection from marauding Company forces.<sup>44</sup> One British officer involved in the campaign against both ports recalled Knowles's orders to his subordinates that they were

to let the Inhabitants of the Country know, that the *English* did not come there to take from them their Rights, Religion, or Liberties, but that they would from us enjoy them with great Certainty, and more Happiness, than when under the Tyranny and Cruelty of the *Guiapesco* Company, which we were now come to rid them of.<sup>45</sup>

Six years later, during Juan Francisco de León's rebellion, the rebel chief received a letter from a British captain named Ian Burr lamenting that the province's inhabitants found themselves "enslaved and impeded from trade and commerce" and offering the military

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<sup>44</sup> Don Carlos Knowles Cavallero Comandante en Principal de una Escuadra de Fragatas de S. M. Britanica de presente en la Costa de Caracas. A Los Vecinos y Moradores de la Provincia de Benevuela. Undated. AGI, Caracas, 927.

<sup>45</sup> *Journal of the Expedition to La Guira and Porto Cavallos in the West-Indies under the Command of Commodore Knowles. In a Letter from an Officer on board the Burford to his Friend at London* (London: Printed for J. Robinson, at the Golden Lyon in Ludgate-Street, 1744), 6-7. JCB.

aid of his convoy of three ships if León's forces would swear allegiance to the British sovereign.<sup>46</sup> That neither of these plots succeeded in swaying imperial loyalties confirmed the strength of Venezuelan fidelity to the Spanish Crown. Nonetheless, they also demonstrated that locals' rage over the Caracas Company's control over the province's commercial, political, and military resources had become fierce enough to be felt across imperial boundaries.

### **Marching on Caracas: The Rebellion of Juan Francisco de León**

Nowhere was creole frustration over the Basque monopolization of Venezuela more palpable than in Panaquire. This town, formed early in the eighteenth century from the boom in cacao production, was the bedrock of Juan Francisco de León's rebellion. Located in the fertile Tuy River Valley just inland from the coast, Panaquire was an ideal place for Canary Island immigrants to settle and grow cacao. Numerous ships brought Canary Islanders or *Isleños* to populate what had been jungle at the turn of the century. They found fellowship with *Isleños* who lived in the Candelaria district of Caracas.<sup>47</sup> Though the Crown initially encouraged the efforts of these small cacao planters, the Caracas Company and governors beholden to it viewed the *Isleños* as a nuisance. Numerous officials connected them to illicit trade and portrayed them as shifty, lazy, and

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<sup>46</sup> Captain Ian Burr to Juan Francisco de León. On board the ship "El Aspa", Puerto de Unare. October 2, 1749 in *Juan Francisco de Leon: Diario*, 189. The authenticity of this letter was challenged by Interrim Governor Julian de Arriaga, who believed it was a forgery. See Fray Don. Julian de Arriaga y Rivera to Marques de la Ensenada. Caracas. April 5, 1750. AGI, Caracas, 418.

<sup>47</sup> Castillo Lara, *La aventura fundacional de los Isleños*, 11. Morales Padrón, "La Real Compañía Guipuzcoana", 215.

rebellious. For example, the interim governor of Venezuela, Fray Don Julian de Arriaga y Rivera, in 1750 conflated

*zambos, mulattoes, negroes, Ysleños, deserters, and other elements of vagrants (gente vaga) that only obey the alcalde if they like and if not, they laugh at him and the priest. Most of them make a living combining the bounty of the haciendas and throwing themselves into [illegal] commerce on the coast.*<sup>48</sup>

Such characterizations sprung from the isolation of the Tuy River Valley and the ease with which cacao could be shipped downriver and out to coastlines frequented by Dutch smugglers.

To combat the perceived lawlessness of the region, authorities restricted trade and movement through new laws. In 1735, Governor Don Martín de Lardizabal, a Basque, issued an order banning any commercial activity on the coasts of the Province of Venezuela east of La Guaira, Caracas's port. Instead all cacao would have to be trucked overland across poorly maintained roads that became impassible in the rainy season or brought by Company ships to La Guaira. The restrictions did not even allow commercial fishing on the coasts. They came on the heels of earlier decrees that had mandated that all cacao haciendas be planted at least fifteen leagues from the river and that boat building be prohibited.<sup>49</sup>

Orders designed to slow contraband commerce, via restrictions on how Tuy Valley residents and other coastal dwellers could conduct legal trade, instead caused

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<sup>48</sup> Fray Don Julian de Arriaga y Rivera a los factores en que les significó su juicio sobre el estado de la Provincia y Compania. Caracas. March 29, 1750. AGI, Caracas, 929.

<sup>49</sup> Castillo Lara, *La aventura fundacional de los Isleños*, 166, 170-171; Ferry, *The Colonial Elite of Caracas*, 144.

poverty and pushed subjects into the black market in increasing numbers.<sup>50</sup> Other subjects felt a similar squeeze on their commercial freedoms. A petition from the citizens of Caracas attributed their plight to living in a dysfunctional province where “there are many sellers and abundant produce, but few or only one buyer.”<sup>51</sup> Clergy complained that tithes and contributions from cacao-producing parishes were insufficient to support their churches.<sup>52</sup> One priest summed up the unintended consequences of increased policing of trade, arguing that closing down ports would “prohibit residents from exporting cacao by way of legal commerce and, as a consequence, open the danger of illicit trade because only criminals (*vasallos de mala ley*) and foreign ships would come to these less-traversed ports.”<sup>53</sup>

Officials from Caracas wishing to impose their will on inhabitants of the Tuy Valley and other primarily Isleño areas met stubborn resistance. The local government, ruled by Lieutenant (*Teniente*) Juan Francisco de León, a cacao planter who had been instrumental in Panaquire’s founding, was incredibly pro-Isleño and reviled the Basques. Governor Lardizabal’s successor, Don José Gabriel de Zuloaga, responded to continued illegal settlement and trade on the banks of the Tuy River by threatening to prohibit cacao cultivation in the area and to redact Panaquire’s charter in 1743.<sup>54</sup> Official investigations

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<sup>50</sup> Here I am building on Robert Ferry’s extensive interpretation of conditions in the Tuy Valley. Ferry, *The Colonial Elite*, 106-139.

<sup>51</sup> Ciudad de Santiago de Leon de Caracas to the King. Caracas. November 19, 1741. AGI, Caracas, 925.

<sup>52</sup> Las Religiosas Dominicanas to the King. Representan los graves perjuicios que se le siguen, por la restricción de buques a que se ha reducido el embarque de cacao en aquella Provincia. Caracas. November 27, 1731. AGI, Caracas, 925.

<sup>53</sup> Memorial de Padre Pedro Díaz Cienfuegos. 1745. AGNV, Diversos, Tomo XXVII, f.2-16 in Castillo Lara, *La aventura fundacional de los Isleños*, 174.

