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## CHAPTER 1

### ***Títulos* in Colonial Mesoamerica and Their Highland Guatemalan Context**

As documents written by and for indigenous communities, Mesoamerican *títulos* (Spanish ‘titles’) represented repositories of shared memory, sources for collective identity, and evidence for the historicity of local claims in the face of Spanish colonialism (Florescano 2002:221; e.g., Megged 2009). Although this volume concentrates on a subset of the Highland Maya corpus, *títulos* are also attested for colonial-period Nahua, Mixtec, Zapotec, Purépecha, and other Maya communities in the Highlands and Lowlands of what are now the nations of Mexico and Guatemala (Haskett 2007:2; e.g., Crespo Morales 1968; Recinos 1957; Restall 1998; Romero and Oudijk 2003; Wood 1991). Of these, the Central Mexican *títulos* have received the bulk of scholarly attention to date. They are often specifically referred to as *títulos primordiales* (primordial titles), although some have applied this term more generally to all Mesoamerican *títulos* (e.g., Haskett 2007). This designation reflects these texts’ common association with land records, as well as the “centuries of tradition” these records frequent recorded (Wood 1991:178).

The contents of the *títulos* tend to thematize the upper strata of colonial indigenous society. Carmack and Mondloch (1989:26) identify a democratizing trend in the Highland Maya corpus, arguing that those *títulos* composed later in the sixteenth century were less “elitist” and refer to community members who were generally lower in rank than the protagonists of earlier *títulos*. Nonetheless, even the later protagonists occupied important roles in local society, as indicated by the

indigenous and Spanish honorific titles used to refer to them in the texts. The títulos' contents were often legal in nature, asserting the right of an individual or group to a particular sociopolitical position or property. Indeed, researchers often treat this preoccupation with territorial claims as “diagnostic” of this class of documents, in spite of the recognition that the títulos also contained “historical information” about the land and the communities associated with them (Gibson 1975:320–21). Lamenting their relatively predictable structure and content, Edmonson (1985:119) once characterized them as “mostly dull, anxious, humorless, and repetitive,” with “all the charm of legal briefs.”

Yet títulos comprise a class of documents more diverse than records of noble status or “land titles” (Carmack 1973:19; Quiroa 2011:295; see also Florescano 2002:215–26). Although they do often address issues of territorial possession or sociopolitical position, many also communicate more “fundamental information about an ethnic group's or community's origins, belief systems, and sociopolitical organization” (Haskett 2007:2). Títulos may also feature accounts of mythic origin, like that in the *Título de Totonicapán* (see Carmack and Mondloch 1983); descriptions of dance dramas, as in the *Título K'oyoi* (Carmack 1973:271); genealogies or dynastic lists, like those in the *Título Zapotitlán* (Carmack 1973:42); or retellings of the Conquest, like the *Título de Quetzaltenango y Momostenango* (see part II.5; also Restall and Asselbergs 2007; Wood 2003). In addition, títulos' judicial relevance may have been restricted in practice to local-level negotiations, and they may never have played a significant role in court (Quiroa 2011:301; Wood 1998:227). Limitations on their legal effectiveness likely included the ambiguous territorial boundaries and inexact measurements they often cited in defining indigenous land claims, as well as important differences in the criteria used to delineate these territories (Carmack 1967:11; Wood 2003:111).

Colonial Mesoamerican títulos were composed in Spanish or an indigenous language. However, code-switching and frequent use of borrowed terms attest to the range of cultural and linguistic contact both among Mesoamerican groups and between them and the Spanish colonizers (compare Karttunen 1998:434). Some have even gone so far as to correlate the language of composition with reliability, proposing that those títulos recorded in an indigenous tongue provide more authentic accounts of local society than those written in Spanish (e.g., Carmack 1973:19, 32). Many títulos were eventually translated into Spanish, yet it is likely that most, if not all, were originally written in the native languages of their communities (e.g., Carmack 1973:33–70, though cf. 60). Traces of this phenomenon are preserved in rare cases in which both indigenous and colonial-period Spanish versions of the same text have survived into the present (e.g., *Utítulo rajawarem* and *Utítulo ulew*, see chapter 2). Some Spanish manuscripts explicitly declare their status as trans-

lations. For example, the scribe of the *Título de San Bartolomé La Costilla* introduces the text as “an instrument which consists of two pages written in the Tz’utujil [Mayan] language, which in the Spanish language says the following . . .” (Crespo Morales 1968:104; compare also, e.g., *Título de Cagcoh*, see Bossú 2008:100; *Título de Huitzitzil Tzunun*, see Gall 1963:32).<sup>1</sup>

