

The Prison of Pleasure: Adulterous Men Who Dishonour God in Villa de Niña de la Candelaria 1801

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Abstract: Analyzing the different behavioral patterns within the society of the Viceroyalty of Nueva Granada in relation to the administration of justice intertwined with the indoctrinations and rules established by the Catholic Church throws us into a clear Gordian knot in the way of seeking solutions to the different internal conflicts within it. This research has as a starting point the analysis of the memorials of justice found in the General Archive of the Nation of Colombia in its digital section, which shows us the clear plurality of imparting justice through the pedantic judges in the different historical junctures. Thus, the objective is to carry out a qualitative analysis of the predominant status quo in the administration of justice through the transversality of a file of the Viceroyalty of New Granada in 1801 on the dishonor to God through sex in prison life up to its conjunctural reality with the different laws, customs, culture and religious emphasis. By having a transversal research proposal between history and law, the methodology of historical research is implemented, through the set of techniques, methods and procedures used for documentary analysis, which is evaluated through its contrast with primary and secondary sources, both historical and legal. This is necessary in the study of historical records that evoke events, to be able to break them down into all their parts and obtain a better objective view of the current reality studied, thus allowing the understanding of possible collective and personal imaginaries through syntheses that reconstruct and explain the historical fact hand in hand with the laws of the time to be analyzed, where it can be concluded that the sexual behaviors of men and women in society were determined by the Catholic Church but therefore should not be left aside the discourse of the rest of the authorities, these crimes against sexual morality always became part of a public scandal which increased the importance of this, but more so when it was provoked by an official because when he accepted the position he was not only at the service of the crown and the people, but also before God, so he incurred in a double fault, both moral for the church, and ethical for the misuse of power.

Keywords: Adultery, Dishonor, Delight, Oath, Licentiousness, Minister

1. Introduction

In the Neo-Granadian society, marriage occupied a central place in the lives of people, it allowed them to enter social life and mobility between them, as well as the formation of alliances, the transmission of values and customs from generation to generation. What was considered most important was the control of sexuality and passion, but certainly the mere fact of contracting just nuptials was not enough because if it were so there would not have been crimes such as adultery, concubinage, cohabitation and liaisons. Adultery is the crime by which extramarital sexual relations are had by one or two of the parties involved, according to the seven items the only ones who could denounce the woman for

this crime were her own relatives or husband, the mayors or whoever exercised a public office could not go before a judge to raise the record, but for the case of a man who committed this crime there are no key guidelines for the complaint. It could be said that this is because the sexual life of a man was not relevant to society, but for the woman, she had to maintain her honor and a good name, which was certainly inherited from the Spanish colonizers, so even if a man committed this crime and there was firm certainty of this, he would not be so affected or socially tainted. To talk about the personal intimacy of both men and women is necessarily to enter by addressing the issue of sexuality, how it developed and was seen by individuals, and how it in turn continued to develop with extramarital and premarital relationships. The sources

used for the analysis of criminal processes are documents found in the digital section of the general archive of the nation of Colombia, which have been used in various historical studies, thus exploring the world immersed in criminality, persecution and punishment of different transgressive behaviors. These readings allow us to understand the social, economic, political and religious reality of individuals and also allow the study of the different ways of imparting justice. We seek to study the society of the viceroyalty of the New Granada and the way in which in the daily life they faced the crimes of adultery and the constant struggle to maintain their honor and good name, the role of the church as a regulatory body of social life, standard of morality, good and bad, from the hand of the rulers, who imparted justice, and as a formative entity of society as necessary to act with the divine laws, in what is derived in ethics and morality of that society. Where to make these public immoral acts used fear and social pressure mechanism of regulation within the parishes, thus seeking to meet the preestablished regulations by the church, which was regulated by the mayors, but while these laws of control were valid but not effective. The limitation to the XIX century is due to what we could call a solid social structure, for its streets, parishes, villages, centers of power, where the majority of the population was characterized by being multiethnic despite the division between them, finding ourselves on the verge of the struggles for the independence of the territory, characterized by Catholicism, and the importance of honor. Although the disorder that was presented at the judicial level was onerous, with the Bourbon reforms it was sought to give order to that disorder, the town councils came to have the power to appoint judges, except for the ecclesiastical judges who were delegated by the church itself to deal with matters that affected it directly. In this same line, this article aims to deepen in the way in which social reality interrupted in a marriage transcending to the labor field, justifying itself in the misuse of these to develop immoral activities for the church and illegal for the crown, and as in the Villa de Niña de la Candelaria in Medellin, that at the end of the XVIII century increased its population and its economy improved, becoming one of the most important points in the province of Antioquia, for this reason many people moved their residence to this place, as in the case of Don Pedro Leon from Santa Marta, which allegedly incurs in the crime of liaison, adultery and misuse of public office. Finally, the work is structured in IV parts.

