

Heirs to the Hieroglyphs: Indigenous Writing in Colonial Mesoamerica

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## HEIRS TO THE HIEROGLYPHS: INDIGENOUS WRITING IN COLONIAL MESOAMERICA\*

*Ma quimatican Yn quexquichtin quitasque yhuan quipohuasque Ynin  
escritura de Benta ticchihua Yn tehuantin*

Let those know who should see and read this instrument of sale made by us  
*lai u chun bin cibtah y u nucil uinicob uchbal yoheltabal tibilil ka pucçical*  
This is the reason that I and the elders have written, so that the good  
intentions of our hearts be known

*ru gisibal nu tzih nu Vuh nu Destameto tan tin ban in ya va*

I give this, my final word, so as to make my document, my will

*yodzanacahui tutu yaha dzaha ñudzahui*

Let this document in the Mixtec language be read<sup>1</sup>

\* I am grateful to the readers for *The Americas* and to Kevin Terraciano for his generous permission to allow me to expand under my name an earlier, briefer version of this article, Matthew Restall and Kevin Terraciano, "Indigenous Writing and Literacy in Colonial Mexico," in *Indigenous Writing in the Spanish Indies*, ed. Lisa Sousa (Los Angeles: UCLA Historical Journal Special Issue, vol. 12, 1992), pp. 8-24. Modified versions of some of the Yucatec material below appear in Matthew Restall, *Life and Death in a Maya Community: The Ixil Testaments of the 1760s* (Lancaster, CA: Labyrinthos, 1995); "The Document Shall Be Seen": Yucatec Maya Literacy," *Chipping Away on Earth: Studies in Prehispanic and Colonial Mexico in Honor of Arthur J. O. Anderson and Charles E. Dibble*, Eloise Quiñones Keber, ed. (Lancaster, CA: Labyrinthos, 1995), pp. 119-130; and *The Maya World: Yucatec Culture and Society, 1550-1850* (Stanford: Stanford University Press, 1997). Because of the quantity of primary sources pertaining to this article, and because my treatment of material in languages other than Yucatec Maya is based largely on secondary sources, I have not included archival references (with the exception of note 1); however, these can easily be found in the works most frequently cited below, many of which contain published primary materials.

<sup>1</sup> These samples (in their original orthographies) are (a) Nahuatl: 1738 land sale in McAfee Collection, UCLA Research Library; translation by Arthur Anderson, Frances Berdan, and James Lockhart, *Beyond the Codices: The Nahua View of Colonial Mexico* (Berkeley: University of California Press, 1976), p. 101; (b) Yucatec Maya: 1578 petition, *Inquisición* 69, 5: 199, Archivo General de la Nación, Mexico City; translation by Matthew Restall; (c) Cakchiquel Maya: 1760 will, *Protocolos de escribanos* 4551, 38560: 7, Archivo General de Centroamérica, Guatemala City; translation by Matthew Restall; and (d) Mixtec: 1684 criminal record, *Criminal* 5: 581, Archivo Judicial de Teposcolula, Oaxaca; translation by Kevin Terraciano.

Shortly after the Spanish conquests in Mesoamerica (or, as the colonizers termed it, New Spain), friars chiefly of the Franciscan and Dominican orders taught the art of alphabetic writing to the indigenous elite. As a result the colonial period saw the production of an extensive body of documentation—overwhelmingly notarial and largely legal in nature—by Mesoamerica’s indigenous peoples, written in their own languages but using the Roman alphabet. The language best represented in the surviving material (and thus in the ethnohistorical literature) is Nahuatl, often misleadingly called Aztec but in fact widely spoken throughout central Mexico. Yucatec Maya places a distant second in terms of known records, probably followed in order of magnitude by Mixtec. While this article will focus primarily upon these three tongues, it should also be noted that scholars have investigated a small but significant body of Cakchiquel and Quiché materials from highland Guatemala, and that there are also known to exist unstudied sources in Chocho, Cuicatec, Mixe, Otomí, Tarascan, Totonac, and Zapotec; other Mesoamerican languages may also have been written alphabetically in the colonial period.

While the discovery, translation, and publication of indigenous-language, colonial-era documentation has deep roots—among the pioneers are Ralph Roys, who collected and published Yucatec Maya material, and Arthur Anderson and Charles Dibble, the translators of the seminal English-language edition of Sahagún’s *Florentine Codex*<sup>2</sup>—it is only recently that the field has come into its own, particularly with respect to the publication of scholarly analyses of indigenous-language sources. With respect to colonial Mexico, this ethnohistorical boom has been dubbed “the New Philology” by James Lockhart,<sup>3</sup> its founders and contributors being not only Lockhart himself and those who have studied with him, but also a growing number

<sup>2</sup> Ralph L. Roys, *The Ethno-Botany of the Maya* (New Orleans: Middle American Research Institute, Tulane University, 1931); idem, *The Book of Chilam Balam of Chumayel* (Washington, DC: Carnegie Institute, 1933); idem, *The Titles of Ebuun* (Washington, DC: Carnegie Institute, 1939); idem, *The Indian Background of Colonial Yucatán* (Washington, DC: Carnegie Institute, 1943); Fray Bernardino de Sahagún, *Florentine Codex: General History of the Things of New Spain*, Arthur J.O. Anderson and Charles E. Dibble, ed. and tr., 13 parts (Salt Lake City and Santa Fe: University of Utah Press and School of American Research, 1950-82).

<sup>3</sup> James Lockhart, *Nahuas and Spaniards. Postconquest Central Mexican History and Philology* (Stanford and Los Angeles: Stanford University Press and UCLA Latin American Center Publications, 1991), pp. 183-200; idem, *The Nahuas After the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries* (Stanford: Stanford University Press, 1992), pp. 7, 375.

of other scholars in Mexico and the United States. Among the most notable monographic and related studies of Nahuatl documents to date are those by (in chronological order) Karttunen and Lockhart, Wood, Cline, Burkhart, Haskett, Schroeder, Lockhart, Leibsohn, Kellogg, and Horn.<sup>4</sup> At least four recent doctoral dissertations, those by Thompson, Restall, Okoshi, and Sigal, are based on the translation and study of Yucatec Maya notarial sources, and another (by Terraciano) is a pioneering study of colonial Mixtec materials;<sup>5</sup> while Lisa Sousa and Nancy Farriss are independently at work on other indigenous-language sources from the Oaxaca area. Notarial documents in Cakchiquel have been studied by Hill.<sup>6</sup> Accompanying the methodological, geographical, and quantitative expansion of the New Philology and related scholarship is the rapid increase in the publication of native-language sources. Editions of Nahuatl notarial documents in transcription and translation (often with some analysis) include those by Anderson, Berdan, and Lockhart; Carrasco and Monjarás-Ruiz;

<sup>4</sup> Frances Karttunen and James Lockhart, *Nahuatl in the Middle Years: Language Contact Phenomena in Texts of the Colonial Period* (Berkeley and Los Angeles: University of California Press Publications in Linguistics 85, 1976); idem, *The Art of Nahuatl Speech: The Bancroft Dialogues* (Los Angeles: UCLA Latin American Center Publications, 1987); Stephanie Wood, "Corporate Adjustments in Colonial Mexican Indian Towns: Toluca Region" (PhD dissertation, University of California, Los Angeles, 1984); S.L. Cline, *Colonial Culhuacan, 1580-1600: A Social History of an Aztec Town* (Albuquerque: University of New Mexico Press, 1986); Louise Burkhart, *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson: University of Arizona Press, 1989); Robert S. Haskett, *Indigenous Rulers. An Ethnohistory of Town Government in Colonial Cuernavaca* (Albuquerque: University of New Mexico Press, 1991); Susan Schroeder, *Chimalpahin and the Kingdoms of Chalco* (Tucson: University of Arizona Press, 1991); Lockhart, *The Nahuas* (to which *Nahuas and Spaniards* effectively functions as an appendix); Dana Leibsohn, "The Historia Tolteca-Chichimeca: Recollecting Identity in a Nahua Manuscript" (PhD dissertation, University of California, Los Angeles, 1993); Susan Kellogg, *Law and the Transformation of Aztec Culture, 1500-1700* (Norman: University of Oklahoma Press, 1995); Rebecca Horn, *Postconquest Coyoacan: Nahua-Spanish Relations in Central Mexico, 1519-1650* (Stanford: Stanford University Press, in press).

<sup>5</sup> Philip C. Thompson, "Tekanto in the Eighteenth Century" (PhD dissertation, Tulane University, 1978); Tsubasa Okoshi Harada, "Los Canules: analisis etnohistorico del Códice de Calkiní" (Ph.D. dissertation, Universidad Nacional Autónoma de México, 1993); Restall's and Sigal's dissertations have been revised and published as Restall, *The Maya World* and Pete Sigal, *From Moon Goddesses to Virgins: The Colonization of Yucatecan Maya Desire* (ms); Kevin Terraciano, "Ñudzahui History: Mixtec Writing and Culture in Colonial Oaxaca" (PhD dissertation, University of California, Los Angeles, 1994).

<sup>6</sup> Robert M. Hill II, *The Pirir Papers and Other Colonial Period Cakchiquel-Maya Testamentos* (Nashville, TN: Vanderbilt University Publications in Anthropology 37, 1989); idem, "The Social Uses of Writing among the Colonial Cakchiquel Maya: Nativism, Resistance, and Innovation," *Columbian Consequences* vol. 3, David Hurst Thomas, ed. (Washington: Smithsonian Institution Press, 1991), pp. 283-299; idem, *Colonial Cakchiquels: Highland Maya Adaptation to Spanish Rule, 1600-1700* (Fort Worth: Harcourt Brace, 1991).

