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The Spanish Empire, 1500–1898

Christian G. De Vito

Introduction

Scholars have paid relatively little, fragmented and discontinuous attention to the history of convict transportation in the Spanish Empire. The extensive literature on the galleys includes insights and figures on the convicted rowers but does not specifically address galley servitude as a form of convict transportation. Similarly, the important studies available on the legal system in distinct parts of the Spanish monarchy hardly look specifically at sentencing, let alone at the spatiality of punishment. And whereas single episodes and flows of nineteenth-century deportation have been addressed, even the few attempts to provide overviews have disproportionately focused on political deportees. Only two syntheses centred on convict transportation are available to date: Ruth Pike's pioneering study on penal servitude in early modern Spain, published in 1983, and Lauren Benton's more recent chapter in *A Search for Sovereignty*.¹ Both focus on the flows directed to the *presidios*, or military outposts, in the five decades between the end of the Seven Years War (1756–1763) and the beginning of the process of Latin American independence (1810s–1830s).

The history of convict transportation in the Spanish Empire, however, is much longer and includes a broader range of punitive regimes. The first two sections of this chapter take this expanded chronological and thematic frame in order to offer an overview, and to provide, respectively, a general description and periodization of the various forms of convict transportation and a preliminary evaluation of the quantitative scale of the phenomenon as a whole. In the subsequent sections I use the *presidio* perspective to explore aspects of convict transportation that can be equally investigated in relation to other mobility-oriented punishments. First, I seek to provide a comprehensive description of convict flows to the *presidios* and relate them to the structure of the Spanish Empire. I then foreground the distinctiveness of each route

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and the variety of groups of prisoners transported along different routes and standing in each destination, and point to the entanglements and disentanglements between the convict voyages and the journeys of other migrants. Finally, I address the relationship between the process of sentencing, the destinations of transportation and agency, and the role that punishment-related spatial mobility played in the lives of the convicts. All in all, the chapter foregrounds the way convict transportation was shaped by, and in turn impacted on, the structures, spatiality, conceptualizations and goals of the empire – a point that I especially highlight in the concluding section.

Four centuries of mobility-oriented punishments and empire building

Starting in the sixteenth century and up to 1898, and even further, well into the twentieth century, tens of thousands of convicts were transported across the dominions of the Spanish crown.² With a few late nineteenth-century exceptions, however, virtually none of them were destined to convict-only penal colonies like those the British created in Australia and the French in Guiana (see Hamish Maxwell-Stewart and Jean-Lucien Sanchez in this volume). Rather, the destinations of penal transportation in the Spanish Empire were mixed-environments where convicts and other free and coerced individuals co-existed. Moreover, the Spanish experience of convict transportation cut across multiple punitive regimes, each with its own time-span and distinct spatiality. Both characteristics should be understood against the background of the structure and conceptualization of the Spanish Empire. This was not a maritime empire like those created by the Dutch and the English East India Companies, based on the possession of coastal colonies connected to each other by sea routes; on the contrary, it was a polycentric monarchy organized for the control of vast in-land territories in order to exploit directly natural resources and the extensive native labour. Thence the priority assigned to three types of punitive destinations and settings that convicts shared with other imperial subjects as part of broader networks of dependency: those connected to the defence system (galleys and *presidios*); those imbricated prioritarly in the exploitation and disciplining of the native populations, and the workforce more generally (mines and *obrajes*, or textile manufactures); and those related to the practice of banishment, which served the double purpose of removing undesired subjects from certain territories and increase the moral and material control on the remaining populations.

Banishment proved the most long-lasting punishment, with its late medieval roots and its extension into the nineteenth and twentieth centuries, when it overlapped with administrative expulsion decided upon by governors general and other officials. In its original form, it involved the removal of male and female individuals from a determinate place or region for a limited period or for life. Characteristic of the early modern period were also other punitive regimes that included various degrees of geographical relocation. Sentencing male convicts to the Mediterranean galley fleets, in order to serve alongside enslaved and voluntary rowers (*buenas boyas*), was

the single most important punishment from the mid-sixteenth to at least the mid-seventeenth century.³ This involved extensive and repeated transportation across the Crown's Mediterranean dominions: Spain, Sardinia, the viceroyalties of Naples, Sicily and Milan, and the so-called State of the *Presidios* in coastal Tuscany. As mobile military and punitive environments, the galleys set the convicts centre-stage in key sites of confrontations between Spain and the Ottoman Empire, European policies and privateers. Similarly, convicts from various Spanish American viceroyalties (and more rarely from Spain itself) formed the majority of the rowers of the galleys that made up the most important instrument of Spanish defence in the Caribbean, the Pacific coast of the Viceroyalty of Peru and the Philippines during the second half of the sixteenth and the early seventeenth centuries.⁴

Starting in the first half of the seventeenth century, multiple processes converged to make the *presidios* significant destinations of penal transportation. The shift from maritime to land defences led increasing numbers of male convicts to be assigned to the North African and New World *presidios* rather than to the galleys. These flows initially included only elite exiles forced to join the *presidio* garrisons. As the seventeenth century progressed, however, non-elite convicts were more and more frequently destined to those military outposts in connection with two mechanisms: they might be impressed in the army, as primary punishment or as commutation of other punishments; or they might become *presidarios* following sentences that obliged them to work in the building of military infrastructures.⁵ Both utilitarian punishments developed slowly until the end of the seventeenth century, but the number of convicts transported to the military outposts increased as rules were issued for the major (especially North African) *presidios* in the first half of the eighteenth century, in relation to the reforms introduced by the new royal family: the Bourbons.⁶ Then, between the Seven Years War and the independence of the Latin American territories from Spain (1810s–1830s), a momentous growth took place and sentences and impressment to military outposts reached their zenith.

Coexisting with these transformations was the practice of transporting male convicts to serve in the mines.⁷ These flows of penal transportation were organized regionally, but their main destinations across the empire were part of the same productive chain, for the mercury of the Almadén mines, in Spain, was necessary to the extraction of silver in the mines of New Spain and, to a lesser extent, Peru. In those New World's viceroyalties convict transportation was additionally linked to another important flow of goods that connected the Crown's dominions. Namely, male and female (mainly native) convicts formed part of the workforce of the *obrajes*, where woollen clothes were produced that were subsequently sold in the port cities of New Spain and in Lima and eventually reached also Spain.⁸

Especially during the second half of the nineteenth century, the deep changes in the structure and geography of the empire triggered by the independence of Latin America, the demographic transformations within the remaining territories and the (contested) rise of liberalism in Spain, led to the growing differentiation of the urban and borderland contexts and to a overall specialization of the punitive system.⁹ On the one hand, urban *presidios* became the basis for a system of punishment based on incarceration and extramural work. There, the Spanish term *presidio* itself gradually

changed its meaning: from military *presidio* to penal *presidio*, that is, from military outposts with a mixed population to convict-only penal institutions. In parallel with this process, the employment of convict labour also shifted from military-related infrastructure to urban public works. On the other hand, after the independence of Latin America, in the borderlands convict transportation became more directly connected to colonization, rather than to defensive- and labour-discipline related functions. In this new context, and building explicitly on nineteenth-century British, French and Russian experiences, some penal colonies were established in the southern islands of the Philippines and disciplinary units were formed in the Philippines, the Mariana and Carolina islands and in Cuba to separate deserters and military convicts from the other soldiers, and employ them in reclaiming land and building infrastructures.¹⁰ Further plans were also drawn to create penal colonies elsewhere, for example on the island of Fernando Poo, in the Gulf of Guinea, in the same period as the Portuguese re-established their *Depósito de Degredados* in Luanda (see Timothy J. Coates in this volume). They were especially connected with the need to channel towards colonization the flows of deportees that crossed the empire following anti-colonial and socio-political unrest in Spain and in the overseas 'provinces'. However, most of those plans were never implemented, hampered by the rise of the penitentiary, the related liberal penal discourse, the demographic and ethnic dynamics of the colonies and finally by the Spanish 'loss' of Cuba, Puerto Rico and the Philippines in 1898.

The double process of the 'urbanization' of punishment and the partial move towards penal colonization proper in the borderlands is synthesized in the telling case of the *presidio* in Ceuta, the most long-lasting destination of convict transportation within the empire.¹¹ Traditionally a military environment with a mixed population, in the last three decades of the nineteenth century it developed into what was often referred to as a 'penal colony', with various categories of convicts from peninsular Spain and other parts of the empire now forming by far the majority of the population. Then, after the Spanish loss of Cuba, Puerto Rico and the Philippines in 1898, growing demographic pressure and new ideas concerning the colonization of North Africa led to discontinuation of the penal settlement altogether in 1912. The remaining convicts were eventually relocated to the internal penitentiary colony of El Dueso (Santoña), which during and in the aftermath of the Spanish Civil War became concentration camps for over 7,000 opponents of the Francoist regime (see Mary Gibson and Ilaria Poirio in this volume).¹² Minor flows of deportees reached by now convict-only penal institutions in Fernando Poo, the Canary islands and the newly occupied Spanish Sahara in the 1920s and up to at least the late 1940s.

A quantitatively marginal phenomenon?

A persistent assumption regarding convict transportation in the Spanish Empire postulates that it was a quantitatively marginal and thus barely significant phenomenon.

Implicit in many studies on punishment that focus on single regions, this idea is accepted even in the best informed treatment of transportation to the Spanish *presidios* to date. Indeed, Lauren Benton contends that ‘the scale of convict transportation was small compared to earlier Portuguese and later English and French practices.’¹³ The fact that convict transportation in the Spanish Empire was not conflated with relegation to penal colonies but cut across a broader variety of institutional contexts has possibly played a role in creating and maintaining this perception. Whatever the cause, however, it is safe to say that this view is not sustainable. In fact, even incomplete estimates and figures indicate that the opposite is true.

An attempt to produce estimates on penal transportation across the Spanish Empire was made recently by Clare Anderson and Hamish Maxwell-Stewart.¹⁴ They claim that about 4,000 prisoners were transported from peninsular Spain to Cuba and Puerto Rico from 1769 to 1837, approximately 25,000 along the routes from New Spain to the New World *presidios* between 1550 and 1811, and some 80,000 from peninsular Spain to the North African *presidios* in the period 1550–1911. Taken together, these estimates suggest that 110,000 convicts were transported across the Spanish Empire between 1550 and 1911. This sets the Spanish figures above those for the Portuguese (100,000) and French (100,300) empires, and behind only those of the British Empire between 1615 and 1940 (376,250).¹⁵ In this section I will show that as far as the Spanish Empire is concerned, even Anderson and Maxwell-Stewart’s figures are under-estimated. It is clear that convict transportation was much more extensive than is usually assumed.