After their initial production, both original editions and Spanish translations of many títulos were copied, as evidenced by *Utítulo ulew*, the *Título de Quetzaltenango y Momostenango*, and other títulos for which multiple versions exist today. Production of multiple versions disseminated the títulos’ contents across time and space and preserved them for future generations as the original manuscripts degraded. However, some of these copies differed notably from each other or from the original in structure and even in content (Haskett 1996:112; Wood 1998:211; compare Herzog 2013:319). This reality has not been discussed in the scholarly literature beyond its implication for the títulos’ legal value from a Spanish perspective (Wood 1991:178, 1998:227, 2003:109). Yet it has important consequences for attempts to reconstruct these documents’ provenance (Quiroa 2011:298; compare Hanks 2010:113–16), as well as for our understanding of the indigenous contexts in which they were produced. Perhaps more interesting, discrepancies in content between multiple extant copies of the same título, as well as between distinct títulos, hint at critical differences between indigenous and Spanish conceptions of accurately reproducing and transmitting written information (see Mignolo 1992a:313; Wood 1998:211).

Controversy colors our understanding of the Mesoamerican títulos’ chronology. Whereas Highland Maya communities in colonial Guatemala are thought to have composed their títulos primarily in the mid- to late sixteenth century, Central Mexican títulos are typically dated to no earlier than the mid-seventeenth century (Edmonson 1985:116–20; Lockhart 1992:411; Quiroa 2011:298–99). Some insist that the Highland Maya títulos, too, must postdate the sixteenth century, even though many of their contents may be from that period or even earlier (Wood 1991:178–79). Nevertheless, it is probable that many, if not all, known títulos primordiales are themselves copies or translations of earlier editions. As a consequence, researchers working with Central Mexican títulos face similar chronological dilemmas as those confronting scholars of Highland Maya títulos. Furthermore, the dates recorded in some títulos directly contradict those found in other Spanish or indigenous sources, undermining their credibility (e.g., *Título Iskin* and *Título de Quetzaltenango y Momostenango*, see parts II.4 and II.5). Such discrepancies may represent mere

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1 All translations of non-English source materials are mine, unless otherwise noted.

scribal errors, or they may be symptomatic of broader difficulties indigenous authors faced when correlating their calendrical systems with the Julian calendar used by the Spanish (see Smith 2002). Although the dating of the títulos remains in question, the texts themselves seem to have maintained their social significance for generations after their original composition, given that some were cited in legal battles and other contexts generations or even centuries later (Gibson 1975:321). Even those that were never formally brought forth as evidence were carefully stored in local repositories and jealously guarded into the present, or until they were transferred to a larger archive or handed over to a collector.

### ORIGINS OF THE TÍTULOS

Although the títulos' precise genealogy remains contested, existing evidence for their origin points largely to both Spain and pre-Columbian Mesoamerica. Although a título in the Spanish legal tradition often lays claim to a parcel of land, it can also more broadly establish a right or an obligation or authorize employment in a particular sector (Covarrubias Horozco 1611:45v; RAE 2012). As written evidence of the right to property, noble titles, or other privileges or responsibilities, Spanish títulos often justified their assertions by invoking the ephemeral—and legally unverifiable—concept of “tradition” (Arrazola 1849:7–8). Mesoamerican títulos often adopt a similar strategy, citing historical accounts that could not be legally confirmed, such as dates and other details of pre-Conquest events. Many indigenous títulos also conclude with the (purported) signatures of legitimating witnesses, typical of European-style legal texts (e.g., *Utítulo rajawarem*, *Utítulo ulew*, and the *Título de Quetzaltenango y Momostenango*, see part II; compare, e.g., Muñoz y Rivero 1889:187, 402). In an example of both linguistic and cultural translation, they often reference dates using the European calendar (e.g., June 15, 1542, in *Utítulo ulew*; compare, e.g., Muñoz y Rivero 1889:191, 405) rather than the indigenous calendars that were widely used throughout the colonial era and that, in some regions, remain in use to this day (see Tedlock 1992; Weeks, Sachse, and Prager 2009).

Although these colonial Mesoamerican texts are designated as títulos by modern scholars, if not metalinguistically within the documents themselves (though cf. Lockhart 1992:411), they often differ notably from the Spanish legal documents after which they are named. First, a single Mesoamerican título frequently combines traits of multiple Spanish legal genres. Many resemble a Spanish *probanza* (proof) or *ejecutoria* (letters patent) in structure and content (e.g., *The Title of Acalan-Tixchel*, Restall 1998:55–56; see Faudree 2015:608–9; Scholes and Roys 1968). Of these, some are even explicitly identified as such in the text, often in addition to being designated as títulos. Traditionally, a Spanish *probanza* documented a legal investigation

into the validity of a statement or claim; an *ejecutoria*, in turn, evidenced an individual's nobility (Gonzalez Arnao 1826:539; RAE 2012). The influence of these Spanish legal document classes on indigenous títulos is particularly perceptible in the Nija'ib' *Utítulo rajawarem* (see part II.1). Described internally as a título, *probanza*, and *ejecutoria*, this text records the date and place of its claims, supporting statements from witnesses, references to multiple officials within the Spanish administration, and the qualifications of the individuals petitioning for their rights and privileges to be respected. This format approximates that of the colonial-era *probanzas* in which the conquistadors recorded their service, background, and witness support to submit to the Crown for just compensation (Kramer 1994:37; Lovell and Lutz 2013:125–26; e.g., *Probanzas del Capitán Gonzalo de Alvarado*, see Gall 1967). Some Mesoamerican títulos are even embellished with European-style coats of arms, a strategy that visually legitimized the authors' claims to authority while also asserting their resistance to Spanish colonial domination (Haskett 1996).

