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Colonial K'iche' in Comparison With Yucatec Maya:
Language, Adaptation, and Intercultural Contact

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ABSTRACT OF THE DISSERTATION

Colonial K'iche' in Comparison with Yucatec Maya:
Language, Adaptation, and Interethnic Contact

by

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In "Colonial K'iche' in Comparison with Yucatec Maya: Language, Adaptation, and Interethnic Contact," I examine K'iche' and Yucatec Maya language and literacy and its relationship to the development of indigenous social, religious, and political structures in the period from the 1540's, when indigenous literacy using Latin letters began, to 1825, the end of Spanish colonialism. It focuses on how native peoples in Guatemala and southern Mexico were able to adapt Spanish imposed institutions according to ideologies of community structure from their common Mesoamerican culture. It reveals Spanish colonialism from an indigenous

perspective and highlights the adaptive conservatism of native societies in Mesoamerica.

K'iche' government provided protection from exploitation - the family protected its interests with the aide of *chinamitales* who protected them as their vassals from the indigenous governor and municipal council who protected the *tinamit amaq'* from colonial officials. The K'iche' people were the creators of the *Popol Vuh*, "The Book of the Mat," the mat being a symbol of marriage and the adjective "*popol*" a metaphor for an elite lineage. The family and its extended lineages were the basis for K'iche' and Yucatec Maya social structure. Even though Spanish colonialism aggressively attempted to impose the Spaniards' preclusive religion, the K'iche' adapted and grafted in Christianity to their inclusive religion. Male town council members, indigenous lay religious leaders, and moiety leaders received a title, the *q'a chuch q'ahaw*, "our mothers, our fathers," which identified them as diviners and made them mediators between their communities and the outside world as well as mediators between their living charges and the community's ancestors.

K'iche' ideologies of land conjoined the concepts of their community's sacred space with the practical life-

giving sustenance of the cornfield. Elites protected the right to work it and allowed commoners usufruct rights and familial possession. Community leaders made ritual processions to measure lands and marked off terrain with border markers, calling them by the name of individuals, families, saints, or *chinamitales*. It identifies the adaptation of colonial K'iche' and Yucatec Mayan languages to Spanish and Nahuatl. The K'iche' language in colonial texts is somewhere between "Modern" and "Classical" K'iche'.

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Preface

In this dissertation, I attempt to present the scribal orthography as found in the colonial documents written in K'iche'. With that in mind, I had to find equivalent symbols that would stand for the letters that the K'iche' scribes utilized for sounds not found in the Romance languages. This includes a symbol "ε," that closely resembles the *tresillo* that missionary friars introduced when deriving an alternate orthography in Latin letters for the sounds that are produced in K'iche' but that are not used in Spanish. The "ε" symbol represents the sound of either a glottalized "q" or a glottalized "k" represented in Guatemala's Academia de Lenguas Maya standardized orthography for Maya languages of 1988 usually as a "q'" or a "k'" (a letter with a diacritic that signals a glottal stop) respectively. Another symbol is the *quartillo*, "4," originally introduced as a representation of "q'". It is less frequent in the orthography and K'iche' scribes frequently interchanged it with the "ε." K'iche' scribes used the "x" as it was pronounced in sixteenth century Andulsia in Spain as a "sh" sound. They also used the letters "u" and "v" interchangeably before or after another vowel for the sound of "w." I used the colonial

orthography out of respect for the scribes who wrote with it and the colonial language that it represents.

Chapter I

Introduction

The K'iche' people have a dynamic, sophisticated, and vibrant society and culture that allowed them to adapt to the pressures and changes that Spanish colonialism wrought on them. The view of Spanish colonialism was quite different from the point of view of vanquished indigenous societies. The indigenous perspective on their lives under colonialism is a difficult history to uncover, although there were documents written in indigenous languages kept in colonial native communities that allow us to hear an indigenous quotidian voice, especially in the eighteenth century when scribes and their communities produced the greater bulk of native language notarial documents.

Indigenous peoples learned from the Spaniards to write using Latin letters and used writing as a tool to protect themselves against the exegesis of colonialism. Most of the extant documents written in indigenous languages that have survived are mundane and quotidian. They include among others last wills and testaments, sodality ordinances, and land documents. This documentation is subjective and biased to an indigenous

ideology and worldview and reflects not only a native voice but introduces social and ideological culture-specific concepts embedded in the language.

Colonial officials wrote documents in Spanish that addressed the administration of the colonial state. The Spaniards had a legalist tradition that they inherited from the Romans when Hispania was under Roman rule. They carried that tradition all the way through the medieval period and it strengthened through their competitive and violent contact with the Moors, who also had a tradition of keeping administrative records. The Spaniards brought their legalist tradition with them across the Atlantic to the Americas. All colonial documents written by Spanish hands were drawn up by people who observed native peoples from an outsider's perspective. Many of those documents record the abuses on natives from fellow Spaniards. Their documentation is rife with exploitation and competition for indigenous labor and for the rights to exploit native peoples. Colonially produced documents on indigenous social and cultural control include yearly inspection records, or *visitas*, from regional magistrates and some include reports on rebellion and court cases involving indigenous persons and their testimony. Most depict native peoples as objects. There are some that do

include an indigenous voice. However, that voice, like the voice of women and *castas*, which is the term that colonial authorities used to describe people of color, was one that was limited.

In order to uncover an indigenous voice, this dissertation incorporates a variety of theoretical approaches, which include Dipesh Chakrabarty's argument that history as a discipline must allow for the plurality of historical experience. As he explains, the discipline of history is subject to a Eurocentric lens of linear chronology and European subjectivity. Writing history is an exercise in colonialism. The conceptualization of "the Other" is dialectically opposed to European rationalism and modernity, making exotic all points of view, all experiences that are not based on European "reality" and on "progress".¹ Even though the colonial experience for the indigenous peoples in Spanish America did not rely on the themes of "progress" and "modernity," they were subject to a cultural subjectivity, one that claimed Hispanic cultural norms were reasonable and that indigenous traditions were irrational.

¹ Dipesh Chakrabarty, *Provincializing Europe, Postcolonial Thought and Historical Difference*, (Princeton, New Jersey: Princeton University Press, 2000), 3 - 113.

Chakrabarty calls for cultural pluralism in approaches to history - the acceptance of alternate truths and realities that are not dependent on European models. His petition relates directly to the histories of native peoples under Spanish colonial rule. Indigenous peoples in the Americas were subject to a colonial system that allowed them a certain amount of autonomy. They were able to adapt and change their own societies according to their own social and communal standards. Although, Chakrabarty's argument is for post-colonial thought and not for colonial adaptation and cultural divergence, he presents a way of looking at history that allows for the diversity of lived experience and ideology.² It is a view that allows societies such as the K'iche' and the Maya to maintain beliefs in ancestral intervention in the affairs of the living through divination and accepts cyclical chronologies while recognizing their realities as progressive - historical explanations that legitimize diverse worldviews.

Academia separates these diverse histories into other categories, such as ethnohistory, although they should be included within the major discipline of history

² Ibid, 97 - 113 & 237 - 255.

and not subjugated to sub-disciplines.³ James C. Scott notes that subjugated peoples often have a voice within the margins, between the lines, and within the silences of colonial documents. Reading against the dominant discourse and deconstructing texts and their layered meanings allows historians to recover the voice of the vanquished. Not often do subalterns have the opportunity to have their own voice.⁴ The K'iche' and the Yucatec Maya are among several indigenous groups in Mexico and Central America that wrote documents in their own languages. Nevertheless, they were vanquished peoples who also used the "weapons of the weak" and "hidden transcripts" in order to resist colonialism.

The K'iche' and Yucatec Maya languages are essential to this dissertation, and the methodology employed focuses on the theories presented in Fredric Jameson's, *The Prison-House of Language; A Critical Account of Structuralism and Russian Formalism*.⁵ Jameson essentially notes that language and its structure reveal

³ Ruud Van Akkeren, *Chi raqan unimal tz'aq unimal k'oxtun Rabinal en la historia del diplomado cultural* (Guatemala City, Guatemala: CECI Guatemala, Koninkrijk der Nederlanden, y el Museo Comunitario Rabinal Achi, junio, 2003).

⁴ James C. Scott, *Dominance and the Arts of Resistance, Hidden Transcripts* (New Haven, Connecticut: Yale University Press, 1990), 136 - 182.

⁵ Fredric Jameson, *The Prison-house of Language; A Critical Account of Structuralism and Russian Formalism* (Princeton, New Jersey: Princeton University Press, 1972)

more about culture than anything else. Translation does culture little justice, because it does not capture the concepts that each language defines in its cultural context. The philologist historian must describe, identify, and interpret the concepts embedded in a language so that they become trans-culturally understandable. In most instances, this includes literal translation and a textual deconstruction of the new text in terms that are familiar to the culture and language of that translation. Only then can language serve as a window into another culture. Language may be used as a tool for cultural and social history to define language diachronically or synchronically. This dissertation compares colonial K'iche' with colonial Yucatec Maya, interprets documents written in those languages, and describes the cultural concepts embedded in the language of those documents. It also utilizes a methodology that James Lockhart and Frances Karttunen pioneered - "the new philology."⁶ Their approach highlights diachronic

⁶ Frances Karttunen, *Nahuatl and Maya in Contact with Spanish* (Austin, Texas: Texas Linguistic Forum 26, Department of Linguistics and The Center for Cognitive Science, The University of Texas at Austin, 1985); and James Lockhart, *The Nahuas After the Conquest; A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries* (Stanford, California: Stanford University Press, 1992); and in James Lockhart, *Nahuatl as Written; Lessons in Older Written Nahuatl, with Copious Examples and Texts* (Stanford, California: Nahuatl Studies Series, Number 6, Stanford University Press, UCLA Latin American Center Publications,

historical change through the morphological adaptation of Nahuatl language to Spanish in central Mexico.

Recent studies involving the use of indigenous language documents have raised some important questions for historians of Latin America's colonial period. These include the impact of "the Conquest" on indigenous peoples, the rate and level of acculturation on indigenous, African, and Spaniard, and the long-term effects, if any, of colonial "contact." The use of native languages in the field of colonial Latin America has shifted our attention from what the West thought of "the Other" to what "the Other" thought of themselves and about the colonial experience. It offers us both a glimpse into ethnic cultural and social change as well as continuity. The methodology of language, its morphological changes, and the concepts that the study of indigenous languages reveals has redirected our focus to the voice of the colonized - history from below in the oppressed's own words.

2001); and in James Lockhart, *We People Here: Nahuatl Accounts of the Conquest of Mexico*, (Berkeley, California: Repertorium Columbianum, University of California Press, 1993).

This study will not view indigenous communities as completely autonomous republics and will not ignore that abuses did occur and that colonialism was an exploitative system, for indeed it was. The argument is that indigenous peoples were able to negotiate and to adapt to the colonial system to which they were subjugated. The process of resilient adaptation was an indigenous method for maintaining cultural integrity. This is a study that mainly utilizes documents generated within indigenous communities written in Latin letters in their own languages, which reveal to us the corporate nature of native society - what the Spaniards referred to as the republic of Indians. Several indigenous people who for various reasons separated themselves from native society entered into Spanish society. They will not be examined in this study. This monograph examines those that remained within their communities and chose to follow a traditional life under familiar yet adapted institutions. These peoples had a long history of civilization and cultural interaction long before the Spaniards ever arrived in their lands.

The highlands of Guatemala and the lowlands of the Yucatan peninsula are regions that have a long history of settlement. The indigenous inhabitants of these areas

were and still are agriculturalists who were able to produce surpluses to pay taxation, tribute, and provide for a complex society of craftspeople as well as religious and civic leaders. They built civilizations with sophisticated social organization that included social stratification with class differentiation, a state religion, a writing system, and interregional commerce.

Communities usually inhabited urban centers, which elites partitioned into moieties, cantons, or wards - subdivisions of the pre-Hispanic polity. K'iche' elites called these subdivisions *chinamit*, a Nahuatl word that means "circle of reeds" that the K'iche' used for polity subdivisions of commoners that elite lineages ruled over in a paternalistic relationship extracting their surplus production in tribute and protecting their rights to own familial lands. The *chinamit* will be further explored below. Each "city" was a state that defined its relationship to others through a system of loose political alliances that elites created through the intermarriage of noble lineages between neighboring city-states, conquest of areas with access to important trading products, and the creation of new cities that were subordinate to their founders. A system of elite hegemony in which "overlords" from powerful city-states

controlled the politics of "vassal lords" defined the political associations in both the highlands and the lowlands of the Maya region. Maya peoples confirmed elite status through the performance of public ritual that revalidated the right to rule of leaders, overlords and their vassal lords, linking them to a deified community founder, to the national and community gods, and to the myths that connected elite lineages. The anthropological and historical literature for the Maya and the K'iche' uses terminology related to feudalism ("lords," "vassals," and "overlords") to describe the relationships that the elites had with conquered peoples.⁷ The ancient Maya and K'iche' peoples did not practice European forms of feudalism. Even scholars of Europe's Medieval period have rejected the term feudalism because it is too simplistic. They did have a relationship between victors and vanquished that was paternalistic and reciprocal. "Lord" is a term used to define the ruler of a Maya polity - a "city-state." The term "vassal," in this context, refers to commoners who

⁷ Robert M. Carmack, *Kik'aslemaal le K'iche'aab'*; *Historia Social de los K'iche's*. (Antigua, Guatemala: CHOLSAMAJ, 2001), 73 - 104. Simon Martin & Nikolai Grube, *Chronicle of the Maya Kings and Queens, Second Edition*. (New York & London: Thames & Hudson Ltd., 2008).

had a tributary relationship with elites. "Overlord" refers to the political and religious relationship of some Maya *ahau* over others. Maya scribes used the possessive prefix "y" on the stelae for the relationship of one ruler who had rights over another ruler. They designated him *yahau*, "his lord."⁸

The Public ritual of the elites usually reinforced the relationship of the leaders to the gods and to the ancestors of the community, symbolically acknowledging their right to rule. Ritualized public performance also strengthened the ties between overlords and their vassal lords in neighboring city-states, reinforcing the tenuous power structure. Overlords and vassals were important to the hierarchical structure of Mesoamerican society and were part of every facet of pre-Hispanic indigenous communities.

The native's complex civilizations were the basis for the type of colonialism that Spanish conquistadors were able to impose; the Spaniards could not completely restructure native society along European models because they neither had the manpower nor the resources to do so; hence they were limited by what they encountered and used that to exploit indigenous peoples in the Americas.

⁸ Martin & Grube, 19.

Mayanists have reconsidered the political and social relationships between Maya communities and have considered the implications of larger Mesoamerican cultural interactions. The Maya did not develop in a vacuum but were the product of millennia of interactions between them and other neighboring indigenous groups. This social and cultural interaction created a complex shared Mesoamerican culture. Major cultural change occurred among the peoples of the Americas with the Spanish conquest. Nevertheless, indigenous peoples adapted to the new colonialism with traditional responses.

The amount of autonomy that indigenous peoples throughout Mexico and Guatemala agreed upon in the "colonial pact" was based on ancient traditions of submission to a conqueror or a conquering force. The incursions of central Mexican invaders from the immense metropolis of Teotihuacan into the Maya lowlands during the early Classic period attest to the way in which indigenous peoples conducted warfare and to the ways in which peoples subjected themselves to conquerors. Glyphic texts from Tikal give evidence of the arrival of Teotihuacan forces under the war leader Siyah K'ak', "Fire Born," who arrived with troops in the Maya lowlands

in 378 C.E. He displaced the ruling *ahau* of Tikal causing him to "enter the water," an ancient Maya metaphor for death associated with the ballgame.⁹ He then placed upon the throne Yax Nuun Ayiin, "First Crocodile," who was the son of a Teotihuacán elite, Spearthrower Owl, and a Maya noble woman. Spearthrower Owl was probably an elite merchant resident in a Teotihuacán enclave in Tikal, who had likely married into a ruling Maya lineage. In Mesoamerican warfare, the conquering indigenous general usually captured the general of the opposing forces and if fortunate enough was able to capture the ruler of a rival city-state and displace him or her from rule. They would integrate themselves into the ruling clan of a Mesoamerican city-state through marriage, which would cement an alliance, placing the conqueror or the conqueror's choice as overlord. Before even attempting to conquer another city-state, Nahua peoples likely sent in merchants who were part of an elite kinship system of wandering lineages known as *chinamit*. The wandering lineages were connected to elite fixed lineages called *calpulli*. These

⁹ Mary Miller and Karl Taube, *An Illustrated Dictionary of The Gods and Symbols of Ancient Mexico and the Maya* (New York & London: Thames & Hudson, 1993), 42 - 44; Simon Martin and Nikolai Grube, *Chronicle of the Maya Kings and Queens, Second Edition* (London, England: Thames & Hudson, 2008), 29.

merchants were similar to the Mexica *pochteca*, who would insert themselves into distant societies living in enclave communities. They would scout for the best polities to subdue, those that had access to the most important trade items. They would report back to the leadership of their home city-states who would send troops out on the right days as the movement of heavenly bodies and other auguries dictated. Mesoamericans waged war according to auguries, which they were able to detect because of their understanding of astronomy and their system of astrology. The Maya and other Mesoamerican peoples were experts in astronomy and had an elaborate calendar system with both a solar, agricultural and a lunar, ritual element. An earlier group, the Olmecs, who spread their influence throughout Mesoamerica, had probably used the same practices.

The stratification of classes included nobles, commoners, and slaves. The nobles were able to claim elite status through their genealogies, which were the proof of their right to rule. These genealogies connected the elites to their ancestors. If their ancestor was the founder of a community then his progeny was granted the right to rule over the larger society. A community's founder was associated with the sun god and

was deified. He became a legendary and mythical leader who could be contacted through divination on the proper days of the calendar.

The nobility held control over the commoners in society. They constructed elaborate linkages between commoners and elites through fictive kinship relationships that made the commoners "vassals" to noble lineages.¹⁰ Elite kinship groups partitioned land to the commoners as well as collected tribute and taxes that were the products of those lands. Lineage heads could also muster up the commoners to fight for their communities. The elites had reciprocal relationships with their vassals and had to offer them protection against excessive tribute and taxation. Slaves were usually prisoners of war, who were captured and sold if they were not elite and if they were nobles they would usually be retained and humiliated, sometimes for years, and later sacrificed to the gods because they had elite blood.

¹⁰ Ruud Van Akkeren, *Place of the Lord's Daughter; Rab'inal, its history, its dance-drama* (Leiden, Netherland: Research School CNWS, Leiden University, School of Asian, African, and Amerindian Studies, 2000), 75 - 231; and Carmack, *Kik'aslemaal le K'iche'aab'*, 154 - 231.

Commoners, often referred to in colonial K'iche' language documents as either *el común*, *macehuales*, *upaalil* or *ralcual* "his or her children," usually submitted themselves as vassals to the suzerainty of their new rulers who married into their elite ruling clans. These ruling clans connected themselves through marriage alliances to the regional gods as well as to deified founding fathers and mothers, ancestors of communities. The ancient Maya practiced a form of ancestor worship wherein their major gods often were deified ancestors of elite and ruling lineages, founders of city-states.¹¹ The Maya and the K'iche' metaphorically connected the founder of a community with the sun god, which bound the founding head of an elite lineage and leader of all the other lineages with the K'iche' Maya metaphor from the *Popol Vuh* for new rule in a new place, *saqrib'al*, "sunrise place."¹² The commoners recognized the propaganda associated with the right to rule and accepted any invading force because of the blood connections that they made with the elite through intermarriage, which subsequently united the invaders

¹¹ Simon Martin & Nikolai Grube, 16; and Patricia A. McAnany, *Living with the Ancestors, Kinship and Kingship in Ancient Maya Society* (Austin, Texas: University of Texas Press, 1995).

¹² Van Akkeren, *Place of the Lord's Daughter*, 290 - 295.

with their elites' gods and ancestors. Commoners still had to pay tribute and were expected to still fulfill obligations that were placed upon them under new rule. Their political economy was unchanged.

The composition of city-state government in the Guatemalan highlands included a council of clan leaders that represented multitudinous kinship groups that were the most basic and essential unit of any Mesoamerican community. Clan affiliation included a system of reciprocity based on biological relationships that appear to be both patrilineal and matrilineal. Clan groups were solidified through patrilineal and matrilineal blood-ties and extended family relationships. Children most often received the patronym of their fathers' kinship group and therefore became part of their father's clan. Elite clans, known in K'iche' as *nim ja* or "big houses", had "vassals" of common people that they protected in return for a tribute payment. As their leaders, these elites, known as *chinamitales*, were responsible for ensuring the commoners' rights to ancestral lands, for the collection of tribute and taxes, and for the mobilization of their vassals in *corveé* labor. Early titles expressed the importance of these clan relationships, especially for the Postclassic Maya who relied heavily on this

reciprocal structure to hold society together. *Chinamitales* were under the leadership of the *ahau* who was the head of all of the elite clans and had a responsibility to ensure that lands remained in the hands of their commoners from whom the elite could exact tribute.

Sergio Quezada and Philip Thompson clarified pre-Spanish colonial government structures in the Late Postclassic in the Yucatán peninsula and noted the local structure of *batabil* and *ah cuch cabil*.¹³ The *batabob* were hereditary rulers or governors of a province and the *ah cuch cabob* were the heads or leaders of various clan groups. Postclassic rulers sought the advice and council of the heads of clan groups in Yucatecan societies for every political decision they made. They were also responsible for their moieties or cantons and collected tribute from the commoners that they protected. This clan system, in which elites have reciprocal relationships with commoners who are arranged in wards or moieties, may be the reason why it was easy for the

¹³ Sergio Quezada, *Historía de los pueblos indígenas de México, los pies de la republica, los indios peninsulares 1550 - 1750* (D.F., Mexico: C.I.E.S.A.S. and Instituto Nacional Indigenista, 1997); and Philip C. Thompson, *Tekanto, A Maya Town in Colonial Yucatán* (New Orleans, LA: Publication 67, Middle American Research Institute, Tulane University, 1999).

Spaniards to insert the encomienda system, which in some ways was similar to the tributary system of the *chinamit* and the *cuchcabil*.

Ruud Van Akkeren, an anthropologist and ethnohistorian, discovered the key to understanding K'iche' society; he focuses on the *chinamital* level instead of focusing on linguistic groups, which is what previous scholars have done. The term K'iche' represents a language group to most scholars. The K'iche', as Van Akkeren has proven using early sixteenth century titles, is made up of several clan groups, many of which were migrant traders and "conquerors" who migrated into the area in several waves. In the Post-Classic period, some of these invaders were Pipil speaking merchants from Guatemala's Pacific coast, and others like Yucatec, Itzá, or Chontal speaking lineages from the lowlands of the Petén or the Yucatán peninsula. Their conquest or integration by marriage alliances into K'iche' society extended the types of goods and services that could be collected or distributed.

Clan groups were the basic unit of local government and also formed the great houses or major lineages of the K'iche' confederacy. The Yucatec Maya shared a similar local system. Both governmental systems had "great men,"

leaders over many city-states. For the Maya, these men were individually entitled the *halach uinic*, the "true man" and for the K'iche', the king was considered *ah pop*, "he of the mat."¹⁴ The mat was a Mesoamerican metaphor for marriage and symbolized the throne or the seat of rule, thus the king was head of the most important lineage; the leader of all of the K'iche' lineages was also titled the *nim ahau*, "the great lord."¹⁵

The highlands of Guatemala and the Pacific piedmont had long been coveted as areas that were rich in cacao, jade, and quetzal feathers, all prestige items. First the Olmecs, then the Teotihuacanos, and last of all the Toltecs invaded this area to control trade. The last two groups brought along with them their language, which remained as the dominant language on the Pacific coast.¹⁶ Teotihuacan influence was evident in the material culture of the Pacific coast and the highlands of Guatemala. Teotihuacán style pottery appears in the highland cosmopolitan city of Kaminal Juyu, yet, whether the Teotihuacanos pushed their way up into the highlands is

¹⁴ For Yucatec Maya titles see Quezada, *Historía de los pueblos indígenas de México*; and for K'iche' titles see Robert M. Carmack, *Kik'aslemaal le K'iche'aab'*, 73 - 104.

¹⁵ Ibid.

¹⁶ William R. Fowler Jr., *The Cultural Evolution of Ancient Nahua Civilizations, The Pipil-Nicarao of Central America*, (Norman, Oklahoma: University of Oklahoma Press, 1989).

unclear based on the material evidence that we have; trade items in Teotihuacán style may have been produced there for sale to the peoples of the Pacific coast.¹⁷ Nahuatl had profound influence on K'iche' due to the successive waves of invasion that William Fowler notes in his study of the Pipil, a southern Nahuatl group that migrated into Guatemala taking the coastal route to the rich volcanic soils of the Pacific coast.¹⁸ Pipil speaking peoples, speakers of southern Nahuatl, written Nahuatl, built up city-states in El Salvador and lived along the Pacific coast where cacao groves as well as maritime resources were plentiful. Sometime in the Postclassic, Pipil lineages allied themselves with Pokom lineages, who were possibly the original inhabitants of the Pacific piedmont. The Pipil and Pokom migrated or invaded the Guatemalan highlands displacing the original Q'eqchi speaking inhabitants of places such as Rab'inál, which in Q'eqchi means "Place of the Lord's Daughter." The invaders displaced the Q'eqchi to areas further north in Alta Verapaz.¹⁹ The Q'eqchi or "people who live in the darkness" lived in Rab'inál but the Pipil and the Pokom gradually replaced them. The Q'eqchi were the original

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Van Akkeren, *Place of the Lord's Daughter*, 311 - 317.

inhabitants of the Verapazes before the *saqrib'al* or dawning of the K'iche' nation.²⁰ These Pipil and Pokom migrants still inhabited the Verapaz region, the Pipil in Salamá and the Pokomchí on the boarder of Alta and Baja Verapaz and in towns such as Mixco and Parama, well up into the seventeenth century.

The Toltec invasions of the Guatemalan highlands resulted in further migrations of peoples that central Mexicans had influenced. The Putun Maya were peoples that were of mixed Toltec and Maya lineages that invaded the highlands of Guatemala and the Yucatán peninsula. Van Akkeren claims that one of the four lineages that comprised the major clans of the K'iche', the Kaueq, were the same as the Kanek, a lowland Maya lineage that was the major clan of the Itzá, the invaders of the Yucatán peninsula and the builders of the last Maya kingdom at Tayasal.²¹ The Kaueq were the writers of the *Popol Vuh*, within which they argued that their lineage was the most favored, although they were not connected to the K'iche' Ahau lineage, which was the ruling house of the K'iche' confederacy. The highland K'iche' is a confederated language group made up of several clans from different

²⁰ Bert Janssens, Coordinator, *Ri ch'ab'al ke ri qati'qamaam, El rezo de nuestros antepasados en Rabinal*, (Guatemala, Centroamérica: Museo Comunitario Rabinal Achi, Rabinal, Baja Verapaz, 2004), 42 - 50.

²¹ Van Akkeren, *Place of the Lord's Daughter*, 208 - 212.

areas of Mesoamerica. Ruud Van Akkeren has confirmed the complex interrelationships of Pacific coastal Pipil and Pokomchí clans that became the most important in the K'iche' confederacy and the clans of Yucatec speakers, Toltec Maya known as the Itzá, that migrated up from the Petén into the Q'eqchi speaking highlands and then integrated themselves into the K'iche'.²² The primary language of their descendants would have been K'iche', Kaqchiquel, or Tz'utujil.

The *K'iche' uinaq* were responsible for the appropriation of land that Don Francisco Azetuno from the town of Quetzaltenango claimed in a complaint in August of the year 1600. The term *k'iche'* literally means "many trees" and the people that are called the *K'iche'* are therefore the people of the forest. Ruud Van Akkeren considers them an invading force that represents the untamed barbaric wilderness, a masculine realm.²³ Azetuno asserted that, "several years ago that can not be counted, his ancestors, our grandfathers and our fathers that came before the *K'iche'*, placed their hands over the

²² Ibid, 75 - 231.

²³ Ibid, Van Akkeren recognized the *K'iche'* as the people of the forest and drew the parallel between the forest barbarians and the civilized peoples that they conquered. - a trope that takes into account Mesoamerican dualities 76 - 81 & 154 - 155.

land and they possessed it."²⁴ These people had claimed this land before the *K'iche' uinaq* or the K'iche' people and were possibly the original inhabitants of the land known as Chosolah. The scribe describes the K'iche' invasion as an event that occurred in ancient time; He uses the phrase, *chupam oher canoε*, which means "since much earlier" and refers to time in reference to the ancient past.²⁵ When the *K'iche' uinaq* arrived they came as enemies of the ancestors of the original inhabitants of the land called Chosolah.

"Toltec" is a general term used for "civilized and settled peoples" and could be applied to the southern Nahuat speaking peoples who probably arrived in one of the waves of Teotihuacan migrations. These peoples are called the *vuε amaε* or the seven nations in the *Popol Vuh* and were mixed lineages of Pipil and Pokom speakers that ruled over K'iche' speaking peoples.²⁶ The invaders stole the land of the ancestors of the *vuq' amaε* from them and their sons, "while their hands were still over the

²⁴ AGCA A1 Leg. 5936 Exp. 51914, Foja 19, also transcribed in Robert Carmack, *Quichean Civilization*, 370; Ruud Van Akkeren, *Place of the Lord's Daughter*, 99 - 100.

²⁵ Ibid, 154 - 231.

²⁶ Van Akkeren, *Place of the Lord's Daughter*.

land."²⁷ It is clear from the strong language of this complaint that they were thieves and that they stole what was not theirs. Their precise identity is unclear, however, because this document conflated several different invasions of the land. The Toltecs came along again in a year that was not able to be calculated and took the land, apparently from the K'iche'. Is this a conflation of several different events of conquest and the contest over land? Similar sorts of strong language are found in the *Chilam Balam de Chumayel* - a Yucatec Maya book of prophecy from the town of Chumayel that casts the Itzá invaders as a horrible force that were like dogs.²⁸

Whenever a military force in Mesoamerica invaded and conquered an area not only would the invaders marry into local elite lineages, they also introduced their own gods, which would be aggregated into the pantheon of the vanquished people. Mesoamericans had an inclusive religion that allowed them to adapt new religious ideologies. The Toltec invasion of the Yucatán peninsula (c. 1050 C.E.) and of the highlands of Guatemala (c. 1250

²⁷ AGCA A1 Leg. 5936 Exp. 51914, Foja 19; also transcribed in Robert Carmack, *Quichean Civilization*, 370; Van Akkeren, *Place of the Lord's Daughter*, 99 - 100.

²⁸ G.B. Gordon, "introduction", *The Book of Chilam Balam of Chumayel*, (Laguna Hills, California, U.S.A.: Aegean Park Press, Mayan Studies, 1993).

C.E.) meant that the invaders brought along with them and integrated their Toltec gods into the already existing pantheons of those areas.²⁹ The postscript to the "Título de Sacapulas" states that when the Toltec conquerors came from *Oomuch Inop Oomuch Kakja*, "400 Ceibas, 400 Red Houses," they brought their gods with them.³⁰ They claimed the land and made a ritual procession, painting all of the border markers with limestone. They enacted a border marker walk, similar to that enacted in the *Rab'inal Achí* and those that Matthew Restall argues the Yucatec Maya practiced.³¹ The Spanish conquest was no different at first than any other previous, although, the Spaniards did not abide by the same cultural boundaries that delimited Mesoamerican conceptions of the conqueror and the vanquished. The conquerors did not claim the lands of the vanquished although they demanded from indigenous peoples their labor and their tribute.

²⁹ Mary Miller and Karl Taube, *An Illustrated Dictionary of The Gods and Symbols of Ancient Mexico and the Maya* (New York & London: Thames & Hudson, 1993), 22 - 24.

³⁰ See "Appendix V: Map and Postscript to the *Titulo Sacapulas* in Robert Carmack, *Quichean Civilization, the Ethnohistoric, Ethnographic, and Archaeological Sources* (Berkeley, Los Angeles, London: University of California Press, 1973), 358 - 359. The original document AGCA, Al Leg. 337, Exp. 7091 is missing and has been misplaced in the archive.

³¹ See in Alain Breton, *Rabinal Achí, A Fifteenth-Century Maya Dynastic Drama*, Translated from the French by Teresa Lavender Fagan and Robert Schneider (Boulder, Colorado: University Press of Colorado, 2007); in Ruud Van Akkeren, *Place of the Lord's Daughter*; and in Matthew Restall, *the Maya World*, 189 - 225.

The K'iche' confederacy formed sometime between the thirteenth and fifteenth centuries and included the Tz'utujil and the Kaqchiquel peoples. The K'iche' had their capital at Q'umarkah or as it was otherwise known in Nahuatl, Utatlan, which means "place of the merchant's staff." This may be a reference to their elite clans' association with long distance merchants from other areas of Mesoamerica who when traveling often put their staves or walking sticks in a circle when they camped.³² The K'iche' capital was comprised of several elite clans from distant areas of Mesoamerica. The great houses of Utatlan considered themselves elite Nahua merchants who had connections to *calpulli* from other areas of Mesoamerica. These great houses were elite lineages that formed the K'iche' confederacy and ruled over the already settled peoples of this area who they had grafted into K'iche' society through conquest.

The Kaqchiquel were a people who were part of the K'iche' confederacy yet broke away and formed their own kingdom to the south at their new capital Ixiimche', "maize kernel tree." It was this break that allowed the Spanish conquistador, Pedro de Alvarado, to practice

³² Van Akkeren, *Place of the Lord's Daughter*, 210 - 212.

"divide and conquer" techniques that were so vital a strategy to Spanish success in conquest. He allied himself with the Kaqchiquel to defeat the K'iche', the Tz'utujil, and the Pipil at Escuintla, and then treated his allies as his vassals, prompting a rebellion that ended in the vanquishing of all of the native peoples of the highlands of Guatemala except those of the Cuchumatán mountains.

The indigenous people of Mexico and Guatemala first saw the Spanish conquest as no different from any other in Mesoamerica. It later became apparent to indigenous peoples that the Spaniards did not abide by the same rules of warfare or of conquest: they did not seek to capture rival leaders of noble blood and they did not attempt to integrate nor accept existing pantheons of gods. The nature of conquest had changed.

Bernal Díaz del Castillo, a literate conquistador who wrote a history of the conquest of Mexico because he had lost his *encomienda* of Indians in Guatemala and wanted to make money from the story, writes that when the Spaniards allied themselves with the Tlaxcallans, Hernán Cortes did not take any of their daughters in marriage as

a sign of their alliance.³³ The Spanish conquistadors may have learned of this alliance custom, because the authors of *The Annals of the Cakchiquels* explain that Pedro de Alvarado asked for the hand of one of the daughters of the kings of the Kaqchiquel.³⁴ Alvarado linked his lineage with the royal house of the Kaqchiquel through marriage. He set himself up as the overlord of the Kaqchiquel and then he demanded that they pay him gold. It was due to the excess of his requests and the lack of reciprocity that he exhibited that the Kaqchiquel rebelled against his rule. The natives of Guatemala, a corruption of the Nahuatl *Quatemalan*, "place of the trees," knew Alvarado as Tonatiuh, the Mexica's young sun god of the East. It may be that it was from this experience that Bernal Díaz picked up on the name Tonatiuh for Alvarado. Could it be that Alvarado was seen as the founder of a new dynasty, the father of a new sunrise place, and hence connected to the sun?

The Spaniards expected the indigenous peoples of Mesoamerica to give up their own religion in exchange for

³³ Bernal Díaz del Castillo, *The Conquest of New Spain*, Translated with an introduction by J. M. Cohen, (London, England: Penguin Books, 1963), 176 - 179.

³⁴ Adrián Recinos, Dionisio José Chonay, Delia Goetz, *The Annals of the Cakchiquels and Title of the Lords of Totonicapán* (Norman, Oklahoma: University of Oklahoma Press, 1953), 123.

the Christian god and a new pantheon of saints. They fought wars of complete conquest and destruction, especially in central Mexico where they leveled the city of Tenochtitlán. Pedro de Alvarado, who had married into a noble lineage, was an absolute tyrant, an overlord who burned to death some of the traditional leaders who did not fully cooperate with him. According to the *Annals of the Cakchiquels*, he had a thirst for gold and for forced labor.³⁵

Even though the nature of conquest had changed, the native peoples of Mexico and Central America still held to traditional concepts of colonial rule. This was the substance behind what Pedro Bracamonte y Sosa, Gabriela Solís Robleda, and Robert W. Patch would all deem the "colonial pact": the agreement between the colonial power and the vanquished that the conquered peoples would give them tribute and obedience in exchange for autonomy at the local level.³⁶ This was seen as a reciprocal relationship between those who ruled and those who were their subjects. Robert Patch takes the idea of the

³⁵ Recinos, Chonay, and Goetz, 123 - 134.

³⁶ Robert W. Patch, *Maya Revolt and Revolution in the Eighteenth Century* (Armonk, New York: M. E. Sharpe, 2002). Also see Pedro Bracamonte y Sosa y Gabriela Solís Robleda, *Espacios Mayas de autonomía, el pacto colonial en Yucatán* (Merida, Yucatán, Mexico: Universidad Autónoma de Yucatán, Consejo Nacional de Ciencia y Tecnología, 1996).

colonial pact and extends it to the control of land and resources through the concept of the "moral polity", an idea that native peoples held control over their own polity and that their leaders, both local and colonial, were morally bound to respect traditional reciprocity.³⁷

We have little that indigenous peoples as eyewitnesses wrote concerning the Spanish conquest and their interpretations of it as the vanquished. To say the least, the native peoples of the Americas were under a significant amount of duress at the time of conquest and the ensuing violence and subsequent colonization caused those indigenous authors who later wrote about the Spanish conquest to link their people to the victor. These authors believed that by doing so, they would procure special privileges from the newly installed overlords of their regions. What we do have, then, are the writings of peoples that were allied with the Spaniards, the Mexica, Tlaxcaltecas, and Cholulans, who fought as auxiliary troops for the Spaniards in Guatemala, the Kaqchiquel who had broken away from the K'iche' confederacy and fought with Pedro de Alvarado against the K'iche', and the Pech and the Xiu who were

³⁷ Ibid. See in Patch, chapter 7, "Internal Conflict and the Moral Polity: Nebaj, 1768," 183 - 208.

two elite clans or lineages of Yucatec Maya who fought with the Montejos against other Yucatec Maya polities.³⁸

The Spanish conquest of both the Yucatán Peninsula and the Guatemalan highlands brought devastation and abrupt change to native society. The consequences of the conquest resulted in the restructuring of indigenous modes of rule and their replacement with imposed Spanish institutions. The Spaniards eradicated elite indigenous hegemony at both the regional and imperial levels and inserted themselves as the overlords of indigenous society. They also eliminated the state religion and the practice of human sacrifice. The friars attempted to re-educate the indigenous population and in order to do so needed them to be congregated under the sound of the church bell. Some moieties at the time of Spanish colonialism were spread out and families located themselves on traditional ancestral lands. The commoners the friars congregated, bringing them into nucleated settlements. The process of congregation was not

³⁸ Matthew Restall, *Maya Conquistador* (Boston, Massachusetts: Beacon Press, 1998); and also see Laura E. Matthew and Michel R. Oudijk, eds. *Indian Conquistadors, Indigenous Allies in the Conquest of Mesoamerica* (Norman, Oklahoma: University of Oklahoma Press, 2007); and also see Matthew Restall and Florine Asselbergs, compilers *Invading Guatemala: Spanish, Nahua, and Maya accounts of the conquest wars* (University Park, Pennsylvania: Pennsylvania State University Press, 2007).

something that the friars could do alone; they employed the help of the traditional moiety leaders, the *chinamitales*. At the local level, the Spaniards imposed the Spanish style town council and the Spanish religion along with its institutions such as lay religious brotherhoods connected to saints and sacraments.

Spanish conquest and colonial institutions brought immense change to the indigenous peoples of the Americas. The Spaniards also brought diseases that almost decimated the indigenous populations. How were the native inhabitants of the Americas to suspect that the Spaniards would bring immense demographic decline through diseases that they had no immunities to, that the colonial system would include a religion that was not inclusive of pre-existing religious expressions, and that they would have to conform to a new legalistic approach to solving their conflicts instead of through warfare? Integrated into a larger centralized colonial system, the Spaniards granted indigenous peoples the right to rule themselves at the local level. Their separation from Spanish society gave them a certain amount of autonomy and the ability to redefine colonial institutions according to their own social and cultural norms. Indigenous peoples met the challenges of Spanish colonialism with traditional

responses and with a conservative resilience in spite of the difficulties that attended acculturation.

In all of Spanish America, the idea behind colonialism was to utilize institutions that were similar to what the native inhabitants were already used to. In the instances in which Spaniards attempted to impose new systems of settlement, agriculture, and religious expression, there was a significant amount of resistance. That is not to say that indigenous peoples did not adapt to new ideas. Especially in the realm of religion, the native peoples were able to consider new religious ideas and to integrate them into what they already knew and understood, creating hybrid religious expressions. This is a highly sophisticated level of adaptation and conceptualization that allowed the indigenous peoples of the Americas to appropriate the ideologies of the ruling class and to use the oppressors' ideologies to criticize the ruling power. Adaptation became a form of native resistance from Spanish colonialism that allowed indigenous peoples to change in their own ways.

The Catholic religion came to the highlands of Guatemala first to "the place of war" and then long after came to those areas that the conquistadors had already subdued. The abuses of slavery and of other systems of

forced labor, such as *encomienda*, had already begun in those areas. Conversion, however, was an individual prerogative and many friars believed that they could not fully penetrate the simple minds of the neophytes.³⁹ As has been suggested above, Mesoamericans had an inclusive religion that allowed them to graft on other religious beliefs and keep their own. These two beliefs about the nature of religion, one that was exclusive and the other that was inclusive, were incompatible.

The friars that first arrived on the shores of New Spain and Guatemala spent considerable time attempting to teach a new form of literacy to the native peoples. Their greatest fear was that indigenous peoples, who after lively debates were considered to have souls, would be tainted with Muslim heresies, even from Spaniards. It is for that main reason that European clergy pressed for the separation of Spanish society from indigenous society. They did not wish to give indigenous people the opportunity for corruption. They wanted to maintain colonies that were subject to Spaniards, were Christian, yet were not Hispanicized. They divided people up, in

³⁹ For instruction see Recinos, Chonay, and Goetz; and to see what friars thought about conversion see J. Eric S. Thomson, Ed., *Thomas Gage's Travel in the New World*, (University of Oklahoma Press, Norman, Oklahoma, U.S.A.: 1958).

some cases they rearranged them, and they congregated them in new communities. Congregation was not an activity that the friars had complete control over. They were able to group people together, yet they did so according to an indigenous form of settlement. *The Annals of the Cakchiquels* reveals that for the town of Sololá, the Spanish official in charge of the operation, Don Juan Roser, grouped the people in 1547 according to their houses and the people came from the caves and the ravines, a metaphor for migration and settlement that is found in many of the titles.⁴⁰ The emergence from caves and ravines comes from a Mesoamerican metaphor that suggests an individual's or a lineage's beginnings. The trope usually contains the concept of a mythical homeland, such as Tollan-Zuyua or Aztlan and may sometimes evoke the image of emerging from a cave. A vivid example of cave emergence can be found in the Toltec cave of the lineages, Chicomoztoc. The lineage heads likely had control over the settlement of their vassals and were instrumental in congregation efforts. The Spaniards gave more autonomy to the least rebellious or most peacefully congregated peoples.

⁴⁰ Recinos, Chonay, and Goetz, 136.

The town of Rab'inal and the entire area known as the Verapazes were unique in terms of Spanish colonialism. At the beginning of the Spanish conquest this area was known as "the place of war," Tuzulutlan, yet was "pacified" through the proselytizing efforts of Fray Bartolomé de las Casas, who freed this area and the towns within it from the early excesses of the Spanish conquistadors and from the onerous *encomienda* system. The further provision that no Spaniard was to occupy the Verapaz region lent it to limited contact and to a greater continuity in indigenous tradition.

After congregation of all of the towns in Guatemala, the friars and the indigenous leaders organized into wards or moieties. Rab'inal had four divisions or moieties that the Spanish friars demanded that traditional indigenous leaders congregate. These four neighborhoods, today considered zones, also contain several outlying settlements or *aldeas*. Each of these moieties had its own patron saint. These included Saint Peter the Apostle for zone one, Saint Dominick for zone two, Saint Sebastian for zone three, and Saint Peter the Martyr for zone four. Saint Paul was and still is the patron saint for the entire town of Rab'inal.

Unlike the *cah* of Yucatán or the *altepetl* of central Mexico, not all of the colonial K'iche' identified themselves primarily as members of specific *tinamit*, "town," or *amaε*, "nation." The Rab'inaleb connected themselves to a more basic unit of social construction, the *chinamit*. The K'iche' who identified themselves as members of specific towns were those that lived within close proximity to Spaniards in towns such as San Miguel Totonicapán or Xelajú del Espiritu Santo de la Real Corona, recognized in Spanish generated documents as Quetzaltenango. The K'iche' people who lived in the town of Rab'inal did not identify themselves, at least in their own documentation, as *Rabinaleb* or as *K'iche' uinaq* but as family members belonging to a specific lineage, protected under the reciprocal understanding between *chinamit* heads and their wards.

Oakah L. Jones, Jr. believes that the Spaniards created at least four different colonial systems of labor.⁴¹ The first two the Spaniards enacted simultaneously and they included slavery and the *encomienda*. The last two were also congruent and they included the *repartimiento* and *debt peonage*. He suggests

⁴¹ Oakah L. Jones Jr., *Guatemala in the Spanish Colonial Period* (Norman, Oklahoma and London: University of Oklahoma Press, 1994).

that the Spaniards and creoles in the colonies attempted to make natives into European serfs and that the crown attempted to control labor abuses. He argues that there was a shift from forced to free labor systems through the three hundred years of colonization. As far as indigenous society is concerned, Jones does not consider the hierarchies of indigenous communities that made commoners into "serfs" and the history of conquest in Guatemala between native peoples before the Spanish conquest.