2. Justice in the Society of the New Granada

The years of the conquest represented a stage of strong mixture of races between conquered and conquerors, sometimes by degree and sometimes by force, in the territories that were baptized as New Granada and that in the 18th century would become a viceroyalty. This miscegenation affected mainly Spaniards and Indians (the opposite case is almost nonexistent) but not blacks at this stage, although in the years of the conquest of what would become Colombia there

were already blacks in Spanish-American lands [1].

Life in the society of the New Granada was characterized by miscegenation, a religion based on Catholicism thanks to the Jesuit missionary acts coming from Spain that sought to evangelize the Indians of America, in social life it was of supreme importance to maintain a good name, this was the key to lead a life in harmony and thus avoid falling into disgrace, As for the form of administration of justice, it was always carried out in the presence of a judge and a notary, it began with a sign of the cross and an oath before God, and ended in the same way with the signature of the cause presented, and if the person did not know how to sign the authority in this, as the mayor, judge, among others, attested to the testimony presented.

If we would like to analyze the laws with which they sought to solve the complaints, we find that they are a bit burdensome for lack of organization of these same, in the Spanish American monarchical society the way of imparting justice among the vassals constituted a Gordian knot. This was almost impossible to untie, if we take into account the prevailing universal principle that only the monarchy was the supreme arbiter when it came to imparting justice, and that authority had a religious foundation that imposed moral duties [2].

Society could be governed by means of the laws of the bull, the thirteen partidas, the Indian laws, and many times the custom came to play an important role at the moment of solving the conflicts. There were several authorities and institutions that administered justice, but many of these being far from each other, because they were located in different provinces, villages, parishes, etc., the process was much longer, since it was necessary to wait by letters the answers or consultations of an institution or authority with another, because in the same place of the facts where the complaint was raised there was not what we could call a judicial network for the quickest solution of the situation.

Although the king was considered the representation of God on earth, and was the highest authority to impart justice, we know that he never left his throne in Spain to come to New Granada to impose order, he had viceroys in charge in different parts of the territory, who informed him about the evolution of the situations, But certainly the news did not always arrive in a timely manner, since it took a journey of months by ship for them to be received in Spain, and when the answer arrived in America it was too late or some other solution had already been found by an authority or institution. The justice of the Hispanic order was jurisdictional, varied and overlapping. Therefore, what really existed were the justices, represented by the *alcaldes pedáneos*, the captains of war, their lieutenants, the *alcaldes de la Hermandad* or the *capes de justicia*. But there were also the ordinary mayors, aldermen, militia commanders, members of the consulate court, and of course, viceroys, governors with their lieutenants and subdelegates, priests and bishops [2].

It seems a little complicated to understand the complex network between all the representatives of justice at the local level, and the role that each one of them played in it, which cannot be studied separately from each other, but as a whole,

where daily these law enforcement officers promoted various actions to govern an order within the locality, starting from the collection of revenues to the control over the sexual practice and freedom of the population. In the seven games of King Alfonzo X, the wise man, exactly in the third game, explains how justice is a determining factor for men to enjoy peace with each other and all the people who are necessary for it, which must be made known in an orderly manner in every place by deed and by the word of judgment. Alphonzo X defines justice in the third partidas: Justice is one of the things by which the world is best and most uprightly maintained, and it is thus the source from which all rights flow, and justice is found not only in the lawsuits between plaintiffs and defendants in judgment, but also in all things that occur among men, whether they are done by deed or spoken by word.

It could be said that the administration of justice was not given in an equal manner between men and women, because if we analyze the complaints about adultery, most are men denouncing their wives, and not vice versa, these adulteresses are punished according to the laws but men despite falling into adultery are not prosecuted in the same way, and although they fall into a network of crimes, adultery will always be left aside. These practices were harshly more punished in women because they could get pregnant by their lover and thus bring to life illegitimate children, "bastards", which further aggravated the crime and sin, some of these penalties imposed on adulterers, concubines, were the fact of walking the lovers completely naked throughout the town, village, parish or place where the crime took place losing all his honor and being humiliated and booed by the rest of the population, but these punishments varied according to the territory and the law.