The first decades following the Seven Years War are a good starting point. In that period, consecutive waves of transportation from Cadiz and El Ferrol were organized in order to meet the quotas of 900 and 600 convicts at any time, established for the fortification works in Havana and San Juan.¹⁶ High death rates, continuous desertions, releases and hospitalization caused a high turnover among the prisoners, making Anderson and Maxwell-Stewart’s estimate too low. Moreover, convict transportation continued in subsequent decades, by means of a similar mechanism of gathering convicts, vagrants and military convicts in the peninsula and then shipping them to an even broader range of Spanish American destinations. Between 1789 and 1793 and between April 1802 and September 1803, for example, at least 4,600 convicts left the Spanish ports of Cadiz and La Coruña to reach destinations as various as Cuba, Puerto Rico, Louisiana, Cartagena de Indias, Santa Fe, Omoa, Buenos Aires, Caracas and the Philippines.¹⁷ The organization of such multi-destination flows of *presidarios* was the norm also in other parts of the empire. It is the case of the long-term transportation from New Spain to the Philippines, for which various scholars have counted 2,000 military convicts sent from Acapulco to Manila between 1600 and 1693, and 183 *forzados* and 3,999 convicts and military convicts shipped along the same route respectively between 1722 and 1728 and between 1761 and 1811.¹⁸

Research on the sentences pronounced by the many courts scattered across the empire is also suggestive of the volume of convict transportation during this period. It includes significant figures like those listed in Table 3.1:

Table 3.1 Convicts Sentenced to Mobility-related Punishments

Court	Years	No. of convicts	Punitive institution
Madrid-based courts ¹⁹	1668–1760	6,952	North African <i>presidios</i> and galleys
<i>Chancillerias</i> of Granada and Valladolid and <i>Audiencias</i> of Valencia, Cataluña, Sevilla, Navarra, Aragon, Asturias, Mallorca and the Canary islands ²⁰	1783–1790	875	North African <i>presidios</i> , impressment in the army and the navy, banishment
Tribunal of the <i>Acordada</i> , New Spain ²¹	1703–1813	19,410	<i>Presidios</i>

Standing numbers of convicts in single *presidios* at specific times have also been provided, such as those summarized in Table 3.2:²²

Table 3.2 Standing Numbers of Convicts

<i>Presidio</i>	Years	Standing number of convicts
Oran	1772–1788	2,550 (average at any moment)
Melilla	1772–1783	899 (average at any moment)
El Peñon	1774–1786	249 (average at any moment)
Ceuta	1844	2,131
1888	2,197	
Pensacola (Florida)	April 1794–April 1796	193–219
Valdivia (Chile)	1773	1,600
Puerto de la Soledad (Malvinas)	1767–1785	20 (average at any moment)
Martín García (Río de la Plata)	1766–1769	90–110
Montevideo (Río de la Plata)	September 1776	97
Buenos Aires (Río de la Plata)	July 1784–December 1788	70
San Julián (Patagonia)	1780	28
Carmen del Río Negro (Patagonia)	1780	17

Even the selected data I have mentioned so far on major flows, sentences and standing numbers indicate that the quantitative scope of convict transportation in the Spanish Empire has been systematically under-estimated so far. They additionally point to the potential to unearth many more statistic evidences of the quantitative relevance of that historical phenomenon through the study of diverse sources in multiple archives, both in Spain and in its former colonies. Moreover, looking beyond the traditional focus on late eighteenth-century *presidio* sentence, at least two other large areas of research show analogous patterns and wait for scholars to dig into them

further. The first relates to impressment into the army and the navy as a standard punitive regime in the Spanish Empire, similarly to the Portuguese counterpart. In fact, although it is often arduous to extract from the sources the number of convicts who were actually integrated in military companies as a result of impressment, punishment and commutation of *presidio* sentence into military service,²³ available data regarding the impressment of ‘vagrants’ indicate the large scope of such practices. In particular, for the period 1730–1789 Maria Rosa Pérez Estévez has provided a staggering figure of 63,010 vagrants impressed in Spain and transported to various parts of the peninsula and across the empire at large, and other scholars have foregrounded the impact of that mechanism in other parts of the empire.²⁴

The second necessary move in order to reach a more complete picture of convict transportation in the Spanish Empire regards the expansion of the chronological scope beyond the traditional (late) eighteenth-century focus. Especially the integration of the results of the vast scholarship on galley servitude is key to this endeavour. Indeed, the available literature makes it clear that sentencing to the galleys, especially in the Mediterranean, was a mass phenomenon. Table 3.3 gathers some of the available statistics:²⁵

Table 3.3 Convicts in the Galley Fleets Serving the King of Spain

Period	Number of galleys	Total rowers	Convict rowers
Spanish fleet (Mediterranean)			
Late sixteenth century			3,331 (average)
Sixteenth to seventeenth centuries			73% of the total number of rowers
1700–1748			9,306 (total for the period)
Neapolitan fleet			
1568	13	2,127	1,920
1570	20	?	2,940
1584	28	4,310	2,545
1587–1588	7	1,218	771
1601	22	3,257	2,093
1657	4	803	588
Sicilian fleet			
1571	16	3,360	1,838
1576	22	3,824	1,102
1577	?	3,128	1,027
1616	3	?	195

Table 3.3 Convicts in the Galley Fleets Serving the King of Spain (*Continued*)

Period	Number of galleys	Total rowers	Convict rowers
Private fleets (Mediterranean)			
<i>Gian Andrea Doria</i>			
1563	12		1,713
1577–1594			48.1–57% of the total rowers
<i>Tursi family (only the Capitana galley)</i>			
1679		340	160
Caribbean fleet			
<i>Cartagena de Indias</i>			
1583	2	290	174
1622	2	200	100
<i>Havana</i>			
1593	2	253	192

At the other extreme of the chronological spectrum covered in this chapter, nineteenth-century deportations claim their place in this quantitative overview. Anderson and Maxwell-Stewart have estimated that at least 40,000 convicts were transported from Spain during the nineteenth century and about 1,000 were shipped to Fernando Poo from the Philippines, Cuba and Spain between 1862 and 1899.²⁶ A more complete estimate on deportation to Fernando Poo puts the figure at 1,600 for the period 1861–1896.²⁷ When other routes and events are considered, one should include, among others: several hundred *carlistas* – or followers of Charles the Fifth – deported to the Canary islands, Cuba, Fernando Poo and the Mariana Islands in the 1830s to 1840s and in the 1870s;²⁸ approximately 1,000 convicts from Spain and 100 from Cuba transported to Santo Domingo during the short-lived Spanish re-occupation of the island in the 1860s;²⁹ hundreds of Cuban ‘incorrigibles’ deported to the Islands of Pines (Cuba) and Fernando Poo in the second half of the 1860s;³⁰ around 1,600 *internacionalistas* and *cantonistas* deported to the Mariana Islands, Ceuta, Mahon and Fernando Poo in the aftermath of the insurrection of Cartagena in 1873;³¹ at least 300 convicts populating the penal colonies of the Philippines and Carolinas Islands at any time from the 1870s to the 1890s;³² and at least 1,000 Cubans relocated to the Isla of Pines in the 1890s.³³

Looking beyond *presidio* sentences, military impressment, galleys service and nineteenth-century deportations, very little is known on the quantitative consistency of transportation to the mines and the *obrajes* in the New World, although these flows lasted for centuries and were certainly numerous, especially in the seventeenth and eighteenth centuries.³⁴ Punishment to the mines of Almadén, in Spain, similarly spanned from the sixteenth to the eighteenth centuries, but statistics have been provided by Rafael Gil Bautista exclusively for the period 1690–1715, when the Royal prison annexed to the mine hosted between forty and fifty-seven convicts and thirteen to thirty-two slaves.³⁵ A recent book by Manuel Martínez Martínez has addressed

sentences to the peninsular arsenals (Cadiz, Cartagena and El Ferrol) in the last quarter of the eighteenth century. The author has counted 323 *forzados* for the period between April 1773 and October 1775, a figure that foregrounds the quantitative importance of that type of punishment, especially considering the turn-over produced by high mortality rates (26.6 per cent among that group of convicts).³⁶

When the selected quantitative information included in this section are considered against the mass of the still untapped sources and of those that are lost forever, the available statistics appear as the top of an iceberg and it becomes clear that, at this stage of the research, their fragmentation and partiality make it impossible to produce broad estimates. Yet, even the relatively small sets of data that have been processed so far make it undoubtable that convict transportation in the Spanish Empire between the sixteenth and the nineteenth centuries was much larger than the has been hitherto suggested, that it stands the comparison with similar processes in other Western empires and that it mattered not only for its qualitative aspects but also in quantitative terms.

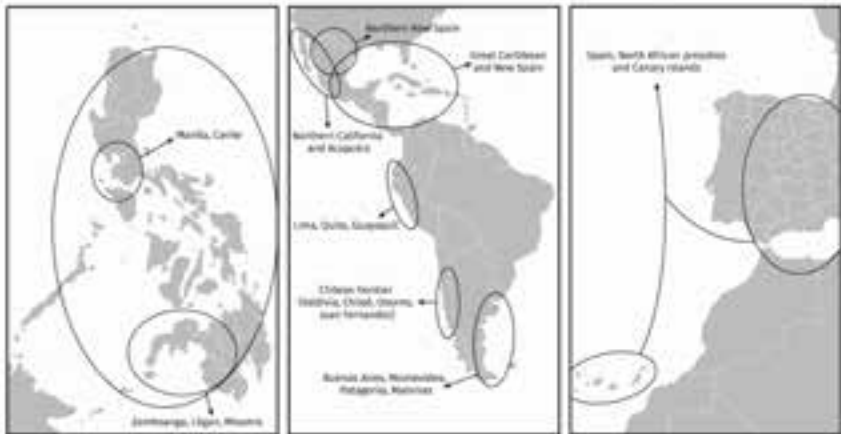
Presidarios in a polycentric empire

If convict flows to the *presidios* were of quantitative significance in the period 1760s–1810s, the form of their mobility is also connected to the polycentric nature of the Spanish Empire. Not only were there multiple transportation hubs on the Iberian Peninsula – Cadiz, Malaga, El Ferrol and La Coruña – but both long- and short-distance routes existed within each administrative region (viceroyalties and *Audiencias*). Moreover, the networks integrated land and sea routes that have so far being overlooked, especially those connecting various sites within the Viceroyalty of Rio de la Plata, with Spain and with the Chilean and Peruvian ports through the Cape Horn route (Map 3.1):

Besides integrating more flows and destinations than in the partial narratives available so far, this visualization allows for broader interpretations of the relationship between convict transportation and the structure of the empire. The networks and the evolution of the *presidios* mirrored the complex relationships among the various parts of the Spanish crown, beyond simplistic ‘centre’/‘periphery’ or ‘metropole’/‘colony’ divides. Until the independence of Latin America, the Spanish territories were organized as a polycentric monarchy made up of distinct viceroyalties, each of them mirroring the monarch’s power rather than being merely subordinated to it.³⁷ This elaborate construction explains the autonomy the viceroys enjoyed in shaping regional flows of convict transportation and their simultaneous dependence on the crown for most of the related funding (*situado*). At the crossroads of administrative jurisdictions (viceroyalties/captaincies/intendencies), judicial jurisdictions (local magistrates, regional *Audiencias*) and defence- and labour-related imperatives, at least nine regional systems of *presidio*-related convict transportation emerged across the empire, as indicated in Map 3.2. These were the building blocks of the overall network of penal transportation.



Map 3.1 Penal transportation to the *presidios*, 1760s–1800: overview



Source: www.oxfordjournals.org

Map 3.2 Regional systems of *presidios*, c. 1760s–1810s

Peninsular Spain belonged to a regional system that included the North African *presidios* and the Canary Islands.³⁸ The arsenals of Cartagena, Cadiz-La Carraca and El Ferrol, besides being penal destinations, served as collecting centres for vagrants, convicts and military convicts, who were marched there enchained in convoys (*cuerdas de presidiarios*).³⁹ Local prisons and castles in those cities played a similar role. From Cadiz, convicts were shipped to Ceuta, while those destined to Oran (until its closure in 1792), Melilla, Peñon de Velez and Alhucemas went through Malaga. By the late eighteenth century, these land- and sea-based convict routes had been in use for nearly two centuries, building on the infrastructures of transportation originally related to galley service.