<sup>54</sup> Castillo Lara, *La aventura fundacional de los Isleños*, 167.

hinted at plots to depose or assassinate both Lardizabal and Zuloaga.<sup>55</sup> An uneasy standoff developed as the Basque governors' desire to rein in contraband suffered from Isleño disobedience and local governmental autonomy.

By the end of the 1740s, Panaquire's simmering frustration would boil over into a province-wide rebellion due to new Company attempts to assert governmental control over the Tuy River Valley. On April 3, 1749, Martín de Echeverría arrived in Panaquire to assume the position of prize court judge of the town. As an outside official handpicked by the Caracas Company to judge captured contrabandists, Echeverría's appointment drove the townspeople to revolt. Juan Francisco de León, the lieutenant of Panaquire, met the official and informed him that the town would not allow him to accept Echeverría as a prize court judge.<sup>56</sup> When Echeverría pressed the issue, León's forces fired on him and the latter withdrew. León's rebellion had begun.

The uprising, which lasted from 1749 to the beginning of 1752, can be broken up roughly into four phases. In the first phase, León marched with an army of between six to eight-hundred armed men for Caracas. Three quarters of León's forces were Isleños or Spaniards by ancestry, while the rest were blacks, mulattos, zambos, and a few Indians. Protestors' social classes ran the gamut from wealthy planters, to middling tradespeople,

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<sup>55</sup> Council of the Indies to the King. Madrid. May 25, 1745. AGI, Caracas, 418; Cuestionario de Juan Francisco de León. Caracas. February 8, 1752. AGNV, Insurrección del Capitán Juan Francisco de León, Tomo II, f.266-272 in *Documentos relativos*, 181; Pikaza, *Don Gabriel José de Zuloaga*, 88; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 42.

<sup>56</sup> Juan Francisco de León to Governor Castellanos. Chacao. April 3, 1749. AGI, Caracas, 937; Confesión de Juan Francisco de León. Caracas. February 9, 1752 AGN, Insurrección del Capitán Juan Francisco de León, f.277-284 in *Documentos relativos*, 195.

to slaves.<sup>57</sup> León's forces won this broad base by convincing Venezuelans not involved in cacao production that the expulsion of the Caracas Company would serve their interests as well. One of León's subordinates told a group of "tailors, barbers, cobblers, and other tradesmen" that

though they did not own a cacao hacienda or plant tobacco, by expelling the company they would enjoy benefits in the purchase of their goods and in the compensation for their work. The barber normally given a half *real* for each haircut would now receive two because there would be more money [in the province].<sup>58</sup>

On the other end of the socioeconomic spectrum, León received anonymous letters of support from elite Caraqueños who later fed and sheltered his men when he got to Caracas.<sup>59</sup>

León sent letters of protest ahead of him as he marched airing common grievances. He accused the Caracas Company of impoverishing the province by lowering cacao prices to levels that forced producers to abandon their haciendas. He also charged individual Company officials with setting obscenely high prices on food and goods, smuggling, and generally abusing Venezuelan subjects. León demanded the immediate extinction of the Company and the expulsion of all Basques from the province.<sup>60</sup>

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<sup>57</sup> Auto de Domingo de Aguirre. April 20, 1749 in *Juan Francisco de León: Diario*, 8; Acta del Ayuntamiento de Caracas. April 20, 1749 in *Documentos relativos*, 25, 173.

<sup>58</sup> Confesión de Matias de Ovalle. Caracas. January 5, 1752. AGNV, Insurrección del Capitán Juan Francisco de León, Tomo II, f.228-239 in *Documentos relativos*, 174.

<sup>59</sup> Juan Francisco de León to Governor and Captain General Don Phelipe Ricardos. December 16, 1751. AGI, Caracas, 421. Ferry, *The Colonial Elite*, 148.

<sup>60</sup> Carta de Juan Francisco de León to Governor Castellanos. Chacao. April 19, 1749. AGI, Caracas, 937; Extracto de carta del Gobernador de Caracas. Undated. AGI, Caracas, 418; Juan Francisco de León to Domingo Aguirre. Caracas. November 5, 1749. AGI, Caracas, 418; Interrogatorio. Undated. AGI,

Although the invaders conveyed the appearance of an armed revolt, the initial stages of the León uprising in Caracas occurred in an orderly fashion. By April 19, 1749 León's forces were outside the city limits of Caracas in the Isleño-dominated neighborhood of La Candelaria. As Governor Luis Francisco Castellanos had no standing army, León held him as a *de facto* hostage. Despite the rebels' dominant control of the city, no looting or violence took place.<sup>61</sup> All correspondence and public proclamations from León's men asserted their loyalty to the king and agreed that the uprising's only mission was the destruction of the Company. León and the governor declared a *cabildo abierto* or open town council to voice complaints over the Company. Ninety-seven members showed up for a meeting that normally produced no more than a dozen people.<sup>62</sup> The cabildo's show of solidarity and his own captivity persuaded Governor Castellanos to declare the expulsion of the Company and all Basques. After fifteen days of captivity, the governor disguised himself as a friar and fled to La Guaira on the night of May 3. He immediately joined Company employees, many of whom had already retreated from Caracas. Like ruling officials in the Comunero revolt of 1780-1781 in Colombia, the governor of Venezuela quickly declared all proclamations he had made in Caracas null and void and commenced to wait for reinforcements.

Castellanos's flight changed the dynamics of the uprising. No longer could it simply be classified as a protest, for León's men had run a Crown-appointed official into

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Caracas, 418; El Cabildo, Justicia, y Regimiento de la Ciudad de Caracas to the King. Caracas. January 14, 1750. AGI, Caracas, 419.

<sup>61</sup> Petición del abogado José Pablo de Arenas, a nombre del Capt. Leon y demás vecinos y naturales de la provincia. Undated in *Documentos relativos*, 29-30.

<sup>62</sup> Ferry, *The Colonial Elite*, 148. Morales Padrón, *Rebelión contra la Compañía de Caracas*, 71.

hiding. The correspondences of León and his men thus shifted blame onto the governor for running away and thus leaving the province vulnerable to slave revolts and other tumults. They attempted to legitimize their protests and petitions with the help of notary publics and asked for legal counsel to be brought to them.<sup>63</sup>

Though they continued to petition for an end to the Company and its abuses, the insurgents sensed the urgency of the moment. They blockaded the road to La Guaira to starve Company partisans of inland supplies and fought several skirmishes in late July 1749 with Company troops between the two cities. León's supporters now held Caracas with a force estimated to be between four to seven-thousand men.<sup>64</sup> The arrival of new interim governor Julián de Arriaga and reinforcements in November of 1749 altered negotiations. Arriaga was more conciliatory than Castellanos. He conceded to the rebels that the king would re-evaluate the Caracas Company and fix the worst of its abuses. Shortly after assuming command, Arriaga marched to Caracas and met with León. By this time, the rebel leader's forces had become fearful of the consequences of being labeled traitors. In December of 1749, they were more than willing to take the pardon extended to them by Arriaga as long as the Company's demise seemed assured.<sup>65</sup>

In the second phase of the rebellion, a year and five months of tense peace settled over Caracas. León's army disbanded and went home. Governor Arriaga still worried

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<sup>63</sup> Juan Francisco de León to Governor and Captain General Castellanos. Caracas. Undated. AGN, *Insurrección del Capitán Juan Francisco de León*, Tomo I, f.4 in *Documentos*, 39.

