

Pathways to Vassalage in Tierra Firme: Conflict, Negotiation, and Rebellion in Early Colonial  
Panamá

by  
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## **DEDICATION**

To my husband, Justin, whose everlasting patience, and support got me through many late nights of research and writing.

And to my sons, Alexander Durand and Steven Guerrero, who kept me going with plenty of snuggles and wonderful distractions.

Maybe you will all read it someday.

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Finally, I would like to thank my family, who will probably never read this but without whose love and support this thesis would not have been possible.

## ABSTRACT

Vassalage in the context of this paper is defined as a position of subordination or submission and the homage, fealty, or services due from being a vassal of a political power, in this case the Spanish Church and monarchy. The agenda was to make Christians and vassals of the Indigenous peoples of the Americas. As vassals they would be expected to give up what the Spanish viewed as “evil” or “barbarous” ways to labor in mines, cultivation, and building processes. In exchange they would be indoctrinated into the Christian faith, provided food and shelter, and allowed to remain in their own lands. Those who did not comply were forced to labor.

In this thesis, I argue that Spanish explorers and settlers were not diplomats and had little interest in the effort and expense of evangelizing, feeding, or sheltering the Indigenous peoples. As long as they prospered off the subjugation of the Indigenous peoples and, later, Africans, they did not uphold the laws as they had expected to be followed. I argue that vassalage, at this time, was used as an ultimatum or an opportunity to exploit. Those who did not agree were enslaved and those who did agree had often been intimidated to do so.

Enslaved Africans had arrived with the Spaniards in their first voyages. However, it wasn't until the cheaper Indigenous labor declined, and the laws protecting them began to be enforced in earnest, that the Spaniards began to lean more heavily on enslaved Africans as a labor resource. The African path to vassalage was very different from the Indigenous. It was not as readily offered until self-emancipated Africans, or *cimarrones*, soon dominated the region, crowned their own king, collaborated with Spanish enemies, and began raiding Spanish mule trains along the Camino Real, the vital trade route that transported Peruvian gold along the isthmus between Panama City on the Pacific side to Nombre de Dios on the Atlantic side. As conflict escalated vassalage would become a bargaining tool to establish peace.

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Image 0.1: Portolan chart (1516) <https://hdl.huntington.org/digital/collection/p15150coll4/id/15998>  
\*What was known of the world at the time of the first Spanish settlement in Tierra Firme.

## **Introduction**

After explorers landed on the shores of Hispaniola in the late 15th century, they quickly carved their way into the New World. In 1501 Rodrigo de Bastidas was the first European to discover Tierra Firme and its Isthmus, what is now Panamá and her famous canal, while sailing westward from Venezuela in search of gold. Spanish explorer Vasco Nuñez de Balboa would soon found the first settlement in Panamá in 1510, eleven years before the conquest of Mexico. By the time explorers had reached Tierra Firme the church and monarchy had already begun to put forth laws to regulate the behavior of eager Spaniards, namely in regards to the Indigenous peoples they encountered. The laws required that explorers and settlers create vassals of them by encouraging them to pay homage and fealty to the Christian God and the Spanish king. They would also be encouraged to offer their services in the form of labor, which was often brutal and deadly. In this case, vassalage was by no means an offer of freedom or equality, it was submission by intimidation, a way for the Spanish to enforce labor, and, as such, was neither enticing nor ideal. Furthermore, the requirement to create vassals was not properly advanced by the Spaniards whose goal was primarily gold and glory. Most Spanish conquistadors were not trained in diplomacy. Most were artisans who came with dreams of striking their fortune. The diplomatic skills needed to create vassals were simply not in their wheelhouse. For them, the Indigenous people and African slaves better served as laborers, which they were in desperate need of, and to be put to work in the fields, mines, and building processes.

Contrary to the invading Europeans' belief in the superiority of their culture, it is evident that most Indigenous and Afrodescendant peoples practiced a tactic of avoidance or violent resistance whenever possible. The power dynamics between the Indigenous people and the Spanish was not balanced. The conquistadors held the upper-hand with their superior weaponry

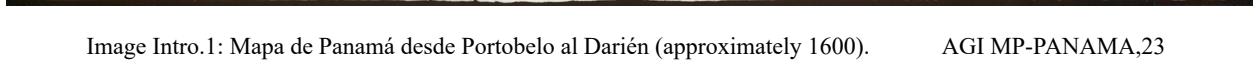
and their willingness to take extreme measures to reap the rewards that would make the long journey away from their homeland worthwhile. When “peaceful” negotiations did occur the Spanish had generally initiated it through intimidation. When enslaved Africans began to rebel against the cruelties of their enslavement the power dynamics shifted. The Spaniards were outnumbered and scrambled to once again gain control. Only when they were out of all other options did the Spanish explore the possibility of vassalage for blacks. This was not because rebellious, self-emancipated slaves demanded it, but because the Spaniards viewed vassalage as a desperate attempt to control them. It is clear through contextual evidence that very few Indigenous peoples and Africans were interested in becoming vassals of a foreign king or a foreign God, no matter how much the Spanish believed in the superiority of their way of life.

The terrain played a major role for the Indigenous and Africans successes in avoidance and rebellion. The Isthmus valley is divided by two principal mountain ranges that extend almost the entire length of Panamá, the Tabasará Mountains (Cordillera Central) along the west and the Cordillera de San Blas along the east. These mountains separate the Atlantic north (Caribbean Sea) from the Pacific south (South Sea). The difficulty of the region’s mountainous terrain combined with its dense jungles, would create a sort of buffer that would separate the Indigenous people from the Spanish upon their arrival. Of the land, the conquistador Vasco Núñez de Balboa wrote, “it is very hard to walk, because of the many rivers and swamps of large floodplains and mountains, where many people die from such great work, it makes them ill to receive bad nights of sleep after enduring such work, because every day it is necessary to put oneself to death a thousand times.”<sup>1</sup> With their superior knowledge of the land, Indigenous peoples resisted Spanish

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<sup>1</sup> Carol F. Jopling, ed., *Indios y negros en Panama en los siglos XVI y XVII: Selecciones de los documentos del Archivo General de Indias* (Antigua: Centro de Investigaciones Regionales de Mesoamérica, 1994), 22.







and desire to learn this secret.”<sup>2</sup> Oviedo, of course, was speaking of Panamá’s Isthmus, a narrow depression of lower land near the center of the country. The significance of Panamá’s isthmus cannot be understated. From the moment it was discovered the Spanish focused on its value as a potential trade route for Peruvian exports and soon built the city of Panamá on the Pacific side to serve as a port for this purpose. Pedro Cieza de León, a Spanish conquistador and chronicler of Peru, asserted that the founding text of Peruvian history begins in Panamá.<sup>3</sup> It was on the shores of Panamá that Balboa became the first European to gaze upon the Pacific Ocean from the New World and claim all that its waters touched in the name of Spain. The infamous conquistador Francisco Pizarro launched his expedition to conquer the Incan Empire from Panamá. And it was through Panamá that Peruvian gold made its way to Spain.

Politics and religion greatly affected diplomacy between the vastly different worlds. The Spanish equated Indigenous leaders to kings, and had their own preconceptions about what Indigenous leadership and power dynamics should look like. Indigenous leadership was very different from what the Spaniards were accustomed to. Oviedo noted that Indigenous rulers were given various names to designate their title. “In some places the lord is called *quevi*, in other places *cacique*, *tiva*, and *guajiro*, and even other names, since there are many different languages among those peoples.”<sup>4</sup> These differences in leadership were soundly ignored by most Spaniards and many documents refer to all Indigenous leaders simply as “caciques”, making no significant distinctions of the kind leadership role individual caciques played. Especially in matters of religion, the devoutly Catholic Spaniards regarded the Indigenous peoples as inferior for their belief in what they considered to be dark, demonic, false Gods. Just as it had on the islands, this

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<sup>2</sup> Gonzalo Fernández de Oviedo, *Natural History of the West Indies*, ed. and trans. Sterling Stoudemire (Chapel Hill, NC: University of North Carolina Press, 1959), 25.

<sup>3</sup> Pedro de Cieza de León, *Parte primera de la chronica del Peru*, vol. 1 (Seville: Martin de Montesdoca, 1553), f. ii.

<sup>4</sup> Gonzalo Fernández de Oviedo, *Natural History of the West Indies*, 28.

perpetuated the presumption that Indigenous peoples had no humanity and they needed to be taught a better way or be put to work for the glory of their God and a foreign king. For this reason, vassalage for the Indigenous was more of a tool for spiritual control and to gain tribute in the form of their labor.

As more and more African slaves came to Tierra Firme the Spanish soon found themselves outnumbered. As runaway slaves deep in the jungles joined together and mobilized against the Spaniards, they quickly found themselves on the losing end of power struggle. The Spaniards did everything within their means to take the power back, but it wasn't until ambitious men began to take advantage of the runaway slaves as force to bolster their own numbers against the Spaniards, that the topic of potential vassalage for Africans was discussed. Again, just as with the Indigenous peoples, vassalage was used as a means of control.

Although there is slightly more scholarship on Africans, early first-hand records of both the Indigenous and African experience during the Spanish conquest of the New World are sparse. However, we can glean some information about how these two groups perceived the Spanish from how the Spanish themselves documented their interactions and behavior. By avoiding the perception biases of the early chroniclers, it becomes clear from their early accounts that most Spaniards wanted little to do with upholding the charge of promoting vassalship, despite their grandiose posturing, and it is clear that the majority of Indigenous peoples and Africans had no interest in vassalage and did everything they could to avoid the Europeans. Their attitude toward the Spanish in regard to their promotion of vassalage set forth by the Church and Crown is evident in the Spanish description of Indigenous and African reactions and resistance. Despite the Church and monarchy's efforts to promote better treatment for the Indigenous population,

their labor, and African labor, was a commodity the Spanish could not do without and there was no room for diplomacy.

The primary source documents transcribed in Carol F. Jopling's *Indios y negros en Panama en los siglos XVI y XVII: Selecciones de los documentos del Archivo General de Indias* we see that by the time the Spaniards had reached Tierra Firme they had already been tasked with promoting vassalage to its Indigenous inhabitants. However, early first hand accounts vary in their approach to this task. Oviedo approached the Indigenous people as a subject of curiosity. His accounts in *Historia general y natural de las indias, islas y Tierra-Firme del mar océano* details the variety of cultures he encountered throughout the region. The young conquistador and chronicler, Pascual Andagoya witnessed and chronicled many atrocities while under the command of the first governor of Tierra Firme, Pedro Arias de Avila (commonly known as Pedrarias Davila). Although he was critical of their behaviors in his *Narrative of the Proceedings of Pedrarias Davila in the Provinces of Tierra Firme or Castilla del oro*, he was in no position to question or take action against them. Conquistador and chronicler, Gaspar Espinoza, wrote letters to the king describing tactics he and his party used in order to obtain slaves and gold. For him and his men, attempts to promote vassalage went little further than reading the required royal decree to a people that barely understood what any of it meant. Fray Pedro de Aguado, a sixteenth century Franciscan friar and historian, wrote *Historia De Venezuela* which gives one of the earliest accounts of the most significant African rebellion in Tierra Firme.

The path to vassalage was starkly different between the Indigenous peoples and Afrodescendants. The Spanish, many of whom recognized the exploitation of the Indigenous people, were willing to offer vassalage to them very early on. However, this did not free them from backbreaking labor as most early explorers were quite rapacious in their quest for wealth

and stature. For them vassalage, although offered and advocated, held very little significance in practice. For the Afrodescendants, their enslavement was already an established institution.

Vassalage for them was not a consideration for a very long time. The promise of Spanish vassalage held very little weight when witnessing the cruelties of forced labor and death of their people. Those who accepted it, did so out of fear or as a means to gain Spanish support against their enemies. For both the Indigenous and Afrodescendants the path to vassalage would be avoided, ran away from, and rebelled against. Ultimately, these tactics would compel the Spaniards to change their behavior far better than any law passed down from the king.

## **Chapter One**

### **Indigenous Vassalage 1511-1520s**

Laws that regulated the way the Spanish colonizers were expected to behave towards the Indigenous peoples were already in place when the Spanish arrived in Tierra Firme. Vassalage was intended to be an ideal and better way of life that would benefit both the Indigenous peoples and the crown. The Indigenous people would be folded into the Spanish kingdom under what the Spanish believed to be the true king and God and the Spanish crown stood to gain tribute in the form of labor and wealth. Vassalage, however, devolved into a bargaining tool in which the Indigenous people were expected to become vassals of Spain peacefully or be forced labor for it as slaves and even as vassals the Indigenous peoples were not guaranteed a life free of servitude. The question then becomes, what do the Indigenous people stand to gain by becoming vassals of the Spanish crown and what measures did they take to resist? This paper mainly focuses on the actions of three men for understanding of how the burden of vassalage was handled. Vasco Núñez de Balboa, who established the first successful colony in Tierra Firme, Pedrarias Avila, founder and first governor of the city of Panamá, and Gaspar Espinosa, a conquistador whose chronicles detail the method by which many invaders went about the responsibility of vassalage. These three men represent varying attitudes the Spanish had towards their early interactions with Indigenous peoples. How the Indigenous peoples' reaction towards the Spanish is documented give us clues about what they may have thought about the Spanish, their “superior” culture, and their promotion of vassalage.

Although the land was formidable and the earliest settlements in Tierra Firme succumbed to hunger and disease, these men, and indeed all early Spanish explorers, were tasked with the

responsibility of surveying the region and assessing it for its potential value to the Crown. Most of the early records deal primarily with this objective in mind. However, some records do exist that describe many of the cultural norms of the Indigenous peoples as they were at the time of Spanish arrival. Commentators in the early 1500s Spanish noted considerable variation in the size of local populations, their settlement types, and their permanence on the landscape.<sup>5</sup> Both Oviedo and the conquistador and chronicler, Pascual Andagoya, observed a wide range of peoples and chiefdoms that varied greatly in size and governance and who mostly spoke languages of the Chibchan family. Oviedo's journals are invaluable in our understanding of early perceptions in Tierra Firme. According to Oviedo, these Indians built their villages near the sea or near rivers and fished with nets made of cotton. He described the Indigenous people of Tierra Firme as being somewhat larger, stronger, and better formed than those of the islands. Some were warlike, painting themselves before battle, and others peaceful. They all fought with various arms, but the manner in which they used the weapons depended on their region. Negotiations were based on family ties and women were often married into rival families in order to make peace. For the Spanish, in order to find gold and learn how to cultivate the land, assistance from the Indigenous people, whether acquired peacefully or through more forceful means, became necessary. This meant that they needed to actively seek out Indigenous settlements to gain whatever they could from them (food, gold, slaves, or information). The Spanish utilized translators for most interactions, but the various languages spoken in the region made this an imperfect plan. Negotiations were often too slow for the impatient conquistadors and the task of vassalage would become burdensome.

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<sup>5</sup> Richard Cooke. "Prehistory of Native Americans on the Central American Land Bridge: Colonization, Dispersal, and Divergence." *Journal of Archaeological Research* 13, no. 2 (2005): 129–87. <https://doi.org/10.1007/s10804-005-2486-4>.

## **The Problematic Encomienda System**

By the time the Spanish first settled Tierra Firme in 1511, the Encomienda system had already been in effect on the colonized islands for almost a decade. The system was established in 1503 by Queen Isabella I of Castile and King Ferdinand II of Aragon in an effort to expedite the exploitation of the material wealth of the new territories. The system gave Spanish colonizers custody of a quota of Native peoples which were used as a labor force to work the land and produce tribute that would then be paid to the crown. In exchange, the encomenderos (holders of the encomiendas) were required to provide the Indigenous peoples with benefits (such as food and shelter) and to give them instruction of the Christian faith and the Spanish language. It is important to note that this system “was not the result of a deliberate policy implemented by the Crown against the natives: in fact, the system in its initial legal principles did not foresee the submission of the local population.”<sup>6</sup> On the status of the natives, historian Valeria Enea wrote that the disposition of the monarchy and that of the Court scholars and theologians, “warned the colonists to reserve the indigenous (except the *Caribs*) a good treatment, underlining their condition of free subjects.”<sup>7</sup> (“Caribs” was the name given to the supposed “cannibal” tribes encountered by Christopher Columbus upon his first voyage. The Caribbean derives its name from these peoples. However, there is debate as to whether their supposed cannibalism was real or sprung from the imagination of weary sailors.) Although it was clear that the monarchy expected peaceful submission and vassalage from all the Indigenous peoples, they did not intend for the cruel subjugation of the Indigenous peoples. However, they also left plenty of space for

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<sup>6</sup> Valeria Enea. “Vasallos libres de Su majestad: Nuevas perspectivas sobre la encomienda de indios de islas y Tierra Firme (1503-1573),” *Hacer historia moderna: Líneas actuales y futuras de investigación*, Universidad de Sevilla, Seville. July 4, 2019, pp. 1045-1057, 1045.

<sup>7</sup> Valeria Enea. “Vasallos libres de su Majestad,” 1050.

interpretation and for those who did not conform or submit peacefully to be seen as “indios de guerra” and a threat to the security of the settlements.

However, from the beginning the encomienda system served to legitimize the enslavement of “indios de guerra” or those who did not yield to the crown. Unfortunately, given the nature of conquest and colonization as a means of oppression and cultural destruction “the process of westernization and Christianization that accompanied the colonial expansion degenerated, leading de facto to the exploitation of the local population.”<sup>8</sup> The guidelines were systematically ignored, and it did not take long for the system to stir outrage within the papacy. One of the earliest voices to arise was that of the Dominican friar Antonio de Montesinos. In 1511 in Hispaniola, during the fourth Sunday of Advent, the friar delivered an important sermon in which he addressed the cruelties of the encomenderos. In it he stated all of you (the encomenderos) are in mortal sin for the tyranny you use in dealing with these innocent Indigenous people.