On top of these Spanish influences, the títulos inherited an array of functional and formal characteristics from the indigenous traditions of their communities. The history of these diverse strategies of graphic and oral recordkeeping extends far back into pre-Columbian times (Wood 1991; see Boone and Mignolo 1994; Mignolo 1992a). As such, it is likely that many communities in, for, and by which the títulos were composed already possessed a tradition of collectively preserving their past and present before the introduction of the Roman alphabet (Carmack 1973:11–19; Lovell 2005:47). Central Mexican and Lowland Maya codices, *lienzos*, and other extant documents from the immediate pre-Conquest and early colonial era present some of the most prominent manifestations of this practice (e.g., Boone 2007; Nowotny 2005). Although no pre-Columbian written records from Highland Guatemala are known to have survived into the present, scholars generally agree that communities in this region also possessed a written tradition prior to the arrival of Europeans and that it more closely resembled that of Central Mexico than the hieroglyphic writing of the Maya Lowlands (Carmack 1973:11–19; Maxwell 2015:554–57; e.g., Hill 2012a).<sup>2</sup>

Traces of pre-Columbian notational genres appear in the títulos to varying extents and in various guises. For instance, a single título may integrate features of the narrative histories characteristic of chronicles, the chronologically structured records preserved in annals, the iconographic material characteristic of pictorial

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2 Edmonson (1985:117) specifically asserts that Highland Maya títulos display “a clear continuity with the Toltec literature of the late Postclassic.” However, this claim appears to assume that they uniformly record a creation story and an explicit line of (noble) descent from historical ancestors, which is not true of all títulos (e.g., *Titulo Iskin*, see chapter 2).

codices, or a combination of these traits (Gibson 1975:321; e.g., Hill 2012a; Maxwell 2015:556–57). The Nija'ib' *Título de Quetzaltenango y Momostenango* narrates an extensive account of pre- and post-Conquest K'iche' Maya military engagements, following an episodic structure comparable to the opening section of the Kaqchikel *Xajil Chronicles* (see Maxwell and Hill 2006:part II:1–225). On the other hand, the initial pages of the *Título de Totonicapán* offer a day-by-day narration of God's creation of the world (see Carmack and Mondloch 1983:167–68; compare the latter section of the *Xajil Chronicles*, Maxwell and Hill 2006:part I:14–15, see part II:226–463). This structure, which is typical of the annals genre, has been identified in títulos from Xochimilco as well (Wood 1991:180). Moreover, in an example of influence from indigenous pictorial traditions, several buildings (*tz'aq*) of the Ajaw K'iche', Nija'ib', and Kaweq divisions of the K'iche' illustrate the initial folios of the *Título de Totonicapán* (Carmack and Mondloch 1983:38). The same document also displays a double-headed eagle with a European-style coat of arms, which is similar to those in Central Mexican títulos that Haskett (1996) and Gutiérrez (2015) identify as symbols of an indigenous historiography of autonomy and resistance (see Carmack and Mondloch 1983:40). Even the *Título de Quetzaltenango y Momostenango* is interspersed with a few sketches of both European and indigenous weaponry (see part II.5A; compare also Carmack 1995:figure 13).

Other studies have highlighted the role of pre-Columbian orality in shaping the structure and content of colonial-period títulos. For instance, Mesoamerican títulos often diverge from the linear chronological structure typical of European narratives, subtly connecting and blending past and present events in a manner that could be considered inaccurate or misleading by European standards (Haskett 1996:101). It is possible that indigenous títulos were even intended to be performed aloud, as Hanks (2010:112–14, 287, 2015:659–64) has argued for contemporaneous documents composed by the Yucatec Maya. Although most research on this subject addresses Central Mexican títulos primordiales, many correspondences identified between written documents and indigenous oral tradition are valid for Highland Maya títulos as well (e.g., Quiroa 2011:293; compare Hanks 2015:659–64).