In the Philippines, the existence of two regions with distinct characteristics prompted internal transportation.⁴⁰ Manila and its port Cavite, in the northern island of Luzon, were directly linked to imperial routes from peninsular Spain and New Spain and redistributed part of those convicts to the *presidio* of Zamboanga, located in the southern island of Mindanao. In turn, Zamboanga, which acted as a strategic military outpost against both Dutch expansionism and the Muslim populations from Jolo and Borneo, was a distributing centre of prisoners to the smaller posts of Misamis (Mindanao) and Calamianes (in the western Palawan islands), whose convict population was additionally made up of natives.

New Spain was the theatre of various flows of convicts, most notably destined for the newly established *presidios* in Upper California – Monterey (1770), San Diego (1772), San Francisco (1776) and Santa Barbara (1782),⁴¹ the Internal Provinces (*Provincias internas*) in the northern part of the viceroyalty,⁴² and the Greater Caribbean. Within the Caribbean system of convict transportation, multiple networks existed, like those connecting Veracruz and Pensacola, Havana and San Juan, and the *presidios* of coastal Venezuela with the Greater Antilles belonging to the Spanish crown. The capital of Cuba, in particular, attracted prisoners from virtually all polities along the coasts of the Caribbean Sea and the Gulf of Mexico, and distributed part of them to Florida, which became directly integrated in its military jurisdiction in 1753.⁴³

Convict circulation in the vast region of the Rio de la Plata orbited around the interconnected urban and port centres of Montevideo and Buenos Aires. From there, four major flows departed. First, the one to the ‘frontier of Buenos Aires’ (*frontera de Buenos Aires*), that is, the line of military outposts to the south of the capital city, from Melincué to Chascomús,⁴⁴ that served as a defence against hostile native populations. Second, the flow to the settlements north of Montevideo, on the eastern coast of the river, which functioned as a *cordón sanitario* around the Portuguese colony of Sacramento until its Spanish seizure in 1777, and as a broader frontier against Portuguese Brazil after that date. Third, convicts were transported along the land-routes that connected Buenos Aires with Tucumán and other internal regions, with destination in the *presidios* that defended the frontier with the hostile *guaycurú* and other equestrian native groups of the Chaco region.⁴⁵ Fourth, a maritime circulation of convicts existed from Buenos Aires to the military outpost in Puerto Soledad in the Malvinas/Falklands islands occupied in 1766, and to the four colonies established in 1779 to 1780 along the coast of Patagonia – from north to south: Fuerte Nuestra Señora del Carmen (1779–1810) on the bank of the Rio Negro; Fuerte San José and

Puesto de la Fuente (1779–1810) in the Valdés peninsula; the castles of Todos los Santos and San Carlos in Puerto Deseado (1780–1781); and Nueva Colonia y Fuerte de Floridablanca (1780–1784) in San Julián.⁴⁶ The island of Martín García, located in the Río de la Plata, served as a place of punishment for smugglers and deserters, and as a temporary deposit for convicts bound for other destinations across the region.⁴⁷ Flows of convicts also proceeded from the peripheral regions of the viceroyalty to Buenos Aires and Montevideo.

In the *presidio* system of the Pacific side of the Viceroyalty of Peru, the capital Lima and its port of El Callao were the main distributing centres, together with Santiago for the Captaincy of Chile. The ‘frontier of Chile’ (*frontera de Chile*) with the native populations, on the one hand, and on the other the integrated *presidios* of Valdivia, Chiloé and the Juan Fernández islands, constituted the main convicts’ destinations. The military fortifications of El Callao, Panama and Valdivia, and the garrisons and (between 1778 and 1801) the Royal tobacco manufacture of Guayaquil were the destinations of convict transportation from Quito and other sites within the Andean region of the *Audiencia* based in that city.⁴⁸ Starting in Quito, other land-routes also brought prisoners to the new settlements of Macas and Quijos as part of an attempt to colonize the Amazonian *selva*.

Regional flows made up the majority of the convict voyages. They were multi-directional and integrated land and sea voyages and short- and long-distance migrations. Besides transporting convicts within their jurisdictions, however, each high court (*audiencia*) and Viceroy had the additional option to send them to *presidios* ‘overseas’ for crimes or circumstances that were perceived as especially serious. In this way, jurisdictional borders could be overcome and convict flows were created *between* regional systems. The convict flow that connected Acapulco in New Spain to Cavite in the Philippines – parts of the same viceroyalty, but on the two shores of the Pacific – is one example for which recent research has foregrounded the *longue-durée* and its deep cultural impact on both sides of the ocean.⁴⁹ Other inter-regional flows included those from the *Audiencia* of Quito to Valdivia, Callao, Panama and Cartagena de Indias. Moreover, convict transportation brought convicts from all over Spanish America to the regional system that included Spain and the North African *presidios*. The peculiar status of Spain within the structure of the polycentric monarchy made peninsular courts and viceroyalties prominent, at least in quantitative terms, in enhancing the integration of regional *presidio* systems through convict transportation. The galleons that connected peninsular Spain with the Caribbean and Acapulco with the Philippines were the main and most long-lasting instruments of such integration, which dated back to the sixteenth century. Along the *Carrera de Indias*, convicts were transported to Havana, San Juan and other destinations in the Great Caribbean: Cartagena de Indias; the main forts in the *Capitanía General de Venezuela* – La Guaira, Cumaná and Puerto Cabello (the latter re-established in the 1770s); and Veracruz in the Gulf of Mexico. The fortified ports in the Great Caribbean, Montevideo, Buenos Aires, Callao and Cavite, besides being key destinations of convicts, functioned as hubs for the further transportation of the *presidarios* from Spain to the military fortifications of Spanish America and the Philippines through sea and land routes. Alternative direct sea-routes from Cadiz to Cavite through Cape Horn and the Cape of Good Hope were

established after the creation of the Royal Company of the Philippines (*Real Compañía de Filipinas*) in March 1785;⁵⁰ however, they were rarely used, if at all, for convict transportation.

Changes across time should be considered too. For example, in the aftermath of the Seven Years War, the military reform promoted by the crown produced an upsurge in the number of convicts and military convicts transported to the *presidios* along the galleons' routes. At the same time, starting in 1765, by gradually multiplying the authorized ports and merchants ships, the 'free trade' policy (*comercio libre*) allowed for the expansion of the convict routes beyond the traditional *Carrera de Indias* and the route of the *Galeón de Manila*.⁵¹ This enhanced the connections among regional systems of convict transportation in the Spanish American viceroyalties, and especially impacted on the convict routes stemming from the peninsula. Cadiz and El Ferrol now came in contact with the ports of Montevideo and Buenos Aires, hubs of the regional *presidio* system of the Rio de la Plata. And Cadiz became connected with relative regularity with Callao through the Cape Horn route, sometimes with stopovers in Montevideo, the Malvinas islands and the Chilean ports of Concepción or Valparaiso.⁵²

The multidirectional, short and long-distance, land and sea routes of the convicts sentenced to the *presidios* reflected the polycentric structure of the Spanish monarchy, which conceded a considerable level of autonomy to the authorities that represented the king in each viceroyalty. At the same time, the widespread flows of convict transportation constructed the empire both materially, by the labour convicts were forced to perform, and culturally, by creating multiple occasions of encounter among individuals with different backgrounds, either convicted or imbricated in other social and labour processes. To this rich history of everyday imperial encounters, I now turn.

Beyond lines and figures

Studying penal transportation is not just about drawing lines on a map or providing aggregated quantitative data. Rather, it is the analysis of a complex social process whose qualitative contents matter. Which specific routes did convicts have to sail and walk? Which groups of convicts were transported along which routes? Who were the individuals that were being transported?

Each voyage implied multiple transportations and, as mentioned above, often integrated sea and land routes. For convicts leaving Spain for the Philippines, for example, the average seventy-day crossing of the Atlantic Ocean was but the first part of what many must have experienced as an almost never-ending journey.⁵³ Once disembarked and gathered in Veracruz, they were first walked the 80 leagues (386 kilometres) distance to Mexico City, where they were temporarily associated to the local prisons or military barracks; they then marched for around one month the 118 leagues (570 kilometres) to the port of Acapulco. Just like in peninsular Spain, as they marched along land-routes, prisoners formed convoys (*cuerdas*), were chained in groups of four to seven and were kept under military surveillance. From Acapulco to the port of Cavite, in the Philippines, the sailing lasted approximately three more months,

including the stopovers in the Guam and the Marianas islands (after approximately one month) and the thirty-to-forty-day long final, dangerous route across the Asian archipelago.

Relatively short-distance transportation was not any less complex. For instance, the land route from Quito to the port city of Guayaquil involved a journey of 269 kilometres and stopovers in six different places across the Andes and the plains.⁵⁴ The voyages shaped the convicts' experience of transportation. Besides constituting an occasion for them to escape, they could be a source of illness and death. The chain-gangs of convicts passing through villages also contributed to the creation of a popular imaginary of punishment. Furthermore, the materiality of the transportation required the existence of an extensive administrative bureaucracy that reflected Bourbon's reformism: it required colonial officers to draft precise rules on the way the transportation was to be organized; officers and soldiers to guard the convoys; court notaries to write down lists of convicts; leaders of the convoy (*conductores*) to be selected and, in turn, to collect accompanying documents from the official in charge for each town where the chain-gangs stopped. Once in Guayaquil, for example, the prisoners and the related dossiers were delivered to the local governor and from this 'to either captains of the Spanish ships departing towards Chile or Peru, or the administrators of the tobacco factory located in the city'. It was this complex logistics and bureaucracy that constituted the everyday reality of convict transportation.

Logistics also matters when the main hubs of transportation are considered. In the city and across the bay of Cadiz, prisoners waiting for transportation were mainly concentrated in four institutions of confinement: the Castle of San Sebastian, the Castle of Santa Catalina, the public jail (*carcel publica*) and the Arsenal of La Carraca. Convicts sentenced by military and non-military courts and by the Tribunal of the Inquisition were held indistinctly in these institutions;⁵⁵ little separation also existed between elite convicts and commoners, notwithstanding the efforts of prison officers.⁵⁶ Attempts were also made to differentiate the convicts according to the perceived gravity of their crimes and in relation to their conduct. While the two castles were considered the most secure institutions and therefore the most appropriate for the authors of serious crimes, only vagrants and individuals sentenced for minor crimes were officially admitted in the Arsenal of La Carraca – 'because everything is combustible there', wrote the prison officer – and in the *carcel publica*, where there was a greater possibility of escape.⁵⁷ However, most of those prescriptions remained on paper, due to the difficulty in the organization of the transportation, the arrival of new convoys from Cartagena, Malaga and other cities in the peninsula, and the related overcrowding of the castles.