“Tell me, by what right or justice do you hold these Indians in such cruel and horrible slavery? By what right do you wage such detestable wars on these people who lived mildly and peacefully in their own lands, where you have consumed infinite numbers of them with unheard of murders and desolations? Why do you so greatly oppress and fatigue them, not giving them enough to eat or caring for them when they fall ill from excessive labors, so that they die or rather are slain by you, so that you may extract and acquire gold every day? And what care do you take that they receive religious instruction and come to know their God and creator, or that they be baptized, hear mass, or observe

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<sup>8</sup> Valeria Enea. “Vasallos Libres De Su Majestad”, 1045.



holidays and Sundays? Are they not men? Do they not have rational souls? Are you not bound to love them as you love yourselves?”<sup>9</sup>

On the islands, his words fell on deaf ears and the encomenderos did not take kindly to the insult. Friar Antonio returned to Spain to continue to advocate for better treatment of the Indigenous population.

When news of the continued devastation of the Indigenous peoples reached the crown they aimed to improve relations with the Laws of Burgos in 1512, which would be the first laws that governed the behaviors of the Spanish in the New World, and the Requerimiento of 1513, which was meant to emphasize the legitimate enslavement of rebellious Indigenous peoples and not those who willingly accept the Spanish monarchs as their ruler and Christianity as their faith. In reality, both did very little to protect the Indigenous peoples from enslavement and exploitation by ambitious Spaniards. The crown, fearful that the encomenderos would acquire too much power, aggressively sent loyal officials to establish courts and uphold the royal laws in an effort to control the colonizer's zeal. By the time that the Spanish began to settle Tierra Firme in earnest, Spain's contentious encomienda system had already been established in the early island colonies and had already begun to come under attack.

### **First Contact: Balboa and Pedrarias**

Under the desperate conditions of early settlement attempts, it is impossible to imagine that the explorers were focused on the task of vassalage. The first colony of Tierra Firme had been built atop a ravaged Indigenous village. It had been a product of an exploratory

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<sup>9</sup> Antonio de Montesinos. “Antonio De Montesinos: ‘Christmas Eve Sermon of 1511’ on Just Treatment of Indians,” transcribed in *Berkley Center for Religion, Peace and World Affairs*.  
<https://berkleycenter.georgetown.edu/quotes/antonio-de-montesinos-christmas-eve-sermon-of-1511-on-just-treatment-of-indians>.

expedition sent by the crown that ended in the deaths of many Spaniards from hunger, disease, and Indigenous attacks. In March 1511, the Spanish conquistador, Vasco Núñez de Balboa had found himself leading the struggling colony and, proving himself an impressive leader, nurtured it back to health. Sitting on the eastern side of the territory near the modern-day Panamanian-Colombian border, Santa María la Antigua del Darién became the first successfully established settlement of Tierra Firme. Balboa was among the first conquistadors to establish any significant contact and relationships with the peoples of that region. He both negotiated with and conquered the Cueva people of the region. It is clear that these early amicable relationships were more likely made out of necessity rather than any earnest attempt at friendship. Indigenous people could have agreed to vassalage as a means to utilize the Spaniards' superior weaponry against their enemies. By forging alliances with these Indigenous people, Balboa targeted Indigenous communities hostile to his allies which would assist the Spaniards in attaining more slaves with Indigenous assistance.

However, in the beginning the need for food outweighed the need for gold and the Spaniards' early interactions with Indigenous peoples came from a place of hunger and desperation. In a 1513 letter to king Ferdinand, Balboa wrote "it was more comfortable to find a basket of corn than another of gold ... because we have continually lacked food more than gold."<sup>10</sup> At first, the handful of survivors of the failing settlement, which had barely more than a hundred, raging with hunger, began invading the lands of the Indigenous peoples in search of provisions. That, of course, did not stop the Spaniards from also looting whatever wealth or slaves they could attain as well.. Their "first entrances to the land are acts of looting and looting

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<sup>10</sup> "Carta por Vasco Nuñez de Balboa desde Santa María del Darién pidiendo los auxilios necesarios para asegurar la población y adelantar los descubrimientos en aquellas tierras" (January 20, 1513) In Jopling, Carol F, *Indios y negros*, 23. Transcribed from Patronato 26/5.

in which the soldiers demand by force of arms the delivery of food and everything of value in their path... Between 1517 and 1519, Balboa raided *cacicazgos* (chiefdoms) around the Gulf of San Miguel to secure laborers that could be used in building a fleet of ships in the Pacific.”<sup>11</sup> He would simply replace the ones that died by capturing the ones that ran away. As the Spaniards continued to loot and enslave the Indigenous peoples, vassalage and the superiority of their great culture, king, and God became tougher to sell.

As relationships dwindled and more and more Indigenous peoples began to run away, Balboa must have understood that constant raids could no longer be sustainable. For him and the other settlers to survive, it was necessary to cooperate with local inhabitants. Still, he was very much a man of his time and, as such, he kept a keen eye on what could be easily gained and sometimes it was easier to force the Indigenous peoples to give them food than to cultivate it themselves, which essentially starved the Indigenous peoples out of their own lands. Yet, in a letter to the king he states, “I have taken care that the Indians of this land are not ill-treated, permitting no man to injure them, and giving them many things from Castile, whereby they may be drawn into friendship with us. This honorable treatment of the Indians has been the cause of my learning great secrets from them, through the knowledge of which large quantities of gold may be obtained, and your Highness will thus be well served.”<sup>12</sup> The relationships he built with friendly caciques proved to be a means to an end. These alliances helped him discover nearby mines and to set out on an expedition that would ultimately lead to his discovery of the South Sea (the Pacific Ocean) in the west. However, the Spaniards began to avoid diplomacy and opted instead to demand supplies, precious metals, and human captives to labor in Santa Maria and

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<sup>11</sup> María del Carmen Mena García, *La frontera del hambre: Construyendo el espacio histórico del Darién* (Antigua: Centro de Investigaciones Regionales de Mesoamérica, 2003), 15.

<sup>12</sup> Pascual de Andagoya, *Narrative of the Proceedings of Pedrarias Davila in the Provinces of Tierra Firme or Castilla Del or: And of the Discovery of the South Sea and the Coasts of Peru and Nicaragua*, trans. Clements R. Markham (Cambridge: Cambridge University Press, 2010), V..

nearby gold mines. As a matter of trust, making vassals out of the Indigenous population would have been difficult after they had witnessed the “honorable treatment” of their people. Many were forced to work to death in the mines or building, or starved from their own crops in order to feed the Spaniards. This was counter to the Spaniards’ promotion of vassalage as being the best way for them to live. For this reason, the indigenous people would retreat deeper into the safety of the forest.

After discovering the Pacific Ocean, Balboa would return to Santa Maria with thousands of Indigenous slaves, all laden with gold, and dying from disease and starvation, to be put to work in the mines. Then Balboa, as with many other Spaniards, would promote vassalage and cooperation to draw the Indians “into friendship”. In this way the idea of vassalage was more propaganda and less honest diplomacy, the Indigenous peoples were lulled into a false sense of security that would make them more malleable and willing to assist the Spaniards, but the Spaniards felt no obligation to reciprocate. Balboa seems to have understood that as long as the Indigenous peoples felt well-treated they could be helpful, but the effort involved in convincing them that vassalage was beneficial was only worthwhile, it seems, if the Spaniards stood to gain something in return.

The relationship between the Spanish and Indigenous peoples only became worse when, in 1514, after having been appointed governor of Castilla del Oro (Tierra Firme) by king Ferdinand II, captain and war hero Pedrarias Davila, arrived at Santa Maria with almost two thousand Spaniards. The small settlement had previously numbered less than five hundred and the sudden influx of men, combined with the infamously unpleasant disposition of the newly appointed governor, placed a heavy strain on the budding new colony and everyone suffered for it. Of Pedrarias’ governorship, Oviedo wrote, “not many months had passed, when the greed of

Pedrarias turned into cruelty and cruelty into tyranny, he came to be hated, both by the Spaniards who had populated the town of Darien, and by those who came with him.”<sup>13</sup> According to Oviedo, Pedrarias lacked foresight, governed poorly, ran out of supplies from Spain, neglected to replace them, and abandoned the cultivation of the fields. Afflicted by hunger the settlers were forced to abandon the same land “where peace and abundance once reigned.”<sup>14</sup> Andagoya seems to have shared Oviedo’s incredulity of his fellow countryman when he wrote “as in united enterprises, until experience has shown the way, the correct method of acting is seldom adopted, so now Pedrarias was appointed jointly with the bishop and officers (without whom he could do nothing). These, seeing how the people were dying, began to send out captains in various directions, not to make settlements, but to bring as many Indians as possible to Darien. They seldom succeeded, but lost many of their people in fights with the Indians, some returning defeated, and others with prisoners. As there were so many voices in every measure, each one given from motives of interest or willfulness, neither was good order preserved, nor was any evil doer punished.”<sup>15</sup> Andagoya’s writing helps us recognize what Pedrarias expected from the Indigenous peoples and, also, how he encouraged his own men to expect the same. Under Pedrarias’ orders, his men conducted “targeted searches for valuable commodities and human captives <and> sought to maximize individuals’ profits.”<sup>16</sup> If no one feared being punished, and were, in fact, sometimes rewarded, then they could act out cruelties without remorse. It is clear that the promise of vassalage was not a priority for the newest governor either. Pedrarias was a soldier, captain, and war hero in Spain, therefore he was accustomed to a particular lifestyle that

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<sup>13</sup> Gonzalo Fernández de Oviedo, *Historia general y natural de las indias, islas y Tierra-Firme del mar océano*, ed. José Amador De Los Rios, vol. 2 (Madrid, España: Imprenta de la Real Academia de la Historia, 1853), Page 32.

<sup>14</sup> Gonzalo Fernández de Oviedo y Valdés, *Historia general y natural de las indias, islas y Tierra-Firme del mar océano*, 32.

<sup>15</sup> Pascual de Andagoya, *Narrative of the Proceedings of Pedrarias Davila*, 6-7.

<sup>16</sup> Robert C. Schwaller, *African Maroons in Sixteenth-Century Panama: A History in Documents*. Norman, OK: University of Oklahoma Press, 2021, 8.

he was eager to replicate in Tierra Firme. For him, as for many other Spaniards, amassing as much wealth and prestige as possible in order to build that lifestyle was of greatest importance and the enslavement of Indigenous peoples was a convenient means to achieve this goal.

Promoting vassalage got in the way.

As with many frontier settlements, early governance of the region was in disarray and lawless. Many took advantage of the chaos. According to Andagoya, there was a multitude of Indigenous people brought there from great distances and they were immediately sent to the gold mines and were “worn out and broken down by the great burdens they had to carry, and as the climate was different from their own, and unhealthy, they all died. In these transactions the captains never attempted to make treaties of peace, nor to form settlements, but merely to bring Indians and gold to Darien, and waste them there.”<sup>17</sup> The church also found fault in Pedrarias’ behavior, “All the greater part of the people that were in the earth that there is from the Darien to Nombre de Dios and later crossing from there to the coast of the South, are dead and destroyed because and fault of the governor not to have pacified it by another way, and has allowed the robberies and forces and cruelties that the captains and people have done to remain unpunished... he has offered favors to some and given them thanks and offices,” lamented a Dominican Friar in 1515 of Pedro de Arias’ leadership in Tierra Firme.<sup>18</sup> A strong legal body was not yet present this early in the colonization of the region and, for the time being, Pedrarias’ rule was the law of the land.

Balboa himself, concerned that the new governor would undo all his efforts, penned a desperate letter to the king on October 16th, 1515, describing Pedrarias as too old and ill for this

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<sup>17</sup> Pascual de Andagoya, *Narrative of the Proceedings of Pedrarias Davila*, page 8.

<sup>18</sup> “De un religioso Dominico sobre la desorden de Pedrarias.” (1515) In Jopling, Carol F., *Indios y negros*, 40. Transcribed from Patronato 26/5.

country, excessively impatient and “never punishes the evil deeds and murders that have been committed both on caciques and Indians by those who have invaded the country.”<sup>19</sup> It is interesting that Balboa reflected on his own people as “those who have invaded”, especially when, as mentioned above, out of hunger, he led some of these invasions himself. Still, these words speak greatly of Balboa’s understanding of his place in the story of the New World and showed how much he differed in his approach to the Indigenous peoples when compared to the new governor. Both Balboa and Pedrarias, two very different “invaders”, illustrate different approaches to the Indigenous population. Creating vassalage was burdensome for both men, but for Balboa it was a tool that could be used to gain something from the Indigenous peoples and Pedrarias preferred force to diplomacy or the promotion of vassalage.

### **Invaders**

It is possible that the Spaniards’ reputation preceded them. Indigenous peoples in this region, through a network of trade and communications, may have learned of the Spanish before their arrival to Tierra Firme and thought best to stay out of the way of the new visitors. Because so many Indigenous peoples tended to avoid the Spanish, it was common for explorers to stumble upon deserted villages which they would pick clean of its gold and whatever other goods they could find. According to Andagoya, upon his arrival to the New World in 1514, Pedrarias and a company of Spanish troops “came to a village deserted by its inhabitants, where they captured some spoil, and found a certain quantity of gold in a tomb.”<sup>20</sup> The Spaniards certainly did not achieve much in the way of diplomacy by pilfering Indigenous graves. This kind of opportunistic theft and desecration of Indigenous burial practices gives insight into the Spaniard’s attitude towards Indigenous peoples and their customs. It was an attitude, it seems,

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<sup>19</sup> Pascual de Andagoya, *Narrative of the Proceedings of Pedrarias Davila*, 1.

<sup>20</sup> Pascual de Andagoya, *Narrative of the Proceedings of Pedrarias Davila*, 3.

that did not hold their potential vassals in high regard and could only serve to harbor further resentment and resistance.

Even after the Spanish established a stronger presence, Indigenous people continued a general tactic of avoidance and resistance. In July of 1519, the conquistador Gaspar Espinosa, along with 115 men (including Andagoya), set out to explore the province of Chamé and Cherú and chart other regions west of where the city of Panama would be founded only a few months later in November. The purpose of the voyage was to acquire Indians and gold (promoting vassalage was barely mentioned). In a detailed letter to the king, Espinosa wrote that he and his party had sailed west to the province of Chamé on two large ships and soon, in order to avoid detection, and by adopting local technologies, split from these main ships on stealthier, more mobile canoes to row along the coastlines and into the mouths of the rivers to explore deeper into the interior. The ships were to stay behind and retrieve them up the coastline sometime later. In Cherú, while taking a group of Indigenous people they encountered, they were discovered by others who had gotten away. Upon being seen Espinosa wrote “from there, then the whole land was warned... from then on it was the uninhabited land.”<sup>21</sup> Many of the Spaniards became uneasy that they had been exposed and all kept a watchful eye for the safety of the ships that were to come and assist them. This passage is a reminder of the dangers involved in first contact. The Spanish could not know for certain what sort of encounter they would have. However, their actions were not the actions of those promoting diplomacy. By attempting to remain stealthy and surprise Indigenous villages, it is clear the Spaniards had no intention of peaceful negotiations.

The Indigenous peoples made themselves scarce, abandoning their villages and retreating into

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<sup>21</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa, alcalde mayor y teniente de gobernador y capitán general por el muy magnífico señor Pedrarias Dávila, teniente general en estos reinos de Castilla del Oro por Sus Altezas, en cumplimiento de lo que por su señoría me fue mandado por la instrucción de suso contenida, que hiciese y cumpliese en el viaje a las provincias de Paris y Natá y Cherú y a las otras comarcas, para dar la y presentar la ante el dicho señor teniente general” (1519) In Jopling, *Indios y negros* 61-74. Transcribed from Patronato 26/7.



the jungle. They warned others that the conquistadors were near. They could have combined forces and organized a united front, and that did happen in some cases, but Espinosa's party encountered more avoidance than resistance.

Because of the fear that the Indigenous peoples would disappear into the jungle as soon as they saw the Spanish approaching or attack them, one of the tactics utilized by Espinosa and his party was to send a few men to climb nearby mountains and scout for signs of activity, such as huts and smoke from fires. Once they spotted a village the Spaniards looked for the largest or most prominent building and a way to approach it without being spotted. The Spanish, however, had a European understanding of power that was not applicable in the New World. The large and prominent *bohíos* (timber huts with thatched roof) was not necessarily the cacique's home, but rather, multi-use gathering spaces for the village or visitors. The Spanish intended to surprise the villagers, capture the cacique, and take slaves. Negotiating for peace and vassalage was considered after they had gained control. Fear, intimidation, and violence are impossible tools for promoting genuine vassalage among the Indigenous peoples. It seems the Indigenous peoples only accepted the vassalage when they were left with no other options and the Spaniards did not give them many options.

The pressure to succeed or die trying was compounded by the Crown's demand for the "royal fifth", which meant that 20% of any wealth the colonizers acquired belonged to the Crown. The Spanish were forced to make as much wealth as possible to meet this requirement. So much so that in Espinosa's letter to the king, he worried that he would not be able to provide the royal fifth. He wrote that, after waiting for many days, he told his men that he knew their presence was felt, for having taken the Indians from the province of Cherú. He believed that the "chief of the province of Cherú notified the chief of the province of Paris, who, being advised

that there were cristianos on the land, had then risen up and hid himself and all his people, and the supplies and the gold and everything else that he had from the cristianos.” For this reason, Espinosa lamented to the king, they “could not do anything convenient in the service of their highnesses, nor to those who were sent by your lordship”.<sup>22</sup> This sort of heavy taxation could have exacerbated the Spaniards’ heavy demand for forced Indigenous labor, making the requirement to promote vassalage significantly burdensome.