The indigenous republics that the Spanish friars "congregated" consisted of the scattered settlements of indigenous peoples who were subject to the rule of both their lineage heads and the *ahau* or *batab* who ruled over them. Indigenous communities and the natives who inhabited them are part of the *longue durée* of the history of the Americas and we must consider them as people who had an ancient past of conquest, interaction, and adaptation. It is precisely the tools and techniques of adaptation that allowed them to change at their own pace utilizing their own customs and traditions. The use of adaptation does not mean that indigenous peoples in the Americas were not resisting Spanish colonialism. The very act of hybridization or heterosis may be viewed as

an attempt at every-day resistance to a dominant culture that sought to reorganize indigenous society in its own image yet was unsuccessful at completely altering its core values. The Maya peoples have continuity in their practices of which anthropologists have long been aware. This study will evaluate both the continuity and the adaptive changes that contact with European colonialism wrought.

The K'iche' of the highlands of Guatemala and the Yucatec Maya of the lowlands of the Yucatan peninsula manifested similar responses in the early periods to Spanish colonial rule. They focused their earliest documentation on proving the right to rule of the elite lineages and hence their right to exemption from tribute, to control over their commoner vassals, and to land.

The colonial world was one of exploitation yet also was one that allowed for a certain amount of autonomy for indigenous society. This study will examine the colonial world not from the outside looking in but will examine it from the inside looking out, more specifically from the perspective of the K'iche' who were one of many of the indigenous republics colonized under Spanish rule. This study will not seek to overlook the presence of colonial institutions but will not overemphasize the invasiveness

of Spanish colonialism in indigenous republics. In K'iche' society, the Spaniards were part of a world that was outside of their own. That is not to say that individuals in K'iche' society were unaware of Spanish colonial society and of the power that Spanish colonial institutions exercised. There are several examples in K'iche' language documents of the attempts of indigenous individuals to appeal to Spanish colonial institutions in order to overrule unsatisfactory judgments made by their own indigenous community leaders that they felt were not in their interests. Nevertheless, Spanish colonial officials recognized the jurisdictional authority of indigenous leadership and were often willing to remand such appeals to their proper venue.

Spanish colonialism modified its focus after the replacement of the Hapsburgs as the ruling dynasty in Spain by the Bourbon monarchs. The Bourbons made reforms aimed at restructuring colonial rule to make their American holdings into productive colonies so that the monarchy could enrich itself through the redirection of exploitation from colonial officials to the monarchy in Spain. With that in mind, did the Bourbon reforms affect K'iche' society allowing for a better colonial penetration into indigenous republics and is that

reflected in their documentation? This dissertation focuses at the local level of colonial society, and considers the social and cultural implications of colonialism and the changes and continuities in indigenous society under colonial rule. Based on the documentation written in K'iche', it appears that the Bourbon reforms had a greater impact on the restructuring of the colonial administration and less of an impact on indigenous republics at the local level. The K'iche' of Guatemala still had to contend with exploitation whether it stemmed from corrupt colonial officials or the monarchy. Where the Bourbon reforms affected indigenous society was with the demands that new policies had on the Church and on religious institutions. The lay sodalities were the institution that the reforms most affected.

Chapter II

K'iche' government - a quasi-autonomous colonial structure

In the Spanish colonial era, the K'iche' people layered their leadership in their *tinamit amas* to form complex structures. Several overlapping government organizations within K'iche' society were woven together allowing for built-in protections against exploitation when and if protective communal authority at the higher levels ever began to unravel. This administrative style permitted the K'iche' to have an effective system of checks and balances and bestowed protection on the most basic levels of society: the *chinamitales* protected the families in their moieties from the municipal council and the indigenous governor and the municipal council of the *tinamit* or *amas* protected the community against colonial exploitation. The government defended the rights of the commoners but also reinforced the right to rule of society's elites.

In Guatemala as in other areas of Spanish America, the conquest dismantled the imperial indigenous administration at the regional and state levels and replaced them with the Spanish colonial structure; nevertheless, the Spaniards permitted the lower levels of

native government to remain intact with few modifications. K'iche' society retained its form and stability due to the several layers of governmental administration that communities had in place to protect their interests prior to Spanish colonialism. Their layered leadership also allowed the K'iche' to adapt and to fold Spanish imposed institutions into their social structure.

From the inception of "republics of Indians" at the beginning of Spanish colonial rule, the K'iche' were able to redefine the imposed institutions of the town council, the church sponsored confraternities, and the church's lay indigenous leadership. This chapter will outline not only the imposed institutions of the Spaniards but will also highlight the indigenous adaptations to these intrusions, revealing that native peoples were resisting colonialism through the redefinition of government structures according to traditional organization. It will outline indigenous government in K'iche' communities in both its form and its function. It will answer the question of how much autonomy indigenous societies had in government in colonial Spanish America.

Charles Gibson classified Spanish institutions that had the greatest consequence for indigenous society in

the first fifty years in the valley of Mexico as "private, political, or religious."⁴² Spaniards initiated these same institutions throughout Spanish America with some exceptions within the first fifty years of Spanish colonization. They included the private institution of the *encomienda*, the political institution of the *corregimiento*, and the religious institutions of the church. The *encomienda* had little effect on the function of indigenous society at the local level and the *corregimiento*, although it had the final word as a court of appeals and acted as regional governor, did not directly control individual indigenous republics. Religious institutions were the most invasive in indigenous society and will be discussed in detail in chapter III.

The conquistadores initiated the *encomienda*, which gave them rights to tribute and indigenous labor. *Encomenderos* did not directly control indigenous society. The Spanish crown granted *encomiendas* of indigenous peoples to the conquistadores, "as assignments of Indian (lords) with their followers..."⁴³ The *encomienda* system

⁴² Charles Gibson, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519 - 1810*, (Stanford: Stanford University Press, 1964), 58 - 97.

⁴³ *Ibid.*, 65 Gibson notes that this was the standard practice of *encomienda* grants in the Valley of Mexico and in the Caribbean and

changed the focus of traditional indigenous leadership dynamics at the local level. It recognized the power of the highest local lord in each community rather than the power that the many hands of the great houses wielded. The elite lineage structure in Mesoamerican societies had control over the production of commoners and reciprocally looked after their vassals' interests. Although it relied on native leaders for enforcement, the *encomienda* attempted to cut out the intermediary at the local level. *Encomenderos* lived in Spanish communities quite a distance from their *encomiendas* and actively participated in their own governments. Their only obligation was to provide their "vassals" with religious instruction, a task that they left to the missionary friars. *Encomenderos* paid little attention to the administration of indigenous municipalities, as long as they received their tribute payments or did not have any difficulties with exploiting labor; they did not politically interfere in indigenous society.

The ideal of Spanish colonialism was to separate indigenous society from Spaniards and their African slaves into two distinct spheres. These spheres included

it would not be far afield to suggest that it was standard practice for all of the *encomiendas* in Spanish America.

repúblicas de indios that Spaniards established and then expected would run and manage themselves, and a *república de españoles*. Spanish colonial officials did not observe the day-to-day activities of indigenous communities and although the Spaniards established native government organization by introducing Spanish institutions such as the Spanish style municipal council, they set them up and then left them alone allowing the native peoples to redesign them to suit their own community interests. There were too few Spaniards in the Americas to control or govern each of these councils. The Spanish colonial system did provide regional officials, the *alcalde mayor* and the *corregidor*, who were Spaniards or Spanish Americans who presided over several indigenous communities as well as the Spanish communities in their districts, one as an appellate judge and the other as a tribute collector. Under the Spanish colonial system, a captain general presided over the general captaincy of Guatemala, which was made up of overlapping administrative districts called *corregimientos*, *alcaldías mayores*, and *gobernaciones*.⁴⁴ Native town councils had access to the regional Spanish government and ordinary

⁴⁴ Lina Barrios, *Tras las huellas del poder local: la alcaldía indígena en Guatemala, del siglo XVI al siglo XX*, (Guatemala, Central America: Universidad Rafael Landívar, Instituto de Investigaciones Económicas y Sociales [IDEAS]), xiv.

citizens of indigenous republics sometimes appealed to the *alcalde mayor* if they believed their own leaders were not properly protecting their interests. The *república de españoles* attempted to respect the judgments of the leaders of the *repúblicas de indios*.

In the *Popol Vuh*, *The Annals of the Cakchiquels*, *The Title of the Lords of Totonicapán*, and *The Title of Pedro Velasco*, the founding fathers after the *nabe sasribal* or "first sunrise" of the K'iche' nation on mount Jakawitz, sent a delegation to the East, to Tullan-Zuyua.⁴⁵ They sent the ambassadors to retrieve the titles of leadership and the symbols of power and lordship from Nacxit Q'uj'umatz. *The Title of Yax* and *The Title of Paxtocá*, written in Totonicapán, similarly relate that the K'iche' sent a delegation to receive the titles of office. However, they did not receive them from Nacxit Q'uj'umatz but arrived before Carlos V, the Emperor of Germany. Mesoamerican accounts are mytho-histories that include

⁴⁵ Anonymous *Popol Vuh, The Sacred Book of the Ancient Quiché Maya*, Trans., Adrián Recinos, Delia Goetz and Sylvanus G. Morley, English Version (Norman: University of Oklahoma Press, 1950); and Adrián Recinos, Dionisio José Chonay, and Delia Goetz, Trans. *The Annals of the Cakchiquels and Title of the Lords of Totonicapán* (Norman, University of Oklahoma Press, 1953), 53; and Robert M. Carmack and James L. Mondloch, Transcribers and Translators, *El título de Yax y otros documentos Quichés de Totonicapán, Guatemala*, (Mexico, Universidad Nacional Autónoma de México, 1989).

layered and conflated events that occurred in the past.⁴⁶ They contain symbolic and metaphorical tropes. The authors of these titles purposefully substituted the king of Spain for Nacxit Q'uq'umatz from Chichen Itzá to legitimize the constitution of their leadership constructs.⁴⁷ The trope of the story is the same, and the apparent "confusion" makes sense if we view it from a colonial perspective. Charles V reigned during the formative decades of the Spanish conquest of Mesoamerica and would be the ruler responsible for the restructuring of indigenous leadership, giving the K'iche' the authority to reconfigure their own leadership roles.

Once established, indigenous municipal councils reorganized themselves and included, along with the Spanish imposed offices, leadership structures that native peoples had utilized before the Spanish conquest. Perhaps to justify the apparent confusion that this

⁴⁶ Victoria Reifler Bricker, *The Indian Christ, The Indian King: The Historical Substrate of Maya Myth and Ritual*, (Austin: University of Texas Press, 1981), 3 - 9; Bricker argues that Maya conceptions of history are cyclical not linear. See also Ruud Van Akkeren, *Place of the Lord's Daughter; Rab'inah, its history, its dance-drama*, (Leiden, Netherlands: Research School CNWS, Leiden University, School of Asian, African, and Amerindian Studies, 2000), 49 - 67. Van Akkeren argues for the mytho-historical significance of K'iche'an accounts. He calls it a "mytho-historiography."

⁴⁷ Carmack and Mondloch, *Transcribers and Translators*, 97, notes 65 & 66. Carmack and Mondloch overlook the significance of the substitution of Carlos V for Nacxit Q'uq'umatz in *The Title of Yax*, nevertheless, they do make significant claims that one of the early lords of the K'iche' from Q'umark'ah visited Carlos V in Spain.

adapted system may have presented, the K'iche' wrote into their title of national origin the restructuring of their society with the titles of their leadership, claiming that the king, Carlos V, had sanctioned them. The right to rule was bound to the sanction of the leader of civilization (through their interpretation of their relationship to the king of Spain).

Kinship, both real and fictive, provided the foundation for leadership in indigenous society and this cultural tradition remained as an important feature of quasi-autonomous native rule. Reciprocity was the expectation of the governed in colonial era indigenous communities. Prior to the advent of Spanish colonialism, elite clans ruled their own societies and many of the rulers of indigenous society had hereditary rights to govern. Once colonial rule was established, many of these same rulers retained their control over society at the local level, at the levels of the *tinamit amas* and the *chinamit* for the K'iche', with the inclusion of the imposed offices of the town council. The K'iche' elite held these offices thereby maintaining their authority over their own society.

Over time, the Spanish colonial system attempted to limit the rights of hereditary rulers in indigenous

communities in Spanish America. However, elite clans were still able to command the authority and supervision of their own governments. In K'iche' *tinamit amas* as well as in many similar Mesoamerican communities, the Spanish imposed election of officials rotated among elite lineages allowing them to maintain power according to their own customs. Indigenous communities held elections once a year and native leaders were well aware that they could serve every other year unless there was no one else available to take on that post.⁴⁸ At the local level, all of the Spanish imposed institutions became indigenous - a hybrid. Spanish colonialism was limited throughout Spanish America because of indigenous adaptation.

The production of documentation began because the Spanish colonial system instigated it. Nevertheless, like the adaptation of Spanish imposed institutions, indigenous municipal councils adopted Spanish style legalism to protect their communities from abuses of power between other indigenous communities and others within the larger society such as Spaniards, their African slaves, and the several varieties of miscegenated peoples that made up the *castas*. The documents reflect

⁴⁸ "Ordenanzas de la cofradía del Rosario" MSS 279: William Gates Collection: Box #96, Folder 2, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

the corporate and reciprocal nature of indigenous leadership as well as the day-to-day concerns of native peoples over land tenure, inheritance, and religious expression.

Indigenous language documents contain terminology that reveals indigenous concepts of rule as well as social concerns. Spanish documents written by the hand of the colonials reaffirm the power that they pretended they had over indigenous society; nevertheless, the K'iche' do not reveal in their documents that they saw the Spanish colonial system any differently than they did the pre-Colombian imperial structure. The king of Spain and all of his lesser administrators were no different to the K'iche' or the Maya than the *nim ahau* or the *halach uinic* and all of his administrators in the pre-Colombian period. The day-to-day workings of native government did not include pre-Colombian administrators nor the Spaniards. In native language documents, indigenous people seldom mention them. There were exceptions, such as if one of the parties involved in any indigenous legal transaction was a Spaniard or the parties involved in any other municipal judgment made an appeal to the regional colonial powers. They expected that the colonial

administration would respect their autonomy at the local level.

The offices in a traditional Spanish *cabildo* usually included two *alcaldes*, "mayors," four *regidores*, "aldermen," and an *escribano*, "scribe or notary." Spanish *cabildos* had more *regidores* in larger cities. The *cabildo* was the government structure at the local level in Spanish society and kept official legal documents pertaining to the activities of this assembly. According to Charles Gibson, Spanish *cabildos* "...were concerned with the political administration of the community."⁴⁹ Spanish *alcaldes* acted as judges over civil and criminal matters at the municipal level.

The Spanish town council or *cabildo* was an imposed colonial structure that indigenous peoples under colonial rule adapted to fit their own needs. The Maya, the K'iche', and other indigenous groups throughout Mexico and Guatemala, augmented the *cabildo* with more offices. They utilized all of the introduced offices and added more, allowing more elders to have positions of leadership in indigenous communities. In the K'iche' town of Rab'inal there was six *regidores* and at least

⁴⁹ Gibson, 167.

four offices of *alcaldes*: a first or *alcalde ordinario*, a *second alcalde*, *alcalde juez*, and *alcalde de milpa*. In most other K'iche' towns such as Quetzaltenango, San Miguel Totonicapán, and Santa Catarina Ixtahuacan the count of the offices of *alcaldes* was also four and aldermen was usually four as well.

Elections:

The Spaniards mandated that elections of officers occur once a year. The *Audiencia de Guatemala* created ordinances that laid out colonial expectations for the correct governance of indigenous republics. They set up an inspection system in which a colonial official visited each indigenous republic within his district once a year. The Spanish officials issued these ordinances in the sixteenth century. Nevertheless, the *Audiencia of Guatemala* augmented their expectations in their ordinances of 1647 for the provinces of Soconusco, Verapaz, and Zapotitlan. Like all official colonial reports, those produced at the state and even at the regional levels tended to generalize and indigenous leaders frequently did not comply with mandates within the ordinances. The *alcalde mayor* reviewed the elections of indigenous municipal councils and ratified or confirmed them. However, he did not choose or appoint any of the

indigenous leadership of the *cabildo*. The *regidores* who were the last year's *cabildo* elected the incoming leaders.⁵⁰ The office of indigenous governor was distinct and will be treated below.

Election records for indigenous communities were ubiquitous. However, for most republics many of these documents do not appear in the archives. For the K'iche', only one election document has survived. It is from the *tinamit amaε* of San Miguel Totonicapán and gives a list of elected officials from the election of December 4, 1707. The document named four council members, numbering each, an ordinary mayor, a second mayor, a scribe for the municipal council, and a treasurer for the treasury. These offices were predictable. The document also named several surprising offices. Instead of a single name for the office of judge mayor, there were three names with the title "judge for the *tinamit*." There were also two named judges over the fields or *juez de milpa*. This would explain why several different names appeared for these two offices for the same years in the

⁵⁰ Pedro Carrasco *Sobre los indios de Guatemala*, (Guatemala City, Guatemala: Seminario de Integración Social Guatemalteca, Publicación No. 42, Editorial "José de Pinedo Ibarra", Ministerio de Educación, Guatemala, 1982), 219.

testaments of Rab'inal.⁵¹ There was also one judge for water works, two elders of the municipal council, and two elders of the house. The two elders of the house ran the guesthouse that by colonial mandate each indigenous community had to operate.

Perhaps the most interesting and revealing position in this election record was the office of interpreter for the *tinamit*. Spanish administrative policy mandated that each head town or cabecera like San Miguel Totonicapán needed an interpreter so that the *alcalde mayor* could judge appeals from the judgments of indigenous *cabildos*. Spaniards preferred either an American-born creole or a fellow Spaniard as candidates for this position. However, in Guatemala, Spaniards or American-born creoles did not bother to learn indigenous languages. Therefore, the *alcalde mayor* extended the opportunity for this position to indigenous persons. What was interesting was that the *alcalde mayor* allowed the indigenous leaders to elect people to this office from among the indigenous population. The candidate had to be a *ladino*, in this

⁵¹ "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA and "A Collection of Wills and Other Legal papers in Quiché, 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

context referring to an indigenous person who could speak Spanish. The candidade for this position also had to know how to read and write Spanish as well as his own native tongue. In 1707, this man was Señor Juan Alvarado, clearly a principal member of the community based on his Spanish last name, whom the *cabildo* elected along with all of the other indigenous leaders of the municipal council in the elections of that year.⁵² The title, *señor*, marked him as a ladino, an honorary Spaniard in the community although Brian Haskett suggests that the title represents Spaniards.⁵³

Most indigenous societies in colonial Mesoamerica used a system of rotation in which elites elected the new leaders from among the elites of the moieties of each community. The Spanish colonial system mandated that the officers of the *cabildo*, the *alcaldes* and *regidores*, rotate and demanded that the same individual could not occupy the same office until three years time had passed.⁵⁴ Philip Thompson's sources for the town of Tekanto form the largest existing corpus of election records for any Mesoamerican polity and extend from the

⁵² "Election Record, San Miguel Totonicapán, 1707" AGCA A1 Leg. 1497 Exp. 15760 Fol. 62

⁵³ Brian Hamnett, *Indigenous Rulers: An Ethnohistory of Town Government in Colonial Cuernavaca* (Albuquerque, University of New Mexico Press, 1991), 45 - 51.

⁵⁴ Carrasco, 219.

late seventeenth to the mid nineteenth centuries. With the aid of these sources, he is able to reconstruct possible patterns of office rotation in colonial Tekanto, a *cah*, the Maya equivalent of the *tinamit amaε* in the Yucatán Peninsula. He suggests that the rotation of elected officers in the *cabildo* of Tekanto followed Mesoamerican patterns of defining and redefining time and space, a concept that will be further addressed in chapter V.⁵⁵

Thompson identifies a quadripartite system in which there is a rotation between the elites of the four moieties of Tekanto for the office of alderman. A similar yet distinct quadripartite system may also be identified in the town council of Rab'inal. Instead of having aldermen as the rotating four, the title of *alcalde* is partitioned into four offices: the *alcalde ordinario*, the *alcalde segundo*, the *alcalde jues*, and the *jues de milpa*. The question that remains is: do they alternate in the same way that the council members of the town council of Tekanto did?

Thompson's argument for town government in Tekanto and Haskett's arguments for *cabildo* structure in the

⁵⁵ Phillip Thompson *Takanto, a Maya town in colonial Yucatán* (New Orleans: Middle American Research Institute, Tulane University, 1999).

Cuernavaca region focus on a system of rotation in which elite males work their way up the office holding structure, taking positions as *cofradía* leaders in some years and then returning as elected civil servants in the next.⁵⁶ K'iche' documents from the town of Rab'inal do not demonstrate that it was the norm for the members of the community to work their way up the ranks from the lowest *alguacil* to the highest elected office of ordinary mayor. It is almost impossible to ascertain whether they held *cofradía* positions on alternating years. A possible example is that of Agustín Enríquez, who seems to have made his career through moving up in the ranks - in 1767 and 1769 he served as a *regidor*, by 1772, he had become an *alcalde jues*, and in 1787, he had become an *alcalde*. It looks as if those principal men that held the position of *alcalde primero* or *alcalde ordinario* had been born for the position. There is no one in the list of positions from the Rab'inal wills who worked his way up in the roughly twenty-year period that the testaments cover from *alguacil* or town constable to *alcalde ordinario* or ordinary mayor.⁵⁷

⁵⁶ Ibid., and Haskett, 47.

⁵⁷ "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA and "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787"

Concepts of Indigenous Community Leadership:

Mesoamerican patterns of rule related to the structure of the immediate family. The roles of mother and father each had their own sphere, the mother protected home and hearth and the father subdued the outside elements and brought them under control and submission. The roles of the leaders of indigenous communities mimicked this structure. Town leaders were defenders of the community from outside forces and they regulated and ordered the community from within. Furthering the metaphor of familial rule, they envisioned subordinate towns and cantons under the supervision of older siblings, brothers and sisters who had the responsibility to look after the younger children. Mesoamericans saw in the structure of the family the perfect model for rule.

This K'iche' system of community structure included elite lineages that had commoner lineages as vassals. The colonial administration viewed the indigenous republics differently in that they saw a head town or a *cabecera* as the ruling body over smaller subject units. Petitions in K'iche', at least in one example, contain

the term head town or the *jolom tinamit*, a direct translation of *cabecera*.⁵⁸ This petition was a request from a colonial Spanish official to an indigenous republic. The response to the request from the scribe of the K'iche' cabildo does not include indigenous recognition of this term nor is there any specific terminology in K'iche' that represents a pre-existing system of head towns in the pre-Colombian Americas. The system of *cabeceras* or head towns was a colonial institution, one that had some resemblance to pre-existing systems of administration but was, nevertheless, a Spanish imperial import. The lineage structure was built into indigenous society and reciprocal relationships between elites and commoners were part of the kinship system. The elites had specific responsibilities over their subjects and had leadership roles as their *chinamitales*. Their vassals lived in wards and moieties that made up the community. For a majority of communities there were some moieties located within the administrative center and some located far away from the nucleus of the *tinamit amaε*. The Spaniards viewed this system as head towns and their subjects or

⁵⁸ "Petición vuc ahau presidente" Rare Book Case 497.281 P487 Tulane Latin American Library, Tulane University, New Orleans, LA.

sujetos. The native peoples did not quite envision their social structure in the same terms as their colonial overlords.

This does not mean that there were aldeas that were not subordinate to larger towns, but the structure of leadership was not based on where a person lived but to which great house or lineage structure he or she belonged. Reciprocal relationships were the basis of the lineage system for elites and non-elites alike. We need to move away from the idea that where a person lived defined colonial indigenous social structure. Smaller villages and aldeas were not independent of larger towns, there was a much larger bureaucratic system that operated below the colonial level that was internal within indigenous society.

The structure of government based on the immediate family the K'iche' carried over into their republics under Spanish colonial rule and members of town councils as well as leaders of individual cantons or wards the K'iche' regarded as mother-fathers containing both the masculine and feminine aspects of leadership. For the colonial K'iche', community structure itself was connected to an androgynous male/female role that mimics

the relationship of the first creation couple and defines their offspring in the *Popol Vuh*.⁵⁹

The first creation couple of the *Popol Vuh*, *Xmukane* and *Xpiacoc* are *aj q'ij* or day keepers. They are specialists in auguries, in the counting of the days, and the connection of the solar, agricultural, and masculine three hundred and sixty five day calendar and the lunar, ritual, and female two hundred and sixty day calendar. Each separately represents the masculine and the feminine, mother and father, and work together as a single whole.⁶⁰

Their sons are considered *chuch qahau* and are the founders of the great houses of the K'iche' ruling lineages; they take on both the masculine and feminine aspects of diviners or shaman. In similitude to the founding fathers of the K'iche' confederacy, there are two terms for the leaders of an indigenous town council found in colonial K'iche' wills. They are *ajauab*, or elders, and *qa chuch qahau*, which means "our mothers, our fathers." Scribes in central Mexico utilized this same title "*in tonantzin in totatzin*", "our mothers our

⁵⁹ Dennis Tedlock, translator, *Popol Vuh: the Mayan Book of the Dawn of Life; with commentary based on the ancient knowledge of the modern Quiché* (New York: Simon and Schuster, 1996), 32.

⁶⁰ Barbara Tedlock, *Time and the Highland Maya* (Albuquerque: University of New Mexico Press, c1982), 85.

fathers" for their leaders.⁶¹ The term may have a similar connotation as it had in K'iche' *tinamit amaq'* and may prove that this concept had a larger Mesoamerican cultural significance.

The fundamental idea behind the term "our mothers, fathers" is that community leaders nurture and protect society as a mother and father nurture and protect a family. The term also relates to the priest shaman's role as a conduit between the deceased ancestors and the living. Its bisexual nature summons the creative powers of both the masculine and feminine roles in creation.⁶²

Offices in Indigenous Government:

I infer above the importance of duality and in some societies quadripartite division in Mesoamerican rule and show the importance of rule from both a masculine and feminine gendered complementary relationship. Examples of both practices of masculine or an extra-communal focus and feminine or an intra-communal focus in government will be outlined below. The makeup of indigenous government will also be examined.

⁶¹ Haskett, 100. See Haskett's note on pg. 243 in which he identifies the use of *in tonantzin in totatzin* in a "Nahuatl election document, Tepoztlan, 1739" AGN HJ leg. 345, exp. 53, fols. 173r -174v

⁶² B. Tedlock, 133 - 150.

Indigenous government had as its most important position the office of governor, which was an official post that began as the hereditary privilege of an elite family. The K'iche' and other indigenous groups in Spanish America had a layered system of chieftains and this hereditary position the Spaniards kept intact to have a single person who would be responsible for the collection of tribute. This office the Maya traditionally recognized as the *batab* in Yucatan and the K'iche' recognized as the *ahau* in Guatemala. It was the position of supreme leadership at the local level prior to the advent of the Spaniards and the imposition of Spanish colonial institutions. The office of governor was not part of the colonial indigenous cabildo, but held heavy influence in the community and over that municipal council. In colonial documentation in the eighteenth century, the title of *batab* was interchangeable with governor while the term *ahau*, K'iche' scribes changed to governor to distinguish the office. The title *ahau* changed meaning to represent elder or lord and usually scribes used it in colonial documents in its plural form *ahauab* to designate all of the members of the cabildo as community elders.

In Guatemala in the eighteenth century, the alcalde mayor "chose" and "appointed" governors for indigenous republics in the name of the king based on their community service and their care for their communities. Yearly election results from indigenous republics were the basis for these appointments and a good governor could be elected year in and year out depending on his effectiveness as a leader and his ability to collect tribute and deliver it for the crown. The office of governor does not appear in the election record of San Miguel Totonicapán in 1707.⁶³ Indigenous communities chose their governors from one of several eligible elite families in each society. It is clear from the ratification documents that the alcalde mayor was acknowledging the choices of each of the communities under his jurisdiction, especially since the language of the ratification included that the governor should follow the customs of the society that he served.⁶⁴ The ratifications for the office of governor were usually mere formalities that required the certification of the colonial apparatus.

⁶³ "Election Record, San Miguel Totonicapán, 1707" AGCA A1.20 Leg. 1497 Exp.9974 Fol. 62

⁶⁴ "Ratification of Election of Governor, Quetzaltenango" AGCA A1.39 - 87 Leg. 1752 Fol. 153

The indigenous governor of Rab'inal, Don Domingo Santelis, acted as governor beginning in 1759 and remained in the office for twenty years thereafter until 1779. His name appears in both corpuses of wills from Rab'inal not only as governor but also in various positions within the *cabildo*, as a witness, and as a chinamit leader. In 1762, he served not only as governor but also as the first alderman in the town council; in 1769 and 1770, he served as the first *mayor* and in 1772, he served as *mayordomo de caja xauí gobernador*, "the treasurer also the governor."⁶⁵ The combination of these positions along with the governorship suggests that indigenous elite males held the office of governor separately from any other position in the *cabildo*.

All of the other positions in the *cabildo* structure the outgoing *regidores* of the municipal council elected yearly, after which the *alcalde mayor* ratified these elections in the name of the king of Spain.⁶⁶ The number of *regidores* varied from town to town and republic to republic. As James Lockhart notes for the Nahuas,

⁶⁵ "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA and "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

⁶⁶ Carrasco, 219.

regidores were invariably included in the cabildo in even numbers, four, six, eight, ten, or twelve.⁶⁷ The addition of extra *regidores* represented the need for greater elite participation in municipal government. Perhaps the extra *regidores* represented the perceived status of an indigenous village in comparison with the status of a Spanish urban center that usually had more than the customary four *regidores* depending upon the population of the city. One of the regidores was the first or greatest regidor, the *nabe regidor* or *noh regidor*; he was apparently the leader of this body. One was the *mayordomo de caxa*, "the keeper of the community chest" or the treasurer. Each town had a community chest for which the town council members collected contributions from the citizenry for the protection of their corporate interests. These community chests in Guatemala had such full coffers that they became a major source for loans, even to Spaniards, within the years of colonial rule. In Rab'inal, the elder of the town council was also an elected office. The documents are not clear on what the

⁶⁷ James Lockhart, *The Nahuas after the Conquest: a social and cultural history of the Indians of Central Mexico, sixteenth through eighteenth centuries*, (Stanford: Stanford University Press, c1992), 84.

function of this office was. Nevertheless, there seems to have been up to three of these *cabildo* members at large. This position allowed for the participation of the elders of the town, the *nim ahauab*, in municipal government.

The offices of *alcalde juez* and *alcalde de milpa* were ubiquitous in the *cabildos* of the *K'iche' tinamit amas*. There are several whose titles and signatures are included in the corpuses of testaments for Rab'inal, and there are three judges of the *tinamit* named as well as two judges of the *milpas* named within the election document for Totonicapán.⁶⁸ The Rab'inal corpora of wills span the latter half of the eighteenth century and the Totonicapán election record was dated 1707. Robert Haskett found that the offices of *juez de milpa* and *alcalde juez* "...were comparatively rare in colonial New Spain"; however, this conclusion does not hold true for *K'iche'* communities in the highlands of Guatemala in the eighteenth century.⁶⁹ What their functions may have been is not clear from the documents. The *juez de milpa* or

⁶⁸ "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA; "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA; and "Election Record, San Miguel Totonicapán, 1707 AGCA Leg. 1497 Exp. 9974 Fol. 62

⁶⁹ Haskett, 111.

judge of the fields had duties obviously related to the agricultural lands of the *tinamit amas*. It is possible that they worked closely with the *chinamitales* and that they were liasons between the *cabildo* and the traditional K'iche' social organizations that controlled and regulated the partitioning of land. It is highly unlikely that they were tribute collectors, as Haskett has found was the case with some judges in colonial Cuernavaca, since the *chinamitales* had the responsibility of tribute collection from their moieties in K'iche'an society.⁷⁰

The indigenous *cabildo* also had a scribe or notary, the *escribano de cavildo*, "scribe of the municipal council," or *ah tzib rech cavildo*, "he of the writing for the municipal council." Included along with the scribe on most K'iche' documents is the signature of the *ah tij* or "scribal teacher," who was usually present to verify the writing of the official scribe of the *cabildo*. The *ah tij* may be a shortened version of *ah tij rech coro*, "choirmaster." The office of choirmaster was part of the lay religious hierarchy in K'iche' *tinamit amas* and acted as a non-official consultant to the *cabildo*. The lines of indigenous government structures were blurry at best.

⁷⁰ Ibid, 112; and Carrasco, 259.

In Yucatec, their writings also reveal a difference between the teacher and the scribe; however, the student or *mahan cab*, "hired hand," or *escribano segundo*, "second scribe," the Yucatec Maya differentiated from the scribe of the *cabildo*, who was the teacher.⁷¹ Yearly elections were required to fill these positions. In Guatemala, the position of scribe and *fiscal de la iglesia* were positions that required that the officer be ladino, bilingual in Spanish and in their native tongue.⁷²

For the Maya of Guatemala, Chiapas, and the Yucatan peninsula there is relatively little documentation on the indigenous scribe and his world. However, a large corpus of testimony in which criminal investigators interviewed thousands of individuals concerning the murder of the governor of Yucatan, Lucas de Galvez, in 1792 allows us a glimpse into the duties of an indigenous scribe.⁷³ They allow us an opportunity to measure literacy, at least in the small town of Chikindzonot. This pueblo was the subject of strong scrutiny as one of the many suspects for the murder of the governor frequented the parish church in the town. The criminal investigators

⁷¹ Matthew Restall, *The Maya World, Yucatec Culture and Society, 1550 - 1850* (Stanford: Stanford University Press, 1997), 54.

⁷² Carrasco, 197.

⁷³ "Testimony concerning the murder of governor of Yucatán, Lucas de Galvez", AGN, Criminal, Vol. 332, Exp. 1137

interviewed several indigenous individuals from the *cah*, recording the testimony of over 95 men and over 80 women. They asked them their age and whether they could write. Their written testimony also indicates whether they needed an interpreter.

In 1794 in the *cah* of Chikindzonot, a small village of Yucatec Maya in the Yucatan peninsula, nineteen men between the ages of fourteen and sixty-three testified under oath that they were literate or semi-literate and able to sign their own names. The position of scribe of the *cabildo* in an indigenous republic of Indians was an elected office. In the town of Chikindzonot, the scribe of the *cabildo* at the time was the 20-year-old Joseph Maria Yama. Those of his *chibal*, "lineage or clan," who knew how to write were one of the organists of the church, the sixty-three year old Gabriel Yama, the thirty-two year old farmer Mariano Yama, and the fourteen almost fifteen year old Pedro Yama. The testimony taken demonstrated that the Yupit *chibal* was also well represented and included the fifty-nine year old scribe Benito Yupit, the twenty-seven year old former organist of the church Andres Yupit, the twenty-five year old maize farmer Manuel Yupit, and the twenty-year-old cantor of the church Pedro Yupit. Preliminarily, based on the

evidence that we have, we can say that fathers taught their sons literacy. This practice allowed for a greater opportunity for election in not only the town council as a scribe, but also for the highest religious positions that indigenous men in the colony could hold. Younger men usually in their early twenties were scribes for the town council in Chikindzonot. Older men held the positions of fiscal, organist, and choirmaster. Since the position of town council scribe was an elected and therefore temporary occupation, the skills of literate men could be put to use later on as directors of the state religion, a position held by literate specialists before the Spanish conquest.

Literacy was not always a prerequisite for some of the lofty ecclesiastical positions in indigenous towns in the Yucatan peninsula, as is clear from the testimony of Nolverto Tzuc of Ekpedz, who was the illiterate fiscal of the parochial church in Chikindzonot in 1792. Nevertheless, during his interrogation he may have been under duress and felt it in his best interest not to reveal that he was literate.

It seems common practice for most fiscals or choirmasters to have some degree of literacy. They were responsible for keeping the records in parish churches

and they recorded baptisms, marriages, deaths, and burials in their communities. They were also responsible, more importantly, for delivering catechism and for interpreting church doctrine. It is unclear which priests were completely literate in Yucatec Maya, K'iche', or in any other indigenous Mesoamerican or Andean language. The standards for proficiency in indigenous languages for Guatemala came from the instructors of the University of San Carlos but that did not mean that just because a person graduated from the program that they were literate in the language. Missionary friars still relied on catechisms, confessionals, and other documents that fiscals prepared for them in both the indigenous language and in Spanish so that they would have a reference to help them perform the proper sacraments. Therefore, most of the responsibilities for interpreting church doctrine from Spanish and in some cases Latin fell on the shoulders of the fiscals.

The evidence that reveals literacy from Chikindzonot may not reflect all indigenous societies. The testaments of Rab'inal show the career of the young scribe Gaspar Toh, whose father Joseph Toh had also been a scribe for the town council. What makes Gaspar Toh's experience

different from that suggested by the evidence found for Chikindzonot is that he operated in the office of fiscal in 1762 and 1767 and it was not until 1770 that he began to operate as the scribe of the town council. He served his terms as fiscal several years before the outgoing cabildo elected him as *ah tzib rech cabildo*, the scribe of the municipal council. Gaspar Toh does not stop working as the cabildo scribe until 1779 - an almost ten-year career.⁷⁴

Literacy was the prerequisite for the office of scribe in the indigenous town council. It appears that particular lineages had the opportunity for literacy and that these lineages were all elite families or clans. The indigenous cabildo was aware of the colonial situation and prepared for any Spanish attempts to meddle in community affairs, so Spanish legalism was adapted to an indigenous style of record keeping. The scribe was responsible for keeping a record of cabildo actions and for recording the names of all of those present in official municipal council business.

⁷⁴ "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA; and "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

In colonial K'iche' documentation, scribes define political and social units in K'iche', Yucatec Maya, and in Nahuatl terms. Scribes from Espiritu Santo Xelaju de la Real Corona, also known as Quetzaltenango, describe this place as *amaε*, nation or civilization in K'iche', and *tinamit*, a word for town adapted from southern Nahuatl or Pipil. Scribes use these two terms as a bilingual semantic couplet to reinforce its meaning, "township." In wills from Rab'inal, we find the term *tzaq'al* - a K'iche' word meaning "palace," "fortress," or "royal," which scribes use as a semantic couplet with the word *chinamital*. The word *tzaq'al* could be a K'iche' adaptation from the Yucatecan word *tzucab* or *tzucul*, which means "member of a partiality, an *aldea*, or ward." The term *chinamit* is an adapted word from Pipil or Southern Nahuatl and means the same as the Nahuatl *chinamitl*. Ruud Van Akkeren provides the best explanation for multiple designations for community structure in K'iche' communities; he defines the K'iche' confederacy as several lineages from throughout Mesoamerica.⁷⁵ The K'iche' confederation was multi-ethnic and reflected the several lineages that invaded the Guatemalan highlands throughout the pre-Colombian era.

⁷⁵ Van Akkeren, *Place of the Lord's Daughter*, 4.

The *chinamital* was a more basic and traditional institution of community government in K'iche'an society than the indigenous municipal council. It was the backbone of K'iche'an communities based on actual and fictive kinship. The leaders of each *chinamit* were part of elite clans who held the responsibility for collecting tribute from the commoners under their leadership and protecting the commoners' rights to possess and work their lands. These clans were able to assert their authority through conquest, which occurred sometime prior to the arrival of the Spaniards. After conquest, the elites expected their commoner vassals to pay tribute and to work their lands as they likely had been doing generation after generation for hundreds of years.

In pre-Colombian Mesoamerica, the Nahuatl *calpolli* were wandering lineages who came from elsewhere and settled in central Mexico. The *chinamital* were also wandering lineages that lived in other areas outside of central Mexico and controlled access to important trade items such as cacao or jade. *Chinamit*, which can also mean, "circle of staves," was used as a designation for the substructure of a group of Nahuatl lineage members belonging to a band of traveling merchants who set up

enclave communities in far flung Mesoamerican regions.⁷⁶ The traditional practice of merchants placing their staves or walking sticks in a circle could also be the basis for the use of this particular Nahuatl term. Over time, the idea of the *chinamit* changed, becoming a fixed lineage that protected and led "vassals." It was similar to a *calpul* that became a fixed, settled lineage structure in central Mexico. The colonial powers recognized the many *chinamit* and interchanged this term with the terms *calpul*, *parcialidad*, or *parentela* in colonial documentation. The *chinamit* was a canton, moiety, neighborhood, or ward; its equivalent may be found among all Mesoamerican peoples.⁷⁷

Chinamital was the term for the leaders of a moiety. They also had the title of *qa chuch qahau*. The elite heads of these wards were diviners who had ties to the ancestors of the *chinamit*. The Rab'inaleb called them *chinamital tzihababuinas*, or "speakers for the people in the lineages."⁷⁸ They were a body of elites who were responsible for protecting the "vassals" under their protection and they spoke for and protected their

⁷⁶ Ibid., 184.

⁷⁷ Carmack, *Ki Kaslemal Le K'iche'ab*, 84 - 85.

⁷⁸ "San Telis Papers" Gates collection, MSS 279, Box 96, Folder 4, Fol. 7, L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah.

moiety's interests before the *cabildo* and the indigenous governor of their *tinamit amaε*.⁷⁹

The makeup of this leadership is extremely difficult to pinpoint. Were these elected officials? Did they receive the position based on their age and community experience? What were the criteria for leadership? These questions are difficult to answer provided the silence of the K'iche' documents concerning their own leadership patterns. We know that the *chinamitales* were males who were part of elite clans. The wills and testaments from Rab'inal provide ample evidence of this body in making decisions on the partition of family assets. They are not always present in every testament, or at least not every testament names them. The scribe does sign their names as members or leaders of these important community units. However, within the same years different names appear for different testators. Some *chinamitales* also held the titles of second *alcalde* and *regidor*, evidencing that the *chinamit* was a separate entity to the municipal council.⁸⁰

⁷⁹ Carrasco, 259.

⁸⁰ "Testament of Joseph Calah, 1773" in "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, Tulane University, New Orleans, LA.

Carmack argues that the members of the *chinamit* were not part of the same lineage but had a ruling lineage and included that lineage's vassals in a fenced in ward or neighborhood.⁸¹ The relationship between the leaders or heads of the canton or moiety and their vassals was similar to all other relationships between K'iche' rulers and their subjects; the rulers considered their vassals as their children and designated them as such, *ral cual*. The elite clans and the commoners had a reciprocal relationship of lords to vassals, and had created a fictive kinship - the vassals were considered children, sons and daughters of their parents.

The Function of Colonial Indigenous Government:

Exploring the form of K'iche' leadership structures is not sufficient. We must also consider their function. What was it that the leadership did for the community and how did they do it? Documents written in K'iche' reveal not only the form of indigenous government but provide examples of the actions of the municipal council, the *chinamitales*, and the governor. Their actions recreated the community and they were responsible for connecting

⁸¹ Carmack, *Ki Kaslemal Le K'iche'ab*, 84 - 85.

their actions to the desires of the ancestors who had founded their society.

Testament production was one of the many responsibilities of the indigenous town council or the *chinamitales*. Testators gave their *casliquil tzih*, "living words," at home, usually upon their sick beds, and within the will, the town council or *chinamitales* identified themselves as "the hearers," *taol*, of his or her words. One of the colonially imposed practices in the *repúblicas de indios* required that each individual in the community leave a will. In an ideal society, all townspeople should have left their living words as testament to how they wished their property distributed to their children and their family members. If a townspeople died before he or she could make a living testament, the town council or *chinamitales* became the creators or the doers, *banol*, of the testament word, *testamento tzih*. Society is not always ideal and members of it sometimes pass away prior to recording their last wishes, and those closest to the deceased must, with the help of the elders of the town council and of their various wards, then attempt to reconstruct what the deceased might have wanted. Town leaders were also *qa chuch qahau*, "our mother, fathers" and were present in

their capacities as diviners either to testify to the living words or to help and create the wishes of a deceased member of the community. The town leaders not only consulted the living relatives; they consulted the deceased ancestors and sometimes the deceased themselves to reveal their wishes. After the death of the testator, the town council would then distribute the effects in a probate and the *cabildo's* scribe would record the distribution. Sometimes the children in the family did not always heed the wishes of the deceased and years, sometimes decades later, the town council would meet again to reestablish the words of the testator.

The testament was a community document; not only did it reveal the counsel of individuals for their families but it recorded the admonitions of the community's leaders. The town council or *chinamitales* used the will as an act of creation; they became the pro-creators of the *tinamit amaε* and carried both the masculine and feminine creative qualities that would enable them to restructure the community. Communities included *chinamitales* in testament production because they were internal documents that involved *chinamit* vassals. The *chinamitales* in Rab'inal had a closer connection to the municipal council than in other K'iche' *tinamit amaε*.

Their activities complimented each other. Other towns, such as Xelaju and San Miguel Totonicapán, did not have such strong connections between the *chinamitales* and the municipal council because they were villages that were district chief towns and had many Spanish colonial officers in them. The Spaniards mistrusted the *chinamitales* and did not recognize their authority.⁸² Wills from these centers of Spanish colonial administration show a much stronger connection between individuals and the priest as compared with the wills from Rab'inal, which show the relationship between individuals and their *chinamitales*. Spanish language wills for Spaniards in the colony did not require the same attention from town councils or from any lineage structure except for the immediate family and availed the witness of any two persons, who could be anyone found walking along the street. The witnesses in Spanish language wills for Spanish speaking peoples did not have to be clan members or members of the town council, making the Spanish will vastly different from the indigenous language testament. The indigenous language will was a clan and a community document. The Spanish language will

⁸² Carrasco, 259 - 260.

written for Spanish individuals was for the Spanish family, but was a much more private affair.

Intra-tinamit issues were the domain of the indigenous cabildo, the governor, the mayors, the justices, the aldermen, and the scribe, and the *chinamitales* whose judgments were usually the last word for most townspeople under their jurisdiction. Their authority over the tinamit is evidenced in the minutes of town councils, which have yet to be found for the K'iche' or the Yucatec Maya. Their threats for the dispensing of justice also appear, curiously, in last wills and testaments. As has already been suggested, the cabildo was a governing body over an indigenous town that convened in both civil and religious functions. The elected cabildo officials were bound to their community charges through social expectations and obligations of reciprocity. The cabildo as a judicial body could dispense justice with the threat of corporal punishment. Cabildo officers controlled both extra and intra tinamit interactions and at least officially acted as intermediaries between indigenous community members and colonial administrators. Similarly, the religious prosperity of the community was under the administration of the *cofradías*, which were under the auspices of the

fiscals and choirmasters. The lay indigenous cadre of religious leaders was the link, the intercessor between the parishioners and the visiting parish priest, who was usually an outsider to the community - even if he lived within the boundaries of the town.

