

A Republic of Lost Peoples: Race, Status, and Community in the Eastern
Andes of Charcas at the Turn of the Seventeenth Century

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There is a locally famous sign along the highway between the Bolivian cities of Vallegrande and El Trigal that marks the turn-off for the town of Moro Moro. It reads: “Don’t say that you know the world if you don’t know Moro Moro.” Although this dissertation began as an effort to study the history of Moro Moro, and more generally the province of Vallegrande, located in the Andean highlands of the department of Santa Cruz de la Sierra, the research and writing process has made me aware of an entire world of Latin American history. Thus, any recounting of the many people who have contributed to this project must begin with the people of Moro Moro themselves, whose rich culture and sense of regional identity first inspired me to learn more about Bolivian history. My companions in that early journey, all colleagues from the Mennonite Central Committee, included Patrocinio Garvizu, Crecensia García, James “Phineas” Gosselink, Dantiza Padilla, and Eloina Mansilla Guzmán, to name only a few.

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Dedication

For Kimberly, Natalie, and Micah, who made it possible.

Abstract

This dissertation explores a period between the 1570s and 1620s when the Audiencia of Charcas (Modern Bolivia) was beset with problems. During this time, the Eastern Andean frontier emerged as an idealized space where the chaotic social elements that plagued Charcas, both within and without, might be more effectively placed under royal authority. The discovery and exploitation of resources in the Viceroyalty of Peru, particularly silver mines, had set in motion new patterns of human migration and mixture that would fill Spain's Peruvian cities with a rabble that some would parse as *la gente suelta*: the Empire's loose or lost peoples. This growing throng, including ambitious immigrants and disaffected children of the conquistadores, seemed to threaten the fragile order that Spanish officials had established. Moreover, Spanish control of Peru remained incomplete and tenuous. Just east of Potosí, raids of the Chiriguano and other unconquered indigenous groups crippled the development of the region's emerging agrarian hinterland. In the frontier, idealized cities and their jurisdictions were seen as sites where royal authorities would knit together the region's growing Spanish and mixed-race transient population, fugitive African and indigenous slaves and servants, and unconquered peoples, into an orderly republic, a community bound together under the rule of law.

Over six chapters, this dissertation explores how a diverse set of actors applied Iberian ideas about vagrancy, urban planning, racial difference, and frontier geopolitics to the specific conditions of Potosí and its eastern hinterlands. I find that royal officials and prospective city founders often weighed the social reputation of frontier settlers against

the realities of recruitment, allowing for social mobility by people of African descent. Unlike previous studies, which have analyzed either tensions within Potosí itself or Spain's often violent relationships with unconquered peoples, this dissertation redefines the Eastern Andes as a contested internal space, shaped by the localized aspirations of the many people who strove to possess the region's land and resources. In the frontier, low-status colonists elaborated new notions of collective honor, rooted in a shared heritage of frontier service, to pursue individual rights and privileges unavailable to them in Charcas's urban core.

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Introduction

No soy de aquí, ni soy de allá
No tengo edad, ni porvenir
y ser feliz es mi color
de identidad
--Facundo Cabral, 1970¹

Desde mis montañas
Nieve, viento y sol,
He bajado al valle
Pa verte, mi amor.

He bajado al valle
Con una canción,
Llena de perfumes
Nieve, viento y sol

Traje la esperanza.
Traje la emoción
Y solo desdenes
Me llevo de vos.
--Enrique Carrera Sotelo, Antonio Molina, 1937²

Almost nothing went as planned in the new settlements that the Spanish empire constructed in the Eastern Andean frontier of the Spanish Audiencia of Charcas (Modern Bolivia). During the late sixteenth and early seventeenth centuries, Spanish city planning concepts and medieval notions of citizenship, property rights, and social difference warped and changed as they collided with the realities of settling the frontier. This

¹ "Biografía," Homenaje a Facundo Cabral, accessed 7-30-2017, <http://www.facundocabral.info/biografia.html>.

² Antonio Molina and Enrique Carrera Sotelo, *Nieve, viento y sol: canción norteña* (Buenos Aires: J. Korn, 1937).

dissertation explores the creation and early development of one of the very first and most enduring frontiers in the Americas both as a physical, inhabited place, and as a conceptual space that frontier residents and distant officials would invoke and develop over many years of correspondence, lawsuits, land disputes, and pension requests. Contributing to a scholarly debate about how frontiers differ from other kinds of social spaces, this study charts the many ways in which Spanish notions of political community, jurisdiction, and taxonomies of honor and social status were mediated by the experience of conquering and settling the Eastern Andean frontier. In it, I argue that the Eastern Andes served as a canvas upon which to project Spanish anxieties about the realities of race mixture and cultural change that resulted from the Spanish conquest of Peru as well as the setting where such anxieties could be potentially resolved. At the same time, I argue that frontier settlers manipulated tropes surrounding the frontier and leveraged the institutions created in the frontier, particularly the foundation of Spanish frontier towns and cities, to pursue wealth, honor, and autonomy in a manner that often put them at odds with the crown and its many representative officials. These republics of the “lost peoples” of Peru neither cured the perceived social ills of the conquest nor did they bring peace and prosperity to the Eastern Andean frontier, but they did serve as spaces from which frontier settlers might elaborate new notions of community and selfhood in the Eastern Andes.

At the turn of the seventeenth century, the Audiencia of Charcas, an administrative division of the Viceroyalty of Peru, was the center of judicial and administrative authority for an area of the Spanish Empire that stretched southward from

Cuzco to Chile, and eastward to the Spanish settlements in Tucumán, Paraguay, and the Río de la Plata estuary, including the city of Buenos Aires.³ The audiencia's capital, La Plata, was located in the Andean highlands, just a few miles from the region's largest city, Potosí, which served as the center of the silver mining industry for all of Spanish South America. Yet just a short distance to the east, the eastern slopes of the Andean mountains, called the Cordillera Oriental or Eastern Andean Range, quickly declined in altitude until they merged into a vast region of tropical plains. Technically part of the audiencia's jurisdiction, much of the Eastern Andean Range and the eastern plains were, in fact, Indian country, a region dominated by native people who had not been conquered by Spain, particularly a Guaraní-speaking community known to Spaniards as the Chiriguano.⁴ Given its proximity to these centers of regional administrative and economic power, Spain's inability to bring this Eastern Andean frontier under Spanish control and safeguard the region's cities, towns, and rural estates from Chiriguano raids made the frontier the focus of ongoing concern and anxiety for the entire colonial period.

Of the various frontier regions of Spanish America, the Eastern Andes of Charcas are likely the least familiar to historians of colonial Latin America. Studying the region, therefore, offers tremendous potential to cast new light on the changes taking place within Spanish America at the turn of the seventeenth century. The Audiencia of Charcas itself is perhaps most closely associated with the economic administrative reforms

³ Barnadas, *Charcas: Orígenes Históricos de una Sociedad Colonial (1535-1565)* (La Paz: Centro de Investigación y Promoción del Campesinado, 1973), 525-532; *Latin American History and Culture*, ed. Barbara A. Tenenbaum (New York: Scribners, 1996), 2:80-81.

⁴ Ignacio Gallup-Díaz describes "Indian Country" as "a place devoid of Spanish settlers and institutions," in "'Haven't We Come to Kill the Spaniards?' The Tule Upheaving in Eastern Panama, 1727-1728," *Colonial Latin American Review* 10, no. 2 (2001), 254.

initiated by Peruvian Viceroy Francisco de Toledo (1569-1581) that led to improvements in silver production and, more dramatically, the forced resettlement of native Andeans into Spanish-style towns and the intensification of the indigenous *mita* labor system called the *mita*.⁵ In terms of sheer numbers, the irreparable harm done to native Andean cultural and community life by Toledo's "Great Resettlement" has no equal. However, the turn of the seventeenth century was a period of great anxiety throughout Spanish America over the destabilization of social hierarchies of difference, and questions regarding the legality of the conquest, the limits of just war theory, and the problems associated with governing an increasingly global empire from Spain. In light of this wider context, one of the central aims of this dissertation is to emphasize the extent to which Spanish officials believed themselves to be surrounded by disorder—Spanish Peruvian society, its institutions, and sometimes even the land itself seemed to have neared the brink of chaos. As a complement to existing studies on the impact of the Great Resettlement upon native Andeans, my work focuses on the roughly parallel preoccupation of royal officials, like Toledo, with the behavior and residency patterns of Peru's growing non-Indian population: its Spaniards, Africans, mestizos, and *mulatos*. And like the region's dispersed native Andean population, many royal officials believed the solution to the disorders associated with non-Indians was the creation of new

⁵ Alberto Crespo Rodas, "La Mita de Potosí," *Revista Histórica* (Lima) 22 (Dic, 1955), 169-182; Alberto Crespo Rodas, "El Reclutamiento y Los Viajes en la 'Mita' Del Cerro de Potosí," *La Minería Hispana e Iberoamericana: Contribución a Su Investigación Histórica* Vol. 1. Ponencias del 1 Coloquio Internacional Sobre Historia de la Minería (Catedra de San Isidoro: Leon, 1970), 467-482; Peter Bakewell, *Miners of the Red Mountain: Indian Labor in Potosí, 1545-1650* (University of New Mexico Press, 1984); Jeffrey A. Cole, *The Potosí Mita, 1573-1700: Compulsory Indian Labor in the Andes* (Stanford University Press, 1985); Jeremy Ravi Mumford, *Vertical Empire: The General Resettlement of Indians in the Colonial Andes* (Duke University Press, 2012).

ciudades de españoles, cities for non-Indians. Yet these cities were typically not located in the densely-populated highlands, but in Peru's frontier regions, areas of Chile, Tucumán, and in the area examined in this dissertation—the Eastern Andean frontier.

During the roughly fifty years that serve as the temporal focus of this study, from the 1570s to the 1620s, the Eastern Andean frontier was envisioned as the setting where royal viceroys and governors could solve two intransigent problems: the threat of unconquered indigenous peoples to the east and a growing mixed-race and transient population in Charcas's urban centers. Royal officials termed such individuals *la gente suelta*, the lost or loose peoples of the Empire, whose mobility they sought to curtail and whose labor they also sought to harness for the security of the Empire. The migrants' mobility had detached them from the relationships that composed colonial Andean society: they had no known profession or patron, were absent from tax rolls or militia rosters, and living far from their families and home parishes. As people out of context, it was difficult to identify such individuals using ethnoracial labels, legal categories of personal freedom, taxability, local citizenship, and parish affiliation. Given their detachment, migrants became unidentifiable, dangerous, and potentially destabilizing subjects. Turning this vagrant population into permanent frontier citizens and residents would re-connect the *gente suelta* to the influences of priests, city councils, wives and family, estate owners, and military leaders and keep nearby urban centers safe from attack.

Or so it was imagined. As many frontier settlers complained, the Eastern Andes offered few attractions: the region had neither the mineral riches of the famous Potosí

silver mines nor the surplus labor of the indigenous highlands. Although the Eastern Andes did draw a substantial settler population from highland cities, few stayed for long. The order that Spanish officials sought to establish in both the highland cities and the Eastern Andean foothills continued to be elusive as well. The Eastern Andean frontier remained an unstable and permeable membrane between Spain's Andean empire and the unconquered east.⁶ But the fifty years of frontier settlement efforts discussed in this dissertation provide us with a window into the mechanisms of Spanish colonialism in Peru at a moment when the region's leadership, at a variety of scales of authority and influence, attempted to come to terms with what social order could or would look like in Charcas. We are not presented with a single vision of colonial society, but with multiple and sometimes opposing visions in a new world of race mixture, social and physical mobility, and unfamiliar landscapes and peoples that was Charcas at the turn of the seventeenth century.

Republics

The title of this dissertation, "A Republic of Lost Peoples" hints at a paradox in the various ways that Spanish officials sought to govern the Eastern Andean frontier at the turn of the seventeenth century. On the one hand, the social disorder associated with the rapid transformation of Charcas from a newly conquered region into the center of silver production for the Spanish Empire was perceived as a threat to the common good and damaging to the republic (*república*). But the creation of a new republic, or rather

⁶ For instance Magnus Mörner. *La Corona Española y los Foraneos en los Pueblos de Indios de America*. (Stockholm: Almqvist and Wikseel, 1970), 125.

“republics,” was perceived as the solution, the most obvious tool for bringing order out of the social and spatial disorder that followed the conquest of Peru. Parsing these seemingly incongruous positions requires a brief exploration of early modern Spanish notions of ‘republic.’

For the modern reader, such references to republics likely suggest a representative system of government, the sense in which term is typically understood in the United States of America. Another common meaning of republic is “a state without a monarch,” which not only recalls the modern republican nation state, but also evokes the memory of republican Rome. But Spaniards living in the early modern period did not conceive of a republic as either representative government or anything approaching a modern nation. For them, *república* signified “*res pública*,” what Everdell calls the “public thing,” the social contract that bound communities of people together under the rule of law. And the model for this kind of social organization was not a nation or even an administrative division like Charcas, but cities and towns governed by the laws and customs of Castile.⁷

In summing up early modern Spanish notions of sovereignty, historian Francisco José Aranda Pérez has argued that the source of Spanish royal authority was not the nation in some abstract sense, but the cities of Spain collectively.⁸ Similarly, Helen Nader has argued that the Spanish Trastámara dynasty, to which Isabela of Castile belonged,

⁷ William R. Everdell, *The End of Kings: A History of Republics and Republicans*. 2nd Ed. (Chicago: University of Chicago Press, 2000), 2, 3, 11; Abelardo Levaggi, “El Concepto de República en Fuentes Clásicas,” from “República de Indios y República de Españoles en los Reinos de Indias,” (SciELO, 2001).

⁸ “A la altura de mediados del siglo XVIII, muy lejanos ya las veleidades del humanismo quinientista, todavía se admitía casi míticamente que el poder real emanado no del pueblo sino *de los pueblos...*” [emphasis in the original] Francisco José Aranda Pérez, “Un reino de repúblicas. Comunidades políticas ciudadano-oligárquicas y su representación en la Castilla Moderna,” in *Las Ciudades españolas en la Edad Moderna: oligarquías urbanas y gobierno municipal* (Oviedo: KRK Ediciones, 2014), 27.

and their successors, the Habsburgs, intentionally pursued a policy that favored the creation of new municipalities and the greater decentralization of the institutions that composed the Spanish state as a strategy for increasing royal power at the expense of the Spanish nobility.⁹ City residents collectively recognized royal authority over their community and the sovereign, in turn, recognized the community's right to self-governance and charged them with maintaining peace within their municipal jurisdiction.¹⁰ That Spanish officials in Peru would likewise see the city-republic as the chief mechanism for extending royal sovereignty into the lands controlled by the Chiriguano was entirely in keeping with the policies of the sovereign they represented.

At the same time, the rights and privileges associated with citizenship, as seventeenth-century Spaniards would have imagined it, were not exercised at a national scale, but within the city where an individual resided and owned property. Citizenship as *ciudadanía*, meaning full membership in a local community, made the city or town the site where individuals primarily exercised local customary laws (*fueros*) regulating rights and privileges, and took on the responsibility of maintaining peace.¹¹ In that sense, the order that royal authorities sought within their jurisdictions began with the self-ordering (*policía*) that emanated from the institutions of civic life and the generation of civic virtue.¹² This was not a status enjoyed by all city residents, however. Only a small elite enjoyed full citizenship in the community, generally those already at the top of the local

⁹ Helen Nader, *Liberty in Absolutist Spain: The Habsburg Sale of Towns, 1516-1700* (Baltimore: Johns Hopkins Press, 1990), 81, 207-208.

¹⁰ Nader, 208; Aranda Pérez, 27, 36-37, 38.

¹¹ Lauren Benton, "Making Order out of Trouble: Jurisdictional Politics in the Spanish Colonial Borderlands," *Law and Social Inquiry* 26:2 (2001), 380.

¹² Aranda Pérez, 27.

economic and social hierarchy. In that sense, the city, as a symbol and seat of social order, was a fundamentally hierarchical and unequal society and, thus, a microcosm of Spanish society more broadly.¹³

At the same time, discursively, the notion of republic could also be used to describe a collection of individual communities (“the republics”) or even, speaking metaphorically, of an entire society, a representation of the common good.¹⁴ As a metaphor for the common good or, more precisely, Christian society, the republic was a symbol of the social order that had to be protected from harm. It was in the defense of this broader notion of republic that the Spanish kings devised laws barring groups such as “Hispanicized Africans” (*negros ladinos*) from coming to the Indies, or removing “idle, vagrant, and poor persons” (*personas ociosas, vagabundos y pobres*) who had come to the Indies without license.¹⁵ Likewise, it was in the name “Christian republic” that the

¹³ Aranda Pérez, 29; Richard L. Kagan and Fernando Mariás. *Urban Images of the Hispanic World, 1493-1793* (New Haven: Yale University Press, 2000), 9-11; Ana María Presta, “Desde la Plaza a los barrios: Pinceladas étnicas tras las casas y las cosas. Españoles e indios en la ciudad de la Plata, Charcas 1540-162,” *Nuevo Mundo Mundos Nuevos* (Jan. 10, 2010), pars. 11, 43; Tamar Herzog, *Defining Nations: Immigrants and Citizens in Early Modern Spain and Spanish America* (New Haven: Yale University Press, 2003), 6-8.

¹⁴ Viceroy Montesclaros speaking of the need to remove gente suelta from “qualquiera república bien ordenando” but also of “los ministerios comunes de la republica universal,” (Lima, 5-26-1609) AGI Lima 36; Similarly, audiencia oidores spoke of the “bien de la republicas” in a letter to the King (La Plata 3-1-1612) AGI Charcas 19 R2 N27; Mörner, *Corona Española*, 18.

¹⁵ *Recopilación de Leyes*, lib. ix, tit. Xxvi “de los pasajeros,” ley xviii, issued by don Carlos, Sevilla, 5-11-1526 and re-issued by la empress, Medina del Campo 1-13-1532, “Que no pasen á las Indias negros ladinos, ni se consientan en ellas los que fueren perjudiciales” because “con que si los dichos negros fueren perjudiciales á la república, nuestras justicias los destierren y echen de ellas [Indias]”; *Recopilación de Leyes*, lib. ix, tit. xxvi, ley lxiv issued by Felipe III San Lorenzo 4-21-1618, “Que los virreyes, presidentes y gobernadores sepan que personas hay en sus distritos que hayan ido sin licencia, y los envíen presos á estos reinos,” saying “para que sean castigado severamente como está ordenado, mayormente porque semejantes personas ociosas, vagabundos y pobres, son de embarazo al buen gobierno y es justo limpiar la república de este género de gente....”

kings of Spain established the Holy Inquisition in the Indies.¹⁶ The flexibility of the notion of republic explains how Spanish officials might refer to the Chiriguano as “enemies of the Republic of Peru” at the same time as they might use the term to reference only the challenges faced by local communities—as a shorthand for Christian society, a republic could be as large or as small as the discursive circumstances demanded.¹⁷

The notion of republic that included the community of Christian society bound together by the rule of law would take on a new meaning in the Indies. There, royal officials began to speak conceptually of two republics, the “Republic of the Spaniards” and the “Republic of the Indians.”¹⁸ The recognition of the indigenous peoples of the Indies as a “republic” reflected the Spanish recognition of indigenous peoples as capable of reason and virtue and, thus, orderly society, but also as a people in need of particular instruction in matters of faith and governance as well as protection from the abuses of non-Indians.¹⁹ Yet in referring to indigenous society in general terms, Spaniards were still very much aware that indigenous peoples lived in distinct communities, which they also

¹⁶ *Recopilación de Leyes*. lib. 1, tit. xix “de los tribunales del santo oficio” ley primera, Felipe II, El Pardo, 1-25-1569 and Madrid 8-16, 1570. Re-issued by Felipe IV for the *Recopilación*. “Fundación del Santo Oficio de la Inquisición en las Indias” saying “y beneficio de la república cristiana.”

¹⁷ The oidores of the Audiencia of Charcas described Lorenzo Suarez de Figueroa as serving “en la Guerra contra los indios chiriguanaes enemigos de la republica de Piru,” (La Plata 2-13-1584) AGI Charcas 48; Friar Sebastián de la Concepción described Tarija as “esta república” and “republica cristiana,” (Tarija Jan 7, 1618) AGI Charcas 51;

Alvaro Dávila Arce described the gente suelta in Potosí as “dañosos en esta república ...,” (Potosí, 1-1-1596) AGI Charcas 44; Similarly, don Gerónimo de Ondegardo referred to Potosí as “esta república,” (Potosí, 12-15-1590) AGI Charcas 43; The *cabildo* referred to San Lorenzo de la Barranca as “esta república,” (San Lorenzo, 3-2-1681) and as the “Cabildo y Republica” of San Lorenzo (5-19-1679), but also a notion of plural republicas in the “reinos del Peru,” AGI Charcas 15.

¹⁸ *Recopilación de Leyes*, lib 4, tit. 1, ley 1, issued by Felipe II, “Ordenanzas de Poblaciones.” “Que antes de conceder nuevos descubrimientos se pueble lo descubierto,” stating “se pueble, asiente y perpetúe, por paz y concordia de ambas repúblicas.”

¹⁹ Levaggi, *passim*; Mörner, *Corona Española*, 11; Herzog, *Defining Nations*, 45, 48, 61.

recognized as republics, such as the crown's recognition of the specific rights and privileges it owed to the republic of Tlaxcala in Mexico.²⁰ In a sense, speaking in terms of republics as representing all of Christian society remained metaphorical, a representation of Spanish and indigenous society as separate and different from each other. However, this notion of republic was also aspirational and, in many ways, utopian, in that it reflected a social division that the king and his officials sought to maintain in reality, by crafting laws that demanded the ongoing segregation of one community from the other, or the re-segregation of societies where the lines between Indians and non-Indians had become blurred.²¹ And while Spanish officials might refer to indigenous and Spanish republics more broadly, the mechanism of this imagined segregation was, again, the well-ordered city: cities for Spaniards, and cities for Indians too.

Spanish officials do not appear to have thought of Africans and peoples of mixed ancestry, either conceptually or juridically, as ordered into a separate republic. For these officials, individuals of mixed ancestry did not constitute an obvious conceptual community, but an indeterminate social position. There would be no "Republic of Africans," "Republic of Mestizos," or "Republic of *Mulatos*," but a simple bifurcation of the social complexities of the Indies that swept all Indians into a single republic and all

²⁰ *Recopilación de Leyes*, lib. 6, tit. 1, ley 39, "Los virreyes de Nueva España honren y favorezcan á los indios de Tlaxcala y a su ciudad y república." Issued by Felipe II, Pobleto 4-16-1585; Also cited in Luis Armando Ramírez Salvatierra, "Situación Jurídico, Política y Social de las Personas en le Virreinato de la Nueva España," Ph.D. diss. (Universidad Nacional Autónoma de México, 2014), 37; Ana Díaz Serrano, "La República de Tlaxcala Ante el Rey de España Durante el Siglo XVI," *Historia Mexicana* 61:3 (243), Novohispanos en la Monarquía (Enero-Marzo, 2012), 1049-1107; Israel Cavazos Garza et al., *Constructores de la nación: La migración tlaxcalteca en el norte de la Nueva España* (San Luis Potosí: El Colegio de San Luis, 1999); Guillermo Lohmann Villena, *Juan de Matienzo, Autor del "Gobierno del Peru"* (Escuela de Estudios Hispano-Americanos, 1966).

²¹ Levaggi, Section III "De las Repúblicas Indígenas a la "República de los Indios" Frente a la "República de los Españoles."

non-Indians into another. That is not to say that there were not efforts to enunciate new discursive identities out of this indeterminate social position. In fact, this dissertation will describe several such attempts. But it does appear to be true that such efforts were not widely accepted and were generally of short duration at the turn of seventeenth century. More commonly, mestizos appear to have sought recognition of their rights as full citizens within the *república de españoles*, and not as a separate corporate community, metaphorical or otherwise.²²

That said, one of the objectives of this dissertation is to emphasize how early modern Spanish notions of the African subject shaped the discourse and policy surrounding frontier settlement planning in the Eastern Andes, essentially the creation of new republics, at the turn of the seventeenth century. During that time, Spanish officials returned again and again to questions surrounding the proper social and economic place

²² William B. Taylor, "The Foundation of Nuestra Señora de Guadalupe de los Morenos de Amapa," *The Americas* 26:4 (Apr., 1970), 439-446; A much later example is German de Granda, "Origen, Función y Estructura de un Pueblo de Negros y Mulatos Libres en el Paraguay de Siglo XVIII (San Agustín de la Emboscada)," in *Revista de Indias*, vol. 43:171 (1983), 229-264; Thierry Saignes and Therese Bouysson-Cassagne, "Dos Confundidas Identidades," *Senri Ethnological Studies* 33 1992, 24; Rossana Barragán, "Entre Polleras, Lliqlas y Ñañacas: los mestizos y la emergencia de la tercera república," *Etnicidad, Economía y Simbolismo en los Andes* Eds. Silvia Arze, Rossana Barragán, Laura Escobari, et al. (Institut Français d'études andines, 1992), 85-127; Berta Ares Queija, "Un borracho de chicha y vino," *Mezclado y Sospechoso: Movilidad e identidades, España y América (siglos xvi-xviii)* Colección de la casa de Velázquez 90 (2005), 142; Charles Beatty Medina. "Caught Between Rivals: The Spanish-African Maroon Competition for Captive Indian Labor in the Region of Esmeraldas during the Late Sixteenth and Early Seventeenth Centuries," *The Americas*, vol. 63, no. 1, The African Diaspora in the Colonial Andes (Jul, 2006), 113-136; Nicanor J. Dominguez, "Rebels of Laicacota: Spaniards, Indians, and Andean Mestizos in Southern Peru During the Mid-Colonial Crisis of 1650—1680," Ph.D. diss. (University of Illinois at Urbana-Champaign, 2006); Larissa Brewer-Garcia, "Bodies, Texts, and Translators: Indigenous Breast Milk and the Jesuit Exclusion of Mestizos in Late Sixteenth-Century Peru," *Colonial Latin American Review* 21:3. (Nov. 2012), 365-390; Rachel Sarah O'Toole, *Bound Lives: Africans, Indians, and the Making of Race in Colonial Peru*, Pitt Latin American Series (Pittsburgh: University of Pittsburgh Press, 2012); Felipe E. Ruan, "Andean Activism and the Reformulation of Andean Agency and Identity in Early Colonial Peru," *Colonial Latin American Review* 21:2 (2012), 209-237; Karen Graubart, "Slavery and the Problem of Governance in Early Spanish America, 1492-1600," Annual Meeting of the AHA in Denver, 1-7-2017.

of Africans and individuals of mixed African descent (*afromestizos*) within the Andean mining and agricultural sectors.²³ They disagreed over questions of surveillance and physiology, segregation and subordination. Yet this dissertation will show that some of them discussed how persons with criminal backgrounds and even mixed ancestry might be accepted as local citizens, or *vecinos*, in the frontier.

An individual's ability or inability to acquire *vecindad* (local citizenship) in a given community shaped their access to rights and responsibilities associated with local customary law, a community's *fueros*. Tamar Herzog's work on *vecindad* and *naturaleza* (origin) during the early modern period in both Spain and the Americas has shown that a common way of acquiring formal recognition as citizens of a particular city or town was simply to comply with expected obligations and assume particular rights. Herzog makes it clear that in the Americas, formal proceedings to certify *vecindad* at the local level were gradually abandoned during the seventeenth century. Instead, *vecindad* became a tool for excluding non-Spaniards, even as it expanded the boundaries of Spanishness.²⁴ Where Herzog explored this question using, in part, petitions for recognition of local citizenship in town councils in Spain and the Americas, this dissertation will explore the extent to which questions surrounding the nature of *vecindad* were debated in urban planning documents from the period, such as the *Ordinances of Discovery and Settlement* of 1573, as well as settlement charter petitions (*capitulaciones*) from the turn of the seventeenth century. As expedition leaders prepared to found cities in the Eastern Andean

²³ On early usage of the term "*afromestizo*" see Gonzalo Aguirre Beltrán, *La Población Negra De México: Estudio Etnohistórico*, Colección Tierra Firme (México: Fondo De Cultura Económica, 1972).

²⁴ Herzog, *Defining Nations*, 2-3, 7, 62-63, 159-161; Leon G. Campbell, "Foreigner in Peruvian Society during the Eighteenth Century," *Revista de Historia de América* 73/74 (Jan.-Dec., 1972), 153-163.

frontier, they argued with audiencia judges and Peruvian viceroys over the proper place of Africans and *afromestizos* in frontier settlements. Could Africans be *vecinos* and landowners in certain circumstances, or should they be subjects and slaves—or excluded completely from frontier settlements? These discussions were constantly woven through discussions of citizenship, surveillance, labor, and Andean geopolitics.

In considering efforts to bring order to both indigenous and Spanish republics in Peru as part of a single colonial project, this work owes a great debt to the scholarship of Magnus Mörner. His 1970 work, *La Corona Española y los Foráneos en los Pueblos de Indios de America*, was one of the first to take up the question of how the Spanish crown attempted to create the clear division between indigenous and Spanish society that Spanish law increasingly demanded, as well as how exactly royal officials expected to maintain what turned out to be an impossible separation.²⁵ Like Mörner’s work, this study explores the philosophy, theology, and jurisprudence that supported the division of the Indies into Spanish and indigenous “republics” as well as how such laws and policies were enacted on the ground. Such an approach implies an attention to changes in discourse at different scales of authority, as efforts to create formal divisions between Indians and non-Indians shifted from the transatlantic to the regional to the local scale and back again. In this sense, I hope to extend Mörner’s analysis by exploring how the visions of various Spanish officials, city planners, and frontier settlers did or did not coincide regarding the execution of the crown’s numerous, often contradictory, policies regarding the segregation of peoples in the Indies. This study also looks particularly

²⁵ Mörner, *Corona Española*, 12.

closely at the discourse surrounding vagrancy and vagabonds and its associations with the creation of Spanish towns and cities in the Americas.²⁶ And while Mörner explores the discourse on vagrancy more generally, this dissertation looks closely at how Spanish officials imagined and described the *gente suelta* of Charcas at the turn of the seventeenth century. As I emphasize in later chapters, Spanish officials, prospective city founders, and frontier settlers disagreed about the proper role of the *gente suelta* in frontier settlements and in frontier society more generally. And at times, these same figures even disagreed about the identities of frontier residents and whether or not they were individuals who merited honorable treatment and local citizenship. Like the transformation of the human environment implied by the Great Resettlement, the creation of new cities for non-Indians had spatial implications as well, not only in that they facilitated the dispossession of one group by another, but also in that they transformed relationships between the people and the land.

Colonial Categories of Difference

Although the *gente suelta* were worrisome to colonial officials, the discursive space they inhabit within available documents and the relationship of this discourse to actual conditions in colonial Peru has received little attention from scholars of Latin America. Part of the problem is that the questions that drive our research tend to focus our inquiries upon specific, seemingly discrete groups: indigenous peoples, African slaves, Spanish elites, and others. What is lacking within the historiography is a study

²⁶ The classic study is Norman F. Martin, *Los Vagabundos en la Nueva España. Siglo XVI* (Editorial Jus. Mexico, 1957).

that embraces the heterogeneity and liminality of the *gente suelta* within colonial society. The *gente suelta* may have been Africans, Indians, and Europeans, but they were also persons with multiple affiliations.²⁷ It was this indeterminacy or perceived indeterminacy that Spanish officials found particularly difficult from the perspective of governance, as it made such persons difficult to track or even identify in practical terms.

For Spanish officials, much of what was distressing about the migrant poor was what James Scott might call their social and spatial *illegibility*. As illegible subjects, the *gente suelta* could not be identified or sorted into one of the colonial taxonomies of difference, particularly the so-called *sistema de castas* or “caste system” that long dominated our thinking about ethnoracial difference in the Americas.²⁸ Here *casta* potentially implied both lineage and mixture in the early modern Spanish documents. Another measure, one’s *calidad*, literally ‘quality’ or, more accurately, reputation, was generally inferred from a number elements, including lineage, social behavior, dress, and place of origin.²⁹ Yet the migrant’s mobility often rendered the migrant unclassifiable by these and other measures: they had become detached from relationships within which they could be identified by colonial institutions by ethnoracial labels, or sorted into categories such as slaves, taxable subjects, local citizens (*vecinos*), and parishioners. Nor could colonial officials readily resolve this illegibility. As a euphemism for social

²⁷ Here I am thinking of what Spivak describes as the “irretrievably heterogeneous” subaltern subject. Gayatri Chakravorty Spivak, “Can the Subaltern Speak?” in Cary Nelson and Lawrence Grossberg (eds), *Marxism and the Interpretation of Culture* (London: Macmillan, 1988), 26.

²⁸ Joanne Rappaport, “‘Asi lo parece por su aspect’: Physiognomy and the Construction of Difference in Colonial Bogotá,” *Hispanic American Historical Review* 91:4 (2011), 605.

²⁹ Robert McCaa, “Calidad, Clase, and Marriage in Colonial Mexico: The Case of Parral, 1788-90,” *The Hispanic American Historical Review* 64:3 (1984), 477-478.

disorder and mixed ancestry or *casta*, the *gente suelta* were disorder set in inscrutable motion. This last spatial element was a key part of the officials' difficulty: migrants could not easily be found, either because they were in isolated settings, or because they remained unrecognized in a new setting.³⁰

Even the migrant body was illegible. Locating that body in space was not enough—it had to be located within colonial society. As Ann Stoler has recognized, colonial authority was partially constructed on the premise that the line separating colonizer from colonized was self-evident. Thus, both royal and ecclesiastical officials were charged with finding places for such individuals on either side of that division within colonial society, and early modern notions of lineage and purity of blood conditioned the *correct* places for these individuals within society. A visual inspection would not have been sufficient: over the past few decades historians have come to recognize that racial and ethnic differences often had little to do with phenotype, but involved a complex assortment of signs related to clothing, cultural practices, and language. The identity of a particular subject was not so much intrinsic as it was inferred from their associations with other objects, individuals, and practices. In this way, the implications of the detachment of migrants from recognizable colonial relationships become clearer—these relationships were sites where social categories were created or at

³⁰ I understand this kind of sorting as meant to produce what Michel Foucault describes as a “describable, analyzable, object” from “The Means of Correct Training (From *Discipline and Punish*),” in *The Foucault Reader*. Paul Rabinow, ed. (New York: Pantheon, 1984), 202; James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998), 3, 220; Herzog, *Defining Nations*, 28, 217 note 52.

least maintained. Without them, migrants became unidentifiable, dangerous, and potentially destabilizing subjects.³¹

However, this study finds that the behaviors and social attributes that signaled social detachment in the Americas, and specifically Peru, were often linked to the corporeal attributes associated with individuals of mixed ancestry. Within a discourse that hoped to maintain clear divisions between Spanish and indigenous communities and also maintain familiar Spanish social hierarchies, individuals of mixed ancestry and even Spaniards who had been born in the Americas seem to have been particularly targeted as *gente suelta* in Spanish American society. This is not to say that the language of vagrancy

³¹ Magnus Mörner, *Race Mixture in the History of Latin America* (Boston: Little, Brown, 1967); Patricia Seed, "Social dimensions of race: Mexico City, 1753," *The Hispanic American Historical Review* 62, no. 4 (1982): 569-606; Anne Stoler, "Making Empire Respectable: The Politics of Race and Sexual Morality in 20th-Century Colonial Cultures," *American Ethnologist*, Vol. 16, No. 4 (Nov., 1989), 635; Ann M. Wightman, *Indigenous Migration and Social Change: The Forasteros of Cuzco, 1570-1720*. Durham: Duke University Press, 1990; Karen Vieira Powers, "Resilient Lords and Indian Vagabonds: Wealth, Migration, and the Reproductive Transformation of Quito's Chiefdoms, 1500-1700," *Ethnohistory* 38:3 (Summer, 1991), 225-249; David P. Cahill, "Colour by Numbers: Racial and Ethnic Categories in the Viceroyalty of Peru, 1532-1824," *Journal of Latin American Studies* 26:2 (1994), 327; Douglas R. Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City 1660 to 1720* (Madison: University of Wisconsin Press, 1994), 22-23, 37-38, 54, 162; Ana María Alonso, *Thread of Blood: Colonialism, Revolution and Gender in Mexico's Northern Frontier* (Tucson: University of Arizona Press, 1995); Vieira Powers, "The Battle for Bodies and Souls in the Colonial North Andes Intra-ecclesiastical Struggles and the Politics of Migration," *The Hispanic American Historical Review*, vol. 75, no. 1 (Feb., 1995), 39; Karen Vieira Powers, *Andean Journeys: Migration, Ethnogenesis, and the State in Colonial Quito* 1st ed. (Albuquerque: University of New Mexico Press, 1995); Richard Boyer, "Negotiating Calidad: The Everyday Struggle for Status in Mexico," *Historical Archaeology* 31:1 (1997), 64; Sueann Caulfield mentions Stern's 1995 book *The Secret History of Gender* and Alonso's *Thread of Blood* from the same year, along with many other studies from this time in "The History of Gender in the Historiography of Latin America," *Hispanic American Historical Review* 81:3-4 (2001), 455, note 10; Carolyn Dean and Dana Leibsohn, "Hybridity and Its Discontents: Considering Visual Culture in Colonial Spanish America," *Colonial Latin American Review* 12:1 (June 2003), 6; Sarah Chambers, "Little Middle ground. The instability of a Mestizo identity in the Andes, eighteenth and nineteenth centuries," *Race and Nation in Modern Latin America* (2003): 32-55; Leo Garofalo and Rachel Sarah O'Toole, "Introduction: Constructing Difference in Colonial Latin America," *Journal of Colonialism and Colonial History* 7:1 (Spring, 2006), paragraphs 9 and 10; Kathleen DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent* (Philadelphia: University of Pennsylvania Press, 2006); Rappaport, 625; Juliana Barr, "Geographies of Power: Mapping Indian Borders in the 'Borderlands' of the Early Southwest," *The William and Mary Quarterly* 68:1 (January 2011), 5-46.

played the same role in evolving notions of ethnoracial difference as did, for example, early modern notions regarding purity of blood or humoral theory. Instead, vagrancy and social detachment seems to be one of the major discourses that individuals like the Spanish officials featured in this dissertation used to articulate their thinking about the social impact of ethnoracial difference as they struggled to identify the proper place for individuals of mixed ancestry and even American-born Spaniards, or creoles, within Spanish American society.³²

³² Sergio Bagú, *Estructura Social de la Colonial: Ensayo de Historia Comparada de América Latina* (Buenos Aires: Librería “El Ateneo,” 1952), 112, 113; Ángel Rosenblat, *La población indígena y el mestizaje en América: El mestizaje y las castas coloniales*. Vol. 2. (Editorial Nova, 1954); Martin, 58; Konetzke, “Los Mestizos en la Legislación Colonial,” *Revista de Estudios Políticos* 112 (1960), 113-130; Mörner, *Corona Española*, 76; Jack D. Forbes, *Africans and Native Americans: The Language of Race and the Evolution of Red-Black Peoples* 2nd ed. (University of Illinois Press, 1993), 129; Bernard LaVallé, *Promesas Ambiguas: Ensayos Sobre el Criollismo Colonial en Los Andes* (Pontificia Universidad Católica del Perú, 1993); Carmen Bernand and Serge Gruzinski, *Historia del Nuevo Mundo: Los Mestizajes (1550-1640)* (Fondo de Cultura Económica, 1996); Berta Ares Queija, “El papel de Mediadores y la Construcción de un Discurso Sobre la identidad de los Mestizos Peruanos (Siglo XVI),” *Entre dos Mundos: Fronteras Culturales y Agentes Mediadores* eds. Berta Ares Queija and Serge Gruzinski (Sevilla, 1997), 37-60; Ares Queija, “Un borracho de chicha y vino,” 135-138; Jorge Cañizares-Esguerra, “New Worlds, New Stars: Patriotic Astrology and the Invention of Creole and Indian Bodies in Colonial Spanish America: 1600-1650,” *American Historical Review* 104:1 (Feb. 1999), 33-68; Bianca Premo, “‘Misunderstood Love’: Children and Wet Nurses, Creoles and Kings in Lima’s Enlightenment,” *Colonial Latin American Review* 14:2 (19 Aug 2006), 231-261; Marcy Norton, “Tasting Empire: Chocolate and the European Internalization of Mesoamerican Aesthetics,” *The American Historical Review* 111:3 (June 2006), 660-691; Jorge Cañizares-Esguerra, *Nature, Empire, and Nation: Explorations of the History of Science in the Iberian World* (Stanford, Calif.: Stanford University Press, 2006); Alexandre Coello de la Rosa, “Idolatría, mestizaje y buen gobierno en la diócesis de Charcas,” *Identidades Ambivalentes en América Latina* (Siglos XVI-XXI) eds. Verena Stolcke y Alexandre Coello (Bellaterra, 2008); María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford: Stanford University Press, 2008), 5, 95-105; Rebecca Earle, “‘If You Eat Their Food...’: Diets and Bodies in Early Colonial Spanish America,” *The American Historical Review* 115, no. 3 (2010): 688-713; Alexandre Coello de la Rosa and Paulina Numhauser, “Introducción: Criollismo y mestizaje en el mundo andino (siglos XVI-XIX),” *Illes i imperis: Estudios de historia de las sociedades en el mundo colonial y post-colonial* 14 (2012), pp.13-48; Jane Mangan, “Moving Mestizos in Sixteenth-Century Peru: Spanish Fathers, Indigenous Mothers, and the Children In Between,” *The William and Mary Quarterly* 70:2 (April, 2013), 273-294; Santiago Muñoz Arbeláez, “Vagabundos urbanos. Las instrucciones para administrar indios, mestizos y mulatos en Santafé de Bogotá a fines del siglo XVI,” *Anuario de Historia Regional y de las Fronteras* 22:1 (2016): 225-233.

The various discourses on vagrancy and the *gente suelta* in Peru also focus on individuals perceived to be outside of the patriarchal order. By patriarchy I mean not only a society organized around the trope of the family, in which women were made subordinate to and dependent upon their husbands and fathers, but also the household, in which men presided over a small community of male and female dependents. Vagrants were seen as sexually and socially dangerous because they failed to take their proper places in society, either as heads or dependents of households. It is a highly masculine discourse, but I argue that it was also a redemptive one. In it the Spanish vagrant could be transformed into a patriarch through the sacrament of marriage, the proximity of family, and the acquisition of property and community responsibilities. As for the wayward native peoples, Africans, mestizos, and *afromestizos* who composed the *gente suelta* could also be redeemed by being restored to their proper place within the bosom of the household. The setting for such transformations and their attendant civic virtues was, again, the city-republic, the site that Spanish authorities perceived to be the principal mechanism of this transformation. As the jurist Jean Bodin put it in sixteenth century, “a republic is a just government by various families.”³³

³³ “República es un recto gobierno de varias familias,” Aranda Perez, 52; Daisy Rípodas Ardanaz, *El Matrimonio En Indias: Realidad Social Y Regulación Jurídica* (Buenos Aires: Fundación Para La Educación, La Ciencia Y La Cultura, 1977); Elinor C. Burkett, “Indian Women and White Society: The Case of Sixteenth-Century Peru,” *Latin American Women: Historical Perspectives*, Asunción Lavrin ed., Westport: Greenwood Press, 1978. 101-128; Richard Boyer, “Women, La Mala Vida, and the Politics of Marriage,” *Sexuality and Marriage in Colonial Latin America* ed. Asunción Lavrin (University of Nebraska Press, 1992); Lyman Johnson, “Dangerous Words, Provocative Gestures, and Violent Acts,” in *Sex, Shame, and Violence: The Faces of Honor in Colonial Latin America* (Albuquerque: University of New Mexico Press, 1998); Sarah C. Chambers, *From Subjects to Citizens : Honor, Gender, and Politics in Arequipa, Peru, 1780-1854* (University Park, Pa.: Pennsylvania State University Press, 1999), 211-212; Kathryn Burns, *Colonial Habits* (Duke University Press, 1999); Ann Laura Stoler, *Carnal Knowledge and Imperial Power: Race and the Intimate in Colonial Rule* (Berkeley: University of California Press, 2002); Karen Vieira Powers, *Women in the Crucible of Conquest: The Gendered Genesis of Spanish American*

Discourses that heaped dishonor upon Indian and non-Indian migrants alike may have been acceptable tropes in official correspondence, but these kinds of representations were entirely rejected by the individuals they presumed to describe. Where Spanish functionaries at various levels of governance saw gente suelta in the Eastern Andes, frontier residents saw themselves as honorable citizens and Christian patriarchs involved in the arduous and, they felt, frequently unrewarded task of settling a dangerous frontier.³⁴ While Spanish officials and would-be settlement founders debated whether or not to exclude non-Spaniards and even low-status Spaniards from citizenship in frontier towns, frontier residents used the language of vecindad to assert their own claims to personal and collective honor. Instead of emphasizing more familiar notions of honor based in claims to nobility and purity of blood, frontier residents sought to leverage the collective services of their political communities to request confirmation of the kinds of rights and privileges that had generally been limited to the nobility in Spain. Such claims to a heritage of collective service were not limited to low-status, plebeian Spaniards; in certain circumstances communities of *afromestizos* sought to retain their autonomy from neighboring Spaniards by reminding regional Spanish officials of their many years of collective service in the frontier.³⁵

Society, 1500-1600 (University of New Mexico Press, 2005); Mangan, "Moving Mestizos"; Alexander L. Wisnoski III, "Contesting Husbands and Masters: Law, Society, and the Marital Household in Colonial Lima," Ph.D. diss. (University of Minnesota—Twin Cities, 2015), 12-13. Sarah C. Chambers, *Families in War and Peace: Chile from Colony to Nation* (Duke University Press, 2015); Jane E. Mangan, *Transatlantic Obligations: Creating the Bonds of Family in Conquest-Era Peru and Spain* (New York, Oxford University Press, 2016).

³⁴ Alonso, 43-97, 137-225 *passim*.

³⁵ We find glimpses of such notions of plebeian honor and even the honor claimed by personal of mixed ancestry in Jesús Cañas Murillo, *Honor y Honra en el primer Lope de Vega: las comedias del destierro* (Universidad de Extremadura, Cáceres, 1995); Raúl Marrero-Fente, "De retórica y derechos: estrategias de la reclamación en la carta de Isabel de Guevara," *Hispania* 79:1 (March, 1996), 1-7; Lyman L. Johnson and

Frontiers and Borderlands in the Eastern Andes

One of the challenges of writing this dissertation has been to appropriately identify the rhetorical space where the unassimilable social elements that troubled Spanish Peru would be properly contained, reorganized, and redeemed as virtuous subjects. For the most part, the term “frontier,” has been rightly criticized in Anglophone scholarship as replicating the highly colonial language of the Turnerian thesis of the frontier as the place where civilization and barbarism meet.³⁶ In that sense, ‘frontier’ has largely been replaced by the term ‘borderland’ to describe a contested space where, as David Chang has defined it, “identities, economies, languages, and what we call cultures create new mestizo realities.”³⁷ However, one of the primary tasks of this dissertation is to analyze the Spanish colonial imaginary regarding spaces of containment that were located at the peripheries of Spanish authority.³⁸ In that sense, ‘frontier’ seems to be the

Sonya Lipsett-Rivera, *Sex, Shame, and Violence: The Faces of Honor in Colonial Latin America* (Albuquerque: University of New Mexico Press, 1998), particularly Mark A. Burkholder’s chapter “Honor and Honors in Colonial Spanish America”; Chambers, *From Subjects to Citizens*, 211-212; Cynthia E. Milton, *The Many Meanings of Poverty: Colonialism, Social Compacts, and Assistance in Eighteenth-Century Ecuador* (Stanford: Stanford University Press, 2007); Robert C. Schwaller, “‘For Honor and Defense,’ Race and the Right to Bear Arms in Early Colonial Mexico,” *Colonial Latin American Review* 21:2 (August, 2012), 239-266; Scott K. Taylor, *Honor and Violence in Golden Age Spain* (Yale University Press, 2014).

³⁶ Patricia Nelson Limerick, *The Legacy of Conquest: The Unbroken Past of the American West* (New York: W.W. Norton and Company, 1987); *Where Cultures Meet: Frontiers in Latin American History*, David J. Weber and Jane M. Rausch eds. (Wilmington: Scholarly Resources, 1994), xvi, xxxi-xxxii; Albert L. Hurtado, “Parkmanizing the Spanish Borderlands: Bolton, Turner, and the Historians’ World,” *The Western Historical Quarterly* 26:2 (Summer, 1995), 162; *Contested Ground: Comparative Frontiers on the Northern and Southern Edges of the Spanish Empire*, eds. Donna J. Guy and Thomas E. Sheridan (Tucson: University of Arizona Press, 1998), 10; Alan Taylor, *The Divided Ground: Indians, Settlers and the Northern Borderland of the American Revolution* (New York: Vintage Books, 2007), 8.

³⁷ David Chang, in “Borderlands in a World at Sea: Concow Indians, Native Hawaiians, and South Chinese in Indigenous, Global, and National Spaces,” *The Journal of American History* 98:2 (September 2011), 385.

³⁸ Heidi Scott has considered the multiple Spanish geographical imaginaries at play in Peru more generally in *Contested Territory: Mapping Peru in the Sixteenth and Seventeenth Centuries* (University of Notre Dame Press, 2009); Sylvia Sellers-García, *Distance and Documents at the Spanish Empire’s Periphery* (Stanford University Press, 2014).

most precise term for those contested spaces that Spanish authorities and settlers claimed to physically hold as possessions, although not necessarily hegemonically, and where they believed they had the resources to carry out the civilizing mission and military objectives inherent in the creation of Spanish settlements.³⁹ At the same time, ‘borderlands’ seems the best term for the interconnectedness, permeability, hybridity, and indeterminacy that marked the spaces where Spanish settlers interacted with unconquered indigenous peoples both within and beyond imagined lines of jurisdiction. Such experiences that were undoubtedly commonplace, but are much less evident within the rhetoric that characterizes the surviving documentation. In defending this somewhat provocative position on the matter of frontiers and borderlands, I can only suggest that settlers manipulated the spatial imaginaries of royal officials strategically in order to maximize their access to resources and personal rewards. In that sense, the discourses used by the non-Indian residents of the Eastern Andes to describe their experiences of frontier violence and contestation evoked a spatial imaginary that intentionally elided much of the liminality of the lived experience of the Eastern Andean borderlands.

To put it another way, I imagine the frontier as a spatial embodiment of the location of the *gente suelta* within Spanish colonial discourse. It was a space, although not the only discursive space, where many royal officials believed that the early modern vagrant of the Americas could be safely settled down and still made subject to available technologies of surveillance.⁴⁰ For Spaniards at the turn of the seventeenth century, the

³⁹ Silvio R. Duncan Baretta and John Markoff, “Civilization and Barbarism: Cattle Frontiers in Latin America,” *Comparative Studies in Society and History* 20:4 (Oct., 1978), 587-620.

⁴⁰ Edward W. Soja. *Thirdspace: Journeys to Los Angeles and Other Real-and-Imagined Spaces* (Blackwell, 1996), 110, 140; Homi K. Bhabha, *The Location of Culture*, (Routledge Classics, 2004), 100; For a

social hierarchies implicit within the patriarchal order and ecclesiastical institutions, and as subsequent chapters will particularly underscore, the civic virtue that arose from the incorporation of the *gente suelta* into the *policía* of the frontier settlement, were capable of carrying out this surveillant function. I would contrast the frontier as a space of containment with the discourses associated with the ‘borderland’, which might be said to approximate what Homi Bhabha has described as a third space, a space that displaces, at least discursively, the histories and discourses that constitute it.⁴¹ As we will see, in the particular example of the Eastern Andean frontier, this borderland discourse, in the rare moments when it seems to be audible, appears to resist both the discourses of containment and unlawful usurpation and invasion to suggest new histories and new identities.

This is also a dissertation about the bordering of the frontier. Here I do not mean the creation of international borders.⁴² Spanish officials and settlers alike did not perceive the boundaries that separated them from the Chiriguano to be either permanent or legitimate. Instead, I mean the establishment of boundaries around nesting jurisdictions, a process that tied the extension of Spanish sovereignty over sections of the Eastern Andes to the establishment of both individual property rights and municipal and even provincial jurisdictions. To a great extent, the institutional, theological, and legal tools to establish these jurisdictional borders had been elaborated by Castile during the centuries-long war

discussion of similar efforts in the Brazilian backlands see Hal Langfur, *The Forbidden Lands: Colonial Identity, Frontier Violence, and the Persistence of Brazil’s Eastern Indians, 1750-1830* (Stanford: Stanford University Press, 2006).

⁴¹ Bhabha, 53-56;

⁴² Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: empires, Nation-States, and the Peoples in between in North American History,” *The American Historical Review* 104:3 (June, 1999), 814-841.

with the Muslim *taifas* of the Iberian Peninsula.⁴³ Although medieval Iberian notions of frontier served as the foundation for how Spanish authorities conceptualized the Eastern Andean frontier, I argue that such tools do not fully explain the various strategies used by Spanish actors to extend Spain's claims to sovereignty over the lands and peoples of the Indies.⁴⁴ A number of authors suggest that Spaniards used arguments based in their conception of the Roman legal category of *res nullius* (i.e. "unowned things") or just war theory. However, I observe, much as Benton and Straumann have recently done, that Spanish officials and settlers alike leveraged a number of different, and sometimes even contradictory, legal arguments to support the conquest and dispossession of indigenous peoples.⁴⁵ In doing so, Spanish actors appear to have been less concerned with precise

⁴³ José Enrique López de Coca Castañer, "Institutions on the Castilian-Granadan Frontier" and Manuel González Jimenez, "Frontier Settlement in the Kingdom of Castile (1085-1350)," both in *Medieval Frontier Societies* eds. Robert Bartlett and Angus MacKay (Oxford: Clarendon Press, 1989).

⁴⁴ Francisco Morales Padrón, *Teoría y Leyes de la Conquista* (Madrid: Ediciones Cultura Hispánica, 1979); Alfonso García-Gallo, *Los Orígenes Españoles de las Instituciones Americanas: Estudios de Derecho Indiano* (Real Academia de Jurisprudencia y Legislación, 1987); Manuel Salvat Monguillot, "Deterioro institucional de la encomienda en el siglo XVII," *Revista Chilena de Historia del Derecho* 13 (1987); Silvio Zavala, *Las Instituciones Jurídicas en la Conquista de América* (México. 1988); Stoler, "Making Empire Respectable"; Vitoria, *Political Writings*, eds. Anthony Pagden and Jeremy Lawrance Cambridge, Texts in the History of Political Thought (Cambridge: Cambridge University Press, 1991); Subirats, Eduardo. *El Continente Vacío: La Conquista Del Nuevo Mundo Y La Conciencia Moderna*. (Madrid: ANAYA & Mario Muchnik, 1994); Anthony Pagden, *Lords of all the World: Ideologies of Empire in Spain, Britain and France c. 1500-c1800* (New Haven: Yale University Press, 1995); David J. Weber, *Bárbaros: Spaniards and Their Savages in the Age of Enlightenment* (New Haven: Yale University Press, 2005); Raúl Marrero-Fente, "Human Rights and Academic Discourse: Teaching Las Casas-Sepúlveda's Debate in the Times of the Iraq War." *Hispanic Issues On Line* 4:1 (2009); Carmen Bernand, "Las Fronteras de la Plata. Potosí y los Confines del Peru (1542-1616)," and Francisco M. Gil García, "Lipes: Limite de Conquista, Borde de Colonia. Apuntes Sobre la Demarcación de un Territorio Evanesciente en la Frontera Meridional de Charcas," in *Poblar La Inmensidad: Sociedades, Conflictividad Y Representación En Los Márgenes Del Imperio Hispánico (siglos XV-XIX)* ed. Salvador Bernabéu Albert (Rubi, Spain: Ediciones Rubeo: CSIC, 2010); *Poblar La Inmensidad: Sociedades, Conflictividad Y Representación En Los Márgenes Del Imperio Hispánico (siglos XV-XIX)*; Raúl Marrero-Fente, "Derecho y Justicia en la conquista de América," *Taller de Letras* 50:1 (May, 2012); Anthony Pagden, *The Burdens of Empire: 1539 to the Present* (Cambridge University Press, 2015); Jonathan Scholl, "At the Limits of Empire: Incas, Spaniards, and the Ava-Guaraní (Chiriguanaes) on the Charcas-Chiriguana Frontier, Southeastern Andes (1450-1620s)," Ph.D Diss. (University of Florida, 2015).

⁴⁵ Lauren Benton and Benjamin Straumann, "Acquiring Empire by Law: From Roman Doctrine to Early Modern European Practice," *Law and History Review* 28, no. 1 (2010): 1-38.

legal arguments than with an abundance of legal positions. There is also a scalar quality to such arguments, in that Spanish officials like viceroy Francisco de Toledo might craft legal arguments that referenced then-current theological or philosophical arguments regarding conquest, while settlers might be more likely to utilize the language of possession, as it was conceived at the turn of the seventeenth century, to support their acquisition of new territories.⁴⁶

This dissertation is, in part, a discussion of the nature and function of secular frontier colonial institutions. While it is certainly true that frontier settlers and officials, from provincial magistrates (*corregidores*) to city council members (*alcaldes* and *regidores*), had to contend with the possibility of violent clashes with indigenous peoples, they also faced conflict with neighboring Spanish jurisdictions. While it is not surprising that neighboring jurisdictions, like municipalities and provinces, might engage in conflicts over resources and matters of precedence and authority, the violent and uncertain nature of property and jurisdictional possession in the frontier injected a new dynamic in these conflicts. The mutability of frontier boundaries and the reality of violent dispossession often allowed non-Indian property owners, municipal leaders, and provincial officials to expand their holdings and/or spheres of influence at the expense of their Spanish neighbors. These kinds of jurisdictional conflicts between Spanish jurisdictions only served to strengthen the crown's claims to sovereignty in frontier regions like the Eastern Andes. On one level, such conflicts simply multiplied the sheer number of Spanish claims to possession in the region as claimants vied with each other,

⁴⁶ Benton and Straumann, 36, 37.

and not with the indigenous communities whose lands they had usurped, in litigation over matters of possession. At the same time, the crown's authority over jurisdictions and even individual properties was regularly invoked as frontier residents called upon royal officials to mediate local disputes. Lauren Benton has called the chronic contestation of jurisdiction in the frontier regions "an orderly disorder" that did little to harm the extension of Spanish sovereignty over new peoples and spaces.⁴⁷

Contests between Spaniards over matters of jurisdiction also extended into efforts to generate spatial knowledge about the frontier. Sixteenth- and seventeenth-century mapmakers and chroniclers regularly used both real and fictive points of reference to represent Spanish power in the Americas.⁴⁸ The maps and prose they created communicated a Spanish perspective of matters of distance, time, and spatial hierarchies to a distant audience, what Mignolo calls "colonizing the imagination."⁴⁹ Similarly, claimants in jurisdictional struggles in the Eastern Andean frontier used spatial descriptions of contested territories to buttress their claims to authority over discrete spaces. While such descriptions regularly included lands that were controlled by native peoples, individual claimants also used geographical descriptions as part of an effort to wrest lands from neighboring Spaniards. At times, claimants described the physical and jurisdictional boundaries of municipalities and corregimientos over which they exercised

⁴⁷ Benton, "Making Order out of Trouble," 375; David T. Garrett, "En lo remoto de estos reynos: Distance, Jurisdiction, and Royal Government in late Habsburg Cusco," *Colonial Latin American Review* 21:1, (2012), 17-43; Tamar Herzog, *Frontiers of Possession: Spain and Portugal in Europe and the Americas* (Cambridge: Harvard University Press, 2015).

⁴⁸ Gil García, 382-383.

⁴⁹ Walter D. Mignolo, *The Darker Side of the Renaissance: Literacy, Territoriality, and Colonization* (Ann Arbor: The University of Michigan Press, 1995), 281.

little or no effective control. However, much like the legal battles described above, even failed efforts served to reinforce the discursive colonization of frontier spaces by the Spanish Empire as well as existing hierarchies of power in that they created new potential itineraries and added a new sense of matters of distance and time, and human and physical geographies, to the Spanish imaginary.

This dissertation is an effort to tell new stories about the Eastern Andean frontier and recover additional information about the people, places, and events that shaped its human environment at the turn of the seventeenth century. In addition to the author's experience of living and traveling in the region in question, this work is inspired by the scholarship of Thierry Saignes, who was one of the first to not only bring narratives about the Eastern Andes to an international audience but also create discursive tools for seeing the Eastern Andean frontier as a region with a distinct history and experience of colonialism.⁵⁰ In fact there are few synthetic histories of the Eastern Andes as a region, particularly for the sixteenth and seventeenth centuries, with the exception of studies that explore the history and culture of the Chiriguano people and their experience of Spanish colonialism and policy.⁵¹ By contrast, studies of Spanish settler communities are typically

⁵⁰ Thierry Saignes, *Los Andes Orientales: Historia de un Olvido* (Centro de Estudios de la Realidad Económica y Social Ediciones CERES, 1985), xiii.

⁵¹ Saignes, *Los Andes Orientales* (1985); F. M. Renard-Casevitz, Thierry Saignes, A.C. Taylor, *Al este de los Andes: relaciones entre las sociedades amazónicas y andinas entre los siglos XV y XVII*, 1ra. ed. (Travaux de l'Institut français d'études andines 31 (Lima: Instituto Frances de Estudios Andinos IFEA ; Quito, Ecuador, 1988); Francisco Pifarré, *Los Guarani-Chiriguano 2 Historia de un Pueblo* (La Paz, Centro de Investigación y Promoción del Campesinado, 1989); Thierry Saignes, *Ava y karai: ensayos sobre la frontera chiriguano (siglos XVI - XX)* (La Paz, Hisbol, 1990); Isabelle Combès, *Etno-historias del Isoso: Chané y chiriguano en el Chaco boliviano (siglos XVI a XX)* 189 (Institut français d'études andines, 2005); Tristan Platt, Thérèse Bouysse-Cassagne, and Olivia Harris, *Qaraqara-Charka. Mallku, Inka y Rey en la provincia de Charcas (siglos XV-XVII). Historia antropológica de una confederación aymara*. (Plural editores, 2006); Thierry Saignes, *Historia del pueblo Chiriguano*, comp. Isabelle Combès (Lima, Institut français d'études andines, 2015); Scholl, "At the Limits of Empire," represents an important recent effort;

restricted to individual communities and their surrounding jurisdictions. While nearly all of the extant communities of the former Eastern Andean frontier have a history of local scholarship, some of these, like Santa Cruz de la Sierra and Tarija, are particularly well-established and abundant.⁵² Others, such as the regions of Pilaya-Paspaya, Tomina, and Mizque have begun to acquire a substantial secondary literature as well.⁵³ By presenting

Erick D. Langer's work is a recent example of an equally rare nineteenth-century study of the región. *Expecting Pears from an Elm Tree: Franciscan Missions on the Chiriguano Frontier in the Heart of South America, 1830-1949* (Durham, Duke University Press, 2009).

⁵²Alberto Sánchez Rossel, *Tierruca Chapaca* (Tarija, Bolivia: Imprenta "Antoniana," 1942); Octavio O'Connor D'Arlach, *Calendario Histórico De Tarija* (1975); Federico Ávila, *don Luis de Fuentes y Vargas y la Fundación de Tarija* (Potosí: Editorial Universitaria, 1975); Thierry Saignes. "Andaluces en el Poblamiento del Sur Boliviano: En Torno a Una Figuras Controvertidas, El Fundador de Tarija y Sus Herederos," *Andalucía y America en el Siglo XVI. Actas de las II Jornadas de Andalucía y América* (Sevilla, 1983); Ana María Presta, "Una Hacienda Tarijeña en el Siglo XVII: La Viña de 'La Angostura'," *Historia y Cultura* 14 (Oct., 1988); Catherine J. Julien, Kristina Angelis-Harmening, and Zulema Bass Werner de Ruiz, *Historia de Tarija*, vol. 6 (Ed. Guadalquivir, 1997); Roberto Edelmiro Porcel, *Documentación Inédita De Tarija Y Su Jurisdicción Siglos XVII Y XVIII* (Capital Federal: Ad Graphis Bureau Creativo SRL, 2000); Anna Maria Presta, "'Hermosas, fértiles y abundantes'. Los valles centrales de Tarija y su población en el siglo XVI," *In Historia, ambiente y sociedad en Tarija, Bolivia* ed. Stephan Beck (La Paz, 2001); Mario Barragán Vargas, *Historia Temprana De Tarija*. 1.st ed. (Tarija, Bolivia, 2001); Lía Guillermina Oliveto, "La Estructura Económica Colonial de la Frontera de Tarija: Población, Propiedad de la Tierra y Mano de Obra, Fin del Siglo XVI," *Nuevo Mundo Mundos Nuevos* (2012); Ángel Sandóval, "Vallegrande, Anillo de unión Transandina," *Boletín de la Sociedad Geográfica "Sucre"* 305-309 (1931); Enrique de Gandía, *Historia de Santa Cruz de la Sierra. Una Nueva Republica en Sud America* (Buenos Aires: Talleres Gráficos Argentinos de L.J. Rosso, 1935); Hernando Sanabria Fernández, *En Busca De Eldorado: La Colonización Del Oriente Boliviano Por Los Cruceños* (Santa Cruz De La Sierra, Bolivia: Publicaciones De La Universidad Gabriel René Moreno, 1958); Enrique Finot, *Historia de la Conquista del Oriente Boliviano* (La Paz: Librería Editorial "Juventud," 1978); David Block III, "In Search of El Dorado: Spanish Entry Into Moxos, A Tropical Frontier, 1550-1767," Ph.D. diss. Austin: University of Texas, 1980); José María García Recio, *Analysis de una sociedad de frontera: Santa Cruz de la Sierra en los Siglos XVI y XVII* (Sevilla, 1988); Humberto Vázquez-Machicado, Guillermo Ovando-Sanz, and Alberto M. Vázquez, *Obras completas de Humberto Vázquez-Machicado y José Vázquez-Machicado* (La Paz: Editorial Don Bosco, 1988); Paula Peña et al, *Permanente Construcción de los cruceño: un estudio sobre la identidad en Santa Cruz de la Sierra* 5 (Fundación PIEB); Catherine Julien, *Desde el Oriente: documentos para la historia del Oriente Boliviano y Santa Cruz la Vieja (1542-1597)* (Fondo editorial Municipal, Santa Cruz de la Sierra, 2008); Adrian Melgar y Montañó, *Historia del Gran Vallegrande*, comp. Aníbal Rojas Cabrera (Santa Cruz: Federación de Profesores de la Universidad Autónoma, Gabriel René Moreno, 2008); Nathan Weaver Olson, "Pardos in Vallegrande: An Exploration of the Role of *Afromestizos* in the Foundation of Vallegrande, Santa Cruz, Bolivia" (MA thesis, University of California, San Diego, 2010).

⁵³ Mons. Julio Garcia Quintanilla, "Monografía de la Provincia Zudañez Departamente de Chuquisaca," *Boletín de la Sociedad Geografica y de Historica "Sucre"* LVI, nos. 461-463 (Sucre, Bolivia: Editorial "Don Bosco," 1976-1978); Ana María Presta, *Encomienda, familia y negocios en Charcas colonial (Bolivia): los encomenderos de La Plata, 1550-1600* (Instituto de Estudios peruanos, 2000); Erick Detlef Langer, *Economic change and rural resistance in southern Bolivia, 1880-1930* (Stanford University Press,

new information about a number of the communities that composed the Eastern Andean frontier, several of which are no longer extant, this study serves to thicken the narrative tradition of the region more generally.

Another of my particular objectives in this dissertation is to identify communities of people of African descent in the Eastern Andean frontier. Simply establishing the presence of Africans in Spanish American communities and social environments seems a strikingly low bar given the maturity of the field of African diaspora studies. However, in my view, there remains much work to be done. Recent studies on the subject continue to produce fresh insights into the heterogeneity of the African and *afromestizo* experience in the Americas while also challenging our current perceptions of the putative social and legal boundaries between Europeans, Africans, and native Americans. For instance, a 2006 issue of *The Americas* was dedicated to studies of African diasporas in the Andes, ranging from research into the construction of a slave society in what is now the Colombian region of Cauca, to the Andeanization of people of African descent near Lima, to the rise and persistence of independent Afro-indigenous communities in coastal Ecuador. There is also an extensive historiography of similar studies of what is now northwestern Argentina, including a number of articles by Florencia Guzmán and her

1989); Rossana Barragán Romano, *Indios de arco y flecha?: entre la historia y la arqueología de las poblaciones del norte de Chuquisaca* 3, Antropólogos del Surandino (1994); Daniel W. Gade, *Nature and Culture in the Andes* (University of Wisconsin Press, 1999); Lolita Gutiérrez Brockington, *Blacks, Indians & Spaniards in the Eastern Andes: Reclaiming the Forgotten in Colonial Mizque, 1550-1782* (University of Nebraska Press, 2006); Raimund Schramm, *Pocona y Mizque: Transformación de una sociedad indígena en el Perú colonial (Charcas)* (La Paz, Bolivia: Gobierno Autónomo Municipal de Pocona, 2012); Ann Zulawski, *They Eat from Their Labor: Work and Social Change in Colonial Bolivia* (University of Pittsburgh Press, 1995); Claudia Rivera Casanovas, "Forms of Imperial Control and the Negotiation of Local Autonomy in the Cinti Valley of Bolivia," *Distant Provinces in the Inka Empire: Towards a Deeper Understanding of Inka Imperialism*, eds. Michael A. Malpass and Sonia Alconini (University of Iowa Press, 2010).

colleagues in the journal *Andes*. The social lives of people of African and indigenous descent could be quite different and separate, and historians have often described the relationship between these groups as one of mutual hostility. However, recent work has demonstrated that people of African descent were often intimately tied to local indigenous community through kinship ties, shared labor, and mutually beneficial economic ties.⁵⁴

While a great deal of work has now been done on this topic in the northern and central Andes, and in parts of Chile and northwestern Argentina, we are only beginning to learn about such interactions in what is now Bolivia. Much of the scholarship pertaining to the African diaspora in colonial Charcas has focused on the historical and cultural origins of the Afro-Bolivian community in the Yungas region north of La Paz. This work has helped bring the contribution of individuals of African descent into current discussions in Bolivia about race and citizenship, but the emphasis on the Yungas as a unique region has allowed for the persistence of a discourse of the unassimilable quality of the African within Bolivian society, and has perpetuated the ghettoization of Afro-

⁵⁴ The contents were as follows: Ben Vinson, "Introduction: African (Black) Diaspora History, Latin American History," Rachel Sarah O'Toole, "In a War against the Spanish" Andean Protection and African Resistance on the Northern Peruvian Coast," Leo Garofalo, "Conjuring the Coca and the Inca: The Andeanization of Lima's Afro-Peruvian Ritual Specialists, 1580-1690," Sherwin K. Bryant, "Finding Gold, Forming Slavery: The Creation of Classic Slave Society, Popayán, 1600-1700," Charles Beatty Medina, "Caught Between Rivals," all in *The Americas* 63:1, The African Diaspora in the Colonial Andes (July 2006); For example, see Stuart B. Schwartz and Hal Langfur, "Tapanhuns, Negros da Terra, and Curibocas: Common Cause and Confrontation between Blacks and Natives in Colonial Brazil," and Patrick J. Carroll, "Black-Native Relations and the Historical Record in Colonial Mexico," in *Beyond Black and Red: African-Native Relations in Colonial Latin America*, ed. Matthew Restall (Albuquerque: University of New Mexico Press, 2005), 246, 248-249, 251; Florencia M. Guzmán, "Africanos en la Argentina. Una reflexión desprevénida," *Andes* (Salta). 17 (Diciembre 2006); Andrew B. Fisher, "Creating and Contesting Community: Indians and *Afromestizos* in the Late-Colonial Tierra Caliente of Guerrero, Mexico," *Journal of Colonialism and Colonial History*, vol. 7, no. 1 (2006), paragraphs 5, 7, and 30; Sherwin K. Bryant, Rachel Sarah O'Toole, and Ben Vinson, eds. *Africans to Spanish America: Expanding the Diaspora* (University of Illinois Press, 2012).

Bolivian history within more general studies of Bolivian history. However, works by Daniel Gade and Lolita Gutiérrez Brockington in the eastern Andean region of Mizque have challenged this perspective by describing the broad distribution of the African diaspora across the rural eastern Andes, and the assimilation of individuals of African descent into both indigenous and European society. As a discussion of the presence of Africans and *afromestizos* in the Spanish Andes, this dissertation details the establishment of a distinct community of *pardos* in the Eastern Andean frontier. *Pardo* is a term for *afromestizos* that is similar in connotation to *mulato*, and in this instance is the term that the community's residents preferred to describe themselves. Within a historiography that typically features the absorption of distinctly African identities into either indigenous or Spanish society, this dissertation attempts to linger over the moment in the Eastern Andean frontier when a distinct, *pardo* identity and political community was not only possible, but also widely acknowledged by regional authorities and residents.⁵⁵

In addition to conceptualizing the Eastern Andean frontier as a single region, this dissertation also aims to link the settlement and early economic development of the Eastern Andes to the mining and administrative centers of La Plata and Potosí. These linkages were explored in general economic terms in the work of Assadourian and López Beltrán and in terms of institutional development in the work of Lohmann Villena,

⁵⁵ Alberto Crespo Rodas, *Esclavos Negros en Bolivia* (La Paz: Academia Nacional de Ciencias de Bolivia, 1977); Juan Angola Maconde, *Raíces de un pueblo: cultura afroboliviana* (La Paz: Producciones CIMA, Embajada de España, Cooperación, 2000) is frequently cited; Gade, *Nature and Culture in the Andes*, 86; Lolita Gutiérrez Brockington, "The African Diaspora in the Eastern Andes: Adaptation, Agency, and Fugitive Action, 1573-1677," *The Americas* 57:2, The African Experience in Early Spanish America (October 2000), 207-224; Gutiérrez Brockington, *Blacks, Indians and Spaniards*, 130-180.

Tomás y Valiente, Parry, and others.⁵⁶ These connections have also been studied on a regional level, such as in Zulawski's study of the development of Paspaya-Pilaya, and on an individual level, such as Aillón Soria's recent study of one Potosino merchant's investments in Cinti's agricultural sector in the late eighteenth and early nineteenth centuries.⁵⁷ This dissertation explores the ways in which the Eastern Andes were not only shaped by the rapid growth of La Plata and Potosí but also the role played by the region in helping to fashion these cities into elite centers. Not only did the Eastern Andes serve as hub of rural economic development and potential investment, it was a theater where wealthy miners and royal officials hoped to enhance their social status. By containing the gente suelta of the region's largest cities, the Eastern Andean frontier would enable officials in Potosí and La Plata to set aside anxieties about social unrest and urban disorder. And while this particular objective failed, it was long imagined and anticipated in the highest circles of the Charqueño elite.

⁵⁶ Carlos Sempat Assadourian, *El Sistema De La Economía Colonial: Mercado Interno, Regiones Y Espacio Económico* 1ra. ed. Serie Estudios Históricos 10 (Lima: Instituto De Estudios Peruanos, 1982); Clara López Beltrán, *Estructura económica de una sociedad colonial: Charcas en el siglo XVII* (La Paz: CERES, 1988); Robert S. Chamberlain, "The Corregidor in Castile in the 16th and the Residencia as Applied to the corregidor," *The Hispanic American Historical Review* 23, no. 2 (May, 1943); J.H. Parry, *The Sale of Public Office in the Spanish Indies under the Habsburgs* (UC Press, 1953); Guillermo Lohmann Villena, *El Corregidor de Indios en el Peru Bajo los Austrias* (Madrid: Ediciones Cultura Hispánica, 1957); Guillermo Lohmann Villena. "El Gobierno de los Naturales en el Peru hasta la creación de los Corregidores de Indios 1535-1565," *Estudios Americanos* 12:61 (Oct., 1956), 201-221; Francisco Tomás y Valiente, *La Venta de Oficios en Indias (1492-1606)* Estudios de Historia de la Administración (Madrid: Instituto de Estudios Administrativos, 1972); Alfredo Moreno Cebrián, *El corregidor de indios y la economía peruana del siglo XVIII:(los repartos forzosos de mercancías)* (Editorial CSIC-CSIC Press, 1977)

⁵⁷ Esther Aillón Soria, *Vida, pasión y negocios: el propietario de la viña San Pedro Mártir, Indalecio González de Socasa, 1755-1820: Potosí y Cinti a fines de la colonial y en la Guerra de la Independencia* (Sucre: Fundación Cultural del Banco Central de Bolivia, 2009).

Chapter Outline

The chapters in this dissertation are generally organized thematically and with an eye for matters of scale. Each chapter is built around different contemporary discourses and debates, each of which are discussed from sometimes contrasting perspectives using a variety of case studies. The scalar elements in the chapter organization are to a certain extent geographical in nature, but they also address the dimensionality of power and authority.⁵⁸ Conversations about ethnoracial difference, sovereignty, citizenship, and governance took place in both transatlantic and local contexts, but the issues at stake in each of these difference environments were often quite distinct. As the expected audience changed, so too did the discourse.

By the 1570s, the Eastern Andean range of the Audiencia of Charcas was not a region awaiting discovery by Spain, but a frontier region with an already extensive indigenous and Spanish colonial history. Chapter 1 explores the notion of the Eastern Andean frontier as a heavily determined space at the turn of the seventeenth century, invested not only with a history but also with a number of possible futures and a well-developed spatial imaginary. In this chapter, I explore representations of the region as a hierarchical, vertically-oriented space linked to powerful cities in the highlands, particularly La Plata and Potosí. Conversely, I analyze representations of the Eastern

⁵⁸ John A. Jakle, "Historical Geography: Focus on the 'Geographic Past' and 'Historical Place,'" *Environmental Review* 4:2 (1980), 2-5; Robert B. McMaster, Helga Leitner, and Eric Sheppard, "GIS-based Environmental Equity and Risk Assessment: Methodological Problems and Prospects," *Cartography and Geographic Information Systems* 24:3 (July, 1997), 172-189; David Harvey, *Spaces of Global Capitalism: Towards a Theory of Uneven Geographical Development* (London: Verso, 2006); Steven M. Manson and Tom Evans, "Agent-based modeling of deforestation in southern Yucatán, Mexico, and reforestation in the Midwest United States," *PNAS* 104:52 (December 26, 2007), 20678-20683.

Andean frontier as a horizontally fractured space, essentially disarticulated as a region within the Spanish imaginary. In linking both axes of spatial knowledge, I argue that these parallel discourses reflect what many contemporaneous Spanish officials and other local residents considered to be the frontier's key problem: it was a region of both tremendous potential and deplorable disorder and violence. The land had become akin to a wayward subject that, like the vagabond, required redemption from disorder. For many of these officials, the promotion of Spanish settlements and the creation of jurisdictions were seen as the means to resolve this tension.

Spanish officials fretted about the tenuous nature of their hold on power within viceroyalty of Peru at the turn of the seventeenth century. Although the unconquered peoples living on the empire's borders were cause for concern, most officials were far more preoccupied with the possibility that disorderly social elements within Spanish society would overwhelm them. Chapter 2 analyzes how it was that Spanish immigrants, American-born creoles, mestizos, *mulatos*, Hispanicized Indians, and runaway African slaves, came to be described as the *gente suelta*, the lost or "loose" peoples of the empire. In this chapter, I link Iberian Spanish discourses surrounding vagrancy and vagabonds to concerns about the *gente suelta* of Peru's Audiencia of Charcas during the late sixteenth and early seventeenth centuries. I argue that class-oriented Spanish notions of vagrancy and *vagabundaje* became increasingly associated in the Americas with discourses surrounding purity of blood, the inherent degeneracy of American food and climate, and questions of loyalty and disloyalty by the turn of the seventeenth century. Here my work lends both context and chronology to the evolution of this discourse in Peru and Charcas,

underscoring the special urgency that the problem of the *gente suelta* would assume in the writings of Spanish officials charged with maintaining order in the region, a concern that would have a significant impact upon colonial policy and jurisprudence from the period.

The preoccupation of Spanish officials with the spatial and social mobility of Peru's growing population of Spanish immigrants and creoles, mestizos, Africans, and *mulatos*, was concomitant with contemporaneous efforts to "resettle" Indigenous Peruvians in Iberian-style cities. In Chapter 3, I explore how a vision of segregated indigenous and non-indigenous cities in Peru became a key Spanish strategy to both continue the conquest and pacification of Peru and protect the king's indigenous subjects from non-indigenous and Hispanicized settlers. I argue that officials on both sides of the Atlantic used Iberian urban planning concepts as a strategy for controlling and civilizing Peru's non-indigenous and Hispanicized indigenous populations, rooting them in the land through property ownership, municipal offices, and family life. But where contemporaneous indigenous settlements were generally established in the more densely-populated highlands, Spanish officials conceived of the frontier as the ideal setting for incipient Spanish settlements, or *ciudades de españoles*. I trace the evolution of what would become a policy of containment regarding the *gente suelta*. Frontier settlements became sites where Peru's disorderly social elements could be transformed into ideal subjects while simultaneously defending the empire from unconquered indigenous peoples.

The dual discourses of frontier and *gente suelta* were not confined to Spanish bureaucrats in Charcas. In their petitions for formal *audiencia* and viceregal support for

their efforts, would-be expedition leaders and settlement founders spoke extensively about how their proposed settlements might address both the perceived social ills of Potosí and La Plata and the threat of unconquered peoples. In Chapter 4, I look closely at a number of settlement charters written between the 1570s and 1620s to explore the personal visions of more than a dozen petitioners for the establishment of frontier settlements and jurisdictions. The petitions reflect a shared language regarding expedition and settlement planning, best exemplified by the 1573 *Ordinances for the Discovery, Pacification, and Settlement of the Indies*. I argue that these individual visions in fact varied widely, with some openly seeking to incorporate socially marginal individuals, including criminals and people of mixed ancestry, into their expeditions and others who emphatically rejected the presence of such individuals in their proposed settlements. Yet for all of their differences, the petitioners consistently represented their proposed settlements as an assemblage of Peru's most rootless and mobile social elements, with the frontier as the idealized setting for knitting them all together into a new and orderly society.

The process of establishing Spanish hegemony in the Cordillera Oriental amounted to the establishment of discrete jurisdictions within that space. As such, Spanish authority in the region, typically embodied in the corregidores and governors who headed each jurisdiction, was highly fragmented. In Chapter 5, I argue that the one of the central political and social dynamics of the frontier communities of the Cordillera Oriental was the conflict that occurred at the edges of frontier jurisdictions—not simply those that faced unconquered peoples, but also those bordering other Spanish

communities and their political leaders. I illustrate how jurisdictional boundaries were the products of human agency, expanding or contracting along a particular edge or edges in response to individual and sometimes collective decision making. The legal and military struggles experienced by the communities examined in this chapter underscore the extent to which frontier violence made any Spanish efforts at retaining possession quite tenuous at times, but also demonstrate that violence represented an opportunity to expand one's sphere of authority both in the direction of the frontier as well as at the expense one's own Spanish and indigenous neighbors.

For many frontier residents, the key to surviving and thriving within the Cordillera was to preserve the frontier city and maintain or even expand its rights and privileges. The recruitment challenges that plagued settlement expeditions continued to trouble young frontier settlements, as *vecinos* struggled to fill empty lots and lands with Spanish settlers. In Chapter 6, I explore how frontier settlers engaged the discourses and policies of the period surrounding society and security to promote their communities to would-be residents and royal officials alike. I argue that *vecinos* collaborated to preserve what they saw as the primordial rights of their communities because those rights granted each of them privileges and social opportunities that would otherwise have been unavailable. Central to this defense was their assertion of collective honor that was founded, not in noble lineage, but in their community's legacy of noble and collective service in defense of the frontier. It was a notion that was at odds with representations of the frontier and its residents as vagabonds and adventurers. They had not been redeemed from disorder, but were already examples of the patriarchal, Christian order that the

crown sought to promote in frontier communities. These strategies are a reminder that the viability of frontier communities was, in fact, threatened by far more than unconquered peoples at the turn of the seventeenth century, but also by the apathy of wealthy landowners within their jurisdictions, the acquisitiveness of urban elites, and by changes in royal policies towards public offices.

Chapter 1. Governing the “Despoblado”

Introduction

In February of 1588, Juan López de Cepeda, the president of the Audiencia of Charcas (1580-1602), sent Phillip II a copy of a map entitled “Mapa de la cordillera en que habita la nación Chiriguano que por la parte del Este confina con la provincia de los Charcas” (Map 1)⁵⁹ As the title suggests, the map depicted not the entire Audiencia of Charcas, but primarily the “cordillera de la nación Chiriguano,” a region that lay to the east of the central cities of Charcas. It was a region that was technically within the boundaries of the audiencia but was effectively outside of its control. The map also depicted much of the central highlands of the audiencia, including Cepeda’s home, the city of Chuquisaca or La Plata, the capital and administrative center of the audiencia, as well as the mining center of Potosí, complete with a tiny image of the red mountain itself, the *cerro rico*, the center of the silver mining industry of Charcas. Conceptually, then, it was a map of the *Cordillera Oriental* or Eastern Andes of Charcas, including parts of the altiplano and the lowland plains.

This was López de Cepeda’s vision of the “Cordillera of the Chiriguano nation.” In it, we find a region of cities and towns, roads and waterways that represent the space where the lands of the Chiriguano nation met the Audiencia of Charcas. The frontier line is represented by a thick band of mountains and forests that lay between the easternmost

⁵⁹ “Mapa de la cordillera en que habita la nación chiriguana,” AGI MP-Buenos Aires, 12.



Map 1. "Mapa de la cordillera en que habita la nación Chiriguana que por la parte del Este confina con la provincia de los Charcas." Juan López de Cepeda, 2-18-1588. AGI MP-Buenos Aires, 12.

towns of Charcas, many, but not all of them *ciudades de españoles*, or Spanish settlements, and the Chiriguano communities that lay beyond them, between the Grande and San Marcos Rivers. It is a region with a distinct political and even racial and ethnic geography, with Spanish frontier towns separating the Chiriguano to the east from the indigenous *reducciones* and populous Spanish cities in the highlands and altiplano to the west. It is also a region with a recent past of both successful and unsuccessful Spanish frontier settlement and an imagined future of continuing frontier settlement expansion.⁶⁰ Cepeda's map depicts a region of vertical interconnection between center and frontier—such as the roads that linked the principal cities of Charcas to communities in the lowlands—and horizontal disconnection and fragmentation within the frontier itself, as evidenced by the near absence of pathways between Spanish frontier settlements and the horizontal division of the landscape by mountains and waterways.

Cepeda's is only one of a number of representations of Cordillera Oriental as a frontier space. There would be many more in the subsequent decades. As I will describe in this chapter, travelers, chroniclers, and cosmographers would repeatedly attempt to depict the eastern Andes, in prose as well as visual form, over the turn of the seventeenth century. The region drew this level of attention because its proximity to the administrative and mining sectors of Charcas made its development a central concern to royal officials and Spanish entrepreneurs alike. As Cepeda's map suggests, the Cordillera

⁶⁰ This map is also described in an unpublished dissertation manuscript by Sonia Victoria Aviles Loayza entitled "Camino Antiguos del Nuevo Mundo Bolivia-Sudamérica, Siglos XIV-XVII" (Alma Mater Studiorum— Università di Bologna, 2010), although Avilés misrepresents the Spanish frontier communities as indigenous *reducciones* and appears to be unaware of Cepeda's geopolitical objective in creating the map, 7, 53, 237, 270.

Oriental was already a region with an extensive Spanish colonial history by the late sixteenth century. It was a region that could be described by itineraries (*itinerarios*), divided into leagues (*leguas*) and bounded reference points (*términos*), both real and imagined. By the 1570s, its internal space was already festooned with overlapping indigenous and Spanish claims to land and resources, a circumstance that would continue to characterize the region into the 1620s and beyond. And yet, for all of this, I argue that Spanish officials often viewed the region as ungoverned and, perhaps, ungovernable. Although considered a Spanish possession, the Cordillera Oriental remained largely under the control of the Chiriguano. And while the region had many residents, it had few authorized towns and jurisdictions from which an official might execute justice and authority. As Cepeda would himself put it only a few years later, “the kingdoms become ennobled and grow through settlement, and if there is any land that needs it, it’s this one.”⁶¹ By promoting new settlements and jurisdictions in the Eastern Andes, Spanish officials hoped not only to expand the empire, but to redeem the land itself from disorder.

An Indigenous Frontier

At first glance, Cepeda’s map is disorienting to the modern viewer in that east does not occupy the right-hand side of the map, but the top of the page, the space usually reserved for north. The rivers that crisscross the image seem to flow upward, growing in size and volume until they reach the edge of the map, where they flow on only in the

⁶¹ “los reynos con poblarse se ennoblecen y aumentan, y si alguna tierra tiene necesidad de ello es esta...” Juan López de Cepeda in “Carta del Licenciado Cepeda a S.M. en contestación de las reales cédulas recibidas y trata muy por extenso de la reducción de los indios chiriguanos” (2-10-1590), AGI Charcas 17 R1 N1; Also in Roberto Levillier, Adolfo Bonilla y San Martín, Enrique Ruiz Guiñazú, and the Archivo General De Indias, *La Audiencia De Charcas*, 3 vols. (Madrid: Impr. De J. Pueyo, 1918), 3:4.

imagination. The Rio Grande, on its way north to the Amazon, leaps off the page near the upper left-hand corner, the Pilcomayo, crosses the upper right, pointing the way to the Río de la Plata Estuary, and the Rio San Marcos or Parapetí, a thin line compared to the other two, vanishes from the top of the page, much as it disappears into the distant, unmapped marshes of Izozog.

The Cordillera Oriental articulates the Andean *altiplano* to the west with the alluvial plains of the Amazon and Paraná basins to the east. It is a zone of transition from one to the other. Only the westernmost edges of several provinces in this region could truly be described as the Andean *puna*, or highlands above four thousand meters. To the northeast, Santa Cruz de la Sierra spreads out across the humid, tropical lowlands, while the hotter, drier Chaco continues south and east into what is now Paraguay and Argentina. Looking from the sky, the eastern Cordillera is a series of valleys oriented from southwest to northeast that begin to curve to the west at a point roughly equal with the position of Santa Cruz de la Sierra (eighteen degrees of latitude). Valleys in the foothills south of this point run north-south and appear green and covered in subtropical forest, becoming drier towards the south and east, toward the Chaco. This belt of foothills encloses a riot of higher valley systems that observe no clear order. One Jesuit traveler, in route to Santa Cruz, described these stony heights as “the ribs of America’s enormous body.”⁶² The valleys also resemble waves, pressed closely together to the west, where they are higher in elevation and drier, and more widely separated to the east, where they

⁶² *Mojos, Seis Relaciones Jesuíticas: Geografía, Evangelización 1670-1763*, eds. Josep M. Barnadas and Manuel Plaza (Cochabamba: Historia Boliviana, 2005), 139.

relax into the nearly flat expanse of the lowland plains. Here and there broad plains support more intensive agricultural activities, such as the cold pampas of Yamparaez and Tarabuco east of Sucre, more temperate valleys, such as that of Camargo and Tocaquira to the south, and Mizque's warm valley to the north. In this zone of rapidly declining elevations, broad valleys and plains are punctuated by steep descents and heavily eroded slopes that allow little space for agriculture. At times this general descent is interrupted by a cluster of peaks and mountains, such as *Serranía de Siberia* above the town of Comarapa, the *liquinas* of Cinti, and the *Cordillera de Mandinga*, near Zudañez (Tacopaya).⁶³

Despite its role in articulating west and east, highlands and lowlands, it is difficult to describe the region in a geographical sense without lapsing into a language of spatial bifurcation. As a tool for depicting geopolitics of the Cordillera Oriental, Cepeda's map would likely have been as disorienting for native Andeans as it is for the modern observer. According to the familiar Andean cosmography, the "upper," superior, or male figures in an image appeared in the upper left-hand portion of an image, and the "lower," inferior, or female figures appeared in the lower right-hand corner. In Cepeda's map, the audiencia president had reversed this order, placing the villages of the Chiriguano in the most privileged portion of the image and the principal Spanish cities in the lower portion of the map, a position of subordination. For native Andeans, this orientation would have seemed to be an odd way for the powerful Spanish empire to depict their relationship to a people that many native Andeans from the highlands considered to be barbarous and

⁶³ Langer, *Economic Change*, 52, 88, 90, 123, 157-158.

inferior.⁶⁴ For the indigenous Aymara, whose territory centered around Lake Titicaca, the high plain around the lake and the nearby mountains were the masculine side of a dual environment--*Urcusuyu*, dry, harsh, and masculine--while the lowland tropics to the northeast of lake Titicaca were *Umasuyu*--humid, fecund, and feminine--the inferior space within the dual hierarchy.⁶⁵ The characteristics of the human inhabitants of these regions were analogous to their spatial qualities, oscillating between the culture and full humanity of the highland peoples and the savagery and animality of the lowland peoples.⁶⁶ As the Inca incorporated the Aymara kingdoms and the Charka ethnic groups of the Cordillera Oriental into its growing empire, it would preserve these divisions, with Collasuyu representing the more civilized, highland peoples, and Antisuyu the uncivilized, barbarous lowlands.⁶⁷ Thierry Saignes felt that Spanish efforts to describe regions located at the lower part of a mountain tended to reify earlier Aymara and Quechua conceptualizations of that space, with *pie de monte*, the foothills, gesturing to this persistent subordination of the lowlands to the highlands.⁶⁸ For Saignes, a significant effect of such spatial thinking and related analogies to human populations had left the central highlands with a history, the lowlands without a history, or as essentially pre-historical, and the inter-Andean valleys, like the Cordillera Oriental, with no clear

⁶⁴ Rolena Adorno, *Guaman Poma Writing and Resistance in Colonial Peru* (University of Texas Press, 2000), 89-106.

⁶⁵ Saignes, *Los Andes Orientales*, ix.

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*, x.

⁶⁸ *Ibid.*, xi-xiii.

identity or existence, inscribed as a “double periphery,” a frontier between two heavily determined zones of contact.⁶⁹

It was likely the combined efforts of the Inca and Chiriguano that transformed what was long a regional synergy of diverse peoples into a bisected space of highlands and lowlands at war. The subjugation of the various ethnic groups that lived in Cordillera Oriental appears to have taken place during the reign of the Inca Pachacuti (c.1438-1471), with the Inca state taking more direct control of the region, both economically and militarily, beginning under the reign of Tupac Yupanqui (1471-1493).⁷⁰ During the reigns of Tupac Yupanqui and his successor, Huayna Capac (1483-1527), the Inca intensified their control through the permanent transplantation of various foreign ethnic groups, native Andeans from elsewhere in the Inca Empire, called *mitmaqkuna* or *mitimaes*, into the midst of ethnic groups already living in the Cordillera.⁷¹ These colonist groups both defended the highlands from attack by lowland peoples and prevented alliances between highland and lowland communities who might resist the hegemony of the Inca state.⁷² Chiriguano attacks on Inca fortifications and the settlements of *mitimaes*, beginning in the 1520s at the end of Huayna Capac’s reign, transformed the Inca’s model of imperial

⁶⁹ Ibid., xiii.

⁷⁰ Scholl, 143-144.