More evidence in Espinosa’s letter suggests that Indigenous people had valid justification for taking every measure to avoid the Spaniards. As Espinosa and his party pushed on they eventually discovered a small village and believed there were enough cristianos to take its *cacique* (chief). In order to prevent detection and having the villagers run into the safety of the jungle, they took calculated measures to approach as stealthily as possible, as they had done with other villages, and made their way to the cacique’s hut. They had brought a *lengua* (translator) with them with the intent of arresting “that cacique and collect from him, if possible, the gold that he had taken from the cristianos”<sup>23</sup> (implying that the gold of the Indigenous people had always been the property of the Spanish) and pacifying it and reducing it to the service of his highness. However, by the time they arrived at the cacique’s hut, he had already left and the Spaniards took “all the gold they had there and all their *espabas* [the Indigenous term for wives] and children and many other people... <still> so many golden beans were brought out from one end or another, and there was so much rejoicing and commotion that more than half an hour

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<sup>22</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa, alcalde mayor y teniente de gobernador y capitán general por el muy magnífico señor Pedrarias Dávila, teniente general en estos reinos de Castilla del Oro por Sus Altezas, en cumplimiento de lo que por su señoría me fue mandado por la instrucción de suso contenida, que hiciese y cumpliese en el viaje a las provincias de Paris y Natá y Cherú y a las otras comarcas, para dar la y presentar la ante el dicho señor teniente general” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

<sup>23</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

passed that we did not understand each other.”<sup>24</sup> The Spaniards had stealthily attacked the village, taken women and children as prisoners, stolen gold that they seem to claim was theirs all along, and then rejoiced in their success. These are tactics of terrorists and, again, not the behavior of those interested in vassalage or diplomacy.

Although the Indigenous peoples were prone to running away, warning others, and even resistance when the Spanish arrived, the Spaniards did establish a dialogue with Indians who, most likely out of fear, cooperated with the Spaniards. Violence and intimidation were common practice in the New World. Espinosa’s party was not an exception. As mentioned, they invaded villages, took captives, and forced leaders to accede to the Spaniard’s *requerimientos* (a declaration, or demand, that the Indigenous peoples pledge allegiance to the king of Spain and to accept Christianity in order to become vassals) or face enslavement or death. The Spanish called those who did not resist (or those they had diplomatic agreements with) *indios de paz*, or peaceable Indians, meaning those they had diplomatic relationships with. Making vassals out of the Indigenous peoples required patience and the impatient conquistadors didn’t exactly cultivate trust among the Native Americans.

Another example of such an interaction, as described in Espinosa’s letter to the king, stated that after arriving at a village in the province of Paris, he and his men captured certain Indians “up to fifteen and twenty pieces of Indians, all boys and young children” and stripped the village of all its gold and other valuables. However, the cacique had escaped with some of his people. The Spanish recited the *requerimiento* to the remaining captives several times. According to Espinosa the Indians said they understood and that they would talk to the cacique

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<sup>24</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

and the principles of the said province and “after having told the said Indians many other words of love, they told the said chief that there was no fear, and that if he came to see <Ezpinosa’s Captain> and be a vassal of his highnesses he would give him his women and children, and it will be done to him all the good treatment like the other chiefs of Comogre, and Chepo; and Pacora, and Panama, who have come to the cristianos in peace and to be vassals and servants of his highnesses.”<sup>25</sup> Again, we witness vassalage as a form of intimidation and not one of diplomacy or peace and the Indigenous reaction to it was one of fear and distrust.

The cacique, named Queco, after being informed that the Spaniards’ intended peace agreed to come, but did not arrive at the agreed upon time. This sparked a series of exchanges in which the Spaniards sent a messenger who would return with gifts and a promise that the cacique would meet with the Spaniards soon, although he was very afraid. The first messenger returned with “three hundred and forty-seven gold pesos in armor and *patenas* [flattened, smooth plates] from the cacique, and that he said that he would come the next day although he was very afraid... and the <Spaniards> said to not be afraid and all the words of love and security of good treatment, assuring the cacique that he would give his women and children.”<sup>26</sup> When the cacique failed to meet with the Spaniards again, the next messenger was sent only to return to say that the cacique “was very afraid to come to the alcalde mayor, but that he would still come another day to see him, because he had a wife and certain children of his who had been taken from him.”<sup>27</sup> This time the cacique provided “certain iguanas and corn buns, to which the alcalde mayor chose

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<sup>25</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7..

<sup>26</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

<sup>27</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

all the words of love, and to attract him to come to see him, and in peace.”<sup>28</sup> It seems the Spaniards were willing to wait as long as the cacique was willing to placate them with gold, gifts, and food.

The Spaniards were not discriminating on who they would take captive. They merely sought those who were suitable for labor. Women, however, were often used as symbols of Spanish power and, therefore, often taken as a symbol of their dominance. However, women were in short supply and they were necessary to fulfill the church’s mandate of populating the New World with Christians. The Spaniards viewed women as natural caregivers and domestics. They also made themselves useful in other ways, such as Espinoza’s *lengua*, or translator, who was an Indigenous woman named Francisca. In this case, the Spaniards used the women to negotiate terms with Queco and it worked. Queco agreed that he and his people would become vassals, but, asserting terms of his own, asked the Spaniards to help him deal with a cacique from a neighboring village who had caused a great deal of trouble for Queco and his people. In this way the Spaniards could gain the confidence of the cacique and people, by helping him thwart his enemies. This is but one example of many that highlights how the Spaniards handled the process of creating vassals. Espinoza’s account also gives us a glimpse into how the Spanish perceived the Indigenous people and how, through their behavior, the Indigenous people regarded the Spaniards. For the Spaniards, Queco and his people were considered commodities first, vassals later. For Queco and his people, the Spaniards were to be feared and avoided, unless they could be convinced to be formidable allies.

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<sup>28</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

## **Indios de Guerra**

Although it seems that most Indigenous people chose avoidance, there were many Indigenous peoples and leaders who chose violent resistance to vassalage. Many Spaniards feared certain regions and caciques. One such cacique who called himself Esqueba, lived in the mountains and was very powerful and very rich. According to Espinosa “the *cristianos* (“Christians”, what the Spanish called themselves) did not dare to go to their land because they were very afraid of it... And that the said cacique also said that if the *cristianos* went to his land there, he would kill them, and the *uchies*<sup>29</sup> likewise, whom they call mares; and tear them to pieces, and eat them; and that the said cacique had to kill the captain of the *cristianos* for his person, and then kill himself like this, that he no longer wanted to live, and many other threats that would be long to count, all of which the said Indians said and declared when asked by a translator”.<sup>30</sup> Cannibalism was unlikely, but the possibility of it was very real to the Spaniards at this time. Compounded with the Catholic belief that Indigenous peoples’ entire theology was the work of the Devil and demons, created a space that fostered fear and superstition. The Indigenous peoples were also just as suspicious of the *cristianos*’ duality. It must not have taken them long to understand the Spaniards definition of vassalage did not exactly come with freedom.

In 1520, Pedrarias settled the town of Natá, which had once been a small fishing village, and claimed the territory surrounding it at his whim. The claim included the lands of several caciques. The Spanish knew that a cacique named Urracá, the chief of a united and organized nation, was very wealthy and powerful and lived in the nearby mountains. Pedrarias authorized

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<sup>29</sup> “*Uchies*” was the Indigenous word for horses or mares.

<sup>30</sup> “Relación de lo hecho por el licenciado Gaspar de Espinosa” (1519) In Jopling, Carol F, *Indios y negros* 61-74. Transcribed from Patronato 26/7.

Espinosa to prepare his warriors to find him “as he was reported rich, and worth the trouble, two companies were fitted out against him, one by water under Espinosa, and one by land under Francisco Pizarro... Urracá was not afraid of him, and after placing the women, the children, and the aged of his people in safety, with his warriors he marched boldly out against the enemy.”<sup>31</sup> Once again, sending warriors to see peaceful negotiations may not have sent the correct signals and although Urracá initially agreed to meet with the Spaniards the interaction resulted in him calling on other caciques of the surrounding region to defend. The ensuing battles are now known as the *Battle of Natá*. “The local indigenous fighters set the coastal plains on fire and escaped through a small pass in the mountains which left the Spaniards trapped in the plains... Urracá managed to kill the population of Natá several times, and maintained a constant fight against the Spanish who had enslaved the local population... the Spaniards responded by doubling the number of colonists in Natá”<sup>32</sup> The rebellion was a united effort, with other local caciques and sub-caciques attacking and killing the Spaniards and setting fire to Natá. Still, the Spaniards kept reconstructing the town. Many leaders would lure the Spaniard into believing they were willing to discuss peace only to be attacked and murdered. The Spaniards, as we have seen, were also duplicitous and under the guise of peace talks the Spanish captured Urracá with the intention of sending him to Spain. However, Urracá managed to escape into the mountains and died a free man. For Urracá and his people vassalage was not freedom and he fought against the Spanish on his territory until the very end.

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<sup>31</sup> Hubert Howe Bancroft, *The Works of Hubert Howe Bancroft: History of Central America: Vol. I, 1501-1530* (San Francisco: A.L. Bancroft, 1883), 504-505.

<sup>32</sup> Müller-Schwarze Nina K., *The Blood of Victoriano Lorenzo: An Ethnography of the Cholos of Northern Coclé Province, Panama* (Jefferson, NC: McFarland & Company, Inc., Publishers, 2015), 71-72.

## Colonists and Vassalage

The average colonizers were more concerned that there were still very few individuals with the authority to dole out the Crown's laws and ordinances. For the average citizen, or *vecino* (citizen), the ability to manage transactions meant having to attain permissions, licenses, or even requiring a lawyer, all of which was time consuming and expensive. Although it is almost certain that more than a few Spaniards ignored these procedural annoyances, in 1520 many *vecinos*, or Spanish citizens, of the city of Panama officially petitioned the Crown to be allowed to have free negotiations with the indigenous peoples. The response reveals the Spanish expectations regarding interactions with the indigenous and that, to them, good relations meant conversion. "Our main desire has always been, and is, that the native Indians... come to know our holy Catholic faith, and live in the policy and in the way that Spanish Christians live, so that they are saved and preserved and for this, from what has been seen from experience, the main remedy is that there is the conversation between the Indian sayings and the Christian sayings... because this can be had much better by having between the one and the other treatment and contracting by way of assistance and trade."<sup>33</sup> Put simply, it would be a lot easier to trade with docile, Spanish-speaking Christians, than with Godless savages. The Spaniards were unwilling to meet halfway.

The provision ultimately allowed "license and power to all residents and residents of the said Castilla del Oro so that through trade and contracting they can talk, contract and assist with the chiefs and Indians of said land, the jewels and medals and other things that they have with each other to their satisfaction and will, as long as the said Indians are not induced in fear or

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<sup>33</sup> "Traslado de cédulas reales provisiones y cartas de mercedes hechas a la ciudad de Panamá desde el año 1521 después que se pobló (ff. 50-52v)" (September 6, 1521) In Jopling, Carol F, *Indios y negros*, 103. Transcribed from Patronato 193/8.



pressured to come, but that said contracting is very clear and open and free and general for both and much to the satisfaction and will of the parties without receiving pain or disapproval of it”.<sup>34</sup> The provision goes on to also strictly disallow, under pain of penalty and severe public humiliation, the exchange of defensive or offensive weapons with Indians for the potential damages and dangers such an exchange would cause. Even in the best scenario, it is unlikely that many Spanish traders concerned themselves with creating vassals. It is more realistic to speculate that their priorities lied in their own prosperity.

Settlers were also more interested in labor than vassalage and the need for labor became strongly felt as the Indigenous population began to decline. In 1531, in a letter jointly written by the city council of the city of Panamá to his majesty it is clear that the Spaniards were desperate for laborers. It stated, “few people of Indians that were in this land and the need of them to be able to sustain ourselves and in this past year it has pleased Our Lord to give so much pestilence to those who were left that we almost have no one left to feed us... there is no other bread but corn, and this cannot be done without Indians to do the sowing, because the land is of quality that if they do not walk on them it does not take anything, and to make bread for a single Spaniard you need an Indian woman, because every day two or three times she has to do it out of necessity.”<sup>35</sup> Setting aside all empathy for the plight and decline in Indigenous population, in this same letter the council beg his majesty not to “depopulate” the land due to a royal decree that “there would not be or enter slaves on this land <and the Crown should be> informed of the truth

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<sup>34</sup> “Traslado de cédulas reales provisiones y cartas de mercedes hechas a la ciudad de Panamá desde el año 1521 después que se pobló (ff. 50-52v)” (September 6, 1521) In Jopling, Carol F, *Indios y negros*, 103. Transcribed from Patronato 193/8.

<sup>35</sup> “Carta del ayuntamiento de la cúlidad de Panamá a sli majestad pidiendo muchas cosas para aquella provincia” (December 4, 1531)) In Jopling, Carol F, *Indios y negros*, 113-115. Transcribed from Patronato 194/ 4.

of the need that this land has of the said Indians.”<sup>36</sup> For the Spanish, it was more profitable to enslave the Indigenous peoples than to waste time and resources in turning them into vassals.

### **Laws of Burgos 1512**

A year after Friar Montesinos delivered his famous sermon in Hispaniola, he returned to Spain to discuss the matter directly with King Ferdinand. In 1512, in an attempt to regulate the relations of the colonists in the New World and the conquered Indians, Ferdinand’s scholars created a set of laws known as the Laws of Burgos, which still recognized the encomienda system, but laid out more specific rules meant to prevent the abuses of the Indian workers. It limited the size of the encomienda to 40 to 150 people and forbid the encomenderos from exacting any punishments on them. It also stipulated that runaway slaves were not to be retrieved by the encomenderos, but by a “man of good conscience” who would track down and return the individual. It also provided a very progressive set of social laws which would have benefited the Indigenous laborers greatly. It required that the Indian workers be given adequate shelter (specific measurements of these shelters were provided) and food. Forty days of rest after five months in the mines. No children under the age of fourteen were to do the work of adults. Pregnant women were not to work in the mines. Moreover, the document declared that the Indigenous people are free people that were to be instructed on the Christian faith. To this end, the citizens to whom the Indians are given must erect a structure to be used as a church.

In the context of the subtlety of conquest and the steps the Indigenous peoples were expected to take in order to become vassals, article 9 becomes an interesting and reads, “whoever has fifty Indians must choose one boy who the encomendero thinks is able, to be taught to read

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<sup>36</sup> “Carta del ayuntamiento de la cúlidad de Panamá a sli majestad pidiendo muchas cosas para aquella provincia” (December 4, 1531)) In Jopling, Carol F, *Indios y negros*, 113-115. Transcribed from Patronato 194/ 4.

and write, and also the importance of Catholicism. This boy will then teach the other Indians because the Indians would more readily accept what the boy says than what the Spaniards says... The faith must be ingrained into their heads so the souls of the Indians are saved.”<sup>37</sup>

### **Requerimiento of 1513**

In 1513, a year before Pedrarias’ arrival in the New World, Juan López de Palacios Rubios, a jurist on the Council of Castile had penned a declaration known as the Spanish Requirement or *Requerimiento*, in an attempt to further control the continuing atrocities committed by the wayward conquistadors whilst also making sure to justify their authority over the natives in their own land. The declaration claimed that Castile had a divine right to take possession of the territories of the New World and that Indigenous peoples were to accept Spain’s monarchy as kings and lords of the islands and land of Tierra Firme, and to receive and serve them in the way that subjects ought to do, with goodwill, without any resistance. They were also required to receive and obey the priests who were sent to preach and teach Spain’s Holy Faith. Those who became Christian of their own free will, without any reward or condition, were to be treated as Spain’s subjects and vassals. If they did these things, the Spaniards would receive them in all love and charity, and would leave them, their wives, children, and lands, free without servitude. It also stated that the Spanish would not compel them to turn Christians, unless they themselves, when informed of the truth, should wish to be converted and that the king would award them many privileges and exemptions and will grant you many benefits. The declaration, however, ends with a stern warning that those who resisted would be considered an obstruction to God’s plan. It stated that if they did not do these things, Spain, with the help of

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<sup>37</sup> Ronald D. Hussey. “Text of the Laws of Burgos (1512-1513) Concerning the Treatment of the Indians.” *The Hispanic American Historical Review* 12, no. 3 (1932): 301–26. <https://doi.org/10.2307/2506673>.

God, shall powerfully enter into their country, and make war against them in all ways and manners that they could, and would subject them to the yoke and obedience of the Church and of their Highnesses. The Spanish threatened to take them, their wives, and children, and make slaves of them, and sell and dispose of them as the monarchy commanded. They would take away their goods and do you all the mischief and damage that they could, as to vassals who do not obey, and refuse to receive their lord. The Spanish, absolving themselves of any guilt, also flatly stated that the deaths and losses which should accrue from resistance, would be the fault of the Native Americans, and not that of the monarchy, or theirs, nor of the cavaliers who come with them.<sup>38</sup> This declaration, meant to uphold the importance of conversion as a path to vassalage under the Spanish crown, would only serve to further armor Pedrarias and others like him to do as they pleased in the New World. This declaration was to be read to the Indigenous peoples upon encounter, so it was often the first communication most of them had with the Spanish. They did not yet know one another's language and translators were not always available for these delicate transactions. Furthermore, the declaration read, at best, an ultimatum and, at worst, a declaration of war. Still, despite its aggressive language and threats of violence, the Requerimiento had been an attempt by the monarchy to further control the behaviors of their subjects and to reiterate the conditions of Indigenous vassalage and their rights as outlined in the Laws of Burgos a year prior.