What made convict transportation a complex phenomenon was not just the difficulty of its organization, but also the multifaceted profiles of the convicts themselves. To begin with, crimes varied greatly from individual to individual, and from one group of convicts to another. Among those waiting for transportation in Cadiz in the late 1770s and early 1780s, for example, military-related crimes (desertion and neglect of surveillance) prevailed, together with fraud of the tobacco monopoly (theft and smuggling), the latter being considered a particularly serious crime due to the economic importance of the sector for the Treasury.⁵⁸ Transportation was seen as the most appropriate punishment for those crimes, although its length varied greatly

from case to case, ranging from three to ten years overseas *presidio*, or the standard eight years impressment to the garrisons of the Great Caribbean and the Philippines.⁵⁹ Other crimes included the simple fact of being a ‘vagrant’, as for Carlos María Canales, ‘of Turkish nationality, son of Solimán, native of Smirne’; crimes against women like those of Joaquin Poeta, sentenced to eight years *presidio* in Puerto Rico for ‘requesting and persuading his daughter to have sex with him, and others, and making profit out of this illicit trade’; hunting in the king’s forest near the city of Villaviciosa, as in the case of high officer Don Francisco Antonio de Trebiño; and morally unaccepted behaviours like those of don Josef de Momesino, condemned to transportation to Puerto Rico ‘for his notorious bad conduct, lack of application [to work], participation in illicit games, prostitution, critiques against the magistrates, blasphemies, and other excesses of this type.’⁶⁰

As far as the crimes are concerned, no significant difference existed between the prisoners sent from Spain to Havana, Puerto Rico, California and the Philippines, but their proportions varied depending on the route. Military convicts (especially deserters) tended to form the majority of those transported to the Philippines: in 1788 deserters made up 57 per cent of the 108 prisoners sent from Cadiz to Cavite through Veracruz, other significant crimes being the tobacco-related ones (9.2 per cent), murder (6.5 per cent) and vagrancy (4.6 per cent).⁶¹ Conversely, in the same months deserters amounted to one-fourth of the twenty-eight convicts shipped from Cadiz to serve in the garrison of La Guaira in the Captaincy of Venezuela, while tobacco-frauders and murderers respectively constituted one-third and 8.3 per cent of the convoy. Specific circumstances also influenced differentiation between the destinations of military and non-military prisoners. This was the case for the Spanish Antilles in the early 1770s, for example: for security reasons, the former were usually shipped to Puerto Rico, while the latter were shipped to Havana, where enough troops existed to guard them.⁶²

In February 1771, 146 convicts (most of them deserters) were held in the Castle of Santa Catalina, in Cadiz, after their transportation from Cartagena, awaiting their passage to San Juan and Havana.⁶³ Their origins mirrored the general recruitment patterns of the Spanish army in two ways. On the one hand, the ninety-one peninsular prisoners reflected the broad catching areas of the arsenals of Cadiz and Cartagena, their origins including Andalusia, Cartagena and Murcia, Valencia and Alicante, Aragon, and Catalonia. On the other hand, the multi-national composition of the Spanish army was reflected in this group of prisoners, 37.7 per cent of whom (55) had been born in eighteen different European polities. Unsurprisingly, the origins of the military convicts from New Spain were radically different from those of the counterparts transported from Spain, reflecting regional patterns of recruitment: 97 per cent of them were born in present-day Mexico – and especially in the provinces of Mexico City (52.32 per cent), Puebla (7.25 per cent) and Querétaro (3.5 per cent) – while only 2 per cent were European and 1 per cent from other parts of the empire.⁶⁴

The great variety between groups of transported convicts fed the complexity of the social, ethnic and legal composition of the convict population within each destination. In the Californian *presidios*, for example, four distinct categories of prisoners existed besides the heterogeneous group of military convicts transported from the Spanish peninsula.⁶⁵ First were soldiers sentenced to live in California, and

especially those belonging to the San Blas Infantry, that was largely recruited 'from the jails and poorhouses of western Mexico'.⁶⁶ Second, there were soldiers escaping from Colony Ross, the Russian outpost situated approximately 130 kilometres north of San Francisco. Third, sentenced settlers originally brought to Upper California from the province of Sonora as part of the state-sponsored migration promoted by the crown in the 1770s.⁶⁷ Finally, native peoples, who in the 1780s mostly belonged to groups living outside the missions and sentenced for cattle rustling, and in the 1790s to 1800s were either runaways from missions or, increasingly, captured as prisoners of war during punitive expeditions against villages that refused conversion to Christianity.

What we have therefore is an image of distinct types of crime and a variegated composition of convict shipments and populations within each *presidio*. To add to the complexity, the make-up of the prisoners also differed by route, depending on the direction of transportation. For instance, barely any convicts were sent from the Philippines to New Spain and Spain, while the reverse direction, as I have observed, included a numerous and heterogeneous convict population. Moreover, while large numbers of commoners and some elite prisoners were sent from peninsular Spain to the Caribbean and California, on the return voyage the ships carried only small numbers of exiles, including expelled Jesuits, non-Spanish missionaries and elite (and more rarely non-elite) political prisoners involved in anti-colonial insurrections in the 1790s and in the first decades of the nineteenth century.⁶⁸ Exiles sailing from Lima to Cadiz had a similar social status, while convicted passengers leaving the Atlantic port of Andalucia for the capital of the Viceroyalty of Peru were mainly commoners. Military convicts were possibly the only group of prisoners transported from Mexico City to borderlands of northern New Spain, but the convoys heading to the capital of New Spain included 'criminals and vagabonds' and 'Barbarian Indians' deported as a result of the military operations conducted in the area by the Spanish troops in the period 1789–1810.⁶⁹ Captive women and children were part of these *cuerdas*, as in the case of a convoy sent from Mexico City to Veracruz in 1799. During their night stop at the Inn of La Rinconada, near Veracruz, the Apaches were separated from the other *presidarios*. Although locked in a room, the fifty-one native women 'managed to free themselves, attacking the guards with ferocity and completely overpowering them to escape'. In the process, one of them was killed.⁷⁰

Convicts and other passengers

The *cuerdas* that walked along the land routes of peninsular Spain and Spanish America were formed exclusively of convicts, prisoners of war, deserters and likely vagrants. No other free or unfree passengers travelled with them, save from the troops that guarded the prisoners, sometimes themselves convicts in military uniform.⁷¹ Maritime transportation was different in this respect. Because no specific infrastructure for penal transportation along sea routes existed, it relied essentially on military and trade ships. In the military frigates, deserters and other individuals sentenced for military-related crimes were carried together with officers, voluntary

recruits and soldiers. Non-military convicts were also regularly on board these royal ships, but their transportation increasingly also depended on the infrastructures of private navigation. From this perspective, the *comercio libre* policy implied the coexistence of convicts and other kinds of passengers on board the merchant ships. Which other passengers? The official registers mention three main categories: the top-officers (*provisitos*), encompassing viceroys, magistrates, doctors and the high-rank militaries; the stevedores (*cargadores*); and the ‘passengers’ (*pasajeros*), among whom there were priests, missionaries, engineers and lower-rank militaries.⁷² Exceptionally, soldiers and other non-elite passengers were included, such as skilled workers, farmer-settlers and ‘employees of the tobacco manufacture of Buenos Aires’. Following the name of the male passenger, the wives, sons, daughters, nephews and nieces were listed together with the domestic servants (*criados*) and the slaves belonging to each family. Another important group on board was constituted by the crew (*tripulación*), including sailors (*marineros*), cabin boys (*grumetes*) and pages (*pajes*).⁷³ Finally, stowaways (*polizones*) were sometimes on board. When caught during the crossing of the Atlantic they were arrested, and on arrival in the New World usually transported to one of the coastal *presidios*.⁷⁴ Therefore, the variety of the passengers on board one ship was extraordinary. For example, leaving Callao on 11 September 1773, the ship named *San Joseph y las Animas* (aka *el Aguiles*) transported prisoners Francisco Chatre and Don Joseph Naveda – the latter sentenced for murder to six years *presidio* in Peñon de Velez – together with one captain and seven stevedores, one member of a religious congregation, one lawyer, one officer and one merchant, three domestic servants and the black slave Francisco Linder.⁷⁵ Besides the general distinction made on board between those who could afford private cabins (*pasajeros da Camara*) and those who slept between decks (*pasajeros de entrepuentes*) little information exists on the segregation between convicts and others.⁷⁶ According to the official rules, prisoners had to be chained during the entire passage, but at least in some cases this did not happen, as escapes during the stopovers or on entering the ports reveal.⁷⁷

The presence of slaves accompanying their owners on board the merchant ships is of special interest here. Also on the ships were escaped slave stowaways and captured maroons being returned to their masters as prisoners.⁷⁸ In general, however, the circulation of convicts and slaves rarely overlapped in the Spanish Empire, because the crown had no direct sovereignty over the main supply areas of human chattel – the east and west coasts of Africa, Brazil, Jamaica and Curaçao – and therefore slaves were primarily transported separately from convicts, and in most of the cases by non-Spanish companies. Partial entanglements between the two coerced migrations existed at some destinations, most notably in the military fortifications of Havana and San Juan, where both convicts and king’s slaves worked as forced labour in the construction of military and non-military infrastructure.⁷⁹ Conversely, in the *presidios* of the borderlands of northern New Spain, California, Chile and the Rio de la Plata, the presence of slaves was limited to few individuals who accompanied the officers and to members of the *pardo* companies of the local garrisons.⁸⁰ Other types of circulations converged in those military outposts in the borderlands: soldiers, officers and skilled workers coincided with *presidarios*; and both groups with native populations arrived from the missions or via conflict and war, as well as free settlers from nearby or from

the Spanish peninsula. Their land and sea routes did not usually intertwine with those of the prisoners but their destinations often did.⁸¹ Convict routes, then, selectively overlapped and diverged with those of other free and unfree passengers. In all cases, they were part of networks of migration that were shaped by the geography and imperatives of the empire as much as they contributed to shape them.

Agency in sentencing and choice of destination

Similarly to what Timothy J. Coates indicates in this volume for the Portuguese Empire, the royal justice in the Spanish Empire was largely based on late medieval compilations of legislation – the *Siete Partidas* (1265) and the *Ordenamiento de Alcalá* (1348). Collected in early modern compilations such as the *Nueva Recopilación de Leyes de Castilla* (1567) and the *Recopilación de las Leyes de Indias* (1680), these remained current until the early nineteenth century in Spain, and beyond that date in the other dominions of the Spanish crown. While based on such legal codes and subsequent royal orders, sentencing also implied the extensive intervention of the magistrates of both upper and lower courts, aimed to mitigate the harshness of medieval punishments. Indeed, most sentences involving spatial relocation, such as the impressment in the army and the navy, *presidio* sentence and forced labour in the *obrajes* and the mines, stemmed from the judges' decision not to apply, or to commute, the capital punishment decreed by the legislation.⁸² Magistrates across the Spanish Empire did not only decide about the kind of sentence prisoners had to serve. They sometimes also indicated the destinations convicts ought to be transported to.⁸³ The legal value of the sentence bound other officials to those indications when organizing the voyages, as the listing of the destinations together with the names of the prisoners testifies.⁸⁴ However, just as the boundaries between the legal, administrative and political roles of magistrates were porous, their sentences, and especially their destinations, were highly flexible. Moreover, the king did not just concede pardons and amnesties, commute death sentences and modify punishment but could change transportation destinations. When this happened, the motivations are telling, for they indicate the significance attached to different places. The *presidios* in North Africa, for example, were usually perceived as less secure, and transportation thereto from Spain as a less serious sentence than the one to the Indies, partly because of the relatively short distance that separated them from the peninsula.