As community documents, the K'iche' cabildos used testaments as a vehicle to dispense judgments and to discipline individuals and families within the community. The testaments of Jasinto Basques reveal the involvement of the municipal council in resolving family disputes and administering to the distribution of family assets.⁸³ In Jasinto's will he desired that his younger brother return a small *solar* or "house plot" that he had purchased for him as his inheritance so that he could pay the five tostones (two *tostones* equaled a peso, one *toston* equaled four *reales*) or two and a half pesos it was worth for his funeral mass. As the older brother in the Basques family, Jasinto's father perhaps had bequeathed the family's house plot to him as the eldest male in the family. It was his obligation to ensure the just partition of the family's lands, even if he purchased the

⁸³ "Testament of Jasinto Basques, January 30, 1768, Testament of Jasinto Basques, May 7, 1768, & Testament of Jasinto Basques, March 17, 1777" in "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

land and increased the family house plot. He had already given his brother some purchased land for his inheritance but needed to sell that land so that he could pay for a mass to shuttle his soul through Purgatory. His younger brother did not seem to have any qualms about losing this small inheritance and did not raise any petition against his brother's judgment.

On May 7, 1768, Jasinto Basques's stepmother brought a petition to the cabildo over the bequest of land that Jasinto Basques had made in the first will. He had bequeathed dry lands in Paca'l to his three daughters and his stepmother wanted a piece of that land. Over the five months since Jasinto Basques's death, a rift between family members had caused them to come back to the cabildo and demand that they reassess the testament. The town council measured a portion of land that included ten seedbeds and placed a rock marker there, and as compensation, the town council gave Jasinto Basques's three daughters adobe bricks and ceramic roof tiles.

Nine years later, on March 17, 1777, the brothers Manuel and Miguel Basques opened the testament again, bringing together the municipal council. Manuel's motives did not reflect bitterness towards his older brother who had cut his inheritance so that he could pay

for his mass. In the second correction, the Basques brothers wanted official direction on what to do with some other goods that they found, which the town council as community mother, fathers had the obligation of sorting out. Manuel and Miguel had taken some money and purchased a mass for their grandmother and grandfather for two tostones. Miguel purchased a large image of Christ from Manuel for five tostones, an image found after Jacinto's probate, and that money they gave as alms towards their grandparents' mass. The execution of this probate case represents K'iche' justice and it also represents the position of the cabildo in the private family affairs of the community. The municipal council was involved in a familial dispute between the stepmother and the children of Jasinto Basques five months after his death. The third document provides evidence that the community members recognized their leaders as the distributors of family assets, even those that family members found nine years after the death of their loved one. This example manifests the corporate nature of indigenous society.

The last testament of Andres Xolob was not a product of the testator but was a statement of K'iche' justice that the town council made to supersede his former

testament.⁸⁴ It outlines the changes that the municipal council made to the inheritance of his three female children because Sebastian Xpataε contested the borders between his land and the land of his female neighbor of the family name de Pas. The evaluation that the cabildo made affected the size of the inheritance of the three female children of the deceased Andres Xolob. The cabildo called the interested parties and found that of the three daughters of the deceased, María, the eldest, had fled to the southern Pacific coast. The contest was such that the two women involved who still resided in the community, María and Petronilla Xolob, brought the matter to the attention of the regional colonial official, the *teniente del presidente* of the audiencia of Guatemala, another title for the *alcalde mayor*. He ordered that they and Sebastian Xpataε, the opposing party, appear before him. After hearing them, the *alcalde mayor* sent the petition and the matter back to the jurisdiction of the local elites, where it belonged. The indigenous municipal council warned Sebastian that if he did not stop the fighting over this matter that they would give

⁸⁴ "Testament of Andres Xolob, August 11, 1768" in "A Collection of Wills and Other Legal papers in Quiché 1752 - 1778" Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

him one hundred lashes "for the cause of justice."⁸⁵ The cabildo made this threat because the matter should have been resolved at the local level; instead, the women involved had brought the matter to the colonial official who saw the issue as something trivial and embarrassed them before the regional magistrate. Their judgment was against Sebastian Xpataε. Apparently, the two women who went before the alcalde mayor had nothing to fear from their own municipal council. Perhaps it was this action that caused the indigenous municipal council to side in their favor. This case was unusual because the women decided to go over the heads of the local officials and bring their case to the attention of the alcalde mayor.

Indigenous individuals usually brought their cases to the proper authorities, the indigenous town council or the lineage elders, for resolution. The last testament of Jasinto εalian is one of the more interesting in terms of how the town council corrected its own mistakes.⁸⁶ The town council executed his will after the death of the testator, and attempted to recreate his wishes. The lords, the mayors, the justices, and the aldermen claimed

⁸⁵ Ibid.

⁸⁶ "Testament of Jasinto εalian, November 6, 1768 and Testament of Jasinto εalian, April 18, 1789 in "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

that they convened a meeting in the house of the deceased as executors of his last will and testament because Jasinto "did not make his testament in life" for the benefit of his children.⁸⁷ They were going to "...execute his correction in truth, in truth before God."⁸⁸ The mistake of the town council was they forgot to include some of the deceased's children in the execution of the will; three daughters thus mistakenly were robbed of their inheritance. The second testament that they created, however, was made more than twenty years later. Did the K'iche' consider it an infraction of justice that the testator had left the daughters out of the original testament as heirs to their father's estate?

Sometimes, testators beseeched lineage elders or *chinamitales* to resolve disputes that might arise between their family members. Such was the case at the end of Pablo sacoh's second will that he made while in his gravest sickness. He states:

<p><i>Ve cohun numila ual cual chi tzucun chaoh, Alcalleu - puch, chiquibiilquib, chupam calaxic xax que tihox ui cumal e nu chuch nu q'ahau nu rey nu husticias xau i e</i></p>	<p>"If there are some of my daughters or some of my sons who look to contest (these words), Mayor, and, between them and in their lineage, may they simply be counseled by them, the mother-fathers,</p>
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⁸⁷ Ibid.

⁸⁸ Ibid.

nutzaq'al nu chinamital
 xa cu rumal, nu loq'olah
 ni bait, mauilo, u quail
 uech in u mibe dios quehe
 ma ui mi xe nu siquih e
 nu chuch, nu q'ahau
 Al.es, Justicias xauí xax
 chi ban ui firmar uae nu
 testamento cumal alcaldes
 Justicias uechicohi u
 calleual cumal e numial
 ual cual - ca cha cut u
 tzih, yauab Antoño Cuxum
 ruc rixoq'il, ralcual oh
 qui tzaq'al qui
 chinamital, chi sucul chi
 u uach dios oh
 chinamitales⁸⁹

my king, my justices,
 truly my rulers (palace /
 fortress dwellers) my
 canton / lineage leaders,
 now because of my
 precious and elegant one
 do you not see your
 sweetness is mine? I am
 poor in God. I would
 have wished that God had
 not called me. I invoked
 them my mother-fathers,
 mayors, justices that
 they would simply sign
 here, this, my testament.
 Because of them the
 mayors, justices please
 forgive the bother of my
 daughters and my sons -
 this says just the words
 of the sick one Antoño
 Cuxum with his wife his
 daughters we their rulers
 (palace / fortress
 dwellers) their lineage
 leaders, in truth before
 God, we the lineage
 leaders."

Pablo sacoh's wishes were that the *chinamitales* look after the interests of his children and counsel them if they had any disputes. Perhaps he thought that their counsel would be kinder and gentler than the lashes of the municipal council. He knew that the *chinamitales* would protect the interests of his daughters and sons.

⁸⁹ "Testament of Pablo sacoh, September 16, 1770" in "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

The final words of Pablo Tatul contained specific admonitions, threats, and consequences, not only from the testator himself but also from the justices of Rab'inal.

His threat went something akin to the following:

<i>Manaco vquil naεita la</i>	So that there is no
<i>vech xauī mana mix nu</i>	evildoing that you shall
<i>caih tah xauī are uae</i>	become accustomed to,
<i>Manuel mis εasiquil oh</i>	indeed, have I not
<i>Alcaldes ruc E testigos</i>	observed already that
<i>mana mix rrah tah rumal</i>	this Manuel we have
<i>ma co lahuh u pixab D.s</i>	called him we the mayors
<i>cu ban chisauach apanoε</i>	with the witnesses and he
<i>hun siento asoetes xhoc</i>	did not want to appear.
<i>chirech rrumal nu</i>	Because he does not do
<i>justt.as⁹⁰</i>	these ten commandments of
	God, he shall have
	applied by my justices
	one hundred lashes,
	directly before us.

The language of this sentence weaves in and out of the first and the third persons, revealing the wishes of both the testator and the justices who Pablo Tatul commissioned to write down and witness his testimony. The justices included not only members of the town council but also members of the lineage or canton. The notary usually described any infraction on the part of wayward family members as not adhering to the Ten Commandments of God. With this catchall phrase, he

⁹⁰"Testament of Pablo Tatul, April 23, 1789" in "A Collection of Wills and Other Legal papers in Quiché 1775 - 1787" Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, New Orleans, LA.

protected the integrity of the family. Honoring your parents would be one of those commandments and that act was a supremely important aspect of indigenous life. This testament reveals the impunity of K'iche' justice and the severe punishments that the town council meted out to community members; the use of corporal punishment to ensure communal unity was common in colonial indigenous society.

What also makes the Rab'inal corpus of wills significantly different from other wills in Mesoamerica is their preoccupation with lineage structure identification instead of identity built around the town or village. These corpora do not highlight the members belonging to a town, a *cah*, an *altepetl*, a *tinamit*, or a *ñuu*. This suggests a unique structure in Rab'inal testaments that does not exist in other Mesoamerican wills - the preoccupation with *chinamit* as a sub-unit of the indigenous town or village with its inherent lineage structure, instead of the *tinamit* or town structure. The primacy of the town with its indigenous adaptation of a Spanish colonial form of government did not take precedent in pre-Hispanic indigenous governmental forms. In Yucatecan society, the *chibal*, *cuchteel*, and other lineage structures lost prestige at the local level to

the Spanish style *cabildo*. Even though some of these structures continued up through the colonial period, such as the *chibal*, the town council took over the responsibilities of the traditional lineage structures that had primacy in pre-Hispanic indigenous society.

The demands of the *encomienda* system placed power in the hands of the local ruler of the *repúblicas de indios*, the *batab*, the *tlatoani*, the *governador*, or the *cacique* and took it out of the hands of the lineage heads, who were originally entrusted with the mobilization of their kin. Over time, the power of the *cuchcabal* and the *ajcuch cab* lessened and the control of the towns fell further into the hands of the local elite, thereby disintegrating the original power structure that held checks on the power of the governor, the *batab*, the *tlatoani*, or the *cacique*. The fact that the *encomienda* never touched the Verapazes makes it a perfect regional microcosm to explore more traditional Mesoamerican structures that were less tainted due to the paucity of Spanish contact.

As mothers and fathers of the *tinamit amas*, the town council dealt with the internal or feminine affairs of the home and hearth of the community and the exterior or masculine affairs of the outside world, which included

dealings with the colonial power and with other *repúblicas* outside of their sphere of influence. They took care of both the living and the dead and hence divined the wishes of the deceased as they concerned the living. This practice of divination is further explored in chapter IV. The deceased had a peripheral relationship to the cabildo members' central duties to the living. This inside verses outside dichotomy we may also picture as a relationship between center and periphery.

Petitions represent a genre of Mesoamerican indigenous language writings used in Spain's colonies through which literate persons requested the intervention of outside forces in the internal affairs of an indigenous republic. In Spanish America, native communities did not exist in a vacuum and were part of a larger colonial system, one that they dealt with separately from their own internal dealings. Written petitions were not originally an indigenous genre of writing; nevertheless, native scribes became adept at replicating the deferential language of the Spaniards and were able to manipulate that using honorific forms that were pre-existing in their own languages, making their written expression more indigenous. In the Classic and

Post-Classic periods, skilled orators within the pre-Colombian Mesoamerican tradition presented their petitions for their towns and lineages before nobles and kings, their overlords. After the conquest, the Spanish legal tradition made letter and petition writing an important mode of communication that partially replaced the duties of representative speakers, *ah tzih*, "he of the word" in K'iche', or *chunthan* "chief speaker" in Yucatec.⁹¹ Within the corpus of petitions from Totoncapán, Quetzaltenango, and the towns subject to them, we see that cabildo scribes wrote petitions to *alcaldes mayores*, bishops, *visitadores*, and even to the president of the Kingdom of Guatemala. They most frequently wrote petitions to persons of authority within the colonial world. Yucatec Maya scribes wrote petitions to the very same powers and even included some to the viceroy of the kingdom of New Spain and to the king. Many of these petitions represent the requests of indigenous town councils for auxiliary assistance from the Spanish colonial apparatus. In the Spanish colonial period, neighboring indigenous *repúblicas* communicated with petitions and letters. Indigenous choirmasters sent

⁹¹ Ralph Roys, *The Political Geography of the Yucatan Maya* (Washington, D.C.: Carnegie Institute of Washington, 1957), 7.

petitions to the Spanish priest asking for help in bringing the entire community under the guidance of the church. Individuals also wrote letters to colonial authorities appealing the rulings of indigenous town councils. Not only were they asking for favors, but also, indigenous communities forwarded letters to welcome the visits of colonial authorities. These letters expressed their openness to receive visitors into their midst and showed their recognition of colonial hierarchies.

Some petitions embody the communications of one indigenous republic to another as well as to the colonial powers that were over them. That the petitions are addressed to other *tinamit* in K'iche' or to other *cah* in Yucatec Maya suggests that these forms of expression were used to communicate with the world outside of the sphere of influence of the particular indigenous town council that was composing the petition. They were not simply expressions of complete submission to colonial power or rule. The scribe of San Pablo wrote to the indigenous governor of Jocotenango that two indigenous stonemasons had absconded with twenty pesos, a substantial sum, from their town and had fled. His letter was to advise him, perhaps to keep an eye open for these two if strangers

appeared in his tinamit. Jocotenango was a predominantly K'iche' community that the Spaniards congregated adjacent to what would later become the colonial capital for the kingdom of Guatemala, Santiago.⁹²

Petitions and similar genres also exhibit the deferential stance that indigenous communities took when appealing to "higher powers," which led their colonial overlords to feel empowered. K'iche' scribes wrote petitions in honorific language, which demonstrated the humble deference of indigenous community elders to persons in authority in both a colonial situation and as an expression of honor to other hereditary indigenous leaders from other tinamit. Scribes also utilized deferential expression within their responses to colonial mandates. Scribes and official interpreters, both of whom were indigenous, translated these mandates from colonial regional authorities. One specific example from the town of Santo Domingo makes the demand that "my children, the alcaldes, after seeing this mandate shall come within the head town and bring one hundred bales of cotton that have already been paid for without any

⁹² "Petición vuc ahau presidente" Rare Book Case 497.281 P487, The Gates Collection, Tulane Latin American Library, Tulane University, New Orleans, LA.

pretexts to the General."⁹³ The address of the *alcaldes* as children represents seemingly pejorative language. Scribes often used this address in official communiqués between colonial powers and their subjects. Scribes at the local level used the same language within indigenous writing to represent the relationship between indigenous town leaders and townspeople, whom they saw as their children, making it more a term of endearment and a term used to promote the promise of protection rather than as a depreciatory statement. According to Robert Carmack, when the elites refer to horizontal relationships with other nobles they use terms such as *atz'*, "older brother," and *chaε*, "younger brother" to acknowledge their elite status.⁹⁴ The K'iche' used terms associated with children to designate vertical social relationships including the difference between nobles and commoners or lords and their vassals, *al*, "son of a woman", *k'ajol*, "son of a man." All of these social terms are related to familial terminology, which suggests that the society is simply the extension of the family.⁹⁵

The response to the lord general states that the *alcaldes* would deliver the cotton in the morning. The

⁹³ Ibid.

⁹⁴ Carmack, *Ki Kaslemal Le K'iche'ab*, 76.

⁹⁵ Ibid.

lord General or Alcalde Mayor also mandated the seizure and delivery of a townsperson from Momostenango or Chua Tzaq, as it is known in K'iche', on pain of punishment for the town leaders. The reply was that the man had fled from the town because he owed too much to people within Momostenango itself.⁹⁶

Literate individuals within the community used petitions to request favors or to petition an appeal to a higher colonial court to override the judgments of the town council. Individuals wrote petitions to colonial authorities when they felt that their leaders were abusing their power and unjustly treating them. Town leaders also wrote petitions to colonial authorities when they feared their own community was going to rise up against their leadership. The corporate authority of the town council was not absolute and was contingent on a communal observance of reciprocity, as a father or mother would care for their children and as children would respect their parents. Sometimes factions arose among the many lineages comprised of commoners and they rebelled against the authority of the cabildo or of individual cabildo members. Such was the case for the

⁹⁶ "Petición vuc ahau presidente" Rare Book Case 497.281 P487, The Gates Collection, Tulane Latin American Library, Tulane University, New Orleans, LA.

scribe of the town of San Nicolas, who made a request to the Alcalde Mayor of the district of Totonicapán, Don Josef Alvarado. He claimed that the Indians of his town had bad feelings against him because there were many *ah itz*, practitioners of black magic, or as the Spanish translation labels them, *brujos*, in his town and they wanted to hex him. The language of the petition opens with the scribe deferring to the Alcalde Mayor by calling himself, *yn alcual la, in criado la' ahau*, "I am your child, I am your servant, your Lordship."⁹⁷ The relationship between parents and children extended up the colonial hierarchical ladder and the use of deprecatory language represents the reciprocal relationship that indigenous republics expected from their overlords.

Robert W. Patch, in his study of indigenous rebellion in the eighteenth century in the Yucatan peninsula and the highlands of Guatemala, terms this relationship "the moral polity," a relationship of expected reciprocity.⁹⁸ The scribe of San Nicolas in this instance was hoping that the alcalde mayor would come and question the townspeople about their seditious attitude and was using the threat of colonial intervention to save

⁹⁷ Ibid.

⁹⁸ Robert Patch, *Maya Revolt and Revolution in the Eighteenth Century* (Armonk: M.E. Sharpe, 2002), 185 & 210.

his position as scribe of the town council. In his closing words, he reminds the *alcalde mayor* that he is his child and his servant and that as his child the *alcalde mayor* has obligations to protect him as a father would protect his little one.

There were some instances in which the town members went over the heads of the town council and they sought judgments from colonial authorities on personal matters. Such was the case with Manuela Lopez and her husband Jasinto Basques. Both of them appeared before the *Jues Comesario*, the lord lieutenant Manuel Rosales, the *alcalde mayor*, to overturn the decision of the town council and the lineage or ward elders, who were acting as executors of the will of the deceased Sebastian Lopes, Manuela's father. She was apparently unsatisfied with how they had dispensed the inheritance from her father to her and her sister, Tomasa, so she went to the Spanish officials to plead her case and the *alcalde mayor* apparently made a ruling.

There are also examples of individuals seeking the judgments of higher courts to gain individual interests through the use of petitions. The petition of Juan Gomes, resident of Quetzaltenango or Xelaju, to the Lord General asks the latter to negotiate his inheritance of

which he felt wrongly deprived. He states that his father willed him a piece of land and a house with two entryways and clay shingles. Instead, his brother received this inheritance and he felt slighted because he claimed to be the legitimate heir, that his brother was a bastard child, who was born two years after the death of his father, and that he should be the rightful heir to all of his father's goods. What is interesting about this petition is that this affair should have been taken care of within the town under the auspices of the town council or the chinamit to which Juan Gomes belonged. The language of the petition also changed in translation making his case seem much more worthy of attention. In the K'iche' petition he states,

*are qu ri nu uatz xa
 ralqualalachinak rumal
 mix alax cut queb hunab
 chui qut ri kaminæ nu
 kahau xax maloui qurechañ
 tañ vae echebal rech cana
 nu kahau are qu ri yn
 ralqual u bi matrimonio⁹⁹*

"And this my older brother of a male is a bastard child because he was born two years after my father had died and he could never have inherited the inheritance of my father and I am the child of matrimony."

The Spanish translation does not indicate that his brother is either an older or younger sibling because the non-specific word *hermano* is used, which does not

⁹⁹ "Petición vuc ahau presidente" Rare Book Case 497.281 P487 Tulane Latin American Library, Tulane University, New Orleans, LA

designate the age, status, or position of this brother. He also claims that he is the legitimate heir. If Juan Gomes wanted to receive his rightful inheritance and if he was claiming that his brother was illegitimate, then why does the petition in K'iche' refer to his older male sibling as the bastard? What is surprising is if his older sibling was born two years after the death of his father then how many years after the death of his father was he born? Juan Gomes would have also have been illegitimate in relation to his father and would not have had a claim before a K'iche' tribunal. Juan Gomes was using Spanish translation and appealing to the Spanish colonial system to gain advantage in a case, which in its proper jurisdiction before the indigenous cabildo of Xelaju would have been denied and he might have been punished with lashes. Unfortunately, this case does not have any connected documentation that reveals its aftermath and final resolution. It is likely that it was sent back to the indigenous cabildo that would have had proper jurisdiction over the case. This example illustrates an individual's attempt to forego proper procedure and to appeal to a higher court, one that could be manipulated through word play and one in which

translation could change the meaning of the case presented.

K'iche' cabildos functioned in traditional ways well into the eighteenth century and adhered more closely in some cases to the council of canton or moiety leaders as native peoples in Guatemala had prior to the Spanish conquest. They followed a dualistic indigenous form of government that allowed them to perceive of the community and its internal and external relationships as both masculine and feminine. Their relationships with all of the outsiders of the community they considered part of the masculine realm while the internal relationships were part of the feminine.

K'iche' *tinamit amas* built their government structures with the framework of colonial institutions and the foundation of pre-Hispanic government, which made the finished building a hybrid of indigenous and Hispanic elements. K'iche' elites used their own traditional tools and techniques of government and built a structure that was a combination of what they knew and what Spaniards introduced to them. Although their finished construction had indigenous traditional elements, it was a hybrid that provides evidence that the K'iche' understood that they were living in a changing world.

Chapter III

K'iche' Religion

The role of religion in the lives of indigenous peoples in Spanish America requires attention, especially since for most scholars it was the so-called "spiritual conquest" that was most destructive to indigenous culture and the most pervasive in the every-day practices of the natives. In 1933, Robert Ricard introduced the term "spiritual conquest," which suggests the overwhelming success of the early mission of Spain and the Catholic Church in "converting" the natives of Spanish America. He argued that the evangelizing zeal of the early friars was enough to convert the native inhabitants of New Spain. According to some of the friars' accounts, such as that of Bartolomé de las Casas in Guatemala, their efforts were so effective that they were able to convert an extremely obstinate and warlike people to Christianity just through the use of music, benevolence, and compassion. Ricard and others have argued the role of

the missionary friars as the most evocative and important to the process of conversion in indigenous society.¹⁰⁰

James Lockhart contests the conversion of indigenous peoples paradigm in colonial society that Ricard introduced and argues that instruction and acceptance of what was taught was how the natives received Christianity, which would make sense in a society that did not feel it had to abandon the old gods to accept the new into the pantheon.¹⁰¹ The paradigm of conversion, the rejection of one religious form and its replacement with another, does not apply to colonial indigenous society in Latin America. Rather, what matters is how indigenous people practiced Christianity in its adapted form. Belief systems are important to people and dictate how they will view themselves, the universe around them, and their place in that universe.

If instruction was more important than conversion in indigenous society, it is necessary to consider who was preaching and interpreting the doctrines of Christianity. The propagandistic claims of the early friars about their

¹⁰⁰ Robert Ricard, *The Spiritual Conquest of Mexico, An Essay on the Apostolate and the Evangelizing Methods in New Spain: 1523 - 1572* (Berkeley, Los Angeles, London: University of California Press, 1966).

¹⁰¹ James Lockhart, *The Nahuas After the Conquest, A Social and cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries* (Stanford, California: Stanford University Press, 1992), 203 - 260.

phenomenal success would be overwhelmingly convincing, were it not for the native elite, who may be seen between the lines of Spanish documentation and in indigenous language documents working as agents to and for the missionaries. The "spiritual conquest" did not provide Latin America with a native clergy; however, the elite within indigenous communities had a much larger role in the Christian indoctrination of their society than what scholars have suggested. Even Ricard's own evidence reveals a cadre of native lay religious doctrinarians and officials that functioned at various levels over local congregations.¹⁰² The development of a hybrid spirituality that persists into our present era in Mexico and Guatemala can be attributed to the efforts of these doctrinarians and suggests that perhaps these lay religious officials had more sway and influence in their communities than priests and other outsiders had. The legacy of the "spiritual conquest" created an indigenous society that followed the dictates of its local native "doctrinarians" more than the parish priest, a missionary friar who was often a visitor to their communities.

Whether he was a resident of the town or a visitor to it, the priest was an outsider to the indigenous

¹⁰² Ricard, 226 - 235.

community, which saw him as essential only as a provider of the sacraments. In the community of Rab'inal the priest was referred to as *sa chuch sa tih*, "our mother our teacher", a term that is significantly connected to *sa chuch sa hau*, "our mother-our father."¹⁰³ The *sa chuch sa hau* is a K'iche' term for a diviner specifically linked to the spirits of the ancestors of the community. This title appears in several instances in K'iche' documentation and is associated with the leaders of the community at both the town and moiety levels.¹⁰⁴ The leaders in Rab'inal saw the priest as a mediator between their world and the supernatural, someone who had communion with the world of the departed.

With no kinship ties to any of the lineages of Rab'inal, the priest could not be linked to the ancestors of the community. In the highlands of Guatemala, a conquering and colonial force in pre-Colombian Mesoamerica would link itself to the conquered community through marriage and would join its lineage with the elite ruling lineage of the vanquished state. The act of

¹⁰³ "San Telis Papers," Gates collection, MSS 279, Box 96, folder 4, folio 24, L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah.

¹⁰⁴ For a more detailed description of the function in the eighteenth century of the *sa chuch sa hau* see chapter 2 entitled "K'iche' and Maya Town Councils." For a detailed description of the function of the *sa chuch sa hau* in modern times see Barbara Tedlock's *Time and the Highland Maya*.

marriage alliances was one of the ways in which indigenous peoples grafted others into their community. The priest, because he was celibate and not connected to the community through marriage, was associated with the world of the ancestors and the spirits yet not related to the community or its ancestors. The association with the mother-father title gave the priest credibility as a mediator between the unseen world of spirits and the temporal plane, yet he lacked the essential lineage connections that would have made him a member of the community and therefore the K'iche' scribe in Rab'inah did not refer to him as a mother-father. James Lockhart has suggested that the term that the Nahuas applied to the priest, which was similar, had to do with the idea that the priest was and could never be married, and that since he practiced celibacy the Nahuas saw him as a female.¹⁰⁵ If that were the case in this instance then the scribe would have referred to the priest as *sa ix tih*, "our female teacher" and not as a motherly figure. *sa chuch sa tih* was not a title that derided or scorned the priest but rather honored him. The priest was revered in Maya and K'iche' communities but was not part of the community.

¹⁰⁵ Lockhart, *The Nahuas After the Conquest*.

The Maya elites consciously replaced their "universal" practices with the dominant religion of the conquering state as they had perhaps always done under conquest, relegating their own gods to a diminished or vanquished status under the hegemony of the powerful gods of the conquerors. Perhaps the strength of the Christian god and his pantheon of saints were given an even higher status after cataclysmic pandemic illnesses almost decimated indigenous populations in Mesoamerica causing the elite to abandon their "universal" gods and practices.¹⁰⁶

During the colonial period, the Spaniards could not completely extirpate universal forms of elite religion, especially in the highlands of Guatemala, and these forms may not have been tossed aside in the Yucatán Peninsula either. Neither the Maya nor the K'iche' would have differentiated between religious expression (were it not

¹⁰⁶ Nancy Farriss bemoans the loss of the "universal" Maya religion and its replacement with Christian rituals. According to Farriss, the Maya elite who perpetuated the universal Maya religion either did not allow for the survival of those practices or ceased to practice their traditional religious forms under coercion from the Spanish clergy. The tenor of Farriss's argument does not allow for the possibility that indigenous religion could be fluid or organic, that it may replace traditional rites with newer rituals that fit into a new social era. At the beginning of her chapter "The Cosmic Order in Crises" she suggests that the Maya had a different sense of conquest and a general acceptance of a new colonial order and structure. For her argument in its entirety, see Nancy Farriss, *Maya Society Under Colonial Rule, The Collective Enterprise of Survival* (Princeton, New Jersey: Princeton University Press, 1984), 286 - 319.

for the constant appeals of the missionaries to abandon their old forms), adapting new forms of religion and incorporating them within their own belief system. Some religious practices the Spanish friars extirpated, such as human sacrifice and any forms of ritualistic cannibalism. Yet, most of the rituals that the bulk of the commoners practiced the Spanish friars left untouched because they were practiced out of their sight or did not seriously conflict with the teachings of the Church.

The Maya and the K'iche' practiced a religion in the colonial period that was an adaptive mixture of traditional belief and introduced Christianity. The missionaries saw the "spiritual conquest" in many instances as unsuccessful, and the proliferation of native practices alongside Christian sacraments testifies to its incomplete effectiveness. The hybridization of religious beliefs, however, also portrays an indigenous society that was changing yet conserving, in a sense, its own practices and belief systems. The term "survival" that Nancy Farriss uses to describe the prevalence of seemingly "pre-Colombian" practices in modern Maya religious practice is inadequate to describe the change and adaptation that indigenous religion underwent. Their rituals became something entirely new, a hybrid related

to Christianity yet different from what the Spanish clergy expected.

The cadre of lay religious specialists was responsible for the mixture of indigenous cosmological and Christian viewpoints. Spanish friars commissioned the lay religious specialists from the beginning of Spanish colonialism soon after the conquest to assist in the process of instruction and the indigenous tradition of correct recitation and exactness in public speaking lent itself well to the dissemination of Christian beliefs and practices. The indigenous elite throughout Spanish America continued to hold these prestigious positions until the end of the colonial era in the early nineteenth century. They were the catechists and doctrinarians of their communities. In many *visita* communities, these religious specialists were the indigenous equivalent of the visiting curate. The native peoples of the Americas were early on restricted from holding the priesthood in the Catholic Church so they opted for the closest thing to a religious specialist in the state cult, the office of *maestro cantor*, *fiscal* or doctrinarian.¹⁰⁷ The highest religious positions within

¹⁰⁷ According to Farriss, 233 - 235 the *maestro cantor* was more important in his function than the *fiscal* in the Yucatán Peninsula. What is curious is whether the *fiscal* had more authority in

the church that an indigenous male could hold were those of choir master and *fiscal*. Both of these were paid positions, to be considered for either of them, the candidate had to be literate. From the Chikendzonot evidence we find that the literati of that Maya town, all of whom were male, held the position of scribe between the ages of twenty and twenty-five, and most that were older, in their fifties and sixties, held the positions of fiscal or choir master.¹⁰⁸

Guatemala than in Yucatán, which would seem strange since jurisdictionally the Yucatán Peninsula had been up until the 1570's under the governance of the Kingdom of Guatemala. There seems to be some discrepancies in Nancy Farriss's explanations of the duties of the *fiscal* in her description of the obligations of Maya church officials. She claims that the fiscal was a position of less prestige in Yucatan than the *maestro cantor* who was according to her a literate doctrinarian or catechist. She relegates the position of fiscal to a gravedigger. James Lockhart in *Nahuas After the Conquest*, explains the important duties of fiscals in Central Mexico and that they include the overseeing of burials and funeral rites. Could the Spanish documents that she looked at be musing over the important duties of this office? Could they be sarcastic or do they represent complete misunderstanding on the part of the Spanish officials? The fiscal in Central Mexico seems to be as important as the fiscals of highland Guatemala. It was a position of prestige that required the holder of this title to be literate. In Central Mexico there was the office of church scribe. This office seems to be held by the fiscal alone in the highlands of Guatemala and I am assuming that this same position functions in the same way in Yucatán. Where is the fiscal in the Yucatec Maya documentation? Maybe they both missed it?

¹⁰⁸ See in AGN Criminal, Volume 332, pp. 153 - 154, pp. 254 - 250, the testimony of several witnesses from the Maya cahob of Chikindzonot and Ekpedz in which the witnesses were asked their name, age, their occupation, and whether they could write along with what they saw connected to the murder of the governor of Yucatán, Lucas de Galvez in 1792. The assassination of Lucas de Galvez sparked an intense and drawn out investigation in which a large cross-section of communities some Spanish and some Maya were interviewed. The resulting subsidiary information that was gathered in the Spanish legalist process proves useful in assessing literacy and government structure in Maya communities.

Indigenous fiscals throughout Spanish America needed to be literate so that they could keep the parish records. Literacy was also a requirement because the priests recruited them to write catechisms and sermons in their languages for feast and festival days and for ordinary mass. For example, the *maestro cantor*, Juan Ravira, wrote a sermon in K'iche' that covered the lives of the saints and of Jesus and he and the *alcalde mayor*, Domingo Guzmán, signed it at the bottom.¹⁰⁹ Juan Ravira, a *maestro cantor*, was the author of the sermon. A *maestro cantor*, who would sign after a sermon in an indigenous language as its author, would logically be a layperson from an indigenous town. It makes little sense for a non-native *maestro cantor* to write a sermon in an indigenous language. Most laypeople were not university trained in indigenous languages and almost all of the indigenous elites after the conquest took the surnames of prominent conquistadors or of influential missionary friars.¹¹⁰ If anyone who was not indigenous would write in an indigenous language, it would be the missionary friars who had been trained in the languages of their

¹⁰⁹ Juan Ravira, The Gates Collection, MSS 279, Box 94, Folio 7b, pg. 28, L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah.

¹¹⁰ Pedro Carrasco, *Sobre los indios de Guatemala*, (Guatemala, C.A.: Editorial "Jose De Pineda Ibarra," Ministro de Educación, 1982), 13 - 26.

parishoners. Juan Ravira was an indigenous layperson appointed to the post to assist the missionary friars in the instruction of his fellows. That a *maestro cantor* authored this sermon leads us to the possibility that indigenous hands wrote most if not all of the sermons for the priests. These writings may have ultimately been under the auspices and acceptance of the Catholic clergy or the civil authorities who had to give their stamp of approval to them. Some sermons do have the names of curates attached to them and may be the sole work of the clergy. However, it is also possible that these signatures represent the clergy that accepted and revised the work of their trusted lay indigenous informants. The shortage of priests and the necessity of constantly educating the indigenous Christian flock in Catholic dogma created the need for indigenous doctrinarians who acted as intermediaries between the regular clergy and their communities throughout the entire period of Spanish colonialism.

Sermons were not the only documents that fiscals and choirmasters penned. Ricard notes that the early mendicant friars often used plays to reinforce dogma and

to instruct indigenous neophytes in Catholic liturgy.¹¹¹ As with sermons, fiscals and choirmasters often wrote these plays and then presented them to the mendicant friars for their approval. The friars were using pageantry and theatre, a form that was familiar to Mesoamerican peoples, to reinforce Christian ideals so that the religion might permeate the lives of new Christians. As late as 1803, Juan Diego Sipriano, scribe of the church in an unspecified town, penned and delivered up to Father Don Andres Henrríquez a play of "The Passion" that was dedicated to *ka chuch Maria Dolores* and to *kanimahual Jesu Christo*, "Our Lady of Sorrows and our Great Lord Jesus Christ." The scribe makes it perfectly clear that no one in the community created or conceived of this play and that it was not original to him; He writes *mix bana tah ui*, "It was not made here." The last page of the document reconfirms in Latin that same idea, *exi in mias etsepes*. However, he does remind us in Spanish that the letter or the script was his, *letra de Juan Sipriano escrivano*.¹¹² Indigenous peoples throughout Mesoamerica were familiar with plays and dance dramas and many have survived in several forms

¹¹¹ Ricard, chapter 12, "The Edifying Play," 194 - 206.

¹¹² Juan Sipriano, The Gates Collection, MSS 279, Box 95, folder 3, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

in the highlands of Guatemala. "The Rab'inal Achi," which in the colonial period was known as the *tun tamub*, is a dance-drama that recounts the symbolic history of the town of Rab'inal and its place in the sacred landscape of Guatemala.¹¹³ "The Dance of the Conquest," also known as the *zaki coxol*, is a similar dance-drama performed in many towns throughout Guatemala. The most famous modern performance is in Chichicastenango, which has reminiscence to early pre-Hispanic forms as well as to forms that European friars introduced.¹¹⁴ Other dance-dramas, such as "Moros y Christianos," the European friars introduced to indigenous peoples to help them conceptualize their station in society and to reinforce the superiority of the Spaniards and Christians.

Ricard notes that the early friars avoided the use of indigenous terms for god and for the Christian sacraments in their plays and sermons.¹¹⁵ They did this to avoid creating confusion between Christianity and indigenous pagan beliefs. The early friars institutionalized the idea that making too many positive

¹¹³ Ruud Van Akkerren, *Place of the Lord's Daughter, Rab'inal, its history, its dance-drama* (Leiden, Netherlands: CNWS Publication Vol. 91, 2000), 380 - 480.

¹¹⁴ Victoria Reifler Bricker, *The Indian Christ, The Indian King: The Historical Substrate of Maya Myth and Ritual* (Austin, Texas: University of Texas Press, 1981), 163 - 168.

¹¹⁵ Ricard, 83 - 108.

comparisons between Christianity and the pagan beliefs of the indigenous peoples of New Spain might lead to the failure of their mission to convert the natives of the Americas. The parish priests kept the policy that the early friars instituted well into the eighteenth century because they recognized that the conversion process was incomplete and that the natives had not given up their own beliefs. Most likely at the behest of the priest the indigenous fiscals and choir masters also instituted this policy. In Ravira's sermon, for example, the lives of the saints are discussed as well as an explanation of the devil. All of those terms relating to the devil and to hell are indigenous, which would reflect the teaching of the early friars in their attempt to persuade the indigenous peoples to see their own religions as evil and demonic and the Christian faith as pure and good.¹¹⁶ To some this may seem to be the triumph of the Christian mission - to pose a binary opposition between good, equated to Christianity, and evil, equated to indigenous beliefs and pagan practices. The Maya and the K'iche' did not simply push their beliefs aside with their acceptance of Christian doctrines and they did not

¹¹⁶ Juan Ravira, The Gates Collection, MSS 279, Box 94, Folder 7b, pg. 28, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

consider Christianity as a religion diametrically opposed to their own native beliefs and traditions. They adopted and adapted it, grafting it into their own system of beliefs and practices.

Although they may have been under the watchful eye of the priest, native peoples had a much more active role in their own indoctrination, which would give them greater autonomy in terms of the legacy of the so-called "spiritual conquest." If choir masters and fiscals were the authors of these texts and were writing them so that visiting priests who were less proficient in K'iche' might read them without confusing their parishioners, then that would allow these men to have greater control over the content and interpretation of the doctrine. Even if they were under the colonial eye and the priests had co-opted the elite to act as intermediaries imparting to their communities the priests' agenda, these officials still functioned quasi-independently over a majority of parishioners who held the economic and temporal fate of the priest in their hands. The colonial indigenous society was more numerous than Spanish society, and in some instances, the priest was the only Spanish resident in an indigenous town. In most towns, the priest was merely a visitor. A priest's livelihood was centered

around the collection of alms, tithes, and services that the indigenous parishioners provided to him, and as a result he was bound to respect them as a majority. Priests relied on the fiscals, the choirmasters, and the confraternities to collect the funds necessary for their survival. Although, the fiscals and choirmasters seem to have been co-opted into the Christian system and the elite became responsible for bringing the commoners into the fold, they were more likely to overlook practices that did not seem to infringe upon Christian dogma. The fiscals and choirmasters regarded the adaptation of Christian and indigenous religious practices as normal.

The following petition represents how an indigenous choirmaster viewed his catechumens and his position within the church hierarchy. This document is a request from the highlands of Guatemala, probably from San Miguel Totonicapán, to the priest concerning the neophytes under the charge of an indigenous choirmaster:

Uh rech Padres

<i>lal nima aeaninaε</i>	<i>Ahau cura</i>	Blessed Lord Curate for our
<i>rech ka tinamit</i>	<i>Dios nima</i>	town may God maintain your
<i>Ahau Chimayintana ri</i>	<i>εaslem</i>	life Lord, many years with
<i>Chimayintana ri la</i>	<i>Lal ahau</i>	many augments of spiritual,
<i>4uiyalah hunab ru4</i>	<i>quiyalah</i>	temporal, and corporal
<i>4uicotemal chi</i>	<i>gracia</i>	grace for the help of us
<i>4uicotem murmutem</i>	<i>Mikmatem</i>	poor. I the choirmaster, I
<i>toobal ri oh emebaib</i>	<i>xau</i>	have come before you to
<i>in ah tih rech coro</i>	<i>mix in</i>	give you my report how the

petic chuach la gulinya children of my town do not
cuenta are ri ralqual rech want to give their children
nu tinamit mana cacah tah so that they may be taught
qui4uilla ralqual rech ta the goodness of God. And,
qut que tihoxic ri utzilah furthermore, I give you my
Dios xauí rumal canulla report so that they will be
quenta chech la Chirech ta called up because they do
qut chirech usiquixic rumal not want to give their
mamacacahtah quiquilla ri children so that you, Lord,
ralqual xauí ri lal ahau may ask them the word of
chitzonoh tala chikech ri God. Also, Lord, You are
utzih dios xauí ri lal ahau he who may remedy This
rumal hachin aui rech u evil. I pray to God that
suquliquil uae ytzel He guard your lordship many
cantzonoh che Dios Chilos years.
chahin la ahau 4uillalah
*hunab*¹¹⁷

Through this petition, the choirmaster was summoning the Spanish curate so that he might test the people of his town in their knowledge of Church doctrine, "the word of God." His complaint was that the townspeople were not sending their children to catechism, so, he was calling on the priest to question them. The indigenous choirmaster saw that the refusal of the townspeople to send their children to catechism was an affront to his authority as a paid lay church official, a religious specialist in the state cult. His petition reveals the amount of authority that the elite lay officials perceived was placed in their hands in indigenous society

¹¹⁷ "Petición vuc ahau presidente," The Gates Collection, L497.281 P 487 Rare Book Case, Tulane, Latin American Library, Special Collections: New Orleans, LA.

for the indoctrination of their own people, and reveals that sometimes the respect paid them in their official capacity was in jeopardy. He was asking the outside priest to help him to get "his children" back in line. The priest would have been able to help by asking them about church doctrine and in essence embarrassing them for not knowing it. This petition is important because it shows that the priest was an outsider and needed to be petitioned to come in and correct the rebellious townspeople. It also reveals that the choirmaster saw the doctrine and its teachings as his. Did he see himself as merely co-opted into the Spanish colonial religious system or was he acting as a leader of the state cult in his own quasi-independent community? It is of note that the choirmaster was using this petition perhaps as a threat to the townspeople in return for their respect. The tenor of the petition makes it seem as if the choirmaster saw these as his flock, his responsibility, and his request to the priest was to allow him better to lead *his* catechumens.

The Spaniards co-opted the indigenous elites in their colonies to keep the common people in line, yet the fiscals and choirmasters perceived themselves as the religious specialists in Christian doctrine. Some

scholars have presented the idea that Mesoamerican elite religious expression was replaced with Christianity. They note that the only traditional religious rites and rituals that remained were tied to the commoners in Mesoamerican societies. The commoners resisted the elites and their adoption of the conqueror's religion. The elites took upon themselves the religions of the conquering forces in Mesoamerica before the Spanish conquest because the conquering gods were endowed with power and the vanquished gods were relegated to a subservient position in the pantheon. The traditional religious ideas of the commoners were usually left intact and changed little because their gods revolved around the home, hearth, and the cornfield, which were the institutions of Mesoamerican society that remained intact despite conquest.¹¹⁸ The rituals associated with home,

¹¹⁸ Farriss's argument in *Maya Society Under Colonial Rule* concerning religion in Maya society anticipates a loss of traditional belief and religion at the expense of the adaptation of the new religious rites and practices. This is especially evident in her overarching argument in chapter ten where she bemoans the loss of a universal Maya religion and equates it with the loss of prestige of the elite and the ultimate "equalization" of Maya society. This loss of elite prestige includes a loss of the sense of the extent of their hegemony - they no longer had warrior politics in terms of conquest of rival groups (other scholars have seen that these warrior politics included fights over boundaries which was obviously transferred to the judicial realm... instead of warriors they became paper pushers in the legalist system of Spanish colonialism), they no longer had control over the access to resources from diverse ecological areas through the loss of their control over trade routes (although there has been no conclusive study, it does not necessarily mean that the Maya did not at some level maintain long

hearth, and cornfield carried over into the period of Spanish colonialism because they were part of a private domain that missionary friars could not completely control.

Many of the sermons written in K'iche' also had portions that were written in Latin, which would suggest that the choirmasters and fiscals were also quite literate in the language of the Roman Catholic Church. Early sixteenth century records from Tlatelolco in central Mexico show that priests were teaching the children of the elites of indigenous society how to read and write in Roman letters in native languages and in Latin. The education of one of the Yucatan peninsula's most famed scribes, Gaspar Antonio Xiu, who in the sixteenth century learned both Spanish and Latin relatively quickly, proves how widespread the practice was. Gaspar Atonio Xiu was more than proficient in both languages as well as having a mastery of the writing of his own language. Even in colonial backwaters in the sixteenth century, the friars taught Latin to certain of

distance trade... even if their goods went into the hands of corsairs both English and Dutch), and finally they became ultimately equalized in Maya society losing their elite prestige altogether and reducing their power to become part of the lump of the Maya peasantry. Restall argues against this idea of equalization in *The Maya World*, and proves that the power of the elites lasts throughout the entire colonial period.

the indigenous elites. Either the friars continued teaching Latin to fiscals and choirmasters or indigenous fiscals and choirmasters passed down Latin from generation to generation to scribes who might one day become lay religious specialists because indigenous scribes wrote documents in the seventeenth and even the eighteenth centuries that include Latin passages.