In yet another attempt to control the abuses by the Spaniards, the Royal Provision of Granada was dictated by Carlos I of Spain on November 17, 1526 to regulate expeditions to the Indies. These laws required that every ship heading to the Indies be accompanied by two

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<sup>38</sup> Fernando Méndez Sánchez, "Breve Análisis Histórico-Jurídico Del «Requerimiento» De Palacios Rubios," Hipogrifo. Revista de literatura y cultura del Siglo de Oro., 1970, [https://www.redalyc.org/journal/5175/517569474048/html/#redalyc\\_517569474048\\_ref14](https://www.redalyc.org/journal/5175/517569474048/html/#redalyc_517569474048_ref14).

clergymen who had been appointed before the Royal and Supreme Council of the Indies. These clergymen were to offer advice on the lawfulness of attacks on Indigenous peoples and report to the crown on any maltreatment. Force was used only when the Indigenous people refused the clergy or the Christian faith, did not give their obedience, or prevented the Spanish from finding or taking gold. Any indigenous slaves could not be taken, under pain of loss of all their goods, trades and belongings. Although these laws showed the Church's strong stance against the mistreatment of the Indigenous peoples, the reality is they were never given a choice. This was still very much an ultimatum. Indigenous peoples were forced to abandon everything that they knew or become slaves. Neither option offered freedom.

### **New Laws 1542**

An outspoken advocate against the encomienda system was a Dominican friar, historian, and social reformer named Bartolomé de las Casas. Himself a landowner and encomendero, he had seen firsthand the deplorable treatment the Indians endured. In 1515 he gave up his slaves and encomienda to dedicate his life to championing the rights of Indians and lobbying for change. Due primarily to his efforts the New Laws (Leyes Nuevas) of 1542 freed the indigenous slaves and required the encomenderos to no longer force labor without payment. It also reinforced the Crown's prohibition of the maltreatment of the indigenous people, enforced fair treatment, and expanded Indigenous rights. These laws also sought to reduce the power of the encomenderos, who had been growing wealthy for some time, by requiring that bureaucrats, clergy, and participants of civil wars forfeit their encomiendas. For anyone who was left, the New Laws stated that the encomiendas could no longer be inherited and that they were all to return to the crown upon the death of the current encomendero.

These laws sparked outrage among the wealthy elites who had grown quite comfortable living on the Islands, but, in truth, it had little effect on Panamá. The battles over the encomienda system raged during the 1530s and 1540s, but did not have much significance in this region. Its impact is that it may have served to Africanize the labor force.<sup>39</sup>

### **The City of Panamá and El Camino Real**

The building of towns and cities required enslaved labor, a commodity that Pedrarias had plentiful supply of. The need for labor outweighed the task of vassalage. When the Spaniards moved on to find a location for the next town, they would take their captive Indigenous as well as capture new ones along the way. Unhappy with the climate, the unfriendly natives, and the growing hostility towards him from his own people, Governor Pedrarias abandoned the hot and humid Darién and led an expedition to the Pacific coast to search for a new location for the capital and, in 1519, moved the capital, which he called Panamá, to a fishing village on the Pacific coast (about four kilometers east of the present-day capital). Many indigenous slaves were marched from their homes in the Darien to the new village of Panamá. Here, hundreds of Spaniards would succumb to diseases and thousands of Indians were robbed, enslaved, massacred along the way. Pedrarias' governorship in Panamá proved equally disastrous for the Indigenous peoples. Intense labor was expected from the new vassals of the Spanish crown, just as much as was expected of the slaves and both were often worked to death. To escape Pedrarias and avoid the Spanish many Indians once again retreated, disappearing into remote areas of the jungle.

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<sup>39</sup> John K. Thornton, *A Cultural History of the Atlantic World, 1250-1820* (Cambridge England: Cambridge University Press, 2012), page 206-207.



Image 1.1: *Traza adonde parece que conviene que se haga la fortaleza del Nombre de Dios.* ES.41091.AGI//MP-PANAMA, l. 1541, Panamá. <http://pares.mcu.es/ParesBusquedas20/catalogo/show/22030>

The Indigenous laborers who remained would build the city and begin building the road from the city of Panamá that would cut through the Isthmus to an previously abandoned port settlement named Nombre de Dios was resettled on the Caribbean side. This trans-isthmian trail became known as the Camino Real, or Royal Road, and linked the city of Panamá and Nombre de Dios. Ships laden with Peruvian gold would sail from Peru to the city of Panamá. From there, this critical and dangerous trail was used to transport the gold from the Pacific coast across the Isthmus to the galleons waiting in Nombre de Dios on the Caribbean. From there the gold would be taken to Spain. A Pacific base for the Spanish ensured not only the conquest of Central America but also that of the Inca Empire in Peru and the Camino Real was critical in linking the

city of Panamá (and by extension Peru) to the Atlantic Ocean. This same trade route was also critical for the slave trade of both Indigenous peoples and Africans.

## **Conclusion**

Laws had already been set forth by the crown by the time Europeans arrived in Tierra Firme. These laws were intended to control the behaviors of the settlers and define how they were meant to treat the Indigenous inhabitants. There were many advocates, especially within the clergy, that rallied against the maltreatment of the Indigenous peoples. Through their language and rhetoric, we gain a sense that the church perceived the Indigenous peoples as children who needed to be guided and brought to their Christian god. They were to be westernized and expected to contribute to the church and crown. However, Spaniards had been present in the Americas for nearly two decades and they had arrived with expectations of wealth, land, and prestige and established their own rules of engagement to expedite that endeavor. The colonizers needed laborers to till the fields, build their settlements, and work the mines. Most had very little interest in going through the process of educating, accommodating, or making vassals out of the Indigenous peoples for the glory of the crown. Vassalage, at best, served as a means of negotiating with captive and conquered Indigenous peoples, but did not guarantee them a life free of servitude. Those who did not agree the Spaniards' terms were labeled *indios de guerra* and were hunted, enslaved, and displaced from their homes, those who did agree were also sent to work for the wealth of the encomenderos and a foreign king who had never set foot in the Americas.

Some Indigenous people initially welcomed the Spaniards and may have accepted the vassalage as a way of mobilizing Spanish might against their enemies. However, it is evident that



most Indigenous people harbored no interest in vassalage. Those who were unable to fight back against the Spanish, hid themselves in the dense forest to avoid capture. Those who could fight back, did so ferociously. The land facilitated the Indigenous ability to resist and it would soon help other enslaved peoples in the same way. For the Indigenous peoples, the Church's insistence on Christianization and creating a path for vassalage meant survival for many who chose to integrate. For the "Indios de guerra", or rebellious Indians, the Spanish's shift in preference for enslaved Africans offered them a small reprieve from enslavement.

## Chapter Two

### The Audacious Cimarrones: African Marronage and Rebellion 1525- 1558

The conquest of Incan Empire and the opening of Peru placed Panamá in a very desirable position. The wealth and gold of Incas flowed through the Isthmus in transit to Spain which made the region vulnerable to the exploitations and greed of ambitious men. The vecinos spent a great deal of money and manpower in organizing resistance to any who would seek to take control of the region and its wealth. This was further compounded by the continuing effort to repress marronage. The Spaniards asked the king to “do the mercy of this land to give license to bring blacks to it and, as we have such a great need for Indians, to be very helpful to us... beg your majesty to order us to grant permission for five hundred blacks”.<sup>40</sup> African *cimarrones*<sup>41</sup> and marronage in Panamá cannot be addressed without recognizing the decline of the Indigenous peoples. According to Jopling, “while some Indigenous people preserved their culture by living apart from Panamanian society, blacks, uprooted from their own lands and depended on for their skills and labor, were largely incorporated into mainstream society.”<sup>42</sup> Many factors would lead to the scarcity of Indigenous laborers: European diseases, overwork, retreat and avoidance, displacement, and laws that made it increasingly difficult for Spaniards to enslave them. By 1519 the eastern isthmus had been depleted of native laborers and enslaved Indians had to be imported from other conquered regions. In desperation they imported enslaved Native peoples from conquered northern territories and eventually from Peru as well and as their numbers dwindled (and they became more costly) they then began to seek labor from a more familiar and reliable

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<sup>40</sup> “Carta del ayuntamiento de la cùlidad de Panamá a sli majestad pidiendo muchas cosas para aquella provincia” (December 4, 1531)) In Jopling, Carol F, *Indios y negros*, 113-115. Transcribed from Patronato 194/ 4..

<sup>41</sup> The Spanish term *cimarrón*, derives from the Taino word, *simara*, which meant “wild, gone astray” and usually applied to cattle.

<sup>42</sup> Carol F. Jopling, *Indios Y Negros*, xi.

source. African slavery was a well established institution and, for the Spanish, it was just business as usual.

As the Spaniards' wealth increased the option of purchasing African slaves, which had always been more expensive yet preferable to Indigenous slaves, became more common in Tierra Firme. Many black slaves were brought in to work alongside or replace the Indigenous laborers in the gold mines and pearl fisheries and to perform construction and rural labor.<sup>43</sup> Unlike the Indigenous peoples of Tierra Firme there was no option for vassalage and would not be for most of the sixteenth century. They had no interest in it anyhow and instead preferred to create their own hidden societies and fortified villages, known as *palenques*, and, on occasion, even recognize their own kings. This would cause a great deal of trouble for the colonizers and, although Africans may never have considered vassalage, their successes would eventually force the Spanish to begin the process of vassalage. This chapter and the next deals with the various interactions that forced the Spanish to eventually come to terms with the prospect of vassalage for Africans.

Although there is little first-hand accounts by African slaves, the maroon societies enjoyed a significantly larger and more robust scholarship and literature than what we see of the Indigenous peoples. According to historian Jane Landers, "depending on their individual histories, Africans were sometimes literate in several languages and, just as indigenous groups did, they quickly learned and adapted to the Spanish legal culture. They wrote petitions and correspondence to royal officials and to the king, made proclamations of fealty, initiated legal

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<sup>43</sup> Ruth Pike. "Black Rebels: The Cimarrons of Sixteenth-Century Panamá", *The Americas* 64, no. 2 (2007), page 244-245.

suits and property transactions, and left wills.”<sup>44</sup> Still, most of what we know of this time was written from the Spaniards’ perspective and it bears mentioning that the Spanish thought far less of the humanity of enslaved Africans as they had of the Indigenous peoples’ humanity. Most accounts of the enslaved Africans come from inventory records that describe the who, what, where, and how much they were bought and sold for. Often enslaved African voices would arise in legal testimonies in defense of themselves or their enslavers for an infraction of some kind and ownership disputes. Mostly, the documents cover laws that addressed the various forms of punishments enslavers were allowed to take when dealing with their slaves, which differed greatly from the laws regulating the Spaniards behavior towards the Indigenous. Not much was documented on early marronage and rebellions in the region. However, it is clear, from the small slave rebellions happening in Hispaniola, that the problem was widespread by the time records of the issue emerged in Tierra Firme. Far less is known of any Spanish efforts to consider African slaves as vassals. We are left to glean from the Spaniards’ attitude towards African vassalage by analyzing their reactions. For this chapter Jopling was once again instrumental, however, I leaned heavily on Jean-Pierre Tardieu’s *Cimarrones de Panamá: La forja de una identidad afroamericana en el siglo XVI*, which covers the major rebellions and collaborations of the African maroons. Robert C. Schwaller’s book, *African Maroons in Sixteenth-Century Panamá: A History in Documents*, was also useful for providing much needed English translations of most of these major events.

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<sup>44</sup> Jane Landers. “Cimarron and Citizen: African Ethnicity, Corporate Identity, and the Evolution of Free Black Towns in the Spanish Circum-Caribbean.” *Slaves, Subjects and Subversives: Blacks in Colonial Latin America*, 2006, 111–45, 114.

## **The Rise of the Cimarrones**

As the native inhabitants and their much needed labor began to decline on the eastern isthmus, so did the Spanish settlements, and the space both they and the Spaniards once occupied became enticing habitats for enslaved Africans wanting to escape subjugation. Only the small mining settlement of Acla, near Santa María la Antigua del Darién, remained until the 1530's, but was soon overshadowed by the growing importance of the port city of Nombre de Dios. Furthermore, the Isthmus became a critical link between the Caribbean and the Pacific coast colonies. In order to develop this area and exploit the wealth of Peru the Spanish needed large shipments of Blacks to labor in both the Isthmian and the Pacific coastal areas. From laboring alongside enslaved natives of the region, enslaved Africans had learned the lay of the land as well, if not better, than any Spaniard. Their rapidly growing numbers quickly surpassed the Spaniards themselves, which made rebellion and marronage a serious problem and financial burden for the colonists and the Crown. To control the threat, the Spaniards applied many of the same tactics used to pacify the Indigenous population. Without the burden of having to create vassals, and all the legal restrictions that it entailed, the Spanish demands, compromises, and agreements differ greatly. Diplomacy between the Spaniards and Panamá's maroons would ultimately require a great deal more patience, manpower, and funding than was needed to pacify the Indigenous peoples. Despite the influx of colonizers and staggering wealth that flowed through the isthmus it would seem these things remained in short supply.

Running away into the jungle in hopes of finding a palenque was a dangerous choice. The Spanish generally occupied the prime locations that provided water, good soil for cultivation, and ease of mobility for trade. However, to be successful, maroon communities had to be almost inaccessible and inhospitable to pursuing troops. Villages were typically located in hostile and

out-of-the-way areas and may have been difficult for the original runaway themselves to traverse. Although a few scholars argue that with a similar climate to their homeland, enslaved Africans may have been more adapted to withstand these harsh environments, still most agree that the reality of running away meant facing uncertainty, terrifying obstacles, and a great deal of suffering.<sup>45</sup> For the Spaniards, this meant that recruiting volunteers willing to brave the perils of the jungle to retrieve the runaways and bring them back to their owners for compensation would be difficult. When volunteers were available they tended to do what they had done with the Indigenous peoples by sending smaller parties and attempted to ambush the palenques by surprise. However, because of the developing coordinated efforts of the African maroons, these parties were usually robbed or killed before ever reaching the maroon communities. If Spaniards did discover palenques, they typically burned them to the ground, along with crops in the fields, which was intended to deprive them of the ability to sustain themselves. Should they meet resistance, the Spaniards were authorized to kill.

Most captured runaways would be returned to their owners or resold, after having been branded. However, punishment was often more severe. It became customary for returned runways to be cruelly mutilated as punishment. Such mutilations included castration, which often resulted in their death. Many Spaniards protested these more extreme punishments, not because it was barbarous, but because the death of a slaves meant the loss of a commodity for the settlers and for the Crown. Still, even after news of these most horrific punishments reached the Crown, it was not until 1540 that the Council of Indies issued a decree to end the practice, claiming it was a “dishonest thing and a bad example” and “inconvenient”.<sup>46</sup> It is interesting that this decree

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<sup>45</sup> Richard Price. *Maroon Societies: Rebel Slave Communities in the Americas*. Baltimore and London: The Johns Hopkins University Press, 1979. Price, 5.

<sup>46</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá: La forja de una identidad afroamericana en el siglo XVI*, (Madrid: Iberoamericana, 2009), 57 (transcribed from C.D.I.U., t. 52, 473)

came to pass just as the Spanish settlers grew increasingly concerned with the rise of runaway slaves and growing threat of rebellions. It was issued shortly after a major rebellion in the mining town of Acla and may well have been an attempt to pacify the growing population of cimarrones and slaves.

### **Rebellion in Panamá**

The presence of African slaves was already well established in the conquered areas of the Caribbean before they had arrived alongside Spaniards in Tierra Firme. Although it may have seemed as though African slavery received a brief reprieve due to the Spaniards heavy reliance on the cheap and readily available labor of the native inhabitants, the reality is that African laborers flowed in at a steady rate. African slaves had always been the preferred, but more costly, option for labor. Jean Pierre Tardieu argues that African slaves' numbers increased aggressively as Indigenous labor decreased due to their low density, the protective legislations they enjoyed, and the suppression of encomiendas soon made it essential to resort to trafficking slaves. It is important to add that climate and environment also created a need for a strong labor force to tame the unforgiving jungle. Trafficking enslaved Africans was expensive and, in an attempt to discourage rebellion and marronage, the Spanish would resort to extreme laws regarding punishments. These laws were almost always brutal and, instead, did more to encourage retaliation than suppress it. Still, according to Tardieu, not many slaves fled early on in the colonization of Tierra Firme and instead preferred to take refuge in Indian villages and not palenques as they would later. Along with providing the slaves with knowledge of the land, befriending the Indigenous peoples may have been a useful strategy in regards to providing protection for self-emancipated blacks. The laws that protected the Indigenous people may have provided a sort of shield for runaways fleeing enslavement. The Spaniards were concerned about

the possibility of a united rebellion and there is evidence (which will be revealed later) that would suggest that the Indigenous and Africans cooperated with one another to escape bondage very early on.

The flight of slaves and slave rebellions grew alongside colonization and the subsequent expansion of the slave trade from the moment the Spaniards turned to servile labor in the Caribbean islands. How to control marronage became a topic of debate. All out pursuit of the maroons presented a heavy cost to the colonists and to the Crown and not doing enough would allow the problem to continue. The Spanish were so threatened by the runaway slaves that, very early on, they begged the Crown to stop sending them. According to a royal certificate from King Fernando the Catholic to Governor Nicolás de Ovando of Hispaniola, Ovando had “tried not to send black slaves to Hispaniola, because they fled among the Indians and taught them bad customs and could never be had.”<sup>47</sup> This passage reveals that the Spanish feared the cimarrones would influence the Indigenous inhabitants to rebel against them. This implies that the relationship between the Indigenous and runaway slaves, having been forged in bondage, was strong enough for the Spanish to fear an uprising of two groups. Rebellion, they feared, was not only a threat to the colonies, but, because the Spaniards believed the slaves worshipped demons and were involved in evil rituals, it also constituted a religious threat. This meant that the Church participated in negotiations and, as usual, sought to control the religions of the slaves, which may have helped pacify some and caused even more friction with others. This fear may have even influenced the Spaniards’ extension of vassalage and brotherhood towards *indios de paz*, as they

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<sup>47</sup> Antonio de Herrera y Tordesillas, *Historia general de las indias occidentales, o de los hechos de los castellanos en las islas y Tierra Firme del mar Oceano*, ed. Pieter Balthasar Bouittats (En Amberes: Por Juan Bautista Verdussen, mercader de libros, 1728), Page 443.



were more keen on keeping them under their agency and away from the “bad customs” of the cimarrones.