For example, Charles III decided in June 1781 that convict don Thomas de Viedma y Ugalde, sentenced for 'illicit relationship with a married woman', was to be transported to any of the *presidios* of America instead of Oran and Ceuta, for otherwise he feared the prisoner would 'immediately return to this city [Cadiz]'.⁸⁵ Under other circumstances His Majesty simply did not reckon the sentence to be proportionate to the crime. In May 1786, he ordered Ramón Alonso Gomes to receive a ten-year sentence to the *presidio* in Puerto Rico, and not in North Africa, because 'besides the crimes of fraud, there existed others that made him deserve a more serious punishment'.⁸⁶ In September the following year he considered a five-year *presidio* sentence to North

Africa insufficient for two employees of the royal tobacco manufacture of Seville who had stolen a considerable quantity of cigars; he ordered that sentence be commuted into eight years of transportation to Puerto Rico instead.⁸⁷ The king, and the higher magistrates, could additionally change the destination of a prisoner after the sentence had been pronounced: because of his ‘bad conduct, and perverse manners,’ Pedro de Leon and Antonio Fernandez del Río were transferred from Ceuta to Puerto Rico in August 1788; a few months earlier the same transfer had been imposed on Don Torquato Valdivia, after he had informed a fellow convict of his willingness to ‘desert to the Moors, and apostatize.’⁸⁸

Magistrates seldom sentenced convicts to specific *presidios*. More frequently they used general formulas like ‘to the *presidios* of North Africa’ and ‘to America without specific destination’, and in many cases they indicated no destination at all. Political authorities then had to make that choice. For example, the viceroy in Manila usually decided the actual destinations of prisoners sentenced ‘to the Philippines’ once convicts had arrived in the port of Cavite.⁸⁹ Vagrants and second-time deserters were usually impressed in the *Regimiento Fijo* in Manila; on the contrary, murderers were mainly ‘employed at the Royal Foundry of Manila, the arsenal of Puerto Cavite, and diverse public works in both citadels’ or destined to the garrisons of the *presidios* and *galleys* in Zamboanga, Misamis and Calamianes, the most dangerous places within the archipelago. The southern islands and the Marianas islands were also the destinations for bigamists and ‘sodomites’ sentenced by the Inquisition.

So far, I have foregrounded legal priorities as the guiding principles of decisions about destinations, distance as a direct consequence of the seriousness of the crime, and magistrate and political authorities as the main decision-makers. Legal priorities, however, intertwined constantly with the idea of convicts’ ‘usefulness’, that is, with the constant need for convict labour for military service and military-related works generated by the extensive defence system and by the characteristics of the Spanish dominion. That ‘usefulness’ had the power to reverse legal priorities and modify destinations under certain circumstances. For example, in January 1781 an order disposed that the twenty-seven-year-old prisoner Don Pedro Hidalgo Cisneros, sentenced to ten-year *presidio* in Puerto Rico, might be transported to the work of fortification in Melilla for eight years instead, ‘if he is of no use in it.’⁹⁰ Labour priorities additionally implied an expansion of the range of authorities involved in the decision about destination. Selecting prisoners who could stand hard labour meant that attention had to be paid to their age and physical conditions, and implied the involvement of doctors and medical knowledge. In connection with the selection of convicts for the reconstruction and new fortification of Havana and San Juan, in the aftermath of the Seven Years War, a royal order dated 19 December 1768 thus established that only convicts ‘of robust constitution, and not in advanced age’ were to be shipped to Puerto Rico, alternatively ‘transporting those who haven’t got [these characteristics] to the *Presidios* of Africa.’⁹¹ The Cadiz-based general inspector of the navy, Francisco Xavier Winthuisen, and his counterpart in El Ferrol and La Coruña, Joaquin de Cañaverál, were always accompanied by the proto-doctor (*Protho-Médico*) and senior surgeon of the navy when visiting the local prisons.⁹² These produced lists with the words *util* (useful), *ynabil* (unfit) and *enfermo* (sick) next to the prisoner’s

name. It was not an exceptional case. In June 1790, nineteen convicts held in the Public prison of Cadiz awaiting transportation to the Philippines, Puerto Rico and peninsular arsenals underwent a similar process of selection. Stature (*talla*), skill (*aptitud*) and 'awful sentences' (*feas condenas*) were the main criteria indicated in the records, summarizing the intertwining of physical, labour and legal priorities respectively.⁹³

The complexity of the transportation additionally influenced the destinations, and implied the participation in the decision-making process of other actors beyond the legal and medical professions and the officials with political responsibilities. I have already mentioned the case of the multiplicity of authorities involved in the transportation along the land route between Quito and Guayaquil. Private entrepreneurs like the owners of textile manufactures (*obrajes*) can be added to the picture, for they sometimes ensured convicts destined to cities and *presidios* along the coast stayed in their productive units.⁹⁴ As far as maritime transportation is concerned, it relied on different types of ships (military ships, mail-ships and private ships) of various sizes and tonnages, which usually served multiple purposes.⁹⁵ This meant that in most of the cases only a few prisoners could be transported in each merchant ship. In addition to this, sailing the ocean was a seasonal activity, particularly on routes such as the one along the Cape Horn, and streams and winds led to frequent modification of the dates of departures, not to mention the length of the journey itself.⁹⁶ The combined effect of these circumstances was that prisoners often remained in the prisons and castles of the distributing centres for long periods. The appalling conditions, together with financial considerations and new military and labour priorities, often induced officials to transport them on the first available ship, thus not necessarily to the destinations originally indicated in the sentences. On the other hand, the owners of the private ships sought to take advantage of this situation of continuous emergency that pressed upon the Crown's officials: they did not only accept to take on convicts in exchange for payment or more convenient agreements regarding the goods they were allowed to transport; they also actively petitioned the officers to offer their ships to these purposes and in this way influenced the timing and destinations of the transportation of some groups of prisoners.⁹⁷

For their part, convicts did not passively await to be deported. While open revolts were relatively rare, escapes were frequent and represented the most radical, albeit often temporary, interruption of the mechanism of transportation.⁹⁸ They implied a variegated *repertoire*: from breaking the chains of the *cuerdas* to escalating walls and walking on roofs; from collective escapes from the hospitals to the falsification of royal authorizations for release. Legal options were also available to prisoners in their quest to influence their conditions in more subtle ways, and petitioning was certainly the one they made most use of, particularly during their detention. The forms and goals of petitions varied greatly depending on their social status. In the prisons of Cadiz, individual petitions were the preferred option for elite prisoners, who were able to write and whose aim was usually to avoid punishment altogether by mobilizing their powerful social networks. They insisted on their connections with high-officers and aristocratic families, and clergymen and missionaries sought the help of their congregations, merchants that of their guilds.⁹⁹ Less powerful merchants tried at least to influence the timing of the transportation. For example, when the Inquisition of

Lima accused Manuel Portela of bigamy and sentenced him to be shipped back to his wife in peninsular Spain, this Galician shoemaker implored to be allowed to remain in Peru until he paid back his debt, and got his debtors to pay him, because if he left earlier ‘that money would be lost, with a considerable loss.’¹⁰⁰ French and British prisoners of war forced to work in the Spanish Caribbean or North African *presidios* in the aftermath of the wars that punctuated the late eighteenth century mobilized their consular representatives in order to obtain a quick return home.¹⁰¹ Deserters and commoners imprisoned in Cadiz used different repertoire, with distinct contentions. On the one hand, theirs were often collective endeavours, attempts to compensate with numbers for weak social status and illiteracy. On the other, they tended not to question their sentence but rather to denounce the appalling conditions of detention they had to bear. The keywords here were ‘nudity’ (*desnudez*), ‘destitution’ (*indigencia*), ‘hunger’ (*hambre*) and ‘black fears of death’ (*las negras aprensiones de la muerte*). Against this background – repeatedly confirmed by official investigations¹⁰² – some prisoners unsurprisingly asked to be transported as soon as possible.

Petitions also stemmed from the convicts’ relatives. They frequently asked for the liberation of their relatives and tended to focus on their sufferings in captivity and on the consequences detention and distance had on the convicts’ children and families at large.¹⁰³ However, both in Spain and in the Spanish American viceroyalties a particular and quantitatively relevant stream of petitions originated from families of (mostly) elite young men that requested their son or brother to be transported.¹⁰⁴ This was conceived as a ‘correction of his excesses’, a way to cope with their ‘disorderly conduct and incorrigibility’ and to avoid what ‘might cause, through discredit and dishonour, the ruin of his family’.¹⁰⁵ In these cases, relatives explicitly indicated the expected place of destination and the timing and means of transportation by pointing at specific ships ready to leave the anchor in the ports. By hearing about his brother’s escape from the Castle of San Sebastian and subsequent recapture in the Sierra Morena, the Catalan José de Rubies, on behalf of his father, did not hesitate to ask for ‘due execution’ of his brother’s sentence of transportation to Puerto Rico.¹⁰⁶ Relatives also interfered with the very execution of the sentence, as when they petitioned for further transportation to Puerto Rico of their ‘disordered’ and ‘insufficiently emended’ brothers or sons held in the North African *presidios*.¹⁰⁷ The high social status of most of the requesting families might explain the positive outcomes of this type of petition. At the same time, especially in the *presidios* of the borderlands, some elite *presentado* convicts (‘presented’ by their families) were assimilated into the high-ranks of the local garrisons.

The global lives of convicts

In the 1770s, the Spanish Secretaries of State for the Indies, Julian de Arriaga and José de Gálvez, could count on various, if contradictory, sources when making decisions on the tiny but highly strategic settlement in Puerto de la Soledad (Malvinas/Falklands), where convicts made up some 10 per cent of the total population.¹⁰⁸ Sometimes the correspondence between the authorities in Puerto de la Soledad and Buenos

Aires foregrounded the material difficulties of maintaining the settlement, further confirmed by retired Malvinas officials. Yet at the same time merchants highlighted the profitability of specific economic activities, such as whaling in the Southern Atlantic, and soldiers drew up new maps *in situ* in order to both investigate the possibility for economic exploitation and patrol the coasts to prevent British settlement.¹⁰⁹ On the opposite side of the social spectrum, convict Vicente Palomeque tried to mobilize his own information networks in order to leave the Malvinas as soon as possible.¹¹⁰ Apparently lying on his deathbed in July 1795, he confessed to priest don Juan Marcos de Cora that between his transportations to the island of Martín García and Puerto de la Soledad he had helped a group of men in Buenos Aires to hide weapons and ammunition ready for a 'revolution'. Building on information he gathered during his highly mobile life as a repeat offender and a precarious labourer, in his narrative he carefully included all the 'dangerous classes' the imperial elite were afraid of, especially in that period of war between Spain and revolutionary France (January 1793–July 1795), three years after the slave rebellion in Haiti. The leader of the secret plan – he said in confidence – was a Frenchman named don Domingo, escorted by soldiers and supported by 'more than fifty lords among the richest of Buenos Aires, the majority of them foreigners'; the overseer and some carriers were *indios Paraguay*, the other workers 'various negroes of Don Domingo' and one Galician migrant. Officials in Buenos Aires thoroughly investigated the case but were unable to find any evidence. The following year they came to the conclusion that 'this was a story invented by the *presidiario* in order to be transferred to this Province and improve his fate, or obtain the means for his escape'. By that time, the war with France was over, and Vicente Palomeque, who had long before recovered from his allegedly deadly sickness, was still doing his time in the Malvinas.