Those who do not know the history, fall into the error of thinking that women in past centuries were submissive, always faithful to their husbands and dedicated to their home, but this was not entirely true, only that people were much more careful to communicate with the situations that happened inside their homes since maintaining a status, an honor and good name within their social circle was the most important thing for them, The most important thing for them was to maintain a status, honor and a good name within their social circle, what people would say was something they wanted to get rid of, you could consider that as a kind of social disease that everyone wanted to escape from because it left a permanent stain on their life, and after that their social relationships were never the same again.

The past leaves a trace - and not always an honorable one - in the collective memory of peoples. Sooner or later, it reappears, perpetuating patterns that we imagined had disappeared. Sometimes, what we thought was secondary or anecdotal is not so, and history reveals that certain phenomena have been essential in the creation of stereotypes on which many systems of domination rest. The story of colonial empires does not escape this principle. The conquered terrain was also conquered through bodies and sexuality, a fundamental element of power relations that, like violence against women, is far from being a thing of the past [3].

For all this disorder, the Bourbon reforms came to be those that provided order to the administration of justice so disorderly that it had, according to the reports of the authorities, this disorder had two main components: the dispersion of the population and criminality, mainly in the mestizo sectors. For this reason, after the definitive creation of the viceroyalty of the New Kingdom of Granada (1739), government efforts were directed to order and take the necessary measures to strengthen the administration of justice [4].

Although the search for this order was not quick, it was a process that took time, since it is not so easy to break with the status quo of a society, and make them change their customs to adapt to new ones imposed by a different regime. Prior to this, the mixture of Castilian law and the Christian tradition caused a plurality when it came to imparting justice, the jurisdictional order at a political, social and cultural level was part of a legacy that had transcended from the late Middle Ages, which developed and could be constituted as such in the modern age. A look at the work of the pedestrian judges in the province of Antioquia is only a part of the complex administration of justice that could be developed at the local level, where these places could be considered as precarious courts, where the pedestrian mayors of the parishes villas, etc., came to collect all those complaints and complaints about alleged and some confirmed, about illicit relationships. But this work was not only of these, but it is also relevant to highlight the war captains, governors, and other officials in their work as administrators of justice neogranadina. It could also be said that each place had its own way of justice, this could vary from one place to another, so when in the province of Antioquia there was such a rapid population growth, it is not surprising that crime increased, sometimes because of ignorance of the judicial order, for not being aware of certain laws, or perhaps because the more people there are, the more crime can exist. The parish judges were the representatives of secular justice in the most remote places. Partly because of this, their actions were marked by precariousness. Most of the summaries that they formed were made with witnesses "by defect of notary" and there is evidence, in the documents consulted, that with difficulty they knew how to read and write; in some cases, their actions were almost illegible and in others, when they were appointed, the people rejected the position because of their poor circumstances. In the case of appointments to public offices, the Governor or Corregidor of each province had to confirm one of the candidates for each office. (It was supposed to be the first of those on the list) and the appointments were announced on January 1st of the following year. The neighbors could object to these appointments "in the form of law" by means of documents called "representations" and giving power of attorney to one of the lawyers of the Royal Audience [5]. In the specific case of the appointment of the minister of the royal jail of the Parish of Villa de Niña de la Candelaria in the city of Antioquia, we find that this was not done in accordance with this, Mr. Pedro Leon was put in the position by the mayor of the place justifying his decision in the following way "that Pedro Leon who by pure necessity was put as minister of the Royal jail" showing us the existing

disorder for the moment in the viceroyalty of the New Granada with respect to the form of administering justice, being this not chosen according to the candidates that were postulated for the respective positions, but for another purpose. It is highlighted how the administration of justice within the neo-Granadian society goes far beyond the duty to be since there is no strict control over the issue, those who had some degree of power used it for their own benefit, just as people sought at all costs not to fall or not to be discovered in illegal or immoral acts by the strong physical punishment and in milder cases pecuniary punishment, and for the precious honor which the Spanish in the new Granada were not willing to lose.

3. Alleged Running of the Bulls with Women to the Delight of the Crowd

Don Pedro Leon, minister of the royal prison, and the prisoner Pedro Guillermo Caballero, lived in the village of Niña de la Candelaria de Medellín, a small town located in the city of Antioquia, this city was formerly known as the town of Santa Fe de Antioquia founded in 1546 but in the course of the year 1591 changed its legal status to City, this should not be confused with Antioquia the old, which was founded in 1541 and abandoned in 1592.

Their lives up to this point had not been easy, they were alone and living far from their native place. However, on March twenty-sixth, eighteen hundred and one, a criminal case was brought against them by Don Felipe Barrientos, the town's ordinary mayor. The ordinary mayors were two officials elected by the aldermen. This election had to be made from among the residents and natives of the city. They were called mayor of first vote and mayor of second vote.