⁷¹ Capitulaciones de Juan Ladrón de Leyva, AGI Patronato 136 N4, 13r, 15r, 18v; Saignes, “Andaluces,” 175; Presta, “Hermosas, Fértiles,” 26; *Al Este de los Andes*, 155, 160-161, 163, 246; Scholl, 99-100, 156, 158, 173-176, 183-185, 194; Brooke Larson, *Cochabamba, 1550-1900: Colonialism and Agrarian Transformation in Bolivia*. Expanded edition (Durham: Duke University Press, 1998), 28; Zulawski, 23 (her source is Nathan Wachtel, “The Mitimaes of the Cochabamba Valley,” in *The Inca and Aztec States, 1400-1800* ed. George A. Collier, Renato I. Rosaldo and John D. Wirth (New York: Academic Press, 1982), 202-203.

⁷² *Al Este de los Andes*, 163; Wightman, 86.

expansion into a more static defense of the Cordillera as a more or less permanent frontier.⁷³

The insertion of Spanish institutions into the political and social environment of the eastern Andes implied a certain level of erasure of Incaic and autochthonous legal regimes. Allies and kin groups would be divided by new lines of jurisdiction. The Spanish resettlement of native peoples into *reducciones* would alter well-established links between indigenous communities and the land. Even Spanish efforts to utilize Incaic legal regimes would transform institutions like the *mita* system of communal labor and the *yana* status of perpetual service into still more exploitative enterprises. But these changes would take place in a region already altered by empire. The Spanish domination of the eastern Andes was a second conquest of the lands of the Aymara-speaking Charka people, and the creation of Spanish settlements was a second fragmentation of the eastern Andes as an ethnic space. The regions that fell most completely under the Inca's direct control, including those lands resettled with *mitimaes* by the Inca at the height of their strength, suffered from Chiriguano incursions from the south and east beginning in the 1520s, and faced defeat by a combination of Spanish and indigenous forces from the north and west by 1538. Many *mitimaes* retreated into the native Andean communities, and some returned to their original communities in other parts of the Andes.⁷⁴ The invading Spaniards would inherit the fragmented, multiethnic world that the Inca had left

⁷³ Scholl, 89, 177, 207.

⁷⁴ *Al Este de los Andes*, 246; Larson, 298-299; Zulawski, 68; Wightman, 86-87; Saignes, *Historia del Pueblo Chiriguano*, 56-57.

behind.⁷⁵ The Spanish towns they founded, some built over the sites of decaying fortresses, would also take up their function of bilateral vigilance.

A Spanish Frontier

The Cordillera Oriental would be a place with uncertain external and internal boundaries under Spanish rule from the very beginning.⁷⁶ Like the rest of Peru, the history of the Eastern Andes as a jurisdiction was an extension of the territorial claims that emerged out of Pizarro and Almagro's conquest of Peru. In that sense, it was also caught up in the politics that arose out of the personal differences between Almagro and the Pizarros in their struggle over the spoils of the conquest. Much of the territory that would fall under the jurisdiction of the Audiencia of Charcas was included in the governorship originally allotted in 1534 to Almagro as "Nuevo Toledo," a jurisdiction that began at approximately the location of the modern Peruvian city of Pisco and extended, theoretically, two hundred leagues to the south as well as eastward until it abutted the territories granted to Portugal in the 1493 Treaty of Tordesillas. But neither the region nor its indigenous residents were controlled in any meaningful way by Spain until after Almagro's death in 1538. In that year, Hernando Pizarro entered the region with the Inca Paullu and thousands of his warriors via Lake Titicaca, which they conquered despite substantial resistance from the region's native peoples. Hernando's brother, Gonzalo, then led the successful battle in Cochabamba against a number of allied

⁷⁵ Saignes, *Historia del Pueblo Chiriguano*, 43-54; *Al este de los Andes*, 34, 74-75, 155, 159-163; *Distant Provinces in the Inka Empire: Toward a Deeper Understanding of Inka Imperialism*, eds. Michael Andrew Malpass and Sonia Alconini Mujica (Iowa City: University of Iowa Press, 2010), 3, 77, 171, 283, 284, 289, 295.

⁷⁶ Benton, *Sovereignty*, 288.

indigenous armies during that same year. The results of Hernando and Paullu's victories included statements of fealty by various indigenous leaders in Charcas, a scattering of different encomienda grants, and at least the technical "foundation" of the city of La Plata, which probably did not take on anything like a physical existence until 1539 or 1540.⁷⁷

Another significant development in the history of the Eastern Andes, as a Spanish jurisdiction, arose out of competing Spanish and Portuguese efforts towards territorial expansion in the South American continent. Spanish and Portuguese navigators had begun to explore the Río de la Plata estuary since as early as the 1510s.⁷⁸ In 1536, in an effort to forestall Portuguese expansion in the region, Pedro de Mendoza founded a town beside the estuary, declaring his encampment to be the Puerto de Nuestra Señora Santa María del Buen Aire. The site would be abandoned by 1541.⁷⁹ Spain acquired a permanent foothold in the Río de la Plata region when Mendoza's deputy, Juan de Ayolas, established a fort in 1537 at what would become Asunción.⁸⁰ This inchoate settlement became a base for expeditions in which the few Spaniards pursued rumors of cities and gold and silver and their Guaraní allies attempted to acquire captives from indigenous rivals in the region.⁸¹ In 1541, the Paraguayan governor, Domingo Martínez de Irala, would recast the fort as a city, called Nuestra Señora Santa María de la

⁷⁷ Ana Maria Presta, "Encomienda, Family, and Business in Colonial Charcas (Modern Bolivia): The Encomenderos of La Plata, 1550—1600," Ph.D. dissertation (The Ohio State University, 1997), 1; *Qaraqara Charka*, 893-894, 900; Barnadas, 34-35; Hemming, 236.

⁷⁸ David Rock, *Argentina, 1516-1987: From Spanish Colonization to Alfonsín. Rev. and Expanded* (Berkeley: University of California Press, 1987), 8.

⁷⁹ Rock, 10-11.

⁸⁰ Scholl, 235; Rock, 11.

⁸¹ Scholl, 236.

Asunción, from where he would control the governorship of Paraguay until his death in 1556.⁸²

Representatives of these eastern and western wings of Spanish territorial expansion would meet and, perhaps inevitably, come into conflict near the banks of the Rio Grande, just east of the Cordillera Oriental. Ñuflo de Chávez, a native of Trujillo, Extremadura, had been a resident of Asunción since 1542, where he worked closely with Irala. After the governor's death, Chávez led an expedition northward following the course of Paraguay River, ostensibly to create settlements that would extend Paraguay's jurisdiction and continue the quest for mythical cities. Yet in a dramatic statement of autonomy, Chávez emulated the example of fellow extremeño Hernán Cortés, and burned the boats that had taken the expedition upriver from Asunción before proceeding westward towards the Andes and Peru.⁸³ He would found an outpost on the banks of the Rio Grande in 1559 called Nueva Asunción, or La Barranca, although not before the better part of the Spaniards and indigenous allies who had accompanied him abandoned the expedition and attempted to return to Paraguay.⁸⁴

Meanwhile, Andrés Manso had been authorized in 1559 by the viceroy of Peru, the Marqués de Cañete (1556-1560), to lead an expedition to conquer the lowland region we now refer to as the Chaco. A soldier who had accompanied an earlier military expedition into the Chaco, Manso led fifty or sixty men northward, out of the Chaco, to

⁸² Benton, *Sovereignty*, 68-79; Finot, 143.

⁸³ Finot, 130.

⁸⁴ *Ibid.*, 166.

seek out, he later claimed, more reliable sources of fresh water.⁸⁵ Certainly both the Chavez and Manso expeditions were entirely unprepared to meet each other, much less accept that the vaguely described regions they were authorized to settle seemed to overlap. To resolve the matter, Chávez and a small party of supporters travelled to Lima, a journey of several hundred leagues and likely more than a month, to let viceroy Cañete sort out the two claims.⁸⁶ Upon Chavez's arrival in Lima, the viceroy's decision was not so much to extinguish Manso's rights as to officially sanction Chávez' territorial acquisitions, creating two abutting governorships with the Rio San Marcos, or Parapetí, acting as the border between them.⁸⁷

By travelling to Lima personally, Chávez had managed to transform himself from an expedition leader who had exceeded his orders from the governor of Paraguay into a de-facto governor of a new province under Limeño authority.⁸⁸ The viceroy, meanwhile, had created two governorships under the charge of seasoned expedition leaders in lands where previously Spain had next to no presence. After his successful journey to Lima, and after bundling a surprised and angry Manso off to La Plata, at least temporarily, Chávez soon headed east with many of Manso's former expeditionaries, as well as his own followers, to found the city of Santa Cruz de la Sierra in 1561.⁸⁹ Manso, for his part,

⁸⁵ Scholl, 232.

⁸⁶ Finot talks about Chávez's overall journey on 167; Garrett suggests it would take two weeks to travel between Lima and Cuzco, a journey of one hundred seventy-three leagues in "En El Remoto," 20. His source, Concolorcorvo, seems to suggest that it was possible to cover the distance between Buenos Aires and Lima, nine hundred forty-six leagues, in thirty-six days. *El Lazarillo de Ciegos Caminantes*, ed. José Luis Busaniche, Clasicos de la Literatura Latinoamericana Carrascalejo de la Jara (Santa Fe, Argentina: El Cid Editor, 2009), Prologue, 6, 12; Barr, 26.

⁸⁷ Ávila, 22-23.

⁸⁸ Officially he was a lieutenant. Finot, 171.

⁸⁹ Pifarré 29; Finot, 111-113; Scholl, 251-254.

soon returned to his diminished governorship and the city he had founded in 1559 on the banks of the Parapetí, called Santo Domingo de la Nueva Rioja, or Condorillo. Both jurisdictions had only the vaguest of boundaries. Chávez' territory, initially called Moxos and only later Santa Cruz de la Sierra, began, more or less, in the vicinity of the Río Grande and extended northward and eastward towards regions rumored to be densely populated and rich in precious metals. Its boundaries were limited only by the imagination.⁹⁰ Manso's jurisdiction was only somewhat more clearly defined, extending north to south from the Parapetí to the Bermejo, and east to the Paraguay River. Its western border was the "Cordillera de los Chiriguanos," representing the eastern foothills of the Cordillera Oriental, a region of uncertain dimensions, defined only by the supposed identity of its inhabitants and its nearness to La Plata to the west and to Manso's inchoate settlement to the east.

The efforts of Manso and Chávez had expanded the King's territorial holdings east of the Andes, but other forces would transform the internal institutional structures that would govern these jurisdictions. At the time of the conquest of Charcas and the putative foundation of La Plata in 1538, the new city was simply organized as a *corregimiento* within Pizarro's larger Peruvian governorship.⁹¹ With the discovery of silver, first at Porco in 1538 and later at Potosí in 1545, the region suddenly rose to new prominence and significance within the Empire. Royal officials established

⁹⁰ Pifarré, 29.

⁹¹ A *corregidor* was essentially a provincial magistrate, essentially the King's representative in the courts of first instance. The *corregimiento*, as the area over which the *corregidor* exercised jurisdiction, could vary in size from the municipal boundaries of a single town, as was often the case in Spain, to a collection of municipal units, essentially a province. See Chamberlain, 223-224; Barnadas, 35.

corregimientos at Potosí and La Paz in 1548 as additions to what had become the viceroyalty of Peru and the Audiencia of Lima.⁹² Even as Chávez met with Cañete in Lima to decide on the boundaries of his governorship in 1560, the viceroy was already deeply involved in, and quite opposed to, the transformation of the corregimientos of what was known as Alto Peru into an additional audiencia that would be autonomous from the Audiencia of Lima, but still under the authority of the viceroyalty of Peru. The boundaries of the new Audiencia of Charcas would not be clarified until 1561 *after* its first presiding officials, its oidores, had already arrived in Lima. In this first iteration, the jurisdiction of the Audiencia of Charcas was a circle with a radius of only one hundred leagues, big enough to take in the former corregimientos of La Plata, Potosí, and La Paz, but leaving the recently created governorships of Chávez and Manso, Paraguay, Tucumán, and the Río de la Plata under the authority of the Audiencia of Lima. A royal provision from 1563 would change this, adding all that was “Tucumán and Juríes and Diaguitas and the province of Mojos and Chunchos and the lands and towns that Andrés Manso and Ñuflo de Chávez, with the rest that has yet to be settled in those parts, in the land stretching from the city of La Plata to the city of Cuzco” to the jurisdiction of the new audiencia.⁹³ Paraguay and the rest of the Río de la Plata would be added in 1566, and the most disputed inclusion, a piece of the province of Cuzco, would be added to the Audiencia of Charcas by 1573 (Map 2).⁹⁴

⁹² Barnadas, 607.

⁹³ Finot, 106.

⁹⁴ Barnadas, 533.

In 1564, Chiriguano attacks on Nueva Rioja and La Barranca, the towns founded respectively by Manso and Chávez, as well as on individual Spanish estates, dramatically altered Spanish efforts towards territorial expansion into the Eastern Andes and the lowland plains. As Scholl has recently argued, the attacks were provoked by Spanish attempts to “reduce” the Chiriguano to agricultural laborers on Spanish estates at these sites, actions that transformed initial relationships of mutual support and cooperation between Spaniards and local Chiriguano communities into relationships of overt subjugation and coercion.⁹⁵ The cities of Nueva Rioja and La Barranca were completely destroyed, with very few survivors, leaving Santa Cruz as the sole remaining permanent Spanish settlement in the lowlands.⁹⁶ Decades later, in 1590, La Barranca was essentially re-founded as San Lorenzo de la Barranca, but Manso’s settlement, despite many attempts, was never restored.

The killing of Andrés Manso and the erasure of his settlement by the Chiriguano—essentially the complete destruction of all that represented his governorship—left a particularly deep imprint on the Spanish imaginary, not only for frontier residents, but in Peru generally.⁹⁷ Ruy Díaz de Guzman, who famously led one of the last settlement efforts in the Chaco during the colonial period, would be named the “governor of the Llanos de Manso” in 1614.⁹⁸ Even as late as 1774, the Llanos de Manso still appeared on a map made of the expedition of don Gerónimo Matorras, *Gobernador*

⁹⁵ Scholl, 267.

⁹⁶ *Ibid.*, 267.

⁹⁷ Chávez died in 1568. Julien, *Desde el Oriente*, 240, 252; Scholl, 258-260, 265.

⁹⁸ Pifarré, 119-120; Marcos Jiménez De La Espada and José Urbano Martínez Carreras, *Relaciones Geográficas De Indias—Perú*, Biblioteca De Autores Españoles, 3 vols. (Madrid: Ediciones Atlas, 1965), 1:150.

of Tucumán.⁹⁹ As we will see, the almost purely fictional jurisdiction of Manso retained such a powerful place as a reference point within the Spanish imaginary of the lands east of the Andes as to counter balance the conceptual heft of the very real cities of La Plata and Potosí to the west. These circumstances reveal an idiosyncrasy that governed the workings of Spanish institutions: settlers and settlements could disappear from the earth, but jurisdictions were indelible features of the colonial state.

Even as the contours of the Eastern Andean frontier took shape, so too did visions for the potential power and wealth the Audiencia de Charcas might wield within the viceroyalty of Peru. Despite their contested nature and violent history, the audiencia's eastern boundaries, including the Cordillera Oriental and the lowlands beyond them, seemed particularly promising. First, the Cordillera promised to provide Charcas with direct access overland to the Mar de Norte, the Atlantic Ocean, circumventing Lima and the Isthmus of Panama. Explorers like Díaz de Solís, Magellan, and Cabot had already begun to probe the possibility of discovering a sea route between the northern and southern seas in the 1510s and 1520s.

A 1561 *relación geográfica* from La Plata reflected a more Charqueño spatial imaginary regarding the Mar del Norte. The authors appear to propose three routes to the sea: the Rio Grande (also called the Chunguri or Guapay), given that it was a tributary of the Amazon; the Paraguay River, which they called the Río de la Plata Arriba, after a long land route towards Santa Cruz de la Sierra; and the Pilcomayo, which they knew to

⁹⁹ Serrano y Sanz, Manuel. 1898. "Los Indios Chiriguanaes." *Revista de Archivos, Bibliotecas, y Museos*, 1898, II, Lamina XIII.



Map 2. The Audiencia of Charcas c. 1700, Relative to Modern Latin American National and Provincial Boundaries. Sources: Barnadas, 533, and Morales, 29.



Map 3. "Carta geográfica de las Provincias de la Gobernación del Río de la Plata, Tucumán, y Paraguay. Con parte de las confinantes, Chile, Perú, Sancta Cruz, y Brasil" (1683). Source: AGI MP-Buenos Aires, 29.

be a tributary of the Río de la Plata (Map 3).¹⁰⁰ One year later, oidor Juan de Matienzo proposed four possible routes to the sea, adding a potential route through Tucumán. But as he lamented in 1566, all of these possibilities, with the exception of Tucumán, remained closed to Spain as long as the indigenous peoples living beyond the Cordillera were not conquered.¹⁰¹

While the idea of more direct access to the sea excited the Charqueño elite, for a broader cross section of Spanish colonial society the Cordillera seemed to be the doorway to something even more exciting—El Dorado. The idea of still-undiscovered cities of gold and silver was also an old one. Cabot’s title of Río de la Plata, or “River of Silver,” for the large estuary on the Atlantic side of the continent, recalls one of these stories—the *Sierra de Plata* or “Mountain of Silver” supposedly located not far from the river’s source.¹⁰² Similar stories of cities filled with precious metals, hidden somewhere in the lowland jungles, proliferated in the various Spanish cities of the Andes and Río de la Plata estuary. Spaniards referred to these mythical sites as “Mojos,” “Paitití,” and “Candire,” to name only a few. In Paraguayan Asunción, these ideas would fuse with the Tupi-Guaraní mythology surrounding the “Tierra Sin Mal,” or Candire.¹⁰³ Versions of the story in Peru may have originated in stories transmitted to Spanish officials by the Inca Quipu keepers, the Quipucamayuc.¹⁰⁴ In any event, the location of these sites always lay just beyond what was known or accessible, directing Spanish aspirations to the little-

¹⁰⁰ *Relaciones Geográficas*, 1:353-354.

¹⁰¹ *Ibid.*, 2:71-72.

¹⁰² Finot, 1978, 81.

¹⁰³ Saignes, *Los Andes Orientales*, 45-46.

¹⁰⁴ García Recio, 28.

known regions north and west of the *gobernación* of Santa Cruz, or far to the south, past Tucumán. Spanish expedition leaders were able to use visions of El Dorado to motivate exploration and settlement, and this vision remained one of the principal reasons for the persistence of Santa Cruz de la Sierra as a point of departure for expeditions of discovery, despite its remoteness, well into the seventeenth century.¹⁰⁵

On a practical level, perhaps the most important value of the Cordillera Oriental was that it lay just at the audiencia's doorstep, heightening its significance in minds of the royal officials in La Plata and the entrepreneurs in Potosí. From the first, the region held tremendous value and potential as the obvious hinterland for Potosí and La Plata. Potosí was founded in a region with a long history of pastoralism, where human agents had long since transformed the region's ancient forests into grasslands.¹⁰⁶ But at over thirteen thousand to fourteen thousand feet, the cool, dry country surrounding the city could not produce the foodstuffs needed to feed a growing city already well on its way to becoming a metropolis. These had to be brought from elsewhere. And while the hinterland supplying Potosí would eventually span from Tucumán to New Granada and beyond, the Andean slopes east of the city were the closest and most convenient source for such goods—if the region could be fully wrested from their indigenous masters.

¹⁰⁵ José Antonio del Busto Duthurburu, *Marchas Y Navegaciones En La Conquista Del Perú*. Publicación Del Instituto Riva-Agüero no. 231 (Lima: Instituto Riva-Agüero, Pontificia Universidad Católica Del Perú, 2006), 295, 345; AGI Charcas 21 (November 30, 1635) and AGI Lima 91 (March 6, 1565) as cited in García Recio, 32; Saignes, *Los Andes Orientales*, 47.

¹⁰⁶ Gade, 48-49.

Spanish efforts to exploit the resources available in the Eastern Andes were initially led by the Spaniards who were granted encomiendas in the region.¹⁰⁷ At first these were individuals loyal to the Pizarro brothers (*pizarristas*), like Francisco de Retamoso, Alonso de Camargo, and Francisco de Almendras.¹⁰⁸ After the Battle of Jaquijahuana, in which Gonzalo Pizarro and his few remaining supporters were defeated by royalist forces led by Pedro de la Gasca in 1548, these encomiendas were reassigned to an assortment of former supporters of Almagro (*almagristas*) as well as royalist newcomers and *pizarristas* who changed sides. Individuals like Juan Ortiz de Zarate, Martin and Diego de Almendras, Martin Monje, Pedro Hernández Paniagua, Juan Polo de Ondegardo, Diego de Zarate and others received encomiendas of Indians from Tarija, Tarabuco, Presto, Mizque, Pocona, Aiquile, and the Cochabamba Valleys.¹⁰⁹ These individuals were generally vecinos of the city of La Plata, the nearest Spanish city to their encomiendas, although a number of them increasingly spent considerable time living on the haciendas they would purchase, often in the vicinity of the indigenous communities in their encomiendas, and were joined by the many individuals connected to their

¹⁰⁷ These date to the conquest of the region by the Pizarros and Inca Paullu in 1538, the Pedro de Candía and Diego de Rojas Expedition in 1538-1539, and the Irala-Ñuflo de Chavez expedition from Paraguay to Charcas (1547-1549). Barnadas 34-35; AGI Justicia 1125, 25 (La Plata, 20 enero 1551) as cited in Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:vi, vii; Saignes, *Historia del Pueblo*, 56; Finot, 137-138.

¹⁰⁸ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:vi, vii, 1-3, 6-9, 16-18; Presta "Encomienda, Family," 62, 65.

¹⁰⁹ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:9-14; Presta, "Encomienda, Family," 72, 77, 112, 117, 121, 136, 152, 179, 180, 230, 243, 244; Gutierrez Brockington, *Blacks, Indians, and Spaniards*, 32; Teodoro Hampe M. "Relación de los encomenderos y repartimientos del Peru en 1561," *Historia y Cultura: Revista del Museo Nacional de Arqueología, Antropología e Historia del Peru* 12 (1979), 82; *Qaraqara Charka*, 286.

households.¹¹⁰ This line of encomiendas would reach its maximum extent, however briefly, with the encomiendas distributed by Manso in 1563 in the vicinity of his Nueva Rioja settlement in the lowlands near the Parapetí River, as well those distributed in the vicinity of La Barranca by Chávez's lieutenant, Hernando Salazar, after 1559.¹¹¹

In addition to these encomiendas, various sites in the Eastern Andes began to fill with the haciendas of Spanish and mestizo squatters, individuals who established themselves in abandoned properties, or who acquired properties from their indigenous owners through informal purchase agreements as well as various forms of coercion.¹¹² By the 1560s, a number of estates had been established in this way in the valleys of Cochabamba, Mizque, Tomina, Oroncota, and perhaps Tarija, locations often around twenty leagues from Potosí or La Plata.¹¹³ One of these individuals, Jerónimo González de Alanis, possessed a large estate at Chalarmarca, between the indigenous town (*reducción*) of San Lucas and the Cinti valley. There he raised cattle and bred mules,

¹¹⁰ Carolina M. Jurado, "Un fiscal al servicio de su majestad: Don Francisco de Alfaro en la Real Audiencia de Charcas, 1598-1608," *Población & Sociedad* 21, no. 1 (2014), 123; Presta, "Encomienda, Family," 134; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:xvi.

¹¹¹ Julien, *Desde el oriente*, 110, 160-164, 212, 224; Scholl, 258.

¹¹² Martin, 14-15; AGI Lima 28, 17r-17v as published in Levillier, *Gobernadores del Peru*, 4:84; *Qaraqara Charka*, 526, 530.

¹¹³ *Acuerdos de la Real Audiencia de La Plata de los Charcas*, ed. José Miguel López Villalba, 10 vols. (Sucre: Corte Suprema de Justicia, 2007), 1:1566.23 (216), and 1:1567.61 (396); "Carta a S.M. del Licenciado Ruano Tellez, fiscal de la Audiencia de Charcas," (2-20-1585) AGI Charcas 16 in Levillier et al, *Audiencia de Charcas* 2:191; "Carta del Licenciado Cepeda a S.M. sobre distintas materias tocantes al bueno gobierno de aquellas provincias," (1-10-1586) AGI Charcas 16; "Carta de S.M. en su Real Consejo del Licenciado Cepeda, acerca de las cosas convenientes al real servicio y dignas de remedio," (1-13-1588) AGI Charcas 16; "Carta del Licenciado Cepeda a S.M. en contestación de las reales cédulas recibidas y trata muy por extenso de la reducción de los indios chiriguano," (2-10-1590) AGI 17; María Ramírez Valverde, "Visita a Pocona" (1557), *Historia y Cultura* 4 (1970), 298; Carolina M. Jurado, "'(...) muy mañoso para esto.' Comisiones para don Pedro Osoreo de Ulloa, segundo juez de composición de tierras de Charcas, 1594-1596," *Corpus* 4, no. 2 (July/December, 2014), 2-3; "Villa de Santiago de Tomina" (4-20-1582), AGI Charcas 142; Pifarré, 102; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:xvi.

likely for sale to the mule trains that supplied provisions to Potosí and La Plata. His isolated estate was one of the only estancias to appear as a landmark on Cepeda's 1588 map of the Cordillera de los Chiriguanos.¹¹⁴ In the region near the Tomina valleys, men like Melchor de Rodas, Pedro de Segura Zavala, García Mosquera, and Miguel Martín, individuals who would soon play significant roles in the development of the region, likely established estates for themselves at this time in valleys abandoned by the Inca's *mitimaes* some decades before.¹¹⁵

In time, Spaniards would produce wine for the Potosí market in the Oroncota and Mizque, located in warm valleys east and north of Potosí and La Plata, and in Pilaya and Paspaya, where the Jesuits were developing a massive estate. Beginning in the 1570s, with the onset of Potosí's second silver cycle, vineyards proliferated throughout the Eastern Andean valleys.¹¹⁶ Coca leaves, produced largely in the humid lowland valleys or

¹¹⁴ He does not appear in Viceroy Cañete's 1561 "Relación de los Vecinos Encomenderos Que Ay en Estos Reynos del Peru," Hampe, 82-85; Lizárraga, 93; Barnadas, 53; AGI Justicia 650 N1 R2; Letter by Alanis (5-21-1566) published in *Colección de Documentos Inéditos para la Historia de Chile desde el viaje de Magallanes hasta la batalla de Maipo, 1518-1818* (edited by José Toribio Medina (Santiago de Chile: Impr. Ercilla, 1888-1901), 30:287; Also referenced by Francisco de Aguirre in a letter from October of 1569. Published in Mario Barragán Vargas, *Historia Temprana De Tarija*, 1st ed. (Tarija, Bolivia: Sr. Barros Arana Proceso de Pedro de Valdivia, 2001), 369; "Memoria del Licenciado Matienzo para el Excmo. Señor don Francisco de Toledo, cerca del asiento de la provincial de los Charcas," trans. Manuel Serrano y Sanz in "Los Indios Chiriguanaes," *Revista de Archivos, Bibliotecas, y Museos* 2, no. 3 (July, 1898), 411.

¹¹⁵ "Carta a S. M. del Licenciado Cepeda, presidente de Charcas, sobre la conveniencia de conservar, reducir y poblar en las naciones de indias," (2-10-1588) Levillier et al, *Audiencia de Charcas* 2:368-369; "Al Rey nuestro señor en su real consejo de Indias," (10-2-1591) AGI Charcas 43; (3-17-1546) AGI Indiferente 1964 lib. 10, F7v; Ricardo Mujía, *Bolivia-Paraguay—Anexos: Época Colonial* 3 vols. (La Paz, Bolivia: Empresa Editorial "El Tiempo," 1914), 2:581; "Meritos y servicios: Pedro de Segura, Perú," AGI Patronato 125 R4; Thierry Saignes, "Entre bárbaros y cristianos. El desafío mestizo en la frontera chiriguano," *Anuario IEHS* 4 (1989), 21-22; Finot, 138-139.

¹¹⁶ Richard L. Garner, "Long-term Spanish Silver Mining Trends in Spanish America," *The American Historical Review* 93:4 (Oct. 1988), 902, 908-909; Presta, "Una Hacienda Tarijeña," 36; Saignes, "Andaluces," 188; Antonio Vázquez De Espinosa, *Compendio y Descripción de las Indias Occidentales*, ed. by Balbino Velasco Bayón, 1st ed. (Crónicas De América 68. Madrid: Historia 16, 1992), 820, 843, 844, 847; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 63v.

yungas just north of Mizque and destined for consumption by indigenous laborers in Potosí, were also profitable, and Spanish landowners experimented with sugarcane in the tropical river valleys and lowland plains across the Cordillera, most notably in the governorship of Santa Cruz.¹¹⁷ The indigenous reducciones of Presto and Tarabuco, and the large estate at Moxocoya in Tomina were all good sites for wheat production, although their crops were miniscule compared with the volume of wheat produced in the valleys of Cochabamba.¹¹⁸ Tomina, officially founded in 1575, was a center of agricultural production and informal settlement since at least the 1560s. Tomina was also one of the first communities to win special accommodations to sell in Potosí the corn produced in the region, which the founders of other Spanish communities that were similarly suitable for corn production attempted to emulate.¹¹⁹ Such grains could be cultivated in the region's fertile valleys, but the bulk of available land was better suited to cattle ranching, and the sale of hides, tallow, and other animal byproducts could be transported to Potosí profitably, even from great distances.¹²⁰

The region was also valuable for its natural resources. Friar Vazquez de Espinoza, a Carmelite friar, devoted an entire chapter of his *Compendio y Descripción de las Indias Occidentales* (c.1630) to the varieties and uses of the region's timber.¹²¹ In a 1608

¹¹⁷ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 116-119; García Recio, 320.

¹¹⁸ Vázquez de Espinosa, 820, 843, 844; Larson, 90-91; Assadourian, 148.

¹¹⁹ AGI Patronato 29 R41; Patronato 136 N1 R4; Joaquín Francisco Pacheco, Francisco de Cárdenas, and Luis Torres de Mendoza, *Colección de documentos inéditos, relativos al descubrimiento, conquista y organización de las antiguas posesiones españolas de América y Oceanía, sacados de los archivos del reino, y muy especialmente del de Indias (CDIAO)* (Madrid: Imprenta de M. Bernaldo de Quiros), 9:21.

¹²⁰ Vázquez de Espinoza, 843, 844, 847, 848-850; *CDIAO*, 9:322.

¹²¹ Chapter 26 "En que prosigue la descripción del distrito de esta ciudad y en particular de la cantidad de los árboles y sus maderas," Vázquez de Espinosa, 862-864.

description of Tomina, the region's corregidor writes in detail about the region's forest products, which served needs ranging from axels for the stamping machines used in Potosí's royal mint to door posts and other building materials for its multiplying houses.¹²² In Juan Ladrón de Leyva's 1596 preamble to his service record, particularly his work in founding the city of San Juan de la Frontera de Paspaya (1584), he mentioned still more goods that region produced: "wood for the silver mills, charcoal for the royal mint, and pasture for the livestock used to transport the silver."¹²³ Given the region's proximity and potential for producing goods for Potosí's growing market, it is little wonder that matters surrounding the conquest, settlement, and defense of the Cordillera retained significant political importance well into the seventeenth century.¹²⁴

Governing the "Despoblado"

We do not have a map that depicts Viceroy Francisco de Toledo's (1559-1581) vision of the Eastern Andes to compare to that of Cepeda's 1588 map. But we do have his vivid description of the region as he imagined it from a mansion in Lima in March of 1572. As Toledo saw it, the hundred leagues between what the viceroy considered to be the boundaries of Peru, essentially the jurisdictions of the Audiencias of Lima and Charcas, and the settlements of Santa Cruz de la Sierra (1561) and San Miguel de Tucumán (1565) were simply abandoned, a "despoblado." "And because of this," said Toledo, "the fugitives and delinquents who can't sustain themselves here [in Peru] pass

¹²² *CDIAO*, 9:321.

¹²³ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 1r-1v.

¹²⁴ Lizárraga, 93; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 77-78, 98-100, 116-119; Larson, 43-50; Zulawski, 7, 8, 49-53; Assadourian, 147-148, 152, 158; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 1r-1v.

over there, where they walk about inventing ruination without it being possible to punish them.”¹²⁵ This unregulated space also permitted the flight of indigenous laborers and African slaves from rural estates and even the highland cities into the ranks of unconquered Chiriguano.¹²⁶ As to the residents of Santa Cruz and Tucumán, Toledo felt that they were “without respect for superior justice,” and lived in a state of excessive liberty.¹²⁷ By 1572, Toledo had already moved to address the disorders taking place in these distant provinces by removing their governors, don Diego de Mendoza in Santa Cruz and Francisco de Aguirre in Tucumán, and replacing them with more trustworthy figures: Juan Perez de Zorita and Jerónimo Luis de Cabrera.¹²⁸

Toledo’s statements provide us with a glimpse of the complex and layered geopolitical environment of Charcas vis-à-vis Lima and the Eastern Andes. In many ways, Toledo’s comments reflect long-standing tensions between Lima, as the center of viceregal power, and the cities of Charcas that went back to the years of the civil wars. According to Barnadas, Limeños considered Charcas to be the “lair” of the discontented,

¹²⁵ “... hasta aquí entre los fines deste rreyno del piru y las poblaciones mas cercas de tucuman y santa cruz abra cien leguas de despoblados que hera causa que los fforahidos y delinquentes que aca no se podian sustentar se pasavan alla donde siempre andavan ymaginando ruindades si sin ser posible poder los castigar...” From “Un tomo encudernado en pergamino con quatrocientas veinte y cinco fojas utiles que contiene cartas oficiales escritas por don Francisco de Toledo a SM y al consejo sobre toda clase de asuntos de gobierno durante el año de 1572.” In “Carta del Virrey don Francisco de Toledo sobre su viaje y visita” (3-1-1572), AGI Lima 28, 25v. Also in Levillier, as “Carta del Virey Don Francisco de Toledo sobre su viaje y visita ...” Roberto Levillier and the Archivo General De Indias, *Gobernantes Del Perú, Cartas Y Papeles, Siglo XVI*. (Madrid: Sucesores Del Rivadeneyra, s.a. 1921), 4:100.

¹²⁶ *Al Este de los Andes*, 248, 264, 270; “don Diego Vasquez Arce sobre unos indios de los cimarrones” (1593-1596), AGI Charcas 44; “Carta del licenciado Juan López de Cepeda, presidente de la Audiencia de Charcas,” AGI Charcas 16 R21 N94; “1599 Residencia de Lorenzo Suárez de Figueroa, Gonzalo de Solís Holguín y Betrán de Otazo y Guevara,” AGI Escribanía 529c; AHMC 32.27 (1623); AHMC 40.13 (1629); ABNB Correspondencia #939 (1633).

¹²⁷ Levillier, *Gobernantes del Perú*, 4:100.

¹²⁸ Finot 211, 214; García Recio, 64, 474-478; Rock, 13.

a refuge for vagrants and fugitives since the defeat of Gonzalo Pizarro in 1548.¹²⁹

Additionally, with the creation of the Audiencia of Charcas, the efforts of the leadership of the new audiencia to promote the region's autonomy from Lima threatened the viceregal capital's grip on power.¹³⁰

Toledo's comments about the residents of the lowland jurisdictions also reflects an emerging racializing discourse that linked residence in the lowlands and Andean foothills to discourses on cultural and racial mixture and its deleterious effects upon Spanish society and social order. From Toledo's perspective, the viceroyalty of Peru had only negligible authority over the provinces where these lowland creoles lived—the governorships of Santa Cruz and Tucumán—and governing them meant bringing these provinces more completely under his direct authority. As to the abandoned leagues between Peru and the lowland governorships, the haunt of Spanish vagrants and fugitives, this was the frontier itself, the *cordillera de los chiriguanos* and its adjoining foothills. For Toledo, the answer was the creation of new settlements, which would both connect the distant provinces of Santa Cruz de la Sierra and Tucumán more closely to Peru, and bring much needed spiritual and temporal order to the region.

As we have seen, by 1572 the Eastern Andes were not abandoned, as Toledo would seem to indicate. However, the viceroy likely meant to communicate to the king that the region was devoid of formal Spanish settlements, which served as key expressions of Spanish civil authority. East of La Plata, the next Spanish settlement was

¹²⁹ Barnadas, 487.

¹³⁰ *Ibid.*, 1535-1565, 473-494.

Santa Cruz de la Sierra, one hundred forty leagues away. It was a similar distance to Tucumán.¹³¹ The lands between observed no clear order whatsoever. Soon after penning his 1572 report to the king, Toledo would begin the work of forcing the indigenous populations of the audiencias of Lima and Charcas into a more centralized settlement system. In the Eastern Andes, the royal authorities executing Toledo's Great Resettlement program would begin in the early 1570s to confine the region's ethnically diverse and scattered indigenous population to a handful of reducciones, notably Tarabuco and Presto just east of La Plata, San Lucas and Calcha to the south, and Mizque, Aiquile, and Pocona to the north, all of which would appear on Cepeda's 1588 map.¹³² Soon Toledo would turn his attention to the region's scattered Spanish population, but only after he had wrested the region from Chiriguano control.

The Chiriguano attacks upon Nueva Rioja and La Barranca in 1564 served as the catalyst for the Spanish crown's decision to treat the various Chiriguano communities of the Eastern Andes as enemies and rebels. For Spanish officials, attacks on Spanish settlements and settlers were a violation of *ius commune*, or universal law. As a people that had initially welcomed mendicant priests, accepting baptism into the Catholic Church and willingly submitting to the king's authority, the Chiriguano's later attacks on settlers and even priests made them religious apostates and rebellious subjects according to Spanish logic. Their control of the region and destruction of Spanish property was seen as an obstruction of free and universal commerce. Their domination and even

¹³¹ Carta de S.M. en su Real Consejo del Licenciado Cepeda, acerca de las cosas convenientes al real servicio y dignas de remedio," (1-13-1588), in Levillier et al., *Audiencia De Charcas*, 2:317; Diego Pacheco, "Relación de las provincias de Tucumán," (c.1569) *Relaciones Geográficas*, 2:137-139.

¹³² *Qaraqara Charka*, 515.

enslavement of neighboring groups, and their use of violence and terror, opened them up to the charge of tyranny. Tropes surrounding the Chiriguano's recent arrival to the region only underscored the notion of the illegitimate nature of their authority in the region.¹³³ Finally, it was believed that the Chiriguano openly and regularly engaged in cannibalism. In consultation with royal officials and Spanish witnesses, first in Cuzco and later in Charcas, Toledo concluded that a military strike against the Chiriguano constituted a just war against a tyrannical people, according to the line of theological and juridical reasoning that had been developed by scholars like Francisco de Vitoria.¹³⁴ The way was open to make war against the Chiriguano *a fuego y a sangre*, and to enslave anyone taken as a captive.¹³⁵

Toledo traveled to La Plata in 1573, having only recently completed the successful conquest of Vilcabamba, the last Inca stronghold.¹³⁶ After cajoling a large number of Spanish and indigenous soldiers and auxiliaries to take part in an expedition against the Chiriguano, Toledo set out from La Plata, heading east towards the lowlands in June of 1574. A second force, led by don Gabriel Paniagua de Loaysa, the son and heir of don Pedro Hernández Paniagua, set out from the vicinity of Cochabamba and began to make its way towards the Rio Grande.¹³⁷ Toledo's route would take him through the

¹³³ Scholl, 224; Ruy Díaz de Guzmán, Ch. de Crozefon, Hernando Sanabria Fernández, and Biblioteque Nationale, *Relación de la entrada a los chiriguano: edición crítica de los manuscritos existentes en la Biblioteca Nacional de Paris* (Santa Cruz, Bolivia: Fundación Cultural "Ramón Darío Gutiérrez," 1979), 72.

¹³⁴ Scholl 305; Weber, *Bárbaros*, 144; Pagden, *Burdens*, 12, 45, 57; Marrero-Fente, "Human Rights," 250-252, 254; Vitoria's influential lectures on the matter of just title and just war can be found in the chapters "On the American Indians" and "On the Law of War" in his *Political Writings*,

¹³⁵ Scholl, 281-82, 285, 287.

¹³⁶ Ravi Mumford, 107-08; Bernand, "Las Fronteras de La Plata," 369.

¹³⁷ Scholl, 306; Pifarré, 74.

Tomina valley and El Villar, the sites of future Spanish towns, and then on towards the vicinity of the San Marcos River, or Parapetí, then thought to be the center of Chiriguano settlement. The viceroy got only as far as the Pilcomayo, never reaching the heartland of Chiriguano settlement. One of Toledo's principal guides, the mestizo García de Mosquera, had assured him that the Pilcomayo was the only truly sizeable river he would need to cross. Instead, Toledo and his forces found themselves crossing and re-crossing rivers more than one hundred times, ruining supplies and exhausting the expeditionaries.¹³⁸ When the viceroy grew ill, his expedition was forced to retreat without ever having engaged the Chiriguano in anything like a conclusive battle. According to friar Reginaldo de Lizárraga, upon returning to the Tomina valley, "in a state of ruin and starvation," Toledo was forced to request aid for his beleaguered forces from audiencia president Quiñones. Toledo rested in Tomina, where he received assistance from the local Spanish farmers (*chacareros*) until he had strength enough to return to La Plata. In his letters to the king, Toledo described his expedition as a success, but for most observers it was a lamentable failure that emboldened, not weakened, the Chiriguano communities living in the region.¹³⁹

Toledo was the first to initiate the creation of *ciudades de españoles* that would serve as fortress cities along the Eastern Andean Frontier. As he informed the king in late 1574, in addition to restoring freedom of movement to the Cordillera by chasing the Chiriguano out the region and destroying the communities and fields they had left behind,

¹³⁸ Mujía, 2:180; Scholl, 306-308.

¹³⁹ Lizárraga, 154-155;

he had authorized the creation of two communities in the region, one in the Tomina valley near the Sauces River, called Santiago de la Frontera, and the other in the valley of Tarija, called San Bernardo de la Frontera.¹⁴⁰ These communities were to serve in a defensive capacity in the region, protecting the rest of Charcas from further attacks by the Chiriguano. But Santiago de la Frontera had a second function, it would draw together all of the “chacareros and loose peoples that are there,” thus resolving the social disorder he had referenced in his report in Cuzco two and a half years earlier.¹⁴¹

Toledo’s efforts to bring order to the frontier’s non-Indian population was not limited to the *chacareros* of the Tomina valley. In the same report, Toledo referenced his efforts to bring the leadership of Santa Cruz de la Sierra, the single remaining lowland settlement, back under Spanish royal authority. Juan Pérez de Zorita, whom Toledo had named in 1571 as the governor of Santa Cruz de la Sierra, had been charged by the viceroy to enlist *cruceño* military assistance in the expedition against the Chiriguano, as well as re-founding the settlements of La Barranca and La Rioja and pursuing more settlement and discovery efforts in the vicinity of Santa Cruz. According to David Block, Zorita’s instructions also included shifting Santa Cruz to a location closer to Peru itself.¹⁴² In reality none of these objectives would be accomplished during Toledo’s tenure, as a faction of the *cruceño* settlers, led by don Diego de Mendoza, the former

¹⁴⁰ Mujía, 2:194-195.

¹⁴¹ “y para mayor seguridad se hordena y manda hazer por su excelencia la población del valley de los sauces y fundar otro pueblo en el valle de Tomina que les cae mas en frontera juntando los chacareros y personas que en el ay sueltos con lo qual y con la poblacion del valle de san bernardo de tarija se entiende que va en seguridad todo lo desta provincia,” Viceroy Francisco de Toledo (1574), in Mujía, 2:195.

¹⁴² Block, 163; Confirmed by García Recio, 478-479; See “Carta del Virrey del Peru Don Francisco de Toledo a S.M. sobre negocios que tocan a justica y gobierno,” in Levillier, *Gobernantes del Perú*, 6:208-209.

governor, rose up against Pérez de Zorita and the imposition of viceregal authority in the community.¹⁴³ In his 1574 account of his Chiriguano expedition, all Toledo could report was that order had been restored in the distant settlement.¹⁴⁴

Toledo's expedition and settlement efforts in the 1570s suggest something of his vision for bringing order to the Eastern Andes. Although Toledo failed to subdue the Chiriguano, he believed he had wrested a section of the Cordillera from Chiriguano control. At the same time, his indigenous reducciones and new Spanish settlements served to draw the dispersed and unregulated residents of the region toward two poles of settlement: one indigenous and one Spanish or non-indigenous. Santa Cruz de la Sierra, too distant to be effectively controlled from either Lima or La Plata was to be drawn inward to a more accessible location. A letter from the Audiencia de Charcas places Toledo's efforts in the Cordillera into a still larger context. According to the audiencia, the viceroy planned to bring order to the Eastern Andean Frontier in a total of five separate theatres of action or, as they put it, "five frontiers."¹⁴⁵ In addition to Tomina, Tarija, and his goals for La Barranca, both Toledo and audiencia officials saw the newly established settlements in Cochabamba, the "frontera de los mojos" and Salta, the "frontera de los diaguitas y tobas," as central to efforts to control the Chiriguano.

The notions of frontier suggested by Toledo's fortress cities were both a reflection of the theorems of Vitoria and others regarding the waging of a just war in the Indies and

¹⁴³ Sources for uprising are Block, 163-165; Finot, 211, 214; García Recio, 64, 474-478.

¹⁴⁴ Mujía, 2:195.

¹⁴⁵ "Carta de la Audiencia de Charcas a Su Magestad refiriendo lo obrado y reformado por el virrey francisco de Toledo en el gobierno del Peru" (5-16-1575), AGI Lima 290; also in Levillier, *Gobernantes del Perú*, 2:510-512.

a return to a far older approach to frontier violence—the reconquest of Iberia from the Muslim principalities by Castile and neighboring Christian kingdoms. Like their attitudes towards the Chiriguano, the Spanish considered Muslim occupancy of Iberia and, thus, any international boundaries with them, to be illegitimate. Agreements between Castile and its Muslim neighbors during the medieval period reflect an attitude of impermanence, as they were often limited truces, captive exchanges, and short-term trade deals.¹⁴⁶ It was such a mentality that left the residents of the Castilian side of this frontier permanently organized for war.¹⁴⁷ In Castile, the shifting frontier line was not a uniform space, but layered spatial arrangement that segmented the frontier zone in spaces for controlling movement back and forth across the frontier, spaces that contained small-scale fortifications and, further away, larger castles built to protect peasants and laborers and as sites for planning and organizing military campaigns.¹⁴⁸

The reconstruction of the human environment that would begin in the Eastern Andes under Toledo took on a layered spatial order that echoed, but did not precisely mimic, the geopolitical order of the former frontier regions of Spain. Although Granada had been conquered at end of the fifteenth century, in Toledo's day, events like The Alpujarras Rebellions (1568-1571), and the continuing presence of large numbers of Spanish Muslims in southern Spain, likely made the tropes of the Reconquista, such as that of Santiago the Moor Killer, and the theme of the frontier, seem entirely cogent in analogous parts of the empire at the turn of the seventeenth century. The built

¹⁴⁶ López de Coca Castañer, 127-135.

¹⁴⁷ González Jiménez, 49.

¹⁴⁸ *Ibid.*, 74.

environment of southern Spain still echoed the old boundaries of a vanished frontier as well. Jerez, Arcos, Vejar, and many other communities with the descriptor “de la frontera” were scattered across the countryside of southern Spain, particularly in the regions that had once bordered the Emirate of Granada.

The eastern Andes, like frontier regions in Chile, Tucumán, and elsewhere, would come to echo these themes as well. San Bernardo de la Frontera de Tarija, San Juan de la Frontera de Paspaya, Santiago de la Frontera de Tomina, San Lorenzo de la Frontera, Nueva Vega de Granada, and the Ciudad de Jesús de Montesclaros de los Caballeros in many ways re-created the geopolitical order of Southern Spain in the Eastern Andes, a fusion of religious and military tropes directed towards a host of individual frontiers. But they also represented a distinctly American frontier arrangement. The region protected by this line of fortress cities was not a region of Christian and Muslim peasants and regional capitals, but native Andean reducciones and the administrative and mining sector of Charcas. The Eastern Andes was simultaneously the newest theater of a still shifting Spanish frontier line and the site for the emergence of new spatial and geopolitical forms.

Cepeda’s 1588 map indicates the extent to which this order had been achieved over the decade following Toledo’s expedition as well as what remained to be accomplished. And like Toledo’s fortress cities, this new urban development would begin in the wake of a large-scale military expedition against the Chiriguano. Near Tomina, the city of “San Juan de Rodas” appears as “newly settled.” In fact, it was the second Spanish settlement at the site. As will be discussed at length in Chapter 5, the first settlement, called San Miguel de la Laguna, had been founded by Miguel Martín in 1583, only to be

destroyed by a group of Chiriguano warriors in early 1584, the result of long-simmering tensions between Spanish settlers and nearby Chiriguano communities in the vicinity of Tomina.¹⁴⁹ As Scholl has recently explained in detail, the destruction of San Miguel served as a pretext for organizing another military expedition against the Chiriguano. Unlike Toledo's expedition, this effort was pursued under the authority of the Audiencia of Charcas, whose leaders took advantage of the brief interregnum between the death of Viceroy Martín Enriquez in 1583 and the arrival of his successor the Conde del Villar (or Villarpando) in 1585, to organize the expedition.¹⁵⁰ Significantly, the Audiencia of Charcas, led by Licenciado López de Cepeda, revived Toledo's arguments regarding warfare against the Chiriguano, which enabled participating soldiers to keep and enslave any Chiriguano taken over the course of the expedition.¹⁵¹ The expedition united military forces from Tarija, Santa Cruz de la Sierra, the Mizque Valley, and the Spanish highland cities of La Plata and Potosí.¹⁵² The results were mixed, with *cruceños* under their governor, don Lorenzo Suárez de Figueroa, mizqueños under the command of Fernando de Cazorla, and tarijeños under the community's founder, don Luis de Fuentes y Vargas, successfully defeating the Chiriguano forces they met and destroying the Chiriguano settlements and fields they encountered along the way. The forces sent from La Plata and Potosí under the leadership of audiencia factor Juan Lozano Machuca were less effective. By early 1585 General Lozano Machuca had founded a settlement that was later known

¹⁴⁹ Mujía, 2:587-588.

¹⁵⁰ Scholl, 345-346; Barnadas, 534-553; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6: 249-250.

¹⁵¹ Scholl, 343, 361; Levillier et al, *Audiencia De Charcas*, 2:95-98; Ávila, 148-149.

¹⁵² Scholl, 364-375.

as Concepción de Torremacha near the Sauces River, but Lozano Machuca died suddenly in February of that year, either at the hands of the Chiriguano or, according to a letter from royal treasury officials, from natural causes just three leagues from Potosí as he hurried to return to the new settlement with more men and supplies.¹⁵³ Concepción de Torremacha, now left in the charge of Lozano Machuca's *maese de campo*, Pedro de Cuellar, soon languished from a combination of localized drought conditions and a lack of supplies, forcing Cuellar to abandon the settlement in that year with the few soldiers who had remained with him.¹⁵⁴

But the expedition of 1584-1585 did result in the establishment of the new *ciudades de españoles* referenced in Cepeda's map. Juan Ladrón de Leyva founded San Juan de la Frontera near the Pilcomayo River in 1584.¹⁵⁵ Melchor de Rodas, the founder of Tomina, re-founded San Miguel de la Laguna as San Juan de Rodas in that year as well.¹⁵⁶ The settlement of El Villar or El Villar de los Reyes, founded, it seems, by Pedro de Segura near Tomina and San Juan de Rodas, may actually predate the 1584-85 expedition, but its early settlers supposedly included the Spaniards who had abandoned Concepción de Torremacha, including Pedro de Cuellar.¹⁵⁷ Finally, the settlement of

¹⁵³ "después de aver escrito a su majestad," (2-23-1585), AGI Charcas 35, 332r.

¹⁵⁴ Scholl, 374; "Pedro de Cuellar: Mudanza de la Ciudad de la Concepción," AGI Patronato, 192 N1 R75,

¹⁵⁵ "Méritos y Servicios, Juan Ladrón de Leiva," AGI Patronato 136 N1 R4; "Carta de S.M. en su Real Consejo del Licenciado Cepeda, acerca de las cosas convenientes al real servicio y dignas de remedio," (1-13-1588) AGI Charcas 16 R25 N126; Also in Levillier et al, *Audiencia de Charcas*, 2:314-315.

¹⁵⁶ "Consultas a autos y diligencias ... indios Chiriguanoes," (10-9-1583 to 1-29-1584) in AGI Patronato 235 R9 Block 1, 249-262, 265-72 as cited in Scholl, 360; "Carta de la Audiencia de Charcas a S.M. con largo informe de cuanto era digno de interés," (2-14-1585) Levillier et al, *Audiencia de Charcas*, 2:155.

¹⁵⁷ Pifarré, map entitled "La Cordillera Chiriguano: Siglo XVI," in *Historia de un Pueblo*; "Carta del Licenciado Cepeda a S.M. tocante al beneficio de los metals y minas de la villa de Potosí," (12-9-1586) in Levillier et al., *Audiencia de Charcas*, 2:256; "Pedro de Cuellar: La Mudanza de la Ciudad de la Concepción," AGI Patronato 192 N1 R75; "Méritos y Servicios, Pedro de Cuellar," AGI Patronato 126 R17, document 1, 1v, document 2, 2r.

Cinti was founded in the Cinti Valley between González de Alanís's estancia of Chalarmarca and Luis de Fuentes's city of Tarija. It is not yet certain who founded Cinti, although Luis de Fuentes y Vargas is one possible candidate, but as will be described in Chapter 5, the story of Cinti would soon be caught in a complex struggle over jurisdiction in the region between the Pilcomayo and Pilaya Rivers.¹⁵⁸

By the end of the 1580s, the "despoblado" that Toledo had described in the early 1570s had taken on something of the tiered spatial order that Cepeda's map intended to convey. In a letter that predates his 1588 map, Cepeda highlighted his role in creating a series of fortress cities to shield the indigenous communities behind them from attack by the Chiriguano. San Juan de Rodas protected the indigenous reducciones at Presto and Tarabuco as well as some forty-six farms, called *chácaras* or *chacras*, while San Juan de la Frontera and Cinti defended the reducciones of San Lucas and Calcha, and the entire province of the Chichas.¹⁵⁹ As he explained in a series of letters from this period, and also noted on his 1588 map of the Cordillera, Cepeda hoped to establish additional *ciudades de españoles* at Moxocoya, Pomabamba, Samaipata, as well as re-founding Torremocha at a site on the San Marcos River not far from its original location (Map 4). While Torremocha represented long-term efforts to reestablish Manso's lost settlement, now doubly significant given the destruction of Concepción de Torremocha, the other sites

¹⁵⁸ Ávila, 112, 173, 197, 198, 250; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:368, 374, 417, 418.

¹⁵⁹ "Carta del Licenciado Cepeda a S.M. tocante al beneficio de los metales y minas de la villa de Potosí y consiguiente acrecentamiento de la real hacienda," (12-9-1586) AGI Charcas 16 R25 N137. In Levillier et al., *Audiencia de Charcas*, 2:254-272.

already could be said to lie within the region of Spanish settler and/or native Andean control.

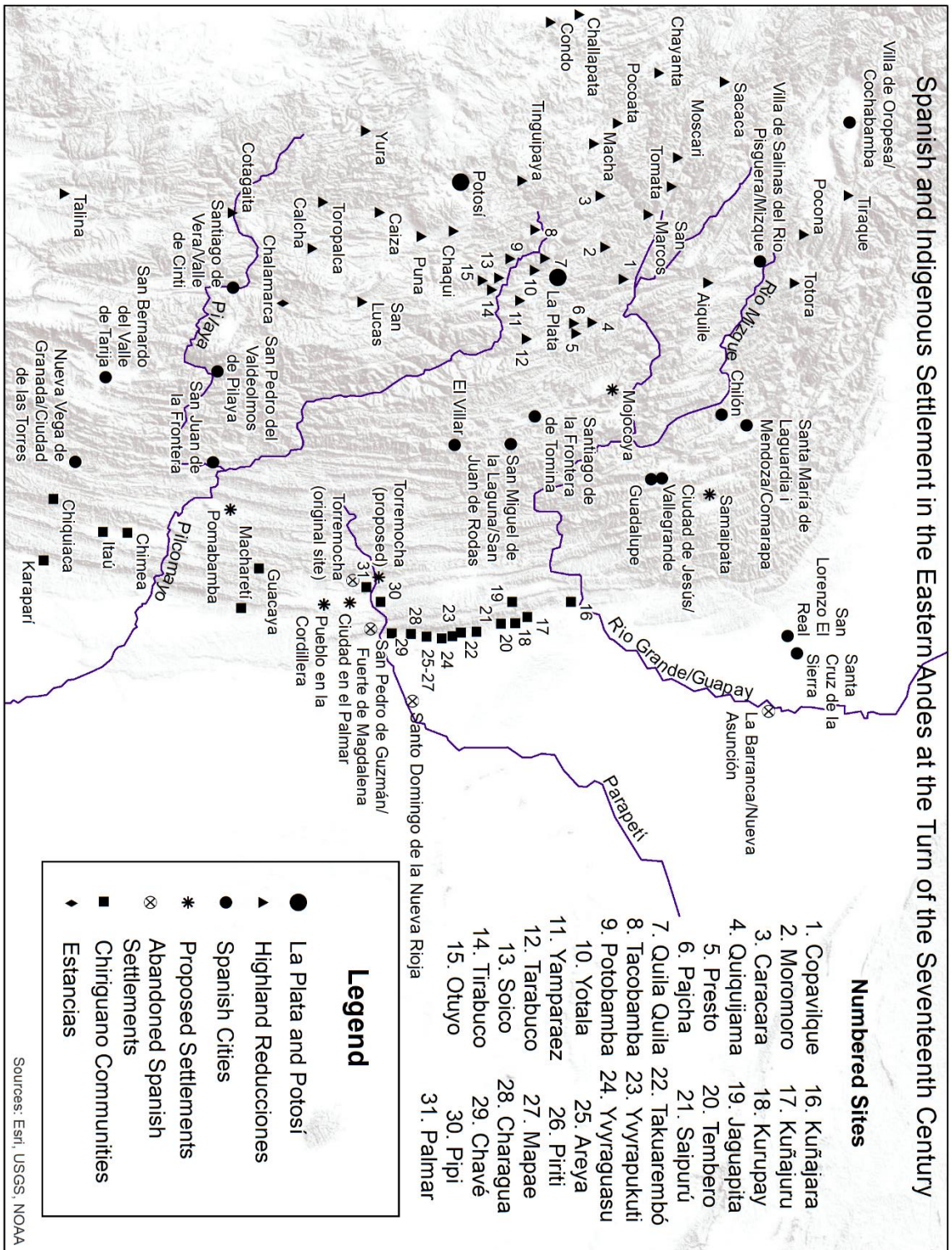
Moxocoya, which occupied a relatively large plateau west of Tomina, not far from Presto and Tarabuco, already appears to have been the site of several *estancias* and *chácaras* worked by both Indians from the nearby reducciones and Spanish settlers.¹⁶⁰ Pomabamba was probably already being used as an *estancia* by settlers from Tomina, San Juan de Rodas, and El Villar, as the evolving cattle culture that had developed in the region expanded into the lowlands.¹⁶¹ Cepeda's inclusion of Samaipata, then well known as the former site of a native Andean settlement and fortress dating to the period of the Incas, was probably motivated by a report from don Fernando Cazorla detailing the area's fertility and promise.¹⁶² Cazorla's letter also indicated ongoing indigenous and Spanish usage of the site, particularly as it lay on or near the road that linked Santa Cruz de la Sierra to Mizque.

While Cepeda's map covers a large area between the Rio Grande and the Pilcomayo and Bermejo Rivers, it is by no means a full expression of the audiencia's vision for the *Cordillera de los Chiriguanos*. Distant Santa Cruz is simply off the map, its

¹⁶⁰ Mujía, 2:563, "Sobre los méritos y servicios de don Melchor de Olmedo y Rodas," ABNB EC 1618.1, 3v; See Julio García Quintanilla, "Monografía de la Provincia Zudáñez."

¹⁶¹ "Carta a S.M. en su Real Consejo del Licenciado Cepeda, acerca de las cosas convenientes al real servicio y signas de remedio," (1-13-1588) Charcas 16 R25 N26. In Levillier et al, *Audiencia de Charcas*, 2:316; "Carta a S.M. del Licenciado Cepeda, presidente de Charcas, sobre la conveniencia de conservar, reducir, y poblar en las naciones de indios," Levillier et al., *Audiencia de Charcas*, 2:368-369; "Carta a S.M. del Licenciado Cepeda: contesta a una R.C. y entre otras cosas trata de la reducción de los chiriguanos," (2-19-1588) in Levillier et al, *Audiencia de Charcas*, 2:382.

¹⁶² Scholl, 369; Fernando Cazorla (Oct. 1584) in Mujía, 3:422-25.



Map 4. Spanish and Indigenous Settlement in the Eastern Andes at the Turn of the Seventeenth Century. Sources: Qaraqara Charka, Map 4.1 “El Orden de Toledo,” 488; Scholl, figure 5-1, 268; Peña et al, 33; “Mapa de la cordillera en que habita la nación Chiriguana,” AGI MP-Buenos Aires 12; Pifarré, map entitled “La Cordillera Chiriguana: Siglo XVI.”

existence hinted at only by the dotted line entitled the “*camino de santa cruz de la sierra*” that begins in the Mizque Valley and runs through Samaipata before disappearing into the emptiness covered by the map’s *scala leucarum* or “scale of leagues” and the placard containing the map’s lengthy title. Hidden under this area was the site of the abandoned settlement of La Barranca. Yet already in 1588, Cepeda had begun to write the King about the need to establish a city between Mizque and Santa Cruz de la Sierra in precisely this location.¹⁶³ Cepeda argued that the move was needed not only to bolster the Spanish military presence in the region and to provide more regular contact with Santa Cruz, it would place Santa Cruz more thoroughly under the influence of the audiencia and Spanish society. As it stood in 1588, Cepeda saw Santa Cruz as a *caja cerrada*, a “closed box” whose settlers were “a restless people.” As he put it, “the creoles who are born there are ambitious and without *policía* nor governed by reason and the many mestizos there are arrogant, licentious, and heartless...”¹⁶⁴ Yet these same individuals were, Cepeda admitted, the people who knew the Chiriguano, and the land, best. A new settlement would help to transform the *cruceños* into better subjects.

Cepeda’s city between Mizque and Santa Cruz was, in fact, founded soon after. The *cruceño* governor, don Lorenzo Suárez de Figueroa, appears to have begun preparations to establish a settlement at a site called the “llanos de Grigotá,” located on the west bank of the Rio Grande, as early as 1588. The town, called San Lorenzo el Real de la Frontera, or San Lorenzo de la Barranca, was formally founded in 1590, although

¹⁶³ “Carta a S.M. en su Real Consejo del Licenciado Cepeda, acerca de las cosas convenientes al real servicio y dignas de remedio,” (La Plata, 1-13-1588) Levillier et al, *Audiencia de Charcas* 2:317-318.

¹⁶⁴ *Ibid.*, 2:317.

the community did not receive its official charter (*capitulaciones*) until 1592.¹⁶⁵ The town would shift to a new site called Punta de San Bartolomé by 1595.¹⁶⁶ At the same time, another city also moved from its original location. In an action desired from at least the days of Francisco de Toledo, *audiencia* officials succeeded in forcing the residents of Santa Cruz de la Sierra to move from their original site in the Chiquitos region and shift westward. The move took place in several stages before the city was finally re-established by roughly 1604 at a site now known as Cotoca, a location only six leagues from San Lorenzo.¹⁶⁷ The two sites do appear plainly on another map from the period, a map dating to roughly 1606 that was said to be created by the Paraguayan historian and expedition leader Rui Díaz de Guzman (Map 5). Largely a map of the river systems connected to the Río de la Plata estuary, it depicts the two cities of San Lorenzo and Santa Cruz de la Sierra in close proximity to each other just above the left-hand side.¹⁶⁸ Díaz de Guzmán's map does not include the handful of short-lived satellite cities that were established during the years between the foundation of San Lorenzo and the perambulations of Santa Cruz de la Sierra: Santiago del Puerto and San Francisco de Alfaro.¹⁶⁹ In 1621, after a new series of attacks by local Chiriguano groups, San Lorenzo and Santa Cruz united as a single city at the Punta de San Bartolomé site occupied by San

¹⁶⁵ "Documentos Asociados con don Lorenzo Suárez Figueroa," AGI Charcas 44, 23v; García Recio, 58; Finot, 239, 241; Scholl, 386; "Carta a S.M. del Licenciado Cepeda, acerca de lo obrado con relación al donativo o servicio gracioso ...," Levillier et al, *Audiencia de Charcas*, 3:101; "Carta del Licenciado Cepeda a S.M. sincerándose de las acusaciones que contra él se habían lanzado ...," in Levillier et al., *Audiencia de Charcas*, 3:184; Mujía, 3:104-118.

¹⁶⁶ Finot, 241.

¹⁶⁷ Finot, 231, 234-235; García Recio, 56; Gandía, 411-416.

¹⁶⁸ "Mapa de América del Sur desde el Ecuador hasta el Estrecho de Magallanes" (undated), AGI Mapas y Planos, Buenos Aires, 4.

¹⁶⁹ "Documentos Asociados con don Lorenzo Suárez Figueroa," AGI Charcas 44, 27r; Gandía, 411-416; García Recio, 58; Finot, 238-239.



Map 5. Detail of the upper left-hand corner of the "Mapa de América del Sur desde el Ecuador hasta el Estrecho de Magallanes" (c.1606). Source: Ruy Díaz de Guzmán, AGI MP-Buenos Aires, 4.

Lorenzo. The combined cities of San Lorenzo-Santa Cruz are now known as Santa Cruz de la Sierra.¹⁷⁰

¹⁷⁰ García Recio, 56.

Frontier Corregimientos

The establishment of cities was only the beginning of the effort to bring order to the Eastern Andean frontier. Even on Cepeda's map, the cities of the Cordillera Oriental are lost in an expanse of mountains, forest, and rivers. But the creation of cities simultaneously implied the formation of a surrounding district as well. Individual citizens would receive urban lots or *solares* in towns, but they received rural properties, often defined as farms (*chácaras*) and ranches (*estancias*) somewhere within the surrounding district. These lands, which included a commons, an area set aside for the use of all citizens (*vecinos*), usually for grazing purposes, were typical features of municipal districts. In Spain, villages, towns, and cities were further grouped together as administrative districts called *corregimientos*. The head of these districts, called the *corregidor*, held supreme authority over matters of governance and justice within his district. Thus, the foundation of cities and districts was also the beginning of justice and governance, both over the people and over the land itself. In the Americas, this administrative system was complicated by the development of two distinct corporate units, or *repúblicas*: the *república de Indios* and the *república de españoles*. In time *corregidores de españoles* would govern Spanish communities and *corregidores de Indios* would govern indigenous ones. Yet in the Eastern Andean frontier, this system of dual *corregimientos* appears to have been modified yet again, subordinating matters of humanitarian concern for native Andeans to the problem of frontier defense.¹⁷¹

¹⁷¹ Chamberlain, 224, 227; Lohmann Villena, *El Corregidor de Indios*, 316-317.

The initial division of Charcas into corregimientos suggests a certain level of spatial coherence that belied the feeble influence of corregidores over areas beyond the cities in which they were centered. La Plata was established as a corregimiento within the largely fictional *gobernación* de Nuevo Toledo around 1538. Potosí and La Paz would be established as the centers of new *corregimientos* by 1548, as would Chucuito in 1552.¹⁷² Each corregimiento's corregidor, who resided in the principal town in their district, technically had jurisdiction over that city as well as over the encomiendas of the various encomenderos who had established their formal residence there. In reality, the mechanisms of royal justice were spread out unevenly across each jurisdiction, as the distance of many of these holdings from the cities in which the corregidores resided made them effectively beyond the reach of the law in most matters. Corregidores might have vied for power with the town councils of the cities in which they lived, as they often did in Spain, but the indigenous countryside remained essentially in the hands of the encomenderos.¹⁷³

The original Spanish provincial units in Peru were not corregimientos, but encomiendas or repartimientos (as they were often called in Peru)—grants of authority over specific indigenous communities, particularly for purposes of tribute collection, not grants of land. At least on paper, Francisco Pizarro first granted encomiendas to his brothers inside of Almagro's governorship in 1534. In reality, the individuals granted repartimientos during the Pizarro's invasion of the Titicaca basin and the lands of Charka

¹⁷² Barnadas, 417.

¹⁷³ Lohmann Villena, "El Gobierno de los Naturales," 214; Benton, *Sovereignty*, 288.

four years later were probably the first to actually receive income from their grants.¹⁷⁴ By the time of interim viceroy Lope García de Castro (1565-1569), the idea of establishing an office of “Corregidor de Indios” was an effort to establish greater royal authority over the largely indigenous countryside in order to curb Spanish abuses of native Andeans and to take control of tribute collection.¹⁷⁵ The division of Charcas into eleven *corregimientos de indios* in 1565 was one effort to put this concept into practice on the ground. In the Cordillera Oriental, Castro established Cochabamba, Mizque, Tarabuco, Yampara, and Los Chichas, as *corregimientos de indios*. All of them were regions with substantial indigenous populations and, thus, sites of Spanish repartimientos, at that time. The actual implementation of the new office would be strongly resisted by nearly everyone involved: encomenderos, Church officials, and affected indigenous communities and their leaders. It was largely a failed effort until Toledo began the Great Resettlement, which would also rely on the appointment of corregidores de indios.

Yet Castro’s original division of Peru into corregimientos seems to have had some permanence. Within the Cordillera Oriental, the proposed corregimientos de indios in Cochabamba—Mizque-Pocona, Tomina-Tarabuco, Yampara, and Chichas-Tarija—would survive as provincial divisions within Toledo’s new system of corregimientos.¹⁷⁶ The positions of corregidores de indios may even have been staffed with García de Castro’s appointees, at least in part. For instance, don Luis de Fuentes y Vargas, the

¹⁷⁴ Barnadas, 32; Pedro de Cieza de León, *Crónica del Perú. Tercera Parte*, eds. Francesca Cantú, and Kurt Baldinger, 1^a ed. Colección Clásicos Peruanos (Lima: Pontificia Universidad Católica del Perú, Fondo Editorial, 1987) chapter LXXXIV; Presta, “Encomienda, Family,” 51.

¹⁷⁵ García de Castro to the King April 30, 1565, in Levillier, *Gobernantes del Peru*, 3:78-85; Ravi Mumford, 64; Lohmann Villena, “El Corregidor de Indios,” 36-39.

¹⁷⁶ Here Crespo Rodas’ map in “El Reclutamiento,” 481.

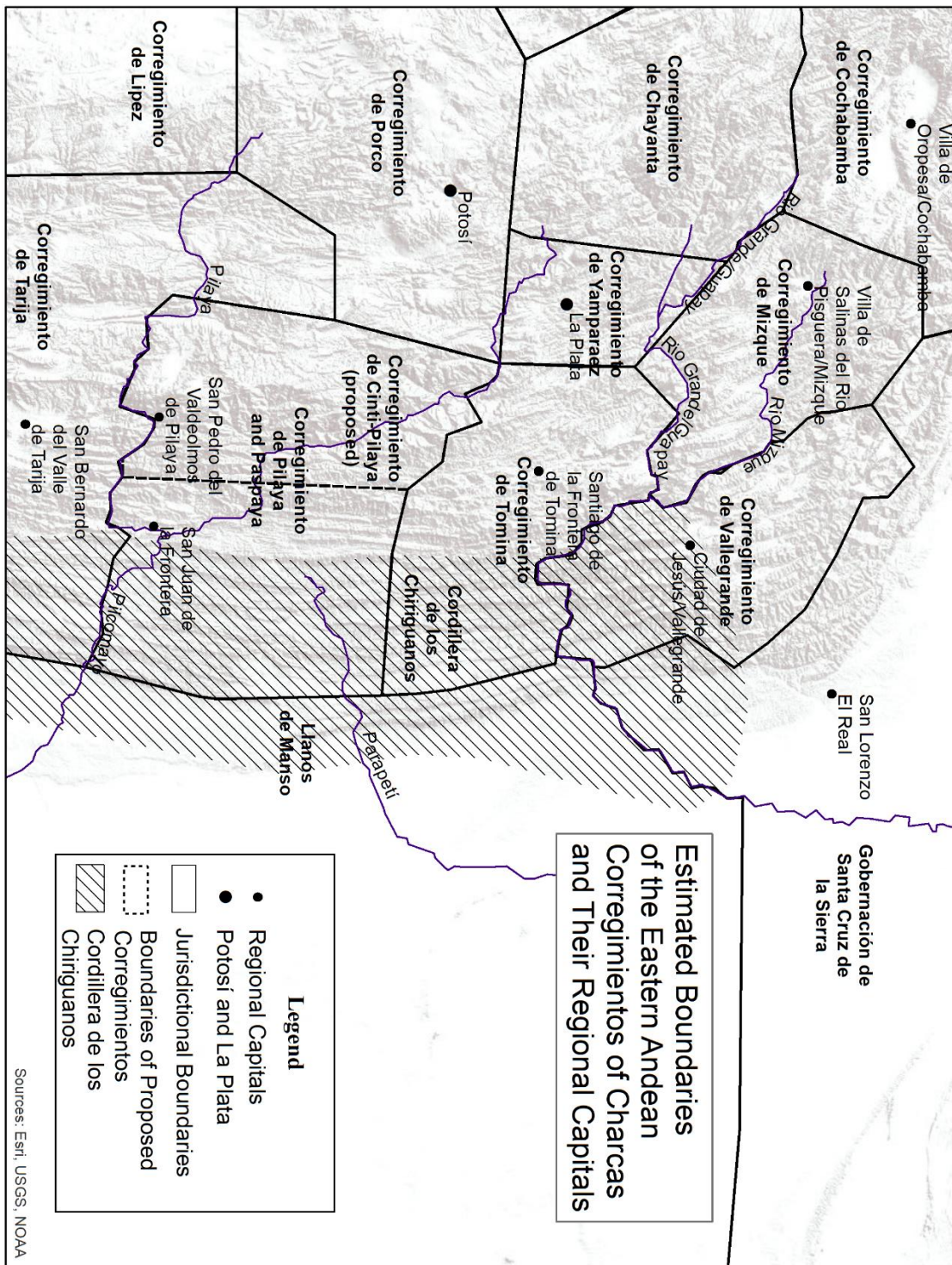
founder of Tarija, appears to have been the founding official of the office of *corregidor de indios* of the *corregimiento de los Chichas* in 1565, a position, with the addition of Tarija, that Viceroy Toledo would later grant to him and an heir for life.¹⁷⁷

While *corregidores de indios* would become a permanent fixture within the institutional hierarchy and spatial organization of Peru under Toledo, they did not signify the disintegration of the older *corregimiento* model most commonly practiced in Spain and already well-established in the Spanish cities of the region. *Corregidores de españoles* proliferated in those places where Spaniards established formal settlements. Given their respective jurisdictions over Indians living in the *reducciones* and on Spanish cities and their associated districts, the persistence of both offices sometimes led to conflicts over jurisdiction.¹⁷⁸ Provinces like Yampara, which included both the *audiencia* capital at La Plata and a number of indigenous *reducciones*, had both offices, leading to at least some conflict between the *corregidor* of La Plata and the *corregidor de indios* of the surrounding district. The same was true in the mining centers of Paria, Porco, and Larecaja, where authorities from the parallel *corregimientos* oversaw matters of justice and governance over two different groups within the same district.

Along the Eastern Andean frontier, administrative powers over the king's indigenous and Spanish subjects appear to have been administered somewhat differently (Map 6). The *corregimientos* of the Cordillera itself appear to have been led almost exclusively by *corregidores de españoles* after the establishment of formal Spanish

¹⁷⁷ Ávila, 41; "Minuta de los *corregimientos* que había en Peru en 1582," AGI Patronato 190 N44.

¹⁷⁸ Lohmann Villena, *El Corregidor de Indios*, 318.



Map 6. Estimated Boundaries of the Eastern Andean Corregimientos of Charcas and Their Regional Capitals. Sources: Cole, 11; Crespo Rodas, “El Reclutamiento,” 481; Evans, “Census Enumeration,” 26; Melgar y Montaña, 68; CDIAO, 9:317-318; “Juan Ladrón de Leiva: Arauco,” AGI Patronato 136 N1 R4; and Ávila, 98.

settlements in these provinces in the late sixteenth and early seventeenth centuries. According to Lohmann, Cochabamba, Mizque, and Tomina, regions with both Spanish communities and indigenous reducciones by the early seventeenth century, were each led by a *corregidor de españoles*. And while Lohmann suggests that both Pilaya-Paspaya-Cinti and Tarija were *corregimientos de indios*, their *corregidores*, don Juan Ladrón de Leyva and don Luis de Fuentes y Vargas, founded and retained control over Spanish settlements in addition to exercising their oversight of indigenous reducciones in their districts, a right each of them passed on to an heir.¹⁷⁹

As opposed to the *corregimientos de indios*, which were bordered by regions that were firmly in Spanish control, frontier *corregimientos* bordered Indian country, sharing a boundary or boundaries with the unconquered peoples of the Eastern Andean Range or adjacent lowland plains. The concentration of *corregimientos de españoles* with such extensive areas of jurisdiction in the provinces of the frontier suggests a willingness to subordinate the oversight of indigenous reducciones to the needs of military defense. The indigenous peoples of several provinces (Tomina, Mizque, and Pilaya-Paspaya) had also been exempted from *mita* service, ostensibly for concerns for their long-term health if sent to a region with such a different climate and altitude. In these regions of “unconquered Indians,” indigenous labor was used at times extensively for the construction and maintenance of Spanish towns and garrisons.¹⁸⁰ But where indigenous communities in the highlands had access to *corregidores* who were specifically charged

¹⁷⁹ Lohmann Villena, “El Corregidor de Indios,” 142; Porcel, 13.

¹⁸⁰ Mujía, 2:579; Such logic was not entirely consistent however: indigenous mitayos from some areas of Cochabamba, as well as Chichas and Tarija were included in the Potosí *mita*. Crespo Rodas, “El reclutamiento,” 471-472; Cole, 9.

with looking after their corporate interests, in the Eastern Andes, the Spanish settlements of the frontier took clear precedence over the indigenous communities behind them, further reinforcing the tiered spatial, geopolitical, and now, administrative order that had been created of what had once been nothing more than a “despoblado” east of Peru and west of the lowland governorships of Santa Cruz and Tucumán.

Subversive Itineraries

This hierarchical perception of space and people is visible in sixteenth- and seventeenth-century geographical descriptions of the Cordillera Oriental. Very few of our sources for these kinds of spatial perceptions are maps like licenciado Cepeda’s. Most are simply prose descriptions of space, often gathered from multiple informants and collated as a single account. In a sense, the various geographical descriptions we have available for early modern Peru present the reader with assorted vector data, which is to say: points, lines, and polygons. However, these simple devices were powerful tools for the worlding of frontier regions like the eastern Andes: they created a conceptual framework for rationalizing these spaces as bounded territories that could be organized into familiar spatial hierarchies and located in time and space.¹⁸¹ In geographical accounts, such as those collected as the *Relaciones Geográficas* (c.1571-1585) and that of Lizárraga (c1603-c.1609) or Antonio Vázquez de Espinosa (c.1630), for example, human settlements often appear as key points of reference for beginning this worlding process. In the *Relaciones Geográficas*, the “Nota de las Poblaciones de Españoles en el Peru” (1571 or 1572) provides us with just such an early list, entitled “Pueblos of the Diocese

¹⁸¹ Mignolo, 286-288, 313.

of Charcas.”¹⁸² Reference points include La Plata, La Paz, Potosí, Porco, Santa Cruz de la Sierra, Condorillo, Cuzco, Arequipa, and Guamanga. At a glance, the list is a straightforward summary of towns in the diocese, stripped of any references to distances between points, nearly all of them in the more densely populated Andean highlands. All of them were extant cities, with the exception of Condorillo, which had long since ceased to exist. But Condorillo’s inclusion in the list is a reminder that early modern maps and geographical accounts relied on both real and fictive points of reference and imaged spatial relationships to create the illusion of spatial order.

In generating spatial knowledge about the frontier, geographical accounts presented the reader with a sense of distance, time, and hierarchical organization. Geographical accounts tend to read as travel itineraries, line segments measured in leagues, a measure that evoked not only distance but also time: the distance a person could walk in an hour.¹⁸³ While chroniclers placed the end points (*términos*) of these itineraries in the frontier, they typically emanated from the centers of royal and ecclesiastical power in Peru and Charcas.¹⁸⁴ Within the jurisdiction of Charcas, narratives about the audiencia or its associated diocese (and after 1609, with the creation of the Archdiocese of Charcas, multiple dioceses) typically begin with well-known points of reference. For example, Friar Reginaldo de Lizárraga frequently used the mining center of Potosí as a point of spatial reference in his *Descripción Breve del Peru*. As he puts it: “Because, being as it is the center of the Indies, we must often address it and bring it to

¹⁸² *Relaciones Geográficas*, 1:150.

¹⁸³ Roland Chardon, “The Linear League in North America,” *Annals of the Association of American Geographers* 70, no. 2 (Jun., 1980), 131.

¹⁸⁴ Gil García, 389-397.

mind, as many lines extend outward from the center to form a circumference, so too do many roads enter and exit Potosí from different places.”¹⁸⁵ Here Potosí is a point of reference, in part, because it is so thoroughly locatable in space, connected as it is to many other points of reference. Similarly, in Vázquez de Espinosa’s account, Potosí was a logical starting point for a journey to the valley of Oroncoto, as the site of many vineyards owned by Spaniards from that city.¹⁸⁶ Licenciado Cepeda’s map similarly includes a road that linked the communities in the vicinity of Tomina to Potosí. It appears on the map as a dashed line that zigzags down the deep canyon of the Pilcomayo, bypassing La Plata. The path terminates far down in the eastern lowlands, beyond the settlements of the Chiriguano, on banks of the Rios Grande and San Marcos.¹⁸⁷

Descriptions of bounded spaces (*circuitos*) are also exercises in the generation of spatial knowledge and the extension of administrative power in that they tend to denote the jurisdictional limits (*contornos*) of specific settlements. These accounts also made use of what Gil García calls a “relational geography,” fixing the boundaries of a particular territory by reference to neighboring provinces.¹⁸⁸ Again, in Vázquez de Espinosa’s account, Oroncoto was bounded (*se confinan con*) by the valleys of Pilaya and Paspaya, which contained Spanish settlements and a number of large vineyards. The Pilaya and Paspaya valleys were bounded to the south and west by the corregimiento of Tarija-Chichas. The sites named represented extant Spanish settlements or estates in the early

¹⁸⁵ “Porque siendo el centro de las Indias hemos de tratar o traerle a la memoria muchas veces, como del centro salen muchas líneas a la circunferencia, así de Potosí hay y salen muchos caminos y entran en él de diferentes partes.” Lizárraga [1968], 94.

¹⁸⁶ Vázquez de Espinosa, 820.

¹⁸⁷ “Mapa de la cordillera,” AGI Mapas y Planos, Buenos Aires, 12.

¹⁸⁸ Gil García, 389.

seventeenth century, but the sense of territoriality that the narrative implies was more conceptual than functional.

Like Potosí, La Plata also served as a key reference point in geographical accounts as it was both the center of the administrative apparatus of the audiencia and the principal settlement in the corregimiento of Yampara or Yamparaez.¹⁸⁹ Maps and geographical accounts used spatial information to underscore La Plata's primacy as the chief or "head" city (*cabecera*) over other settlements in the region, and even something of the spatial breadth of the audiencia's authority. According to Vázquez de Espinosa, travelers who wished to visit Tomina, for instance, had to begin their journey by the convent of the Recoletos de San Francisco, located on a site overlooking La Plata itself, before advancing seven leagues to Tarabuco, the first town within the jurisdiction of Tomina, and then on another twelve leagues to reach Tomina and the other Spanish communities in its district: San Juan de Rodas and El Villar.¹⁹⁰ But Vázquez de Espinosa's account did not stop there. Beyond El Villar and San Juan de Rodas lay the "Cordillera de los indios Chiriguanaes, and other innumerable nations," as well as the ruins of the town founded by Manso.¹⁹¹ And somewhere beyond that: the *Mar del Norte*, the Atlantic Ocean, the outer limits of the audiencia's jurisdiction to the east.¹⁹²

The conceptual equivalents to Potosí and La Plata, in the eastern reaches of the jurisdiction of Charcas were of a quite different nature, with points of references often

¹⁸⁹ Vázquez de Espinosa, 843.

¹⁹⁰ *Ibid.*, 860-862.

¹⁹¹ *Ibid.*, 862.

¹⁹² *Ibid.*, 862.

becoming increasingly fictive or symbolic as they approached the frontier. Santa Cruz de la Sierra, and later San Lorenzo, were real cities that served as reference points in the far northeast. But further south, where there were no extant Spanish cities, the most common reference point was Andrés Manso's former settlement of Condorillo or, more generally, his vacated jurisdiction, which often appeared in contemporaneous reports and even on maps as the "Llanos de Manso."¹⁹³ As a point, Condorillo could be fixed, more or less, on the banks of the San Marcos River (Parapetí) on the edge of the Chaco. Although Manso's original settlement was quite small—probably no more than sixty men and an unknown number of women and children—the trauma of its destruction in 1564 and the failure of future generations of conquerors to permanently retake the site seem to have raised its profile in the Spanish imaginary, as opposed to other destroyed settlements, such as La Barranca and La Laguna, that were later resettled in the 1580s and 1590s.

Like Lizárraga's statement about Potosí, cities closest to the Andean core enjoyed multiple itineraries, with roads that drew the reader, and the traveler, into them, and roads that led them on and out again. By contrast, the paucity of pathways into the frontier underscored their inaccessibility as well as the fragility of their links to the highlands. Chroniclers did not always agree about how best to represent the spatial relationships between points of reference. For Vázquez de Espinoza, the road to Mizque began in La Plata, which was reached by crossing the "Great River of La Plata," the Rio Grande. By contrast, Lizárraga chose to lead his readers to Mizque via Cochabamba and Pocona. Yet

¹⁹³ An example would be 1774, "Mapa del Chaco, Rio caudalosos y Expresión de Parte de sus Naciones," from *Poblar la Inmensidad*, 392.

both itineraries reinforce Mizque's placeability in the Spanish spatial imaginary. The frontier was a different matter. Itineraries leading into Tarija, Pilaya and Paspaya, Tomina and its associated towns, Santa Cruz de la Sierra, and even Cochabamba, despite its extensive district, were largely conceptual cul-de-sacs, terminal points of reference that led the traveler nowhere but back by the road from which they came. The reader traveled downward into an increasingly hostile environment and returned upward to safety.

Beyond these points of reference, one entered into the unknowable and unaccountable. For Vázquez de Espinosa, mountains and the people who inhabited them were roughly analogous. The Cochabamba valley was bounded to the east by "extremely rugged peaks and valleys," "where innumerable pagan peoples live."¹⁹⁴ Lizárraga, writing in the first decade of the seventeenth century, in order to travel from Mizque to Santa Cruz de la Sierra, one first had to pass through "some valleys where the Chiriguano, who eat human flesh, reside." He himself had never gone that way. But beyond Santa Cruz de la Sierra the region was "unpopulated and without water," abundant only in stories of the exploits of Ñuflo de Chávez and his remote settlement.¹⁹⁵ In the province of Tomina, the most distant Spanish community was El Villar, although Spanish estates seem to have extended for some seven leagues beyond this settlement to the "Río de Pescado," a region of sugarcane and tropical fruits. But beyond that point "one enters the mountains of the barbarous Chiriguano."¹⁹⁶ Lizárraga believed that the

¹⁹⁴ Vázquez de Espinosa, 818.

¹⁹⁵ Lizárraga, 76-77.

¹⁹⁶ Vázquez de Espinosa, 844.

Spanish towns near the Pilaya River, Pilaya and Paspaya, were actually located “in the land of the Chiriguano.”¹⁹⁷ Cepeda’s map emphasizes the isolation of these settlements as well—no roads link them to the highlands. Even the river Pilaya itself, which forms the southern branch of the Pilcomayo, seems scarcely knowable in Lizárraga’s account. He calls it the “Rio Incógnito” the name given it by the soldiers who accompanied viceroy Toledo on his disastrous campaign against the Chiriguano.¹⁹⁸

As for the Cordillera de los Chiriguanos, or, more broadly, the region of “innumerable pagans” it appears as an irregular polygon with both unknowable and known boundaries in both maps and geographical accounts from the period. Given the uncertainty surrounding the nature of the region itself, chroniclers from the period resorted to relational geography to make sense of the area occupied by the Chiriguano. In a general sense, chroniclers represented the Cordillera de los Chiriguanos as a formless region that began somewhere east of Cochabamba and extended southward, beyond Tarija. Lizárraga could merely suggest that the Chiriguano lived somewhere in the one hundred twenty leagues separating Mizque from Santa Cruz de la Sierra. Vázquez de Espinosa imagined the zone occupied by the Chiriguano as a mere twelve leagues wide. Beyond this, the lucky traveler could be said to have entered the former jurisdiction of Manso. To the south, the boundaries of the Cordillera de los Chiriguano drew near to Tarija, but stretched northward and eastward to an unstated distance. Moving further south, one entered into the jurisdiction of Tucumán. Thus, the cordillera de los

¹⁹⁷ Lizárraga, 94.

¹⁹⁸ *Ibid.*, 153.

Chiriguano, like other regions, could to some extent be known by the regions that bounded it. It took shape under description, and could be pierced by pathways, line segments that terminated beyond its boundaries. The regular references to the innumerable indigenous peoples of the lowlands contrasts sharply with the indigenous communities to the west, whose populations were carefully counted, and whose labor and tribute potential was calculable as a result ¹⁹⁹

Compared to these representations, Cepeda's map of the region is bold in its depictions of the size and extent of the Chiriguano presence in the region. In it, the audiencia president locates the Chiriguano more precisely than the later accounts of Lizárraga and Vázquez de Espinoza would attempt to, estimating the dimensions of the cordillera de los chiriguanos as one hundred seventy leagues north to south and twenty leagues, at its widest, east to west. He even estimates their total population at nothing more than four communities of some five hundred Indians each, a small and manageable number.²⁰⁰ Cepeda's map also transforms a space formerly defined by the character of its residents, the Chiriguano, into a region of discrete communities. Four Chiriguano communities, named for the individual leaders associated with them, spread out along the foothills of the Cordillera between the Rios Grande and San Marcos (Parapetí). In seeking to both count and spatially locate the Chiriguano, Cepeda's map supports his overall vision for the plausibility of the future conquest and colonization of Cordillera.

¹⁹⁹ Pifarré, Appendix B, 426-436.

²⁰⁰ "Mapa de la Cordillera," AGI Mapas y Planos, Buenos Aires, 12.

The routes leading into the Cordillera Oriental tended to reinforce the hierarchical linkages between center and periphery, to the exclusion of other itineraries. Roads and itineraries sent travelers down into the valleys and lowlands or back up again. Yet communities that were geographically near to each other appear unreachable, dependent entirely upon their links to the highlands, and not at all upon their connections to each other. The experience of moving down in the valleys or returning upwards to the highlands merely re-inscribed this persistent hierarchy as normative. The few accounts that depict travelers as moving between frontier communities and jurisdictions are generally either accounts of military expeditions or those of criminal activity, itineraries of violence or subversion.

Thus, the Cordillera Oriental was not a unified space, but a space of divided jurisdictions, fragmented internally one from another. To some extent this was the practical result of geography. The deep canyons of the Pilcomayo, Pilaya, and Grande rivers severed the region at multiple points as they plunged eastward towards the lowlands. These natural boundaries later served as logical borders between frontier corregimientos. These rivers were particularly dangerous during the rainy season, as viceroy Toledo discovered during his 1574 expedition in pursuit of the Chiriguano. As he repeatedly crossed the Pilcomayo basin south of Tomina, he frequently lamented the high water, steep ascents, and disease associated with river crossings. He later returned to the Tomina valley in defeat, his health broken.²⁰¹ Travelers between Mizque and La Plata had to ford the Rio Grande, and, despite the many who lost their lives each year

²⁰¹ Mujía, 2:178, 179, 180; Lizárraga, xliii, 156.

attempting to cross it during the rainy season, the municipal leaders of those cities long argued over the cost of building a bridge over the Rio Grande.²⁰² In fact, in 1609, the dangers associated with river crossings was one of the main reasons why the profitable corregimiento of Mizque was included within the new diocese of Santa Cruz de la Sierra, and not the Archdiocese of La Plata, despite the fact that Mizque was geographically much closer to the audiencia capital.²⁰³

But not everyone saw rivers as obstacles to travel. In 1608, in a rare geographical description written from within the frontier, the corregidor of Tomina describes the Rio Grande, which he calls the “Marañon,” as a transportation corridor that allowed for canoe traffic between his district and San Lorenzo. Beyond San Lorenzo, the river downstream was even navigable by boats. As to the rivers within his corregimiento, they were so small that travelers required neither bridges nor boats to cross them. During the rainy season, these rivers had enough water to drive a water mill. However, during the dry season, there was barely enough to water the stock.²⁰⁴ The corregidor’s perception of the frontier as a site of interconnected settlements may have been a common attitude within the frontier itself. The Ciudad de Jesus de Montesclaros de Caballeros, or Vallegrande, founded around 1612, initially included settlers from Tomina. Tribute tax registers (*padrones*) from the 1640s suggest that some Vallegrandinos still owned land or did business in Tomina, and that a road connected the two communities across the Rio Grande.²⁰⁵ Even Lizárraga suggests a spatial relationship between Tarija and the Pilaya-

²⁰² Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 72-73.

²⁰³ Friar Juan de la Fuente (1-7-1609), AGI Charcas 140.

²⁰⁴ “Descripción de la Villa de Santiago de la Frontera de Tomina,” (1608) *CDIAO* 9:318-319.

²⁰⁵ ABNB AM 1626.3, 2v, 3r, 12v.

Paspaya Valleys across the Pilaya River, as well as its links to the community of Talima, in the province of the Chicha Indians.²⁰⁶ Despite these possibilities, Cepeda's map suggests only a limited level of interconnection between frontier communities: the single road connecting San Juan de Rodas, El Villar, and the potential site of Pomabamba. Beyond this, his map emphasizes only the linkages between center and periphery; only two roadways lead down into the Cordillera, one destined for Santa Cruz to the north and the other for Tomina and the lowland Chiriguano communities to the south. As these roads descend the Andean slopes they appear to draw near to each other, but at least in Cepeda's map, they never intersect.²⁰⁷

Conclusion

The map that Juan López de Cepeda sent to the King in 1588, complete with tiny images of the Spanish settlements that Cepeda would establish deep inside frontier, provides us with an image of a victorious future to the extent that it could be envisioned, however briefly, from a desk in La Plata. Within it, even the settlements of the Chiriguano, that implacable enemy, had been mapped and named, and their residents counted. Almost exactly two years later, Cepeda would lament the extent to which this vision had already failed. In fact, nothing had come of his efforts to establish new communities in the frontier. As to the plans for these settlements that he depicted on the map and in the extensive report he had sent to the Peruvian Viceroy, the Conde del Villar

²⁰⁶ Lizárraga, 91-94.