The fiscal and the choirmaster functioned like a deputy priest; someone to whom the parish priest could assign the immense task of the indoctrination of their own people yet at the same time could not perform the holy sacraments of the Church. The fiscals and choirmasters had not only to be literate in their indigenous languages but in Guatemala they were also literate in Spanish. All of the indigenous men who obtained these positions came up through the ranks of the literati and were at one time scribes of the *cabildo*. As scribe of the town council, they would have to become proficient in Spanish to translate their documents into what would become the judicial language of Guatemala. The high court of Guatemala did not accept many documents in indigenous languages due to a lack of qualified interpreters for the several languages of the kingdom. Therefore, the fiscals and choir masters had to know

Spanish and could better communicate the will of the more linguistically challenged priests to their flocks.

In the ordinances of the Confraternity of the Most Holy Cross the choir master, Juan Basques, signs his name along with the scribe of the lay brotherhood, Balthasar Cobocah, witnessing that he took part in writing out the ordinances.¹¹⁹ There are two sets of ordinances within this single document, the Spanish version and the K'iche' "translation" of the Spanish instructions. The grammatical style of the language of the document betrays that the author's first language was not Spanish. Perhaps it would be more appropriate here to say that the instructions were written in K'iche' and then translated into Spanish. The reason why he writes in Spanish is to make the document more accessible to the parish priest and doctrinarian, who was probably insufficiently literate in K'iche'. High turnover rates among priests in Guatemala meant that the new priest would have to rely on the fiscal and choir master who were more conversant in their own language and more familiar with their flock than the priest, as an outsider, would have been. The fiscals and the choirmasters had a corollary relationship

¹¹⁹ Balthasar Cabocah, "*Ordenanzas de la mas sagrada cruz*," The Gates Collection, MSS 279, Box #96, Folder 2, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

with the several confraternities within a parish and were most likely given the assignment of overseeing lay brotherhood activities.

Confraternities

One of the most important institutions that was initially imposed on indigenous societies and then adapted by them to fill their own needs was that of the religious lay brotherhood or confraternity. A confraternity was similar to a mutual aid society that cared for the sick and infirm and gave relief to the poor and needy. It was essentially a monastic order for the laity of the Catholic Church and was used as a mechanism for the instruction of neophytes in the colonies of Spain. Each sodality was connected to a patron saint, a specific religious practice, or sacrament. Those that were connected to saints were entrusted with the feast days, festivals, and processions connected with that particular saint. Within indigenous society confraternities were preoccupied with communally assisting the dead, the ancestors of the community, to speed them through the wait in purgatory with prayer and special masses performed by the living. They were societies that assisted in death and dying and employed the service of both men and women. They gave relief to

the sick and were charged to make sure that the dying received the last sacraments of the Church. Confraternities were also meant to give those that served in them the opportunity to accrue indulgences that rewarded them with their own quick passage through purgatory.

The confraternity was a vehicle through which Mesoamericans could also reinforce traditional beliefs that linked the living community to their ancestors. The chronicler Fuentes y Guzmán records that the indigenous peoples of Guatemala believed that the dead would some day return and reclaim their land and that the living were preserving the land of their ancestors in anticipation of their return.¹²⁰ The indigenous members used the confraternity to perform rites and rituals that reinforced traditional belief and linked those ideas with Christian practices.

Friar Antonio Margil recorded observations of traditional K'iche' practices mixed in hybrid forms with Christianity at the beginning of the eighteenth century. He noted the practice of indigenous confession and of the service of indigenous religious specialists who disposed

¹²⁰ Fuentes y Guzman in Robert M. Hill II, *Colonial Cakchiquels, Highland Maya Adaptation to Spanish rule 1600 - 1700* (Orlando, Florida: Case Studies in Cultural Anthropology, Harcourt Brace Jovanovich, Publishers, 1992), 129.

of the sins of the confessor that had been absorbed by a material object. The practice of confession was one that had pre-Hispanic antecedents in the highlands of Guatemala, especially when used as a method of psychological and physiological healing.¹²¹ The performance of the last rites included confession to either the town council elders, to the choirmaster or to the fiscal, all of whom the friars had given emergency powers to perform these sacraments.

Beyond their spiritual purpose, confraternities also served an economic function. Gabriela Solís Robleda has written extensively on indigenous *cofradías* in colonial Yucatan and concludes that the Maya used the *cofradías* for the pooling of resources.¹²² Nancy Farriss suggests that the Maya did not use confraternities for religious conversion but they replaced the *caja de comunidad* or municipal treasury and the Maya used them to protect corporate resources from the corrupt greedy hands of Spanish civil colonial administrators.¹²³ In some instances in Europe, confraternities or lay brotherhoods were used as correctional societies for prostitutes and

¹²¹ Hill II, *Colonial Cakchiquels*, 85 & 144 - 145.

¹²² Gabriela Solís Robleda, *Entre la tierra y el cielo, Religión y sociedad en los pueblos mayas de Yucatán colonial* (Distrito Federal, Mexico: C.I.E.S.A.S., I.C.Y., y Miguel Angel Porrúa, 2005).

¹²³ Ferris, 263 - 272.

other parishioners of the Catholic Church who had a difficult time following the doctrine.

The ordinances for each confraternity were ideally rules to live by for the *cofradía* members. They were strict guidelines on how to become a more devout Christian and were used in the highlands of Guatemala and elsewhere within the Spanish Empire to train indigenous peoples, Africans, and others in Catholic liturgy. The ordinances for the Cofradía de la Santa Cruz and the Cofradía del Rosario are almost identical in their admonitions to their membership.¹²⁴ The wording in both sets of ordinances, although they are dated approximately one hundred years apart, delineates similar admonitions and contains only slight variations, which betrays the possible use of some sort of model that the officials of the Catholic Church prepared for the purpose of regulating them. Although much of the phraseology of the ordinances seems to be formulaic, individual scribes used the models and then elaborated on the formula, giving each set of ordinances their own unique transliteration that applied to the needs of each community.

¹²⁴ "Ordenanzas de la Cofradía de la Santa Cruz," The Gates Collection, MSS 279, Box #96, Folder 1 and Folder 2, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

Las ordenanzas de la cofradia del rosario, produced in the year 1689 are minutes of several meetings held by the mayors, the stewards (*mayordomos, εahauixel*), and stewardesses (*mayordomas, chuchixel*) of the confraternity.¹²⁵ The mayors of the confraternity probably refer to the fiscal or choir master whose roles as mediators between their community and the priest I have already outlined above. The K'iche' terms for the stewards and stewardesses of the confraternity remind us of the importance of the masculine and feminine dualities of Mesoamerican social and political organization. In this instance, the men do not act in both the masculine and feminine roles. Women act as the "mothers," the *chuchixel* of the confraternity. The root *chuch* literally means "mother," while the *-ixel* suffix causes it to stand alone without the use of a possessive pronoun. To complete the dual and complementary relationship suggested here, the term *εahauixel* is used to describe the idea of a "father," again with the same suffix already described above. The use of these terms for the steward and stewardess of the confraternity remind us that the roles of mother and father are also played out

¹²⁵ *Ordenanzas de la Cofradía del Rosario año de 1689, Maestro y escribano Pascual Vásquez*, The Gates Collection, L 497.281 065, Tulane, Latin American Library, Special Collections, New Orleans, LA.

in the confraternity and that indigenous leadership in any capacity hinges on the masculine and feminine, the exterior duties complementary to the interior duties. The scribe of the confraternity was Pascual Vasquez, who also identified himself as a teacher. He was likely the choirmaster or the doctrinarian responsible for teaching catechism in his community and was possibly once a scribe for the town council. This document sets forth the prohibitions, expectations, and the duties of service for *cofradía* membership.

As for the young charges, the requirements for service in the confraternity included that the novitiates, the younger brothers, the new leaders, not be envious of one another and that they not mis-speak or speak using foul language because their time was short before God and before their older brothers, those who had already taken on themselves the yoke or in this case the tump-line of service.¹²⁶ The use of the terms of older and younger brothers here suggests important horizontal relationships between people who share a similar community status. Leadership in the confraternity was their charge, their *cargo*, which in this instance was called their *uae telem chib*, "Their shoulder-carry" that

¹²⁶ Ibid.

according to the ordinances they had to "carry both day and night."¹²⁷

Membership within a confraternity ideally required full commitment on the part of the novitiates and that commitment was made especially to the precepts that the choirmasters and fiscals set forth. If townspeople wanted to become part of the holy brotherhood, they had to humble themselves and confess their sins before the priest in order to have their name written in the lay fraternity's book. Confession of sin was a requirement and a sacrament that only an ordained minister could perform unless emergency powers were given to laymen. The neophytes had to produce in confession the correct answers to the priest's questions. There are many written models of correct confessions in indigenous languages that priests must have used in order to lead a novitiate through the confession process. They were written to make it easier for priests deficient in the indigenous language to confess their parishioners. Whether priests or choir masters were the authors of these sets of questions and responses is unclear. However, it is more than likely that the authors were the indigenous choirmasters since the function of these

¹²⁷ Ibid.

documents were so that the priest could give and receive a more accurate confession. The indigenous fiscal or choirmaster likely wrote the confessionals in their language based on a Spanish model. Some confessionals have the Spanish translation along with the indigenous language translation and some do not. It is curious and amusing to think that perhaps indigenous peoples were taught to confess according to these models and that their confessions to the priest were more recitations of the proper formulae than heartfelt explanations of their "sinful" acts. The interpretation of the confession as well as church doctrine was in the hands or pens of the indigenous cadre of religious leaders for each parish church.

The ordinances offer a glimpse into the profound sense of spirituality in the Guatemalan highlands and the amount of dedication that was required for membership in lay brotherhoods. Total commitment to Christianity and complete submission to the counsels of the leadership are outlined. Ideally, the lay brotherhood would allow its membership to become stronger Christians through the memorization of church doctrine and prayers including the mysteries associated with the rosary, the Pater Noster, and the Ave Maria.

The ordinances reveal that the confraternities were using their own interpretations of religious ideas despite any "editing" from the Spanish priests. The strong belief in the saints and in the conflict between good and evil is evident in the explanations of the concepts of god and the devil. The devil they compare to a devouring animal, to a lion-jaguar, *coh balam*. This term had the equivalent significance of a malevolent spirit in pre-Colombian belief. The ordinances themselves are the protection from that devouring animal, the coral that gives them protection through charity and joy, "where there is correction, where there is teaching" (*go ui Qilbal cutubal tzih*)¹²⁸ God is outlined as "...loving above all others that exist, the sweet word or truth for your soul, may you with quickness say the name of god" (*are hun chaloq'oh Dios chuvi ronohel qolic ki tzih chaqux are q'vicab maui chaue qa ni beh u bixic u bi Dios*).¹²⁹

The K'iche' of San Miguel Totonicapán in the ordinances for the Confraternity of the Most Holy Cross see the sign of the cross as a guarding *nahual* of the Christian god, which they can take with them and carry to

¹²⁸ The Gates Collection, MSS 279, Box #96, folder 2, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

¹²⁹ Ibid.

war in the name of the trinity: *rumal retal Santa Cruz
coh col talalal kahual Dios pa qui 4ab ekah labal pa u
b(i) Dios kahauixel Dios qaholaxel ruq Dio espiritu
Santo.*¹³⁰ *Nahual* is a Nahuatl term that most Mesoamerican
peoples use and signifies a totem (usually an animal)
that acts as a spiritual co-essence. The abstract
religious concepts of the importance of the cross and of
the malevolent nature of the devil were likened to things
that indigenous people already understood. These
interpretations often led to a great deal of confusion
throughout the colonial period, and it is doubtful that
the average indigenous parishioner really gave a thought
to whether they were attributing their own traditional
beliefs with Christian concepts or vice-versa.

Friar Antonio Margil recorded observations of
traditional K'iche' practices mixed in hybrid forms with
Christianity at the beginning of the eighteenth
century.¹³¹ He noted the practice of indigenous
confession and of the service of indigenous religious
specialists who disposed of the sins of the confessor
that had been absorbed by a material object. The

¹³⁰ The Gates Collection, MSS 279, Box #96, Folder 2, L. Tom Perry
Special Collections Library, Harold B. Lee Library, Brigham Young
University, Provo, Utah.

¹³¹ Friar Antonio Margil 1704 in Dupiech-Cavaleri and Ruz 1988: 246 -
248 as quoted in Hill, 144 - 145.

practice of confession, as Robert Hill II has noted, was one that had pre-Hispanic antecedents in the highlands of Guatemala, especially when used as a method of psychological and physiological healing. The ordinances for the Confraternity of the Rosary prepared in 1689 and for the Confraternity of the Most Holy Cross redacted in 1776 although written almost one hundred years apart, both contain a ritual for the confession of the terminally ill that demonstrates this traditional K'iche' practice adapted to fit into the Christian religion. The ordinances are clear in their details of the ritual,

unequt mahabi casan chi u "It may perhaps be well that
qux ri yauab chi çiqo Dios his soul of the sick one is
pa u ui chi bijx canuc cho definitively going to be
Dios ri Credo pa ui chi u taken by God, may God
bax qut Jusu Cristoh chuach pronounce upon his head the
ri yauab ruq chi ya hun u Creed in the compassion of
tzi riçam candelas pa ix Jesus Christ in the presence
εab ruq hun u tzi ri çama of the infirmed, give him a
quentas Rossario chi ya pa sanctified candle in his
u εab qiya mul chiuabax u hands with some holy beads
cok Jesus pa u xiquin ri of the rosary put them in
yauab ruq hantak lachi his hand, the mayors and
tzicax u tziriçam ha pa v stewards shall say many
*uij cumal albs mayordomo*¹³² times the aromatic Jesus in
the ear of the sick one with
some holy water may it be
sprinkled on his head."

The ordinances do not say that the priest shall perform these rites and rituals if a sick member of the

¹³² *Ordenanzas de la Cofradía del Rosario, 1689* written by "Maestro y escribano Pascual Vásquez" L 497. 281 065, Tulane, Latin American Library, Special Collections, Tulane University, New Orleans, LA.

community is close to death but that the confraternity stewards and the mayors of the town or church are to perform them. They do not specifically mention confession. However, the practice is implied through the use of the appropriate tools for the imparting of the Last Rites and the candle that is placed in the hands of the testator, which we assume will be used to absorb all of the evil acts of the soon to be deceased confraternity members.

The official sodality ordinances included indigenous perceptions of both ritual and doctrine, which reflect the control that natives had over their own indoctrination. Those who carried out their service in the confraternity and did it well would receive their just rewards after they died. They would be reunited with their younger brothers and would be able to go to a "flowery house place" of great happiness, *caq,ihalah ha qolibal*.¹³³ This flowery house place was likened to the church but also suggested a Mesoamerican conception of paradise, a heavenly place where the soul went after death.

The indigenous lay religious specialists who were in charge of the confraternities were well aware of the

¹³³ Ibid.

insertion of their own beliefs and used the tools they had available to them to teach and to incorporate Christian concepts into their communities. Christian beliefs were further substantiated in the recognition of proper Christian ritual for "the benefit of the entire confraternity, instituted for the salvation of their souls through the beloved holy sacrament of the great lord Jesus Christ" (*u takexic vae Santa Cofradia rech kanima ahual Jesuchristo rilo4olah ss.mo sacramento chaom q'oheic qhahom q'oheic*).¹³⁴ The confraternity leadership understood that the *q'oheic*, "appearance, ritual, or custom" was *chaom* or "chosen" and the author emphasized that by repeating the the phrase twice. In the repetition of the phrase, the scribe changed the orthography of the word and spelled it *q-h-a-h-o-m*, the "qh" representing a glottalized "ch" or "ch'." The change of the orthography represents how scribes played with the language through alternate spellings, which was a convention that Maya scribes used in Classic period glyphic inscriptions.¹³⁵ The phrase reveals the

¹³⁴ Ibid.

¹³⁵ Munro S. Edmonson & Victoria Rifler Bricker, "Yucatecan Mayan Literature," in *Handbook of Middle American Indians, Supplement 3, Literatures*, (Austin, Texas: University of Texas Press, Austin, 1985), 44 - 63; Matthew Restall, *The Maya World: Yucatec Culture and Society, 1550 - 1850*, (Stanford, California: Stanford University Press, 1997), 230; Simon Martin and Nikolai Grube, *Chronicle of the*

recognition of the separation between traditional K'iche' rituals and rites and those that were chosen from traditions that were not originally indigenous.

Within the ordinances, warnings of punishments for the sins of the *alcaldes*, stewards, or *chuchixel* (stewardesses) should they be bitten, perhaps by the devouring animal, the spirit likened to the devil, include that they should be taken and admonished, judged, and corrected by those who are charged, *ah patan*, "he of the service, he who is a tributary." Three *tostones* worth of candle wax, the price of a pound, was the punishment for their guilt, their sins.¹³⁶

What is notable within the ordinances and painfully obvious is that the members of the lay brotherhood were not admonished to follow the counsels of the priests or anyone from the outside. They were taught to follow the words of counsel from the chief steward and the mayors of the community. It was this cadre of specialists who were going to lead them toward the good word of God. They would be the ones who would instruct, teach, and punish anyone who did not follow the Christian commandments and whoever did not follow God. There is no mention of any

Maya Kings and Queens, Second Edition, (London, England: Thames & Hudson, 2008), 11 - 12.

¹³⁶ *Ibid.*

of these novitiates or any of the membership following the counsel and instruction of the priest. The only time that the priest was to be sought was in matters dealing with proper accounting, when the confraternity treasury needed to be opened, or when confession had to be said. The brotherhood did not seem to acknowledge the priest as the counsel giver, as the instructor of the membership.

The ordinances admonished all confraternity members to attend mass every day. A turn of phrase or metaphor in several Mesoamerican languages suggests that mass or any religious ritual was something to be seen and not heard (*chiquil missa ronohel q'ih ruq chupam sabato*) "They are to see mass every day including Saturday," so that all of the members of the *cofradia*, the *alcaldes*, *mayordomos*, and the *chuchixel* can enter into salvation.¹³⁷

According to the ordinances of the lay brotherhood of the Holy Cross in San Miguel Totonicapán, the election of *cofradía* leadership was held once a year and coincided with the elections for town council members. This practice must have been, as Robert Haskett suggests, a late introduction imposed on indigenous *cabildos* and the confraternities.¹³⁸ The ordinances for the lay

¹³⁷ Ibid.

¹³⁸ See Haskett, 122; see also Farriss, 233 - 235.

brotherhood of the Rosary, which were written in 1697, also contain these conditions for leadership. However, there seems to be other methods that were employed to ensure the passing of leadership responsibility from the retiring leaders to the new. In the fifth meeting of the *Cofradía* of the Rosary, the members established that the brotherhood needed to all be of like mind and to adjust their beliefs with all their hearts to the requirements of the Holy Confraternity of the Most Holy Sacrament. There is a rule that was laid out in writing that the members of the *cofradía* were to make sure that those that took their place were good people who followed the beliefs of the confraternity. The requirements of the holy confraternity included that every member needed to pray so that God may come according to Christian doctrine. The calling of new membership in the confraternity consisted of prayerful determination, and confirmation of the new charges was taken to the priest. God would let them know through his word who was worthy of service in the Holy Confraternity of the Most Holy Sacrament. The names of the new leadership were then to be reported to the Father Doctrinarian so that they could be written down in the book, possibly in the official

parish records for the town from which this confraternity operated.¹³⁹

The guidelines for the election of officers in the *Cofradía* of the Most Holy Cross, dated 1777, have quite a different method for the changing of officers, which included that elections be held to determine the next group of leaders. The ordinances specify that one may become a leader again after the year of service for the newly elected leaders was up. This suggests that the same stewards or *mayordomos* could switch off in their duties from year to year and thus maintain their status as respected leaders and elders of the community. Officeholding insured that the elites would maintain status in indigenous society. The maintenance of prestige on behalf of indigenous leaders may be the reason why such an emphasis was necessary in Mesoamerican documentation for identifying past officers in town council and *cofradía* records. It is tempting to suggest that the *cofradía* leadership may have developed a similar rotation of officers as Phillip Thompson suggests for the Yucatec Maya *cabildo* in Tekanto.¹⁴⁰ Unfortunately there is no listing of the leadership or the membership in

¹³⁹ The Gates Collection, MSS 279, Box #96, Folder 2, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah

¹⁴⁰ Thompson.

either of the ordinances in K'iche' so there is really no way of tracking such a system if it existed. The only hint that we have is the reminder that leadership within the lay brotherhood could be reclaimed through election after a year.

Leadership of each of the lay brotherhoods was in the hands of a steward and stewardess, indicated in the documents as either a *mayordomo* or *qahauixel* and a *mayordoma* or *chuchixel*. The terms *qahauixel* and *chuchixel* represented a general "father" or "mother." The *alcaldes* or mayors of the town, which could include up to four distinct posts - *alcalde ordinario*, *alcalde segundo*, *alcalde juez*, and *alcalde de milpa*, were an integral part of the leadership of the confraternities, although they were elected officials of the *cabildo* or town council. The term *alcalde* in the ordinances may also refer to the title *alcaldes de la iglesia* or "mayors of the church" that we find in the yearly accounting records of the Confraternity of Saint Nicholas in San Miguel Totonicapán.¹⁴¹ These *alcaldes* included the indigenous fiscal and choirmaster. The blurring of the lines of secular and religious duties was more often the

¹⁴¹ *Cofradía de San Nicolás*, The Gates Collection, MSS 279, Box #96, Folder 1, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah.

rule rather than the exception in the political structure of indigenous communities and so this term "alcaldes" likely was related to both the church mayors and the mayors of the town council. The elites filled both of these types of leadership posts. In the leadership of the confraternities, there were several deputies under the steward, who are not named nor are their functions outlined in the holy ordinances of either lay brotherhood. They are simply called the *ah patan*, a title that literally means "he of the service" or "tributary." A general member of the *cofradía* was called either an *ermano*, *ermana*, or *cofrade* in the documentation. All of these are Spanish loan words, which respectively mean "brother," "sister," or "lay brotherhood member."

The ordinances of the Confraternity of the Most Holy Cross outline the financial responsibilities of the stewards and all other leaders of the confraternity. It is made perfectly clear that if a good accounting was not made by the time the election turned over power to new leadership, the old leaders had to pay the deficit out of pocket. The language is relatively strong regarding financial honesty and reminds the officers that those found in violation would be reported to the parish

priest. The accounting of the collections of the confraternity had to be taken at least once a year with the turn-over of officers and usually involved the indigenous leadership of the town and the Church. Some confraternities, such as that of the Most Holy Cross in San Miguel Totonicapán, required that an accounting be made every two months. The chest of the confraternity itself was protected in that it required three keys to be opened. One was in the hands of the curate, one was in the hands of the stewards, and the other was in the possession of the mayors. They did this so that every time the chest was opened, there would be plenty of witnesses. Even so, the scribe was invited to keep records of the accountings ensuring the honest accounting of the past confraternity officers.

The ordinances for the Confraternity of the Most Holy Cross were written in 1777 and reflect some of the instituted changes that were made due to the Bourbon reforms. This document reveals that indigenous confraternities had a greater reliance on the central church hierarchy. The ordinances state:

Alcs. Mayordomo ca cha ulos u
tzih kalos mayih ahauh angel
Obispo Dn Fry Payo de Riberra
del orden de San Agustin por
la Divina gracia de la Snta.
Sede Appscas opispo de
guatemala y de la verapas
del consejo de su magestad u
yaom u tta kim nay pu ulok
chupam uae santa ordenanças
chiqui chahih chiquittakeh
conohel e utzilah uinak
chupam tinamit St. Miguel
Totonicapá que tzucuxic que
ca nay çaxic e utzilah uinak
e chao malah ttak uinak
quettam utzih Dios,¹⁴²

"The mayors and the stewards
speak here his word of our
friend, the gift of the lord
angel Bishop Sir Friar Payo
de Riberra of the order of
Saint Augustine for the
Divine grace of the Holy
Apostolic See, Bishop of
Guatemala and of the
Verapazes of the counsel of
your majesty he gave his
command and his friendship,
his love within these holy
ordinances so that here we
may continue all of us these
good people within the
town of San Miguel
Totonicapán: they who look
for it, they who await
forgiveness. These goodly
people these selected people
they listened to God's word."

The lord bishop is named and referred to in the first meeting for the drawing up of the ordinances as the one that gives the word of the holy ordinances to the sodality as a gift of friendship. The bishop's role as the leader of the church and the devotion to him of the good people of San Miguel Totonicapán are emphasized. The language within the ordinances suggests that the bishop had greater connection with indigenous parishioners, who before the Bourbon reforms were seen as continuous neophytes under the regular orders, and shows his centralized power over them.

¹⁴² *Cofradía del Santa Cruz Ordenanzas*, The Gates Collection, MSS 279
Box #96, folder 2, L. Tom Perry Special Collections Library, Harold B. Lee
Library, Brigham Young University, Provo, Utah.

Reference to the lord angel the bishop is made at least twice more in the ordinances. The most important reference was in connection to the collection of alms and tithes. The bishop commanded confraternity officers go from house to house every Friday to collect donations from the townspeople. This admonition is proof that the bishop of Guatemala had implemented the Bourbon reforms, which gave him the authority to collect tithes and alms from indigenous confraternities and make them more available to the archbishopric of Guatemala and to the monarchy of Spain.¹⁴³ The ordinances reaffirm the power of the bishop, as the Pre-eminent Father, who had to give the license so that the confraternity was officially recognized. The ordinances acknowledge the bishop's authority over the sodality and reflect his guiding role as the hierarchical authority above the local curate.¹⁴⁴ He has a much more hand-on role in the spiritual guidance of indigenous

¹⁴³ Farriss, 362. Nancy Farriss explains that the bishop of Yucatan in 1780 attempted to take control of all of the finances of the *cofradías* under his jurisdiction as a result of the Bourbon Reforms.

¹⁴⁴ Mario Humberto Ruz, "Una Muerte Auxiliada Cofradías y Hermandades en el Mundo Maya Colonial", 42 - 43. The proliferation of lay brotherhoods was such that the alms and offerings that the sodality leaders solicited from house to house and on festival days became an onerous expense for the various *republicas de indios*. This cost incited the high court of Guatemala to order the annulment of unlicensed lay brotherhoods; under the pain of two hundred lashes should indigenous people take on any elected office in a lay brotherhood that was unlicensed. The punishment included perpetual exile from their town.

society at the local level, especially over the finances of the confraternities.

The major difference between Spanish and Maya sodalities was their functions according to Nancy Farriss. The Maya in Yucatán made them corporate, they were a means of acquiring a community surplus to pay the fees of both the church and the civil colonial authorities, and they used them to replace the *caja de comunidad*, which was an early introduced Spanish institution and the chief means through which the Maya were able to pay tribute and other colonial obligations.¹⁴⁵ The *caja de comunidad* was dipped into and the funds within became victim to colonial Spanish corruption and greed. Therefore, the Maya needed to find other ways in which they could control the funds of their community, and so they used a religiously imposed institution, the *cofradía*, to keep greedy civil colonial officials from stealing their savings. The Maya of Yucatán were not the only Mesoamericans to use sodalities, although in the highlands of Guatemala the *cajas de comunidad* remained intact and the community received funds through both the means of the confraternities and their treasuries and the community chest.

¹⁴⁵ Farriss in *Maya Society Under Colonial Rule*, elaborates on the very same suggestions that Gibson makes in *Aztecs Under Spanish Rule*.

The Maya confraternity had all of the trappings of the Spanish institution with its care for the sick and needy and its preoccupation with proper Christian burial and last rites. Yet its corporate nature and its connection to the civil authority of the town, the *cabildo*, made its adapted structure exclusively indigenous. The *alcaldes* of the town counsel were as responsible for the upkeep of the holy ordinances of the sodalities as the *mayordomos* were. The blurring of religious and civil functions was apparent in indigenous colonial society and the leaders of both the town council and the sodalities were sometimes one and the same.

The evidence would show that adaptation of the conquerors' religion was part of Mesoamerican conceptions of conquest. The acceptance of the religion was usually based on linking oneself to an arriving power structure.¹⁴⁶

¹⁴⁶ Nevertheless, Nancy Farriss sees their non-acceptance as a rejection of the new religion on what seems to be a very individual level - a Weberian concept of conversion. Do the Maya have to reject their own religion to adapt the religion of the conqueror? She also sees a clear division between elite Maya cosmic universalism and a commoner's microcosmic viewpoint as a basis for Maya religious belief. Her argument on religion utilizes class as well as colonial barriers including conquest, forced subjugation, and acceptance of vanquished status to understand why some religious aspects that surrounded the locale remained intact or "survived" while others that were more universally Maya declined, diminished, or disappeared. She states that those "universal" Maya religious aspects that disappeared belonged to the elite. Although she suggests that the elite, through conquest, were co-opted into Christianity, she argues that they did not tap themselves into the new power structure and appropriate the religion of the conqueror. They did not reject their own beliefs; they may have still held those beliefs yet manifested them using the new system of

James Lockhart notes that instead of conversion, which has been the focus for several studies on Mesoamerican colonial religion, the Nahuas of the Valley of Mexico were instructed instead of converted and they used religion as another form of socio-politics. Religion represented rival political antagonism between *altepetalli* in the period after the conquest rather than wholesale conversion to Catholicism. Many of these rivalries included the adaptation of specific orders to the socio-political identity of the *altepetl*. Ultimately, the integration of the conquerors' religion and gods into the Mesoamerican pantheon was both part and parcel of conquest, so the incorporation of Catholicism and the Spaniard's god and saints were no exception.¹⁴⁷

The confraternity of the Most Holy Cross in San Miguel Totonicapán ordained twenty masses to be spread out throughout the year and every month six masses were to be

symbols and the new religious rituals and rites. This would help explain Inga Clendinnen's arguments as to why the elite began to crucify small children in the *kex* rituals in caves, which led to the Auto de Fé of Mani. (refer to the religiosity and reference to sacred hills outside of the local structure still used today in the highlands, Barbara Tedlock, *Time and the Highland Maya*, the *qachuch qahauh* etc.)... Why would this be any different for the Yucatec Maya who still had an expansive colonial frontier? The Maya did not just focus locally, they also saw themselves as subject to a distant king who was their protector from Spanish injustices. If the civil and religious were inseparable then the Maya certainly could imagine a world that was beyond their own locality. It is an inadequate argument to simply suggest that the Maya view became local instead of cosmos centered; 286 - 319.

¹⁴⁷ For further information on the argument for instruction versus conversion see Lockhart's, *Nahuas After the Conquest*, 203 - 210.

said to help speed the souls of the membership of the sodality through Purgatory. One of the major reasons for membership in confraternities, besides the membership's assurance of a proper Christian burial, was the promise that they would be able to avoid the long wait in purgatory after death. The confraternity was charged with ensuring that masses would be said or sung for the members who had died. Thus the K'iche' of Totonicapán and other similar indigenous republics cared for the spiritual welfare of their dead who were still "alive" in communal memory. Six masses a month were also to be said for the souls of the living. The money for these masses was to be collected from house to house. The stewards (mayordomos) of the confraternity and the mayors were to go collect alms or *limosnas* every week. They were then to bring the money back, count it, make an accounting of their costs, and put the rest of the monies collected into the treasury for the holy brotherhood.

Chuchixel

The gender-specific responsibilities of women in K'iche' confraternities were to care for the sick and the terminally ill. Their service, or *patan*, was based on a gendered conception of women's service, which is connected to the home and the hearth. The women held leadership

roles in tandem with men yet women had their separate responsibilities within the confraternity as well. *Las ordenanzas para la cofradía del Rosario* specify the duties of *chuchixel*, which were to watch over the sick and to make them comfortable.

E are na que bebinak e alds "These are they that should
mayordomo xauí qut chihe qui go and inform the mayors and
ua rah ri yauab queha louh stewards (in case the sick
quib chuua raxic uae quchiya one worsens and is near
lah ri yauab chupam chiqui qa dying) and also are those
la ah qut u yaic u sor u na that watch over the sick one
*ruq ya cumal e chuchixel*¹⁴⁸ in shifts between them so
that they shall accompany him
even while sleeping. Even if
the sick one shall be sick
for a long time they shall
take turns to give him his
atole, perhaps his thick
drink, and this is to be done
by the stewardesses."

Women were also involved in the meetings of the confraternity, were expected to go regularly to confession, and were supposed to attend the masses that the male *cofrades* also had to attend. The ordinances of the Confraternity of the Most Holy Cross from San Miguel Totonicapán affirm that all the members of the sodality were given the privilege of electing new leadership once a year, even the *chuchixel*, the "stewardesses." Membership

¹⁴⁸ *Ordenanzas de la Cofradía del Rosario, 1689* written by "Maestro y escribano Pascual Vásquez" L 497. 281 065, Tulane, Latin American Library, Special Collections, Tulane University, New Orleans, LA.

in the confraternity gave women a political voice within their organization and in extension their community. Although women were not elected to leadership positions over the entire sodality, they did hold leadership positions as wives to their husbands. The ordinances imply that the women who were stewardesses helped their husbands in their leadership positions in the confraternity in a complementary gender role and that both husband and wife were confraternity members.

Religion permeated the lives of the indigenous peoples of Mesoamerica before and after the Spanish conquest. Their devotion to the cults of the saints and to their own dance dramas and quasi-mythological migration stories, which the *Rab'inal Achi* and the *Popol Vuh* best exemplify for the K'iche', are evidence of the strong adaptation of pre-Colombian belief systems and Christianity. The available notarial documents written in indigenous languages in the colonial era represent an extremely conservative take on religion - one that the lay indigenous catechists tempered so that it became acceptable to the colonial apparatus.

Personal Piety

The ordinances show that confraternities were a communal expression of religion, and although they

emphasize that the members practice acts of personal piety, they do not give us any indication of individual belief. The best examples of the expression of personal piety in indigenous language notarial documentation are found in wills. Some scholars have argued that religious statements in wills were part of a formula that scribes could pick and choose from.¹⁴⁹ Fray Alonso de Molina produced a sample will and testament for the Nahuas of central Mexico that contains several religious phrases used in Nahuatl testaments. Nevertheless, when wills were made, the testator usually recited his or her wishes orally. The K'iche' spoke the words of their testaments within their own homes in the presence of immediate family members, the town council, clan leaders, and other witnesses. Nothing was more important to colonial Mesoamericans than the use of proper speech and strong oratory skills were lauded and respected. The use of the proper religious opening would have also been important to them.

The way that they wrote reflected their tradition of proper speech. Their wills and testaments betray an oral tradition based on dialogue and present a narrative style

¹⁴⁹ In his chapter on religion in *The Maya World*, Matthew Restall teases out statements of religious devotion and piety from Yucatec testaments. He asserts that Yucatec scribes must have followed a specific model, similar to if not the same one that Fray Molina made as a sample for the Nahuas of Central Mexico, to write out their last wills and testaments.

that cuts between the third and the first persons. The dialogue shows the intervention of the town council and the first-person wishes of the testator. The similarity and formulaic feel of religious statements might further represent a lifetime of memorization and recitation. As catechumens the K'iche' and other indigenous groups in Mesoamerica were expected to recite and memorize Catholic prayers connected to church liturgy. Repetition, after all, was the best way to ingrain Catholic ideals into the minds and hearts of neophytes, and therefore, formulaic expressions could represent a lifetime of recitation. The repetitive religious statements in wills might represent a formulaic prayer.

Although I agree with the idea that a model testament may have been used and that these statements were formulaic, these religious statements also served the purpose of expressing the personal piety of specific community members and of the religiosity of the testament creators - the town council. K'iche' testaments are also replete with pious language that sets apart either the testator as a devout Christian or the creators of the testament as devout practitioners of the Christian faith.

The K'iche' town counsel of Rab'inal usually set the performance of this act of creation in the name of the

trinity, although they always called on all three personages individually: God the Father, God the Son, and God the Holy Spirit along with the approval of the Holy Virgin Mary. Joseph Calah's last will and testament of 1773 witnesses the performance of the creation of his will in this tenor: *xcha ban u suculiquil chupam u bi Ds. Qahauixel, Ds. Caholaxel, rech Ds. Espiritu to ruc Qaloq'olah chuch S.ta Ma.* "We have done his truth in the name of god the father, god the son, and god the Holy Ghost with our sacred mother (virgin) Saint Mary".¹⁵⁰ The phrase *loq'olah chuch*, literally translated as "sacred mother," defines Mary as a virgin. Similarly, in the testament made with the wife of the deceased Gaspar Panq'an on March 13, 1767, the opening phrases include the supplication to the trinity as three separate gods and to the Virgin Mary: *puch chirih squettaq' u cox col u cux chiquech e ral cual chupam u bi Dios Q'ahuixel dios Caholaxel ruc loq'olah Dios espiritu sancto ruc Q'aloq'olah chuch St.a M.a xqui touic chirech u bixic hun caib nu testamento tzih.* "And about their goods, the suffering of his heart was voluntary for these his children in the name of God the father, God the Son, with the sacred God Holy Ghost with our Virgin Saint

¹⁵⁰ Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: The Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1775 - 1787], testament of Joseph Calah, 1773, Tulane University, New Orleans, LA.

Mary. They gave me strength to speak one or two words of my testament."¹⁵¹ The inclusion of the Virgin Mary makes the appeal to creation quadripartite, reflecting an indigenous belief in petitioning four gods instead of the three found in the Christian belief of the trinity. The four gods could then help to recreate the wishes of the deceased found in the testament because they correlate with the four cardinal points and with the delimitations of space that were both sacred and necessary for the K'iche' in order for them to reconstruct social relationships and realign or reconfirm the border markers of the testator. The border markers of the land demarcate the sacred space of the community, where corn and other life-giving sustenance are produced.

Sebastian Gotierras in his testament uses the opening formula with a slight twist: *Nabe cutt u tzih chupam u bi D.s Qahauixel Ds. Caholaxel D.s espto ruc nu chuch Ma. Are ta cutt chito u vech chirech u bixic jun caib nu tzih chiquiuach uae nu chuch nu q'ih.* "First just his word in the name of god the father, god the son, and god the Holy Ghost with my lady Mary. And may there be, well, someone to help himself, to say one or two of my words before them,

¹⁵¹ Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1775 - 1787], testament of the wife of Gaspar Panq'an, 1791, Tulane University, New Orleans, LA.

these, my mothers my day keepers."¹⁵² It is unusual for the scribe to consider the town elders in the council as "my mothers, my day keepers." Usually the expression is *qa chuch qahau* "our mothers, our fathers." In *Time and the Highland Maya*, Barbara Tedlock's study of divination in the modern highland K'iche' community of Momostenango she defines the term *qa chuch qahau* in detail.¹⁵³ Tedlock notes that the mother-fathers are connected to the town elders. It might be possible that indigenous elders were the same that held positions of power in the colonial cabildo. Although unusual, it is not strange that the scribe, Lucas Tauico, chose to use the phrase *uae nu chuch nu q'ih* to describe the town council. Tedlock asserts that "the mother-fathers" are first *aj q'ij* or day keepers before they become diviners. They function as counters of the days, keepers of time, and as redistributors of space and land. They become intercessors between the gods, even the Christian gods, which include the trinity and the Virgin Mary.

Kevin Terraciano mentions a Ñudzahui pre-Colombian tradition that was similar to colonial testament

¹⁵² Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], testament of Sebastian Gotierres, 1765, Tulane University, New Orleans, LA.

¹⁵³ Barbara Tedlock, *Time and the Highland Maya*, (Albuquerque, University of New Mexico Press, 1982).

production. Men and women of the Ñudzahui culture in Oaxaca would consult a diviner to divide and distribute the goods of the dying to those who were most deserving.¹⁵⁴ It is possible that the K'iche' also had a similar practice and that for the K'iche' the same method continued up into the colonial period under a similar guise as their pre-Colombian tradition. It can be assumed then that the mother-father diviner may have had a precedent among all Mesoamerican peoples and that their inclusion as community planners was a deep-seeded tradition. The European-imposed last testament is merely a reflection of the acceptance and adaptation of a colonial institution that fit well with a pre-existing Mesoamerican custom. In an area such as the colonial backwater of Rab'inal and Baja-Verapaz it would be unlikely that the Spanish authorities would attempt to eradicate traditional indigenous practice, especially if it did not interfere with the collection of tribute, tithes, or their own private exploitation of indigenous peoples. In fact, most of the documentation that reveals difficulties between friars and indigenous religious practitioners in Guatemala usually manifests the fear of rebellion that the mendicants had because of the sheer

¹⁵⁴ Kevin Terraciano, "Native Expressions of Piety in Mixtec Testaments" in *Dead Giveaways, Indigenous Testaments of Colonial Mesoamerica and the Andes*, Edited by Susan Kellogg and Matthew Restall (Salt Lake City, Utah: The University of Utah Press, 1998), 115 - 140.

numbers of their parishioners, and hence their lack of action against what they deemed heretical.

In the testament of Sebastiana or Jasinta Lopes the wife of the deceased Joseph Chen, the scribe relates that the town council authorities had been summoned to listen to her last words because the testator was *co chic chupam u q'ab D.s chupam puch u llauabil ca cha cut u tzih chupam bi D.s Q'ahauixel D.s caholaxel D.s esp.to ruc nu loq'olah chuch M.a are ta ca tto u uech chirech u bixic hun caib nu tzih chiquiuach e nu chuc(h) e nu q'ahau*, "already in the hand of God in her infirmity she says, well, her word in the name of God the Father, God the Son, and God the Holy Ghost with my virgin mother Mary may she be my helper to say one or two of my words, herself, before them, they who are my mothers, they who are my fathers".¹⁵⁵

The second living testament of Maria Sis the wife of the deceased Thomas Tzuq'ub repeats this same phraseology with a slight twist. The scribe Gaspar Toh under the mentorship of Miguel Dias writes the formula for Maria Sis in this fashion: *chacut u tzih chupan u loq'olah bii D.s Q'axauixil D.s Caholaxel D.s espiir.to ructa cut nu loq'olah chuch S.ta m.a aretaq ui toy co chu bixic*

¹⁵⁵ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1752 - 1778], testament of Sebastian(a) Lopes 1768, Tulane University, New Orleans, LA.

chiquiuach e nu chuch nu q'ahau ahauab Al.c Just.as Rejidores Gover.or. "In this manner that her word is in the sacred name of God the Father, God the Son, God the Holy Spirit also, well, my sacred mother (virgin) Saint Mary they are here to help her to say (her words) in the presence of them my mothers, my fathers, who are the elders, mayors, justices, aldermen, and governor."¹⁵⁶ The formula becomes a petition, a prayer that the sick and dying say on their deathbeds asking in the name of the trinity and with the help of the Virgin Mary that they may say the right words to the diviners who are the lords and elders of the town council.

Gaspar Panq'an's will that has already been mentioned above was a testament that was made after his death. The use of the first person voice in the will evidences the voice of the deceased as channeled through the diviners. It was made at the behest of his wife Maria Peres who paid six pesos for the drafting of this document.¹⁵⁷ The will of Francisco Hernandez states that he did not make a testament

¹⁵⁶ Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1775 - 1787*], testament of Maria Sis, 1779, Tulane University, New Orleans, LA.

¹⁵⁷ *Ibid.*, Testament of Gaspar Panq'an.

in life and includes the partition of his goods. It may be assumed that the town council was channeling his wishes.¹⁵⁸

Of the forty-three wills from the Rab'inal corpus, only nineteen have the invocation of the four gods, and of those nineteen only two do not have a connection with the mother-fathers. This is a good indication that the invocation of the four gods is done as a precursor to the divination process. The diviners work through the individual whether alive or dead to channel the wishes of the deceased and to confirm that their words of counsel are in line with the wishes of their ancestors. This is a religious experience associated with death and dying.

Many of the wills include the concern for a mass to be sung or said for the deceased to help speed the soul through purgatory. The words of Joseph Calah's will command that his son is to pay for Joseph's mass. *Uae cutt nabe u tzih hun nu misa cu toh nu cahol Domo chi cayb ro tostones tobal uanima chuach D.s* "This, well, is his first word. My son Domingo will pay for my one mass with two tostones, zero reales to help his soul before God."¹⁵⁹ The language of the will cuts in and out of the first and third persons ultimately illustrating a dialogue between the testator and

¹⁵⁸ Ibid., Testament of Francisco Hernandez.

¹⁵⁹ Ibid., Testament of Joseph Calah.

the town council who are acting as the creators or executors of his living words. *E co caib ual cual Dom.o Juan ca quitoh chuach Padre rech nu missa xquitoh cut uae ralcual chi hun siento tostones - 100 tts*, "There are two of his sons, Domingo and Juan, who will pay the Father for my mass. His sons shall pay, well, one hundred tostones - 100 tts."¹⁶⁰ Sebastian Gotierres' first words were that his son was to pay one hundred tostones for his mass if God should take him so that his soul could be helped - possibly through purgatory. Pablo Rojas's will says it with a little more fervor: *uae cut u nabe u tzih chuuach D.s nima ahau hu nu mula chi cay y xic chi toh be x rech nu misa tobal u anima chuuach D.s chi cayb roo tostones*, "this just his first word before God the Great Lord, I have one mule. May it be sold, may it be priced in the road for my mass to help his soul before God for two hundred tostones."¹⁶¹ The dedication to the Christian religion clearly is evident in the financial sacrifices that these poor indigenous people made to have masses said or sung in their behalf. Their faith was stronger than the material comfort of their inheritors.

¹⁶⁰ Ibid.

¹⁶¹ Ibid., Testament of Pablo Rojas.

Individuals sometimes expressed their personal piety in their wills and their testaments did not always adhere to formulaic expressions. Francisco Chen's will is an example of of a will that forgoes the usual religious statements. He said: *chicut xa rumal; mix nu zonoh; nu naoh, chuuach dios quehe mix u ya dios chuue ca cha cut u zih; xanu patan mix nu bano chirech u zucuxic, xatob quetaam*, "This other, well, only because of him; I already prayed; I felt, before God that God already gave to me (salvation). He said, well, his word of truth, my service I already did for him for his righteousness. It is sufficient that they come together."¹⁶² His will is full of statements of piety and thanks to God. Although not directly stated, Francisco Chen may have already done his duty as a mayordomo or deputy in one of the confraternities in Rab'inal and therefore would have already insured for himself quick passage through purgatory.