For the public accusations of locking themselves up with women to dishonor God inside the jail. According to the account: "it has been denounced that Pedro Leon who by pure necessity was put as minister of the Royal jail as soon as he took possession when without fear of God and of the Royal Justice abusing of the confidence that was made in him in the delivery of the keys of our jail makes use of them to introduce women to offend God as much he as other prisoners or at least dissimulating the entrance of these allowing them to be locked up with other prisoners scandalizing the others in virtue".

The denunciation is presented before Antonio Betanzos, judge of that neighborhood, these pedáneos were only a part of the network of administration of justice which extended and limited the royal power and in turn the regulation of the social, economic and political order for this period. They were characterized for being much more rigorous at the time of following cases by illicit relations and in the bad use of public charges, by the demographic growth presented from previous years, these judges pedáneos played a fundamental role at the time of trying to maintain an order, for which as solution different parties and parishes were created all this after 1785, emphasizing that the mayors could not proceed to develop by

themselves a criminal cause but that they should give notice to those in charge of the justice in the town or city.

The mayor used to visit the prison, he observed that the door remained open until late at night with the excuse that it was damaged, women came in and out, they went to Pedro Caballero's cell with the pretext of taking him food, liquor or to visit him, or they would go to the minister's room excusing that he was asking them to clean it, but what made the mayor suspicious was the delay of these women with the prisoner, the discussions he had with the minister when he demanded the women to leave the place, finding them in compromising situations with Caballero, such as lying between them in his bed, and the times that the minister persuaded the women to leave the place, and the times that the minister persuaded the mulatto slave of Doña Josefa López to sin, who returned at night, Leon allegedly also paid women to sleep with him, offering them four reales, as Manuel Agudelo, a prison inmate, maintains, and not only with that slave, but also with other black women. As when the witness was going to Caballero's cell and met Pablo Velázquez, another prison inmate, who prevented him from going to the cell, since he was there with a woman, when the minister learned of the knowledge that the witness had of this situation, and also because he saw him leaving his room with Doña Josefa's mulatto, he asked him to keep the secret in exchange for his freedom. The men were not the only ones who frequented these crimes of having extramarital relations, it could be seen how women also sought men even if they were married, without distinguishing between social classes, it was a reality in the society of the New Granada. As in the case of the slaves and mulattoes who were locked up with the prisoner to offend God just for fun, since he had no money or anything to offer them since he was deprived of his freedom, and also married, they were cunning since they knew that during the day it was easier to be discovered, so they always came back at night with the excuse of bringing food and liquor to Caballero.

The ordinary justice fell mostly on those crimes that had the power to be mixed, these offenses are those illegal acts that involve another illegal act, for example, living with a person to whom you are not married is concubinage, but at the same time if one or both of you are married to someone else you fall into the crime of adultery.

Such as adultery and concubinage, misuse of public office, adultery and liaisons, this justice extended over people and territory as a form of domain where it acted through the delegation of the jurisdiction of the king through his advisers, Chancellors, auditors, corregidores, mayors, governors and ordinary mayors, these instances could assume the role of judges of the ordinary justice and it was before whom in most of the cases the disputes in all the scopes were solved, only they could not take part of those that were of ecclesiastical character.

Don José Miguel de Uribe, who spent a few days in prison, alleges that after the entry of the jailer minister Pedro Leon, it is clear the frequency with which women entered the prison, and most of them went to Caballero, because before this did

not happen, the declarant points to Don Vicente de Toro, former partner of Toro, as the one who can give reason for everything with more individuality since he frequented the room of the aforementioned, the minister began to worry about the rumors of women entering the prison, The minister began to worry about the rumors of women entering the prison, maintaining that these were false, that on the contrary, he was taking the women out and for this reason he was having fights with Caballero. Public officials, such as Don Pedro Leon, had the obligation to safeguard the trust that the mayors, viceroys, or any other authority gave them knowing that all these appointments were made under oath before the eyes of God, for that reason when a person incurred in this, a complaint was filed before the judge of the territory in which he was performing the office, based on the statements of witnesses, some were acquitted of the charges after finding that they were a misunderstanding, at other times proceeded to place economic penalties, or banishment of the accused from the territory. After the collection of testimonies, the minister is taken to appear before the judge to respond to the accusations, recognizing this one the existence of false attributions of having supported Caballero so that women entered to the piece of his prison, where the mayor accuses him of abuse of confidence of the body of justice for the delivery, Leon defends himself by pointing out that he does not know anyone and knows nothing about this town, that he tried to comply with the rules and his obligations from the moment he was given the keys to the jail of the Villa de Niña de la Candelaria de Medellín. This place at the end of the XVIII century increased its population and its economy improved, becoming one of the most important points in the province of Antioquia, for this reason many people moved their residence to this place, as in the case of Don Pedro Leon from Santa Marta, which allegedly incurs the crime of pandering, adultery and misuse of public office.