<sup>64</sup> Auto de Gregorio del Portillo, Escribano Público. Caracas. August 1, 1749; Auto del Teniente General Domingo de Aguirre y Castillo. Caracas. August 2, 1749 in *Juan Francisco de León: Diario*, 115-116; Ferry, *The Colonial Elite*, 152.

<sup>65</sup> Domingo de Aguirre y Castillo to Don Julian de Arriaga. December 5, 1749. AGI, Caracas, 418; Fray Don Julian de Arriaga to Sr. Marques de la Ensenada. Caracas. January 14, 1750. AGI, Caracas, 419; Nuñez, *Juan Francisco de León*, 85; Hussey, *The Caracas Company*, 133.

about their potential return. His term ended in May of 1751 with the appointment of his successor Phelipe Ricardos. Ricardos took command and immediately began to execute his orders to capture Juan Francisco de León and his accomplices and re-establish the Company under new terms. Despite more favorable provisions for colonists, the Company's return in any form was intolerable for León and his closest supporters.<sup>66</sup>

The third phase of the uprising saw the destruction of the peace as León began his second uprising by marching toward Caracas in August of 1751. The province was abuzz with rumors of pro-León forces numbering in the thousands in various separate cacao-producing districts. However, this new revolt lacked the crucial support of the elite, who had come dangerously close to being branded traitors by León's first rebellion.<sup>67</sup> This fact, combined with the troops assembled by Arriaga and Ricardos, frustrated León's plans of a second trip to Caracas. León's men ran into forces that the governor had sent to apprehend him and fought a skirmish in the small outlying town of Caucagua, wounding a royal officer. The incident represented the turning point in the second uprising. The governor's troops nearly surrounded León's party. After escaping, León's men, who feared the governor's overwhelming forces, began to desert in large numbers. Their leader escaped capture by catching passage aboard a Dutch ship that transported him east down the Venezuelan coast.

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<sup>66</sup> Testimonio de Bernardo Curbelo, vecino de Victoria. July 1, 1751. AGI, Caracas, 420.

<sup>67</sup> For rumors of the rebel numbers, see Juan Rossel to Governor Phelipe Ricardos. June 27, 1751. AGNV. Insurrección del Capitán Juan Francisco de León, Tomo I, f.132 and Antonio Baez to Governor Don Phelipe Ricardos. Maracay. June 29, 1751. AGNV. Insurrección del Capitán Juan Francisco de León, Tomo I, f. 136 in *Documentos relativos*, 80-81; For reports on the end of elite support for the rebellion see Fray Don Julian de Arriaga y Olivera to Marques de la Ensenada. December 7, 1751. AGI, Caracas, 421. Auto de Domingo de Aguirre. Caracas. October 9, 1749 in *Juan Francisco de León: Diario*, 147-150.

From this point onward the fourth stage of the León Rebellion commenced. The Leonistas began to resemble more a group of hunted men than an army. On September 13, 1751, the governor published a decree offering a reward for the capture of León and his men.<sup>68</sup> The governor's forces pursued the fugitives for more than four months. Finally, in January of 1752, León, who was hungry, beaten down, and tired of running, turned himself in along with several of his supporters and sons. Other rebels were apprehended later. The weary leader wrote in a final letter to Governor Ricardos that the deck had been stacked against him by a government run by Basques who "declared me culpable and...pursued me. They have dishonored me and taken my livelihood as well as that of my sons, my wife, and the rest of the poor in this Valley of Panaquire."<sup>69</sup>

The aftermath of León's rebellion produced tremendous upheaval for both its participants and the province as a whole. Company ships carried León and his sons in chains to Spain. León died of disease in prison shortly after his arrival in Cádiz. His sons served lengthy terms in the presidios of Spanish North Africa. Spanish judges exiled and condemned to forced labor twenty-eight other close confidants of León. The specified destinations of these ardent followers (sentences sent them to presidios and fortifications in Spain, North Africa, Havana, Vera Cruz, and the Canary Islands) confirm the need to separate and isolate the dangerous instigators of unrest. Authorities also executed more than ten Leonistas.<sup>70</sup> In addition to dispensing justice, colonial officials

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<sup>68</sup> Auto de Don Phelipe Ricardos. Caracas. September 13, 1751. AGNV, *Insurrección del Capitán Juan Francisco de León*, Tomo I, f. 387-388 in *Documentos relativos*, 116.

<sup>69</sup> Juan Francisco de León to Governor Don Phelipe Ricardos. December 16, 1751. AGI, Caracas, 421.

<sup>70</sup> Noticia de las Personas que se deben embarcar en los navios, el Pablo Galera y la Concordia que están para hazer viaje a España; en el Don Juan Yturraldi, para Veracruz, y en los que se proporcionen para la

also sought to make an example of León by way of several heavily symbolic gestures. The governor's forces left the heads of several slaves executed for their part in the revolt on León's door during the last days of the rebellion. Preceding the punitive ritual later performed on the memory of the Andean rebel Tupac Amaru, royal officials tore down León's city house in La Candelaria, salted the earth so that nothing would grow on the land, forbid the utterance of his name, and placed a plaque on the site declaring his infamy as a traitor to the king.<sup>71</sup>

Alterations to the colony's defensive strategy followed punishment of rebel instigators. The instability produced by open revolt and continued vitriol directed at the Caracas Company convinced colonial bureaucrats of the need for an increased military presence in the province. Robert Ferry has pointed out correctly that the Bourbon push for standing armies in Spanish America may have origins in the events of 1749-1751 in Caracas rather than the siege of Havana a decade later. After the dust settled from the uprising, Governor Phelipe Ricardos installed a permanent garrison of troops in Caracas at a cost of 100,000 pesos annually. Authorities paid for this contingent, as well as other projects, by more than doubling the *alcabala* tax from two percent on all goods to five

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Havana, e Yslas de Canarias. Caracas. November 14, 1751. AGI, Caracas, 421; Governor Don Phelipe Ricardos to Joseph Banfi. Caracas. March 2, 1752. AGI, Caracas, 421; Nuñez, *Juan Francisco de León*, 95-101.