Cline and León-Portilla; Karttunen and Lockhart; and Lockhart, Berdan, and Anderson. More recent volumes include those by Lockhart; Calvo et al.; and Cline; as well as a collection edited by Lutz and Dakin of Nahuatl documents from highland Guatemala.<sup>7</sup> A volume of Yucatec Maya testaments has also recently been published, soon to be joined by an edition of other Yucatec sources;<sup>8</sup> Hill has published wills in Cakchiquel, a language represented in a forthcoming compilation volume that will also include sample testaments in Nahuatl, Mixtec, and Yucatec.<sup>9</sup> It is likely that many thousands of documents in these languages, and possibly others, will continue to surface as the field of colonial Mesoamerican ethnohistory evolves and flourishes; already the field has begun to revolutionize our view of indigenous communities, in the past all too often reduced to homogeneous “Indians” or rendered mute by an Hispanocentric historical perspective. Now that the social complexity of indigenous community life can be articulated in far greater detail than ever before, numerous aspects of native culture, its vitality, and its encounter with colonialism, are being revisited or explored and debated for the first time. The purpose of this article is less to review the substance of such scholarship than to place it in the context of the indigenous-language archival sources upon which it is based, and thereby also in the context of the larger multilingual civilizational region of Mesoamerica. Native-language sources have tended to be discussed by sub-region or in a comparative framework characterized by Nahuacentrism and delimited by the modern Mexico-

<sup>7</sup> Anderson, Berdan, and Lockhart, *Beyond the Codices*; Pedro Carrasco and Jesús Monjarás-Ruiz, eds., *Colección de documentos sobre Coyoacan*. 2 vols. (México: INAH, 1976-78); S.L. Cline and Miguel León-Portilla, eds., *The Testaments of Culhuacan* (Los Angeles: UCLA Latin American Center Publications, Nahuatl Studies Series 1, 1984); Karttunen and Lockhart, *The Bancroft Dialogues*; James Lockhart, Frances Berdan, and Arthur Anderson, eds., *The Tlaxcalan Actas: A Compendium of the Records of the Cabildo of Tlaxcala (1545-1627)* (Salt Lake City: University of Utah Press, 1986); James Lockhart, ed., *We People Here: Nahuatl Accounts of the Conquest of Mexico* (Berkeley: University of California Press, 1993 [Repertorium Columbianum, 1]); Thomas Calvo, Eustaquio Celestino, Magdalena Gómez, Jean Meyer, and Ricardo Xochitemol, *Xalisco: La Voz De Un Pueblo En El Siglo XVI* (Mexico City: Casa Chata, 1993); S.L. Cline, ed., *The Book of Tributes: Early-Sixteenth Century Nahuatl Censuses from Morelos* (Los Angeles: UCLA Latin American Center, 1993); Christopher Lutz and Karen Dakin, eds., *Nuestro pesar; Nuestra afflictión: Memorias en la lengua nahuatl enviadas a Felipe II por indígenas del Valle de Guatemala hacia 1572* (Mexico City and Antigua, Guat.: UNAM and CIRMA, 1996).

<sup>8</sup> Restall, *Life and Death in a Maya Community*; idem, *Maya Conquistador: Yucatec Perceptions of the Spanish Conquest* (Boston: Beacon Press, forthcoming).

<sup>9</sup> Hill, *Pirir Papers*; Susan Kellogg and Matthew Restall, eds., *Dead Giveaways: Indigenous Testaments of Colonial Mesoamerica and the Andes* (Salt Lake City: University of Utah Press, forthcoming). Quasi-notarial documents in Mesoamerican languages have also been published, as discussed below.

Guatemala border;<sup>10</sup> this article, which by historiographical necessity concentrates on colonial Mexico, hopes to contribute to the case for colonial Mesoamerica as a valid and coherent field of study.

#### LANGUAGE AND LITERACY: COLONIAL CONTEXT

The varied nature and length of indigenous-language texts and the current rapid growth in the quantity of known extant examples make it hard to evaluate with precision the total numbers involved. Collections of Nahuatl manuscripts in Mexico, the United States, and Europe probably amount to tens of thousands of examples. Yucatec Maya sources, archived in Mexico City and Mérida, Yucatán, in Seville, Spain, in several university libraries in the United States, and even in London, England, consist of almost two thousand documents. The number of Mixtec documents found in local archives, mostly in the Mixteca Alta region, is now approaching five hundred. There may be a similar quantity of Cakchiquel and Quiché material archived in Guatemala City and possibly Seville. These numbers will surely continue to become more certain and to grow for some time.

Native-language sources are rich not only in quantity but also in quality—that is, in terms of their ethnohistorical potential. For example, testaments occasionally digress from formulaic utterances to make informal asides about family relations and local business affairs. The record of a criminal proceeding might include unusually-detailed statements by witnesses. A case that drew the attention of Inquisition

<sup>10</sup> See Frances Karttunen, “Nahuatl Literacy,” in *The Inca and Aztec States, 1400-1800*, George Collier et al. eds. (New York: Academic Press, 1982), pp. 395-417; Lockhart, *Nahuas and Spaniards*; idem, *The Nahuas*; Restall and Terraciano, “Indigenous Writing and Literacy in Colonial Mexico”; Restall, “Yucatec Maya Literacy”; John Frederick Schwaller, *Guías de manuscritos en Nahuatl* (Mexico City: Universidad Nacional Autónoma de México, 1987); Kevin Terraciano, “Nahuatl and Mixtec Writing in Sixteenth-Century Oaxaca,” in Quiñones Keber, *Chipping Away on Earth*, pp. 105-118; Louise Burkhart, “Indigenous Literature in Preconquest and Colonial Mesoamerica,” in *The Legacy of Mesoamerica: History and Culture of a Native American Civilization*, Robert Carmack, Janine Gasco, and Gary Gossen eds. (Upper Saddle River, NJ: Prentice Hall, 1996), pp. 429-34; and Willard Gingerich, “Critical Models for the Study of Indigenous Literature: The Case of Nahuatl,” in *Smoothing the Ground: Essays on Native American Oral Literature*, Brian Swann, ed. (Berkeley and Los Angeles: University of California Press, 1983). Lisa M. Sousa, ed., *Indigenous Writing in the Spanish Indies* (Los Angeles: UCLA Historical Journal Special Issue, vol. 12, 1992) and Quiñones Keber, *Chipping Away on Earth* are compilation volumes celebrating and analyzing aspects of indigenous literacy under Spanish rule. The colonial period is also given some attention in Munro Edmonson and Victoria R. Bricker, “Yucatecan Mayan Literature,” *Supplement to the Handbook of Middle American Indians, Vol. 3: Literatures*, Munro Edmonson and Victoria R. Bricker, eds. (Austin: University of Texas Press, 1985), pp. 44-63.

officials might likewise fascinate scholars. Or a document might prove useful not for its uniqueness but, on the contrary, because it is a typical member of a corpus of like material. Questions of quality also relate to the condition of manuscripts. Earlier records tend to be ravaged by water and humidity stains, fungus and worm damage, and other poor storage conditions, and later documents are lacerated by ink acid. Still, by and large, indigenous-language documents appear to have been written and preserved by their communities with care. Certainly the hand of an indigenous notary will tend to be more legible than that of a Spanish counterpart. Many individual communities seem to have kept discrete books for different genres of notarial record—there are Nahuatl and Maya references to “the election book” and “the book of wills”—although such segregation of genres may have broken down in the late-colonial period (as was certainly the case in the Yucatec communities of Tekanto and Ebtun in the late-eighteenth centuries).

Incidence of survival was in large part genre-determined. For example, hundreds of late-colonial wills and land sales were taken or copied from community records by lawyers and notaries working litigation over lands that ended up as part of postcolonial haciendas; such documentation survived in private estate collections, sometimes ending up in provincial archives or collections in the United States. Petitions, on the other hand, addressed to senior Spanish officials, could travel to the viceregal capital, or even to Spain, if the complaint was deemed serious enough. Most of the Yucatec Maya-language material in Mexico City relates to petitions, some quite maledictive, against Spanish priests and administrative officials. Similarly, much of the Yucatec material in Seville is part of the Crown’s investigation into a particularly rapacious and controversial late-seventeenth-century governor of the province (Don Rodrigo Flores de Aldana).

The first generation to be taught the art of alphabetic writing by Franciscans were male representatives of indigenous ruling families, initially friars’ aides, but soon members of the élite in indigenous municipal communities (the Nahuatl *altepetl*, the Mixtec *ñuu*, the Yucatec Maya *cah*). Literacy remained widespread among the Mixtec high nobility throughout the colonial period and persisted among the Nahuatl elite, although it was restricted to a minority within the privileged classes.<sup>11</sup> While sixteenth-century Yucatec records show that many

<sup>11</sup> Haskett, *Indigenous Rulers*, pp. 136-45 shows that literacy levels among the office-holding

community nobles were at least semi-literate, with governors tending to write well, by the mid-colonial period writing skills had become very limited, often just to the notary of the *cabildo* (municipal council). Because official political activity was a male preserve, so too was literacy denied to women—with Mixtec noblewomen being the occasional exception to both monopolies, although a very small number of Nahua and Maya women may have been semi-literate.<sup>12</sup> Preconquest scribes appear to have been men of status, if not exclusively nobles<sup>13</sup>—a precedent of prestige that would resound across the centuries of the colonial period. The notary, mostly called by the Spanish term *escribano*, was the primary practitioner of writing in colonial Mesoamerican societies (thus the vast majority of extant documentation is defined as notarial). The native notary was integral to the local political structure; unlike his Spanish counterpart, he enjoyed a status close to that of his community governor, a position to which a Nahua or Maya notary (but not a Mixtec one) might aspire. Notarial status reflected the value traditionally bestowed upon the written word by Mesoamericans—reinforced by the Spanish preoccupation with the written record. It also reflected that fact that, if writing was a tool of the preconquest state (as Joyce Marcus has argued),<sup>14</sup> it was in colonial times an instrument of the indigenous *cabildo*. In other words, literacy and writing continued to serve the interests of the dominant political class.

In a sense, therefore, the indigenous notary was by no means the sole author of all he wrote; almost by definition, indigenous notarial documents were community products, authored by the *cabildo*, whose

élite of the Cuernavaca region were in the 5-25 percent range; figures were higher for *altepetl* governors, but still no more than 50 percent even among governors of larger communities.

<sup>12</sup> Restall, *The Maya World*, Chapters 6, 18; Terraciano, “Nudzahui History,” Chapter 2. There is evidence in the Cakchiquel material with which I am currently working of individuals, including women, able to pen a few lines in rudimentary script, typically at the foot of a more polished record written by the community notary.