Adultery refers to the sexual union of two people where one or both are married to another person. Throughout time, in various cultures, adultery has been morally censured and even legally punished, considering it a crime, but this has not prevented many people practice it, some with the help of a third party, which would affect the crime of pandering, where it mediates to facilitate a romantic or sexual relationship between two people, often incurring in these crimes is to fall into concubinage, amancebamiento, the fact of living together and having sex two people without being married to each other. The Greek and Roman cities created the tradition of making money from liaisons. Women, when they sold their bodies, had to share the proceeds with others: the Roman magistrates established brothels and brothels which they taxed with taxes such as "lustral gold", purified gold [6].

At the end of the interrogation, the mayor Felipe Barrientos, before the notary, on the same day, month and year, and before the judge, concludes that Don Pedro Caballero, imprisoned in royal jails, is free of all prisons. The parish judges were the representatives of the secular justice in the most remote places. Partly because of this, their actions were marked by precariousness. Most of the

summaries that they formed were made with witnesses "due to the lack of a notary" and there is evidence, in the documents consulted, that it was difficult for them to read and write; in some cases, their actions were almost illegible and in others, when they were appointed, the people rejected the position due to their poor circumstances [7].

A look at the work of the pedestrian judges in the town of Niña de la Candelaria is only a part of the complex administration of justice that could be developed at the local level, where these places could be considered as precarious courts, where the pedestrian mayors of the parish villas, etc., came to collect all those complaints and complaints about alleged and some confirmed, about illicit relationships. But this work was not only of these, but it is also relevant to highlight the war captains, governors, and other officials in their work as administrators of justice neogranadina. In addition, it could be said that each place had its own way of justice, this could vary from one place to another, so when in this town there is such a rapid population growth, it is not surprising that crime increased, sometimes because of ignorance of the judicial order, for not being aware of certain laws, or perhaps because the more people there are, the more crime can exist. At the time of bringing Caballero to appear before the judge, he promised to tell the truth in what he knew and was asked, not knowing the cause for which he was called before the judge, the mayor asks him if he has offended in seeking women in his prison, which he stubbornly denies the charge when he is fully aware of what happened, But this ends up being guilty, as punishment he was ordered to leave the place to join his wife and was sentenced to six years of banishment from the entire province, but this not satisfied alleges that being poor of all solemnity wants the procurator of the poor is in charge of the case and requests a legal adviser to analyze your file. In the period 1780-1809 the political reality related to the administration of justice in how the judges pursued illicit behaviors, a change was observed, from the way in which the files followed to the criminal causes improved in their writing in a much more formal way, the processes were followed in a more meticulous way since a complaint was raised before a judge it was his duty to take testimony from enough witnesses involved or aware of the issue, but while there was not a totality of witnesses who could be questioned and the statements did not seem to make a difference when it came to giving validity. In spite of all the allegations presented by Caballero, always maintaining that all the testimony, everything he is accused of is false, he never dishonored God, he did not misuse the jail, and he is married, but in spite of his defense, his constant search for support from the judges, from justice, he was not acquitted of the charges, but neither was he banished as the mayor of the town wanted him to be, much less was he released from jail as he wanted, The testimonies presented by the mayor in the criminal case against Caballero were not rejected in spite of the refutations of the accused, for this reason until the twenty-second of September of eighteen hundred and one he was still a prisoner in the royal jail of the Villa de Niña de la Candelaria in Medellín.

4. Sexual Morality in New Granada Society

The crimes against sexual morality, inherited by the Spaniards at the time, were based on the parameters of behavior imposed by the Catholic Church at a time when these were directly related to sins, there was a traditionalist model of how sexuality should be lived, always seeking to control those carnal impulses that gave way to sin with the institution of marriage, but sexual morality was not only affected by the crimes, but could also be called into question by those gossip or misunderstandings promulgated within the localities staining the good name of those involved. Many times, when one fell into sin it was preferable to hide it for fear of justice by both the authorities and the church, and what other people would say, so it is not surprising to find files in defense of the honor or good name of a person, family or marriage.

Although the motivation to defend a woman's honor may seem strange to us today, it was common during the colonial period, the viceroyalty of New Granada and even in the early years of the Republic. The construction of the image of women during the colonial period (and much of the republican period) was carried out by men. It is evident that this construction was not homogeneous nor did it respond to a general model. It was not the same to be a white woman as an Indian or a black woman. Both Catholic moralists and theologians and the men who pretended to be husbands or lovers actively collaborated in this construction [8].

