Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America (review)

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The Americas, Volume 57, Number 3, January 2001, pp. 419-421 (Review)

Published by Cambridge University Press
DOI: *https://doi.org/10.1353/tam.2001.0012*

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The Americas
57:3 January 2001, 419-450
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Book Reviews

Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America. By Ann Twinam. Stanford: Stanford University Press, 1999. Pp. xiii, 447. Illustrations. Appendices. Glossary. Notes. Abbreviations. Works Cited. Index. $60.00 cloth.

This excellent, complex book weaves dramatic narratives from the private lives of elite, eighteenth-century men and women from throughout the Spanish Empire. The details were presented in petitions to the crown for legitimation—the process of *gracias al sacar*. Puzzled by accounts of extraordinary efforts of upper-class colonials to have their birth status termed "legitimate" (contrary to fact), Ann Twinam embarked on an exhaustive quest to understand why being seen as "legitimate" was so important. This investigation took her to archives in Spain and throughout what had been the Spanish Empire, as she painstakingly pieced together impressive banks of individual data. This data includes 244 petitions of legitimation from 1700-1820, which also described the lives of 187 mothers and 187 fathers of petitioners (some had more than one child). This book is remarkable in presenting an empire-wide analysis of highly individual documents relating to private matters of sexuality and marriage. In the process of amassing data from throughout the Spanish Empire, Ann Twinam considered these petitions and cedulas from the perspective of a Bourbon social policy.

The stories of "hidden pregnancies" and public virginity, or public pregnancies and extended engagements, incorporated into the collective biographies of the mothers and fathers of illegitimate children, usually ended in marriage or abandonment. The very conscious separation of the private from the public reality plays an important part in these narratives. If the lovers were unmarried and suitable partners for marriage at the time of the birth of the child, the child was "natural" (*hijo natural*) and could be automatically legitimated by the subsequent marriage of its parents. This very common scenario did not result in a petition for gracias al sacar, because it wasn't necessary. However, if the parents did not or could not marry at the time of the affair (because one or both was already married, or because of religious vows, death, or incest), only a petition of gracias al sacar could remedy the

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situation of lost honor represented by inferior birth. Further, the condition of illegitimacy lasted for two generations, so being the legitimate son of an illegitimate parent could also result in various kinds of social discrimination against the son or daughter. Twinam vividly describes the overwhelming importance of legitimacy in colonial Spanish America for young men to enter a wide variety of careers: to attend university or the colegio, to be a notary, smelter worker, military officer, priest, lawyer, doctor, or officeholder in the local or royal bureaucracy. For women, the negotiation of a good marriage was the main issue, and whether honor could be passed on to children. While the question of inheritance was pressing as well (illegitimates were limited to a fifth of an estate if there were legitimate heirs), Twinam argues that gracias al sacar did not usually resolve this question.

The first two chapters provide a comparative context of legitimacy, including the evolution of marriage as an institution, the meaning of illegitimacy in Spanish America, and the relationship of honor to race in the New World. Together, these constitute an invaluable primer to any student of colonial Latin American culture. In the next several chapters, Twinam looks at the life course of the mothers, the fathers, and the offspring, including the latter's childhood experiences, and the ways in which an illegitimate birth influenced life opportunities for marriage, career, and inheritance. The third section examines the aggregate decisions of the Cámara de Gracias y Justicia (de Indias) on legitimations as Bourbon social policy. Finally, Twinam examines the effectiveness of gracias al sacar in resolving the social difficulties of those who petitioned for it.

Applications for gracias al sacar (a process known for centuries in Spain) grew from very few between 1717 to 1760 (when petitioners submitted little information, paid, and the petitions were approved without problems), to a virtual flood after 1760. Twinam concludes that this change resulted because "elites had become much more self-conscious about the ambiguous barriers of race and birth that had previously established their precedence and that were now under challenge. Their response was heightened discrimination, which, since it reduced opportunities for informal passing, encouraged their illegitimate sons and daughters to resort to *gracias al sacar*" (p. 336).

The members of the Cámara were "gatekeepers" whose basic purpose was to "practice exclusion and to maintain hierarchy" (p. 244). As the number of applications expanded, the Cámara demanded increasingly detailed evidence and began to "narrow the qualifications of acceptable applicants" (p. 245). This combined with "growing concerns over the moral implications of legitimation" (p. 258). Substantial distinctions between categories of illegitimacy were made, but the use of gracias to enhance revenue was secondary, since price was considered after the decision to grant legitimacy. In the period from 1776 to 1793, the Cámara focused on "the moral issues surrounding illegitimacy and the potential role of the state in shaping orderly behavior" (p. 266). Interestingly, some opinions of officials supported the idea that the Cámara should favor the legitimations of women over men since "there were fewer 'inconveniences and consequences' attached to the legitimation

of women than of men" (p. 278). Twinam points out that the legitimation of women actually restored the traditional order in which men, rather than women, determined status. The legitimation of men had the opposite effect.

In 1794 and 1795, a royal decree and a royal cedula could have drastically altered the legal basis for decisions concerning illegitimates. The 1794 decree declared that all *expósitos* (abandoned children) be held as legitimate offspring. The 1795 cedula presented a price list for charges of different classes of legitimations, from a natural child (4,000 reales) to extraordinary legitimations to adulterers and clergy (24,200 reales). For the first time, pardos were also allowed to purchase whiteness! Twinam argues that these decrees and the day-to-day policies of the Cámara were essentially at odds, and that the Cámara worked to suppress or undermine them. This was the period described by Twinam as "a pronounced conservative retreat" (p. 310). According to Twinam, "The 1794 *expósito* decree . . . contradicted essential Hispanic precepts of how social and racial mobility should operate. . . . It violated the predominant Hispanic presumption of guilt, that missing information hid the negative—in this case that *expósitos* were bastards or racially mixed" (pp. 305-06). Even more radical was its "universal coverage" which "contradicted the historical Hispanic process whereby mobility—whether given informally by local elites who sanctioned passing, or formally by the state through individual decrees—was awarded on a person-by-person, rather than a category-by-category, basis" (p. 306). The Cámara refused to issue cedulas enforcing the decree.

Twinam describes the 1795 cedula as a "dead letter almost from the moment of its appearance" (p. 310). As royal policy, the 1795 cedula was a signal that revenue production was to become a major objective of social policy (p. 290). However, Twinam argues that the cedula was never so utilized by the Cámara. Also, the 1795 cedula had revolutionary potential in terms of inheritance rights that could be granted to petitioners. Here, too, the Cámara ignored the implications of the cedula and continued to issue legitimations focused on natal status and not inheritance. Twinam argues that the various social policies of the Cámara during the Bourbon period were consistent and essentially conservative, though they might appear contradictory.

Ann Twinam has used the relatively rare legal procedure of gracias al sacar to examine the social universe related to gender, honor and sexuality in colonial Latin America. Through inspection of the lives of those on the margins of elite status held back by defects in birth status, the significance of these status issues for the colonial elite and not so elite are dramatically elucidated. This book should be required reading for any serious student of colonial Latin American history. Twinam's research demonstrates the practical impact of honor for the everyday lives of colonial men and women. She also explains individual edicts in terms of a struggle over a larger Bourbon social policy and its implications for independence.

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