As it had been on the Caribbean islands, the mountainous and densely jungled environment made it possible for cimarrones to run and difficult for the Spaniards to track and pursue. There was growing concern that black slaves were allowed to travel with their owners by land or along the coastline, and therefore they were familiarizing themselves with the environment, meeting in jungles, learning where to run to, and organizing against the Spanish. The dangerous environment was a natural barrier between the cimarrones and those that would come looking for them. Because the environment provided much needed sanctuary, knowledge of how to live in it was beneficial and, since Africans appeared to have created relations with the local indigenous peoples and had a greater understanding of a terrain similar to their homeland, they were at a greater advantage than the Spaniards. The Spaniards knew this and tried to stop slaves from getting any ideas. To this end, a royal decree with the intent of disallowing African from gaining knowledge of the lay of the land was issued in 1521 in which the Crown required that “from now on... no black slaves go with the said vecinos and settlers who go and leave the said trips and entries both by sea and by land under pain that the person who will take and send them has lost and loses.”<sup>48</sup> Without an understanding of the terrain, the Spaniards believed the slaves would be less likely to risk running away into the unknown. However, enslaved Africans were put to work building the very roads that linked the city of Panamá to Nombre de Dios. With or without Indigenous help, it was impossible for enslaved Africans to avoid learning about the land they were being transported through and forced to labor in. Enslaved Africans saw the

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<sup>48</sup> “Burgos, 6 de Septiembre de 1521, Patronato 193/8”, in Carol F. Jopling, *Indios y negros en Panamá en los siglos XVI y XVII: Selecciones de los documentos del archivo general de indias*, ed. Christopher H. Lutz and Cherri M. Pancake, trans. Margarita Cruz de Drake (Centro de Investigaciones Regionales de Mesoamérica, 1994), 107.

immediate potential of the environment as it was a favorable location to hide, live, and ambush Spanish caravans along the trade routes that they were becoming intimately familiar with. Since the Spanish made no offers of vassalage and little attempts to treat cimarrones humanely, there was no other option for them but to fight back against their enslavers.

### **Stirrings of Uprising**

The first documented evidence of marronage in Panamá came in 1525, when residents observed that an uprising of Africans who escaped Panamá City began to raid roadways and estancias, and destroy farms and ranches along the countryside. Due to lack of government funding, slave owners voluntarily decided cover the cost of capturing and retrieving their slaves. By pooling their resources the Spanish were able to end the rebellion and the participants were swiftly executed. The need for the community to pool their resources in order to face a common threat became a familiar theme during this time. The city of Panamá, in fact all the cities of Tierra Firme, were still in their infancy. They had not yet amassed their wealth, weapons, or population to defend themselves against the problem that they themselves had created. Oddly, there seemed to have been enough wealth to continue to bring in more enslaved Africans and not enough wealth to control marronage.

Money was of such a concern that in 1525, Pedrarias himself was accused of spending too much on repressing and pursuing black fugitives. However, his defender (lawyer) successfully argued that he had used funds collected from slave owners who wanted their slaves returned and only according to what they were able to contribute. Pedrarias also made his own generous contribution of 20 pesos. The vecinos who had been dealing with rebellious blacks, he argued, “agreed to make certain people help them make arrests due to the great danger that they

were expected to do and because they did not have money for the cost... the owners of the blacks of the said city distributed among themselves what they thought was necessary to carry out the said justice and... that it was done by the will of those who distributed it and not by premise or via distribution and those who wanted to pay anything did not pay it”.<sup>49</sup> The meticulous care involved in accounting for every peso is interesting. It is clear that there were many Spaniards who perhaps did not own slaves, or at least did not have the trouble with theirs that their vecinos had, and therefore did not feel they should be financially burdened with hunting down wayward slaves. However, the rebellions were a problem for everyone, regardless of who the fugitives belonged to and the problem was quickly spreading.

The Spanish settlers were so eager to ravage the land of its wealth that they allowed themselves to be quickly outnumbered. This population imbalance became evident in Acla, a small mining town on the Atlantic coast established by Pedrarias in 1515, while he was still in Santa María la Antigua del Darién. Many enslaved African laborers were needed for the exploitation of the gold mines which created a population discrepancy between the high number of enslaved blacks and a few Spanish settlers.<sup>50</sup> The dangerous work, intolerable living conditions, and cruelty of the enslavers led to rising hostilities. In 1530, the numerically superior slaves killed their enslavers and fled into the jungle. Those who fled established the first palenque in the Isthmus of Panamá in the ruins of the abandoned Santa Maria la Antigua. The first settlement of Tierra Firme became a palenque for self-emancipated Africans. In 1532, a Spanish force under the command of Julian Gutierrez killed the majority of the inhabitants and seized a few others who were later punished. However, some survivors escaped Acla and

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<sup>49</sup> “Consejo de Indias” (April 15, 1540) In Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 57. Transcribed from AGI, Panamá 235, L.1, fold. 24v-25.

<sup>50</sup> Alberto Sarcina, "Santa María De La Antigua Del Darién: The Aftermath of Colonial Settlement", *Material Encounters and Indigenous Transformations in the Early Colonial Americas: Archaeological Case Studies*, 175-96. (LEIDEN; BOSTON: Brill, 2019), 184.

survived the slaughter. They fled into the jungle where they continued their free existence and became a beacon for other runaways.

In 1535, heavily influenced by the destruction of the palenque in Acla, a group of several dozen enslaved Africans in the city of Panamá rebelled and had conspired to flee to Acla to establish their own palenque with the cimarrones there. Beginning on the outskirts of the city, slaves set fire to their owners' estancias and quickly moved into the city, continuing its destruction of property. "The rebellion unraveled when another enslaved African informed the local magistrates, who succeeded in capturing many of the rebels."<sup>51</sup> This implies that not every slave was complicit in uprisings and rebellions. Although it is unknown whether the informant was from the city or country, this draws attention to the differences of attitudes between slaves toiling in the fields in the country (within sight and access to the freedom the jungle) and those living marginally more comfortably within the city (where running away would have been more difficult). The uprising was quickly put down and its leaders put to death, but not before they caused significant damage to the city and surrounding areas, all of which would cost the Spanish dearly.

The cost of so many expeditions and attempts to control the cimarron problem continued to inflate costs elsewhere. In 1544, a witness in the construction of a building named Casa de Las Cruces where merchandise from Peru would be loaded and unloaded (on the Chagre River near Nombre de Dios) was asked if he thought they could get by without rent. He responded that it "would not be possible to get by because of the many expenses and costs that it has, both for the costs that are made with the blacks who go to rob the roads, as well as to follow and look for the blacks who rise up, and other things. <The witness goes on to confirm that> because this [he] has

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<sup>51</sup> Robert C. Schwaller, *African Maroons in Sixteenth Century Panamá*, 17.

seen the said expenses of the said blacks because he has walked with them and also gone to look for the said blacks raised at the expense of this city, because of the great damage that the said blacks raised in the land follows.”<sup>52</sup> Despite the wealth that flowed through the region, it would seem that not enough of it was being allocated towards the marronage problem and the continued dependence on their labor only exacerbated it. Although the cimarron population continued to grow, the Crown had no intention of extending vassalage to blacks for fear they would organize, rebel, and collude. The exploitation of their labor was still far too critical for the extraction of wealth from the land and in the formation of their settlements.

### **1549 Felipillo and the Pearl Islands**

At first the cimarrones were not intent on challenging Spanish sovereignty. They engaged in a *petit marronage*, a short-term, individual flight, often in the form of truancy which they used to negotiate greater privileges or autonomy from their owners. This shifted in the late 1540s, when slaves organized and “groups ran away with the intent to escape slavery and reconstitue their own societies in areas beyond the reach of their former masters.”<sup>53</sup> This long-term, collective flight is known as *grand marronage*. The cost of the constant pursuit of fugitive Africans weighed heavily on the colonists and they petitioned the Crown to set aside funds for the purpose of capturing maroons. In 1536, Emperor Charles V and his ministers responded to Panamá’s request for assistance with a royal cedula that stated, “Because the city does not have means with which to pursue and apprehend these *negros* they have not done so for lack of men... they might spend a moderate amount, as is necessary, from the tax levied for roadworks between Nombre de Dios and [the city of Panamá] in order to apprehend and pursue the negros

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<sup>52</sup> “Información hecha por la justicia de Panamá sobre la construcción de la Casa llamada de las Cruces en el Río de Chagre donde se descargaban las mercaderías (ff. 479, 484v, 486v, 488v)” (1544) In Jopling, Carol F., *Indios y negros*, 347. Transcribed from Patronato 193/31.

<sup>53</sup> Schwaller, Robert C., *African Maroons in Sixteenth Century Panamá*, 17.

cimarrones and other criminals... I grant you license and authority that each year, whenever a person brings a criminal to justice you may give them ten pesos of gold from the tax, without incurring penalty.”<sup>54</sup> This cedula was one of the first accounts of the Spaniards taking legal measures to prevent marronage, but did very little to mitigate the growing problem.

In 1549 in the Pearl Islands off the coast of the city of Panamá, another cimarron revolt erupted. Also inspired by the events in Acla, an African *ladino* (Spanish-speaking slave) and captain of a pearl fishing launch, named Felipillo (who has the distinction of being the first named maroon in the region’s history), led enslaved pearl divers seeking escape from the harsh conditions of the Pearl Islands. “Together with other slaves from the pearl fisheries and neighboring cattle ranches the rebels fled toward the remote interior of the Gulf of San Miguel where they tried to recreate their African way of life. From this site they conducted a campaign of attacks against the Spaniards in the region.”<sup>55</sup> Once there “the maroons tried to restart their primitive life.”<sup>56</sup> They built bohíos; made thick *petates* (mat of palm leaves that could be used for shielding their huts or creating body armor) that they covered with animal skins that they used as shields, they hunted animals for their food and used their skin to shelter against the humidity and bad weather. They made bows from hardwood, and spears and arrows from the cane. They also made knives and tips for their spears and arrows from the iron of their rings and chains. It may not be clear what the “African way of life” looked like politically, however it is very clear that they were ready to defend their newfound freedom at all cost. From what we understand of African societies, specifically examining the region of West Central Africa, where most slaves were taken from, we know that it was politically varied, but that kingships were common.

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<sup>54</sup> “Royal Cedula Authorizing Rewards for Capturing Maroons” (April 29, 1536) In Schwaller, Robert C., *African Maroons*, 35. Transcribed from AGI, Panamá 235, L. 6, fs. 24v-25.

<sup>55</sup> Pike, Ruth, *Black Rebels: The Cimarrons of Sixteenth-Century Panamá*, 246.

<sup>56</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 61-62

Felipillo, giving his position of power, may have resembled something of a king to his followers. Whatever his title may have been, he inspired escaped Africans to establish their own society away from the Spaniards. Tardieu suggests that Felipillo's alliance with native laborers may have meant that African and native divers "had begun to forge social and possibly cultural ties on the Pearl Islands. These connections likely afforded Felipillo and his people local knowledge of the region and landscape that facilitated their flight."<sup>57</sup> As mentioned, it is possible that this also provided them with protection, as the Spaniards were legally compelled to be more cautious with the Indigenous inhabitants of the palenque. Tardieu states that it is "important to emphasize that the community headed by Felipe was not only made up of blacks, but also Indians fed up with the brutality imposed by the Spanish."<sup>58</sup> Tardieu also suggests that this points to a solidarity among victims of enslavement that went beyond the racial barrier and, presumably, expressed itself through matrimonial unions. The collaboration between Africans and native inhabitants was exactly what the Spanish feared. This, combined with the aforementioned financial restraints, would cause it to take nearly two years for the frustrated Spaniards to finally find an opportunity to put an end to Felipillo's rebellion.

While Felipillo and the other cimarrones fortified their village from Spanish attack the Spanish rallied their resources to combat the threat. There were several failed attempts to take Felipillo's palenque and, all the while, his palenque continued to attract more cimarrones and *indios* and *indias*. It would eventually take a fleet led by Captain Francisco Carreño to bring Felipillo and his followers in. Carreño is worthy of note, because he had a hand in another uprising that will be mentioned later. He was the son of esteemed commander Bartolomé

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<sup>57</sup> "Francisco Carreño's Account of Felipillo's 1549 Revolt" (1562) In Schwaller, Robert C., *African Maroons*, 36-37. Transcribed from AGI, Patronato 150, N. 14, R. 2, fs. 753-805.

<sup>58</sup> "Documento del Archivo General de Indias, relacionados con Panamá" (1551) In Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 64. Transcribed from editados por Juan Antonio Susto. 16 volúmenes manuscritos. T, III, documento 55.

Carreño, who had participated in some of the earliest expeditions of the Caribbean, climbing the ranks to commander. Scholars agree that Francisco was influenced by his father's strong sense of royal service and military duty. Although Francisco first devoted himself to the coast guard of the island of Hispaniola, as an assistant to his father, he would follow a more lucrative path and settled in the city of Panamá to oversee a pearl fishery in the Pearl Islands.

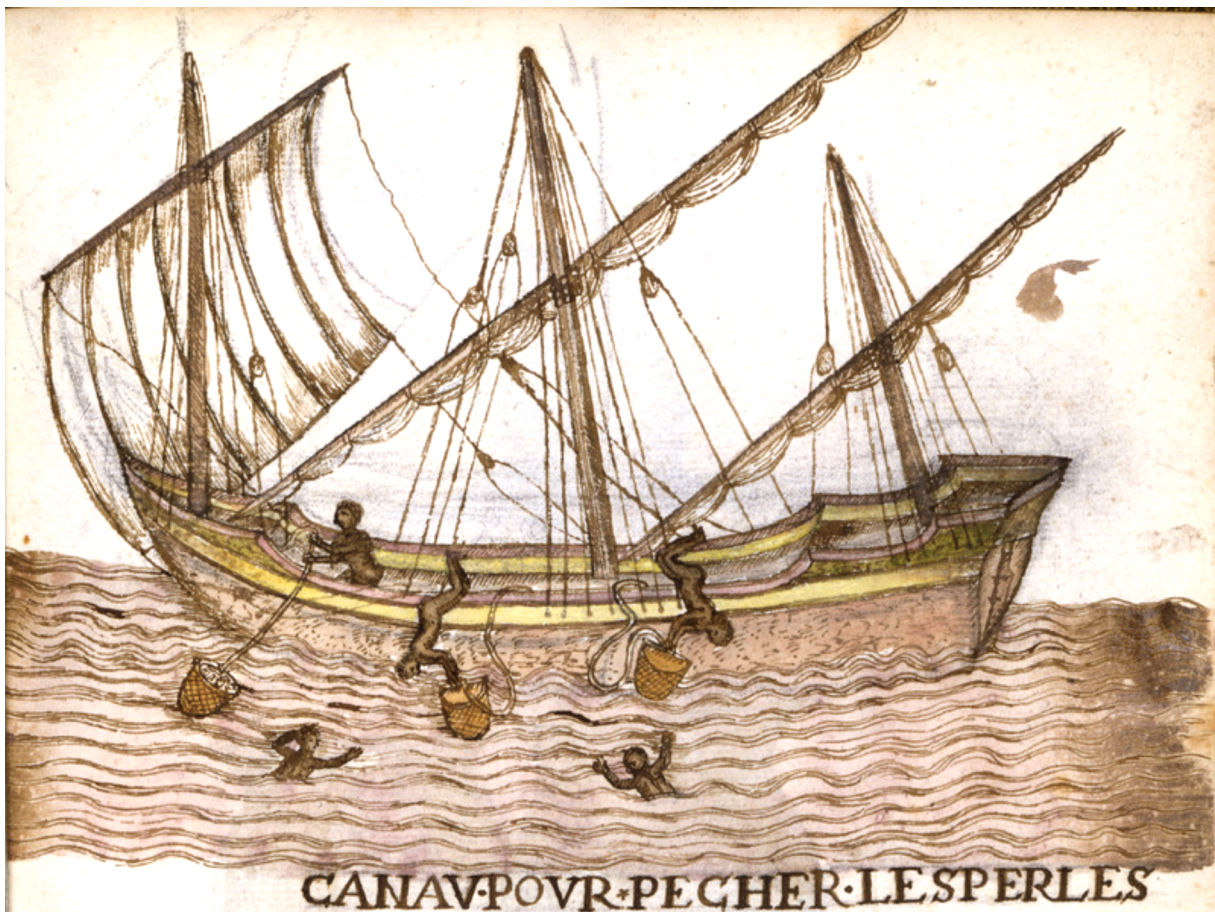


Image 2.1: "Pearl Fishing, Margarita Island, Venezuela, 1560s-1570s", *Slavery Images: A Visual Record of the African Slave Trade and Slave Life in the Early African Diaspora*, <http://www.slaveryimages.org/s/slaveryimages/item/847>

Francisco and other Spanish fishery owners relied on enslaved Africans and Indigenous divers to do the dangerous work of scouring the pearl beds. "The ecological consequences of these immense oyster harvests were not immediately visible to royal officials, but the



corresponding depression of pearl prices as the result of excessive pearl availability drew people's attention, as did the continual complaints about abuses of all sorts in the fisheries."<sup>59</sup> Both Las Casas and Oviedo would comment in their writing about the abhorrent working conditions and protests against the use of Indians for this work had begun in Venezuela as early as the 1520s and in 1529 the Crown was forced to adopt protection measures.<sup>60</sup> The early laws primarily focused on protecting the Indigenous peoples and forced the Spaniards to seek laborers elsewhere. Again we see that the protections provided for the Indigenous peoples created more demand for enslaved blacks (however, as mentioned, the same protections could also benefit cimarrones). The shortage of Indigenous laborers, whether from their habit of avoidance, the Spaniards own restrictive laws, or death due to diseases and appalling labor conditions, meant that the Spanish required the more costly alternative of African laborers. In short, Felipillo's rebellion constituted a loss of labor and revenue for the Spaniards. "In the meantime, the laborers at the heart of these negotiations over jurisdiction in the fisheries continued to endure exposure to extreme violence, their bodies thrown overboard by canoe owners when the divers died in the boat from exertion. Those pearl divers still in the water were then further endangered by the sharks drawn to the jettisoned corpses."<sup>61</sup> In a 1538 decree, the crown tried to deter such horrific practices by establishing fines. They suggested "that Christianity served as a somewhat useful distinction in the fisheries among enslaved or semi-enslaved Indians and Africans, many of whom bore Christian names in addition to a surname consisting of some ethnic identifier. Although this apparent conversion to Christianity did not protect them from the brutal labor of diving for pearls, it might have afforded them a slightly more dignified death."<sup>61</sup> For throwing

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<sup>59</sup> Molly A Warsh, *American Baroque : Pearls and the Nature of Empire, 1492-1700*, Omohundro Institute of Early American History & Culture, 2018, 63.