²⁰⁷ Vázquez de Espinosa, 844.

(1585-1589), “there is no memory of them.”²⁰⁸ The Conde de Villar’s replacement, The Marqués de Cañete (1589-1596), appeared to have little interest in the audiencia’s settlement schemes.²⁰⁹ Even the communities Cepeda had helped found in the 1580s—San Juan de la Frontera, San Juan de Rodas, and Concepción de Torremacha—all seemed to be declining, not growing. Concepción had already been abandoned. The region seemed to be slipping back into disorder.²¹⁰

Future audiencia officials and Peruvian viceroys would alternately praise the growth of Spanish settlement in the Eastern Andes and lament the many ways it had fallen into disorder. While some new cities would gain a lasting foothold in the frontier, such as San Lorenzo (1590) and the settlements established by Pedro Lucio de Escalante in the Vallegrande region between San Lorenzo and Mizque in the 1610s, other settlements efforts failed miserably. The efforts of Rui Díaz de Guzman to establish a settlement in Manso’s old governorship in the 1610s not only failed, they motivated Chiriguano communities to unite and resist Spanish settlement efforts up and down the Cordillera Oriental. By the 1620, the Eastern Andean Frontier, with the exception of San Lorenzo and Vallegrande, looked little different than it did in 1588. Much as Patricia Limerick once described the North American frontier, in the Eastern Andes, the themes

²⁰⁸ “...ni las poblaciones que yo hize de san Juan de rrodas y san Juan de la frontera y rrio de san marcos an ydo a mas sino en disminucion y las que he avisado se hagan en la barranca pomabamba y moxocoya no ay memoria dellas....” In “Carta del Licenciado Cepeda a S.M. en contestación de las reales cédulas recibidas y trata muy por extenso de la reducción de los indios chiriguanos,” (2-10-1590) AGI Charcas 17 R1 N1. Also in Levillier et al., *Audiencia de Charcas* 3:1-17.

²⁰⁹ Scholl, 382, 396-397.

²¹⁰ “Carta del Licenciado Cepeda a S.M. en contestación de las reales cédulas recibidas y trata muy por extenso de la reducción de los indios chiriguanos” (2-10-1590), AGI Charcas 17 R1 N1. Also in Levillier et al., *Audiencia de Charcas* 3:1-17.

of conquest and frontier governance were not completed processes at the turn of the seventeenth century.²¹¹ In fact, these themes would retain their salience in the region until the end of the nineteenth century and even beyond.²¹²

But just as the eastern Andes was so often the setting of thwarted ambitions, it also remained the theater of a number of possible futures. As hopes for the Eastern Andes as the gateway to the Atlantic and El Dorado began to fade by the end of the sixteenth century, other plans seemed to gain new urgency. Several years after Cepeda wrote to the king lamenting the failure of his vision in the Eastern Andes, he began to write once again about the region's many virtues, not only as a site for promoting Spanish settlement, but also as the best setting for resolving an entirely different problem—governing Peru's growing vagrancy problem.²¹³ Perhaps the Eastern Andes could be more than a destination for the fugitives and vagrants of Peru—it could be the setting for transforming them into citizens. As we will see in the next chapter, this was another project in which viceroy Toledo would become closely involved. Yet much like the problem of spatial governance, when it came to the vagrants of Peru, the Eastern Andes would not turn out to be quite the ideal solution that royal officials hoped it would be.

²¹¹ Limerick, 25-26.

²¹² Langer, *Expecting Pears*, 57, 177.

²¹³ “Carta a S.M. del Licenciado Cepeda, dando noticia de haber poblado las fronteras de los Chiriguanos,” (10-1-1592) AGI Charcas 17 R3 N28 in Levillier et al., *Audiencia de Charcas* 3:153-161; “Carta a S.M. del licenciado Cepeda, presidente de Charcas, con larga relación de cuanto convenía al real servicio, y bien de aquella provincial,” (3-12-1593) AGI Charcas 17 R4 N31 in Levillier et al., *Audiencia de Charcas* 3:162-181; “Carta a S.M. del Licenciado Cepeda, con particular relación del estado de las cosas del distrito de la Audiencia, y lo que más conviene proveer para el acrecentamiento de la real hacienda, administración de justicia y prosperidad de la tierra. trata de las gobernaciones del tucumán y Río de la Plata,” (3-28-1595) AGI Charcas 17 R6 N41. Also in Levillier et al., *Audiencia de Charcas*, 3:259-281.

Chapter 2. Governors' Myths: The Gente Suelta in the Americas

Introduction

In late January of 1569, two years after his appointment as the fifth viceroy of Peru, don Francisco de Toledo had finally arrived in Seville to oversee the outfitting of the fleet that would carry him to his new post.²¹⁴ Anticipating a long stay in the city, Toledo busied himself with reading and responding to dispatches from the King and the Council of the Indies, arguing with customs officials, and inspecting the provisioning and passenger-licensing operations of the Casa de la Contratación.²¹⁵ As if to underscore his ambition and commitment to the King's service he even requested that his patron, don Diego de Espinoza, the Cardinal of Sigüenza, use his political influence to secure him a license to help put down an escalating *morisco* uprising in Granada, what we now call the Guerra de las Alpujarras (1568-1571).²¹⁶ He was clearly torn between anxiety over the turmoil he was leaving behind at home and his inability to begin work in the jurisdiction he could not yet enter, a region where the crown's grip on power seemed similarly tenuous.²¹⁷

Toledo's vision for Peru included reforming its mining sector and concentrating, organizing, and controlling its indigenous population. These were ideas that, when put into practice, deeply transformed the everyday lives of the peoples who constituted the vast majority of the Peruvian population—native Andeans. But by the time Toledo

²¹⁴ Levillier, *Gobernantes del Peru*, letter from Jan 23, 1569, 1:54.

²¹⁵ *Ibid.*, letters from Jan 28 and Feb 4, 1569, 1:56-59.

²¹⁶ *Ibid.*, 1:54.

²¹⁷ Stafford Poole, *Juan De Ovando: Governing the Spanish Empire in the Reign of Phillip II* (Norman, Okla.: University of Oklahoma Press, 2004), 117.

reached Seville, he had also begun to consider how he would address another issue that had troubled his predecessors, the possibility that vagabonds might usurp the King's authority in Peru. In this chapter, I will explore perceptions of the *gente suelta* as a particularly abundant and socially destabilizing segment of colonial society through the sixteenth and early seventeenth centuries. Observations of this kind were a regular refrain in letters and reports written by governors, audiencia presidents and judges (*oidores*), priests, and other secular and ecclesiastical officials. The central figure of this discourse, the vagrant, had its origins in concerns about vagabonds in Spain itself, concerns that quickly shifted into the Peruvian setting during the unsettled years of civil war that followed its initial conquest. But beginning in the 1560s and 1570s, and accelerating thereafter, Peruvian officials like Toledo began to speak of a population of *gente suelta* that had grown into a vast throng. Poor Spaniards, wayward priests, foreigners, wild Indians, blacks, *mulatos*, mestizos, the land had become swollen with migrants; a human flood that needed to be sluiced into more appropriate channels, or dammed up at the ports of entry and exit.²¹⁸ To some, they were a multiplying cancer gnawing away at the body of Peru, infectious and virulent.²¹⁹ Lockhart once called these oft-repeated stories "governors' myths," stories in which unattached young men who had left Spain for the Indies threatened the social order through their violence, moral weakness, and lack of

²¹⁸ "Carta del obispo de la plata al rey" (6-4-1567), AGI Charcas 135; "Carta a S.M. del licenciado Cepeda" (3-28-1595), AGI Charcas 7 R6 N41; James Lockhart, *Spanish Peru, 1532-1560: A Social History*, 2nd ed. (Madison, Wis: University of Wisconsin Press, 1994), 259.

²¹⁹ "Carta de la Audiencia de Charcas a S.M" (3-22-1593), AGI Charcas 17 R4 N32; Boyer, "Negotiating Calidad," 67.

respect for authority.²²⁰ I argue that it was not just Spaniards who were out of place, but potentially individuals from all parts of Peruvian society.

Lockhart asks what can be known about these people whom officials believed to hinder the development of the kingdom. They were not, he admits, a community of any kind, although colonial officials frequently and in some ways, consistently conflated them as such in their rhetoric.²²¹ In the Indies, and especially Peru, the terms used to identify the *gente suelta*—*vagabundo*, *holgazán*, *ocioso*, *gente perdida*, and others—are simultaneously functional and moral categories into which an increasingly large number of people could be placed. But where the Spanish vagrant was a being identified by matters of labor and movement, I argue that, in Peru, the behaviors and personal attributes that signaled social detachment and possible disloyalty were often distinctly corporeal. This is not to say that these attributes were a matter of phenotype or yet anything resembling race, but they were often adhered to the various early modern axes of difference that included lineage (literally “blood,” *sangre*), origin, upbringing (*crianza*), language, land, and climate.²²² The ways in which officials described the detachment of the *gente suelta* varied greatly. Some, especially Spanish immigrants, creoles (*criollos*), and sometimes mestizos, were seen as fatherless children who had become detached from the Spanish family. Indians out of place were similarly disconnected from the families, *ayllus* (kin groups), and communities to which they

²²⁰ Lockhart, *Spanish Peru*, 153.

²²¹ *Ibid.*, 154

²²² David Tarvaez, “Legally Indian’: Inquisitorial Readings of Indigenous Identity in New Spain,” in *Imperial Subjects: Race and Identity in Colonial Latin America*, eds. Andrew B. Fischer and Matthew D. O’Hara (Durham: Duke University Press, 2009), 81.

belonged. Runaway slaves (*cimarrones*) had left their proper places in the households of their masters. Free blacks, *mulatos*, and most mestizos had no true home, no family to which they could be restored. The best that could be hoped for them was to enter into a recognizable and subordinate place within society, from which place they could be observed, counted, and corrected.

The Vagabond

In one of his early novels, “El Coloquio de los Perros,” Cervantes called idleness, or *ociosidad*, “the root and mother of all vice.”²²³ Similarly, when officials like Toledo complained about people they labeled *gente suelta* or *vaga* they attacked both their perceived unwillingness to work and their proclivity towards vice. On one level, *vagabond* is principally a class concept, reflecting a category of non-work, but it also implies an individual whose labor has been criminalized in some way. As such it was also a category that was charged with immoral connotations, an undercurrent of meaning that helped to make the vagabond a fixture of the underworld of the Spanish economy and society. This discourse had deep roots in early modern Spain, where individuals who were able to work, but chose not to, were vilified for living off the sweat of others.²²⁴ These were *ociosos*, the idle, who spent their days carousing in the streets or, just as problematically, begging, when they should have been working. Vagabonds, or *holgazanes*, were doubly condemned because their begging diverted resources that

²²³ “La raíz y madre de todos los vicios,” Miguel de Cervantes Saavedra, *Novelas Ejemplares, III: Las Dos Doncellas, La Señora Cornelia, El Casamiento Engañoso, El Coloquio De Los Perros*, Cervantes & Co. Spanish Classics No. 51 (Newark, Del.: Cervantes & Co., 2011), 126, 135.

²²⁴ Martin, xiii.

should have gone to those whose age or health problems legitimately prevented them from working.²²⁵

Vagabond was also a legal category with legal consequences. Spanish officials made regular efforts to sort out the legitimate beggar from the true vagabond in a series of Poor Laws between 1523 and 1558, with regular additions thereafter, which included certifications from one's parish priest that testified to one's infirmity. The right to beg was very specifically local, limiting the beggar to a radius of activity of no more than six leagues from their home parish or, for pilgrims, especially those headed to Santiago de Compostela, no more than four leagues from the pilgrimage route.²²⁶ During the reigns of Charles I (1516-1556) and Phillip II (1556-1598), those apprehended as vagabonds might be whipped, publicly humiliated, banished, sentenced to galley service, or impressed as sailors.²²⁷

In addition to their lamentable idleness, the other identifying feature of the vagabond was their excessive spatial mobility. There was nothing inherently objectionable about migration in early modern Spain. In many parts of the Iberian Peninsula, seasonal migration was a regular part of life, and various royal decrees affirmed the right of Castilians to move about the kingdom freely. But the authors of such decrees seem to imply that the purpose of these laws was to allow migrants to travel in order to engage in legitimate forms of labor, such as those related to stock raising or

²²⁵ Ibid., xiv.

²²⁶ Jame Casey, *Early Modern Spain: A Social History* (Psychology Press, 1999), 125; Marcelin Defourneaux, *Daily Life in Spain in the Golden Age* (Stanford, Calif.: Stanford University Press, 1979), 218; Martin, xiv.

²²⁷ Martin, xiv.

agriculture, and maintain close connections to their home communities, recognized through ties of family, parish, and local citizenship.²²⁸ Migration became sinister when there were ruptures, or perceived ruptures, in any or all of these intimate connections. But such ruptures were all too common in an economy marked by seasonal unemployment and permanent migration towards cities or to the frontier regions in the south. Individuals and families who had abandoned their homes and ancestral communities became *vagos* or tramps who swelled the masses of the urban underclass. Cristóbal Pérez de Herrera, a doctor who served those condemned to labor in Spain's galleys, estimated that there were one hundred fifty thousand vagabonds in Spain at the turn of the seventeenth century.²²⁹

What we have in the figure of the vagabond is a discourse that pairs two related concepts: the *ocioso* (the idler) and the *vago* (the tramp). The *ocioso*'s crime is not simply non-work, but immoral, even criminal activity: card playing, theft, murder, adultery. The *vago* is a body out of place, and thus becomes unplaceable, even untraceable. But the place from which they are absent is not only spatial but social: a place and a hierarchy from which they have been detached. Moreover, because *vagos* are distant from their place of origin, their *naturaleza*, they are also essentially foreign, raising concerns about disloyalty and treachery so commonly applied to those who are far from home. The problem of the vagabond, or as it was often put, the *gente suelta*, is then simultaneously

²²⁸ Casey, 93-94.

²²⁹ Herzog, *Defining Nations*, 12, 28; Casey, 25, 26, 30, 122-123; Ida Altman, *Emigrants and Society: Extremadura and America in the Sixteenth Century* (University of California Press, 1989), 92; Matienzo muses on Spanish notions of mobility in *Gobierno del Peru*, ed. Guillermo Lohmann Villena, *Travaux De L'Institut Français D'études Andines* 11 (Paris: Institut Français D'études Andines, 1967), Part 1, Chapter XXV, 87; Linda Martz, *Poverty and Welfare in Habsburg Spain: The Example of Toledo*, *Cambridge Iberian and Latin American Studies* (Cambridge [Cambridgeshire]; New York: Cambridge University Press, 1983), 86.

spatial and social, and involves matters of labor and morality. In the Indies, such terms took on new urgency in the context of the disorder and extensive mobility that accompanied the conquest, a context in which labor was often scarce and migration—both forced and free—was constant.

The Spanish Migrant

The archetype of the vagabond in Charcas, as throughout the Indies, was the Spanish immigrant who was single, male, poor, and unemployed. As both *ocio* and vagabond they were simultaneously too lazy and too mobile for comfort. They were also thought to be abundant in the extreme. When the third viceroy of Peru, the Marqués de Cañete (1556-1560), wrote about Peru's vagabond problem at the time of his appointment in 1555, he estimated that some seven thousand of Peru's eight thousand Spanish inhabitants were vagabonds, an observation he made, as Lockhart pointed out years ago, before he had ever stepped foot in Peru.²³⁰ Yet more experienced statesmen held much the same opinion. Juan López de Cepeda, whose career in the Indies stretched back to the early 1560s, and who was president of the Audiencia of Charcas for more than twenty years (1580-1602) thought much the same.²³¹ As he put it in 1595:

...the number of poor, lost people (*gente perdida y pobre*) found in these kingdoms is truly great, the cause of which (setting aside the many creoles who are born and raised in the land) is the multitude of poor men without prospects who come to these kingdoms. And they come every year. The problem is that although the greater part of them are of humble origins, once they set foot in Peru, and especially in this province of Charcas, they forget who they are and make themselves out to be noblemen, finding that there is little oversight of that

²³⁰ Lockhart, *Spanish Peru*, 153.

²³¹ "Registro de parte: Reales Disposiciones dirigidas a las autoridades del distrito de la Audiencia de Santo Domingo, AGI Santo Domingo 899 L1, F243; "Consulta del Consejo de Indias," AGI Indiferente 739 N269; "Registro de oficio y partes para la Audiencia de Charcas," AGI Charcas 415 L1, F58v-60r.

condition, and under this name commit such acts that discovering the thread of which is no small effort and trouble for the judges and serves as a bad example to the Natives.²³²

Nor were vagabonds simply a figment of these officials' imaginations. Toledo's journey from Seville to Lima was punctuated by his efforts to arrest and deport various mischief makers he found along the way: married men living with mistresses, adulterous priests, and absconding soldiers and sailors.²³³ But when the newly appointed bishop of La Plata, Alonso Ramírez de Vergara, traveled through the same region thirty years later he complained about the same kinds of people, attracted by the "sound of silver." He describes them as an almost picaresque menagerie of rogues and miscreants, "a great mass of Spaniards, and the majority of them are poor, unoccupied people, and without roots, or attachments of any kind."²³⁴ And while we recognize that such statements more likely political than purely descriptive, they take as their starting point notions of rootlessness and idleness that originate, not in the Indies, but in sixteenth-century Spain.

At least initially, the *gente suelta* of the Indies were simply the vagabonds of Spain in a new setting. And few destinations in the Indies could rival the attractive power

²³² "... y estos reynos se ensanchen y tengan los muchos bagantes que en el ay en que entretenerse y servir a vuestra Magestad que verdaderamente es mucha la *gente perdida* y pobre (vuelta) que en estos reynos se halla, y es la causa (dexado los muchos criollos que en la tierra nascen y se crían) la multitud de hombres pobres y sin caudal que de esos reinos viene y en estos cada año de nuevo entran y es el mal que aunque la mayor parte de ellos es gente humilde y oficiales en poniendo los pies en el piru y en especial en esta provincia de los charcas se olvidan de quien son, y se hazen cavalleros como es officio que lo hallan de balde, y debajo deste nombre hazen obras con que descubren la hilaza que no pone en pequeño cuydado y trabajo a los juezes y dan mal exemplo a los naturales..." Juan López de Cepeda, Presidente of the Audiencia of Charcas (1595), AGI Charcas 17 R6 N41. Also in Levillier et al, *Audiencia de Charcas*, 3:259-281.

²³³ Arthur Franklin Zimmerman, *Francisco De Toledo, Fifth Viceroy of Peru, 1569-1581* (Caldwell, Idaho: Caxton Printers, 1938), 56-58.

²³⁴ "En estas provincias con ocasión y sonido de la plata q ha avido q a no ay tanta ay gran concurso de españoles y los mas es gente pobre y ociosa y sin raizes ni prendas algunas..." Alonso Ramírez de Vergara, Bishop of La Plata, (1600) AGI Charcas 135.

of Peru. The idea of Peru had fired the imaginations of Spaniards since Pizarro's capture of Atahualpa in 1532. Two different published accounts of the Inca's ransom, said to be entire rooms of gold and silver became widely available in Spanish and Italian as early as 1534, and many would have heard accounts directly from conquistadores returning with their share of the early spoils. Add to this the discovery of vast silver deposits in what became known as the *cerro rico* of Potosí in 1545, and it becomes easy to imagine why Peru would be the favored destination for generations of emigrating Spaniards. Cervantes once called the Indies "the refuge and protection of the hopeless of Spain, the church of the bankrupt, the safe conduct of murderers, sanctuary and cover of all the cheating card players... the common deceit of many and particular remedy of few."²³⁵ But the fact that few of them would find wealth or great fame in the Americas did little to reduce Peru's allure. Memories of past successes and a stream of letters and published accounts of individuals who did acquire fortunes in Peru and elsewhere easily drowned out more woeful accounts. As one resident of Potosí said to his brother back in Spain in 1592, "Here you will be rich, you will be somebody, something you will never accomplish in Seville in all your life."²³⁶

²³⁵ Miguel de Cervantes, "'El Celoso Extremeño,' Four Stories from Cervantes," *Novelas Ejemplares*, ed. Michael J. McGrath (Neward, Del.: Cervantes and Company, 2008). Trans. David Dressing, "Social Tensions in Early Seventeenth-Century Potosí," (Ph.D. diss., Tulane University, 2007), 37-38.

²³⁶ Peter T. Bradley and David P. Cahill. *Habsburg Peru: Images, Imagination and Memory* (Liverpool: Liverpool University Press, 2000), 47; Herbert S. Klein, *Bolivia, the Evolution of a Multi-Ethnic Society*, Latin American Histories (New York: Oxford University Press, 1982), 34-35, 54-55; Alexander Pogo, "The Anonymous La Conquista Del Peru (Seville, April 1534) and the Libro Vltimo Del Svmmary Delle Indie Occidentali (Venice, October 1534)," *Proceedings of the American Academy of Arts and Sciences* 64, no. 8 (July 1, 1930): 177-286, doi:10.2307/20026271, 270; Francisco de Xerez and Miguel de Estete, *Verdadera relación de la conquista del Peru* (Tip. de J. C. García, 1891), 151-156; Luis Millones Figueroa, *Pedro de Cieza de León Y Su Crónica de Indias: La Entrada de Los Incas En La Historia Universal*, 1. ed (Lima: IFEA : Pontificia Universidad Católica del Perú, Fondo Editorial, 2001), 30-33; "Acá seréis rico y seréis hombre, lo cual no seréis en Sevilla en vuestra vida..." (Pedro de las Parras Valeros (2-25-1592)), in

A great many Spaniards found these opportunities too promising to pass up.²³⁷

We can make some rough approximations of the number who immigrated to the Americas during the sixteenth and early seventeenth centuries. The efforts of Peter Boyd-Bowman, Magnus Mörner, and others to calculate the total have yielded a figure of between two hundred thousand and two hundred forty-three thousand people during the sixteenth century and between eighty thousand and one hundred ninety-five thousand for the first half of the seventeenth century. This is a seemingly small number, given that the population of Spain grew by around two million people during the sixteenth century, from approximately four and one-half million to more than six and one-half million by the eve of the seventeenth century. But migrants to the Indies represented a significant proportion of young Spaniards, those individuals in their teens through their early thirties.²³⁸

Enrique Otte and Guadalupe Albi Romero, *Cartas privadas de emigrantes a Indias, 1540-1616* (México: Fondo de Cultura Económica, 1993), 538-539; Altman, 204.

²³⁷ See Noble David Cook's comments about Spanish immigration, "Migration in Colonial Peru: An Overview," in *Migration in Colonial Spanish America*, ed. David J. Robinson (Cambridge: Cambridge University Press, 1990), 56-59.

²³⁸ And in reality, of those two hundred thousand to two hundred fifty thousand emigrants for the sixteenth century we only have documentation for around fifty-five thousand different individuals. The rest are simply estimates for the number of people who could have made the trip across the Atlantic, given what we assume to have been the average number of passengers that ships of that time could carry. More recently estimates for the early seventeenth century have been shifted downward as more focused studies of specific sending communities, particularly Extremadura, begin to give us a clearer picture of emigration rates and demographics during that period. By way of comparison, Philip Curtin once estimated that around two hundred thousand African slaves were brought to Spanish America during the same period, probably a bit better than half the total number of Spaniards. That said, for Africans, this forced migration was nearly always a one-way trip. Nicolás Sánchez-Albornoz, *Indios y Tributos en el Alto Perú*. 1st ed. Historia Andina 6 (Lima: Instituto De Estudios Peruanos, 1978), 15-16, 21; Peter Boyd-Bowman, *Patterns of Spanish Emigration to the New World (1493-1580)*, Special studies (State University of New York at Buffalo. Council on International Studies), no. 34. (Buffalo: Council on International Studies, State University of New York at Buffalo, 1973), 580; Carlos Martínez Shaw, *La emigración española a América: (1492-1824)* 11 (Colombres, Asturias: Archivo de Indianos, 1994), 151-152; Casey, 21, 25; Altman, 275; Magnus Mörner, "Spanish Migration to the New World prior to 1810: A Report on the State of Research," *First Images of America: The Impact of New World on the Old* (1976): 737-804.

While Peru was certainly not the only destination for new immigrants, it regularly received about a quarter of the sixteenth-century migrants following its conquest, outstripping New Spain, the other popular destination, between 1540 and 1559, and again from 1580 to 1600.²³⁹ About half of these immigrants came from Spain's southern provinces, particularly Andalucía, Extremadura, and the two Castiles.²⁴⁰ While emigrants from most regions demonstrated a slight preference for New Spain over Peru, emigrants from Extremadura, the home region of the Pizarros and Cortés, showed an increasing preference for Peru by the early seventeenth century, a reminder of the importance of regional ties in a migrant's choice of destination.²⁴¹ Additionally, an unknown but substantial number of migrants to New Spain, the Caribbean, and the Central America later moved on to Peru, especially those whose achievements had not matched their expectations, as I will describe below.²⁴²

The image of the migrant as a young, single man did have a certain foundation in reality, especially in the early sixteenth century, but it was never the whole story. Although the majority of early migrants to the Americas were young men participating in military and settlement expeditions, not all migrants were young and single, and not all of them were men. The first decades following Pizarro's victory at Cajamarca hewed closest to the stereotype. But even in these early years, about a quarter or even a third of men

²³⁹ Lockhart that perhaps as many as twenty thousand Spaniards stepped foot in Peru between 1532 and 1560, before immigration to the region had yet to reach its height, although no more than ten thousand stayed permanently before 1560. Lockhart, *Spanish Peru*, 110; Boyd-Bowman, 601, 602.

²⁴⁰ Boyd-Bowman, figure 1, 586.

²⁴¹ Dominguez, 127; Martínez Shaw, p81

²⁴² Lockhart, *Spanish Peru*, 152-153

were married.²⁴³ Initially, married men often emigrated to the Americas without their wives, but soon the crown put policies in place that made it increasingly difficult to travel without one's spouse.²⁴⁴ Women made up about seven percent of migrants up until around 1540, but then their numbers, as a proportion of the total emigrant population, soon reached about a third of emigrants each year for the rest of the century.²⁴⁵ Emigrating women were even more likely to be married than men. Boyd-Bowman's general study of travel licenses suggests that between forty percent and forty-five percent of women were married or widows when they emigrated, and Lemus's study of emigrants from Extremadura suggests that more than half of Extremaduran women were married at the time of emigration. And as the years advanced, more and more migrants who traveled to Peru to join close relatives, including parents and siblings, or former neighbors, who had already made the trip.²⁴⁶

Although migrants are often depicted by officials as unattached individuals, for most migrants emigration was a collective act, especially by the latter half of the sixteenth century.²⁴⁷ Altman's study of emigrants from Trujillo and Cáceres uncovered a number of solitary migrants up until around 1540, likely individuals recruited for one of the many early expeditions destined for the Indies, and Pizarro's expedition to Peru in particular.²⁴⁸ But following this early period, most emigrants travelled to the Americas as

²⁴³ Martínez Shaw, 80

²⁴⁴ Boyd-Bowman, 583, 595; Diego de Encinas, *Cedulario Indiano*, ed. Alfonso García Gallo. Civil Law. 2, Italy, Spain, Portugal, and the Low Countries. 417 (Madrid: Ediciones Cultura Hispánica, [1596] 1945), 1:400-402.

²⁴⁵ Martínez Shaw, 47, 79-80; Boyd-Bowman, 582, 596-599; Altman, 176-177.

²⁴⁶ Boyd-Bowman, 597-599; Martínez Shaw, 80.

²⁴⁷ Altman, 173.

²⁴⁸ *Ibid.*, 176-177.

part of a household. Friends, relatives, and servants formed a retinue of travelers who made the journey to the Americas together. Even solitary travelers, now a minority, likely expected to join family upon arrival.²⁴⁹ By mid-century, more professionals, artisans, and farmers chose to emigrate as well, and they were even more likely than earlier generation to bring wives, children, and other family with them. Bureaucrats traveling to their posts brought not only family, but also servants and slaves, truly an entourage. By the seventeenth century, *criados*, a vague category denoting persons connected to a household, as either retainers or servants, was the status most often listed at the time of emigration.²⁵⁰ Only merchants were still likely to travel on their own.²⁵¹

In spite of the many complaints that poor Spaniards were positively flooding the Indies, the ever-rising costs of transatlantic travel made such a journey out of reach for the most desperate.²⁵² Passage from Seville to the Americas for an individual adult appears to have grown from around seven *ducados* in the early sixteenth century, an amount that a dock worker might raise in a few weeks of work, to well over thirty *ducados* for each traveler, equaling three or four months' pay, near the end of the century.²⁵³ In 1567, the bishop of La Plata, friar Domingo de Santo Tomas, claimed to know of migrants of high social standing who had to sell everything they owned in Spain order to make the trip.²⁵⁴ Transatlantic migration was simply out of reach for the poor and unskilled, including the agricultural laborers sought after by royal officials in the Indies.

²⁴⁹ Martínez Shaw, 92-95; Altman, 178-179; Boyd-Bowman, 596.

²⁵⁰ Carta del Obispo de la Plata al rey (6-4-1567), AGI Charcas 135; Martínez Shaw, 126.

²⁵¹ Martínez Shaw, 94.

²⁵² Martín, 9, 10.

²⁵³ Casey, 26.

²⁵⁴ Carta del Obispo de La Plata al rey (6-4-1567), AGI Charcas 135.

Some individuals were able to scrape together the necessary funds with loans from friends and kinship networks, many of which now spanned both sides of the Atlantic.²⁵⁵ Emigrants assumed they would quickly pay off these debts once they arrived in the Indies. The growing “*criado*” category speaks to another strategy—financing the trip by agreeing to serve a particular patron both during and after the trip.²⁵⁶

While royal officials might have been inconvenienced by the mobility of Spanish settlers, what most disturbed them was the fact that they could not control this movement. The establishment in 1503 of the *Casa de la Contratación* (House of Trade) in Seville responded to the Crown’s need to maintain royal control over trade and immigration. The policy predating Spain’s presence in the Americas appeared to affirm, at least theoretically, the right of Spaniards to relocate anywhere they chose within Spain’s empire.²⁵⁷ While ostensibly the Casa de la Contratación’s function regarding migration was simply to ensure that the crown monopolized travel licensing and kept track of who was emigrating, the institution played a role in shaping Spanish society in the Indies by attempting to ensure that only the most worthy individuals, particularly married men and their families, were able to take part in settlement efforts.²⁵⁸ Similar efforts within

²⁵⁵ Ruth MacKay, “*Lazy, improvident people*”: myth and reality in the writing of Spanish history (Cornell University Press, 2006), 13, 184-185; Martin, 10; Defourneaux, 96-97, 99; Casey, 121-122; Altman, 189-191; Carta del Obispo de La Plata al rey (6-4-1567), AGI Charcas 135.

²⁵⁶ Altman, 191

²⁵⁷ According to Martin, the cédula outlining this right was promulgated on October 28, 1480. See page 28, note 80; Herzog on “good” and “bad” migrants and citizenship in *Defining Nations*, 1.

²⁵⁸ A sampling of provisions and decrees from the *Cedulario Indiano* include the following: “C.A.P. de ordenança de la casa de la Contratación que manda que ningún passagero pueda pasar a Indias sin expressa licencia” (1552), “Cedula que manda como y donde han de hacer los que passaren a las Indias sus informaciones, y lo que han de probar” (1552), “Cedula que manda que ninguno que fuere casado queda pasar a las Indias sin llevar a su mujer” (1549), “Cedula que manda que los que llevaren mujeres a las Indias, den información de como son casados y velados con ellas” (1546), “C.A.P. de una carta que su Magestad escribió a los oficiales de Sevilla, que manda sean obligadas las mujeres a dar información de us

jurisdictions in the Indies themselves endeavored to control and potentially slow migration across the Indies, particularly the flow of immigrants out of the Caribbean and New Spain towards Peru.²⁵⁹ Thanks to the efforts of the Casa de la Contratación, we can reconstruct a sense of the migration patterns to the Indies, if not the actual numbers. We have many reasons to doubt the numbers: even royal officials knew them to be woefully incomplete, and often complained that ship masters, pilots, and even fleet generals were transporting a great many unlicensed (and likely undesirable) migrants to the Indies in a lucrative trade that lined their pockets at the expense of social order. Carla Rahn Phillips has noted the infantry units assigned to the Indies fleets were particularly inconstant, with individuals disappearing from muster books on a regular basis, their whereabouts unknown.²⁶⁰ Catalina de Erauso's claim to have jumped ship in Nombre de Dios likely struck her readers as one of the least remarkable statements in the otherwise amazing account of *La Monja Alferéz*.²⁶¹

limpieça commo los hombres, y que no dexen passar a ninguna sin licencia expressa" (1554), "Cedula que manda que no se de licencia a mujeres solteras para pasar a las Indias" (1575), "Cedula que manda, que ningún estrangero de estos reynos passe ni ande en la navegación de las Indias, ni ningún maestre los trayga ni lleve en su nao" (1538), "Cedula que manda, que todos los Gitanos que se hallaren en las Indias, las justicias los embien a estos Reynos con sus mugeres, hijos, y criados" (1581), "Provisión que manda, que ningún hijo ni nieto de quemado, ni reconciliado, pueda pasar a las Indias, ni estar en ellas" (1539), "C.A.P. ... que manda no consienta en aquella tierra Moro ni Judio, ni herege, ni reconciliado" (1501), Encinas, 396-397, 400-401, 441, 452, 455.

²⁵⁹ "Cedula que manda a las justicias del Peru, que a las personas que ovieren pasado a aquellas partes sin licencia los embien presos a Sevilla" (1549), "Cedula que manda que no puede pasar al Peru ninguna persona sin licencia de su Magestad" (1569), "Cedula que manda que no passen ninguna persona de la Isla Española al Peru sin licencia de su Magestad" (1569), "Cedula que manda a la audiencia y justicia de la isla Española, que no dexen salir della a ninguna persona que han pasado obligados a residir" (1568), "Provisión de su Magestad del Emperador, que manda que ninguno salga en las Indias de la provincia e isla donde fuere vezino sin licencia del gobernador" (1534), Encinas, 406-408, 410-411; Martin, 23-30.

²⁶⁰ Carla Rahn Phillips, *Six Galleons for the King of Spain: Imperial Defense in the Early Seventeenth Century* (Baltimore: Johns Hopkins University Press, 1986), 149.

²⁶¹ Lockhart, *Spanish Peru*, 130, 139, 141, 150-151; Dressing, 28, 38; Sánchez-Albornoz, 15; Carta del Obispo de La Plata al rey (6-4-1567), AGI Charcas 135; "Carta del Licenciado Ruano Telles, fiscal de

To a certain extent, we can read the constant movement of some migrants in the Americas as a problem of unmet expectations rather than an unwillingness to settle down.²⁶² New Spain was often a more popular destination for migrants coming directly from Spain than Peru, which is perhaps not surprising given the fact that a journey to Lima took perhaps twice as long (up to a year) and was far more dangerous and complicated than the direct trip to Veracruz (eighty days) or Mexico City (between four and eight months).²⁶³ But destination was not destiny. Officials in New Spain and the Caribbean, places once flush with migrants eager to acquire encomiendas through conquest or precious metals through discovery, later complained that their districts were in danger of depopulation.²⁶⁴ Raising the specter of depopulation was a common strategy among Spanish officials and must be taken with a rather large grain of salt, but it is clear that in the race for indigenous labor and sudden wealth, there were always more losers than winners. Even those granted land through their services in war were often unwilling to stick around if their reward did not also include indigenous labor.²⁶⁵ Working as laborers, even on their own properties, was not the life that most Spanish immigrants had expected to find in the Americas. While some migrants returned to Spain, many moved on elsewhere in the Americas, and especially to Peru.²⁶⁶

Charcas” (2-20-1584), AGI Charcas 16; Erauso, chapter II: “Parte de Sanlúcar para Punta Araya, Cartagena, Nombre de Dios y Panamá,” <http://www.cervantesvirtual.com/nd/ark:/59851/bmcw66f9>.

²⁶² James Lockhart, “Social organization and social change in colonial Spanish America,” *The Cambridge History of Latin America 2* (1984), 308.

²⁶³ Dominguez, 126-127; Boyd-Bowman, 582-584.

²⁶⁴ Martin, 24-29.

²⁶⁵ *Ibid.*, 24.

²⁶⁶ *Ibid.*, 27-29.

Much like the theme of excessive mobility, complaints about the laziness of Spanish migrants speak to issues of personal ambition and migrant perceptions of their social status in the Indies. While the growing host of male migrants was generally willing to take part in the military aspects of their new lives in the Americas, officials complained that they were much less willing to take part in the practical, physical tasks associated with building new communities and new societies. This supposed unwillingness to work has been viewed by historians as a reflection of the efforts of migrants to perform their nobility in the New World. Figures like the Pizarros and Hernán Cortés were *hijosdalgos* or *hidalgos*, members of the Spanish lower nobility from families “of known lineage” (*de solar conocido*) who had originally acquired their status as knights (*caballeros*) during the wars of the Reconquista.²⁶⁷ *Hidalgos* could claim exemption from certain taxes, the principal sign of nobility, and were eligible to hold local positions of honor and authority on the municipal councils of their home communities. They may have been a relatively numerous class in the Indies. Ida Altman found that between twelve and twenty-two percent of migrants from sixteenth century Extremadura were part of the nobility, and Lockhart thought *hidalgos* made up as much as a third of Peru’s Spanish population in the early sixteenth century.²⁶⁸ Some of them, like Cortés, had access to an education, but most were only slightly better off, financially speaking, than the lower classes.²⁶⁹ Once in the Americas they would press for the rights and privileges that had always preserved noble status in Spain: tax exemptions, freedom

²⁶⁷ Ruth Pike, *Aristocrats and Traders: Sevillian Society in the Sixteenth Century* (Ithaca: Cornell University, 1972), 26-27; Altman, 46; Casey, 139-140.

²⁶⁸ Altman, 196; Lockhart, 39; Casey, 144.

²⁶⁹ Altman, 197; Casey, 145-48, 152-153.

from imprisonment for debts, and the right to hold municipal offices and other honors suitable to their *calidad*.²⁷⁰ These individuals likely would have avoided taking part in the so-called “vile mechanical arts,” including agricultural labor or work as a tailor, carpenter, blacksmith, or shoemaker as unfitting for their noble status and injurious to their efforts to win coveted civil posts.²⁷¹

Complaints about migrant attitudes towards labor was not so much a critique of the rights claimed by the Spanish lower nobility as it was an accusation that these nobility claims were false, inventions of individuals whose reputations, as Martin once put it, had “improved, like fine wines” over the course of their journey to the Americas.²⁷² This kind of cynicism was common in reports from the time, and it was emblematic of the anxiety that many officials felt about the task of delegating important offices and responsibilities to an assortment of individuals whose families they did not know and whom they could not entirely trust. If there was any foundation to such often repeated claims about the indolence of the Spaniards in the Americas, then perhaps such behaviors reflected a general anxiety about maintaining or improving one’s status in an environment where the social hierarchy was highly tenuous and the possibility of failing to live up to perceived expectations was great.²⁷³

²⁷⁰ Carta del Obispo de la plata al rey (6-4-1567) AGI Charcas 135; Altman, 88, 196; MacKay, 88-89; Casey, 142-143; Lockhart, “Social organization,” 271.

²⁷¹ MacKay, p86.

²⁷² Martin, 7.

²⁷³ Licenciado Cepeda AGI Charcas 17; “Carta a S. M. del licenciado Matienzo, con noticia de la residencia, que por encargo del Virrey, había tomado al corregidor, alcaldes, oficiales y otros jueces de la villa de Potosí” (12-23-1577), AGI Charcas 16; “don Diego Vasquez Arce sobre unos indios de los cimarrones” (1593-1596), AGI Charcas 44; “Las cosas que me parecen piden remedio” (3-04-1597), AGI Charcas 135; Conversely, there were also discourses that lauded the virtues of the laboring classes. See Mackay, 86-87, 89, 107-108.

The Foreigner

Much like the discourses surrounding vagrancy, late sixteenth-century Spanish attitudes towards foreigners present another facet of the problem of disconnectedness in Peru and Charcas. While vagrancy suggested binaries of work versus non-work and motion versus stability, discussions of foreignness in Charcas can be mapped onto early modern notions surrounding loyalty and disloyalty. Nativeness (*naturaleza*) was understood as carrying with it a natural love and loyalty toward the land (or literally, the republic) of one's birth. Foreignness was the opposite, implying that the foreigner's love for their country or recent residence was inferior to that of the land of their birth. Those who were seen to be natives could be trusted, but foreigners could not.²⁷⁴ Of course who was and was not a foreigner in Peru in the late fifteenth century was a subjective matter. The idea of a shared sense of Spanishness was still a new concept at the end of the sixteenth century.²⁷⁵ In 1596, Alonso de Vergara, a native of Extremadura who had been appointed the bishop of Charcas, considered any non-Castilian to be a foreigner, so identifying the many Basques, Catalans, and Portuguese who also occupied the Iberian Peninsula and shared many elements of its culture, even though all of these were, at the time, vassals of Phillip II.²⁷⁶ As it was, foreignness and nativeness were contingent concepts and had rather precise legal definitions. A foreigner could be transformed into a

²⁷⁴ Herzog, *Defining Nations*, 68-70.

²⁷⁵ *Ibid.*, 65.

²⁷⁶ "En estos Reynos tiene entrada todas naciones, y de ninguna ay que fiar, sino solo de la Castellana a todas las demás por sospechosas, y poco aficionadas al Servicio de V Magd...Ay portugueses muchos, y experiencias ay en que sea visto la poca lealtad, y Amor que tienen y hallo muchos en Cartagena, Nombre de Dios, y Panama, que son la llaves deste Reyno: y en esta próxima ocasion mostraron flaqueza contra el enemigo..." Alonso de Vergara, Bishop of La Plata (1596), AGI Charcas 135; Julio García Quintanilla, *Historia de la Iglesia en la Plata* (Sucre, Bolivia, 1964) 1:109.

native of Castile after only ten years of residence in the kingdom. Thus, the longer a foreigner remained part of the community, the less threatening, and therefore more potentially loyal, they tended to seem.²⁷⁷ As so, like so many of the categories into which a person might be placed in early modern Peru, loyalty and disloyalty, as suggested by one's perceived nativeness or foreignness, was mutable, contested, and highly subjective.

The doubtful loyalty of foreigners reminds us of the massive size of Spain's empire, and the cogence of international events even at the regional level. Although perhaps only a small proportion of the population, non-Spaniards lived just about everywhere in the Spanish Americas. In Peru, non-Spaniards were especially visible as well-to-do merchants, but more than a few became integrated in Peruvian society as property owners. Cities likely drew the lion's share of the non-Spanish population. Foreign merchants were particularly visible in Lima, and Spanish officials had the impression that Potosí was also filled with them, although Crespo states that a 1610 census turned up only thirty-six Flemings, seventy-four Portuguese, fifteen Genovese, and twenty Corsicans, a relatively small number in a city of, perhaps, one hundred sixty thousand people.²⁷⁸ Non-Spaniards even lived in frontier communities, such as the five (two Genovese, a Greek, a Venetian, and a Savoyard) who had purchased properties near San Juan de Rodas, a town of one hundred fifty people near Tomina in 1608.²⁷⁹ Most of these supposed foreigners, the Portuguese, Flemings, and Italians, were, in reality, vassals

²⁷⁷ Herzog, *Defining Nations*, 68-71; Lockhart, *Spanish Peru*, 146

²⁷⁸ "Carta a S. M. de la Audiencia de Charcas" (2-17-1584) and "Carta del Licenciado Ruano Telles, Fiscal de Charcas" (Potosí, 2-20-1584), AGI Charcas 16. Levillier el al., *Audiencia de Charcas*, 2:93-118; "Diligencias Sobre Estrangeros" (1589-1591), AGI Charcas 43; "Gobierno No. 50" (Lima, 3-27-1619), AGI Lima 38; Crespo Rodas, *Esclavos Negros*, 29.

²⁷⁹ CDIAO, 9:329.

of the King of Spain, as they came from regions that were under the king's authority. Since at least 1590, Italians from Genoa and Corsica were specifically included among the "foreign Catholics" who were protected from the various laws excluding foreigners from newly-discovered lands within Spain's Empire.²⁸⁰ The others may already have satisfied the residency requirements to acquire legal naturalization. But as this was a time when Spain was more of a geographical concept than a nationalist discourse, a strong sense of regional affiliation caused deep divisions and suspicion among Peru's European residents, including divisions between the different communities that shared the Iberian Peninsula, as underscored by Bishop Vergara's suspicions of non-Castilians.

While foreign merchants and sailors were little esteemed, they were not precisely enemies. But many Spanish officials did fear that foreign powers might take Peru away from them, particularly if they could enlist the help of native American and fugitive African allies. In the early 1570s, Sir Francis Drake had received assistance from a community of fugitive slaves in his attack on Nombre de Dios.²⁸¹ In 1578, Drake appeared along the coast of Peru, where he captured Spanish silver shipments before escaping westward across the Pacific. More English and Dutch pirates attempted to follow his example in later decades.²⁸² Drake's arrival sparked rumors of anti-Spanish uprisings and alliances in Peru thereafter. In 1583, one Friar Juan de Rivadeneira, writing

²⁸⁰ Campbell, 153-154.

²⁸¹ Correspondence of Licenciado Cepeda, President of the Audiencia of Charcas accompanying his 'Mapa de la cordillera en que habita la nación Chiriguana' (2-18-1588), AGI Charcas 16; Ruth Pike, "Black Rebels: The Cimarrones of Sixteenth-Century Panama," *The Americas* 64:2 (Oct., 2006), 243-266.

²⁸² Mark A. Burkholder and Lyman L. Johnson. *Colonial Latin America* 6th ed. (New York: Oxford University Press, 2008), 176; Bernand, "Las Fronteras de la Plata," 370; Also a "Relación de lo que el cosario Francisco hizo ..." in Real Academia de la Historia (Spain), *Colección de documentos inéditos para la historia de España* (Madrid: Academia de la Historia, 1842), 94:432-457.

from Santiago del Estero, Río de la Plata, reported, with alarm, a rumor that he had heard about a pact that Drake had made with several caciques (indigenous leaders) along the coast of Chile to rise up with him and cast the Spaniards out of the Americas.²⁸³ Later, a priest named Diego de Trejo claimed to uncover an even more unsettling plot among the indigenous residents of the town of Tacobamba, located only a short distance from Potosí itself. The priest insisted that they had been arming themselves to support the English, who had promised to free them from the Spaniards and from their tribute payments.²⁸⁴ Similar rumors accompanied the arrival of Sir Francis Drake's nephew, John Drake, in the Río de la Plata in 1582 and that of Thomas Cavendish in Peru in 1586, where it was thought that he would join with the Araucanians and rise up against the Spaniards, proclaiming the liberty of Indians and blacks in the Indies.²⁸⁵

In light of these events, the many foreigners residing in Peru, especially those in Potosí, suddenly appeared to threaten the security of the region. The king's prosecutor (*fiscal*) in La Plata, Licenciado Ruano Telles, wrote to the king in February of 1584 to inform him of his concerns about the large number of foreigners living in Peru and especially Potosí in light of the recent appearances of English corsairs and likely the abundant rumors that they had made alliances with indigenous peoples.²⁸⁶ Perhaps it was news about Cavendish's 1586 voyage that motivated the King to act on his fiscal's

²⁸³ "Friar Juan de Rivadeneira: delitos cometidos por Drake," AGI Patronato 266 R47.

²⁸⁴ "Informaciones: Diego de Trejo" (1612), AGI Charcas 87 N13; also in Bernand, "Las Fronteras de la Plata," 371-372.

²⁸⁵ José Torre Revello, "Documentos históricos y geográficos relativos a la conquista y colonización rioplatense," *Tomo 1: Memorias y relaciones históricas y geográficas* (1941): 27-50.

²⁸⁶ "Carta del Licenciado Ruano Telles, fiscal de Charcas, sobre ... la necesidad de tomar medidas contra los extranjeros que por allá había" (2-20-1584), AGI Charcas 16, Levillier et al, *Audiencia de Charcas*, 2:113-118.

advice. In March of 1587, the King sent copies of a royal decree (*real cédula*) to the oidores of the Audiencia of Charcas and the corregidor of Potosí, Pedro Ozores de Ulloa, to look into the growing populations of foreigners as well as the gente suelta and *ociosa*, suggesting the possibility of collaboration between the two.²⁸⁷

The responses of Ozores de Ulloa and the oidores of the audiencia to the decree differed quite dramatically. Although the king gave no specific suggestions about how to address these groups beyond ordering both parties to initiate judicial proceedings against them, Ozores de Ulloa took decisive action as soon as he received the news. He ordered the arrests of some four hundred people deemed “foreign to the crown of Castile and Leon,” jailing all of them and placing an embargo on their goods. The audiencia’s oidores had received the same order as Ozores de Ulloa, but they appear to have been more interested in maintaining the status quo than in treating foreigners as a potential threat, especially once formal protests from jailed foreigners and their wealthy and influential friends began to flood their tribunal. Soon Ozores de Ulloa was ordered to free the prisoners and return their goods to them at no charge.²⁸⁸ Ozores de Ulloa’s zeal and the audiencia’s ambivalence toward the potential threat that foreigners posed to the Peruvian community is a reminder that perceptions of the gente suelta were often a matter of political expediency. But as long as enemies continued to assail Peru’s boundaries, as they continued to do in the seventeenth century, the suspicions surrounding foreigners

²⁸⁷ “Diligencias Sobre Estrangeros” (1589-1591), AGI Charcas 43; “A la Audiencia de los Charcas” (3-11-1587), AGI Charcas, 415 L2, 45r.

²⁸⁸ “Diligencias Sobre Estrangeros” (1589-1591), AGI Charcas 43.

and their potential allies remained a regular feature in the official discourse surrounding the *gente suelta*.²⁸⁹

Indians

In his 1567 treatise, *Gobierno del Peru*, oidor Juan de Matienzo called idleness “the mother of all vices,” repeating the common Castilian maxim to remind his readers of the dangers of failing to support a forced-labor program among the Indians of Charcas.²⁹⁰ In fact, readers were alerted to the author’s preoccupation with the problem of idleness beginning with the very first sentence of the prologue, when Matienzo explains that it was out of fear of being accused of idleness that he spent every spare moment of his time pondering the roots of Peru’s problematic society.²⁹¹ While Matienzo lamented the idleness of Indians, later observers lamented their absence from their home communities, *encomiendas*, and *haciendas* as more and more Indians used their mobility to escape oppressive conditions. The various reasons for Indians’ perceived detachment from society were specific to their circumstances as conquered peoples, but officials described them with Spanish terms: the vagabond, the *cimarrón*, and, increasingly, the *forastero*—the outsider and the stranger.²⁹²

²⁸⁹ “Gobierno No. 50” (Lima, 3-27-1619), AGI Lima 38, for instance.

²⁹⁰ “Vista la ociosidad de los indios y su condición, y el daño que de ello se sigue, nadie dexará de creer y entender que es bien inclinalles y compelelles al trabajaxo, para que ocupados en algo, se olviden de los vicios que son inclinados, porque la *ociosidad* es madre de todos vicios, mayormente en estas partes que tan poca razón tienen.” Matienzo, *Primera Parte*, Cap. V, 19.

²⁹¹ Matienzo, 3.

²⁹² This is also the spirit of a 1601 report from Quito that Vieira Powers transcribed in which the author complained that “vagabonds who do not have *encomenderos* and who do not pay tributes because they are from different regions, nor do they serve anyone, but instead commit a thousand crimes on the highways and in the towns.” *Andean Journeys*, 15, 197, 220; Wightman, 18, 54, 252 n.55; Zulawski, 80; Vieira Powers, “The Battle for Bodies and Souls,” 34, 37.

For those who complained about absent or idle Indians, the loss of their labor was often quite personal, a blow to their particular office or livelihood. Because of this, references to whom among indigenous migrants were gente suelta were not only highly subjective, but also self-interested.²⁹³ Indians were *suelta* because they had left the places where officials and landowners felt they belonged, or because they were believed to live lives of excessive liberty and moral depravity beyond the boundaries of the empire and its civilizing agents, as in the case of unconquered peoples.²⁹⁴ Peruvian viceroys, audiencia oidores, local corregidores, parish priests, and Indian caciques wrote extensively about declining reducción populations and the problem of indigenous vagrancy.²⁹⁵ In the agricultural sphere, the indigenous gente suelta were Indians who were missing from Spanish estates. Additionally, all feared that the native Andeans under Spanish authority would flee across the frontier, just as they coveted the untapped labor of the native peoples living beyond the frontier line.²⁹⁶

²⁹³ Brian Evans, "Migration Processes in Upper Peru in the Seventeenth Century," in *Migration in Colonial Spanish America*, ed. David J. Robinson. Cambridge Studies in Historical Geography 16 (Cambridge [England]; New York: Cambridge University Press, 1990), 62-85., 70; Nicolás Sánchez-Albornoz explains why Toledo's census and that of La Palata are the most reliable benchmarks for indigenous population figures in Peru and Charcas in his classic work, *Indios y Tributos en el Alto Peru*, 21-25.

²⁹⁴ Chiriguano are "gente astuta y suelta" in "Carta del Licenciado Juan López de Cepeda, presidente de la Audiencia de Charcas" (La Plata, 12-27-1582), AGI Charcas 16; Ana de Toro, licenciado Matienzo's widow, described yanaconas as "gente perdida y holgazana," in AGI Charcas 43, in Levillier et al, *Audiencia de Charcas*, 2:572; Indians described as living where they are not supposed to in AGI Charcas 17, R6 N39; "indios huaycos," in "La ordinaria para recoger indios visitados a pedimento del general don Diego Vázquez Arce de Cabrera" (Potosí, 4-8-1595), AGI Charcas 44; Described as such in the 1680s under "cargos y descargos" of Indians who were not in an encomienda. "Residencia de Antonio de Rivas, Gobernador y Capitán General de Santa Cruz de la Sierra," AGI Escribanía 857c.

²⁹⁵ Bakewell, 92, 106; Caciques had a number of reasons to keep numbers of tributaries down, as the Spaniards knew well, Wightman, 23; Zulawski has pointed out, though, that *forasteros* did not simply escape mita service, but paid for an exemption, as was the case in Oruro by the 1680s, 141.

²⁹⁶ Crespo Rodas, "La Mita de Potosí," 172; Brian Evans, "Census Enumeration in Late Seventeenth-Century Alto Peru: The Numeración General of 1683-84," in *Studies in Spanish American Population History*, ed. David J. Robinson, Dellplain Latin American Studies 8 (Boulder, Colo.: Westview Press, 1981), 28; An important reason for the exemption of some frontier provinces, even those quite close to

Given that indigenous peoples made up the vast majority of the population of Charcas, nearly ninety-five percent in the 1570s, questions surrounding indigenous labor, migration, and residency patterns were urgent and ongoing at the turn of the seventeenth century and beyond.²⁹⁷ Although the majority of indigenous people lived apart from the non-indigenous population of Charcas, their labor was the chief instrument of Spain's Peruvian wealth, whether in the extraction of silver, in the production of agricultural products and textiles that supported the mining sector, or in tribute payments to the Spanish crown. And yet, for all their numbers, there were seemingly never enough laborers to satisfy the demand in Charcas, leading to endless struggles over scarce labor resources. Thus, where Indians lived and where and for whom they labored was always politically charged and heavily contested by the individuals who depended on that labor.

As many scholars have noted, multiple factors contributed to significant and ongoing indigenous migration. From the verticality and diversity of the Andean landscape to the fragmentation of kin groups resulting from the colonial policies of the Inca and Spanish Empires, native Andeans migrated on a massive scale at the turn of the seventeenth century.²⁹⁸ Spanish economic and political policies also resulted in new migration patterns, both forced and free, that relocated native Andeans to the growing

Potosí, was that the shift from the warm, tropical climate of the lowlands to the cold, dry climate of the highlands, would be disastrous for the health of the migrants. Crespo Rodas, "La Mita de Potosí," 171; For more on this notion, see Cañizares-Esguerra, "New Worlds, New Starts," 33-68; Earle, 689-692; "Provisión Real ordenando al capitán Pedro de Céspedes y Abreu, Teniente de Corregidor del Valle de Mizque, recoja de diferentes chácaras, los indios de nación chanes y gorgotoquies, huidos o trasladados..." (1603-1607), AHMC EJ 9.20; "Ciudad despoblado por huido de indios y yanacunas a Misque" (1606), ABNB Corr. 529; "Juan de Moya Badillo contra María Teves de Mesa sobre un indio huido" (1607-1610), AHMC EJ 18.57; "Causa ordinaria seguida por Francisco de Almarás contra las personas que tienen en su poder indio de su propiedad y encomienda" (1612), AHMC EJ 20.5.

²⁹⁷ Crespo Rodas, *Esclavos Negros*, 28; Rosenblat, 88, 256.

²⁹⁸ Evans, "Migration Processes," 71.

mining and administrative centers of Charcas.²⁹⁹ These policies also triggered migration eastward and southward away from the core regions of the Audiencia of Charcas, as native Andeans fled from the highland *reducciones* most closely associated with Spanish forced labor regimes and towards the valley provinces and haciendas that were exempt from them.³⁰⁰ At the same time, a substantial stream of indigenous migrants moved upward from the Amazonian lowlands and into valley regions as Spaniards forcibly moved or enticed indigenous laborers from lowland communities into the haciendas of the higher valleys.³⁰¹ Forced migrants included indigenous slaves that Spaniards had purchased from unconquered lowland indigenous groups, primarily the Chiriguano, or had taken as captives during skirmishes against the Chiriguano themselves. Indigenous laborers also moved within specific regions, shifting from community to community or from one hacienda to another. By the end of the seventeenth century, these new migrants formed the majority of the indigenous population in the valleys.

In Peru, Francisco de Toledo's Great Resettlement program of the 1570s was meant to address what Matienzo conceived of as the problem of Indian idleness by bringing their much-needed labor more firmly under the control of the crown. Central to Toledo's plan was a new system of permanent indigenous settlements or *reducciones* that

²⁹⁹ Cook, 50-51, 60-61.

³⁰⁰ Zulawski, 71; Cole, 29, 110, 113; Cook, 52-53; Evans, "Migration Processes," 70, 73; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 230.

³⁰¹ Bakewell, 191; AHMC EJ 8.18; AHMC EJ 9.20; ABNB Correspondencia, Cach 529; Bartolomé Sepa fled the lowlands, but felt treated as a slave in Mizque. The original encomendero lost his encomienda for selling its Indians into the Mizqueño hacienda economy. AHMC EJ 18.57 (1610); Indian runaways referenced in AHMC EJ 34.5; AHMC EJ 20.5; AHMC EJ 24.6; "Residencia de Antonio de Rivas," AGI Escribanía 857c; "Carta del Licenciado Rabanal, fiscal de la Audiencia de Charcas" (11-3-1576), AGI Charcas 16 R15 N57; "Información sobre méritos de Andrés Alonso Bravo y don Diego Muñoz de Cuellar" (1629-1630), AGI Charcas 55; "Ciudad de Santa Cruz a S.M." (Santa cruz, 1-8-1610), AGI Charcas 14.

would concentrate the widely dispersed native Andean population into recognized urban centers. More than one million Indians, generally those living the Audiencias of Lima and Charcas, were concentrated in about six hundred settlements.³⁰² During his viceregal tenure, the male residents of these reducciones, called *originarios*, began to be organized into a forced labor system of men between eighteen and fifty years of age who spent one seventh of their time contributing their labor to different institutions within the Empire. For *originarios* living in sixteen highland provinces, which included parts of Cochabamba and Tarija, this labor system meant periods of forced migration to the mines of Potosí, where each migrant was to labor one year in seven.³⁰³ *Originarios* living in provinces that were exempt from the mine-related labor, such as frontier provinces of Tomina, Mizque, Pilaya-Paspaya, Santa Cruz de la Sierra, and parts of Tarija, lent their labor to regional, municipal, and individual projects, including the construction of new Spanish cities.³⁰⁴

For those communities included within the *mita* of Potosí, the journey of *originarios* to Potosí generally was a collective event: women and men, sometimes travelling as families and sometimes not, journeyed together to Potosí when not prevented from doing so by local officials.³⁰⁵ Add to that those who were seasonally absent to work on lands still possessed by the *ayllu* to which they belonged, often many days walk from the *reducciones* themselves, and the number of residents who were

³⁰² Ravi Mumford, 119.

³⁰³ Wightman, 16; Kendall W. Brown, *A History of Mining in Latin America: From the Colonial Era to the Present*, Diálogos (Albuquerque: University of New Mexico Press, 2012), 52; Zulawski, 71; Cole, 110.

³⁰⁴ Crespo Rodas, "El Reclutamiento," 471; Cole, 29, 176 n.28; Schramm, 55, 77, 124; Zulawski, 142-143; Presta, "Una Hacienda Tarijeña," 44; Presta, "Encomienda, Family," 85; "Capitulaciones de Diego Quintela y Salazar" (1596), AGI Charcas 44.

³⁰⁵ Zulawski, 69-70; See also Bianca Premo, "From the Pockets of Women: The Gendering of the Mita, Migration and Tribute in Colonial Chucuito, Peru," *The Americas* 57:1 (July, 2000), 63-93.

absent was large indeed. A substantial number of families who had permanently moved out of a particular *reducción* often simply resided in nearby annexes to the main *reducción* and still maintained links to their *ayllus* and even *comunero* status within the *reducción*, including land rights and community responsibilities and privileges.³⁰⁶ This was especially true after the reform efforts of Peruvian Viceroy the Marqués de Montesclaros (1607-1615) and the Príncipe de Esquilache (1615-1621) made it simpler for indigenous migrants to continue residing outside of their home communities.³⁰⁷

That *reducción* populations were truly in decline, almost from the moment of their creation, is beyond question. Mumford has recently pointed out that except for the years immediately following their establishment, the Andean *reducciones* were often rather empty of people.³⁰⁸ As would become increasingly clear to Spanish observers, much of this decline reflected the plummeting indigenous population in general, due in large part to well-documented episodes of epidemic disease dating to at least 1558 and perhaps earlier, as well as other factors, including starvation, overwork, and violence.³⁰⁹ Nevertheless, the emptiness of the *reducciones* can also be explained by the realities of indigenous migration, both seasonal and permanent. Despite declining *reducción* populations, labor quotas were slow to change, forcing *mitayos* to serve more frequently

³⁰⁶ Evans, "Migration Processes," 79.

³⁰⁷ Wightman, 28.

³⁰⁸ Ravi Mumford, 158; Zulawski, 68.

³⁰⁹ Cook does not tend to think that migration and hardship played as heavy a role in reducing, or seeming to reduce, indigenous population figures as some historians have argued. See his comments in *La Catástrofe demográfica andina: Perú, 1520-1620*, 22-24; Nathan Weaver Olson and Robert McCaa, "Was Smallpox the Initial Cause for the Demographic Destruction of Ancient Peru? Digital Tools Detect Uncertainty in Old Evidence," Presented at the Annual Meeting of the American Historical Association, Washington, DC, January, 28.

than one year in seven. This in turn motivated still more originarios to leave their home communities.³¹⁰

In addition to originarios, another significant category of indigenous laborer was the *yanacona*. But whereas originarios were defined by their connections to kin groups and to regimes of forced migration, yanaconas were defined by their detachment from these institutions. According to the discourse of the day, yanaconas were synonymous with vagabonds despite their productive labor within the economy.³¹¹ During the years of the Inca Empire, individuals who were not associated with any *ayllu* and who labored for the Inca elite in Cuzco or for individuals were called *yana*.³¹² By the late sixteenth century, the Spanish conquerors had transformed this social category to such an extent that *yana* or *yanacona* had come to signify an Indian who was both detached from a specific *ayllu* and who labored for individual Spaniards. In a 1574 letter to the King, Toledo estimated that there were some five thousand five hundred yanaconas spread out among some three hundred and sixty-four different *chácaras* in Charcas, a rather small proportion of the more than seven hundred thousand Indians thought to be living in Charcas 1570.³¹³ The *yanacona* category was itself divided into several subcategories. A group variously referred to as *yanaconas del rey*, *vagabundos del rey*, or *vagabundos de la corona*, who labored on behalf of the crown.³¹⁴ Another group of yanaconas, variously known as

³¹⁰ Bakewell, 66, 87; Evans, "Census Enumeration," 27; Wightman, 43, 55, 72-73.

³¹¹ Evans, "Migration Processes," 67-69; Zulawski, 142; Wightman, 55; Vieira Powers, *Andean Journeys*, 41.

³¹² Wightman, 2, 52, 82; Schramm, 97; Larson, 82-83; Zulawski, 20.

³¹³ Levillier, *Gobernantes del Peru*, 5:369; Crespo Rodas, *Esclavos Negros*, 30.

³¹⁴ Vieira Powers, *Andean Journeys*, 15, 16, 41, 89, 197n.24, 220; Wightman, 17, 18, 54-55, 252 n.55, 253, n.61.

yanaconas de españoles, de chacras, or de estancias, worked for individual Spaniards, generally on rural estates. The labor of one more group, called *yanaconas de Iglesias y Conventos*, was appropriated to serve ecclesiastical needs. As a group, yanaconas were exempt from the *mita* duties expected of originarios, and their masters were generally expected to pay their tribute taxes as well as look after their physical needs and moral and religious instruction.

As a group closely associated with vagrancy, the formal status of yanaconas in Peru was uncertain when Toledo assumed leadership of the Viceroyalty of Peru. Given their close association with specific landowners, yanaconas were particularly vulnerable to exploitation and abuse. Part of this abuse included the forced removal of individual yanaconas from their places of origin by Spanish landowners, which was particularly apparent in the forced migration of indigenous laborers from the lowlands into valley haciendas.³¹⁵ In his effort to regulate the liberty of movement of yanaconas, Toledo created regulations that allowed yanaconas who had labored on a particular hacienda for less than four years to return to their places of origin, but required yanaconas who had worked for an estate for four years or more to stay on permanently. By effectively tying yanaconas to specific properties and property owners, Toledo's decision served to transform the notion of *yanaconaje* from one associated with vagrancy to one associated with long-term stability.³¹⁶

³¹⁵ Schramm, 111.

³¹⁶ Schramm, 102. Levillier, *Gobernantes del Peru*, 5:370; Francisco de Toledo, "Provisión Sobre los Indios Yanaconas de los Charcas" (La Plata 2-6-1574), in *Francisco De Toledo: Disposiciones Gubernativas Para El Virreinato Del Peru*, eds. Guillermo Lohmann Villena and María Justina Sarabia

Yet Toledo's policies also created new patterns of indigenous migration and vagrancy. A third category of migrant, known as the *forastero*, would grow out of Viceroy Toledo's efforts to distinguish between *yanaconas* and *originarios*.³¹⁷ A *forastero*, literally an "outsider" or "stranger," came to signify an indigenous migrant who had moved from one indigenous community to another, particularly when that journey took them beyond boundaries of their home *corregimiento*.³¹⁸ However, this shift in residence, when multiplied by thousands of indigenous migrants and their families, had profound social implications. Simply moving from one indigenous community to another was socially costly to the *forastero*, who lost both social status and access to land in their former communities. But the move had clear benefits as well: given their absence from their home communities, the migrant was no longer required to participate in the *mita* and was often exempt from tribute payments as well.³¹⁹ Given the close associations between *forastero* status and *mita* avoidance, many of these migrants originally came from one of Toledo's highland *reducciones*. But as Zulawski has noted, this change in residence did not necessarily imply a total disconnection from one's kin group, as *forasteros* often maintained regular, although clandestine, communication with their home communities.³²⁰ For many *forasteros*, the shift from one community to another was a permanent one, with the newcomers becoming fully incorporated into their new communities, often integrating themselves into the *ayllu* of the receiving community.³²¹

Viejo, 2 vols. (Sevilla: Escuela de Estudios Hispano-Americanos: Consejo Superior De Investigaciones Científicas: Monte De Piedad Y Caja De Ahorros De Sevilla, 1986), 1:289-297.

³¹⁷ Wightman, 52-53.

³¹⁸ Zulawski, 80-81; Vieira Powers, *Andean Journeys*, 93.

³¹⁹ Cook, 56; Vieira Powers, *Andean Journeys*, 7.

³²⁰ Zulawski, 80.

³²¹ Evans, "Migration Processes," 65-66.

Despite this, according to Spanish officials, *forasteros* were permanently out of place. Even their descendants, individuals who had been born in the new community and were related to its *originario* residents by blood, would retain this official status as community outsiders from the perspective of the Spanish state. This ongoing condition of official detachment at least partially explains why *forasteros* became such a large proportion of the indigenous residents of Charcas by the late seventeenth century, where *forasteros* composed about half of the sedentary native Andean population.³²²

Although crown policy regulating indigenous mobility was far from consistent, the general objective was to return unauthorized migrants to their home communities.³²³ *Reducción alguaciles* and parish priests established curfews and maintained church attendance records to keep track of *reducción* residents.³²⁴ When *originarios* did escape from their communities, *corregidores* authorized indigenous *capitanes de la mita* as well as Spanish *juez reducidos* to find and return indigenous runaways to the *reducciones*. But while there is evidence that indigenous runaways were sometimes forcibly returned to their original communities, most evaded their pursuers. The whereabouts of some of these absentees remained known, of course, but many more had, at least officially, disappeared, a distinction that viceroy La Palata would recognize in his *Numeración*.³²⁵

Spanish landowners who relied on *yanacona* laborers were complicit in the failure of the *reducción* system, as they were the primary beneficiaries of these Indians out of

³²² Wightman, 54, 71-72.

³²³ *Ibid.*, 24.

³²⁴ Ravi Mumford, 98.

³²⁵ Vieira Powers, *Andean Journeys*, 11; *Qaraqara-Charka*, 752; Zulawski, 75, 76; Evans, "Migration Processes," 65.

place.³²⁶ By reclassifying originarios as yanaconas on their estates, hacendados were able to acquire laborers who would have otherwise been unavailable. While Toledo instituted various laws to keep originarios in their communities, he had also mandated that corregidores assist landowners in rounding up indigenous vagrants for use in the agricultural and mining sectors. An unknown number of Spaniards were given the right to pursue indigenous runaways as vagrants and *cimarrones* and, upon recovery, have them enrolled in the corregimiento's tribute records as their personal yanaconas. Don Diego Vázquez Arce de Cabrera, the son-in-law of longtime president of the Audiencia of Charcas, don Juan López de Cepeda, used this method to acquire yanaconas for his hacienda.³²⁷

By provision of your viceroy, [Vázquez Arce] was given a grant of a certain quantity of cimarrón Indians who were in the ravines and creek beds of Charcas. There are many of them in this area who do not go to their *reducciones* nor do they attend to their tambo obligations and personal services, nor the Incas* of Potosí, but have lived in liberty from all of the above.³²⁸

Unfortunately, Vázquez Arce complained, the Indians he had registered (*empadronado*) on his estate had again fled, this time to Potosí and other sites. He requested that the audiencia give him the right to recover his workers in the mining metropolis and anywhere else he found them. Later viceroys more or less continued this bifurcated

³²⁶ Zulawski, 178; "El Memorial de Charcas" (1582), in *Qaraqara-Charka*, 837.

³²⁷ Zulawski, 196.

³²⁸ "Por provisión de vro virrey se le hizo merced de cierta cantidad de yndios de los *cimarrones* que estaban en los guayccos y quebradas desta provincia de los charcas de muchas ai a esta parte sin acudir a sus reducciones ni a las obligaciones de sus tambos y servicios personales ni yngas de potosí e an vivido con libertad de todo lo referido..." Diego Arce de Cabrera (1593), AGI Charcas 44; *Evans describes "yngas," in this context as, like the Cañaris, a class of mitimaes who were exempted from tribute obligations and enjoyed a somewhat privileged social status, in "Migration Processes," 80, 81.

policy of simultaneously pursuing both repatriation and reclassification.³²⁹ Transforming indigenous vagrants into yanaconas appears to have been an especially common strategy in frontier communities, which as sites exempt from the *mita* were the destination of many originarios on the run. Don Luis de Fuentes y Vargas, the founder of Tarija, acquired a number of yanaconas in this way, as did another founder of the town, Gutierre Velázquez de Ovando.³³⁰ But as Vázquez Arce's experience indicates, yanaconas remained highly mobile, sometimes moving from one estate to another as well as back and forth between rural and urban environments as need and circumstances allowed.³³¹

For obvious reasons, the caciques of Charcas complained about the practice of reclassifying originarios as yanaconas, as it made the recovery of originarios from the *reducciones* and *ayllus* they oversaw still more difficult. In an undated petition signed by twenty-four caciques, included in *mallku* (cacique) Fernando Ayawiri's 1582 "Memorial de Charcas," the leaders lamented that "all of the natives (*naturales*) of this province have fled (*se han ausentado*) to a thousand places, and we, the señores and caciques of this province have not had the power to bring them to where they are native and where they owe many taxes."³³² They requested that corregidores and other officials assist them in this recovery process, but they had been hampered by the actions of acquisitive hacendados. It appears to have been a common complaint. While there are some recorded

³²⁹ Wightman, 25-26, 28.

³³⁰ Oliveto, paragraph 15; Ávila, 177; Julien, Angelis-Harmenting, Bass Werner de Ruiz, *Historia de Tarija* 6:72, 86, 381; Ravi Mumford, 228 n.63, 244 n.34; References to Gutierre Velázquez de Ovando also in AGI Charcas 95 N2 and AGI Lima 231 N11; More on Gutierre in Juan Isidro Quesada, *Paseo Genealógico por la Argentina y Bolivia* (Editorial Dunken, 2006).

³³¹ AHMC EJ 9.20 (1603-1607); ABNB Correspondencia, Cach 529 (1606); AHMC EJ 18.57 (1607-1610); AHMC EJ 34.5 (1608-1626); AHMC EJ 20.5 (1612); AHMC EJ 24.6 (1614).

³³² *Qaraqara-Charka*, 606.

instances of corregidores who worked together with local caciques to round up indigenous vagabonds, more typically they acted as labor brokers for Spanish landowners, funneling indigenous vagrants into local haciendas, not into *reducciones*.³³³ The cacique of the Yampara, Francisco Aymoro, argued that, in fact, the recovery of lost *cimarrones* was simply a pretext that Spaniards used to forcibly remove indigenous peoples from their communities with near impunity.³³⁴ Given Yampara's close proximity to La Plata and Potosí, many of the people removed in this way had settled there to plant crops that would sustain family members already working in the mines at Potosí.³³⁵

Finally, there is evidence that the journey of some migrants out of the highlands led them even beyond the frontier settlements of the valleys and yungas and into the unconquered lowlands themselves. For this movement, we have no census data equivalent to that of Toledo's *Visita* or La Plata's *Numeración*, only the infrequent comments that seem to establish the presence of some highland Indians among the Chiriguano, along with a handful of Spaniards, Africans, *mulatos*, and mestizos. It seems likely that most of the highland Indians who entered Chiriguano society did so as captives. Just as yanaconas and indigenous *peones* came to replace the frontier *mitimaes* and Charka ethnic groups that once peopled the frontier, it was these yanaconas, along

³³³ "El Memorial de Charcas" (1582), *Ciencia y Cultura*, 27 (Dic. 2011), 31; *Qaraqara-Charka*, 506-507; Wightman, 22; Zulawski, 196; See also Vieira Powers, "Resilient Lords and Indian Vagabonds," 225-249.

³³⁴ "Pueblo de Tarabuco contra don Francisco Aymoro de Yamparaez" (1586-1596), AGI Charcas 44.

³³⁵ Vázquez Arce de Cabrera (1593), AGI Charcas 44; "Pueblo de Tarabuco contra don Francisco Aymoro de Yamparaez" (1586-1596), AGI Charcas 44; AHMC EJ 8.18.

with African slaves, who were most exposed to Chiriguano slaving expeditions, which targeted Andean communities as well as lowland indigenous groups.³³⁶

Although officials believed that many highland migrants willingly fled to the Chiriguano, this seems more difficult to establish. As a practical consideration, it would have been supremely difficult for individuals or small groups of highland Indians to successfully navigate the unfamiliar geography of the valleys and lowlands and actually locate and communicate with communities of people they had never met and whose language they did not know. What seems much more likely is that, despite nominal Spanish control of large areas of the frontier, the indigenous groups who continued to live in close proximity to Chiriguano communities, especially those who had already established ties with the Chiriguano through trade, defensive alliances, familial bonds, and, in some cases, tribute payments, could and did join the Chiriguano under certain circumstances. Groups such as the Diaguita, the Toba, the Lacaja, and the Chicha were groups that had developed long-standing relationships with specific Chiriguano communities, not to mention the many Chané communities that the Chiriguano had forcibly incorporated into their society. The Chicha in particular, both in their early position as *mitimaes* along the frontier, and later under Spanish jurisdiction, were highly

³³⁶ Saignes, *Historia del Pueblo*, 58; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 182; *Al Este de Los Andes*, 1:264; “Carta de la Audiencia de Charcas a S.M. refiriendo lo obrado y reformado por el virrey francisco de Toledo” (5-16-1575), AGI Lima 290 (1575). Levillier et al., Audiencia de Charcas, 2:499-516; “Carta del Licenciado Matienzo, Presidente Interino de la Audiencia de Charcas” (1-4-1579), AGI Charcas 16; “Pueblo de Tarabuco contra don Francisco Aymoro de Yamparáez” (1586-1596), AGI Charcas 44; “Servicios de Hernando de Cazorla” (1587) and “Petición del cabildo de Santa Cruz de la Sierra” (1590), AGI Charcas 43; “Carta a S.M. del Dr. Arias de Ugarte” (11-10-1600), AGI Charcas 17; “Carta de D. Diego de Portugal, Presidente de la Audiencia de Charcas” (3-1-1612), AGI Charcas 19 R2 N16.

exposed to attack from the Chiriguano, and, according to friar Reginaldo de Lizárraga the author of the *Bréve relación de toda la tierra del Peru*, lived in a position of near vassalage to them. One well-known indigenous renegade among the Chiriguano, named Baltasarillo, was known to be a Chicha, suggesting that the real story of Chicha-Chiriguano relations were not simply that of mutual hostility.³³⁷

In the same respect, it may be that highland yanaconas who came to labor along the frontier could eventually have acquired the needed linguistic and social skills, and geographical familiarity they needed to cross what was a very porous borderland and reside among nearby Chiriguano communities. This acculturation could explain the allegations of local officials in 1680s that large numbers of indigenous laborers had moved beyond the frontier when Viceroy Palata's decision to strip frontier provinces like Tomina and Pilaya-Paspaya of their immunity from the *mita* became widely known. If true, perhaps the known dangers of the *mita* and increased tribute burdens finally outweighed the possible dangers of life among the Chiriguano.³³⁸

Movement and Mixture in Peru

Indians and Spaniards out of place were stock characters in Peru's governors' myths about the gente suelta, but there were many and far more disturbing rogues who troubled the Spanish imaginary. If only Indians always remained Indians and Spaniards always remained Spaniards! But Peru, like the rest of the Americas, would also be the site for the emergence of "new peoples," individuals of mixed attributes who threatened

³³⁷ Scholl, 73, 76, 279, 284-286, 292-293, 301; Powers, *Andean Journeys*, 18-19; Saignes, *Historia del Pueblo Chiriguano*, 58, 65; Pifarré, Appendix F, 448-450; Lizárraga, 93-94.

³³⁸ Evans, "Migration Processes," 74.

the apparent simplicity of Spain's notion of divided indigenous and Spanish republics.³³⁹

As new peoples, Peru's criollos, mestizos, *mulatos*, and *zambos* were not simply physically out of place, they were socially undefinable—they were individuals with intermediate subjectivities that could not be easily recognized and properly situated within the inchoate Peruvian social order. As such, the potential untraceability and illegibility of Peru's *gente suelta* differed from more familiar representations of the vagabond, a dynamic that heightened their potential threat for the royal officials tasked with governing Peru.³⁴⁰

While most people had fairly fixed ideas about what it meant to be a mestizo or *mulato*, many were anxious about their ability to properly categorize people of color who were out of place. We now better understand the extent to which the supposedly clear classification system we often call the *sistema de castas* was more imagined than real.³⁴¹ A host of sensory elements that composed an individual's identity—their clothing, behavior, physiology, and speech patterns—complicated the efforts of officials to correctly identify the social category of a particular individual, as they conflated often

³³⁹ “Cuanto más ocasiones de las que suele mover el levantar esta tierra se quitasen, tanto más se irá dando orden de asentalla, y entre otras es una muy principal, que ordinariamente la levanta ó sustenta los levantamientos, la mucha gente que hay en el reino de españoles mestizos y mulatos, que sin quererse aplicar á trabajar se sustentan en él andando vagabundos de unas partes á otros; muchos de los españoles que tienen esta vida son de los que por sus deméritos han sido enviados á España, los cuales, debiendo allá ser detenidos y castigados por escandalosos, se dejan y ha dejado volver, y aun algunos mejorados en oficios y con recomendaciones de V.M.; á otros llevando licencias para gozar de su repartimientos, dejándolos volver después de pasado el termino de las licencias á gozar de ellos. Toledo. “Memorial del Gobierno Temporal del Peru,” (c. 1568) in *Nueva Colección de documentos inéditos para la historia de España*, eds. Francisco Zabálburu and José Sancho Rayón, 6 vols. (Madrid), 6:365.

³⁴⁰ “Carta a S.M. de licenciado Matienzo” (12-23-1577), AGI Charcas 16 R16 N65; James C. Scott, 3, 220; Stoler, “Making Empire Respectable,” 1-2; Dean and Leibsohn, 6; Vieira Powers, “The Battle for Bodies and Souls,” 39; Rappaport, 625.

³⁴¹ Magnus Mörner, *Race Mixture in the History of Latin America* (Boston: Little, Brown, 1967), 38, 39, 44, 54, 60; Seed, “Social Dimensions,” 569; Cope, 37-38, 54; Cahill, “Colour by Numbers,” 329.

quite different matters of status, function, and phenotype.³⁴² In fact, people often disagreed about the correct category to which an individual belonged.³⁴³ For this reason, much of the jurisprudence applied to peoples of mixed ancestry at this time revolved around keeping such individuals from performing certain actions in specific contexts that might otherwise allow them to slip into the “wrong” social category. Blacks and *mulatos* were not supposed to have native servants or bear arms except in rare circumstances. Royal officials developed jurisprudence creating such barriers for Africans as early as the 1520s and *mulatos*, like mestizos, in the late 1540s, partly because of beliefs about their likely behavior if given such rights, but also because these rights otherwise marked that individual as a Spaniard.³⁴⁴ Similarly, *mulatos*, *zambos*, mestizos were supposed to stay out of indigenous communities in part because they might be misidentified as Indians in such a context. Instead, such individuals were expected to be placed in the service of a master, within a hierarchical relationship in which their activities could be observed and their identity known.³⁴⁵

³⁴² Boyer, “Negotiating Calidad,” 65

³⁴³ Rappaport, 603 note 7, 625-626, 631; Cope, 5, 54; Chambers, *From Subjects to Citizens*, 85-86, 245; O’Toole, *Bound Lives*, 20.

³⁴⁴ The following are only a sampling of noteworthy examples: “R.C. para que no pasen a las Indias negros ladinos si no fuese con licencia particular de su majestad” (Sevilla, 5-11-1526), “R.C. que los negros no puedan traer ni traigan armas publica ni secretamente” (Madrid, 8-7-1535), “R.C. Sobre los indios que tienen los negros para su servicio” (Fuensalida, 10-26-1541), “R.C. que no haya negros en los pueblos de indios” (Madrid, 12-17-1541), “R.C. que los negros no anden de noche por las ciudades” (Valladolid, 4-4-1542), “R.C. que ningún mulato, ni mestizo, ni hombre que no fuere legítimo, pueda tener indios, ni oficio real ni público” (Valladolid, 2-27-1549), “R.C. que los Indios, Mestizo y Mulatos no tengan ni traigan armas” (Madrid, 12-10-1566), Konetzke, *Colección de Documentos*, 1:80-81, 167-68, 206-207, 213, 256, 420.

³⁴⁵ The other reason for the exclusion of these groups from indigenous communities was the protect the native residents from abuse. Spaniards were also theoretically excluded from indigenous communities for this reason. Encinas, 1:268, 424; Summarized and somewhat updated in the *Recopilación de Leyes*, lib. vii, titl. iv, ley 1, page 358.

But the problem of the movement and mixture associated with Peru's vagabonds was more than a matter of misidentification. The behavior and appearance of mestizos, *mulatos*, and *zambos* or *zambahigos* betrayed their divided lineages and unstable natures.³⁴⁶ Even Europeans who had been born in the Indies or who had lived there for an extended period were thought to have undergone physical transformations that unsettled their humors and altered their loyalties. Where the problem of vagrancy in Spain was situational and perhaps temporary, some officials suspected that vagrancy in Peru was somehow corporeal and thus permanent and irreversible. For these officials, solving the problem of vagrancy also entailed the invention of new institutions and legal devices for incorporating these new peoples into Spanish society.

Criollos

The notion of the creole or *criollo* is essential to understanding how bodies were thought to change when they were removed to or born into a setting to which they and their ancestors were not indigenous. The term *criollo* appears to have emerged out of the Portuguese-dominated African slave trade to describe a black slave who was born in the colonies, as opposed to a *bozal*, a slave born in Africa. The term began to appear in the Peruvian context by the 1550s to describe slaves born in Peru.³⁴⁷ Garcilaso de la Vega even thought it was a word that blacks had invented themselves.³⁴⁸ By the late 1660s it

³⁴⁶ "...y a los nascidos y criados en esta tierra que por la mayor parte no son bien inclinados." Juan López de Cepeda, oidor and president of the Audiencia of Charcas" (1595), AGI Charcas 17 R6 N41. Also in Levillier, *Gobernantes del Peru* 3:261; Frank Soloman and Stuart B. Schwartz, "New Peoples and New Kinds of Peoples, Readjustment, and Ethnogenesis in South American Indigenous Societies," *The Cambridge of the Native Peoples of the Americas*, ed. Frank Soloman and Stuart B. Schwartz, Part I, Volume 3: South America (Cambridge University Press, 1999), 443, 444, 454.

³⁴⁷ Lockhart, *Spanish Peru*, 192, 198.

³⁴⁸ LaVallé, 19-20.

came to include any person, animal, or object that had been born or created in the Americas, but was not seen as native to it, including Spaniards born in Peru. The application of a term originating in the slave trade to Spaniards born in the Americas suggests, of course, that it was an insult, not an identity.³⁴⁹

“Criollo” implied more than a person out of place, but also someone who had taken on the characteristics of the American setting and its people. Those who were most susceptible to change were the children of Spaniards who had been born in the Indies, because it was assumed that all of them, even the children of elite families, had been raised and nursed by indigenous or African women. In part, this was a message about associations: too much of children’s early education, their *crianza*, was spent in the company of women from whom they learned suspect indigenous and African behaviors and religious practices. But, to the early modern mind, it was the practice of using indigenous and African wet nurses that was most damaging to the young body and mind. Milk and blood were thought to be two forms of the same substance, and just like blood transmitted elements of a parent’s behavior and moral attributes to their children, so too did breast milk pass on elements of a woman’s blood to the infant she was nursing. Some argued that although Spanish criollos resembled Spaniards born in Spain, they were actually more alike in their attributes to the indigenous and African women who once had nursed them, a fact that even opened them up to the danger of religious heterodoxy. They had become a kind of mestizo, linked by blood/milk to the other peoples of mixed ancestry

³⁴⁹ Saignes and Bouysee-Cassagne, 16; LaVallé, 15-16, 19-20.

in Peru.³⁵⁰ Oidor Juan de Matienzo, was concerned enough about the subject that he proposed several laws on the raising of Spanish children in Peru, including one regulating nursing practices. Key ecclesiastical figures raised similar concerns during these years, including friar Gerónimo de Loaysa, the first archbishop of Lima, who railed against the practice from the pulpit, a fact referenced by friar Reginaldo de Lizárraga in his own critique of the use of indigenous and black wet nurses in Peru.³⁵¹

Underlying such concerns was the generation of Peruvian-born Spaniards coming of age in the 1560s. Those who remained of the original conquistador generation were old, but most had died, many of them leaving their encomiendas to their Peruvian-born heirs. Thus, the encomendero class, in its second generation, was increasingly criollo, and all complained that if the encomienda was not perpetuated in Peru, they would have nothing to pass on to their own children. The anxieties of the encomendero class and the frustrations of the many more who received little or no inheritance from their fathers raised questions about where the true loyalties of criollos lay: with a king in a place they had never seen, or with the country in which they were born?³⁵² In a legal sense, Spaniards in Peru were identical to those born in Spain, but their behavior seemed to suggest otherwise. In the 1560s, the possibility that the children of the conquistadores would rise up against their king seemed very real. During García de Castro's brief governorship of Peru (1564-1569) alone there were some seven uprisings or attempted uprisings. And it was likely no accident

³⁵⁰ Brewer-Garcia, 371; Premo, "Misunderstood love," 243; Saignes and Bouysse-Cassagne, 16-18; Lizárraga, 101-102; LaVallé, 45, 48; Pagden, *Burdens*, 102.

³⁵¹ Lizárraga, vi, 101-102; Matienzo, *Gobierno del Peru*, 328, 331; García Quintanilla, *Historia de la Iglesia en la Plata*, 1:37-38.

³⁵² LaVallé, 29, 30, 34.

that it was in the context of the mestizo uprising in Cuzco in 1567 that García de Castro first referred to the sons of the conquistadores as “criollos.”³⁵³ “The land is full of criollos, who are those who have been born here,” he said, and then ominously, “and full of mestizos and *mulatos*.”³⁵⁴ Perhaps the criollos would turn to the mestizos and *mulatos*, not to the Spaniards, as natural allies, for they, too, were related by bonds of blood, nurtured together in the context of a shared sense of dispossession from the riches of the land.

Indigenous and African milk and culture had tainted Peruvian-born Spaniards, rendering them suspect in some respects. But even the bodies of more recent migrants were susceptible to changes that made them appear more foreign and made their actions more threatening. Bodies were highly permeable and, therefore, mutable. While they could be elevated and improved, it was clear that they could also be degraded in any number of ways. Early modern notions about astrology and humoral theory indicated that such changes were particularly pronounced when bodies were out place. Bodies could be influenced by new constellations, altered by new climates and altitudes, and infiltrated by new substances. Physicians travelling to New Spain had already observed that criollos had shorter life spans, grayed more quickly, and had darker complexions than their Spanish-born parents. Because foods and beverages also played a role in the generation and maintenance of the body, even the new foods of the Americas threatened to harm the immigrant body, just as European foods might elevate and improve the indigenous body. By the early seventeenth century criollos and some Iberian-born Spaniards began to resist

³⁵³Ares Queija, “Un borracho de chicha y vino,” 136; Herzog, *Defining Nations*, 146.

³⁵⁴Levillier, *Gobernantes del Perú*, 3:240 (2 de abril, 1567); “Carta del Licenciado Juan López de Cepeda” (3-28-1595), AGI Charcas 17; LaVallé, 29, 47.

such designations as both insulting and false, asserting that the opposite was true: the Americas were inherently more healthful, and it was Europe that was backward. Either way, because migrants risked the transformation and possible deformation of their bodies, the social implications of migration were always more profound than mere observations about socioeconomic change.³⁵⁵

While only individuals born in the Americas were technically considered criollos, there was something about the criollo spirit, like the American environment, that was infectious. Like criollos, even Spaniards who had lived for a short time in the Americas were called “indianos” in Spain. But it was also possible to become criollo-like (*criollizado*) by forming associations with criollo families. Immigrants married into criollo families and formed lasting partnerships with them. Immigrants from the regions that provided the majority of the early conquistadores, like Extremadura and Andalucía fell in with families of criollos who, although distant from Iberia, still retained contact with relatives there and a sense of regional affiliation to locations in Spain. Under such circumstances, the effort to separate criollos from more recent immigrants on the basis of birth overlooks other powerful bonds of kinship and regional affiliation.³⁵⁶

Perhaps it was their association with criollos, and with the land itself, that explained the bad behaviors of new immigrants. Certainly, there were plenty of observers who believed that immigrants were largely vagrants and criminals to begin with, but there were others who observed that otherwise humble people changed dramatically when they set

³⁵⁵ LaVallé, 18, 31, 51, 53, 58; Cañizares-Esguerra, *Nature, Empire*, 74, 79, 87-88; Earle, 690, 692, 694-695, 700, 708.

³⁵⁶ LaVallé, 15-16, 25, 57; Coello y Numhauser, 12; 13, 26.

foot in the Americas. Perhaps their aggression, insolence, and violence were attributes they acquired while living in the new land. They were practicing behaviors that they learned from more experienced people in their company.³⁵⁷ Immigrants in Peru began to act more like criollos in other ways too, drinking not only wine, but also chicha in the *pulperias*, places that were often frequented by blacks, *mulatos*, and Indians.³⁵⁸ Such a tumult seemed to lead to a jumble of ethnic and trans-regional insults. Saignes and Bouysse-Cassagne tell the story of the Andalucian who received a rosary, likely from a Basque adversary, so that the “*morisco*” could learn to pray. In another, a criollo is doused by his enemies with chicha from an ox horn saying “Would you like to be baptized, *cholo*? If you weren’t a mestizo you’d be a *cholo*.” In letters and legal actions between rivals, Spaniards became criollos, criollos became mestizos, mestizos became *cholos*,³⁵⁹ and *cholos* became Indians.³⁶⁰ Such wordplay suggests an extensive blurring of the boundaries we tend to see as dividing putative *casta* division, ethnicity, and social status.

Mestizo

The idea that mestizos, like criollos, were a particularly dangerous and vagrant element of colonial Peru and, by extension, Charcas, acquired new urgency in the late 1560s and 1570s. On one level, the reasons that mestizos were perceived as such were little different than they would be for other groups: all of the ills of unemployment and underemployment sent them bustling to and fro across the Andean landscape in a very

³⁵⁷ AHMC 6.19 (1578); Martin, 11, 14-15; “Carta del Licenciado Cepeda a S.M.” (2-10-1590), AGI Charcas 17.

³⁵⁸ Mangan, *Trading Roles*, 48, 51, 55

³⁵⁹ Here the term means Hispanicized Indian, or a mestizo who is scarcely distinguishable from an Indian.

³⁶⁰ Coello y Numhuaser, 26; Saignes y Bouysse-Cassagne, 22.

suspicious manner. And like criollos, their loyalty was suspect because as products of a foreign American environment they likely harbored little love for Spain.³⁶¹ But the detachment of mestizos from Spanish colonial society in Peru was also connected to the often-informal unions between Spanish men and indigenous women at the time of the conquest and to the two decades of civil war that followed. As Berta Ares Queija has argued, issues of illegitimacy and orphanage, real and symbolic, greatly affected the long-term social and economic trajectories of most Peruvian mestizos, leading some contemporaries to conclude that their differences were somehow inherent to their nature as persons of mixed ancestry. The inheritors of a dual claim to Peru via their indigenous mothers and conquering fathers, they were seen as natural rivals to Peru's ruling Spanish elite. Equally dangerous was the possibility that mestizo renegades would carry some of the superior elements of the Spanish side of their lineage into the unconquered indigenous population, transforming such groups into still more formidable enemies than they had ever been before. For many observers, there was increasingly no clear place for mestizos in the orderly Spanish society they hoped to create in the Andes.³⁶²

Mestizos did not start out as outsiders. Many "children of Spaniards and Indians" initially appear to have been viewed as part of Peruvian Spanish society in the 1540s and 1550s.³⁶³ And Peru was not an isolated case. Even as early as the conquest of the Hispaniola, in response to the many casual unions between Spaniards and indigenous women, the Spanish crown and even ecclesiastical authorities allowed settlers to

³⁶¹ Brewer-Garcia, 370; Norton, 660-691; Ares Queija, "Un borracho de chicha y vino," 138.