<sup>13</sup> With respect to the Mayas: William L. Fash, *Scribes, Warriors and Kings. The City of Copán and the Ancient Maya* (London and New York: Thames and Hudson, 1991), p. 136; Linda Schele and David Freidel, *A Forest of Kings. The Untold Story of the Ancient Maya* (New York: Morrow, 1990), p. 329; Michael D. Coe, *The Maya Scribe and His World* (New York: Grolier Club, 1973); writing in Spanish around 1580 Gaspar Antonio Chi remarked that preconquest Maya writing was understood only by the nobility (Chi’s various contributions to the *Relaciones de Yucatán* are compiled in M. W. Jakeman, *The “Historical Recollections” of Gaspar Antonio Chi: An Early Source-Account of Ancient Yucatan* [Provo: Brigham Young University Publications in Archaeology and Early History, 3, 1952]; and in Restall, *Maya Conquistador*, chapter 8).

<sup>14</sup> Joyce Marcus, *Mesoamerican Writing Systems: Propaganda, Myth, and History in Four Ancient Civilizations* (Princeton: Princeton University Press, 1992).



officials held Spanish titles but practiced self-rule as administrators, judges, and representatives more or less in the preconquest tradition. Although indigenous and Spanish cabildos alike paid salaries to notaries, most Spanish *escribanos* hired themselves out to individual Spaniards conducting personal business. Likewise, a great deal of personal documentation was generated in the Spanish world. By contrast, indigenous notaries and the writing they did was almost entirely community-related.

As community products, colonial Mesoamerican documents fulfilled a dual purpose. On the one hand they satisfied an indigenous need to continue the traditional public rituals (now recorded on paper) of settling one's estate, exchanging property, selecting community officers, and so on. They were also an expression of the concern to protect community land from outside encroachment; the increase in land-related documentation of all genres in the late-eighteenth century reflects the growing competition for land between individuals (both native and Spanish) and indigenous communities. On the other hand such documents met the requirements of the Spanish authorities that occasions and transactions such as testaments and land sales be recorded in writing.

#### PRECONQUEST PRECEDENTS AND THE ALPHABETIZATION PROCESS

Indigenous literacy in the colonial period not only satisfied both Spanish and native needs, but drew upon the interlocking preconquest traditions of hieroglyphic writing, pictographic writing, and oral discourse. The nature of these traditions helps to explain the readiness with which Mesoamericans took to alphabetic writing in the late-sixteenth century and the extent to which colonial-era indigenous writing represented cultural continuity, despite innovations in form and genre. Before turning to the specific topic of how oral traditions were expressed in colonial literature, some details should be given on how indigenous languages were written down before and after the Spanish conquest.

More than a millenium before Spaniards brought their alphabet to the Mesoamericans, the latter had developed their own systems of written communication, which might be broadly categorized as the hieroglyphic (Mayas and Zapotecs) and the pictographic (Mixtecs and

Nahuas). Although no Mesoamericans had developed a full syllabary by the time the Spaniards arrived, their writing system combined the phonetic representation of syllables with pictographs (direct depiction by images) and logograms (images conveying words or ideas). The increased use by Maya and other scribes of what Stephen Houston has called “phonetic clues, or syllabic reinforcement for logographs” may have reflected growing literacy levels during the Classic period. In addition, the use of homonyms or “tone puns,” as well as a complex numerical and calendrical system, provided preconquest Mesoamericans with a sophisticated medium of communication that was arguably no less capable than the alphabetic system that replaced it.<sup>15</sup> Examples of such writing have survived. Carved, etched, inked, or painted on stone, pottery, wood, bone, deer hide, and bark-paper, the most durable materials contain the oldest texts. These examples tend to be records of dates, personal and place names, and historical, mythical, and cosmological events. This tradition translated well into Spanish legal forms of documentation, with their insistence on the recording of place, date, authors, witnesses, relevant events, and often item-by-item entries. Some preconquest texts approached an extended narrative form of expression—the Hieroglyphic Stairway at Copán could be interpreted this way, as can the Mixtec codices, particularly the Vienna<sup>16</sup>—and it is generally assumed that the most important non-mundane texts written down in the colonial period—Maya examples would be the *Popol Vuh* and the *Books of Chilam Balam*<sup>17</sup>—were copied from preconquest non-alphabetic antecedents.

Some of the conventions of hieroglyphic writing are reflected in the alphabetic usage of the *Books of Chilam Balam*, suggesting, as Victoria Bricker first observed, that traces of “the logosyllabic principles of

<sup>15</sup> Especially if one considers the total system of text, recitation, and performance; Stephen Houston, “Literacy among the Pre-Columbian Maya: A Comparative Perspective,” in *Writing Without Words: Alternative Literacies in Mesoamerica and the Andes*, Elizabeth Hill Boone and Walter D. Mignolo, eds. (Durham: Duke University Press, 1994), pp. 27-49 (quote on p. 37); Marcus, *Mesoamerican Writing Systems*.

<sup>16</sup> Fash, *Scribes, Warriors and Kings*, pp. 139-151; Mary Elizabeth Smith, *Picture Writing from Ancient Southern Mexico* (Norman: University of Oklahoma Press, 1973); Mark B. King, “Hearing the Echoes of Verbal Art in Mixtec Writing,” in Boone and Mignolo, *Writing Without Words*, pp. 102-36.

<sup>17</sup> Dennis Tedlock, *Popol Vuh. The Mayan Book of the Dawn of Life* (New York: Touchstone, 1985); Roys *Chilam Balam of Chumayel*; Munro Edmonson, ed., *The Ancient Future of the Itza. The Book of Chilam Balam of Tizimin* (Austin: University of Texas Press, 1982); idem, *Heaven Born Mérida and Its Destiny. The Book of Chilam Balam of Chumayel* (Austin: University of Texas Press, 1986).

consonant insertion, vowel insertion, and consonant deletion” in two of the *Chilam Balam* texts are evidence of “scribal syncretism.”<sup>18</sup> Those conventions can also be seen in the spellings in mundane notarial documents in Yucatec Maya, such as wills and land sales, so that *cruz* (loaned from the Spanish for “cross”) becomes *curuz*, for example, and *hunpel* (“one” [inanimate]) might be written as *humpel*, *hunnpel* or *hunpell*. The most common example is also seen in Nahuatl, namely the intrusion or omission of syllable-final orthographic *n* in both native and Spanish-loaned vocabulary, so that a Nahua or Maya notary could write the name Miguel as *minguel* or the Spanish loanword *encomendero* as *encometelo*, while a Maya might write *cahnal* (“resident”) as *cahal* and a Nahua write *ome* (“two”) as *omen*.<sup>19</sup> The tidy handwriting style of colonial-era script by indigenous notaries may also be a reflection of the tight order of codex and hieroglyphic style.

During the first postconquest generations, alphabetic text in colonial Mesoamerica seems to have gone from complementing pictorial text to replacing it.<sup>20</sup> As early as the 1520s in central Mexico, friars (while nevertheless experimenting with pictorial communication) concentrated on the alphabetic writing of Nahuatl, which became the dominant form of Nahua written expression by the late-sixteenth century. The alphabetization process was complete in the Maya area soon after the Conquest due to the relative weakness of the pictorial tradition and the strong syllabic component of Maya hieroglyphs. The earliest examples of Yucatec alphabetic writing, dated in the 1550s, already feature the orthography that was standard throughout the colonial period (including a reversed *c* for today’s *dz*, and horizontal bars through consonants to indicate glottal constriction), suggesting that the business of adapting Maya to the Roman alphabet must have been under-

<sup>18</sup> Victoria R. Bricker, “The Last Gasp of Maya Hieroglyphic Writing in the Books of Chilam Balam of Chumayel and Chan Kan,” in *Word and Image in Maya Culture: Explorations in Language, Writing, and Representation*, William F. Hanks and Don S. Rice, eds. (Salt Lake City: University of Utah Press, 1989), p. 48.

<sup>19</sup> Karttunen and Lockhart, *Nahuatl in the Middle Years*, pp. 8-14, 130-31; Frances Karttunen, *Nahuatl and Maya in Contact with Spanish* (Austin: University of Texas Department of Linguistics, Texas Linguistic Forum 26, 1985), pp. 105-7; Restall, *The Maya World*, pp. 230, 297 (where the orthography of *encometelo* is further explained).

<sup>20</sup> At the same time, pictorial manuscripts were undergoing other changes, with ritual and divinitory codices being drawn only under Spanish sponsorship, which also led to the creation of new genres, while the conventions of European art were increasingly adopted by indigenous artists (Burkhart, “Indigenous Literature,” pp. 418-425). Also see Lockhart, *The Nahuas*, Chapter 8; Serge Gruzinski, *The Conquest of Mexico: The Incorporation of Indian Societies into the Western World, 16th-18th Centuries* (Cambridge, UK: Polity Press, 1993), Chapter 1.

taken by Franciscans and their noble informants in the decade after the founding of Mérida in 1542.<sup>21</sup> Likewise, in highland Guatemala native notaries began writing alphabetically soon after the Conquest, with the Spanish-imposed *lingua franca* of Nahuatl written in the sixteenth century and possibly later (although it is not yet clear what the balance was between writing in Nahuatl and in highland Mayan languages). Nahuatl was similarly employed in the Oaxaca region.<sup>22</sup> Mixtec pictorial practices, however, were deeply rooted; pictorial manuscripts (some with glosses in Mixtec, Nahuatl, or Chocho) are common for the first postconquest decades, with exclusively-alphabetic Mixtec documents surviving only from the late-1560s on.<sup>23</sup> In the three most commonly-written languages the indigenous word for paper continued to be used throughout the colonial period: *amatl* (Nahuatl); *tutu* (Mixtec); and *hun* (Maya).<sup>24</sup> Nahuatl has been shown to have evolved during the colonial period as a result of contact with Spanish, moving through a series of stages, each with accompanying and complementary cultural developments. From initial contact in central Mexico until around 1550 the linguistic impact upon Nahuatl was minimal, confined to such changes as the Nahua adoption of Spanish personal names and the creation of neologisms to describe imported objects. The second stage lasted about a century, and was characterized by the heavy borrowing of Spanish nouns. From around 1650, Nahuatl speakers began borrowing Spanish verbs, particles, and expressions, in reflection of the broader Hispanic impact upon Nahua culture.<sup>25</sup> Mixtec and Yucatec

<sup>21</sup> The Spanish alphabet could not perfectly represent all features of Mesoamerican languages; vowel length and tone in particular were left un- or underrepresented, while some pairs of letters came to be used interchangeably for sounds that each one inadequately represented ( *u* and *o* in Nahuatl, for example, and *l* and *r* in Yucatec Maya) (Karttunen, *Nahuatl and Maya*; Lockhart, *Nahuas and Spaniards*, Chapter 8; idem, *The Nahuas*, Chapter 7). Yucatec, however, was the only language for which new characters were actually created (albeit simple adaptations of existing alphabetic letters; the same adaptations were then used for writing Chontal Maya); for a comparison of the alphabets used for Spanish, Nahuatl, and Yucatec Maya, see Restall, *The Maya World*, Chapter 22. It might be helpful to remind the reader that Yucatán was not conquered until twenty years after the “pacification” of the other regions where major Mesoamerican languages were alphabetized (Central Mexico, Oaxaca, and Highland Guatemala).