<sup>71</sup> Don Phelipe Ricardos to Marques de la Ensenada. Caracas. September 11, 1751. AGI, Caracas, 421; Auto de Don Phelipe Ricardos. Caracas. February 5, 1752. AGI, Caracas, 421. Ward Stavig, *The World of Tupac Amaru: Conflict, Community, and Identity in Colonial Peru* (Lincoln: University of Nebraska Press, 1999), 248. The practice of salting the earth of a rebel or traitor's dwelling can be traced back to biblical times. See R.T. Ridley, "To Be Taken with a Pinch of Salt: The Destruction of Carthage" *Classical Philology* 81:2 (1986), 140-146.

percent.<sup>72</sup> No doubt prompted by memories of the chaos of the uprising, successive governors continued to maintain this standing army<sup>73</sup>

Furthermore, the León uprising spurred important administrative reforms. The king and council were now mindful of the province's hatred for the Caracas Company. They made changes to the Company that mandated more imperial oversight to prevent future rebellions. To open up the Company's books and practices, the Crown ordered its headquarters transferred from Pasajes to Madrid. The king also stipulated that a commission consisting of the governor, a Company factor, and a representative (*regidor*) from the Caracas cabildo would set new annual price lists on European goods and cacao. As a result, the price paid to Venezuelan producers for their cacao increased. Mandatory changes also put Venezuelans on the Company's board of directors and allowed them to be stockholders. For Venezuelan producers and merchants, the Crown abrogated the Company's rights to trade cacao with New Spain and reserved one-sixth of all Company ships to transport producers' cacao on their own accounts.<sup>74</sup>

Regardless of these newfound privileges, most Venezuelans still hated the Caracas Company. They viewed it as an outside intruder that prosecuted colonists and their foreign trading partners for their role in the smuggling economy and that attempted

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<sup>72</sup> Ferry, *The Colonial Elite*, 5-6, 247; Rosario Salazar Bravo, *El comercio diario en la Caracas del siglo XVIII: una aproximación a la historia urbana* (Caracas: Fundación para la Cultura Urbana, 2008), 198-199.

<sup>73</sup> Sucre, *Gobernadores y Capitanes Generales*, 277-279.

<sup>74</sup> Real Compañía Guipuzcoana de Caracas, *Real Cedula*, 140-145; Rico Linage, *Las reales compañías*, 27; Estornés Lasa, *La Real Compañía Guipuzcoana de Navegación de Caracas*, 22; Hussey, *The Caracas Company*, 152; Aizpurua, *Curazao y la costa de Caracas*, 180; Morales Padrón, *Rebelión contra la Compañía de Caracas*, 138-139. Supposed plots to monopolize Venezuelan cacao shipping to Mexico and cut Venezuelans out of a cost effective means to transport chocolate to this crucial market had been a frequent worry of Venezuelan planters for most of the eighteenth century. See Eduardo Arcila Fariás, *Economía colonial de Venezuela* (Mexico City: Fondo de Cultura Económica, 1946), 190-205; Ferry, *The Colonial Elite*, 179-190.

to monopolize all trade for itself. Although estimates are problematic, it appears that despite the post-León legal trade opportunities presented to Venezuelans by the reformed Caracas Company, contraband trade occurred with greater frequency given the Company's weakened position.<sup>75</sup> The Caracas Company continued in Venezuela unhindered by further rebellions against its control until its demise in 1784.

It was not revolt, but rather trade liberalization that broke the Company's back. The *comercio libre* (free trade) decrees of 1778 signified a monumental shift in imperial commercial thought. For the first time, a range of Spanish American ports as well as peninsular ones outside of Cádiz and Seville would be able to trade legally with one another without needing to obtain special permission. Key Bourbon reformers involved in the creation of these laws, such as Pedro Rodríguez de Campomanes and José de Gálvez, singled out the Caracas Company as a symbol of commercial backwardness. From the time of his appointment in 1777, José de Ábalos, the first Intendant of Venezuela after the reorganization of the Spanish Imperial bureaucracy, argued that demolishing the Company would unleash Venezuela's economic potential.<sup>76</sup> On the heels of the *comercio libre* decrees, the Crown retracted the Company's monopoly over

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<sup>75</sup> Luis González F. estimates that 20,000 fanegas of cacao left Venezuela illegally in 1761 in González F., *La Guayra*, 118; Joseph Luis de Cisneros, *Descripción exacta de la provincia de Venezuela* (Caracas: Academia Nacional de la Historia, 1981 [1764]), 131-164; Vivas Pineda, *La aventura naval*, 212.

<sup>76</sup> For information on Galvez and Campomanes's opposition to the Caracas Company see María Teresa Zubiri Marín, "Etapa final y caída de la Compañía Guipuzcoana de Caracas (1777-1785)" *Pedrales: revista d'història moderna* (1991): 158-161; Vivas Pineda, *La aventura naval*, 36; Hussey, *The Caracas Company*, 277; For Abalos's objections see Manuel Lucena Giraldo, Introduction to *Premoniciones de la independencia de Iberoamérica: Las reflexiones de Jose de Ábalos y el Conde de Aranda sobre la situación de la América española a finales del siglo XVIII*, ed. Manuel Lucena Giraldo (Madrid: Fundación Mapfre Tavera, 2003), 26; María Teresa Zubiri Marín, "José de Ábalos, primer intendente de Venezuela (1777-1783)" *Boletín Americanista* 30:38 (1988): 297.

Venezuela's cacao trade in 1781. This was the death knell for an organization that had ceased to be profitable a decade earlier.

### **Ideologies of the Insurgents**

The petitions and correspondence of the León rebels demonstrated complex and cohesive economic, moral, commercial, and communal belief structures. In his study of peasant unrest in colonial Mexican villages, William Taylor has noted that “in unstable circumstances many social elements that are taken for granted in everyday life, such as ideologies and social values, rise to the surface of consciousness and are documented in written records.”<sup>77</sup> Unlike many insurgents, León and his forces had the time and space to express, in many cases through their own words, what their protest meant to them. Their writings and actions showcased at least four worldviews. These ideologies testify to the complexity of the revolt and also reveal the transformative impact that contraband trade had on Venezuela.

First, the abundance of smuggling in Venezuela produced a distinctive brand of economic thought that was both reactionary and forward-thinking. On one hand, citizen petitions both before and during the rebellion called for a return to the pre-Company days of limited metropolitan commercial involvement in the region. Despite an appalling lack of legal trade in the late seventeenth and early eighteenth centuries, few subjects complained of the way things had been before the rise of the Basque venture. Rather, a

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<sup>77</sup> William Taylor, *Drinking, Homicide and Rebellion in Colonial Mexican Villages* (Stanford: Stanford University Press, 1979), 9.