³⁶² Ares Queija, "Un borracho de chicha y vino," 126, 134, 139.

³⁶³ Ares Queija, "Papel," 41-43.

formalize such unions if they chose, and merely cautioned Spanish men to properly instruct their indigenous concubines in the Christian faith and have them baptized before doing so.³⁶⁴ But while there were cases of Spaniards who did choose to marry indigenous women, generally women who belonged to what Spaniards considered to be part of the indigenous aristocracy and nobility, these were relatively rare unions. Such marriages almost never occurred among Peru's encomendero class, who instead preferred to form legitimate unions with Spanish women, individuals whom they considered to be their social equals. Even the father of the famous Inca Garcilaso de la Vega chose not to marry the chronicler and historian's indigenous mother even though she belonged to the Cuzqueño nobility and was a descendant of Tupac Yupanqui, preferring instead to marry a woman from a Spanish family of old Christians.³⁶⁵ For reasons like these, mestizos, and other persons of mixed ancestry, were forever associated with illegitimacy and suffered all of its social consequences as a group, such as exclusion from civil and ecclesiastical posts. Even mestizos with legitimate or legitimated parentage found their mixed ancestry to be a barrier to social advancement.³⁶⁶

But the problem was not simply a matter of illegitimacy. Mestizo children often maintained a close connection to both of the cultural communities to which they belonged, spending their earliest years in their mother's care before moving into the household of their Spanish fathers or that of another respectable Spanish family. But the close contact that many mestizo children enjoyed to their indigenous mothers and their

³⁶⁴ Konetzke, "Los Mestizos," 114.

³⁶⁵ Konetzke, "Los Mestizos," 125; Burns, 21.

³⁶⁶ Domínguez, 80; Brewer-García, 369; Ares Queija, "Papel," 39-42; Ares Queija, "Un borracho de chicha y vino," 126.

kin made their Spanish fathers uneasy. As Jane Mangan has observed, Spanish fathers who recognized their natural children, meaning children born out of wedlock, feared their “Indianization” by the Andean community, and frequently went so far as to draw up and notarize legal documents to officially remove their natural children from the care of their indigenous mothers, sometimes even arranging to send them to be raised by relatives in Spain.³⁶⁷ On one level these fathers wished to ensure that their children received a proper religious and moral upbringing, which they most certainly would not have received, from the Spanish perspective, in an indigenous household. But as Kathryn Burns has argued, this concern had gendered outcomes: the virginity and morality of mestiza girls, as potential heirs of at least a part of their fathers’ estates, had to be scrupulously looked after, to the extent that Cuzco’s city council created the city’s first nunnery to cloister many of them in 1551.³⁶⁸ As Berta Ares Queija has suggested, the proper raising of Peru’s mestizos seemed particularly urgent because the turmoil of Peru’s civil wars, which stretched from the late 1630s to the early 1660s, had made orphans out of many mestizo children.³⁶⁹ These events may have drawn the attention of Peru’s encomenderos to the plight of mestizo orphans for a time, but orphanages only exacerbated the already unequal legal position of illegitimate mestizo children vis-à-vis their fathers’ estates, an inheritance process that commonly left them with few, if any, financial resources, making

³⁶⁷ “Terneys muy particular cuidado de echar todos los mestizos que estuvieren entre los yndios, y embiarlos a los pueblos de los españoles más cercanos para que allí sirvan y aprendan oficios y no anden vagabundos dando mal exemplo entre los yndios.” Licenciado García de Castro. Los Reyes, 1565 (2-2-5/10), in Levillier, *Gobernantes del Peru*, 3:121; Konetzke, *Colección de Documentos*, 1:298; Mangan, “Moving Mestizos,” 274, 277, 282.

³⁶⁸ Burns, *Colonial Habits*, 16.

³⁶⁹ Ares Queija, “Papel,” 43, Ares Queija, ““Un borracho de chicha y vino,”” 131, 132.

many of them more dependent on the resources and support of indigenous kinship networks.

But these efforts to Hispanicize young mestizos were soon seen as a failure. If the American upbringing or residence of criollos created doubts about their loyalty to the crown, the indigenous ancestry and association of mestizos was even more suspect. The rising complaints about the excessive liberty, violence, and vice that accompanied the coming of age of Peru's first mestizos in the 1550 and 1560s were tied to a growing sense that mestizos were after all too much like their Indian mothers, and not enough like their Spanish fathers.³⁷⁰ With the exception of a small Hispanicized mestizo elite in cities like Cuzco and Quito, Peru's mestizos very much resembled the indigenous community: they ate and drank like them, often dressed like them, and maintained their religious practices.³⁷¹ Along with small numbers of Spaniards, blacks, and *mulatos*, mestizos took up residence in indigenous communities, likely among relatives, a practice that Toledo attempted to end as early as 1577.³⁷² Accused of indolence, a general lack of education, and little knowledge of the Catholic faith, mestizos were also increasingly barred from civil and ecclesiastical careers in spite of their widely recognized linguistic abilities with indigenous languages. Instead, they were to be established as servants in respectable households or taught a trade.³⁷³ Given their extensive social marginalization, it is hardly

³⁷⁰ Konetzke, *Colección de Documentos*, 1:259; Brewer-García, 370; Ares Queija, "Papel," 42; Ares Queija, "Un borracho de chicha y vino," 134-136.

³⁷¹ Ares Queija, "Un borracho de chicha y vino," 141.

³⁷² The King alluded to this in "R. Carta al Virrey del Peru sobre materias de gobierno" (Madrid, 1-10-1589), Konetzke, *Colección de Documentos*, 1:598-599.

³⁷³ Brewer-García, 366; Burns, *Colonial Habits*, 22; "Que no se provea mestizos en oficios de escribanos" (Madrid, 1576), "Sobre que las protectorias de indios no se den a mestizos" (1578), "Que no vendan los oficios de receptores a mulatos, ni mestizos" (1584), "Sobre que ningún mestizo, mulato ni negro este

surprising that the vast majority of mestizos came to compose one of the lowest strata of Peruvian urban society along with its other interstitial peoples: the blacks, *mulatos*, and Indian *forasteros* they were so frequently compared to and equated with and whose legal status they now largely shared.³⁷⁴

Fears about the dubious loyalty of Peru's mestizos raised new questions about governance as well. Few mestizos were able to break into the encomendero and professional classes, but their participation in Peru's civil wars had allowed them to absorb a great deal of Spanish cultural knowledge and martial abilities.³⁷⁵ Many officials feared that this mix of resentment from their social and economic exclusion and military prowess with European firearms and other weapons made for a potential rebellion, evidence of which some felt they had already observed. Given the martial abilities of Peru's mestizos, officials were particularly fearful that mestizos would form alliances with the indigenous majority, and not so much with other dispossessed Spaniards, who had fomented so many of Peru's civil wars. Would these children of two empires consider the Spanish king their natural lord, or the Inca, who maintained his resistance in the jungles of Vilcabamba?³⁷⁶ The attempt of Diego de Almagro "El Mozo," the mestizo son of Diego de Almagro to "join with Mango Ynga, the natural lord of these kingdoms" after his defeat in the Battle of Chupas in 1542, already served as a worrying example.³⁷⁷ The potential of mestizo disloyalty was salient enough to the Conde de Nieve as viceroy

resida entre los indios" (1584), "Sobre los inconvenientes que se siguen de que sean oficiales de escribanos de cámara mestizo" (1586), Konetzke, *Colección de Documentos*, 1:467, 498, 512, 554-555.

³⁷⁴ Ares Queija, "Un borracho de chicha y vino," 141.

³⁷⁵ Konetzke, *Colección de Documentos*, 1:498, 512, 513, 554, 555.

³⁷⁶ Bernand and Gruzinski, *Historia del Nuevo Mundo*, 43.

³⁷⁷ Bernand, "Las Fronteras de la Plata," 350-351.

of Peru (1560-1564) that he objected to (already rare) marriages between encomenderos and indigenous women because, given the encomenderos' importance as part of the militia charged with the defense of Peru, the idea of a class of mestizo encomenderos seemed to threaten the already fragile security of the region.³⁷⁸ A 1567 plot to take over the viceroyalty, presumably led by Cuzqueño mestizos, seemed to confirm such fears.³⁷⁹

The many laws passed during the 1560s and 1570s to limit mestizos' use of firearms, possession of indigenous servants, and even their right to ride horses relegated mestizos to a legal status that was essentially identical to Indians with the exception of tribute and labor obligations, signaling their full estrangement from the Spanish community. Yet the fear of a mestizo-led Indian insurrection remained. As mestizos grew to become an increasingly significant proportion of the Peruvian population, priests, bishops, and audiencia officials would continue to expound on the dangers that mestizos posed to the security of the viceroyalty and the conversion of indigenous Andeans. The possibility of an Indian-*casta* alliance was a recurring nightmare of Peru's Spanish civil and ecclesiastical officials during the entire colonial period.³⁸⁰

Concerns about a possible mestizo-Indian alliance against the Spanish empire seemed particularly salient in the Eastern Andean frontier and Amazonian lowlands. In lowland cities like Asunción and Santa Cruz de la Sierra, populations of mestizos

³⁷⁸ Konetzke, "Los Mestizos," 122-123; Ares Queija, "Un borracho de chicha y vino," 136.

³⁷⁹ Burns, 35; Ares Queija, "Un borracho de chicha y vino," 136.

³⁸⁰ Ares Queija, "Papel," 43; Konetzke, *Colección de Documentos*, 1:256, 259, 420, 479; "Carta del Virrey don Francisco de Toledo sobre su viaje y visita" (3-1-1572), AGI Lima 28. Levillier, *Gobernantes del Peru*, 4:48-208; Ares Queija, "Un borracho de chicha y vino," 139; Vieira Powers, "Battle for Bodies and Souls," 34; Domínguez, 99.

represented the majority or near totality of “Spanish” society. These *montañeses* or *mancebos*, the terms lowland mestizos sometimes used for themselves, occasionally presented their dual Spanish/indigenous heritage as a benefit, combining the best characteristics of both societies or, as Thierry Saignes once parsed the local mood, “the physical vigor of the Indian and the intrepid character of the Spaniard.”³⁸¹ But they still thought of themselves as Spaniards. The same could not be said for Spanish authorities in Peru’s administrative centers, who believed that the mixed heritage of mestizo communities had resulted in an instability of character and a weakening of natural loyalty to King and country.³⁸² Perhaps for this reason, Spanish authorities did not read the frustrations of lowland settlers with viceregal and audiencia decisions regarding their decisions to appoint outsiders to local civil posts as the typical complaints of Spanish *vecinos*, but as a rejection of Spanish authority and sovereignty.³⁸³

Take for example the various so-called “mestizo” uprisings in Spanish communities in lowlands between the 1570s and 1620s. While Viceroy Toledo was able to finally defeat and destroy the Inca’s last stronghold at Vilcabamba in 1572, he was faced with a “mestizo” revolt in Santa Cruz de la Sierra as he prepared to lead a similar expedition against the Chiriguano soon after.³⁸⁴ Santa Cruz, originally located in Chiquitos, one hundred forty leagues to the east of Charcas was, like the Paraguayan city

³⁸¹ Saignes, *Historia del Pueblo*, 188, 189; Domínguez, “Laicacota,” 83-84, 112-113.

³⁸² Cañizares-Esguerra, *Nature, Empire*, 92, 94; Vieira Powers, “Battle for Bodies and Souls,” 39-43; Rappaport, 625.

³⁸³ Cope, 5; Glave Testino, *Trajinantes*, 291; Cañizares-Esguerra, *Nature, Empire*, 92, 94; Rappaport, 625.

³⁸⁴ Ravi Mumford, 107-08; Finot, 207, 298-299; García Recio, 87, 96-98; Bernand, “Las Fronteras de la Plata,” 369.

of Asunción, essentially a mestizo society since its foundation in 1561.³⁸⁵ The community's founder and governor, Ñuflo de Chávez, had been killed in 1568, and in the build-up for what become Toledo's expedition against the Chiriguano, the viceroy appointed a new Governor, Juan Pérez de Zorita, to take charge of the settlement and enlist *cruceño* support for the expedition. The new governor not only failed to win community support, but fell out with leaders to such an extent that a large faction, led by Diego de Mendoza, a relative of founder Chávez, ejected Pérez de Zorita from the settlement.³⁸⁶ The two-year revolt (1573-1575) was ultimately pacified with a combination of diplomatic maneuvering and military pressure, but Toledo had to send a segment of the forces he hoped to bring against the Chiriguano to enforce his authority. And while the trigger for the event more closely resembled an encomendero revolt over autonomy than mestizo revolt as such, the most unsettling aspect of the revolt for Toledo and others was that Mendoza, the community's leader, sought (though ultimately without success) an alliance with a Chiriguano leader, Vitupué, to defeat Toledo's pacifying forces.³⁸⁷ Later "mestizo" plots in the 1580s and 1590s, including a failed effort by Diego de Mendoza's son, friar Alonso de Mendoza, to incite yet another uprising in Santa Cruz in 1587, made the possibility of a successful mestizo uprising very real in the minds of Peruvian officials through the turn of the seventeenth century.³⁸⁸

³⁸⁵ Peña Hasbún et al, 39.

³⁸⁶ Scholl, 265; García Recio, 72, 95-98.

³⁸⁷ Finot, 20, 208.

³⁸⁸ Bernard, "Las Fronteras de la Plata," 369; ABNB Cach 64 1587; "Conspiración de los mestizos de Santa Cruz de la Sierra," AGI Patronato 191 R8.

The Eastern Andean frontier was also the target of sustained fears that Spanish knowledge and superior “blood” would be passed along to unconquered indigenous peoples through mixture and exchange. While certainly the vast majority of people who moved beyond the frontier of Spanish Charcas, either voluntarily or by force, were indigenous peoples, the non-Indians among them—the Spaniards, mestizos, *mulatos*, and negros—drew the most comment from contemporaries. People like Bartolomé Sánchez Capillas and his son Pedro, Sebastián Rodríguez, Blas the negro, Solís the mestizo, and a number of others surface from time to time in narratives brought back from the frontier. Indeed, there is evidence that quite a few Spaniards, mestizos, *mulatos*, and blacks, women and men, did live and sometimes raise families among the Chiriguano.³⁸⁹ And yet we know very little about their actual numbers, limiting us to references to a small number of the better-known personalities, short lists of recovered “captives,” chance sightings, and occasional rumors.³⁹⁰

Whatever their numbers, individuals who passed from Spanish society into the frontier aroused fear and concern in everyone from frontier authorities to audiencia presidents and viceroys. On one level, such captives and renegades passed on their valuable military knowledge to the already adept Chiriguano. Some were known to have taught the Chiriguano how to fabricate Spanish-style weaponry, including the forging of iron weapons, as well as new techniques for working with gold and silver. Spaniards also feared that the captives would fall into pagan practices, becoming apostates if they

³⁸⁹ Contreras (1609), AGI Charcas 48; Pifarré, 448-449; Saignes, *Historia del Pueblo*, 220-221.

³⁹⁰ Lizárraga, 94, 142, 142, 151; Mujía, 2:124-127, 283, 521, 681-686, 695-696; Pifarré, 448-450; Saignes, *Historia del Pueblo*, 220-221.

survived the experience at all. But many saw a far greater danger in the potential of unions between the Chiriguano and their male and female captives and fugitives. The danger was most clearly spelled out on an analogous frontier, when Chilean officials expressed their fear that the many Spanish and mestizo captives among the unconquered Mapuche would give rise to a new generation of mestizo enemies whose admixture of Spanish blood would make them still more difficult, if not impossible to defeat.³⁹¹

The meaning of the mestizo category would undergo dramatic changes beginning in the seventeenth century, when the term would grow to become a cultural category with multiple vanishing points in colonial society. As a social category, it was broad enough to include individuals who might be variously called criollos and Spaniards on one end as well as others in the process of moving into the “Indian” category, “mestizo en hábito de indio,” not to mention its overlap with other indeterminate categories, like that of *mulato*. In temporal terms, if in the late sixteenth century a mestizo was someone who was no longer a Spaniard, but not exactly an Indian, in the seventeenth century the term quickly came to include large numbers of individuals who had acquired Spanish cultural habits, such as individuals described as “indios ladinos” who were identified by their fluency in the Spanish language³⁹² Where the descent of Spaniards into *mestizaje* threatened Peru’s physical security and order, the *mestizaje* of Peru’s indigenous population seemed to threaten its economic solvency. For indigenous Andeans, the advantage of culturally migrating to the mestizo category, as for the physically migrating *forasteros*, was

³⁹¹ “Informe sobre los sucesos en Chile de Pedro de Bustamante” (2-1-1608), AGI Charcas 48.

³⁹² Dominguez, 82, 89; Cahill, 334, 335, 342-343; Vieira Powers, “Battle for Bodies and Souls,” 40, 42, 43; Glave Testino, *Trajinantes*, 211.

exemption from tribute and the *mita*. Certainly, there were many proposals to force mestizos, especially mestizo boys as potential tribute payers, back into the “Indian” category, an effort that continued into the eighteenth century. And yet, as a strategy for evading tribute payment and *mita* service, *mestizaje* proved more effective than *forastero* or *yanacona* status for avoiding taxes.³⁹³

In fact, despite the warnings about mestizo vagrancy and dissipation, mestizo labor was an increasingly essential component of Peru’s economic life. Mestizos would carve out spaces for themselves as artisans, *arrieros* (muleteers), and mine laborers, all highly mobile professions that swelled the already bustling roadways connecting Andean cities. But while there were specific ways in which Spanish civil and ecclesiastical officials conceptually and even legally distinguished “mestizo” identity from other social positions in Peru, they consistently failed to recognize mestizos as a distinct and autonomous corporate body, a sort of “*república de mestizos*,” and sometimes even violently rejected localized attempts to do so. Even so, Andeans who could not be defined as either Spanish or Indian proliferated in Peru—not simply as occasional individuals or isolated groups, but on a massive scale.³⁹⁴

Africans and Slaves

The proper place of African slaves in Charcas was something of an open question around the turn of the seventeenth century. Both free and enslaved Africans had been part of the story of Peru and subsequently of Charcas, from its earliest days under Spanish

³⁹³ Wightman, 43; Larson, 112-115.

³⁹⁴ Barragán Romano, “Entre polleras, lliqllas, y ñañacas,” par 5, 35, 55; Saignes y Bouysse-Cassagne, 24.

colonial rule. And like other groups, concepts of ethnic difference among Africans, matters of origin, such as the distinction between those born in Africa (*bozales*) and those born outside of Africa (*criollos*), and finally degrees of Hispanicization (*negros ladinos*) influenced how Africans were treated in that discourse.³⁹⁵ African slaves played active roles in Pizarro's initial expeditions to Peru and his eventual conquest of the Inca Empire.³⁹⁶ They were present, too, in Almagro's failed expedition to Chile, which passed through the central Altiplano.³⁹⁷ Although Africans and people of African descent did not reach the same proportion of the population in Potosí as in Lima, where they comprised nearly half of the non-Indian population, African slaves were present in Potosí from its earliest days as a Spanish city in the mid-1540s, and there were several thousand people of African descent during the city's heyday in the early seventeenth century.³⁹⁸

The roles that enslaved Africans would typically play in Spanish American cities included domestic service within Spanish households, artisanal labor, which frequently enabled enslaved Africans to live away from their masters, and, in Potosí, hammering raw silver into coins in the Casa de la Moneda.³⁹⁹ There were times, though, when

³⁹⁵ O'Toole, *Bound Lives*, Chapters 2 and 3.

³⁹⁶ Crespo Rodas, *Esclavos Negros*, 19-21; Cieza, *Crónica del Perú, Tercera Parte*, Chapters 8, 20-22, 66-67, 73, 76; Matthew Restall, *Seven Myths of the Spanish Conquest* (New York: Oxford University Press, 2003), 53-54.

³⁹⁷ Crespo Rodas, *Esclavos Negros*, 20.

³⁹⁸ Crespo Rodas, *Esclavos Negros*, 22-23; Bartolomé Arzans de Orsúa y Vela, *Historia de la villa imperial de Potosí*, eds. Lewis Hanke and Gunnar Mendoza (Providence: Brown University Press, 1965), 1:cxlvii-cxlviii, 286, 399.

³⁹⁹ Arzans, 1:cxlvii-cxlviii; ; Crespo Rodas, *Esclavos Negros*, 22-23; see Mangan's *Trading Roles* for a more general discussion of the role of labor within the urban economy of Potosí; "Pedro Espinola y Luna: Población en Pilaya y Paspaya," AGI Charcas 44; "Información sobre la necesidad que tiene Potosí de negros" (1-1-1626), AGI Charcas 54; Kris Lane, "Africans and Natives in the Mines of Spanish America," in *Beyond Black and Red, African-Native Relations in Colonial Latin America*, ed. Matthew Restall (Albuquerque: University of New Mexico Press, 2005), 173-179.

Spanish officials contemplated a much larger role for African slaves in Potosí: as a supplement or replacement for indigenous labor. The matter appears to have acquired more urgency around 1590 when an epidemic killed large numbers of native Andeans, including those who labored in the *mita*. The issue would reappear from time to time, as it did in the 1610s, as a “new” solution to the perennial problem of indigenous labor shortages. At least since the days of Bartolomé de Las Casas, African slavery had been presented as a licit and, it was thought, more humanitarian alternative to indigenous labor in the Americas.⁴⁰⁰ There also appears to have been a general sense among royal officials on both sides of the Atlantic that Africans were physically better able to handle the hard physical labor of the mines, an attitude that both reflects then-contemporary concern for the humanitarian implications of the *mita*, for indigenous peoples, and an equally persistent disregard for the lives of Africans.⁴⁰¹

⁴⁰⁰ There are many sources for the evolving perspective of Las Casas regarding African slavery. See, for example, Lew Hanke, “Bartolomé De Las Casas and the Spanish Empire in America: Four Centuries of Misunderstanding,” *Proceedings of the American Philosophical Society* 97, no. 1 (Feb. 14, 1953), 29; Robert L. Brady, “The Role of Las Casas in the Emergence of Negro Slavery in the New World,” *Revista de Historia de América*, 61/62 (Jan.-Dec., 1966), 43-55; Robin Blackburn, *The making of New World slavery: from the Baroque to the modern, 1492-1800* (Verso, 1998), 135-136.

⁴⁰¹ John Thornton, *Africa and Africans in the Making of the Atlantic World, 1400-1800* 2nd ed. (Cambridge University Press, 1998), 134-136; Cole, 140 note 16; “Informe sobre la posibilidad de traer negros y comentario sobre vagamundos y extranjeros” (3-1-1589), AGI Charcas 43; “Carta a S.M. del Licenciado Cepeda, contestando a varias cédulas reales y dando cuenta de lo acertado que sería el llevar esclavos a aquellas partes para prosperidad de la tierra y labor de Minas” (2-28-1590), AGI Charcas 17. Published in Levillier et al, *Audiencia de Charcas*, 3:19-30; “Sobre si se podría enviar negros por el Río de la Plata para el beneficio de aquellas minas” (2-18-1610), AGI Charcas 35; “Cartas Minas D: Sobre meter negros esclavos en las minas y obligar aquella gente humilde española trabaje en ella acusandola a título de vagamundos” (4-3-1611), AGI Lima 36; “Carta de don Bartolomé Astete de Ulloa a S.M. acerca de que convendría introducir negros de Angola para la labor de las minas” (2-10-1617), AGI Charcas 51, referenced in José Vázquez-Machicado, *Catálogo Descriptivo del material del Archivo de Indias referente a la historia de Bolivia* (La Paz: Ministro de Educación y Cultura, Instituto Boliviano de Cultura, 1989), 115; “Información sobre la necesidad que tiene Potosí de esclavos negros” (1-1-1626), AGI Charcas 54.

The question of increasing the size of the African population anywhere tended to bring with it debates surrounding matters of the surveillance and governability of the enslaved. Officials at this time were highly aware of the problem of slave revolts and of runaway slaves, not only in other parts of the Indies—indeed some of them had personally dealt with such matters at earlier stages in their careers—but also within Potosí itself.⁴⁰² Yet some argued that Potosí was an almost ideal setting for preventing flight. Its remote location and harsh surrounding environment made it almost a natural jail. Slaves who did escape would be highly visible and, therefore, recoverable, unlike indigenous laborers who fled the city. But the concentration of large numbers of slaves in cities would leave the already outnumbered Spanish population in an even more vulnerable position vis-à-vis their subaltern subjects. Some felt the matter could be managed by simply creating more laws that regulated the ability of slaves to congregate, or by more carefully selecting slaves from African communities whose people were believed to be more naturally passive, such as was thought of slaves native to Angola.⁴⁰³ For others, the solution to the problems associated with a concentrated enslaved African population was to physically disperse them throughout Charcas by expanding the use of African labor in rural haciendas. Africans who were far from other Africans would be less likely to revolt.⁴⁰⁴

⁴⁰² Crespo Rodas, *Esclavos Negros*, 22.

⁴⁰³ “El Licenciado Juan de Ybarra, por lo que toca a la villa imperial de Potosí” (s.f.), AGI Charcas 54.

⁴⁰⁴ Arzans, 1:cxlvii; “Informe sobre la posibilidad de traer negros y comentario sobre vagamundos y extranjeros” (1589), AGI Charcas 43; “Carta a S.M. del Licenciado Cepeda, contestando a varias cédulas reales y dando cuenta de lo acertado que sería el llevar esclavos a aquellas partes para prosperidad de la tierra y labor de Minas” (2-28-1590) and “Carta a S.M. del Licenciado Cepeda, Presidente de Charcas” (3-12-1593), AGI Charcas 17. Levillier et al., *Audiencia de Charcas*, 3:19-30, 162-181. (1590); “Sobre meter

But African slaves did not replace Indians in the mines. The matter continued to be debated in subsequent years, recurring at similar moments of crisis, but most felt the matter had been settled. Experienced audiencia officials concluded that while slaves might have been naturally fit for the physical labor of the mines, they were naturally unfit for the region's cold climate.⁴⁰⁵ But the main reason that African slave labor did not replace indigenous labor was simply financial. Compared to relatively cheap indigenous labor, African slaves were expensive.⁴⁰⁶ The initial route for bringing slaves to Potosí was arduous and costly, both in terms of capital and in human lives. After arriving in the Caribbean, slaves who had survived the Middle Passage were subjected to a difficult journey across the isthmus of Panama, another voyage by sea to Callao or other ports further south, and yet another land journey through the Central Andes.⁴⁰⁷ The extended length of this journey was also costly from the buyer's perspective, easily doubling a slave's price for Andean slaveholders.⁴⁰⁸ The 1590s were, however, a convenient time for discussing the possibility of creating a new route for the slave trade. The newly re-founded city of Buenos Aires, and the proximity of the city, as well as Asunción, to well-established Portuguese slave markets in Brazil (not to mention the union of the crowns) seemed, to some, to be a far simpler and shorter route for conveying slaves into the

negros esclavos en las minas i obligar aquella gente umilde española trabaje en ella acosadola a titulo de vagamundos" (4-3-1611), AGI Lima, 36.

⁴⁰⁵ Matienzo, *Gobierno del Peru*, Primera Parte, cap. xl, 132.

⁴⁰⁶ Arzans, 1:102; "Sobre si se podrían embiar negro por el Río de la Plata para el beneficio de aquellas minas" (2-18-1610), AGI Charcas 35; "Cartas Minas D: Sobre meter negros esclavos en las minas y obligar aquella gente humilde española trabaje en ella acusandola a título de vagamundos" (4-3-1611), AGI Lima 36.

⁴⁰⁷ Herbert S. Klein and Ben Vinson III, *African Slavery in Latin America and the Caribbean*, 2nd ed. (Oxford: Oxford University Press, 2007), 24.

⁴⁰⁸ Crespo Rodas, 59; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 131-136; Klein and Vinson, 24; O'Toole, *Bound Lives*, Appendix 2: "Price Trends of Slaves Sold in Trujillo, 1640-1730," 172.

central and southern Andes. Slaves eventually transported in this way still more than doubled in price, but the new route may, in the end, have resulted in fewer slave deaths along the way. Slaves transported to Charcas via Buenos Aires probably still remained a minority of the total trade, although a significant proportion of the slaves transported through the Río de la Plata were unregistered contraband. Yet whether they arrived in the region via the Caribbean or the Río de la Plata, African slaves were a significant presence in the haciendas of region.⁴⁰⁹

Some authorities concluded that while Africans were naturally unfit for the climate of Potosí, they were better suited for the tropical valleys than their indigenous counterparts. The idea of scattering enslaved Africans across the countryside struck several observers of that time as a far better strategy for controlling enslaved peoples than concentrating them in cities. Some hoped that Africans might even replace Indians on some rural properties, thus freeing up still more indigenous labor for the mines. Here again, critics of such plans observed that Africans living in the frontier could easily escape Spanish society altogether by finding refuge among the unconquered peoples to the east. Indeed, they were already doing so on a daily basis.⁴¹⁰

⁴⁰⁹ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 136, 179-180,

⁴¹⁰ "Carta a S.M. del Presidente de Charcas" (12-27-1582), AGI Charcas 16 R21 N94. Levillier et al, *Audiencia de Charcas*, 2:30-41; AHMC 32.37, 1623; AHMC 40.13, 1629; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:229; "Sobre si se podrían embiar negros por el río de la plata para el beneficio de aquellas minas" (2-18-1610), AGI Charcas 35; "Carta a S.M. del Licenciado Cepeda ... dando cuenta de lo acertado que sería el llevar esclavos a aquellas partes para prosperidad de la tierra y labor de minas" (2-28-1590), AGI Charcas 17. Levillier et al, *Audiencia de Charcas*, 3:19-30; The temple of the chácaras was seen as more conducive to Africans, but damaging to Indians in AGI Lima 36 (1611); "... tan poco le podrá servir pues lo abran de ocupar los negros, que en su lugar entraren, ni reparan en que si el día de oy, un negro, o dos, que tienen en algunas chácaras, dan en que entender, de suerte, que roban, descalabran, matan, a los mayordomos, y a sus amos, despojan a los indios en los caminos, que sería quedando estén llenas las chácaras de ellos a media legua, y a quarto de legua a qui veinte allí treinta, y

Mulatos y Zambaigos

If the enslaved appeared to have a clear place in colonial Charcas, free people of African ancestry were a quandary. This was particularly true of individuals of mixed African and European and/or indigenous ancestry (afromestizos), who carried the blood of multiple historical lineages within their persons.⁴¹¹ Like mestizos, *mulatos* and *zambos*, by their very existence, transgressed the social boundaries that were meant to keep Europeans, Africans, and Indians apart. There was no socially acceptable social interstice for such individuals in these early days. And so, while Spaniards and Indians became *suelta* in the minds of many officials because they had willingly left the social spaces to which they belonged, people of mixed ancestry were inherently *suelta*—there was no socially appropriate social space to which they could be redeemed. Their presence in any of the supposedly natural human communities of colonial Charcas could only be destabilizing. The mixture of attributes they carried within themselves, as such ideas were understood at the time, meant that there would always be elements of their character that were out balance, and out of context.⁴¹²

We know less about the origins of terms like *mulato* than we do *mestizo* and *criollo* except that it was older than both of them. But all three terms appear as linguistic products of Iberian colonialism on a global scale. The term *mulato* seems to have first

aquella quarenta, si no juntarse en quadrilla, y capitanías, dando tras sus amos, tras los yndios, y procurando levantarse con la tierra...” Alonzo de Peralta, Archbishop of La Plata, (1614) AGI Charcas 135; “Información sobre la necesidad que tiene Potosí de esclavos negros” (1-1-1626), AGI Charcas 54; Quintanilla, 1:132.

⁴¹¹ Aguirre Beltrán, 275; John K. Chance, *Race and Class in Colonial Oaxaca* (Stanford, Calif.: Stanford University Press, 1978), 196.

⁴¹² Vieira Powers, “Battle for Bodies and Souls,” 37.

appeared in written form in 1528, in a proclamation from the Portuguese king to his subjects in Saõ Tomé, although it likely had still older origins, developing out of the long comingling of Christian, Muslim, and Jewish Iberians through conquest, enslavement, and kinship.⁴¹³ Like mestizo, *mulato* implied hybridity, and the two terms often appeared together in official Spanish correspondence, representing two distinct forms of mixture, beginning as early as 1549.⁴¹⁴ *Zambo* or *zambaigo*, a more specifically Peruvian term denoting the mixture of an African man and an indigenous woman, came into use as early as 1563 as a legal concept used to describe a particular kind of *mulato*.⁴¹⁵ Adding to their complexity as descriptive and legal terminology, *mulato* and *zambo* signified color as well as mixture, and were applied as such to individuals from various social categories.⁴¹⁶

As the numbers of *afromestizos* continued to grow through the late sixteenth and early seventeenth centuries, various officials began to discuss how to best to govern them.⁴¹⁷ Like mestizos, *afromestizos* did not constitute a separate formal republic in the Indies, but were legally included with all other non-Indians in the *república de españoles*. As individuals who fell under the full authority of Spanish law and the discipline of the Catholic Church they were, like Spaniards, *gente de razón*.⁴¹⁸ However, formal communities of Africans and *afromestizos* did exist, often settled by communities of former *cimarrónes*, or runaway slaves, who were granted the right to establish towns if

⁴¹³ Forbes, 148.

⁴¹⁴ *Ibid.*, 129.

⁴¹⁵ *Ibid.*, 174, 175.

⁴¹⁶ Rappaport, 144, 148.

⁴¹⁷ “Biense queria dar muchas vezes quenta a V Mag.d de la multitud de mulatos, mestizos, y Cambaygos que ay en esta tierra y del daño que de su crecimiento se puede esperar...” Pedro de Lodeña Corregidor de Potosí (1606), AGI Charcas 18.

⁴¹⁸ Boyer, “Negotiating Calidad,” 67.

they assisted Spanish authorities in locating future runaways.⁴¹⁹ Significant populations of Africans and *afromestizos* lived in Spanish cities in the Indies as well. In Peru, some authorities had directing experience in creating *afromestizo* communities. Audiencia President López de Cepeda claimed to have taken a leading role in establishing such communities for the *cimarrón* community that had assisted Sir Francis Drake in his attack on Nombre de Dios when he was president of the Audiencia of Panama.⁴²⁰

Toledo's Great Resettlement program would introduce scores of royal officials to settlement building on a massive scale.⁴²¹ Perhaps because of these experiences, a number of officials began to discuss placing at least some of Potosí's free people of color into separate settlements of their own at the turn of the seventeenth century. In 1609, the king sent an inquiry to Viceroy Montesclaros as well as Licenciado Alonso Maldonado de Torres, the president of the Audiencia of Charcas, asking them if it might be possible to settle the region's *mulato*, mestizo and zambo populations in separate *reducciones*, or at least in *pueblos de españoles*. The same question was put to Maldonado's successor, don Diego de Portugal, in 1612.⁴²² We do not have the responses of the audiencia

⁴¹⁹ "Cartas del Licenciado Cepeda, presidente de la audiencia de la Plata" (2-18-1588), AGI Charcas 16 R27 N146; Pike, "Black Rebels," 243-266.

⁴²⁰ "Carta del Licenciado Cepeda, presidente de la Audiencia de Charcas" (2-18-1588), AGI Charcas 16 R27 N146; "Carta del licenciado Cepeda, presidente de la Audiencia de Panamá" (6-12-1579), AGI Panama 13 R18 N95; Charles Loftus Grant Anderson, *Old Panama and Castilla del Oro* (Boston: The Page Company, 1914), 509; Graubart, "Slavery and the Problem of Governance," 5-12.

⁴²¹ Ravi Mumford, *Vertical Empire*, 86, 222 note 3.

⁴²² "Gobierno AA: reserva para mayor acuerdo el hablar sobre la reducción de negros y mulatos a pueblos de españoles" (4-8-1611), AGI Lima 36; "R.C. al licenciado Alonso Maldonado de Torres, presidente de la Audiencia de la ciudad de la Plata, de la provincia de los Charcas. Manda que envíe relación acerca del número de mulatos, zambaigos, negros y mestizos libres que hay en ese distrito, si se podrían agrupar en reducciones y si convendría dicha medida" (Madrid, 4-10-1609), in Victor Tau Anzoátegui and the Instituto De Investigaciones De Historia Del Derecho, *Libros Registros-Cedularios de Charcas, 1563-1717*, Edición de Fuentes de Derecho Indiano en Conmemoración del V Centenario del Descubrimiento de América (Buenos Aires: Instituto de Investigaciones de Historia del Derecho, 1992), 1:189; "R.C. a don Diego de Portugal, presidente de la Audiencia de la ciudad de la Plata, de la provincia de los Charcas.

presidents, but Montesclaros appears to have (tactfully) rejected the idea. Still, it is apparent that there were members of the king's court who believed that the civilizing effects of urban life, which they hoped to instill within the otherwise scattered indigenous and Spanish vagrant populations, might also be effective in transforming people of mixed ancestry into orderly subjects. Clearly a minority view at the turn of the seventeenth century, the idea was later put into practice in a number of frontier regions during the eighteenth century.⁴²³

But there were also other concerns. The infamous treatment that indigenous Andeans allegedly received at the hands of negros and *mulatos* was regularly repeated in correspondence at the turn of the seventeenth century. During his tenure as viceroy, Toledo replicated the language of earlier ordinances aimed at keeping Spaniards, mestizos, negros, and *mulatos* out of indigenous communities, in the many lists of ordinances he created for urban and regional administrators, such as his 1574 ordinances for the city of La Plata, and his 1580 ordinances for corregidores de indios.⁴²⁴ Spaniards believed that they had ample reasons to divide African and native Andean groups from

Responde dos cartas del 12 de marzo de 1611 y agradece el cuidado que ha puesto en la buena administración de la justicia y en la extirpación de vicios y pecados públicos. Ordena que envíe relación de la personas beneméritas, eclesiásticas y seculares. Reclama la relación que se pidió sobre la conveniencia de hacer reducción de los mulatos, zambaigos, negros y mestizos y de que paguen tasa" (Lerma, 11-10-1612) *Libros Registros-Cedularios de Charcas, 1563-1717*, 1:196.

⁴²³ See William B. Taylor, "The Foundation of Nuestra Señora de Guadalupe de los Morenos de Amapa"; German de Granda, "Origen, Función y Estructura de un Pueblo de Negros y Mulatos Libres en el Paraguay de Siglo XVIII (San Agustín de la Emboscada)"; Restall, *The Black Middle*; Vinson, *Bearing Arms for his Majesty*; example of Nueva Orán in David J. Robinson and Teresa Thomas, "New Towns in Eighteenth Century Northwest Argentina," *Journal of Latin American Studies*, 6, No. 1 (May, 1974), 1-33.

⁴²⁴ Konetzke, "Que No Haya Negros en los Pueblos de Indios" (Madrid, 12-17-1541), *Colección de Documentos*, 1:213; Francisco de Toledo, "Title XIV: De los Negros" in "Ordenanzas Para La Ciudad de la Plata" (La Plata, 5-5-1574), "Instrucción de los Jueces de Naturales" (La Plata, 12-20-1574), and "Instrucción y Ordenanzas de los Corregidores de Naturales" (Los Reyes, 5-30-1580), *Disposiciones Gubernativas*, 1:406-408, 471, 2:22.

each other, and to suspect individuals who regularly transgressed such putative boundaries. Fears of an alliance among the subaltern peoples to oust Spaniards from Peru permeated official discourse throughout the entire colonial period. Frequently, unrest among indigenous peoples, even unconquered peoples, was blamed upon outsiders.⁴²⁵ Spanish vagrants, mestizos, negros, and *mulatos* were all seen as having a bad influence upon indigenous Andeans, but Spanish officials saw Africans and their descendants as especially dangerous because of their perceived licentiousness and inherent treachery.⁴²⁶ Because their enslaved ancestors had been unwilling subjects of their Spanish masters, the loyalty of their descendants remained in perpetual doubt. People of mixed ancestry were also burdened by the stain of their perceived illegitimacy, which made them morally suspect. Officials feared that, given their reputation as troublemakers, Africans who associated with Indians would lead the latter group in revolt against the crown.⁴²⁷ Even more frightening to some was the idea that the tainted blood of African subjects might pass into the indigenous population through African promiscuity. The growing *mulato* and *zambo* population of Peru seemed to confirm such fears and merit further action.⁴²⁸

⁴²⁵ Matienzo, "Si conviene que españoles vivan entre indios, o mulatos, mestizos, y negros horros," *Gobierno del Peru*, Primera Parte cap. XXIV:84; Bernand, "Las Fronteras de la Plata," 351, 359, 370-372; Saignes and Bouysse-Cassagne, 23-24; Mathew Restall, "Black Slaves, Red Paint," Jane Landers, "Africans and Native Americans on the Spanish Florida Frontier," and Stuart B. Schwartz and Hal Langfur, "Tapanhuns, Negros da Terra, and Curibocas," in *Beyond Black and Red*, 20-21, 54, 99-102; Beatty Medina, "Caught Between Rivals," 125, 130-131, 136.

⁴²⁶ Boyer, "Negotiating Calidad," 67.

⁴²⁷ Alonzo de Peralta, Archbishop of La Plata, (1614) AGI Charcas 135.

⁴²⁸ AHMC EJ 6.4, 6.9, 8.18, 12.28, 28.63, and 36.05; "Carta de Ruano Tellez, fiscal de la Audiencia de Charcas" (2-20-1585), AGI Charcas 16. Published in Levillier et al, *Audiencia de Charcas*, 2:191-199; "Carta de la Audiencia de Charcas a S.M. refiriendo lo obrado y reformado por el virrey Francisco de Toledo" (5-16-1575), AGI Lima 290. Levillier et al, *Audiencia de Charcas*, 2:499-516; "Carta a S.M. de la Audiencia de Charcas tratando, entre otras cosas ... atropellos de los chiriguanaes y guerra que se les iba a hacer" (2-17-1584), AGI Charcas 16. Levillier et al, *Audiencia de Charcas*, 2:93-112; "Carta del Licenciado Cepeda a S.M. sobre distintas materias tocantes al buen gobierno de aquellas provincias" (1-10-1586), AGI Charcas 16. Levillier et al, *Audiencia de Charcas*, 2:205-212; "Gobierno AA: reserva para

In addition to their own fears, officials also represented the relations between indigenous Andeans and Africans as essentially hostile and contentious. The seventeenth-century indigenous Peruvian social commentator, don Felipe Guaman Poma de Ayala once depicted *mulatos* and mestizos as sitting at the corregidor's table (Figure 1), a symbol of the collusion of these groups with Spanish authorities against native Peruvians. Indeed, many Spaniards actively used these groups against each other. Africans and people of African descent often participated in Spanish military expeditions against native groups, or served as overseers on rural estates that employed large numbers of indigenous yanacunas, such as the haciendas in Tomina and Mizque. In Arzans's history of Potosí seventeenth-century and early eighteenth centuries, enslaved Africans and afro-mestizos, as the embodiment of their masters' ambitions, sometimes attacked Indians and Spaniards, ostensibly when ordered to do so.⁴²⁹ For their part, indigenous peoples were employed to control the enslaved African population by acting as slave catchers, or participating in the Spanish surveillance network.⁴³⁰ Individuals from each group committed criminal acts against each other as well, of course, but such actions often speak less to the inherent behaviors of specific groups than to the close, sustained contact between Indians and Africans in many contexts, both urban and rural.⁴³¹ Both groups

mayor acuerdo el hablar sobre la reducción de negros y mulatos a pueblos de españoles" (4-8-1611), AGI Lima 36.

⁴²⁹ Arzans, 1:cxlvii.

⁴³⁰ Schwartz and Langfur, 86-88; Carroll, 246, 248-249, 251.

⁴³¹ Schwartz and Langfur, 86-88; Carroll, 246, 248-249, 251. O'Toole, *Bound Lives*, see, for example, Chapter 4: "Market Exchanges and Meeting the Indians Elsewhere," 88-121.



Figure 1. "El Corregidor Convida a Gente Baja: el mestizo, el mulato, y el indio tributario." *Nueva Corónica*, 505 [509].

often ate and drank in the same establishments, and competed with each other over relationships and resources.⁴³²

Conclusion

In time, the governors' myth of the *gente suelta* grew large enough to take in the better part of colonial society. In part, it became such a large and variable story because it was not simply wrought by Toledo or Matienzo or any single figure, but was elaborated by all of them, sometimes out of experience, and sometimes out of impressions gleaned from others. In its reliance upon rogues and tricksters, hyperbole and exaggeration, the myth of the *gente suelta* is almost picaresque. And like the picaresque literature that was its contemporary, there was clearly a gap between the society described in official reports and the lived experience of the subjects the reports were intended to describe. This gap between perception and experience mattered greatly, however, because policy and law was written to reflect those imagined in the former, while the latter bore their effects.

But if the *gente suelta* were largely a product of the political imaginary, they also served a critical political purpose: they embodied the chaos and trauma of the conquest, representing a rising tide of social disorder that Peru's authorities perceived as surrounding them. But as we will see in the next chapter, the negative discourse surrounding the *gente suelta*, together with their growing numbers and deleterious associations with native Andeans seemed to explain why so much of the policy that had

⁴³² Fisher, paragraphs 5, 7, and 30; Felipe Guaman Poma de Ayala, "El Corregidor Convida a gente baja: el mestizo, el mulato, y el indio tributario," and "españoles soberbios, criollo o mestizo o mulato deste rey," in *Nueva corónica y buen gobierno* (Copenhagen, Denmark: Det Kongelige Bibliotek, [1615/1616] c. 2001), <http://kb.dk/permalink/2006/poma/info/es/frontpage.htm>; O'Toole, *Bound Lives*, 112.

been created to defend indigenous Americans had failed to curb the abuses committed against them by non-Indians. Many Spanish officials concluded that an entirely new system was needed to not only protect native peoples from abuse by non-Indians, but also to reconnect the *gente suelta* to Spanish society. To accomplish this, Spanish officials would return to familiar Iberian institutions, particularly the frontier settlement models used by Castilian officials during the *Reconquista*. However, as they would discover, elements of these traditional institutions would need to change in order to respond to the unique social and spatial conditions of the Americas.

Chapter 3. Redeeming the Conquerors: Love, Land, and Urban Planning in Peru

Introduction

Soon after his arrival in Peru in 1569, Don Francisco de Toledo would begin to plan and execute a massive indigenous urbanization campaign, the Great Resettlement. The project would dislocate more than a million indigenous people, placing them in some six hundred different settlements, primarily within the jurisdictions of the Audiencias of Lima and Charcas.⁴³³ This policy was a response to what many of Toledo's contemporaries considered to be the problem of widely dispersed indigenous populations and settlements across the Andean landscape and the extensive system of regional migration that sustained them. Toledo's system of *reducciones* would concentrate indigenous communities in areas where they could be more easily brought under royal control and influence. *Reducciones* would replace the disorder of an ungovernable and insecure countryside with the more familiar *policía*, or "self-politics," evoked by an urban setting.⁴³⁴

This chapter will explore the Spanish philosophy influencing a second, roughly parallel resettlement program that was also of great concern to Viceroy Toledo, a program that had already preoccupied his predecessors and would continue to trouble his successors over the course of the sixteenth and early seventeenth centuries: the creation of cities for Spaniards and other non-Indians, or *ciudades de españoles*. By comparison,

⁴³³ Ravi Mumford, 5, 86-88, 119, 120; Sánchez-Albornoz, 6.

⁴³⁴ Ravi Mumford, 25, 46-51, 98, 164; Aranda Pérez, 28.

this parallel program would dislocate only a fraction of the individuals whose lives were disrupted by the Great Resettlement, but I would argue that its discursive impact upon colonial society in Peru and, particularly, Charcas, was similarly significant. However, despite its importance to Spanish officials like Toledo, the creation of Spanish cities as an imperative within the two-republic system of Spanish colonial governance has received little attention from scholars, despite Magnus Mörner’s pioneering work on the subject.⁴³⁵

While Toledo played a significant role in shaping the indigenous resettlement policy in Peru, policy regarding the resettlement of non-Indians came directly from the Council of the Indies and the crown itself in the form of the *Ordenanzas de descubrimiento, nueva población y pacificación de las Indias* promulgated by Phillip II on July 13, 1573, just four years into Toledo’s tenure as viceroy.⁴³⁶ This parallel resettlement strategy responded to similar problems as those evoked in the Great Resettlement, concerns about a highly mobile, ungovernable, and growing population—in this case, of non-Indians. As we have seen, concerns about population mobility and governance were salient throughout the Indies—not just in the viceroyalty of Peru. And for both Toledo and the members of the Council of the Indies, they were problems for which the city, that node of *policía*, was the best solution.

Both resettlement projects were themselves part of a larger effort to create and maintain a system of dual republics (*repúblicas*) that presumed the ongoing creation and development of indigenous and “Spanish” corporate bodies in order to function properly.

⁴³⁵ Magnus Mörner, *Corona Española*, 11-13.

⁴³⁶ Morales Padrón, 489-518.

These segregationist policies had significant spatial outcomes regarding the proper location of indigenous and Spanish urbanizations. Resettling indigenous communities involved reorganizing indigenous populations within areas where Spaniards had some measure of control, generally the Andean highlands and altiplano. By comparison, I argue that efforts to found *ciudades de españoles* (i.e. non-indigenous cities) at the turn of the seventeenth century were generally directed towards frontier areas. In keeping with the urban planning methods of his day, Toledo and his contemporaries hoped to permanently shift the least stable social elements of Peru's highland cities into places where their energies could be put to productive use. If successful, the two-republic system would end the widespread abuse of Indians by non-Indians, along with high levels of miscegenation, and redeem wayward "Spanish" elements (to use a common shorthand) to a society that desperately needed their energies and service.⁴³⁷

Toledo, like many of his fellow functionaries, understood the frontier to be a space to which certain kinds of people could be relegated and yet remain under royal and ecclesiastical authority and influence. Much of the area within what Spain considered to be the boundaries of its viceroyalty of Peru, areas that appeared on sixteenth-century maps, for instance, was still very much Indian country. Although Spain had already taken formal possession of these lands during a succession of short-term military expeditions, they remained largely unsettled or unorganized spaces, which Toledo called *despoblados*. Often such spaces were, in fact, populated by indigenous peoples or Spanish squatters, or

⁴³⁷ Crespo Rodas, *Esclavos Negros en Bolivia*, 28; Lewis Hanke and Celso Rodríguez, eds., *Los Virreyes Españoles En América Durante El Gobierno de La Casa de Austria: Perú*, Biblioteca de Autores Españoles, t. 280-286 (Madrid: Atlas, 1978), 49, 85-86; Kelly, 4:512. Celsus Kelly, *Australia franciscana*. (Madrid: Franciscan Historical Studies Australia, 1963), 4:512.

even lay entirely in the hands of unconquered native communities. But they were places that the Crown and its functionaries considered to be part of Spain's American Empire that had not yet been brought under the rule of law.

The goal of Peru's viceroys and audiencia *oidores* was rarely the conquest of new space, but the redemption of what they perceived to be already conquered space and its potential residents.⁴³⁸ The key to this redemptive process was the creation of Iberian cities. In this chapter, I demonstrate the influence that early modern Spanish notions of social redemption, specifically the notion of "rooting" people in the land, had upon the development of urban planning policies aimed at settling the *gente suelta* along the Eastern Andean frontier. City life would refashion vagabonds into citizens, and cities would become the sites for the re-creation of Iberian norms of patriarchal order with the help of policies that favored, and sometimes mandated, marriage and family formation. The settlement guidelines established in Spanish urban planning policies, culminating in the 1573 *Ordenanzas*, would transform former *despoblados*, like the settlements along the Eastern Andean frontier, into municipal and provincial jurisdictions that could be further divided into properties and estates by settlers. As a space that served as a site for both policies of containment and policies of social redemption and transformation for Peru's vagabonds, the frontier was a space of odd paradoxes and cross-purposes where certain kinds of violence were allowed and certain classes of human actors that were no longer tolerated elsewhere were permitted, but where peace was the expected outcome.⁴³⁹

⁴³⁸ "Carta del Virrey don Francisco de Toledo sobre su viaje y visita ...," (March 1, 1572) AGI Lima, 28. Levillier, *Gobernantes del Peru*, 4:48-208.

⁴³⁹ Matienzo, *Gobierno del Peru*, Segunda Parte, Capítulo II.

The “Mal Ejemplo” of the Encomenderos

The philosophy and jurisprudence that distinguished what came to be known as the *república de los indios* from the *república de los españoles* developed over the course of the sixteenth century and was marked by both assimilationist and segregationist forces. The prevailing opinion among Spanish theologians and jurists in the sixteenth century was that Indians were free and rational beings who merely lacked good governance and proper religious instruction to come into their full intellectual or moral majority. In other words, indigenous peoples required Hispanicization and conversion.⁴⁴⁰ But the two republics concept was also defined by an ongoing, often contradictory effort to protect indigenous communities, as individual republics and as a more abstract collective, from what many perceived to be the contaminating and abusive presence of non-Indians. The first premise, which initially assumed that indigenous contact with Spaniards was beneficial for the former, appears even in the earliest laws directed at the Indies. The notion that native people needed not only Hispanicization but also protection from the bad example (“mal ejemplo”) of Spaniards and others appears to have developed more slowly and along at least two somewhat different tracks: discourses surrounding evils associated with the Spanish encomienda system, and those identifying the contaminating influence of non-Indian vagabonds upon indigenous communities.⁴⁴¹

⁴⁴⁰ Herzog, *Defining Nations*, 157, 261 note 68; Mörner, *Corona Española*, 33.

⁴⁴¹ Herzog, *Defining Nations*, 45; Mörner, *Corona Española*, 33; “Ordenanzas de población del Perú” (Valladolid, 11-20-1536), “R.C. que no haya negros en los pueblos de indios” (Madrid, 12-17-1541), “R.C. sobre que ningún mestizo, mulato ni negro este ni resida entre los indios” (San Lorenzo, 9-5-1584), “R.C. para que en los pueblos de indios no vivan españoles, mulatos, negros ni mestizos” (Madrid, 2-10-1587), in Konezke, *Colección de Documentos*, 1:180-181, 213, 554-555, 572-573; Francisco de Toledo, ordinance regarding “Los Negros” Title XXII (Oct 18, 1572), in Levillier, *Gobernantes del Perú*, 8:104; Levaggi, “IV Conclusions.”

Over the course of the sixteenth century, Spanish jurisprudence first strengthened and only later sought to restrict the institution of the *encomienda* in the Americas, ultimately limiting the creation of new *encomiendas* to frontier jurisdictions like the Eastern Andes. The *encomienda*, often called the *repartimiento* in Peru, was an arrangement that enabled Spanish authorities to place indigenous peoples and their labor under the direct control of Spanish masters. For their part, the newly invested *encomenderos* were charged with the responsibility of overseeing the religious instruction of their indigenous dependents and ensuring their defense from attack. Early jurisprudence aimed at the indigenous peoples of the Americas did recognize and even encourage their organization into corporate communities, but also sought to increase indigenous contact with Spaniards.⁴⁴² Although practiced since the early days of the Conquest of the Americas, the *encomienda* was codified under the legislation that we call the Laws of Burgos (1512-13). The Laws of Burgos effectively denied indigenous people the right to live apart from Spanish society in an effort to curb their idleness and vice (*ociosidad*). Once subsumed within the urban community (*civitas*) of Iberian society, indigenous peoples, effectively legal minors, would be subject to greater vigilance and would receive religious instruction from Spaniards, who would serve as positive role models in this process.

Given their control over the labor and wealth of Spain's indigenous subjects, the *encomenderos* formed a powerful local and regional elite wherever the institution was

⁴⁴² Early instructions to group the natives of Hispaniola into towns in Konetzke, *Colección de Documentos*, 1:9, 19.

established in the Americas. By the mid sixteenth century, the viceroyalty of Peru included around five hundred encomiendas distributed across the regions that would later become Peru, Bolivia, and Ecuador. Although these individuals formed only a minority of Peru's Spanish population, they composed its most powerful and wealthy elite.⁴⁴³ The wealth and prestige achieved by many in this class was coveted by new generations of arriving Spaniards who were eager to repeat the successes of the first conquistadores in new regions, such as those who set their sights on the Eastern Andes beginning in the late sixteenth century. As such, the encomienda became the motor of the conquest, the institution that did most to drive the boundary of Spain's empire in the Indies outward across deserts, forests, and rugged mountains.

Yet the abuses of this system were plain to many observers. For the Dominican friars living on Hispaniola, where the institution first took root in the Americas, not only were the island's encomenderos not a good example to the Indians, they did not see to the religious instruction of their native charges and over-exploited their labor. For these Dominicans, the rapid decline of the indigenous population of the Islands was considered to be concrete evidence of Spanish abuses.⁴⁴⁴ In fact, many Spanish jurists and theologians came to feel that the violence associated with the encomienda's labor regimes undermined the evangelical mission of the Church, a failure that threatened the king's just title to the Indies.⁴⁴⁵ In his *Brevisima relación de la destrucción de las Indias* (completed in 1542), Dominican Friar Bartolomé de Las Casas took this argument still

⁴⁴³ Lockhart, *Spain Peru*, 12-13.

⁴⁴⁴ Poole, 109-110; Morales Padrón, 306, 374; Marrero-Fente, "Derecho y Justicia," 209; Pagden, *Burdens*, 103-104; Lockhart, *Spanish Peru*, 11.

⁴⁴⁵ Subirats, 111-116; Morales Padrón, 421-422; García Gallo, 12.

further: the cruelty of the encomendero class throughout the Americas had reached such heights as to threaten Spain itself with divine destruction.⁴⁴⁶

From the perspective of the individuals who had crafted early jurisprudence related to the Indies, the problem was not that the law itself was unjust, but that just laws had failed to curb unjust action. For this, they blamed the character of the Spanish settlers themselves. Yet the solution was simply more law. The *Ordenanzas sobre el buen tratamiento de los indios* (Granada, 17 November, 1526) attempted to affirm both the Crown's right to dominion over the Americas while ensuring that conquest proceeded in a peaceful and just manner. The law abolished indigenous enslavement and made Catholic clergymen, not encomenderos, the principal protectors of indigenous Americans. Thereafter, future expeditions were required to include at least two priests, who would serve in this protective role. With few exceptions, the 1526 ordinances remained the universal standard until they were superseded by the *Ordenanzas de Descubrimientos* in 1573. Until then, they were regularly appended to all licenses for new discoveries in an effort to remind expedition leaders of their obligation to act justly and peacefully in their dealings with indigenous peoples. Even as late 1613, Viceroy Montesclaros continued to reference these early exemplars as significant case law in his comments on proposed expedition licenses.⁴⁴⁷

By the 1540s, there were more concerted efforts to address the abuses of the encomienda itself, the result of which was a body of jurisprudence completed in 1542 and

⁴⁴⁶ Bartolomé de las Casas, *Brevissima Relación de la Destrucción de las Indias* (British Library: Adam Matthew Digital, 1552), 103r.

⁴⁴⁷ Sánchez Bello, 21; Diego de Contreras (1613), AGI Lima, 36.

1545 that became known as the “New Laws.”⁴⁴⁸ More than any other legislation created before or after, the New Laws of the early 1540s reflected the influence and philosophy of Las Casas and his many allies. While the legislation ranged over a wide variety of matters, including reforms targeting the Council of the Indies and the creation of new audiencias in the Indies, more than anything the New Laws directly attacked the *encomienda* as a threat to the king’s authority and as the principal engine of indigenous suffering. Yet instead of simply abolishing the *encomienda*, the New Laws were aimed at fatally weakening the institution. The measure sought to halt the creation of new *encomiendas*, and banned even minor royal officials from owning them, transferring their indigenous charges to the Crown. The New Laws also made it nearly impossible to pass one’s *encomienda* on to one’s heirs, an attempt to ensure the institution’s demise within a generation of the law’s promulgation⁴⁴⁹

Yet the power of the *encomendero* class prevented the New Laws from being put into effect. In New Spain, the law was proclaimed and then quickly suspended.⁴⁵⁰ In Peru, the powerful *encomendero* class, led by Gonzalo Pizarro, the brother of the late Francisco Pizarro, fought the imposition of the New Laws, and even went so far as to kill Blasco Nuñez Vela, the region’s first royal viceroy, for attempting to implement them. These events demonstrated the limits of the juridical and institutional tools available to the crown to radically transform such an entrenched culture of domination, especially at a

⁴⁴⁸ Morales Padrón, 308, 421-422.

⁴⁴⁹ Morales Padrón, 424; Poole, 109-110; Lockhart, *Spanish Peru*, 5

⁴⁵⁰ Poole, 109; Morales Padrón, 426.

distance.⁴⁵¹ Even in Spain, the king soon acquiesced to a series of revisions in 1545 and 1546 that removed the provisions most offensive to the *encomenderos*.⁴⁵²

The creation and subsequent revision of the New Laws also revealed a persistent ambivalence on the part of the Crown regarding the future of the *encomienda* as a tool for colonial expansion. Although Charles I of Spain had been won over to the position of Las Casas, who emphasized the abolition of the *encomienda*, his son, Phillip II, seems to have supported maintaining the institution.⁴⁵³ In the late 1550s and early 1560s, when Peruvian *encomenderos* attempted to acquire perpetual right to their *encomiendas* as well as civil and criminal jurisdiction over their indigenous charges, Phillip seriously considered their offer to pay for the right to transform their status into true lordship.⁴⁵⁴ Even the various bodies convened by the king to debate such matters disagreed over the matter of perpetuity, with the so-called Junta Magna supporting a form of perpetuity and the Council of the Indies opposing it altogether.⁴⁵⁵ The 1573 *Ordenanzas de Descubrimiento* retained the *encomienda* as an institution, merely limiting grants to two generations in established regions and three in new settlements.⁴⁵⁶ The perpetuity question, though hotly debated, would not be resolved during Phillip's reign, with the granting of *encomiendas* for two, three, and sometimes more generations remaining the norm thereafter. Toledo would grant a number of *encomiendas* during his tenure as viceroy. By early 1572, he

⁴⁵¹ Pagden, *Lords*, 57; Marrero-Fente, "Derecho y Justicia," 204; Morales Padrón, 427.

⁴⁵² Lockhart, *Spanish Perú*, 5; Morales Padrón, 427

⁴⁵³ Ravi Mumford, 80.

⁴⁵⁴ Goldwert, 336-360; Poole, 111.

⁴⁵⁵ Poole, 136.

⁴⁵⁶ "Ordenanzas de descubrimiento," ordinance fifty-eight, AGI Indiferente 427 L29, 71v; A print versión of the "Ordenanzas de descubrimiento" also appears in Morales Padrón, Appendix I, 489-518.

had already assigned fifty-seven *encomiendas* to worthy individuals, forty-five of whom were either conquistadores or *pacificadores* who would retain their rights to the tribute of specific indigenous communities for two generations.⁴⁵⁷

But while the *encomienda* as an institution survived, its influence on the Peruvian economy and society would wane over time. First, without perpetuity, an *encomienda* initially granted to one of the original conquistadores fell vacant within a generation or two, either becoming the property of the crown or reassigned to another party. To the consternation of the descendants of the original conquistadores, the newly invested *encomenderos* were often well-positioned recent migrants who enjoyed a close connection to the viceroy or governor of the jurisdiction in question. While a great many of these newcomers chose to marry into the families of the older elite, the net effect was the gradual exclusion of the children of the conquistadores, the so-called *beneméritos*, from the institution their ancestors had fought to retain.⁴⁵⁸ The development of other key colonial institutions also impinged upon the power and wealth of the *encomendero* class. The Governor and Interim Viceroy Lope García de Castro (1564-1569) began a policy in 1565, which Toledo continued, of effectively transferring authority over the indigenous population from the *encomenderos* to rural governors, called *corregidores de indios*.⁴⁵⁹ The *corregidores* now received tribute payments from indigenous communities and then

⁴⁵⁷ Zimmerman, 74, 77; Hanke and Rodríguez, 67; Salvat Monguillot, 334.

⁴⁵⁸ Fred Bronner, "Peruvian *Encomenderos* in 1630: Elite Circulation and Consolidation," *The Hispanic American Historical Review* 57, no. 4 (1977): 633-59, 657.

⁴⁵⁹ Bronner, 636; Ravi Mumford, 64-65, 95.

divided the revenue among the encomendero, parish priests, and the local caciques. The former lords of Peru had become pensioners.

In central areas, such as those adjoining Peru's principal cities and roads, the encomienda was also losing its economic influence. In such places, encomenderos quickly lost control of the labor of their indigenous charges, forced to content themselves with the fixed tribute payments, a source of income that would plummet as the indigenous population dramatically declined. And as an encomienda was a grant of tribute payments and labor, not land, encomenderos were soon forced to compete in agricultural and labor markets with a growing number of individuals who had purchased their estates. Many *encomenderos* dabbled in a variety of enterprises, but few of the early encomendero families survived the shift from the encomienda to the hacienda over time.⁴⁶⁰ Only in more economically and politically marginal regions, such as Santa Cruz de la Sierra, Tucumán, and Chile, did the close connection between service, encomienda, and indigenous labor remain a powerful economic and social force. In fact, as I argue in Chapter 4, prospective settlement founders continued to promote the dream of acquiring an encomienda through heroic conquest in the Eastern Andean frontier to potential settlers and soldiers in the highland cities well into the seventeenth century.⁴⁶¹

⁴⁶⁰ Bronner, 647.

⁴⁶¹ Lockhart and Schwartz, *Early Latin America: A History of Colonial Spanish America and Brazil*, Cambridge Latin American Studies (New York: Cambridge University Press, 1983), 46, 138-39, 261, 303; Bronner, 657.

The “Mal Ejemplo” of the Vagabonds

Peru’s *encomenderos* resisted the institutional changes associated with Toledo’s General Resettlement project because it transferred their authority over indigenous communities to a new class of royal official, the *corregidor de indios*, and limited their access to indigenous wealth.⁴⁶² The segregationist principles inherent to the General Resettlement program made it just as critical to keep non-Indians out of the newly constituted Indian towns as it was to put indigenous peoples into them. Such efforts certainly hurt the *encomendero* class, but they were aimed at a more amorphous and less-politically connected adversary—the *gente suelta* of the Indies. Arguments that blamed vagabonds for the evils associated with Spanish settlers emerged as a parallel discourse to critiques of the *encomendero* class in efforts to explain how just laws had failed to result in a just society in the Americas. At first, efforts to solve the perceived vagrancy problem in Spanish America sought to simply remove non-Indian vagrants from both Spanish and indigenous society by sending them on military expeditions into the frontiers or returning them to Spain. Later, the discourse associated with the evils of the *gente suelta* would have both legal and theological solutions. If excessive mobility, immorality, and idleness were the chief vices of the vagabond, then family, stability, and productivity, the chief benefits of urban living, were the clear solution.

⁴⁶² Ravi Mumford, 164.



Figure 2. "El Vagabundo español le ordena a su cargador andino: "Camine perro indio!" Nueva Corónica, 531 [545].

For individuals who supported the perpetuation of the encomendero class, such as the long-serving oidor of Charcas, Juan de Matienzo, the main obstacle to the conversion and Hispanicization of the Indians was less a problem of sustained contact with *encomenderos* than the persistent and recurring presence of outsiders in indigenous communities.⁴⁶³ Merchants, miners, functionaries, soldiers, artisans, and vagabonds passed through indigenous communities on their way to some other destination. Some stayed only long enough to prepare for the next leg of their journey, while others lingered many days or stayed permanently, attempting to force their goods on the indigenous people, consuming scarce food supplies, insisting on services without payment, robbing them, and even raping the women.⁴⁶⁴ The *gente suelta* of the Indies served as a more politically expedient trope than the elite *encomenderos* for explaining the failure of both secular and ecclesiastical officials to bring order to colonial society. By living among indigenous peoples, the *gente suelta* also threatened the imagined distinction between indigenous and Spanish republics that both priests and royal officials had begun to favor. Their presence in native communities not only raised humanitarian concerns, but also fears about increasing levels of miscegenation and the possibility of open revolt. The “*mal ejemplo*” of the *gente suelta* thus became a common language for explaining the inability of these officials to close the loop between policies that they believed would favor indigenous peoples and real changes in the behaviors of the king’s subjects on the ground.

⁴⁶³ Matienzo, *Gobierno del Peru*, 98-99.

⁴⁶⁴ Mörner, *Corona Española*, 69.

This discourse surrounding vagrants influenced a broader policy of excluding non-Indians from indigenous communities. In New Spain, Cortés began to complain about the vices of Spanish vagrants soon after the conquest in 1524. The apparent response in 1528 was the *Ordenanzas Sobre el Tratamiento de los Indios de la Nueva España*, which ordered the authorities of New Spain to attend to its vagrancy problem, either by placing them with a patron or *amo* (literally, a master) or banishing them from the region.⁴⁶⁵ In 1529 Friar Juan de Zumárraga, then bishop of Mexico, proposed limiting outsiders to a single day in indigenous communities because of the “*fuerzas y robos*” committed during the uncontrolled visits of vagabonds.⁴⁶⁶ While his proposal does not appear to have received a response, a similar restriction did appear in the *Ordenanzas de Población del Peru* sent to Francisco de Pizarro in late 1536, in which the King ordered that Spaniards spend no more than three consecutive days in indigenous communities. This was the earliest of such restrictions later codified in the *Recopilación de Leyes* of 1680.⁴⁶⁷ Later orders, including those directed at New Spain and Guatemala, came to include *mulatos* and mestizos, making it clear that the reason for the restriction was the bad influence that such persons would have on indigenous peoples. The concept of a natural separation between Spanish and indigenous *republics* would slowly become institutionalized in New Spain, Peru, and elsewhere, including the many indigenous communities who actively sought recognition as distinct *republics* within Spain’s empire. In all of these cases, restrictions were first extended to vagabonds, often by the early

⁴⁶⁵ Mörner, *Corona Española*, 69; Konetzke, *Colección de Documentos*, 1:118-119.

⁴⁶⁶ Joaquín García Icazbalceta, ed., *Colección de documentos para la historia de México*, 2 vols. (México, Librería de J. M. Andrade), 2:240-241.

⁴⁶⁷ Mörner, *Corona Española*, 125.

1550s, while laws excluding *encomenderos* from indigenous communities were not adopted in Peru until 1563 and not in New Spain until 1571.⁴⁶⁸

Laws focused on regulating the behavior of the *gente suelta* presumed that the abuses experienced by indigenous Americans were the fault of an aberrant element in Spanish society. Other approaches were more cynical, implicating all settlers in the continued violence of the conquest, despite the burgeoning jurisprudence against it. The 1526 version of the *Ordenanzas de Descubrimiento* even raised the possibility of suspending all future discovery and settlement efforts, although the threat was not carried out at that time. The new ordinances did, however, include regulations intended to restrict the mobility of Spanish settlers by discouraging individuals already living in the Indies from moving elsewhere. Only the year before, the oidores of Santo Domingo had complained that, given the increasing scarcity of indigenous labor, settlers had begun to move on “from one population to another, without thought of staying in nor settling anywhere.”⁴⁶⁹ Such destinations almost certainly included newly conquered Mexico, not to mention the initially unsuccessful and even disastrous expeditions that Pizarro and Almagro had begun to lead southward along the Pacific coast. In a nod to the complaints

⁴⁶⁸ Pagden, *Lords*, 51; Cavazos Garza et al., 7; “Ordenanzas de Población del Peru” (Valladolid, 11-20-1536), “Que ningún vagamundo español no casado, no viva ni este en los pueblos de indios” (Madrid, 5-2-1563), “Pidiendo parecer sobre si conviene que los españoles e indios vivan juntos” (El Escorial, 11-4-1567), “Que no vivan españoles entre indios” (Tomar, 5-8-1581), “Para que en los pueblos de indios ni vivan españoles, mulatos, negros, ni mestizos” (Madrid, 2-18-1587), “Carta al virrey del Peru sobre materias de gobierno” (Madrid, 1-10-1589), in Konetzke, *Colección de Documentos*, 1:180-181, 400, 425, 535, 572, 598-599; Friar Jerónimo Román y Zamora, *Repúblicas de Indias. Idolatrías y gobierno en Méjico y Perú antes de la conquista*, edited by Victoriano Suárez (Madrid: imprenta de Gómez, [1569] 1897); examples from the writings of Matienzo include “Si conviene que españoles vivan entre indios, o mulatos, mestizos y negros horros” and “De los españoles que andan ociosos,” in *Gobierno del Peru*, Primera Parte cap. XXIV:82-86, Segunda Parte cap. XXI:312-315; Mörner, *Corona Española*, 135.

⁴⁶⁹ Martin, 17.

of officials on the Caribbean islands and Tierra Firme, the 1526 *Ordenanzas* prohibited all future expedition leaders from recruiting troops from among the residents and vecinos of the Indies. New expeditions could proceed with settlers from Castile or other parts of Spain's European empire—but only after having acquired a license from the King to do so.⁴⁷⁰

The dramatic failure of the New Laws in the 1540s resulted in a new series of hearings regarding the rights of the King's indigenous subjects in 1550, in which Las Casas and Gínes de Sepúlveda would present opposing viewpoints. The failure of the New Laws had proved that the king could not yet enforce a more just and peaceful settlement of the Indies and the rule of law. Yet as the granter of future expedition licenses, he could choose to de-authorize further expansion, much as had been threatened in the 1520s. In the face of widespread revolt, disorder, and continuing abuse, the king followed the advice of his Council of the Indies and began to de-authorize campaigns already in progress as well as future expeditions. The injunction was first applied only to New Granada, in 1549, and later to all conquest and discovery efforts in the Indies, whether or not they were already in progress in 1550. As was often the case, the embargo was not enforced everywhere, but did appear to halt nearly all expeditions in Peru and Central America.⁴⁷¹

This ban was also short-lived. When Andrés Hurtado de Mendoza y Cabrera, the Marqués de Cañete, was appointed the viceroy of Peru in 1555, the region was still

⁴⁷⁰ Morales Padrón, 379; Martin, 17.

⁴⁷¹ Sánchez Bella, 22-25.

recovering from what would turn out to be the last of its major civil wars, the uprising of Francisco Hernández Girón, put down in 1554. But as the viceroy busied himself in Seville on the eve of his departure for Peru, he requested an end to the conquest and settlement ban and a new set of instructions to guide his actions in Peru. His study of available reports and correspondence had led him to believe that the majority of Peru's Spanish population, seven thousand out of a total of eight thousand, was made up of people who would not work, dig, or plow—a roving mass from whose numbers Hernández Girón, like others before him, had drawn their armies. Simply banishing the gente suelta from Peru seemed an attractive approach, but it was not possible to send so many people back to Spain. Instead, the viceroy argued that only the power to grant new expeditions, such as those he would later grant to Pedro de Orsúa destined for the Amazon basin, to his son, García Hurtado de Mendoza, in his expedition to Chile, and, arguably, to Andrés Manso for his expedition into the Eastern Andean frontier.⁴⁷²

Redemption Through Rooting

In his various writings on the subject, Toledo provides us with a valuable window into notions regarding the civilizing effects of land ownership during the sixteenth century.⁴⁷³ As he would put it in a 1572 report written during early phases of his tour of the viceroyalty, he had seen enough of Peru to confirm that the many people who “andan vagando” in the region were its worst pestilence. But once rooted in a house and land, he

⁴⁷² Lockhart, *Spanish Peru*, 49, 162; Barnadas, 46.

⁴⁷³ Zabáluru y Sancho Rayón, 6:304.

argued, the vagabond would desire peace and tranquility. These sentiments, Toledo wrote, were shared by the king's own Council of the Indies.

Much like contemporaneous views on the dispersed indigenous population of Peru, Toledo identified the problem of the gente suelta as, at least partially, its excessive mobility. And also like his contemporaries, Toledo believed urbanization and settlement to be the only practical solution.⁴⁷⁴ Such views were a tacit rejection of what had become the common method that viceroys, like the Marqués de Cañete, had used to rid themselves of extra people: the entrada or expedition.⁴⁷⁵ In a 1570 letter in which he expresses his frustration with the fallout from the failure of Álvaro de Mendaña's effort to discover and settle the Solomon Islands, Toledo explained that not only were such expeditions costly to the crown (a favorite accusation to heap on one's adversaries) but also yielded no benefits in the long run. The unruly elements who had been gathered up and sent along on the expedition had simply returned. Toledo argued that not only had they failed to reform their ways, they now expected to be rewarded for the services they had rendered over the course of the journey.⁴⁷⁶ Instead, the solution required an element of permanence and stability that military expectations failed to create. In his 1568 instructions, the king had already charged Toledo with creating new towns in Peru. Now

⁴⁷⁴ Ibid., 6:305.

⁴⁷⁵ Joaquín Francisco Pacheco, Francisco de Cárdenas, and Luis Torres de Mendoza, *Colección de documentos inéditos relativos al descubrimiento, conquista y colonización de las posesiones españolas en América y Oceanía (CDIDCC)* (Madrid: Imprenta de M. Bernaldo de Quiros, 1864-1884), 3:561-562.

⁴⁷⁶ Kelly, *Australia Franciscana*, 4:473.

that he had seen Peru for himself, Toledo agreed: towns, he thought, could be sites in which to collect scattered and wandering people.⁴⁷⁷

In describing settlers as “rooted” in both house and land, Toledo was referring to an evolving discourse in the reports and correspondence of his predecessors, both in Spain and the Indies, that came to constitute the person of the settler in precise legal but also deeply moral and even redemptive terms. The concept of rooting (*arraigo*) or being rooted (*arraigado*) had long enjoyed many productive functions in the law and language of Castile. “Rooting” had applications in the courts, where it was a term for the payment of fines or for an action to prevent flight in the case of a summons.⁴⁷⁸ It was also used to represent the payment of a bond or a security, such as were required for acquiring certain civil posts or in formalizing an agreement.⁴⁷⁹ In terms of property, *bienes raizes* (literally immovable or “rooted” goods) were types of immovable property, such as land, buildings, and mining operations.⁴⁸⁰ And like the natural world that inspired these concepts, all suggested permanence, stability, and, to a certain extent, commitment.

⁴⁷⁷ Capítulos 24 and 25 in “Instrucción al Virrey Francisco de Toledo” (12-19-1568), Hanke and Rodríguez, *Los Virreyes Españoles En América Durante El Gobierno de La Casa de Austria*, 280:86. Note that Capítulo 25 reiterates the instruction given to viceroy Martín Enriquez; “Carta del Virrey don Francisco de Toledo a S. M. sobre su viaje y visita,” (3-1-1572), in Levillier, *Gobernantes del Peru*, 4:126.

⁴⁷⁸ “Al bachiller García de Valcárcel” (6-27-1495), Simancas, RGS, LEG,149506,26; “R.C. de Doña Juan al Lugarteniente de Gobernador de la Isla de San Juan” (Segovia, 10-15-1532), AGI Santo Domingo 2280 L1, 129v-131r; “Que se obligue a Fernand Arias Sayavedra, alcalde de los concejos y tierra de la obispalía de Oviedo, a arraigarse” (7-5-1493), Simancas, RGS,LEG,149307,113.

⁴⁷⁹ “Que cualquier corregidor apremie a Alonso de Alcázar” (12-18-1498), AGS RGS L.149812,110; “Orden para arraigarse y dar fianzas” (8-5-1549), AGI Patronato 280 N.1 R.131; “R.C. a los corregidores, asistentes, gobernadores, etc. del Olmedo y del reino” (10-20-1552), AGI Indiferente 424 L22, 450r-450v; “Real Provisión de receptoría a petición de Martín Sánchez Ropero” (2-19-1561), AGI Patronato 286 R.23.

⁴⁸⁰ Herzog, *Defining Nations*, 225 note 65.

The earliest reference to rooting in the context of the Americas appears in the theological rather than the legal context: the promotion of the Catholic faith among the indigenous peoples of the Americas. The reference appears in the ninth law of the 1512 Laws of Burgos, which outlined the duties of *encomenderos* to promote the evangelization of their indigenous charges so that the Catholic faith will be planted and take root (*arraigue*) in their hearts.⁴⁸¹ For this language the theologians who crafted the ordinances likely did not look to Castilian law, but to the gospels of the apostle Paul, who, in his letter to the Ephesians, stated that he prayed for them “so that Christ may dwell in your hearts through faith; and that you, being rooted and grounded in love, may be able to comprehend with all the saints what is the breadth and length and height and depth.”⁴⁸² This language is repeated in the second set of instructions on governance given in 1536 to Antonio de Mendoza, the first viceroy of New Spain (1535-1550) and later second viceroy of Peru (1551-1552), which identified the poor example of the Spaniards themselves as the main impediment to the rooting of the Christian faith among the indigenous people.⁴⁸³

Rooting people in the faith remained a central goal of the crown and its officials, but so did establishing a stable society in the Indies. In March 1524 Hernán Cortés expressed his concerns to the Emperor Charles V about how disconnected Spaniards had been from the lands they had conquered up to that point. Following a passage in which

⁴⁸¹ Morales Padrón, 316.

⁴⁸² Ephesians 3:17 (New Revised Standard Version).

⁴⁸³ *CDIDCC*, 23:459; also in Hanke and Rodríguez, 283:34; “arraigar indios en la fe,” from the “Carta del P. Fr. Jerónimo de Mendieta al Ilustre Sr. Lic. Joan de Ovando, del Consejo de S. M. en la Santa y General Inquisición, y Visitador de su Real Consejo de Indias,” in *Nueva colección de documentos para la historia de México*, ed. Joaquín García Icazbalceta (Mexico: Andrade y Morbes, 1886.), 1:112.

the conquistador expresses his views on the importance of bringing plants from the Old World to the New for the “perpetuation and settlement” of the land, Cortés alludes to the Laws of Burgos when he expresses his desire to promote the rooting of the Catholic faith among the indigenous people. But he extends the metaphor to include the encomenderos as well, using the notion of rooting to convey his desire to compel Spanish settlers to make a lasting commitment to Spanish society in Mexico. He then goes on to explain that the “rooting” of settlers in the newly conquered lands was necessary for its “perpetuation and settlement,” as only a permanent commitment to the land and its indigenous people would prevent the destruction of both, outcomes that Cortés had already observed on Hispaniola.⁴⁸⁴

Spaniards like Cortés saw this action of rooting as transformative, fostering a love of land and a desire for peace and stability in the settler. Rodrigo de Albornoz, the auditor (*contador*) of New Spain, would further elaborate this concept, promoting long-term settlement “so that the people that are here now and will come later settle down in [the land] and root themselves and desire to persevere in it,” referring not only to the metaphor of taking root, but also the importance of developing a love of the land.⁴⁸⁵ In his 1567 treatise, *Gobierno de Peru*, the Peruvian oidor Juan de Matienzo also saw love of land as an outcome of becoming rooted in place. Individuals who made a permanent

⁴⁸⁴ “Carta de Hernán Cortés al Emperador” (México, 10-15-1524), in Hernán Cortés, [1485-1547] 1866, *Cartas y relaciones: a emperador Carlos V*, edited by Pascual de Gayangos (Paris: Imprenta Central de los Ferro-Carriles, A. Chaix y C), 322; Martin, 24.

⁴⁸⁵ “para que la gente que está é viniere á ella asiente é se arraigue é tome amor á perseverar en ella,” from “Carta del contador Rodrigo de albornoz, al emperador” (15 de Dic de 1525 Temistitlan (Tenochtitlan)), in Icazbalceta, *Colección de Documentos*, 1:488.

commitment to a place were more likely to conserve it than those who did not.⁴⁸⁶

Albornoz and Matienzo's references to love were not passing comments, but invoked a sustained discourse in Castilian law that equated love of land with both nativeness (*naturaleza*) and citizenship (here *vecindad*). In what Herzog describes as a "discourse of love," love of land and becoming rooted in the land are terms for describing what happens when a settler establishes himself in a place permanently.⁴⁸⁷ Long-term residence, property ownership, contracting marriage, starting a family, and establishing one's estate and business operations, were all concrete actions that served as outward representations of both one's love for the new land and having rooted oneself in the land. For officials like Cortés, Albornoz, and Matienzo, just as for the Crown, promoting the rooting of settlers in the land, like love of land, was a sure pathway to social order in a region then marked by discord and violence. The action of rooting themselves transformed an otherwise dangerous and highly mobile population into a community of naturalized citizens.⁴⁸⁸

Cortés and Albornoz' comments were, in reality, written in defense of the *encomienda*, an institution that both knew was increasingly unpopular in the king's court. In this instance, the *encomenderos* were not rooted in the land through property ownership, but through their connection to the specific indigenous communities in their

⁴⁸⁶ Hanke and Rodríguez, 283:40; Matienzo, *Gobierno del Peru*, 207; Viceroy Mendoza was also aware of the need for rooting settlers in the land. In a 1550 reflection on his work as viceroy of New Spain, Antonio de Mendoza stated that one the primary benefits of his efforts to promote a textile industry in New Spain by importing merino sheep from Castile was that it encouraged Spaniards to involve themselves in that industry and therefore root themselves in the land. In Hanke and Rodríguez, 283:68.

⁴⁸⁷ Herzog, *Defining Nations*, 70-74.

⁴⁸⁸ (12-15-1525) Icazbalceta, *Colección de Documentos*, 1:388; Martin, 25; Herzog, *Defining Nations*, 70, 71, 93.

charge. As Cortés later reflected in another letter to Emperor Charles near the end of his years in Mexico, access to indigenous labor was what most rooted men in a place. As he saw it, the collapse of the indigenous population on Hispaniola had severed this vital link and had also led to the island's abandonment by Spaniards. The same thing would happen, he warned, if the *encomienda* was abandoned and access to indigenous labor was curtailed. Cortés acknowledged that property ownership and agricultural production were also critical to the survival of the New Spain, however he argued that the *encomienda* was the key to the expansion of both.⁴⁸⁹

But there were other parties who felt it might be possible to create a stable society in New Spain and root Spanish settlers in the land without the *encomienda*, which is to say, without giving them special access to indigenous labor. The Pueblo de los Angeles, now known as Puebla, founded in 1531, was initially proposed by prominent Franciscans, including Motolinía and Vetancourt, as a model city whose citizens would be rooted in land ownership. They also saw it as a solution to New Spain's vagrancy problems, a recurring theme in official correspondence from the time. The Pueblo de los Angeles received strong support, first from the leadership of Mexico's Second Audiencia, and later from Charles I in 1553 and his son and successor, Phillip II, in 1558.⁴⁹⁰ Puebla would replicate city-planning methods in force during the Reconquista, in which a settler received access to the land and its resources, not indigenous labor, in exchange for their defense of the land and service to their sovereign. Citizenship or *vecindad* in Puebla also

⁴⁸⁹ "Memorial de Hernán Cortés al Emperador sobre el repartimiento de los Indios de la Nueva España" (1537), Cortés, *Cartas y Relaciones*, 562.

⁴⁹⁰ Martin, 24, 46, 47, 58; "Memorial de Hernán Cortés al Emperador," (1537), Cortés, *Cartas y Relaciones*, 562.

included certain perks that later became standard features in other new towns of the Indies, including temporary exemptions from *alcabalas* (sales taxes) and the conferral of local *hidalguía*, or low nobility, upon the town's initial founders. According to the oidor who had taken charge of the experiment, Licenciado Salmerón, some twenty-three former vagabonds had already settled in the town within its first year.⁴⁹¹ Of course, Mexico's encomendero class generally opposed the idea, because they detected in the model a potential attack on their privileges and a threat to their own monopoly on property and Indian labor. To them, it was simply further evidence that their class, which included Cortés himself, was being marginalized by the Audiencia of New Spain and by the crown. Many of them also objected to the low social status of the town's founding generation.⁴⁹²

Key to the Puebla experiment was the effort to redefine the power relations between Indians and Spaniards. Indigenous labor remained key to the success of the community, and the townspeople were granted the labor of Indians from Tlaxcala and Cholula, who were given exemptions from tribute and obligatory service while they worked for the town. But even this arrangement was contingent upon their good treatment by the Spanish residents.⁴⁹³ Access to indigenous laborers did not recapitulate the encomienda system practiced elsewhere in the sense that their labor did not belong to the town's residents, but was to remain more or less contractual in nature. But the arrangement does suggest a grudging recognition that even former vagabonds expected

⁴⁹¹ Martin, 50.

⁴⁹² Ibid., 54.

⁴⁹³ Ibid., 53.

that the acquisition of *vecindad* in the Indies would come with the changes in social status that access to indigenous labor implied. According to Hirschberg, indigenous labor grants in Puebla had been distributed in an unusually equitable manner by 1534. *Vecinos* who already had *encomiendas* or who had received a civil post, such as the *corregidor*, were often granted fewer laborers than individuals who did not have access to other forms of labor or sources of wealth. Individuals who claimed to be conquistadores did not receive more than those who did not. Yet for all of this, the settlers remained dependent upon some form of indigenous labor. Salmerón later complained, “The Spaniards of this land were accustomed to idleness.”⁴⁹⁴

The apparent success of Puebla did catch the attention of the Spanish crown and other officials who were perennially looking for a solution to the *gente suelta* of the Indies. First Charles I in 1553, and later Phillip II, in 1558, ordered Viceroy Luis de Velasco to found more cities for the purpose of settling vagabonds. One of Velasco’s successors, Martín Enriquez, was also encouraged on two different occasions to construct new towns in New Spain for this purpose, towns that would not only check the expansion of such “damaging” classes, but also serve as a site for settling the growing class of *criollos* and *mestizos*, the sons of Spaniards who otherwise would be lost among the Indians. These could also be sites where *mestizas* could find shelter in the homes of virtuous families who would teach them the good customs expected of women in their station.⁴⁹⁵ In spite of this royal encouragement, the notion of founding towns for the

⁴⁹⁴ Martin, 53; Julia Hirschberg, “An Alternative to the *Encomienda*: Puebla’s *Indios De Servicio*, 1531-45,” *Journal of Latin American Studies* 11, no. 2 (Nov., 1979), 250-257, 264.

⁴⁹⁵ Martin, 59.

purpose of settling vagabonds seems to have languished in New Spain. As Viceroy Velasco stated, the problem was not land, which Mexico had in abundance, but that there were few who were willing to work it themselves.⁴⁹⁶ As Cortés had argued, indigenous labor was key to rooting Spaniards in the land.

The concept of settling Spanish and mestizo vagabonds in *ciudades de españoles*, per the Puebla model, was also known to the president of King Phillip II's Council of the Indies, Juan de Ovando. In 1571, Ovando wrote Friar Jerónimo de Mendieta in Mexico requesting that Mendieta advise him on how to create new cities without causing damage to indigenous populations. The Franciscan had spent the majority of his adult life since the mid-1550s in New Spain, and was almost certainly aware of the work of his fellow Franciscans in Puebla. In his detailed response, Mendieta also advocated rounding up the mestizos and Spaniards "who wander about those lands without settling down" and placing them in cities of their own, distinct and separate from the indigenous communities they so often molested.⁴⁹⁷ This separation was key, given the bad example such persons presented to the Indians, whom they taught "muchos vicios y malicias." Such vagrants were also frighteningly unrecognizable, "it is not known if they are Spaniards, nor if French or English, nor if they are Greeks or Latins, nor if they are Christians or pagans, only that each can be whomever they wish to be, and live the according to their own law."⁴⁹⁸ But once gathered into cities, they would not only

⁴⁹⁶ Ibid., 58.

⁴⁹⁷ "que andan vagueando por aquellas tierras sin hacer asiento," in "Carta del P. Fr. Jerónimo de Mendieta al Ilustre Sr. Lic. Joan de Ovando ...," Icazbalceta, *Nueva Colección de Documentos*, 1:108-123.

⁴⁹⁸ "Carta del P. Fr. Jerónimo de Mendieta al Ilustre Sr. Lic. Joan de Ovando ...," Icazbalceta, *Nueva Colección de Documentos*, 1:108-123.

ennoble and augment the kingdom, but multiply its vassals. It was critical, though, that such settlements not be built where Indians already lived and cultivated the land. They must “settle the empty land (*despoblado*) and not empty out (*despueble*) settled regions for the sake of settlement, as has been done up until now.”⁴⁹⁹ Given Ovando’s evident impact on the final language of the *Ordenanzas*, a document promulgated only two years later that concerns itself with drawing marginal people into settlement efforts, it is likely that the Mexican model had a significant impact on the final version of the text.

In addition to the flow of ideas from the Americas towards the metropole, ideas flowed across American jurisdictions. The king and his council of the Indies were the ultimate arbiters of colonial policy, and it seems likely that such new strategies for addressing the problem of vagrants in Mexico had reached Peru by the 1550s. At first, the king’s instructions to the Marqués de Cañete supported the viceroy’s rather cynical approach to dealing with vagabonds. The Marqués was to remove “Spanish” vagabonds from indigenous communities and either expel them from Peru entirely or place them with masters who could help them acquire a trade.⁵⁰⁰ After Cañete’s arrival in Peru in 1556, however, the viceroy received still another set of instructions that purported to promote, not the conquest, but the “pacification” of the Indies. As always, the King sought to promote the conversion of the Indians by attracting them to the faith, but this evangelizing mission would be supported by a force of arms. Cañete’s new instructions also encouraged the viceroy to pursue a settlement regime. This new regime not only

⁴⁹⁹ Martin, 58, 60; “Carta del P. Fr. Jerónimo de Mendieta al Ilustre Sr. Lic. Joan de Ovando ...,” Icazbalceta, *Nueva Colección de Documentos*, 1:108-123.

⁵⁰⁰ Hanke and Rodríguez, 280:49.

focused on removing vagabonds from indigenous communities, but also sought to move them out of Peru's more settled core regions and into frontier regions adjacent to unconquered indigenous peoples where the vagrants might be transformed into a permanent settler population.⁵⁰¹

Cañete's instructions regarding new discoveries and settlements presumed both specific spatial and corporate configurations. The viceroy was given the power to license settlements in areas that had not yet been made subject to the King's authority, areas that were effectively Indian country. The territory to be settled would reproduce the expected social hierarchies, particularly a network of patron-client relationships led by a newly-constituted elite, as well as dual indigenous and Spanish urbanizations. Given that the document arose out of the viceroy's concerns about the potentially disorderly *gente suelta*, concerns that were shared by the Council of the Indies and by the Crown, the aim of the settlements was at least partly salutary—enticing individuals who had not already acquired a house and land in settled areas (i.e. vagabonds) to do so elsewhere. While such persons were known to congregate in Spanish cities like Lima, Cuzco, and Potosí, they also resided in indigenous settlements.