Pablo Qohom's testament of 1762 reserves his pious statements for the end of his will in which he declares: *taqui nu cam Dios chiqui camo u nih u tohic caib nu missa rumal xax oh ui camel zachel rumal dios*. "I will hand myself over to god at death. When the dead stinks, He will hear two of my masses because indeed we who are here are to

¹⁶² Ibid., Testament of Francisco Chen.

die forgiven because of God."¹⁶³ Pablo's words seem to go beyond the standard formula, beyond rote repetition, and expresses a heartfelt understanding of Christian dogma.

A scribe will sometimes leave out the formulaic expressions and portray a more humanistic side in the testament. The scribe of the town council of Rab'inal, Lucas Tauico, on March 12, 1768 writes in the will of Diego Macha': *Oh Q'anauinaq' oh taol rech jun caib u tzih u testame.to puch casliquil tzih uae cutt nabe u tzih xa u nababalrib rum.l xax oh ui cam.l sachel.* "We witnesses, we hearers of one or two of his words of his testament indeed living words, this, well, his first word of his testament is only for his own memory because we are only mortals."¹⁶⁴ Lucas Tauico reveals the purpose of the testament to be to preserve the memory of those who have gone beyond, which is in many respects the same reason why stelae were carved with glyphic inscriptions that praised the memory of kings, queens, and other elites in the pre-Colombian past. The basic idea is that the words of the testator will live on even after mortality claims him or her in death.

Sometimes the words of a testator do not seem to praise God as much as prove the humility of the speaker.

¹⁶³ Ibid., Testament of Pablo Q'ohom.

¹⁶⁴ Ibid., Memoria of Diego Macha.

Diego Macha's is the type that does not use the formulaic expressions seen in other testaments but rather makes statements such as: *ca quilo u quail uech yn u meba Dios*. "See what is yours. As for me, I am God's poor one." In the same testament, Diego Macha' uses the opportunity to instruct his family on how not to air the family's dirty laundry. He says: *ca qui ban rii lahuu u pixab dios chuach xa q'imana q'i tzih ta cuttal u saq' pamaq' ri nu cahol Diego*. "Do the ten commandments of God before him, May you not walk saying denouncing things about the cleanliness of my son Diego in the nation."¹⁶⁵

Religious statements in last wills and testaments went beyond recitation in some cases yet in most rote memorization is detected and may be linked to K'iche' conceptions of Christianity and spirituality. The seemingly mundane preambles that repeat an invocation to the Christian trinity and to the sacred mother Mary are linked to the creation of the will, in which the town council or moiety leaders as diviners assist the testator to align their testimony to the wishes of their deceased ancestors and to the gods. Their roles as "mother-fathers" imbue the cabildo members and moiety leaders with the creative power necessary to realign and recreate the

¹⁶⁵ Ibid.

community and to redistribute sacred space. The town council and moiety leaders in Rab'inal were able to perform their roles as both civic and religious leaders of their town. This evidence shows that the K'iche' were able creatively to adapt Christianity to traditional religious practices.

Chapter IV

ea chuch εahau: K'iche'an Divination, Sacred Space, and Time

In 1620, a former indigenous fiscal from San Pedro Sacatepequez in Guatemala, Gaspar de Oleza Chasat, wrote a letter in Kaqchiquel to the current fiscal of his town from his dark and dank cell in the secret jail of the office of the Holy Inquisition located in the colonial capital of Central America, Santiago de Guatemala.¹⁶⁶ He wrote because while in jail he had been under significant duress, which included threats to his person and unspeakable torture at the hands of his interrogators. One of those threats included that he may be sold as a slave for three years to work in an *obraje* in Mexico. He wondered if this threat might be true and if so what was to become of him; what would his fate be? He had been a leader and a teacher to his people, a lay minister commissioned to catechize the neophytes of San Pedro in the newly established Christian doctrine that the Spanish conquerors, their clergy, and their missionaries had introduced to him and the other natives of his land. As a fiscal, the visiting priest of San Pedro entrusted him with keeping a record of the sacraments that the parishioners of his town received -

¹⁶⁶ AGN Inquisición, Vol. 321 Tomo II, Fol. 273r - 273v

baptism, confirmation, and marriage. He received payment for his service and was knowledgeable in the arts of writing his own language in Latin letters, a skill that he acquired under the tutelage of a Spanish friar or an indigenous scribe. He was probably at one time in his life the scribe of the town council of San Pedro, Sacatepequez, responsible for keeping a record of official town government activities. The office of fiscal was the highest office in the new state cult that indigenous men could aspire to, and Gaspar being fifty-one years of age was elderly and wise enough to have made his way through the ranks to attain this great honor. All of that was now in his past, as he contemplated his bleak future from his prison cell.

His letter betrayed a set core of indigenous cultural beliefs that most Mesoamerican peoples shared and which the Spanish missionaries could not extirpate. Through metaphoric speech, Gaspar Chasat's letter reveals traditional indigenous divinatory practices that the native peoples conserved in Guatemala, practices that they retained along with the adaptations of new Christian religious forms. At the beginning of this correspondence, Gaspar addresses the new fiscal who took his place as *nu te nu tata*, which in K'aqchiquel means "my mother my

father".¹⁶⁷ For the K'iche', a mother-father was and still is the title of a diviner, a day counter, and someone who is able to interpret auguries and dreams. These ritual specialists were able to commune with the ancestors of the community in order to receive important direction for future action. The ancestors had a clearer vision of what lay ahead in the future. Gaspar Chaꝣat de Oleza was hoping that the ancestors, through the new fiscal, would be able to reveal his fate.

For the K'iche', the town council members, lay religious leaders, and lineage heads were all diviners, endowed as elders with the sacred obligation to divine the fate of the community. The evidence contained in this letter would suggest that the K'aqchiquel held a similar belief as their neighbors the K'iche'. Gaspar Chaꝣat de Oleza had to ask the new fiscal to perform this function of divination because shamans had to perform this rite in a sacred landscape. This sacred landscape for Gaspar was most likely within or close to the town of San Pedro, where the ancestors themselves were interred. Within the letter, he asks the fiscal: *ta cutuh chiquiwach qa tata mam chic bila tan u banon coh chic uae pa ximubalbay uohivih waueu uinel ui qui rapasna ca be ca qui be chiri Mexico*, which

¹⁶⁷ Ibid.

means "ask before them our fathers, our grandfathers if truly I am to leave here (from the prison) and if I am to leave after and go to Mexico."¹⁶⁸ He then asked about his accusation and if the *fiscal* could ask their fathers about that.¹⁶⁹ He was petitioning the new *fiscal* to divine his fate for him and to ask the fathers and grandfathers, a metaphor for male ancestors, to give him answers and to assuage his fears. At the end of the letter, he signed his name and called himself, a *cahal*, your son, demonstrating deference to the office of *fiscal* and the title of *nu te nu tat*.¹⁷⁰

The title of "mother, father" existed in several Mesoamerican societies. The K'iche' used the title *εa chuch εahau*, "our mothers, fathers," for the *alcaldes*, *regidores*, governor, *chinamit* leaders, and lay religious hierarchy. Robert Haskett identifies the *in tonantzin in totatzin*, "our mothers, fathers," title in a Nahuatl election document in the Cuernavaca region.¹⁷¹ It is tempting to

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Robert Haskett, *Indigenous Rulers, An Ethnohistory of Town Government in Colonial Cuernavaca* (Albuquerque, New Mexico: University of New Mexico Press, 1991), 100; also see his note on pg. 243 where he noted the use of *in tonantzin in totatzin* in a "Nahuatl election document, Tepoztlan, 1739" AGN HJ leg. 345, exp. 53, fols. 173r -174v

suggest that the title represented the role of shaman in Nahua society as it clearly does in K'iche'an society.

The concept of divination and of the office of seer was not new to colonial K'iche'an societies and has a *longue durée* in Maya culture. The Maya in the lowlands in the Classic period had similar conceptions of the role of the ancestors in the remembrance of the past and in the prognostication of the future. The founding ahau of Copan, K'iinich Yaax K'uk' Mo was venerated as the founder of the Teotihuacan influenced dynasty and was depicted after death as a solar deity. K'iinich Yaax K'uk' Mo is the dynastic founder who carries the torch with the new fire needed to begin a long unbroken line of sixteen kings - leaders over the lineages of Copan. As Karl Taube has noted, K'iinich Yaax K'uk' Mo is depicted at the top of "the hieroglyphic stairway" as the sun god, K'iinich Ahau, dancing above the recounting of the reigns of the thirteenth, fourteenth, and fifteenth kings of Copan. Ruud Van Akkeren identifies a similar concept for the K'iche' of the Post-Classic period in the *Popol Vuh*; the founder and initiator of new K'iche' dynasties becomes the sun at the first sunrise place of the K'iche' nation.¹⁷²

¹⁷² Ruud Van Akkeren, *Place of the Lord's Daughter; Rab'inah, its history, its dance-drama* (Leiden, Netherlands: Research School CNWS,

The Maya depicted the past in relation to the present, representing past leaders coming back along the road of the dead and emerging out of the maws of giant serpents. Ritual specialists who knew how to read and interpret the glyphs gained access to or divined the words of deceased kings. These ritual specialists had access to the ancestors whose bones the ancient Maya interred within the same structures that carry the historical description of their deeds.

The art of divination and the act of conjuring up the will of the ancestors in K'iche' society continued long past the colonial era. Shamans in modern K'iche' society are known for being counters of the days and use red beans and corn kernels to count out specific sequences of days related to both the solar year and the two hundred and sixty day ritual calendars.¹⁷³ These day counts give them important auguries and shamans receive "messages" from the deceased ancestors of the community through the twitching of certain muscles on either the left or the right sides of the body.¹⁷⁴ The day counters, or *aj q'ij*, after a period of service, receive a calling to be a *chuch qahau*, "mother,

Leiden University, School of Asian, African, and Amerindian Studies, 2000).

¹⁷³ Barbara Tedlock recounts her initiation into the world of a shaman in modern day Momostenango, Guatemala in her book, *Time and the Highland Maya*.

¹⁷⁴ Ibid.

father," and it appears to be more than coincidental that this title is also found in colonial K'iche' documents. The *chuchqahau* are responsible for settling marriage and land disputes and training and initiating new day keepers.

Harry S. McArthur makes it fairly clear in his study on ancestor worship for the Aguacatec in the Cuchamatan highlands that the mother-fathers or diviners contact different hierarchies of past community leaders depending on their specific needs. They revere the bureaucratic divisions of community service even after death and a shaman can call upon the counsel of deceased mayors or alcaldes according to their day names and propitiate them according to the 260-day ritual calendar. "Mother-fathers" call upon specific leaders who served the community well for their leadership advice, their words of council.

Although the forms of divination and of ancestor worship changed through time, the traditional concept of calling upon the aid or advice of deceased ancestors remains a standard practice in K'iche'an Maya societies. The examples of modern "mothers, fathers" do not allow us to see direct continuity in divinatory practices but rather give us the opportunity to see changes in the forms of ritual practice. The purpose for divination remained the same, to call upon the sight of those who could ultimately

see both the past and the future much clearer than the contemporary leaders in their times. Consequently, the form of divination changed in K'iche' Maya society with the creation of altered leadership patterns.

In ancient times the role of diviner belonged to elite men and women in Maya Classic and Postclassic societies who shed their own blood in rituals of auto-sacrifice to call upon the counsel of departed leaders and ancestors. The most poignant of such scenes are the images carved in limestone from the Classic Maya city-state of Yaxchilan. Within these scenes, the ancestors return as deified beings from the maws of serpents when the kings and queens burned paper and incense spattered with their own blood. They invoked the counsel of the ancient kings who appeared before them and through the same rituals could invoke likewise the counsel and advice of the gods.

The K'iche'an peoples had a patrilineal connection with the Classic period lowland Maya through one of their *nim ja* or great houses, which was connected to a lowland lineage. The *Popol Vuh* offers evidence of this connection. The *Popol Vuh* is, as its title suggests, a book of the mat, the mat being a Mesoamerican symbol for marriage, and hence symbolic of lineage structure. It magnifies the importance of and singles out the K'aweq, which was an elite lineage,

one of the great houses, of the K'iche' nation. They connected themselves to symbols of power from several areas of Mesoamerica, evoking the metaphors, tropes, and mytho-history of Mesoamerican oral traditions.¹⁷⁵ Ruud Van Akkeren has made the suggestion that the name K'aweq is a K'iche'ization of the name of the lowland K'an Ek lineage and that perhaps a breakaway group from this clan may have migrated up from the Petén lowlands of Guatemala into the Q'eqchi and later K'iche' highland kingdoms.¹⁷⁶ They brought along with them their own myths and legends, which emphasized the common Mesoamerican concept of deified ancestors and may have introduced the lowland concept of the hero twins into the highlands.¹⁷⁷

The dynastic rulers of the ancient Maya had access to a god, identified in the Schellhas god list as God K, whose ancient name was K'awiil.¹⁷⁸ This was a god of divination; K'awiil was a god who could see into the future and into the past clearly. Several rulers in classic Maya city-states included the name-title K'awiil in their royal titles, most likely taking upon themselves the aspect of

¹⁷⁵ Alfredo Lopez Austin, *The Myths of the Opossum, Pathways of Mesoamerican Mythology*, Translated by Bernard R. Ortiz de Montellano and Thelma Ortiz de Montellano (1993: Albuquerque, New Mexico, University of New Mexico Press).

¹⁷⁶ Van Akkeren, *Place of the Lord's Daughter*, 209.

¹⁷⁷ Ibid.

¹⁷⁸ Mary Miller and Karl Taube, *An Illustrated Dictionary of The Gods and Symbols of Ancient Mexico and the Maya* (New York & London: Thames & Hudson, 1993).

this god who connected them to the past and the future. In K'iche' the name for K'awiil was retained although K'iche'ized. It became K'abawil, which also means, "to see two ways." The K'iche' considered the god K'abawil as the same as their god Tojil, the patron deity and oracle of the K'iche' people.¹⁷⁹ The name for the deity, Kab'awil, would change its meaning under Spanish colonialism and would be used to describe the devil and any demon.

The early founders of the K'iche' nation, the four sons of the creator couple, Xpiacoc and Xmukané, also had abilities to see.

They were able to see as well, for straightaway their vision came to them. Perfect was their sight, and perfect was their knowledge of everything beneath the sky. If they gazed about them, looking intently, they beheld that which was in the sky and that which was upon the earth. Instantly they were able to behold everything. They did not have to walk to see all that existed beneath the sky. They merely saw it from wherever they were. Thus their knowledge became full. Their vision passed beyond the trees and the rocks, beyond the lakes and the seas, beyond the mountains and the valleys. Truly they were very esteemed people, these Balam Quitze, Balam Acab, Mahucutah, and Iqui Balam.¹⁸⁰

These were the four names of *εa nabe chuch εahau*, "our first mothers, fathers," the authors of the *Popol Vuh* explain.¹⁸¹ These were they who were called "mothers, fathers" before the creation of their wives. The gods

¹⁷⁹ Van Akkeren, *Place of the Lord's Daughter*, 334 - 335.

¹⁸⁰ Allen Christensen, translator, *Popol Vuh, Electronic Version*, 2004, lines. 4984 - 5010.

¹⁸¹ *Ibid.*

granted them this title before they had the right to see all that was in the sky and all that was in the earth and so they literally were the first diviners, the first shamans, and the first leaders of the K'iche' lineages.

The concept of clear sight is similar in the conceptualization of language of a modern Yucatec Maya speaker. When a modern speaker speaks of events to occur in the distant future and events that occurred in the distant past, the same subjunctive form of speech is used. This puts both of these events in an unsure and unlived state and makes them less meaningful for the speaker who sees events in reference to his or her present experience.¹⁸² For the modern Yucatec speaker as for the modern K'iche' speaker, a ritual specialist who can see both the past and the future clearly would be necessary in order to gauge one's path in life.

Fate plays a huge role in the lives of modern indigenous peoples as it did for their colonial and pre-Hispanic ancestors, and auguries played a significant role for the first fathers of the K'iche' people in the early titles. The founders of the K'iche' nation called upon the counsel of Tojil, their patron deity and oracle, for advice

¹⁸² Fidencio Breceño Chel, Personal Communication, 6/11/2008

on how to proceed against the settled nations that they desired to subjugate.

*Mix xquiq, onoh chic quinaoh chire tohil vue coh camic ue pu coh qhacatahic xechaxok' qui qux chuach tohil mix biçonic qui qolic are chi uoquicah uae chique mixibih yuib xeu chax balam qitze balam aεab mahucotah yquibalam*¹⁸³ "They just petitioned again, they felt towards Tojil, 'Will we die, or will we be destroyed?' Their hearts cried before Tojil. 'They already lamented their existence hence I will use my powers against them. They already feared.' [Tojil] said to Balam Qitze, Balam Aεab, Mahucotah, and Iqui Balam."

All of the early titles demonstrate the importance of receiving divine guidance and suggest that the founding fathers as the first leaders of the K'iche' nation also had the role of shaman of the community. In the *Title of the Lords of Totonicapán*, the first fathers consulted the counsel of the gods on at least four separate occasions.¹⁸⁴ Throughout the colonial era from 1524 to 1825, all of the leaders of the K'iche' *tinamit amaε* were shamans and diviners in similitude of the founding fathers.

The practice of divination did not disappear nor could petitioning auguries be extirpated after the Spanish

¹⁸³ Robert M. Carmack and James L. Mondloch, Transcribers and Translators, *El título de Yax y otros documentos Quichés de Totonicapán, Guatemala*, (Mexico: Universidad Nacional Autónoma de México, 1989), 38 - 39 & 77. For the translation of the K'iche' to English, I relied on the endnotes for guidance with some exceptionally difficult passages. Pg. 92.

¹⁸⁴ Adrián Recinos, Dionisio José Chonay, Delia Goetz, *The Annals of the Cakchiquels and Title of the Lords of Totonicapán* (Norman, Oklahoma: University of Oklahoma Press, 1953).

conquest. Under Spanish colonial rule, the K'iche' *cabildos*, the *chinamitales*, and all other town justices and leaders held the title *sa chuch sahau*. The town council members served the community as intercessors between the K'iche' community and the outside world and they also served as spiritual conduits relating the wishes of the dead to the community's living members. They relate to the restructuring of space and link the living with the dead through the aid of divination. Fray Francisco Ximenez, the translator of the *Popol Vuh* and a resident priest in the head town of Rab'in al, alludes to this practice related to death and dying. He states that when the dying were terminally ill that the K'iche' would use herbal medicine and then call in the magician, the necromancer, or augury specialist to prescribe the right sacrifices to cure the sick.¹⁸⁵ Not only did they call in the magician or the healer, they also called in a necromancer or an augury specialist. The authorities present for the drafting of wills included the mayors, justices, the scribe and at times the governor, the *chinamitales*, and the family members of the testator. The K'iche' usually waited until a member of the community was gravely ill before they

¹⁸⁵ Fray Francisco Ximenez in *Historia de la provincial de San Vicente de Chiapa y Guatemala de la orden de predicadores* (Guatemala, Central America: Biblioteca "Gaothemala" de la Sociedad de Geografía e Historia, Volumen I, Tipografía Nacional, January, 1929), 99.

produced a will. The authorities involved were diviners, who were able to commune with the dead and give counsel from the deceased ancestors. They included the lineage members past and present in the production of wills.

In the correction of the last testament of Mateo Q'onibel in Rab'inal in 1776, the town council acts in the office of diviners and summons up the words of the testator's deceased grandfather. The scribe of the cabildo of Rab'inal, Lucas Tauico, writes, *ca cha cu u tzih uae q'a mam Matteo Q'alah xi nu cam D.s ruc qui chu ca qui comonih huh un q'a miza ruc qui chu[ch]*, "he says well his word of this our grandfather Mateo Q'alah God received me. With their mother every one of you come together in common and do a mass with our mother."¹⁸⁶ The first words here are those of a man who was already dead. He was advising his family members that he did not need a mass said for him because he was already in the presence of God. The town council channeled his wishes from beyond the grave and acted as the mouthpieces for the deceased's proclamation that the family needed to arrange for a mass for their mother.

¹⁸⁶ Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1775 - 1787*], testament of Matteo Q'onibel, 1776, Tulane University, New Orleans, LA

The mundane documentation generated in K'iche' *tinamit amas* in the eighteenth century do not point out the practice of divination because the K'iche' did not perceive it as a peculiar practice. It was a basic part of their daily lives. What seems unusual to an outsider was perfectly natural to the K'iche'. The Eurocentric historian may label these practices bizarre and classify them with their contained and categorized definitions of "the Other," as definitions that are worthy of mention only to prove the irrational and unenlightened traditions of the "savage." Dipesh Chakrabarty reminds us of the importance of considering diverse histories that may not include what is important to Enlightenment inspired linear thinking.¹⁸⁷ The multiplicity of human experience suggests that we must acknowledge how diverse peoples, including the K'iche', interpreted their own existence, and that interpretation is clearly found in their ideology, their world-view. The K'iche' included divination as a part of their quotidian routine and did not consider their customs unusual, bizarre, or worthy of any exadurated mention. Exact language within K'iche' documents that directly confirms the divinatory experience is difficult to find.

¹⁸⁷ Chakrabarty, 3.

Sacred Space:

The act of divination could not just occur anywhere. The rituals had to be done in sacred spaces that were made sacred because the ancestors were interred there or because a founding ancestor or god made them a *saeribal*, or "sunrise place." K'iche' community founders waited for the sun to rise on their rule. The dawning of communities in Guatemala occurred on the tops of mountains and these sunrise places represent important border markers that delimited the sacred space of a community or regional state. Gaspar Chaꝑat de Oleza, in his letter to his contemporary fiscal and "mother, father," had to solicit the performance of divinatory rites from him because they needed to be performed in the sacred space of his town of San Pedro Sacatepequez where the ancestors of the community had been interred. He himself was a former fiscal and probably acted as a "mother, father" while he was in office, and therefore he understood the ideology behind divination and honored it. He could not perform the act of divination from his secret prison cell in Santiago de Guatemala.

Each town in Guatemala has its own sacred landscape, which circumscribes the community. The natural features of the landscape are border markers and many of them are

mountains surrounding a village or town. Ruud Van Akkeren identified the sacred space of Rab'inal and noted the mountains that surrounded the town as the markers used as processional stops in the Rab'inal Achí.¹⁸⁸ Barbara Tedlock identified the sacred space of Momostenango and the extension of a sacred landscape into other areas of Guatemala, such as Lake Atitlan and its looming volcanoes, that the *chuchq'ahau* of that town understand, respect, and upon which they still practice divination.¹⁸⁹ The sacred space of Momostenango includes four mountains upon which the K'iche' diviners placed altars and designated as *alcalde primero*, *alcalde segundo*, and their secretaries. These designations refer to leadership roles in Momostenango. In the national and modern periods of Guatemalan history, Liberal reformers destroyed autonomous indigenous town government and mandated that a *ladino*, who was not an indigenous person, lead as the *alcalde primero* with an indigenous *alcalde segundo*. Colonial leadership of indigenous towns was autonomous and consisted of two indigenous mayors and their scribes or secretaries, who along with other officials received the title of *chuch*

¹⁸⁸ Van Akkeren, *Place of the Lord's Daughter*; See specifically chapter seven "Of Tales and Hills, Oral Tradition and the Landscape," 232 - 317.

¹⁸⁹ B. Tedlock, 89 - 104.

q'ahaw and governed *K'iche' tinamit amae*. It would not be a far stretch to argue that the Momostecos dedicated these mountains and their shrines to a colonial *K'iche'* conceptualization of leadership - one that viewed the leaders and elders of *K'iche'* communities as stewards of their town's sacred landscape.

K'iche' leaders of their individual *tinamit amae* had the reciprocal responsibility of ensuring the protection of their towns' sacred landscapes and acted as re-creators of that sacred landscape every time a member of the community died or when there was any transfer and moving of border markers and other land boundaries. In the late eighteenth century, Domingo Santelis, the governor of Rab'inal bought a portion of irrigated land *chuui Zaneeb chi chahnibal chi quech chinamital tzihabab, uinae chi cah lahuh 24 tts. Tostt. Chi zucul chuach, Dios - xau i equi chuculal*, "on top of Zamaneb in defense before them the lineage speakers of the people for twenty four 24 tostones in truth before God - also they shall set up border markers upon it."¹⁹⁰ In the *Annals of the Cakchiquels*, Zamaneb is the sacred mountain where the Rab'inaleb, a branch of the *K'iche'* confederacy,

¹⁹⁰ Gates collection, MSS 279, Box 96, folder 4, folio 6 - 7, "San Telis Papers," L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah

had their *saeribal* or "sunrise place."¹⁹¹ The governor bought the land for sale in defense of the speakers of the people to insure that it remained within the control of the community. He defended the rights of the *chinamitales* to remain in possession to the sacred landscape of Rab'inal. The K'iche' and all Mesoamerican peoples considered land sacred, especially arable land dedicated to producing life-giving sustenance. In "Chapter V: K'iche' Land and Inheritance," I explain the sacred nature of the cornfield and the ritual border walks that served as both religious ritual and practical legal performance.

Sacred landscapes are one of the major themes of early titles. The most famous of these titles is the *Popol Vuh*, which re-evaluates mytho-historical events and places them in sacred time and space.¹⁹² Ruud Van Akkeren identified the areas between Rab'inal and Coban as the stage, the sacred landscape, for the performance of the mytho-historical events that take place in the text. The spatial elements of the *Popol Vuh* connect the K'iche' lineages to the sacred spaces of the Verapazes in Guatemala; the mountain Sipac, which is an important feature of the Rab'inal landscape, features prominently in one of these

¹⁹¹ Recinos, Chonay, and Goetz, 80.

¹⁹² Van Akkeren, *Place of the Lord's Daughter*, 268 - 317.

myths, and the cave entrance to Xibalba, the K'iche' underworld, is also found somewhere between Rab'inal and Coban. The myths themselves combine many of the features of myths from the several peoples of Guatemala, including the Q'eqchi who live in Alta Verapaz and who at one time lived in Rab'inal, giving this town its name, "the Place of the Lord's Daughter." Matthew Restall classified these titles as quasi-notarial genres because they contain calendrical, mythical, and divinatory information along with claims to territorial suzerainty instead of being solely representative of legal documentation prepared and kept with colonial administration in mind.¹⁹³

Maya and K'iche' divination and auguries: calendars, day-counts, and jaguar prophecies

The K'iche' wrote at least three known "calendars" in a single document entitled, *Chol Poual Q'ih* or *Calendarío de los indios de Guatemala* and *Ahilabal Q'ih*. The *Chol Poual Q'ih*, dated 1722, contains an explanation of the 260-day ritual calendar and the fifty-two year cycle connected to it, and the *Ahilabal Q'ih* contained two calendars, dating from 1722 and 1770. The second portion explains the count of the days and shows how K'iche'

¹⁹³ Matthew Restall, *The Maya World: Yucatec Culture and Society, 1550 - 1850*, (Stanford University Press, Stanford, California: 1997) For a complete discussion of quasi-notarial genres, see Restall's chapter twenty-one "Quasi-Notarial Genres," 276 - 292.

diviners were able to prognosticate the correct auguries from the ritual calendar revealed in the casting of *tz'ite* beans, the consulting of quartz crystals, and the diviner's expertise in interpreting omens, apparitions, and dreams.¹⁹⁴ The *Chol Poual Q'ih* was written probably in Xelaju, also known as Quetzaltenango. *Fiscales* and *maestros cantores* were the likely authors of the "calendars." They reflect some of the same concepts that the pre-Hispanic Maya codices reveal and represent the same sorts of divinatory almanacs that diviners used in the Postclassic period.

Munro Edmonson demonstrates:

"As in the divining calendars of the *Dresden, Madrid,* and *Paris* codices, the days are grouped by "houses," five days to a house, each bearing the same numeral prefix. A note at the end of the earlier calendar explains:

'These are the numbers of the days

For worshipping everything.'

The prognostications are concerned with worship, both Christian and pagan, but they are also concerned with violence, sex, crops, witchcraft, capture, trade, and other matters."¹⁹⁵

¹⁹⁴ Munro S. Edmonson, "Quiche Literature", in *Literatures*, edited by M.S. Edmonson, *Supplement to the Handbook of Middle American Indians*, vol.3, Victoria Reifler Bricker, general editor, (Austin, Texas: University of Texas Press, 1985) 107 - 132. Also see Munro S. Edmonson, *Quiché Dramas and Divinatory Calendars; Zaqi Q'oxol and Cortés: The Conquest of Mexico in Quiché and Spanish, The Bull Dance, The Count of the Cycle and the Numbers of the Days* (New Orleans, Louisiana: Publication 66, Middle American Research Institute, Tulane University, 1997).

¹⁹⁵ Edmonson, "Quiche Literature," 107 - 132. Munro S. Edmonson effectively demonstrated the connection between the pre-Hispanic Maya codices and the K'iche' divinatory "calendars" detailing their contents. His study alludes to the practical uses of the "calendars" in the sixteenth to the eighteenth centuries in the highlands of Guatemala.

The "calendars" combine Christian elements with traditional K'iche' practices and represent a creative synthesis and adaptation on the part of the *fiscales* and *maestros cantores* who anonymously produced these documents. Instead of dedicating the "calendars" to the first diviners, the creation couple of the K'iche' nation, Xpiacoc and Xmucane, the author(s) of the first part of the *Chol Pohual Q'ih* dedicate the count of the fifty-two year cycle to the first father and mother of Christianity, Adam and Eve. They represent themselves as the sons of Jesus Christ and as Christian people, dedicating the count of the lucky days to Christianity.

The Yucatec Maya had several books called the *Chilam Balams* or jaguar prophecies. Scribes who later became religious specialists in the state cult, *maestros cantores* and *fiscales*, were probably responsible for the production and continual reproduction of these books. Most came from towns associated with the Xiu lineage and the area around Maní and Oxcutzcab. The *Chilam Balam of Ixil* did not originate in the Xiuh domain and is a document in which the Maya of that town attempt to adapt the Gregorian calendar and the Greco-Roman zodiac to their ancient calendrical

cycle.¹⁹⁶ It reads like an almanac and includes the best times for planting and harvesting certain food items as well as the types of personalities that children born in a particular month will have.

This attention to auguries directly correlates with *the Borgia codex*, a pre-Hispanic screen-fold book from the Mixteca-Puebla region of Mesoamerica. The Borgia also acts as an almanac and a book of divination, although without the aggregation of European cosmological systems. The consistency of tradition in these examples is contrasted with the innovative adaptations of indigenous peoples as they appropriated and manipulated colonial culture to fit their own needs. Maya priest-shamans and diviners used the books that the Yucatec Maya produced as the *Chilam Balams* as hybrid divinatory calendars, similar in many aspects to the divinatory calendars that the highland cultures used.

The highland Guatemala *chol q'ij* or "count of the days" is connected to a lowland system as many of the day names are derived from either Chol or Yucatec and was likely the result of lowland peoples migrating into the highlands in the twelfth or thirteenth centuries and incorporating themselves into the great lineages of the

¹⁹⁶ *Chilam Balam de Ixil*, Biblioteca Nacional de Antropología e Historia,

K'iche'.¹⁹⁷ The transmission of the count of the days into the highlands entered the area with migrating Chol or Yucatec lineages. The K'iche' "calendars" show also that K'iche' diviners recognized the connection to a Mesoamerican system. The title of the first calendar *Chol Pohual Q'ij* contains as part of the title a Nahuatl term *Pohual*, which associates this K'iche' "calendar" to the *Tonalpohualli* or count of the fifty-two year cycle of the Nahuas.¹⁹⁸ This is the same count found in the Borgia codex and in other Mesoamerican divinatory codices.

Mesoamerican peoples derived their leadership and the rights to rule not only from proper blood ties and genealogies but also from connections to the gods, especially the sun god, and to founding lineage members. As late as the sixteenth century, these connections seemed important to the K'iche' authors of the *Popol Vuh*, who wrote this "quasi-title" to purposefully demonstrate the connections of the K'auaq lineage to the creation couple and the first four lineage heads of the K'iche' nation. The mythological sections of the *Popol Vuh* were just as important to the demonstration of their rights to rule, as were the so-called "historical" sections of this important

¹⁹⁷ Van Akkeren, *Place of the Lord's Daughter*, 228 - 231.

¹⁹⁸ Edmonson, *Quiché Dramas and Divinatory Calendars*.

mytho-history. These very same connections to genealogies, to gods, and to a creator couple can be found in earlier Mesoamerican codices.

Maya peoples integrated Toltec gods into their pantheons in the ninth through the thirteenth centuries after the Toltec-Maya conquests of the Yucatán peninsula and Guatemalan highlands. The *Dresden Codex*, produced sometime in the twelfth century in the Yucatán peninsula, includes painted representations of the Toltec gods *Xiutecutli* and *Itzlacoliuhqui-Ixquimilli*. Maya scribe priests represented the central Mexican god, *Xiutecutli*, with his Mayanized name, *Chac Xiuitei*, glossed in Maya glyphs close to his image. *Xiutecutli* is a Toltec god who represents fire, the sun, and most of all the count of time. His name in Nahuatl means "year lords." He is associated with the Aztec New Fire ritual and with the re-dedication of the community. He is also a conquering god, one who is able to found new communities and represent their beginnings at a "sun-rise place." They also painted the central Mexican god *Itzlacoliuhqui-Ixquimilli*, who was closely related in the *Dresden* and other codices to the Maya's god Q.¹⁹⁹ The inclusion of these foreign gods

¹⁹⁹ Mary Miller and Karl Taube, *An Illustrated Dictionary of The Gods and Symbols of Ancient Mexico and the Maya* (New York & London: Thames &

represent a connection to central Mexico in the Maya lowlands during the Post-Classic period and suggest the integration of Toltec lineages into Maya polities.

The K'iche' also included foreign gods into their pantheon. Many of the stories contained within the *Popol Vuh* are an amalgam of different mythical events, which took place across Mesoamerica. It was as if the K'iche', K'auq lineage was attempting to encompass all of the religious ideologies that they came into contact with or that the many ethnicities that make up the K'iche' nation believed, including legends and gods that were Toltec, Pipil, Yucatec, Q'eqchi, Pokomchí, and Mam. They also were able to weave Christian themes into this intriguing tapestry of myth and legend about the creation of the world, the dawning of the K'iche' nation, and the ascendancy of the K'auq great house.

The *Popol Vuh* contains references to gods as diverse as *Nanauatzin*, "full of sores," who jumped into the funeral pier at Teotihuacan to become the fifth sun. It includes the god and founding ancestor *Jakauitz*, a word play off of the name *Q'aq'auitz*, from *The Annals of the Cakchiquels*, a combination of K'iche'an and Mam terms that when combined

Hudson, 1993). For Xiutecutli, see pg. 189. For Itztlacoliuhqui-Ixquimilli, see pp. 100 - 101.

mean "fire mountain" - a K'iche'an reference to *Xiuhotecutli*, "the turquoise faced" god of fire and time.²⁰⁰ The anonymous authors conflate him with the Chichimec god *Mixcoatl* and associated him with the fire serpent, *Xiucoatl*. They also included the god *Itzlacolihqui-Ixquimilli*. It ultimately includes the god *Tojil* himself, who is a representation of the dynastic god of the classic period Maya, *K'awiil*, "to see two ways," a metaphor for a seer who has the ability to see both the past and the future clearly.²⁰¹

The K'iche' authors also appropriated the cultural hero of the Q'eqchi, *B'alam Q'e*, "Jaguar Sun," who dominates the Q'eqchi myth of the creation of the sun and the moon, "The Abduction of the Old Earth God's Daughter."²⁰² In the Q'eqchi myth, *B'alam Q'e* becomes the

²⁰⁰ Van Akkeren, *Place of the Lord's Daughter*, 160 - 174.

²⁰¹ Van Akkeren makes a convincing argument for the inclusion of all of these gods in the *Popol Vuh* in his book, *Place of the Lord's Daughter*; 154 - 191.

²⁰² See in Ruud Van Akkeren, *Place of the Lord's Daughter*; 232 - 254. Van Akkeren claims he relies heavily on the unfinished dissertation of Edwin Braakhuis, *The Q'eqchi Sun and Moon Myth*, which is still in progress. He also cites Marvin Mayers "Pokomchi Texts with Grammatical Notes in *S.I.L. Linguistic Series No. 2*, S.I.L.: University of Oklahoma Press, Norman, Oklahoma, 1958, pp. 3 - 11; Jaime I. Búcaro Moraga "Leyendas de Pueblos Indígenas: Leyendas, Cuentos, Mitos y Fábulas Indígenas. in *Tradiciones de Guatemala*. Nos. 35 / 36, pp. 69 - 72, Centro de Estudios Folklóricos. Universidad de San Carlos de Guatemala: 1991 and Weisshaar, Emmerich & Rainer Hostnig, editors *Ojer Tzij. Cuentos y Leyendas del Pueblo Quiche* (version in Castellano), Guatemala: 1995: pp. 49 - 50 Ruud Van Akkeren states that the Q'eqchi name means "Hidden Sun," which is what he designates it in his text. The little name *B'alam* means "jaguar," not only in Q'eqchi but in all Mayan languages. The name *Q'e* is Q'ekchi for "sun." Therefore, I have

sun and marries the Earth God's daughter, *Po*, who becomes the moon. His name *B'alam Q'e* or "Jaguar Sun" connects him to the Classic Maya Jaguar God of the Underworld whose image was ubiquitous at Tikal and whom the ancient Maya identified as the night sun that traveled through the underworld, battling the denizens of darkness to arise triumphant with the dawn. In the *Popol Vuh*, *Junapuh* becomes the sun and *Xbalanque* becomes the moon. The K'iche' authors of the *Popol Vuh* conflate him with the Q'eqchi moon goddess, *Po*, and give him a feminine appellation, "X" or "Ix" to his name *Xbalanque*.

All of these gods represent the creation of a new dynasty and legitimate the right to rule of the descendants of the deified ancestors who received the symbols of power and on whom the sun rose to represent the dawning of new rule. Q'aq'auitz and Tojil represented the passing down of dynastic power and the responsibility of the ruler as a controller of time and a diviner. "Mother, fathers" first begin as *ah q'ij*, "day counters," and are entrusted with the sacred calendar and the counting of time, which is exactly what Xiuhticutli represents. All Mesoamericans

chosen to identify the name of the Q'eqchi cultural hero *B'alam Q'e* as "Jaguar Sun."

shared this concept and had the same sets of gods who ruled over the creation and dedication of time and space.

The fact that the K'iche' used all of these mytho-historical connections in the *Popol Vuh* and in other K'iche'an titles in the sixteenth century suggests their continued conceptualization of traditional rights associated with customary rule. A connection to gods and cultural heroes as well as to noble lineages proved their blood was pure and granted the elites legitimacy, especially if they could connect themselves to a community or imperial founder. These preoccupations were pan-Mesoamerican. Elizabeth Hill Boone proves that in the four pre-Hispanic Mixtec codices, which cover a span of six hundred years that a connection to the culture hero and conqueror, 8 Deer "Jaguar Claw," who ruled from 1063 to 1115, was important for all the noble great houses of the Mixtecs.²⁰³ 8 Deer conquered most of the Mixteca Alta and executed all potential rivals to his overlordship who had the elite blood ties to be a potential threat to his rule. He also connected himself to the sun god who gave him the accoutrements of rule - his staff and other equipment. In order to complete his tasks he had to practice rituals that

²⁰³ Elizabeth Hill Boone, *Stories in Red and Black, Pictorial Histories of the Aztecs and Mixtecs*, (2000: Austin, Texas, University of Texas Press, Austin) 89 - 124.

included divination; although, what those practices may have been are unclear.

Divination was a part of proper leadership practices throughout Mesoamerica that continued to be important to colonial leadership in Mesoamerican communities as this discussion of legitimacy argues. By the mid-seventeenth century, the need for the indigenous elite to prove their legitimate rights to rule was no longer necessary. The colonial apparatus accepted the choices of caciques or governors from the recommendations to the community elites who chose from among the noble lineages or great houses. In some cases, colonial leaders also chose their own governors from the available pool of elite indigenous males as rewards for military service, a case of which will be discussed below in chapter V. Nevertheless, when this occurred the Spanish chosen governor, although indigenous and a K'iche' speaker, was not from the town he was placed over and did not have the proper lineage affiliations to receive the acceptance of those he ruled over. They saw him as an outsider to their community, one who did not have the legitimacy to practice divination, a process of communication between the ancestors and living leaders of that polity.

The K'iche', the Yucatec Maya, and other Mesoamerican peoples adapted foreign gods into their pantheons both before and after the Spanish conquest. After the Spaniards came, the gods went into hiding and some cleverly disguised themselves as Catholic saints. The practice of divination was an expectation of leadership and was something that had a *longue durée* in Mesoamerican society. Leadership practices changed as did the process of divination rites and rituals. Nevertheless, divination continued in different forms through the ages and is part of the quotidian routines of Maya peoples in the highlands of Guatemala and Chiapas up into the present. Divination had to be practiced in a sacred landscape that included the areas where the ancestors were interred.

Chapter V

K'iche' Land and Inheritance

...xare chi uiri canelic uleu junelic Chiac junelic chic chaεih uleu Pachicaε. "...this is how it is this residence land, Chiac, is eternal, another dry land, Panchiac, is also eternal." The elite leaders of Rab'inal, a K'iche' town in Guatemala, left these words of council in the last will and testament of *qui εauatz*, "their and our older brother", Sebastian Lopes for his progeny in 1776. Sebastian Lopes died intestate, so the town and moiety justices had to dismember his estate that Sebastian's father Miguel Lopes left to him and offer what would have been his last bit of advice to his children.

They dissected his assets, giving equal possession of all material goods to his two married daughters, Tomasa and Manuela. The municipal leaders bequeathed joint tenure to these women over the family's lands because custom dictated that the land be held within the same family from generation to generation. They warned them against fighting among themselves and the discord that such infighting brings to a family and a community. They revealed an indigenous concept of the ancestral nature of land and emphasized the importance that those lands had to

the livelihood of the family and, by extension, the community.

The example above illustrates the participation that community leadership had in realigning the lands within their jurisdiction. They did not own the lands but had the responsibility of keeping property in the hands of their subjects. They were involved as witnesses to the bequeathal and to the purchase of lands. They were involved in every aspect of the community and had "the right and obligation to act in all matters affecting the community's interests."²⁰⁴

Land was the foundation of rural life in southern Mexico and Guatemala. It was where corn was cultivated, and for the people who worked the fields it had a practical use as well as religious significance. Agricultural practices in the highlands and lowlands of Mesoamerica were different depending on the region. The geography of the highlands and the lowlands in southern Mexico and Guatemala dictates the practices of agriculture in these regions as

²⁰⁴ Robert Haskett, *Indigenous Rulers, An Ethnohistory of Town Government in Colonial Cuernavaca* (Albuquerque, New Mexico: University of New Mexico Press, 1991), 83. Robert Haskett's assessments of the function of principal members of Nahua communities in Cuernavaca in the affairs of the community, whether they were acting members of the municipal council or not, applies directly to K'iche' communities in the highlands of Guatemala. For the K'iche', principal members of the society, whether they were in office or not, were also chinamitales and therefore had a direct reciprocal relationship with their vassals. The same was probably true for all Mesoamerican communities.

it has for thousands of years. The Yucatan peninsula is a limestone jetty with little arable soil and an underground river system, which can be accessed through sinkholes known to the indigenous inhabitants as *dzonotob* and to the Spaniards as *cenotes*. The lack of fertile soil necessitates the practice of slash-and-burn or swidden agriculture. The Maya of the Petén in the lowlands of Guatemala, although the river system is above ground, also practice swidden agriculture as their cousins in the Yucatán peninsula. Slash-and-burn techniques allow them to use their most valuable resource, *k'ax*, the tropical rain forest, to fertilize the small amount of soil with the ash that is generated from burning, *tookik*, the rapidly growing vegetation. The Maya are able to make their *colob*, or *milpas*, their fields of corn, squash, beans, and chilies, because of their manipulation of the environment. They rely on the unpredictable rains to irrigate their crops. When the crops have matured and the ears of corn have grown, the Maya farmer bends the stalk, *watz'ik*, and allows it to dry so that birds and bugs will not eat the harvest. The beans grow in vines up the stalks of corn and the large squash leaves protect the delicate young tendrils when the corn is young. Each *col* is marked with *mul tun*, "heaped stones" as border markers.

The indigenous inhabitants of the highlands of Guatemala do not practice slash and burn agriculture. Their volcanic soils are rich in nutrients and do not require them to burn the vegetation in order to create arable loam. The *taq ab'ix* or *milpas* of the K'iche' are fields of corn, squash, chilies, and beans with melons and fruit trees interspersed. The K'iche' farmers do not bend the corn and allow it to grow until harvest. Their agricultural practice is different and may have more to do with the coolness of the climate. After the harvest, the K'iche' farmer folds the corn stalks over and they become the fodder for the next planting. The field is demarcated with a *q'ulübat*, *monjon* or border marker at the four corners. The highland peoples will often use *qij* or henequen plants as border markers. K'iche' farmers know their border markers and have them well memorized. Yucatec Maya agriculturalists also memorize their *mul tun*. Border markers are used to demarcate the sacred spaces of the K'iche' and are mentioned in quasi-titles such as the *Popol Vuh* and *The Title of the Lords of Totonicapán*.²⁰⁵ The

²⁰⁵ Allen Christensen, editor & translator, *POPOL VUH: Electronic Version*, partly based on *POPOL VUH: Sacred Book of the Maya, Vol. 1*, (Norman, Oklahoma: University of Oklahoma Press, 2007) and *POPOL VUH: Sacred Book of the Maya, Vol. 2*, (Norman Oklahoma: University of Oklahoma Press, 2003, Brigham Young University, Provo, Utah: 2007) and Adrián Recinos, Dionisio José Chonay, Delia Goetz, *The Annals of the*

practice of agriculture has a religious significance to the Maya and the K'iche'.