Although the canon law condemns adultery of both spouses [9], the sexual morals to be maintained by a man or a woman were far from being equal, the failure to control their impulses were more counterproductive for women because they could bring into the world bastard children, while adultery in men was hardly considered. Knowing that if the woman wanted to denounce her husband for the crime so that a criminal punishment could be imposed, she could not carry out her purpose, only in certain cases she would get the nullity of the marriage.

The act of infidelity of the man towards his wife was not considered a crime as such, socially and religiously it was not well seen, but for the law this was not necessary of a punishment, although the sporadic adultery that the man could commit was not punished criminally, when this happens to live in concubinage and if it could be punishable, knowing that those men who frequented the brothels to offend God if they could be imprisoned, and the penalty varied depending on the times they visited these places. According to the above, adultery is conceived as a crime against sexual morality and against the husband's honour. Pérez Prendes states that it is a crime against the person of the husband [10].

But now we could give a different approach to all this, men were not the only adulterers and unfaithful, it was very common that they tried to hide the infidelity of their wives to avoid falling into dishonor, and for that reason claimed the defense of honor and good name of them and their marriage. In some cases, however, the husband's consent was considered punishable. In 1455 a husband was condemned to run the

village with lashes for consenting to his wife's adultery [11].

Within the Viceroyalty of the New Granada in the year one thousand seven hundred and ninety one we have the case of Mr. Francisco Ariza, neighbor of the parish of Puente Real 21 and legitimate husband of Agustina Cubides, this expresses that Gavino Pinzón, pedestrian mayor of this parish carried of the despotism dared to vociferate and to divulge, that his wife had committed adultery with Domingo Ulloa. According to the seven items adulterous women could only be denounced by their direct relatives, parents, brothers, brothers, brothers-in-law and her husband, the mayors could not carry out such complaints, but certainly this shows us the Gordian knot in which the reality was immersed neogranadina a judicial level by not establishing the parameters by which they should be governed, since they were not only by the seven items, but also existed the laws of the bull, the Indian codes and custom, there was no preset organization.

The mayor relies on the fact that the wife of the complainant was found at home talking with the alleged lover, so he lifts the complaint. According to the husband, "Having executed the same measure with my consort, without taking into account her honesty and recollection, and the fact that at no time has she given the slightest hint that would undermine the well-founded concept of her honorability and conduct, It is noteworthy that within the patriarchy, that men had more sexual freedom, it could be said that it is surprising to find a husband fighting for the defense of the honor and good name of his wife, could be considered a form of pimping it to have full knowledge of the reality, and that simply does not want to get into disgrace and disgrace his family, marriage and him as a person.

The alleged lack of sexual morality of the wife of Francisco Ariza could lead to different punishments, rather considered torture for the woman, the man was much luckier. The usual way of applying the punishment consisted of walling her up in the conjugal home, although during her captivity certain conditions had to be respected that were established by means of the pragmatic. There are cases of women who for being adulteresses were forced to run naked through the village with their lover, others only to run and then handed over to their husbands as one better of this one, to be confined inside the home or to be exiled, all these punishments were inherited from the Spanish conquistadors.

In the parish a defamation has spread with respect to the good name of Agustina Cubides, contaminating equally the infamy to her husband, as having overthrown the peace to her marriage which she had preserved in spite of all the misfortunes, living with honor calmly, and sacrificing her misfortunes, and straits, which procure an inestimable good, as it is the honor. Ariza maintains "But the temerity of the pedáneo has erased this peace, and has put on her and on my marriage the ugliest stain, this is a man whose despotism is to be feared, not less for temerities, but seeing it from the use of his office, as mayor, where he does not stop condemning, depressing, and filling the poor with agony, as I have practically experienced it. Judges, according to the concept of your laws, are bound more than other individuals to honor their subjects." [12].

All laws or ways of doing justice punish those sexual behaviors that directly affect the Catholic sexual morality, and more those that are carried out outside of marriage, the alleged case of defamation exposed is a key example to understand the moral reality of Neogranadina with respect to sexuality, and how this could lead the husband to engage in pimping as Francisco Ariza allegedly does with his wife, fighting to defend her because if what the mayor says is proven, the plaintiff could be subjected to punishments such as imprisonment or torture and humiliation.

Falling into the crime of pandering could be considered consenting to prostitution, since having sexual relations with a woman outside marriage is adultery, but when the husband consents, it could be said that he supports his wife's prostitution, which would aggravate the situation since it also directly affects the institution of marriage.