In fact, rooting settlers in the land seems to have been part of the common language of officialdom during those years. Licenciado García de Castro, Toledo's immediate predecessor and interim viceroy, discussed settlement efforts in terms of

⁵⁰¹ He took possession June 29, 1556 according to Hanke and Rodríguez, 280:41. His instructions completed in Valladolid, May 13, 1556; "Carta del Emperador a su Hija, La Serenisima princesa, Doña Juana, gobernadora del Reino durante su ausencia y la del rey D. Felipe II" (undated), *CDIDCC*, 3:559-561; Morales Padrón, 452.

rooting Spaniards in place. Toledo used the term in one of the memorials he presented the Junta Magna in Madrid in 1568, even before he received his final instructions from the king. The notion of rooting people in the land appeared in Toledo's 1569 instructions as well, and the metaphor was then repeated in the instructions to his successors, Martín Enriquez (1581-1583) and Luis de Velasco y Castilla (1596-1604), individuals who had already served as viceroys in New Spain and likely would have been aware of various efforts to address the problem of vagabonds.⁵⁰² Beyond official circles, people used this language to describe their own experience as settlers. In 1557, just a year after Cañete received his instructions on the founding of new settlements, a resident of Potosí, one Juan Sanchez, wrote to his wife in Badajoz, Extremadura, asking her to join him in Peru. It was a wealthy, healthful land, he argued, a place where you could live a life of repose. And besides, he said, "I am very rooted in this province."⁵⁰³

As in Puebla, the settlers that royal officials imagined establishing in the new towns within their jurisdictions would receive access to indigenous labor and moveable and immovable property under different terms than the generation that had come before them. In a 1572 report, Toledo contrasted the services of the first encomendero generation as the conquerors of Peru with those of *pobladores*, individuals whose services were primarily the creation of settlements, the cultivation of the land, and the raising of livestock. Those few individuals who could claim to have been involved in

⁵⁰² Instructions that the king (or the Concejo de Indias) gave to Juan Ortíz de Zarate for his new efforts to settle Buenos Aires also uses the notion of rooting settlers in the new town. And although the *cédula* purported to be repeating instructions given to the original founder of Buenos Aires, Pedro de Mendoza, for the Río de la Plata region in 1534, the earlier document does not include that particular phrase. AGI Buenos Aires 1 L4, 44r-45r; The Mendoza *cédula* appears in AGI Buenos Aires 1 L1, 33r-33v.

⁵⁰³ "Juan Sánchez a su mujer Eulalia Garcia, en Mirandilla" (3-8-1557), Otte and Romero, 518.

what they considered to be the heroic efforts associated with the initial conquest and longer “pacification” of the land had been rewarded financially by the King and his Peruvian governors and viceroys. But the massive *encomiendas* of the first generation were increasingly a thing of the past. The properties and resources that the vecinos of new towns could assemble were much more modest, quotidian operations, almost totally lacking in the romance connected with the imagined rewards of conquest and settlement. As nodes of *civitas* in the New World, *pobladores* had become essential to the order that Toledo and others hoped to establish in Peru. The King’s efforts to promote among the encomendero elite would be redirected towards a growing class of landowners and settlers. And so, it was out of a concern for creating loyal subjects that Toledo elevated the *poblador* as an individual who might be bound to the king by a sense of obligation, such as those between a patron and his client, given the privileges they would receive from the hand of the king. *Pobladores* might not be the sort of people who were famous for their services in war, but provided other services that promoted the conservation of the empire and its kingdoms, services that were a natural extension of rooting themselves in the land.⁵⁰⁴

Toledo did acknowledge that frontier city planning efforts had failed in the past, owing as much to problems with the sites selected as to the failings of the settlers. Yet over the course of his tour and many interviews with Spaniards whose cumulative knowledge also gave him a broad sense of the potential of the various regions that composed Peru and Charcas, he had been made aware of several particularly appropriate

⁵⁰⁴ “Carta del Virrey don Francisco de Toledo sobre su viaje y visita” (3-1-1572), AGI Lima 28.

sites for the foundation of new towns. Among those he named, one lay within the jurisdiction of the city of La Plata, another to the south in the valley of Tarija, and still another in the valley of Cochabamba. Onto these landscapes, he painted an idyllic picture: the settlers would be given lands for houses and fields, places to plant their crops, gardens, and orchards. Indians would serve the new settlers, building their houses and preparing their fields, but they would be paid for their labors. Such sites would bring security and wealth to the region: uncultivated lands would be worked, the king's *diezmos* and *novenos* would increase, mines would be discovered, and unconquered peoples would be reduced to the king's service. Moreover, while previous viceroys and governors had paid for expeditions out of the royal treasury, these new settlements could be put in place by requiring potential settlers to cover their own expenses, with the exception of a small amount of assistance with munitions and other materials. By emphasizing property ownership and urbanization over grants of indigenous labor and wealth, Toledo's policy towards "pacification" and settlement planning served as yet another venue to isolate Peru's own waning encomendero class.⁵⁰⁵

In a seeming departure from colonial policy, Toledo even suggested that the segregationist policy of the two republics system, in which he had played such a proactive role, might be inappropriate in those regions where indigenous peoples had not yet made contact with Christians. Vagabonds might be rooted in such spaces without causing harm, as he understood it, to the Indians already living there. Mestizos, *mulatos*,

⁵⁰⁵ "hasta arraigar más la buena opinión..." and "dalles libertad a que se arraiguen en la tierra con sus eredades," Francisco de Toledo (Feb 8, 1570) in Levillier, *Gobernantes del Peru* 3:311, 312.

indios ladinos, and especially Spaniards, as Christian peoples, might possibly establish peaceful communications and enhanced security vis-à-vis unconquered, barbarous peoples. In one of his longer reports to the king dated March 1, 1572, he suggested that “Indios ladinos might be more full of vice than others, but also more faith and understanding,” providing an opportunity for salvation to those who never otherwise interacted with Christians.⁵⁰⁶ Toledo indulged in these sentiments during the brief period before he began to wage war against the Incas of Vilcabamba and, soon after, the Chiriguano. But during this time, he appeared to conceive of the frontier as a space where the hierarchies of social difference might function differently. Individuals whose morality was suspect in more central regions of the Empire could serve a potentially beneficial purpose at the periphery. Yet even these exceptional spaces would need to be settled according to recognized principles of *policía* and *civitas* that lay at the core of the segregated *republics* and cities of the Indies.

This relegation of the vagabond to the frontier seems less like a rejection of the violence and disorder associated with such persons than an effort to direct their energies towards more acceptable and productive channels. Royal officials appeared to tolerate the perpetuation of practices and institutions, such as the *encomienda*, along a receding periphery in order to promote the expansion of the empire. It was an odd way to wage peace. As a strategy for dealing with vagabonds, it resembled the military expeditions of the past in that it directed their violence outwards towards the perceived margins of the empire. But placing the burden of what was increasingly cast as the “pacification” of the

⁵⁰⁶ March 1, 1572, in Levillier, *Gobernantes del Peru*, 4:127-128.

frontier into the hands of individuals described as vagabonds and gente suelta was a risky proposition. By fixing the vagabond along the frontier, the violence of the frontier was transformed from the intensive, yet temporary activity of the military expedition to the constant, every day, and highly individualized contestation of the frontier as a lived space. These former vagabonds would face off against unconquered indigenous peoples as permanent settlers defending their own properties and families, not as soldiers involved in a brief military offensive.⁵⁰⁷ Yet the King and his court appear to have placed great faith in the frontier city and the civilizing powers of urban life as tools for retaining the crown's authority over the frontier. There the violence and disorderliness of the vagabond, so inconvenient elsewhere, could be directed into the typical contests over property possession and community defense that defined the citizen settler.

Marriage and Gente suelta

While most of the new ordinances sought to protect Indians by removing Spaniards from their midst, very few of these policies were aimed at transforming Spaniards as ethical subjects. An important exception was the crown's increasing emphasis on marriage. Recall that in early modern Iberian society, family was the basis of nearly all hierarchical relationships that placed individuals under representatives of patriarchal authority.⁵⁰⁸ While the power dynamics that placed conquered peoples under the authority of their conquerors or united Spaniards and indigenous communities through political alliances had resulted in a number of sexual unions between Spanish

⁵⁰⁷ Herzog, *Frontiers*, 140.

⁵⁰⁸ Mangan, "Moving Mestizos," 289-94; Ripódas Ardanaz, 3-14.

men and indigenous women, and even many children, from the perspective of both the crown and Catholic Church it had not created many recognizable families. Therefore, Spanish authorities regarded many Spanish settlers as single men. Such men had founded cities and conquered territories, but the slow growth of Spanish settlements and the continuing reports of abuses of the King's indigenous subjects by Spanish men signaled the absence of the patriarchal order that resulted from a society led by married men. Through marriages to either Spanish women or Hispanicized mestiza and indigenous women, male settlers ideally would end their abuses of indigenous communities and create stable, Christian families. The Iberian cities and estates these families would found would prosper and the Catholic faith would thrive, to the benefit of all of the King's subjects. As one resident of Potosí put it in 1580, after spending more years in the Indies than he had anticipated, he had decided to marry, "given the risk that young men run in this land, which is principally that of the soul."⁵⁰⁹

There is a persistent link in the colonial discourse on Spanish settlers between singleness and sexual violence, especially violence directed towards indigenous women. Rape was a significant component within many of the sexual relationships that occurred between Spanish men (single or otherwise) and indigenous women. Rape was also a discourse that criticized the behavior of Spanish settlers in the Indies.⁵¹⁰ References to acts of sexual violence by Spanish men abound in correspondence from the sixteenth century. Bishop Zumárraga, writing in 1529, refers to the "fuerzas y robos," or acts of

⁵⁰⁹ "Gonzalo de Soria a su padre Alonso de Soria, en Granada" (Potosí, 1-1-1580), Otte and Romero, 531-532; Mangan, *Transatlantic Obligations*, 72-78.

⁵¹⁰ Karen Vieira Powers, *Women in the Crucible of Conquest*, 70-71, 95-96; Mangan, "Moving Mestizos," 289-290.

sexual violence and theft, perpetrated against indigenous communities by vagabonds in New Spain. In the Peruvian setting, the nature of the sexual abuses committed by single *encomenderos* against indigenous women that are referenced in interim governor Vaca de Castro's 1543 instructions are not particularly clear, although they likely included rape, which perhaps fell under the general concept of *daño* (damage, harm). But the instructions plainly identify the singleness of the men involved as the root of the problem.⁵¹¹ Cañete's 1555 instructions also refer to the actions of unmarried Spanish vagabonds who, among other things, abused Indians "taking their wives and daughters by force," language that Toledo's 1568 instructions copy almost word-for-word. Here the need to protect the *honestidad* (sexual honor) of indigenous women from the actions of single Spaniards becomes yet another pretext to separate one from the other.⁵¹²

But there was more to the injunction than matters of sexual violence. The singleness of the *encomenderos* was also seen to negatively affect all of their dealings with their indigenous charges, including matters of religious instruction.⁵¹³ From the perspective of the Crown, Peru's leading *encomenderos* had failed in one of their most significant duties as the social elite—as single men, they had failed to establish formal family units. For the king and advisors in the Council of the Indies, this factor had had grave consequences in Peru. In his instructions to Vaca de Castro in 1543, the King informed the interim governor that it had been reported to him that the singleness of the *vecinos* of Lima was the reason for both their poor treatment of Indians in their charge

⁵¹¹ Hanke and Rodríguez, 180:31, 86, 169.

⁵¹² "tomándolos por fuerza sus mujeres e hijas..." Hanke and Rodríguez, 280:79, 85; Mörner, *Corona Española*, 72, 240-241.

⁵¹³ Hanke and Rodríguez, 280:31.

and their failure to properly indoctrinate them into the Christian faith. Because married *encomenderos* would be better custodians of the King's indigenous subjects, the King ordered that all *encomenderos* would need to marry within four years or face losing their *encomiendas*. The text implies that as married men with future heirs, Peru's *encomenderos* would be more likely to look after the welfare of the individuals and lands in their charge, seeing to the working of the land, the tending of flocks, and the spiritual training of their indigenous charges.⁵¹⁴

But marriage was not, in and of itself, an instant solution: proximity mattered as well. Spanish settlers in the Americas were expected to create their families in the New World, but many married men had left their wives behind in Spain. The various reports that Charles I had received regarding New Spain had led him to believe that several hundred married men were living in the colony without their wives. Of course, the same was true of Peru. According to various royal orders from the 1540s and 1550s, often to specific jurisdictions, men who failed to bring their wives to live with them in a timely manner were supposed to be banished from the Americas. This particular clause appeared in Toledo's instructions as well, a command the viceroy began to execute immediately upon his arrival in Panama by identifying a number of these individuals and sending them back to Spain in the next homeward fleet.⁵¹⁵ These more drastic actions were feasible when the offenders constituted only a handful of men, but were completely impractical as the Spanish population of the Indies grew. A 1554 letter from Luis de Velasco y Ruíz de

⁵¹⁴ Hanke and Rodríguez, 280:31; *Colección de Documentos Inéditos* (series 1), 3:559-561; Boyer, "Mala Vida," 252-253.

⁵¹⁵ Zimmerman, 58.

Alarcón, then viceroy of New Spain, is almost comical in its description of the many ways that men avoided being returned to their wives in Spain.⁵¹⁶ Even Phillip II seems to recognize these limits in Toledo's instructions, suggesting that he merely expel a small number of offenders from time to time, in secret if possible, to avoid scandal and general unrest.⁵¹⁷

The profusion of discourse protesting the single status of most of Peru's conquerors obscures the fact that many of these men had formed relatively stable sexual alliances with a number of indigenous women, many of whom were members of the Peruvian nobility. Such relationships sometimes brought both parties a certain amount of prestige and political leverage, especially when the women in question belonged to the indigenous nobility. But while some of these relationships resembled what would have been recognized in Spain as *barraganía*, which we might translate as a common-law marriage, many Spaniards did not consider them to constitute a long-term commitment, often to the surprise of high-ranking indigenous families who had helped to arrange the alliances between their daughters and sisters and the men in question.⁵¹⁸ Formal marriages between Spaniards and non-Spanish women were rare at any point in Peru. Instead, the conquistador generation displayed a clear preference for Spanish women as potential wives and the mothers of their future heirs. As single Spanish women began to emigrate to Peru and as the fortunes of individual *encomenderos* improved, the proportion of men who had the means to marry but remained single fell to a minority as

⁵¹⁶ Martin, 31.

⁵¹⁷ Hanke and Rodríguez, 280:86.

⁵¹⁸ Vieira Powers, *Women in the Crucible*, 74; Ripodas Ardanaz, 11-13.

they either married the Spanish women already residing in Peru, or sent for the single female relatives of their conquistador colleagues. According to Lockhart, even as early as 1563 only thirty-two of Peru's nearly five hundred *encomenderos* were single men, a figure out of step with the supposed singleness of Peru's *encomendero* class.⁵¹⁹

What role was marriage and family thought to play under such circumstances? On one level, marriage was seen as the antithesis of vagrancy. The moderating presence of Spanish or Hispanicized women was powerful enough to transform vagabonds into settlers, it was thought, by compelling them to set aside their wandering and begin to root themselves in the land for the good of their new families. Indeed, it was the long absence of suitable partners that had left so many regions underdeveloped, the land unplanted and empty. Such was the opinion of the King, restated in various orders during the 1540s in which he lamented the slow growth of settlements in the Indies: "This is why the towns of those parts do not achieve that growth that, so many years after their discovery and initial settlement, they could have achieved if our subjects who have settled [the land] had come with their wives and children, like true *vecinos*."⁵²⁰ Towns could be founded without women and children, but they could not thrive.

The founders of Puebla used such notions regarding the transformational power of domesticity to defend their experiment in New Spain. As Norman Martin points out in his discussion of the founding of Puebla, one of the ways that the leaders of the new town responded to the criticisms of the *encomendero* class was to emphasize the many ways

⁵¹⁹ Lockhart, *Spanish Peru*, 171, 175.

⁵²⁰ Martin, 30.

the town engendered orderly Spanish society through creating families. Some twenty of the town's new residents, they argued, had previously been vagabonds, "dallying with Indian women and wandering the land" who had made a new life for themselves in the city and even married the indigenous women who were previously their consorts.⁵²¹ More than thirty others were older and otherwise impoverished conquistadores from Spain who were married with wives back home. Several had already asked their wives to join them in the new town and a number of single residents hoped to marry soon.

The later distribution of indigenous labor in Puebla indicates the extent to which married settlers were favored by royal authorities. Married settlers made up the majority of the town's vecinos, some sixty-three out of a total of eighty-one in 1534, yet they received a larger proportion of the town's allotted *Indios de servicio* than their numbers suggested. Even the structure of the document cataloguing the labor allotments of each vecino privileges marriage over singleness: married settlers are listed first, divided into subcategories by the *calidad* of their wives and the nature of the services in the Indies. Single men appear last of all.⁵²² Among married men, those who had married European women were in the most privileged position of all, receiving all of the largest labor grants, forty *Indios de servicio*. At the same time, men who had married non-Spanish women received somewhat smaller grants. All married vecinos were still allotted a much larger proportion of labor resources than their single neighbors. Although Hirschberg indicates that the actual sharing out of indigenous labor varied significantly from the

⁵²¹ "Envueltos con indias vagando por la tierra." Ibid., 55.

⁵²² Francisco del Paso y Troncoso and Silvio Zavala, *Epistolario De Nueva España, 1505-1818*. Biblioteca Histórica Mexicana De Obras Inéditas. Segunda Serie (México: Antigua Librería Robredo, de J. Porrúa E Hijos, 1939), 3:137-141.

allocations enumerated in the 1534, the list certainly indicates that royal authorities intended to reward settlers who chose to marry their concubines or who made the effort to bring their wives and children from Spain to live with them in the new town.⁵²³

By marrying Spanish or Hispanicized women, Spanish men and their children would gravitate into a more identifiably Iberian domestic sphere, which would simultaneously reduce their contact with indigenous communities. Many children were born out of the sexual unions that the conquistadores formed with indigenous and African women, and the children of indigenous women, a number of them the heirs of important Spanish *encomenderos*, were likely to grow up in the company of their mothers in indigenous households. As more and more Spanish women arrived in the Indies or were born into Spanish homes there, they came to be seen as a bulwark for preserving and perpetuating Spanish moral and cultural practices in an environment where Spanish families remained very much in the minority overall.⁵²⁴ Mestizas were sometimes placed into the households Spanish women helped create to remove them from the influence of their indigenous and African relatives, thus playing a significant role in the continued Hispanicization of some members of Peru's community of mixed ancestry. These women, in their turn, would marry Hispanicized mestizo men and Spaniards, forming new households that would continue to reproduce Spanish cultural norms.⁵²⁵

⁵²³ Martin, 53; Hirschberg, 250-257, 264.

⁵²⁴ Stoler, "Making Empire Respectable," 639-640.

⁵²⁵ Mangan, "Moving Mestizos," 275-276; Burns, *Colonial Habits*, 16-21; Ares Queija, "Papel," 43; Ruan, 220; Stoler, "Making Empire Respectable," 635, 640; Stoler, *Carnal Knowledge*, 1; Vieira Powers, *Women in the Crucible*, 83; Burns, "Gender and the Politics of Mestizaje: The Convents of Santa Clara in Cuzco, Peru," *Hispanic American Historical Review* 78:1 (Feb. 1998), 5-44; Burns, *Colonial Habits*, 17, 31.

It seems plain that many officials and, indeed, the King himself, expected the settler elite to form Spanish families that would serve as examples of domesticity, culture, and moral order for indigenous neophytes. Settlers, for their part, held similar expectations when choosing a marriage partner, although these were probably secondary to efforts to form alliances that would promote their social or economic advancement, protect their “blood” from mixture, and secure a more stable future for their legitimate heirs.⁵²⁶ Spanish women not only lent their social status and familial wealth to these unions, they also engaged in the sorts of labors within the family and community that were expected of them. Yet in much of the discourse on urban planning from the period, women’s roles were generally limited to that of moderating the performance of Spanish masculinity.⁵²⁷ Women transformed men into husbands and fathers and served as examples of domesticity with their households. They enabled men to live the life of an *hidalgo* by maintaining their *casas pobladas* in the cities of the Indies.⁵²⁸ Where the scarcity of Spanish women was seen as an obstacle to the crystallization of moral and Christian living, their presence in the colonies of the Indies would be key to the transformation Spanish communities in the Indies into orderly republics.⁵²⁹

The Ordenanzas de Descubrimientos of 1573

The various directives that Toledo used to guide his decision making on matters of governance and settlement was therefore a collage of accumulated jurisprudence.

⁵²⁶ Mörner, *Corona Española*, 33; Martin, 30; Lavrin, *Sexuality*, 4; Lockhart, *Spanish Peru*, 175-76.

⁵²⁷ Lockhart, *Spanish Peru*, 170, 199, 183.

⁵²⁸ *Ibid.*, 23.

⁵²⁹ Martin, 31, 35.

Matters of order and disorder, Indian conversion and pacification, Spanish abuses, and new peoples, dramatic as they often appeared, were essentially boilerplate when Toledo received them in 1569. Even a section on “pacificaciones y poblaciones,” absent from the instructions of his predecessors, resembled in theme, if not language, the supplemental instructions sent to the Marqués de Cañete more than a decade before. In fact, when Viceroy Toledo arrived in Peru, no universal instructions on settlement planning had been promulgated for the Indies since 1526, leaving innovations to be distributed to individual jurisdictions, like the viceroyalty of Peru, from time to time.⁵³⁰

But a new set of detailed, universal instructions was coming. The driving personality behind what would become the new *Ordenanzas de Descubrimientos*, don Juan de Ovando, was a key member of what is now called the Junta Magna, which was led by Toledo’s greatest patron, don Diego de Espinosa, the Cardinal de Sigüenza. Espinosa and Ovando had used their extensive political influence with the King to secure Toledo’s appointment as viceroy, and Toledo is known to have attended at least some of the junta’s sessions in 1568 during which they sometimes discussed Toledo’s own proposals for work in Peru.⁵³¹ Work on the ordinances themselves may have begun as early as 1568, but Ovando would not become the president of the Consejo de Indias, the putative author of the document, until 1571.⁵³²

⁵³⁰ Hanke and Rodríguez, 280:86; Konetzke, *Colección de Documentos*, 1:335-339.

⁵³¹ Poole, 130; Ravi Mumford, 75-76; Roberto Levillier, *Don Francisco De Toledo* (Madrid: Espasa-Calpe, 1935), 1.2:31; Zabálburu y Sancho Rayón, VI:295.

⁵³² Zavala, 481; Sánchez Bello, 15.

The *Ordenanzas de Descubrimientos, Poblaciones y Pacificaciones de las Indias* comprise a complex and, in many ways, utopian document. Its one hundred forty-eight different ordinances sought to regulate the conditions under which the Spanish empire might expand, but it was not signed into law by King Phillip II until July 13, 1573, far too late to influence settlement planning in the core areas of Spain's empire in the Indies, the places where most of the King's subjects lived. The *Ordenanzas* were detailed and thorough, with ordinances addressing new discoveries (1-31), new settlements (32-137), and the regularization of peaceful relations between settlers and indigenous peoples (138-148), but as various scholars of Spanish jurisprudence have observed, few of these ordinances would have included much that was new to jurists or even expeditionaries at the time.⁵³³ That said, the *Ordenanzas* likely clarified many policy issues regarding exploration and settlement for royal officials and settlement founders alike. Where the crown's previous policies on these subjects amounted to a jumble of royal decrees and provisions that often differed from one jurisdiction to another, the *Ordenanzas* of 1573 read as a cohesive policy towards discovery, pacification, and settlement that attempted to balance decades of practical experience in the Americas with a highly principled, philosophical, even idealistic approach towards the relationship between the king and his vassals, Spanish and indigenous, in the New World. Most critically, it sought to transform the action of entering a new space and encountering new peoples from an

⁵³³ Marta Milagros del Vas Mingo, "Las Ordenanzas de 1573, Sus Antecedentes Y Consecuencias," *Quinto Centenario* 8 (1985): 157-195.84; Morales Padrón, 489-518.

action of destructive conquest to a process of pacification and personal redemption for settlers and indigenous peoples alike.⁵³⁴

The architect of this effort to compile and rationalize existing policy was not so much King Phillip II as it was don Juan de Ovando, the small-town hidalgo turned Inquisitor who was first appointed to head a formal review or *visita* of the Council of the Indies from 1567 to 1571 and later stayed on as its president from 1571 until his death in 1575.⁵³⁵ Nor were the *Ordenanzas de Descubrimientos* his principal work. In fact, Ovando's goal was to codify all of the laws of the Indies that had been created up until that time, a project he would never complete.⁵³⁶ This task included not only finding and compiling every law, legal provision, and royal decree that was known to have been written for application in the Indies, but also organizing, editing, and systematizing documents written to address specific jurisdictions and circumstances into something approximating a single compilation, which he called the *Copulata de leyes y provisiones*. He was aided in this effort by the work already completed since at least 1563 by his assistant, Juan López de Velasco, later the first *cosmógrafo-cronista*, or cosmographer-chronicler of the Indies.⁵³⁷

⁵³⁴ Sánchez Bello, 35, Poole, 156.

⁵³⁵ Poole, 23, 32-33, 91, 114-115.

⁵³⁶ Poole, 146; There were other important compilations or partial compilations of jurisprudence later on. Efforts include that of Diego de Encinas, the *Cedulario Indiano* of 1596, Jerónimo Castillo de Bobadilla, *Política para Corregidores y Señores de Vassallos, En Tiempo de Paz y de Guerra*, c. 1595, the *Recopilación* of Diego Zorilla, 1602-1609, Rodrigo de Aguiar y Acuña's *Sumarios de la Recopilación General de las Leyes ... despachado para las Indias Occidentales*, 1628, *De Indiarum Iure* (Latin, 1629) and the *Recopilación* of Juan de Solórzano Pereira, (Spanish, 1648), and the 1635 *Recopilación de los Leyes* by León Pinello.

⁵³⁷ Ovando and López also had access to the *Cedulario* of the jurisprudence of New Spain published by Vasco de Puga in 1563 at the request of Luis de Velasco, then viceroy of New Spain. Poole, 145.

Intended to be a piece of Ovando's unfinished compilation, the *Ordenanzas de Descubrimientos* represented a complete iteration of the Crown's position on legal and theological matters that had troubled the royal court and convulsed colonial politics and society in the Indies for several decades.⁵³⁸ At the core of the matter was the recognition that the expansion of the King's dominion in the Indies through conquest was in tension with its obligation to protect indigenous peoples from Spanish violence and promote their conversion to the Christian faith. The document was a tool that facilitated the continued expansion of the empire, the expansion of the king's authority, often at the expense of local power holders, and the protection of the King's legal rights to dominion over the Indies by clarifying the spaces where violence and conquest could be legitimately channeled.

Of course, Ovando had the benefit of hindsight and extensive experience. As a member of the Inquisition, the Council of Castile, the Junta Magna, and the Council of the Indies, he had free access to the archives of laws, orders, instructions, charters, correspondence, and official reports he intended to use to create his *Copulata*. He was also a graduate of the University of Salamanca, the intellectual center of the Neo-Thomist movement, and, thus not only trained in both civil law and theology, but steeped in the writings of movement's best-known thinkers—Vitoria, de Soto, Cano, and de Molina.⁵³⁹ The voices that speak most loudly in the *Ordenanzas* of 1573 are mediated versions of those of Las Casas and Vitoria, omitting many who were more radical or more

⁵³⁸ Poole, 146.

⁵³⁹ Poole, 27, 193-194; Pagden, *Burdens*, 46; Ravi Mumford, 79.

conservative. Implicit to the document is the understanding that the *república de los indios* existed, and needed to exist, as a separate entity from the *república de los españoles*. And while the *Ordenanzas* of course espoused the evangelization of indigenous Americans as the best course for their civilization, it also displayed its editor's concern for their welfare and an awareness of their vulnerability to exploitation by the very settlers whose settlements the *Ordenanzas* purported to authorize and direct.⁵⁴⁰

For all of these reasons, the *Ordenanzas* of 1573 were less a recapitulation of the jurisprudence of the early sixteenth century than an integration of these earlier policies with the debates that followed the failed implementation of the New Laws. Their clearest influence was not the 1526 *Ordenanzas* that had so long governed discovery and settlement in the Indies, but the fragmented instructions that the King began issuing to his representatives in specific jurisdictions in the Indies starting in the 1550s. The King's July, 1560, "Ordenanzas sobre la población de la Isla Española," addressed to the president and oidores of the Audiencia of Santo Domingo, include eight ordinances that were compiled as part of Ovando's Copulata, and eventually made part of the finished text of the *Ordenanzas*. Included within these were descriptions of privileges to be granted to potential settlers, including minor nobility titles to the town's elite families.⁵⁴¹ Even more important were the instructions that Phillip II wrote to the viceroy of Peru, the Marqués de Cañete, called the *Instrucciones para hacer nuevos descubrimientos y poblaciones*, signed in Valladolid on the 13th of May, 1556.⁵⁴² While these new

⁵⁴⁰ For reflections on such sensitivities see Poole, 141; Sanchez Bello, 35.

⁵⁴¹ Sánchez Bello, 33. Ordinances: eighty-nine, ninety, ninety-three, ninety-four, ninety-five, ninety-eight, one hundred, and one hundred one.

⁵⁴² Poole says this most emphatically, 154.

guidelines for settlement and discovery were not universal, copies of updated versions of them were included in the instructions to Cañete's successors in Peru, including the Conde de Nieva in 1559, Lope García de Castro (*oidor decano* of Lima and acting viceroy) in 1563, and Francisco de Toledo himself in 1568. Like the 1573 *Ordenanzas*, Cañete's instructions were an attempt to regulate settlement and discovery in minute detail. More than a dozen of the 1573 *Ordenanzas* repeat or nearly repeat either the instructions to Cañete or the updated language in Toledo's 1568 instructions word-for-word. But the new instructions directed the creation of new settlements in minute detail. Where Cañete's instructions include seventeen ordinances guiding discoveries and twenty-one guiding settlements, the 1573 *Ordenanzas* included thirty-one ordinances regulating discovery and one hundred eighteen ordinances, the vast majority of the document, governing settlement practices and institutions.⁵⁴³

Ovando also had decades of settlement charters (*capitulaciones* or *fueros*) at his disposal. These were individual agreements signed by the King or his representative and the prospective expedition leader that authorized the proposed expedition and included the specific rights and privileges the King was willing to grant to support the endeavor.⁵⁴⁴ Individual charters may have been abundant before 1573, but there was no uniform template to guide them, resulting in a highly variable body of privileges, exemptions, rights, and responsibilities.⁵⁴⁵ Much like the King's instructions to the viceroys, charters also reflected the shift in politics taking place in the Habsburg court in support of greater

⁵⁴³ Morales Padrón, 455, 457; Del Vas Mingo, 85, 86,87; Sánchez Bello, 32, 33.

⁵⁴⁴ Del Vas Mingo, 99-101.

⁵⁴⁵ *Ibid.*, 88.

protections for the King's indigenous subjects, and an increasing attention to the details of urban planning and proper community formation.⁵⁴⁶ Many of the exemptions from specific taxes and fees that appear in the *Ordenanzas* are included in some form in earlier charters.⁵⁴⁷ The similarities between the language of expedition and settlement charters and the final text of the *Ordenanzas* increase in the latest examples. In the Charter granted to Juan Ortíz de Zárate in July 1569, fully eighteen of the concessions granted to the governor and adelantado of the Río de la Plata frontier region were reproduced in sections dealing with urban-planning concerns in the 1573 *Ordenanzas*.⁵⁴⁸

But while all of the above documents were used by Ovando to construct his sweeping planning codes, perhaps just as critically the *Ordenanzas* reflected the spirit, if not the precise language, of the New Laws. Indians were fully vassals of the king and, therefore, free from enslavement, and all future discovery required the approval of the King or his audiencia officials. The encomienda remained as an institution, but new grants would not be made in perpetuity, as the encomendero class had so long desired.⁵⁴⁹ Perhaps the central message it wished to convey was a difference in tone—future explorations would be conducted by *pacificadores* not *conquistadores*. In a move that reflected the criticisms of Friar Bartolomé de Las Casas and others regarding Spanish behavior in the Americas, this new language elevated the mission in the Americas from conquest to that of pacification and peaceful settlement. One ordinance specifically

⁵⁴⁶ See “Capitulación que se tomó con Jaime Rasquín,” for instance. In *CDIAO*, 23:273-289.

⁵⁴⁷ Del Vas Mingo, 90.

⁵⁴⁸ Sánchez Bella, 33-34, 56, 58-67, 78-84.

⁵⁴⁹ Morales Padrón, 424-425; Poole suggests that the perpetuity question was not settled in Toledo's day, 136; Ordinances fifty-eight through sixty-two, referenced in Morales Padrón, 489-518.

prohibited the use of the term “conquest” in referencing the expeditions of discovery and settlement that would be planned thereafter.⁵⁵⁰ As *pacificadores*, a new generation of expedition leaders and settlers would win over unconquered peoples to both the lordship of the king and the Christian faith through peaceful means.⁵⁵¹

Yet it is difficult, as a modern reader, to view such statements as anything more than a shift in semantics. Clearly the authors of the *Ordenanzas*, and Ovando in particular, wished to create a settlement policy that would avoid the violence and abuses of the past. This more peaceful approach was expected to begin from the first moments of contact with native peoples. Initial efforts to reconnoiter new territories and establish contact with indigenous peoples were no longer military operations, but were to be conducted without soldiers or other “persons who cause scandal,” favoring priests, traders, and Hispanicized Indians with training in the languages of the region under investigation.⁵⁵² Participants in settlement expeditions could enter their future jurisdictions fully armed, but they were to deploy their military might defensively. The authors of the *Ordenanzas* directed settlement founders to create their cities in secret, if possible, only inviting their indigenous neighbors into them after the work was done. By then, the Indians would be overawed by the city’s gridded streets, its square or rectangular plaza open to the four winds, and its houses built (presumably by indigenous auxiliaries) with good order and uniformity. The city’s seeming openness belayed its

⁵⁵⁰ “Ordenanzas de descubrimiento,” ordinance twenty-nine, AGI Indiferente 427, L.29 73r; Morales Padrón, 495.

⁵⁵¹ Del Vas Mingo, 84, 86; Ravi Mumford, 90.

⁵⁵² Axel I. Mundigo and Dora P. Crouch, “The city planning ordinances of the laws of the indies revisited: Part I: Their philosophy and implications,” *Town Planning Review* 48, no. 3. (July, 1977): 247-268.250; “Ordenanzas de descubrimiento” ordinance four, Morales Padrón, 490.

hidden power: each residential compound was to be a fortress, and the plaza de armas protected by a defensive palisade. The settlers would not need to take their new indigenous neighbors' fealty and labor by force—in their awe and fear of the Spaniards and their city, native communities would offer these things voluntarily.⁵⁵³

The *Ordenanzas* also reiterated the crown's preference for married settlers, establishing guidelines to ensure that a significant proportion of new settlers were married men. These guidelines were often quite specific and measurable. Ordinances eight-nine and one hundred two stipulated that any new town was to have a minimum of thirty vecinos, at least ten of which would be married men. In limited cases, even ten married men would be sufficient to form a community. Ordinance ninety-three defined vecinos as the married children or close relatives of an original settler who had also established a separate residence for their household. And Ordinance forty-five indicated the crown's preference for married persons as well as the descendants of settlers in any new settlement scheme, just so long as they were not already property owners in another community in the Indies. Taken together, these ordinances represented what was thought to be an actionable policy that would lead to the creation of communities that would properly recreate the kinds of benevolent, patriarchal relations that so many early towns had lacked.⁵⁵⁴

However, these utopian aspirations were superimposed over a set of labor and settlement regimes that had changed very little over the course of the sixteenth century.

⁵⁵³ "Ordenanzas de descubrimiento," ordinances one hundred twenty-eight, one hundred thirty-three, one hundred thirty-six, one hundred thirty-seven. AGI Indiferente 427, L.29 89v-91r; Morales Padrón, 513-515.

⁵⁵⁴ Morales Padrón, 589-518.

The *Ordenanzas* were meant to bring order and clarity to the Spanish settlement policy in the Indies, not foment a reform that would spark yet another revolt from the encomendero class, depopulate already established communities, or bankrupt the royal treasury. In attempting to balance so many competing interests, the authors of the *Ordenanzas* created a document that suggested many possible visions of peaceful settlement.

The *Ordenanzas* make it clear that the primary mission of settlement expeditions is the promotion of the Church's evangelizing mission. Yet the process described was not the peaceful evangelism championed by Las Casas, but the crown's compromise position between the arguments of Las Casas and those of men like Sepúlveda in the early 1550s: an evangelical mission supported by the force of arms.⁵⁵⁵ The document also reflects the crown's ongoing ambivalence regarding the encomienda. While much of the language of the *Ordenanzas* is devoted to the creation of municipalities and the distribution of land in a manner reflecting both ancient practice in Castile and innovations in New Spain, it still allowed for the creation of new *encomiendas* of Indians in frontier regions even as the institution declined elsewhere. Additionally, several of the titles associated with the early years of the conquest, including the granting of the title "Adelantado" and the possibility of winning the title of "Marqués" achieved by the likes of Cortés and Pizarro, remained part of the *Ordenanzas* to inspire a new generation of expedition leaders, much to the chagrin of later viceroys.⁵⁵⁶

⁵⁵⁵ "Ordenanzas de descubrimiento," ordinances seventeen, twenty-six, thirty-six, one hundred forty-two, AGI Indiferente 427 L.29 70v, 72v, 74v, 92r-92v; Morales Padrón, 493, 495, 497, 516-517.

⁵⁵⁶ See the example of re-colonization of the formerly Muslim town of Guadahortuna in Nader, 86-88; "Ordenanzas de Descubrimiento," ordinances forty-two, fifty-two, fifty-three, fifty-six, eighty-eight, one hundred forty-four, and one hundred forty-eight, AGI Indiferente 427 L. 29 75v-81r, 93r-93v.

The *Ordenanzas* also sought to create a settlement policy that would not undermine the cities and estates already established in the Indies. The solution was to create mechanisms that would root the rootless population of Peru in the frontier, while leaving already established individuals in place. For instance, the *Ordenanzas* prohibited individuals who were already vecinos in or adjacent to the area to be settled to participate in new settlement expeditions. Instead, the *Ordenanzas* included a call for the children of these vecinos to establish vecindad in the new cities of the frontier.⁵⁵⁷ The *Ordenanzas* invited the king's indigenous subjects to take part in expeditions as paid auxiliaries, yet these participants could not already be vecinos in indigenous communities, where their departure would further depopulate the indigenous reducciones of the Indies, upon which so many depended for their labor. The *Ordenanzas* likewise prevented the departure of Indians from encomiendas for fear of offending the encomendero class. Instead, it was up to the encomenderos to grant otherwise unoccupied encomienda Indians permission to take part in any expedition.⁵⁵⁸ The document even encouraged Spaniards and Indians with criminal backgrounds to participate—just so long as there were no cases pending against them. In other words, frontier settlements would become *republics* of the available, settled by the loose peoples of the empire, the *gente suelta* by definition.⁵⁵⁹

⁵⁵⁷ “Ordenanzas de descubrimiento,” ordinance forty-five. AGI Indiferente 427 L.29 76r; Morales Padrón, 498.

⁵⁵⁸ “Ordenanzas de descubrimiento,” ordinance fifty. AGI Indiferente 427 L.29 76v; Morales Padrón, 499.

⁵⁵⁹ “Ordenanzas de descubrimiento,” ordinances forty-five, fifty-one, fifty-eight, seventy-seven. AGI Indiferente 427 L.29 76r, 77r-77v, 80v; Morales Padrón, 498-500, 503.

Audiencias, Viceroys, and Authorization

Peru's viceroys and, to a lesser extent, the president and oidores of the Audiencia of Charcas, were the ultimate arbiters of how the vision of frontier settlement laid out in the *Ordenanzas* would be executed on the ground.⁵⁶⁰ But as many of them would discover, the fact that the *Ordenanzas* contained, in effect, multiple potential visions for the frontier made it difficult to identify settlement projects that would meet the King's expectations. Which sites were appropriate for the kinds of settlement envisioned in the *Ordenanzas*? How could royal officials authorize private parties to fund and organize settlement expectations and still maintain oversight over the expedition's actions? To what extent could expedition leaders expect financial support from the royal treasury? And most important, how exactly was pacification different from conquest? The answers to these and other questions turned out to be highly subjective, and as such they regularly opened up viceroys and audiencia judges to criticism from multiple parties and even reproof from the king himself.

Francisco de Toledo would authorize the foundation of a number of *ciudades de españoles* during his tenure as viceroy, both before and after the promulgation of the *Ordenanzas de Descubrimientos*. The most important of these, in terms of its immediate impact on the viceroyalty, was the Villa Rica de Oropesa, or Huancavelica (1572),

⁵⁶⁰ As Scholl has recently described in detail, except for brief periods in 1583-1585, 1606-1607, and 1621, when there was no viceroy in Peru due to sudden death or departure, the success or failure of a particular claimant's charter proposal was ultimately at the mercy of the current viceroy and their particular policy regarding frontier settlement. While audiencia officials played a significant role in the petition process, it appears that only during the brief period between 1583 and 1585 was the Audiencia of Charcas able to sign charter agreements in its own right. Scholl, 345-347, 363-364, 375; Eugenia Bridikhina, *Theatrum mundi: entramados del poder en Charcas colonial* (La Paz, Bolivia, Plural Editores, 2007), 46; ABNB EC 1618.1, 2v.

founded to accompany the opening of the mercury mines that were essential to the amalgamation process that Toledo advocated within the critical silver mining sector. Toledo authorized the foundation of La Villa de San Francisco de la Victoria de Vilcabamba (1572), some seventy miles from Cuzco to celebrate his victory over the so-called “Neo-Incas” at their nearby jungle stronghold at Vilcabamba. Many of the rest, with the exception of a handful of towns near Lima and Cusco, were built in the one hundred leagues of space between the eastern edge of Peru and the settlements of Tucumán and Santa Cruz de la Sierra that was then considered to comprise the Eastern Andean frontier, including: Cochabamba (La Villa Real de Oropesa, 1571/1574), Córdoba (Córdoba de la Nueva Andalucía, 1573), Tarija (La Villa de San Bernardo de la Frontera, 1574), Tomina (Santiago de la Frontera, 1575), and Salta (San Felipe de Lerma, 1582, but authorized earlier).⁵⁶¹

Toledo was, thus, the first of Peru’s viceroys to attempt to implement the 1573 *Ordenanzas* within the areas under his jurisdiction. It was a challenge he shared with the viceroy of New Spain, Martín Enriquez de Almansa, who would become Toledo’s successor in Peru. Toledo was also among the first to be frustrated by the difficulty of implementing its almost utopian vision for the expansion of the empire, just as he was

⁵⁶¹ Zavala, 481; Levillier, *Gobernantes del Peru*, 4:126-127, 292, 312, 425, 443, 500; 5:201, 274, 371, 414, 457, 464, 474; 6:58, 207-211, 228, 299; AGI Charcas 17, 43, 142; AGI Lima 135, 290; Larson, 76-77; Ávila, 96-99, 114-115; Fernán Bravo, *Los viajes de don Jerónimo Luis de Cabrera* (Espártico Córdoba, 2006), 249; Miguel Solá, *Erección y Abolición del Cabildo de Salta* (Buenos Aires, 1936), 7, 26; Marta de la Cuesta Figueroa, *El Cabildo de Salta (1582-1825)* (Instituto de Investigaciones Históricas de Salta Consejo de Investigaciones de la Universidad Católica de Salta, 1998), 16, 23; *Relaciones Geográficas*, 1:185, 2:68; Luis A. Pardo, *El Imperio de Vilcabamba* (Cuzco, Perú: Editorial Garcilaso, 1972), 106, 129; Martín de Murúa and Manuel Ballesteros Gaibrois, *Historia General Del Perú*, 1a ed. Crónicas De América 35 (Madrid: Historia 16 (1987)), 304.

frequently exasperated by the poor planning and unrealistic expectations of the settlement expeditions and expedition leaders who arrived in Peru with authorization from the Council of the Indies.⁵⁶² His initial openness to a limited number of expeditions of discovery aimed at unconquered regions in the early 1570s was soon replaced with a staunch resistance, at least on paper, to any future expeditions into new lands by the end of the decade, excepting, of course, the two he led himself. His reports on the subject of discoveries and settlements towards the end of his tenure as viceroy reflect an increasing disillusionment. As he concluded in one particularly cynical letter in 1578, few of the expeditionary and settlement efforts that took place during his tenure as viceroy had the anticipated beneficial effects, the blame for which he placed not only at the feet of the settlers and expeditionaries, who failed to change their ways, but also the policies and policymakers themselves.⁵⁶³ However, despite his later frustration with frontier settlement efforts in general, the viceroy did acknowledge his role in founding these frontier cities and continued to support them with specific privileges, labor assistance, weapons and munitions, and various forms of financial assistance.⁵⁶⁴

⁵⁶² Sánchez Bello, 55.

⁵⁶³ Levillier, *Gobernantes del Peru*, 3:366, 1570; Zavala, 484.

⁵⁶⁴ “Comisión del virrey Francisco de Toledo a Luis de Fuentes” (La Plata, 1-22-1574), “Provisión del virrey Francisco de Toledo para dar una campana y hierros para hacer hostias a la villa de Tarija” (La Plata and Potosí, 12-3-1574 and 5-31-1575), “Provisión del virrey Francisco de Toledo para entregar mil fanegas de maíz para el sustento de Tarija” (Potosí, 1-19 to 5-1-1575), “Párrafo de una carta del virrey Francisco de Toledo a la Real Audiencia de Charcas” (Los Reyes, 6-8-1580), from Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:33-47, 217-218; “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135; “Carta de Tomina Sobre Friar Diego de Porres” (4-20-1582), AGI Charcas 142; Ricardo Beltrán y Rózpide, “Memorial que D. Francisco de Toledo dió al Rey Nuestro Señor,” *Colección de las Memorias o Relaciones que escribieron los Virreyes del Peru acerca del estado en que dejaban las cosas generales del reino*, Vol. 1 (Imp. del Asilo de Huérfanos del SC de Jesús, 1921), 80.

The president and oidores of the Audiencia of Charcas also played a significant role in executing the vision for frontier settlement laid out in the *Ordenanzas*, especially when doing so strengthened their autonomy vis-à-vis the Viceroyalty of Peru. While audiencia judges typically played an advisory role regarding settlement expeditions, they were quick to take advantage of the interregnum between the death of viceroy Martín Enriquez (1581-1583) in March of 1583 and the arrival of the Conde del Villar in late 1585 to organize a well-coordinated and generally successful war against the Chiriguano on multiple fronts. At the same time, they moved quickly to establish new settlements in the Eastern Andean frontier itself. Probably the first of these settlements, Miguel Martín's community of San Miguel de la Frontera, was destroyed in 1583 and served as the pretext for the audiencia to begin military reprisals against the Chiriguano. In 1584, Melchor de Rodas, the founder of Tomina, was granted the right to re-found Martín's community, which he renamed San Juan de Rodas, as well as a fort and settlement in a valley north of Tomina named Mojocoya.⁵⁶⁵ In a January 1588 letter to the Council of the Indies, written just before he sent them the map featured in Chapter 1, audiencia president López de Cepeda claimed to have planned and authorized four new frontier cities: Melchor de Rodas's San Juan de Rodas, Juan Ladrón de Leyva's community of San Juan de la Frontera de Paspaya, Pedro de Cuellar's at Concepción de Torremocha, in the Llanos de Manso, and the city of Cinti, north of Tarija, not far from Ladrón's community at Paspaya. All of these Spanish cities, said Licenciado Cepeda, served as a bulwark to defend indigenous reducciones in the highlands behind them. This brief burst of

⁵⁶⁵ "Servicios de don Melchor de Rodas," ABNB 1618.1, 1r-4r.

settlement activity was soon over, however, when the arrival of Enriquez' successor again limited audiencia leaders to an advisory role in matters of frontier settlement.⁵⁶⁶

Later viceroys Fernando de Torrez y Portugal, the Marqués de Villar (1585-1589), and García Hurtado de Mendoza, the Marqués de Cañete (1589-1596), both had frontier settlements established during their tenures, but appear to have played little role in the charter proposal process that resulted in their authorization. It is quite possible that Pedro de Segura's community, San Juan del Villar, or simply "El Villar," was founded during the Conde del Villar's tenure (and in his honor), as may have been the forts built at Mojocoya and Pomabamba. But we know little about the viceroy's attitude towards the founders of these communities beyond Villar's own lukewarm attitude towards frontier settlement in general.⁵⁶⁷ San Lorenzo el Real de la Barranca and its short-lived satellite community, Santiago del Puerto, were founded during García Hurtado de Mendoza's tenure as viceroy. He did sign San Lorenzo's charter with Suárez de Figueroa's lieutenant, Gonzalo Solís de Holguín. However, plans to establish what became San Lorenzo at the foot of the eastern Andes near a place the "Llanos de Grigotá" had already been in motion at the audiencia level for some time, while the actual settlement was established just after Hurtado de Mendoza arrived in Peru.⁵⁶⁸

⁵⁶⁶ "Carta a Su Magestad en su Real Consejo del Licenciado Cepeda" (January 13, 1588), AGI Charcas 16; "Sobre los Meritos y Servicios de Don Melchor de Rodas," ABNB EC 1618.1, 1r-4r; Levillier et al, *Audiencia de Charcas* 2:256; "Auto Constando la Campaña contra los chiriguanaes" (Tarija 3 Sept. 1586), Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:255; "Mapa de la cordillera," AGI Mapas y Planos Buenos Aires 12.

⁵⁶⁷ El Villar appears on Cepeda's 1588 "Mapa de la cordillera," AGI Mapas y Planos Buenos Aires 12; Pifarré dated Villar to 1582 in his map on page 542; Scholl, 382.

⁵⁶⁸ Mujía, 3:104-118; The foundations of San Lorenzo and Santiago del Puerto appear in "Documentos asociados con don Lorenzo Suárez de Figueroa," AGI Charcas 44, 23v, 27r; Scholl, 389; García Recio, 58; Finot, 238-239.

Although faced with as many as eight settlement proposals at the turn of the seventeenth century, Viceroy Luis de Velasco y Castilla (1596-1604) would find that almost none of the proposals accomplished the ideal mix of selflessness and pragmatism demanded by the *Ordenanzas*.⁵⁶⁹ Francisco de Borja, the Principe de Esquilache (1615-1621), struggled to halt settlement expeditions that had become a drain on the royal treasury and failed to generate large numbers of new converts for the Church. In his view, the avarice displayed by the expedition leaders Diaz de Guzmán and Escalante y Mendoza, who had quickly moved to parcel out captured indigenous peoples to soldiers and settlers, had violated the crown's vision of peaceful settlement and voluntary indigenous service.⁵⁷⁰

Conclusion

In April of 1611, the Marqués de Montesclaros, then at the midpoint in his career as viceroy of Peru (1607-1615), responded to a letter that the king had written nearly two years previously. In this earlier letter, the King had expressed concern about the ongoing problem of the “poor Spanish commoners” (*gente humilde y pobre*) who refused to work in professions that were appropriate for their training and social status. And he inquired if they couldn't simply be categorized as vagabonds and punished as they would be in Castile, by forcing them to labor in the mines or banishing them from the region. In his response, Montesclaros admitted that such prudent advice would be a perfectly

⁵⁶⁹ Mujía, 3:55-56.

⁵⁷⁰ “Da cuenta el virrey de las causas que le movieron para terminar las entradas de Rui Diaz de Guzman y don Pedro de Escalante,” in “Gobierno no. 33” (March 27, 1619), AGI Lima 38; “Gobierno no. 34” (4-17-1618), AGI Lima 34.

acceptable solution to the problem of idle people (*gente ociosa*) “in any well-ordered republic,” but Peru was rather different. The people in question would simply spread out into the countryside to such an extent that no farm (*chácara*), *tambo*, or indigenous town would be safe from robbery or the insolent acts that such persons would commit against them. “In cities,” observed Montesclaros, “one is able to attend to such things.” Once there, local ministers of justice could keep an eye on them, “and achieving that would be no small thing.”⁵⁷¹

At this point in his career, Montesclaros was by no means naïve regarding the difficulties of governing Peru. As he would caution the king in the same letter, “one mustn’t think that what has been perverted and ravaged in the eighty or more years that have passed since [Peru’s] conquest could be put in order and remedied in a sensible manner,” or least according to strategies used elsewhere. Laws that functioned in Castile to regulate vagrancy simply would not function in a land where “everyone uses the title ‘Don’ or call themselves ‘soldiers’ and ‘persons of importance’ (*pretensores*) as soon as they arrive in Peru.” But while he had many suggestions for how to address the problem of the *gente suelta* in Peru, Montesclaros continued to believe that cities played a key role in both maintaining security in the region and protecting native peoples from abuse. The

⁵⁷¹ “Dicho e a VM alguna otra vez la prudencia que pide el uso de este medio su puesto que aviendo tan pocos pueblos de españoles en estas provincias quando se pudiese (como podría) conseguir el echar dellos la gente ociosa medio usado (vuelta) i admitida en qualquiera republica bien ordeada vendra a parar en que vivan por los campos esparadamente sin que aya chacara sigura tambo ni pueblo de indios donde no roben i hagan el golpe de sus insolencias sin que se les pueda resistir ni defender i asi sin embargo que en las ciudades se vive con algun cuidado desto donde se pone i deve poner mayores en acosarlos [hacer correr] de pueblos pequeños y asientos de minas que quando desto resultase venirse a donde los ministros de justicia que en las ciudades ay los puedan tener a la vista no se abra conseguido poco (April 3, 1611), in “Cartas y expedientes de virreyes de Perú,” AGI Lima 36.

alternative, the unregulated mingling of peoples in the countryside, would merely expose the king's indigenous subjects to further abuse. In Spanish cities, vagrants could be subject to more familiar modes of surveillance and perhaps even compelled to return to the trades they had practiced in Spain. While his predecessor, Luis de Velasco, had little regard for settlement expeditions, Montesclaros would approve at least eight separate settlement expeditions within the viceroyalty of Peru, including three into the Eastern Andean frontier. And although Montesclaros left behind a number of documents that emphasize his rejection of Spanish America's dubious "soldier" class and their orientation toward conquest, he regularly underscored his commitment to the Crown's "peaceful settlement" approach to frontier development.⁵⁷²

However, much like his predecessors, Montesclaros would find this vision of "settlement without conquest" (*poblar y no conquistar*) to be difficult to execute in reality.⁵⁷³ And he found the *Ordenanzas* to be a particularly unhelpful instrument for achieving these ends. In referencing a settlement proposal written more than thirty years after the promulgation of the *Ordenanzas* of 1573, Montesclaros wrote of his frustration with the many honors and privileges requested by one potential expedition leader: "Because beyond the fact that it will open the door to lawsuits, the instructions and ordinances that deal with this were made in times when one would request many things

⁵⁷² "Copia de carta que escribió el Marqués de Montes claros Virrey del Peru al Capitan Diego de Contreras," Mujía, 3:178-180; "Del Estado en que se hallaba el reino del peru, hecha por el excmo. Señor don Juan de Mendoza y Luna, Marques de Montesclaros, al excmo, señor príncipe de esquilache, su sucesor," Beltrán y Rózpide, 1:172, 201; Scholl 457; Pilar Latasa Vassallo, *Administración virreinal en el Perú: gobierno del marqués de Montesclaros, 1607-1615* (Editorial Centro de Estudios Ramon de Areces, 1997), 623.

⁵⁷³ Scholl, 425, 450-458.

that, today, are no longer opportune.”⁵⁷⁴ As we will see in the next chapter, the *Ordenanzas*, in fact, permitted a wide range of different visions for how the city-republics of the frontier could be organized. Yet these different visions of frontier settlement also provide us with a window into conversations surrounding the place of the *gente suelta* in Charqueño society at the turn of the seventeenth century.

⁵⁷⁴ “Porque demás que esto es abrir Puerta a pleitos, las ynstrucciones y ordenanzas que desto tratan se hicieron en tiempos que pudieron pedir muchas cosas que oy no son a propósito,” AGI Lima 36 N8 L6, 27-27v; Latasa Vassallo, 625-626.

Chapter 4. Imagined Cities and Subjects in the Eastern Andes:

1574-1624

Introduction

In late 1596, Don Pedro Ozores de Ulloa put forward a plan for conquering a section of the Eastern Andean frontier and establishing two new cities in the conquered territory. As a wealthy silver magnate living in Potosí, he had the means to tackle the logistical challenges of outfitting and feeding a small army by himself. His extensive military record in the King's service in Europe and Peru would have instilled prospective participants with confidence in his leadership abilities. As the lieutenant captain general of the viceroyalty of Peru and former corregidor (regional magistrate) of the city of Potosí few prospective expedition leaders could match his political clout and personal connections. The forty-seven-point charter petition that Ozores de Ulloa delivered to the audiencia president and oidores in La Plata in November of that year reflect his vision for a new society in the lowland frontier. But owing to the complexities of viceregal politics, Ozores's plan would never become reality, just one effort among many to reimagine the future of the Eastern Andean frontier at the turn of the seventeenth century.⁵⁷⁵

Between 1574 and 1624, would-be conquerors petitioned the king for the right to lead expeditions into and establish settlements in the territory of the indigenous Chiriguano, the Andean foothills and plains east of the Upper Peruvian cities of La Plata and Potosí. Many of these petitions would fail. In their proposed charters, petitioners

⁵⁷⁵ Pedro Ozores de Ulloa (1596), AGI Patronato 29 R41.

attempted to balance their idealized visions for frontier society with the practical concerns of organizing an expedition at a time of straitened financial resources and a shrinking labor market. While presented as efforts to expand the king's domains and the bounds of Christendom, the evident goal of these privately-funded ventures was to win privileges commensurate with those of Peru's fading *encomendero* class for the petitioners and their principal supporters. Although the king relied on these private citizens to carry out his expansive policy regarding the pacification and settlement of the frontier, the king and his officials in Charcas were also determined to resist anything that ran counter to the king's own vision for the king's frontier subjects. Yet even royal officials disagreed amongst themselves about how best to accomplish the vision laid out in the *Ordenanzas* of 1573. As a result, the officials of the Audiencia of Charcas were frequently at odds with individual viceroys over how and when to carry out specific components of that vision.

This protracted conversation between petitioner and petitioned authority, captured in sequences of charter drafts and amendments, raised significant questions about the role of Peru's *gente suelta* in the pacification and settlement of the Eastern Andean frontier. Could frontier settlements fulfill the king's redemptive vision and transform the disorderly social elements that besieged Charcas into ideal citizens and defenders of the frontier? Could the region's growing Spanish and mixed-race transient population, its fugitive African and Indian slaves and servants, and its unconquered peoples, be drawn into productive service and knit together into something approaching the two-republic system described in the jurisprudence of the Indies? Who would be granted full

citizenship in these new communities and become members in a new urban elite and what rights would they possess? Who would labor in their fields and serve in their households? What legal status would these laborers possess within the households of their new masters? And lastly, could people of African descent be citizens, or must they be subjects? Answers to these questions varied significantly from petitioner to petitioner, and from official to official. Yet I argue that the ensuing conversation begins to flesh out the circumstances under which people of low social status and mixed ancestry might find opportunities for social and material advancement in the frontier. And while the circuit that would connect the fortunes of the Eastern Cordillera to the problems of Potosí and the politics of the Spanish court was a temporary one, the Spanish communities established in the frontier would survive both the decline of the mining sector and the retreat of many of the Spanish Empire's civil and ecclesiastical institutions over the course of the long seventeenth century.

The vision that Ozores's 1596 petition sketches out for the future of the frontier remained within the limits set out in the *Ordenanzas* of 1573. Yet these limits still allowed for a surprising variety of individual visions of communities and jurisdictions in the Eastern Andean frontier. As the universal template for charter petitions, the *Ordenanzas* created a shared language that each party then used to illustrate their particular vision for how to bring order to lost peoples and structure to disrupted space. Yet the precise terms of the charters for towns or settlement expeditions were contested between crown officials and expedition leaders. Ozores de Ulloa's forty-seven points were forty-seven different concessions or capitulaciones that constituted the specific

services that don Pedro wished to offer the king in exchange for specific rights and privileges. Each charter served as a blueprint for a new community that would reproduce Spanish society in a conquered territory.

The creation of new cities and towns involved constructing a physical infrastructure of streets and buildings and forming a community of people who would live together. The *Ordenanzas* sought to shape both of these critical elements of city planning by instructing city founders in the construction of the city's *urbs*, early modern parlance for the physical city, and its *civitas*, its lived community. But while petitioners were almost entirely silent on the matter of their settlements' *urbs*, tending to follow the *Ordenanzas*' guidelines with little comment, they do speak to elements of a settlement's *civitas*, and, more precisely, to matters of social and moral order within the community, called *policía*. These moments within otherwise highly formulaic documents suggest plural notions of frontier society, from those that seem to echo the king's more idealistic vision to those energized by the accomplishments of the first generation of Spanish conquerors and encomenderos,⁵⁷⁶

In many ways, the inchoate *civitas* of planned communities began with the organization of the expedition itself. And in their charters, the petitioners situated themselves as the principal architects of their highly organized and hierarchical imagined societies. Expedition leaders were called general, captain, or lieutenant captain and *justicia mayor* of their jurisdictions, making them the principal local authorities both in matters of war and in the administration of civil and criminal justice. The founder would

⁵⁷⁶ Kagan and Marías, 19-20, 26-27.

also appoint the town's *cabildo* or city council with its various officials, the size and composition of which was often specifically detailed in the charter document. Charters even differentiated prospective vecinos, effectively its local nobility and propertied class, from the community's free and forced laborers.⁵⁷⁷

Several of the extant charter documents from this time show only the final version of the agreed upon rights and responsibilities of a prospective expedition leader and city founder. But others include earlier drafts of these documents, and even multiple drafts in which it is possible to observe how petitioners negotiated specific terms. In at least one case, several drafts of petitions and responses reveal how petitioners protested the limits placed on them, or privileges not granted them. While nearly all of the charters referenced in this chapter describe settlements that petitioners intended to found in the Eastern Andean frontier, in some instances, I do also reference examples of contemporaneous charters for comparable frontier settlement projects to add depth to the discourse on several subjects. Although the language of the *Ordenanzas* clearly provides the linguistic and conceptual framework under which these conversations would proceed, this language, together with the occasional well-placed allusion to actual practices, allowed for a wide variety of imagined frontier jurisdictions and societies. Some petitioners hoped to become governors, others wished to be granted extensive landholdings and large numbers of indigenous servants, and most sought some title of

⁵⁷⁷ In Ozores de Ulloa's case, he proposed a community of eighty to one hundred vecinos. He would gather indigenous laborers from the chacaras (intensively-work agricultural fields) of Tarija, Tomina, Paspaya, Mizque and other sites, and some 150 Jurie Indians from Tucumán. AGI Patronato 29 R41.

nobility for themselves and their followers, and sometimes even membership in one of several prestigious military orders.⁵⁷⁸

City of Vagabonds

For a time, Potosí was the epicenter of a highly mobile and persistent discourse regarding the *gente suelta*. From its humble beginning as a collection of huts in 1545, the former mining camp had become the most famous and the most populous city in the New World by the beginning of the seventeenth century: the Villa Imperial de Potosí.⁵⁷⁹

Although the precise number will never be known, at its height, Potosí had a population of somewhere between one hundred thousand and one hundred sixty thousand people, big enough to rival, and perhaps surpass, the populations of Seville and Madrid, Spain's largest cities at that time.⁵⁸⁰ At thirteen thousand one hundred feet, the high-altitude city was located at the foot of the Cerro Rico, where the city's mines were located. Its scarred, bare peak, topping out at around seventeen thousand feet, was a constant reminder, if any was needed, that mining was the lifeblood of the city.⁵⁸¹

⁵⁷⁸ See Solís Holguin in AGI Charcas 28 R11 N116 and AGI Lima 39; Viceroy Montesclaros made extensive margin notes in a draft of Diego de Contreras's petition in "Como presente diego de contreras la cédula y las papeles sobre las poblaciones que se ofrece hazer en los chiriguanaes. Recivio el memorial el virey que ynvia con su parecer al margen" (1613), AGI Lima 36; Another example from this era is the petition of don Gerónimo Luis de Cabrera, grandson of the founder of Córdova, and his petition to lead an expedition to "la tierra de los Cesares" in 1619. The margin notes are by one Nicolás de Guevara, probably an escribano serving the Príncipe de Esquilache, the viceroy of Peru. AGI Lima 39.

⁵⁷⁹ Waltraud Q. Morales, *A Brief History of Bolivia* (New York, Checkmark Books, 2004), 23.

⁵⁸⁰ Morales, 23; Crespo Rodas, *Esclavos Negros*, 28-29; Madrid and Seville were said to have populations of one hundred thirty thousand to one hundred fifty thousand in the early seventeenth century. According to Casey, Madrid grew from forty-five thousand by 1597 to one hundred fifty thousand by the mid seventeenth century (32, 153-154).

⁵⁸¹ Bakewell, 5-6.

It was a racially divided city. Potosí's Spanish population, and probably the majority of its African population, clustered near the city center, which was platted according to the familiar gridiron of Spanish urban planning techniques in the Americas. This urban core was surrounded on every side by suburbs housing the majority of the city's indigenous population, generally an unplanned tangle of streets and houses. The largest of these suburbs lay on the southern side of the city where Potosí's *Ribera*, a water channel where the silver refineries were located, separated the suburb from the Spanish core along its northern edge. To the south, the native Andean suburb pressed up against the slopes of the Cerro Rico itself.⁵⁸² Just as Potosí's population at its zenith is not clear, the city's demographics are likewise uncertain. A rather questionable 1611 census of the city placed the indigenous population at less than half of the total population.⁵⁸³ A 1603 account of the city from the *Relaciones Geográficas* paints a somewhat different picture of city, suggesting that the city's Spanish and African populations, combined, constituted only one of the city's fourteen parishes. The rest were composed entirely of indigenous parishioners. But the general demographic contours of the city did appear to include a sizeable Spanish population made up both of peninsular Spaniards and those born in the Indies, a population of probably several thousand people of African descent, and finally an indigenous majority or near-majority, a reminder of the regime of forced indigenous corvée labor called the *mita* that kept the city's mines, mills, and markets functioning.⁵⁸⁴

⁵⁸² *Ibid.*, 12.

⁵⁸³ Arzans, 1:276; Reprinted in Crespo Rodas, *Esclavos Negros*, 29.

⁵⁸⁴ *Relaciones Geográficas*, 1:378; Cole, 145.

By comparison, the city of La Plata, Potosí's smaller neighbor, was a center of stability. Likely established in 1540 on the orders of Francisco Pizarro, La Plata was the first Spanish city in what would become the Audiencia of Charcas. Founded in the midst of what had been the indigenous Charka community of Chuquisaca, La Plata served as a base from which prospectors would set out in search of silver, and where the community's leaders, most of them newly appointed encomenderos, began to collect information about the potential threat of an indigenous group they were beginning to call the Chiriguanaes (Chiriguano). The city became the capital of the Diocese of Charcas in 1552, the Archdiocese of La Plata in roughly 1609, and also served as the regional headquarters for the Dominicans, Franciscans, Augustinians, and Mercedarians. In 1558, La Plata was also named the center of the newly established Audiencia of Charcas, although its ministers did not arrive in the city until 1561. The city had a hospital, where it served the poorest residents, and a university, San Francisco Xavier, one of the first in the Americas, which served the children of the region's wealthiest and best connected vecinos. Thus, while Potosí was the center of the region's mining sector, La Plata was its center of administrative, political, and religious life.⁵⁸⁵

Where Potosí sprawled upon the frigid altiplano, La Plata was tucked into a well-watered, temperate valley in the Eastern Andean foothills. The cathedral, town hall, municipal jail, and most sumptuous houses surrounded the city's central plaza, from which streets spread out neatly at right angles across the valley. A comfortable city of

⁵⁸⁵ Bridikhina, *Theatrum Mundi*, 138-141; Presta, "Encomienda, Family," 49; Presta, "Desde la Plaza," par 2; Quintanilla, *Historia de la Iglesia de la Plata*, 1:113-115; Barnadas, 515-519.

encomenderos and ranchers, merchants and shop owners, priests and royal officials, La Plata more clearly evoked the memory of Spain than rugged Potosí. However, it largely replicated Potosí's complex social divisions, albeit in miniature. East and north of the city's center, the indigenous parishes of San Lázaro and San Sebastián absorbed a growing population of indigenous leaders, laborers, artisans, and shop owners. And while Spaniards likely made up a more significant fraction of La Plata's population than they did in cosmopolitan Potosí, roughly two thousand six hundred Spanish men and women in a total population of perhaps fourteen thousand, the city also contained substantial populations of mestizos, *mulatos*, and Africans, both enslaved and free, who not only lived in the households of the most well-to-do in the center of town, but also resided, along with poor Spaniards, in the indigenous parishes. And like Potosí, La Plata was a magnet for travelers: a steady stream of merchants, agricultural laborers, and individuals of all backgrounds who sought a hearing before the *audiencia*'s ministers. What La Plata lacked in size and notoriety, it made up for in political clout and discursive acumen.⁵⁸⁶

Large as Potosí would become in reality, it loomed larger in the Spanish imagination. For some, Potosí was Peru. Despite its great distance from all possible ports of entry, some travelers felt that they had not really arrived in Peru until they reached the city and beheld its legendary mountain.⁵⁸⁷ The city's great wealth, promoted in letters home and plain to anyone who had ever been to ports of Cádiz and Sevilla, pulled a multitude of people there, drawn, as Juan de Matienzo once lamented, "by the smell of

⁵⁸⁶ Vázquez de Espinosa, 853-854, 857-859; Bridikhina, 140-141; Presta, "Desde la Plaza," par. 24.

⁵⁸⁷ Alonso Vázquez Dávila Arze (Potosí, 1-1-1596), AGI Charcas 44.

silver.”⁵⁸⁸ While the fact that large numbers of vagabonds and other transients were a disruptive presence in Potosí was repeated by several generations of royal and ecclesiastical officials, the precise number seems limited only by the imagination of the authors of the complaints. Jerónimo de Tovar y Montalvo, once *fiscal* of Charcas, essentially a lawyer representing the crown’s legal position in Charcas, suggested that some three hundred vagabonds resided in the city in 1595. The next year, in a letter to the king, Diego Vazquez de Arce, the son-in-law of Audiencia President Juan López de Cepeda, suggested there were two thousand “gente moza, baldía, y desocupada”⁵⁸⁹ involved in no other tasks than adultery, robbery, and murder. The 1603 account of Potosí in the *Relaciones Geográficas* suggests that there were between seven hundred and eight hundred if not more unoccupied men in the city. Rumors of Potosí’s vagabonds even reached an English-speaking audience by 1625 when Samuel Purchas claimed to have learned from a captured Limeño sailor that some “fifteen hundred shifting card-players” lived in the city.⁵⁹⁰

Such inconsistencies in estimates of the population of the gente suelta in Potosí underscore the fact that there were no clear criteria for identifying such persons. As was true in other parts of the Indies, observers were more certain about who the gente suelta were not: vecinos, parishioners, hacendados, or licensed travelers. Into this negative

⁵⁸⁸ “Juan Sánchez a su mujer Eulalia García, en Mirandilla” (3-8-1557), Otte and Romero, 518-519.

⁵⁸⁹ young, shiftless, unemployed people.

⁵⁹⁰ Tovar y Montalvo (2-20-1595), AGI Charcas 17 R6 N39. Also in Levillier et al, *Audiencia de Charcas*, 3:247-258; AGI Charcas 44 for 1593-1596; *Relaciones Geográficas*, 1:379; Bradley and Cahill, 49, 52; For more on card playing, see editorial in *Relación de la Entrada a Los Chiriguanos*, 58.

space of perceived identity was projected all of Potosí's ills, including its violence, its amorality and licentiousness, its insolence, and its public and excessive consumption of clothing and merchandise from both Europe and the Orient. But to read the official reports it seems that the *gente suelta* could be anyone, not simply single Spaniards, but mestizos, free blacks, *mulatos*, Indian forasteros, and foreigners of any nation. The one-time bishop of Charcas, Alonso Ramírez Vergara, in letter written during his journey from Panama to La Plata, captures both the complexity and hyperbole surrounding any common definition for the *gente suelta*:

These kingdoms are also full of persons from Spain without license from your majesty, and those who pass in this way are fugitives, murderers, thieves, and people who come fleeing their creditors, and for crimes and finally divisive people of slight conviction—the apostate friar, the suspended priest, these all pass in their millions, and there are more of them than those who bring a license from your majesty.⁵⁹¹

This is not to say that Charcas did not have its share of individuals who were, for some reason or other, fleeing the past. Enrique Otte's collection of letters from the Indies includes the 1580 admission of Gonzalo Riba Valdés, writing from La Plata, to his father in Oviedo, Spain where he confesses that he had deliberately hidden his whereabouts and activities from his family for twenty years.⁵⁹² Or the 1582 letter of Cristóbal Ramírez de Montalvo, also in La Plata, to his brother in Sevilla, where he mentions his hope for a pardon for a murder he had committed in Spain.⁵⁹³ Perhaps whether a person was fleeing from a troubled past, which was how officials of all stripes tended to view things, or

⁵⁹¹ Bishop Alonso de Vergara (Panama, 5-20-1596), AGI Charcas 135.

⁵⁹² "Gonzalo Ribas Valdés a su padre Alvaro Hernández de Ribas, en Oviedo" (Las Charcas, 3-24-1580), Otte and Romero, 505-506.

⁵⁹³ "Cristóbal Ramírez de Montalvo a su hermano don Rodrigo de Montalvo, en Sevilla" (La Plata, 12-1-1582), Otte and Romero, 507.

fleeing towards a prosperous future, which was how people tended to describe themselves, was a matter of interpretation. In any event, the relatively unlimited category of people perceived to be *suelta* could include anyone that observers perceived to be social and spatially out of place in Potosí and Charcas.

Whether or not the theoretical category of the *gente suelta* enjoyed as vibrant an existence in fact as they did in the official imaginary, there plainly was a class of men who lived up to the running stereotypes. Such persons were often called *soldados* or soldiers, but in the late sixteenth and early seventeenth century, *soldados* did not signify a class of professional soldiers, which almost did not exist in Spain or the Indies. Instead, it was often used as more of a pejorative term for migrants from Spain and other parts of the Indies who travelled from place to place in search of employment. In other words, they were the *gente suelta*. In addition to the criminal acts ascribed to them, the *gente suelta* were regularly accused of excessive consumption of scarce resources, particularly fashionable clothing articles imported from Spain and elsewhere in the Indies. These men did not skulk, they wished to be seen. Fashionably-dressed men (*galáns*) strolled the length of the *Calle de las Mercaderes*, one of the city's principal streets, running east and west just north of the Ribera. They gathered to see and be seen at the city *coliseo* on the *Calle de la Comedia*, where Potosinos viewed the latest plays of Spain's Golden Age. Nearby some of them played *pelota vasca*, an early Iberian form of handball, against the walls of the theater. They congregated in the *Plaza del Regocijo*, the city's main plaza, where Potosí's town hall, royal mint, royal treasury, and main church were located, and where the held city its public festivals and executions, which amounted to much the same

thing. The Regocijo was also the setting of many of the most visible scenes of violence in the tensions between Basques and the “Vicuñas,” generally Spaniards and mestizos with roots in the same Andalusian and Extremaduran Spanish communities and kinship networks that produced the first generation of Peru’s conquistadores.⁵⁹⁴

But when these men weren’t prospecting for silver in the *cerro* and the valleys nearby, they were mostly scattered about the city. Those who were not billeted in the *casa poblada* of a patron in town stayed in one Potosí’s many inns or *tambos* with colorful names like The Star (*La Estrella*), The Barley (*La Cebada*), The Ravine (*La Quebrada*), and The Negro’s Way Station (*Tambo del Negro*). They could be found carousing outside of one of the city’s *pulperías* or general stores, located on nearly every street corner in Potosí, where they kept themselves supplied with food, wine, and, frequently, illicit goods. Others could be found playing a hand of *pintas* indoors in the city’s *chicherías* (taverns), where they drank *chicha*, an Andean corn beer, elbow-to-elbow with Spaniards and foreigners from all over the Americas and Europe, not to mention the Africans, *mulatos*, mestizos, and native Andean customers who also frequented such places.⁵⁹⁵ One street near Potosí’s principal market square, called the *Gato* or *Kjato*, had so many taverns that it was simply known as “Chicha Street.”⁵⁹⁶ Fiscal Tovar y Montalvo complained that there were some twenty gaming houses and dance schools in the city, all of which catered to young *galáns*. The Potosino historian Arzans thought there had also been four fencing schools in the city, each catering to a

⁵⁹⁴ Arzans, 1:cxxxii, 391.

⁵⁹⁵ “Informe sobre el problema de delincuentes,” AGI Charcas 43; Mangan, *Trading Roles*, 48, 51, 55; “Visita de la Audiencia de La Plata por Francisco de Nestares Marín,” AGI Escribania 863a.

⁵⁹⁶ Mangan, *Trading Spaces*, 90; Arzans, 1:cxxxii, 391.

different segment of society, including one for Spaniards from southern and central Spain, one for northern Spaniards, one for Basques, and one for mestizos, *mulatos*, and Indians that was taught by an Irish soldier.⁵⁹⁷ After listing the number of unoccupied men he believed to inhabit the city, the anonymous author of the 1603 *Relación Geográfica* of Potosí thought it only natural to mention there were also one hundred twenty non-Indian prostitutes in town, not counting indigenous women who were also paid for sex. For the author, including vagrants and prostitutes in the same paragraph seemed a natural association.⁵⁹⁸

A great deal has been written about the influence that Potosí's massive demand for foodstuffs, labor, and other goods had in shaping the production of regions from Quito in the northern Andes to Chile and the Río de la Plata far to the south. This demand played a critical role in the history of Peru's frontier regions as well. Various frontiers troubled viceroys like Francisco de Toledo, but the one that most concerned the mining elite of Potosí and the Audiencia of Charcas was that which lay immediately to the south and east of these cities, the Eastern Andean frontier.⁵⁹⁹ The frontier was a source of danger, but to some it was also an opportunity. Given the expenses associated with settlement expeditions, it was Potosí's silver barons, merchants and, to a lesser extent, La

⁵⁹⁷ Arzans, 1:324.

⁵⁹⁸ *Relaciones Geographicas*, 1:370.

⁵⁹⁹ See Matienzo's warnings about the dangers of the frontier in "De la Audiencia de los Charcas," *Gobierno del Perú*, Segunda Parte, cap. IV:216-219; "Carta a S.M. del Licenciado Ruano Tellez, fiscal de la Audiencia de Charcas" (2-20-1585), AGI Charcas 16 in Levillier et al, *Audiencia de Charcas*, 2:191-199; "Carta a S.M. del Licenciado Cepeda, dando noticia de haber poblado las fronteras de los Chiriguanos" (10-01-1592), AGI Charcas 17, in Levillier et al, *Audiencia de Charcas*, 3:153-161; "Carta a S.M. del dr. Arias de Ugarte sobre la necesidad de... poblar las fronteras de los Chiriguanaes" (11-10-1600), AGI Charcas 17, in Levillier et al, *Audiencia de Charcas*, 3:457-459; "Carta de Pedro de Lodeña, Corregidor de Potosí" (4-12-1606), AGI Charcas 18.

Plata's audiencia officials who had the financial means to fund a private settlement expedition, not to mention the political influence to secure sought-after privileges. Some, like Don Pedro Ozores de Ulloa stood at the intersection of both mining wealth and political influence. A major actor in the development of the reservoir system that provided a constant flow of water for Potosí's silver refineries, he was later corregidor of Potosí for five years and lieutenant captain general for the Viceroyalty of Peru in Charcas for nine.⁶⁰⁰ Hernando Xaramillo de Andrada was a well-known merchant, based out of Lima, who made regular business trips between Peru and Spain, usually accompanied by several servants and a Congo slave. The value of the trade goods that Xaramillo registered in Seville in the 1590s often dwarfed those of other merchants of the day. The merchant appears to have moved his operations to Potosí by 1595, when he was chosen by the city's merchants to represent their interests during the collection of the *alcabala*, and was later elected as one of the Alcaldes Ordinarios of the city.⁶⁰¹ Xaramillo de Andrada also had a personal connection to the frontier: he was married Elvira de Chávez, one of the daughters of Ñuflo de Chávez, the founder of Santa Cruz de la Sierra.⁶⁰² Other expedition leaders with known mining interests included don Luis de Fuentes y Vargas (the founder of Tarija), Juan Porcel de Padilla (Fuentes's heir), Pedro Espínola y Luna (a key actor in the Cinti and Pilaya region), Gonzalo Solís de Holguin, and Pedro de

⁶⁰⁰ AGI Patronato 29 R.41; "Confirmación de Encomienda de Ancoyo," AGI Lima 199, N26; "Informaciones: Pedro Ozores de Ulloa," AGI Lima 215 N4.

⁶⁰¹ "Hernando Jaramillo de Andrada" (1590), AGI Indiferente 2098 N114; Lutgardo García Fuentes, *Los Peruleros y El Comercio de Sevilla con las Indias, 1580-1630* (Sevilla: Universidad de Sevilla, 1997), 42, 48, 55, 58, 83, 91, 92, 131, 132, 158; *Libros de Acuerdos del Cabildo Secular de Potosí* (Sucre: ABNB, 2012), 1:220, 338, 339, 2:959, 1076, 1083, 1089, 1091, 1092, 1101, 1105, 1118, 1122, 1125, 1137.

⁶⁰² Hernando Sanabria Fernández, *Crónica sumaria de los gobernadores de Santa Cruz (1560-1810)* (Santa Cruz de la Sierra, Bolivia: Editorial la Hoguera, 2008), 58.

Escalante y Mendoza (the founder of several towns in the region that become known as Vallegrande).⁶⁰³

The wealth of Potosí and its insatiable demand for goods was without question a key factor in the transformation of the lowland valleys adjacent to Potosí and La Plata into vineyards and sugarcane fields. As friar Lizárraga noted during the first decade of the seventeenth century:

All of the towns that Spaniards have settled and are settling in the province of the Charcas, we can say that Potosí settles them. Spaniards are inspired to enter the mountains of the Chiriguano and found towns in oppressively hot valleys, full of the plagues I have referred to, because they are confident that they can take to [Potosí] all of the fruits of their labor. Potosí conquers all.⁶⁰⁴

Antonio Vazquez de Espinosa writes about the already extensive sugarcane fields and vineyards in valleys to the east and south of Potosí, including Oroncoto, Pilaya, and Paspaya. Here the author's imagined itinerary for locating these valleys in space uses Potosí as the main reference point. Even *procurador* Juan de Ybarra's rather disingenuous claim that the owners of Potosí's largest silver mines and mills, called "açogueros" locally, were buying properties in Pilaya and Paspaya because they were losing faith in the future of mining underscores the close relationship between silver production in Potosí and the sugar and wine produced for the Potosino market in adjacent lowland valleys over the course of the seventeenth century.⁶⁰⁵

⁶⁰³ Porcel, *Documentación Inédita de Tarija*, 11; Ávila, 40; *Libros de Acuerdos*, 2:39; "Don Pedro Espínola de Luna," AGI Charcas 418 L3, 148r-148v; "Informaciones: Gonzálo Solís de Holguín," AGI Charcas 82 N5; Porcel, *Documentación Inédita*, 11, 23.

⁶⁰⁴ Lizárraga, 89.

⁶⁰⁵ Dressing, 30, 32.

Power, Ambition, and the Eastern Andean Frontier

The individuals who petitioned the crown for the opportunity to lead settlement expeditions into the Eastern Andean frontier varied greatly in military experience, wealth, and social standing. Some, like don Pedro, were members of Potosí's mining elite, others were merchants or government functionaries, and some could best be described as frontiersmen. Most had been born in Spain, and not a few had spent a considerable part of their youth embroiled in European wars as soldiers in one of Spain's infantry units. Don Pedro Ozores de Ulloa had been present at the Battle of Lepanto. Later he was captured by Turkish forces at the fall of Tunis in 1574, but had the means to arrange his ransom instead of spending the rest of his life chained to a galley oar, as was common for prisoners on both sides of the Mediterranean.⁶⁰⁶ Don Pedro Espínola y Luna appears to have fought at the Battle of Punta Delgada in the Azores in 1582.⁶⁰⁷ And don Pedro Luis de Escalante y Mendoza had served in various actions against the Dutch in Flanders.⁶⁰⁸ Of the rest, nearly all had acquired the bulk of their military experience in the Americas. Some had pursued English and Dutch pirates in the Caribbean or along the Pacific coast, some had fought against other unconquered indigenous peoples in Chile and the Río de la Plata, and others had put down internal indigenous uprisings or pursued bands of soldier outlaws. But in spite of their sometimes-extensive periods of military service, probably none could claim to be professional soldiers.⁶⁰⁹

⁶⁰⁶ Pedro Ozores de Ulloa, AGI Patronato 29 R.41.

⁶⁰⁷ Pedro Espínola y Luna, AGI Charcas 44.

⁶⁰⁸ Melgar y Montaña, 170; Sandóval, 35-36.

⁶⁰⁹ Diego de Contreras, AGI Charcas 48; Lockhart, *Spanish Peru*, 155-156.

Petitioners for Settlements in the Eastern Andean Frontier			
Name	Date	Location	Approved
Luis de Fuentes y Vargas	1574	Tarja	yes
Melchor de Rodas	1575	Tomina	yes
García Mosquera	1583	Pueblo en la Cordillera	no
Miguel Martín	1583	San Miguel de la Laguna	yes
Juan Lozano Machuca	1584	none stated	yes
Juan Ladrón de Leyva	1584	San Juan de la Frontera de Paspaya	yes
Melchor de Rodas	1584	San Miguel de la Laguna/San Juan de Rodas	yes
Gonzalo de Solís Holguín/Lorenzo Suárez de Figueroa	1592	San Lorenzo el Real de la Barranca	yes
Pedro Ozores de Ulloa	1596	Ciudad	no
Diego Quintela de Salazar	1596	Fronteras de Cinti y Pilaya	no
Pedro Espínola de Luna	1598	Pilaya y Paspaya	no
Hernando Xaramillo Andrada	1602	Frontera de Chiriguanaes	no
<i>Cabildo</i> de Tomina	1602	Villa de Santiago de la Frontera de Tomina	yes
Pedro López de Zavala	1602	Ciudad en el Palmar	no
Francisco de Alfaro	1604	Villa de Salinas del Río Pisuerga	yes
Martín de Ormaeche	1606	Población del Valle de Pilaya	no
Diego de Contreras	1609	Dos Pueblos o Ciudades	no
Pedro de Escalante y Mendoza	1612	Ciudad de Jesús de Montescarlos de los Caballeros	yes
Juan Porcel de Padilla/Juan Porcel de Peralta	1614	Nueva Vega de Granada/Ciudad de las Torres	yes
Rui Díaz de Guzmán	1614	San Pedro de Guzmán, Fuerte de Magdalena	yes
Gonzalo de Solís Holguín	1620	San Bartolomé de Esquilache de los Torococies	yes
Gonzalo de Solís Holguín	1624	Población de Mojós	unknown

Figure 3. Petitioners for Settlements in the Eastern Andean Frontier.

The petitioners also stood at different places within the social hierarchy of Peru and Charcas. Don Diego Quintela de Salazar arrived in Peru in 1585 as one of the gentleman knights (*caballeros*) in the retinue of the newly invested viceroy, the Conde de Villardompardo, often parsed as the Conde del Villar, and Diego de Contreras claimed to have travelled in the company of the viceroy as well. Don Pedro Ozores de Ulloa appears to have enjoyed the support of both the Conde de Villar and his successor, the Marques de Cañete, during his nine years as lieutenant captain general of Peru. That quite a few of the petitioners were regularly referred to by the title “don,” at this early date, suggests that they could claim noble status of some sort. But several of the petitioners clearly hoped for more. Diego de Contreras, Gonzalo Solís Holguín, and don Gerónimo Luis de Cabrera, a creole from the city of Córdoba, all hoped to acquire the title of Marqués for their efforts.⁶¹⁰

On the other end of the social scale, petitioners García Mosquera, Pedro López de Zavala, and Rui Díaz de Guzmán were mestizos, the sons and grandsons of Spanish conquistadors and women from Paraguayan Guaraní communities. Díaz de Guzmán and López de Zavala were both grandsons of Domingo Martínez de Irala, the longtime governor of the Asunción community in Paraguay. The mestizo García Mosquera was López de Zavala’s brother-in-law, married to the mestiza daughter of the Tomina settler General Pedro de Segura. All three men shared linguistic, cultural, and, perhaps, familial connections to the Guaraní-speaking Chiriguano communities that were unavailable to

⁶¹⁰ AGI Patronato 29 R41; Diego de Contreras, AGI Charcas 48; Diego López de Rivera, AGI Contratación 5229 R20; “Carta del Virrey del Perú, Principe de Esquilache” (4-24-1620), AGI Charcas 28 R11 N116; Gerónimo Luis de Cabrera, AGI Lima 39; See del Vas Mingo on the inclusion of the Marqués title in the Ordenanzas, and the Crown’s general unwillingness to grant it, 91.

the other petitioners. At times, these connections made them sought after individuals. Mosquera was particularly well known for the services he rendered to Viceroy Toledo as an interpreter and guide on his ill-fated 1573 military expedition into the frontier. But such connections were just as likely to make them notorious in many circles. Mosquera the interpreter and guide was also known for collaborating with the Chiriguano to maintain an illegal trade in indigenous peoples whom the Chiriguano had captured in the lowlands. Moreover, the three men also struggled under the social and practical limitations faced by many criollos: the taint of illegitimacy, persistent doubts about their loyalty to the king, and limited financial means.⁶¹¹

While the Mosquera/Segura clan was tied together via bonds of blood and marriage, many of the petitioners in this study were long-time associates or former comrades-in-arms. Diego de Contreras, *procurador* of the city of Potosí, lauded the good word and extensive experience of García Mosquera. Contreras also spoke to the services of don Diego Quintela de Salazar in one of the latter's efforts to receive compensation for his services and those of his father. Don Pedro Espínola y Luna was able to turn out a host of notables to testify to his services in his efforts to gain approval of his charter petition with the *audiencia*. Quintela Salazar and Ozores de Ulloa both knew the former soldier when he was stationed at the Callao presidio. Luis de Fuentes y Vargas, the founder of Tarija, spoke to Espínola's contributions to the logistical challenges of settling the Pilaya and Paspaya. These efforts of mutual advocacy and bonds of patronage between men at different stages of their military and civil careers played a significant role

⁶¹¹ On the Segura/Mosquera clan, see the excellent work of Thierry Saignes, *Ava y karai*, 59-62, 69; Díaz de Guzmán, 39-40.

in linking men of means and political influence to individuals willing to trade their future services for arms, equipment, and a regular seat at a patron's table.⁶¹²

Potosí had brought some of the petitioners wealth, but the eastern frontier promised to yield them a measure of authority and social status on a potentially massive scale. Military expeditions and settlement plans required a theater of action. A disorderly, barbaric space, a *rusticitas*, was to be filled with authority and order, with *policía*. Given the already complex web of frontier jurisdictions and imagined geographies of orderly and disorderly spaces in the Cordillera, almost the first task of a petitioner was to locate for their audience the setting of their proposed expedition within what was known of frontier geography and sketch out the boundaries of their imagined domain. The town or towns that they hoped to found within this defined space were not simply points in a vast frontier, but hubs from which the civilizing force of Spanish law and the Church would spread to completely fill the petitioner's jurisdiction. First the just violence of the king's subjects would overwhelm and overthrow the might of the land's indigenous masters in a regrettable war *a fuego y a sangre* against the Chiriguano, the Yuracaré, and other groups. But peace, as it was understood at the time, would flow into the breach created by conquest as the land itself was civilized through its division among an elite citizenry and its development under the tutelage of the ploughshare and the hoof print. The newly conquered space would bring healing, too, to fractured frontier jurisdictions, knitting

⁶¹² Saignes, *Ava y karai*, 90; Diego Quintela Salazar, AGI Charcas 83 N2; AGI Charcas 44.

together sundered itineraries of space and time, by creating a new terminus in the east to rival the conceptual heft of Potosí and La Plata to the west.⁶¹³

As an imagined jurisdiction, the frontier became a field upon which petitioners might project their social ambitions. Spatially speaking, the ambitions of some petitioners were relatively modest. Pedro Lucio de Escalante's corregimiento would merely fill in the gap that separated known jurisdictions, including the governorship of Santa Cruz, the corregimiento of Mizque, and the corregimiento of Tomina. Only its tantalizingly unbounded northern border with the unconquered Yuracaré offered any opportunity for conceptually limitless expansion. Quintela Salazar and his successor Espínola y Luna both hoped to build a new corregimiento-sized jurisdiction out of previously unconquered spaces near Pilaya and Paspaya, but they also hoped to enlarge their imagined jurisdiction by attaching to it small areas that then belonged to the corregimiento of Tarija.⁶¹⁴

Others had much larger spatial ambitions. In Peru, governorships were generally much larger jurisdictions than corregimientos, and governors were typically invested with somewhat wider powers than corregidores, including, at times, the authority to create new encomiendas or organize military expeditions. Governors were sometimes even granted authority over adjacent corregimientos, albeit generally for brief periods. Given these wider powers, the title of governor was particularly prestigious within the hierarchy of civil posts.⁶¹⁵ In Ozores de Ulloa's extant 1596 charter, he envisioned himself as the governor of a greatly expanded governorship of Santa Cruz de la Sierra, to which he

⁶¹³ AGI Patronato 29 R41; AGI Lima 135; don Pedro Espínola y Luna, AGI Charcas 44; Melgar y Montaña, 67-72; Gerónimo Luís de Cabrera, AGI Lima 39.

⁶¹⁴ Pedro Espínola y Luna, AGI Charcas 44; Ávila, 106-07.

⁶¹⁵ Lohmann Villena, *El Corregidor de Indios*, 308-316.

would annex the then separate corregimientos of Tomina and Mizque. As governor, Ozores de Ulloa would then be invested with the right to grant encomiendas of Indians to settlers, giving don Pedro powers quite similar to those of the viceroys of New Spain and Peru. In addition to all of this, he hoped to be given the title of Marqués for his pains, much like what had once been granted to Pizarro and Cortés. Such a request was reasonable, don Pedro argued, a just repayment for personally financing a much-needed expedition out of his own fortune. Diego de Contreras made similar claims in his own bid for the governorship of Santa Cruz de la Sierra and a marquesado for himself. Solís Holguin, in his efforts to conquer the region known as Mojos, imagined governing a space that not only included the then-current boundaries of the Santa Cruz governorship, but also regions he would conquer to the north and west. He added to this the region previously conquered by the then-deceased Escalante to the southwest, where Solís then owned extensive properties. Like Ozores de Ulloa and Contreras, Solís de Holguin hoped to be named Marqués, but added to this the title of “Adelantado,” something he felt had a right to claim for having founded three cities in the frontier, citing the language of the *Ordenanzas* to support his claims. For their part, the Audiencia of Charcas not only refused to grant him these last two requests, but laid out requirements for attaining such titles that were so impossible to meet that it was clear they never intended to grant such requests in the future. Such roadblocks are a reminder that not every law that came out of the King’s court was executed by his officials in the Americas. It was evident that

ordinance or no ordinance, the king's representatives in Charcas wanted no Pizarros in the periphery of Peru.⁶¹⁶

Others imagined that their efforts would lead to the creation of an entirely new governorship in the Chiriguanía, in effect resurrecting the older governorship and jurisdiction once claimed by Andrés Manso. López Zavala proposed to establish his settlement on the banks of the Parapetí River, as Manso had, at the heart of the Chiriguanía. But to this vast lowland jurisdiction he hoped to add the corregimiento of Tomina, where much of his extended family already lived and owned property, bringing the boundaries of his imagined jurisdiction right up to La Plata's doorstep. Xaramillo de Andrada, who completed his petition in the same year as López Zavala, was still more ambitious, not only appending all of the settlements of the corregimiento of Tomina to his imagined governorship in the Chiriguanía, but also the corregimientos of Pilaya and Paspaya, and even that of Tarija. Such a massive jurisdiction would have put him in charge of some of Potosí's principal breadbaskets and wine-producing regions while also placing him at the head of a district that would link the governorships of Santa Cruz to the north and Tucumán to the south. For a merchant familiar with the risks of trans-Atlantic trade with family ties to frontier elites, the prospect of sitting atop such a potentially dynamic engine of new wealth was a worthwhile investment.⁶¹⁷

Yet even if they were successful in receiving authorization for their settlement expeditions, petitioners were gambling with their futures. In their efforts to achieve their

⁶¹⁶ Diego de Contreras, AGI Charcas 48; Diego de Contreras, AGI Lima 36; "Carta del Virrey del Perú. Príncipe de Esquilache," AGI Charcas 28 R11 N116; AGI Patronato 29 R41.