The use and manipulation of information and the diverse origins of the convicts themselves were key-factors in enhancing both their understanding of their situation and their attempt to change it. Creating false identities, for example, might involve declaring false origins and migrations. Josef Manuel de Flores, a convict born in Mexico City and condemned for 'excesses' committed in Cumaná (Venezuela), claimed to be a 'moor' captive escaped from the arsenal of Cartagena (Spain), where he had never been but ultimately was transported to.¹¹¹ In the borderlands of South America, peninsular convicts who escaped from the *presidios* of Valdivia, Patagonia or Tucumán hid themselves among the native populations, becoming significant agents of cultural exchange.¹¹² The continuous sequence of escapes, desertions and re-captures in the experience of individual prisoners accentuated their mobility and involuntarily expanded their knowledge about the globe: Juan Bautista Toma, born in Semur-en-Auxois (France), served in the army in Pamplona and Havana, before being sentenced to eight years *presidio* in Ceuta for the attempted murder of a sergeant;¹¹³ the *moreno* multiple-deserter Juan Andrade from Andalusia was transported to Havana, back to Spain and then to the Philippines within a time-span of seven years.¹¹⁴

When foreign nationality, professional mobility and penal transportation overlapped, exceptional life-stories emerged. In February 1777 the Portuguese pilot Juan Diaz sailed from Rio de Janeiro toward Colonia del Sacramento.¹¹⁵ Passing by Montevideo, he was captured by the Spanish troops and brought to Mendoza, where

he remained until January of the following year. Once freed, he headed to the port of Valparaiso in search of a job, but while travelling on land he was apprehended by guards for lack of a passport and shortly imprisoned in Santiago de Chile. Free once again, he embarked to Lima in Valparaiso as deckhand (*mozo*) at the end of August 1778 and kept sailing the South Sea, first as a deckhand and later as a pilot. In March 1789 a group of British seamen boarded his ship and threatened to kill him unless he told them the routes of the whales. ‘Forced to give an answer by the fact that theirs was a bigger ship, and I did not know the English language – he wrote – in order to get free from them I took the liberty to show them a small sea map (but I didn’t give it to them...)’ In the North Chilean port of Iquique he naively reported the event to a local magistrate, and was consequently arrested, and in 1789 transported to Arequipa, Quilca, Lima and finally to Cadiz. From the Andalusian port city, in 1790 he petitioned the Spanish officials through the Portuguese Consul, in the hope of avoiding further transportation.

Diaz’ exceptional voyages suggest the need to view convict transportation as one element of global subaltern mobility at large. They point to the importance of doing further research on the complexity of convicts’ mobility and on the impact that the exchange of information between convicts held in the same *presidios*, prisons, *obrajes* or galleys might have had on their perception of their own experiences, of the punishment they suffered and of the ‘world’.

Conclusion

Convict transportation was shaped by the structures, spatiality, conceptualizations and goals of early modern and modern empires; in turn, it contributed to shape the empires by creating connections among specific places, as well as regions and populations, and across administrative and cultural boundaries. Linked to the land-based structure and polycentric nature of the monarchy, in the Spanish case the ‘networks of empire’ created by penal transportation had two peculiarities:¹¹⁶ they were made across multiple punitive regimes; and flows and destinations were entangled with those of other free and coerced migrants. After providing an overview of the main punitive regimes over four centuries of Spanish penal transportation, this chapter has showed that convict transportation was a quantitatively significant phenomenon, much larger than has been usually assumed. Furthermore, by focusing on the *presidio*-related regional networks of penal transportation in the late eighteenth and early nineteenth centuries, I have contended that convicts played a major role in the empire-building process across all territories of the Spanish crown. In this I have argued in favour of the integrated study of sea and land routes and of long- and short-distance routes, and foregrounded the importance of addressing the minutiae of transportation.

Moreover, as we have seen, sentencing and impressment in the *presidios* have broader methodological interventions for other periods and punitive regimes in the Spanish Empire, and beyond. It is clear that the networks created by penal transportation were made of different fabrics across space and time. Not only did the scale of convict flows

change, but the legal, social, ethnical, gender and age composition of the transported prisoners was different in each place of detention, route, ship, convoy and destination. Global histories of penal transportation must concern itself with these historical discontinuities, addressing both the lines that connected various places and the qualitative differences between them. Furthermore, networks of penal transportation were part of larger circulations of free and unfree migrants. This suggests an urgent need to overcome the existing marginalization, or outright exclusion, of convict mobility from migration and labour history.¹¹⁷ Conversely, there is a need to appreciate the importance of the links and distinctions among all types of human mobility, including convict transportation. Notwithstanding the power inequalities of empire, a range of historical actors of distinct social status and from different geographical sites played a role in the decisions that surrounded penal transportation: from the king and magistrates to colonial doctors, from the relatives of 'disobedient' sons to illiterate commoners. As far as convict agency is concerned, the mobility intrinsic to penal transportation became an unexpected tool for convicts to conceptualize the space they travelled across, to manipulate their identities and influence their punishment and destination. At the same time, penal transportation was not necessarily the only mobility they experienced during their lives. Extended mobility might stem from the experience of repeated military recruitment, desertion and convictions as much as from the combination of foreign origin, professional mobility and conviction. When 'telling convictism through ordinary lives', then, a spatial perspective strengthens the vision of agency as a multisituated and entangled process, rather than a mere transposition of hierarchical statuses and centre/periphery relationships.¹¹⁸

Notes

- 1 Ruth Pike, *Penal Servitude in Early Modern Spain* (Madison, WI: The University of Wisconsin Press, 1983); Ruth Pike, 'Penal Servitude in the Spanish Empire: Presidio Labor in the Eighteenth Century', *The Hispanic American Historical Review* 58, no. 1 (1978): 21–40; Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (Cambridge: Cambridge University Press, 2010), ch. 4.
- 2 Pedro Alejo Llorente de Pedro, 'Modalidades de la ejecución penitenciaria en España hasta el siglo XIX', *ADPCP* 72 (2004): 311–384; Benton, *A Search for Sovereignty*.
- 3 Irving A. A. Thompson, 'A Map of Crime in Sixteenth-Century Spain', *The Economic History Review* 21, no. 2 (1968): 244–267; José Luis de las Heras, 'Los galeotes de la monarquía hispánica durante el antiguo régimen', *Studia Historica, Historia Moderna* 22 (2000): 283–300; Luca Lo Basso, *Uomini da remo. Galee e galeotti del Mediterraneo in età moderna* (Milano: Selene Edizioni, 2003).
- 4 Silvio Zavala, 'Galeras en el Nuevo Mundo', *Sobretiro de la Memoria de El Colegio Nacional* 18, no. 3 (1976): 115–137; David Wheat, 'Mediterranean Slavery, New World Transformations: Galley Slaves in the Spanish Caribbean, 1578–1635', *Slavery and Abolition* 31, no. 3 (2010): 327–344; Paul E. Hoffman, *The Spanish Crown and the Defense of the Caribbean, 1535–1585* (Baton Rouge, LA, and London: Louisiana State University Press, 1980); Peter T. Bradley, *Spain and the Defence of Peru 1579–1700*.

- Royal Reluctance and Colonial Self-Reliance* (Raleigh, NC: Lulu Press, 2009). A galley fleet also existed in the Spanish Low Countries, probably including convicts among its rowers. Convict transportation in that part of the Spanish monarchy, however, still awaits its historian.
- 5 Pedro Alejo Llorente de Pedro, *El penitenciarismo español del antiguo régimen aplicado a su presidio más significativo: Orán-Mazalquivir* (Madrid: Ministerio del Interior, 2005).
 - 6 Pedro Alejo Llorente de Pedro, 'La pena de presidio en las plazas menores africanas hasta la Constitución Española de 1812', *ADPCP* 61 (2008): 282–296; Benton, *A Search for Sovereignty*, esp. 176–177.
 - 7 Rafael Gil Bautista, *Las minas de Almadén en la edad moderna* (Alicante: Publicacions de la Universitat d'Alacant, 2015); Isabel M. Povea Moreno, 'Los centinelas de la mina de Huancavelica: milicianos, presidiarios y funcionarios reales', *Chronica Nova* 36 (2010): 263–289.
 - 8 Samuel Kagan, 'Penal Servitude in New Spain: The Colonial Textile Industry', PhD diss., City University of New York, 1977.
 - 9 Juan Marchena Fernández and María del Carmen Gómez Pérez, *La vida de guarnición en las ciudades americanas de la Ilustración* (Madrid: Ministerio de la Defensa, 1992), esp. ch. 2; Josep M. Fradera, *Colonias para después de un imperio* (Barcelona: Edicions Bellaterra, 2005); Christopher Schmidt-Nowara, *The Conquest of History: Spanish Colonialism and National Histories in the Nineteenth Century* (Pittsburgh, PA: University of Pittsburgh Press, 2006).
 - 10 Fernando José Burillo Albacete, *La cuestión penitenciaria. Del Sexenio a la Restauración (1868–1913)* (Zaragoza: Prensas Universitarias de Zaragoza, 2011), 62–67, 146–150.
 - 11 Rafael Salillas, *Evolución penitenciaria de España*, vol. 2 (Madrid: Imprenta Clásica Española, 1918), 221–240; Rafael Salillas, *La vida penal en España* (Madrid: Imprenta de la Revista de Legislación, 1888), 244–266.
 - 12 Carmen Gil de Arriba, 'La celda y el taller. El penal del Dueso (Santoña), un ensayo de colonia penitenciaria en las primeras décadas del siglo XX', *Boletín de la Asociación de Geógrafos Españoles* 67 (2015): 349–374; Raquel Collado Quemada, 'Santoña y la colonia penitenciaria de El Dueso', *Monte Buciero* no. 8 (2002): 91–126.
 - 13 Benton, *A Search for Sovereignty*, 165.
 - 14 Clare Anderson and Hamish Maxwell-Stewart, 'Convict Labour and the Western Empires, 1415–1954', in *The Routledge History of Western Empires*, eds. R. Aldrich and K. McKenzie (London: Routledge, 2013), 108.
 - 15 It should be noted that comparatively convict transportation in the British Empire has been studied in the greatest depth, and the high figure might be the result of this rather than the actual difference in the scale of transportation.
 - 16 Archivo General de Indias, Seville (AGI), Indiferente general, 1907.
 - 17 Archivo General de Simancas (SGU), 6830, 1; 6840, 73; 6881, 53; 6899, 25; 6900, 1, 4, 9, 27 and 44; 6934, 63; 6957, 50; 7021, 23, 7056, 18; 7057, 6; 7249, 61; 7250, 38; 7251, 29; 7252, 6, 14 and 18; 7253, 1; 7256, 18 and 20. See also: AGI, Arribadas, 384.
 - 18 José Sánchez-Arcilla Bernal, 'El arbitrio judicial en la Nueva España. Los delitos contra la vida en las cuerdas de reos', in *El Arbitrio Judicial en el Antiguo Régimen (España e Indias, siglos XVI-XVIII)*, ed. José Sánchez-Arcilla Bernal (Madrid: Editorial Dykinson, 2012), 437; María Fernanda García de los Arcos, *Forzados y reclutas: Los criollos novohispanos en Asia (1756–1808)* (Mexico City: Potrerillos Editores, 1996), 7; Beatriz Cáceres Menéndez and Robert W. Patch, 'Gente de Mal