1750 Caracas cabildo petition called for the return of register ships as the only trade from Spain.<sup>78</sup> It was the unstated assumption of the cabildo's request that the reappearance of this system would lead to an economy dependent on smuggling.

At the same time that illicit trade's hold on the province produced a certain intransigence toward change, it also, paradoxically, pre-figured the liberalization of trade to come in most of the Caribbean. Juan Francisco de León's own designs for an ideal trade system harbored many of the principles of free trade. He believed that Venezuelan-produced cacao should find its way to market by the most expedient means. In return, goods should come to Venezuela from many separate places but with no obligation for Venezuelans to buy any of them.<sup>79</sup> Others colonists spoke of the benefits of a plurality of merchants in commercial matters.<sup>80</sup> These tendencies toward unrestricted commerce were not lost on the governor of Venezuela, who noted that "untold numbers of Canary Islanders are vendors and petty merchants. They are, in my eyes, the contrabandists of the coast and it is liberty that they love. As the majority of them are not married, nor in possession of haciendas, they foment revolt with little risk."<sup>81</sup>

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<sup>78</sup> El Cabildo, Justicia, y Regimiento de la Ciudad de Caracas al Rey. Caracas. January 14, 1750. AGI, Caracas, 419; Extrato de las quejas que ha havido de Caracas de el establecimiento de la Comp. Guipuzcoana sobre perjuicios que esta causa a aquellos naturales y vecinos de las resoluciones tomadas por el Rey, y el Consejo hasta el estado en que oy se halla esta grave asunto con expresion de las Prohibiciones antezedentes que del año de 1720, estaban dada para la practica de aquel comercio. Madrid. September 2, 1749. AGI, Caracas, 419.

<sup>79</sup> Representación de León. Undated. AGN, Insurrección del Capitán Juan Francisco de León, Tomo I, f. 119-126 in *Documentos relativos*, 72-74.

<sup>80</sup> Extrato de las quejas que ha havido de Caracas de el establecimiento de la Comp. Guipuzcoana sobre perjuicios que esta causa a aquellos naturales y vecinos de las resoluciones tomadas por el Rey, y el Consejo hasta el estado en que oy se halla esta grave asunto con expresion de las Prohibiciones antezedentes que del año de 1720, estaban dada para la practica de aquel comercio. Madrid. September 2, 1749. AGI, Caracas, 419.

<sup>81</sup> Arriaga to Sr. Don Joseph Banffi. Caracas. February 25, 1750. AGI, Caracas, 418.

It is worth noting that though Venezuelans' commercial *modus operandi* involved trade with foreigners, they maintained fidelity to the monarchy and the conventions of the Spanish legal system. The rebels did not see their protest as treasonous. Like the Comunero or Quito rebels to come, the rebels appealed to an earlier governing pact that legitimized limited self-government and the right to rise up when entities outside the monarchy challenged community rights. For Spanish Americans, this threat existed in Bourbon policies which altered their position in the transatlantic relationship from one of equal kingdoms in a monarchy to the more pejorative status of colonies in an empire.<sup>82</sup> The Caracas Company's burdensome presence in the province only highlighted for Venezuelans the need to cut out this cancer. Doing so would reaffirm their proper role in the Hispanic world to which they felt affinity. Hence rebels, in the very act of surrounding the governor's palace, pledged that for the king "we sacrifice and will continue to sacrifice our throats."<sup>83</sup>

The insurgents also obsessed over the notarization and legal representation of a nearly bloodless uprising. They called together committees (*juntas*) of Caracas's most elite subjects to confirm the legitimacy of their protests. Juan Francisco de León even sent one of his lieutenants, Miguel de Fuentes y Abreu, on a voyage to Spain to deliver petitions directly to the king. Ironically, the governor of Cuba captured Fuentes y Abreu's papers, which proclaimed the loyalty of the supposed insurrectionists to the

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<sup>82</sup> Phelan, *The People and the King*, xviii; McFarlane, "Rebellions," 319, 323, 330.

<sup>83</sup> Copias de Cartas de Juan Francisco de Leon al Sr. Gefe de Esquadra, Sr. Fray Julian de Arriaga. November 29, 1749. AGI, Caracas, 418.

Crown, en route across the Caribbean and prevented them from reaching Madrid.<sup>84</sup>

Though they carried weapons, the insurgents clearly believed that the nature of their actions differed little from sending a complaint letter to the king

Second, the León rebels legitimized the decision to take up arms by claiming that they were bound by conscience to protect the province's moral economy. Petitions to royal officials or the king could not directly advocate unrestricted commerce with foreigners. This kind of appeal would brand the petitioners as lawbreakers. Yet León's insurgents, both before and during the rebellion, spoke of smuggling as a necessary means of sustenance for the impoverished. Descriptions of the province emphasized its residents as desperate. The Caracas cabildo pleaded for the delivery of "the most moderate and limited clothing and necessary and indispensable foodstuffs like bread, wine, and olive oil."<sup>85</sup> León noted that prices for cacao had dropped so low that Isleños were selling off their now useless haciendas to the Company at fire sale prices.<sup>86</sup> Such accounts displayed a powerful sentiment that the stranglehold on licit and illicit trade had transgressed commonly agreed-upon thresholds of economic justice. Though he viewed the uprising with horror, interim Governor Julian de Arriaga seconded León's views on the detrimental consequences of low cacao prices. The magistrate asked Company merchants whether ruined hacendados could now afford even "a hat for themselves or a

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<sup>84</sup> Junta. Caracas. April 22, 1749. AGI, Caracas, 937; Francisco Caxigal de la Vega, Governor of Cuba, to Sr. Marques de la Ensenada. Havana. July 23, 1749. AGI, Caracas, 423.

<sup>85</sup> Acta de la Asamblea que celebraron los Notables de Caracas en la Sala del Ayuntamiento. April 22, 1749. AGN, Insurrección del Capitán Juan Francisco de León, Tomo I, f. 19-29 in *Documentos relativos*, 32-33.

<sup>86</sup> Interrogatorio de Juan Francisco de León. Undated. AGI, Caracas, 418.

shirt for their sons.”<sup>87</sup> One parish priest explained the rebellion through scripture: the Israelites asked for relief from oppressive taxes imposed by Solomon’s son Rehoboam and rebelled when their demands were not met. “The people ask for justice” wrote the priest. “Allowing oppression to breathe will incline them to rebellion.”<sup>88</sup> Abrogation of a commercial sense of fairness justified smuggling and popular protest and thus challenged the perceived immorality of both offenses.