⁶¹⁷ AGI Patronato 29 R41. This imagined jurisdiction would include Tomina, Lagunilla, Sopachuy, Pilaya, Paspaya, and the Villa de Tarija.

personal ambitions, potential settlement founders risked losing the wealth and prestige they had already won in the Americas. The career of Juan Ortiz de Zárate serves as a sobering reminder of this fact. Ortiz de Zárate arrived in Peru in the 1530s, at around the time of the founding of Lima.⁶¹⁸ By the 1550s he had acquired an extensive military record, a number of high-status civil posts in La Plata and, thanks his encomiendas, rural properties, mines, and homes in La Plata and Potosí—tremendous wealth for the period.⁶¹⁹

But wealth was not enough for Juan Ortiz de Zárate. A Basque from a Bilbao merchant family, Ortiz de Zárate had little more than small-town claims to *hidalguía* and a family history of local military, civil, and lay ecclesiastical posts to set him apart from the many men competing for influence and prestige in sixteenth-century Peru.⁶²⁰ His service in military and entrepreneurial activities marked him as a man of special ability, and he certainly lived the expected lifestyle of an *hidalgo* with his *casas pobladas* in La Plata and Potosí and estates scattered across Peru. But as Ana María Presta has pointed out, he sought a level of social recognition and status that only an exalted military or civil post and a noble title, the prefix “don,” would bring him.⁶²¹ And for that he had to do something much bigger than hold prestigious posts in La Plata or command middling expeditions against Spanish rebels.

⁶¹⁸ Presta, “Encomienda, Family,” 175-182.

⁶¹⁹ *Ibid.*, 176.

⁶²⁰ *Ibid.*, 166-167, 182, 211.

⁶²¹ *Ibid.*, 225.

Ortiz de Zárate sought the governorship of the Río de la Plata. Established in 1549, the governorship of the Río de la Plata was certainly a prestigious and powerful post. Ortiz de Zárate had sought the governorship in the 1550s, until the Girón uprising led him to abandon this plan.⁶²² He tried again in the 1560s. In early 1566, Audiencia of Lima President and interim Viceroy Lope García de Castro appointed Ortíz de Zárate as interim governor of the Río de la Plata.⁶²³ His capitulaciones, written in the years immediately preceding the *Ordenanzas* of 1573, include six paragraphs of Ortíz de Zárate's responsibilities, twenty rights and privileges for himself as well as the settlers who accompanied him, and three additional grants to the interim governor himself.⁶²⁴ For this, Ortiz de Zárate offered to pay some twenty thousand *ducados* to outfit the expedition, recruit five hundred men as settlers, two hundred of whom would need to be tradesmen and farmers or skilled laborers, thousands of head of cattle, sheep, goats, and horses, provisions, and enough military and mining equipment and farm implements to settle five cities in the governorship.⁶²⁵ Of the many rights Ortiz de Zárate was granted that enabled him to recruit settlers, organize settlements, and effectively govern, the ones he must have coveted most were his title of governor of Río de la Plata, a post that came with an income of four thousand ducados annually, the title of "Adelantado" of the Río

⁶²² Ibid., 211.

⁶²³ Presta, "Encomienda, Family," 212; "Carta a Su Magestad del oidor Matienzo" (La Plata, 7-20-1567), Levillier et al, *Audiencia de Charcas* 1:223; Paul Groussac, "La Segunda Fundación de Buenos Aires. Juan de Garay. Documentos del Archivo de Indias, Asunción, Generales Mitre y Garmendia," *Anales de la Biblioteca Nacional X* (Buenos Aires, 1915); Levillier, *Gobernantes del Peru*, 9:160-164; Levillier, *Nueva Crónica de la Provincia del Tucumán*, 14-15; "Carta del licenciado Castro a Su Magestad" (Los Reyes, 3-27-1566), in Levillier, *Gobernantes del Perú*, 3:163-164; "Carta del Licenciado Castro, Dirigida al Consejo de Indias" (Los Reyes, 4-2-1567), Levillier, *Gobernantes del Perú*, 3:242-243.

⁶²⁴ Asiento con Juan Ortíz de Zárate," AGI Patronato 29 R22.

⁶²⁵ Presta, "Encomienda, Family," 218.

de la Plata, an additional mark of prestige and authority, the Habit of the Order of Santiago and, above all else, the title of *marqués*. These were the same privileges and honors that later prospective expedition leaders would seek in their own settlement and expedition charters, privileges that were nearly always denied them by *audiencia* judges and later viceroys. Ortiz de Zárate was provisionally granted them all—if he accomplished his end of the bargain.⁶²⁶

Of course, his is a story of failed ambition. Twenty thousand *ducados* was more money than even Ortiz de Zárate and his extended family had on hand. They would have to borrow the rest on credit, as was the norm in the day, and for all their connections they found this exceeding difficult to do. Despite his recruiting efforts in Spain, Ortiz de Zárate could not find the two hundred skilled artisans and agricultural laborers he was supposed to recruit, and instead is said to have filled out his roster with some four hundred settlers, many of whom were Seville's poorest and most marginal residents, its own *gente suelta*. He arrived in the Río de la Plata in 1573 with three poorly provisioned ships. According to Ana Presta, two of Ortiz de Zárate's five cities had already been founded by his lieutenants before he arrived: Villa Rica del Espíritu Santo (Guairá, Paraguay) and Santa Fe de la Vera Cruz. Ortiz de Zárate would himself found a city he called San Salvador next to the Uruguay River. His settlement efforts far from complete, Ortiz de Zárate died in Asunción in early 1576, leaving his family fortune encumbered by unpaid debts from his expedition and other financial activities. His estate fell into

⁶²⁶ Groussac, "La Segunda Fundación de Buenos Aires. Juan de Garay. Documentos del Archivo de Indias, Asuncion, generales Mitre y Garmendia"; Presta, "Encomienda, Family," 217.

disarray without his leadership. In Charcas, Ortiz de Zárate's sole heir, his mestiza daughter doña Juana de Zárate, enjoyed at least some measure of the social standing that her father had desired throughout his life, but a much-reduced financial position.⁶²⁷ His extended family, however, was largely ruined by the venture.⁶²⁸

Attracting Expeditionaries

In their petitions, prospective expedition leaders generally described the size of the force they planned to raise, the places they hoped to find them, and their expectations about how they would advertise their plans. At the heart of their difficulties in getting an expedition off the ground was funding for these largely private ventures. Expedition leaders undoubtedly hoped to attract a core of well-to-do individuals who had the means to at least partially outfit and sustain a number of the expedition's soldiers. Thus, they haggled with authorities over the number of military officers they could appoint for the military portion of the expedition as well as the future composition of the cabildo of the new towns they would settle. All of these details mattered when it came time to move beyond drafting the capitulations to finding supporters who were willing to gamble their patron-client networks in a risky frontier settlement project.

Although myths of cities of gold and silver hidden like El Dorado in the lowland plains did retain considerable power around the turn of the seventeenth century, expeditions to the eastern frontier were a tough sell. In the famous account of Catalina de Erauso, known as *la monja alférez*, Erauso describes how she and her fellow soldiers

⁶²⁷ Presta, "Encomienda, Family," 230.

⁶²⁸ *Ibid.*, 220.

filled their hats with gold dust on the shores of the Dorado River during Pedro de Leaequi's 1614 campaign against the Chunchos, who lived in the lowland region far to the north of Santa Cruz de la Sierra, called Moxos.⁶²⁹ Solís Holguín's plan to conquer places he calls Moxos and Paitití are references to such mythical traditions within the *cruceño* community, as is the mountain of silver called Saipurú that López Zavala intended to discover in his expedition. In Tucumán, Gerónimo Luis de Cabrera's reference to the Tierra de los Cesares taps into a similar mythical tradition in the Río de la Plata region.⁶³⁰ But such myths could not compete with the very real wealth to be gained in the mining sector at Potosí itself or in one of the many smaller mining outposts opening up across the Central and Southern Andean highlands, especially after 1600.⁶³¹ By contrast, previous expeditions into the eastern frontier had yielded no gold or silver of any kind, as was probably widely known. Because of this general lack of concrete riches, petitioners needed to offer other inducements to drum up interest.⁶³²

At the core of the settlements that petitioners proposed to create in the frontier were the community's elite, its *vecinos*. Frontier towns were structured in such a way as to reproduce Spanish society in a new place, and an essential feature of Spanish society was the uneven distribution of social and economic resources according to the social status or *calidad* of individual settlers. To be named a *vecino poblador* or elite settler in a new town yielded significant and tangible assets. An expedition leader received a substantial portion of the land the expedition had wrested from its indigenous inhabitants,

⁶²⁹ Erauso, 78; Heidi V. Scott, 114.

⁶³⁰ Gerónimo Luís de Cabrera, AGI Lima 39; Patronato 29 R41.

⁶³¹ Domínguez, 128.

⁶³² AGI Patronato 29 R41.

up to a quarter of the total, and an additional quarter was also allocated to the town itself. But the *vecinos* theoretically divided up everything else amongst themselves—about half of the expropriated land. *Vecinos* also received lots within the town itself, generally near the town's plaza, its center of ecclesiastical and civil authority, a spatial expression of the new social hierarchy. These social and financial benefits signified a potentially substantial return for participants who contributed their wealth and personal connections to support the tactical and military requirements of the expedition. The number of *vecinos* that petitioners proposed to form the initial *civitas* of the communities they hope to found was generally quite modest. Vásquez de Espinoza thought Potosí, a metropolis, had some four thousand *vecinos* around 1610, while Mizque, a small but significant settlement, had some two hundred. In the *Ordenanzas* of 1573, new towns required a minimum of only thirty *vecinos*.⁶³³ The thirty *vecinos* that don Pedro Lucio de Escalante y Mendoza agreed to settle in the Ciudad de Jesús de Montesclaros is a reference to this expected minimum while the eighty to one hundred *vecinos* that Ozores de Ulloa proposed to settle in two different cities reflects a somewhat more ambitious plan, rather in keeping with the character of the petitioner himself.

But the number of *vecinos* that appear in the final versions of settlement charters obscures the struggles that often occurred between royal officials and petitioner as both sides sought to hammer out an agreement that answered their particular needs. Whatever the petitioner's initial proposal, royal officials, and it seems the Audiencia of Charcas in particular, often pushed petitioners to agree to recruiting more *vecinos* and soldiers, even

⁶³³ Mundigo and Crouch, 253, 262.

while they were slow to supply additional financial support for weapons and munitions or agree to drafts of indigenous labor. Sometimes they appeared to arrive at such a conclusion after consulting with local officials with experience in frontier warfare and settlement in the region, such as the experts consulted regarding Miguel Martín's settlement proposal for San Miguel de la Frontera in 1583.⁶³⁴ Petitioners seem to have been barred from recruiting vecinos and residents of other frontier communities. Martín, for example, was not allowed to remove vecinos from Tomina to found San Miguel. The fear, it seems, was that settling communities in this way would threaten the survival of other frontier communities, undermining the effort to increase the population of Spanish settlers in the region.⁶³⁵ The impulse to increase the size and scope of settlement expeditions was likely also a response to the constant push to remove unoccupied "soldiers" from Potosí and La Plata, either in an effort to carry out the Crown's plan of rooting such individuals in the frontier as vecinos or continuing the more cynical practice of sending troublesome individuals on expeditions with the hopes that many of them would not return.⁶³⁶

Yet petitioners often found even the minimum number of vecinos to be excessively high. Hesitation on their part seems reasonable given the difficulty of recruiting prospective vecinos, and because only a tiny proportion of the territory where these individuals hoped to found their communities were particularly apt for the creation of market-oriented agricultural estates.⁶³⁷ In the 1580s, both Miguel Martín and Juan

⁶³⁴ Mujía, 2:562-573.

⁶³⁵ *Ibid.*, 2:567.

⁶³⁶ Kelly, *Australia franciscana*, 4:473, 512; Lockhart, *Spanish Peru*, 163.

⁶³⁷ "Descripción de la Villa de Santiago de la Frontera de Tomina," CDIAO 9:318.

Ladrón de Leiva balked at the audiencia's demand that they include more vecinos in their proposals, requiring Ladrón de Leiva to found his community with thirty vecinos and Martín with no less than forty.⁶³⁸ Ladrón de Leiva, who had proposed to found the community of San Juan de la Frontera with only twenty vecinos, particularly protested this demand, citing the limited space available in the Paspaya and Supas valleys, narrow river valleys that descended into the Pilcomayo basin to the east, for the kinds of estates that would draw potential citizens. He suggested to audiencia officials that they consider the grown sons of some of his settlers as well as some of the other men attached their households, some of whom, he declared, were "hombres de posible," potential settlers in circumstances like these.⁶³⁹

His frustration seems well founded given that the *Ordenanzas* of 1573 did in fact authorize the foundation of communities with of a core of as few as twelve vecinos under certain circumstances—so long as at least ten of them were married men. This decision may have responded to historical precedent—Lima was supposedly with twelve vecinos, as was the Villa de la Plata.⁶⁴⁰ The number may also have had a certain appearance for religious reasons, perhaps referencing the twelve apostles.⁶⁴¹ In 1596, perhaps in recognition of the difficulties of the task and the limited appeal of the region, Diego Quintela de Salazar was authorized to re-found the struggling settlements in the valleys of Cinti and Pilaya with only twelve men. Yet even with backing from a number of Potosí's city council members, the task proved to be too much for Quintela de Salazar,

⁶³⁸ Mujía, 2:562, 584; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 No. 4, 7r-13v.

⁶³⁹ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N4, 11v.

⁶⁴⁰ Presta, "Desde la Plaza," par. 2.

⁶⁴¹ Mundigo and Crouch, 253, 260, 262.

who transferred his rights to leadership of the community to Pedro de Espínola y Luna in 1598.⁶⁴² In his capitulaciones, Miguel Martín was allowed to create the defensive nucleus of his community at San Miguel de la Laguna, a simple fort, with only eight men. Yet he was expected to have at least thirty vecinos in place in the community within four months, and forty soon after. That Martín failed to accomplish even this minimal defensive task would have disastrous consequences to himself and the others with him.⁶⁴³ In other cases, authorities deemed the minimum to be insufficient for the task proposed. As Scholl has recently observed, García Mosquera submitted a proposal in 1583 at about the same time as Martín in which he offered to found a town adjacent to the Saucés River, near Manso's abandoned settlement.⁶⁴⁴ According to surviving documentation, this proposal was initially rejected because the thirty vecinos he proposed to equip for the expedition were deemed too few for establishing a settlement in the heart of the frontier. Some fifty or more were considered to be a better number. Mosquera, in his zeal to receive authorization for his proposed settlement, offered to take some seventy men. In the end, the audiencia opted to support Martín's settlement proposal over Mosquera's, as it was likely the more actionable plan of the two.⁶⁴⁵ Whatever their number, a community's prospective vecinos formed only a small part of the total participants in a settlement expedition. Below them in the new social hierarchy stood a group of sometimes several hundred soldiers and often nearly as many indigenous and mixed-race soldiers, porters, drovers, and teamsters. Yet the vecinos played the principal role in

⁶⁴² AGI Charcas 44, 2v, 3v, 4v, 13r.

⁶⁴³ Mujía, 2:585.

⁶⁴⁴ Scholl, 347.

⁶⁴⁵ Mujía, 2:546.

shaping the new community's *civitas*, comprising not only pinnacle of its social structure, but also its spiritual and moral order.⁶⁴⁶

In addition to reproducing a hierarchical society in a new place, expeditionaries were expected to establish a patriarchal one. On a certain level, this would go without saying in Charcas at the turn of the seventeenth century. In reality, that the issue of marriage appears at all in settlement and expedition charters from the period is a reflection of both the king's regulations regarding marriage and the petitioners' awareness of this requirement. The rhetoric surrounding marriage as it appears in the *Ordenanzas* of 1573 should be read in the context of the instructions that viceroys like Francisco de Toledo and Martín Enriquez received during period, as described in the previous chapter. In the *Ordenanzas* of 1573, out of the thirty vecinos that represented the minimum number of settlers in a new community, at least ten should be married men. As stated above, this supposed minimum could be further reduced to as few as twelve vecinos, but the minimum number of married vecinos could not change—ten of the twelve vecinos would have to be married men.⁶⁴⁷ In this way, the *Ordenanzas* created a mechanism by which marriage and family could be packaged and itemized like the other human and material resources that were essential to the creation of stable settler communities in the frontier.

Petitioners seemed to understand that a significant proportion of the men they recruited as vecinos or soldiers for their expeditions needed to be married men. While not

⁶⁴⁶ Vázquez de Espinosa, 832, 845.

⁶⁴⁷ Mundigo and Crouch, 253.

all charter documents reference marriage directly, those that do so suggest that married vecinos and soldiers would form between one third and one half of potential settlers.⁶⁴⁸ Yet it was not enough for petitioners to claim to have a significant number of married expeditionaries in their midst—they had to prove it. While few archives preserve the associated paperwork, the specific items mentioned in charter agreements had to be observed by a royal official and a full account of the individuals and equipment collected for the expedition was supposed to be written down and notarized. As a comparative example, in his 1619 capitulaciones for the *Tierra de los Césares* in what is now Patagonia, don Gerónimo Luis de Cabrera was specifically directed to assemble his expedition for inspection on two occasions—first in the city of Córdoba where he would receive a certification from the city’s *justicia mayor*, and later when the expedition neared the Río Quinto and the city of San Luís, where it would be inspected by an official from that community.⁶⁴⁹ As part of his capitulaciones with the Marqués de Montesclaros, Juan Porcel de Padilla submitted to an inspection of his expedition recruits and supplies by Martín de Ormaeche, a wealthy Potosino who was then lieutenant corregidor of Potosí, in early July of 1616. Included in this demonstration was a complete listing of the eighty-seven men who participated as settlers or soldiers in the expedition. The counting took place in the convent of San Agustín in the city of Tarija on July 6, where all of the

⁶⁴⁸ Gerónimo Luis de Cabrera, AGI Lima 39; don Pedro Espínola y Luna, AGI Charcas 44; Merced granted to Alvaro Henriquez del Castillo by the Marqués de Montesclaros for the conquest of Santa María de los Desamparados, Motilones y Tabaloses (1614), in *Juicio de Limites entre el Peru y Bolivia. Contestación al alegato de Bolivia*, edited by Victor M. Maúrtua (Buenos Aires: Imprenta de G. Kraft, 1907), 3:10-16; “Asiento de Juan Ortíz de Zárate,” AGI Patronato 29 R22; Diego de Contreras (1609), AGI Charcas 48; Hernando Xaramillo Andrada (1602), AGI Patronato 29 R41; don Pedro Espínola y Luna (1598), AGI Charcas 44.

⁶⁴⁹ Gerónimo Luis de Cabrera, AGI Lima 39.

participating officers and men gathered to hear Porcel read aloud the various grants and privileges that would be given to settlers by the former viceroy, the Marqués de Montesclaros. It was at this time that an inventory of the participants was created, including a listing of the weapons they carried, their *naturaleza*, their marital status, and their physical description.⁶⁵⁰ Of the eighty-seven settlers and soldiers counted there, thirty-five claimed to be married, and the names of their wives and the number of their children was also noted in the inventory. But Ormaeche did not simply take the soldiers' word for it. After this initial inventory of soldiers, Ormaeche then toured the city of Tarija, led by Porcel and his officers, who proceeded to visit the women in question in their homes, to observe *con vista de ojos* if the men's claims were true. Of the thirty-five wives, only twenty-five were known to be living in Tarija. Four others were living in Potosí, three in La Plata, and the rest were scattered in rural estates throughout the frontier. Their existence would need to be proven at another time. Of those residing in Tarija, nineteen women were found to be at home. The rest had gone to oversee work in their fields and vineyards. None, it seemed, had bothered to attend the formal reading of the rights and privileges their husbands and sons would be receiving by participating in the expedition, nor were they drawn to the spectacle taking place in the convent of San Agustín.⁶⁵¹

Requiring such a large proportion of expeditionaries to be married men must have added to the difficulties associated with recruiting participants. Correspondence from this

⁶⁵⁰ Porcel, *Documentos Inéditos de Tarija*, 29-30.

⁶⁵¹ Porcel, *Documentos Inéditos de Tarija*, 30-36.

time suggests that men often chose to marry only after they had established themselves to some extent, often with a base in one of the chief cities of Charcas. It seems unlikely that married men would long commit to a new settlement that did not quickly provide them with the kind of lifestyle they expected as a result of their labors: noble status, abundant lands, and Indian laborers.⁶⁵² But despite the importance that the crown placed upon married settlers, in the available charters for the eastern Andes of Charcas, only Xaramillo de Andrada seems to consider that a married settler might have specific needs in a new settlement. After all, he argues, the Eastern Andean frontier was not a land of gold or silver, and the only thing that might draw a married soldier to it, even with the promise of land, was some kind of assurance that they would also have an indigenous labor force to work it.⁶⁵³ Such expectations from prospective expeditionaries would have put additional pressure on expedition leaders to secure an agreement with royal authorities that would have the potential to yield such benefits.

While many charters included at least some references to frontier patriarchs, they say very little about the role of women in the frontier. To some extent, this ambiguity reveals the extent to which the military objectives of imagined expeditions and the king's vision of peaceful settlement were at odds. In a plan contemporaneous with those directed at the Eastern Andean frontier, to conquer the mythical land of the Césares in the southern Río de la Plata region, leader Gerónimo Cabrera clearly saw women as a

⁶⁵² “Pedro Valero a su madre Catalina Martínez, en La Gartera” (Potosí, 12-1-1576), Otte and Romero, 525-526; Contreras, 30 married men with women, in AGI Charcas 48; Ozores de Ulloa only uses the word “mujer” to describe female slaves in AGI Patronato, 29, R.41; Espínola y Luna only references women when referring to female yanaconas in AGI Charcas, 44.

⁶⁵³ Xaramillo de Andrada (1602) AGI Patronato 29 R41; “Méritos y Servicios de Juan Ladrón de Leyva” (1585), AGI Patronato 136 N4, 12v.

nuisance to the proposed military campaign and hoped to exclude them. He later moderated this prohibition, but only slightly, in allowing up to twelve soldiers' wives to accompany the expedition, the bare minimum required to conform to the king's *Ordenanzas*.⁶⁵⁴ Even in those charters where petitioners describe plans for their imagined settlements in relative detail, nearly all focus their attention on married soldiers while remaining entirely silent about the soldiers' wives. Diego de Contreras's statement that he expected his expedition to include not only thirty married settlers but also their wives a noteworthy exception.⁶⁵⁵

Yet agreements like that of Cabrera and Contreras tell us nothing about how expedition leaders planned to provide for the wives and families of their married soldiers. Only a handful of letters, like the one sent by Isabel de Guevara to the princess Juana, written from Asunción in the 1550s, suggest something about the invaluable role played by women under similar circumstances.⁶⁵⁶ Where women do play a significant role within the imagined communities of the charter petitions is in the discussion of enslaved African and indigenous women and female yanaconas—in other words, those imagined as the progenitors and sustainers of the settlement's all-important indigenous labor force. The eighty-three slaves that Juan Porcel de Padilla inventoried as accompanying the expedition formed a significant proportion of total expeditionaries. Of this group, more

⁶⁵⁴ Gerónimo Luís de Cabrera, AGI Lima, 39.

⁶⁵⁵ Alvaro Henriquez del Castillo, whom the Marqués de Montesclaros authorized to lead an expedition to settle the province of Santa María de los Desamparados, Motilones y Tabalosos in 1614, agreed take 170 soldiers, or at least 130 *a armas tomar*, of whom one third would be married. He also agreed to allow married men to bring their wives on the expedition. *Juicio de Límites entre el Perú y Bolivia. Contestación al alegato de Bolivia*, 3:11.

⁶⁵⁶ *Cartas de Indias*, Justo Zaragoza ed. (Madrid: Manuel G. Hernández, 1877), 619-621.

than half, forty-three, were women and girls. In Pedro de Espínola y Luna's 1596 charter proposal, the twenty-five married and twenty-five unmarried settlers that Espínola proposed to bring to the frontier were dwarfed by the hundreds of indigenous families that the would-be expedition leader hoped to establish in the region.⁶⁵⁷

In addition to the potential financial rewards associated with settling a new town, *vecindad* also imparted a great deal of social capital to the *vecino*. It is undeniable that the acquisition of wealth and a noble title were the principal objectives of the common people who made up the vast majority of migrants to the new world.⁶⁵⁸ This widespread hunger for ennoblement was well known to the crown and its advisors, which had long made a practice of selling noble titles to particularly meritorious or financially successful individuals, both in Europe and the Indies. When seen in this light, Ordinance ninety-nine of the 1573 *Ordenanzas*, which granted *hidalguía* to the first settlers of a new town and their descendants, was no minor detail, but a major inducement aimed at encouraging untitled men of means and influence to take part in the king's new settlement program.

Requests for titles of nobility were common enough in charter petitions that predate the *Ordenanzas*, but they became standard practice after the *Ordenanzas* of 1573.⁶⁵⁹ In Spain, some viewed this practice of granting *hidalguía* to so many "new men" as risking the subversion of the social hierarchy, as it had allowed commoners to acquire

⁶⁵⁷ Porcel had eighty-three slaves inventoried as part of his expedition, forty male slaves and forty-three female slaves. Porcel, *Documentación Inédita*, 44; Pedro Espínola y Luna, AGI Charcas 44.

⁶⁵⁸ But as James Casey says, at this time there was a heightened need to prove such claims, but great difficulty in documenting them. Many individuals claimed an elevated social position but lacked the needed paperwork. Casey, 141-42; Burkholder and Johnson, 28.

⁶⁵⁹ Del Vas Mingo, 91.

positions as magistrates and military officers.⁶⁶⁰ However, in the context of the new towns of the Indies, granting *hidalguía* to settlers and their descendants was a tool for creating a social hierarchy where there was none, and thus part of bringing order to both a community and its district. There was a catch, of course. In order to receive such a title, a *poblador* had to make certain improvements on the property he had been given, including his lot in town, and physically live in the new community for four or five years.⁶⁶¹ The point of this of limitation is clear enough—in theory it would discourage widespread land speculation in new towns, and would at least temporarily stabilize the inchoate urban population in its earliest years.

This particular ordinance was plainly a popular one in charter petitions from this time. As stated above, petitioners hoped to use the expeditions to enhance their prestige, but they also understood the value of this ordinance as a recruiting tool. López de Zavala, Contreras, Solís Holguin, and Escalante all restate some version of ordinance ninety-nine in their charter petitions, even though they were content to leave the vast majority of planning concepts covered in the 1573 *Ordenanzas* unstated. The individuals who crafted the charter for the mining city of Oruro included the reference to *hidalguía* in their petition as well, only to have it disallowed by the audiencia as redundant because it had already been granted in the 1573 *Ordenanzas*.⁶⁶² It seems likely that restating a provision

⁶⁶⁰ Casey, 90, 119, 139-140.

⁶⁶¹ See especial ordinance eighty-five, AGI Indiferente 427 L.29, 81r-81v; Morales Padrón, 504-505; Villa de Salinas del Rio Pisuerga, Valle de Mizque (1604) AHMC 32.44.

⁶⁶² Hijosdalgo. Requests for or granting of *hidalguía* come up in López de Zavala (1602), AGI Patronato 29 R41; Contreras (1609), AGI Charcas 48; Solís Holguin (1620), AGI Lima 39; Details about Oruro's 1606 foundation appear in Pedro Aniceto Blanco, *Diccionario Geográfico del Departamento de Oruro*, Colección, Cuarto Centenario de la Fundación de Oruro (Lima: Instituto de Estudios Bolivianos, 1904), xxii-xxxii; capitulaciones pertaining to Jerónimo de Loaysa regarding the valle de Pisco (1571), AGI Patronato 29 R30; There are specific references to this in the 1573 *Ordenanzas* too, particularly ordinance

that was already part of the general ordinances surrounding the settlement of new towns was aimed at potential recruits, who would hear the rights and privileges associated with a particular expedition read aloud in city plazas and at major intersections by expedition leaders as part of the recruiting process. It is evident that petitioners found the ordinance useful in other parts of the Indies as well. In their charter petitions surrounding the planned exploration and conquest of New Mexico and Texas in the 1590s, both don Juan de Oñate and his would-be replacement, don Pedro Ponce de León, called particular attention to this ordinance as a recruiting tool. Audiencia officials, recognizing the importance of *hidalguía* as a “premio” or reward for those who took part in the expedition even worried that the requirement of at least five years of residency would discourage participation in such an important expedition.⁶⁶³

In addition to an honorific title, petitioners pushed to receive the privileges generally granted to hidalgos in Spain. Writing several years after the founding of the town, the cabildo of Tomina asked viceroy Luis de Velasco to reaffirm the right of Tomina’s vecinos to immunity from arrest and imprisonment for debt. After all, this was a common privilege granted to hidalgos in Castilla. The cabildo argued that otherwise creditors were likely to deprive them of their arms and horses, and leave them unable to defend the frontier. López de Zavala, who had lived in the Tomina district for much of

one hundred. AGI Patronato 427 L.29, 84r; del Vas Mingo mentions that things like this grew in frequency after the ordenanzas published, 96.

⁶⁶³ Del Vas Mingo, 96, 101; Gutierrez, *Corn Mothers*, 149; The discussion surrounding the proposed Oñate and Ponce de León expeditions, the 1573 Ordenanzas, and particularly the discussion of privileges like *hidalguía* can be found in “Capitulaciones de Pedro Ponce de León: Nuevo México,” AGI Patronato 22 R12, particularly 916r-943v; Char Miller, *Fluid Arguments: Five Centuries of Western Water Conflict* (Tucson: University of Arizona Press, 2001), 43.

his life, requested this privilege in his charter petition as well.⁶⁶⁴ Many of the other privileges requested in charter petitions had been standard practice in the Indies long before the 1573 *Ordenanzas* were published, including temporary exemptions from the *almojarifazgo* (import/export tax), the *alcabala* (sales tax), the tithe (*diezmo*), and even exemption from tribute payments for yanacunas. Just to be thorough, Solís Holguín requested “all of the other rights granted to new discoverers and *pobladores*.”⁶⁶⁵ Frontier communities often requested and received special privileges (tax exemptions and, in some cases, a near monopoly) for the sale of their agricultural products in Potosí and La Plata, such as those granted to Tomina for the sale of corn and cornmeal from its inception.⁶⁶⁶ Taken together, the social and financial benefits of *vecindad* in new towns not only guaranteed the elite status of a new town’s *vecinos*, such benefits also had the potential to create a permanent patrician class. For some, *vecindad* brought them a level of respectability they had never enjoyed in Spain. When reflecting upon the success of a *vecino* in Charcas from his hometown near Oropesa, Pedro Valero exclaimed “If he were to return to Spain, he would be just a bumpkin like before.”⁶⁶⁷

Miners, Vagrants, and the Politics of Recruitment

The topic of recruitment united the concerns of officials bent on moving the gente suelta out of highland cities and those of expedition leaders who faced the practical

⁶⁶⁴ López de Zavala, AGI Patronato 29 R41; “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135.

⁶⁶⁵ Melgar y Montaña, 67-72; AGI Patronato 29 R41; don Pedro Espínola y Luna, AGI Charcas 44; “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135; Gerónimo Luíz de Cabrera, AGI Lima 39; “Carta del Virrey del Perú, Príncipe de Esquilache” (Lima, 4-24-1620), AGI Charcas 28 R11 N116.

⁶⁶⁶ López de Zavala (1602), AGI Patronato 29 R41; Pedro Espínola y Luna (1598), AGI Charcas 44; “Villa de Santiago” (1606), AGI Lima 135.

⁶⁶⁷ “Pedro Valero a su madre Catalina Martínez, en La Gartera” (Potosí, 12-1-1576), Otte and Romero, 525-526.

problem of finding prospective expeditionaries. Potosí, thanks its booming population and its reputation as the place crowded with men who were open to any number of activities, licit and illicit, was an obvious starting point for expedition leaders who sought to recruit men for their expeditions. La Plata was also crossroads for information from all over the viceroyalty and attracted a steady stream of individuals in search of civil posts. Petitioners whose destination was the eastern frontier all specifically requested the right to recruit men in Potosí, La Plata, and, with much less enthusiasm, the “other cities of Charcas.” Quite a few of them probably had little personal experience with the places they hoped to settle, but Potosí and La Plata were familiar landscapes for everyone involved.

Espínola y Luna’s account of his own reasons for being in Potosí suggests that he had, himself, gone there to seek his fortune. In his 1598 record of services, the Cádiz native carefully recounted the various steps by which he made his way from Spain to the presidio at Callao near Lima, although he does not provide paperwork proving he was authorized to make such a journey. He was able to find people in Potosí and La Plata who had known him when he had fought in the Spanish infantry (*tercios*) or against pirates in the Caribbean, or while guarding against them in Callao. But he provides no explanation whatsoever for why he suddenly moved to Potosí. Nor is there anyone who recounts Espínola’s long journey along the difficult road between Lima and the great mining city, roads that Viceroy Montesclaros would later describe as swarming with vagrant *soldados*. Whether or not he fit Portuguese merchant León Portocarrero’s description of men who wandered that road with a deck of playing cards in their hands and other people’s money

in their pockets can never be known. In his service record, he never arrives in Potosí, he simply appears.⁶⁶⁸

By 1598, however, all of this lay in the distant past. Espínola had by then been in Peru for at least fourteen years and had become a man of some substance. That important men like Ozores de Ulloa and Fuentes y Vargas agreed to act as witnesses in his support attests to this social standing. Espínola may also have had the added social advantage of being an hidalgo from a noble Andalusian family, although the witnesses who make this claim did not appear to have known him or his family in Spain. But it is also likely that Espínola started out his career in Potosí as a prospector and wildcatter or, as they called them locally, a *soldado*, to lend another shade of meaning to a complex term.⁶⁶⁹ Much later, in 1614, we learn that while Espínola had purchased some of the mines that he owned in the Cerro Rico, he had personally discovered or financed the discovery of the others. At least at some point, then, Espínola had been among the mass of Spanish prospectors scrambling to make a new find on the mountain and surrounding valleys with the help of the small share of Indian mita labor that was allocated to such persons.⁶⁷⁰ Nor does Espínola appear to have taken the additional step of getting into the silver refining business, which would have put him into the class of the wealthiest miners. Instead he likely remained a respectable, but middling, silver miner—perhaps the ideal person to take an active role in a risky frontier settlement scheme.

⁶⁶⁸ Dominguez, 130; don Pedro Espínola y Luna, AGI Charcas 44; “Don Pedro Espínola de Luna,” AGI Charcas 418 L3, 148r-148v, 159v-161r.

⁶⁶⁹ Dominguez, 129-130; Dressing, 11, 32-34, 36.

⁶⁷⁰ Dressing, 30-36.

In fact, a number of the men who led expeditions into the frontier had known connections to the mining sector. In addition to Espínola and Ozores de Ulloa, Luis de Fuentes y Vargas, the founder of Tarija, Juan Porcel de Padilla, Diego de Contreras, Gonzalo Solís de Holguin, and Pedro Lucio de Escalante had all been involved in the mining industry at Potosí and elsewhere.⁶⁷¹ While few of them could probably claim to have the financial resources of Ozores de Ulloa or Xaramillo de Andrada, they plainly had enough funds to bankroll a substantial portion of their proposed expeditions. They would have been in a good position, both socially and financially, to seek out potential financial collaborators from among the class of fellow miners and silver refiners, especially those with small- and medium-sized operations, as well as merchants and various classes of royal officials and *letrados* from Potosí's cabildo and corregimiento, and from officials connected to the audiencia courts in La Plata.⁶⁷² Lastly, they were also well-placed to drum up potential recruits from the Potosí's pool of Spaniards and mestizos who sometimes worked as mayordomos, servants, and prospectors (*cateadores*). Espínola y Luna was himself initially recruited to join the settlement efforts at Pilaya by one Luis Gomez de Chavez. Espínola agreed, and not only went to the settlement himself, but took a great many of his "friends" from Potosí with him. Because of his ability to recruit expeditionaries and supply the settlement with needed material resources, probably out of his own pocket, Espínola was honored with the title of Alférez

⁶⁷¹ Melgar y Montaña, 67-72.

⁶⁷² Examples of financial support from mining interests includes Juan Porcel de Padilla's *fiadores*, "Fianza otorgadas a favor de Juan Porcel de Padilla" (5-6-1616), in Porcel, *Documentación Inédita de Tarija*, 23; The *fiadores* of Diego Quintela Salazar (1596) include Potosí *veinticuatro*s Juan Fernandez Santander, Juan Gomez Fernandez, Domingo Beltran, and Gonzalo López de las Higuera. AGI Charcas 44.

Real, or royal standard bearer of the settlement, a reminder that expeditionaries often sought personal honor as much as financial gain when they chose to join a particular campaign.⁶⁷³

When the patron-client networks of wealthy collaborators did not yield enough willing volunteers for their expeditions, expedition leaders were forced to advertise—publicly, and loudly. The time-honored tradition of recruiting expeditionaries out of the ranks of the unemployed or underemployed, both in Spain and the Indies, was to parade through the streets of cities where expedition officers hoped to find recruits, waving flags (likely emblazoned with the king’s colors or those of Santiago), beating drums, playing fifes and other instruments, and even firing off weapons into the air. It was a loud, obnoxious, disruptive display that could probably be heard throughout the city, and was sure to bring potential recruits spilling out of the taverns to see what all the fuss was about. An example of this practice from Spain during this time was the effort of Diego de Artieda to drum up volunteers for his upcoming expedition to Costa Rica in 1574. Artieda led an increasingly large troop of married and unmarried men and boys in this way from Toledo all the way to Seville until he was forced to stop because his recruiting efforts were so successful that they were interrupting the king’s efforts to raise an army to fight the rebellious Dutch in Flanders. In any event, it appears to have been a very good way of making a show of the materials that had already been collected for the expedition, its arms and provisions, and to celebrate the person of the expedition leader and their

⁶⁷³ Pedro Espínola y Luna (1598), AGI Charcas 44.

chief supporters. It was also a way of demonstrating the following the expedition had already gained and, by flying the king's flag, emphasize the king's support and the campaign's legitimacy. Witnesses to Artieda's parading troops later responded that they been motivated to join the expedition by the crowds that they had seen following the would-be conquistador, which had convinced them that the expedition would be successful.⁶⁷⁴

Expedition leaders hoping to raise armies in Charcas often made similar requests to advertise their expeditions in this way. But while the practices described above may have been as common in Potosí and La Plata in the late sixteenth century as they were in Spain itself, expeditionaries were at times prohibited from such displays in the first decades of the seventeenth century. Both Contreras (1609) and Solís Holguin (1618) specifically requested the right to raise flags and beat the drums of war in Potosí and La Plata only to meet resistance from the audiencia. The Santa Cruz governor, Solís Holguin, was permitted to raise the expedition's flags for only one month in Chuquisaca, Cochabamba, and Mizque. He was not permitted to use drums at all. There is evidence that such limitations were not limited to Charcas, but were being put in place in other

⁶⁷⁴ “y donde á pocos días, salieron de la dicha villa de Madrid para la ciudad de Toledo, á donde el dicho Diego de Artieda, hizo enarbolar sus banderas, y tocar cajas y pífanos, y echar bandos, manifestando la dicha jornada, que por mandado de Su Magestad se hazia, para la dicha Costarica; y las mismas diligencias hicieron en toda la tierra de Toledo.; y vido este testigo, que el dicho Diego de Artieda, andava por su persona, ha casados á muchas gentes, ansi solteros como mancebos y solteros, sinificándoles quan buena jornada hera esta, y procurando que fuesen en ella...” *CDIAO*, 15:37; Allowances for the use of drums and flags in recruiting efforts, thus citing the 1573 *Ordenanzas* as precedent, are maintained in the *Recopilacion de Leyes*: “para que pueda levantar gente en cualquiera parte de estos nuestros reinos de la corona de Castilla y Leon para la población y pacificación, nombrar capitanes que arbofen banderas, tocar cajas, y publicar la jornada, sin que tengan necesidad de presentar otro despacho.” In “Que el adelantado pueda levantar gente en estos reinos de Castilla y León, y nombrar capitanes, y todos le obedezacan.” lib. IV, tit. iii. ley III, 98.

parts of Peru as well. Alvaro Enriquez de Castillo, hoping to establish a settlement in north-central Peru, was strictly prohibited from advertising his campaign in this way anywhere in Peru, with the exception of Chachapoyas, where he was granted the right to parade with flags, drums, and fife for the two months preceding the expedition's departure.⁶⁷⁵ The likely reason for prohibiting what Solís Holguín considered to be standard practice was the accelerating conflict between different groups of Spaniards, particularly tensions between an increasingly wealthy and powerful Basque community and the more numerous but downwardly mobile Spanish criollos and immigrants from southern Spain. Such tensions were especially evident in Potosí. Under the circumstances, rallying troops in the streets with the drum of war could just as easily have been seen as a sign of revolt as an announcement for an expedition to the frontier.⁶⁷⁶ But such limits almost certainly hurt even legitimate recruiting efforts. Solís Holguín's inability to find many new supporters in Charcas a second expedition, in 1624, might

⁶⁷⁵ For the settlement efforts of Alvaro Henriquez del Castillo in the province of Santa María de los Desamparados, Motilonos y Tabalosos, Henriquez was instructed to take 170 soldiers or at least 130 *a armas tomar*. One third of his soldiers also needed to be married, and were expected to take their wives with them. But his instructions also included limitations regarding his recruiting efforts: "y en ninguna manera habéis de levantar jente, enarbolar bandera ni tocar cajas y pífono en parte alguna de los dichos mis reynos del Peru, pero queriéndose alistar sin estos requisitos los que se han ofrecido ir á la dicha jornada y otras personas lo podáis hacer y hágais, y tan solamente os permito que en los dos meses últimos de los dichos ocho ... podáis levantar bandera, tocar caja y nombrar capitanes y gente de milicia dentro de la ciudad de Chachapoyas, que es desde donde habéis de salir la dicha jornada." (9-12-1614). Maúrtua, *Juicio De Límites Entre El Perú Y Bolivia: Contestación Al Alegato De Bolivia*, 3:11.

⁶⁷⁶ In Enrique Peña's *Don Francisco de Cespedes, noticias sobre su gobierno en el Rio de la Plata (1624-1632)* (Buenos Aires: Imprenta de Coni hermanos, 1916), the action of announcing the arrest of a political figure in the Río de la Plata appears in a less-than generous light. "...como lo hizieron con tan grande Ruydo y alboroto que se escandalizó la ciudad oyendo disparar Piezas tocar cajas poner cuerpo de guarda con otras circunstancias graves de conocida pacion y Riesgo de la vida del presso," 145; Another example is that of Licenciado Juan de Montaña, c. 1553, in Lucas Fernández de Piedrahita, *Historia, general de la conquista del nuevo reino de Granada, 1624-1688* (Bogotá: Imprenta de Medardo Rivas, 1881). "No satisfecho Montaña de que semejantes acciones lo darían bastantemente á temer, elegia unas veces el desatino de tocar cajas, hacer alardes y prevenir armas, como que se recelaba de rebeliones y tumultos..." 342.

have been directly related to such limits placed upon his recruitment efforts. When placed under such limitations, potential expeditionaries must have been even more reliant upon the patronage networks of a limited number of close supporters. In the case of Solís Holguin, he was forced to proceed with a force made up almost entirely of recruits from the governorship of Santa Cruz, a place where he had served for many years, including several terms as the region's governor, and where he had established personal ties with prominent families.⁶⁷⁷

Wealthy potential expedition leaders like Espínola y Luna petitioned the king, via the *audiencia*, for the right to organize an expedition because only the king or his representatives had the authority to sanction the establishment of new towns. The king's authority would legitimize Espínola y Luna's actions in the frontier, for no one could risk being seen as raising an unauthorized army in Charcas. Memories of the 1554 uprising of Fernández Hernández Girón and the years of civil war that preceded him were still fresh in the minds of those who governed Peru.⁶⁷⁸ And given that *soldado* had become a metonym for vagrants and other *gente suelta* in sixteenth- and seventeenth-century Peru, the expedition leaders who employed them risked acquiring the same patina of rebelliousness as the men in their company.

Expeditionaries walked on the knife's edge between being regarded as leading a legitimate military expedition and an armed rebellion. There were a number of infamous episodes in La Plata and Potosí when royal and/or ecclesiastical officials attempted to

⁶⁷⁷ García Recio, 56.

⁶⁷⁸ Morales Padrón, 489-581; AGI Patronato 29 R41; According to AGI Charcas 31 there were those who accused Ozores de Ulloa of doing just that.

foment rebellion by leading an unauthorized force into the frontier. In 1578, audiencia officials pursued and eventually captured two priests from Potosí who had led an armed band in the direction of Tucumán.⁶⁷⁹ Around 1599, Diego de Contreras himself had participated in putting down a conspiracy led by Juan Díaz Ortiz and Gonzalo Luis de Cabrera who supposedly planned to assist in a British assault on the city of Buenos Aires. Both were prominent individuals: Díaz Ortiz had worked for the audiencia as a *relator*, essentially a lawyer charged with recounting case law in court proceedings, and Cabrera was a son of Gerónimo Luis de Cabrera, the founder of the Platense city of Córdoba, although the latter was later executed, many thought unfairly, for failing to follow orders. This stain lay heavily upon the reputation of another Gerónimo Luis de Cabrera, the son of the aforementioned Gonzalo and grandson of the founder of the city of Córdoba, a connection that nearly prevented him from launching his own, entirely legitimate expedition effort to Patagonia in 1619.⁶⁸⁰ Even the wealthy and well-connected Ozoires de Ulloa could not completely avoid the rumors that emerged following the audiencia's acceptance of his charter proposal that suggested that he was, in fact, preparing to lead a rebellion.⁶⁸¹

Even when an expedition leader's own reputation did not suffer through association with the *gente suelta*, their campaigns might still be threatened by disorder. The late sixteenth and early seventeenth century was rife with stories of expeditions that ended in insurrection, such as the outright mutiny faced by don Juan de Mendoza and his

⁶⁷⁹ Bernard, "Las Fronteras de la Plata," 368; "Carta de la Audiencia de Charcas" (12-18-1578), AGI Charcas 16 R17 N72, 2.

⁶⁸⁰ Gerónimo Luís de Cabrera, AGI Lima 39,

⁶⁸¹ "Al rey nuestro señor en el real consejo" (10-2-1598), AGI Charcas 31.

son, don Luis de Mendoza y Rivera on their expedition to Moxos.⁶⁸² Solís Holguín experienced a major turning point in his own career when he was sent to arbitrate a dispute between factions led by different captains that had stalled one of the expeditionary units early in the 1584 campaign against the Chiriguano.⁶⁸³ Ozoires de Ulloa had a similar experience when he was sent in to quell an uprising of two hundred soldiers that had been on an expedition in the governorship of Santa Cruz.⁶⁸⁴ Later, as corregidor of Potosí, Ozoires learned just how fragile the *policía* of Charcas remained. When specifically charged with removing vagabonds and foreigners from the city in the late 1580s, Ozoires de Ulloa proceeded to zealously carry out his orders until he was made to stop, presumably, because some of the foreigners he attempted to remove had well-connected friends. Contreras, as alcalde of the Santa Hermandad, a sort of rural volunteer police force, had personally pursued bands of armed “*personas de mal vivir*,”⁶⁸⁵ into the hills surrounding Potosí, probably meaning miners and prospectors involved in the factional violence taking place in the mining metropolis.

Given the dangers of associating with such an unreliable class of men, some attempted to be more selective, hoping to fill the ranks of their expeditions with persons of noble ancestry. After all, Spain and its empire in the Indies was still largely led by men of known lineage over the long seventeenth century. Especially in Charcas, which was a magnet for individuals of all social classes from across Europe and the Indies, nobility and purity of blood (*limpieza de sangre*) denoted innate trustworthiness in an

⁶⁸² “Méritos: Luis de Mendoza y Rivera y otros,” AGI Patronato 144 R1.

⁶⁸³ “Informaciones: Gonzalo de Solís Holguín,” AGI Charcas 82 N5.

⁶⁸⁴ “Al rey nuestro señor en el real consejo” (10-2-1598), AGI Charcas 31.

⁶⁸⁵ i.e. rogues or scoundrels.

environment full of uncertainty. Ozores de Ulloa laid out the alternatives: an army of noble and honorable expeditionaries exuded a much-needed whiff of legitimacy while an army of vagabonds and “*gente de mal vivir*” would give the imagined province a bad name. The task was just too important to trust to a group that was so well-known for its seditious ways.⁶⁸⁶ Diego de Contreras echoes these themes in his call for expeditionaries of noble and illustrious birth as central to the cause of peace in frontier. As he puts it:

It is best that all of the provinces and kingdoms be settled with splendid and noble people. And it was for the cause of peace and even the merits of war itself very necessary, and I agree, when Your Majesty prohibited, in a Christian manner, the passage of those who were not pure and of all of the other prohibited groups.⁶⁸⁷

But while some prospective expedition leaders openly rejected the notion of including the *gente suelta* in their campaigns, most took it in stride. In fact, instead of attempting to cast their expeditions as filled with people of good reputation, several expedition leaders accepted the likely criminality of potential recruits and openly requested the right to recruit soldiers with criminal backgrounds. To support such a move, they often choose to simply copy the language of the *Ordenanzas* of 1573. Ordinance seventy-seven sanctions the participation of individuals who have committed crimes in settlement and pacification expeditions—just so long as there were no criminal cases pending against them.

⁶⁸⁶ Casey, 139; In his 1609 proposal, Contreras stated that he particularly interested in finding “*gente lustrosa y noble*” for his expedition, AGI Charcas 48; Contreras made similar statements regarding participants who were “*honrada, principal, y noble*” in one of his documents from 1613. He hoped to reward four such persons with membership in one of Spain’s prestigious military orders. AGI Lima 36; The only reference in Escalante (1612) is to local nobility, Melgar y Montaña, 67-2; Osores de Ulloa (1596) stated that he didn’t want any “*vagamundos, gente de mal vivir.*” Instead, he was looking for “*gente principal y honrada.*” He felt that participants of lower status would give the provincia a bad name. AGI Patronato 29 R41.

⁶⁸⁷ “...pues es muy conveniente que todas las provincias y reyno se pueblen de gente lustrosa y noble, que para la causa de paz y aun meritos de la misma guerra es muy necesario y assi lo miro tambien y tan cristianamente VM quando prohibio el paso de aquellos a los que no fuesen limpios y a todos los demás prohibidos.” Contreras, AGI Charcas 48.

Whereas most parts of the *Ordenanzas* reiterated, almost verbatim, the language and practices of earlier charters, this ordinance permitting the participation of known criminals appears to reference still older Castilian strategies regarding the frontier. As stated above, during the *Reconquista*, efforts to maintain frontier communities as effective martial spaces came with specific rights and privileges (*fueros*), including grants of land and the tax exemptions that would remain indicators of membership in Spain's lower nobility in later years.⁶⁸⁸ These grants even included offers of amnesty and asylum to former criminals, a privilege first included in the *fueros de Sepúlveda* (1076) for individuals with criminal backgrounds who chose to take an active role in frontier settlement activities.⁶⁸⁹ Curiously, such offers of amnesty appear to have been absent from the early charters associated with settlements in the New World. While charters written shortly before the promulgation of the 1573 *Ordenanzas* do speak to the ongoing need to exclude undesirable settlers, specifically New Christians (i.e. *conversos* or *moriscos*), or to expressly allow vecinos from one frontier community to move to a new frontier settlement, such specific references to individuals who had committed crimes appears to be an abrupt and intentional return to medieval Castilian frontier policy.⁶⁹⁰ Future charters would reference only the *Ordenanzas* of 1573 when defining the role that will be played by individuals associated with criminality in expeditions aimed at pacification and settlement.

⁶⁸⁸ David Coleman, *Creating Christian Granada: Society and Religious Culture in an Old-World Frontier City, 1492-1600* (Cornell University Press, 2003), 18.

⁶⁸⁹ González Jiménez, 54, 72.

⁶⁹⁰ See, for example, the 1557 capitulaciones with Jaime Rasquín in Paraguay, *CDIDCC*, 23:273-289.

The willingness of expedition leaders to include soldier-criminals in the ranks of the forces they would command speaks to the difficulties these men expected to face in recruiting enough volunteers for their expeditions. López de Zavala would at least theoretically have drawn the line at soldiers who had committed grave crimes (*delitos graves*). But Espínola y Luna, who composed his charter petition in the same year, offered to take men straight out of the jails for the expedition. More than twenty years later, Solís Holguin, who was, as we have seen, plagued with recruiting problems, not only offered to take volunteers out of the jails, but even proposed partnering with authorities to sentence criminals to frontier service instead of jail time, a practice he claimed had been done before.⁶⁹¹ Ozores de Ulloa's request that he not be saddled with the burden of taking gente suelta along on his campaign certainly suggests that this was case.

Banishment (*destierro*) was a common sentence in Audiencia of Charcas at the turn of the seventeenth century. The surviving *Acuerdos* (judicial decisions) of the Audiencia of Charcas give us some indication of how the practice worked. In general, banishment did not mean sending the sentenced individual to a specific destination, but meant keeping them out of jurisdictions where they had been known to cause trouble. Crimes such as rape, adultery, stalking, homicide, abusive or disrespectful language, perjury, fraud, knifings, shootings, disrespectful drawings or pamphlets, debt, vagrancy, and revolt all might merit public humiliation, stiff fines, and banishment for a number of years, even life, from a specific jurisdiction. An individual's sentence in the audiencia

⁶⁹¹ López de Závala (1598), AGI Patronato 29 R41; Espínola y Luna (1598), AGI Charcas 44; Solís Holguin (1624), AGI Charcas 28 R11 N116.

courts depended on who they were within the social hierarchy of Charcas. *Castas* and Indians might be whipped for petty crimes. A free black who struck his master might have his hand cut off as a warning. But a Spaniard who killed another Spaniard might be banished for only a few years, during which time he might simply pursue his particular business interests in another jurisdiction. Violence seems to have been less troublesome than perceived disorderliness. In the case of homicide or outright revolt, an individual might be banished to a specific place for a period of years as an alternative to a sentence of death. The presidio at Callao was a common sentence, but service in arms in Chile or against the Chiriguano was also not uncommon. Given the many ways that individuals might have found themselves on the wrong side of the Spanish legal system, the jails were plainly a tempting source of volunteers for expeditionaries and royal officials who were having trouble recruiting needed troops by other means.⁶⁹²

Gathering the Lost Peoples

Gathering soldiers for the expedition was one thing, acquiring enough manual labor and sufficient provisions in an environment where both were in high demand was quite another. Potosí was a magnet for forced and, to a lesser extent, paid indigenous labor on a massive scale, altering community and family life for indigenous peoples up and down the Andean range. But this labor was jealously monopolized by powerful figures within mining sector. The owners of rural estates also made extensive use of

⁶⁹² *Acuerdos*. Selected examples include Juan Fernández 3:1581.15, Diego de Rubira 3:1582.34, Nicolás de Leto 3:1584.54, Antonio de Mirabel 3:1586.21 and 1586.27, Francisco Montaña 3:1586.29, Bartolomé de Araya 4:1588.52, Melchior esclavo 4:1589.27, Pedro de Zarate 4:1623.72, Diego de Miranda 4:1624.34 and 1624.70; Francisco de Rodas 1624.59 and 1625.80 and 1625.8, Diego Gutiérrez 4:1625.27, Juan de Toledo 4:1626.24; Alberto Crespo Rodas, *Fragmentos de la patria: doce estudios sobre la historia de Bolivia*, edited by Clara López Beltrán (La Paz: Plural Editores, 2010), 119.

indigenous laborers, many of whom lived in a state of perpetual servitude as yanacunas, and estate owners were loath to give them up for any reason.⁶⁹³ Any *indios vacos*, or unallocated indigenous labor, were endlessly fought over by Spaniards hoping to be rewarded with Indian labor as payment for their extensive services to the king. This made the *mita* and *yanacuna* labor regimes essentially dead-end streets for expedition leaders in need of indigenous laborers. Instead, expedition leaders sought to identify other forms of untapped indigenous labor to serve as auxiliaries in their expeditions and to tempt potential settlers. For this, they turned to stories about indigenous vagrants wandering about Charcas as well as unconquered indigenous peoples themselves.⁶⁹⁴

Any expedition leader desperately needed Indian labor to have any hope of success. In Hernando Xaramillo Andrada's 1602 petition, the merchant gives us a sense of the range of non-combatant labor required for an expedition. He requests Indians for hauling the soldiers' baggage, Indians for building the forts that soldiers would defend, Indians for guarding horses, and Indians for forming the agricultural labor base in the new settlement as yanacunas.⁶⁹⁵ Don Gerónimo Luis de Cabrera, in his analogous expedition to Patagonia, also requested Indians to feed the cattle they would drive on the hoof, as well as some who would be cart teamsters.⁶⁹⁶ The petitioners often imagined that some of this needed labor would be taken from *reducciones* near the frontier as well as

⁶⁹³ Zanolli "Legislación Toledana," 112-113, 116-117.

⁶⁹⁴ See, for example: "Pedro Espínola y Luna: Población en Pilaya y Paspaya" (3-13-1598), AGI Charcas 44; Documents associated with Miguel Martín in *Bolivia-Paraguay*, 2:553-588; don Pedro Ozores de Ulloa (11-14-1596), AGI Patronato 29 R41; Hernando Xaramillo de Andrada (1-27-1602), AGI Patronato 29 R41.

⁶⁹⁵ Xaramillo de Andrada, AGI Patronato 29 R41.

⁶⁹⁶ Gerónimo Luís de Cabrera, AGI Lima 39.

the haciendas of the frontier corregimientos themselves, a sort of eminent domain argument that would strip laborers from indigenous communities near the frontier like Presto, Tarabuco, Pashapuna, Ojala, Quila Quila, and others.⁶⁹⁷ Some of these indigenous expeditionaries would be paid, of course. In addition to the types of labor described above, Ozores de Ulloa wisely pointed out the need for Guaraní-speaking interpreters or *lenguaraces* in any successful expedition against the Guaraní-speaking Chiriguano, which was almost certainly a paid position.⁶⁹⁸ But whether the Indians would be compelled to work or paid a wage, most petitioners took pains to emphasize that they would not be taken at the expense of mining or agricultural production. Instead they would expropriate the power of Indians they deemed to be somehow out of place in Charcas.

For many of the petitioners, the possibility that a great many Indians were in fact *cimarrónes*, runaways, was an opportunity. Such Indian *cimarrónes* or *forasteros* (literally, “strangers” or “outsiders”) were native Andeans who had fled from the reducciones to which they had been resettled by Spanish authorities. Others had fled from sites where they were supposed to render service through the *mita*. Many of these had found work in the haciendas in the Andean foothills near the frontier, or among the urban poor of the cities of Charcas.⁶⁹⁹ Don Pedro Espínola y Luna requested the right to collect Indians from all over Charcas who had been “*cimarrón*” from their repartimientos for ten years and divide them among people of his choosing.⁷⁰⁰ He also appears to request an

⁶⁹⁷ López de Zavala, AGI Patronato 29 R41.

⁶⁹⁸ Ozores de Ulloa, AGI Patronato 29 R41.

⁶⁹⁹ Ravi Mumford, 143.

⁷⁰⁰ Pedro Espínola y Luna, AGI Charcas, 44.

additional one thousand yanacunas *cimarrones* who, he was careful to say, were not already at work in the mines or refineries of Potosí, nor in service to anyone. While Espínola y Luna described a general class of Indians out of place, others were more specific. Xaramillo Andrada and Ozores de Ulloa requested the right to take along Jurie Indians, from Tucumán, on the expedition, “to serve in the said expedition and whom I will treat well and pay their wages as is the custom.”⁷⁰¹ In addition to notions of wandering Jurie Indians, Xaramillo Andrada included additional requests for Indians from Quito and Indians from the Nuevo Reyno de Granada (modern Colombia) whom Xaramillo believed were hiding out in the audiencia. Individuals from both groups would be paid for their services. In a comment that suggested that he had extensive knowledge of frontier politics, Ozores de Ulloa requested to right to return Indians back to their original repartimientos in the lowlands of Santa Cruz de la Sierra who had been illegally transported to other regions, particularly Mizque. Of course, these individuals would serve as auxiliaries in his expedition first.⁷⁰²

But the Indian laborers that petitioners most coveted were the Chiriguano themselves. While the New Laws had long ago closed the door on the outright enslavement of indigenous peoples, the wars against the Chiriguano and other unconquered “warlike” Indians of the Americas had left the door open to the enslavement of Indians captured in war.⁷⁰³ As I discussed in an earlier chapter, the list of crimes that left the Chiriguano open to enslavement included their supposed treachery and apostasy

⁷⁰¹ Zores de Ulloa, AGI Patronato 29 R41.

⁷⁰² Ozores de Ulloa and Xaramillo de Andrada, AGI Patronato 29 R41.

⁷⁰³ Ávila, 125, 149; Zimmerman, 198-199; “Capitulaciones con el factor, Juan Lozano Machuca, para la conquista de los Chiriguano” (1583-1584), AGI Charcas 35; Pifarré, 71-76.

as rebellious subjects and parishioners, their relatively recent arrival and residence in the Cordillera, their supposed cannibalism, and their tyranny, evidenced, Spanish officials argued, by their enslavement of captured Spaniards and mestizos and, especially, other indigenous peoples of the Cordillera and lowland plains. These were many of the same arguments that had been used to justify the conquest of resistant indigenous groups of the Caribbean many years before, and resembled those used in the time of Toledo to retroactively justify the Spanish conquest of the Inca.⁷⁰⁴

It is clear that the appropriation of indigenous labor through conquest was a common practice on the frontier. Lozano Machuco stated that it was only after the *audiencia* declared open war against the Chiriguano in 1583, which opened up the Chiriguano to enslavement as belligerents in a just war, that many Spaniards became interested in the upcoming expedition against them. The successful 1584 expedition that followed this declaration put many Chiriguano, and particularly women and children, in the power of Spanish soldiers. Cabildo members from Tomina supported their request for exemption from tribute payments for their *yanaconas* by claiming that they were all Indians who had been captured in war and, in a sense, functioned as part of their reward for their service along the frontier.⁷⁰⁵ The other petitioners mentioned in this chapter generally hoped that the *audiencia* would allow them to continue this practice. Diego de

⁷⁰⁴ “Los esclavos y rehenes, menores de edad, además de ser repartidos entre los soldados, deberán ser adoctrinados en la religión, bien tratados para luego ser utilizados como medios a fin de proseguir la tarea evangélica y la conquista espiritual.” The decision to pursue a war against the Chiriguano “a fuego y a sangre,” with the clear intent of acquiring indigenous slaves, was made in La Plata on 11-12-1583. Fuentes also makes use of the language of warfare against the Chiriguano “a fuego y a sangre” in a letter to the king from 2-1-1585. Ávila, 148-149; Scholl says also determined by Toledo in 1574, 305.

⁷⁰⁵ “La Villa de Santiago de la Frontera de Tomina” (1606), AGI Lima 136.

Contreras believed that the conquest of the Chiriguano would yield so many indigenous laborers that there would still be some ten thousand left over to run his imagined estate even after he had rewarded his own soldiers with encomiendas of captured Indians. Most merely wished to include captured Chiriguanos in the class of yanacunas that labored in frontier haciendas, but Lopez Zavala hoped to continue a well-established tradition in Tomina and openly sell them as slaves.⁷⁰⁶

Perhaps as a way of claiming the moral high ground vis-à-vis the Chiriguano, petitioners promised that their expeditions would free thousands of indigenous slaves from their cruel Chiriguano masters. Of course, the irony of such arguments was that the petitioners also hoped to divide these newly liberated Indians amongst themselves as yanacunas, effectively making the labor of these former slaves available to their new masters in perpetuity. And it was no secret that the principal beneficiaries of the Chiriguano enslavement of indigenous lowlanders were already the Spaniards themselves. Audiencia *fiscal* Tovar y Montalvo once claimed that Indians captured by the Chiriguano in the lowlands were openly sold to Spaniards and others in the plazas of Potosí and La Plata. Although audiencia officials actively worked to suppress it, traffic in Indian slaves was big business in Tomina and Santa Cruz where local property owners,

⁷⁰⁶ Lozano Machuca mentions slave acquisition as a motivating goal (1584), ABNB, Corr. 38; “La Villa de Santiago de la Frontera de Tomina” (1602), AGI Lima, 135; Contreras (1613), AGI Charcas 48; Espínola y Luna (1613) says much the same in AGI Charcas 44; López de Zavala wanted captured Indians to remain as conquered subjects for three generations (1598) and even requested the right to freely sell the Chiriguanos he conquered, AGI Patronato 29 R41; Solís Holguin appeared to be unsure of which Indians he would find over the course of his expedition, but he asked to be able to grant them in encomiendas to his followers in perpetuity, AGI Lima 39; Contreras thought there might be ten thousand chiriguanos to redistribute even after many of them were granted in encomiendas to participating Spanish soldiers. (1609), AGI Charcas 48; Block, 175-183.

like the family of López Zavala, relied on a fairly constant supply of new laborers from frontier and beyond to sustain their haciendas. And the Chiriguano were in the best position to access such distant groups. In a sense, the conquest of the Chiriguano would merely remove the Chiriguano from their position as the middle-men separating Spanish hacienda owners and silver miners from still numerous lowland indigenous groups, particularly the Arawak-speaking Chané and indigenous peoples of the Chaco and Chiquitanía.⁷⁰⁷

That African slaves would form an integral part of any imagined community was a shared, if unstated, assumption for prospective expedition leaders and the authorities to whom they directed their petitions. But while petitioners sometimes wrote at length about the Chiriguano traffic in indigenous slaves, or of their hopes of enslaving the Chiriguano themselves, the matter of African slaves rarely came up at all. Juan Porcel de Padilla's careful inventory of the eighty-three slaves he intended to take on his 1614 expedition is very much an exception.⁷⁰⁸ This is not to say that African slaves were not a fixture of society in colonial Charcas. Instead, the omission had more to do with the perception that, with few exceptions, African slaves were not out of place in colonial society. Given their legal status as property, even runaway slaves belonged to someone, somewhere.

⁷⁰⁷ López Zavala felt that the Chanés and Tobas should also be granted in encomiendas, AGI Patronato 29 R41; Xaramillo Andrada (1898) wanted to redistribute Indians who were enslaved to the Chiriguano as well as the Chiriguano themselves, as well as any others taken in war, AGI Patronato 29 R41; Osoreo de Ulloa also wished to divide up Indians taken in war and their slaves (1596), AGI Patronato 29 R41; "Juan Flores sobre coger Indios de su Chácara" (1604), AHMC EJ 45.8; enslavement of Chanés discussed in "Carta de Rui Díaz de Guzmán a su Excelencia" (c.1617), AGI Lima 37; Chiriguano sales of Chané to españoles in "Carta a S.M. del Dr. d. Jeronimo Tovar y Montalvo, fiscal de la Audiencia de Charcas" (2-20-1595), AGI Charcas 17; Julian Haynes Steward, *Handbook of South American Indians*. (Washington D.C.: United States Printing Office, 1948), 3:467; Scholl, 40, 52.

⁷⁰⁸ Porcel, *Documentación Inédita de Tarija*, 40.

Slaves also received fewer legal protections from the king and his officials than those provided to his indigenous subjects.⁷⁰⁹ Don Pedro Espínola y Luna's oddly specific request to be given the next twelve negros or *mulatos* condemned to death seems to underscore the extent of their dehumanization: only slaves whose lives were otherwise forfeit were available for expropriation.⁷¹⁰ The relative silence on the matter of African slaves underscores that petitioners expected to have full access to indigenous labor once they controlled the frontier.⁷¹¹ Instead, charter petitioners in Charcas who wished to found towns in the Eastern Andean frontier likely hoped to reproduce the slave regimes already practiced in some of the lowland zones closer to the center of Charcas, where small numbers of enslaved Africans, sometimes with specialized training, directed a mainly indigenous labor pool.

Although the enslaved appeared to have a clear place in colonial Charcas, free people of mixed ancestry were a quandary. As individuals who carried the blood of multiple historical lineages within their persons, *mestizos*, *mulatos*, and *zambos* transgressed the social boundaries that were meant to keep Europeans, Africans, and Indians apart. And so, while Spaniards and Indians became *suelta* in the minds of many officials because they had willingly left the social spaces to which they belonged, people of mixed ancestry were inherently *suelta*—there was no socially appropriate interstice to

⁷⁰⁹ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 180; O'Toole, *Bound Lives*, 122-123.

⁷¹⁰ Escalante (1612), Melgar y Montaña, 67-72; Ozores de Ulloa (1596), AGI Patronato 29 R41; Espínola y Luna, (1598), AGI Charcas 44.

⁷¹¹ By way of comparison, the capitulaciones that Álvaro de Mendaña arranged in 1574 for his second expedition to the South Pacific included the right to import a specific number of African slaves from other parts of the Indies and even make careful reference to the gender ratio of the imported slaves. Thanks to years of political and organizational difficulties, the expedition did not set sail from Callao until 1595. Kelly, *Australia franciscana*, 5:5-13, 66.

which they could be redeemed. Instead, they felt that the presence of mixed peoples in any of the supposedly natural human communities of colonial Charcas could only be destabilizing. The mixture of attributes they carried within themselves, as such ideas were understood at the time, meant that there would always be elements of their character that were out balance, and out of context. Some officials believed that this mixture would be still more dangerous in frontier regions. For example, in a 1608 report, Pedro de Bustamante discussed the problem of the many Spanish men and women who had been taken captive in Chile, and the children that resulted from unions with their indigenous captors. The resulting mestizos “would be more valiant than [the Indians] thanks to the Spanish blood that they have and more difficult to defeat.” With an army of such mixed persons against them, Spain could lose control of Chile.⁷¹²

The possibility that people of mixed ancestry (and mixed cultural behaviors, like *indios ladinos*), and particularly people of African descent, might have a positive role in Spanish colonial society was seldom discussed at the turn of the seventeenth century. But positive notions did exist. Even Viceroy Toledo, who personally issued a number of orders restricting the behavior and physical mobility of people of mixed African ancestry in Peru, conceded that there might be some spaces in which they could play a positive role in Spain’s civilizing project. In places where indigenous peoples lived outside of reducciones and beyond the power of the Church, even individuals from marginal social groups could, as Christians, serve as intermediaries in the transmission of faith and

⁷¹² “...tantos los mestizos como los indios, y serán mas balientes que ellos rrespecto de la sangre española que tienen y muy dificultoso de rreduzir ...,” Pedro de Bustamante (1608), AGI Charcas 48.

cultural understanding. In this way, Toledo identified the frontier as a potential theater of positive action for socially marginal groups who, he hoped, would interact with indigenous peoples not yet subject to Spanish authority and the Christian faith. Although out of place in the central cities of Charcas, in the frontier the *gente suelta* might bring unconquered peoples to faith and obedience through their example and possibly even through marriage and mixture.⁷¹³ Toledo's surprising statement about the possible benefits of miscegenation in the frontier is in sharp contrast with Pedro de Bustamante's a generation later, and well as the viceroy's many provisions aimed at limiting the mobility and autonomy of people of mixed ancestry. Yet within a conversation that tends to highlight the negative role of socially marginal individuals within Peruvian colonial society, the frontier sometimes emerges as an alternative space where normative social relations might be modified in order to achieve Spain's broader goal of subduing and governing the frontier and its unconquered peoples.

In the imagined *civitas* of the charter petitions, the ambiguities of the proper place of people of mixed ancestry and low social status reappear. The positive role that some petitioners imagine for people of mixed ancestry appears to conflate two figures described in the 1573 *Ordenanzas*, the soldier-criminal and the laborer. Ordinance seventy-seven specifically gives Spaniards and Indians a free pass to participate in *entradas*, even if they have committed crimes, just so long as there are no cases currently pending against them. As we have seen, petitioners frequently referenced this particular

⁷¹³ "Carta del Virrey don Francisco de Toledo sobre su viaje y visita" (3-1-1572), AGI Lima 28; Levillier, *Gobernantes del Peru*, 4:127-128.

ordinance either to specifically request to right to take along individuals with a known criminal record, or to emphatically reject the participation of such individuals in their particular project. But while for some petitioners the soldier criminal remains an unmarked category of subject, others were very specific. Escalante y Mendoza expands the notion of the soldier criminal to include not only Spaniards, but also mestizos, free *mulatos*, and *zambos* with a criminal record of some kind, but without any current cases pending against them. The merchant Xaramillo Andrada also lumped together free blacks, *mulatos*, *zambos*, and mestizo vagabonds within a single conceptual social category. Admittedly, Escalante and Xaramillo are the only petitioners to include this level of detail about this category of actor, but their references do suggest that the unmarked soldier-criminal figure mentioned by others might very well include a much wider cross-section of those social elements perceived as “suelta” than simply Spanish vagrants.⁷¹⁴

As we have seen, the conversation surrounding new towns of the frontier plainly viewed such settlements as the sites where vagrants might become *pobladores*. Such a model had already been explored in New Spain and was at one point advocated by Toledo himself. The many Spaniards and even a few of the mestizos who began the expedition as soldiers might quickly establish vecindad in a new settlement if they chose to remain in the frontier. But petitioners probably also desired that other soldiers of mixed ancestry, if not invited to be vecinos, might accept a place within the new

⁷¹⁴ Ozores de Ulloa (1596), AGI Patronato 29 R41; Diego de Contreras (1609, 1613), AGI Charcas 48 and AGI Lima 36; Xaramillo de Andrada (1602), AGI Patronato 29 R41; Solís Holguin (1620, 1624), AGI Lima 39 and AGI Charcas 28 R11 N116; Escalante y Mendoza (1612), Melgar y Montaña, 67-72.

community as free artisans, agricultural laborers, and small-scale property owners. Petitioners like Contreras are quite specific about their desire to entice a number of individuals from the mechanical classes and their families. In his case, he hoped that half would include blacksmiths, carpenters, barbers, and other artisans, while the other half would simply work as agricultural laborers. Certainly many, if not most of these individuals would be Indians, like the indigenous carpenters and tailors that Espínola y Luna hoped to take with him. But, as the soldier-cum-mine owner plainly states, such persons were to be taken broadly from an equally diverse group of employers—the Spanish, *mulato*, mestizo, and indigenous artisans who employed them in the city.⁷¹⁵

The 1573 *Ordenanzas* do focus on the vecino as the principal agent for the creation of both *urbs* and *civitas* within any new town. Yet the authors of the *Ordenanzas*, and generations of town planners who preceded them, obviously understood that towns required more than a vecino class in order to thrive, just as they did in Spain itself. Vecinos would rely upon a range of free and unfree labor to support their activities, and were expected to provide free laborers with enough land to support themselves.⁷¹⁶ Thus, land, like all resources, was to be distributed unevenly, yet widely, to include a substantial population of free and semi-free laborers. Such a plan would likely have been received favorably by audiencia officials, the viceroy, and even the king and his court as it would place people of mixed ancestry and uncertain social standing in hierarchical relationships with vecinos upon whom they would be dependent for land and resources.

⁷¹⁵ Contreras (1609), Charcas 48.

⁷¹⁶ “Ordenanzas de descubrimiento,” ordinances forty-nine, one hundred eight, one hundred nine. AGI Indiferente 427 L29, 76v, 86r-86v; Morales Padrón, 499, 509.

That free blacks and *mulatos* should be subordinated to a master was well established within Toledo's legal dispositions as viceroy of Peru.⁷¹⁷ Similar provisions from the period would later be collected as part of the *Recopilación* of 1680.⁷¹⁸ Incorporating free people of color into frontier communities under the authority of *vecinos* would theoretically remove a portion of the urban population that was perceived to be underemployed and ungovernable, and scatter it across multiple frontiers in such a way as to maximize their surveillance while also bringing them into a new level of *policía* that had been impossible to achieve in Potosí.

It must be recalled that the various responses of the petitioners discussed in this chapter to the presence of persons of mixed ancestry in their expeditions took place at a time when the problem of the proper socioeconomic and geographical place of peoples of African and mixed-African ancestry was being actively debated within the Audiencia of Charcas by royal officials and members of the clergy. As stated in Chapter 2, the possible use of African slaves in the mines to supplement or replace indigenous labor there was still being debated as late as the 1610s, although most thought that people of African descent were better suited, physiologically, to agricultural labor in the hot valleys and temperate foothills. Furthermore, it is likely no coincidence that prospective expedition leaders like Xaramillo de Andrada, López de Zavala, and Escalante de Mendoza all offer to include *mulatos* in their expeditions in the first two decades after 1600—the precise moment when concerns about the large numbers of *mulatos* and *zambaigos* in Potosí are

⁷¹⁷ “Primeramente, que ningún negro, horro, ni morisco, ni mulato tenga casa por sí, sino que asienten con amos dentro de diez días después de la publicación de estas ordenanzas,” *Francisco de Toledo: Disposiciones Gubernativas*, 1:406.

⁷¹⁸ *Recopilación de Leyes* lib. vii, tit. v, leyes iii and xii.

particularly noticeable, resulting in conversations between the king and his ministers in the Audiencia of Charcas regarding the efficacy of establishing reducciones of people of African descent.⁷¹⁹ It seems likely that these comments were crafted to address this shift in discourse surrounding peoples of mixed African descent in audiencia politics. As will be discussed in Chapter 6, Escalante y Mendoza may not only have sought to capitalize on this new urgency, he may have also had a particular group of *mulatos* or *pardos* in mind when he did so. That other petitioners do not specifically address including such gente suelta in their expeditions or even expressly reject the possibility speaks to the continued multiplicity of positions on the role of people of mixed ancestry in Spanish society.

Conclusion

Whether an individual petition would succeed or fail often had as much to do with the state of viceregal politics as it did with the quality of the proposal itself. As I stated in the previous chapter, Luis de Velasco denied nearly every charter petition that came before him, and for this reason the petitions rejected during his tenure account for more than half of the charters that were not put into effect. As he put it, the charter proposals he had seen were “much more to their own advantage than in service to Your Majesty and the common good.”⁷²⁰ Pedro Ozores de Ulloa, a man favored by several viceroys, was

⁷¹⁹ Xaramillo de Andrada (1602), Patronato 29 R41; López de Zavala (1602) Patronato 29 R41; Escalante y Mendoza (1612), Melgar y Montaña, 67-72; “R.C. al marqués de Montesclaros, pariente, virrey, gobernador y capitán general de las provincias del Perú. Manda que ponga el remedio necesario para atajar los inconvenientes que se presentan en el distrito de Potosí debido a la ociosidad de mulatos, mestizos y zambaigos.” (8-16-1607), *Libros Registros-Cedularios de Charcas*, 1:175; (Madrid, 4-10-1609), *Libros Registros-Cedularios de Charcas*, 1:189; (Lerma, 11-10-1612), *Libros Registros-Cedularios de Charcas*, 1563-1717, 1:196.

⁷²⁰ Mujía, 3:56-56.

one of the individuals whose charter proposal was rejected by Velasco. Given the ambitious scope of Ozores de Ulloa's proposal and the many privileges he requested for himself, it is not surprising why Velasco would have found it to be too much to stomach. But the viceroy did not completely forget him either. Velasco soon sent Ozores de Ulloa off to combat English and Dutch pirates along the Pacific, a task he continued for several years.⁷²¹ Ozores de Ulloa continued to receive prestigious appointments from subsequent viceroys as well. He died as the governor of Chile in 1624.

Would-be conquistadores like Ozores de Ulloa who had grown powerful and wealthy in Charcas found they could not simply buy for themselves the glory of the previous generation of governors and adelantados. But the petition process described in this chapter required petitioners to do something more substantial than plan settlement expeditions, they were expected to present a vision of frontier society that incorporated individuals and groups who were known to be out of place in Charqueño society into a functional hierarchy. I would argue that it was a process in which the social disorders of Charcas, not the foothills of the Eastern Andes, were the true focus. As these charters reveal, Spaniards living in Charcas at the turn of the seventeenth century did not entirely agree on what this new arrangement should be. However, despite the differences between individual petitioners, the *Ordenanzas* served as a common language for enunciating these individual visions of frontier society as they attempted to tackle questions surrounding family, social difference, and local customary law. At the same time, the *Ordenanzas* of 1573 also contained legal mechanisms that some petitioners used in order

⁷²¹ "Confirmación de la Encomienda de Ancoya y Otros," AGI Lima 199 N26.

to incorporate individuals with criminal backgrounds into their proposed communities as vecinos. And while several of these mechanisms had been borrowed from a medieval Castilian context, several petitioners expanded the notions of criminality they contained to both include people of mixed ancestry and reincorporate them into frontier society.

Fascinatingly, although a number of these charter proposals went nowhere, others became the foundational documents for communities established in the Eastern Andes of Charcas. This meant that not only was it possible to imagine a variety of different possible arrangements for frontier society, such differences were part of the lived experience of frontier life. As the next chapters will reveal, given the nature of these rival visions for jurisdiction and society, conflict and discord were ongoing themes within the various Spanish frontier communities that composed the Eastern Andean frontier. And while the charters referenced in this chapter served as useful documents for attracting potential expeditions, they would later also serve as powerful tools for frontier settlers to promote community autonomy and personal wealth.

Chapter 5. Tierras de Paz, Tierras de Guerra

Introduction

In January of 1574, several months before he would set out on his campaign against the Chiriguano, Viceroy Toledo met with Luis de Fuentes y Vargas in the city of La Plata, where he asked Fuentes to organize an expedition to establish a Spanish settlement in the Tarija Valley.⁷²² Fuentes agreed to lead the campaign, but like all petitioners in his position would have done, he used the occasion to improve his social and financial position. Given the examples of settlement proposals presented in the last chapter, the privileges and rights that Fuentes requested from the viceroy were predictably grandiose. According to Fuentes's biographer, in exchange for agreeing to organize, lead, and fund the expedition himself, Fuentes requested membership in the elite military order of Santiago and the title of General. He also requested the right to a massive jurisdiction that included the entire Chichas corregimiento, where he was currently corregidor, and everything eastward, all the way to the Paraguay River, with the Parapetí and Bermejo serving as its northern and southern boundaries. This eastern section amounted to the conceptual boundaries of the "Llanos de Manso," the portion of the lowland Chaco region once granted to Andrés Manso as his governorship.⁷²³

Toledo's response was likely a disappointment to Fuentes. The viceroy conceded *captain* Luis de Fuentes some twenty leagues of jurisdiction from the Tarija valley westward to the boundaries of the Chichas corregimiento, but not the province itself. This

⁷²² Julien, Angelis-Harmenting, Bass Werner de Ruiz, *Historia de Tarija* 6:33-37; Ávila, 97-99.

⁷²³ Ávila, 96-97.

boundary with the Chichas was a “tierra de paz.” As to the eastern boundary, which incorporated the Chiriguano communities of Guayacane, Guayaca, and Comechenes, Toledo granted him some thirty leagues of jurisdiction. This latter limitation does not appear to have been created out of respect the sovereignty of the Chiriguano, but to limit Fuentes’s jurisdictional ambitions and allow space for the creation of new communities and jurisdictions beyond Tarija in the future. Finally, the viceroy granted Fuentes the right to distribute land, urban lots (*solares*), farms (*chácaras*), gardens/orchards (*huertas*), ranch land (*estancias*), and other forms of immovable property to the settlers who joined him.⁷²⁴

Fuentes’s commission is suggestive of the workings of the geopolitics of settler colonialism in the Eastern Andean frontier. In this chapter, I argue that the force we might refer to as “the Spanish empire” or “Spanish power” in the region was not a single, unidirectional force bent on the destruction of the Chiriguano, but a fragmented, scalar, multi-directional, and multi-ethnic struggle for land and authority. On one level, the creation of jurisdictions tied to Spanish political communities was aimed at dispossessing native peoples of their lands. In fact, Toledo’s references to the area of the new jurisdiction facing the Chichas as “tierra de paz” and that facing the Chiriguano as “tierra de guerra” imply that two different processes of dispossession were at work in frontier jurisdictions: one largely connected to the creation of indigenous *reducciones* and *composiciones de tierras* and the other premised on the doctrine of just war.⁷²⁵ At the same time, I argue that this was a geopolitics that created conflict between Spanish

⁷²⁴ Ávila, 250; Saignes, “Andaluces,” 177.

⁷²⁵ Gil García, 386-388.

frontier jurisdictions and sometimes even tolerated the dispossession of Spanish jurisdictions and properties by other Spaniards and non-Indians. For their part, *audiencia* and viceregal officials appear to have been little troubled by such divisions, so long as they did not discourage settlement efforts or weaken the settlers' overall military capabilities vis-à-vis the Chiriguano and other unconquered peoples.

In other words, the geopolitics of the frontier amounted to the struggle for the possession of land and jurisdiction. An undated map of the Eastern Andes of Charcas from the first half of the seventeenth century (Map 7) suggests such a vision of expanding Spanish estates, mining interests, and geographical knowledge overlaying a landscape of native Andean settlement and spatial cosmology. As Herzog has argued, when settler communities occupied new areas of the frontier, they not only established new claims to property rights, they also served to expand the effective area of Spanish sovereignty, wrapping the newly occupied region in a web of individual and collective claims to possession. And as Mignolo has observed, such an expansion of Spanish sovereignty required the displacement of indigenous possession claims and notions of territoriality.⁷²⁶ I would add that, in the context of the Eastern Andean frontier, lands acquired in this way had to be constantly defended in order to be maintained. And while the civil institutions created through occupation possessed powerful legal tools within Spanish law, the long-term survival of such jurisdictions heavily depended upon the health of the political communities that constituted them.

⁷²⁶ Herzog, *Frontiers*, 117; Mignolo, 258, 260-264, 313.

In this chapter, I will present a number of case studies to demonstrate how the Eastern Andean frontier, as a Spanish jurisdiction, was constituted as a cluster of nesting, adjacent, and even overlapping irregular polygons of individual, municipal, and provincial authority (Map 6). These boundaries were rarely static or permanent, expanding or contracting along a particular edge or edges in response to the individual and sometimes collective decisions and actions of the people who gave meaning to such boundaries.⁷²⁷ Although Herzog had looked particularly closely at the nature of local jurisdictional conflict in the international borderland between Spain and Portugal, in this chapter I will explore these dynamics in the much more volatile and unstable Eastern Andean frontier. In an environment where the expansion or contraction of the frontier was accomplished through violence, the misfortunes of one Spanish frontier community sometimes served as an opportunity for neighboring Spanish settler communities who sought to take possession of what their neighbors had lost. At the same time, Spanish settler communities struggled to maintain possession of the lands within their jurisdiction, sometimes competing with neighboring frontier jurisdictions to claim authority over the Spaniards and native peoples who resided there. Yet the politics of ongoing possession also motivated the leaders of frontier communities to seek to limit the possibility of cross-border conflicts with unconquered peoples. Success in the latter case seems to have required a careful balance of military strength, diplomacy, and cross-border collaboration with individual Chiriguano communities and their leaders. It was an environment in

⁷²⁷ Herzog, *Frontiers*, 184.



Map 7. Map of the Eastern Andes of Charcas in the Early Seventeenth Century. Sources: Thierry Saignes, "Potosí et le sud Bolivien solen une ancienne carte," *Cahiers du Monde Hispanique et Luso-Brésilien* 44 (1985): 123-128; Pablo Cruz, "Reflexiones corográficas a partir de un mapa de siglo XVII del sur de Charcas," *Estudios Sociales del NOA* 15 (2015), 7.

which silence in the face of dispossession was interpreted as consent, and conflicts over land, jurisdiction, and status were hotly contested and often intensely personal.⁷²⁸

Sovereignty and Possession: Toledo and Fuentes in Tarija

Fuentes was not Toledo's first choice for the settlement of the Tarija valley. The viceroy had first approached other elite vecinos of La Plata, all "people of quality (*calidad*), powerful and rich," but failed to tempt any of them to take on the venture.⁷²⁹ Yet, like these elite figures, Fuentes had the necessary financial resources required for the post. He was the nephew of a wealthy Potosí silver miner, and appears to have acquired at least some military experience during a campaign against the Chicha Indians in the 1560s, not to mention earlier services in Peru. Fuentes also possessed the leadership and administrative skills needed for the job, as evidenced by the nine years he had served as corregidor of the Chichas corregimiento since 1565. As the Chichas corregimiento bordered the region that Toledo had commissioned Fuentes to settle, Fuentes also had the resources to manage the tactical requirements associated with feeding and outfitting a large expedition that would necessarily include both Spaniards and indigenous auxiliaries.⁷³⁰

⁷²⁸ *Ibid.*, 37, 40.

⁷²⁹ Testimony of Antonio Asquete, "Relación de servicios de Luís de Fuentes" (La Plata, 11-25-1604), Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:408.

⁷³⁰ Ávila, 41, 44-48; Saignes, "Andaluces," 177; Although Avila presents Fuentes's actions among the Chicha as a "conquest," it makes more sense to view Fuentes's campaign against the Chicha as part of a larger effort by the Audiencia of Charcas to put down native Andean uprisings then taking place in indigenous communities stretching from Potosí to Tucumán in the early 1560s, as well as the destruction of Nueva Rioja and La Barranca by the Chiriguano during those same years. Contemporaneous officials would have regarded Fuentes's actions as the "pacification" of a people who had already pledged their fealty to the Crown. See *Qaraqara Charka*, 871; Barnadas, 178-179; Presta, "Encomienda, Family," 80; "Carta a Su Magestad de la Audiencia de Charcas con larga relación del alzamiento de los indios diaguitas" (10-30-1564), Levillier et al, *Audiencia de Charcas* 1:133-134.

Fuentes's commission, and the steps that Fuentes would later take to executive it, provide insights into how Spanish officials and frontier settlers justified their occupation of indigenous land, particularly lands located in regions described as frontiers. By the end of the sixteenth century, Spanish jurists, officials, and settlers had developed a number of legal strategies to extend Spanish sovereignty into new territories. But the strategies employed by Toledo to justify Fuentes's commission were not necessarily the same as those used by Fuentes to carry it out. Where Toledo would rely on theological arguments and the thesis of just war, Fuentes made ample and ambitious use of the laws surrounding possession to fulfill his personal ambitions. Nor did the visions of the two men entirely coincide—in fact Fuentes sought to extend his authority far beyond the boundaries Toledo had given him. Yet perhaps because the two men worked at different scales of authority using different juridical tools, the strategies they employed worked in concert to link the establishment of civil jurisdiction with the creation of private property rights, thus establishing what their contemporaries would have considered to be legitimate as well as effective, *de facto* control over a portion of the Eastern Andean frontier.⁷³¹

In Fuentes's commission, Viceroy Toledo charged Tarija's founder with the task of establishing communities that would serve a defensive role in the face of Chiriguano attacks. In a sense, the viceroy was delegating to Fuentes part of the authority Toledo had been granted by the king to bring order to the region. While Toledo had brought order to other indigenous communities in Peru through what he believed to be peaceful means, he had come to believe that the Chiriguano would only be pacified through military force.

⁷³¹ Herzog, *Frontiers*, 117; Benton and Straumann, 1-2, 35-38.

Peaceful methods had already been tried on multiple occasions, and all had resulted in failure. Moreover, as I described in Chapter 1, Toledo had concluded that military action against the Chiriguano constituted a just war, waged “in fire and blood” (*a fuego y sangre*) in order to end the Chiriguano’s attacks on the king’s subjects and subject them to the king’s authority.⁷³²

Toledo’s legal argument for the powers he would grant to Fuentes is interesting for the justifications it uses and those it omits. Benton and Straumann have recently outlined the broad assortment of legal arguments that Spanish officials, jurists, and settlers used to support the establishment of Spanish sovereignty in the New World.⁷³³ The crown had long supported the extension of Spanish sovereignty over all of the lands and peoples of the Indies using the argument that these groups, including the Chiriguano, were already vassals of the king through papal concession.⁷³⁴ According to Pagden, another argument that Spanish authorities tended to use was that they had the right to distribute land in the Americas out of the belief that these lands were uninhabited and unowned, a legal concept from Roman private law known as *res nullius* (things without owners), or a derivative concept, *terra nullius* (land without owners). But viceroy Toledo did not use either argument in Fuentes’s commission to settle the Tarija valley.⁷³⁵

These omissions are curious because Toledo had already been collecting evidence to support the argument that Chiriguano were rebellious subjects and Christian apostates.

⁷³² Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:33-34.

⁷³³ Benton and Straumann, 36, 37.

⁷³⁴ Marrero-Fente, “Derecho y Justicia,” 207, 209-210; Pagden, *Lords*, 91; Herzog, *Frontiers*, 115; Pagden, *Burdens*, 11.

⁷³⁵ Pagden, *Lords*, 78; Although see the critiques of Benton and Straumann, 1, 2, 21-25.

Even before Toledo came to La Plata, the viceroy had heard testimony in the city of Cuzco from witnesses from Santa Cruz de la Sierra and La Plata who claimed that the Chiriguano had already accepted the king's sovereignty as well as baptism into the Catholic Church and now lived in rebellion against both. As Scholl has recently pointed out, it mattered little that the witnesses conflated two different Guarani-speaking communities, one living in Paraguay and the other in the Eastern Andes, to make such claims.⁷³⁶ Later, the rebellion and apostasy of the Chiriguano were central to the arguments that Licenciado Cepeda would make to support ongoing efforts to conquer and enslave them.⁷³⁷ Similarly, claims that the Chiriguano were simply newcomers and, therefore, not legitimate owners of the lands they occupied were also an ongoing theme in the discourse surrounding the Chiriguano.⁷³⁸

Instead, Toledo's silence on the subjects of papal donation and *res nullius* may have reflected then-current trends among a number of jurists and theologians in Spain who hoped to limit military incursions against native peoples to actions that could be justified through the notion of just warfare. Scholars like Vitoria and Domingo de Soto were critical of the use of both papal donation and *res nullius* arguments for supporting Spain's claims to sovereignty in the Americas. However, Toledo was able to apply Vitoria's notions regarding the declaration of just war in the face of breaches of natural law, such the violation of the freedom of travel, settlement, trade, and evangelization,

⁷³⁶ Scholl, 282.