The rise of títulos therefore did not represent a new tradition of recordkeeping as much as an innovative development in a preexisting custom. Indigenous traditions of writing and discourse interacted with those introduced by the Spaniards to produce a hybrid documentary form that did not fully conform to the parameters of any of its original sources (Megged 2009:2–5; Quiroa 2011:295–97; Restall 1997; Romero and Oudijk 2003; see Herzog 2010:342–48). Mignolo (1989) refers to the wide-ranging process of cultural hybridization that produced the títulos as “colonial semiosis,” the blending of indigenous traditions of oral and written discourse with European alphabetic writing and literary genres. The precise form of these

hybrid documents could vary significantly depending on the indigenous traditions that influenced their composition, among other parameters of their contexts of creation and use. Furthermore, the indigenous traditions underlying the títulos may also have influenced each other's development over the course of extended interaction between the pre-Columbian inhabitants of Central Mexico and those of the Guatemalan Highlands (e.g., Braswell 2003a). But perhaps the most obvious and widespread manifestation of the títulos' hybridity is their most fundamental physical trait: their composition in the Roman alphabet, a writing system of Old World origin that was adapted to record indigenous languages unrelated to the European languages for which it was originally developed (see chapter 4).

### IDENTIFYING A DOCUMENT CLASS

Individual títulos vary—at times significantly—in their subject matter. As such, definition of a título genre, if one can even be reached, relies more on form than on content (Frauke Sachse, personal communication 2014). Highland Maya títulos frequently begin with a metalinguistic declaration of their purpose and identity (e.g., as a “título, probanza, secutorio” [title, proof, letters patent] in *Utítulo rajawarem* and *Utítulo ulew*). Many that do not open with such a statement include it elsewhere in the text (e.g., *Titulo de Quetzaltenango y Momostenango*). A community-oriented narrative that includes direct or indirect claims to certain privileges or rights tends to dominate the body of the text. At their conclusion, títulos often restate their purpose, affirm their date and location of composition, and provide the names or signatures of several witnesses. Yet in spite of its prevalence, this structure is by no means absolute. The document that Carmack (1973:31) designates as the *Titulo Tamub'*, for example, focuses primarily on historiography rather than on land claims and does not cite supporting witnesses. Perhaps the more prevalent trait shared among the Highland Maya títulos is their explicit, text-internal designation as títulos. Yet even this feature does not apply to all documents that scholars have designated as títulos, including the *Titulo Tamub'* (see Contreras 2008:113–27).

Any characterization of títulos as comprising a coherent genre must also account for differences between Highland Maya títulos and Central Mexican títulos primordiales. Restall (1998:56–57) identifies four foundational components of Central Mexican títulos primordiales: a portrayal of the Conquest, a narration of the community's history, assertions of continuity in the community's sociopolitical elite throughout and after the Conquest, and a concluding discussion of territorial claims. While many Highland Maya títulos share at least some of these features, they often diverge in content from simple discussions of territory and also do not categorically thematize Conquest portrayals. Lockhart (1992:411) also notes that the títulos

primordiales are generally not identified as títulos in the texts themselves. This pattern contrasts with that attested in many Highland Maya títulos (e.g., *Utítulo rajawarem*, *Titulo Iskin*, *Título de Quetzaltenango y Momostenango*), although this distinction would need to be confirmed by an exhaustive review of the entire corpus of Mesoamerican títulos. In sum, however, the variable content and structure of the títulos drafted in various regions of Mesoamerica problematizes assumptions of their coherence as a unified, conventionalized genre defined by these parameters.

Function has proven to be a similarly frustrating criterion for defining a genre. Scholars have generally limited their discussion of the títulos' intended and actual function to the legal realm. According to Quiroa (2011:295), Highland Maya títulos were devised "to meet legal requirements for territorial disputes between Spanish and indigenous people and possibly between the different Maya ethnic groups." A more fatalistic perspective holds that they merely represented "rather a litigious and industrious attempt on the part of doomed noble lineages to stave off their destruction by wearying Spanish courts with petitions and appeals" (Edmonson 1985:119). Some títulos, such as *Utítulo ulew* (Carmack 1973:35), were in fact invoked to resolve legal disagreements between two indigenous communities (e.g., Hill 1992:135–37) or "to support claims to office and title in the Spanish system" (Edmonson 1985:116). Even so, others have challenged these blanket portrayals of títulos, maintaining that they were never intended to be legal documents or at least that most of them likely never appeared in court (Karttunen 1998:434; Quiroa 2011:301; Wood 1998:227). Indeed, if the judicial function of these texts was indeed as primary as scholars have assumed, the question arises as to what role content such as the dance dramas and mythical narratives documented in some títulos would have played in legal proceedings.

Furthermore, Highland Maya títulos and Central Mexican títulos primordiales originated in distinct cultural, political, and geographic contexts. This reality cautions against uncritically categorizing all Mesoamerican títulos as members of a unified genre. Although interaction between inhabitants of these regions easily predates the arrival of the first Europeans (e.g., Braswell 2003a; Campbell, Kaufman, and Smith-Stark 1986; Fox 1987; Vail and Hernández 2010), the sociopolitical and cultural foundations underlying the títulos these communities produced are not equivalent. A strong, centralized Aztec polity controlled much of Central Mexico during the early sixteenth century, whereas communities in Highland Guatemala were geographically and politically more dispersed (Lovell 2005:59–60; e.g., Braswell 2003b). These differences in sociopolitical organization likely shaped interactions between pre-Columbian scribes and other elites in the respective regions, as well as the development of scribal tradition. For instance, Spanish sources suggest that, during the early colonial period, writing was employed in a wider range of sociopolitical

contexts in Central Mexico than in Maya communities (Houston 1994:43n14). This evidence may simply reflect Spaniards' biased under-representation of the functionality of Maya hieroglyphs relative to Central Mexican writing in the sixteenth century. Yet it is also plausible that the larger-scale Aztec state in fact needed writing in a broader range of administrative, economic, and other contexts than did the smaller-scale, more segmentary Maya polities (Houston 1994:43n14).