In the *Popol Vuh* the first mother and father, Xmukane and Xpiakoq, the couple responsible for the creation of the first four K'iche' lineage heads, measured out the K'iche' realm, the K'iche' sacred space, the entire earth as well as the sky.

All then was measured and staked out into four divisions, doubling over and stretching the measuring cords of the womb of sky and the womb of earth.

Thus were established the four corners, the four sides, as it is said, by the Framer and the Shaper, the Mother and the Father of life and all creation,...,they who are compassionate and wise in all things - all that exists in the sky and on the earth, in the lakes and in the sea.²⁰⁶

This same act of creation would be duplicated again and again as K'iche' lineages staked out and establish their own divisions of sacred space, arable land that they used to plant corn, squash, chilies, and beans. Since the creator couple made human beings from corn, the cornfield itself was a sacred space, a metaphor for life and creation. For an agricultural society such as the Yucatec Maya and the K'iche', the cornfield was metaphorically the

Cakchiquels and Title of the Lords of Totonicapán (Norman Oklahoma: University of Oklahoma Press, 1953).

²⁰⁶ Christensen, editor & translator, lines. 60 - 74.

place where life began, the place where life was sustained, and the place where life was regenerated.

In K'iche' communities, lands could be possessed in three ways - through inheritance, purchase, or conquest. Prior to the Spanish invasion, conquest and inheritance were the two methods of acquiring land. Land did not make one noble; bloodlines, both matrilineal and patrilineal, determined status. Indigenous lords, nevertheless, attempted to augment their land holdings and create vassals through conquest. After battle, the victor reestablished the boundaries of the land, sometimes resting possession of it from the families and lineages that held it.

In the traditional dance drama, *Rab'inal Achi'*, several passages within the drama's script include claims and reassertions of land tenure as a result of conquest. "And he let fly his challenge, his cry, so did my master, my eminence... for my part, I heard nothing, - I was setting up the [markers of the land] - out where the day disappears where the night appears..."²⁰⁷ Further along in the drama again land possession is emphasized: "It is true that you have not taken possession of this place, the navel of the sky, the navel of the earth! You know perfectly well where your boundary stones lie! So go run and go scramble along

²⁰⁷ Breton, Ed., 155.

the foot of the mountains the foot of the valleys!"²⁰⁸ Each community considered itself the navel of the sky and the navel of the earth, the center of creation. The leaders of the community, who were nobles, whether through hereditary inheritance or conquest, remade the boundaries of the *tinamit amas*. They were the mothers, fathers responsible for the creation of the community.

The K'iche' term for the possession of land in the *Rab'inal Achi'* is *echabej*, which translates both "to possess" and "to inherit." The root of the word signifies inheritance in its nominal form, including the inheritance of land. It is commonly found in K'iche' wills in the seventeenth and eighteenth centuries. The *Rab'inal Achi'* as a dance drama has the premise of land demarcation and the contention over different claims for territory from the *Rab'inaleb* and the K'iche'. Warfare was the result of land contests before Spanish colonialism, and after the Spanish conquest, these contentions belonged to the legal arena.

Land tenure was a subject that preoccupied colonial officials and native leadership directly following the Spanish conquest. The Spaniards called the hereditary lords to meet together to mark off the boundaries of their territories. Some of those lands remained in dispute from

²⁰⁸ *Ibid.*, 175.

the sixteenth century all the way up past independence and well into the nineteenth century. The principal men from the towns of Tecpanatitlan, today the department of Sololá, Totonicapán, Huehuetenango, and Quetzaltenango came together under the orders of the president of Guatemala to measure out the lands that were both *baldías* and *realengas*.²⁰⁹ The Spaniards introduced diseases that native peoples had no immunities to and these seriously depleted indigenous populations throughout the Americas. Their lands sometimes had become *baldías* or *realengas*, "vacant, unowned, or unappropriated."²¹⁰ Theoretically all conquered lands belonged to the king of Spain and to those to whom he gave it or sold it. Indigenous peoples understood this confusing relationship because a majority of them worked on lands that had changed possession after conquest yet remained their ancestral lands that their forefathers worked since time immemorial. In practice, the land belonged to the indigenous inhabitants through rights of

²⁰⁹ Rainer Hostnig: compilador, *Esta tierra es nuestra, compendio de fuentes históricas sobre denuncias, medidas y remedidas, composiciones, titulaciones, usurpaciones, desmembraciones, litigios, transacciones y remates de tierra (Años 1567 - 1993), Departamento de Totonicapán, Tomo III, Municipio de San Miguel Totonicapán y sus parcialidades*, (Cooperación para el Desarrollo Rural del Occidente CDRO - Totonicapán, 1998 Guatemala: 1998)

²¹⁰ Charles Gibson, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519 - 1810*, (Stanford, California: Stanford University Press, 1964), 282.

natural possession and prior occupation.²¹¹ To reassess this contradiction and define land possession, the state claimed the rights only to unoccupied land, "not to the legitimate possessions of those individuals, corporations, or communities, or their descendants, that had existed before the arrival of the Spanish, 'the ancient lords of the lands of America before their conquest.'"²¹² The legalistic nature of Spanish colonialism defined specifically a system of land tenure that indigenous peoples had been practicing for millennia. It was in the best interest of colonial officials to keep lands in the hands of their indigenous subjects who could use the products from those lands to pay tribute. They protected indigenous interests in property nevertheless; the colonial system left details of land administration up to the leaders of indigenous communities.

Municipal councils, the municipal governor, the *chinamitales*, and the common farmers guarded the community's rights to hold onto and possess land. Land was distributed and redistributed every time a landowner died or financial necessity resulted in the sale of land. Community leaders attempted to keep arable land that

²¹¹ García Peláez, *Memorias*, 3: 156 - 63, footnote in David McCreery, *Rural Guatemala, 1760 - 1940*, (Stanford, California: Stanford University Press, 1994), 49.

²¹² AGCA, *Tierras*, Leg. 5989 Exp. 52675 in McCreery, 49.

community members worked within the possession of the community.

There are several categories of landholding for the Nahuas of Coyoacan between the sixteenth to the mid seventeenth centuries that may be similar to K'iche' landholding.²¹³ The Nahuas of Coyoacan held possession of both tributary and purchased lands and possessed land personally and communally. Nahua nobility categorized the lands that they controlled and owned. One of those categories included *tecantlalli* or "palace lands" that palace retainers or vassals, called *tecpanpouhque*, worked. The *tecpanpouhque* were agricultural laborers who did not belong to a *calpul*. They gave direct allegiance to a lord rather than giving tribute and receiving the benefits of a moiety.²¹⁴ The *tecpanpouhque* are most likely a similar group to the scores of vassals that gave their allegiance to the *chinamitales* from the *nim ja*, "big houses," of the K'iche' confederacy. The major difference between these groups was that *chinamit* vassals found protection within the *chinamit*; they were part of a system that protected their rights to work on the land but gave nobles the right

²¹³ Rebecca Horn, *Postconquest Coyoacan: Nahua-Spanish relations in Central Mexico, 1519 - 1650* (Stanford, California: Stanford University Press, 1997), 121 - 143.

²¹⁴ *Ibid.*

as lords to watch over and protect the land. After the K'iche' conquest of lands in the pre-Hispanic, Post Classic period, all lands that were once the property of the *vug' amaq'* became the property of the K'iche' conquerors.

The ruling houses of the K'iche' confederacy made claims to noble status and to land in the early titles by connecting themselves to founding ancestors. Most of these titles also included some form of migration story steeped in myth and symbolism. K'iche' lineages defined their space in these quasi-titles and linked themselves to far-flung areas of Mesoamerica. This space was symbolically marked through the telling and retelling of migration stories as each town or toponym mentioned in the titles could be considered a border marker, delineating the K'iche' confederacy in a mythological border walk.

All Mesoamerican peoples followed similar shared traditions each creating their own migration story. Several lineages within each linguistic group linked themselves to myth-histories that symbolically connected them to founding ancestors and to the gods. Matthew Restall first introduced the concept that he found for the Yucatec Maya in the *Chilam Balam de Chuymayel* of mythical

beginnings and first journeys.²¹⁵ Restall's findings are significant because they connect the migration "myths" that were important to all Mesoamerican communities with the act of ritually walking the borders of a field. Mesoamericans made quotidian activities ritualistic and religiously significant. Migration "myths" tied the K'iche' and the Maya to a larger sacred landscape, one that connected far-flung lineages and ensured larger claims to suzerainty and access to products from different ecological zones. For the K'iche', their myths attempted to connect the *chinamitales* to the *calpules* to which they had once belonged.

Families owned, manipulated, and controlled access to arable lands and they considered their lands ancestral, meaning that the families that farmed on them had done so from generation to generation either since time immemorial or since the period that their ancestors conquered the territory. The land belonged to their fathers and their grandfathers, their mothers, and their grandmothers. Some families may have actually buried their dead in ancient times on the family lands, under the floors of the house at the family house plot. In a literal sense, the ancestors

²¹⁵ Matthew Restall, *The Maya World, Yucatec Culture and Society, 1550 - 1850*, (Stanford, California: Stanford University Press, 1997), 198 - 200.

were always with them. Land in modern Aguacatec society has to remain in the hands of the children of the deceased so that they can pay the ultimate price for the release of their ancestors from Purgatory.²¹⁶ The products of ancestral lands are not only for sustenance but are used to pay for masses to help the ancestral kin in their release from the prison their souls are bound in after death.

In the K'iche' *tinamit amas* of Xelaju Juyub de la Real Corona, bills of sale followed a notarial formula. The K'iche' called bills of sale *escritura posesion* and the scribe began with a description of the place and date of the land transaction, which usually occurred *pa jaa chilouic chittauic*, "in the house for seeing and for hearing," or the municipal council building. For Mesoamericans, seeing and hearing the arguments were the purposes of a municipal building used for judicial proceedings. The presiding indigenous official usually named himself and claimed that he was operating in the name of god. The formula may include a brief or a lengthy appellation to *ka ni mahaua! rey*, "our great lord the king," a reference to Jesus Christ.²¹⁷ A lengthy adulation would designate Jesus as, *ttachilos chajin qia eih junab*,

²¹⁶ Harry S. McArthur, *The Role of the Ancestors in the Daily Life of the Aguacatec (Maya)* (Guatemala City, Guatemala, Central America: Instituto Lingüístico de Verano de Centro America, Serie Etnológica, 1986).

²¹⁷ AGCA A1 Leg. 5967 Exp. 52381, Fol. 4 r

"holy protector of many days and years."²¹⁸ The presiding official would then proceed to claim why he is performing his duty, *chupam ulos bi canu ban ri nu chac nu pattan chipilic ral u qujol dios ruq ral u qajol siuan tinamit*, "in his holy name I do this my work my service to the anointed son of god her son of a woman his son of a man of this town in the canyon."²¹⁹ Depending on the scribe, this formula could be inserted or completely left out.

A brief description of the sellers of the property follows as well as their reasons for selling. In every instance, the seller had to prove that the sale property did indeed belong to them and the town council confirmed their proprietorship usually by referring to other bills of sale or to the wills and testaments of their fathers and grandfathers who may have bequeathed the seller with the land. In the case of the land that Pascual de Domingo wished to sell, he had to present evidence to the municipal council that he was the proprietor; this they read aloud and then made their judgment.

Mix salajin cis chupam "It has just been proven, I
nu sattbal tzih uae achi Francisco, in my judgment
Pascual don Domingo u mam that this man Pascual don
cana setzam don Pascual don Domingo is the grandson of
Domingo chirech jutzobah uleu the deceased Don Pascual don
go xe Juyub xe caka uleu are Domingo for an extension of

²¹⁸ AGCA Al Leg. 5967 Exp. 52381, Fol. 22 r

²¹⁹ Ibid.

qu uae uleu ki tzih rech
 qibattal cana chupad
 testamento rech ri setzam ru
 mam don Pascual don Domingo
 rumal are ri testamento qo
 cana ruq ajau don Joan de los
 rreys Rumal xau chirech ajau
 don joan xu gayh ui cana ri u
 Jun Jaa go chirih rochoch Juo
 Peres Pol are qu rumal mixin
 qo noh ri testamento rech
 setzam don Pascual don
 Domingo xin taqa u hijobal ri
 testamento²²⁰

land that is at the foot of
 the mountains below the red
 earth. Thus it is, well,
 this land is his because his
 word is left registered in
 the testament of his deceased
 grandfather Don Pascual don
 Domingo because it is the
 testament that has been left
 with the lord Don Juan de los
 Reyes because also it is the
 lord Don Juan who sold his
 house that is behind the
 house of Juan Peres Pol. It
 is because of this that I
 have just consulted the
 testament of the deceased Don
 Pascual don Domingo. I
 heard, well, his proof of the
 testament."

Community leaders measured land and set up border markers. Landowners had to remember their boundaries. In the K'iche' world, the *culbatil* or border markers became the most important features of land description. The etymology of the word *culbat* is the combination of two terms *q'ulum* or *cule*, "to be seated" or "to marry," and *bat*, which is possibly a corruption of *batz*, which according to the eighteenth century missionary scholar Fray Francisco Ximenez means "to wrap up a baby or to arm oneself for war."²²¹ This term was not one that the

²²⁰ Ibid.

²²¹ R.P. Fray Francisco Ximenez, O.P., *Primera parte del tesoro de las lenguas Cakchiquel, Quiché y Ztuhil, en que las dichas lenguas se traducen a la nuestra, española., de acuerdo con los manuscritos redactados en la Antigua Guatemala a principios del siglo XVIII, y*

Spaniards introduced. Indeed, it was a term that the K'iche' used to represent the aftermath of conquest, in which they enjoined themselves to the nobles and connected their posterity to the land of those vanquished nobles through marriage. The setting up of border markers represented the demarcation of conquered lands and of sacred space. After the Spanish conquest of Guatemala, the *culbat* or *q'ulübat* served the same function as a *mojón*, boarder markers used to demarcate Spanish farmlands. In the eighteenth century, each *culbat* had the name of an individual, the name of a family, the name of a saint, or of a *chinamit* or moiety. The *culbatil* delimited the lands according to who held title or possession. Knowing your border markers was and still is an important aspect of land ownership and demonstrated that the owner of the land recognized the limitations of his family's sacred space and its place within the community.

K'iche' land descriptions in last wills and testaments and in bills of sale include both ambulatory and stationary

conservados en Córdoba (España) y Berkeley (California), (Edición crítica por Carmel Sáenz de Santa María, (Guatemala: Academia de Geografía e Historia de Guatemala, Publicación especial No. 30, 1985), 93; and Munro S. Edmonson, *Quiche-English Dictionary*, (New Orleans, Louisiana: Publication No. 30, Middle American Research Institute, Tulane University, 1965), 103.

land descriptions.²²² In some cases, town council leaders including the notary and the moiety leaders traversed the land with the landowners, the heirs, and the neighboring landowners who served as witnesses to the description of the land in question and "measured" the border markers. They noted in their descriptions all of the topographic features of the landscape.

For land transactions, the purchaser and seller both walked the land with the town council members and the interested parties and stopped at every *culbat* to ask permission for the sale. There was both a practical and a religious significance to this ritual. The practical purpose was that the purchaser(s) asked for permission to become a border marker neighbor from those that shared field borders with the potential purchaser. The buyer asked not once, but two, three, and four times to take possession of the land. The act of inquiring was a ritual trope that showed the community member's deference to the community leadership and his willingness to submit to agreed upon borders. The purchaser asked permission to take possession of the land at the four border markers from

²²² Matthew Restall makes several important observations about Maya town councils' ambulatory border walks and stationary land descriptions. Town council leaders used both to describe land possession and to ritualize the creation of sacred space. Restall, 198 - 199.

the four border marker neighbors or their representatives, the community leadership. The religious significance had to do with the ancestors who were the first to plant on the land in question. Tradition dictated that family members venerate their ancestors. New owners had to promise to do particular rituals so that the selling families had the satisfaction of knowing that the new owner would propitiate their ancestors with the proper respect. The seller also announced to the land that he was going to turn over possession to the purchaser.²²³

K'iche' ambulatory descriptions do not include the same preoccupation with the cardinal directions as do the ambulatory descriptions in Yucatec Maya. In K'iche' documents there are only two directions that are mentioned. The place where the sun rises, *chi ra sauibal εih*, signifies east, and the place where the sun sets, *chu kahibal εih*, the west.²²⁴ In the modern language, terminology exists for the concepts of north, south, east, and west as in Yucatec Maya. North is *pa ekiq'ab*, south is *pa moxab'im*.²²⁵ The K'iche' town councils and moiety leaders petitioned the witnesses at the border markers, asking at the border markers, reconfirming and delimiting

²²³ AGCA A1 leg 5967, Exp. 52381 Testament of Francisca Qauex wife of the deceased Gaspar Lopez Sitalan, 8, 1678

²²⁴ AGCA A1 Leg. 5967 Exp. 52381

²²⁵ Janssens, 55.

the lands. Rituals of land possession and purchased exchange did not only include the taking of one's hands out of the land and the handing over of payment but also an elaborate walking of the land.

In a land document from the town of Rab'inal, we find just how important land demarcation was to the K'iche' or Achi' people. The preamble to an ambulatory border walk that the elders or cabildo members of the town of Rab'inal completed in the year 1747 and recopied in 1779 explains the purpose of creating the *culbatil* or border markers for the community. It says:

<p><i>Chupam cut u bi D.s sa.lx D.s caholaxel ruc D.s Esptt.to ruc ta cu sa losolah chuch S.ta M.a are ta coh toy chirech u bixic hun cayb sa tzih sa pixab chiqui uache e sa chuch sasahau ahauab Al.c Just.as Gov.or principales oh juchob chi chinamitales chuyi retamaxic uae ox banelic uleu sa chahim cuxtabal quech sa mam sasahau tequcrib uinae cuc e eal sacahol quehe cu mandar chiquech Ahauab Al.cdes chico chinamitales calpules u chuch u sahou ral u cahol chu molah chu chobah quehe cu retamaxic chi u chahim cah cah mojones chi jutae tzobahichal uae uleu²²⁶</i></p>	<p>In, well, the name of God the Father, God the Son, and God the Holy Ghost with, well, our holy mother Santa Maria, thus it is that we hear within his story one or two of our words our admonitions before them they our mothers our fathers the lords, mayors, justices, governor and principal men we the dividers / executors in the lineages here. It will be learned these three flat lands we have kept a remembrance of them our ancestors our grandfathers our fathers who were a conquered people as are these our children our sons.</p>
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²²⁶ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1752 - 1778], New Orleans, LA: Land Repartition of the chinamitales before the lords and justices of Rab'inal. Copied

According to our authority, therefore, well we, before the lords and the mayors we are in the existent lineages of your mothers your fathers command for them your daughters their sons before all assembled, it will be understood well to learn according to the remembrance that have guarded our border markers. Our border markers will be kept in some portions of every one of these lands.

The language that the Rab'inal cabildo utilized in the repartition of land in this document reminds us that the Rab'inaleb considered themselves a vanquished people, held under the yoke of servitude at the hands of imperial overlords. The conquest reference was not connected to their vanquished state under the Spaniards but shows a connection of the Rab'inaleb to the *vug amaε* (« the seven nations ») that the *K'iche' uinaq* or "forest people" conquered and brought under their control in the *Popol Vuh* - the referent is a trope.²²⁷ The "seven nations" subordinated to the *K'iche'* state were historically the original inhabitants of the highlands whose lineages married into those of the conquerors. The Rab'inal leadership was redefining its claims as the original

by scribe of the cabildo, Gaspar Toh in 1779 from a 1747 document, recorded by scribe of the cabildo Joseph Toh.

²²⁷ Van Akkeren, *Place of the Lord's Daughter*, 77 - 78 & 154.

inhabitants of this land and was connecting that to the idea of grandfathers and fathers, in essence, the ancestors whose hearts were still in the land. It was reconfirming border markers and reclaiming sacred space before the lineage heads or the *chinamitales* who were responsible, indeed, commissioned to look after the interests of the families within their moieties that held land.

The conquest of territory included ambulatory processions that demarcated the border markers. This was a ritual of possession found in the early titles, such as the *Título de Sacapulas* discussed above. The title describes the earlier conquest of the land under the hands of the Toltecs who came from the Pacific piedmont and invaded the Guatemalan highlands.²²⁸ The setting up of or the changing of hands of border markers was an act of surrender whether the land in question was purchased or conquered.

The partitioning and repartitioning of lands was in the hands of the traditional leaders of the moieties, the *chinamitales*. These leaders were responsible for the collection of tribute, the protection of family lands, and before the Spanish conquest with the conscription of troops in times of war. Spanish colonialism destroyed their

²²⁸ For a more precise description of Post Classic K'iche' history, see Ruud Van Akkeren's *Place of the Lord's Daughter*.

responsibility for soliciting the aid of trained warriors for battle and left them with the duties of watching over and protecting their vassals' rights to ancestral lands and the collection of tribute. Anciently, the ancestors delineated their lands with walls and other border markers, as is the case in Pascual don Domingo's land transaction.

Chupam ri nabe qulbatt chuxe chu chi culeu qa be ue xab qo kejom abah pa rakan cumal e ka mam kajau ojer canos aural chira sanibal eih qo jun abah chuach kejom abah xaquki keejom abah mix zebec queje ua ca mukan apana pa ttaeah copam chu chirh qin uleu yaom chirech Gaspar Qoyoi u hi Qauex ²²⁹ "Within the first border marker at the foot close to his land there is a wall of stone on foot that goes in an open line made by them our grandfathers and our fathers a long time ago. Here at the rising of the sun there is a stone before the wall of stone and it is, well, a stone wall that has been dismembered in this way it is buried there close to the pasture coming to the edge of the small terrain given to Gaspar Qoyoi, the son-in-law of Qauex."

The stone wall represents a *culbat*, a "border marker," that the ancestors of the K'iche' left to demarcate their lands. The municipal council members and all parties involved in this land transaction recognized this as a demarcation and as a construction of their forefathers.

The formulaic expression *mahita ala china qhijol uech nu qux*, "There is no one who forces my heart," meant that

²²⁹ AGCA A1 Leg. 5967 Exp. 52381, Fol. 21 v.

land in K'iche' communities had to be sold voluntarily, without coercion. The phrase *majita jun chi qhajin*, "there is no one who shall claim it," was standard in land transactions and was repeated sometimes several times within a single document. The land had to be uncontested and several variations of this phrase are included in each land transaction. The document of possession was legally binding and every one of the K'iche' knew that it stood as a testament to their word. The municipal council used this phrase several times in a document to insure that no one had the opportunity to come forward later after a sale had been made to claim rights to possession of the land purchased.

Not everyone within a moiety held land; many people worked on or rented land owned by others. *Ruleuibal*, "his or her land owner," was the term used for a property owner. Sometimes the K'iche' sold their land in installments, giving over usufruct rights of the land they owned to a purchaser in return for a down payment and the promise that they would receive compensation little by little. Don Joseph Martin Gomes Tih in his document of possession states, *are uae uleu cablajuj oxlajuj junab xin loeo*, "it is this land that I purchased for twelve or thirteen years," suggesting that he paid off the three landowners in

installments and that it took twelve to thirteen years to possess the land that he claimed as his.²³⁰ He repeats this same phrase again in the document adding that there should be no one else who claims this land, especially since he humbly declared in good faith that he purchased the said lands for twelve or thirteen years.²³¹ His claims were somewhat dubious because he was never able to produce the original evidence that these three men had sold land to him. Martin Jucub, the purchaser of this land brought him to the colonial authorities in a long drawn out case, which will be treated in more detail below.

The *releuibal* were usually *chinamitales* who gave usufruct rights to the land that they possessed to their "vassals" within their moieties.²³² They did not work these lands themselves but held title over them. The *ruleuibales* designated their lands with a last name, such as Ernandes or Rojas, the surnames of elites that lived in the Southern Baja Verapaz region bordering on Cabulco.

²³⁰ AGCA A1 Leg. 5967 Exp. 52381, Fol. 26r

²³¹ Ibid. Fol. 26v

²³² Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1752 - 1778], New Orleans, LA, Testament of Domingo Hernan Leon, February 11, 1768 pp. 55 - 58 and in Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1775 - 1787], New Orleans, LA, Testament of Tomas Roman, September 7, 1771, pp. 36 - 39, Testament of Pablo Rojas, October 26, 1770, pp. 64 - 67.

Relationships that upper class landholders had with their vassals were reciprocal. Pedro Gomes Xiquitzal's testament admonishes his son, Baltazar Xiquitzal, to act as executor of two small pieces of property, an axe, and a grinding stone for wheat that he bequeathed to one of his vassals for his wedding. His testament states:

<i>Chui chic nu pixab tzih</i>	About another of my council
<i>chirech cayb peraso squitah</i>	words for two pieces of small
<i>uleu xe rochoch aq ue qu</i>	land under the pig house: if
<i>nimah uae u kajau Bltr</i>	he obeys this his father
<i>Xiquitzal ca ya('y) uae squin</i>	(master) Baltazar Xiquitzal
<i>ruleu ue qu quis utzil tosob</i>	he shall give him this his
<i>uae la Pedro Tax soltero xu</i>	small land if this servant
<i>ca quilic ye ue qu qogh u</i>	the single Pedro Tax finishes
<i>uach rumal alvasella uae Blr</i>	well and in favor. Only if
<i>cacanahic go 1 ricah ue cu</i>	he marries if he dares
<i>cogch ue ma hayi managota ca</i>	because of this executor this
<i>ya chirech</i> ²³³	Baltazar (shall he be given
	this land). There is one his
	grinding stone for wheat, one
	his axe, if he dares (these
	shall also be given him). By
	any other way, he shall be
	given nothing.

Pedro Gomes Xiquitzal was a *chinamital*, which one may infer from the authority over a "vassal" that he passes on to his son in his testament.

A K'iche' metaphor for land use had to do with the physical work done on the land. The metaphor for passing the usufruct rights as well as the possession to land is

²³³ AGCA A1.20 Leg. 1784 Exp. 55535 Testament of Pedro Gomes Xiquitzal, December 17, 1783

"*xe esan nu sab chu ui uae uleu*" "I took my hand out from over this land," after which land would be placed *pa u sab* or "in his or her hands."²³⁴ Possession of land could also be placed upon the head of an inheritor, the phrase *pu ui*, which often translates to the word for "hat" also means "upon the head of someone" and signifies the inheritance of property. The wearing of different hats in a classical K'iche' sense had more to do with property possession than with multiple leadership roles as it does in our own society.

Purchase of land was similar in its expression to the conquest of land. The conquest of land also included the taking of the land out of the hands of those who worked it, although, the metaphor for land conquest was about taking the land while their hands were still in it. Purchase required the transfer of land and the seller's willful action or ritual of taking their hands out from over the land, allowing the purchaser to dirty their hands in it.

Martin Jucub's documentation confirming the changing of the possession of his lands is revealing. He purchased tracts of lands from family members and allowed them to maintain the usufruct rights of the land in his contracts until as the owner he deemed it necessary to take

²³⁴ AGCA A7. S7 Leg 5967, 052381 Document of possession for Martin Jucub

possession. One document in particular shows a ritual of land transference in which the old owner walked the entire land showing where the border markers were and then he offered possession of the land to the purchaser pronouncing that he was taking his hands out of the land.

<p><i>Xchin ya uae escritura retal nu tzih xchi tzibax rumal ess.no camic qutt mixinta kaba chupan ronojel quluatt nabe caticaric pa u culbatt Fran.ca Jucub chu ui co cubic xauí u qulbatt jebatt Sebastian Jucub xauí xaqui jiquilic cabec xauí copan xauí pa u culbatt Sebastian Jucub cakah ga ulok copan pa u kulbatt Diego Jucub hiquilqutt ca petic chibe copan qa pa u qulbatt Tzunun chu ua caja xa uico copan chipa u sulbatt Fran.ca Jucub chiri mix ticar ui nabe qulbatt chiri qutt mix sute ui ronojel qulbatt mi qu xin ban entregar ruleu retal re le sanic nu εab chu ui uae uleu rech chi uae Martin xanaki pa chirah chu ban chu ua ruleu rech u puuak mix u yao chijaεil chi εalah jiloni xe εesan nu εab chuui queje qutt²³⁵</i></p>	<p>I will give this document as a sign of my word that shall be written by the scribe today. Well, I asked in all of my border markers, first that they begin at the border marker of Francisca Jucub upon which there is, well, truly, it is her border marker, the true border marker of Sebastian Jucub, truly, it follows strait until it comes to truly the border marker of Sebastian Jucub, then it drops until here coming to the border marker of Diego Jucub and goes straight along the road and goes until it comes to the border marker of the Tzunun family, really there. It arrives after that to the border marker of Francisca Jucub, here it began, here at the first border marker here, well, they are fenced in all of the border markers. I have caused your land to be handed over as a sign that I have taken my hands out of this land so that this Martin whenever he wishes may do upon this land what he will. He gave his money in whiteness and clarity. He</p>
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²³⁵ AGCA A7. S7 Leg 5967, 052381 Document of possession for Martin Jucub

removed my hand from over it.
Thus it is now.

Land and ownership could be either private or communal and land, house plots, and houses could be considered private yet could be owned jointly. Francisco Hernandez bequeathed his house plot in 1776 to both of his sons, Juan and Jacinto Hernandez, making sure to note that Juan was the older brother of the two.²³⁶ In Sebastian Piox's will, through the aid of the justices and his own moiety leaders, he left all of the arable land as well as the house and house plot to his two sons. His three daughters received none of the land or the house plots; yet he bequeathed to each of his daughters a flute, some images of saints, and female clothing, *u pot*, "her huipil."²³⁷ Inheritance patterns for the K'iche' usually showed equal distribution among the several children, both male and female, even when it concerned the bequeathing of land. Sebastian Piox's will is an exception to the rule of equitable inheritance

²³⁶ Testament of Francisco Hernandez, pp. 1 - 2 in Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], New Orleans, LA.

²³⁷ Testament of Sebastian Rojas, April 23, 1776, pp. 8 - 10 in Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], New Orleans, LA.

and possibly represents changing sentiments on the issue of female inheritance patterns in K'iche' communities.

Matthew Restall argues that for the Yucatec Maya, male heirs were more likely to receive house plots, arable lands, and houses because females were more likely to marry and thus enjoy the benefits of the houses, lands, and house plots that belonged to their husbands' families.²³⁸ In the wills from Rab'inal, women received as inheritance just as much if not more land than males did. Even married women received their portion of inheritance, sometimes in arable lands as well as in houses and house plots.

The K'iche' of the highlands of Guatemala bequeathed two types of land to their heirs - the solar or the house plot with its living quarters, kitchen house, and adjacent corrals, and fields of arable land for planting corn, squash, beans, chilies, and fruit trees. In Rab'inal, they classified these lands according to the type of soil found on them, and whether they were irrigated or dry fields. The Rab'inal wills abound with the description of *chaquih uleu* or "dry land" that is ubiquitous in the arid semi-desert like region of Baja Verapaz. The planted field was

²³⁸ Restall, *The Maya World*, "Part Three: *Land and Material Culture*," 169 - 225.

called an *ab'ix* while the land itself was designated as *uleu* (uh-lay-ewe).

Joint Land Tenure

Joint land tenure was the most ubiquitous form of land holding in the highlands of Guatemala and shows the equitable and communal nature of indigenous society. Municipal councils witnessed the last wills and testaments of their townspeople, which included the bequeathal of joint tenure over land, houses, and house plots that all siblings in a family held in common. A K'iche' father would partition out land among all of his children *chihuhunal qu rechabal*, "for every one of them their inheritance". In the case of Sebastian Lopes, he had no male heirs and therefore left his house, house plot, and all of his family's arable land to his two daughters, Tomasa and Manuela. Two years after his death in 1778, Manuela, the younger of the two daughters, made a verbal petition to the Jues Comesario (another title for the *alcalde mayor*), Señor Teniente Don Manuel Rosales, asking him to give her a second house that did not appear in the will of her father. The elders and justices of the town of Rab'inal granted to her the right to the second house because she went before the Spanish official. They hence

gave the first house to the eldest daughter Tomasa.²³⁹ Daughters' inheritance of house plots, houses, and family lands within their own family was subject to how much help the women offered their dying kin.²⁴⁰ Gaspar Chun willed his lands called *Chu ua Taq'ah* to all of his children including his two daughters, Paula and Petronilla, and to his grandchildren, Josepha and Gaspar, but put the actual inheritance in the name of his only son Diego.

Inheritance

The wills from Rab'inal show that men and women inherited as equally as possible from their fathers in lands, houses, house plots, house furnishings, and other miscellaneous goods. Mothers also bequeathed their property to their children and grandchildren. However, mothers seem to have bequeathed more property to their daughters and grandchildren than to their sons, perhaps because their sons received a bulk of their inheritance from their fathers. Men sometimes inherited women's items such as a *pot*, women's clothing or "huipil", or a *caa*, a "grinding stone" for making corn meal for tamales and

²³⁹ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], New Orleans, LA, Testament of Sebastian Lopes, December 17, 1778, pp. 3 - 4

²⁴⁰ Ruth Bunzel, *Chichicastenango, a Guatemalan Village*, (Locust Valley, New York, U.S.A., Germany: Publications of the American Ethnological Society, Edited by Marian W. Smith XXII, J.J. Augustin Publisher, 1952), 18 - 20.

tortillas, and women received axes, machetes, hoes, or other farming tools. The distribution of goods in the eighteenth century wills was not gender specific. Among the K'iche' there was no such thing as goods that men and women inherited because they were goods that men used or goods that women used.²⁴¹ Nevertheless, Sebastian Piox did not will any of his land to his three daughters and he did not mention their husbands in his will.

In the twentieth century, anthropologist Ruth Bunzel observed the inheritance patterns of the K'iche' society in Chichicastenango, a highland village in Guatemala, and she found similar inheritance practices as those in the eighteenth century wills in Rab'inal. She recorded that:

"When a man dies, if he has property, they look for two witnesses, and in their presence they divide the property, the land and other things. The partition of the inheritance is as follows: If the father has only one piece of land and has, let us say, six sons and three daughters, if the sons have all given help to the father, all of them, then each one will be entitled to one *mata*, or two *matas*; and the daughters, if they have lived at home and have helped their father with the necessities of life, they also will receive their little inheritance of land, and their portion of the things that are in the kitchen."²⁴²

²⁴¹ S. L. Cline, *Colonial Culhuacan, 1580 - 1600, A Social History of an Aztec Town* (Albuquerque, New Mexico: University of New Mexico Press, 1986). Sarah Cline mentions that in sixteenth century Culhuacan wills, men inherited items for masculine uses and women inherited items for feminine uses. The K'iche' used items that served dual purposes and had a bisexual gender association - one such item is the leather strap that women use in K'iche' society for the back-strap loom and that men use as a tumpline worn on the forehead to carry heavy loads.

²⁴² Bunzel, 19.

Several related parties, usually family members, owned tracts of land that belonged to their family and were partitioned out according to who planted what on them. Usufruct rights to fields were also common as well as renting out house plots and houses to third parties within the community. The *chinamitales* and the *ah cuch cabob* protected family lands and oversaw the collection of tribute within their moieties.

Women's Land

Women inherited land and held their own titles to it. In K'iche' society it was common for women to own land that was separate from the lands of their husbands. Both indigenous and Spanish women kept property that they owned before marriage separate from the property of their husbands.²⁴³ K'iche' women acquired property while they were married that they held separately from their husbands' property. This was so for K'iche' women, because their lands were inherited from their families, either their mother's or their father's families, and that land belonged to their ancestors and not to those of their husbands.²⁴⁴

²⁴³ Asunción Lavrin, "Women in Spanish American Colonial Society," in *The Cambridge History of Latin America, Volume II Colonial Latin America*, Edited by Leslie Bethell, (1984: Cambridge, England, Cambridge University Press), 327.

²⁴⁴ K'iche' women and I suspect women from other indigenous groups inherited land and not just movable property as Susan Migdon Socolow

The residual tradition of patrilineal and matrilineal descent was perhaps the ideology behind this reasoning. Their children could inherit it but their husbands could only bequeath it. This was the case with the will of Sebastian Gotierres.²⁴⁵ His wife, Melchora Matias, made him the executor of property that she owned separately from him. In his testament he bequeaths his wife's irrigated land to his daughter Antonia, the wife of Pablo de Pas. Her mother designated her as "her heiress of the deceased, our mother Melchora Matias." Her land was on the border with land that her sister-in-law owned.

The house plot that Maria Sis bequeathed to her daughters was her property and not that of her late husband, Thomas Tzuq'ub. She gave her property to her daughters and not to her son Juan Santos, who probably received a majority of his property from his father. In K'iche' inheritance patterns, it was commonplace for women to bequeath lands and other goods to their daughters. Nevertheless, the distribution of property does not seem to have any gender bias.

argues in *The Women of Colonial Latin America*, (2000: Cambridge, England, Cambridge University Press), 21.

²⁴⁵ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], New Orleans, LA, Testament of Sebastian Gotierres, August 14, 1765, 27 - 29.

Josepha Lucas was the wife of the deceased Domingo Rodriguez and was originally from the town of Salama, a neighboring settlement to Rab'inal. Her husband was part of the Rab'inal community and married Josepha, whose family was from the town right next to his. In her last testament, she bequeathed separate lands to each of her children including her son and her four daughters. She even had enough of her own land to bequeath a portion of it to two of her grandsons. She had purchased lands in Salvador that her son bought on her behalf from Diego Caues and bequeathed it to him and one of her daughters jointly. Josepha Lucas was a wealthy woman who held lands in her own name.

K'iche' wills from Rab'inal and from other areas of Guatemala included the testaments of the deceased. If the house plot that Maria Sis bequeathed to her daughters had belonged to her husband, the bequeathal would have been mentioned in a will that the cabildo and perhaps the moiety leaders made on his behalf. Similarly, if the lands that Josepha Lucas bequeathed to her children were the property of her late husband, a will would have been made for him or there would have been some sort of mention in her will that the lands she was bequeathing had originally belonged to her husband. Rarely did women receive the property of

their husbands. Husbands usually took care of their wives in that a husband would usually set aside a portion of land that would be sold at a future date for the funeral and burial of his wife. It was the responsibility of the surviving children to take care of their mother in her old age.

Purchased Lands

K'iche' families acquired land through inheritance and purchase, although purchased lands also came with obligations to the ancestors and both the seller and the buyer had to make petitions to the ancestors who previously worked those lands. Selling land carried with it certain obligations for the purchasers who according to Ruth Bunzel had to make offerings to the selling family's ancestors upon the land that they purchased.²⁴⁶ Families attempted to hold onto their lands because of their sacred significance. However, if financial necessity required, they sold them. Financial necessity caused the Ramirez family, who lived in Espirtu Santo Xelaju Juyub de la Real Corona or Quetzaltenango, to sell off a portion of their lands; they needed to bury their mother and purchase masses that the priest would perform on her behalf so that her soul could pass quickly through Purgatory. They needed to attend to

²⁴⁶ Bunzel, 23 - 25.

their duties to their mother as their ancestral kin, and therefore had to sell a portion of their land, which the governor at the time purchased. The Ramirez family, Manuel, Maria, and Maria, had originally jointly purchased this land from the Qauex family and from Antonia Qauex in particular. She sold this land to the Ramirez family with her husband, Gaspar Qoyoi. Women often relied on their husbands, fathers, or brothers in order to buy and sell land as was customary in Spanish legal proceedings. Manuel Ramirez, the brother of the two women, had to sell the land to the then governor Don Joseph Martin Gomez Tij, on behalf of himself and his sisters.²⁴⁷ Manuel was the only male included in this joint land tenure and men, as protectors of women in the Spanish colonial system, would have been recognized as the executors of property over women. Their land transaction included the mention of Antonia Qauex, even though she was not the owner of the land at that time. She sold it to the Ramirez family. Her name also appeared on this transaction because of the need of the new purchaser to carry on the rituals associated with propitiating her ancestors. The documents imply these responsibilities and obligations and we can only infer from

²⁴⁷ AGCA, A1 Leg. 5967 Exp. 52381, 23 - 24.

modern practices that the same was taking place in the eighteenth century.

Even though women owned land in K'iche' society, they were still legally bound to the laws and legal customs of Spanish colonialism. Under Spanish law, they felt they had more rights if a man was the purchaser or the seller of their lands. Antonio Sis sold a portion of irrigated land named *Chua Taseh pala uerta* for sixty-four tostones to Domingo Sandalis. He sold it, *chi common uachil chi e u chuch Luiza Sis, Maria Sis, Dom.ca Sis*, "in the common sight of his aunts Luiza Sis, Maria Sis, and Dominica Sis."²⁴⁸ His only connection to the land in question was that he was a blood relative of the three joint proprietors and the agent of the sale. The three aunts owned this property jointly and it was common practice for a male in the household to sell jointly held lands, perhaps to legitimize the sale if there were any legal questions concerning tenure. On her own, Dominica Sis later sold a portion of irrigated land in Bureto to Domingo Sandelis for seventy-two tostones. This land was her sole property and she acted as her own agent in the sale, "before the town government and before the government of god."²⁴⁹

²⁴⁸ Gates Collection MSS 279, Box 96, Folder 4, L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah.

²⁴⁹ Ibid.

The K'iche' sold their lands to others within the town so that they might remain part of the community, and if no one within the moiety could afford to buy the lands that were being sold it became the responsibility of the governor, the *ahau*, to purchase those lands. Domingo San Telis, the long running governor of Rab'inal, in his accounting purchased a portion of a house plot from Domingo Hernan(des) Leon for ten tostones on exactly the same date as the writing of Domingo's last will and testament.²⁵⁰ In his testament Domingo Ernandes Leon does not mention this transaction. However, he had plenty of lands that he left as inheritance to his children.

Some wills, such as the last testament of Doña Anna Siqih, reconfirm the sale of property to a third party.²⁵¹ Apparently, Doña Anna's daughter Cathalina had already sold the property that was destined for her inheritance from her mother to Nicolas Xuruq y Borena. The will confirms that the property was her inheritance from her mother, that she received it before her mother's death because she had a necessity, and that she had sold the property to a third party before her mother had made out her will. The

²⁵⁰Gates collection, MSS 279, Box 96, folder 4, folios 22 & 23, "San Telis Papers," L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah.

²⁵¹AGCA A1.20 Leg. 1500 Exp. 9977 Fol. 6 Testament of Doña Anna Siqih, undated

property that was destined for her inheritance became the property of Nicolas Xuruq. Why would the K'iche' place emphasis on a land sale, in which the intended inheritance of one party was purchased by another, that had transpired before the production of a final testament? The will became a statement of intent to enact future obligations or to record past actions, a forum for council and advice, as well as a legal document that represented bequeathed inheritance. Both the individual testator and the town council used wills for this purpose; they represent both an individual and a collective voice.

Two corpora of documents, titles to large tracts of land that the governors of Quetzaltenango and Rab'inah purchased, raise many questions concerning land tenure and traditional beliefs related to reciprocal systems that allow us to see who holds the right to own land in Mesoamerica. The Spaniards introduced their own system of land tenure, which became the legal form of landholding within Mesoamerica. Although the Spaniards did have a concept relating to the holding of communal lands, it was much more likely that they would recognize private ownership over communal.

Land Responsibility of the indigenous Governor

Land tenure in indigenous republics incorporates the idea that the indigenous *cacique*, in the Yucatec Maya case the *batab* and in the case of the K'iche' the *ahau* or governor, was given the responsibility and burden to make sure that lands that were sold stayed in the hands of the community. He was the last resort in a chain of command that went from the moiety leaders directly to him as the ruler. He had a reciprocal relationship with all of the lineage heads, the *chinamitales* or the *ah cuch cabob*, to ensure their traditional claims to land tenure. As the customary head of all the lineages, the supreme "mother, father" of all of the *chinimitales* that made up a *tinamit* or the *halach uiniq* over all of the *cuchteel* that were part of a *cah*, he had an obligation to make sure that elite lands did not fall into the hands of commoners or community outsiders.

Land documents that reflect the purchases of the governor of Rab'inal, Don Domingo San Telis, reveal traditional concepts of indigenous land tenure. The cabildo of Rab'inal made an accounting of all of the governor's land acquisitions, from the beginning of his tenure to the end of his time in office. It seems as if the land that he purchased was mainly the property of noble

families within Rab'inal. One of his goals for his purchases was to help these families out financially, because at the time of the demise of their patriarchs these families had become so impoverished that they needed money to pay for funeral expenses and masses to be sung on behalf of their loved ones. The governor may have also sought out opportunities to increase his holdings to place himself financially above all the landowners in his community. His status may have partially been contingent on his ability to prove his own economic stability.

Another goal of the governors' purchases was to keep land from falling into the hands of community outsiders. In Rab'inal in 1770, a land transaction took place in which a *ladino* (the term, in this case, signifies a community outsider) bought a house and a house plot that the deceased curate Fray Francisco Toscano witnessed. The curate Fray Miguel Salazar had to pay the money back to the indigenous governor, Don Domingo San Telis, because *macut xqui bantaj consentir comun pricipal qhe mix callix ui pa εab uae Alce ordinario Domingo Santeliz qhe mix uloε ui chi ju uinaε lahuh tostones*, "They did not consent to it (the purchase) the commoners and the nobles. Thus, we have just observed it here in the hand of this ordinary mayor Domingo San Telis. Hence, he has just bought it here for thirty

tostones."²⁵² Domingo San Telis of Rab'in al is the quintessential governor, the lord or *ahau* of his people who had the responsibility of ensuring that the sacred space of Rab'in al remained in the hands of the Rab'inaleb.