Evidence of rebel dependence on the Dutch demonstrates a third ideological strain: that of commercial autonomy nurtured by smuggling and material need. Anxieties about the participation of Dutch forces from Curaçao peppered royal correspondence on the León Rebellion. The Dutch ferried arms, supplies, and food to the rebels via the Tuy River in exchange for cacao.<sup>89</sup> They assaulted Caracas Company ships and broke up blockades at the mouth of the river.<sup>90</sup> In 1751 during the height of the manhunt for Juan Francisco de León, Dutch smugglers combined with their English counterparts to rout and capture several Spanish coastguard patrols closing in on León. The rebel leader escaped to safety aboard one of the Dutch vessels.<sup>91</sup> Venezuelan governors and Company officials alike blamed the Dutch for agitating the rebellion and sent spies to

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<sup>87</sup> Don Julian de Arriaga y Rivera to Don Juan Manuel de Goyzueta & Don Mathiais Urroz, factors of the Compañía Guipuzcoana. Caracas. March 29, 1750. AGI, Caracas, 418.

<sup>88</sup> Doctor Don Manuel de Sossa y Betancurt to Governor Castellanos. Caracas. July 25, 1749 in *Juan Francisco de Leon: Diario, 1749*, 96-97.

<sup>89</sup> Governor Don Phelipe Ricardos to the Marques de la Ensenada. Caracas. September 11, 1751. AGI, Caracas, 421; Declaracion de Don Liendo Manuel de Agreda. Caracas. September 3, 1751. AGI, Caracas, 420.

<sup>90</sup> Testimonio de Phelipe Niman, residente de Capaya. August 24, 1751. AGN, Insurrección de Juan Francisco de León, Tomo I, f.368-369 in *Documentos relativos*, 107.

<sup>91</sup> Morales Padrón, *Rebelión contra la Compañía de Caracas*, 114.

Bonaire and Curaçao to gather intelligence.<sup>92</sup> Independent of Spanish imperial regulations, Venezuelan smugglers-cum-rebels contracted with the Dutch for trade in peacetime and for firepower in wartime. The insurgents' reliance on their non-Spanish Caribbean neighbors as arms dealers and naval muscle demonstrates the close, symbiotic relationship that Venezuelan coastal inhabitants shared with foreign traders and their independence from legally-sanctioned modes of trade.

Fourth, the León Rebellion highlights smuggling's importance in the gradual evolution of a place-bound creole identity. As Venezuelan subjects began openly to protest the Caracas Company's involvement, the accompanying unrest forced them to define more clearly who they were and what they stood for. They identified the Company and Basques as a whole as outsiders to their community. Isleños countered characterizations of themselves as petty criminals by demonizing the Basques. Public pronouncements and correspondence of the León rebels spoke of the Basques as a generally immoral, arrogant and violent lot. Their testimonies outlined moral crimes committed by Basques and their dependents against Venezuelans including the rape of women, poisoning of Venezuelan sailors working aboard Company ships with rotten food, and the torture of prisoners. León went so far as to place blame for the 1730 rebellion of Andresote squarely on the shoulders of the Basques. According to him, the uprising was in part revenge for an incident in which a group of Viscayans broke into

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<sup>92</sup> D. Felipe Ricardos to the Marques de la Ensenada. Caracas. September 11, 1751. AGI, Caracas, 421; Real Compañía Guipuzcoana de Caracas, *Manifiesto*, 2f.

Andresote's house, beat him, tied him up, and then raped his wife and daughter.<sup>93</sup> "Long live king and death to the *Viscainos*" became a frequent refrain of the León insurgents.<sup>94</sup>

By attempting to expel the outsiders, the revolt's participants gained a clearer sense of communal self.<sup>95</sup> Nicolás León, Juan Francisco's son, wrote that "we are obliged to defend our homeland (*nuestra patria*) because if we do not, we will be made the slaves of all others" Rhetorically, the rebels freely employed the term "patria" to denote shared rights and privileges (among them commercial liberties) that had to be defended.<sup>96</sup> We must resist the teleological urge to completely equate their use of this word with the proto-nationalism that it would come to represent during the independence period. Many separate developments over the next sixty years would influence Venezuelan identity irrespective of smuggling or the León Rebellion. However, it seems safe to assume that León's rebellion, the largest popular protest in Venezuela before the independence period, nurtured a creole identity that upheld commercial separation from the metropole.

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<sup>93</sup> Interrogatorio. Undated. AGI, Caracas, 418; Juan Francisco de Leon to the Governor and Captain General Don Phelipe Ricardos. December 16, 1751. AGI, Caracas, 421.

<sup>94</sup> Certificacion de Manuel de Salas, Thesorero y Lorenzo Rosel de Lugo, Contador de la Real Hacienda. Caracas. April 22, 1749. AGI, Caracas, 937. This rallying cry treaded on the well-worn turf of "Long live the king and death to bad government" slogans of the past.

<sup>95</sup> William Taylor has demonstrated the importance of outsiders as enemies within tight-knit communities. Resisting the outside world provided rural villages with a common sense of identity from which rebellion sprung. I extend Taylor's argument to encompass not just individual villages, but entire coastal regions of the Province of Venezuela. Joseph Perez's work compares the León rebels to the Comuneros of Paraguay and finds that both chose to represent themselves as place-bound corporate entities as a result of their opposition to those who would retard their economic opportunities. See Taylor, *Drinking, Homicide and Rebellion*, 153; Perez, *Los movimientos precursores*, 41-44.

<sup>96</sup> Nicolás León to Sr. Cápitan Don Santiago. Caucaua. August 17, 1751. AGN, Insurrección del Capitán Juan Francisco de León, Tomo I, f.188 in *Documentos relativos*, 88; Nuñez, *Juan Francisco de León*, 62.

## **Conclusion**

The uprising of Juan Francisco de León, though short in duration and largely non-violent, cast a long shadow over Venezuelan commercial and political affairs. While labeling the event itself a failed independence movement or even a precursor to the independence struggle grossly overstates its place in Venezuelan history, the rebellion did represent the distillation of major tensions within the province. Smuggling informed creole constructions of moral economy, independent trade, and autonomous local identity that in turn inspired Venezuelan subjects to rise up against the Caracas Company and the royal government. These salient issues continued to loom on the political horizon as Spanish America came ever closer to independence.