<sup>22</sup> Lutz and Dakin, *Nuestro pesar*; Terraciano, “Ñudzahui History,” pp. 73-79.

<sup>23</sup> Terraciano, “Ñudzahui History,” pp. 36-72.

<sup>24</sup> Both the Cakchiquels and Quiché continued to write their word *vuh* (or *uuh*) to mean “paper, document, book.” Although the Yucatec Mayas mostly used the Spanish term *escribano* to describe the notary, they also continued to use indigenous terms for “write” ( *oib*), “copy” ( *hoch*), and *ahcib hun* for “notary.”

<sup>25</sup> This analysis was first published in Karttunen and Lockhart, *Nahuatl in the Middle Years* and later articulated further in Karttunen, “Nahuatl Literacy,” and in Lockhart, *The Nahuas*, 261-325. For a view of culture change and Nahuatl writing that is less philological and more oriented

Maya appear to have been subject to a similar process, only one that was delayed and subject to regional variation. For example, while Maya quickly entered the second stage of change, it did not reach the third before the end of the colonial period, failing to adopt verbs, particles, and expressions as Nahuatl did and borrowing about half as many words from Spanish; with respect to both later stages, Mixtec's evolution was a generation or two behind Nahuatl's. In both these regions of southern Mexico, there were variations between sub-regions and communities, primarily determined either by proximity to Spanish-dominated centers or by community individualism. The former (the direct influence of local Spaniards and mestizos) was more the case with Mixtec, while the latter (the potency of individual community traditions and adaptations) was more Yucatán's pattern. Part of the relative conservatism of Yucatec Maya's reaction to Spanish was its retention of bilingual phrases, often in the form of semantic couplets (discussed below), reflecting the Maya's recognition of Hispanic forms and their simultaneous maintenance of indigenous systems of meaning and expression.<sup>26</sup> The "golden age" of Nahuatl document production, the period of greatest variety, quality, and possibly quantity, was roughly 1580-1610; by the late-1560s every altepetl seems to have had its own notary.<sup>27</sup> Output was strong, however, through the 1760s, after which Spanish-language records eclipsed those in Nahuatl, partly under pressure from the colonial authorities but perhaps mostly because Nahua notaries had by then acquired the necessary Spanish-language skills. By the turn of the nineteenth century, notarial records in Nahuatl had become extremely rare.<sup>28</sup> Similarly, Maya records are extant from all over the colony of Yucatán, even though the process whereby every Maya community of any substance acquired its own *cabildo* and notary was not complete until over a century later than in central Mexico. There were approximately two hundred *cahob* (Maya communities) under colonial rule by the early eighteenth century. So far, I have encountered Maya-language documentation from over

towards an analysis of "colonial discourse," see J. Jorge Klor de Alva, "El discurso nahua y la apropiación de lo europeo," in *De Palabra y Obra en el Nuevo Mundo*, M. León-Portilla, M. Gutiérrez Estévez, G. H. Gossen, and J. J. Klor de Alva, eds. (Madrid: Siglo XXI de España, 1992), pp. 339-68.

<sup>26</sup> Restall, *The Maya World*, pp. 293-302; Terraciano, "Ñudzahui History." With respect to Yucatán also see Karttunen, *Nahuatl and Maya*; and William F. Hanks, "Authenticity and Ambivalence in the Text: A Colonial Maya Case," *American Ethnologist* 13: 4 (1986), 721-744.

<sup>27</sup> Karttunen, "Nahuatl Literacy," p. 409; Lockhart, *The Nahuas*, p. 41.

<sup>28</sup> Haskett, *Indigenous Rulers*; Lockhart, *The Nahuas*, p. 450; Karttunen, "Nahuatl Literacy," pp. 414-15.

eighty percent of them. The temporal contrast between extant material from central Mexico and from Yucatán is more marked. Despite early examples of Maya notarial documents, the late-sixteenth century is not well represented in the extant corpus of material. This is probably a question of survival, as well as one of the gradual diffusion of literacy to newly-created notaries as a result of the sporadic population growth of the seventeenth and eighteenth centuries, the gradual extension of the colonial frontier, and the acquisition of *pueblo* and *cabildo* status by increasing numbers of Maya communities. The number of extant Maya documents increases steadily after 1720, with the greatest quantity coming from the half-century before 1820, and with the last Yucatec manuscript found thus far dated 1851 (an indication of the strength of the Yucatec writing tradition).<sup>29</sup> Alphabetic writing was well-established in all larger Mixtec communities by the turn of the seventeenth century, subsequently spreading to smaller municipalities as these won independent *pueblo* status. Until the 1810s there is a steady stream of Mixtec notarial documentation generated by some seventy *ñuu* (Mixtec communities), with production (or at least survival) peaking in 1670-1760 (between the earlier Nahuatl boom and the later Yucatec one). Like Nahuatl material, sources in Mixtec decline in numbers after the 1770s.<sup>30</sup> Ironically, under Spanish colonial rule the process of Nahua linguistic imperialism was far more extensive than it had been under the auspices of the Mexica and their allies. In recent years Nahuatl material has been surfacing from other Mesoamerican regions (from Saltillo to El Salvador), generated not only by Nahua satellite communities but also by non-Nahua notaries using Nahuatl as a *lingua franca* in lieu of such languages as Amuzgo, Cakchiquel, Chastino, Chocho, Cuicatec, Quiché, Ixcatec, Mazatec, Mixe, Totonac, Totorame, and Trique.<sup>31</sup> In the Mixteca Alta, for a brief period, alphabetic writing was produced in Nahuatl before it was in Mixtec. Nahuatl documents have not been found in Yucatán, probably due to its relative isolation from central Mexico, and because it comprised a large single-language area.

<sup>29</sup> Restall, *The Maya World*, pp. 244-50.

<sup>30</sup> Terraciano, "Nudzahui History," pp. 100-102.

<sup>31</sup> This list is based largely on archival observations by myself, Lisa Sousa, and Kevin Terraciano; see also Karen Dakin's essay, "El Náhuatl de las *Memorias*: Los rasgos de una *lingua franca* indígena," in Lutz and Dakin, *Nuestro Pesar*, pp. 167-94. On the Salvadoran Nahuatl dialect of Pipil, see Dakin's references; examples are Lyle Campbell, *The Pipil Language of El Salvador* (Berlin: Mouton, 1985), and Pedro Geoffroy Rivas, *El nawat de Cuscatlán. Apuntes para una gramática tentativa* (San Salvador: Ministerio de Educación, 1969), which includes a seventeenth-century Pipil document.

In a study of the use of Nahuatl by interpreters in the Oaxaca area, it was found that at times two interpreters were employed on a case, one fluent in Spanish and Nahuatl, the other in Mixtec and Nahuatl. The term *nahuatlato* (“one who speaks Nahuatl”) came to mean “interpreter,” and was still used in that sense long after Nahuatl ceased to be an intermediary language.<sup>32</sup> In time, legal cases became bilingual, with the investigative proceedings in Spanish and such records as the initiating petitions and subsequent testimonies in the local indigenous language. Trilingual cases tend to be early or limited to the most marginal regions of New Spain, while monolingual native cases are rarer still. A 1746 Amecameca case is entirely in Nahuatl, for example, and three Yanhuitlan cases of the 1680s are in Mixtec only.

#### PRECONQUEST PRECEDENTS: ORALITY AND LITERACY

Because most of the Mesoamerican population appears to have been illiterate or semi-literate, many preconquest texts, especially the monumental ones, would have been part of an oral tradition, in which they were publicly read out or performed. Preconquest texts often featured community histories and political propaganda that was publicly displayed and perhaps periodically narrated to an audience. Likewise, other occasions of social interaction and ritual of which Spanish custom would later require written record—such as testaments and land affairs—appear to have been public and entirely spoken in preconquest societies.<sup>33</sup> These oral traditions are reflected in the style and content of much of the postconquest documentation in Mesoamerican languages. There are many examples of this orality in individual documents that have been published;<sup>34</sup> it is also illustrated in certain genres.

One is that of the primordial titles (see below). These documents were ostensibly land records that tended to include pseudo-historical

<sup>32</sup> Terraciano, “Ñudzahui History,” pp. 73-74; idem, “Nahuatl and Mixtec Writing.”

<sup>33</sup> See the articles by Stephen Houston, Elizabeth Hill Boone, John Monaghan, and Mark B. King in Boone and Mignolo, *Writing Without Words*; Marcus, *Mesoamerican Writing Systems*; the articles in *Ancient Mesoamerica* 1 (1990), especially those by King and by Monaghan; and Edward E. Calnek, “The Analysis of Prehispanic Central Mexican Historical Texts,” *Estudios de Cultura Nahuatl* 13 (1978): 239-66.