<sup>60</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 59.

<sup>61</sup> Molly A. Warsh. *American Baroque : Pearls and the Nature of Empire, 1492-1700*, Omohundro Institute of Early American History & Culture, 2018, 72.

‘Christian’ slaves overboard the fine was twice as much for slaves referred to solely as ‘black and Indian,’ without any religious modifier. Although these later laws did not initially prevent abuses, they would make it so that abuse would constitute a financial burden on the overseers. However, this decree was more likely intended to protect Spanish property than the dignity of Indigenous and African Christians. The divers that remained in the water constituted a significant financial loss, should their labor be lost to the sea.

In Francisco Carreño’s *probanza* (proof of service), dated September 5, 1562, he recounted what had transpired against Felipillo in 1549 and reiterated the testimony of several of his companions at the time. “Felipe, a black ladino from a fishery in the Pearl Islands that belonged to a Panamanian named Hernando de Carmona, had fled from the power of his master in the company of other slaves and Indians. Joining other maroons and natives, they reached the Gulf of San Miguel, where they built huts defended by a ‘closed wooden palenque’. There he [Felipillo] welcomed the black [other blacks in the region] [and] did great damage to the haciendas of the residents of the city.”<sup>62</sup> In order to learn how to dive for pearls, African slaves had to learn how and where to dive from native Indigenous divers. This passage implies that, very early on, African and Indigenous slaves were interacting and some, like Felipillo, even organizing against the Spanish.

In his own words Carreño reiterates the danger the growing palenque posed and the tremendous financial burden dealing with it had on the colonists. Carreño goes on to say that he had been captured by Indians and black maroons while looking for oysters on the island of Iguanas. His captors took him to [Felipillo’s] palenque in which he happened to have seized an

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<sup>62</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 64. Transcription of “Probanza de Francisco Carreño” (September 5, 1562)

opportunity to seize the maroons (Felipillo and thirty of his men) and burn the palenque, along with its supplies, to the ground. The prisoners were handed over to the city justice system, and “the cimarron leader was taken to Panamá where Governor Clavijo had him publicly quartered and the rest of the captured cimarrones resold into slavery.”<sup>63</sup> While being captured does not conjure the image of a hero charging in and conquering the day, it did award him the opportunity to take advantage of being inside the fortifications. Although his heroics may have been exaggerated, his deed did not go unnoticed and he would soon be awarded another opportunity to prove his merit. Although Felipillo was captured and killed, he inspired those who survived by proving that freedom could be attainable. They had a taste of community and freedom and a return to a familiar way of life.

### **El Rey Negro Bayano**

Although Carreño was able to take down one of the first large uprisings in Panamá, smaller skirmishes continued to plague the colonists. The maroons continued to gain support from the Indigenous populations. In 1545, the Italian merchant and explorer Girolamo Benzoni observed the maroons’ alliance with the Indians near Nombre de Dios.

He wrote, “In the forests on the eastern side, not far from Nombre de Dios, there are some towns of rebellious blacks, who have killed many Spaniards sent by the Governors of the province to destroy them. Near the rivers they have found houses inhabited by Indians and have become friends with them. They have poisoned arrows and often some go to the road to Panamá and cruelly dismember as many Spaniards as they fall into their hands. And as in winter time, due to the contrary winds, the boats that go down the

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<sup>63</sup> Frederick Marshall Rodriguez. *Cimarrón Revolts and Pacification in New Spain, the Isthmus Of Panama, and Colonial Colombia, 1503-1800*. Dissertation, Loyola University, 1979, 135.

Chagres River take a long time to reach La Cruz [via Cruces], and the merchants frequently send some things to Panamá, sometimes it happens that they meet the outlaws, who seize all the merchandise and only let the blacks who lead the mules go free, unless they want to join them.”<sup>64</sup>

The “eastern side of Nombre de Dios” hid the largest cimarron settlements in Tierra Firme. The cimarrones here had access to waterways and roads that allowed them easy access to Spanish mule trains, while higher ground and dense jungles made it easier for them to see and ambush the Spanish. According to Benzoni, a merchant, the cimarrones did not discriminate between Spanish soldiers and merchants. The cimarrones had learned to negotiate political alliances with the local Indigenous peoples. By “becoming friends” the Africans could provide the Indigenous peoples with much needed protection from the Spanish. Africans were familiar with Spanish weapons and how to use them, which would be of great benefit in battle. For the Blacks, an alliance provided simple necessities and knowledge of the land. By the middle of the sixteenth century the numbers and intensity of attacks reached a fever-pitch and officials grew increasingly more determined to do whatever it took to eliminate the problem at any cost.

Expeditions into the jungle revealed that the maroons had multiple settlements near Nombre de Dios and were led by a king named Bayano.<sup>65</sup> The new governor of Panamá, Governor Alvaro de Sosa (1553-1555) would be the next to inherit the burden of this marronage problem. During his term he implemented a strategy of sending smaller parties of men more often, in order to flush out the maroons. His followers were great in number and connected through networks around the region. According to Fray Pedro de Aguado’s *Historia de Venezuela*

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<sup>64</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 66-67. Transcribed from Benzoni, Girolamo, *Historia del Mundo Nuevo*, Ob. cit., 140.

<sup>65</sup> Sources spell his name as “Vallano,” “Ballano,” “Bayano,” and “Bayamo.” The Bayano River in Panamá is named after this rebel leader; therefore I prefer to use the name “Bayano” for consistency.

written in nearly 30 years after Bayano in 1581, Bayano's 'bishop', through sermons and affirmations, "would persuade the listeners to obstinately preserve their freedom, defending with weapons in their hands the people and land they had and possessed, and that they support their king, who was called [Bayano], whom everyone obeyed and respected with the respect and obedience that is due to the natural lord and king, and in the same way that other people usually do, because he helps them maintain and govern in justice and defend them from the Spaniards who wanted to destroy them."<sup>66</sup> This suggests that there was some sort of indoctrination process and that Bayano's rebellion was as much a cult following as a rebellion for freedom.

To engage Bayano, Sosa sent multiple parties. All but one of the men from the first party were killed. This led Sosa to utilize a more experienced veteran of dealing with maroon communities. In 1553, after three failed attempts to bring Bayano to justice, Sosa sent Captain Francisco Carreño, the same captain who had destroyed the palenque of Felipillo, to lead an expedition that succeeded in capturing Bayano. According to a report of Carreño's expedition, at his own expense the captain had gone in with the strategy of making peace with Bayano. Carreño was successful in his negotiations (it is unclear what the negotiations involved) and brought Bayano to Nombre de Dios to present him to Governor Sosa. It is important to note here that most of the residents of Nombre de Dios were merchants from Seville and many occupied temporary positions in the Isthmus and were unwilling to fight themselves or pay for a campaign to go against Bayano. Not wanting to make a martyr out of the popular leader, and potentially face retaliation from the remaining cimarrones whose numbers were strong, Governor Sosa and the royal authorities had their hands tied. They simply did not have the men or resources and were forced to decide upon conciliation. Therefore, Governor Sosa pardoned Bayano and freed

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<sup>66</sup> Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 71. Transcribed from Aguado, Fray Pedro de, *Historia De Venezuela* (1581)

him, but this did not stop the leader of the cimarrones and “he continued his depredations more viciously.”<sup>67</sup> Emboldened by his successes, Bayano and his people amped up their attacks and plundered Spanish mule trains. For the Spanish it became increasingly clear that small bands of men would be insufficient for handling the problem and they would have to amass an army to extract them.

In mid-1555, Andrés Hurtado de Mendoza, Marquis of Cañete, stayed in Nombre de Dios on his way to the capital of his viceroyalty in Peru. It was here that he learned how serious the maroon problem was and feared traveling the roads to Panamá. “The audacity of the maroons... reached such extremes that at the direction of the Marquis of Cañete, Viceroy of Peru... became resolved to undertake a formal campaign against them.”<sup>68</sup> The Marquis knew how critical the Isthmus was and securing its safety was paramount for his new position as viceroy of Peru. He therefore took matters into his own hands in order to rid the region of Bayano and his people.

Bayano was described as being ladino, speaking understandable Spanish, and was probably in a position of authority in his native land. As with Felipillo, Bayano and his followers tried to recreate their African ways and Bayano was appointed king. “His followers served and treated him like a king, and he governed them in a like manner, making them obey and fear him and comply with his orders.”<sup>69</sup> Bayano was believed to have amassed a large following of some and with them carried out a long series of campaigns against the Spaniards.

The blacks, according to Pedro de Aguado, a sixteenth century Franciscan friar and historian, “corroborated and strengthened in a strong accommodation, and communicated and

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<sup>67</sup> Fray Pedro de Aguado, *Historia De Venezuela*, ed. Jerónimo Bécker, vol. 2 (Madrid, España: Establecimiento Tipográfico de Jaime Ratés, 1919), 230.

<sup>68</sup> Fray Pedro de Aguado, *Historia de Venezuela*, 230.

<sup>69</sup> Ruth Pike, *Black Rebels: The Cimarrons of Sixteenth-Century Panamá*, 247.

were skilled in the land, which was very rough and obscure in nature, who almost mocked those who came looking for them, and many times came with shameless audacity.”<sup>70</sup> The Marquis of Cañete paid a hefty sum from the royal treasury to wage war against the cimarrones. The Marquis commissioned Captain Pedro de Ursúa to lead an expeditionary force against Bayano and the other cimarrones. However, no one was willing to put their lives on the line no matter how great the “promises of prizes and gratifications”.<sup>71</sup> In a last attempt to find able-bodied men to do the job, the Marquis petitioned a group of participants from a failed rebellion in Peru, who feared being condemned to the galleys or executed, to either face a military tribunal or fight against the cimarrones for him. The men chose to face Bayano. The Marquis then turned these men over to Ursúa who organized them and some others who now volunteered, into something of a real army.

Ursúa knew he could not match Bayano and his men head-on and, instead, relied on cunning and deceit. Under the pretense of negotiating peace, he befriended Bayano and enticed him by offering him his own kingdom. Bayano and his men were taken in by the offer and during the ensuing celebrations Ursúa poisoned their wines, overtook them, and sacked their fortress. As a devout Catholic, Ursúa had felt compelled to explain to his men that the motives behind his actions were that the cimarrones had left the Church and were therefore apostates. And with that, Bayano was brought down from his mountain. It is uncertain what happened to Bayano next. According to Aguado, he was taken to Spain and lived there for several years before dying. By sending Bayano to Spain, the Spanish avoided both the potential for his people to attempt to retrieve him and it prevented making a martyr of him. Bayano’s people, however, were not deterred by the loss of their leader and continued their exploits long after.

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<sup>70</sup> Fray Pedro de Aguado, *Historia De Venezuela*, 184.

<sup>71</sup> Fray Pedro de Aguado, *Historia De Venezuela*, 184.

## **Conclusion**

Although there is evidence that some Africans pledged fealty to the Spanish during early colonization of the Americas, for most cimarrones, vassalage was neither needed nor wanted. They had established their own settlements, practiced their own religion, and crowned their own king. They did not seek approval from the Spanish and showed no interest in being umbrellaed under the Spanish monarchy. To say that they fought hard to become vassals would be misleading. It is more realistic to describe the inevitable process of vassalage as something that generated from the African successes. For the Spaniards, dependence on slavery, mistreatment of the native population, mismanagement of settlements, and struggle against the cimarron threat were all instances in which their dominance in the New World waned. These times of hunger, need, poor governance, rebellion, and upheaval reveal just how often the great conquistadors and brave explorers of Tierra Firme almost lost control. In Tierra Firme, more than any other Latin American colony, enslaved Africans would seize the opportunity for self-emancipation and establishment of communities of their own.

The treatment of the indigenous slaves contrasted sharply with the treatment of African slaves. Many Spaniards went to great lengths to advocate against the atrocities of indigenous slavery while simultaneously pushing for more African slaves. Although they also sought to make vassals of the Indigenous peoples, there is little mention of efforts to extend vassalage to African slaves. These three peoples, the Spanish, Indigenous, and African would become the foundation for the development of colonial society and growth of the Spanish Empire.



### **Chapter Three**

#### **Corsairs, Collaborations, and Resolutions 1558-1582**

Bayano's settlements and beyond continued their attacks on settlers' homesteads and caravans, attacking and robbing the Spaniards whenever possible. Marronage never went away because the institution that created it still existed. Rather than using vassalage as a bargaining chip, punishment was the official strategy. As long as African slaves continued to flee from brutal servitude the cimarrones population would continue to grow and they would continue to cause problems for the Spanish. With a population of which three-quarters consisted of Africans, there was bound to be trouble. The cimarrones were now familiar with the Spaniards' duplicity and had grown distrustful of any attempts at negotiations. They had become formidable warriors, which did not go unnoticed by those who would seek to exploit their ferocity and numbers. The cimarrones did not lack potential allies. There were plenty of ambitious men who recognized the military capability the cimarrones possessed, if they could be controlled. For the cimarrones, in order to rebuild what was lost they would need to forge alliances with those who shared their common enemy, their enslavers, the Spaniards. Through these alliance the cimarrones would gain weapons, materials to rebuild, and the opportunity to free other African slaves. For those who could organize them, this meant access and navigation of the interior waterways of the region and able bodied soldiers to bolster their numbers and help ambush Spanish trade routes. These new alliances would be nearly disastrous for the colonizers and the crown. The collaboration between the cimarrones and the English pirates, especially, would prove to be the catalyst that accelerated the conversation of African vassalage. The Spanish would be forced to make a choice, continue fighting or find a way to make peace with the cimarrones.

Although there were many small skirmishes and rebellions throughout the region, this paper focuses primarily on the two major settlements that marked the entrance and exit points of

the goods that made their way into and out of Tierra Firme, Panamá City and, especially, Nombre de Dios because the homesteads surrounding it were particularly hard hit by Bayano's remaining people and other cimarrones that had found their way into the surrounding jungles.

### **Post Bayano Skirmishes**

According to Aguado, Bayano's followers "remained in stubborn rebellion against the Spaniards, and when the corsairs invaded the country, they lent them their services as guides and as allies."<sup>72</sup> They helped the corsairs by providing information on when and where Spanish mule trains would be moving, helped them navigate through the jungles, and assisted in robbing and killing Spanish soldiers and merchants. The cimarrones would continue to cause trouble for the Spanish for quite some time. It wasn't until 1582, that the cimarrones of Bayano would negotiate "a conclusion to this struggle and a peace accord that recognized their freedom. After that date, the organized cimarron movement came to an end on the Isthmus of Panamá, but slave resistance and cimarrones continued to exist throughout the colonial period."<sup>73</sup> Despite repeated rebellions and constant skirmishes, the Spanish tended to avoid the subject of vassalage for blacks and instead opted to continue to push back against rising resistance.

In a letter to the king written on August 28, 1562, Luis de Guzman, the then governor of Panamá, voiced his fears that the threat of cimarrones was so great that "bad men" could potentially organize them and that, in order to avoid this, the Spaniards must wage constant war on the cimarrones in order to exhaust them into submission. As the expenses and salaries could not be borne by the councils or the Royal Treasury, he suggested that a modest (less than one percent) tax be imposed on the merchants of Nombre de Dios in order to pay for a permanent

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<sup>72</sup> Aguado, Fray Pedro de, *Historia De Venezuela*, 231.

<sup>73</sup> Pike, Ruth, *Black Rebels: The Cimarrons of Sixteenth-Century Panamá*, 244-245.

company of about a hundred men, with fifteen or twenty porter slaves to carry provisions.<sup>74</sup>

Guzman placed the responsibility squarely on the shoulders of the merchants because he reasoned “the blacks passed through here because of the merchants, who are quite wealthy from their business and profits.”<sup>75</sup> This, of course, would drive prices up and inflate the cost of living, which was already a strain on the fledgling settlements due multiple attempts to deal with marronage and rebellions. He justified the expense by claiming that no soldier would do the job for less than double hazard pay, and that they would also need other incentives, such as a monthly salary, a ration of maize, and footwear. He intended to use these soldiers to snuff out the remainder of Bayano’s people and, once they were destroyed, he would split the soldiers into two groups with one group to be kept in Nombre de Dios and the other in Panamá. The soldiers would then be responsible for surveying the mountains and preventing any new nuclei of cimarrones from forming.