The Spanish Conquest also impacted the two regions differently. The process was significantly more protracted in Highland Guatemala than in Central Mexico. Whereas the conquistadors were able to control much of Central Mexico by virtue of having subjugated the powerful Aztec polity, in the Guatemalan Highlands they became embroiled in a protracted series of battles against individual indigenous groups that extended over almost two decades (Lovell 2005:59–60). Furthermore, whereas Mexican allies contributed to the Spaniards' military campaign in Guatemala (e.g., Matthew 2007), there is no evidence of Highland Maya warriors aiding the Spanish in their conquest of Central Mexico.<sup>3</sup> Consequentially, while the constellation of social groups comprising early post-Conquest Highland Maya society included a contingent of Central Mexican invaders-turned-settlers (see Matthew 2007, 2012), the reverse cannot be said for Central Mexico. Enclaves of Nahuatl speakers from Central Mexico had resided in the Highlands since pre-Columbian times (Fowler 1989:51–56; e.g., Matthew 2007:107). Yet the Conquest-era arrivals differed in that their status as allies of the conquistadors often afforded them a privileged position in the nascent colonial society relative to indigenous Highlanders (Matthew 2007:112–15; e.g., Juarros 1823:78).

Moreover, indigenous Central Mexicans and Highland Maya communities did not experience Spanish colonial rule identically. Spanish *congregación* (congregation) policies and the *encomienda* (charge, duty) and *repartimiento* (distribution) systems disrupted traditional social organization and practices of territorial division in both regions, as explained in more detail in the following section. However, the colonial administration was quicker to consolidate in Central Mexico than it was in Highland Guatemala, an outcome of the differing rates of conquest (Bakewell 2010:142). For example, the first Spanish Audiencia (high court) on the American mainland was established in Mexico City in 1527, with the Guatemalan Audiencia not following until a decade and a half later (Bakewell 2010:142). In part as a result of these differing rates of political development, Guatemalan indigenous populations experienced more exploitation under Spanish *encomienda* demands for tribute and labor than did those in Central Mexico or the Yucatán Peninsula, for example

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3 Some indigenous Guatemalans did, however, accompany the Spaniards in their incursions into other areas to the south, including Honduras and Peru (MacLeod 1973:101).

(Kramer 1994:12–13). In addition, encomienda obligations in Central Mexico, unlike those in Guatemala, were oriented more toward tribute than labor in keeping with the Aztec precedent established prior to the Conquest (Kramer 1994:13).

Even the religious experiences of the two regions diverged. Of the various Catholic orders that sent representatives to the newly acquired Spanish colonies, the Franciscans and Dominicans were the first to arrive and consequentially exercised the most influence in New Spain, particularly during the early colonial period (Schwaller 2011:62–65). The dominant religious order in Central Mexico, at least initially, was that of the Franciscans, the first Christians to establish a presence in that region. While the Franciscans were apparently also the first to arrive in Highland Guatemala, the Dominicans soon established a stronger presence and exercised more influence there during the sixteenth and seventeenth centuries than did the Franciscans (Jones 1994:61; Schwaller 2011:64; van Oss 1986:33–35, 43).

Because the Catholic orders assumed responsibility for instructing the indigenous peoples in both Christianity and Spanish civilization, educational reality varied across Mesoamerica as a function of religious affiliation. Franciscans such as Pedro de Gante founded important centers for educating Nahuatl-speaking pupils—including induction into the friars' strictly regimented lifestyle (Kobayashi 1985:179–80). These schools in Central Mexico were already blossoming before either order had established a significant presence in Guatemala (Tavárez 2011:28; Morales 2008; see Kobayashi 1985; Mathes 1982). Yet it was the Dominicans who would lead the pedagogical charge in the latter region. Driven by their conviction that education was the most expedient means to conversion, members of this order were the first to establish formal centers of primary and higher education in Guatemala (Jones 1994:63; Patridge 2004:20–22). They were led in this initiative by Bishop Francisco de Marroquín, who founded a school for young boys in 1548 and the Colegio de Santo Tomás Aquino for secondary education in 1562 (Patridge 2004:20–22). Highland Maya communities acknowledged in their own records the Dominicans' efforts to instruct them. The only figure the Kaqchikel authors of the *Xajil Chronicles* honored with the appellation *nima ajtij* (great teacher) was the Dominican friar Domingo de Vico, today known primarily as the author of the monumental *Theologia Indorum* (Sparks 2014:403; see Maxwell and Hill 2006:part II:301).