The San Telis documents are an accounting of all of the land transactions that the governor of Rab'in al made during his tenure. They reflect perhaps a change in the thinking of indigenous communities in terms of the traditional rights of land tenure that indigenous governors held in southern Mesoamerica in the mid-eighteenth century. The early titles are the first known attempt that hereditary lineages made to prove their rights to hold onto traditional lands under the Spanish system. Over time, it seems the Spanish system of land holding slowly began to permeate indigenous society and the idea of purchasing land became the predominant manner in which land changed hands. The cacique, the governor, or the *nim ahau* in the highly traditional and conservative town of Rab'in al had to

²⁵²Gates collection, MSS 279, Box 96, folder 4, folio 24, "San Telis Papers," L. Tom Perry Special Collections Library, Brigham Young University, Provo, Utah and Testament of Gaspar Alvarado, November 23, 1770, 54 - 56, and in Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [A *Collection of Wills and Other Legal papers in Quiché 1775 - 1787*], Tulane University, New Orleans, LA. From the testament of Gaspar Alvarado, we learn that Domingo San Telis was the governor and the ordinary mayor (*alcalde mayor*) at the same time in Rab'in al in the year 1770.

purchase the lands from impoverished nobles in order to keep them in the hands of the elite.

The common practice of land sale in Xelajuj de Espirito Santo de la Real Corona at the turn of the seventeenth and the beginning of the eighteenth centuries reveals that several townspeople sold their lands to the governor because they did not have a young man in their family to whom they could leave it. Don Joseph Martin Gomes Tij was the *ahau* or the governor of Xelajuj or Quetzaltenango but he was an outsider. Gomes Tij attempted to act as the community's governor exercising all of the rights and privileges owed to the position, but because he was not from Xelajuj, his attempts to exercise those privileges were suspect and contestable. He was not the choice of the outgoing municipal council. The *alcalde mayor* was responsible for the confirmation of his appointment as governor in the name of the king of Spain, and he offered this appointment to him because he had fought bravely and courageously to quell a rebellion of Tzotziles in Chiapas, bringing them under peaceful submission to the Spanish colonial system.²⁵³ As his reward, the *alcalde mayor* gave him the governorship of

²⁵³ AGCA A1.24 Leg. 1579 Exp. 10223 Fol. 324 "Titulo de Gobernador del pueblo de Xela a don José de Gómez Tih indio principal de dicho, pueblo, October 15, 1712"

Quetzaltenango, even though he was a noble from San Francisco el Alto. Within his stint as governor, Gomez Tij purchased as much land from the people of Xelajuj as he could. This caused problems for him later on when a member of one of the *nim ja* or the "great houses," the most important lineages that had control of the office of *chinamital* in the several wards or moieties of indigenous towns, took him to court for encroaching on his traditional lands. These lands Martin Jucub probably held for his lineage as well as for his subjects, vassals of the ward where he was a *chinamital*.

Chinamitales were an important remnant of pre-Colombian local leadership. They were nobles who were lords over commoners whose reciprocal responsibilities to those commoners have been addressed above. Robert Hill II asserts that the Bourbon reforms greatly altered the persistence of *chinamitales* and their continued roles at the local level in the eighteenth century Guatemala. He claims that the Kaqchiquel were no longer permitted to look to their *calpulli*, *parcialidades*, or *chinamitales* because these leaders were going above and beyond their roles within the communities and usurping the authority of the *alcaldes* (mayors), *regidores* (aldermen), and other *cabildo* (town council) officers and dictating town affairs, dealing

with threats from without and inciting rebellion against Spanish colonialism. The Spaniards introduced into the indigenous government structure the *cabildo* as part of the colonial system. The heads of the *chinamit* or the *chinamitales* had induced a riot in Tecpan in the 1750's based on their strong influence over the people within their wards or cantons. He suggests that the town of Tecpan and others within the Kaqchiquel heartland do not even have a collective memory of the *chinamital* as a political force within their communities in modern times and so the attempts to suppress this form of indigenous government were successful. He extends the conclusion that the *chinamital* had ceased to be a strong political force within indigenous republics to the rest of Guatemala in the eighteenth century. Hill claims not to have looked at documents written in Kaqchiquel from the eighteenth century, so many of his conclusions are simply assumptions based on evidence that he himself has not examined.

Robert W. Patch makes a close examination of this rebellion in Tecpan and comes to the conclusion that the lineage heads were another, more legitimate tier of the municipal government of Tecpán that the colonial powers

reprimanded and eliminated.²⁵⁴ Although the colonial powers limited the *chinamitales* in Tecpán in the role that they played within town politics in the eighteenth century, Patch also notes several other indigenous societies such as the Q'eqchi in Coban, Cahabon, and San Pedro Carcha, and the Ixil in Nebaj who still kept their *chinames* and *chinamitales*. They served as important advisors to the town councils.

The eighteenth century documents that I have looked at from the K'iche' or Achi' town of Rab'inal agree with Patch's assertions and reflect a much different view from the conclusions of Robert Hill II. The *chinamitales* were intact in the late eighteenth century and functioned much as they had before the implementation of the Bourbon reforms. These documents span from the early 1760's and continue to 1799. Perhaps what Hill is showing is the effectiveness of a regional colonial official and not one that had neither the authority nor the power to implement such a reform on other regions of Guatemala. Not every area was subject to the same colonial practices and some leaders could choose to implement reforms while others simply overlooked them. This is partially what makes these

²⁵⁴ Robert W. Patch, *Maya Revolt and Revolution in the Eighteenth Century* (Armonk, New York: M. E. Sharpe, 2002), 63 - 88.

sorts of local and regional studies so interesting is that they show that the practices of colonialism were not always uniform.

The *chinamitales* are important to any discussion of Guatemalan land tenure because they were responsible for the repartition and protection of community lands. They were under the leadership and direction of the governor, who was the head of the great houses and therefore the principal *chinamital* over all of the nobles who could claim *chinamital* status. Their persistence into the eighteenth century in Guatemalan indigenous communities, excluding Tecpan, meant that the traditional functions of indigenous land tenure were still in practice. Families held lands and bequeathed them to their progeny. Those families whose ancestors owned their lands were supposed to retain their property, although, circumstances sometimes required that indigenous families sell their lands. Indigenous leaders attempted to retain the lands of their community through the purchase of those lands and sometimes attempted to rescue lands that might be sold to community outsiders (this included both Spaniards and indigenous people who were outsiders to the community in question). Lands had a ritual significance and were part of the sacred space of families and the larger indigenous community. The

inheritance of lands and of other goods was not gender specific and men and women both inherited and bequeathed property.

Chapter VI

K'iche' Language Adaptation - Texts and Genres

The production of written records in *tinamit amae* or K'iche' republics during the three hundred years of colonial rule had the same purpose as they did for the Yucatec Maya and the Nahuas in New Spain. K'iche' town councils generated notarial documents not only to satisfy the demands of the colonial authorities but to protect their own inter *tinamit amae* interests. Colonial K'iche' cabildos kept official records at the command of the colonial powers and they generated documents to protect the *tinamit amae* against outside threats to their sovereignty.

Each K'iche' *tinamit amae* expressed its own unique concerns and interests within the documents, making them much more than mere reproductions of Spanish judicial documentation. The documents in K'iche' restructured the order of the community and within those documents *chinamitales* protected commoners from the excesses of indigenous governors and the municipal council. They did adapt some Spanish terms as well as forms in their incorporation of formulaic expressions. However, the fact that the documents are written in K'iche' allowed

individual scribes to conserve a particular cultural bias - one that was unique to the K'iche' people.

In the case of the K'iche' and of other linguistic groups in Guatemala, it is noteworthy that they were able to write in their own languages since there was a fervent movement in the sixteenth century shortly after the Spanish conquest to standardize Nahuatl as a *lingua franca* in the region. This would have allowed colonial religious authorities to maintain their goals of separating indigenous peoples from Spaniards and Africans while creating a population that was monolingual. In K'iche' *tinamit amas*, the only speakers of Nahuatl were the elites and not all of them were bilingual in K'iche' and Nahuatl. The problems associated with a program to make Nahuatl a *lingua franca* was that it would have meant that the elites in indigenous communities who knew Nahuatl would have had to teach all of the commoners and those elite who did not know Nahuatl how to speak it. It would have been extremely costly as well as logistically impossible.

Therefore, early on the friars made their decision as to how they were going to proceed with their flocks. Since they desired to convert all souls, noble and commoner alike, to Christianity, they had to be flexible. They were the ones who were going to learn indigenous languages and

attempt to guide their neophytes in the Catholic faith as best they could.

After congregation, the Spanish friars taught their elite neophytes how to write their languages using Latin letters. The documents written would serve as a record of each of the indigenous republics that they established. It was evident that the Latin alphabet was insufficient for the replication of all the sounds that were possible in both Maya and K'iche'. Glottalization or the palatalization of velar stops does not exist in Romance languages. For both Yucatec and K'iche', the missionaries who dedicated themselves to the study of indigenous languages had to invent ways in the written form to express sounds that did not exist in Spanish. Therefore, they modified the alphabet slightly to include the sounds that were prevalent in indigenous languages. In Maya, Franciscan friars gave Yucatec scribes a few new symbols that would serve for these distinct sounds. The backwards "c" usually represented in type as ">" represented the Yucatec sound "tz" or "dz." Yucatec scribes used a double "p" or "pp" to represent the palatal stop for "p," etc.²⁵⁵

²⁵⁵ For a full definition of Yucatec Mayan orthography see Matthew Restall, *The Maya World: Yucatec Culture and Society, 1550 - 1850*, (Stanford, California: Stanford University Press, 1997), 230 - 231. See especially Table 22.2 and Table 22.3 on pages 298 - 299.

In K'iche' the sounds were different from those in Yucatec. For example, the "r," the glottolized "q," and the unglotalized "q" sounds do not exist in Yucatec Maya. Both the "r" and the "q" exist in Spanish, so the missionaries did not have to invent any new letters for those sounds. Many K'iche' scribes wrote the unglottolized "q" like a "g" and several modern scholars have mistakenly interpreted the paleography to be the letter "g." The "G", which does not exist in K'iche', scribes used for Spanish names such as Garcia and the K'iche' scribe usually wrote it like a Times New Roman "g" with a fat tail. The friars invented the quartillo, a letter that looked like a stylized four "4," to represent the glottolized "k" sound. They also invented the trecillo, a letter that looked like a backwards three "ε," to represent a glottolized "q."²⁵⁶ K'iche' scribes used both the quartillo and the trecillo interchangeably and it seems that in practice the writing system the Spanish friars invented was far from standardized. Orthographic standardization was not the norm even for Spanish scribes who wrote in Spanish in the sixteenth through the eighteenth centuries. A "qh" was the scribal equivalent of a "ch'," a glottolized "ch" sound that exists in spoken

²⁵⁶ Lyle Campbell, *Quichean Linguistic Prehistory*, (Berkeley, Los Angeles, London: University of California Press, 1977), 121.

K'iche'. The letter "u," usually written more like a "v," both K'iche' and Yucatec Maya scribes wrote to express the sound "w." They treated it like a consonant and a vowel always followed it. A "q," or a "q" with a comma directly following was the equivalent of the "tz'," a glottolized "tz" in the new orthography and was a symbol that K'iche' scribes infrequently used except in the town of San Miguel Totonicapán, where they used it interchangeably with a "tz" in eighteenth century script.²⁵⁷ Robert Carmack claims that any combination of vowels signifies a glottal stop after the first vowel.²⁵⁸ This rule does not always apply, because whenever we find the combination "qui" or "que" the "u" usually represents a glottalized "q."

The Maya are unique among other Mesoamerican peoples in that they had a pre-conquest writing system. Modern epigraphers have recently deciphered it. Historians work under the assumption that in the Yucatan peninsula, the

²⁵⁷ In the Gates Collection, MSS 279, Box 94, folder 2, folios 1x - 2x, L. Tom Perry Special Collections Library, Harold B. Lee Library, Brigham Young University, Provo, Utah. At the end of a catechism there is an anonymous explanation of K'iche' orthography that a missionary friar created. The orthography instructions give advice to the incoming friars on how to read the document. He explains: "U que quisierre aquilatar la perfeccion de la pronunciacion de dichas letras, lea el capitulo primero RPh Ildefonso Flores del Serafico orden de Nro Padre Sn Francisco: y se estudiare dho arte la octava parte de la aplicaci3n, con que estudio Gramatica; aprehenderá el ydioma mui brevemente." The anonymous friar did not leave a date on this document.

²⁵⁸ Robert Carmack and James L. Mondloch, *Transcribers and Translators, El Título de Yax y otros documentos quichés de Totonicapán, Guatemala* (D.F., Mexico: Instituto de Investigaciones Filológicas, Universidad Nacional Autónoma de México, 1989), 119.

phonetic, Latin system of writing replaced the logosyllabic writing system that Maya scribes had used from 250 B.C.E. apparently up until 1561 C.E., the date of the infamous Auto de Fe of Maní. On this occasion, the infamous Fray Diego de Landa forced an anonymous scribe to write using the Maya's logosyllabic script and published it in his ethnology *Relación de las cosas de Yucatán*.²⁵⁹ This is the last bit of evidence that we have of the writing system's use, besides some modified date glyphs in the *Chilam Balam de Chumayel*.²⁶⁰ Matthew Restall found no documents in which scribes attempt to use both writing systems in the early period of Spanish colonialism. Such documents would represent a shift from a logosyllabic to a phonetic system.²⁶¹ I have not found any documents of the sort that would corroborate the idea of a shift from indigenous Maya logosyllabic writing to Latin phonetic letters either. It is possible that scribes could have continued writing using logographic script. Spanish missionaries so heavily persecuted all indigenous peoples who used conventions that

²⁵⁹ Fray Diego de Landa, *Relación de las cosas de Yucatán* (Mexico: Editorial Porrúa, 1953, 83.

²⁶⁰ G.B. Gordon, "Introduction," *The Book of Chilam Balam of Chumayel* (Laguna Hills, California, U.S.A.: Aegean Park Press, Mayan Studies, 1993).

²⁶¹ Restall, *The Maya World*, 230 - 231.

reminded them of their paganism that they could very well have forced logosyllabic script to go underground.

The K'iche' used the same sort of record keeping system and art styles as the Toltec peoples of central Mexico in the pre-Hispanic Postclassic. Instead of incorporating the logosyllabic writing system of the lowland Maya, the K'iche' culture exhibited Toltec influences. They acquired and employed the writing system the Toltecs used in central Mexico, since the major lineages of the K'iche' confederacy were Pipil and shared Toltec traditions. The material evidence for the Postclassic K'iche' does not include logosyllabic inscriptions of any sort. The K'iche' are a people who used mnemonic devices to prompt their oral traditions and reasserted their history through song, story, and dance. Their introduction to Latin letters was, then, a new technology that allowed them to record their living words, *casliquil tzih*, on paper, although, the language denotes that the word *dzibo*, "to paint, to write" was part of their lexicon. There is a word for page, paper, or book, *vuh*, and a word for black ink appears in the *artes* of the friars, which indicates that they had a conception of the written word and that there was a pre-Hispanic tradition of writing. The verb *dzibo* also means to paint and the

evidence of material culture proves that the K'iche' scribe was an artist or painter. Written expression could be defined broadly as any logogram that triggers meaning and serves as a mnemonic device.²⁶² In *the Annals of the Cakchiquels*, K'iche' ambassadors procured the cultural arts from the great city of Chichen Itzá in the Yucatan peninsula, including the language of Zuyua - an esoteric elite language that has some traces of Nahuatl. Those nobles that could speak it had the Toltec-Maya right to rule.²⁶³

Yucatec Maya scribes who were monolingual in Maya do not completely compare with K'iche' scribes who by the eighteenth century were forced into bilingualism in K'iche' and Spanish. In the Yucatán peninsula, there was a relative monoculture with little variation. Maya was the spoken language throughout the peninsula and the Spaniards who colonized the area found it easy to learn. By the eighteenth century, which is the time-period for which

²⁶² Elizabeth Hill Boone and Walter D. Mignolo, Editors, *Writing Without Words; Alternative Literacies in Mesoamerica & the Andes* (Durham and London: Duke University Press, 1994), 3 - 22.

²⁶³ Van Akkeren, *Place of the Lord's Daughter*, 208. In this book, Van Akkeren suggests that a K'iche'an connection with Chichen Itzá, as stated in *the Annals of the Cakchiquels*, may be evidence of the same lineage, the Kaueq, a K'iche'ization of Kanek, and their long distance clan affiliations. Recinos, Chonay, and Goetz, note on pg. 65, footnote 86, that the statement "Xati hotoba can ree uapal abah, t'oc chuyi uochoch" seems to refer to the pyramids of stone with columns such as those found at Chichen Itzá, which for these editors and translators is the home of Nacxit K'uk'ulk'áan.

there exists a bulk of documentation in Yucatec, there was a court appointed interpreter, the General Indian Interpreter. He made any translations from Maya to Spanish if the local magistrates sent documents to the ecclesiastical or vice-regal authorities in Mexico City or the Council of the Indies in Spain. He also made translations of any proclamations that needed to be made in Maya villages from Spanish to Maya. Many villages in the Yucatán peninsula by the eighteenth century had at least some American born Spaniard who also was able to speak Maya and who could stand in as a court appointed interpreter if the official royal interpreter could not be present for court cases in the countryside. The General Indian Interpreter was always of Spanish descent.

In contrast, the court authorities of the *Audiencia* of Guatemala did not always accept documents written in indigenous languages into the official court record. This policy they based on the multi-lingual nature of the indigenous communities that made up the colony. There simply were not enough language specialists available at any one time, who the royal court could call upon to interpret the multitude of languages in colonial Guatemala. The colony in Guatemala had a difficult enough time supplying indigenous communities with linguistically

trained priests who could perform mass, confession, and the regular visits to the parishes in their routes. They could not provide official court interpreters, even after the University of San Carlos included instruction in indigenous languages in the colonial capital of Santiago de Guatemala on January 31, 1676. The *cabeceras* had to supply the *alcalde mayor* with interpreters from among the indigenous population. For example, the head town of San Miguel Totonicapán, where the *alcalde mayor* of Totonicapán and Huehuetenango resided, entrusted the indigenous *cabildo* members past and present to elect the K'iche' interpreter in 1707 from among their own people.²⁶⁴ The high court of the land, the royal *audiencia*, did not like having a diversity of languages in Guatemala because it made colonial administration difficult.²⁶⁵ They attempted through the ordinances for the governing of indigenous republics in 1647 to mandate that Spanish be taught to all indigenous peoples in Guatemala, especially to the children of the elite so that they could be examples to the commoners. Some colonial factions governing the colony wanted all indigenous peoples to speak Spanish and attempted to extirpate their native tongues. This was a

²⁶⁴ AGCA A1 Leg. 1497 Exp. 15760 Fol. 62

²⁶⁵ Carrasco, 267 - 281.

mandate that was impossible to enforce. Indigenous peoples such as the K'iche' resisted this mandate and kept on writing in their languages even though they received orders from colonial officials to keep records in Spanish.

The lack of specialized colonial interpreters caused the *audiencia* to refuse any documents submitted in indigenous languages. The scribes of indigenous communities responded by becoming bilingual. At least this portion of the mandate they had to comply with if they wanted the colonial government to recognize their petitions.²⁶⁶ They seem to have compromised because they wrote out their documents in indigenous languages and in Spanish if a case required the documents submitted to colonial authorities. Sometimes the judge subpoenaed both sets of documents in the original language and in Spanish and both survive in the archival record. It was usual for the judges to return the indigenous language originals soon after submission. Sometimes the judges did not return the originals in indigenous languages and they remained as part of the official record, which was the case with the land documents referring to a dishonest indigenous ex-governor of Quetzaltenango.²⁶⁷

²⁶⁶ Ibid.

²⁶⁷ AGCA A1 Leg. 5967 Esp. 52381

In the mid-eighteenth century with the Bourbon Reforms, the Spanish crown attempted a new strategy to induce indigenous peoples to learn the Spanish language. The president of the Kingdom of Guatemala and the *audiencia* took this new strategy seriously and attempted to inaugurate schools that would teach indigenous children Spanish. The initiation and advancement of this program the president of Guatemala left in the hands of his lieutenants, the *alcaldes mayores* of all of the different departments. This attempt, like the previous one to initiate Nahuatl as the *lingua franca* of Guatemala, was a complete failure due to the inability of the Spanish authorities to tear indigenous children from the bosoms of their mothers. The unavailability of Spanish teachers was another deterrent to the impractical program of forced linguistic acculturation.

Quasi-Notarial Genres

The K'iche'an speaking peoples generated the greatest amount of documents of any Maya language in what Matthew Restall categorizes as "Quasi-Notarial" genres.²⁶⁸ They wrote the *Popol Vuh*, the most famous in this genre for its "traditional" religious ideas, as well as *the Memorial of Sololá* otherwise known as *The Annals of the Cakchiquels*,

²⁶⁸ Restall, *The Maya World*, 277 - 281.

The Title of the Lords of Totonicapán, the Title of the Caciques, The Title of Paxtocá, The Title of Cristóbal Ramírez also entitled *The Title of Tamub, The Title of Pedro Velasco, The Title of Ilocab*, and Robert Carmack's recent finds *The Title of Yax, The Fragment of Yax, and the Title of K'oyoi*. Each of these documents not only defines elite landholding in the highlands of Guatemala but also includes quasi-mythological events that form what Ruud Van Akkeren has termed "mytho-historiography."²⁶⁹ "Mytho-historiography" is a way of recording the past that takes into account the symbolic creation of sacred space and manages the recording of time according to fortunate and unfortunate days as defined by highland day counters. It is a concept that I discuss in chapter IV.

The language of wills in both K'iche' and Yucatec Maya cuts in and out of the first and third persons illustrating a dialogue between the testator and the town council who are acting as the creators or executors of the testator's living words. Matthew Restall refers to this notarial style in Yucatec Maya testaments as the "dialogocentric" nature of Maya thought.²⁷⁰ "Dialogocentrism" exists in

²⁶⁹ Van Akkeren, *Place of the Lord's Daughter*, 232 - 317.

²⁷⁰ Restall, *The Maya World*, 242. The use of the term "dialogocentric" comes from Allan F. Burns "The Language of Zuyua: Yucatec Maya Riddles and Their Interpretation," in Mary H. Preuss, ed., *Past Present, and*

K'iche' language wills, which would indicate that this discursive and literary style is most likely pan-Maya. The testament of Sebastian Pio in 1762 states, *uae cut nab u tzih are uae rech nu missa tobal na nima chuuach Ds*, "This is the first of his words thus this for my mass to help me feel great before God."²⁷¹ The community leaders are the third-person narrators and Sebastian Pio's voice is in the first-person. This form of expression tends to also present itself in the *Popol Vuh* and in K'iche' dance dramas such as the *Tum Teleche* or the *Rabinal Achí*, and is an indicator that last wills and testaments were a form of ritual performance.

All official K'iche' documents by the mid eighteenth century have dates in Spanish, although the K'iche' had their own terms for month, day, and year that they utilized in documents in the sixteenth and seventeenth centuries. All of the numbers that K'iche' and Maya scribes used that are associated with dates in the eighteenth century are written in Spanish. This shift from a K'iche' form of dating materials to a Spanish form does not necessarily suggest an adoption of the Christian calendar, but it may

Future: Selected Papers on Latin American Indian Literatures, pp. 35 - 40, Culver City, California: Labyrinthos, 1991b.

²⁷¹ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [A Collection of Wills and Other Legal papers in Quiché 1752 - 1778], New Orleans, LA: Testament of Sebastian Pio, November 8, 1762.

reflect that the documents produced were Christian inspired. Other numbers used in K'iche' testaments for example are written for the most part in K'iche'.

There are several degrees of separation between the language of the colonial documents from the seventeenth and eighteenth centuries and modern spoken K'iche'. Modern spoken K'iche' after the colonial period became simplified and truncated as it synchronically changed. Time significantly transformed the K'iche' language making it dialectically varied from town to town. The K'iche' of the colonial documents was more uniform than modern K'iche' and tended to have less variation than the modern spoken language. Munro Edmonson suggested that there were at least three different dialectical variations in the "Classical" language that included an eastern, central, and western K'iche'; the eastern K'iche' language he centered in Rab'inal, the central in Chichicastenango, and the western in Quetzaltenango.²⁷²

Edmonson distinguishes sixteenth century "Classical K'iche'" documents such as the *Popol Vuh* from documents written in the seventeenth and eighteenth centuries. The later documents he classified as "Modern K'iche'." The

²⁷² Munro S. Edmonson, *Quiche-English Dictionary* (New Orleans, Louisiana: Publication No. 30, Middle American Research Institute, Tulane University, 1965), vii.

criterion for his classification was the inclusion in seventeenth and eighteenth century documents of Spanish loan words.²⁷³

K'iche' scribes used Spanish words in their notarial documents only if a suitable K'iche' term was unavailable, or in some instances they used them in semantic couplets that included a K'iche' word and a Spanish word.²⁷⁴ The subject matter determined the language that scribes used; it does not indicate that they adopted Spanish words to replace K'iche' terms. *The Título K'oyoi*, written sometime between 1550 and 1560, has Spanish loan words in sections that discuss the Spanish conquest. The K'iche' scribe of this title used the Spanish designation "adelantado capitan don Pedro Albarado conquistador", "the leader captain Sir Pedro Albarado conqueror" for the Spanish conqueror of the K'iche' nation, even though there are terms in K'iche' for war captain, "ah pop achi" and "ah q'alel." He also used the terms "adelantado" or "leader" and "capitan," "captain" for the K'iche' war captain or "ah q'alel" Tecum. His

²⁷³ Monroe S. Edmonson, "Classical Quiche" in *Handbook of Middle American Indians*, vol. 5. There is no other anthropologist who has done as much for the study of K'iche' language than Monroe S. Edmonson. Without his scholarship, his synthesis of materials for the study of K'iche', most of this work would have been impossible. He claims himself in this chapter to be an "amateur" in linguistic anthropology. This work is greatly indebted to him.

²⁷⁴ Restall, *The Maya World*, 241 - 242. Matthew Restall identifies and coins the term "bilingual semantic couplets" to describe the combination of a Yucatec Maya word and a Spanish word that contains the same meaning. Each word reinforces the emphasis of the other.

father, king Q'uik'ab, he titled "rey...Q'uik'ab." A majority of the words included in this section describe things that do not have a direct K'iche' translation, such as the word "espada", "sword", or "alcabuz", "arquebus" to describe Spanish-style weaponry.²⁷⁵

K'iche' did not only integrate Spanish loanwords but also adopted a significant amount of Nahuatl terms as well. There are several examples in K'iche' notarial documents in which the scribes use bilingual semantic couplets using a term in Nahuatl and K'iche'; an excellent example of bilingual semantic couplets in Nahuatl and K'iche' is the phrase *tinamit amaε*, which uses the Nahuatl term *tinamit* for "town" and the K'iche' term *amaε*, which means "nation" or "town." Several linguists have debated the morphology and etymology of K'iche'an linguistics. The most notable of them, Lyle Campbell, produced a synthesis of several of their arguments.²⁷⁶ Lyle Campbell also wrote an important linguistic study on Pipil, comparing it with several other

²⁷⁵ Robert Carmack, "Título C'oyoi" pp. 35 & 36 in *Quichean Civilization: the Ethnohistoric, Ethnographic, and Archaeological Sources* (Berkeley, Los Angeles, London: University of California Press, 1973), 282.

²⁷⁶ Campbell argues the differences between his ideas on linguistic diffusion against Morris Swadesh (1960), *Interrelaciones de las lenguas Mayenses*. *Anales del Instituto Nacinoal de Antropología e historia*, Mexico, 13:231-267, Terrence S. Kaufman (1964) "Materiales lingüísticos para el estudio de las relaciones internas y externas de la familia de idiomas Mayanos". *Desarrollo Cultural de los Mayas*, Ed. By E. Vogt, 81 - 136. Special publication of the Seminario de Cultura Maya. Mexico among others in his book, *Quichean Linguistic Prehistory*, University of California Publications, Linguistics 81, University of California Press, Berkeley, Los Angeles, London: 1977

dialects of Nahua.²⁷⁷ He notes that the Pipil of Salamá has striking similarities to Isthmus Nahua and some to Sierra de Puebla. Nevertheless, he constantly warns about the distinctness of Pipil from other Nahua dialects.²⁷⁸ The Pipil of Salamá and Isthmus Nahua, which is spoken in Veracruz and Tabasco on the Gulf Coast, share the retention of a majority of linguistic traits from a common root. In Campbell's work on K'iche'an linguistics, he argues convincingly that the Nahua loan words in K'iche'an languages share common etymological similarities to the Nahua from the Gulf Coast.²⁷⁹ If the Nahua from the Gulf Coast shares a retention of linguistic traits with Pipil, it is safe to argue that several of the Nahua loan words used in K'iche'an languages may have been borrowed from Pipil. They may have come into the K'iche'an lexicon long before the Toltec-Maya invasion into the highlands in the thirteenth century C.E.

After transcribing and translating K'iche' documents from the seventeenth and eighteenth centuries, I have found that Edmonson's characterization of them, as "Modern

²⁷⁷ Lyle Campbell, "Appendix 1: Pipil and Other Varieties of Nahua," pp. 911 - 935 & "Appendix 2: Varieties of Nahua in Guatemala," pp. 936 - 942, *The Pipil Language of El Salvador*, Mouton Grammar Library 1: Editors Georg Bossong & Wallace Chafe, Mouton Publishers, Berlin, New York, Amsterdam: 1985

²⁷⁸ Ibid.

²⁷⁹ Campbell, *Quichean Linguistic Prehistory*, 102 - 126.

K'iche'" is inaccurate. There are several differences between the modern spoken language despite dialectical variation and the K'iche' of the documents. Some of these differences appear below. The grammatical forms that scribes used in the seventeenth and eighteenth centuries are similar to the grammar in sixteenth century K'iche' documents. Indeed, these documents deserve a reclassification into a new category, perhaps "Early Modern K'iche'."

The language of the documents is as distinct from modern K'iche' as modern "American" English is from Shakespearean English. The language, for the greater part of the K'iche' people, was something that changed rapidly because the majority of K'iche' speakers were illiterate. With limited literacy the spoken language was more flexible and had the possibility of greater simplification and modification, which produced the dialectical variation that is noted among K'iche' speakers today.

The scribes, the choir masters, the *fiscales*, and those that had previously officiated in these offices or were being primed for them were the only literate individuals in colonial K'iche' communities and most likely wrote in an archaic legalese much like the ritual language that day counters and diviners use today. Diviners and day

counters will often use an archaic language in their prayers and petitions to the gods, the saints, and the ancestors that is not spoken in quotidian modern conversation. Verbal communication in K'iche' possibly had morphed long before the official language of the documents. Conservation, out of respect for the tradition of the classical language, may have been the norm in colonial documents, and K'iche' scribes may have conserved archaic forms in the written language throughout the entire three hundred years of Spanish colonialism. Formulaic expressions became notarial conventions for the scribes of each *tinamit amaε* and certain turns of phrase scribal teachers may have passed down from teacher to student across the generations. However, the use of certain turns of phrase may be a convention of a particular town or village and may have been found in contemporary quotidian speech.

An example comes from San Miguel Totonicapán where the phrase *chi be εij chi be saε*, which literally can be translated "in the road of the day in the road of the dawn," was a metaphor for "day after day" or "forever." This phrase appears in Totonicapán's early titles, such as the *Title of Yax*, written in approximately 1560 and continues in use exclusively among the scribes of San

Miguel Totonicapán up until the 1783 testament of Pedro Gomes Xiquitzal.²⁸⁰ The phrase described above does not appear in notarial documents in other K'iche' *tinamit amas*.

If what the scribes wrote in the documents represented a traditional or archaic formula, it would be impossible to overlap the same three stages of language change that James Lockhart argues occurred for the Nahuas of Central Mexico. In order for Lockhart's stages to work in the K'iche' context, we would have to assume that K'iche' scribes made an accurate record of contemporary speech. In K'iche' testaments from Rab'inal, the testator defines the justices of the community as the *taol jun caib nu tzih*, "the hearers of one or two of my words," which suggests that the scribe took dictation of the *casliquil tzih*, the living words of the testator. In testaments from Totonicapán the testator usually confirms in the text that what they were saying is what was written.²⁸¹ The testament of Catalina Chitiy in 1748 describes that her testament is made *pa nu chi cape ui canu bih ui chuuach nu Justicia gor alts rr jues*, "The words that I speak here leave from my mouth here before the

²⁸⁰ Carmack and Mondloch, *Transcribers and Translators*, 93, footnote 32. See also AGCA A1.20 Leg. 1784 Exp. 55535

²⁸¹ AGCA A1.20 Leg. 1500 Exp. 9977 Fol. 3, AGCA A1.20 Leg. 1504 Exp. 9981 Fol. 359, AGCA A1.20 Leg. 1504 Exp. 9981 Fol. 208, AGCA A1.20 Leg. 1784 Exp. 55535. AGCA A1.20 Leg. 1500 Exp. 9977 Fol. 418, AGCA A1.20 Leg. 1500 Exp. 9977 Fol. 247

Justices, governor, mayors, aldermen, and judges," further evidencing that scribes took dictation.²⁸²

Similar turns of phrase, formulaic expressions, could represent what K'iche' testators deemed was appropriate to say at the time of their gravest illness. K'iche' families and town leaders gathered at the bedsides of the terminally ill to hear their last words. The K'iche' people knew well what it was they were supposed to say when it came their turn to die. The repetitive phrases of prayers long since memorized from the Catholic liturgy gave them an idea on what to say. The "dialogocentric" nature of K'iche' wills may also have allowed the K'iche' scribe to plug in some of the necessary phrases, "formulaic legal preamble," as Matthew Restall suggests occurred at the creation of Yucatec Maya testaments.²⁸³ The Maya and the K'iche' were also masters at reincorporating Spanish words into their lexicon and Mayanizing or K'iche'izing them.²⁸⁴

James Lockhart's three and possible four stages of linguistic change in colonial Nahuatl may have occurred in the K'iche' language.²⁸⁵ The timing for these changes would have occurred much later than the dates Lockhart posits for

²⁸² "Testament of Catalina Chitiy, June, 1748" AGCA A1.20 Leg. 1500 Exp. 9977 Fol. 3

²⁸³ Restall, *The Maya World*, 154 - 155.

²⁸⁴ Lockhart, *The Nahuas After the Conquest*, 261 - 325.

²⁸⁵ *Ibid.*

central Nahuatl. According to Lockhart, stage one, between 1519 and circa 1550, was a stage of relatively little linguistic change for Nahuatl speakers in central Mexico.²⁸⁶ If we were to consider the K'iche' language in terms of Lockhart's stages we would have to say that stage one occurred at an early date relatively falling between 1524, at the arrival of the Spaniards in Guatemala, to between 1580 and 1590. The *Popol Vuh*, *The Titles of the Lords of Totonicapán*, *The Titles of Yax*, and all of the early titles belong to this stage. Lockhart argues that the stages correspond to increasing contact between Spaniards and Nahuas.²⁸⁷ Although his analysis does not include any exhaustive study on the rate of acculturation, he posits that linguistic adaptation radiated outward from the most saturated Spanish centers where Spaniards and Nahuas lived in close association to outlying areas that were more remote that had little or no Spanish contact. His argument opens the door to a discussion on linguistic variation between Nahua *altepetl* and in extension to other groups in Mesoamerica such as the K'iche' and their *tinamit amas*. Lockhart bases stage one on Alonso de Molina's 1571, *Vocabulario en lengua castellana y mexicana y mexicana y*

²⁸⁶ Ibid.

²⁸⁷ Ibid., 261.

castellana.²⁸⁸ Early contact between missionary friars and the Nahuas provided the basis for the creation of new words in Nahuatl to describe newly introduced items that were not part of the Nahuatl lexicon. After the conquest some of these same terms were introduced into the K'iche' lexicon, especially since a majority of the missionary friars that came to Guatemala had experiences among the Nahuas of central Mexico. Church authorities often reassigned missionary friars and they moved several times to distant areas of the Spanish colonies in a single career.²⁸⁹ This was taxing on their linguistic skills. Nevertheless, the missionary friars were responsible for introducing the same terms that the Nahuas came up with into K'iche'. The best example for this is the term for bell which in Nahuatl is *miccatepuztli*, "dead-person metal" and in K'iche' is *qhiqhal caminak* also "metal of the dead person," a direct translation from the Nahuatl into K'iche'.²⁹⁰

²⁸⁸ Fray Alonso de Molina, 1970, *Vocabulario en lengua castellana y mexicana y mexicana y castellana*, (1571) Mexico, Porrúa, as cited in Lockhart, *The Nahuas After the Conquest*.

²⁸⁹ J. Eric S. Thompson, Editor, *Thomas Gage's Travel in the New World*, (Norman, Oklahoma: University of Oklahoma Press, 1958), xxix - xxxvi. See also Fray Francisco Ximenez, *Historia de la provincial de San Vicente de Chiapa y Guatemala de la orden de predicadores compuesta por el R.P. Pred. Gen. Fray Francisco Ximenez, hijo de la misma provincia, de orden de N. Rmo. P.M.G. Fr. Antonio Cloché* (Guatemala, Centro América: Estudios del Licenciado Agustín Mencos F. y Doctor Ramón A. Salazar, Tomo I, Tomo II, Tomo III, Biblioteca "Goatemala" de la Sociedad de Geografía e Historia, 1931).

²⁹⁰ *Miccatepuztli*, "dead-person metal" in Lockhart, *The Nahuas After the Conquest*, 221; and *qhiqhal caminak* in L 497. 281 065. *Ordenanzas de la Cofradía del Rosario*, 1689 written by "Maestro y escribano Pascual

Lockhart's stage two, the introduction of Spanish nouns in Nahuatl, if applied to the K'iche' language would have appeared almost immediately after the Spanish conquest of Guatemala. The missionary friars of Guatemala did not hurry to gather cultural and ethnographic information on the K'iche' people; in the early years, they focused primarily on the Kaqchiquel. Missionary friars created language materials for them by the late sixteenth and seventeenth centuries. The friars prepared the earliest artes and dictionaries that included the K'iche' language in the early eighteenth century and those also recognized and recorded all of the three main K'iche'an languages: Kaqchiquel, K'iche', and Tz'utujil. It is possible that the missionary friars did not hear much of a difference between K'iche', Kaqchiquel, and Tz'utujil and therefore did not bother to make a separate study of each as distinct languages.

The K'iche' had been writing their language in Latin letters since the late sixteenth century. K'iche' scribes "K'iche'ized" Spanish loan words including Spanish nouns when they appeared in K'iche' notarial documents. In K'iche' documents, scribes usually included a numerical or

Vásquez" Latin American Library, Special Collections, Tulane University, New Orleans, LA, 7.

possessive modifier with Spanish nouns; this would contextualize Spanish nouns into K'iche' semantics. Words such as *hun u machet*, "one his machete" or *rasador*, "his grill," were common nouns in K'iche' wills and scribes used them for European material culture that Spaniards introduced into K'iche'an society and K'iche' testators bequeathed to their progeny.²⁹¹ Terms for Spanish introduced offices in K'iche' governments, such as *nu rey* or *nu justicias*, were also ubiquitous.

Stages three and four of Lockhart's stages of Nahuatl language adaptation, if applied to K'iche', would have begun to appear by approximately 1650, after the mandate that scribes, choirmasters, and *fiscales* learn Spanish.²⁹² They would have lasted well into the nineteenth century.²⁹³ Stage three would be when the scribes began to use modified verbs and conjunctions in Spanish within the context of

²⁹¹ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], New Orleans, LA, Testament of Domingo Hernan Leon, February 11, 1768 pp. 55 - 58 and in Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1775 - 1787*], New Orleans, LA, Testament of Tomas Roman, September 7, 1771, pp. 36 - 39, Testament of Pablo Rojas, October 26, 1770, pp. 64 - 67

²⁹² Carrasco, 267 - 281.

²⁹³ Edmonson, "Quiche Literature," 126. See Edmonson's reference to *Cofradía de San Nicolás (1663 - 1852)*. Included in eighteenth century literature was the script for the dance of the *White Demon*, which according to Edmonson is "written in the Colonial orthography down to 1875."

K'iche' language structure.²⁹⁴ Stage four occurred at the same time as stage three and represents complete turns of phrase and literary conventions that scribes translated directly from Spanish in native languages. These two stages represent a strong association with the Spanish language and correspond to the scribal mandate for bilingualism discussed above.

Early Modern K'iche' contains grammatical structures that are no longer in use in the modern language. Most of these forms relate to the conjugation of pronouns and not of verbs. For example, *xchi tzibaj* means "it will be written" while *xchin tzibaj* means "I will write it". The latter form is how colonial K'iche' scribes expressed the future aspect with verbs that express transitivity. For verbs that express intransitivity the construction was different: "*xkin uilic*," I will see.²⁹⁵ Modern speakers rarely use the future tense and some say that the future tense does not exist in modern spoken K'iche'.²⁹⁶ In the classical and early modern language, the pronoun is modified with a prefix while the verb remains unchanged. The same can be said of the present tense, *canu tzibaj*, which signifies "I write it." Modern K'iche' uses *kin*

²⁹⁴ Lockhart, *The Nahuas After the Conquest*, 304 - 325.

²⁹⁵ Campbell, *Quichean Linguistic Prehistory*, 18.

²⁹⁶ Personal communication: Eduardo Elias, K'iche' Instructor, Proyecto Linguístico Quetzalteco, Quetzaltenango, Guatemala, July, 2008

tzibaj as the construction for "I write it." Early modern K'iche' contains more temporal aspects than its modern versions especially with the construction *Mix ka tzibaj*, "I wrote it just now." The future tense showcased above is also a temporal aspect that no longer exists in modern spoken K'iche'.

The verbs are altered in the classical, the early modern, as well as in the modern K'iche' language, especially if the speaker or the author is speaking or writing in the passive voice. All Mesoamerican peoples use forms of the passive voice and it is often the more preferred form of speech. The passive voice in Yucatec Maya is what Matthew Restall calls "reverential language."²⁹⁷ In the modern K'iche' language, there are six different variations of the passive voice. K'iche' scribes in the sixteenth, seventeenth, and eighteenth centuries used the passive voice weaving it in and out of the more assertive forms of speech. *E nu tzihol maui nuqui cam talo go ta*, "Could it not be that these my words might be received," is an excellent example of the use of one of the forms of the passive voice from a seventeenth century petition.²⁹⁸ Each of the variations of the passive voice

²⁹⁷ Restall, *The Maya World*, 251 - 255.

²⁹⁸ "Petition to the lords from Don Bartolome Mexia, Francisco Moños, and Francisco Hernandez," AGCA A3 Leg. 2897 Exp. 42993

enriches the language because it refocuses the attention from the agent of the action to the patient. The use of the passive voice betrays a stratified society, one in which hierarchies, such as age or noble status, had immense importance.

The construction of prosodic phrases often placed words in an unconventional order for the sake of rhythm and poetics. For example, the phrase in the testimony to the land transaction of Antonia Qauex and Maria Ramirez to the Governor Don Gomez Martin Tih, written by the scribe Bartolome Peres Cojulum reads: *mix be εa bih uae uleu*, "we went over there to this land" which should read *mix εa be bih uae uleu*. The scribe broke up the two words that began with "b" to make the phrase sound better. Even though the verb *be* "to go" was out of order (it should have followed the pronoun rather than preceded it), the phrase is still understandable. He made the phrase prosodic.

Proper prosody was part of public speaking and effective writing in classical and early modern K'iche'. To ensure metered rhythm the K'iche' often inserted the word *cutt*, which roughly translates to "well," "just," or "um." Yucatec Maya, Kaqchiquel, and possibly all other Mayan languages have the same convention of prosodic inclusion. *Rezadores* or prayer masters in modern Yucatec

Maya communities often use the word *tun*, as a rhythmic element in their prayers.²⁹⁹

Scribes repeated words or phrases in K'iche' documents to emphasize the description of a particular item or idea. The best example is in the description of flat grinding stones found in K'iche' testaments; the phrase *caa cho caa* is frequently used and literally means "grinding stone flat grinding stone." The repetition of the term includes a more exact description of the item bequeathed. Sometimes there will be the repetition of an adjective used to describe an item that places emphasis on that description. The Yucatec Maya use this same convention of descriptive repetition to emphasize description.

Allen Christensen, the most recent transcriber and translator of the *Popol Vuh*, the K'iche' people's most notable example of "high literature," shows the importance of poetics in this document. According to Christensen, the K'iche' poet is not as concerned with meter or rhyme but with metaphor and synonymous concepts. He identifies fourteen different types of parallelism employed in the *Popol Vuh*. Parallels were conventions that K'iche' storytellers used to reinforce and reiterate concepts

²⁹⁹ This the author personally witnessed in a prayer by Don Justino given in Tihosuco, Quintana Roo, Mexico on June 27, 2008. Don Justino is a revered member of the community, a rezador, and a j-meen of Tihosuco.

either by repeating a word or phrase or by using a metaphor or a synonymous term, a technique that was useful in oral transmission. In the *Popol Vuh* there are parallel couplets as well as triplets, quatrains, and even longer series of parallels.³⁰⁰

Matthew Restall also identifies this type of parallelism in Yucatec Maya documents and calls this convention the use of "semantic couplets."³⁰¹ He found for Yucatec that the Maya were able to employ new and creative ways of using this traditional literary convention. This innovation included the use of Spanish loan words that meant the same thing as their Maya couplet. Scribes took the same prosaic liberty when they wrote in K'iche' documents and utilized both a K'iche' term and its equivalent in Spanish.

K'iche' scribes as well as most scribes in the early modern world did not often utilize punctuation. Nevertheless, the structure of K'iche' and all other Mesoamerican languages did not require the use of punctuation to mark pauses or the beginnings or terminations of phrases or statements. The language structure naturally notifies the lector, making the use of

³⁰⁰ Allen J. Christensen, "The Poetic Nature of the *Popol Vuh*," *Popol Vuh Electronic Library, Introduction*, Brigham Young University, 2007.

