

**Masters, Adrian.** *We, the King. Creating Royal Legislation in the Sixteenth-Century Spanish New World.* Cambridge: Cambridge University Press, 2023, 324 pp.

The application of a bottom-up approach has been broadly accepted in the last two decades for the study of the creation and the enforcement of law in the West during the early modern period. Although the focus has mostly been on the local European realm, this methodological trend in legal studies has changed our views on the core-periphery model that quite often permeates imperial and colonial historiography. Yet, until very recently, it seemed that the old Spanish Black Legend was just as alive within scholarship as ever and could counteract any approach that questioned the typical picture of a totalitarian and repressive Habsburg administration. Fortunately, with *We, the King: Creating Royal Legislation in the Sixteenth-Century Spanish New World*, Adrian Masters decides to go against the myth. By addressing questions around the ways in which vassals in American overseas territories used petitioning to shape administrative institutions and laws, the author shows a previously little-known aspect of the Spanish Empire's law-making process.

Masters' book is a unique contribution to the literature on the development of the juridical culture of the early Spanish empire. This is because he goes beyond the mere finding and study of subaltern «voices» by using as his starting point an interpretative perspective based on contemporaries' understanding of what was involved in the contemporary law-making process. In *We, the King*, Masters closely examines both the human and non-human actions involved during the 16th century in the transformation of *gobierno*-petitions made by overseas vassals into royal decrees. The author aims to demonstrate that the system of lawmaking —specifically, of decree-making— is to be seen as a co-creation sustained on a dynamic of transatlantic petition and response between the Spanish monarch and his subjects that took place within, around, but also far away from the emerging Council of Indies.

Bruno Latour's Actor-Network Theory is the theoretical framework used by the study to argue against the common conception of the legal domain as a sphere estranged from tangible, contingent realities in the case of the emergent Spanish Empire, and, in this way, to show its dependence on physical and non-specialized labor. In that vein, Masters' research fundamentally follows the steps of Arndt Brendecke's study on overseas local agency in the 16th century transatlantic flow of information and the desperate efforts of the Spanish core administration to mitigate its extent. Nevertheless, the author's particular approach to the petition-and-response system allows him to transcend many aspects of the former's argument and offer his readers a new picture of vassal agency.

Masters' book is organized in six chapters. Although the coherence of the argument sustained throughout them is clearly explained in the introduction and conclusion, the prelude, epilogue, and the chapters' epigraphs are the elements that consolidate the study's organic character. Throughout the book, the reader is presented with the case of Indies procurator Pedro Rengifo's eventful petitioning-journey to Madrid, for the purpose of defending the rights of *mestizos* to ordination into the priesthood. A richly documented case, it not only aides the understanding of each chapter's arguments, but also allows Masters to present and support an important point of his thesis: the fact that many categories of human difference, which appeared in royal decrees and other official documents, and thus achieved great social significance, were created and proposed by the very petitioners in the documents they forwarded to the Council. The different processes in this lawmaking system that so particularly characterize the Habsburgs' Spanish Empire are thus explored in detail in the book's chapters.

The first two chapters examine what can be called the pre-Council phase of the petition-to-decree transformation process. Chapter 1 surveys the social circumstances and praxes, as well as the conceptual and physical collective labor surrounding the petitioners' creation of *gobierno* proposals. Here, Masters informs us that both ruler and ruled believed that the maintenance of a fictional unmediated dialogue between them was required for the provision of justice. As this fiction depended on the interaction of both parts' volitions (*voluntad*), during the 16th century a series of techniques were developed to ensure this long-distance exchange: from the

recreation of the ceremonial steps of in-person encounters on paper to the suppression of the costs of services and the incorporation of intermediaries (many of whom were non-Spanish vassals) to the production of imperial paperwork. The crucial reliance on human labor also meant that there was a constant risk of misrepresented volitions, which was controlled by the not-so-rare threat of physical punishment. In that sense, the chapter shows that it was precisely both the monarchy and its overseas petitioners' awareness of the petition-and-response system's tangible realm that led to the successful conversion of many petitions into official decrees.