Although most Venezuelans would identify themselves as Spanish in the grand scheme of empires, the León Rebellion and its aftermath affirmed a corporate identification bound to the province more than to the mother country. Nicolás León, one of Juan Francisco de León's surviving sons, demonstrated such an orientation years after the rebellion. In 1773, Nicolás reappeared in Spanish imperial documents. After nineteen years of forced service in the presidio of Oran in Spanish North Africa for his role in his father's revolt, Nicolás requested his freedom to return to Venezuela. He asked for clemency, but never directly apologized for his father's actions and lionized Juan Francisco's role in the foundation of Panaquire. Nicolás continued to emphasize the respectability of the family line, bragging that relatives held prestigious positions as priests and army captains. He most likely mentioned such honorable occupations as he

felt they would erase any perceived stain added the family legacy by the punishments visited upon his father. Nicolás received permission to leave and to regain his family's lost land. In spite of the time that had passed, the connections he had lost, and the opportunity to make a fresh start in Spain, Nicolás de León chose to return to his boyhood home in 1773.<sup>97</sup>

While the Caracas Company that had jailed Nicolás and his father faced no more challenges to its rule from armed masses after the 1749 revolt, grievances over the monopoly lurked just beneath the surface of political discussion. In 1780, José de Ábalos, the first Intendant of Venezuela, summarized the anxiety produced by the Company's continued disturbance of creole economic aims and subsistence practices:

The name of the King, of his ministers and of all Spaniards is heard by the leaders of this country with the greatest disgust, aversion and dislike simply on account of the Company, which seems to them to be the original sin which gives rise to their wrongs. And truly this error seems at times excusable; in a sense it is true that they suffer a kind of slavery, enjoying no benefit from the operations of the Company, and oppressed by the necessity to put through its miserly hands those few products which they are able to cultivate, after seeing lifeless and buried the multitude of other products which ought to flourish in the province of the great gain of the Royal Treasury, the outstanding good of the State and the immense profit of both continents. The woeful and rancorous tone of their laments increases daily, and unless his Majesty grants them the open trade for which they sigh he can no longer count on the fidelity of these vassals, since they will lend their ears and hearts to any hint and help offered them by the Crown's enemies, and it will be impossible or very difficult to cure this ill. This is not an empty prophecy, but the forecast of one who knows the country well.<sup>98</sup>

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<sup>97</sup> Extracto de la carta de Nicolás León. San Lorenzo. November 15, 1773. AGI, Caracas, 421; To Don Francisco Nuñez Ybañez. July 16, 1774. AGI, Caracas, 421.

<sup>98</sup> José de Ábalos to José de Galvez. September 27, 1780 in Morón, *A History of Venezuela*, 85.

Ábalos smartly argued for the destruction of the Company until its demise in 1783. The intendant understood that unrestricted trade and autonomous commercial connections had become central to the moral economy of coastal dwellers.

One final anecdote about the León Rebellion underscores the interconnectedness of Venezuelan society, smuggling, and political protest in the twilight of Spanish rule. As mentioned earlier in this chapter, one of the punitive rituals of crushing León's uprising involved tearing down the leader's house and erecting a plaque on the site to mark his treachery. Almost sixty years later, on September 20, 1811, two articles ran in the *Gaceta de Caracas* detailing a request from the director of public works for the province to remove the plaque. One of these articles, written only two months after Venezuela's congress had declared independence from Spain, noted that the plaque had been erected many years before,

to unjustly stain the memory of Juan Francisco de León. He led those valiant men that tried to throw off the heavy mercantile yoke from which the avarice and despotism of the Spanish kings monopolized the commerce of these provinces. This they did by way of the unscrupulous Compañía Guipuzcoana, under whose exclusive privileges Venezuelans groaned for more than forty years.<sup>99</sup>

Despite the passing of more than a half century, León's rebellion and its significance remained fresh in Venezuelan popular memory.

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<sup>99</sup> "Decreto," *Gaceta de Caracas*, September 20, 1811 in *Gaceta de Caracas*, vol. 3 (Caracas: Academia Nacional de la Historia, 1983); "Demonstración Patriótica," *Gaceta de Caracas*, October 15, 1811 in *Ibid.*

## Conclusion

In a recent meditation on the field of Atlantic history, Bernard Bailyn reflected that:

of that economy [the Atlantic economy] much is known, in term of the magnitudes and chronology of the flow of goods, the size of markets and productive capacities. But one wants to know more, not so much of statistical aggregates as of the shaping circumstances, inner processes, and patterns of entrepreneurship that developed in response to the opportunities that appeared.

Essentially, Bailyn urged historians to focus on the traders populating the early modern world, rather than the size and shape of their trade. But the influence of commercial actors on the communities where they operated is at least as important an omission as the scholarly gap Bailyn identifies. The manner in which merchants and peddlers conducted business, along with how governments regulated their actions, determined commercial and material conditions for everyday subjects. Through the prism of eighteenth-century Venezuela, this dissertation has sought to address the social dynamics of illicit transnational commerce at the regional and community levels.

Records of smuggling allow historians to see how people from all walks of life connected to the Atlantic World in very concrete ways. When used without care, the “Atlantic World” can be a nebulous term that disregards specific historical contexts and circumstances in the pursuit of transnational and transcultural commonalities.<sup>1</sup> However, the criminalized nature of unlicensed inter-imperial trade produced reams of documents

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<sup>1</sup> Pierre Gervais, “Neither imperial, nor Atlantic: A merchant perspective on international trade in the eighteenth century,” *History of European Ideas* 34 (2008): 468-469.

that trace the relationships and motivations of traders. These records also identify the benefits and consequences of covert commerce for host communities.

As representative examples of peripheral subjects, foreign and domestic smugglers circulating around Venezuela used Atlantic and, more specifically, circum-Caribbean markets to satisfy tangible needs that their empires of origin failed to fulfill. Trade-starved Venezuelans yearned for the sustenance and comfort that European-manufactured food and clothes provided. Merchants from many nations hoped to make a profit by discretely siphoning lucrative cacao from the Venezuelan coast. Rootless maritime workers conceived of smuggling as a preferable occupation to work in the plantations and navies of the Caribbean.

Additionally, participants in contraband trade utilized wide-open Atlantic sites of exchange to accomplish more complex objectives. Both Spanish and non-Spanish subjects gained some measure of commercial self-determination to shield them from metropolitan designs of empire composed of extractive and unequal colonial relationships.<sup>2</sup> Particularly for Venezuelans marginalized by the Caracas Company, smuggling eased the burdens of economic oppression while the foreign contact it provided helped sustain rebellion against Company rule. On the other side of the equation, Spanish imperial administrators ambivalently relied on smuggling to pacify subjects, to sustain valuable merchant communities, and to line their own pockets with

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<sup>2</sup> Writing about the trade policy of the British and Spanish Empires, John Elliott observes that both powers held “the same set of assumptions about the proper relationship of overseas settlements to the mother country. This was to be an relationship in which the interests of the settlements were ruthlessly subordinated to those of an imperial metropolis bent on identifying and developing in its transatlantic possessions those economic assets that most nearly complimented its needs.” John Elliott, *Empires of the Atlantic World: Britain and Spain in America, 1492-1830* (New Haven: Yale University Press, 2006), 114.

the spoils of corruption. Curiosity about these intricate aims has spurred this dissertation's attention to the minutia of clandestine exchange. The seemingly trivial details of how disparate subjects traded, in fact, helped them realize their broader aspirations.