- Vivir: Families and Incurable Sons in New Spain, 1721–1729', *Revista de Indias* 66, no. 237 (2006): 368; Eva Mehl, *Forced Migration in the Spanish Pacific World: From Mexico to the Philippines, 1765–1811* (Cambridge: Cambridge University Press, 2016); Stephanie Mawson, 'Unruly Plebeians and the *Forzado System*: Convict Transportation between New Spain and the Philippines during the Seventeenth Century', *Revista de Indias* 73, no. 259 (2013): 693–730; Stephanie Mawson, 'Convicts or *conquistadores*? Spanish Soldiers in the Seventeenth-Century Pacific', *Past & Present* 232, no. 1 (August 2016): 87–125 (data in 99–100).
- 19 Ángel Alloza, *La vara quebrada de la justicia. Un estudio histórico sobre la delincuencia madrileña entre los siglos XVI y XVIII* (Madrid: Catarata, 2000), 258.
 - 20 José-Miguel Palop Ramos, 'Delitos y penas en la España del siglo XVIII', *Estudis: Revista de Historia Moderna* 22 (1996): 65–104 (esp. 98). For a complementary quantitative study on selected years in the 1810s and 1820s: Pedro Ortego Gil, *Entre jueces y reos. Las postrimerías del Derecho penal absolutista* (Madrid: Dykinson, 2015), 377–399.
 - 21 Colin M. MacLachlan, *Criminal Justice in Eighteenth Century Mexico: A Study of the Tribunal of the Acordada* (Berkeley, CA, Los Angeles, CA, and London: University of California Press, 1974), appendix, table 1. See also: Gabriel Haslip-Viera, *Crime and Punishment in Late Colonial Mexico City, 1692–1810* (Albuquerque, NM: University of New Mexico Press, 1999).
 - 22 Oran, Melilla and Peñón: Pike, *Penal Servitude in Early Modern Spain*, 118; Ceuta: Salillas, *La vida penal*, 253, fn. 2; Pensacola: AGI, Cuba, 126; Valdivia: AGI, Chile, 440; Puerto de la Soledad: AGI, Buenos Aires, 552 and 553 and Archivo General de la Nación, Buenos Aires (AGN-BA): 9.16.09.04, 9.16.09.05, 9.16.09.05 and 09.16.09.06; Martín García: AGN-BA, 9.16.6.2; Montevideo: AGN-BA, 9.27.4.6; Buenos Aires: AGN-BA, 9.27.4.6 and 9.27.4.7; San Julián: María Ximena Senatore, *Arqueología e Historia en la Colonia Española de Floridablanca* (Buenos Aires: Teseo, 2007), 132; Carmen del Río Negro: AGN-BA, 9.16.4.1.
 - 23 Juan Marchena Fernández, *La Institución Militar en Cartagena de Indias en el siglo XVIII* (Sevilla: EEHA, 1982); María del Carmen Gómez Pérez, *El Sistema defensivo Americano. Siglo XVIII* (Madrid: Editorial Mapfre, 1992); Juan Marchena Fernández, *Ejército y milicias en el mundo colonial americano* (Madrid: Editorial Mapfre, 1992); Sifrido Vázquez Cienfuegos, 'Comportamiento de las tropas veteranas en Cuba a principios del siglo XIX', *Temas Americanistas* 19 (2007): 87–110; Santiago Gerardo Suarez, *El ordenamiento militar de Indias* (Caracas: Italgáfica s.r.l., 1971).
 - 24 María Rosa Pérez Estévez, *El problema de los vagos en la España del siglo XVIII* (Madrid: Confederación Española de Cajas de Ahorros, 1976), 93; Olga Gonzalez-Silen, 'Unexpected Opposition: Independence and the 1809 Leva de Vagos in the Province of Caracas', *The Americas* 68, no. 3 (2012): 347–375.
 - 25 Spanish fleet in the Mediterranean: sixteenth and seventeenth centuries: De las Heras, 'Los galeotes de la monarquía hispánica', 289–290, 296; José Luís de las Heras, 'Los galeotes de los Austrias: la penalidad al servicio de la Armada', *Historia Social* 6 (1990): 132; 1700–1748: Manuel Martínez Martínez, *Los forzados de marina en la España del siglo XVIII (1700–1775)* (Almería: Universidad de Almería, 2011), 114. Neapolitan, Sicilian and private fleets: Lo Basso, *Uomini da remo*, 294–298, 329–330, 334–336. Caribbean fleet: Wheat, 'Mediterranean Slavery, New World Transformations', 330–331. No figures are available for the galley fleets of the Southern Pacific, the Philippines and the North Sea.
 - 26 Anderson and Maxwell-Stewart, 'Convict Labour and the Western Empires', 222.

- 27 Pere Gabriel, 'Más allá de los exilios políticos: proscriptos y deportados en el siglo XIX', in *Las figuras del desorden. Heterodoxos, proscriptos y marginados*, eds. Santiago Castillo and Pedro Oliver (Madrid: Siglo XXI de España, 2006), 197–221 (figure at 213).
- 28 Archivo General Militar, Madrid (AGMM): 5948.14; 5969.9; 5970.8; 5972.33; 6027.4; 6636.22; 7149.77.
- 29 See esp. AGMM: 5654.2–3; 5661.6–7–9–10; 5774.10.
- 30 See esp. AHN, Ultramar: 4709 and 4718, exp. 5.
- 31 Gabriel, 'Más allá de los exilios políticos', 215–219.
- 32 See esp. AHN, Ultramar: 202, 68; 456, 13; 612, 7; 5348, 8; 5354, 7–8; 5364; 5365, 1; 5867.
- 33 AHN, Ultramar, L. 665, 666.
- 34 For some very limited statistics: Kagan, 'Penal Servitude in New Spain', 126, 127.
- 35 Bautista, *Las minas de Almadén en la edad moderna*, 160–161.
- 36 Martínez Martínez, *Los forzados de marina*, 140; Alfredo Martín García, 'Levas honradas y levas de maleantes: los trabajadores forzosos en un arsenal del antiguo régimen', *Obradoiro de Historia Moderna* 8 (1999): 231–260.
- 37 Pedro Cardim, Tamar Herzog, José Javier Ruiz Ibañez and Gaetano Sabatini, eds., *Polycentric Monarchies: How Did Early Modern Spain and Portugal Achieve and Maintain a Global Hegemony?* (Eastbourne: Sussex Academic Press, 2012); Manuel Rivero Rodríguez, *La edad de oro de los virreyes. El virreinato en la Monarquía Hispánica durante los siglos XVI y XVII* (Madrid: Ediciones Akal, 2011).
- 38 The map is built by superimposing the convict's sea routes to the map of the navy deposits and departments published in Pérez Estévez, *El problema de los vagos*, 217.
- 39 Martínez Martínez, *Los forzados de Marina*.
- 40 Mehl, *Forced Migration in the Spanish Pacific World*, 190–191.
- 41 Carlos López Urrutia, *El Real Ejército de California* (Madrid: Grupo Medusa Ediciones, 2000); Barbara Lois Voss, 'The Archaeology of El Presidio de San Francisco: Culture Contact, Gender, and Ethnicity in a Spanish-colonial Military Community', PhD diss., University of California, Fall 2002; Jack S. Williams, 'San Diego Presidio: A Vanished Military Community in Upper California', *Historical Archaeology* 38, no. 3 (2004): 121–134. See also: AGI, Arribadas, 287A, Monsálvez y Pabón, Malaga, 19 April 1787; AGI, Arribadas, 287A, Monsálvez y Pabón, Malaga, 10 January 1787.
- 42 Max Moorhead, *The Presidio: Bastion of the Spanish Borderlands* (Norman, OK: University of Oklahoma Press, 1991); Charles W. Polzer and Thomas E. Sheridan, eds., *The Presidio and Militia on the Northern Frontier of New Spain*, 2 vols. (Tucson, AZ: The University of Arizona Press, 1997); David J. Weber, *The Spanish Frontier in North America* (New Haven, CT, and London: Yale University Press, 2009). See also: AGI, Arribadas, 287A, Sonora, San Lorenzo, 12 November 1786.
- 43 Amy Turner Bushnell, *Situado and Sabana: Spain's Support System for the Presidio and Mission Provinces of Florida* (New York, NY: American Museum of Natural History, 1994); Ronald Wayne Childers, 'The Presidio System in Spanish Florida 1565–1763', *Historical Archaeology* 38, no. 3 (2004): 24–32; Carl D. Halbirt, 'La Ciudad de San Agustín: A European Fighting Presidio in Eighteenth-Century La Florida', *Historical Archaeology* 38, no. 3 (2004): 33–46.
- 44 David J. Weber, *Bárbaros: Spaniards and Their Savages in the Age of Enlightenment* (New Haven, CT, and London: Yale University Press, 2005), 60.

- 45 Beatriz Vitar, *Guerra y misiones en la frontera chaqueña del Tucumán (1700–1767)* (Madrid: Consejo Superior de Investigaciones Científicas, 1997).
- 46 Juan Alejandro Apolant, *Operativo Patagonia. Historia de la mayor aportación demográfica masiva a la Banda Oriental* (Montevideo: El Galeón, 1999); Senatore, *Arqueología e Historia*.
- 47 See especially: Archivo General de la Nación, Buenos Aires (AGN-BA), 9.16.6.2.
- 48 Tamar Herzog, *Upholding Justice: Society, State, and the Penal System in Quito (1650–1750)* (Ann Arbor, MI: University of Michigan Press, 2004); Agnieszka Czeblakow, 'A Prison by Any Other Name: Incarceration in Seventeenth and Eighteenth-Century Audiencia de Quito', MA thesis, Emory University, 2011, esp. 86 and ch. 5.
- 49 García de los Arcos, *Forzados y reclutas*; Mehl, *Forced Migration in the Spanish Pacific World*.
- 50 García de los arcos, *Forzados y reclutas*, 23 and 196–203.
- 51 Carlos Martínez Shaw, *El Sistema comercial español del Pacífico (1765–1820)* (Madrid: Closas y Orcoyen, 2007); Mario Trujillo Bolio, *El péndulo marítimo-mercantil en el Atlántico novohispano (1798–1825). Comercio libre, circuitos de intercambio, exportación e importación* (Cadiz and Mexico City: Ediciones del Lirio, 2009); Mariano Ardash Bonialian, *El Pacífico hispanoamericano: política y comercio asiático en el Imperio Español (1680-1784)* (Mexico City: El Colegio de México, 2012).
- 52 See esp. AGI, Lima, 1524 and 1525.
- 53 García de los Arcos, *Forzados y reclutas*, 155–180.
- 54 The following description in the text is based on Czeblakow, 'A Prison by Any Other Name', 195–196.
- 55 For the period 1788–1790 see the records in AGI, Arribadas, 548.
- 56 AGI, Arribadas, 287A, Casas, Cadiz, 13 August 1787 and 23 October 1787.
- 57 AGI, Arribadas, 287A, Langaa to Manxon, Isla de León, 5 February 1781; AGI, Arribadas, 287A, Sonora to Interin President of the Real Audiencia de la Contratación, San Ildefonso, 30 August 1786.
- 58 For related records see especially AGI, Arribadas: 287A.
- 59 See for example: AGI, Arribadas, 287A, 'Relación de los Reos entregados a mi disposición...', Cadiz, 9 February 1784.
- 60 AGI, Arribadas, 287/A: Agustín Carlos Rocas, Cartagena, 13 January 1781; Cadiz 10 October 1787; Agustín Carlos Rocas, Cartagena, 13 January 1781; Cadiz, 23 May 1783.
- 61 AGI, Arribadas, 551, 'Relación que en virtud de R.l orden de 5 de Mayo ultimo...,' Cadiz, 23 September 1788. See also García de los Arcos, *Forzados y reclutas*, esp. 117–151. For other archival evidence, see esp. AGI, Arribadas, 550, Cadiz 27 June 1788; AGI, Arribadas, 287B, 15 November 1792.
- 62 AGI, Indiferente general, 1907, Aranda, Madrid 19 May 1770. Here the record summarizes a previous communication of Alejandro O'Reilly (February 1769).
- 63 AGI, Indiferente general, 1907, Victoria to Arriaga, Isla de León, 7 February 1771. See also: AGI, Indiferente general, 1907: Cadiz, 3.11.1775, 2.6.1775, 1.7.1775, 1.8.1775. The figure excludes six convicts who escaped, for which no origin and age is provided, and five convicts whose origin is unclear.
- 64 García de los Arcos, *Forzados y reclutas*, 127.
- 65 Diane Barbolla-Roland, 'Alta California Troops: Acculturation and Material Wealth in a Presidio and Mission Context, 1769-1810', PhD diss., University of California,