Critically, the Franciscans and Dominicans also differed fundamentally in their approaches to the indigenous population, at least during the early colonial era. Whereas the latter emphasized formal religious instruction as the road to civilization and salvation, the former placed more value on observation and emulation of the friars' own godly behavior as the most effective mode of conversion (Mills, Taylor, and Graham 2002:60; Schwaller 2011:63, 268; e.g., Lightfoot 2004:60–62). As a consequence, methods of instruction by religious figures differed, with Dominicans

emphasizing knowledge acquisition over the behavioral emulation the Franciscans prized. Yet even their means of communicating Catholicism to their indigenous pupils differed in some respects. Whereas the Franciscans introduced Spanish *dios* to refer to the Christian God, for example, the Dominicans preferred to translate the concept using indigenous terms for deities (Remesal 1932:354–55). Nevertheless, members of both orders in Mexico and Guatemala generally resisted granting indigenous peoples and mestizos the right to be ordained, as well as access to the specialized study and training required for such a step (Paz Haro 1992:26–27).

In summary, scholars' proposals of a connection between the Central Mexican títulos primordiales and Highland Maya títulos are founded on the texts' many shared features in structure, content, and hybrid origin. The two document classes indeed share common roots in the social conditions of post-Conquest Mesoamerica and in Spanish and indigenous literary and oral practices. They also manifest similarities in structure and content, including thematization of territorial and sociopolitical rights and occupation with the affairs of the indigenous elite. Nonetheless, the two título varieties' chronologies and trajectories of development were shaped by the local cultural, political, and social contexts in which they were composed, which must be accounted for in comparative studies of the two corpora of documents. While perhaps insufficient to demarcate a conventionalized título genre, the various differences and similarities in structure, content, and origin between títulos from different periods and regions of Mesoamerica do support their membership in a looser document class whose inventory of possible but not necessary traits includes text-internal classification as a título, assertion of territorial or sociopolitical claims, and articulation of witness support.

Significantly, however, one feature that seems to be common to all títulos is their documentation of the community's past to support present and future claims to sociopolitical legitimacy and power (Matsumoto 2016a). Perhaps the most notable of the many strategies título authors pursued to this end is the frequent invocation of the "antiquity" of their sociopolitical and territorial claims (Edmonson 1985:116), often with reference to ancestral figures (e.g., *Utítulo rajawarem*, *Título de Quetzaltenango y Momostenango*, *Título de Totonicapán*, see Carmack and Mondloch 1983) or prominent members of colonial society, such as K'iche' leaders, Spanish clergymen, or conquistadors (e.g., *Título de Quetzaltenango y Momostenango*). On the basis of such evidence, they presented written—and consequentially authoritative—accounts of history and contemporary reality from the perspective of those individuals with the resources to commission them. Tucked away in local archives for much of their lives, these paper-and-ink repositories of shared memories recorded rights demanded in the present for the benefit of future generations. Furthermore, as authoritative, albeit subjective, narratives of the past

and present, they functioned as instruments in local-level power negotiations that shaped the community's collective identity in an era of significant social and cultural change (Matsumoto 2016a).

## SIXTEENTH-CENTURY COLONIAL REALITY IN HIGHLAND GUATEMALA

The rise of Highland Maya and other Mesoamerican *títulos* as a recognizable document form is a phenomenon whose origins and causes are not fully understood. What is clear, however, is that the development of these texts was strongly influenced by the post-Conquest sociopolitical context in which they were created. The *títulos* came into being in a relatively newly minted colonial society in which relations between members of diverse indigenous groups and between the original inhabitants and the newly arrived Spaniards were in flux. Furthermore, the sixteenth-century Highland communities that had survived the incursion were significantly weakened in political, economic, and cultural vitality, having lost not only their political autonomy but also significant segments of their territory and population to European soldiers and disease (see Jones 1994:17–30).

The Spanish colonial infrastructure gradually took shape in the Guatemalan Highlands in the wake of Alvarado's initial conquests in 1524 (see Jones 1994:31–57). As it established itself, the colonial government tightened its grip on its indigenous subjects, enacting a number of measures to target their sociopolitical, economic, and cultural existence. One key that was both a means and an end was the spread of Catholicism, a process that began soon after Alvarado's arrival in the Highlands and was directly concerned with the spiritual conversion of non-Christian indigenous peoples (Jones 1994:58). However, Catholic missionaries also served a political function by aiding the government in administrative tasks, establishing infrastructure, and enforcing colonial policies, particularly in more rural areas (Jones 1994:58, 81–83; van Oss 1986:36–37). Furthermore, Catholic missionizing was intended to “civiliz[e]” the indigenous peoples in a broad sense (Jones 1994:58). Indeed, one of the Church's greatest legacies in colonial Highland Guatemala was its role as a cultural ambassador. Members of its religious orders directly and indirectly communicated to and established among indigenous communities such aspects of Spanish culture as farming and husbandry techniques, sociopolitical institutions, and—particularly critical in the context of the *títulos*—the Spanish language and alphabetic writing (Jones 1994:58).