⁷³⁷ "Carta a S. M. del Presidente de Charcas, Licenciado Cepeda ... conveniencia de sujetar a servidumbre a los chiriguanaes" (12-27-1582), AGI Charcas 31. In Levillier et al, *Audiencia de Charcas*, 2:30-41.

⁷³⁸ See "Origins and Migrations," section of Chapter 2 "Chiriguana Historical Ethnography" in Scholl, 29-50.

directly to the actions of the Chiriguano in the Eastern Andes.⁷³⁹ In the end, although nations might claim to conduct a just war in defense of natural law and the laws of the commons (*ius commune*), the function of the doctrine, in practice, was to legitimate the conquest and ongoing occupation of new lands and peoples. Spain's ability to maintain possession of a given region over time, however they might have conquered it, only strengthened their claims to sovereignty according to the ancient laws of Rome as they understood them.⁷⁴⁰

Toledo and audiencia officials may have carefully considered whether or not to pitch the conquest of the Chiriguano as a just war, but leaders and frontier settlers like Fuentes likely gave it little thought. This is not to say that frontier residents were unaware of such arguments. The individuals who served as witnesses against the Chiriguano in Cuzco in 1572, and the generations of settlers who followed them, helped the Spanish Crown to build and maintain its argument against the Chiriguano through their eye-witness reports of Chiriguano atrocities from the field, and narratives of a long, defensive war in a dangerous frontier. Yet whatever their awareness of the transatlantic debates taking place over the legitimacy of the conquest, the defenses that frontier agents used most frequently to occupy new lands were those of the Roman laws of possession, or more likely the form in which those laws were laid out in the thirteenth-century Castilian statutory codes called the *Siete Partidas*. Much like the arguments that were advanced during the centuries-long reconquest of Iberia from Muslim princes, the lands of a

⁷³⁹ Herzog, *Frontiers*, 115; Benton and Straumann, 21-22; Pagden, *Burdens*, 12; Scholl, Chapter 6: "Francisco de Toledo, The Charcas Reforms, and the First Chiriguana War," 270-312.

⁷⁴⁰ Pagden, *Burdens*, 45; Benton and Straumann, 11-14; Herzog, *Frontiers*, 117, 124.

defeated enemy could be owned by whomever occupied and, thus, possessed them.⁷⁴¹ In the Eastern Andes, such notions could be applied not only to the Chiriguano, but to the native Andeans who were now ostensibly the King's subjects.

The third volume of the *Siete Partidas*, which covers everything from the rules governing witness testimony to property law, talks about the two actions needed for acquiring possession of immovable property: desiring to own it and physically entering and taking hold of it, “the act of placing of the feet,” often a formal ritual in which the claimant made physical contact with the lands being claimed by tearing up tufts of grass or lifting and casting stones.⁷⁴² Apart from the kinds of possession relegated to royal sovereigns, there were two kinds of ownership spelled out in the *Siete Partidas*, “natural possession” and “civil possession.” Immovable property that a person owned by natural possession was something that he could be said to physically hold—it was an entirely corporeal possession. Civil possession was more abstract in the sense that a person owned it because he owned it “in will and mind.” Given that fact that people frequently came and went from their property, especially rural property, any property owner could be said to own their property both naturally and civilly. A party could gain possession of property through purchase or inheritance, of course, but they could also acquire ownership of property by occupying or holding it, unchallenged, for a long period of

⁷⁴¹ Benton and Straumann, 2, 4, 36; Herzog, *Frontiers*, 121, 262-263; Pagden, *Lords*, 74.

⁷⁴² Alfonso X, *Las Siete Partidas del Rey Don Alfonso el Sabio, cotejadas con varios códices antiguos por la Real Academia de la Historia* (Madrid: Imprenta Real, 1807), partida 3, tit. XXIX laws i, ii, iv; title XXX, laws ii, iii, v, and vi.

time. Through ownership acquired by possession over time, called prescription, a party could turn *de facto* possession into legal possession (*de iure*).⁷⁴³

Yet as much as Castilian statutory codes, like those of the Siete Partidas, reflected Roman legal traditions, such notions also underwent significant transformation during the Medieval period. While in Roman law, unowned things could be acquired through laws regulating possession, properties associated with the commons and jurisdictional property could not be acquired in this way.⁷⁴⁴ One of the significant legal developments of the late Medieval and Early Modern periods was the inclusion of property associated with both the commons and even jurisdictions into the category of things that could be acquired through occupation and prescription.⁷⁴⁵ In this way, when communities took possession of lands that belonged to all (i.e. the commons), the result was both the creation of private property and the expansion or creation of new sovereignties. The shift created juridical tools that justified arguments for the expansion of sovereignty through acts of conquest and occupation that had been carried out by small groups of settlers.⁷⁴⁶

The close link between the creation of jurisdiction and property rights is evident in Fuentes's commission. One of the primary functions of the community that Toledo had authorized Fuentes to found was to establish the institutional and legal framework required to support the creation of private property in the frontier. As we learned in Chapter 3, the jurisprudence associated with the creation of Spanish towns carried with it

⁷⁴³ Herzog, *Frontiers*, 116; Benton and Straumann, 14; Pagden, *Lords*, 89, 90.

⁷⁴⁴ Herzog, *Frontiers*, 116; Benton and Straumann, 15.

⁷⁴⁵ Herzog, *Frontiers*, 116-117.

⁷⁴⁶ *Ibid.*, 143.

a clear hierarchy of authority over people and spaces as well as a host of customs for establishing boundaries at different scales of provincial, municipal, and private authority. Toledo had given Fuentes a clear notion of the boundaries within which Fuentes's grants of land would carry for the force of law. It was Fuentes's task distribute the lands within that space to the individual landowners who would make Toledo's vision a functional reality.

In fact, Fuentes distributed lands to Spanish settlers over a much wider area than those granted to him by Toledo, including lands as far eastward as fifty leagues from the town of Tarija itself. These grants included lands that remained, ostensibly, "tierras de guerra," lands whose native inhabitants were not vassals of the King of Spain and were hostile towards the king's subjects. Fuentes also distributed *chácaras* and *estancias* in the valleys of Cinti, Camplaya, Pilaya, Paspaya, and Moraya, most of which lay north of the Pilaya River, and even in the lands of the Chichas, so-called "tierras de paz" to the west. These were lands whose indigenous inhabitants were already Spanish vassals. Fuentes already possessed extensive lands among the Chichas as well. He also distributed lands far to the south, all the way to the Bermejo River. Each individual who received property from Fuentes formed part of the political community of Tarija, where they would enjoy the rights and privileges associated with *vecindad*. If we consider that the landowners in question constituted a physical and spatial representation of Fuentes's authority, then Fuentes had, in fact, successfully taken possession of a much greater area of jurisdiction than he had initially been granted. These lands are at least one reason why Fuentes would later describe himself as a founder of the towns of Pilaya, Paspaya and Cinti, which

theoretically lay outside of his area of direct influence, but in the settlement of which he would play a central part.⁷⁴⁷

The foundation of Tarija serves as an example of how formerly unrelated legal devices, such as just war theory and the laws of possession, served as invaluable tools for territorial expansion in the Americas. These tools proved to be effective both in the arena of international politics as well as in small-scale individual and collective actions of occupation, particularly in frontier regions like the Eastern Andes. Even influential jurists, such as Juan Solórzano Pereira, blended various legal traditions to support his claims. As he argued in *De Indianum Iure* (1629), the Indies belonged to Spain both because of divine favor and because Spain had continued to occupy and retain possession of the Indies, despite resistance, for so many years.⁷⁴⁸ Solórzano Pereira hoped to defend Spain's glorious conquest of the Indies on the international stage, but he also had good reason to support the many individuals who continued to expand the empire on the ground. After all, he was the son-in-law of Gabriel Paniagua de Loaysa, a vecino of La Plata with encomiendas in Mizque who had taken part in Toledo's just war against the Chiriguano.

Competing Settlements: Tomina and La Laguna

In 1583, as Miguel Martín prepared to break ground on the town of San Miguel de la Laguna in the province of Tomina, the settlement charter he created to govern the

⁷⁴⁷ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:374, 378-379, 383, 410.

⁷⁴⁸ Juan de Solórzano Pereira, *De Indiarum Iure* (Madrid: Consejo Superior de Investigaciones Científicas, 2001), book 1, chapter I, article 1 and chapter XV, article 63; Solórzano Pereira elaborated these concepts still further in his Spanish translation, *Política Indiana*, as described in Herzog, *Frontiers*, 119.

municipal boundaries between his as-yet unfounded town and that of the already-established town of Santiago de la Frontera (i.e. the town of Tomina) sparked a debate among audiencia officials, municipal and provincial leaders, and frontier settlers over questions of property ownership, frontier settlement planning, and personal and collective prestige. Later on, Martín's proposals, in modified form, would surmount these political obstacles, but the community of San Miguel itself would be destroyed by the Chiriguano. Both areas of tension surrounding Martín's settlement are a reminder of the complex web of interpersonal relationships that governed the persistence of political communities and the maintenance of claims to jurisdiction in the Eastern Andean frontier.

By the early 1580s, Spaniards had been settling in the valleys east of La Plata, later called the province or corregimiento of Tomina, for half a century. The Almendras and Holguin families had possessed the repartimientos of Tarabuco and Presto, reducciones located some twelve leagues from the Tomina Valley, on and off since the 1530s.⁷⁴⁹ The de Meneses family controlled the Yampara reducción, located just west of Tarabuco, until around 1572.⁷⁵⁰ Both Santiago de la Frontera and the proposed town of San Miguel, located east of these repartimientos, occupied a region in which Spaniards had been carving out haciendas since at least the 1560s.⁷⁵¹ When viceroy Toledo passed

⁷⁴⁹ Presta, "Encomienda, Family," 64, 72, 85.

⁷⁵⁰ Hampe, 82; *Qaraqara Charka*, 286.

⁷⁵¹ "Carta a S. M. del Licenciado Cepeda, presidente de Charcas, sobre la conveniencia de conservar, reducir y poblar en las naciones de indias," (2-10-1588) Levillier et al, *Audiencia de Charcas* 2:368-369; "Al Rey nuestro señor en su real consejo de Indias," (10-2-1591) AGI Charcas 43; (3-17-1546) AGI Indiferente 1964 lib. 10, F7v; Ricardo Mujía, *Bolivia-Paraguay—Anexos: Época Colonial* 3 vols. (La Paz, Bolivia: Empresa Editorial "El Tiempo," 1914), 2:581; AGI Patronato 125 R4; Thierry Saignes, "Entre bárbaros y cristianos. El desafío mestizo en la frontera chiriguano," *Anuario IEHS* 4 (1989), 21-22; Finot, 138-139.

through the region both before and after his failed expedition against the Chiriguano in 1574, the area had already been divided into a number of different haciendas, although no formal Spanish settlement had been created up until that time.⁷⁵² By the 1580s, Spanish estates in Tomina were largely limited to the future town's narrow river valley, which linked the community to the distant Rio Grande to the north. Beyond this, the town was surrounded by steep, rugged hills, better suited for cattle grazing than agriculture.⁷⁵³ By contrast, the valley where Miguel Martín planned to construct San Miguel de la Laguna, only some thirteen miles southeast of Tomina as the crow flies, was a much wider, well-watered east-west basin. The lake after which the community was named, now long-since vanished into cultivated fields, was still extant when Martín described the proposed settlement in 1583. It also appeared on Cepeda's 1588 map.⁷⁵⁴ Yet for all of its potential, the valley where Martín would found San Miguel was only negligibly under Spanish control in the 1580s, control that had become increasingly tenuous in the months preceding Martín's presentation of his charter proposal to the audiencia.⁷⁵⁵

Santiago de la Frontera de Tomina had been founded by the order of Viceroy Toledo himself in 1575 in an effort to bring a more civilized, urban order to a region that had likely developed in a fairly informal manner. Spaniards had come to the region from both Peru and Paraguay, making Tomina a site of mingling Spanish settler traditions, political alliances, and family networks.⁷⁵⁶ Martín claimed to have arrived in Peru in time

⁷⁵² "Carta de Tomina sobre Friar Diego de Porres" (4-20-1582), AGI Charcas 142.

⁷⁵³ CDIAO, 9:318.

⁷⁵⁴ "Mapa de la cordillera," AGI Mapas y Planos, Buenos Aires, 12; Mujía 2:570-571.

⁷⁵⁵ Scholl, 343.

⁷⁵⁶ "Villa de Santiago de la Frontera de Tomina," AGI Lima 135; "Carta de la Audiencia de Charcas a Su Magestad refiriendo lo obrado y reformado por el virrey francisco de Toledo en el gobierno del Peru" (5-

to support the king's cause against the Pizarros at Jaquijaguana (1548), again against Girón (1554), and finally claimed to have participated in Toledo's 1574 expedition in the region, although he does not appear to have received any repartimiento or other reward for these services.⁷⁵⁷ He described himself as the first person to settle the Tomina frontier, likely including the valley where the town of Santiago de la Frontera was later founded, living there alone for more than two years before anyone came to join him. Apart from the obvious hyperbole, his statement says something about the informal manner in which Spaniards had begun to carve out properties for themselves. By 1583, Martín possessed an estancia just one league from the site of the proposed town, in a small valley called Mojotorillo.⁷⁵⁸

Martín had enjoyed many years of extensive contact with different Chiriguano leaders, likely since the 1570s, when he and García de Mosquera were two of the principal figures organizing the Spanish side of the indigenous captive trade with several of the local Chiriguano caciques.⁷⁵⁹ While audiencia officials often represented the Chiriguano as an undifferentiated nation in official reports and correspondence, settlers like Martín knew them to be loosely articulated and often antagonistic communities led by leaders who were often quite willing to ally themselves with Spanish communities under certain circumstances. At least two Chiriguano caciques, Mapae and Areya, had been long-time allies of Martín and Mosquera in the captive trade, and these leaders, as

16-1575), AGI Lima 290; "Carta del Licenciado Cepeda a S.M. en contestación de las reales cédulas recibidas y trata muy por extenso de la reducción de los indios chiriguanos" (2-10-1590), AGI Charcas 17; "Carta de Tomina sobre Friar Diego de Porres" (4-20-1582), AGI Charcas 142; *Acuerdos*, 2:557.

⁷⁵⁷ Mujía, 2:581.

⁷⁵⁸ *Ibid.*, 2:571, 572, 581.

⁷⁵⁹ Scholl, 339; Saignes, *Historia del Pueblo*, 63.

well as individuals from their communities, regularly visited Tomina and the estates of prominent settlers like Martín, Mosquera, Melchor de Rodas, and Pedro de Segura, to engage in trade and to exchange news and information.⁷⁶⁰

Martín's charter proposal was written in the midst of an escalation of violent exchanges between Spanish frontier settlers and nearby Chiriguano communities. In 1582, at the recommendation of outgoing viceroy Toledo, the Audiencia of Charcas banned the trade in indigenous captives taking place in Tomina.⁷⁶¹ Scholl has recently suggested that the ban had the effect of weakening well-established Spanish-Chiriguano trade alliances, encouraging both sides to seek indigenous captives and trade goods and supplies by other means. For the Chiriguano, this meant an upswing in raids conducted to acquire Spanish and indigenous captives and other plunder. For the Spaniards, this meant a return to a more expansionist approach to settler colonialism that would bring more lands and indigenous laborers directly under Spanish control.⁷⁶²

These important observations go a long way towards explaining the likely participation of Chiriguano caciques Mapae and Areya, both trusted Spanish allies, in raids on indigenous communities and Spanish estates near Tomina in late 1582.⁷⁶³ The Spanish settler response to these raids, particularly Pedro de Segura's decision to take

⁷⁶⁰ Testimonies of Andrés de Cañizares, Juan Ochoa, Alonso Rodríguez (11-28-1582) in "Ynformación cerca de los yndios chiriguanaes hecha por mandado de los señores presidente y oidores de la audiencia real de la ciudad de la Plata del Peru," AGI Patronato 235 R7.

⁷⁶¹ "Fiscal, Anotnio Pantoja," (Oct-8-1582) *Acuerdos*, 2:382; Scholl 322.

⁷⁶² Scholl, 341.

⁷⁶³ "Provisión Real" (11-17-1582), testimonies of Juan Ochoa, Alonso Bravo, and Alonso Rodríguez (Santiago de la Frontera 11-28-1582) in "Ynformación cerca de los yndios chiriguanaes hecha por mandado de los señores presidente y oidores de la audiencia real de la ciudad de la Plata del Peru," AGI Patronato 235 R7; Scholl, 321-343.

Mapae and Areya and almost fifty other Chiriguano captive, damaged this relationship still further. Segura had hoped to use the Chiriguano captives as collateral for recovering local captives taken in the recent raids. The effort failed, as the captives in question were in the possession of another Chiriguano cacique named Candio. In the end, the captured Chiriguanos escaped, fleeing back to their communities, and the audiencia launched an inquest into Segura's actions. After that point, Chiriguano raids on Spanish estates escalated still further, including a raid on Martín's estate in Mojotorillo in April of 1583.⁷⁶⁴

The increase in frontier violence and the death of viceroy Martín Enriquez gave the Audiencia of Charcas both a motive and the authority to promote new settlement efforts in the Eastern Andean frontier. The audiencia invited charter proposals from prospective settlement founders in July and soon received proposals from both Miguel Martín and García Mosquera. Mosquera's plan for a settlement in the lowlands near the abandoned site of Nueva Rioja did not receive audiencia support. While Martín's charter proposal eventual was approved by the audiencia, the privileges and rights he requested sparked considerable debate among audiencia officials as well as frontier settlers, particularly those with connections to Tomina. As Martín's representatives attempted to iron out differences between Tomina and San Miguel, Martín himself seemed to trust the alliances he had formed with nearby Chiriguano leaders, specifically Mapae and Areya, to preserve the town's security on its eastern borders. In a sense, it seemed as if Martín

⁷⁶⁴ Testimonies of Joan Ochoa, Francisco Onton (11-28 to 11-29), AGI Patronato 235 R7.

was more concerned with audiencia politics than he was with his relationships with his Chiriguano allies.

Apart from simply founding a town, Miguel Martín envisioned establishing an extensive jurisdiction for the incipient municipality. In his charter petition, Martín represented his jurisdiction as a circle, two leagues in radius, surrounding the town, with the exception of the lands facing the Chiriguano, where the municipality would extend its jurisdiction for some thirty leagues into Chiriguano territory.⁷⁶⁵ Within that jurisdiction, the town's cabildo members, headed by Martín himself, would distribute lands to key settlers who were then obligated to establish residence and vecindad in the new town.⁷⁶⁶ On the face of it, the request was quite modest in that it did not exceed the limitations on municipal jurisdiction laid out in the *Ordenanzas* of 1573.⁷⁶⁷ Martín also wanted to be named captain and *justicia mayor*, a title that gave him power over both military defense and local legal matters, and requested that he be invested with the right to call up the militias of surrounding communities, including indigenous reducciones, in times of war. Finally, Martín requested that he be granted indigenous laborers to aid him in establishing the town, if only for a short time.⁷⁶⁸

In order to fully consider the implications these requests, audiencia officials asked influential figures then residing in the eastern Andes to respond to Martín's proposed charter. Gabriel Paniagua de Loaysa, Hernando de Zarate, and Francisco de Hinojosa,

⁷⁶⁵ Mujía, 2:554.

⁷⁶⁶ *Ibid.*, 2:554.

⁷⁶⁷ "Ordenanzas de descubrimiento," ordinance eighty-nine, AGI Indiferente 427 L29, 82r-82v; Morales Padrón, 505-506.

⁷⁶⁸ Mujía, 2:554-559.

encomenderos who had held key royal offices in frontier jurisdictions in Charcas, were entirely opposed to the privileges that Martín claimed for himself, underscoring the damage his plans would do to Tomina, then the only formal Spanish settlement in the foothills just east of La Plata. Pedro de Segura, then corregidor of Tomina, and other settlers and landowners in the province even suggested that Martín build a town elsewhere, such as the fertile plain far to the north of Tomina called Moxocoya, which had belonged to Lope de Castro. This area was even closer to La Plata than La Laguna, and had also been the site of Chiriguano raids in the recent past.⁷⁶⁹

These experts recognized that Martín's proposal was an attempt to appropriate the vecinos, jurisdiction, and pre-eminence of Tomina as the "*cabeza*" or head of the corregimiento. The two leagues of jurisdiction that Martín proposed for his settlement would overlap with properties that Tomina's settlers had already claimed for themselves. Martín was, of course, aware of this, and offered to let them keep a quarter of the lands they had claimed, with the remainder to be replaced with lands from elsewhere in the new town's jurisdiction. But in order to keep even a quarter of their old holdings, established settlers, all of them supposedly already vecinos in Tomina, would have to transfer their vecindad to new town.⁷⁷⁰ All those who had not yet developed the lands they had been given in earlier repartimientos would lose them completely. Furthermore, Tomina's corregidor was already the region's captain and *justicia mayor*. If enacted, Martín's proposal would create an identical position for the leader of San Miguel, and even

⁷⁶⁹ Ibid., 2:564-573.

⁷⁷⁰ Ibid., 2:559.

allowed for the possibility of Martín commanding Tomina's own militia, effectively making his title superior to the one granted to Tomina's leader. Finally, Martín's grab for indigenous laborers from the region would be a blow to Tomina's residents and landowners, who were themselves dependent on laborers from the indigenous reducciones as well as local yanaconas to work their properties. Gabriel Paniagua de Loaysa protested that, if enacted, Martín's new town would essentially unmake the town of Tomina, a community established by viceroy Toledo himself.⁷⁷¹

The response of the oidores was to split the difference, giving Martín only one league of jurisdiction in the lands that would separate his community from Tomina, but, in keeping with rhetoric associated with conquest and possession, a much more extensive jurisdiction in the direction of the Chiriguano. Only the Río Grande formed any kind of identifiable barrier to the expansion of the municipality. Residents already living within the league Martín claimed for his settlement would lose only half of their lands. However, lands where settlers had not yet demonstrated full possession could be freely redistributed by the cabildo of San Miguel. As to the question of provincial hierarchy, San Miguel would remain subordinated to Tomina, the older community, as was the norm in matters of precedence. If the time came to call out the militias in defense of the region, Martín would have no special authority. Yet perhaps as a word of warning to Tomina's residents, the oidores stressed that all residents of the region would be expected to do their part to defend it if called upon to do so, no matter who sounded the alarm. Only in the area of management of municipal justice and jurisdiction would the towns

⁷⁷¹ Ibid., 2:576.

function separately. Martín would also be granted a very small number of indigenous laborers from Tomina as well as a few more provided by the audiencia to spy out the movements of the neighboring Chiriguano.⁷⁷²

The matter would soon be a dead letter. In January of 1584, four months after the audiencia had released its decision regarding San Miguel, a group of Chiriguano attacked Martín's settlement, killing all of its Spanish population, perhaps fifteen people including Martín, as well as a number of African slaves, several free blacks or *mulatos*, and at least one mestizo. The group carried off many captives as well, including African slaves, at least two free *mulatos*, and more than twenty indigenous servants and laborers, many of them from Tomina, not to mention the arms and supplies they found there.⁷⁷³ As Scholl has recently observed, the outcome of the attack underscored Martín's complacency. He had taken few steps to create secure fortifications in San Miguel, and failed to use the indigenous spies sent by audiencia to gather intelligence, diverting them instead to field work and other labor. As we have seen Chapter 1, the destruction of San Miguel catalyzed the audiencia into organizing a massive military campaign against the Chiriguano on multiple fronts in the Eastern Andean frontier.

The planning, construction, and subsequent destruction of San Miguel de la Laguna is a reminder of the multi-ethnic, multi-directional, and scalar political dynamics that governed settlement building in the Eastern Andean frontier. In many ways, Miguel Martín was a practiced hand in manipulating all registers of this complex system of

⁷⁷² Mujía, 2:573-586; Scholl, 358.

⁷⁷³ Scholl 358; Mujía, 2:594-596, 612-613.

overlapping boundaries and interests. His miscalculations regarding San Miguel's defenses are surprising given his experience in the region, and perhaps reflect the speed and extent to which the inter-ethnic relationships he had so long relied upon had changed over the previous months. The 1584 military expeditions against the Chiriguano would greatly weaken the martial strength of Chiriguano communities near Tomina, which allowed greater Spanish settler expansion towards the east. The destruction of San Miguel obliterated all of the carefully negotiated agreements associated with the settlement and its putative jurisdiction, creating an opportunity for another figure to establish a settlement in the valley. Somewhat ironically, that individual was Melchor de Rodas, the founder of Santiago de la Frontera itself, San Miguel's chief rival in the struggle over jurisdictional boundaries. The town Rodas founded in late 1584 or early 1585 was even named after himself, as San Juan de Rodas, at which time Rodas was also named corregidor of the province of Tomina. In the end, it was Rodas, not Martín, who acquired the prestige, privileges, and wealth that Martín had desired.⁷⁷⁴

Creating Corregimientos: San Juan de la Frontera de Paspaya

The dangers of the frontier were often lamented in Spanish correspondence, but they also presented certain opportunities for individuals who were in the position to take advantage of them. Expanding one's jurisdiction through conquest was certainly one of those opportunities, but so was the possibility of supplanting communities and settlers

⁷⁷⁴ It appears to be the second time he was named Corregidor of Tomina. *Acuerdos*, 4:1588.34, 1588.88; Scholl, 358, 360. His source is "Consultas a autos y diligencias ... indios chiriguanaes ... (10-9-1583 – 1-29-1584)," AGI Patronato 235 R9, Block 1:11-12, 23; "Justicia de Santiago de la Frontera: conducta Chiriguanaes" (1583), AGI Patronato 235 R7; ABNB EC 1590.9; ABNB EC 1618.1; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4; ABNB EC 1665.30.

that had been driven out of their jurisdictions as a result of frontier violence. The Cordillera Oriental was littered with ruined Incan fortresses and abandoned Spanish estancias, much as La Plata and Potosí were home to a great many Spaniards who, at some point or another, had taken part in a failed expedition or settlement schemes.⁷⁷⁵ The events surrounding the settlement of the Spanish community of San Juan de la Frontera in the province of Paspaya and Pilaya serves as an example of this process of forced abandonment and opportunistic settlement. In that instance, the community's founder, Juan Ladrón de Leiva, deployed a diverse repertoire of legal and political arguments to carve out a new jurisdiction for his community from a host of prior claims. The plurality of legal arguments Ladrón employed to dispossess prior claimants of their rights to the land and its jurisdiction reflected Spanish vernacular legal practices that tended to favor an abundance of claims rather than the precise legal arguments of a trained jurist.⁷⁷⁶ Central to these arguments was the notion that indigenous jurisdictional and property rights in the frontier required ongoing possession, the disruption of which allowed for the emergence of newer, better claims by Spanish settlers.

The Pilaya, Paspaya, and Cinti valleys had formerly belonged a number of different native Andean ethnic groups, many of whom were associated with the Charka confederation. Later, the region was a nominal part of the Inca empire until repeated attacks from the Chiriguano effectively drove much of the region's indigenous population

⁷⁷⁵ Fernando de Cazorla and Francisco de Barrasa, AGI Charcas 43; Juan Pedrero de Trexo, AGI Charcas 48; Christoval Ramírez de Montalva, AGI Charcas 51; Diego de Zárate, AGI Charcas 55; Pedro de Espínola y Luna, AGI Charcas 44; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4.

⁷⁷⁶ Benton and Straumann, 29.

out the Eastern Andean foothills. By the late sixteenth century, the northern part of the province, centered on the reducción of San Lucas, retained a large indigenous population that still possessed significant tracts of agricultural land.⁷⁷⁷ Located in the northwestern corner of the province, San Lucas was one of four reducciones created for the Aymara-speaking Quillacas and Asanaques in the late sixteenth century, and served to concentrate an indigenous population that had formerly been dispersed into small settlements within a radius of some fifteen leagues from the future site of the town. Significantly, reducciones like San Lucas also at least partially served to open up tracts of land that could be distributed among or purchased by Spaniards, given that their indigenous inhabitants could no longer effectively cultivate fields located at great distances from the reducción site. The laws of possession made it difficult for native Andean farmers to retain ownership of lands they could not physically possess. San Lucas was the only formal reducción located in future corregimiento of Pilaya and Paspaya.⁷⁷⁸ Although the indigenous residents of town maintained possession of prime agricultural land in the northern portion of the corregimiento located near the reducción, San Lucas's distance from the southern and eastern reaches of Pilaya and Paspaya partially explains how these areas of the corregimiento became dominated by Spanish vineyards and cattle ranches.⁷⁷⁹

The competition for control over the corregimiento of Pilaya and Paspaya as a discreet jurisdiction appears to have begun with the efforts to found Spanish towns in the region shortly after the destruction of San Miguel de la Laguna in 1584. Like the

⁷⁷⁷ Zulawski, 174.

⁷⁷⁸ Presta, "Hacienda y Comunidad," 33.

⁷⁷⁹ Zulawski, 174; Presta, "Hacienda y Comunidad," 33.

properties around San Miguel, the San Lucas reducción and various Spanish properties located in Paspaya and Pilaya were sacked and briefly occupied by Chiriguano warriors in the early 1580s. The push to found Spanish settlements in the region following these attacks was, of course, defensive, but it was also opportunistic, taking advantage of the depopulation of fertile and formerly populated valleys caused by the twin pressures of frontier violence and Toledo's resettlement policy in order to establish a stronger hold on the land and its people. The first Spanish towns, Cinti and San Juan de la Frontera de Paspaya, both appear on López de Cepeda's 1588 map of the region as "newly settled." Audiencia President López de Cepeda confirmed their existence in a letter to the king as early as December of 1586.⁷⁸⁰ In his letter, Cepeda imagined the new towns, like the nearby Tomina, as part of a defensive geography in which a Hispanicized frontier separated the Chiriguano to the east from the indigenous reducciones of the west and north (Maps 1 and 4).⁷⁸¹ While he described the move as defensive, the settlements also served to at least partially disrupt and perhaps prevent possible alliances between the ayllus of the former Charka federation and the Chiriguano.⁷⁸²

Juan Ladrón de Leiva, the founder and principal architect of the town he called San Juan de la Frontera de Paspaya, came to Charcas after having spent eight years in Chile, where he had served with Governor Rodrigo de Quiroga in the wars against the Mapuche.⁷⁸³ In his 1598 service record, Ladrón stated that he arrived in Charcas during what he described as the turbulent years following the death of Viceroy Martín Enriquez

⁷⁸⁰ Levillier et al, *Audiencia de Charcas*, 2:256.

⁷⁸¹ *Ibid.*, 2:256.

⁷⁸² *Al Este de los Andes*, 163, 248, 270.

⁷⁸³ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4.

in 1583 and the destruction Miguel Martín's settlement of San Miguel de la Laguna in 1584. In response to these events, Ladrón claimed to have been named captain of the reducción of San Lucas, where he commanded a company of soldiers charged with ending Chiriguano attacks on the yanaconas and originarios of the region, in defense of which he constructed two forts.⁷⁸⁴ Soon after, Ladrón agreed to found a Spanish settlement in the district and, likely thanks to audiencia support and influence, quickly put together a settlement expedition. Ladrón's expedition reached the Paspaya valley, where he would found San Juan de la Frontera, by February of 1585.⁷⁸⁵

In the months preceding the foundation of San Juan de la Frontera, Ladrón set out a vision for the jurisdiction he would control in the charter petition he submitted to the audiencia. Like Luis de Fuentes, his jurisdiction abutted those of other Spaniards as well as lands controlled by the Chiriguano. He requested that the eight leagues between his town and the boundaries of the corregimiento of Tarija be included within the boundaries (*términos*) of the jurisdiction associated with his settlement. To the north, his jurisdiction would stretch another eight leagues towards Tomina and Spanish estates in the Oroncota Valley. To the west, Ladrón requested that San Juan's jurisdiction include the reducción of San Lucas and the properties in its vicinity. Here Ladrón's request impinged upon the jurisdiction of Tarija's founder, as the San Lucas reducción was then part of the corregimiento of Chichas, which was also the responsibility of Fuentes. Yet as Ladrón argued, Luis de Fuentes lived some thirty-five leagues away from San Lucas, too distant

⁷⁸⁴ Ibid.

⁷⁸⁵ Ibid., 17v-19r.

to establish much of a presence in the region. At the same time, Ladrón's settlement was much nearer and, therefore, more accessible for the reducción's defense, a point that was likely underscored by Ladrón's recent actions in protecting the community from the Chiriguano.⁷⁸⁶ As far as his eastern boundary, Ladrón requested ten leagues of municipal jurisdiction for the settlement itself and twenty leagues for the larger corregimiento, a reminder of the multiple layers of jurisdictional boundaries that represented Spanish power in the Eastern Andean frontier.

The most immediate threat to Ladrón's plans does not appear to have been Fuentes, whose jurisdiction he hoped to curtail in various ways, or the Chiriguano, with whom he would directly contend for space, but the indigenous peoples who had formerly inhabited the valleys of Supas and Paspaya. Ladrón calls them the Charka, and states that they had been removed to the reducción of Cayza or Caisa, located in the more distant corregimiento of the Chichas. In fact, Caisa was one of several reducciones of the Visisa ayllu, which formed part of the Qaraqara nation.⁷⁸⁷ Before the arrival of the Spaniards, the Qaraqara had lived in the Paspaya, Pilaya, and Cinti valleys as warriors for the Inca, on lands formerly occupied by other indigenous communities, manning a line of fortresses constructed to defend the region against the Chiriguano.⁷⁸⁸ According to Ladrón, the Chiriguano had later driven the Visisa out of the Paspaya and Supas valleys as well as taking many of the Visisa as captives during their attacks.⁷⁸⁹ The Visisa were dispossessed of their lands by the Spanish Empire as well. In 1575, following Toledo's

⁷⁸⁶ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 8r, 12r.

⁷⁸⁷ *QaraQara Charka*, 582, 592, 593; Presta, "Hacienda y Comunidad," 33; Scholl, 47.

⁷⁸⁸ Rivera Casanovas, 153; Scholl, 116.

⁷⁸⁹ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 13r, 15r.

expedition against the Chiriguano, the Visisa were forced to move from their settlements in the Eastern Andes, some ninety-four different communities, to reducciones at sites called Toropalca, Caisa, Yura, and Potobamba, all located in the Chichas corregimiento and outside of the future boundaries of the Paspaya-Pilaya corregimiento.⁷⁹⁰ A padrón from 1575 suggests that the Visisa had a population of nearly six thousand four hundred people, one thousand four hundred ninety-nine of whom were counted as tributaries in Toledo's census.⁷⁹¹

The creation of reducciones not only concentrated the Visisa in a small area of their lands, the resettlement process also separated many of them from their fields. Initially, Toledo attempted to strip native peoples of any lands located more than a league from their new reducciones, promising to recompense them with equivalent properties near the reducción. He later altered this order to allow communities to keep their lands if no suitable replacement was available.⁷⁹² But even when native communities like the Visisa retained ownership over the fields left behind in their former settlements, they found it difficult to protect them from the encroachment of Spanish settlers. When the fields of indigenous farmers located near Spanish settlements were left fallow, municipal leaders sometimes distributed them to settlers, claiming them to be unused or virgin lands.⁷⁹³ By disrupting indigenous possession of lands they had farmed for generations, the Great Resettlement created an environment of forced abandonment that Spanish

⁷⁹⁰ *Qaraqara Charka*, 184, 201.

⁷⁹¹ *Ibid.*, 377.

⁷⁹² Ravi Mumford, 224-225, note 24.

⁷⁹³ *Ibid.*, 145.

frontier settlers seized upon as an opportunity to take possession of prime agricultural lands for themselves.⁷⁹⁴

In 1584, on the eve of his departure for Paspaya, Ladrón had heard that the Visisa of Caisa had been granted a *real provisión* recognizing their right to lands in the Supas and Paspaya valleys, where he intended to found his settlement. In paperwork associated with his charter petition, Ladrón disputed the viceroy's decision to grant the Visisa access to their lands in several respects. First, Ladrón believed that under Toledo's ordinances, the Indians of Caisa were allowed lands only within a radius of four leagues from the *reducción*. The valleys in question lay some fourteen leagues beyond Caisa. But Ladrón made an additional argument: for more than eighteen years, the Indians of Caisa had not worked the lands they had claimed. The incursions of the Chiriguano, who had attacked them at least three times and taken some three hundred as captives, had driven them away. They could not safely possess them, as the "the lands they had depopulated were so far within the Eastern Andean frontier."⁷⁹⁵ His argument appears to be an indirect reference to Spanish property law, in which lands that had been forcibly taken, and whose former owners lacked the strength to retake them, could be lost.⁷⁹⁶ Ladrón then advanced a third argument, reminding *audiencia* officials of the strategic function of the settlement he intended to found, and the negative impact of a prolonged legal battle upon recruitment efforts. Given the expenses of raising an expedition, Ladrón argued, he could

⁷⁹⁴ Herzog, *Frontiers*, 128.

⁷⁹⁵ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 15r-v.

⁷⁹⁶ *Siete Partidas*, partida 3 tit. XXX ley xvii.

not in good conscience initiate a settlement effort that would immediately embroil its settlers in innumerable lawsuits with former landowners.⁷⁹⁷

Audiencia officials, who had supported Ladrón's expedition from the beginning, quickly yielded to Ladrón's arguments, giving him nearly all that he wished for, and naming him captain, corregidor, and *justicia mayor* of the valleys of Supas and Paspaya, a title he would not only hold for life, but could pass on to an heir.⁷⁹⁸ In a matter of months, Ladrón, his soldiers, and settlers would take *de facto* possession of the disputed valleys, and therefore strengthen his position vis-à-vis their indigenous owners in the bargain. The combination of Spanish resettlement policy, frontier violence, and Spanish settler colonialism effectively prevented the Visisa from maintaining possession of their lands, giving Ladrón just the opportunity he needed to take their properties for himself and his followers. Beginning in the 1590s, *de facto* Spanish possession of indigenous properties, like those in Paspaya and Supas, often became formally legitimated through a series of private sales, called *composiciones de tierras*. The process also periodically stripped ayllus of additional "unused" lands, making them available for direct purchase to Spaniards. The proceeds went to the royal treasury.⁷⁹⁹ In the vicinity of the Caisa reducción itself, the transfer of indigenous properties to Spanish owners happened relatively quickly as well, as neighboring Spanish haciendas and the *composición* process

⁷⁹⁷ "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4, 16v.

⁷⁹⁸ Lohmann Villena, *Corregidor de Indios*, 144; "Capitulaciones para entradas y pacificaciones en tierras de indios," Beltrán y Rózpide, 1:256-257; Hanke and Rodríguez, 281:285.

⁷⁹⁹ Jurado, "(...) muy mañoso," par. 8; Schramm, 10, 158, 162; Wightman, 39, 84, 133-138; Aguilar-Robledo, "Contested Terrain," 30, 34, 35, 40, note 14.

gobbled up lands near the community. By 1610, even the Caisa reducción itself appears to have been abandoned.⁸⁰⁰

Competing Jurisdictions: Pilaya and Paspaya

The Cinti valley was the second area targeted for Spanish settlement by audiencia officials in the region between the Paspaya and Pilaya Rivers following the military expedition of 1584. Like San Juan de la Frontera, Cinti, rendered as “Sinti,” appears on Cepeda’s 1588 map as “newly settled” (Map 1).⁸⁰¹ Yet in many ways, the origins of Spanish settlement in Cinti remain something of a puzzle. For one thing, no single individual was clearly associated with Spanish settlement in the region to compare to the role played by Luis de Fuentes, Juan Ladrón de Leiva, Melchor de Rodas, and Pedro de Segura in the foundations of Tarija, San Juan de la Frontera, Tomina, and El Villar. Where the towns of San Juan, Tarija, and Tomina served as the *cabeceras* or principal settlements of their own corregimientos, historians typically subordinate Cinti to the town of San Juan de la Frontera within the corregimiento of Pilaya and Paspaya.⁸⁰²

Yet I would argue that is an inaccurate, or at least incomplete representation of the political organization in the valleys of Paspaya, Pilaya, and Cinti. In fact, Cinti, together with the Pilaya River valley, was originally established as the center of a distinct corregimiento, often called simply “Pilaya” or “Cinti-Pilaya,” a region with its own jurisdictional history and record of corregidor appointments. The story has been

⁸⁰⁰ *Qaraqara Charka*, 518, 592-593.

⁸⁰¹ “Carta del Licenciado Cepeda a S.M. tocante al beneficio de los metales y minas de la villa de Potosí y consiguiente acrecentamiento de la real hacienda” (12-9-1586), AGI Charcas 16 R25 N137. In Levillier et al, *Audiencia de Charcas* 2:254-272; “Mapa de la cordillera,” AGI Mapas y Planos Buenos Aires, 12.

⁸⁰² For instance, Lohmann Villena, *Corregidor de Indios*, 142, 599; Barnadas, 49.

forgettable because the corregimiento of Pilaya enjoyed little more than a paper existence, a bureaucratic anomaly that was out of step with conditions on the ground. Failed settlement efforts, personal rivalries, and bad luck conspired to prevent the region's leaders from making the idea of Pilaya a reality. However, as a story of failed vision, the short history of Pilaya underscores the close link between jurisdiction, property ownership, and the laws surrounding possession in the Spanish empire.

The person in the best position to establish a formal settlement in the Cinti Valley was Tarija's founder, don Luis de Fuentes. As the limits of Tarija's northern and southern boundaries are not clear from Fuentes's initial commission, it may be that the Cinti valley was considered part of Fuentes's jurisdiction from Tarija's foundation in the 1570s.⁸⁰³ In testimonies associated with his 1598 service report, written to support his requests for additional honors and offices in recognition of his many services, several of Fuentes's supporters claimed that he had founded a town in the Cinti valley. They also claimed that he had re-opened native Andean roadways connecting the region to the communities of the Chicha to the west and to communities in the vicinity of La Plata to the north that had been abandoned during the period of Chiriguano dominance in the region.⁸⁰⁴ In the turbulent months leading up to and following the destruction of San Miguel, Fuentes would have been an obvious choice for the task of founding a town in the Cinti Valley. Fuentes's activities during the 1584 military campaign against the Chiriguano almost certainly took him through the Cinti Valley, as its river valley, a tributary of the Pilaya,

⁸⁰³ Ávila, 173, 250; Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:369, 374.

⁸⁰⁴ Ávila, 196, 197, 198.

was the most obvious route for an expedition heading northward from Tarija. Fuentes's heir, Juan Porcel de Padilla, as well as other witnesses, later attested to Fuentes's successful efforts in 1584 to rebuff a Chiriguano attack on the Spanish estancia of Chalamarca, just north of the Cinti Valley.⁸⁰⁵ All of these claims would seem to be more than enough evidence to consider Fuentes to be the founder of Cinti.

Yet in his 1587 *Relación de Servicios*, written soon after he was divested of the post of *corregidor* and *justicia mayor* of Tarija, Fuentes makes no mention of founding a town in the Cinti Valley, although he is careful to recount his many other accomplishments. Additionally, the supporters who claimed that Fuentes had founded the town of Cinti also claimed that he had founded towns in Pilaya and Paspaya, claims not supported by other documentation related to the origins of those communities. In light of this, it seems more accurate to state that Fuentes was primarily responsible for initiating a wave of Spanish settlement in the valleys surrounding Tarija that included the Cinti valley, creating collections of farms and ranches that may have functioned as informal settlements for a number of years.⁸⁰⁶ These efforts did not amount to the expansion to a formal network of political communities that officials like Cepeda and Toledo desired, but they certainly did intensify Spanish occupation and *de facto* control of fertile valleys that had been abandoned by their indigenous owners following Chiriguano raiding expeditions.

⁸⁰⁵ Scholl, 365-368; notes in "Relación de servicios de Luís de Fuentes" (La Plata, 11-22 to 12-2-1604), and "Merced de tierras de Luis de Fuentes a sí mismo" (Tarija, 10-29-1584), in Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:155-156, 405-423.

⁸⁰⁶ "Relación de servicios de Luis de Fuentes" (Calcha, 1-29 to 1-31-1587), in Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:277-286.

An account by the former wildcat miner, Pedro Espínola y Luna, points in a somewhat different direction for the initiation of formal settlement in the Cinti and neighboring Pilaya valleys. In his 1598 settlement charter petition he attempts to link the two communities together under a single jurisdiction, one called San Pedro de Valdeolmos, located in the Pilaya valley east of the Cinti Valley and just north of the Pilaya River, and a town he calls “Santiago de Vera,” located in the Cinti Valley. In the 1590s, Espínola requested the right to re-establish San Pedro, then a failing settlement, to serve as the center of a corregimiento distinct from that which Ladrón had carved out in Paspaya to the north and that Fuentes had established in Tarija to the south. According to Espínola, the initial founder of the community was not Fuentes, but one Pedro Ortíz de Grado, who had been authorized to found the town by the Peruvian viceroy, the Fourth Marqués de Cañete (1590-1596), in 1591.⁸⁰⁷ Upon receiving his authorization, Ortíz de Grado headed to Potosí to find potential settlers, but died suddenly. His nephew and heir, Luis Gómez de Chavez, then took over the effort. It was Gómez, it seems, who first recruited Espínola as *alférez real* of a settlement that initially amounted to nothing more than a rustic fort.

To date, we can say little about Pedro Ortíz de Grado beyond Espínola’s references to him, but it seems likely that he resembled contemporary settlement founders in both his military record and in the privileges he received for them. According to the *Libros de Acuerdos del Cabildo Secular de Potosí*, Ortíz de Grado did appear in Potosí in late 1591, when the city’s cabildo recognized his title of *justicia mayor* and captain of the

⁸⁰⁷ Pedro Espínola y Luna, AGI Charcas 44.

valleys of Cinti and the Pilaya River.⁸⁰⁸ There is also a brief reference to Ortíz de Grado in Christóbal Suárez de Figueroa's 1613 *Hechos de don García Hurtado de Mendoza* in which the author identifies Ortíz de Grado as the individual charged by the Marqués to found San Pedro del Valdeolmos. The account goes on to discuss Ortíz de Grado's history of military actions against the Chiriguano, actions so successful, the author claimed, that the Chiriguano "to this day have not dared to commit the damages they once did in any of the frontiers, which is the reason our children, wives, and estates enjoy such security."⁸⁰⁹

Espínola y Luna and Suárez de Figueroa's references to the Marqués de Cañete hint at the origins of Pilaya's designation as a separate corregimiento. As Lohmann Villena has stated, hereditary grants of corregimiento titles were unusual but not unheard of at the turn of the seventeenth century. He supports this statement, in part, by citing the example of Ladrón de Leiva in Paspaya.⁸¹⁰ Although Juan Ladrón de Leiva founded San Juan de la Frontera in 1585, it was the Marqués de Cañete who granted him the title of corregidor of Paspaya with the right to pass this title on to an heir. When Ladrón passed away in the early seventeenth century, his son-in-law, don Vitores de Alvarado, was

⁸⁰⁸ *Libros de Acuerdos del Cabildo Secular de Potosí*, 1:120-121. He may also be the "Pedro de Grado" identified in the same volume as a vecino of Potosí and the city's former procurador general in 1586 (1:18) and as the individual charged with arranging iron shipments for Potosí from Arica in 1590 (1:104).

⁸⁰⁹ "Tuvo este caudillo varios recuentros con los Chiriguanaes, largos de referir; finalmente mató a muchos, y talándoles comidas, quemándoles pueblos, y quitándoles las presas que habían llevado, y llevaban cada día de españoles, cautivó, y trujo gran cantidad a la audiencia para que fuesen castigados. En virtud desta provisión, y por medio destes rigores, quedaron tan rendidos, y amedrentados, que por ninguna de aquellas fronteras han osado hasta hoy hacer alguno de los daños que solían, causa de gozar los nuestros con seguridad hijos, mujeres, y haciendas." C. Suárez de Figueroa, *Hechos de don García Hurtado de Mendoza*, edited by, Enrique Suárez Figaredo (Madrid, [1613] 2006), 342.

⁸¹⁰ Lohmann Villena, *Corregidor de Indios*, 141-142.

granted the title of corregidor of Paspaya as his heir.⁸¹¹ It seems likely that the Marqués de Cañete's order to settle San Pedro came with a similar series of privileges for Ortíz de Grado. That the corregidores of the separate corregimientos of Paspaya and Cinti-Pilaya received similar titles and privileges from the Marqués would also explain why Luis Gómez de Chávez, Ortíz de Grado's heir, took over his uncle's titles and duties after the latter's death, much as Vitores de Alvarado would do in Paspaya.⁸¹²

In 1596, Gómez, the second corregidor of Pilaya, also died. At that time, the vecinos of San Pedro, including Espínola, sent representatives to La Plata requesting that someone else be placed in charge of the community. The vecinos' choice was Diego de Quintela Salazar, an individual of some means who had at one time served as the secretary to the viceroy of Peru, the Conde de Villar, and who had been appointed to administrative posts in Peru and Charcas. At that time, Quintela Salazar had recently raised troops in La Plata and Mizque to recapture a group of indigenous runaways, an action that likely brought him to the vecinos' attention.⁸¹³ Responding to the vecinos' request, the audiencia appears to have appointed Quintela as corregidor and captain of Pilaya, hammering out capitulaciones with him for re-establishing San Pedro.⁸¹⁴ But according to Quintela, his plans were derailed when the Marqués de Cañete overturned the audiencia's decision and appointed Licenciado Francisco de Castro as the next

⁸¹¹ Lohmann Villena. *Corregidor de Indios*, 142; Beltrán y Rózpide, "capitulaciones para entradas y pacificaciones en tierras de indios," in *Colección de Memorias o Relaciones*, 1:256-257; Hanke and Rodríguez, 281:285.

⁸¹² "Don Pedro Spínola y Luna Alferez Real de la Villa y fronteras de St. Pedro de Valde Olmos cinte y pilaya..." (1598), AGI Charcas 44, 1r.

⁸¹³ Diego de Quintela Salazar, "Memorial con sus servicios partes y calidades" (5-22-1607), AGI Charcas 48, 1r-1v.

⁸¹⁴ Diego de Quintela Salazar (1604), AGI Charcas 83 N2.

corregidor, a person who, Espínola later remarked, was nothing more than a pharmacist (*boticario*), “and a person of little *calidad* and less experience.”⁸¹⁵ The inexperienced Castro soon returned to his business in Potosí and turned over administration of the corregimiento to his son-in-law, one Juan Bello. All the while, Espínola complained, the settlement had dwindled to nothing.⁸¹⁶

As part of this petition, Espínola also discussed the history of Spanish settlement in the Cinti valley. According to Espínola, the founders of the town known as Santiago de Vera or “Cintipilaya” were the Captains Francisco de Vera, Pedro Ortíz de Grado, Gonzalo Santo, and Luis Gomez de Chavez. The town had been established during the viceregal tenure of the Conde de Villar (1585-1590) and was later confirmed by the incoming viceroy, the Marqués de Cañete. Under this scenario, the town could have been founded in time to appear on Cepeda’s 1588 map. According to the vecinos of San Pedro, the early history of the town was entirely negative. Even the original site of the town was poorly planned and “notably damaging to the health of Indians and Spaniards.” The water was bad and the “town” amounted to a fort that was in reality nothing more than a corral—essentially a walled camp. In Espínola’s charter, he requested to right to move San Pedro to a new, more healthful, and more easily defensible location.⁸¹⁷

But the vecinos of San Pedro also lamented the way in which land had been distributed in Santiago de Vera. According to them, the founders had distributed lands to settlers who were socially unacceptable and perhaps even fictional, “Children and unborn

⁸¹⁵ “y persona de poca calidad y menos experiencia.” Pedro Espínola y Luna, AGI Charcas 44, sin fecha.

⁸¹⁶ Pedro Espínola y Luna, AGI Charcas 44.

⁸¹⁷ “Capitulos de don Pedro de Espínola,” AGI Charcas 44.

children, widows, absentees (*ausentes*), and low persons,” or as they state elsewhere, “*mulatos*, mestizos, and muchachos,” people who had never seen or served in the lands they had been given, choosing to send substitutes in their stead.⁸¹⁸ On one level, the vecinos’ complaint could have been a protest against real estate speculation, implying that the land grants created by the founders were given out to individuals who were essentially their dependents, maybe even people in their own households. Perhaps these “settlers” merely served as a front for the founders’ efforts to amass valuable lands for themselves and their associates, effectively shutting out less well-connected settlers. Or, more provocatively, the first generation of landowners in the Cinti Valley may have indeed included mestizos, *mulatos*, and young men (muchachos), the very gente suelta that royal officials like Toledo and Cepeda hoped to root in frontier settlements like Cinti. As we learned in the previous chapter, a number of prospective city founders and, presumably, their supporters, protested the efforts made by audiencia and viceregal officials to shift the gente suelta to the frontier for similar reasons. As Espínola states in his charter petitions, were he named corregidor of Pilaya, he would take steps to dispossess unsuitable landowners and redistribute available lands to new, more appropriate settlers.⁸¹⁹

Both Quintela Salazar and Espínola’s charter petitions suggest that re-establishing the settlement of San Pedro at Pilaya was only one part of a larger vision that they and others shared for the region. And yet this vision required them to assert authority over the

⁸¹⁸ “Los vecinos del valle de pilaya y sinti aprueban la persona del capitán diego de quintella y piden que parta luego porque ay peligro” (La Plata 6-17-1596), AGI Charcas 44, 8v-9v.

⁸¹⁹ “Capitulos de Pedro de Espínola,” AGI Charcas 44, ítems 24 and 33.

boundaries of the corregimiento. This meant carving out portions of jurisdictions associated with the *corregimientos* of Paspaya and Tarija. One disputed area was Jerónimo González de Alanís's estancia of Chalarmarca. Located only six leagues from the Cinti valley, Espínola claimed that the Marqués de Cañete had initially included Chalarmarca within the boundaries of the corregimiento of Pilaya. By the late 1590, the estancia had become accepted as part of Ladrón's corregimiento of Paspaya. Espínola demanded that the jurisdiction that Ladrón had been allowed over the estancia be revoked and returned to the corregimiento of Pilaya. Espínola also requested that the indigenous *reducción* of San Lucas and the Villa of Supas be added to his jurisdiction, and not that of Tarija or Paspaya. He claimed that both Supas and San Lucas were much closer to Pilaya than to the other two communities, and therefore the natural site for their residents to seek protection in times of need. Had Espínola's request been granted, Ladrón's corregimiento of Paspaya would have been left with little jurisdiction beyond the municipal boundaries of San Juan itself and any lands that settlers had been able to wrest from the Chiriguano to the east.⁸²⁰

Espínola's vision for Pilaya also included gaining authority over the individuals residing within the corregimiento boundaries he had described, and particularly the people living in the Cinti Valley. For their part, the valley's residents appear to have been uninterested in recognizing San Pedro's primacy in the district, which would have obligated them to request *vecindad* within San Pedro itself.⁸²¹ As part of his effort to

⁸²⁰ Pedro Espínola y Luna, AGI Charcas 44.

⁸²¹ *Ibid.*

cement his authority and San Pedro's pre-eminence in the region, Espínola hoped to replace incorrigible landowners with people of his own choosing. The sixth item in Espínola's 1598 charter petition was a request for the right to distribute to new *pobladores* solares and estancias within the jurisdiction of Pilaya, whether or not these lands had already been settled. Espínola laid out the procedure by which landowners would forfeit their properties in the next item: individuals who did not come to claim the lands previously distributed to them within seventy days after an order to do so was proclaimed in San Pedro and Santiago de Vera could be declared vacant and available for redistribution among Espínola's new settlers. Essentially all unoccupied lands that had been distributed by the region's previous captains, with the exception of those that had already been confirmed by the Audiencia of Charcas or the Viceroy himself, could be redistributed by Espínola. Part of Espínola's effort to more firmly establish jurisdiction of the Cinti valley also included an effort to control agricultural production and resource extraction in the area, such as his request to be given control over the licensing of hog-raising operations and charcoal production as well as control over the region's forests and fisheries for a period of eight years.

Quintela Salazar and Espínola y Luna's charter petitions and associated correspondence suggest two fundamental truths about frontier jurisdictions: boundaries had to be defended to be maintained and jurisdiction was only as strong as the political community that sustained it. Both men appealed to authorities for official recognition of what they considered to be the natural boundaries of the corregimiento of Pilaya, just as they requested specific rights and privileges that would allow to them recruit new vecinos

for San Pedro and improve the site where the physical town would be re-established. In dealing with residents who failed to recognize their authority, both men sought to leverage their authority, as the future corregidores of Pilaya, to dispossess those who failed to demonstrate possession of the properties they claimed, proofs that required both the landowners' physical presence in the land, and their willingness to take up the duties associated with *vecindad* in Pilaya, such as establishing a residence within the town and taking part in the community's management and defense.

Yet neither Quintela Salazar nor Espínola y Luna appear to have been able to carry out these plans. Instead, the Peruvian viceroys named other individuals to the post they sought. Quintela quickly gave up his claims to the *corregimiento* to Espínola and moved on to other posts, serving for a time as the *corregidor* of Tomina.⁸²² While it is certain that Espínola labored in San Pedro de Valdeolmos de Pilaya for several years, it appears that he was never granted the position he sought, that of *corregidor* of Cinti and Pilaya, nor the authority to lead a new settlement effort. He continued to make this request into the first decade of the seventeenth century, first to the Conde de Monterrey (1604-1606), and then to the Marques de Montesclaros (1607-1615). But while it seems the king instructed Montesclaros to establish an agreement with Espínola, it is apparent from later documents associated with his successor, the Principe de Esquilache, that this never happened. As late as 1614, Espínola was still waiting to begin his project.

⁸²² Diego de Quintela Salazar, "Titulo de Capitán a Guerra y Corregidor de la Frontera de Tomina" (Lima, 11-19-1609), AGI Charcas 48.

Instead, the winner in this particular battle over jurisdiction appears to have been Juan Ladrón de Leiva. The title of Ladrón's 1606 Probanza de Servicios seems to say it all: "Juan Ladrón de Leiva, *corregidor y justicia mayor de las fronteras de Paspaya y Pilaya.*" By that time it had been more than twenty years since he had established San Juan de la Frontera de Paspaya near the Pilcomayo River, outlasting perhaps four different corregidores in neighboring Pilaya while expanding the boundaries of his corregimiento at Pilaya's expense. As his many supporters stated, even at an advanced age he was still known for his generosity, maintaining a "mesa franca," feeding soldiers in his house and assisting them with weapons and supplies. He was also famous for his virility, in that he still took part in personally patrolling the region on horseback. Over the course of his career he had also established a great many properties in the frontier, and the region was now abundant in wine, wheat, honey, and wood, all destined for Potosí, its hungry population and hungrier smelters. He was successful too, many added, in re-settling Pilaya, which, because of poor governance, was then nearly in ruins and at the point of becoming completely depopulated. Thanks to Ladrón, some forty men had settled there over the previous three years (since roughly 1603), during which time Pilaya had been essentially re-founded, and many people, both rich and poor, had entered it to plant vineyards. Many of the principal officials and personalities associated with the Eastern Andean frontier—Melchor de Rodas, Juan Porcel de Padilla, Diego de Contreras, Martín de Almendras Holguin, and Pedro de Cuellar Torremocha—also spoke on his behalf. His final petition in the file begins "the Captain Juan Ladrón de Leiva, first settler and founder of the villas of San Juan de la Frontera de Paspaya and San Pedro de

Valdeolmos de Pilaya, our corregidor and justicia mayor in them.”⁸²³ The preamble suggests Ladrón’s total control over the narrative of the region’s establishment.

Ladrón may have effectively taken over the Pilaya and much of its jurisdiction, but his actions were not the end to the story of the corregimiento of Pilaya. Active as he may have been in the Pilaya Valley, there is no evidence to date that Ladrón was able to assert his authority over the Cinti valley. And so, while it seems that Juan Ladrón de Leiva effectively managed to control both Paspaya and Pilaya, the corregimiento of Pilaya seems to have survived as a separate jurisdiction within the bureaucracy of Charcas for some time. As late as 1628, the towns of San Pedro de Valdeolmos and Santiago de Vera de Cinti were granted an *escribano público de minas, registros y hacienda* by the crown, suggesting that both towns continued to function as distinct corporate identities within a single jurisdiction years after Ladrón had claimed them as part of his own.⁸²⁴

Unlawful Itineraries: Mizque to Santa Cruz de la Sierra

The question of the nature of the boundaries that separated frontier jurisdictions from each other and the status of the resources found within them was brought to the attention of the municipal court of the city of the Río de Pisuerga del Valle de Salinas (Mizque) in 1604. In late November of that year, city officials accused a man named

⁸²³ “El capitán Juan Ladrón de Leyba, primero poblador y fundador de las villas de San Juan de la Frontera de Paspaya y San Pedro de Valdeolmos de Pilaya, vuestro corregidor y justicia mayor en ellas.” In “Méritos y Servicios de Juan Ladrón de Leyva,” AGI Patronato 136 N1 R4, 88r.

⁸²⁴ “Confirmación de Oficio: Juan Ortíz de Cisneros” (1-21-1628), AGI Charcas, 67 N68; “Juan Ortíz de Cisneros,” (El Pardo, 2-11-1628), AGI Charcas 419 L4, 174v-175v.

Diego Gómez Zambrano of hunting wild cattle in a dangerous frontier zone.⁸²⁵ Gómez appears to have been a local *arriero* (muleteer), residing in Mizque, who carried goods, generally clothing, for Hernando Xaramillo Andrada. As I discussed in Chapter 4, Xaramillo Andrada was a Spanish merchant who had made his fortune in transatlantic trade who had also married into the Chávez family of Santa Cruz. Xaramillo Andrada later became involved in Eastern Andean politics as a prospective expedition leader. According to the chief bailiff (*alguacil mayor*) sent to apprehend him, Gómez was little more than a cattle rustler, hunting the feral cattle, horses, and other livestock that proliferated in the unpopulated valleys between Mizque and San Lorenzo. Gómez and city officials did not so much disagree about what Gomez had done as they did about what those actions meant. For Gómez, his brief journey off of the royal road was commonplace and unremarkable. For city officials, Gómez's actions threatened to destabilize regional politics.

The corregimiento of Mizque was located north of the city of La Plata and roughly southeast of the city of Oropesa (Cochabamba). A region famous for its vineyards, wine, and coca production in the sixteenth and seventeenth centuries, Mizque was also a frontier corregimiento in that its eastern and northern borders abutted Indian country, regions inhabited by indigenous peoples who had never been conquered by Spain. Mizque's coca fields, located in the hot yungas to the north, were frequently attacked by indigenous peoples whom locals called the Yuracaré, a people who were sometimes allied with Chiriguano living in or at least frequenting the lands east of the

⁸²⁵ AHMC 11.1.

Mizque River, the corregimiento's putative boundary.⁸²⁶ Although the corregimiento of Mizque was already well-established in 1604, the Villa de Salinas del Río Pisuegra itself was new, founded only the year before under the authority of oidor Francisco de Alfaro. It was a community just beginning flex its jurisdictional muscle within the confines of the corregimiento. The Governorship of Santa Cruz de la Sierra, with its capital at the time in the city of San Lorenzo de la Barranca, lay beyond the lands controlled by the Chiriguano living just east of Mizque. San Lorenzo's residents were connected to landowners in Mizque by familial bonds, business partnerships, and a single road, which passed through lands that were as yet largely unsettled by Spaniards and not clearly claimed by either jurisdiction.⁸²⁷

As the only road linking Mizque with San Lorenzo, the royal road was a thoroughfare for both legal and illegal traffic and migration. Given the road's dual function in the region, the meaning of almost any individual journey along the road was open to interpretation. Individuals went to Mizque's notary office to establish contracts arranging for the shipment of general merchandise, including clothing, wine, and coca down to Santa Cruz, as well as shipments of sugar from Santa Cruz up to Mizque.⁸²⁸ The royal road was also a highway for human trafficking. Encomenderos from San Lorenzo and Santa Cruz with lands or family connections in the highlands near Mizque sometimes used the royal road to engage in an illegal traffic in indigenous laborers, whom they

⁸²⁶ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 183-185 and chapter 6 passim; *Al Este de los Andes*, 2:248; Pifarré, Map "La Cordillera Chiriguana: Siglo XVI.

⁸²⁷ A separate road, the one that Manso claimed to have opened between his settlement on the plains and Tomina, lay entirely under the control of the Chiriguano in this period. Humberto Vázquez-Machicado, "Los caminos de Santa Cruz de la Sierra en el siglo XVI." *Revista de Historia de América* 40 (1955), 509.

⁸²⁸ AHMC EJ 1.56.197-197v; 1.90.232-233; 2.30.132-132v; 16.12.159-161.

surreptitiously moved from ranches and sugar plantations in the lowlands to more profitable highland estates. Finally, the road served as a route for those indigenous and African laborers who fled in both directions away from the haciendas and estancias upon which they labored as yanaconas or slaves.⁸²⁹

One of the issues raised by Mizqueño officials was that of intention—did Gómez set out on the royal road as a merchant or as a cattle rustler? Gómez had been apprehended with two harquebuses, a *desharratadera* (a tool for cutting the ligaments of fleeing cattle), a large quantity of salt and, of course, the mules, mares, and assistants (in his case, a *mulato* and an Indian) that one might expect of an *arriero*. Gómez pointed out that salt was a regular trade commodity in San Lorenzo (the capital of Santa Cruz), where it was exchanged for sugar, and that *arrieros* regularly killed wild cattle for their hides, which they turned into *petacas*, essentially uncured leather cases for hauling goods. And these were not the only things he carried on his journey: he had also brought trade goods with him that belonged to Xaramillo de Andrada, which were destined for the market in San Lorenzo. His preparations were both a matter of survival, there being few other sources of meat along the way, and prudence. To complicate matters, Gómez had captured no cattle during his journey, but nor did he find any sugar to trade for in San Lorenzo. He had killed nothing, but he had also traded nothing. From the city's perspective, Gómez was caught with all of the implements used by cattle rustlers. From

⁸²⁹ Gutierrez Brockington, *Blacks, Indians, and Spaniards*, 282; Gutiérrez Brockington, "The African Diaspora," 207, 221.

Gómez's perspective, his actions were entirely in keeping with those of a merchant preparing to engage in the sugar trade in San Lorenzo.⁸³⁰

But Gómez and city officials also debated the meaning of the action of hunting near the royal road. Both parties disagreed about who "owned" the cattle being hunted. For Gómez, the cattle that ranged between Mizque and San Lorenzo were all *cimarrónes*, wild or feral cattle not owned by anyone. Although he didn't use the associated legal terminology to make his point, Gómez viewed the cattle and other livestock he found near the road as falling within the category of unowned things (*res nullius*), items that could be possessed by anyone who took hold of them.⁸³¹ Gómez argued that this was the common attitude in San Lorenzo towards the herds of *cimarrón* cattle found in the region.⁸³² City officials had an entirely different perspective on cattle ownership in the area in question. They believed that the Chiriguano and Yuracaré were the owners of cattle because they controlled the land and used its resources. It was well-known, they claimed, that both indigenous groups used the livestock found in those valleys for making dried meat (*cesina*) as well as fashioning other kinds implements and equipment from the hides and carcasses.⁸³³ Had these peoples discovered Gómez in the act of hunting cattle or even journeying through the valleys in question, his discovery would have provoked a violent response from the indigenous peoples who owned and used the land.

⁸³⁰ "Causa criminal ... contra Diego Gómez Zambrano," AHMC 11.1, 18r, 19r, 20r.

⁸³¹ Benton and Straumann, 1-3; Herzog, *Frontiers*, 116.

⁸³² "Causa criminal," AHMC 11.1, 20r.

⁸³³ *Ibid.*, 2r.

These questions of ownership and theft call attention to the most significant areas of disagreement between the two parties. While the royal road was nominally Spanish, hunting cattle in the valleys meant leaving the road and entering a separate space. Gómez admitted that he had left the road to do his hunting when he sought out an area called Vallegrande de los Sauces, presumably one of the three wide north-south valleys that the road intersects, as the site for the hunt. He had also intended to look for cattle in the vicinity of Samaipata, another place known for excellent pasture and herds of *cimarrón* cattle.⁸³⁴ Gómez's destination particularly alarmed the Mizqueño officials in that it was precisely in Vallegrande where the Chiriguano had recently killed a number of Spaniards. Without question, the Valle de los Sauces was a "tierra de guerra"—a warzone. Had Gómez been killed, the action would have set in motion still more violent actions on the part of the Chiriguano, according to the complex local political calculations that guided Mizqueño's frontier policy. Gómez's actions could have led to new attacks against Mizqueño estates, and even to the closing of the road itself to commerce.⁸³⁵

Such arguments must have been very familiar to Gómez, who lived and traveled in the region on a regular basis. But Gómez presented an entirely different perspective on the nature of the region between Mizque and San Lorenzo. For Gómez, the valleys functioned as an extension of Santa Cruz, and its indigenous residents were subordinated to the governor's authority. Some of them even resided in San Lorenzo itself. As he put it, he had committed no crimes by leaving the road and searching for food and hides,

⁸³⁴ Ibid., 4r, 7v, 8r, 12r.

⁸³⁵ Ibid., 2r, 3v.

“because as is well known, at present the Cordillera de los Chiriguanes is in peace, and their leaders are in the city of San Lorenzo de la Frontera among the city’s Christians and vecinos.”⁸³⁶ The lands in question were largely empty of people, “a tierra despoblada.” Other than the individuals he traveled with, Gómez had seen no one during his trip.⁸³⁷ While Mizqueño officials argued that the region Gómez had passed through was a warzone, Gómez sought to describe it as entirely peaceful, and therefore a space where actions like his were entirely acceptable and lawful. The total security of the road between Mizque and San Lorenzo was one of the key points he asked his witnesses to affirm in his defense.

But city officials in Mizque were also upset about another aspect of Gómez’s journey—he had made the journey without seeking a license from the city before doing so. For city officials, Gomez’s unlicensed journey was an attack on Mizque’s right to control passage along the royal road and across the *corregimiento*’s boundaries. Gómez protested this allegation as well, considering it to be nothing more than an innovation. In this respect, he was probably right—the laws referenced by city officials were likely new, reflecting the Villa de Salinas’s new status as a formal community, the new center of the *corregimiento* and its jurisdiction. From Gómez’s perspective, and that of his witnesses, there had previously been no laws prohibiting free trade between Mizque and San Lorenzo, or at least there hadn’t been in the governorship of Santa Cruz. Indeed, people traveled between the regions on a regular basis carrying letters and transporting goods.

⁸³⁶ “Como es notorio estando como esta de presente la cordillera de indios chiriguanaes de paz y los principales de ellos en la ciudad de san lorenzo de la frontera entre los cristianos y vecinos de ella...” in “Causa criminal,” AHMC 11.1, 18r.

⁸³⁷ *Ibid.*, 7r.

The chief bailiff sent to arrest Gómez created a paper trail that attests to the road as a surprisingly busy thoroughfare, especially considering that November is typically the beginning of the rainy season in the region, a time when travel is particularly difficult. Gómez's claims also appear to be supported by contemporaneous accounts. In documents associated with an investigation of officials in Santa Cruz, conducted in 1602, witness testimony strongly suggests that soldiers and residents did travel without license between San Lorenzo and Mizque on a regular basis, a freedom that several of the witnesses considered to be essential to the community's survival.⁸³⁸

In the end, city officials in Mizque condemned Gómez to prison in Mizque and forced him to pay the sixteen pesos of expenses, mostly in food costs, that the search party accrued over the nine days it took to find Gómez and bring him back to Mizque. No officials from San Lorenzo came to Gómez's defense. As a resident of Mizque, Gómez was forced to accept the Mizqueño view of the space through which he had traveled: licensed travelers and lawful trade were confined to the itineraries dictated by the royal road. All other possible itineraries were unlawful and dangerous. The case seems to have been designed to make an example of Gómez, and thus discourage what Gómez had described as a commonplace activity in the area. It was an effort by a young city to flex its jurisdictional muscles and present its own vision of the region it occupied, especially vis-à-vis the policies followed in the neighboring governorship of Santa Cruz. The Mizqueño vision for their district, like so many of the expressions of jurisdiction in the Eastern Andes, was a nuanced vision, where city officials revealed themselves to be

⁸³⁸ Luis Sanchez Basurto (3-19-1602), Gonzalo de Alvarado (3-29-1602), AGI Escribania 529c, 203r, 246v.

conscious of the multi-ethnic, multi-directional series of everyday negotiations that both preserved peace and sustained possession in the community and the jurisdiction they governed. Yet the disagreement between Gómez and Mizqueño officials over whether or not the region between Mizque and San Lorenzo was a “tierra de guerra” or a “tierra de paz” also underscores the fragmented nature of Spanish power in the frontier. Perhaps the Chiriguano and Yuracaré did seek a different relationship with officials in San Lorenzo than they pursued with the individuals who had recently begun to govern Mizque. Such a possibility is entirely in keeping with the kinds of relationships that Spaniards developed with the leaders of the Chiriguano, where personal relationships across borders served as a strategy for projecting strength as well as maintaining peace.

Competing Corregimientos: Mizque and Vallegrande

The *despoblado* that Diego Gómez Zambrano had traveled through in 1604 was soon to be entered, and radically transformed, in a manner that would again trouble Mizque’s cabildo. In the 1610s, don Pedro Lucio de Escalante y Mendoza was authorized by Viceroy Montesclaros to found new settlements and distribute parcels of land for fields and ranches in the high valleys east of the Mizque River and north of the Rio Grande. This was precisely where Gómez had previously hunted for feral cattle. These valleys lay on the boundary between the corregimiento of Mizque and the *governación* of Santa Cruz de la Sierra, but now, under Escalante’s leadership, they were on their way to becoming a corregimiento of their own. Mizque’s nearby valleys and highlands were initially extensively populated by different indigenous groups, all of whom had been either concentrated into Indian towns under Toledo’s *reducción* program or pressed into

service on the region's growing number of Spanish haciendas and estancias, as the numerous *padrones de yanaconas* from the region indicate.⁸³⁹ Mizque was one of the earliest proposed indigenous *corregimientos* (1565), called Miski-Puquna, named for the two largest indigenous settlements in the region, generally rendered Mizque and Pocona today.⁸⁴⁰ Given its large indigenous population, Mizque was also the site of important repartimientos whose encomenderos typically lived in the city of La Plata. There was no formal Spanish town in the region until the foundation of the Villa de Salinas del Rio Pisuerga in 1603, when the oidor Francisco de Alfaro came to the Mizque valley and officially organized the Spaniards already living in the region into a formal community.⁸⁴¹ Like other city founders, Alfaro initiated the work of distributing urban lots or *solares* in the new town and properties throughout the region's district, a task he later turned over to municipal authorities. At least some of these properties were located in the Chilón River valley, a northern tributary of the Mizque River, although Alfaro or city officials appear to have allocated lands even further east, in what would become known as Comarapa.⁸⁴²

In 1612, Escalante y Mendoza, a former soldier who had become involved in mining interests in Potosí, formalized a settlement charter with viceroy Montesclaros that gave him authority to settle a town in "ancient fortresses of the Inca called Comarapa and Samaipata in the foothills (*vertientes*) of Vallegrande, forty-eight leagues from

⁸³⁹ Numerous examples in AHMC. e.g. 2.22 (1594), 3.01 (1597-1599), 7.32 (1602), 7.47 (1602), 16.50 (1610).

⁸⁴⁰ Barnadas, 427-428.

⁸⁴¹ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 43-44; Schramm, 224-227; AHMC 32.44; AHMC 50.28.

⁸⁴² AHMC 32.44; AHMC 50.28.

Chuquisaca and thirty-two from the cordillera of the Chiriguano, and thirty-eight from the provinces of Santa Cruz de la Sierra.”⁸⁴³ Although the actual foundation date of his principal community, the Ciudad de Jesus de Montesclaros de los Caballeros (later rendered as the “Ciudad de Jesús” or simply “Vallegrande”) is unknown, by 1614, some residents of Mizque had begun to complain that Escalante was re-distributing lands in the Chilón, Saipina, and Comarapa valleys that had already been granted to them by oidor Alfaro. The residents asserted, and the cabildo concurred, that this action amounted to fraud on Escalante’s part. Furthermore, in language similar to that used in the conflict between Santiago de la Frontera de Tomina and San Miguel, don Pablo Pérez, the *procurador general* of the community, argued that the re-distribution threatened to unmake the town by dispossessing its residents, an action that weakened the community’s ability to militarily resist the Chiriguano. Escalante was putting everyone’s lives at risk.⁸⁴⁴

The financial losses associated with Escalante’s actions were potentially quite serious for some of Mizque’s residents. The Chilón valley, like the adjacent Mizque valley, was at that time in the process of becoming a region of irrigated vineyards, supplying wine to the burgeoning market in Potosí and La Plata. The estates in question were likely not undeveloped cattle ranches, such as those that abounded on the higher valley slopes, but highly capitalized estates, complete with large numbers of indigenous yanaconas and a small number of African slaves.⁸⁴⁵ Yet Escalante’s claims to the Chilón

⁸⁴³ “Real cédula” (3-30-1612) Melgar y Montaña, 67-72.

⁸⁴⁴ AHMC 50.28.

⁸⁴⁵ Gade, 79-83; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 80-81, 108-111, 132, 139.

and Comarapa valleys, among others, were clearly laid out in the royal *cédula* that demarcated his rights and responsibilities. Even as Pérez launched his protest, the viceroy in Lima had already upheld Escalante's right to distribute lands in the Saipina and Chilón valleys, extinguishing the rights of all those who had been granted land there by Alfaro, or forcing them to shift their *vecindad* to Vallegrande, with the exception of those who had already had their grants officially confirmed.⁸⁴⁶ Even locally, extant documents from the decade that record Escalante's land concessions in Mizque's notary office or reference his concessions as legal evidence of possession in later litigation indicate the eventual acceptance of Escalante's authority to distribute lands in region.⁸⁴⁷ In the long run, the valleys within Escalante's jurisdiction remained separated from that of Mizque. Escalante's *corregimiento* ceased to be an independent jurisdiction after Escalante's death in 1620, when it was folded into the governorship of Santa Cruz de la Sierra, largely through the efforts of Governor Gonzalo de Solís Holguin.⁸⁴⁸

The conflict between Mizque and Vallegrande over property and jurisdiction very much resembles other jurisdictional conflicts discussed in this chapter. City officials in Mizque clearly perceived the redistribution of lands by Escalante as a threat to the sovereignty of their jurisdictional boundaries, and the survival of their political community. As other examples in this chapter have demonstrated, such concerns were both common and, in many ways, reasonable. It is not particularly apparent why Escalante's claims were considered to have greater merit than those of individuals who

⁸⁴⁶ Melgar y Montaña, 22-23.

⁸⁴⁷ AHMC 25.25 and 32.44.

⁸⁴⁸ Melgar y Montaña, 172; AGI Charcas 28 N116.

had been given land grants by Alfaro, an *audiencia* oidor, and an increasingly influential figure within *audiencia* politics. Perhaps what is most noteworthy, in light of the rules surrounding possession, is the complete absence of references to the Chiriguano and their possession of lands in the region that Escalante was authorized to settle. After all, this was the same region that city officials in Mizque had attempted to force Spaniards to avoid entirely just one decade before.

The easiest explanation for such an omission is that royal officials and frontier settlers like Escalante would have had no reason to consider the legal position of the Chiriguano vis-à-vis Escalante's new settlement of Vallegrande. As discussed earlier in this chapter, the various discourses associated with conquest would have left Escalante with little doubt as to his authority to dispossess any Chiriguano or Yuracaré he found there. Nor did he probably trouble himself with the legal position of native Andeans who were the king's vassals, as Ladrón had done in San Juan de la Frontera. Unlike other frontier districts in the Eastern Andes, Escalante's new *corregimiento* contained no known *reducciones*, nor does it seem that Escalante or his successors ever became embroiled in legal battles with the native Andean communities who had possessed lands in the region before the arrival of the Spaniards or the onset of Chiriguano raids in the region.⁸⁴⁹ As for the Chiriguano themselves, the city's *cabildo* claimed that Escalante had received the fealty of Chiriguano *caciques* representing some five hundred Indians living in the area, who even advised Escalante of a planned attack by another group of Indians.

⁸⁴⁹ Fernando Cazorla (Oct., 1584), *Mujía*, 2:422-25; *Qaraqara Charka*, Map 5: "El orden del Inka Wayna Qhapaq, 82.

In time, these too also sued for peace with Vallegrande's new leaders.⁸⁵⁰ In a discursive sense, these actions further strengthened Escalante's claims to authority and jurisdiction in the region.

But the conflict between Mizque and Vallegrande also reflects a significant degree of misdirection when it comes to the Spanish rules surrounding possession and the legal position of native peoples. Laws governing conflicts over possession, like those between Vallegrande and Mizque, tended to limit arguments surrounding legal title to the two parties in a dispute. In this context, the contending parties did not have to argue about who had a legitimate title to the disputed lands, but merely who had the best claim of the two.⁸⁵¹ Benton and Straumann have discussed how possession laws enabled imperial powers to exclude indigenous peoples from international conversations about the status of native lands. Yet I would add that this was also a strategy that Spanish settlers and officials used for managing smaller-scale conflicts, such as those between *corregimientos*, or even between individual landowners. The resulting claims to title over native lands represented a complex web of legal arguments that sometimes recognized and sometimes ignored the legal position of native peoples.

In many ways, the warnings of Mizque's leaders in 1604 turned out to be fairly accurate when Escalante settled Vallegrande a decade later. Despite Vallegrandino claims that the region had been conquered peacefully, reports on the progress of the settlements of Escalante and his contemporary, Díaz de Guzmán, told a story of widespread

⁸⁵⁰ Melgar y Montaña, 22.

⁸⁵¹ Benton and Straumann, 30-31.

Chiriguano retaliation in response to Spanish settlement efforts. According to viceroy Francisco de Borja, the Principe de Esquilache (1615-1621), Escalante's expedition had created an immediate upturn in violence in the region. "Indios de Guerra" had even targeted travelers on the royal road between Mizque and San Lorenzo, which resulted in the deaths of five or six Spaniards and three Indians. The viceroy placed the blame for the violence directly on Escalante's shoulders because "it is my understanding that the killings currently taking place weren't happening before this settlement [began]."⁸⁵²

In late June of 1618, the Audiencia of Charcas ordered the residents of Vallegrande to fall back to a more secure position while the viceroy pondered the settlement's fate.⁸⁵³ The town's cabildo refused, denying that the violence said to be taking place in their districts had actually occurred. In fact, they claimed, their efforts had already saved lives. The settlers had even opened up a new road to the city for transporting soldiers and supplies. Although viceroy Francisco de Borja left Peru believing he had evacuated the settlement, the settlers persisted, refusing to give up the fields and ranches they had established in the region.⁸⁵⁴ Perhaps it can be said that, while the audiencia and viceroy could refuse to protect the settlers of Vallegrande, they did not have the means to evict them. In the contest over jurisdiction and private property involving Vallegrande's settlers, it may have been their ongoing occupation and possession of the lands they had taken that gave them the best claim before the law.

⁸⁵² From item no. 34, "Guerra," Francisco de Borja, Príncipe de Esquilache (April 17, 1618), AGI Lima 38, 261v.

⁸⁵³ "Orden de Traslado," Melgar y Montaña, 21-22.

⁸⁵⁴ Melgar y Montaña, 21-22; "Gobierno no. 33," AGI Lima 38; Beltrán y Rózpide, 1:252; Hanke and Rodríguez, 281:183-185.

Conclusion

The process of actually establishing municipal and regional jurisdictions within the Cordillera Oriental was consistently more fraught than officials like Toledo and Cepeda expected it to be. Royal officials and local residents certainly squabbled over matters of jurisdiction elsewhere in Peru at the turn of the seventeenth century, such as the uncertainties that arose between *corregidores de indios* and *corregidores de españoles* over matters of jurisdiction, and between the leaders of *corregimientos* and neighboring governorships over the same.⁸⁵⁵ In fact, as Tamar Herzog has demonstrated in case studies of jurisdictions elsewhere in the Americas and the Iberian Peninsula, conflict over jurisdiction was to be expected within a legal environment where silence and inaction in the face of perceived encroachment implied consent.⁸⁵⁶ This remained true in regions where jurisdictions, both regional and international, were already well established. But the Cordillera Oriental introduced new tensions into an already strained environment. In the years between the latter half of the sixteenth century and the first two decades of the seventeenth, Spanish efforts to take full possession of the Cordillera resulted in the establishment of a number of new jurisdictions within a relatively short period of time. While many of the documents associated with the region at this time address the boundary disputes between Spanish settlers and the Chiriguano and other indigenous groups, these were far from the only conflicts in the region. Spanish subjects, including the king's indigenous subjects, also contended with each other. As *corregimientos*, governorships, Spanish settlements, and associated estates grew and shrank in size and

⁸⁵⁵ Lohmann Villena, *Corregidor de Indios*, 318.

⁸⁵⁶ Herzog, *Frontiers*, 11-13, 108-113, 140.

number, the king's subjects were forced to reevaluate their relationships with their neighbors. In such an environment, the frontier violence that was a catastrophe for some became an opportunity for others who sought either to expand their existing sphere of influence and authority or to create new Spanish jurisdictions where none had been before. In order to secure those jurisdictions, settlement founders distributed land to new residents in a process that sometimes dispossessed earlier property claimants. The risks and opportunities were perhaps greatest where Spanish jurisdictions bordered those of unconquered peoples, sites where boundaries could expand and contract through the force of arms. But other boundaries were similarly, if less spectacularly, malleable by other means. The winners in these struggles not only gained wealth and social status for their efforts, they successfully situated themselves at the center of the community's foundation narrative.

To what extent was all of this struggle problematic for the Audiencia of Charcas and the Spanish Empire more generally? On an individual level, the jurisdictional uncertainty taking place in the Eastern Andes was problematic in the extreme for royal officials and private entrepreneurs alike who saw the frontier as the ideal setting for developing their social and financial visions. Complaints written by audiencia officials and viceroys regarding the ongoing disorder and slow development of the Eastern Andes abound in the archival record.⁸⁵⁷ It is equally common to find passages where frontier settlers and investors describe themselves as having been financially ruined by their

⁸⁵⁷ "Carta del Licenciado Cepeda" (2-10-1590), AGI Charcas 17. In Levillier et al, *Audiencia de Charcas*, 3:4; "Gobierno no. 33" (3-27-1619), AGI Lima 38.

efforts to promote frontier settlement and economic development.⁸⁵⁸ At the same time, it is not entirely clear that frontier violence and jurisdictional uncertainty was bad for business in the long run. The circumstances that ruined one party's financial venture created opportunities for others. Additionally, frontier violence had the effect of placing more indigenous land and labor under direct Spanish control, including properties owned by the king's native Andean subjects.

Beyond these uncertainties, the conflicts that erupted between Spanish subjects over matters of jurisdiction likely strengthened, rather than damaged, Spanish claims to sovereignty in the Eastern Andes, creating a never-ending stream of possession claims that each reaffirmed the crown's authority over land and livelihoods in the Eastern Andean frontier.⁸⁵⁹ In the examples presented in this chapter, royal authorities only tended to step in when local conflicts threatened the existence of extant local political communities and, thus, the region's overall military strength. In sorting out disputes between individuals and jurisdictions, royal officials seemed to favor positions that expanded the Spanish occupation and ongoing possession of indigenous land. In this sense, violence and jurisdictional conflict were not merely ongoing themes in the Eastern Andean frontier, but necessary conditions for the expansion of Spanish sovereignty in the region.

⁸⁵⁸ Doña Ynes de Aguiar (12-19-1568), AGI Charas 418 L1, 155v-156v; Saignes, "Andaluces," 187, 194; "Informaciones: Marcos Onton" (La Plata, 9-20-1627), AGI Charcas 90 N5, 5v; don Juan de Mendoza Mate de Luna (Santa Cruz de la Sierra 1-28-1608), AGI Charcas 14; Testimony of Pedro Bernardo de la Rivera Altamirano (9-6-1608) in "Servicios de Licenciado Gregorio de Toval y su padre, Fernando de Tovar," AGI Charcas 146; Testimony of Juan López de Herrera (5-14-1637) "Servicios del Licenciado Francisco Lujan y Roxas, su padre, Capitán y Sargento Mayor Alonso de Roxas, y su abuelo, Capitán y Alguacil Mayor Bernabe Lujan, y bisabuelo capitán Juan Delgado," AGI Charcas 149.

⁸⁵⁹ Garrett, "En lo remoto," 18; Benton, *Sovereignty*, 288, 290.

Chapter 6. Safety in Numbers: Honor and Collective Agency

Introduction

In November of 1606, the cabildo of Santiago de la Frontera de Tomina, with the support of the region's corregidor, drew up a memorial that included witness responses to a nine-point questionnaire as well as copies of various writs and grants from earlier viceroys and corregidores written in support of the community in the past.⁸⁶⁰ The cabildo then hoped to send someone to Spain with the packet in order to present it personally to the King. The document is a collective version of the ubiquitous memorial of merits and services (*probanzas de méritos y servicios*) of the period that individuals presented to royal officials in an effort to secure a pension, encomienda, or civil post.⁸⁶¹ Tomina's corregidor, Julio Ferrufino, had already presented his own *probanza de méritos* at least twice, including in early 1606, and would continue to do so later in his career.⁸⁶² But instead of presenting the noble lineage and exceptional services of any one individual or family, the cabildo of Tomina presented the King and his representatives with an account of the community's merits and services to the crown over its many decades as a frontier outpost in the Eastern Andes. The privileges it requested as a reward for those services were similarly collective: the affirmation of specific rights that had been granted to the community at its inception, and the confirmation of new rights that the community claimed to need to survive.

⁸⁶⁰ "Villa de Santiago de la Frontera de Tomina" (1606), AGI Lima 135.

⁸⁶¹ Zavala, 205-206, quoting the *Recopilación de Leyes*, lib vi, tit. viii, ley v.

⁸⁶² "Informaciones de oficio y de parte: Julio Ferrufino," AGI Charcas 81 N11.

Spanish kings and their royal officials regularly ruminated upon the theme of frontier cities and their residents. But these same communities also represented themselves. In these moments of self-representation, frontier settlers attempted to carve out a distinct rhetorical space for themselves as honorable people just as they attempted to carve out a physical space for their communities amidst competing claims for land and indigenous labor. I argue that, in doing so, Spanish settlers assumed a collective voice and history, elaborating a sense of personal honor that was not based in noble lineage, but on a legacy of collective service as faithful Christians and loyal vassals. Where many frontier officials viewed Spanish residents of the frontiers as “people who don’t fit in Peru” (*gente que no cabe en Peru*), frontier settlers would represent themselves as *vecinos*, poor and honorable soldiers (*soldados honrados y pobres*) who were deeply and productively rooted in their communities.⁸⁶³ Even as settlers sought to recruit individuals with criminal pasts as settlers, including the region’s many *gente suelta*, community members would continue to represent themselves as *beneméritos*, the loyal sons and grandsons of the region’s conquerors.

Key to such claims were the rights and privileges associated with the cities to which they belonged. For many lower-class Spaniards and people of mixed ancestry, the frontier city, as an institution, merited defending because the primordial rights granted to these communities invested their *vecinos* with privileges and social opportunities that would have been unavailable to them on an individual basis. Their claims to land, indigenous labor, *cabildo* offices, and the rights of soldiers in arms were all tied to the

⁸⁶³ García Recio, 423.

persistence and expansion of the settlements from which they derived their *vecindad*. Yet as is apparent from such self-representations, settlers often initiated protests and wrote up memorials (*memoriales*) because they perceived both their communities and their rights as *vecinos* to be under threat.⁸⁶⁴ While the dangers of the frontier remained a regular and, perhaps, necessary trope in documents created by frontier residents, the often-liminal quality of their communities and their livelihoods regularly put them in conflict with numerous parties. Frontier *vecinos* also struggled to manage ambivalent relationships with wealthy landowners within their jurisdictions, individuals who were fellow *vecinos*, as well as local officials, Indians in nearby *reducciones*, and *audiencia* and viceregal officials and elites living in highland cities. In the face of such threats to the survival of their political communities, frontier *vecinos* reminded the officials who sometimes opposed them that the demise of the Spanish cities of the frontier not only made the empire vulnerable to external threats, as the frontier cities represented a first line of defense, but also raised the possibility of a return to the internal social instability of the recent past, as rooted patriarchs became rootless once more.

In this chapter, I present a number of case studies that explore the liminal quality of frontier service and the various ways that Spanish residents mobilized their collective voices in order to acquire or preserve specific rights and privileges. These examples of self-representation from the Villa de Salinas (Mizque), the town of Guadalupe, and Santiago de la Frontera (Tomina) were created at moments when the background,

⁸⁶⁴ This is Tamar Herzog's argument about maintaining property rights, but of course it applies to other "possessions" as well. As she puts it, "most protests obeyed a legal rationale that suggested that unless you objected your silence would be interpreted as consent." *Frontiers*, 40.

behaviors, and livelihoods of Spanish or mixed-race frontier settlers were threatened by regional officials and elites or by changes in crown policy. Yet by speaking as representatives of political communities, the individuals who created the various petitions and memorials presented here called upon the Crown to recognize its obligations to its subjects and its responsibility to preserve social order in Spanish society. While not all of these efforts were successful, they underscore the many ways that frontier settlers successfully manipulated the rhetoric surrounding frontiers, honor, poverty, and service to present their requests in the best possible light.

Banished Criminals, Armed Recruits: The Liminality of Service

The documents that best capture community members' efforts at self-representation were the individual and collective *memoriales de méritos y servicios* of the period.⁸⁶⁵ These were, out of necessity, affirmative, self-congratulatory documents in which an individual or, occasionally, a group, together with their supporting witnesses, placed their personal history and that of their ancestors in the best possible light. The goal, after all, was some kind of reward, something that would materially or socially advance the individual or corporate body in question: a civil post, a pension, a repartimiento, a noble title. Whether claimants were individuals or represented a corporate body, appeals for royal largesse began with a recounting of services. Accounts included details about the character and leadership displayed by a claimant or claimants

⁸⁶⁵ “Cedula que dispone sobre las informaciones que han de hazer los que pretenden pedir gratificación de servicios” (Valladolid, 1-13-1558), under the title “Provisiones y Cédulas despachadas en diferentes tiempos, que declaran y manda la forma y orden que se ha de tener en las Indias, en hazer las informaciones de servicios.” In Encinas, 2:177; See also the *Recopilación de Leyes*, lib. vi, tit. vii, ley v, although this example uses as its starting point a *cédula* from November of 1568.

in “that which was available” (*lo que se ofreció*), the *calidad* or social rank of the claimant and their ancestors, and the value of the investments they had made in outfitting and provisioning themselves and others in the process. Yet the backstory to such services was often a complex and uncertain one involving abrupt transitions from one theater of action to another, unexplained absences, and unknowable motives.

Similarly, establishing a record of services in arms was critical for the survival and development of frontier communities in that such a record allowed these communities to continue to maintain or to claim to maintain their function as fortresses against unconquered indigenous peoples. By continuing to exercise this martial function, they could continue to claim the various privileges that had been granted to the community’s *vecinos* by the crown or the crown’s representatives at the time of its foundation. But all of these assertions of collective services were simply the aggregate of a great many actions by a host of socially diverse actors. Not everyone who served in arms on the eastern frontier began those services willingly or continued them voluntarily. Given the repeated efforts of viceroy and *audiencia* judges to use the frontier as a holding tank for undesirables, frontier service often entailed a certain degree of unfreedom. At the same time, as a theater of action, the eastern frontier, like other theaters of frontier warfare (*fronteras de guerra*), was a site of great opportunity, and thus drew many willing recruits eager to transform their efforts on behalf of the king into future privileges and rewards for themselves and their heirs. As the examples presented in this chapter indicate, both scenarios of service likely played themselves out in the life histories of many frontier settlers.