- 1992; Voss, 'The Archaeology of El Presidio de San Francisco'. The following quotation also stems from this article.
- 66 Voss, 'The Archaeology of El Presidio de San Francisco', respectively 135 and 149.
- 67 Luís Navarro García, 'Poblamiento y colonización extratética en el siglo XVIII indiano', *Temas americanistas* 11 (1994): 55–56.
- 68 For example: AGI, Estado, 42, Exp. 7, Porcel to Cevallos, Madrid, 10 July 1802; Roman to Cevallos, Cadiz, 22 April 1803; AGI, Arribadas, 287B, Porlier to Diaz, Cadiz, 14 September 1790. See also: Immaculata Fernández Arrilaga, *Jesuitas rehenes de Carlos III. Misioneros desterrados de America presos en el Puerto de Santa María (1769–1798)* (El Puerto de Santa María: Ayuntamiento de El Puerto de Santa María, 2009).
- 69 For some examples, see: AGI, Arribadas, 287A, Bernal to Manxon, Cadiz, 18 June 1776; AGI, Arribadas, 287A, Sentence by Diego Antonio, Lima, 20 November 1775; AGI, Arribadas, 287A, Gálvez, Cadiz, 4 March 1785, and El Pardo, 14 March 1785; AGI, Arribadas, 287A, González to Guirál, Madrid, 2 February 1788. See also Christon I. Archer, 'The Deportation of Barbarian Indians from the Internal Provinces of New Spain, 1789–1810', *The Americas* 29, no. 3 (1973): 376–385, esp. 377; Vitar, *Guerra y misiones en la frontera*, 184, 266–267, 301.
- 70 Archer, 'The Deportation of Barbarian Indians', 381.
- 71 See for example García de los Arcos, *Forzados y reclutas*, 60, 130, 137–138.
- 72 AGI, Arribadas, 421, 'Libro de Provistos, Cargadores'.
- 73 For one example of mutiny, see AGI, Lima, 1524: Real Tesoro, Cadiz, 26 December 1766.
- 74 For example AGI, Buenos Aires, 525: Macé to Arriaga, Montevideo, 21 February 1767; Macé to Arriaga, Montevideo, 16 June 1766.
- 75 AGI, Lima, 1524, Real Tesoro to Arriaga, Cadiz, 11 September 1773 (and annexes).
- 76 Nadia Andrea de Cristóforis, *Proa al Plata: Las migraciones de gallegos y asturianos a Buenos Aires (fines del siglo XVIII y comienzos del XIX)* (Madrid: Consejo Superior de Investigaciones Científicas, 2009), 66.
- 77 Arribadas; AGI, Lima, 1525, Merida to Gálvez, Cádiz, 20 May 1776.
- 78 For example, AGI, Arribadas, 287B, Calle, Cadiz, 9 August 1789; AGI, Arribadas, 384, 'Cuentas presentadas p.r d.n Lucas Gascon', Cadiz, 7 July 1803.
- 79 For Havana: AGI, Indiferente General, 1907, 'Estado que comprehende los Soldados'. Cadiz must have been another important place of interaction between convicts and slaves, given the constant presence of slaves in the city: Arturo Morgado García, *Una metrópoli esclavista. El Cádiz de la modernidad* (Granada: Universidad de Granada, 2013).
- 80 For one example regarding the *presidio* of Valdivia: AGI, Chile, 434, Espinosa to Juareguí, Mancera, 29 November 1773.
- 81 AGI, Estado, 85, Exp. 30, O'Higgins to Principe de la Paz, Osorno, 15 January 1796. See also: Navarro García, 'Poblamiento y colonización'.
- 82 See esp. Sánchez-Arcilla Bernal, *El Arbitrio Judicial en el Antiguo Régimen*. Besides the royal justice, multiple parallel legal systems existed in the Spanish monarchy, including the jurisdiction of the Holy Office and military jurisdiction. They too contributed to the production of mobility-related punishments.
- 83 AGI, Arribadas, 287A, Rocas, Cartagena, 16 May 1786.
- 84 For example: AGI, Arribadas, 284; AGI, Arribadas, 548.
- 85 AGI, Arribadas, 287A, Gómez, Cadiz, 30 June 1781.

- 86 AGI, Arribadas, 287A, Sanz, Cadiz, 29 May 1786.
- 87 AGI, Arribadas, 287A, Asme, Cadiz, 19 September 1787.
- 88 AGI, Arribadas, 287A: Valdéz to Guirál, Cadiz, 4 August 1788; Condenuela to Guirál, Cadiz, 21 January 1788.
- 89 Mehl, *Forced Migration in the Spanish Pacific World*, 190–191; García de los Arcos, *Forzados y reclutas*, 121.
- 90 AGI, Arribadas, 287A, Rocas, Cartagena, 13 January 1781.
- 91 Quoted in AGI, Indiferente general, 1907, Aranda to Arriaga, Madrid, 18 December 1769.
- 92 See esp. the following records in AGI, Indiferente general, 1907: Letter to Munian, 6 December 1768; Letter to Gerbaut, Madrid, 16 December 1768; Arriaga to Vegaflorida, Madrid, 17 December 1768; Winthuisen to Arriaga, Cadiz, 23 December 1768; Vegaflorida to Arriaga, Ferrol, 4 January 1769; Winthuisen to Arriaga, Cadiz, 14 January 1769.
- 93 AGI, Arribadas, 549, Letter to Viela, Cadiz, 16 June 1790.
- 94 Czeblakow, 'A Prison by Any Other Name', esp. ch. 4.
- 95 See for example: all records in AGI, Arribadas, 548; and AGI, Arribadas, 287B, Letter signed Orozco, Cadiz, 8 February 1804.
- 96 For the establishment of fixed dates of departures from, and return to, Cadiz and el Callao, see: AGI, Lima, 1524, Virrey del Peru, Lima, 22 January 1766 and the annex. The last departures from el Callao had to take place by 30 November (or by the end of October if the ship was calling in the Chilean ports); the ships leaving Cadiz had to depart by 31 October at the very latest.
- 97 See for instance the records in AGI, Lima, 1525.
- 98 Letter to Guirál, Cadiz, 26 April 1788; Vique to Guirál, Castillo de San Sebastian, Cadiz, 11 April 1788; Manuel de Vique to Manuel González Guirál, Cadiz, 3 May 1788; AGI, 287A: Sanz, Cadiz, 2 October 1787. For an example of punishment of a guard in the aftermath of an escape: AGI, Arribadas, 287A, Cotarro, Cadiz, 16 May 1788.
- 99 See for example: AGI, Estado, 62, Exp. 64, Larruleta, Cadiz, 3 April 1798.
- 100 AGI, Arribadas, 287A, Portela: sentence dated Lima, 21 November 1775.
- 101 AGI, Arribadas, 287A, Gomez y Olmo to Real Tesoro, Cadiz, 1 March 1765; AGI, Estado, 37; Exp. 12; AGI, Estado, 41, Exp. 3; AGI, Estado, 86A, Exp. 33.
- 102 See esp. AGI, Arribadas, 287B, Fondebiela to Guirál, Cadiz, 3 April 1788.
- 103 For example: AGI, Estado, 62, Exp. 64, Larruleta, Cadiz, 3 April 1798.
- 104 Mehl, *Forced Migration in the Spanish Pacific World*, 142–188; García de los Arcos, *Forzados y reclutas*, 99–104; Mawson, 'Unruly Plebeians and the *Forzado System*'.
- 105 AGI, Arribadas, 287A, petition by Josef de Carbia, Cadiz, 17 September 1794.
- 106 AGI, Arribadas, 287A, Ramón Ribera to Antonio María y Lomas, Cadiz, 12 June 1787.
- 107 AGI, Arribadas, 287A: Marques de Sonora, San Lorenzo, 7 November 1786; Joachin de Condenuela to Manuel González Guirál, Cadiz, 21 January 1788.
- 108 AGI, Buenos Aires, 552 and 553. Malvinas and Falklands were the names used respectively by the Spanish and the British authorities. I will use Malvinas here, following the use of the sources I have consulted.
- 109 Reports of captives' interrogation are held in AGI, Estado, 80, 1. The quotations in the text stem from the interrogation of John Palmer, attached to the letter of Viceroy Arredondo to Alange, Buenos Aires, 23 September 1790; and the interrogation of Loveday, attached to the same letter, 3 August 1789.

- 110 AGI, Estado, 80, Exp. 30, Sanguinate to Valdéz, Malvinas, 23 July 1796.
- 111 AGI, Arribadas, 287A, Roxas to Valdellano, Cartagena, 1 March 1777.
- 112 For the Chaco, see: Vitar, *Guerra y misiones en la frontera*, 252. For the area between Valdivia and Chiloé: AGI, Lima, 686, Exp. 52, Croix to Valdéz, Lima, 5 August 1785.
- 113 AGI, Arribadas, 287B, sentence against Toma, Havana, 17 June 1789.
- 114 AGI, Arribadas, 548, *filiación* of Andrade, Isla de León, 10 July 1788.
- 115 AGI, Arribadas, 287B, Neves to Gonzales Giral, Cadiz, 4 October 1791.
- 116 Kerry Ward, *Networks of Empire: Forced Migration in the Dutch East India Company* (Cambridge: Cambridge University Press, 2008).
- 117 For a similar argument: Anderson and Maxwell-Stewart, 'Convict Labour and the Western Empires', 111.
- 118 Clare Anderson, *Subaltern Lives: Biographies of Colonialism in the Indian Ocean World, 1790–1920* (Cambridge: Cambridge University Press, 2012), 41.