<sup>34</sup> For example, a 1583 record of a grant of a house site by the Nahua town officials of San Miguel Tocuillan to a woman simply named Ana is structured as a series of conversations; the document begins, “Ana spoke and said to her older brother Juan Miguel, ‘My dear older brother . . .’” (Lockhart, *Nahuas and Spaniards*, Chapter 4; idem, *The Nahuas*, pp. 455-59). Lockhart provides further examples in an analytical context in *Nahuas and Spaniards*, Chapter 1 and in *The Nahuas*, Chapter 8.

narratives promoting the political status of a dynasty or community to both indigenous and Spanish audiences. The genre, of which there are examples of various kinds in Nahuatl, Mixtec, Yucatec, Cakchiquel, Quiché, and other languages (see Table 2), in many ways comes closest to representing substantive and stylistic continuity from prequest histories that were also both oral and written. Indeed a group of primordial titles known as the *Techialoyan Codices* combine pictorial sections with text in alphabetic Nahuatl.<sup>35</sup> Colonial Nahuatl literature is rich in various histories representing differing balances of Spanish and Mesoamerican form and style. These range from primordial titles preserved by relatively minor altepetl, such as those of Cuernavaca,<sup>36</sup> to the brief annals of Tezozomoc and the extensive and exemplary annals of Chimalpahin.<sup>37</sup> This large body of Nahuatl material is complemented by a similar but smaller variety and corpus of histories in Mixtec and in the major Maya languages.<sup>38</sup> One important manuscript, the *Popol Vuh* of the Quiché (c. 1550s), combines some of the attributes of a primordial title with a vastly more detailed recounting of a creation story. The style and nature of this text imply that its alphabetic version was compiled from original glyphic and oral accounts in an age when knowledge of glyphs was being lost and public performance circumscribed; the authors suggest as much when they

<sup>35</sup> Woodrow Borah, "Yet Another Look at the Techialoyan Codices," in *Land and Politics in the Valley of Mexico: A Two Thousand Year Perspective*, H.R. Harvey, ed. (Albuquerque: University of New Mexico Press, 1991), 209-222; Wood, "Corporate Adjustments," 301-22; idem, "Don Diego García de Mendoza Moctezuma: A Techialoyan Mastermind?" *Estudios de Cultura Náhuatl* 19 (1989), 245-268; Lockhart, *The Nahuas*, pp. 414-15.

<sup>36</sup> Robert Haskett, "Visions of Municipal Glory Undimmed: The Nahuatl Town Histories of Colonial Cuernavaca," *Colonial Latin American Historical Review* 1: 1 (Fall 1992), 1-36.

<sup>37</sup> Both annalists and their genre are succinctly analyzed in Lockhart, *The Nahuas*, pp. 376-92. For extensive analysis of don Domingo Francisco de San Antón Muñón Chimalpahin Quauhtlehuantzin and his work, see Schroeder, *Chimalpahin*; Schroeder is also the chief editor of the Nahuatl/English edition of Chimalpahin's annals (*Codex Chimalpahin*, 6 vols. [Norman: University of Oklahoma Press, 1997 and forthcoming]), of which the first two volumes have just been published as Arthur J. O. Anderson and Susan Schroeder, eds. and trs., *Society and Politics in Mexico-Tenochtitlán, Tlatelolco, Texcoco, Culhuacan, and Other Nahuatl Altepetl in Central Mexico* (Norman: University of Oklahoma Press, 1997). Tezozomoc's annals are available as don Hernando de Alvarado Tezozomoc, *Crónica mexicayotl*, Adrián León, ed. and tr. (Mexico City: Publicaciones del Instituto de Historia, 1: 10, 1949). Of indirect relevance here are Spanish-language chronicles by Tezozomoc and by Ixtlilxochitl (see Lockhart, *The Nahuas*, pp. 390, 587 n.6), as well as the histories of Cristobal del Castillo, which were written in Nahuatl but bear a heavy Spanish cultural influence (see Castillo, *Historia de la venida de los mexicanos y otros pueblos e Historia de la conquista*, Federico Navarrete Linares, ed. [Mexico City: Instituto Nacional de Antropología e Historia, 1991]; Alexander F. Christensen, "Cristobal del Castillo and the Mexica Exodus," *The Americas* 52: 4 (1996): 441-64.

<sup>38</sup> See the more detailed discussion of primordial titles, with accompanying citations, below.



state that their account is being written “because there is no longer a place to see it.”<sup>39</sup> Other examples of the same kind of alphabetic preservation of precontact oration have survived in Nahuatl, in manuscripts variously described by scholars as songs, chants, and poems, and in the form of “speech of the elders” or *huehuetlahtolli*, such as that found in Book Six of fray Bernardino de Sahagún’s *Florentine Codex*.<sup>40</sup> Although orality is best illustrated by non-mundane materials, it also pertains to the testaments genre. It seems likely that there was some form of preconquest testamentary institution because so many of the conquered Mesoamerican peoples took to the Spanish juridical form without apparent resistance. Diego de Landa claims that when a Yucatec Maya became old enough to take possession of inherited property, the transfer was made “*delante de los señores y principales*.”<sup>41</sup> Landa’s informant, Gaspar Antonio Chi, stated that all preconquest legal proceedings took place under oath and before witnesses. Similarly testaments, like all postconquest notarial records, were communal or public in nature, dictated before the governor and members of the indigenous *cabildo*, who represented the entire community. Thus the native institution differed from its Spanish model (wherein witnesses were not community representatives but could be strangers pulled off the street to fulfill legal requirements). From the indigenous perspective, dictated testaments represented a continuation of oral tradition—as well as allowing testators to settle their estates, to make burial and posthumous mass arrangements, and to die in a state of grace.<sup>42</sup> While the format of indigenous notarial records is largely Spanish, with native notaries producing variations on introduced themes such as wills and bills of sale, the style of writing is often distinctly indigenous. One aspect of that style is ordered speech, seen

<sup>39</sup> Tedlock, *Popol Vuh*, pp. 33, 71.

<sup>40</sup> Sahagún, *Florentine Codex*; Michael D. Coe and Gordon Whittaker, trans. and eds., *Aztec Sorcerers in Seventeenth Century Mexico: The Treatise on Superstitions by Hernando Ruiz de Alarcón* (Albany: SUNY Institute for Mesoamerican Studies 7, 1982); Karttunen and Lockhart, *The Bancroft Dialogues*; Lockhart *The Nahuas*; Judith M. Maxwell and Craig A. Hanson, *Of the Manners of Speaking That the Old Ones Had: The Metaphors of Andrés de Olmos in the TULAL Manuscript* (Salt Lake City: University of Utah Press, 1992). Burkhart, “Indigenous Literature” is a good, brief introduction to some of these manuscripts.

<sup>41</sup> Fray Diego de Landa, *Relación de las cosas de Yucatán* [1566] (México: Editorial Porrúa, 1982), p. 42.

<sup>42</sup> Two bodies of colonial Mesoamerican testaments have been published, both with English translations and transcriptions of the respective Nahuatl and Yucatec Maya: Cline and León-Portilla, *The Testaments of Culhuacan*; Restall, *Life and Death in a Maya Community*. Sample wills in Nahuatl, Mixtec, Yucatec and Cakchiquel Maya, with accompanying analysis, are published in Kellogg and Restall, *Dead Giveaways*.

in Yucatec Maya in the use of markers such as *bay xan*, “likewise,” to introduce items in a will or sections of a territorial boundary. Another is the use of formal speech, such as the admonitions found in Nahuatl, Yucatec, and cakchiquel records; the most typical translates as “nobody shall take it from them.” These perorations also act as section terminators or emphasize. <sup>43</sup> A third stylistic feature is that of semantic couplets, a tradition that acquired a bilingual component as indigenous phrases or terms became coupled with loaned Spanish ones. Yucatec examples are *yn takyahthan in testamento*, “my final statement, my testament,” and *u noh cahal ciudad*, “the great cah, the city” (the provincial capital, similarly called “Mérida Tihó” by the Mayas). <sup>44</sup> A fourth stylistic example is the use of colloquial speech, such as informal asides in wills that refer to specific family members and relationships, sometimes with scorn, sometimes with affection. Combined with the shift in pronominal reference that sometimes occurs within a text, and with incidences of reported speech, such stylistic features can lend indigenous documents a conversational feel. Indeed, one might view colonial Mesoamerican literature as dialogocentric; notarial records are on one level a dialogue between testator and heir, vendor and purchaser, petitioner and addressee, with native cabildos playing any of these roles partially or wholly. <sup>45</sup>

#### DOCUMENTARY GENRES: NOTARIAL RECORDS

Elsewhere I have divided Yuactec Maya-language documentation into two categories: official, mundane, notarial records; and material that was non-mundane, often unofficial, and what might be called quasi-notarial. <sup>46</sup> This dual categorization is also broadly applicable to Nahuatl, Mixtec, Cakchiquel, and Quiché.

The vast majority of extant colonial Mesoamerican documents fall under the former category, with testaments being the best represented genre (see Table 1). This may be explained by the fact that wills played a crucial role in both the indigenous and Spanish worlds. As we have

<sup>43</sup> Lockhart, *The Nahuas*, p. 368; Restall, *The Maya World*, p. 242 offers a comparison of Nahuatl and Yucatec admonitions.

<sup>44</sup> With respect to Yucatec Maya, see Edmonson and Bricker, “Yucatecan Mayan Literature,” pp. 59-60; Restall, *The Maya World*, pp. 241-42.

<sup>45</sup> Allan F. Burns, “The Language of Zuyua: Yucatec Maya Riddles and their Interpretation,” *Past, Present, and Future. Selected Papers on Latin American Indian Literatures*, Mary H. Preuss, ed. (Lancaster, CA: Labyrinthos, 1991), p. 36; Restall, *The Maya World*, pp. 242-43.

<sup>46</sup> See Restall, *The Maya World*, Chapters 18-22.

TABLE 1

## INCIDENCE OF INDIGENOUS-LANGUAGE NOTARIAL GENRES

<i>Genre</i>	<i>Nahuatl</i>	<i>Mixtec</i>	<i>Yucatec Maya</i>
Testaments	abundant	abundant	abundant
Land transactions	abundant	common	abundant
Sales of other property	common	common	very rare
Petitions	common	common	common
Election records	common	rare	common
Criminal records	common	common	very rare
Community budget records	rare	rare	rare
Tribute records	fairly rare	rare	rare
Census records	rare	none	rare
Records of church/cofradía business	common	rare	rare
Church-sponsored texts	abundant	rare	rare
Ratifications of Spanish records	none	none	common

Source: modified from Restall, *The Maya World*, p. 237. An earlier version appeared in Restall and Terraciano, "Indigenous Writing." Nahuatl genres are described in Anderson, Berdan and Lockhart, *Beyond the Codices*; Karttunen, "Nahuatl Literacy;" and Lockhart, *The Nahuas*. Mixtec genres are described in Terraciano, "Nudzahui History."

seen, wills represented a continuation of oral tradition and were useful to the testator as well as his/her community, who was thereby given written records of land tenure and family relationships. In addition to being validated by native cabildos, wills were also valid and legal before the Spanish courts, as well as fulfilling Spanish ecclesiastical requirements. We know from fray Alonso de Molina's model Nahuatl will of 1569,<sup>47</sup> and from records of episcopal inspections of books of wills (in eighteenth-century Tekanto, Yucatán, for example), that the Spaniards imposed the format of wills on indigenous notaries. Yet a comparison of the opening religious formula in early modern wills in Maya, Nahuatl, Spanish, and English reveals that, on top of a foundation of common origin, indigenous communities varied this formula according to local or individual tradition.<sup>48</sup> Other genres of indigenous

<sup>47</sup> Lockhart, *The Nahuas*, pp. 468-72.