³⁰¹ Restall, *The Maya World*, 241 - 242.

punctuation unnecessary. Some examples from colonial K'iche' documents of words that indicate the beginning of a phrase or a clause are *quehe cutt*, "thus it is," *are ta*, "hence," and *q'ut uae*, "now this."³⁰²

Some scribes utilized a form of notarial or scribal shorthand. Notaries often abbreviated words commonly used in notarial documents making the act of writing much easier, especially since scribes usually took dictation from cabildo officers, testators, and purchasers and sellers of land. The most commonly used abbreviations included "qhe" for *quehe*, "thus," "rl," for *rixoεil*, "his woman or wife," and "εm," for *εetzam*, "deceased."³⁰³ Sometimes scribes would merge the letters of words together, which was a form of scribal shorthand that Spanish notaries utilized for Spanish words in Spanish documents and taught to indigenous notaries. In phrases

³⁰² Munro S. Edmonson, "7C. Classical Quiche," in *Handbook of Middle American Indians, Vol. 2, Linguistics*, Munro S. Edmonson, volume editor, with the assistance of Patricia A. Andrews (Austin, Texas: University of Texas Press, 1984), 265. Edmonson separates these into "pronominal compounds" and "conjunctive particles." "Conjunctive particles...stand in the initial position in a clause, except when preceded by pronouns." They include *quehe cutt* and *q'ut uae*. *Are ta*, "hence" Edmonson classifies as a pronominal compound.

³⁰³ Rare Book Case 497.281 Q6d2, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1752 - 1778*], Tulane University, New Orleans, LA and Rare Book Case 497.281 Q6d, Tulane Latin American Library, Special Collections: William Gates Collection, [*A Collection of Wills and Other Legal papers in Quiché 1775 - 1787*], Tulane University, New Orleans, LA

such as *Qa ni Mahaua1 Rey*, the words *nima* and *ahaua1* share the vowel "a."

Early Modern K'iche' was miscegenated with not only Spanish loan words but was rife with loan words from Nahuatl, which is the southern dialect of Nahuatl. After the Spanish conquest of Guatemala, Nahua auxiliary troops spread central Mexican Nahuatl into Guatemala, and as I have shown above missionary friars also introduced Nahua words and concepts into K'iche'. Pipil in the linguistic literature is the same as Nahuatl, although we should consider it a culture and not a language.³⁰⁴ Munro Edmonson suggests that the K'iche' were familiar with Nahuatl before the Spanish conquest but Ruud Van Akkeren argues that Nahuatl was much more common in the K'iche' area, especially since the Eastern K'iche' region with its center at Rab'inah was close to the Pipil-Pokom outpost of Salamá.³⁰⁵ Lyle Campbell asserts that the Nahuatl loan words in K'iche'an languages are morphologically similar to the Nahuatl spoken in the Gulf Coast and that fact proves the validity of Robert Carmack's hypothesis that the Toltec-Maya of Tabasco and Veracruz invaded the highlands of

³⁰⁴ Van Akkeren, *Place of the Lord's Daughter*, 76.

³⁰⁵ Van Akkeren, *Place of the Lord's Daughter*, 85 - 86 & 311 - 317; also in Munro Edmonson, "Appendix, zaqi q'oxol and Cortés: The Conquest of Mexico in K'iche' and Spanish" in *Quiché Dramas and Divinatory Calendars*.

Guatemala in the thirteenth or fourteenth centuries.³⁰⁶ Van Akkeren posits the hypothesis that several waves of invasion into the Guatemalan highlands of Nahuatl speakers occurred over time from diverse areas. These groups included the Pipil from the Pacific coastal regions of Guatemala and later the Toltec-Maya from the Gulf Coast. These groups were responsible for the Nahuatl infusion of loan words into K'iche'. The K'iche' confederation also included elite Pipil-Pokom lineages, which infused Nahuatl into the K'iche' language even more.³⁰⁷ After centuries of interaction with central Mexico and the clear adoption of artistic and cultural forms from "Mexicans" in the material culture of the K'iche', it is no wonder that the Nahuatl and K'iche' exchanged words.

The Mayan language offers a window into the historical perspective of those who speak it. As Victoria Bricker has stated, the Maya conception of time is cyclical and all Mayan languages reflect a non-linear, non-Occidental view of the past, the present, and the future.³⁰⁸ Yucatec Maya focuses on temporal aspects that in both the distant past

³⁰⁶ Campbell, *Quichean Linguistic Prehistory*, 103.

³⁰⁷ Van Akkeren, *Place of the Lord's Daughter*, 42 - 48, 76, 85 - 92.

³⁰⁸ Munro S. Edmonson and Victoria R. Bricker, "Yucatecan Mayan Literature," in Victoria Reifler Bricker, General Editor, Munro S. Edmonson, Volume Editor, and Patricia A. Andrews, *Handbook of Middle American Indians, Supplement 3, Literatures*, (Austin, Texas: University of Texas Press, 1985), 61.

and the far unpredictable future become more abstract, leaving both past and future definable in symbolic archetypes, tropes, and metaphor.

The K'iche' language offers a conceptualization of space and time, with the speaker in relation to both. Spatial associations are ubiquitous in K'iche' and are clearly discernable in its directional auxiliary verbs and its positional verbs. The use of time is not so obvious but is connected to the spatial focus of K'iche' language.

Why study the history of the Maya and the K'iche' peoples using documents written in their own languages? The answer is simple yet complex. Maya peoples in Guatemala elected an official translator from their community, an indigenous person who was bilingual who could translate for those who were not, and an official scribe of the cabildo who was also bilingual. The translators and scribes of K'iche' towns in Guatemala were responsible for translation and transcription from Spanish to K'iche' and K'iche' to Spanish. The K'iche' documents represent a cultural window into ideas and beliefs that were not translated into the Spanish records because the scribes either failed to include those ideas on purpose in their translations or did not include some concepts simply due to the fact that Spanish did not hold the same cultural specificity for some

words or phrases. Fredric Jameson in his book *The Prison house of Language*, is quite clear on the loss of meaning related to the act of translation from one language, one cultural system, to another.³⁰⁹ He suggests that translation and transcription do little justice to language because the translated language must be explained in its own unique cultural context, in its own logic, in order for another culture to understand it.

K'iche' scribes revealed something about their translations because they were too literal in some cases. The translated document as a finished product from K'iche' to Spanish reveals the cultural background of the translator. If the translators of these documents had been Spaniards, they would have known better than to translate a document literally, relying on their own native tongue to communicate the meaning of the translation. The "translated" documents from K'iche' to Spanish usually include the confusion that goes along with the grammatically incorrect (at least in Spanish) directional auxiliaries to some verbs in K'iche'. The Spanish translations of documents sometimes read as K'iche'. If a

³⁰⁹ Fredric Jameson, *The Prison-house of Language; A Critical Account of Structuralism and Russian Formalism* (Princeton, New Jersey: Princeton University Press, 1972).

Spaniard was the interpreter and translator of K'iche' documentation, they would have noted that on the face of the document itself, much like the General Indian Interpreter, a regional Spanish official, did on documents in Yucatán.

Wills and testaments in the K'iche' language reveal variations not only in style but in concern and focus. The wills from Totonicapan and from Quetzaltenango are much closer to the Molina model than wills from the more remote and less Spanish occupied town of Rab'inal. The Spanish influence in these wills is extraordinarily evident. However, the testaments are also extremely K'iche' in their preoccupations. The testaments from Totonicapán and Xelaju both reveal the need to express *pixab tzih* or "words of council" even if the testator had nothing to bequeath to their children or grandchildren. It seems that the preoccupation in some wills was to prevent future conflicts within the community and wills were sometimes used as preventative judiciary documents that bound family members to the words of a patriarch or matriarch after they had passed on to the next life.

Chapter VII

Conclusions

History at the local level in indigenous communities is hardly ever the objective of colonial Central American historians. Those that have successfully attempted it focus more on a single polity than on drawing conclusions based on documentation from several polities. This study focuses on documentation from Rab'inal, San Miguel Totonicapán, Xelaju Espiritu Santo de la Real Corona or Quetzaltenango, and San Cristobál Totonicapán. A majority of documents used for this study, indigenous scribes wrote in their own languages using Latin letters and kept in their possession. Many of these sources came out of the municipality of Rab'inal, which had Church-sponsored protection from lay Spaniard exploitation that included exemptions from *encomienda* and strictly enforced limits on Spanish residency. The resulting development of indigenous society in Rab'inal was conservative of K'iche' or Achí customs and privileges. The documents written in K'iche' from Rab'inal reveal strong conservation of indigenous practices. K'iche' documents from San Miguel Totonicapán and Xelaju reveal a closer relationship to Spanish legal and religious expression. The *tinamit amaq'* in these areas

had greater influence from Spanish and African culture and society.

K'iche' and Yucatec Maya language documents reflect the cultural mores and ideologies of the societies that produced them. The constant use of metaphor in the documentation lends itself to the excavation of concepts embedded in mundane documents. Metaphoric speech allowed the K'iche' and Yucatec Maya to express social and cultural concepts that were often complex within short phrases.

K'iche' and Yucatec Maya peoples were far from passive subjects of Spanish colonialism. They were proactive participants in their own history and exhibited a resiliency to conserve traditions that allowed them to confront change and to control, interpret, and adapt to colonial impositions. They were the arbiters and arbitrators of their own social and cultural transformations.

The independence movements that swept through New Spain and South America in the early nineteenth century did not have the same appeal in Guatemala. Nevertheless, the Liberal reforms that newly-forming nation states began to implement did have a powerful impact. Liberal reformers restructured society in the nineteenth century and gave the

opportunity for ladinos (the term in this instance refers to non-indigenous community outsiders) to insert themselves into leadership positions in indigenous republics. Liberal mandates and national decrees broke the monopoly of power that elites in indigenous society exercised. They broke up the indigenous *cabildo* and demanded that the *alcalde ordinario* or the *alcalde primero* be a ladino - and this time they meant that he be someone of Spanish American heritage. The civil-religious hierarchy with its connections to the ancestors and its ability to maintain corporate community order was unraveling.

The response in some places, such as Xelaju or Quetzaltenango, was adaptation.³¹⁰ The response in others, such as Totonicapán, was revolution. In San Miguel Totonicapán, the K'iche' people crowned Atanasio Tzul, the former *alcalde primero*, king, to replace Ferdinand VII after they had heard of his exile in France. This was not an act of defiance against the king but against Liberal reforms and colonial excess; the K'iche' wanted to restore the monarchy that they perceived had been destroyed thereby retaining the reciprocal protections that the king had

³¹⁰ Greg Grandin, *The Blood of Guatemala, A History of Race and Nation* (Durham and London: Duke University Press, 2000).

afforded them.³¹¹ A year later in 1821, Guatemalans rose in violent conflict demanding their independence from Spain, but this independence was mostly in favor of American-born creoles and their descendents than it would be for indigenous peoples. The K'iche', and all other indigenous peoples throughout the Americas, wanted to return to monarchical rule because exploitation was worse under the rule of American-born creoles and more importantly the corporate structure with its connected ideology and religious connotations had been dismantled.

After independence, both K'iche' and Yucatec Maya language documents continued to be produced well into the nineteenth century, only that for the K'iche' these documents had religious significance and applied mostly to sodalities and to the transmission of the knowledge of sacred dance-dramas and divination.³¹² In the Yucatán peninsula, writing in Maya shifted from colonial inspired notarial documentation to correspondence between military elites after the Caste War in 1847 when the Maya who had lived on the fringes of colonial society rose in open

³¹¹ Victoria Reifler Bricker, *The Indian Christ, The Indian King: The Historical Substrate of Maya Myth and Ritual* (Austin, Texas: University of Texas Press, 1981), 77 - 84.

³¹² Munro S. Edmonson, "Quiche Literature", in *Literatures*, edited by M.S. Edmonson, pp. 107 - 32, *Supplement to the Handbook of Middle American Indians, vol.3*, Victoria Reifler Bricker, general editor (Austin, Texas: University of Texas Press, 1985), 126.

violent rebellion against Creole-imposed social injustices in the nineteenth century.³¹³ The continuation of K'iche' and Yucatec Maya documentation into the nineteenth century needs to be examined to investigate how Liberal reforms and national programs attempted to transform native literacy and to see how effective indigenous peoples were at resisting those reforms.

It may seem that for the Yucatec Maya, their response was obvious: rebellion. Nevertheless, the Yucatec Maya of the henequen zone in the northwest did not rebel. What can be said about the affects of the nineteenth century on their literacy? The situation for indigenous literacy in Guatemala is not as clear. Scribes kept documents in K'iche' even after colonial mandates in 1647 forbade the use of native language writing. In fact, there was an increase in the production of native language notarial documents in the eighteenth century. Were these documents kept out of necessity or was it an act of cultural rebellion - a "weapon of the week?"³¹⁴ It was probably a little of both. Scribes in K'iche' communities were

³¹³ Terry Rugeley, *Yucatán's Maya peasantry and the origins of the Caste War* (Austin, Texas: University of Texas Press, 1996) and Nelson Reed, *The Caste War of Yucatan* (Chicago, Illinois: University of Chicago Press, 1964).

³¹⁴ James C. Scott, *Weapons of the Week: Everyday Forms of Peasant Resistance* (New Haven, Connecticut: Yale University Press, 1985).

bilingual and they copied documents from K'iche' into Spanish. Nevertheless, K'iche' remained the official language of their communities and of community transactions in defiance of mandated laws that attempted to make indigenous peoples monolingual in the Spanish language.

The K'iche' and the Yucatec Maya are resilient peoples who have had to face an astonishing amount of political, economic, and social oppression. Yet, they have continued to show that they have been able to adapt creatively to new challenges and to modify their communities based on traditional mores and values. Indigenous peoples in the Americas do not have static unchanging cultures. This dissertation has shown that the K'iche' and the Yucatec Maya adapted to colonial imposed institutions and made them their own, and that they conserved the essence of indigenous culture and modified it to changing circumstances.

Bibliography

Adams, Richard N. *Etnias en evolución social estudios de Guatemala y Centroamérica*. D.F., México: Universidad Autónoma Metropolitana, Unidad Iztapalapa, División de Ciencias Sociales y Humanidades, Departamento de Antropología, 1995.

Ajpacajá Túm, Florentino Pedro. *Tz'onob'al Tz'iiij, Discurso Ceremonial K'ichee'*. Guatemala, Guatemala: CHOLSAMAJ, 2001.

Akkeren, Ruud Van. *Chi raqan unimal tz'aq unimal k'ox tun, Rabinal en la Historia Memoria del Diplomado Cultural*. Guatemala City, Guatemala: CECI Guatemala, Koninkrijk der Nederlanden, y el Museo Comunitario Rabinal Achi, junio, 2003.

----- "El baile-drama *Rab'inal Achi*: sus custodios y linajes de poder" in *Mesoamérica*. año 21, número 40, Diciembre de 2000: pp. 1 - 39.

----- *Place of the Lord's Daughter; Rab'inal, its history, its dance-drama*. Research School CNWS, Leiden University, School of Asian, African, and Amerindian Studies, Leiden, The Netherlands: 2000.

Barrera Vasquez, Alfredo, Translator. *El libro de los Cantares de Dzitbalche*. D.F., Mexico: Serie Investigaciones, 9, Instituto Nacional de Antropología e Historia, 1965.

Barrios, Lina. *Tras las huellas del poder local: la Alcaldía Indígena en Guatemala, del siglo XVI a siglo XX*. Guatemala City, Guatemala: Instituto de Investigaciones Económicas y Sociales (IDIES), Universidad Rafael Landívar, 2001.

Bethell, Leslie, Editor. *The Cambridge History of Latin America, Volume II Colonial Latin America*. Cambridge, England: Cambridge University Press, 1984.

Boone, Elizabeth Hill. *Stories in Red and Black, Pictorial histories of the Aztecs and Mixtecs*. Austin, Texas: University of Texas Press, Austin, 2000.

Boone, Elizabeth Hill and Walter D. Mignolo, Editors. *Writing Without Words; Alternative Literacies in Mesoamerica & the Andes*. Durham and London: Duke University Press, 1994.

Bracamonte y Sosa, Pedro. *La conquista inconclusa de Yucatán, los mayas de la montaña, 1560 - 1680*. Chetumal, Quintana Roo, Mexico: Centro De Investigaciones y Estudios Superiores en Antropología Social: Porrúa; Chetumal, Universidad de Quintana Roo, 2001.

Bracamonte y Sosa, Pedro y Gabriela Solís Robleda. *Espacios Mayas de autonomía, el pacto colonial en Yucatán*. Merida, Yucatán, Mexico: Universidad Autónoma de Yucatán, Consejo Nacional de Ciencia y Tecnología, 1996.

Breton, Alain, Editor. *Rabinal Achí, A Fifteenth-Century Maya Dynastic Drama*, Translated from the French by Teresa Lavender Fagan and Robert Schneider. Boulder, Colorado: University Press of Colorado, 2007.

Bricker, Victoria Reifler. *The Indian Christ, The Indian King: The Historical Substrate of Maya Myth and Ritual*. Austin, Texas: University of Texas Press, 1981.

Bricker, Victoria Reifler, General Editor, Munro S. Edmonson, Volume Editor, and Patricia A. Andrews. *Handbook of Middle American Indians, Supplement 3, Literatures*. Austin, Texas: University of Texas Press, 1985.

Bunzel, Ruth. *Chichicastenango, a Guatemalan Village*, Publications of the American Ethnological Society XXII. Edited by Marian W. Smith. Locust Valley, New York & Germany: J.J. Augustin Publisher, 1952.

Burkholder, Mark A. and Lyman L. Johnson. *Colonial Latin America, Fifth Edition*. New York, New York: Oxford University Press, 2004.

Campbell, Lyle. *American Indian Languages, The Historical Linguistics of Native America*, Oxford Studies in

Anthropological Linguistics. New York & Oxford: Oxford University Press, 1997.

----- *The Pipil Language of El Salvador*, Mouton Grammar Library 1, Editors Georg Bossong and Wallace Chafe. Berlin, New York, and Amsterdam: Mouton Publishers, 1985.

Campbell, Lyle and Marianne Mithun, Editors, *The Languages of Native America: historical and Comparative Assessment*. Austin and London: University of Texas Press, 1979.

Carmack, Robert M. *Kik'aslemaal le K'iche'aab'; Historia Social de los K'iche's*. Antigua, Guatemala: CHOLSAMAJ, 2001.

----- *Quichean Civilization: The Ethnohistoric, Ethnographic, and Archaeological Sources*. Berkeley, Los Angeles, and London: University of California Press, 1973.

----- *The Quiché Mayas of Uatatlán: The Evolution of a Highland Guatemala Kingdom*. Norman, Oklahoma: University of Oklahoma Press, 1981.

----- *Toltec Influence on the Postclassic Culture History of Highland Guatemala*, Publication 26. New Orleans, Louisiana: Middle American Research Institute, Tulane University, 1968.

Carmack, Robert M. and James L. Mondloch, Transcribers and Translators, *El título de Yax y otros documentos Quichés de Totonicapán, Guatemala*. D.F., México: Universidad Nacional Autónoma de México, 1989.

Carmack, Robert M., John Early, and Christopher Lutz, Editors. *The Historical Demography of Highland Guatemala*. Albany, New York: Institute for Mesoamerican Studies, State University of New York, Albany, Publication No. 6, 1982.

Carrasco, Pedro. *Sobre los indios de Guatemala*. Guatemala, Central America: Seminario de Integración Social Guatemalteca, Publicación No. 42, Editorial "José de Pinedo Ibarra", Ministerio de Educación, 1982.

Castañeda Paganini, Ricardo. *La cultura tolteca-pipil de Guatemala*. Guatemala, Central America: Editorial del Ministerio de Educacion Publica "José de Piñeda Ibarra", 1959.

Chakrabarty, Dipesh. *Provincializing Europe, Postcolonial Thought and Historical Difference*. Princeton, N.J.: Princeton University Press, 2000.

Chinchilla Aguilar, Ernesto. *La Inquisición en Guatemala, Edición facsimilar*. Guatemala, Centroamérica: Editorial Unifersitaria, Universidad de San Carlos de Guatemala, 1999.

Christensen, Allen J. *K'iche' - English Dictionary and Guide to Pronunciation of the K'iche' - Maya Alphabet*. Unpublished source offered to FAMSI as a tool for research, 1978 - 1985.

Christensen, Allen, editor & translator. *POPOL VUH: Electronic Version*, partly based on *POPOL VUH: Sacred Book of the Maya, Vol. 1*, University of Oklahoma Press, 2007 and *POPOL VUH: Sacred Book of the Maya, Vol. 2*. Provo, Utah: University of Oklahoma Press, 2003, Brigham Young University, 2007.

Clendinnen, Inga. *Ambivalent Conquests, Maya and Spaniard in Yucatan, 1517 - 1570*. United Kingdom: Cambridge University Press, 1987.

Cline, S. L. *Colonial Culhuacan, 1580 - 1600, A Social History of an Aztec Town*. Albuquerque, N.M.: University of New Mexico Press, 1986.

Coe, Michael D. *The Maya, Seventh Edition*. New York, New York: Thames & Hudson, 2005.

Colby, Benjamin N. and Lore M. Colby. *The Daykeeper, the Life and Discourse of an Ixil Diviner*. Cambridge, MA.: University of Harvard Press, 1981.

Colop, Sam. *Jub'aqtun Omay Kuchum K'aslemal, Cinco Siglos de Encubrimiento, a proposito de 1992*. Guatemala City, Guatemala, Central America: Ch'ob'anelab' Uk'aslemal Mayab' Amaq' Seminario Permanente de Estudios Mayas, S.P.E.M., Nab'e Tijob'al Wuj. Chi Che', Cuaderno N° 1, Editorial CHOLSAMAJ 1991.

Cook, Garrett W. *Renewing the Maya World, Expressive Culture in a Highland Town*. Austin, Texas: University of Texas Press, Austin, 2000.

Cortes y Larraz, Pedro. *Descripción Geográfico-Moral de la diócesis de Goathemala, hecha por su arzobispo, el illmo. Sor. Don Pedro Cortes y Larraz del Consejo de S.M. en el tiempo que la visito y fue desde el día 3 de Noviembre de 1768 hasta el día 1º de Julio de 1769 desde el día 22 de Noviembre de 1769 hasta el día 9 de Febrero de 1770 y desde el día 6 de Junio de 1770 hasta el día 29 de Agosto de dho. 1770*. Prologo del licenciado Don Adrian Recinos, Tomo I y Tomo II, Guatemala, Centroamérica Biblioteca "Goathemala" de la Sociedad de Geografía e Historia de Guatemala Volumen XX, 1958.

Díaz del Castillo, Bernal. *The Conquest of New Spain*, Translated with an introduction by J. M. Cohen. London, England: Penguin Books, 1963.

Edmonson, Munro S. "7C. Classical Quiche," in *Handbook of Middle American Indians, Vol. 2, Linguistics*, Munro S. Edmonson, volume editor, with the assistance of Patricia A. Andrews. Austin, Texas: University of Texas Press, Austin, 1984.

----- *Quiché Dramas and Divinatory Calendars; Zaqi Q'oxol and Cortés: The Conquest of Mexico in Quiché and Spanish, The Bull Dance, The Count of the Cycle and the Numbers of the Days*, Publication 66. New Orleans, Louisiana: Middle American Research Institute, Tulane University, 1997.

----- *Quiche-English Dictionary*, Publication No. 30. New Orleans, Louisiana: Middle American Research Institute, Tulane University, 1965.

----- "Quiche Literature", in *Literatures*, edited by M.S. Edmonson, pp. 107 - 32, Supplement to the Handbook of Middle American Indians, vol.3, Victoria Reifler Bricker, general editor. Austin, Texas: University of Texas Press, Austin, 1985.

Falla, Ricardo. *Quiché Rebelde: Religious Conversion, Politics, and Ethnic Identity in Guatemala*, translated by Phillip Berryman. Austin, Texas: University of Texas

Press, Teresa Lozano Long Institute of Latin American Studies, 2000.

Farriss, Nancy M. *Maya Society Under Colonial Rule; The Collective enterprise of Survival*. Princeton, N.J.: Princeton University Press, 1984.

Fowler, William R., Jr. *The Cultural Evolution of Ancient Nahua Civilizations, The Pipil-Nicarao of Central America*. Norman, Oklahoma: University of Oklahoma Press, 1989.

----- *Caluco: historia y arqueología de un pueblo Pipil en el siglo XVI*. San Salvador, El Salvador: Proyecto "Venga y busque con nosotros" Patronato Pro-Patrimonio Cultural Fundación Interamericana, 1995.

Fox, John W. *Quiche Conquest, Centralism and Regionalism in Highland Guatemalan State Development*. Albuquerque, N.M.: University of New Mexico Press, 1978.

Freidel, David, Linda Shele, and Joy Parker. *Maya Cosmos, Three Thousand Years on the Shaman's Path*. New York, N.Y.: Quill, William Morrow, 1993.

Gall, Francis. Miembro de la Sociedad de Geografía e Historia de Guatemala. *Titulo del Ajpop Huitzitzil Tzunún, probanza de meritos de los de Leon y Cardona, publicación numero 11*. Guatemala, C.A.: Centro Editorial "José de Pineda Ibarra", Ministerio de Educación Pública, 1963.

Gibson, Charles. *The Aztecs under Spanish rule: a history of the Indians of the Valley of Mexico, 1519-1810*. Stanford, CA.: Stanford University Press, 1964.

González, Gaspar Pedro. *Kotz'ib'; Nuestra Literatura Maya*. Guatemala, Central America: Fundación Yax Te', 1997.

Gomez Lanza, Helio. *Desarrollo historico de la Verapaz y la conquista pacifica*. Guatemala, Centroamérica: Instituto Indigenista Nacional, Ministerio de Educación, Publicaciones especiales, Segunda Epoca No. 1, 1983.

Gordon, G.B. "introduction," *The Book of Chilam Balam of Chumayel*. Laguna Hills, California: Aegean Park Press, Mayan Studies, 1993.

Grandin, Greg. *The Blood of Guatemala, A History of Race and Nation*. Durham and London: Duke University Press, 2000.

Grube, Nikolai. "introduction," *Kumatzim Wuj Jun, Códice de Dresde*. Guatemala City, Guatemala: Cholsamaj, Litografía Nawal Wuj, 2001.

Gubler, Ruth and David Bolles, Editors. *The Book of Chilam Balam of Na, Facsimile, Translation, and Edited Text*. Lancaster, California: Labaryinthos, 2000.

Harada, Tsubasa Okoshi. "Los Xiu del siglo XVI: una lectura de dos textos mayas coloniales" in *Mesoamérica*, año 21, número 39, Junio de 2000: pp. 225 - 238.

Haskett, Robert. *Indigenous Rulers; An Ethnohistory of Town Government in Colonial Cuernavaca*. Albuquerque, N.M: University of New Mexico Press, 1991.

Hawkins, John. *Inverse Images: The Meaning of Culture, Ethnicity and Family in Postcolonial Guatemala*. Albuquerque, N.M.: University of New Mexico Press, 1984.

Hill II, Robert M. *Colonial Cakchiquels, Highland Maya Adaptation to Spanish Rule 1600 - 1700*. Stanford, California: Case Studies in Cultural Anthropology, General Editors: George and Louise Spindler, Stanford University, 1992.

Hill II, Robert M. and John Monaghan. *Continuities in Highland Maya Social Organization: Ethnohistory in Sacapulas, Guatemala*, Philadelphia, PA.: University of Pennsylvania Press, 1987.

Horn, Rebecca. *Postconquest Coyoacan: Nahuatl-Spanish relations in Central Mexico, 1519 - 1650*. Stanford, California: Stanford University Press, 1997.

Hostig, Rainer, Compilador. *Esta tierra es nuestra: Compendio de Fuentes históricas sobre denuncias, medidas y remedidas, composiciones, titulaciones, usurpaciones, desmembraciones, litigious, tranacciones y remates de*

tierra (años 1567 - 1993), *Departamento de Totonicapán*, Tomo III. Quetzaltenango, Guatemala, Centro América: Municipio de San Miguel Totonicapán y sus parcialidades, Cooperación para el Desarrollo Rural del Occidente, CDRO - Totonicapán, Instituto para la Cooperación Internacional, IIZ, 1998.

Jameson, Fredric. *The Prison-house of Language; A Critical Account of Structuralism and Russian Formalism*. Princeton, N.J.: Princeton University Press, 1972.

Janssens, Bert, Coordinator. *Oj K'aslik, Estamos Vivos, Recuperación de la memoria histórica de Rabinal (1944 - 1996)*. Rabinal, Baja Verapaz, Guatemala: Museo Comunitario Rabinal Achi, 2003.

Janssens, Bert, Coordinator. *Ri ch'ab'al ke ri qati'qamaam, El rezo de nuestros antepasados en Rabinal*. Rabinal, Baja Verapaz, Guatemala, Centroamérica: Museo Comunitario Rabinal Achi, 2004.

Janssens, Bert and Ruud van Akkeren. *Xajooj Keej, Baile del Venado de Rabinal*. Rabinal, Baja Verapaz, Guatemala, Central America: Museo Comunitario Rabinal Achi, 2003.

Jones, Grant D. *The Conquest of the Last Maya Kingdom*. Stanford, California: Stanford University Press, 1998.

Jones, Grant D., Editor, *Anthropology and History in Yucatán*. Austin and London: University of Texas Press, Austin, 1977.

Jones, Grant D., Transcripción y comentario, George E. Stuart, introducción. *El manuscrito Can Ek: descubrimiento de un visita secreta del siglo XVII a Tah Itzá (Tayazal), última capital de los maya itzáes*. Mexico, D.F.: National Geographic Society, Instituto Nacional de Antropología e Historia, 1991.

Jones Jr., Oakah L. *Guatemala in the Spanish Colonial Period*. Norman and London: University of Oklahoma Press, 1994.

Juarros, Don Domingo. *A Statistical and commercial History of the Kingdom of Guatemala, in Spanish América: Containing Important Particulars Relative to its Productions, Manufactures, Customs, &c. &c. &c. with an*

Account of its Conquest by the Spaniards, and a Narrative of the Principal Events Down to the Present Time: From Original Records in the Archives; Actual Observation; and Other Authentic Sources, translated by J. Baily, Lieutenant R.M., Reprinted from the edition of 1823. New York, N.Y.: London AMS Press, 1971.

Karttunen, Frances. *Nahuatl and Maya in Contact with Spanish*, Texas Linguistic Forum 26. Austin, Texas: Department of Linguistics and The Center for Cognitive Science, The University of Texas at Austin, 1985.

Kellogg, Susan and Matthew Restall, Editors. *Dead Giveaways; Indigenous Testaments of Colonial Mesoamerica and the Andes*. Salt Lake City, Utah: The University of Utah Press, 1998.

Landa, Fray Diego de, *Relación de las cosas de Yucatán*. Mexico: Editorial Porrúa, 1953.

León-Partilla, Miguel, editor. *Native Mesoamerican Spirituality, Ancient Myths, Discourses, Stories, Doctrines, Hymns, Poems from the Aztec, Yucatec, Quiche-Maya and Other Sacred Traditions*. Miguel León-Portilla, J.O. Arthur Anderson, Charles E. Dibble, and Munro S. Edmonson, translators. New York, Ramsey, Toronto: Paulist Press, 1980.

Leutenegger O.F.M, Benedict, translator and collector, and Marion A. Habig O.F.M., editor and annotator. *Nothingness Itself, Selected Writings of Ven. Fr. Antonio Margil 1690 - 1724*. Chicago, IL.: Franciscan Herald Press, 1976.

Lewis, Melvyn Paul. "Social Change, Identity Shift and Language shift in K'iche' of Guatemala (Volumes I and II)", Thesis 6586, Washington D.C., April 28, 1994.

Ligorred Perramon, Francesc. "El lenguaje de Zuyua y la resistencia literaria maya-yukateka colonial*" in *Colonial Latin American Review*, Vol. 9, No. 1, 2000: pp. 49 - 61.

Lockhart, James. *The Nahuas After the Conquest; A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries*. Stanford, CA: Stanford University Press, 1992.

----- *Nahuatl as Written; Lessons in Older Written Nahuatl, with Copious Examples and Texts*, Nahuatl Studies Series, Number 6. Stanford, CA: Stanford University Press, UCLA Latin American Center Publications, 2001.

----- *We People Here: Nahuatl Accounts of the Conquest of Mexico*. Berkeley, California: Repertorium Columbianum, University of California Press, 1993.

Lockhart, James and Stuart B. Schwartz. *Early Latin America; A history of colonial Spanish America and Brazil*. Cambridge, England: Cambridge University Press, 1983.

López Austin, Alfredo. *The Myths of the Opossum, Pathways of Mesoamerican Mythology*, Translated by Bernard R. Ortiz de Montellano and Thelma Ortiz de Montellano. Albuquerque, N.M.: University of New Mexico Press, 1993.

----- *The Rabbit on the Face of the Moon, Mythology in the Mesoamerican Tradition*, translated by Bernard R. Ortiz de Montellano and Thelma Ortiz de Montellano. Salt Lake City, Utah: University of Utah Press, 1996.

Lovell, W. George. *Conquest and Survival in Colonial Guatemala: a Historical Geography of the Cuchumatán Highlands, 1500 - 1821, Third Edition*. London and Ithaca: McGill - Queen's University Press, Montreal & Kingston, 2005.

MacLeod, Murdo J. *Spanish Central America, A Socioeconomic History, 1520 - 1720*. Berkeley, Los Angeles, and London: University of California Press, 1973.

Matthew, Laura E. and Michel R. Oudijk, editors. *Indian Conquistadors, Indigenous Allies in the Conquest of Mesoamerica*. Norman, OK: University of Oklahoma Press, 2007.

Martin, Simon & Nikolai Grube. *Chronicle of the Maya Kings and Queens, Deciphering the Dynasties of the Ancient Maya*. London, England: Thames & Hudson Ltd., 2000.

Martin, Simon & Nikolai Grube. *Chronicle of the Maya Kings and Queens, Second Edition*. New York & London: Thames & Hudson Ltd., 2008.

McAnany, Patricia A. *Living with the Ancestors, Kinship and Kingship in Ancient Maya Society*. Austin, Texas: University of Texas Press, Austin, 1995.

McArthur, Harry S. *The Role of the Ancestors in the Daily Life of the Aguacatec (Maya)*. Guatemala City, Guatemala, Central America: Instituto Lingüístico de Verano de Centro America, Serie Etnológica, 1986.

McCreery, David. *Rural Guatemala, 1760 - 1949*. Stanford, California: Stanford University Press, 1994.

Medrano, Lic. Edgar Escobar y Lic. Edna Elizabeth González Camargo. *Antología - historia de la cultura de Guatemala Tercera Edición corregida y Aumentada*. Guatemala, Centroamérica: Cooperativa de Servicios Varios Facultad de Ciencias Económicas, Universidad de San Carlos, 1994.

Miller, Mary and Karl Taube. *An Illustrated Dictionary of The Gods and Symbols of Ancient Mexico and the Maya*. New York & London: Thames & Hudson, 1993.

Ochoa, Lorenzo and Patricia Martel, Editors. *Lengua y cultura Mayas*. D.F., México: Universidad Nacional Autónoma de México, Instituto de Investigaciones Antropológicas, 2002.

Orellana, Sandra L. *The Tzutujil Mayas: continuity and change, 1250-1630*. Norman, OK: University of Oklahoma Press, 1984.

Par Sepón, María Beatriz y Telma Angelina Can Pixabaj. *Ujunamaxiik ri K'ichee' Ch'ab'al, Variación Dialectal en K'ichee'*. Guatemala City, Guatemala: OKMA y Cholsamaj, 2000.

Patch, Robert W. *Maya and Spaniard in Yucatan, 1648 - 1812*. Stanford, California: Stanford University Press, 1993.

----- *Maya Revolt and Revolution in the Eighteenth Century*. Armonk, N.Y.: M. E. Sharpe, 2002.

Persson, Bodil Liljefors. *The Legacy of the Jaguar Prophet, An Exploration of Yucatec Maya Religion and Historiography*. Lund, Netherlands: Lund Studies in History of Religions, General editor: Tord Olsson, Volume 10, Religionhistoriska avdelningen, Lunds universitet, 2000.

Peterson, Marshall N., Translator, Editor, Annotator, and Illustrator. *The Highland Maya in Fact and Legend, Francisco Ximénez, Fernando Alva de Ixtlilxóchitl, and Other Commentators on Indian Origins and Deeds, from Escolias a las Historias del Origen de los Indios and De los Reyes toltecas y su Destrucción*. Lancaster, CA: Labyrinthos, 1999.

Quezada, Sergio. *Historía de los pueblos indígenas de México, los pies de la republica, los indios peninsulares 1550 - 1750*. D.F., Mexico: C.I.E.S.A.S. and Instituto Nacional Indigenista, 1997

Rafael, Vicente L. *Contracting Colonialism, Translation and Christian Conversion in Tagalog Society under Early Spanish Rule*. Ithaca and London: Cornell University Press, 1988.

Ramírez, Susan E., Editor. *Indian-Religious Relations in Colonial Spanish America*, Foreign and Comparative Studies / Latin American Series 9. Syracuse, New York: Maxwell School of Citizenship and Public Affairs, Syracuse University, 1989.

Recinos, Adrián, Translator. *Popol Vuh, The Sacred Book of the Ancient Quiché Maya*. Delia Goetz and Sylvanus G. Morley, English Version. Norman, OK: University of Oklahoma Press, 1950.

Recinos, Adrián, Dionisio José Chonay, and Delia Goetz. *The Annals of the Cakchiquels and Title of the Lords of Totonicapán*. Norman, OK: University of Oklahoma Press, 1953.

Reed, Nelson. *The Caste War of Yucatan*. Chicago, IL: University of Chicago Press, 1964.

Restall, Matthew. *Life and Death in a Maya Community, The Ixil Testaments of the 1760s*. Lancaster, CA: Labyrinthos, 1995.

----- *Maya Conquistador*. Boston, MA: Beacon Press, 1998.

----- *The Maya World: Yucatec Culture and Society, 1550 - 1850*. Stanford, CA: California University Press, 1997.

Restall, Matthew and Florine Asselbergs, compilers. *Invading Guatemala: Spanish, Nahua, and Maya accounts of the conquest wars*. University Park, PA: Pennsylvania State University Press, 2007.

Restall, Matthew, Lisa Sousa, and Kevin Terraciano. *Mesoamerican Voices, Native-Language Writings from Colonial Mexico, Oaxaca, Yucatan, and Guatemala*. Cambridge, England: Cambridge University Press, 2005.

Ricard, Robert. *The Spiritual Conquest of Mexico, An Essay on the Apostolate and the Evangelizing Methods in New Spain: 1523 - 1572*. Berkeley, Los Angeles, and London: University of California Press, 1966.

Rodas Núñez, Isabel. *De españoles a ladinos, Cambio social y relaciones de parentesco en el Altiplano central colonial guatemalteco*. Guatemala City, Guatemala: Ediciones Instituto Centroamericano de Prospectiva e Investigación, (ICAPI), Deposito legal Guatemala, 2004.

Roys, Ralph L. *The Indian Background of Colonial Yucatan*, new edition. Norman, OK: University of Oklahoma Press, 1972.

----- *The Political Geography of the Yucatan Maya*. Washington, D.C.: Carnegie Institution of Washington, 1957.

----- *The Titles of Ebtun*. Washington, D.C.: Carnegie Institution of Washington, 1939.

Rugeley, Terry. *Yucatán's Maya peasantry and the origins of the Caste War*. Austin, Texas: University of Texas Press, Austin, 1996.

Ruz, Mario Humberto. *Capanguastla en un espejo: Un pueblo tzeltal en el Virreinato*. San Cristóbal de las Casas, Chiapas, Mexico: Universidad Autónoma de Chiapas, Centro de Estudios Indígenas, 1985.

----- *Gestos cotidianos; acercamientos etnológicos a los Mayas de la época colonial*. Campeche, México: Gobierno del Estado de Campeche, Universidad Autónoma del Carmen, Universidad Autónoma de Campeche, Instituto Campechano, Instituto de Cultura de Campeche, 1997.

----- *La iglesia en el área Maya, documentos en tres archivos romanos*, colaboradoras: Olga Lucía Rendón y Margarita Isbel Ruz. D.F., México: Instituto de Investigaciones Filológicas, Centro de Estudios Mayas, Universidad Autónoma de México, 1999.

----- "Una Muerte Auxiliada. Cofradías y Hermandades en el Mundo Maya Colonial," *Relaciones*, 94, Primavera 2003, Vol. XXIV

Sachse, Frauke. *Documentation of Colonial K'ichee' Dictionaries and Grammars*, FAMSI, <http://www.famsi.org/reports/06009/06009Sachse01.pdf> 2007.

Sapper, Karl. *The Verapaz in the Sixteenth and Seventeenth Centuries: A Contribution to the Historical Geography and Ethnography of Northeastern Guatemala*, Translated by Theodore E. Gutman. Los Angeles, CA: Institute of Archaeology, University of California, Los Angeles, Occasional Paper 13, 1985.

Scholes, France V. "Franciscan Missionary Scholars in Colonial Central America," in *The Americas*, Volume VIII - April, 1952 - Number 4, Washington D.C.: 1952.

Scholes, France V. & Ralph Roys, with the assistance of Eleanor B. Adams and Robert S. Chamberlain. *The Maya Chontal Indians of Acalan-Tixchel, A contribution to the History and Ethnography of the Yucatan Peninsula*. Norman, OK: University of Oklahoma Press, 1948.

Schroeder, Susan. *Chimalpahin & the Kingdoms of Chalco*, Tucson, AZ: The University of Arizona Press, 1991.

Scott, James C. *Dominance and the Arts of Resistance: hidden transcripts*, New Haven CT: Yale University Press, 1990.

----- *Weapons of the Week: Everyday Forms of Peasant Resistance*. New Haven, CT: Yale University Press, 1985.

Sell, Barry D., Translator and Editor with contributions by Larissa Taylor & Asunción Lavrin. *Nahua Confraternities in Early Colonial Mexico: the 1552 Nahuatl Ordinances of fray Alonso de Molina, OFM*. Berkeley, CA: Academy of American Franciscan History, 2002.

Socolow, Susan Migden. *The Women of Colonial Latin America*. Cambridge, England: Cambridge University Press, 2000.

Solano, Francisco de. *Los Mayas del siglo XVIII; Pervivencia y transformación de la sociedad indígena Guatemalteca durante la administración Borbonica*. Madrid, Spain: Ediciones Cultura Hispanica, 1974.

Solis Robleda, Gabriela. *Entre la tierra y el cielo; Religión y sociedad en los pueblos mayas del Yucatán colonial*. Mexico City, Mexico: Colección Peninsular, Centro de Investigaciones y Estudios Superiores en Antropología Social, Instituto de Cultura de Yucatán, Miguel Ángel Porrúa, 2005.

Taracena Arriola, Arturo. *Invención criolla, sueño ladino, pesadilla indígena: Los Altos de Guatemala: de región a Estado, 1740 - 1850*. Delegación Regional de Cooperación Técnica y Científica del Gobierno de Francia: Editorial Porvenir S.A., CIRMA, 1997.

Tax, Sol. *Los Municipios del Altiplano Mesooccidental de Guatemala*. Cuadernos del Seminario de Integración Social Guatemalteca, Segunda Serie, No. 9. Guatemala, Centro América: Ministerio de Educación, 1965.

Tax, Sol, et al. *Heritage of Conquest, the ethnology of middle America*, Glencoe, IL: the Free Press Publishers, 1952.

Tedlock, Barbara. *Time and the Highland Maya*. Albuquerque, N.M.: University of New Mexico Press, 1982.

Tedlock, Dennis, translator. *Popol Vuh; The Mayan Book of the Dawn of Life, Revised Edition*. New York, N.Y.: Simon & Schuster, 1996.

Terraciano, Kevin. *The Mixtecs of Colonial Oaxaca; Ñudzahui History, Sixteenth through Eighteenth Centuries*. Stanford, CA: Stanford University Press, 2001.

Thomspon, J. Eric S., Editor. *Thomas Gage's Travel in the New World*, Norman, OK: University of Oklahoma Press, 1958.

Thompson, Philip C. *Tekanto, A Maya Town in Colonial Yucatán*. Publication 67. New Orleans, LA: Middle American Research Institute, Tulane University, 1999.

Tovilla, Martín Alfonso. *Relaciones historico-descriptivas de la Verapaz, el Manche y Lacandon, en Guatemala*, France V. Scholes y Eleanor B. Adams, editores. Guatemala: Ediciones del Tercer Centenario de la Introducción de la Imprenta en Centroamérica, Editorial Universitaria, 1960.

Urrutia, Carlos Gustavo. *Historía de la America Central*. San Salvador, El Salvador, Central America: Publicaciones del Ministerio de Defensa, Imprenta nacional, 1952.

Warren, Key B. *The Symbolism of Subordination, Indian Identity in a Guatemalan Town*. Austin, TX and London: University of Texas Press, Austin, 1978.

Wichmann, Søren, Editor. *The Linguistics of Maya Writing*. Salt Lake City, Utah: the University of Utah Press, 2004.

Williams, Raymond. *Culture & Society: 1780 - 1950*. New York, N.Y.: Columbia University Press, 1983 (Second Printing).

Wood, Stephanie. *Transcending Conquest, Nahua Views of Spanish Colonial Mexico*. Norman, OK: University of Oklahoma Press, 2003.

Woodward, Ralph Lee, Jr. *Central America, A Nation Divided*. New York, N.Y.: Oxford University Press, 1999.

Ximenez, Fray Francisco. *Historia de la provincial de San Vicente de Chiapa y Guatemala de la orden de predicadores compuesta por el R.P. Pred. Gen. Fray Francisco Ximenez, hijo de la misma provincia, de orden de N. Rmo. P.M.G. Fr. Antonio Cloché.* Guatemala, Centro América: Estudios del Licenciado Agustín Mencos F. y Doctor Ramón A. Salazar, Tomo I, Tomo II, Tomo III, Biblioteca "Goathemala" de la Sociedad de Geografía e Historia, 1931.

Ximenez, R.P. Fray Francisco, O.P., *Primera parte del tesoro de las lenguas Cakchiquel, Quiché y Ztuhil, en que las dichas lenguas se traducen a la nuestra, española., de acuerdo con los manuscritos redactados en la Antigua Guatemala a principios del siglo XVIII, y conservados en Córdoba (España) y Berkeley (California).* Edición crítica por Carmel Sáenz de Santa María. Guatemala: Academia de Geografía e Historia de Guatemala, Publicación especial No. 30, 1985.

Yamase, Shinji. *History and Legend of the Colonial Maya of Guatemala.* Lampeter, Cerdigion, Wales, United Kingdom: Latin American Studies Volume 20, The Edwin Mellen Press, 2002.