Guzman had good reason to be concerned not only of Bayano’s people, but of other cimarron threats spread out through the region, many near Nombre de Dios. In November of 1569 the cimarrones attacked a small homestead belonging to Pedro González de Meceta, a distinguished captain and hero who had been granted property located a short distance from Nombre de Dios. According to González de Meceta’s *probanza de meritos*<sup>76</sup> “they carried off a *negra* in his service... they took clothing, house furniture, weapons... and burned the home in which he lived. With this all the rest of his property was burned and a large sum of silver lost.” The probanza goes on to say that, by maintaining this populated house which was located on the

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<sup>74</sup> “Governor Luis de Guzman to the Crown” (August 28, 1562), in Tardieu, *Cimarrones de Panamá*, 108. Transcription of AGI, Panamá 29, R.9, N.37, 1.

<sup>75</sup> “Governor Luis de Guzman to the Crown” (August 28, 1562) in Schwaller, Robert, *Africans Maroons*, 81. Transcription of AGI, Panamá 29, R.9, N.37, fs.2-2v.

<sup>76</sup> “Probanza de los méritos y servicios de Pedro Gonzalez de Meseta en la conquista de la provincia de Veragua con el general Francisco Vasquez (ff. 82-88)” (November 9, 1569), Translated in Jopling, Carol F., *Indios Y Negros*, 338-339. Transcribed from Patronato 151/5/1.

route used by the negros, Gonzáles de Meceta “brought great assistance and benefit to the city of Nombre de Dios and its vecinos... and prevented many damages by hindering the approach they used to commit robberies and carry off *negros*.” The author of the probanza stated flatly that “the principal intent of the *negros* in burning down the house was to open the route so that they could continue to enter and exit the town unseen and commit their robberies and crimes, such as stealing *negros*.” This attack sheds light on two key elements. First, the Spaniards took note that the cimarrones attacks were deliberate and strategic. Clearing the way for ease of movement was a decisive maneuver that allowed them to freely carry on their activities. Second, what was taken from González de Meceta is greatly telling. The items they had stolen were items that could help aid them in rebuilding and protecting their palenques. More importantly, they took a female African slave and left the silver to burn.

The cimarrones’ practice of taking African slaves from their masters was consistent behavior that had gone hand in hand with marronage. In a court document written as early as 1544 by Juan Garcia de Hermosilla, he stated that “these blacks come most nights and days and take up arms in the town of Nombre de Dios and in Panamá, and every day they set fires, and have burned many houses at times and taken many *negros* from the town without being able to resist to multiply... they take the said [*negros sin las poder resistir*]<sup>77</sup>... they cover their mouths and so they take them back without being able to understand where they are going...and many black women would go [*para se multiplicar*].”<sup>78</sup> This same document stated that “no vecino, no person on earth dares to punish any black slave of theirs who then goes to the blacks in the mountain, and the slave makes threats to his master that they would even give notice to those

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<sup>77</sup> This may be a mistranslation. Judging by context, Jopling may have been trying to say *sin que tuvieran poder para resistir*, which would mean that the blacks they took “did not have the power to resist”.

<sup>78</sup> This may be another mistranscription. The original document may have been trying to convey that black women would go in order to procreate.

who are in the mountain of what is happening and they have to do the as the black asks. And so the whole land is always overly concerned and with great fear that they [the cimarrones] will come upon the people and peoples of the said Panamá and Nombre de Dios some night and they will burn it as they resist and do great damage.”<sup>79</sup> The Spaniards' abuses towards enslaved Africans had changed from fear of their growing power.

On March 31, 1570 Licenciado Carasa, Fiscal of the Audiencia of Panamá wrote to the king about the measures that were being taken to remove the cimarron threat from the forests. They had assembled two hundred men to march against the principal settlement, that is Bayano... Once the cimarron presence was uprooted, they would settle the land with *españoles*. The reason this was necessary, the letter stated, was that the cimarrones had “rebelled in the forests and uninhabited areas. They are great in number and of such temerity and audacity that they come to the roads that travel between this city [Panamá City] and Nombre de Dios [and] kill travelers and rob them of what they carry, be it clothing or wine. Until now they have not taken money. They threaten to burn the two pueblos... Many times, they have taken *negras* who were washing clothes in the rivers... Similarly, they take *negros* who are collecting firewood and encourage others to leave their masters, as they do every day. For this reason, no master will dare punish a slave nor order them to do more than [the slave] would wish.”<sup>80</sup> It is evident that what the cimarrones valued was restoring their own people. They also valued the tools and material things needed to create and maintain their settlements and their way of life. Furthermore, these documents provide interesting new insight into how the cimarrones threat affected the relationship between the enslavers and enslaved Africans. The fear of flight and even possible

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<sup>79</sup> “Quarto legajo de la mencionada residencia tomada a Sancho de Clavijo de Tierra Firme (ff. 1-5, 13v-16v)” (1552), Translated in Jopling, Carol F., *Indios Y Negros*, 348-350. Transcription of Justicia 378/8.

<sup>80</sup> “Licenciado Carasa, Fiscal of the Audencia de Panamá” (March 31, 1570), translated in Schwaller, *Africans Maroons*, 86. Transcription of AGI, Panamá 13, R.10, N. 30.

retaliation tempered the enslavers' behaviors and drastically reduced the severity of many harsh punishments that had been commonplace before.

Although enslaver and slave dynamics were rapidly eroding, the conversation of potential vassalage for blacks would continue to be put on hold as the courts pushed for harsher punishments. In 1570, Alonso Cano, *procurador*, presented a royal ordinance for the king's review that requested that "any *negro* or *negra* that wanders absent from the service of their master for four days be given fifty lashes and that they remain tied there... from the time they were given until sunset... if absent more than eight days, they would be forced to openly wear a *pie de hierro con un ramal* of twelve pounds [a heavy chain tied to their ankle] for six months... any *negro* or *negra* that fled their master's for longer than thirty days would be given a hundred lashes and have their right foot damaged... those who were absent for six or more months would be hanged until they die naturally."<sup>81</sup> The ordinance would go further in obligating vecinos to report absent slaves and if a master did not report his slave missing within three days he would incur a penalty of twenty gold pesos. In 1572, after review of this petition, the *audiencia de Panamá* made minor adjustments that reduced the severity of the suggested punishments. Their reasoning for this was that "the service of these slaves is the most important and necessary thing to this kingdom because without them one [can neither] plant fields of maize, [nor] cut wood in the forest for building, nor conduct mule trains, nor navigate ships along the Chagres River or ships in the south sea, [and neither] can cattle ranches be sustained without *negros*, [likewise] the orchards, pearl beds, fisheries and other livelihoods of the land."<sup>82</sup> Nearly every aspect of Spanish life in *Tierra Firme* was dependent on slave labor and many understood that harsher

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<sup>81</sup> "Alonso Cano, *procurador*, suplico que se confirmen las ordenanzas que ha hecho la ciudad..." (January 3, 1573), Translated in Jopling, Carol F., *Indios Y Negros*, 353-355. Transcription of Panamá 30.

<sup>82</sup> "Panama City Slave Ordinances" (January 3, 1573), translated in Schwaller, *African Maroons*, 94. Transcription of AGI, Panamá 30, N.15. Abridged transcription in Jopling, *Indios y negros in Panamá*, 335-55.

punishments would only magnify the acts of rebellion. This combined with the fact that the cimarrones of Tierra Firme had clearly been diligent in increasing their numbers for decades was crippling the Spanish efforts to control them. The problem became especially disturbing for the Spaniards after the vecinos of Nombre de Dios and Panamá began to realize that governor Guzman was correct in his fear that ambitious “bad men” would provide the cimarrones with powerful new allies that could topple the region. Eventually, the cimarron threat would hold enough power to break down the Spaniards' abuses and chip away at their resolve.

### **Cimarron-Corsair Alliance**

The relationship between the cimarrones and the corsairs was an easy one to establish. The corsairs knew that in order to navigate the treacherous terrain and riverways of Tierra Firme they were going to have to rely on those who had come to know it best, the cimarrones. An alliance with the cimarrones allowed them to have guides through the treacherous jungles and information on when and where the Spaniards would be moving Peruvian and Panamanian gold. It also allowed them to bolster their numbers in combat as well as provide their strong bodies for menial labor. One of the most famous actors in this tumultuous period, Sir Francis Drake, was one of the first to establish a solid alliance with the cimarrones of Tierra Firme. According to journal excerpts written by his men, Drake and a handful of his men set out with cimarrones to raid the mule trains that were bringing gold, silver, and merchandise from Panamá City en route to Nombre de Dios. “We were in all forty-eight, of which eighteen only were English; the rest were Cimarrons, which besides their arms, bore every one of them, a great quantity of victuals and provision, supplying our want of carriage in so long a march... as soon as we came to a place where we intended to lodge, the Cimarrones, presently laying down their burdens, fell to cutting of forks or posts, and poles or rafters, and palmito boughs, or plantain leaves; and with

great speed set up the number of six houses.”<sup>83</sup> The labor the cimarrones provided the corsairs assisted them greatly in their efforts to relieve the Spaniards of their wealth.

For the cimarrones, an alliance with the corsairs provided them with men, better boats, and weapons that would facilitate their resistance. According to Drake’s men the cimarrones fashioned many fine weapons, arrows, knives, and spears. “The necessity in which they stand hereof continually causeth them to have iron in far greater account than gold: and no man among them is of greater estimation, than he that can most perfectly give this tempur unto it.”<sup>84</sup> In order to attain the required iron, the cimarrones needed to raid the Spanish mule trains or cities. Clothes seemed to be another commodity that was valued, right down to literally robbing the clothes off the Spaniards’ (men and women’s) back. When the corsairs stayed with the cimarrones at their palenque, the cimarrones related that they had had a falling out with the Spaniards when “a gallant gentleman entertained by the Governor of the country, undertook, the last year past (1572), with 150 soldiers, to put this town to the sword, men, women, and children. Being conducted to it by one of them, who had been taken prisoner [by surprise in the early morning] but many men, women, and children were slaughtered.”<sup>85</sup> This passage is interesting as it explains why the cimarrones were distrustful of the Spaniards and preferred to align with the corsairs and hints that vengeance was another motivating factor for their rebellion against the Spaniards. This also explains why the thing the cimarrones valued most was emancipating their own people any opportunity they got. It is clear that the cimarrones were keenly interested in rebuilding the society that had begun during Bayano’s reign. For that, they need the most basic things; iron for weapons, building materials, furniture, clothing, and people.

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<sup>83</sup> Schwaller, 103. From Nichols, *Sir Francis Drake Revived*, 173-187.

<sup>84</sup> Schwaller, 104. From Nichols, *Sir Francis Drake Revived*, 173-187.

<sup>85</sup> Schwaller, 107. From Nichols, Philip, *Sir Francis Drake Revived*, 173-187.



On February 24, 1573, while measures were being taken to deal with marronage and rebel cimarrones, a report was sent to the king by the council of Panamá informing him that "English Lutherans" came with four boats in which about eighty men dared to embark on Nombre de Dios on July 9, 1572. The men took over the city at night without their vecinos being able to react. They killed four or five men and wounded as many others. At dawn the Spaniards managed to repulse the enemy, who managed to withdraw with some spoils.<sup>86</sup> "On the last day of the month, twenty of these Englishmen, with the help of forty maroons, following the road from Nombre de Dios to Panamá, assaulted the Venta de Chagres, six leagues from this city, where the merchandise unloaded from the boats was stored.... They killed three Spaniards and a Dominican friar, fatally wounded five whites and blacks, and burned the warehouses and their merchandise. It was not long before they managed to seize more than eighty thousand pesos of gold and silver that a caravan was carrying."<sup>87</sup> This, of course, created even more fear among the vecinos. However, their resources were spread thin and allocating the funds to fight against multiple enemies became nearly impossible. Tierra Firme had spent so much money and manpower in the constant struggle against marronage and cimarronaje that it had left itself vulnerable to foreign attacks. In 1573, due to a serious increase in corsair activity and the continued risk that cimarron-corsair alliances would bring, Guzman's successor, governor Juan de Céspedes, renewed the issue of "bad men", this time hinting.

The lure of the Camino Real, and all the Peruvian gold that flowed through it, was irresistible to ambitious men looking to monopolize on its weaknesses. However, for Sir Francis Drake, the lure was not simply for gold, but for spiritual conquest as well. He was not simply a corsair, he was also a Protestant whose piratical incursions had marked religious character. It was

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<sup>86</sup> "La primera expedición de Francis Drake" (1572), in Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 126

<sup>87</sup> "La primera expedición de Francis Drake" (1573), in Tardieu, Jean-Pierre, *Cimarrones de Panamá*, 126.

well known that Drake and many English corsairs stubbornly or intolerantly adhered to Protestant dogma. However, Drake was known for being a staunch ‘dogmatizer’ and went further by instructing the maroons of Panamá in what the Spaniards believed were heresies. Drake viewed his repeated attacks against Spain as efforts to vanquish the chief promoter of the Antichrist on earth.<sup>88</sup> Of the cimarrones response to this, Drake’s men wrote, “Touching their affection in religion, they have no kind of priests, only they held the Cross in great reputation. But at our Captain’s persuasion, they were contented to leave their crosses, and to learn the Lord’s Prayer, and to be instructed in some measure concerning God’s true worship.”<sup>89</sup> This, of course, did not settle well with the staunchly Catholic Spanish and the collaboration between the cimarrones and the corsairs would become a spiritual threat as well as a mortal one. This may have been the most significant spark that would eventually ignite a serious conversation about African vassalage. If the cimarrones could be beaten, then perhaps they could be peaceably absorbed.

Eventually, after reaping what he could, Drake would move on, leaving one of his men in his place. However, this relationship, and subsequent corsair relationships, would dwindle. Few had the charisma that Drake possessed. The Spaniards felt the cold sting of defeat and began to understand that extreme measures would need to be taken to prevent any further damage caused by maroons and foreigners.

### **The Spanish Negotiate**

The Spanish were left scrambling to strategize in the wake of Drake’s visit. Many were resolved to go to war. However, after multiple failed attempts, the king finally proposed to

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<sup>88</sup> Bryan Hamm, “Between Acceptance and Exclusion: Spanish Responses to Portuguese Immigrants in the Sixteenth-Century Spanish Caribbean.” Essay. In *The Spanish Caribbean and the Atlantic World in the Long Sixteenth Century*, edited by Ida Altman and David Wheat, 113–35. Lincoln, N: University of Nebraska Press, 2019, 122.

<sup>89</sup> Nichols, Philip, and Francis Drake. *Sir Francis Drake Revived*. Glasgow: Good Press Publishing, 2020.

pursue peaceful negotiations instead. In June 1574, the same time as Black tribute was implemented across the empire, a Royal Cedula called for the peaceful surrender of *Negros Cimarrones*. In it, he allowed that the option to go to war could remain, but only as a last resort. The king ordered that “all *negros cimarrones* that come in peace within a period [determined by the audencia in Panamá] shall be free and that their owners shall not have them as slaves or use them as such... those that come in peace shall be pardoned of all crimes... the the *negros cimarrones* shall be required to gather and settle pueblos where the audencia de Panamá sees fit and that all free *negros* and *negras* shall go live in them... that those who surrender and settle can capture and take as slaves those who remain in rebellion... the *negros* who surrender shall be obligated to support the priests who teach them doctrine... the *negros* would be obligated to capture escaped slaves and return them to their masters and keep the roads safe... and to open roads between their cities and Nombre de Dios.”<sup>90</sup> This ordinance was a full reversal from the language in prior documents. Although it still did not mention vassalage it did allow the blacks many freedoms they did not have before. Upon closer inspection, however, an ulterior motive reveals itself. Tierra Firme had a problem with rebellious *cimarrones* and they did not have the manpower or money to attack it head on. The colonists needed people experienced with the unforgiving terrain, willing to enter it, move about freely within African society, and do the job of controlling the *cimarrones* problem for free. Only the blacks themselves would be qualified for such an undertaking. By incentivizing them with promises of freedom and the opportunity to build their own cities, the Spanish cleverly thought of putting them to work cleaning up the maroon rebellions without spending a dime or shedding anymore Spanish blood in the process.

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<sup>90</sup> “Real Cedula de Junio de 1574” (1574), in Tardieu, *Cimarrones de Panamá*, 174-176. Transcription of Fuente: Patronato 234, R6, 2.

However, trust was still a major issue and, after being given four months to come forward, only three cimarrones took advantage of Spain's largesse. Initial steps were tentative. It was clear that cimarrones did not want to risk Spanish treachery nor risk losing their hard-gained freedom. On May 6, 1575, Panamá's authorities wrote to the king, "Being bestial people and very suspicious, for they are of little understanding, it appeared appropriate to us to suspend the measures that we had ordered to help make war, such as the tax that was to be levied on merchandise, because if they thought we were [planning war] they might believe that the peace that has been offered them was false and meant to trick them."<sup>91</sup> This document was penned only halfway through the allotted grace period the cimarrones had to turn themselves in and the Spanish already seemed eager to withdraw. I agree with Schwaller's assessment that the Spanish blamed the cimarrones' timidity on their stereotypical notions of Africans' limited intelligence while absolving themselves of any wrongdoing on their part that would explain the cimarrones' hesitation.<sup>92</sup> Still, the Spanish had reason to worry that the plan was failing. The cimarrones largely ignored Spanish promises and continued their raids on Spanish mule trains and settlements.

### **The Second Bayano War**

The Spanish threshold for maroon activity was met when they once again began forming alliances with foreign enemies. The alliance forged between the cimarrones and the Englishman John Oxenham placed a hold on further discussion of black liberties and would instead tip the scales again towards war. Oxenham had joined Francis Drake's earlier expedition to Tierra Firme and had fostered relationships with the cimarrones at that time. In 1576 he returned to Tierra Firme and restored old alliances with the cimarrones. With their help he cut through the Isthmus

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<sup>91</sup> "The Audiencia to the Crown" (May 6, 1575), in Schwaller, *African Maroons*, 128. Transcription of AGI, Panamá 11, fs. 8-12.