<sup>48</sup> Restall, *The Maya World*, Chapter 18. Terraciano's interpretation of similar formula variants in Nudzahui (Mixtec) wills emphasizes individual piety rather than community notarial traditions;

notarial documents include petitions, election records, criminal records, ratifications of Spanish records, community budget and tribute records, *cofradía* records, Church-sponsored texts, and land records. Documents in various genres that deal in some way with land seem collectively to represent the largest thematic focus of indigenous-language records. Within the genre of documents that deal exclusively with land, various sub-genres reflect the different stages of transaction and litigation, many of which were adapted or interpreted by Mesoamerican cabildos according to local needs and expectations. Indigenous officials often ignored Spanish law's precise procedures of land exchange or used Spanish legal terms according to local, not official, definitions. Similarly, Nahuas, Mixtecs, and Mayas continued to measure, mark, and describe land largely according to preconquest practice.<sup>49</sup> The most common land sub-genres were the bill of sale (*carta de venta*) and the acknowledgement (*conocimiento*, translated in the historical literature variously as title, deed, or receipt); the latter often came in the form of a boundary agreement. The testament effectively acted as one of these sub-genres; indigenous wills are full of land bequests, descriptions, and even disputes. As stated above, aside from rare collections such as those from Culhuacan, central Mexico, and Ixil, Yucatán,<sup>50</sup> indigenous wills have survived because they were placed in or copied into land litigation files. In Nahuatl and Mixtec, but not Yucatec, there are records of land rentals and sales of other types of property. Land documents in native languages lend rich insight into indigenous land-tenure practices, as reflected in a number of monographs and compilation volumes.<sup>51</sup> Each genre of notarial literature opens up a different window onto indigenous society. For example, the genre combination of election records and election-related petitions provides a wealth of information on altepetl or cah self-rule—on preconquest continuity, on individual political careers, on factionalism, on

“Colonial Ñudzahui-Language Testaments from Oaxaca, Mexico,” in Kellogg and Restall, *Dead Giveaways*.

<sup>49</sup> Restall, *The Maya World*, Chapters 15-16; Horn, *Postconquest Coyoacan*; Terraciano, “Ñudzahui History,” pp. 296-309, 417-22.

<sup>50</sup> Published in Cline and León-Portilla, *The Testaments of Culhuacan* and Restall, *Life and Death in a Maya Community*, respectively, and subjected to further analysis in Cline, *Colonial Culhuacan* and Restall, *The Maya World*.

<sup>51</sup> H.R. Harvey and Hanns J. Prem, eds., *Explorations in Ethnohistory: Indians of Central Mexico in the Sixteenth Century* (Albuquerque: University of New Mexico Press, 1984); Wood, “Corporate Adjustments”; Horn, *Postconquest Coyoacan*; Harvey, *Land and Politics in the Valley of Mexico*; Lockhart, *The Nahuas*, Chapter 5; Restall, *The Maya World*, Chapters 13-17.

the status assigned to various offices, and on the relationship between cabildo and class.<sup>52</sup> Petitions provide particular insight into colonial relations. The genre can be subdivided into three often-overlapping types: petitions of request (usually of permission to sell land); petitions of complaint (usually against Spanish officials; petitions against priests form their own interesting subgenre);<sup>53</sup> and petitions relating to litigation (in which Mesoamerican plaintiffs seek the support of the Spanish authorities). Most petitions were part of the legal weaponry wielded by native communities in the Spanish law courts in their efforts to redress and counter the damaging effects of the social, economic, and political imbalance between Spaniards and indigenous peoples. However, some petitions involved efforts by indigenous communities or factions (or, less often, individuals) to gain Spanish assistance in land litigation against neighbors (thus using a colonial institution to continue pursuing the age-old competition for territory), or attempts by groups of indigenous individuals to gain Spanish support in factional disputes.

Petitions are often rich in a reverential language that evokes pre-conquest precedent and indigenous style. Indigenous officials employed the traditional imagery of rulership and reverence to play with skill the role of humble, impoverished “children” to their merciful Spanish “fathers.” Between the lines one can see indigenous communities playing Spanish officials off against each other and using such tactics as exploiting Spanish fears of tax revenue losses.<sup>54</sup> It is unclear as yet why some genres are common in one language but rare in another. Perhaps the sheer volume of Nahuatl records accounts for this discrepancy in sales of property other than land, for example, and in records of church and *cofradía* business. On the other hand, the relative paucity of Spaniards in Yucatán may be responsible for the high incidence of Maya cabildo ratifications of Spanish business in rural areas, a document genre not found (to the best of my knowledge) elsewhere in New Spain. Criminal investigations into Maya communi-

<sup>52</sup> Haskett, *Indigenous Rulers*, Chapters 2, 5; Restall, *The Maya World*, Chapters 5, 6, 20.

<sup>53</sup> See Anderson, et al., *Beyond the Codices*, pp. 166-73; Robert Haskett, “‘Not a Pastor, but a Wolf’: Indigenous-Clergy Relations in Early Cuernavaca and Taxco,” *The Americas* 50: 3 (January 1994): 293-336; William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico* (Stanford: Stanford University Press, 1996), Chapter 10; Restall, *The Maya World*, Chapters 11, 12, 19; Sigal, *From Moon Goddesses to Virgins*, Chapter 4.

<sup>54</sup> Restall, *The Maya World*, Chapter 19 is a study of Yucatec petitions; Haskett, *Indigenous Rulers*, Horn, *Postconquest Coyoacan*, and Lockhart, *The Nahuas* use Nahuatl petitions (the latter reproduces one on pp. 460-62); the memorias in Lutz and Dakin, *Nuestro pesar* are 21 Nahuatl petitions of 1570-72 from Cakchiquel cabildos.

ties tended to be recorded in Spanish, while such records in Nahuatl are common; in Mixtec they are not only common but far richer in testimony than those in the other two languages. Perhaps preconquest practices are at the root of this contrast.

With respect to the church-sponsored texts, Yucatán's marginalization in New Spain no doubt is a major factor. Diego de Landa was not in the same ethnographic league as Bernardino de Sahagún, and he never sponsored any indigenous-language publication. Furthermore, as the first conquered area, central Mexico became the focus of a Franciscan and Dominican philological activity not equalled either later in the colonial period or elsewhere in New Spain. Often the first indigenous-language texts to be produced were Church-sponsored materials in Nahuatl, as were most, if not all, printed texts in native languages. Examples of dictionaries and grammars, confessional manuals and *doctrinas*, have survived in various languages. Songs, plays, and ethnographies (aside from Landa's work on Yucatán) exist only in Nahuatl. There are some one hundred surviving church-sponsored materials in Nahuatl,<sup>55</sup> and perhaps ten for each of the other major Mesoamerican languages. This imbalance must in part also be explained by the high numbers of extant Nahuatl documents in all genres. For example, a number of friar-sponsored dictionaries, grammars, and *doctrinas* in Yucatec Maya are known to have been written, but no copies have survived.

What sets Church-sponsored texts apart from other genres of colonial-era Mesoamerican writing is the heavy involvement of Spaniards.

<sup>55</sup> Some of these are studied in Barry D. Sell, "Friars, Nahuas, and Books: Language and Expression in Colonial Nahuatl Publications" (Ph.D. Dissertation, University of California, Los Angeles, 1994). Also see various articles on Nahua christianization by J. Jorge Klor de Alva, among them "Religious Rationalization and the Conversions of the Nahuas: Social Organization and Colonial Epistemology," in *To Change Place: Aztec Ceremonial Landscapes*, David Carrasco, ed. (Niwot, CO: University Press of Colorado, 1991), and "Sin and Confession Among the Colonial Nahuas: The Confessional as a Tool for Domination," in *La Ciudad y El Campo en La Historia de México* (Mexico City: Universidad Nacional Autónoma de México, 1992), vol. 1, p. 91-101. See too the work of Louise Burkhart: *Slippery Earth*; "Flowery heaven: The aesthetic of paradise in Nahuatl devotional literature," *Res: Anthropology and Aesthetics* 21 (1992): 89-109; "The Voyage of Saint Amaro: A Spanish Legend in Nahuatl Literature," *Colonial Latin American Review* 4: 1 (1995): 29-57; *Holy Wednesday: A Nahua Drama from Early Colonial Mexico* (Philadelphia: University of Pennsylvania Press, 1996). A number of church-sponsored texts are available in facsimile editions, such as fray Bernardino de Sahagún's *Adiciones, Apéndice a la Postilla y Ejercicio Cotidiano*, Arthur J. O. Anderson, ed. and tr., prologue by Miguel León-Portilla (Mexico City: Universidad Nacional Autónoma de México, 1993); also see Schwaller, *Guías de manuscritos en Nahuatl*.

However, it would be misleading to characterize these materials simply as Spanish-written indigenous-language documents (translations of royal edicts would be a genre that might fit such a description). Indigenous aides and bilingual, even trilingual, natives were at the very least contributing authors. Many Nahua notaries not only wrote at a friar's suggestion or dictation, but were themselves composers. Sahagún felt that the account of the Conquest in Book Twelve of the *Florentine Codex* too strongly reflected the viewpoint of his Nahua "assistants" to the extent that he later wrote his own Hispanocentric version.<sup>56</sup> Furthermore, many of these texts in Nahuatl and in Mixtec were specifically written for a literate, indigenous laity.<sup>57</sup>

#### DOCUMENTARY GENRES: QUASI-NOTARIAL LITERATURE

Non-mundane indigenous literature—the second of my two broad categories—was quasi-notarial in that the author may have been a *maestro* (literally, choirmaster) or other native individual not recognized or sanctioned as a notary. What such an author wrote was unofficial if it served no purpose in the colonial system (unlike the documents already discussed). Some such writings, if discovered, would most likely have been destroyed by the ecclesiastical authorities, who tended to associate unofficial writing with non-Christian religious practices as they had done all preconquest manuscripts. Others, found by or even presented to colonial administrative officials, were rejected as fraudulent or invalid, usually because they failed to conform to Spanish legal, textual, or narrative conventions. Nevertheless, it should be noted that the division between notarial and quasi-notarial literature is not always clear, both in terms of authorship (the same communities and often the same native notary produced both types of documents) and genre (a quasi-notarial genre such as the primordial title drew upon and even incorporated notarial genres such as land records, petitions, and even testaments).