The documented travails of international smugglers provide an appraisal of how little imperially-defined understandings of commercial borders influenced the interactions of mobile subjects. One measure of foreign penetration into Venezuelan commerce was the familiarity between interlopers and Spanish subjects. Dutch smugglers knew the contours of the Venezuelan coast as if it was their own dominion and counted Venezuelan coastal inhabitants among their most habitual business associates. Likewise Spanish coastal residents found hospitality on foreign shores and collaborated with non-Spanish traders in devising elaborate ruses to avoid prosecution.

In contrast to this familiarity, Spanish judges seemed largely ignorant or unconcerned about how Dutch, English, and French illicit traders operated or why they had come to the province. The reader of prize court records notes a certain awkwardness in watching multiple empires come into contact. Scribes fumbled with and egregiously misspelled foreign names. In many cases, investigators immediately assumed that foreign traders were spies or the vanguard of an invasionary force, marching in lockstep with their empire's intentions. Ideas of what constituted contraband also varied tremendously between the accuser and the accused. Mostly these misunderstandings sprung from the legal pluralism of the multi-imperial Caribbean. As the political scientist Moisés Naím observes regarding contemporary global smuggling, "illicit trade is a type

of crime. After all, illicit trade by definition takes place outside the rules. But herein lies a complicating problem: *whose rules?*<sup>3</sup> The shock of crossing imperial jurisdictions and questions of “whose rules” infused the tenor of prize court proceedings.

The battle between Spanish commercial enforcement officials and smugglers over the traversing of artificial borders highlights the plebian cosmopolitanism produced by black-market trade. Subjects of multiple empires ended up in places that they should not have been according to the logic of imperial and nation-state-driven historiographies. Through commerce, Sephardic Jews renewed family connections, which stretched across separate linguistic and cultural zones. Slaves passed through multiple slave societies as illicit traders or as contraband cargo themselves. The Spanish penal system shipped condemned foreign smugglers all over the empire to begin new lives as laborers or soldiers. By contrast to the English gentlemen adventurers and merchants of Allison Games’s work on cosmopolitans, smugglers in the seas around Venezuela came from much less elite backgrounds and often crossed imperial boundaries against their will.<sup>4</sup>

Yet, the many social themes of Spanish American colonial historiography that wind their way through tales of clandestine trade demonstrate that the practice was more than just a handful of rogue sailors evading taxes. Previous treatments of illicit commerce have done it a disservice by marginalizing its stories as exceptional or analyzing it solely as a numbers game. This dissertation’s chapters alone have touched on interpersonal relationships in the colonial period, including the power of kinship, the

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<sup>3</sup> Moisés Naím, *Illicit: How Smugglers, Traffickers, and Copycats Are Hijacking the Global Economy* (New York: Doubleday, 2005), 184.

<sup>4</sup> Alison Games, *The Web of Empire: English Cosmopolitans in the Age of Expansion, 1560-1660* (Oxford: Oxford University Press, 2008).

importance of material culture in criminality, and multiple interpretations of political corruption. It has also situated smuggling within the legal history of slavery, freedom, and overlapping imperial jurisdictions. Additionally, this study has discussed points of political conflict such as Bourbon efforts to strengthen the central state's presence, friction between royal authority and local power structures, and the reasons for colonial rebellion. Smuggling's consequences clearly factor into how Spanish imperialism existed on the periphery.

The obfuscation of outdated, yet still powerful, Spanish commercial codes colored this existence. Broken or disregarded laws that still have the force and authority of the state behind them can produce a strange and elaborate kabuki theater. Citizens devise complicated and evasive measures to transgress legal statutes while still evading prosecution. In time, common people become adept at eluding the law and come to think of this subversion as a normal, natural course of events. They find law enforcement officials more immoral than their crimes. Indeed, they see fines and other punishments as just the costs of doing business. From paying off police officers and public officials in the drug trade to paying recruits in college athletics, modern citizens navigate archaic systems that have lost their meaning just as adroitly as early modern subjects once did.<sup>5</sup>

However, if obsolete regulations continue to be enforced by officials, their shelf life and human consequences can be long-lasting. As prize court sentences demonstrate,

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<sup>5</sup> Jorge Salcedo, "What I saw in the inside the Cali drug cartel," *CNN.com*, January 18, 2012, Accessed April 1, 2012, [http://www.cnn.com/2012/01/18/opinion/salcedo-first-person-account-drug-corruption/index.html?hpt=hp\\_bn2](http://www.cnn.com/2012/01/18/opinion/salcedo-first-person-account-drug-corruption/index.html?hpt=hp_bn2) ; Taylor Branch, "The Shame of College Sports," *The Atlantic*, October 2011, Accessed April 1, 2012, <http://www.theatlantic.com/magazine/archive/2011/10/the-shame-of-college-sports/8643/>

the Spanish commercial codes maintained their power to discipline offenders long after they became ineffective as safeguards against foreign intrusion. Convicted contrabandists faced dislocation, long periods of forced labor or military service, and occasionally capital punishment even though their trade with Venezuelan subjects was commonplace. Clashes between foreigners and royal or Caracas Company coastguards put these inhabitants in the crossfire of an undeclared warzone. As this dissertation has shown, though inter-imperial trade was a victimless and casual practice, its criminalization opened up a Pandora's Box of violence and retribution.

Faced with this extreme on one hand and the dearth of legal trading options on the other, Venezuelans, like many subjects in the peripheral Americas, negotiated their place within criminal structures. They followed the tenets of what Shannon Dawdy has termed "rogue colonialism" by using contraband trade and other practices technically outlawed by the state to assure their autonomy even while they upheld their loyalty to the Spanish Crown.<sup>6</sup> Some maritime workers became full-time professional smugglers committed to the business. Other people, like petty producers, availed themselves of the black market only occasionally to pick up a few supplies for personal consumption. Coastal communities informally settled upon acceptable levels of criminality and corruption and punished smugglers and officials alike who transgressed these norms. Ultimately,

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<sup>6</sup> Dawdy writes that "The Americas, in particular, were dotted with counter-colonial fiefdoms and syndicates just as likely to be operated by disloyal Europeans as by indigenous natives, creoles, pirates, or maroons... these pockets were connected by intricate, intercoastal networks that in many ways disregarded the mainstream of the Atlantic world. Thus, my more global argument is that colonialism frequently creates conditions that foster not only cultures of resistance, but also circuits of seditious power and contraband flow—what one might, without irony, call *rogue colonialism*." Shannon Lee Dawdy, *Building the Devil's Empire: French Colonial New Orleans* (Chicago, University of Chicago Press, 2008), 4.

smuggling in eighteenth-century Venezuela illustrates the tension most characteristic of colonialism: mainly that replicated societies eventually become self-sufficient and self-aware.

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