Chapter 2 discusses the importance of the transatlantic logistics of the system, specifically regarding the petitions' delivery and approach to, in Masters' words, 'the tyranny of distance'. With the premise of going beyond the constricted focus on the law's immateriality, the author argues that multi-actor logistical labor was the main factor that shaped imperial *gobierno*-decree production, as a petition's transformation into a decree was contingent upon the performances, necessities, and demands of human and nonhuman actants. Masters explains how these logistics developed through the century, revealing that improved security for the journey led to its slowdown and a much later arrival of Indies petitions to court. The chapter also highlights the great contribution of already established Indigenous and Inca communications networks for the petition system, as well as the great affordability of the ordinary royal delivery for both royal officials and Indies vassals (especially the neediest ones). All this demonstrates how lawmaking and law itself were deeply embedded in 'a complex causal ecology' that strongly argues against misconceptions within traditional approaches in legal studies.

In probably the book's most interesting chapter, chapter 3, Masters examines the crucial, but still largely unacknowledged, social factors involved in the rise of the Council of the Indies as an autonomous administrative institution, and, eventually, as the first European overseas collegiate bureaucracy. In this section, we find a detailed explanation of the transition of the Council's administrative approach from a patrimonialist one to the triumph of a gendered ethos of social distance that demanded a complete detachment from Indies petitioners. Masters analyzes this decisive Council reform by finding important documents

that testify to the strong relation between the issue of the New Laws, the most important ordinances in Indies history, and a royal investigation on the influence women had over the ministers' decree-making process from *gobierno*-petitions. What makes the author's argument most interesting is not only his description of the emergence of a counteracting ministerial masculinity to guarantee the legal fiction of the Council's powerful capacity over the overseas domains, but the fact that the concerns which led to this ethos came to a great extent from bottom-up warnings.

The two subsequent chapters aim to reinforce the questioning already started by Brendecke of the postcolonial premise that colonial knowledge necessarily implied colonial power. However, Masters successfully argues for a more optimistic view of the Council's ability to administer and benefit from the information overload that resulted from the petition system's accessibility. Chapter 4 focuses on the Council's use, up until 1561, of what Masters calls a 'satisfying method', which consisted of the emergence and exercising of distinct archival technologies aimed to build a better register of both legal and descriptive facts about the Indies' concrete realities. However, a more successful counteraction to the administration's passivity came only after Juan de Ovando's famous Council reform, the institutional outcomes of which are the focus of the fifth chapter. According to the author, this counteraction derived to a great extent from the large-scale systematization of the archive's record-keeping, rigorously led by the President of the Council. Here, Masters addresses the paradox that an increasing and more organized register of Indies facts caused not only the decrease in the existing protagonist human action —that of the ministers and overseas vassals— but also the gradual increase of agency of different subaltern human as well as non-human actants.

Finally, chapter 6 is dedicated to challenging the common vision of decrees (especially, of the *gobierno* type) as the coherent expression of the Spanish monarchy's top-down impositions by demonstrating the intended resilience of phraseological formulas within petition-to-decree processes. This is the section where the author shows in particular the exhaustive character of his archival search by providing numerous cases that demonstrate how the formulation of royal decrees proceeded

extensively from vassals' demands about the textual contents. If this was not yet decisive proof of the royal care to maintain overseas vassals' active role in law-making, Masters reinforces his case by exploring the need to threaten, with severe punishments, the usurpation and exploitation of royal volition, as well as the reduced costs of decree issuing. In that sense, as the very title of the book suggests, a not-so-coherent polyphony of volitions was hidden under the illusion of a single voice provided by the signature 'I, the King' at the end of every decree.

In sum, *We, the King* deepens our understanding of how the Spanish Empire managed to survive as a global power for over three centuries in spite of several near-impossible obstacles as a composite monarchy with domains all over the world. Through his study, Masters not only conclusively demonstrates the weak foundations on which the liberal narrative of Habsburgs' violent authoritarianism is grounded, but also convinces his readers of the affectionate dialogue between the king and his vassals as their preferred form of ruling. Indeed, this study sheds light on bottom-up government proposals, but also warns against replacing 'one myth with another' and argues for further investigation of the myth-making itself. Moreover, Masters' approach to gender-focused processes opens new avenues for further historiographical research and theorization about women's agency within and beyond the Council of Indies' administration. This is especially relevant because, although the author provides interesting examples of women's roles as litigant brokers, his exploration of their unacknowledged job as archive-keepers and housing-providers falls short to some extent. Nevertheless, Masters' book is not only a wonderful account of its subject, but also a useful guide for historians of early modern Spain conducting the challenging archival search for Indies-related documents, by suggesting locating methods as well as interpretative techniques. Overall, *We, the King* introduces fascinating points of departure to approach bottom-up developments in early modern Spain as well as the early modern Western world.

DANIELA O. VALDEZ

*Ludwig-Maximilians-Universität München*