

HISTORY

The Church vs. State Conflict in Early Colonial California

DAN GARR 3-14-85 EXP

In the late 1790s, far from the locus of colonial rule in the sprawling Viceroyalty of New Spain, and still further from the tottering administration lately revived by France's Bourbon transplants on the Spanish throne, Santa Cruz became a battleground for the enduring hostility of Church vs. State in the Americas.

Although no European nation held the souls of native peoples as holy as did Spain, it proved to be a most difficult earthly task to reconcile spiritual and material imperatives. This was most apparent in remote frontier areas such as California where the guiding beacon of statutory orthodoxy was eclipsed by distance and compromised by the pragmatic considerations of the business of empire.

The conflict in Santa Cruz flared in 1797 when the Franciscan missionaries learned of a plan to found the Villa de Branciforte only a short distance from the Santa Cruz Mission. Having arrived six years earlier, the friars could quickly cite numerous statutes in Spanish colonial legislation which carefully prescribed where and at what distances secular settlements could be placed with respect to mission communities. In theory, this policy of racial separation — actually of two "republics," one for Spaniards, the other for Indians — was to be rigorously enforced until such time as the missionaries completed their educational and evangelical tasks among Native Americans. In practice, the Native Americans completed their earthly tasks far more quickly than the missionaries would have desired, for high death rates were the rule in California.

Unlike the barbaric practices of modern society, this form of segregation owed its existence to good and practical intents. Through the centuries, clerical attitudes on this

question remained quite consistent. During the late 1500s, a prominent Franciscan wrote, "The Spaniards have both the evil desire and the strength to destroy all the Indians in New Spain, if they were ever given the chance. The Indian is so phlegmatic and meek, that he would not harm a fly." Two hundred years later in California, Fr. Fermin de Lasuen stated that "if Indian men and women are denied permission to associate with indi-

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vidual people *de razon*, it is precisely the same reasons as those for which every good father of a family in every civilized nation should forbid his children to go with bad companions."

Naturally, any attempt to introduce non-Indian settlers into a frontier colony such as California would be met with implacable opposition. Junipero Serra could only accept this eventuality at a date far in the future, provided that the settlers "be of good conduct and blameless life." Already, however, his ecclesiastical domain had been sullied by the rowdy pueblos of San Jose and Los Angeles, the former provoking bitter missionary tirades and an all-out legal assault which was to fall on the deaf vicere-

gal ears of Antonio Maria de Bucareli, the only man of his office to be memorialized in a Mexican street name.

On this occasion in the waning years of the eighteenth century, it had become necessary to found a third town in California. But the lofty moral standards demanded by Serra were as improbable as his contemporary memorialization in the form of a statue just off Interstate 280, a buff behemoth last seen festooned with a 49er helmet. Viceregal authorities were far more concerned with the hungry eyes of England and France, which of late had been casting covetous looks at the California coast. George Vancouver had made detailed observations in 1792 as had Frenchmen Etienne Marchande and Jean-Francois de Laprouse in the previous decade. A new town-cum-seaport was required to discourage such interlopers — and if it could produce an agricultural surplus, so much the better. In choosing the site for Branciforte, the Spanish rejected competing locations in the Pajaro Valley and in the vicinity of Alameda, since neither met both prerequisites.

Many of the vexed missionaries and their tedious recitations of colonial legislation, it was decided that Branciforte would have to be a *fait accompli*, planned and executed without an iota of Franciscan surveillance. Nevertheless, two weeks before the arrival of the first contingent of colonists, Fr. Lasuen had been tipped off about Branciforte and promptly labeled it "the greatest misfortune that has ever befallen mission land." Sensing a conspiracy, he reasoned, "The King knew the situation quite well, and so did his Excellency the Viceroy, and Mission Santa Cruz had already been founded with royal approval."



ILLUSTRATION: PAUL TOKMAKIAN

Hence, it appears to me impossible that his Majesty should wish, ordain, or approve of a villa or pueblo in the immediate neighborhood, or that his Excellency should attempt it."

What was to be undertaken was in clear violation of Book IV of the *Recopilacion de Leyes de los Reynos de las Indias*. Sometimes referred to as *The Laws of the Indies*, this eclectic compilation of bureaucratic wisdom arose from Spain's New World laboratory of social, political, religious and economic endeavor and from the statutory adjustments necessary to regulate these activities over nearly two centuries of violent and far-reaching quest. For example, by 1536 Cabeza de Vaca had ventured northeast from Mexico City to the Gulf Coast of the United States, almost as far as the Florida panhandle. Six years later, Hernando de Soto reached the Mississippi River. By 1598 the Rio Grande Valley was settled and Santa Fe became a Spanish outpost in 1610. San Diego Bay was sited in 1542 by Juan Cabrillo and might have been settled by 1610 had it not been for a reshuffling of the upper levels of the Viceroyalties of New Spain and of Peru.

Book IV of the *Recopilacion* regulated the location of settlements and how they were planned. The most prominent among Lasuen's objections to Branciforte was the statute that governed the limits of proximity between missions and civilian settlements. According to the *Recopilacion*, each mission must be provided with a site "which has the convenience of water, arable lands, and a commons of one league [about three miles] in every direction." With territories separated only by the San Lorenzo River, the two establishments each lacked the necessary amenities considered essential for a viable existence.

While the mission monopolized the best agricultural land, Branciforte's location pre-empted logical

grazing sites for mission livestock. By 1805 the Conde del Valle de Orizaba, a high ranking colonial official determined that the Villa de Branciforte's territory was "not capable of sustaining the *vecinos* [settlers] in its district."

Governor Diego de Borica countered with the argument that the Santa Cruz Mission possessed more than sufficient land for its admittedly declining Indian population, and should it produce an agricultural surplus, the Villa would be the logical market to absorb it. Nevertheless, this rationalization was not sufficient to avoid a second look at the Branciforte proposal and it was decided to table the issue temporarily.

In the meantime, Spain, allied as it was with Napoleonic France, had been drawn into its neighbor's continental conflicts. As a result, the nucleus of the Villa's settlers, a regiment of Catalan Volunteers, was re-assigned elsewhere. The remainder were characterized by colonial officials as inclined to "make suspicious excuses not to work." One went so far as to recommend their absence "for a couple of centuries at a distance of a million leagues."

The Branciforte episode illustrates an important dynamic of Spanish California's first decades of settlement. Although the mission system exacted a heavy toll on its Indian population — levels were maintained by new recruitment rather than by natural increase — the Franciscan friars proved to be tenacious and indispensable agents of the Crown due to their domination of population and agricultural resources. Although they ultimately failed — not only as stewards of Native American interests but also as interpreters of the general welfare within the Spanish colonial system — their ingenuity and dogmatic use of colonial legislation to defend their interests rendered the Villa de Branciforte their most notable California casualty. ■