Other efforts by the colonial administration to control the indigenous inhabitants were more directly political in nature. One Spanish policy that played a particularly important role in the rise of the *títulos* was *congregación*, also referred to as *reduc-*

*ción* (reduction) (Quiroa 2011:300). This policy, initiated in 1540 by Guatemala's first bishop, the Dominican Francisco de Marroquín, mandated that dispersed indigenous communities be gathered into settlements (*pueblos de indios*, lit. villages of Indians) founded specifically for this purpose (Jones 1994:88–89; van Oss 1986:15–17; Zamora Acosta 1985:150–51). The primary goal of congregación was to bolster Spanish control over the indigenous population by dictating its geographic distribution and, in many cases, by concentrating multiple communities into a single settlement. At its very heart, congregación was founded in the long-standing Spanish belief that residence in an administratively recognized, permanent settlement was a necessary prerequisite for legal membership and productive participation in society (Herzog 2003:52–59). By relocating indigenous peoples to towns under its jurisdiction, the colonial administration thereby hoped to facilitate their reception of Catholicism and European civilization and to institutionalize their segregation from European colonists (Jones 1994:87–89; Lovell 2005:77–82; Zamora Acosta 1985:149–50; see Remesal 1932:243–44).

The policy of congregación was never realized in full, nor did it produce the particular results the Spaniards had originally envisioned (see Lovell 1990; Lovell and Swezey 1990). Nonetheless, it provided the colonizers with several far-reaching benefits. Indigenous labor became easier to manage because congregated groups were typically resettled closer to their *milpas* (agricultural fields) than they had been in pre-Columbian times (MacLeod 1973:121, 128; Zamora Acosta 1985:159–63). Congregación thereby facilitated the Spaniards' acquisition of the tribute and labor contributions the indigenous communities owed them under the *encomienda* system, discussed in more detail below (MacLeod 1973:121, 128; see Lovell and Lutz 2013:tables 12–18). By relocating and concentrating the local population, the Spanish also expedited their appropriation of land that had previously belonged to indigenous residents, land with which they intended to acquire natural resources, pursue animal husbandry, and generally expand their personal wealth (MacLeod 1973:122–23).

Although the initial resettlement process of congregación had been realized by 1550 (MacLeod 1973:122), its manifold sociopolitical effects on indigenous society were long-lasting, and not all of them were explicitly intended under the original policy. The most direct consequence was that indigenous residents were (often forcibly) removed from the territories they had historically occupied and that thus had constituted an important aspect of their identity (Jones 1994:89; e.g., Lovell 1988:33–34; Remesal 1932:244–47). Adjustment to these new residences was complicated by the fact that the congregated settlements were modeled on the Spanish standard, with the heart of the town centered on a church opening onto a central plaza surrounded by streets intersecting in a grid layout (Lovell 2005:78; see

Remesal 1932:244–49). In addition to giving symbolic and physical priority to the non-indigenous Catholic Church, this layout was much more strictly regimented than the more nucleated structure typical of indigenous settlements (e.g., Carmack and Weeks 1981; Remesal 1932:243). Congregación thus fundamentally affected indigenous communities' relationship with the surrounding physical landscape. It also generated social upheaval, as groups that had traditionally considered themselves distinct and been associated with different segments of territory in the pre-Columbian landscape were thrown together in the same or adjacent communities (Lovell and Swezey 1990:29–35; MacLeod 1973:123–25; Zamora Acosta 1985:156–73). This forced integration restructured society geographically and thereby obscured past associations between social and territorial divisions. As a consequence, the process altered indigenous patterns of interaction and conceptions of social organization. Such violent changes were palpable even when the affected groups nevertheless endeavored to continue differentiating themselves within the confines of their new settlements (Lovell 2005:80–82).

What is more, congregación suppressed traditional indigenous sociopolitical structures in favor of a Spanish-organized system of local government, itself subordinated to the colonial administration (Jones 1994:88; MacLeod 1973:136). Indigenous officials populated the administration of each *pueblo de indios*; however, the congregated towns were by no means autonomous, as they were still subject to the control of Spanish civil and religious officials (Jones 1994:88). Moreover, congregación inevitably contributed to *mestizaje* (racial and cultural “mixing”), the very phenomenon the Spanish colonial government had explicitly sought to avert with this policy. It was not uncommon for indigenous and European individuals to move into each other's neighborhoods, and the frequency with which indigenous residents took up employment in Spanish-inhabited districts and intermarried with individuals of Spanish descent accelerated the process of *mestizaje* (Jones 1994:88).