Examples of non-mundane literature are the poems, annals, and dialogues in what is usually classified as "Classical Nahuatl." In the 1570s a Tetzaco Nahua aide to the Franciscans composed a volume of language lessons in the form of speeches and dialogues that revealed the persistence of a complex culture of reverence, expressed in "a rich

<sup>56</sup> Sahagún, *Florentine Codex*; and *The Conquest of New Spain: The 1585 Revision*, Howard Cline, trans. and S.L. Cline, ed. (Salt Lake City: University of Utah Press, 1989).

<sup>57</sup> Sell, "Friars, Nahuas, and Books"; Terraciano, "Ñudzahui History."

and flowery language of polite social intercourse.”<sup>58</sup> In various ways the surviving Mesoamerican elite sought to use alphabetic literacy to maintain the cultural traditions of their class, often while simultaneously promoting dynasties and the communities they dominated. Maya-language examples are the Pech Titles in Yucatec, the *Popol Vuh* in Quiché, and the *Annals of the Cakchiquels*. Non-mundane Yucatec literature has also survived in the form of the *Books of Chilam Balam*, which are compilations of different kinds of material—calendrical and medicinal information, fables and myth/history, and satire—which differ among the dozen extant versions. The *Books* are anonymous, but were maintained and guarded by a particular cah; indeed, most postconquest Yucatec Maya communities may have kept such records in parallel to the *libros* of official, notarial produce (and some still do).<sup>59</sup> There have also survived in Nahuatl and Mixtec some personal records and correspondence.<sup>60</sup> As non-mundane genres become better understood, the boundaries between genres and categories tend to dissolve. This is proving to be the case with primordial titles (also sometimes called *títulos* or “titles” with respect to some Nahuatl, Mixtec, and Quiché examples, with Yucatec Maya examples traditionally termed “chronicles” (see Table 2). These documents combined the features of many genres, most notably notarial land records and non-mundane community histories, while playing both official and unofficial roles. For example, the Maya primordial titles from the cahob or communities of Calkiní, Chicxulub, and Yaxkukul claim sixteenth-century dates of origin, but their vocabulary and context point to the eighteenth century (from whence date the earliest extant copies). They also share some stylistic and textual common ground with passages from the *Books of Chilam Balam* (which are not primordial titles). Each title begins with an annals-style history of the

<sup>58</sup> Lockhart, *Nahuas and Spaniards*, 6; the manuscript is published as Karttunen and Lockhart, *The Bancroft Dialogues*.

<sup>59</sup> Published *Chilam Balam* editions include Roys, *Chumayel*; *idem*, “The Book of Chilam Balam of Ixil,” in *Notes on Middle American Archaeology and Ethnology* 75 (Washington: Carnegie Institution, 1946): 90-103; Alfredo Barrera Vásquez and Silvia Rendón, eds., *El libro de los libros de Chilam Balam* (México: Fondo de Cultura Económica, 1948); Eugene R. Craine and Reginald C. Reindorp, eds., *The Codex Pérez and the Book of Chilam Balam of Maní* (Norman: University of Oklahoma Press, 1979); Edmonson, *The Tizimin*; *idem*, *The Chumayel*; *Book of Chilam Balam of Nah* (Mexico City: Grupo Dzibil, 1981); Ruth Gubler and David Bolles, *The Book of Chilam Balam of Na* (Lancaster, CA: Labyrinthos, 1997); *Book of Chilam Balam of Chan Cah* (Mexico City: Grupo Dzibil, 1982). Copies of the *Ixil*, *Kaua*, and *Tusik* versions are in Tulane University’s Latin American Library.

<sup>60</sup> Examples are Anderson, Berdan, and Lockhart, *Beyond the Codices*, pp. 198-209 (Nahuatl) and Terraciano, “Nudzahui History,” pp. 107, 626-27 (Mixtec).



TABLE 2

## SOME EXAMPLES OF COLONIAL MESOAMERICAN PRIMORDIAL TITLES

<i>Name<sup>a</sup></i>	<i>Community of Origin</i>	<i>Language</i>
Techialoyan Codices	various altepetl in central Mexico	Nahuatl
Cuernavaca titles <sup>b</sup>	16 titles from Cuernavaca and subject altepetl (central Mexico)	Nahuatl
Chalco titles	Atlauhtla, Cuacuauzentlalpan, Cuijingo, Soyatzingo, Sula, Tetelco, and Santa Marta Xocotepetlalpan (Chalco region, central Mexico)	Nahuatl <sup>c</sup>
Toluca titles	Capulhuac, Ocoyoacac, and other altepetl in the Valley of Toluca (central Mexico)	Nahuatl
Titles of Acapulco	Acapulco (Valley of Mexico)	Nahuatl
Titles of Santo Tomás Ajusco	Ajusco (Valley of Mexico)	Nahuatl
Cuitlahuac titles	Cuitlahuac (Valley of Mexico)	Nahuatl
Los Reyes titles	Los Reyes Acatliscoayan (Valley of Mexico)	Nahuatl
Sultepec titles	Sultepec (central Mexico)	Nahuatl
Titles of Tezcotzinco	Tezcotzinco (Tetzco region, Valley of Mexico)	Nahuatl
[Tulane titles]	Tepopula (Chalco region) and Cecalacoayan (Huejotzingo region, central Mexico)	Nahuatl
Relación de la conquista de Querétaro	Otomí community in Querétaro	Otomí/Spanish <sup>d</sup>

TABLE 2. CONTINUED

<i>Name<sup>a</sup></i>	<i>Community of Origin</i>	<i>Language</i>
Zapotec Titles	Juquila and Totolinga (Oaxaca)	Zapotec
[Valley of Oaxaca Titles]	San Juan Chapultepec and San Martín Mexicapan (Oaxaca)	Mixtec (Chapultepec) and Nahuatl (Mexicapan)
[Titles of Acalan-Tixchel]	Acalan-Tixchel (Tabasco)	Chontal Maya
Chronicle or Codex of Calkiní	Calkiní (Yucatán)	Yucatec Maya
[Pech Titles] <sup>e</sup>	Chicxulub and Yaxkukul (Yucatán)	Yucatec Maya
[Titles of the Xiu]	Maní (Yucatán)	Yucatec Maya
Annals of the Cakchiquels, Memorial de Sololá	Tzololá (Sololá, highland Guatemala)	Cakchiquel Maya
Quiché Titles <sup>f</sup>	about 50 titles from Momostenango, Totonicapán, Utatlán (Santa Cruz del Quiché) and other communities in the Quiché region of highland Guatemala	Quiché Maya

Sources: see notes 61-64.

<sup>a</sup> As used in the historical literature [brackets indicate my designation]; I have defined the genre broadly to include documents not always taken as primordial titles.

<sup>b</sup> Includes the Municipal Codex of Cuernavaca, the Axayacatl Titles, and the Díaz Titles.

<sup>c</sup> For the Sula title only the Spanish translation is extant.

<sup>d</sup> Only a contemporary Otomí-made Spanish translation is extant.

<sup>e</sup> Consisting of the Chronicle of Chicxulub or Chacxulubchen (or Codex Nakuk-Pech) and the Chronicle of Yaxkukul.

<sup>f</sup> Includes the titles of the communities or dynasties of Cajcoj, Cavek, C'oyoi, Ixcuin, Izkin, Nijajib I-IV (IV in Spanish only), Sacapulas, Tamub, Totonicapán, Uchabaja, and Yax, as well as the titles of the Cacicques, and the Popol Vuh.

community or its dominant dynasty, concentrating on the Conquest period, and ends with a survey of community land boundaries. The authors portray themselves as Conquest allies of the Spaniards (also a characteristic of other titles, including some written by Cakchiquels,

Mixtecs, Nahuas, and Otomís), who in gratitude affirmed noble status and territorial boundaries upon pacification of the uncooperative Mayas. Illustrated here is a distinct historical consciousness based more on class than on ethnicity.<sup>61</sup> Close cousins of the Yucatec primordial titles include the Chontal Maya title of Acalan-Tixchel, and a substantial body of documents from highland Guatemala which might be broadly defined as primordial titles. In Cakchiquel these include the *Annals of the Cakchiquels* and the *Historia de los Xpantzay*; in Quiché they include some fifty titles (as identified by Robert Carmack), most of them briefer than their genre equivalents in Nahuatl and Yucatec Maya. The highland Guatemalan texts are closer to the Yucatec titles than the Nahuatl ones in that dynasties feature as prominently—often more so—than communities in self-promotional myth/histories. The *Popol Vuh*, for example, can be seen as an extended history of the Cavek dynasty of the Quiché, and the Tzololá title (the *Annals of the Cakchiquels*) is more concerned with lineage than land boundaries.<sup>62</sup> Maya primordial titles are also cousins to both Mixtec primordial titles and Nahuatl primordial titles and annals. This cultural kinship is par-

<sup>61</sup> See Restall, *The Maya World*, chapters 1, 21; idem, *Maya Conquistador*, which contains English translations of the Calkiní, Chicxulub, and Yaxkukul texts and other related Yucatec sources. The Yaxkukul title is analyzed by William Hanks, "Discourse Genres in a Theory of Practice," *American Ethnologist* 14:4 (1987): 668-692. The Calkiní title is preserved facsimile as William Gates, ed., *The Maya Calkiní Chronicle, or Documents concerning the Descent of the Ah-Canul, or Men of the Serpent, their Arrival and Territory* (Baltimore: The Maya Society, 1935), in facsimile and Spanish translation as Alfredo Barrera Vásquez, *Código de Calkiní* (Campeche: Biblioteca Campechana, 1957), and in Spanish translation in Okoshi Harada, "Los Canules"; part of the Chicxulub is published in Daniel G. Brinton, ed., *The Maya Chronicles* (Philadelphia: Library of Aboriginal American Literature 1, 1882) and preserved in photostat at Harvard and Tulane Universities; copies of the Yaxkukul manuscript are in Tulane University's Latin American Library, and two versions of the final portion of the document are published as Alfredo Barrera Vásquez, *Documento No.1 del Deslinde de Tierras en Yaxkukul, Yucatán* (Mexico City: INAH Colección científica, Linguística 125, 1984).