The edicts of the modern age define the crime of procuring as that which consists in favoring or inducing the practice of prostitution in one's own house, or allowing one's own wife or daughters, granddaughters, nieces, cousins and maids to prostitute themselves. Such conduct is punishable whether it is carried out with or without financial interest [13].

Inequality in sexual morality is no longer a reality to which the neo-Granadian society was subjected, although the accusations for adultery were always directed towards women who dishonored the institution of marriage, this was not always so, men were also adulterers but less prosecuted, in many of these also covered up their wives in order to safeguard the honor and good name, which was of paramount importance to have a dignified life in society.

The honor for then was seen more as a value, as a virtue, which had more social significance than personal. Honor was not only the value of a person in his own eyes, but also the recognition of that value in the eyes of others [14], certainly a person could consider himself as honorable, but this consent lost value if other people ceased to consider it so and, on the contrary, did not consider it worthy of honor and to have a good name, where self-respect was insufficient, it was necessary to have the respect of others.

This imaginary of honor was inherited from the Spanish conquistadors, from the nobles, and therefore it entailed relationships with nobility, purity of blood, the Catholic religion, lineage, knowledge, trade, clothing, among other factors. For this reason, only those who could prove their descent of pure Spanish blood, wealth, believers in Catholicism could be considered honorable people. Indians, blacks, and anyone else who did not meet all these requirements lacked honor according to the same society, where the church was the entity that was responsible for regulating these behaviors between the honored and dishonored.

It should be noted that although the honorable met all the requirements these should not worry about losing their precious virtue of honor, that is why many files, briefs, briefs, instructed by the same in order to defend the terrible stain that had been put by any situation that made them to others doubt the honor of these. From the above we can determine that the

gap that existed between the social classes in terms of this virtue, not only limited to their origin, since that honorable who failed to act according to the parameters established by the church and society could no longer belong to the elite and be marginalized.

In the case of the savages, so called indigenous and blacks, despite the processes of Christianization carried out by the Spanish Jesuits in the New World, they were still viewed with distrust in relation to their sexual practices by Catholics, not only because of the cultural shock in which they entered with respect to the Spanish, but that these were considered as lustful people and therefore unable to maintain the symbolism of honor.

5. Seeking to Tidy up the Clutter

The Gordian knot in which the reality of justice in New Granada was immersed led the authorities at the service of the crown to look for a solution to this problem, to look for the correct way by which the people should be governed, they became initiatives for the reformation of the moral practices at a sexual level of the inhabitants, as well as to keep them watched and in a certain way controlled so as not to incur in illicit relationships.

Looking at the fifty-nine years between 1750 and 1809, it can be seen that, with the passing of time, the town hall was changing [15]. Consequently, with the passing of the years the change that was being experienced at the level of justice, an increase in the criminality was observed, but in those crimes that had character of illicit relations therefore it was tried to name more authorities like the Thursdays, in order to give form to regulate these behaviors. Where these centered the attention mainly in the persecution of these crimes as one of the most common, adultery. In the case of the pedestrian judges, who were the ones who developed the summaries outlined in this article, it can be seen that prosecuting public sins was one of their main tasks.

In the territory it was sought to take measures of population control, as in the case of Antioquia, a place where a very rapid growth had been observed due to the continuous improvement of the economic and commercial level, seeking the recognition of an order at the level of justice with the help of figures such as judges and captains of war.

The importance that the figure of the *alcalde pedáneo* had at the local level is better understood if we think that in the case of some authors named as Nueva Granada, the model of the intendancies was not applied, keeping the *corregimiento* and the model of the governorships or provinces. [15] This disorder was also due to the large Indian population that was in the territory since they did not want to be regulated by the Spanish authorities, but continue to be carried out under their customs, their laws, for this reason one of the techniques to be applied for the control of these was to reduce them in number in order to get them to submit in a much more effective way, attaching them to the population of which they were closer and thus to be regulated by the authority, creating the figure of *corregidor* of Indians.

In order to order the way in which those involved in criminal proceedings would be punished, the most common was to apply one or several punishments, and in the same judicial summary both economic and physical penalties could be applied, or simply imprisonment. When the penalty of being deprived of liberty was served, this could be considered sufficient and not have the need to serve or pay a penalty, since by then the jail was not considered a place to serve a sentence but existed as a preventive detention center while the summary was still being developed by the judge. The jail was the place that was kept for the custody and security of the prisoners while the case was being heard. However, the deprivation of liberty, as well as the discomfort and inconvenience suffered during the time spent in jail, meant that it could be considered a personal punishment [16].