Another policy that shaped the development of the Highland Maya *títulos* is the *encomienda*. According to this system, Spaniards received from the Crown the right to exact tribute and labor from a particular segment of the indigenous population (Jones 1994:25–26; Kramer 1994:1–2; Zamora Acosta 1985:243–83). In addition to rewarding conquistadors for their service and generally incentivizing European settlement, the *encomienda* system supported the colonial project by controlling the indigenous population and fulfilling Spanish demand for indigenous labor (Jones 1994:95; Kramer 1994:7). This latter factor was particularly important for colonists seeking to maximize the land's agricultural potential after 1548, when the Spanish Crown's official ban on slavery in its colonies came into force in Guatemala (Jones 1994:95). In theory, the arrangement was reciprocal; in return for their gains, Spanish *encomenderos* were expected to feed, house, educate, and protect their

indigenous tributaries (Jones 1994:25–26; see Remesal 1932:242). In practice, however, encomenderos often exploited local laborers for their own economic benefit and awarded little compensation for the tribute and work they extracted (Jones 1994:99). The *encomienda* system persisted in Highland Guatemala through the eighteenth century, although the extent of the benefits and power an encomendero gleaned from his *encomienda* gradually decreased over time (Lovell 2005:95–96).

The local populations of Highland Guatemala were also subjected to a second, partially parallel system of indigenous labor: the *repartimiento de trabajo* (distribution of labor). Unlike the *encomienda* system established before it, indigenous employment under *repartimiento* was only temporary, and workers were compensated with a fixed wage and provided with work tools, food, and housing (Jones 1994:103). Again, however, reality was much less favorable to the indigenous participants. As was the case in the *encomienda* system, laborers were commonly abused, often in the form of insufficient compensation or refusal to provide the food and equipment necessary for work (Jones 1994:103–4). The Spanish settlers, in contrast, benefited socially as well as economically from this policy. In addition to facilitating their access to labor for the colonists' agricultural pursuits, *repartimiento* enhanced their control over the indigenous population (Lovell 2005:104). Furthermore, it extended access to indigenous labor to a larger proportion of Spanish colonial society than had been previously eligible under the *encomienda* system (Lovell 2005:104). Given the Spanish demand for indigenous manpower, it comes as no surprise that *repartimiento* persisted through the eighteenth century, gaining momentum as the *encomienda* system declined (Jones 1994:102).

In summary, indigenous society in Highland Guatemala underwent significant sociopolitical and cultural transformations in the early colonial era. The colonial government's increasing control over indigenous communities within the context of the *congregación*, *encomienda*, and *repartimiento* policies, as well as interactions between Spanish colonists and indigenous peoples generally, were reshaping the preexistent sociopolitical landscape. Extensive resettlement under *congregación* significantly modified preexisting relationships between the various segments of indigenous society. The composition of society was changing as well: in addition to the European settlers, Highland society had to accept an influx of Mexican immigrants during this period. Many of these newcomers had participated in the Conquest as allies of the Spanish and consequentially occupied a problematic position with respect to local Highlanders (Quiroa 2011:301; e.g., Sherman 1970). These transformations of indigenous settlement patterns, community relations, and sociopolitical structure demarcated a "radical break from the ancient order" (Florescano 2002:222), particularly from the perspective of the indigenous elite (Edmonson 1985:120). Local Highland groups were forced to redefine their collective identity,

which had historically drawn on relationships to other indigenous groups and ties to temporal and geographic aspects of the surrounding landscape (see Sampeck 2014a, 2014b; compare pre-Columbian Maya context, e.g., McAnany 2013:22–110; Tokovinine 2013).

In spite of the losses they suffered, indigenous elites were not entirely disenfranchised in the Spanish colonial system. Indeed, it was in the colonizers' interest to maintain a vigorous indigenous upper class that would stabilize the new colonial society, convey Spanish culture to their community members, and aid the colonizers in maintaining control over their subject populations (MacLeod 1973:137). Nonetheless, the rights and privileges the most influential members of indigenous society had previously enjoyed were no longer guaranteed under the colonial administration. Members of the local elite had to fight to preserve their previous privileges and rights, including the elevated social status and sway over local political affairs they had enjoyed during pre-Columbian times (Carmack 1986:67). One method for achieving these goals—a strategy they had in fact been using since pre-Columbian times—was to produce written records of their claims and the historical precedents underlying them (Arnauld 1998:41; Herzog 2013:304–13; Quiroa 2011:301). Thus, the *títulos* in colonial Highland Guatemala continued the indigenous tradition of wielding and negotiating sociopolitical power by means of documentary sources. Their authors were provoked on the one hand by challenges colonial policies presented to the status quo, including their position in local society. On the other hand, they were driven by a desire to assert territorial and sociopolitical rights similar to those claimed by Spanish colonists within the *congregación*, *encomienda*, and *repartimiento* systems (see also Quiroa 2011:299–300). It is in this context of change and adaptation that the five Nija'ib' K'iche' *títulos* in Garrett-Gates Manuscript no. 101 were penned, and it is to these documents that our attention turns in chapter 2.