<sup>62</sup> France V. Scholes and Ralph L. Roys, *The Maya Chontal Indians of Acalan-Tixchel*[1948] (Norman: University of Oklahoma Press, 1968); Restall, *Maya Conquistador*, chapter 3; Adrian Recinos, *Memorial de Sololá, Anales de los Cakchiquels; Título de los Señores de Totonicapán* (Mexico City: Fondo de Cultura Económica, 1950); Heinrich Berlin, "La Historia de los Xpantzay," *Antropología e Historia de Guatemala* 2:2 (1950); Mario Crespo, "Títulos Indígenas de Tierras," *Antropología e Historia de Guatemala* 8:2 (1956); Robert Carmack, *Quichean Civilization: The Ethnohistoric, Ethnographic, and Archaeological Sources* (Berkeley: University of California Press, 1973), pp. 11-79; idem, *Rebels of Highland Guatemala: The Quiché-Mayas of Momostenango* (Norman: University of Oklahoma Press, 1995), pp. xxviii, 415-17; Robert Carmack and James Mondloch, *El Título de Totonicapán: Su texto, traducción y comentario* (Mexico City: Universidad Nacional Autónoma de México, Centro de Estudios Mayas, 1983); idem, *Título de Yax, y otros documentos quichés de Totonicapán, Guatemala* (Mexico City: Universidad Nacional Autónoma de México, Centro de Estudios Mayas, 1989); Munro Edmonson, "Quiché Literature," in Edmonson and Bricker, *Supplement*, pp. 107-32; Hill, "The Social Uses of Writing."

tially colonial and partially Mesoamerican. A Spanish title resulted from a recorded investigation into land claims and subsequent confirmation of sale or grant. Two recently-studied primordial titles from neighbouring communities in the Valley of Oaxaca, one in Nahuatl and one in Mixtec, compare closely to the Yucatec titles in that they too falsely claim to be of Conquest-era vintage and rewrite Conquest events to emphasize the triumph of the author-community over rival indigenous groups (with the Spaniards either defeated or allied to the victors). As with all primordial titles, these documents are historical (and historically valuable) not in the conventional sense of recounting events, but in their illumination of indigenous ways of looking at and attempting to exploit the past.<sup>63</sup> Similar to primordial titles in the southern Mesoamerican languages, Nahua examples borrow from various genres. They are chronologically manipulative (from a Western viewpoint, muddled), and are expressed in a language that is neither quite “classical” nor “colonial” Nahuatl. Although Table 2 is by no means comprehensive, it reflects to some extent the fact that the greatest quantity and variety of extant primordial titles are in Nahuatl, and more are likely to come to light with the attention that the genre is now receiving; for example, Gruzinski, Haskett, Lockhart, and Wood have all recently contributed to our understanding of the extent and variety of Nahua titles, the particular characteristics of the genre, the central relationship between altepetl identity and the titles genre, and the question of how (and how much) primordial titles express a popular consciousness or perspective on corporate community history and identity.<sup>64</sup>

#### CONCLUSION: THE IMPLICATIONS OF INDIGENOUS LITERACY

Writing was clearly one of the ways in which indigenous Mesoamericans exercised political self-rule at the community level. It was also one

<sup>63</sup> Terraciano and Sousa, “The ‘Original Conquest’ of Oaxaca.”

<sup>64</sup> Nahua examples are defined by Lockhart, *Nahuas and Spaniards*, p. 42 as “the rarified language of the high-cultural codices” (classical) and “the quotidian language of mundane post-conquest documentation” (colonial). On Nahua primordial titles see Borah, “Yet Another Look at the Techialoyan Codices”; Enrique Florescano, *Memory, Myth, and Time in Mexico: From the Aztecs to Independence* (Austin: University of Texas Press, 1994), pp. 115-20; Gruzinski, *The Conquest of Mexico*, Chapter 3; Haskett, “Visions of Municipal Glory”; idem, “Paper Shields: The Ideology of Coats of Arms in Colonial Mexican Primordial Titles,” *Ethnohistory* 43: 1 (Winter 1996): 99-126; Lockhart, *Nahuas and Spaniards*, pp. 39-64; idem, *The Nahuas*, pp. 376-392, 410-418; Terraciano and Sousa, “The ‘Original Conquest’ of Oaxaca; and Stephanie Wood, “Corporate Adjustments”; idem, “A Techialoyan Mastermind?”; idem, “The Cosmic Conquest: Late Colonial Views of the Sword and the Cross in Central Mexican Títulos,” *Ethnohistory* 38: 2 (1991): 176-195. See Restall, *The Maya World*, Chapter 21 for some Nahua-Maya primordial title comparisons.

of the ways in which the indigenous economy was documented—often with the encouragement, and to the benefit, of the Spanish colonists. Indigenous literacy had profound nativist and, at the same time, acculturative implications. One of the key themes that emerges from the study of indigenous notarial documentation is the nature of cultural interaction between Spaniards and Mesoamericans during the colonial period. Native-language sources illuminate this process specifically through the use of language and more broadly through the transmission of cultural information, with linguistic change reflecting broader patterns of cultural interaction and evolution.

The way in which Mesoamericans used language not only related to their perception of the colonial society of which they were a part, but also the primary role played by the indigenous community in Mesoamerican self-perception. Indeed, it could be argued that the central theme brought out by the study of indigenous-language documentation is the overwhelming importance of the native municipal community to indigenous organization and identity.<sup>65</sup> Each document typically featured an *altepetl*, *ñuu*, *cah*, or other community of provenance and the “signatures” (names signed by the notary) of the municipal *cabildo* officers. Indigenous alphabetic literacy was a symbol and expression of the independence, authority, and identity of the indigenous community. It was one of the few Spanish introductions subsequently used against the Spaniards by their colonial subjects. Taking the skill originally taught them by Franciscan friars, Mesoamerican community leaders engaged Spaniards, and sometimes triumphed over them, in the colonial law courts.

Ultimately, of course, the legal system was tilted in favor of the Spaniards. That does not mean that by writing documents valid in that system, indigenous communities accelerated their plunge into an interminable cultural twilight.<sup>66</sup> Certainly Spanish efforts to control genres of indigenous writing—from the repression of independent religious and calendrical material to the rejection of land titles that were overly alternative in pictorial or chronological terms—restricted and altered traditional Mesoamerican forms of expression. The cultural

<sup>65</sup> Terraciano sees among Mixtec speakers the same overwhelming sense of local, rather than ethnic, identity that has been emphasized in studies of the Nahuas (Lockhart, *The Nahuas*) and Yucatec Mayas (Restall, *The Maya World*), with the exception of the Mixteca Alta, where *ñuu*-centrism was complemented by a self-perception of regional, linguistic, and ethnic distinctness by the *Ñudzahui*, an aspect of identity that seems to have had preconquest roots (Terraciano, “*Ñudzahui History*,” Chapter 6; Terraciano and Sousa, “The ‘Original Conquest’ of Oaxaca”).

<sup>66</sup> As Gruzinski has suggested: *The Conquest of Mexico*, p. 69.

impact was more profound where Spanish was imposed as the only acceptable written tongue, as in central Mexico in the final colonial decades (and as in the Andean colonies), or where Spanish settlement intensified patterns of cultural change, as in Mexico City.<sup>67</sup> But to suggest that the multitude of documents written in various languages and genres by thousands of native notaries across colonial Mesoamerica primarily indicated assimilation and subjection would be to misunderstand the complex purpose and utility of colonial-era indigenous literacy, particularly its relationship to corporate integrity. Mesoamericans made use of alphabetic writing after the Conquest in a variety of ways to preserve aspects of their past, from traditional cures to myths and histories to social titles and land boundaries; to resist the present demands of colonial rule, from the abuses of priests to excessive labor obligations to threats from acquisitive Spanish landowners; and to secure their future, defending the integrity and territory of community and family through wills, land documents, and non-mundane records. The information conveyed in the text of colonial Mesoamerican notarial literature may have largely been mundane—recording as it did the items of an individual’s meagre estate, the details of a land boundary, the roster of cabildo officers, the labor and goods supplied as taxes by a community. But the context and subtext are profound, providing us, the unintended readers, with unique access to the indigenous political, economic, social, and cultural environment—the worlds of the altepetl, the ñuu, and the cah.

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<sup>67</sup> See Gruzinski, *The Conquest of Mexico*; Klor de Alva, “El discurso Nahuá”; and Lockhart, *The Nahuas*, Chapter 8 for varying discussions of the impact of colonial rule upon Nahuá forms of expression. Gruzinski’s assertion that “writing was the instrument of assimilation, or more precisely of a less subtle and more generalized subjection to the demands of colonial society” (p. 55) may be pertinent to the specific context of the decline of central Mexican pictorial manuscript production, but should not be applied broadly to colonial Mesoamerica. Nor, I suggest, should similar arguments made with respect to the Andes (see, for example, Steve J. Stern, *Peru’s Indian Peoples and the Challenge of the Spanish Conquest: Huamanga to 1640* (Madison: University of Wisconsin Press, 1982); Joanne Rappaport, *The Politics of Memory: Native Historical Interpretation in the Colombian Andes* (Cambridge: Cambridge University Press, 1990); idem, “Object and Alphabet: Andean Indians and Documents in the Colonial Period,” in Boone and Mignolo, *Writing Without Words*, pp. 271–92). With respect to Mexico City, see Kellogg, *Transformation of Aztec Culture*, which is an elaboration of Woodrow Borah’s perspective on the impact upon indigenous culture of the experience of engaging the colonial courts (“The Spanish and Indian Law: New Spain,” in Collier et al., *The Inca and Aztec States*, pp. 265–288); Kellogg argues that the colonial legal system was “a powerful tool of acculturation” (p. xxix) that altered not only indigenous legal culture, but also conceptions of family and gender.