The criteria that governed the social life of Neogranadina, the laws, were those that had the foundation of giving order through the imposition of penalties for the reordering or return to place the status quo as it is supposed to be found according to the parameters affected by the crimes and sins. In a social regime highly related directly to the Catholic doctrine which offered coherence to the neo-Granadian society, for this reason it is of utmost importance to understand the political-judicial functioning of the moment for the analysis of the articulation of power and all those factors that stood out within the social reality.

6. Conclusion

During the eighteenth and nineteenth centuries, the various officials in the service of justice by the crown built a disorder among the inhabitants of the provinces, parishes, etc., within the new kingdom of New Granada, due to the population and the proportional increase of this with the criminality, highlighting in the multiethnic sectors, for that reason after the final creation of this new kingdom, the main task of the authorities was to seek an order to make the necessary decisions for the improvement of the way in which justice was imparted. Where we focus on the analysis of the case of alleged adulterous men accused by the inhabitants and mayor of the parish of Villa de Niña de la Candelaria, but more than all as it is left aside the fact that these were married and they are not charged for adultery, but for misusing the prison, where the facts occur, to lock themselves up with women to dishonor God.

It is necessary to point out that the importance acquired by the virtue of honor since the conquest in the society of the viceroyalty of the New Granada, was one of the most important foundations that allowed the regulation of behavior and forming a social code and laws for the punishment of those actions that were in the opposite direction valid in all social sectors but not effective in all. The same people were in charge of maintaining order, for this reason those actions of private life became part of public life as in the case of adulterers.

The punishments or tortures that were given to adulterers were linked to public scandal, knowing that there were parameters of behavior for those who did not obey the law,

since a thief could not be judged in the same way as an adulterer. Although the social scandal was in the mouths of all, the punishments were sought to minimize what happened therefore in many situations proceeded with the banishment for men and women were locked up in hospices to prevent them from communicating to others the crime they had committed to minimize the temptation for others to fall into sin.

In the case of illicit relations, we can observe the different dynamics that frame the context, such as the review of the complaints filed before the authorities, in these two cases, the parish judges, through the witnesses, and the figure of the mayor from two different scenarios, where although they had, so to speak, certain penalties or punishments imposed for certain crimes, the judges could well dispose of these at will depending on the severity that they considered that the crime entailed. The purpose of these pedáneos was precisely to be an ordering entity.

Dishonoring God, illicit relationships or illicit sex, were a direct reflection of the lack of sexual morality that could have the inhabitants according to Catholic parameters, which extended throughout the territory, by that high growth of this sin, was taken as a general measure throughout the viceroyalty of New Granada the exile of adulterers in order to avoid the extension to greater scale of gossip trying to control the temptation of others.

The need for a change of approach in the exercise of the regulation of power at the local level with respect to the political administration that was being developed, which came hand in hand with judicial actions in order to improve the government, but much more than this was to change the customs that until then were had, since when renewing and introducing new laws certainly would go into shock since there was already a daily normative in front of the problems and the judicial development by means of the control of the population, we see as in the case of the population of Antioquia, the demographic growth incurred in the increase of the criminality, as the minister of the jail of the villa of Niña de la Candelaria, where he maintains that he incurred or he did not know how to act in the situation since he was not native of the place and he did not know the laws.

Although we focused on male adulterers through the analysis of the files, we sought to make a comparison between adultery in women, the great difference that existed at the time of judging them, for all the reasons and social repercussions in which they were immersed, and where the erroneous imaginary of a submissive woman is not a truth.

7. Recommendations

Once the research is concluded, it is considered necessary to investigate other determining aspects for the follow-up or future work on this topic, for which reason it is proposed:

1. to extend the studies carried out in relation to the transversality of legal historical studies on the administration of justice by means of the comparative analysis of the different viceroyalties in Latin America for the temporality studied in this article.

2. to analyze in greater detail the determining factor of sex in prison life, which is predominant at present, and how it conditions the behavioral patterns of prisoners.
3. To complement the analysis of the failures in the administration of justice on the need to analyze from a critical point of view, as from the Viceroyalty of the New Granada, until the current Republic of Colombia, within the prison life the same illicit patterns and their relationships between the jailer or dragoneante and the inmate or prisoner, in relation to sexual parties within these, in search of benefits for both parties, dating back more than a century.
4. The analysis of corruption inside the penitentiary centers and the precarious administration of justice, despite the fact that in all the situations possibly proposed to be studied there were and there are norms that regulated and regulate behaviors, to demonstrate that this problem is only taken into account when it becomes a public scandal.

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