<sup>92</sup> Schwaller, *African Maroons*, 128

to the Pacific Gulf of San Miguel (earning him the distinction of being the first non-Spanish European to cross the Isthmus) and built small ships to raid Spanish trade ships coming from Peru and pillaging estates in the Pearl Islands. This spurred the Spaniards to send four barques with twenty-five soldiers in each and blacks to row them, led by Captain Juan de Ortega. Ortega and his men pursued Oxenham and his men up river, came to a fork in the river and, not knowing which way to go, waited until they saw feathers (from the chickens the Englishmen ate) and followed the trail. They came upon a group of Englishmen, killed one, five escaped into the forest, and the twenty were captured. The Spanish discovered a house where the Englishmen had been keeping their goods, gold, and silver. The men that had been left there had been laboring to carry it to that location and likely wanted to renegotiate their terms for the extra services rendered. Oxenham became angry and had gone upriver to seek blacks to carry the load. The Spanish decided to return with the bounty without pursuing Oxenham further. While they were relieving the Englishmen of their spoils, Oxenham, tipped off by the five men who had escaped, promised half of all the treasure if they could get it from the Spaniards and returned with all his men and 200 negros and attacked the Spaniards. Although outnumbered, the Spanish had the advantage of higher ground and prevailed against the Englishmen. Oxenham retreated to his ship to make a pass back to England. Ortega cut his losses and returned to Panamá with the spoils and the captured Englishmen. The fact that Oxenham and fifty of his men had gotten away into the country did not sit well with the viceroy of Peru. He sent out a hundred and fifty soldiers armed with arquebuses into the jungle to capture the remaining Englishmen. After they had been found and brought to justice. Oxenham, after claiming he had no license from the Queen, prince, or lord to justify his attacks was sentenced to death along with all his men, save five boys who were

sent to Lima.<sup>93</sup> Oxenham's nearly successful attempt to steal a hefty ransom from the Spaniards may have compelled the Spaniards to work harder towards peaceful negotiations with the cimarrones. By befriending the cimarrones the Spaniards could get them to assist in their fight against the corsairs.

At first, however, multiple military expeditions were sent to capture the cimarrones that had assisted Oxenham and bring them to justice. Tensions between the cimarrones and the Spaniards escalated, many cimarrones retreated further into the jungle, others fought back, and others, according to a document penned by senior *oidor*, Dr. Criado de Castilla who took over as interim president, have switched sides and "have offered peace of their own accord, and with their help and the information they gave what has happened in the bush the [Spanish] captain and his men have made several [English] captures."<sup>94</sup> This trend marked a shift in the behaviors of the cimarrones. It is difficult to know for certain, but perhaps many were weary of running and fighting and likely hoped to rekindle the previous discussion of possible freedom and a chance to build their own free-black communities.

Castilla and other authorities nurtured this new development and sent word to the king of minimal threat the cimarrones now posed. However, Pedro de Ortega Valencia had already arrived in Spain to petition the king for support against the cimarrones. After hearing of the Oxenham-Cimarron alliance and the ongoing maroon threat the king acceded to war and ordered that "no person regardless of *calidad* shelter any soldier [of the enemy]... no *español*, [neither] *mulatto* nor *mestizo*, *negro* nor *zambiago*, be without an employer in the province of Tierra Firme... no free *negro*, *mestizo*, *mulato*, or *zambaigo* carry harquebuses or crossbows, swords, or

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<sup>93</sup> "Lopez Vaz Account of John Oxenham's 1576 Expedition" (1586), in Schwaller, *African Maroons*, 129-134.

Source: "The Voyage of John Oxnam of Plimmouth," in Hakluyt, *Principal Navigations*, Vol. 10, 77-81.

<sup>94</sup> "Dr. Criado de Castillo to the Crown" (May 12, 1578), in Schwaller, *African Maroons*, 160-161. Transcription of AGI, Panama 13, R.17, N. 83.

daggers unless serving in the war... no *español*, free *negro*, or any other person of any *calidad*, shall shelter any *negro* or *negra* who has been in the bush or who has fled from the fear of war.”<sup>95</sup> “War”, in this case, refers to the possibility of an oncoming full-scale war and not the multiple battles and skirmishes that occurred regularly. Failure to uphold these measures resulted in a fine of 100 pesos for the first infraction, 200 pesos for the second, and the penalty for the third infraction was to be exiled from the Indies.

Although these new penalties were put forth and the cimarron raids continued to plague the Spaniards, there seemed to have been cautious optimism for peaceful negotiations. War efforts shifted as more and more cimarrones surrendered. Ortega had returned with men he had recruited in Spain only to discover a very different landscape. According Ortega, in a letter written to the king, upon his arrival “two captains from the Bayano with another eight negros, entered into Nombre de Dios in search of [him].”<sup>96</sup> In another letter written to the king a short time later, Ortega informed him that he was met by some of Bayano’s cimarrones “having each one of them by order of their king and diligence acted with great faith by Captain Antón Mandinga who went to bring them, and having all been acquitted by the dean [of the church] and the king and all of them again ratifying and giving obedience and vassalage to your highness as to your king and natural lord with a demonstration of great joy, in all of them, and wanting to send your highness this much-desired news and respond to one that Dr. Alonso Criado de Castilla, *criador* of your highness, had received.”<sup>97</sup>

Bayano’s people still carried the memories of Pedro Ursúa’s betrayal and the Spanish were very cognizant of this. They now knew that they had to take very cautious steps and

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<sup>95</sup> “Royal Cedula Ordering War with *Negros Cimarrones*” (May 25, 1578), in Schwaller, *African Maroons*, 169-170. Transcription of AGI, Panama 234, R. 6, fs. 345v-47.

<sup>96</sup> “Pedro de Ortega Valencia to the Crown” (June 14, 1579), in Schwaller, *African Maroon*, 173-176. Transcribed from Panama AGI, Panama 42, N. 6.

<sup>97</sup> “Carta escrita por Pedro de Ortega, general de Bayano a su majestad, y a esta audiencia.” (August 30, 1580) In Jopling, Carol F., *Indios Y Negros*, 358-360. Transcribed from Panama 234/1/5.

progress would be slow. Small groups of cimarrones grew into larger groups as trust was gradually established. On June 19, 1579, the audiencia de Panamá presented a letter written by Don Luis Maçambique (commonly written Mozambique), leader of the maroons of Portobelo, expressing his desire to be pardoned and for himself and his people to become vassals of the king.

“I, Luis, king of the soldiers of Portobelo, in fulfillment of the vow that I made on behalf of my soldiers before your lordship with all of the soldiers who accompanied me under the promise that was given by your lordship in the name of the King, don Philip, Our Lord, that if we came in peace to obey the mandate of His Majesty, you would grant us our liberty, for me and for all our soldiers. That being accepted, I present myself before your lordship so that you may tell us where we might serve His Majesty, and reside together, wherever your lordship orders we will go. This is written on paper so that your lordship understands that I want to serve His Majesty, may he live many years, and your lordship as you have given us life more prosperous than it currently is. Your humble servant.”<sup>98</sup>

The last sentences of this letter hints at the reason so many cimarrones sought to take the offer presented by the king in the Royal Cedula of 1574. There is a suggestion of longing for a better and peaceful life. Since Bayano’s leadership, the cimarrones of Tierra Firme had lived nearly two generations in hiding, fighting, raiding, and watching their backs for Spanish attacks all while in hostile terrain. The children of Bayano had become weary old men. This may be the most poignant reason for the mass acceptance of vassalage.

After Don Mozambique surrendered himself and his men, the women and children would soon join them. The Spaniards, with the help of former cimarrones, began the work of seeking

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<sup>98</sup> “Arrival of Don Luis Maçambique in Panamá City” (June 19, 1579), in Schwaller, *African Maroons*, 189-190. Transcription of AGI, Patronato 234, R. 6, fs. 288v-90.



out all the maroon strongholds and hamlets. The last cimarron holdout would fall in 1582 although smaller bands would continue to rebel against their enslavement until slavery was finally abolished in Panama in 1851.

### **Reducciones and Tribute**

As part of the agreement for his surrender, Don Luis Mozambique was required to establish a settlement within three months. However, the site designated to them, known as Chilibre, near Portobelo, was not suitable and negotiations for a better location to build began. According to records the site was savannahs and swamps and “was not convenient for the health... of the said blacks... and lacking in... principally for their farming and sowing... [Another site was pointed out near] Nombre de Dios along the Francisco River... [It was chosen for its] mountains and rivers for their crops and health... To [Nombre de Dios] where farmers had to attend their dealings and have with the Spanish *vecinos* who resided [there in] peace and harmony and love... It was convenient to have as *cristianos*, that they were, and [willing] to show by work, what he had promised to do as loyal vassals of his majesty and to protect and ally himself with the said Spaniards as such vassals of his majesty...[It contributes to the] great service to God Our Lord and his majesty and general good of [all] that they promised to be always faithful and loyal vassals of his majesty and to be against the English and French corsairs and black maroons and the people who came against the service of his majesty, and to live and die with this fidelity and vassalage they and their descendants [were] promised.”<sup>99</sup> The maroons had survived conflict and were able to “manipulate medieval constructs and fashion themselves and their settlements from ‘illegal’ kingdoms led by ‘pagan’ Africans to ordered black republics

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<sup>99</sup> “Sobre los negros de Portobelo (ff. 64-67)” (June 19, 1579), in Jopling, *Indios y negros en Panamá*, 375-378. Transcription of AGI, Patronato 234/1/3.

and townships composed of Christian, tribute-paying subjects.”<sup>100</sup> The first free black settlement to be established was named Santiago del Príncipe and it would be located near Nombre de Dios. It is clear from this document that the Spaniards had expectations of their new vassals. Spiritually, they were expected to be indoctrinated into the Catholic church (a priest was assigned to their settlement for this purpose), their dealings with Spanish vecinos were to remain amicable, they were to resist foreign interlopers and provide assistance to the Spanish against them, and pledge fealty to the King of Spain.

### **Conclusion**

The war was finally over. As the free blacks and vassals of the crown adjusted to living alongside the Spanish, racial tensions and old wounds would continue to spawn skirmishes between them. The African maroons of Tierra Firme never asked for vassalage from the Spaniards. They fought hard to be free and independent, creating their own society, propping up their own kings, and making their own alliances. They were strategists and opportunists, and took what they needed from the Spanish in order to build these societies. Their rebellion against the Spaniards lasted generations. Some cimarrones had spent their entire lives conducting raids, looking out for threats, and shedding blood. When they began making alliances with foreign enemies the cimarrones unwittingly forced the Spaniards to the brink of all out war against the cimarrones, but providence tipped the scales towards the Spaniards making concessions that would eventually lead to their freedom and vassalage instead. Memories were long and trust was needed to move forward in peace, for that both sides had to give something up.

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<sup>100</sup> Jane Landers. “Cimarron and Citizen: African Ethnicity, Corporate Identity, and the Evolution of Free Black Towns in the Spanish Circum-Caribbean.” *Slaves, Subjects and Subversives: Blacks in Colonial Latin America*, 2006, 111–45, 132.



Image 3.1: Portolan chart of the Pacific coast from Guatemala to northern Peru with the Galapagos Islands (1565)

Library of Congress <http://hdl.loc.gov/loc.gmd/g4802c.ct001180>

\*This map shows the progress the Spanish made along the Pacific coast in only fifty years.

## **Closing**

The Indigenous peoples rallied first, fighting back against foreign invaders or just avoiding them as long as they could, and cimarrones built their tactics out a half a century of violence in Tierra Firme and a longer and bloodier history with European enslavers. The Indigenous people were offered vassalage, however, it was consolatory. The damage was done and vassalage offered little respite. For cimarrones, who had begun to prop up their own kings and develop their own communities, vassalage meant very little in the face of continued abuses from enslavers. Ultimately, a strong desire for peace would compel both to reconsider.

The original intent of the encomienda system was not to subjugate the natives, but to indoctrinate them into their faith and to make them vassals of the crown. The crown did not foresee the devastation their presence would have on the Indigenous population. New laws were created in an attempt to control the behaviors of the settlers towards the Indigenous inhabitants. These laws did little to curb the insatiable encomenderos. Local clergy, who witnessed firsthand the horror of the savagery of their own countrymen unleashed on the Indigenous peoples, were among the first to advocate against the system and rally against their maltreatment. They argued that the Indigenous peoples could be of no service as vassals and servants of God or king under the deplorable conditions the encomenderos subjected them to.

Those Spaniards who were brave enough to make their way to the Americas were ambitious and set on making their fortunes or die trying. None were qualified to meet the Crown's demands for making vassals of the Indigenous peoples. They were there for wealth, land, and prestige and were not at all interested in the work involved in housing, feeding, or

teaching the Indigenous people. They were barely surviving themselves and in need of laborers. Starving and desperate men seeking fortune had different motivations for the way they treated the Indigenous peoples compared to wealthy men who governed from an ocean away, many of whom had no first-hand knowledge of the dangers of the unforgiving jungles. While the Crown began to waiver over the validity of the encomienda system, the Spaniards in Tierra Firme had begun their own dealing with the Indigenous peoples there. Vassalage for the Indigenous peoples, at least at this point, was used as an incentive to entice Indigenous peoples into peaceful negotiations, but, mostly, only if the Spaniards stood to gain something. Vassalage by no means guaranteed the Indigenous people a life free of servitude as long as the Spaniards required laborers over vassals.

Some Indigenous people also manipulated the use of vassalage by accepting it and then, as newly minted vassals, using the Spanish might against their enemies. Some hid in the dense jungles and did everything they could to avoid the Spaniards. Others joined forces and fought back with all their might. There is no evidence that suggests that any eagerly sought out Spanish vassalage.

It is important to reiterate that most Indigenous and Africans neither needed nor wanted vassalage. The Indigenous peoples did occasionally use vassalage to keep the Spaniards as allies, but this was not an option for Africans. The Spanish (in fact most Europeans) held a long-standing preconception that blacks were bestial and suited for hard labor. As the Indigenous population declined, the Spanish leaned heavily on them to labor under brutal conditions. With their humanity not being seen and the cruelties they endured, they ran into the safety of the jungle, where they carved out their own way of life and even established their own monarchy. It is evident that living in the jungle, despite seemingly being abundant with food, could not be

sustained for long. The Africans needed materials, especially clothing and iron used for weapons and tools. These things had to be attained by raiding Spanish cities and mule trains that traversed the Camino Real between the city of Panamá and Nombre de Dios. Rebellions and raids escalated as the rapidly growing population of cimarrones coordinated their efforts along with Indigenous peoples and other cimarrones against the Spanish. The removal of one of their greatest leaders and hero, Bayano, due to Spanish duplicity and deceit had left a lasting scar on his people and would make it very difficult for the Spanish to once again gain the trust of the cimarrones.

As the strength of the Spanish in Tierra Firme was being tested by constant confrontations with the cimarrones, foreign corsairs saw an opportunity to poach the Spaniards' ill-gotten Peruvian treasure by making alliance with the cimarrones and coordinating with them against the Spaniards. The relationship between the corsairs and the cimarrones was mutually beneficial. The corsairs gained navigation, access to riverways, and information that could lead them to Spanish gold. The cimarrones gained weapons, access to much needed materials, such as cloth and iron. Both gained strength in numbers. However, it wasn't until one Sir Francis Drake assumed the role of converting the cimarrones to the Protestant faith that the devoutly Catholic Spaniards doubled their efforts towards a more peaceful end to their feud with the cimarrones and may have had much to do with the Crown's position on resolving tensions so soon after.

The symbol of the cimarrones became autonomous with wealthy, free blacks, which greatly distressed the Spaniards. There were competing ideas about what to do with the cimarrones. As long as the Spanish saw the cimarrones as the threat, vassalage for Africans would be delayed, but now that the cimarrones were establishing alliances with foreign enemies, the Spanish tactics in dealing with the cimarrones began to shift. The language in the documents

began to take on a more gentle tone. When the problem of marronage had begun, there had already been a push for reform of many of the most cruel forms of legal punishments for runaways. With cimarron-corsair alliances, the Spanish began to make many generous offers.

For the Africans of Tierra Firme the conversation of vassalage happened slowly. It was simply the next inevitable thing to try, the last resort, in order to wrest some semblance of peace in the land. Neither party sought it out and the Spanish certainly did not push it on the blacks as they seemed to have for the Indigenous peoples. Vassalage in this case was being utilized as it had meant to be, to peacefully unite two vastly different peoples under the umbrella of the Spanish crown. For the blacks, vassalage offered freedom, security and an end to a long and exhausting battle. For the Indigenous peoples, vassalage did not translate to freedom. They had been the first beneficiaries of vassalage at a time when encomenderos enslaved them, ravaged their land, and killed their people. They were the first to witness Spanish vassalage and found it lacking.

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## Images

Image 0.1: Portolan chart (1516)

<https://hdl.huntington.org/digital/collection/p15150coll4/id/15998>

Image Intro.1: *Mapa de Panamá desde Portobelo al Darién* (approximately 1600). AGI MP-PANAMA,23

Image 1.1: *Traza adonde parece que conviene que se haga la fortaleza del Nombre de Dios*. ES.41091.AGI//MP-PANAMA,1. 1541, Panamá.

<http://pares.mcu.es/ParesBusquedas20/catalogo/show/22030>

Image 2.1: "Pearl Fishing, Margarita Island, Venezuela, 1560s-1570s", *Slavery Images: A Visual Record of the African Slave Trade and Slave Life in the Early African Diaspora*,

<http://www.slaveryimages.org/s/slaveryimages/item/847>

Image 3.1: Portolan chart of the Pacific coast from Guatemala to northern Peru with the Galapagos Islands (1565), Library of Congress

<http://hdl.loc.gov/loc.gmd/g4802c.ct001180>