The presence of impressed soldiers, pardoned criminals, and adventurers alongside many willing and experienced recruits along Spain's frontiers in the Indies underscores the liminal quality of service at these sites. As a number of *probanzas de servicios* from the turn of the seventeenth century suggest, sites like the presidio at Callao, the frontiers in Chile, Tucumán, Santa Cruz de la Sierra, and the various sites of the wars against the Chiriguano in general were presented both as loci of banishment and unfreedom and opportunities for exemplary action and social advancement. The vecinos of La Plata rather loudly complained about the fact that Viceroy Toledo was compelling them to join in his expedition against the Chiriguano in 1574, but many of them would later tout their actions in this ill-fated expedition as evidence of their service to the king.⁸⁶⁶ Even the famous mariner and historian Pedro Sarmiento de Gamboa was ordered to serve in Toledo's expeditions against both the Incas of Vilcabamba and Chiriguano of the Cordillera, as he would later claim in his services.⁸⁶⁷ These events, in the words of so many claimants, were "available opportunities" (*lo que se han ofrecido*) in the lifetimes of the petitioners and their ancestors, and many of them would spend much of their adult lives moving from expedition to expedition, and from frontier to frontier in pursuit of such opportunities.⁸⁶⁸

⁸⁶⁶ Beltrán y Rózpide, 1:81.

⁸⁶⁷ "Nombramiento Pedro Sarmiento de Gamboa: capitán superior," AGI Patronato 33 N2 R5; José Miguel Barros, *Pedro Sarmiento de Gamboa: avatares de un caballero de Galicia* (Editorial Universitaria, 2006), 67.

⁸⁶⁸ "Servicios de Pedro de León," AGI Patronato 112 R3; "Méritos y Servicios de Francisco de Guzmán y Otro," AGI Patronato 113 R5; "Capitán Juan Pedrero de Trexo," AGI Charcas 48; "Capitán don Fernando de Toledo Pimentel," AGI Charcas 51; "Recomendación de Antonio Carreño," AGI Panamá 237 L12, 113r-114r; "Méritos y Servicios de Juan Ladrón de Leyva," AGI Patronato 136 N1 R4.

To take the notion of forced service a step further, there were times when individuals acquired a record of service in arms in order to carry out a criminal sentence. As I described in an earlier chapter, banishment was a relatively common tool for removing troublesome individuals from a particular community or region. The oidores of the Audiencia of Charcas used banishment as a punishment for everything from adultery, theft, and impudence to homicide and rebellion.⁸⁶⁹ And it was used in smaller communities like the Villa de Salinas (Mizque) and San Lorenzo/Santa Cruz de la Sierra for a similar range of offenses.⁸⁷⁰ But banishment was less about determining a destination for convicted persons than for keeping them out of a place for a specific period of time. Individuals might be banished from specific cities and their jurisdictions for months or years. Occasionally, individuals might be forcibly returned to Spain and perpetually banned from the Indies—a punishment meted out for a wide range of crimes.⁸⁷¹ But for the most part, where such individuals went was of little concern to these officials as long as they stayed away from the places from which they had been banished.

In the Audiencia of Charcas, sentencing criminals to forced labor in a specific location was less common than simply banishing them from a specific community or jurisdiction. These sentences of banishment with forced labor were typically limited to

⁸⁶⁹ Examples in *Acuerdos*, 5:111, 1577.37, 1582.43, 1585.3, 1586.29; 4:1589.56, 1623.49, 1625.28, 1626.24, 1634.55, etc.

⁸⁷⁰ Banishment of Juan Manríquez de Salazar (11-5-1639), in Gabriel Feyles, Marcelo Terceros Banzer, and Hernando Sanabria Fernández, eds., *Actas capitulares de Santa Cruz de la Sierra, 1634-1640* (La Paz: Universidad Boliviana, 1977), 224; Banishment of Juan Carballo de Albornoz (1604), AHMC 11.22; Banishment of Juan Rodríguez de Leiva (1627-1628), AHMC 36.16.

⁸⁷¹ Examples in *Acuerdos*, 3:1576.87, 1577.37, 1578.54, 1579.26, 1582.34, 1582.40, 1584.54 and 4:1588.16, 1588.50, 1589.27, 1634.55.

cases of criminal homicide or rebellion, although oidores sometimes handed down harsh sentences to individuals who they felt had attacked their personal honor, or that of their office. Nicolas Leto, for example, was banished to a galley oar in Callao for drawing disrespectful pictures of the oidor Licenciado Torres de Vera.⁸⁷² Disagreements between oidores over sentencing suggest that dooming an individual to service in a distant location was seen as a stiff penalty compared to banishment, but a gentler alternative to execution. Like their contemporaries in Spain, individuals might be sent to serve in the galleys, which in Peru meant service in the Pacific fleet based in Callao or, less commonly, to the more distant Atlantic or Caribbean fleet. Individuals of lower status were doomed to labor in the ships, pulling a galley oar, while persons of noble birth might be sentenced to a degrading, but immensely preferable position as a “Gentleman of the Galleys,” likely service as a marine officer. An example of the latter sentence was that handed out to don García de Torres Ponce de León for his role in the death of his brother-in-law.⁸⁷³ Criminals might be sentenced to military service, including service at the presidio of Callao, but also service in Chile, Tucumán, Santa Cruz de la Sierra or, more vaguely, “in the Chiriguano war.”⁸⁷⁴

It is plain that oidores, town cabildos, and even Inquisitors did propose or at least threaten military service in exile in Santa Cruz on a fairly regular basis.⁸⁷⁵ It is less clear how often such sentences were executed. A famous example from Lima was the account

⁸⁷² Ibid., 3:1576.30, 1576.76, 1584.54, 1588.52; 4:1623.1634.55, 1624.34, 1624.70.

⁸⁷³ *Acuerdos*, 4:1634.55; Marchena Giménez, “La Vida y Los Hombres de las Galeras de España,” Ph.D. dissertation (Madrid: Universidad Complutense, 2010), 83, 150, 159, 203, 218, 276.

⁸⁷⁴ *Acuerdos*, 3:1586.21, 1586.27.

⁸⁷⁵ *Acuerdos*, 4:1624.34, 1624.59, 1624.70, 1624.80, 1625.8; AHMC 11.22; An example of the threat of banishment to Santa Cruz in Albert Crespo Rodas, *Fragmentos de la patria*, 119.

of one don Diego Vanegas, whose perceived disrespect of the Peruvian Inquisitor, Antonio Gutiérrez de Ulloa (1571-1596), opened him up to a jumble of insulting charges from the Inquisitor, who called Vanegas “a great scoundrel, guitar player, Jewish dog, and *ensambenitado*,” and then ordered his forced banishment to Santa Cruz de la Sierra in 1594.⁸⁷⁶ When Vanegas arrived in Potosí, under guard, Potosí corregidor Pedro Osoreo de Ulloa ordered him escorted to the Governorship of Santa Cruz in handcuffs. Vanegas was able to escape before the escort ever reached the newly founded city of San Lorenzo, and he supposedly walked the four hundred leagues back to Lima to lodge a complaint with the Viceroy against the abusive cleric.⁸⁷⁷ But it is clear that others were successfully forced into service in Santa Cruz. An expedition sent into Mojos under Governor Juan de Mendoza Mate de Luna (1601-1604), which ended in total disorder and rebellion, was at least partially made up of soldiers who had been forced into that particular service.⁸⁷⁸

The service record of Melchor de Rodas, the principal founder of Santiago de la Frontera de Tomina and, later, of San Juan de Rodas, serves as an example of the liminality of character and service in the Eastern Andean frontier. A complete retelling of his services and actions appears nowhere in the extant documents. What we have instead is a fractured narrative—Rodas the war captain and city founder in his *probanzas de*

⁸⁷⁶ “Un gran bellaco, guitarrero, perro de judío, ensambenitado.” The phrase “*ensambenitado*” is a reference to the penance of San Benito, an Inquisition punishment aimed at shaming the accused by forcing them to wear a penitential garment in public as a mark of their disgrace. José Toribio Medina, *Historia del Tribunal del Santo Oficio de la Inquisición de Lima (1569-1820)* (Santiago de Chile: Impr. Gutenberg, 1887), 1:314-317; Mirian Bodian, “In the Cross-Currents of the Reformation: Crypto-Jewish Martyrs of the Inquisition, 1570-1670,” *Past & Present* 176 (August, 2002), 94-95 note 100.

⁸⁷⁷ Medina, *Historia del Tribunal del Santo Oficio*, 1:314-317.

⁸⁷⁸ “Méritos: Luis de Mendoza y Rivera y otros: Punaguara, etc,” AGI Patronato 144 R1, 103 as referenced in García Recio, 42 note 53; Sanabria Fernández, *Crónica sumaria*, 45-49.

servicios, Rodas as a difficult and defiant law breaker in the extant *Acuerdos* of the Audiencia of Charcas, and a chasm of silence between these two representations. Rodas left Spain as part of the fleet that accompanied the Audiencia of Lima's president, Pedro de la Gasca, on his journey to Peru in 1546. He stood on the royalist side against the Pizarros, and, Rodas was proud to admit, was even briefly imprisoned for his efforts by the rebels.⁸⁷⁹ However, beginning in at least the 1560s, Rodas frequently found himself on the wrong side of the law, details he never mentions in his *probanzas*. According to the audiencia's *Acuerdos*, he was charged with "rebellion" for unknown reasons in 1564, and was initially sentenced to death by hanging and the confiscation of his worldly goods.⁸⁸⁰ The oidores later decided to reduce the sentence to banishment, and argued over whether or not he should spend a year in the Cochabamba valley or eight years with Ñuflo de Chávez in Santa Cruz de la Sierra with his arms and horses "on pain of death."⁸⁸¹ It is not clear which, if any, of these sentences he actually served. Rodas continued to be involved in conflicts with other Spaniards through the 1570s, including one episode where he fired off his weapon at García Ruíz de Orellana, a powerful landowner in the Cochabamba valley, on a highway somewhere in Charcas over a matter of personal honor. Later, as if to borrow a page from the picaresque novels of the period, he took refuge from authorities in a makeshift church. For this and other matters he was again threatened with banishment from La Plata and Cochabamba for sentences ranging from two to four years of military service in Chile or two years of banishment and the

⁸⁷⁹ "Merits and Services of Melchor de Rodas" (10-2-1591), AGI Charcas 43.

⁸⁸⁰ *Acuerdos*, 1:1564-53.

⁸⁸¹ *Ibid.*, 1:1566.49.

loss of his position as corregidor of Tomina. He caused quite a scene in 1579 when, during the period of his banishment from the city, Rodas scandalized the oidores by coming to La Plata while his nemesis, Ruiz, was also present, and commenced riding about town on horseback, armed with a sword and visiting his friends in town “like a free man.” The audiencia responded by ordering him to leave on the pain of a lifetime banishment.⁸⁸²

And yet the archival record also indicates that Rodas was highly esteemed by his peers, the elite of La Plata. Rodas regularly held important positions in audiencia capital, including serving as the city’s *procurador* in 1569, after his conviction for rebellion, and as one of its *alcaldes* in 1571.⁸⁸³ In 1574, he was a founding member of the Brotherhood of Charity (*Hermandad de la Caridad*), the fraternal order (*cofradía*) established by Viceroy Francisco de Toledo for the upkeep of the hospital for the poor of La Plata.⁸⁸⁴ In 1576 Rodas would claim a quarter of the available lands in the jurisdiction of Santiago de la Frontera de Tomina as the city’s founder—after he had settled a lawsuit with the town’s cabildo over exactly how his claims would affect the properties already established there.⁸⁸⁵ And it was Rodas, along with other local military figures, who would re-found the razed town of San Miguel de la Laguna. Rodas would re-christen the town San Juan de Rodas in honor of his family and, well, himself. That he was a man of intense jealousies and rivalries and frequent run-ins with authorities seems to have been

⁸⁸² *Acuerdos* 3:1576.7, 1576.67, 1576.98, 1577.39, 1579.6; “La Compañía de Jesús, sobre el reconocimiento de la medida y composición de unas tierras en Tomina,” ABNB EC 1665.30.

⁸⁸³ *Acuerdos*, 2:1569.34, 1571.27, 1571.28.

⁸⁸⁴ Francisco de Toledo, *Disposiciones Gubernativas*, 1:454-460.

⁸⁸⁵ *Acuerdos* 3:1576.7; ABNB EC 1665.30.

well known by his contemporaries. Perhaps, for the time, such a past was unremarkable. What was likely more critical to his contemporaries were his qualities as an administrator, soldier, and faithful Catholic. A husband, a father, a landowner, a leader of men, Melchor de Rodas was rooted in his province and, despite his past, was considered an honorable man.

Acquiring participants for settlement expeditions was a tremendous challenge at the turn of the seventeenth century, especially given the increasing number of restrictions that expedition leaders faced in advertising their campaigns. But getting recruits to stay could be even more difficult. Studies of the history of Tarija suggest that the community struggled to survive after its initial settlement in 1574, owing in part to the failures of its founder, don Luis de Fuentes y Vargas, to successfully provision the inchoate community between his frequent trips to attend to his interests in Potosí.⁸⁸⁶ Documents from the period present the community as a revolving door in which new recruits were constantly needed to replace those who had abandoned the site. Although the community's fortunes would change by the end of the sixteenth century, the roughly thirty vecinos who could be said to actually live in the town in 1576, two years after its foundation, were very much short of the required minimum of fifty vecinos.

The abandonment of new settlements by their original settlers seems to have been a regular problem in new communities. The leadership of the community of the Ciudad

⁸⁸⁶ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:752, 753; Ávila, 133-134, 224-237; Saignes, "Andaluces," 183-184; Testimonies of Francisco Vazquez (La Plata 6-21-1581), Alonso García (La Plata, 6-21-1581), and Diego Diaz (La Plata, 1-5-1582) in "Informaciones: Antonio Dominguez," AGI Charcas 78 N21.

de Jesús (Vallegrande) complained about similar problems with abandonment and ongoing recruitment in its early years. Like Fuentes, Pedro Lucio de Escalante y Mendoza, its founder, appears to have been periodically absent from the community, spending time in La Plata to attend to ongoing recruitment and provisioning efforts and likely to attend to his own business affairs as well. He would die there in 1620. By 1618, the five-year old community had lost the support of then Viceroy Francisco de Borja, the Principe de Esquilache (1615-1621) who had ordered the community's abandonment. Community members, arguing for the right to remain in the region, stressed their perseverance under such difficult circumstances:

It should be considered that the settlement was created without paying for soldiers, weapons, nor ammunition, horses nor supplies, nor Indians, nor mandatory treasury payments. Your Highness should consider, that without being the ones who first signed up and were obligated to settle these frontiers, they have done it, taking part in the dangers that could have occurred in the beginning for the defense and settlement [for] five years minus two months ... the majority of the vecinos who are here.⁸⁸⁷

The language here is much the like language of *probanzas de servicios*, where petitioners referenced the collective services of community members in a bid for survival. The petition seems to suggest that many of the individuals who initially signed on with Escalante in Lima, La Plata, and Potosí had already abandoned the settlement. Those that remained appear to have replaced many of these initial settlers. These likely amounted to a good deal more than the “eight or ten ... *mulatos* and mestizos of ill repute” that

⁸⁸⁷ “hai que considerar que se hizo la población sin pago a soldados, armas ni pertrechos, caballos ni bastimientos, ni indios, ni ayuda forzoza del erario, su alteza debe considerar, que sin ser de los firmado i obligados a poblar esta[s] fronteras, lo han hecho, asistiendo en los peligros que en sus principios pudieron correr, a la defensa i población cinco años menos dos meses ... los más de los vecinos que aquí están.” Melgar y Montaña, 22.

Gonzalo Solís Holguin, a man with his own designs upon the region, would later allege.⁸⁸⁸ A list of residents dating to 1619 placed the total at about ninety Spanish residents, as well as forty more individuals, likely people of mixed ancestry, who mostly lived in nearby Guadalupe, a satellite of the Ciudad de Jesús.⁸⁸⁹ In the end, the Viceroy would discover that it was easier to allow the community to remain where it was than to try to remove it, just so long as the residents did not look to him for additional support.⁸⁹⁰

In the same statement, the residents of the Ciudad de Jesús also acknowledged the challenges of finding future recruits for the unpopular settlement: “these frontiers are in need of assistance, and if it can’t be obtained using paid individuals, one could resort to the delinquents in the jails ...”⁸⁹¹ The reference to the possibility of using the Ciudad de Jesús to empty the jails of Charcas was likely as much an effort to give the viceroy and audiencia another reason to support the community’s persistence as it was a realistic proposal, but it underscores the fact that frontier community leaders engaged tropes surrounding notions of the frontier and criminality to promote community survival.

Criminals in frontier jurisdictions were sometimes offered the opportunity to voluntarily exchange prison time for their services in war, adding another level of complexity to recruitment strategies. After a Yuracaré Indian attack on coca fields belonging to vecinos from the Villa de Salinas in 1629, don Cristóbal de Sandóval y

⁸⁸⁸ “ocho o diez ... mulatos y mestizos de mal vivir,” in “El General Gonzalo de Solís Holguín” (1624), AGI Charcas 28 N116.

⁸⁸⁹ Sandóval, 21, 24.

⁸⁹⁰ Melgar y Montaña, 21-22; “Gobierno no. 33,” AGI Lima 38; Beltrán y Rózpide, 1:252; Hanke and Rodríguez, 281:183-185.

⁸⁹¹ “hai necesidad de ser socorridas estas fronteras, no pudiéndose con gente pegada se puede ocurrir a los delincuentes de las cárceles ...,” Melgar y Montaña, 22.

Rojas, who simultaneously served as the governor of Santa Cruz de la Sierra (1628-1637) and the corregidor of Mizque, was forced to quickly muster enough soldiers to pursue the attackers.⁸⁹² Sandóval offered to pardon anyone whom “zealous judges” might otherwise prevent from joining because they had been convicted of a crime (with the exclusion of crimes against the crown itself), if they would serve under the captains to which he would assign them. The governor recognized that the majority of such persons were likely to be “appropriate and much needed for the said expedition,” having gained experience with arms on other occasions. Participants would have the honor of serving in a just war in service to their King and also enjoy the typical soldiers’ right to any captives taken in the effort, according to their merits. Sandóval had the order proclaimed by a *pregonero* (town crier) at various places throughout the Villa de Salinas, who announced his presence with the sound of the drums of war.⁸⁹³

Such examples represent the local face of the trope of the soldier-criminal so often repeated at various scales of correspondence and policy making, as we have seen. Like audiencia officials and provincial leaders in other jurisdictions, Sandóval viewed the city’s criminals and gente suelta as a potential resource, and not simply as a liability. Community leaders were careful to keep themselves abreast of the number and nature of such persons in their midst, as a 1639 decision by the cabildo of San Lorenzo to create a list of the “loose and unoccupied people who are present there” would imply.⁸⁹⁴ Yet such persons, so valuable for their present services, were also potential future vecinos despite,

⁸⁹² Sanabria Fernández, *Crónica sumaria de los gobernadores de Santa Cruz*, 73.

⁸⁹³ “apropósito y menesterosas para la dicha jornada,” from “Campana punitiva contra los indios yuracaré y chiriguano,” AHMC 31.24.

⁸⁹⁴ “gente suelta e desacomodada que ay en ella,” García Recio, 432; *Actas Capitulares*, 218.

and to some extent because of, their record of a martial past. Whether the scars reportedly present on the bodies and faces of individual soldiers in troop descriptions were battle wounds or the marks of back-alley brawls in Potosí, the experience gained to acquire them could be used to promote a community's present and nurture its future.⁸⁹⁵ What better way to demonstrate a community's effectiveness and value than to transform its *gente suelta* into *vecinos*.

Claiming A Collective Voice: Becoming Vecinos in the Villa de Salinas

Just as frontier communities needed soldiers and their services, Spanish settlers needed formal communities. Without them, they were simply *gente perdida* and *suelta*, with few resources to justify their acquisition of land and indigenous labor. Spaniards and other non-Indians had begun to frequent the fertile valleys within what would become the jurisdiction of the Audiencia of Charcas within a few years of the foundation of La Plata (c.1540), and especially after the discovery of silver at Potosí in 1545.⁸⁹⁶ But with the exception of the small number of Spanish encomenderos who would form the region's agrarian elite, these individuals eked out their existence on a highly informal basis, using their identity as Spaniards or the children of Spaniards to extract land, labor, and provisions from the region's indigenous residents.⁸⁹⁷ For these informal congregations of acquisitive Spaniards, the establishment of formal towns was the key to legitimizing settlers' personal financial and social objectives.⁸⁹⁸ On their own, they were simply seen

⁸⁹⁵ "Muestra de los Jefes, Oficiales Sargentos, Soldados, Sacerdote, Barbero, Cirujano y Artesanos...", In Porcel, *Documentación Inédita de Tarija*, 29-37.

⁸⁹⁶ Bakewell, 8.

⁸⁹⁷ Martín, 14-15; "Carta del Virrey don Francisco de Toledo sobre su viaje y visita" (3-1-1572), AGI Lima 28, 17r-17v as published in Levillier, *Gobernadores del Perú*, 4:84.

⁸⁹⁸ Schramm, 118.

as vagabonds and squatters, persisting thanks to their connections to local officials with whom they had served in the past or befriended more recently.⁸⁹⁹ To claim to represent a community of vecinos, however informal, was a far more successful strategy for long-term survival than simply relying on the favor of a series of local officials. Consider, for instance, the foundation of the Villa de Salinas del Rio Pisuerga, a Spanish city founded in 1603 in what had been the indigenous *reducción* of Mizque.

Mizque was a *reducción*, or indigenous settlement, in a *repartimiento* by the same name that had been assigned to Gabriel Paniagua de Loaysa. Paniagua de Loaysa was a veteran of Peru's civil wars whose father, Pedro Fernández Paniagua de Loaysa, had arrived with Pedro de la Gasca in 1547 and had assisted de la Gasca in defeating Gonzalo Pizarro in the battle of Jaquijaguana the next year.⁹⁰⁰ The town was located in a wide temperate river valley that had long been a center of indigenous settlement, including the many *mitimaes* that had been resettled there by the Incas when it became part of the Inca Empire near the end of the fourteenth century.⁹⁰¹ In 1563, Mizque became the site of Paniagua's *obraje* for producing cotton and woolen cloth by using the labor of the Chui Indians he had moved from his *repartimiento* in the Pojo valley to his new *obraje* at Mizque. This labor force also came to include African slaves and, later, *yanaconas*, *mulatos*, and mestizos, all of whom became part of the increasingly diverse community forming within Paniagua's Mizque *repartimiento*.⁹⁰²

⁸⁹⁹ Examples of such friendships in the context of Mizque from "Provisión Real ordenando el abandono del *repartimiento* de Mizque, a todos los españoles, mestizos, negros, y mulatos," AHMC EJ 6.19.

⁹⁰⁰ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 32.

⁹⁰¹ Gade, 79.

⁹⁰² Presta, "Encomienda, Family," 119, 120-121.

In addition to the extensive repartimientos granted to individuals like Gabriel Paniagua de Loaysa in the region in the 1540s, Spaniards had been establishing estates in the Mizque Valley since at least the 1560s, a process of land expropriation and transfer that quickly accelerated by the turn of the seventeenth century.⁹⁰³ Individual Spanish possession of land and indigenous labor often remained highly informal into the 1590s, when *composiciones de tierras* began in Charcas under the supervision of Pedro Osoreo de Ulloa.⁹⁰⁴ In this sense, Mizque was much like the many other temperate valleys of the eastern Cordillera, such as Cochabamba and Tomina, that drew the interest of substantial numbers of immigrating Spaniards.⁹⁰⁵ Mizque was also the gateway for military expeditions heading to and returning from Santa Cruz de la Sierra and Mojos, and a significant number of expeditionaries chose to stay in the region instead of heading back to La Plata, Potosí, or Lima.⁹⁰⁶ Although Spanish estates proliferated in the Mizque valley from an early date, unlike contemporary valley systems, the area acquired no formal Spanish settlement at all, with the closest Spanish cities being La Plata (c1540) and later the Villa de Oropesa (Cochabamba (1571-1574)). Despite its lack of a formal Spanish settlement, Spanish officials routinely grouped the Mizque valley with the formal settlements of Charcas for discussions of matters of governance and regional administration.⁹⁰⁷

⁹⁰³ Ramírez Valverde, 298; Schramm, 116-117.

⁹⁰⁴ Jurado, “(...) muy mañoso,” 2-3; Schramm, 168-169.

⁹⁰⁵ Larson, 74-76; “Villa de Santiago de Tomina” (20 abril 1582), AGI Charcas 142.

⁹⁰⁶ “Servicios de García Enríquez de Guzmán” (1604), AGI Charcas 48.

⁹⁰⁷ “Carta a S.M. del Dr. D. Jerónimo de Tovar y Montalvo, fiscal de Charcas, dando noticia de la llegada y los principales negocios en la audiencia,” in Levillier et al, *Audiencia de Charcas*, 3:199.

The expanding non-Indian population of the indigenous province, or corregimiento, of Mizque and the continued lack of formal settlement options for the non-indigenous population would reach a climax in 1600. At this time, the *protector de naturales* (sometimes rendered as *protector y defensor* or, simply, *defensor de los naturales*),⁹⁰⁸ one Pedro de Abendaño, wrote to complain to the audiencia about the number of non-Indians living in the indigenous reducción of Mizque. Addressing his complaints to the royal fiscal, don Francisco de Alfaro, Abendaño alleged that many Spaniards, mestizos, *mulatos*, and *negros* were living in the indigenous town of Mizque, where they were taking over indigenous homes and attempting to expropriate indigenous labor for themselves. The region's corregidor, García Enríquez de Guzmán, would do nothing to stop them, he alleged, as it was well known that several of them were his friends and associates. The *protector* hoped Alfaro, as the royal fiscal, would eject these individuals from the community in accordance with royal *cédulas* of the past.⁹⁰⁹

The problem of non-Indian squatters in the indigenous reducciones of the corregimiento of Mizque was not confined to Mizque. At likely the same time as the audiencia received the protest from Mizque, Diego de Cabrera, the *defensor de los naturales (protector)* of the caciques of Pocona, a nearby repartimiento possessed by the crown, sent a nearly identical petition from the indigenous residents of that community. As he put it “many mestizos, *mulatos*, *zambahigos*, and other kinds of persons reside [there] from whom said Indians receive very great damage ... taking their wives and

⁹⁰⁸ “Nombramiento de protector de Indios a favor de Friar Vicente Valverde” (Valladolid 6-14-1536), from Morales Padrón, 387.

⁹⁰⁹ “Provisión Real ordenando el abandono del repartimiento de mizque, a todos los españoles, mestizos, negros, y *mulatos*,” AHMC EJ 6.19.

daughters.”⁹¹⁰ Pocona was only some nine leagues from Mizque, and had long served as a *tambo* or way station along the royal road, connecting the reducción to La Plata as well as Cochabamba and the fertile Cliza Valley. As such, the community was like so many of the sites along the road where Indians and non-Indians co-mingled, and where abuses against indigenous residents frequently occurred.⁹¹¹ Cabrera’s references to the co-habitation of non-Indians with indigenous women as well as instances of rape recalled the very abuses that Peru’s viceroys were repeatedly ordered to eliminate.⁹¹² And while the presence of people of African and mixed ancestry in these communities served as Cabrera’s legal pretext for excluding non-Indians from the town, his real targets were the Spaniards living there.

On the second of August, 1600, the Audiencia of Charcas met and chose to uphold the *protector de naturales*’ request, banning all non-Indians from living in the town. They specifically ordered Spaniards to spend no more than three days in the community. It seems likely that they sent a copy of their order to the corregidor himself, but the surviving copy is the one they sent to eighteen individuals who, presumably, were known to be living in the community at the time. When the oidores convened the next day, they crafted a nearly identical decision for Pocona: neither negros nor mestizos nor *mulatos* were allowed to live among the Indians of Pocona. As if to underscore the

⁹¹⁰ “Residen muchos mestissos y mulatos zambahigos y otros géneros de personas de que los dichos indios rescivan grandísimo daño ... tomándoles a sus mujeres e hijas.” From the “Real Provisión ordenando salgan de la comunidad e Pocona, españoles, negros, mulatos y mestizos,” AHMC EJ 6.4, 61r.

⁹¹¹ Schramm, 239.

⁹¹² See “Instrucción para el Marqués de Cañete,” and “Instrucción al Virrey Francisco de Toledo” in Hanke and Rodríguez, 280:49, 85; Appears in Encinas, 1:268, 424; Summarized and somewhat updated in the *Recopilación de Leyes*, lib. vii, tit. iv, ley 1, page 358; Gade, 76; Ramírez Valverde, 298.

centrality of Spanish squatters within the initial complaint, the *protector* noted the omission of Spaniards from the Pocona ban, and the oidores quickly issued an addendum: as in Mizque, Spaniards could no longer reside in Pocona and could remain in the town for no more than three days as they rested from their travels. The oidores also added a copy of legal boilerplate pertaining to the matter at hand to both decisions: the royal *cédula* from November 25, 1578, that banned all mestizos, *mulatos*, and negros from indigenous communities.⁹¹³

There is, as yet, no record of the Spaniards of Pocona's response to the oidores' decision, but Spaniards living in Mizque were incensed, and quickly penned a formal response "in the name of the vecinos and residents who live there, and the rest who sign here their names, for whose sake we lend our word and bond."⁹¹⁴ They had been forwarded a certain royal provision that stated that "the mestizos, *mulatos* and blacks and people of ill repute" should be ejected from among the Indians of Mizque.⁹¹⁵ The order, to them, seemed a general one, including even themselves and those they represented "Spanish vecinos, honored, leading men, married and single, who live and have our houses here, serving God our Savior."⁹¹⁶ The suggestion that they, as honorable people, were in the same class as mestizos and *mulatos* and people of ill repute touched a nerve. "We pay the tithes and first fruits (*primicias*) taxes," they said, "like good Christians,

⁹¹³ AHMC EJ 6.19, 135v-136r; "Real provisión ordenando salgan de la comunidad de Pocona, españoles, negros, mulatos y mestizos," AHMC 6.4, 60v; Konetzke, *Colección de Documentos*, 1:513; Schramm, 155.

⁹¹⁴ En nombre de los vecinos y moradores que en el biben y los demas que aquí firman por quien prestamos voz y caución," AHMC EJ 6.19, 137v.

⁹¹⁵ "los mestizos mulatos y negros y gente de mal vivir," AHMC EJ 6.19, 138v.

⁹¹⁶ "Vecinos españoles hombres honrrados y principales cassados y solteros que aquí bibimos y tenemos nuestras casas, sirviendo dios nuestro señor," AHMC EJ 6.19, 137v.

serving his majesty by paying the royal fifth and sales tax.... And it is well known that we sustain this Eastern Andean frontier with our estates in support of the field commanders, captains, and soldiers who have commonly gone and go to make war on the Chiriguano, which is known and recognized by his majesty, by the Lords Viceroy, and the Royal Audiencia.”⁹¹⁷ Some of those who signed were the sons, grandsons, and relatives of men who had died serving in the armies led by these authorities in the many efforts that had been made to discover and settle the land and pacify its native peoples so that they might live in the knowledge of the Holy Gospel. And it was because they persevered in this royal service that they had gathered in the town, “forming our households, living on our estates, and assisting the native peoples without doing any harm or damage.” And as evidence of their devotion to the Church, they had already endowed a Franciscan convent with six friars and a *guardian predicador* at a cost of six thousand pesos, “where the holy mass is celebrated and [where] we go to hear the holy offices with our wives and children.”⁹¹⁸ The town even had four *cofradías*. Furthermore, as the audiencia knew well, the individuals in question were simply awaiting a response from the viceroy of Peru regarding the creation of a Spanish settlement, a matter that the audiencia had already discussed with the viceroy himself. Execute the provision that ordered the removal of “mestizos, *mulatos*, and people of ill repute,” demanded the settlers, but do not remove the loyal and leading vassals who sustain your royal service.⁹¹⁹

⁹¹⁷ AHMC EJ 6.19, 137v-138r.

⁹¹⁸ *Ibid.*, 138v.

⁹¹⁹ *Ibid.*, 138v.

The Spaniards of Mizque rejected the language that the audiencia, *protector de indios*, and Paniagua de Loaysa had suggested for them and substituted some definitions of their own. They were not “people of ill repute” but honorable men. They were not illegitimate children, but the sons and grandsons of the region’s conquering generation. They were not squatters, but vecinos, who paid the fees and taxes required by both the church and the Spanish crown. They were no one’s dependents, but rather were the builders of households, patrons of the church, husbands, and fathers. Far from the gente suelta who afflicted and unsettled the empire, they were ideal subjects and frontier patriarchs—the very individuals whom the King and his officials hoped to attract to regions like Mizque.⁹²⁰

Such a defense would likely have fallen upon sympathetic ears. There were a great many officials in the Americas who believed that honorable Spaniards could not only live among Indians, but would serve as a good example to them. In Charcas, this had been oidor Juan de Matienzo’s view.⁹²¹ Even viceroy Toledo had claimed that Spaniards and other Christians might serve as an example of the Christian faith to the unconquered people of the frontier.⁹²² Certainly these were individuals who had acquired “the love and will to persist on the land,” to echo the Franciscan friar Juan de Zamárraga’s thoughts on the connection between Spanish settlement and social stability in New Spain.⁹²³ That

⁹²⁰ In many ways, this resistance echoes broader efforts by *criollos* to resist the negative discourses directed at them. See LaVallé, 18, 31, 51, 53, 58; Cañizares-Esguerra, *Nature, Empire*, 74, 79, 87-88; Earle, 690, 692, 694-695, 700, 708; “Confirmacion en la legitimación declarada al capitán Pablo de Godoy, por hijo del capitán pedro nuñez de Godoy” (Lima, 11-01-1591), AGI Lima 135.

⁹²¹ Mörner, *Corona Española*, 34; Zavala, 199.

⁹²² “Carta de don Francisco de Toledo sobre su viaje y visita” (3-1-1572), Levillier, *Gobernantes del Peru*, 4:127-128.

⁹²³ “Amor y voluntad de permanecer en la tierra,” Mörner, *Corona Española*, 155.

these men had been soldiers in the expeditions to Santa Cruz at least partially explains why they had the sympathy and support of the corregidor, García Enríquez de Guzmán. Enríquez was a veteran of Spain's wars in the Netherlands and Italy, and he had arrived in Peru in the company of the incoming Viceroy, the Conde Villar (1585-1590), with whom Enríquez had already served as a soldier in Spain. Once in Peru, Enríquez's noble lineage and connection to the viceroy enabled his appointment as corregidor of Tarija, replacing the city's embattled founder, don Luis de Fuentes y Vargas. He would also serve as the corregidor of Mizque twice. Between corregidor offices, Enríquez was asked to serve as the *procurador* for various expeditions into Santa Cruz, where he probably became acquainted with several of the petitioners who were then serving in "that which was available" (*lo que se ofreció*) as soldiers in the frontier.

Nor was expelling Mizque's squatters much of an option: there was nowhere nearby to expel them to. Certainly it was a grave matter to make vagabonds of rooted patriarchs, especially individuals whose labors were so central to the economy of the audiencia. As Schramm has suggested, failing to create a workable solution for Mizque's Spanish farmers (*chacareros*) was an invitation to outright revolt.⁹²⁴ What's more, the crown had given both audiencia officials and Viceroy Velasco a clear mandate to create an effective division between Indians and non-Indians in Peru. Establishing a Spanish town in the Mizque likely seemed the best way to both protect indigenous settlements and satisfy Spanish squatters.⁹²⁵ In fact, establishing Spanish settlements in the midst of

⁹²⁴ Schramm, 120.

⁹²⁵ Mörner, *Corona Española*, 78; Schramm, 118.

indigenous communities as a tool for segregating Indians from non-Indians had become almost routine through the Spanish Americas, and was practiced or at least proposed by oidores and viceroys in Charcas, Quito, Guatemala, and New Spain at different moments during the sixteenth and seventeenth centuries.⁹²⁶

Diego de Cabrera, now speaking as *protector de naturales* of Mizque as well as Pocona, urged the audiencia's oidores to carry out their original order and remove all non-Indians from the town. So did the encomendero, don Gabriel de Paniagua de Loaysa. According to Paniagua, the Spaniards in question were effectively squatters, living in the town without permission from either the viceroy or the audiencia, and certainly not from himself. Furthermore, they had indeed taken the Indians' homes, lots, horses, and cattle, leaving the town "scattered and destroyed."⁹²⁷ And as the original petition read, the Spaniards had appropriated the Mizqueño Indians' labor for themselves as well. Even the convent that they claimed to have built had actually been endowed by himself and another local encomendero, don Fernando de Cazorla, as was well known. According to Paniagua, the settlers' story was entirely false.⁹²⁸

Paniagua's response seemed to be that of the afflicted patriarch who feared for his charges, the Indians of Mizque. He was, after the all, "the person who is charged with the defense of said Indians, as their encomendero."⁹²⁹ Yet the aging encomendero had played a significant role in transforming Mizque into a site of mingled social statuses, as Indians

⁹²⁶ Mörner, *Corona Española*, 157-158.

⁹²⁷ "disipada y asolada," AHMC EJ 6.19, 139r.

⁹²⁸ *Ibid.*, 139r.

⁹²⁹ *Ibid.*, 139r.

from his repartimiento worked alongside his African slaves and other employees: yanaconas, *mulatos*, and mestizos alike. Don Gabriel had himself settled in the indigenous town as early as the 1560s, absenting himself for long periods from the city of La Plata, where he was a vecino, a fact that the audiencia noticed and criticized.⁹³⁰ In this context, Paniagua's rather disingenuous protests regarding the interlopers who had begun to fill the town were likely not meant to impact the many non-Indians that he himself had brought to work in the community. His proposal for potentially solving the problem of Spanish residency in the valley, locating it outside of the boundaries of his encomienda, underscores his principal objective: maintaining exclusive control of the labor of the indigenous residents within his repartimiento.⁹³¹

Furthermore, despite his status as an encomendero, Paniagua and his extensive family network had themselves participated in the expansion of Spanish estates in the Mizque valley and elsewhere in the corregimiento. Both Schramm and Presta have documented the extensive property holdings of the Paniagua de Loaysa family in the region, which included coca fields, vineyards, ranches, farms, urban properties, and even mining interests. In this sense, Paniagua and his family, as property owners in the Mizque valley who relied on indigenous labor and continued to expand their properties at the expense of indigenous communities, very much resembled the Spanish squatters that Gabriel Paniagua de Loaysa had challenged.⁹³² That Paniagua the encomendero would oppose a class of Spanish landowners who represented his interests as a property owner

⁹³⁰ Presta, "Encomienda, Family," 134; Jurado, "Un fiscal al servicio de su majestad," 115.

⁹³¹ AHMC EJ 6.19, 139r-v.

⁹³² Schramm, 90, 116, 394; Presta, "Encomienda, Family," 122-127.

in the Mizque valley recalls the strategy of diversification that had long been the key to the ongoing wealth of the Paniagua de Loaysa clan, a family that had held onto its *encomiendas* for four generations, longer than any other family in the district.⁹³³

When the *audiencia* responded on the twelfth of September, their decision clearly favored Mizque's Spanish settlers. The order was to be executed as written, but the *corregidor* was instructed to "see who among the Spanish *vecinos* are married, orderly, and rooted, and have lived and live without damage to the Indians" while the *audiencia* awaited a response from the Viceroy.⁹³⁴ Anyone who did not fit this description and *calidad* could be removed. Diego de Cabrera, the *defensor de indios*, identified four men for immediate removal, "single men that, like lions, commit much aggravation and harassment against the aforementioned my party."⁹³⁵ This was language that conjured up the still-potent image of the predatory, unmarried vagabond that appeared in *audiencia* and viceregal reports. He was particularly eager to see the departure of one Pedro Correa, a shopkeeper (*pulpero*), who had already been ordered to leave the community many times, but who had enjoyed a close friendship with the *corregidor*. The *audiencia* and settlers were still waiting for the viceroy's formal decision on the settlement in mid-May of the next year, when the new *corregidor*, don Fernando Portocarrero, ordered the revised provision to be publicly proclaimed in the district.⁹³⁶

⁹³³ Presta, "Encomienda, Family," 149.

⁹³⁴ "Ver quales son los vezinos españoles que son casados quietos y arraigados y an bibido y biben sin perjuicio de los indios" AHMC EJ 6.19, 141r.

⁹³⁵ "hombres solteros y que hazen muchos agravios y behaciones como leonas a los dichos mis partes," AHMC EJ 6.19, 141v.

⁹³⁶ AHMC EJ 6.19, 141v.

In late 1603, more than three years after the initial petition from Mizque's *protector de indios*, and at the request of the Peruvian viceroy, don Luis de Velasco, the royal fiscal of Charcas, Don Francisco de Alfaro, traveled to Mizque to formally establish a Spanish community, now entitled the Villa de Salinas del Rio Pisuerga in honor of Viceroy Velasco, the Marqués de Salinas del Rio Pisuerga, on September 19, 1603.⁹³⁷ Many Spaniards would have seen the final arrangement regarding Mizque's urban space as a compromise. Mizque, not Pocona, was the viceroy's choice as the site to unite the many Spaniards who lived and owned property in the valley within the confines of a formal Spanish settlement.⁹³⁸ Essentially a *reducción* for both Indians and non-Indians, Mizque would become, in fact, one town with two communities.⁹³⁹ The Villa de Salinas del Rio Pisuerga occupied what had once been the center of the Indian town, the area nearest the town square, and would become the seat of Mizque's vicariate. Its Spanish and other non-Indian residents would be served by secular priests. The adjacent Indian section of the town, or *pueblo de Mizque*, would become the residence of the Chui Indians from Paniagua's repartimiento, as well as other indigenous families who worked the fields nearby. The Indian parish (*doctrina y curato*) of Mizque would be led by Franciscan friars.⁹⁴⁰

⁹³⁷ Brockington, *Blacks, Indians, and Spaniards*, 43; "Libro del cabildo de la Villa de Salinas del rio Pisuerga," AHMC EJ 8.15 (1603).

⁹³⁸ Francisco López de Caravantes, Guillermo Lohmann Villena, and Marie Helmer, *Noticia General del Perú* Biblioteca de Autores Españoles (Madrid: Atlas, [c.1630] 1985), 2:158.

⁹³⁹ Gade, 81, 82.

⁹⁴⁰ Gade, 81; "Fragmentos del expediente al Consejo de Indias sobre la división del Obispado de los Charcas en tres: La Paz, La Plata y San Lorenzo de la Barranca. Años 1607-1612," from Maúrtua, *Juicio de Límites Entre el Perú y Bolivia: Prueba Peruana*, edited by Victor M. Maúrtua (Barcelona: Imprenta de Henrich Y Comp., 1906), 11:124; Espinoza Soriano, 166.

The decision to authorize the foundation of the Villa de Salinas at Mizque grew out of local tensions, but likely had political value for the royal officials involved.⁹⁴¹ Viceroy don Luis de Velasco made it his policy to deny petitions for settlement expeditions into the Eastern Andean frontier for his entire tenure. There is evidence that despite his reluctance to do so, Viceroy Velasco was under considerable pressure to authorize new frontier communities to combat the threat of Chiriguano attacks. As Scholl has observed, Phillip III, who had only recently become king of Spain, wrote to Velasco in April of 1601, ordering him to reply to the Audiencia of Charcas's repeated requests for the viceroy's support against the Chiriguano. The king says "the audiencia [of Charcas] has written and given account of offers to conquer [the Chiriguano] once and for all that would have cost my treasury little or nothing, and that up until now you have not acted on it, [despite] it being of much importance."⁹⁴² It seems likely that Velasco had already been approached by representatives of the Spaniards at Mizque for support for formal recognition of their *de facto* control of Mizque. Don García Enríquez de Guzmán, the corregidor who was seen to be in cahoots with the squatters, had recently been in Lima himself, where he served as La Plata's *procurador* before the viceroy, but also passed on correspondence from Tarija and Mizque, both places where he had served as

⁹⁴¹ Just as an example, López de Cepeda claimed to play a major role in the foundation of new frontier settlements (12-9-1586), AGI Charcas 16 R25 N137. Published in Levillier, *Audiencia de Charcas*, 2:254-272.

⁹⁴² "Aquella audiencia que se acave de una vez de allanar aquella nación ha escripto y dado quenta algunas veces de los medios que para ello se ofrecen de ninguna o muy poca costa de mi hacienda y que hasta agora no aveis salido a ello siendo de mucha a importancia" (4-12-1601), AGI Charcas 415 L2, 131v-132r; Scholl, 412; "Fragmentos pertinentes de una carta del Virrey Don Luis de Velasco en que hace descripción de la región de los Indios Chiriguanaes, y aconseja que no se proceda por guerra contra ellos," Mujía, 3:52-56; "Relación del sr. Virrey, D. Luis de Velasco, al Sr. Conde de Monterrey sobre el estado del Peru," Beltrán y Rózpide, 1:122.

corregidor.⁹⁴³ The squatters were likely awaiting an answer from the viceroy when they were presented with the audiencia's initial decision in 1600.⁹⁴⁴

As a community of Spaniards in need of a settlement on the edge of a frontier that required a more local system of defense, the Villa de Salinas del Rio Pisuerga represented an opportunity for the viceroy to carry out the King's orders. As he would write in a later memorial, "given the size and disposition of the site, waters and lands, and for being the entrance and exit point for the Eastern Andean frontier," Mizque's location seemed almost ideal.⁹⁴⁵ What is more, creating a town in a productive and populous valley would require no investment from the royal treasury and would not exacerbate tensions between acquisitive frontier residents and the Chiriguano communities of the Cordillera. Velasco hoped the king would favor the new community and grant it the privileges it required to continue to grow, such as those laid out in the *Ordenanzas* of 1573.

The fiscal of the Audiencia of Charcas, don Francisco de Alfaro, to whom the original petition to remove non-Indian squatters from Mizque had been addressed in August of 1600, was the very official who formally established the villa de Salinas on September 19, 1603. While ostensibly Alfaro was simply carrying out the Viceroy's orders, the fiscal was quick to promote his achievement to King Phillip III and the Council of the Indies. According to Bachiller Nicolás de Santa Maria, a priest who had

⁹⁴³ Nor would the complaints about García Enríquez de Guzmán injure his good reputation with the audiencia. He was declared a "buen juez" by his successor in Mizque, don Fernando de Lomo Portocarrero, and later served again as corregidor of Tarija after the death of Luis de Fuentes. See Ávila, 178; "Servicios de García Enríquez de Guzmán" (1604), AGI Charcas 48.

⁹⁴⁴ AHMC EJ 6.19, 135v-136r.

⁹⁴⁵ "Así por la comodidad y disposición del sitio, aguas y tierras, como por ser entrada y salida para la frontera de los indios chiriguanaes," Beltrán y Rózpide, 1:127.

worked in the district, Alfaro actually sent a map of the new community to the King, claiming that he had established a villa of “three hundred households with many towers, gardens, and balconies,” when in reality the site had no more than six completed houses and less than thirty under construction.⁹⁴⁶ Presumably the majority of the villa’s Spanish residents had either taken over homes belonging to Indians or continued to live on scattered estates in or near the Mizque valley.⁹⁴⁷ Alfaro continued to remind the King of his achievement in additional letters in early 1604.⁹⁴⁸ A December 26, 1603 report from the audiencia was somewhat more cautious, and likely more accurate, than Santa María’s claims: the oidores stated only that the fiscal had distributed three hundred *solares* (urban lots). As for the inchoate Villa, the new settlement had a population of one hundred and twenty, still a suspiciously large number for a community of six completed Spanish residences.⁹⁴⁹ As Santa Maria protested in late 1610, instead of the reprimand that Alfaro deserved for contravening Spanish law regarding indigenous settlements and stealing one hundred and twenty houses from the town’s indigenous residents, Alfaro was, in fact, promoted to *oidor supernumerario* of Charcas in 1607.⁹⁵⁰ Nor would Alfaro’s role in establishing the Villa de Salinas damage his relationship with the Paniagua clan: Alfaro would marry Gabriel Paniagua de Loaysa’s daughter, doña Francisca de Sande Paniagua, in 1613. The next year he would become the brother-in-law to the future compiler of the *Política Indiana*, when the oidor Doctor Juan de Solórzano Pereyra married Paniagua’s

⁹⁴⁶ “Trecientos casas pobladas con muchas torres xardines y balcones,” Gandía, 413.

⁹⁴⁷ Schramm, 116, note 71.

⁹⁴⁸ “Carta del licenciado Francisco de Alfaro, fiscal de la Audiencia de Charcas” (2-25-1604), AGI Charcas 17 R15 N98.

⁹⁴⁹ “Carta de la Audiencia de Charcas” (12-26-1603), AGI Charcas 17 R14 N95.

⁹⁵⁰ Jurado, “un Fiscal al Servicio de su Magestad,” 107-108; Gandía, 413; Gade, 81.

youngest daughter, doña Clara de Sande Paniagua de Loaysa.⁹⁵¹ Later, the enterprising Paniagua clan would even own lots and maintain homes as vecinos in the town whose existence their patriarch once so strongly rejected.⁹⁵² According to Schramm, one member of the Paniagua family, Antonio Troche de Vallejoals, even served as an *alcalde ordinario* in the Villa de Salinas's first *cabildo*.⁹⁵³

The decision to establish the Villa de Salinas in what had been the town of Mizque may have given the *audiencia* a freer hand in evicting non-Indians from Pocona. It is clear that the *audiencia*'s decision to remove non-Spaniards from Pocona and maintain the status quo in Mizque was publicly proclaimed in both cities in early 1601.⁹⁵⁴ At the turn of the seventeenth century, Pocona was by far the largest indigenous community in the province, with some seventy-two percent of the region's originarios. Mizque was a distant second in size, with only a bit more than twenty-one percent of this important segment of the population.⁹⁵⁵ Yet, as is well known, the segregation of Indians and non-Indians was impossible to maintain, and often received little support from local authorities. The *caciques* of Pocona would continue to protest the presence of certain non-Indians in their community in coming decades.⁹⁵⁶ In one case, Teodoro de Pareja, a later *protector de los naturales* in Pocona, began an effort to remove one Pedro Lopez

⁹⁵¹ Jurado, "un Fiscal al Servicio de su Magestad," 120; Presta, "Encomienda, Family," 157.

⁹⁵² Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 53.

⁹⁵³ Schramm, 118.

⁹⁵⁴ AHMC EJ 6.4, 61v; AHMC EJ 6.19, 142r-v.

⁹⁵⁵ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 230. Pocona had 72%, Mizque 21.5%, and 6.64% in Aiquile and Totora combined.

⁹⁵⁶ "Provisión real en la que ordenan a los *caciques* del repartimiento de Pocona le den memoria de los negros, *mulatos*, y mestizos que están y residen en ellos y de los malos tratamientos que les han hecho para que vista les haga justicia y salgan del partido como la provisión se le manda" (1605), AHMC EJ 12.28; "Los *caciques* e indios de Pocona en común, y en especial la parcialidad de don Cristóbal Jarajurí; contra Leandro Fo sobre las huertas y tierras de don Juan Cala y daños que le piden" (1628), AHMC EJ 36.5.

and his household from town in 1605, just two years after the foundation of the Villa de Salinas and, presumably, the eviction of other non-Indians from the community. Strikingly, the order to evict Lopez from Pocona was written by the lieutenant corregidor in the Villa de Salinas, a site where just two years before, individuals very much like Lopez successfully faced down an effort to remove them from the town they would make their own.⁹⁵⁷

The Spanish squatters turned *chacareros* of the Mizque Valley managed to redirect an attack on their livelihoods into an opportunity to more firmly cement their legal and financial position in the valley. Where their opponents attempted to describe them as an assortment of vagrants and persons of ill repute, the vecinos of the Mizque claimed a collective identity that was wrapped up in the language of honor, patriarchy, and Christian charity. Where individuals might point to the achievements of their ancestors to defend challenges to personal honor, the vecinos of Mizque claimed their collective services to the crown as well as those of their ancestors, to defend their collective honor. It was a calculated approach that called upon the crown's representatives to protect the interests of its honorable subjects, in many ways obligating audiencia officials and Viceroy Velasco to recognize the group as a political community and grant them the rights and privileges associated with that status, including the right to establish a formal town. The result was the dispossession of many of the indigenous residents of Mizque and the legitimation of Spanish land acquisition and labor demands

⁹⁵⁷ AHMC EJ 12.28 (1605); Vázquez de Espinoza, 846.

in the region. But from the perspective of early modern Spanish governance, royal officials had transformed a disorderly space into an orderly republic.

Maintaining a Collective Voice: The *Pardos Libres* of Guadalupe

The Spanish vecinos of the Ciudad de Salinas would be allowed to stay in Mizque because they were not “mestizos, *mulatos*, and people of ill repute.”⁹⁵⁸ Decades later, vecinos of another frontier community would protect their community by reminding the King’s representatives that they were pardos, people of mixed African descent. In early 1662, the leadership of the community of Guadalupe, a fortified village in the governorship of Santa Cruz de la Sierra, reached out to the region’s governor for protection from the residents’ imminent dispossession of their lands by the lieutenant of the Ciudad de Jesús, or Vallegrande, the principal city within the jurisdiction to which Guadalupe belonged. Guadalupe was not a new community or informal settlement—it had been established by order of the founder of the province himself, don Pedro Lucio de Escalante, likely back in the 1610s. Instead, the community’s representative, captain Diego Nuñez Barranco, believed that the community was at risk because its residents were free pardos (*pardos libres*) whose poverty and tenuous social status made them vulnerable to the machinations of the Spaniards of the nearby Ciudad de Jesús. In the community’s defense, Nuñez Barranco referenced the many years of continuous service that the pardos of Guadalupe had spent in defense of the region from the Chiriguanaes,

⁹⁵⁸ AHMC EJ 6:19, 138v.

dating back to the services of the captain's grandfather, Domingo de Robles, who served as a settler and soldier with Escalante many years before.⁹⁵⁹

The existence of Guadalupe as a pueblo for free pardos and the rights enjoyed by its residents is a striking anomaly within the history of Spanish frontier settlement in the Eastern Andes. Whereas a small number of free individuals of African descent became landowners at various sites within the Cordillera, Guadalupe represented an entire community of *afromestizos* and their families who were tied together by a common history, first in Tomina and later in Vallegrande, as well as by their identity as free pardos.⁹⁶⁰ Most people of African descent in rural Charcas, even those who were not slaves, labored in the fields and on the *estancias* of large estate owners. *Mulatos*, also called *zambos* or *zambahigos*, who were born into yanacona families on the region's rural estates, the children of indigenous women and enslaved African men, were themselves legally considered to be yanaconas—a practice that had become well-established in Charcas and permitted by the *audiencia* as early as 1626.⁹⁶¹ Much like the terms *mulato* and *zambo*, the term *pardo* denoted African ancestry in early seventeenth-century Charcas, much as it did elsewhere in the Indies.⁹⁶² Yet Nuñez Barranco clearly preferred the term *pardo*, essentially a descriptive term, often rendered “of the pardo (brown)

⁹⁵⁹ “Diego Nuñez Barranco, pardo, y los que viven en el pueblo de Guadalupe, Santa Cruz de la Sierra, pidan ante la Audiencia de Charcas, provisión de amparo en la posesión de sus tierras y casas del dicho pueblo,” ABNB ECAD 1664.4.

⁹⁶⁰ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:115, 293-394; “don Pedro Espínola y Luna,” AGI Charcas 44.

⁹⁶¹ *Acuerdos*, 4:1626.78, 350; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 168; ABNB EC 1669.25; ABNB EC 1661.16; ABNB EC 1770.159.

⁹⁶² Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 163-174; Hebe Matos, “‘Pretos’ y ‘Pardos’ Between the Cross and the Sword: Racial Categories in Seventeenth Century Brazil,” *Revista Europea de Estudios Latinoamericanos y del Caribe* 80 (April, 2006), 43-55; Mörner, *Race Mixture*, 45, 70.

color,” to terms like *mulato* or *zambo*, likely because of the negative associations tied to those words. In that sense, his use of the term was itself a claim to a status above that typically associated with *afromestizos*.⁹⁶³ Scholars like Ben Vinson and Matthew Restall have noted similar preferences among the *afromestizos* of New Spain.⁹⁶⁴ The rights that Nuñez Barranco sought to maintain for community members, their right to property ownership, use of firearms and horses, and even their role as masters of *yanaconas* were also claims to elevated status, as they were tantamount to the rights afforded to Spaniards in Charcas and expressly prohibited for people of African descent in the region’s major cities.⁹⁶⁵ What the *pardos* of Guadalupe had managed to achieve in the frontier was radical in the context of seventeenth-century Charcas, to say the least. And much of their success was due to the unusual life and services of Guadalupe’s founder and original patriarch, Domingo de Robles.

What is currently known about Domingo de Robles’s story begins in Tomina, in relation to a document from late November of 1582. In that year, he was already about thirty years old, serving as a soldier in the company that Pedro de Segura, then *corregidor* of Santiago de la Frontera de Tomina, took with him to patrol the countryside and to pursue Chiriguano assailants after attacks on local haciendas and *estancias*. The recent attacks, described in the previous chapter, had convinced Segura to imprison a large

⁹⁶³ Nathan Weaver Olson, “*Pardos y Caballeros Pardos: Exploring the Frontiers of Race, Status, and Social Memory in Vallegrande, Santa Cruz, Bolivia*,” MA Thesis (La Jolla: UC San Diego, 2010), 88.

⁹⁶⁴ Restall, *The Black Middle*, 99; Vinson, *Bearing Arms for his Majesty*, 200.

⁹⁶⁵ “R.C. al virrey de las provincias del Peru o a la persona o personas a cuyo cargo fuere el gobierno de ellas. A pedido de la ciudad de la Plata, manda que se guarde lo proveído por don Francisco de Toledo, virrey que fue de esa provincia, acerca de que ningún negro ni *mulato* pueda tener en su servicio *yanaconas* ni otros indios ningunos” (8-16-1607), *Libros Registros-Cedularios de Charcas, 1563-1717*, 1:175.

number of Chiriguano allies in a house in town under the pretext that the Indians had failed to warn them of an impending attack on properties in the region.⁹⁶⁶ Robles appears in the document as a witness, one of the last people interviewed by the bailiff appointed by the audiencia to investigate the matters, Captain Fernando Diaz de Ricalde. Unlike many of the first informants, he was not described as a vecino of the town, but, simply as a resident (*estante en esta dicha villa*) a status that implies that he was either a person of lower social standing or simply a more recent arrival to the community. According to the testimonies of other witnesses, as well as his own, Robles was the individual that Segura ordered to stop the escape of several Chiriguano visitors, and to seize their weapons: bows and arrows. As he pursued them, he spoke to them in their own language, Guaraní. And although the scribe does not refer to Robles's *calidad* as such in his testimony, other witnesses describe Robles as a *mulato*, one of at least two *mulatos* involved in those events.

Robles later held the title of militia captain and became a property owner in two corregimientos, a master of indigenous servants, and a patron to local priests. He passed away at a great age around 1636 in the province of Vallegrande, a region he had helped to conquer and in a community he helped to found. Yet, like many of the actors in the early history of Charcas, we know nothing of Robles's origins. La Plata would have been scarcely more than a decade old at the time of his birth, and Potosí younger still. The Tomina valley, where Robles would spend his early career, had yet to be settled by

⁹⁶⁶ "Justicia de Santiago de la Frontera: conducta Chiriguanaes" (1583), AGI Patronato 235, R7; ABNB AM 1626.3.

Spaniards. He may have been an illegitimate son of someone from the first generation of conquistadores, born in the nascent city of La Plata or, given his linguistic abilities and connections to Segura, in Paraguay. He may even have been born in Spain. Whatever his origins, he was a free person in 1582.⁹⁶⁷

After 1582, we learn nothing more about Robles for another twenty-five years, when he appears in a list of individuals, mostly Spaniards, who had suffered personal losses at the hands of the Chiriguano.⁹⁶⁸ According to the author, the Paraguayan historian and would-be city founder, Ruy Díaz de Guzmán, in 1598 Robles was the owner of a property that was attacked by a group of Chiriguano men who were led by a *mulato* captain, a reminder of the heterogeneity of the borderland. According to Díaz de Guzmán, Robles's wife and a brother-in-law, "a Spaniard," were killed, as were a number of his servants, and others were taken as captives, including one of Robles's own daughters. For the author, writing from the same frontier in 1617, the reference to Robles is simply additional evidence of the Chiriguanos' cruelty, which Díaz de Guzmán had been charged to combat. But it is striking that in the silence of the sixteen years following his 1582 witness testimony, Robles had shifted from someone who was merely present in the town of Tomina to an individual who had likely taken part in the re-settlement of Miguel Martín's stricken settlement, rechristened San Juan de Rodas by its principal

⁹⁶⁷ One could speculate that Domingo de Robles was the son of the conquistador Martín de Robles and one of the slaves in the conquistador's possession at the time of his execution in 1556, or the child of one of Martín's slaves and an indigenous servant from his Chayanta encomienda. Presta, "Encomienda, Family," 324 (appendix B); Inge Wolfe, "Negersklaverei," 165-166.

⁹⁶⁸ Extensive lists of grievances against the Chiriguano are common in the archival record, especially in pension requests. See for example "El Maese de Campo Hernando de Cazorla residente en el peru sobre que se le haga merced atenta a lo que refiere de ocho mill pesos de renta en tributos de indios vacos" (1587), AGI Charcas 43; *Relación de la Entrada de Ruí Díaz de Guzmán*, 78, 165 note XX.

founder, Melchor de Rodas. And there, perhaps as a reward for his services in the frontier, he had acquired arable land within a league of the new town and a cattle ranch (*estancia*) as well. That his family network included a Spanish brother-in-law, according to Díaz de Guzmán's account, is noteworthy as well, underscoring how closely he had come to resemble his Spanish neighbors.⁹⁶⁹

Yet there are indications that he was still not counted as one of the community's elite. For instance, he does not appear as a town councilmember in surviving documents from the period or as one of the "persons of quality and experience who are in this frontier," in the 1607 report by then Corregidor Julio Ferrufino.⁹⁷⁰ Because all that appears to remain from the census cited by Ferrufino are rough demographic figures organized by *casta*, it is not clear if, as a landowner, Robles would have been listed as a Spaniard, a category that must have included the community's mestizos, or as one of the region's forty-eight free *mulato* men.⁹⁷¹ Robles appears once again as a Guaraní language interpreter in a January 30, 1611 document from San Juan de Rodas along with interpreters Francisco Delgadillo, Simon Alvarez, and don Diego Zarita, "residents in said villa."⁹⁷² It was an important meeting, laying the groundwork for the ill-fated

⁹⁶⁹ Note that Scholl argues that the Díaz de Guzmán references to the attacks on Robles were contradicted by Governor Gonzalo Solís Holguin in 1603. It should be stated, though, that the Governor's account seems to follow the tendency of royal officials who claim to have maintained peace in their time, claiming to be an improvement upon those who preceded them. Scholl, 412 note 21.

⁹⁷⁰ "Relación breve y sumaria que haze el gobernador don Ruí Díaz de Guzman al real Consejo," in *Relación de la Entrada de los Chiriguanos*, 78, 165-166; Robles is missing from otherwise significant texts pertaining to the communities of Tomina and San Juan de Rodas, such as the following: "Villa de Santiago de la Frontera de Tomina," AGI Lima 135; "Nombramientos de Alcaldes Ordinarios en la Villa de Santiago de la Frontera," ABNB EC 1603.4; "Descripción de la Villa de Santiago de la Frontera de Tomina," CDIAO 9:317-346.

⁹⁷¹ CDIAO 9:329-330.

⁹⁷² "Capitán don Diego Quintela Salazár" (1610), AGI Charcas 48.

missionary and settlement effort that would be led by Rui Díaz de Guzmán himself.

Robles, described as illiterate in the 1582 document, even “signs” the 1611 document in which he appears as interpreter.

While a number of Tomina residents joined Díaz de Guzmán’s expedition, including two of Pedro de Segura’s sons, Robles chose instead to join the expedition of don Pedro de Escalante y Mendoza as it progressed through the towns of Tomina and San Juan de Rodas before turning north to cross the Río Grande and begin the conquest of what would come to be known as Vallegrande in around 1614. According to Sanabria, the Vallegrandino historian, Robles was something of a last-minute addition to the Escalante expedition, a party that included at least one other local personality, Captain García de Mosquera, Segura’s mestizo son-in-law. Extant documents suggest that the party included entire families of settlers and their servants. Domingo de Robles appears to have followed suit, taking along eight of his children and some thirteen “pardos in arms,” individuals that Sanabria assumes to be members of Robles’s household, as well as a number of other pardos, *mulatos*, and free blacks, some of whom were likely members of Robles’s extended family. While the Spanish settlers founded the Ciudad de Jesús y Montesclaros de los Caballeros in late 1613 or 1614, Robles led what amounted to an afro-mestizo community tasked with garrisoning a newly erected fort in what would become the nucleus of the community of Guadalupe. Located at the head of a narrow valley that connected the Ciudad de Jesús via the shortest path to the Rio Grande, Guadalupe served as the community’s rear guard, its closest connection to the safety of Spanish settlements near Tomina and San Juan de Rodas. The segregated communities,

one for pardos, the other ostensibly for Spaniards, both survived to form the nucleus of non-Indian, “Spanish” settlement in the Vallegrande region. By 1618, the community claimed a population of ninety Spaniards in the Ciudad de Jesús, with some forty *mulatos* and negros living in nearby Guadalupe.⁹⁷³

It is plain why don Pedro Lucio de Escalante y Mendoza would have wanted Robles, despite his *calidad* as a pardo, to join his expedition: he needed all the local experience he could get. Like many potential expedition leaders, Escalante had performed military service both in Europe, where he fought against Dutch rebels, and in the Americas, where he served in the Chilean frontier and pursued pirates along the coast. And like so many others from the period, Escalante also appears to have gained some wealth in Potosí’s mining sector, where he was appointed *Alcalde Mayor de Minas* and *Mayordomo de los Metales de su Majestad del Asiento de Porco* in 1600 as well as various others posts of importance in the city.⁹⁷⁴ As to his role in planning a settlement expedition into the frontier, Escalante had by 1609 already communicated with the new viceroy, Juan de Mendoza y Luna, the Marqués de Montesclaros. It is not at all certain when or even if he had ever personally been to the Vallegrande region by that time.⁹⁷⁵ Yet the final version of his charter agreement, signed by the viceroy in 1612, suggest that Escalante had acquired a very specific objective for the region he would control: the site of the two former Inca settlements of Comarapa and Samaipata in the Vallegrande valley system, a region forty-eight leagues from La Plata, thirty-two leagues from the

⁹⁷³ Sandóval, 23-24.

⁹⁷⁴ *Libros de Acuerdos del Cabildo Secular de Potosí*, 2:39; Melgar y Montaña, 67-68; Sandóval, 36-37.

⁹⁷⁵ ABNB Corr. Fichas 642 and 646 (1609).

“mountains of the Chiriguano,” and thirty-eight leagues from the provinces of Santa Cruz de la Sierra.⁹⁷⁶ Those who have written about Escalante’s expedition suggest that he found his first volunteers in Lima before moving on to recruit more participants in Potosí.⁹⁷⁷ While such individuals likely provided him with the financial backing and sheer force of arms he would have needed for his undertaking, he desperately needed individuals with personal knowledge of the region. García Mosquera, Domingo de Robles, and the individuals in their households, all residents of Tomina with decades of experience in the region, had much needed linguistic abilities and, likely, extensive family networks on both sides of the frontier and would certainly have fit the bill.

Robles’s reasons for his decision to move his household and likely much of his extended family from Tomina to Vallegrande, and to favor Escalante’s expedition over that of Díaz de Guzmán’s, are less apparent and suggest an act of strategic calculation on his part. His decision may have come down to the details of Escalante’s final charter. As I have stated earlier, Escalante’s charter agreement with the Marqués de Montesclaros was exceptional in that it expanded the concept of the soldier-criminal found in the 1573 *Ordenanzas* to specifically include people of mixed ancestry—mestizos, *mulatos*, and *zambahigos*—within the list of possible participants. In light of the various other charters written at that time, it seems like a very intentional innovation in that it created a mechanism by which people of mixed ancestry might claim something approaching full citizenship within Escalante’s imagined community. As was the norm of the time,

⁹⁷⁶ Melgar y Montaña, 68; Sandóval, 37.

⁹⁷⁷ Melgar y Montaña, 18.

potential participants would have been made aware of all of the specific rights afforded to the community's future settlers as town criers announced them publicly in each of the places where the expedition was advertised: Lima, Potosí, La Plata, Tomina, and likely San Juan de Rodas. Accounts of Luis de Fuentes y Vargas's and Juan Porcel de Padilla's final preparations for their respective expeditions included a formal mass and yet another public reading of the charter agreement in the presence of each expedition's soldiers and auxiliaries.⁹⁷⁸ It seems likely that Escalante would have initiated much the same ritual on the eve of his own departure. The historian Sanabria has said that Escalante encountered Robles near his home as his growing expedition wound its way through Tomina province, and that the expedition leader persuaded Robles to accompany him.⁹⁷⁹ It is even possible, given the extended period of time that Escalante planned his expedition and formulated its charter agreement, that he included the specific references to people of mixed ancestry with Robles, or individuals like Robles, in mind.

Once established within Escalante's new jurisdiction, Robles and his extended family began to behave as *vecinos*. The community that Robles and others named Guadalupe, likely in reference to Our Lady of Guadalupe of Extremadura, began as a fortification and grew into a village with a town square and urban lots. Robles would later endow a chapel for the community in 1628, where the province's first parish priest, Cristóbal Mesa, would deliver mass "in the language of the Indians," likely Guaraní or even Quechua, both languages that many of Guadalupe's non-Indian residents also

⁹⁷⁸ Ávila, 106; Porcel, 29-30.

⁹⁷⁹ Díaz de Guzmán, *Relación de la Entrada de Rui Díaz de Guzmán*, 165 note XX.

knew.⁹⁸⁰ The community's residents likely cultivated lands in the town's narrow valley and pastured their cattle on the surrounding slopes. Like the region's Spanish landowners, several of the *pardos* of Guadalupe also acquired indigenous *yanacunas*, for whom they paid tribute. Domingo de Robles lived until around 1635, the last year he appeared as a taxpayer in the region's *padrón de Indios*, when he paid three pesos and one real for the one *yanacuna* in his possession who was subject to tribute. In the next *padrón*, his wife, Barbola Chipa or Uminchipa, herself an Indian and former *yanacuna* from Tomina, paid this tax, an indication that she had inherited his estate.⁹⁸¹ Robles's son, Juan de Robles, who was identified as a *mulato* in the *padrón*, paid tribute for two indigenous servants that year as well.⁹⁸² Juan would become the captain of the free *pardos* of Vallegrande, still centered in the community and fort of Guadalupe, upon his father's death.⁹⁸³ In the 1640s, a list of arms distributed in the Ciudad de Jesús included the Harquebus given to Juan Nuñez de Barranco, a founder of Guadalupe and a son-in-law of Domingo de Robles. His son, Diego Nuñez Barranco, likely a child or teenager at the time of the founding of the community, would lead the community by the 1660s.⁹⁸⁴ Whereas the Ciudad of Jesús was under the jurisdiction of a lieutenant governor, the governors of Santa Cruz had appointed a captain from Guadalupe to gather the *pardos* at times of war. Paniagua himself had appointed Diego Nuñez Barranco captain of Guadalupe in the 1660s to maintain order among the *pardos* "so that they establish *vecindad* and [serve as]

⁹⁸⁰ Melgar y Montaña, 20.

⁹⁸¹ Díaz de Guzmán, *Relación de la Entrada de Ruí Díaz de Guzmán*, 166 note XIII; ABNB AM 1626.3.

⁹⁸² ABNB AM 1626.3, 8v.

⁹⁸³ ABNB EC1659.9.

⁹⁸⁴ ABNB ECAD 1664.4.

a front along the frontier as is custom, and that they plant fields, and raise stock, and have firearms, for all this I give authorization.”⁹⁸⁵

It is not clear what motivated the order for the residents to abandon Guadalupe and move to the Ciudad de Jesús. Such orders were not unheard of in times of elevated danger of attack on frontier communities, like Guadalupe.⁹⁸⁶ Yet Nuñez Barranco attributed the order, which came from the governor of the province, to a “sinister account” that he blamed on the lieutenant governor, don Joseph Menacho, and the other Spaniards residing in the Ciudad de Jesús. The pardo captain believed that behind the order was an unmistakable effort to dispossess them of their lands and place their families under more direct control by the Spaniards in the region. Nuñez Barranco also recounted a history of abuses experienced by community members in which Guadalupe’s women and children were forced to serve Spanish families on their estates or were taken to catch and haul fish from the nearby rivers. Pardo men had been obligated to take part in *corredurías*, or scouting expeditions and raids, likely against the Chiriguano or Yuracaré, into the frontier far from their communities.⁹⁸⁷

In the community’s defense, Captain Diego Nuñez Barranco emphasized the community’s poverty (he was, himself, “solemnly poor” [*pobre de solemnidad*] itself a claim to elevated social status as we shall see in the next section),⁹⁸⁸ but more than this,

⁹⁸⁵ “Para que hagan bezindad y frente a la frontera como es costumbre y que hagan sus sementeras y cria ganado y tengan armas de fuego, que para todo le doi facultad.” ABNB ECAD 1664.4.

⁹⁸⁶ For instance, the order given to captain Ignacio de Vargas Machuca to abandon his property in the Pampas de Segura in 1636, ABNB EC1636.15.

⁹⁸⁷ ABNB ECAD 1664.4.

⁹⁸⁸ Milton, 66.

he emphasized the community's ongoing heritage of service in defense of the region. The well-known services of his grandfather, Domingo de Robles, had been continued by the community members he had left behind. The pardos of Guadalupe had now held the land, with few exceptions, in "quiet and peaceful possession" for decades. And it was because of this service, and the community's ongoing possession of the rights they had won in performing it, that the community had successfully protected its identity and shielded its members from abuse. As he declared to the interim governor, Gabriel Paniagua de Loaysa, all the community wanted was to be left to enjoy their liberty as they continued to fulfill their obligation to the region's defense. It seems to have been a successful strategy. In mid-June of 1664, the president and oidores of Charcas affirmed the right of the pardos of Guadalupe to maintain their town and lands in the jurisdiction of the Ciudad de Jesús de Montesclaros, and for the community's women and children to be free from serving Spaniards on their estates and in other business. The community and its active garrison, led by Robles's descendants, would persist for at least a century.⁹⁸⁹

Sustaining Collective Honor: Soldados Honrrados y Pobres in Tomina

Santiago de la Frontera de Tomina functioned in its earliest years as a sort of *reducción* for Spaniards who were already living in the region but who had not yet created a formal settlement there. This appears to have been the shared perception of Francisco de Toledo, who authorized its foundation in 1575, and of its residents, the Spaniards and mestizos who had been living in the region without formal title to the lands

⁹⁸⁹ "Pobladores en 1719," Melgar y Montaña, 26.

they possessed.⁹⁹⁰ Toledo's connection to Tomina and its residents was personal. According to Lizárraga, it was to the valley of Tomina that Toledo retreated after his failed expedition against the Chiriguano in 1574, where the region's Spanish and mestizo *chacareros* invited him and his soldiers into their homes in what was likely already an informal settlement.⁹⁹¹ By the time of the writing of the 1606 memorial referenced at the beginning of this chapter, Tomina had been in existence as a formal settlement for more than three decades and boasted, at least on paper, a Spanish population of nearly five hundred people.⁹⁹² The precise motive for writing the memorial is not apparent from the memorial itself, although it seems to have coincided with the crown's decision to open up more municipal offices to private sales, a decision Tomina's cabildo strongly rejected. But the memorial includes requests for a number of specific financial and social privileges for the community's vecinos that go far beyond the issue of cabildo offices. Again, unlike the individual memorials of the period, the petitioners did not claim that these privileges were owed to them because of their noble birth or status. Instead, they claimed those rights as a possession of the community to which they belonged, claims

⁹⁹⁰ As Toledo would put it in July of 1575, "yo mande fundar la villa de santiago de la frontera donde se poblaran y rredujsen los españoles e yndios que estaban divididos y esparzidos en los valles de tomina y tacopaya para que rresidiesen en la frontera de los yndios chiriguanaes de la cordillera...", in "Villa de Santiago de la Frontera de Tomina," AGI Lima 135; In 1582, in a letter communicating their support for friar Diego de Porres, the vecinos of Tomina spoke of their founding in this way: "Por la relación que don Francisco de Toledo vissorey que fue destos reinos abradado de las cossa del abra VM entendido como al tiempo que salió de la Jornada que por su persona hizo a la cordillera donde avitan los yndios chiriguanaes quando salió bino por este valle de Tomina donde pareciéndole que hera parte cómoda para poblar un pueblo. Después de averlos mirado mando que se poblase y que los fronteros que por aquí bibimos nos congregásemos en el para la resistencia de los daños robos y muertos...", AGI Charcas 142; See also "Relación de la jornada que hizo el Virrey del Peru Don Francisco de Toledo a la Provincia de Santa Cruz de la Sierra contra los indios chriguanaes" where Toledo ordered the foundation of Tomina, "juntando los chacareros y personas que en el ay sueltos..." Mujía, 2:195.

⁹⁹¹ Lizárraga, 154-155.

⁹⁹² CDIAO, 9:328.

that were wrapped in tropes surrounding meritorious poverty, collective services in the frontier, and the protection of political community.

While towns like Tomina were likely home to a broad cross-section of Spanish society, they were described by residents and non-residents as towns inhabited by poor and needy Spaniards.⁹⁹³ The poverty of the claimant is a regular theme in individual *probanzas de servicios* from the late sixteenth and early seventeenth centuries, as it is in the collective *probanzas* explored here. The principal thesis of any individual's *memorial de méritos y servicios* was that despite the illustrious service of themselves and their families, often at great personal and financial risk, the claimant remained unrewarded for their efforts, which had also left them "poor and needy" (*pobres y necesitados*).⁹⁹⁴ Such claims recall the language and hierarchy of poverty in the seventeenth century Andes, which accepted that the perception and experience of poverty was entirely relative to an individual's social status. Cynthia Milton divides these diverse experiences of poverty into two categories: economic poverty and social poverty.⁹⁹⁵ By describing themselves as poor, the vecinos of Tomina did not intend to equate themselves with the poverty experienced by the indigenous servants and slaves who toiled on their estates. Such individuals were the economic or miserable poor (*pobres miserables*) who had no claims to honor and in whom poverty was not unexpected.⁹⁹⁶ Instead, the poverty claimed by vecinos of Tomina, despite their status as honorable subjects, was relative to the wealth

⁹⁹³ Testimonies of Bachiller Andrés Hidalgo, Julio Ferrufino, Diego de Ontón, and Francisco de Heredía, AGI Lima 135.

⁹⁹⁴ Zavala, 205-206.

⁹⁹⁵ Milton, 10.

⁹⁹⁶ *Ibid.*, 7.

of other individuals in the class to which they aspired.⁹⁹⁷ The Tomina region had its share of well-heeled residents, as Ana Presto's study of the Almendras clan makes plain.⁹⁹⁸ Melchor de Rodas, the founder of Tomina and, later, San Juan de Rodas, owned extensive properties in the region as a later *padrón de tributos* reveals.⁹⁹⁹ But it was also a region of smallholders whose financial position was far more tenuous, particularly in the areas near the Spanish communities of Tomina, San Juan de Rodas, El Villar, and the Sopachuy Valley.¹⁰⁰⁰ It was these individuals who needed protection from property confiscation and imprisonment for debt. In a society that strove to maintain a social hierarchy that separated honorable subjects from the shameful masses, the downward mobility of Tomina's vecinos' demanded the crown's immediate intervention.

The documents attached to Tomina's *probanza*, faithfully copied by the cabildo's scribe, Juan de la Reinaga Salazar, bear witness to an already extensive tradition of collective defense of the immunity of Tomina's vecinos from imprisonment for debt. As the corregidor, Juan de Ferrufino, would state in his 1607 report of the province, the right of Tomina's residents to remain free from imprisonment and from the confiscation of

⁹⁹⁷ Milton, 8; Examples of encomiendas that could not support their owners in Lockhart, *Spanish Peru*, 262; Reminded of the exaggerations of Menocchio in Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-century Miller* (Baltimore: Johns Hopkins University Press, 2013), 1-2.

⁹⁹⁸ Presta, "Encomienda, Family," 64-98.

⁹⁹⁹ See "Visita de Pueblos de Tacopaya, San Juan de Rodas, Tarabuco y Sopachuy," ABNB EC 1669.25. Individuals who appear in this document and controlled large numbers of yanaconas include: Melchor de Rodas Olmedo, the grandson of Santiago de la Frontera and San Juan de Rodas settlement founder capitán Melchor de Rodas, 192-196; María de Cuellar, 161-165; Francisco de Ortuoste, Contador de La Plata 63-69; and don Juan de Vera, Adelantado of La Plata, 9-16.

¹⁰⁰⁰ By smallholders I mean those with few yanaconas in ABNB EC 1669.25; for a recap of the division of the former properties of García de Mosquera see EC1704.65, 20v-21r; "Diligencias de posesión y deslinde de la finca Nogales solicitado por Nicolás Santos," CBDC-SUC NP II-4-396r-425r. Also cited in Langer, *Economic Change*, 235 note 5.

their possessions dated to the community's charter, approved by Francisco de Toledo.¹⁰⁰¹

The settlers of Santa Cruz de la Sierra and Tarija requested the same immunity in their charters as well. In other words, it was one of the privileges anticipated by the founders of these frontier communities.¹⁰⁰²

Freedom from imprisonment for debt was one of the rights associated with the nobility in Spain, much like freedom from the *alcabala* and other taxes. The sign and symbol of nobility, such rights also protected Spain's social hierarchy by shielding its nobility from many of the mechanisms associated with impoverishment. Tomina's vecinos do not appear to have claimed these privileges as a sign of nobility, but as a reward for active service in defense of the crown. The claim aimed at multiple objectives simultaneously, as later witness testimony makes clear. But the principal argument was that the settlers were living in one of Peru's poorest regions, an active frontier, and that the sales taxes levied and tributes charged throughout Peru were more than these poor settlers could pay, leaving them in danger of imprisonment for debt and the confiscation of their only moveable property of value: their arms and horses.

Useful rights merited defending or they were likely to be lost, a reality that generations of Tomina's vecinos seemed to have implicitly recognized. For this reason,

¹⁰⁰¹ CDIAO, 9:325.

¹⁰⁰² See also Ávila, 180; Another reference to immunity from the seizure of arms and horses for cruceño settlers appears in Humberto Vázquez-Machicado and José Vázquez-Machicado, *Santa Cruz de la Sierra Apuntes para su Historia* (Siglos XVI al XX), 2nd ed. (La Paz, Bolivia: Editorial "Don Bosco," 1992), 24; "Yten pedir se haga merced a los *vecinos* desta gobernación confirmación y nueba merced que no se les pueda hacer execución en sus personas armas ni cavallos ni mantenimientos atento que están muy pobres y gastados en servicio de su magestad" (Santa Cruz de la Sierra, 4-20-1561), Mujía, *Bolivia-Paraguay*, 1:77; See also Zanolli, "Legislación Toledana," 109-10, for a 1582 provisión for the same immunity that Viceroy Martín Enríquez de Almansa granted to the settlers of Tarija. This was an expansion of rights originally granted to a small number of Tarija's founders.

generations of Tomina's vecinos and residents carefully cultivated Toledo's order granting the community's vecinos protection from imprisonment for debt. For instance, while writing the memorial, Juan de la Reinaga, the cabildo's scribe and secretary, re-copied a then quite recent royal provision on the subject, issued in 1597 by the previous viceroy, don Luis de Velasco (1596-1604), that laid out part of the community's efforts to protect this right. The document includes a copy of what may have been Tomina's first effort to exercise its rights to protection from imprisonment and creditors in a provision granted by Viceroy Martín de Enríquez in early 1582. In it, the community's *procurador general*, Matheo de Olarte, presents his request: that the viceroy grant them the freedom from imprisonment for debt and from the confiscation of their possessions, items which Olarte describes as not only the resident's arms and horses, but also their livestock, oxen, clothing, and even the beds they slept in. Enríquez agreed, affirming the *procurador's* basic argument that Tomina and its residents were central enough to the defense of Charcas that disarming or further impoverishing its soldiers for the sake of upholding the law constituted a security threat. But Enríquez also emphasized that the vecinos entitled to such rights were only those who had built homes in the town and could claim to reside there. Viceroy Velasco, when presented with this documentation from yet another of Tomina's *procuradores*, Antonio de Urteaga, not only affirmed his predecessor's decision, but also added language instructing that the king's judges, presumably the audiencia's oidores and Tomina's corregidores, were also to take note of and abide by this order. Both decisions represented a victory to the community on multiple scales.

In their effort to defend their privileges before the newly appointed viceroy, Juan de Mendoza y Luna, the Marqués de Montesclaros (1607-1615), still residing in Spain, the *vecinos* underscored the dangers of separating frontier soldiers from their arms to satisfy urban creditors. And they appealed also to a growing record of precedent in their defense, a body of *provisiones* they themselves had helped to create. As they put it:

The viceroys of the past, recognizing how the *vecinos* of this frontier had been always attending to its defense with their arms and for the sake of many other things and reasons granted [the *vecinos*] freedom from arrest for civil debt, nor could their arms and horses be confiscated. Said *cédula* has been kept and is kept and in order to request confirmation of [these rights] I request them once again given the needs and oppression faced by the *vecinos* who are obligated in contracts to renounce this concession and grant. For that reason, they do not enjoy it. Give them a concession that states they cannot renounce [these rights] and although they renounce [them], said renunciation has no value.¹⁰⁰³

Along the continuum that separated nobility from shame, the loss of arms and horses represented a major blow to personal honor. On one level, these were the principal tools by which individuals acquired a record of services to the King, to serve in “that which presented itself.” But they were also markers of social status. To be deprived of their arms and horses was to be deprived of their principal masculine symbols of honor and personal liberty. They were knights (*caballeros*), not simple foot soldiers, and the weapons and provisions they claimed were their own and no-one else’s. In the troop lists, participating soldiers publicly acknowledged whether their weapons were their own or

¹⁰⁰³ “Por los señores virreyes pasados constándoles como los *vecinos* desta frontera estaban siempre asistiendo en la defensa della con sus armas y por otras muchas cosas y causas les fue hecha merced para que no pudiesen ser pressos por ninguna deuda civil ni executados en sus arma y caballos la qual cedula se aguardado y quardasse de pedir confirmación dellas pedi por nuevamente que atento a que las necesidades y oprisiones de los *vecinos* les obliga en los contratos que hazen a renunciar esta concession y merced. Por cuia causa no gozan della. Se les haga merced de que no se pueda renunciar y aunque se renuncia no valga la tal renunciación,” AGI Lima 135.

had been given to them by another.¹⁰⁰⁴ Those who were in a position to supply arms to others had the greater status. They were the patrons in a patron-client relationship. Being imprisoned for debt was by itself a shameful experience, but losing one's arms and horses to creditors was a potential loss of self-identity and personal autonomy.

But as vecinos of Tomina, and not as individual claimants, the situation was different. By attaching themselves to the city and its special privileges, individuals might indeed win protection from such humiliations. And the services that supported such privileges need not be their own, but those of their municipal antecessors. It was a strategy practiced by other frontier community leaders in the region with a certain level of success. When laying out his proposal for the Nueva Vega de Granada in 1614, Juan de Porcel de Padilla requested this right as well in his charter proposal, making reference to the fact that the right had been conceded to the founders of Tomina and Tarija.¹⁰⁰⁵ He, too, was granted this privilege.

The career of Tomina resident Pedro de Segura opens up some of the possibilities implied by such claims of poverty. Born in Spain, he served first in Panama and then in Peru under the Pizarros before turning against Gonzalo at around the time of audiencia president Pedro de la Gasca's arrival in 1547. When captain Ñuflo de Chávez made his

¹⁰⁰⁴ "Méritos de don Lorenzo Suarez de Figueroa y don Juan de Ávila y Zarate y las Fundaciones de San Lorenzo y San Juan del Puerto," AGI Charcas 44; "Muestra de los Jefes, Oficiales Sargentos, Soldados, Sacerdote, Barbero, Cirujano y Artesanos, Efectuada en la Iglesia de San Agustín de la Villa de Tarija el 6 de Julio de 1616, Por Juan Porcel de Padilla Ante Don Martín de Ormache," in Porcel, *Documentos Inéditos de Tarija*, 29-37; "Méritos del capitán Juan de Frías Breña" (1620), AGI Charcas 17.

¹⁰⁰⁵ "Estas están concedidas por su Majestad y por los señores Virreyes antecesores de vuestra Excelencia, a los pobladores y vecinos de las Fronteras de Tomina y Tarija, para que no puedan ser presos por deudas, ni vendidas ni ejecutadas sus haciendas" (1614). The answering decree is "a que proveyó su excelencia. Concédesele como lo pide y declara en el segundo capítulo." Porcel, *Documentos Inéditos de Tarija*, 14.

first trip to Peru overland from Paraguay, Segura was one of those who returned to Paraguay with him. There he would marry one of the mestiza daughters of Domingo de Yrala, the governor of Paraguay, and would also accompany Chávez in the expedition that would result in the founding of Santa Cruz de la Sierra in 1561.¹⁰⁰⁶ Segura would receive an encomienda of Indians in Santa Cruz from Chávez, but he abandoned his indigenous charges because “they were poor and of little use to me as I could not sustain the *calidad* of my person with them.”¹⁰⁰⁷ From Santa Cruz, he moved on to the city of La Plata, but quickly found that he did not have the financial means to maintain the lifestyle expected of an *hijodalgo* in the city.¹⁰⁰⁸ He soon went eastward and settled in the Sopachuy Valley, where he later founded the community of El Villar, likely with some of the soldiers who had abandoned the settlement of Concepción de Torremocha in the mid-1580s.¹⁰⁰⁹ Segura was the corregidor of Tomina just before the Chiriguano assault upon the incipient community of San Miguel de la Laguna, and was involved in the events that, in part, provoked its destruction.¹⁰¹⁰

Segura’s peripatetic career in the Americas, his transitions from Panama to Peru to Paraguay to Mojos and finally La Plata and Tomina, seems to be the story of man who failed to receive the kinds of social and financial rewards that he considered to be

¹⁰⁰⁶ “Ynformación hecho de officio en la real audiencia que reside en la ciudad de la plata a pedimento del Capitán Pedro de Segura de los servicios que a hecho a su magestad en estos reynos del Peru,” AGI Patronato 125 R4, 5v.

¹⁰⁰⁷ “Por ser pobres y de poco provecho para mi poder sustentar con ellos conforme a la calidad de mi persona” (La Plata 12-11-1581), AGI Patronato 125 R4, 5v.

¹⁰⁰⁸ “Por no me poder sustentar en poblado siendo como soy hijodalgo” (La Plata 12-11-1581), AGI 125 R4, 5v.

¹⁰⁰⁹ AGI Patronato 125 R4; “Servicios de Pedro de Cuellar Torremocha” (1582), AGI Patronato 126 R17.

¹⁰¹⁰ Recounted in “Justicia de Santiago de la Frontera: conducta Chiriguanaes” (1583), AGI Patronato 235 R7 (1582).

commensurate with his social status as an hidalgo, conquistador, city founder, and governor's son-in-law. Segura's decision to live in a small settlement near La Plata and not in Potosí or the audiencia capital itself seems to stem from his inability to afford the lifestyle expected of someone of his perceived status: namely a *casa poblada* near the center of town with its associated staff.¹⁰¹¹ In Tomina, where Segura was joined by other former residents of Paraguay, including other members of his wife's family, the captain was clearly a member of the local elite. There, Segura maintained the *casa poblada* that eluded him in La Plata, and which became a bustling meeting place and sometime residence for his many children, in-laws, and Chiriguano allies in the indigenous captive trade.¹⁰¹² Yet his 1581 account of his services implies that he remained painfully aware of his inability to live properly the life of an hidalgo, especially given his extensive services to the King. At least one of his sons, Pedro de Zavala, seemed to continue his father's quest for a lifestyle commensurate with his status. Zavala proposed to lead an expedition into the lowlands in pursuit of the empire that had eluded Andrés de Manso and Pedro de Cuellar Torremocha. Neither Segura's proposal nor that of his son was approved by the audiencia. A number of years later, Zavala and his brother, Diego Martínez de Irala, chose to join an expedition led by their kinsman, Ruy Díaz de Guzmán, that was also aimed at establishing a new governorship in the region known as the Llanos de Manso.¹⁰¹³

¹⁰¹¹ Lockhart, *Spanish Peru*, 23.

¹⁰¹² Saignes, *Historia de Pueblo*, 212.

¹⁰¹³ Zavala's original proposal is available at AGI Patronato 29 R41; Saignes, *Historia del Pueblo Chiriguano*, 212.

Claims to poverty were both a reality (for some) and a recurring trope.¹⁰¹⁴ And such claims were made relative to the wealth to which claimants aspired or felt they deserved for a variety of reasons. Segura's story suggests that some Spaniards might have chosen to be vecinos in Tomina instead of mere residents of La Plata, choosing a life of honor in obscurity over mediocrity in the audiencia capital. For others, the source of their wealth made it critical to remain close to their properties or trade networks. Nor are such accounts limited to Tomina—we find them repeated in documents associated with the vecinos in other Spanish settlements as well.¹⁰¹⁵

Stories like Segura's also reinforced the rather widespread notion that frontier communities in fact functioned as the particular abode of the honorable poor. General Alvaro de Abreu y Figueroa, writing in support of the services of Ladrón de Leyva in San Juan de la Frontera, the Supas Valley, and Pilaya, seems to put it best: these had become sites “where many poor, yet honorable soldiers have found a remedy.”¹⁰¹⁶ Juan Fernández de Castro, a vecino of La Plata, in his support of the services of Luis de Fuentes y Vargas, made much the same claim for the curative effects of the valley of Tarija upon its Spanish settlers, stating “that it has been the remedy of many poor people in this province who have now been put right and are landowners and have made many estates and vineyards and livestock ranches of all kinds.”¹⁰¹⁷ For Abreu and Fernandez, as well as

¹⁰¹⁴ Milton, 79.

¹⁰¹⁵ Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:48, 97, 214, 297, 384; Saignes, “Andaluces,” 194; *Actas Capitulares*, 86, 133, 175, 176, 241, 250; AGI Charcas 418 L3; “Méritos y Servicios de Juan Ladrón de Leyva,” AGI Patronato 136 R1 N4, 64r, 69r.

¹⁰¹⁶ “Donde serremedian y an remediado muchos soldados honrrados y pobres,” AGI Patronato 136 N1 R4, 64r.

¹⁰¹⁷ “que [h]a sido el rremedio de mucha gente pobre que andaba por esta provinçia; y están agora remediados e hazendados, e tienen hechas muchas heredades y viñas [y] estanças de ganados de todas

their presumed readers, the “healing” described was that brought about by rooting individuals in land, family, and service to the King.¹⁰¹⁸

While Tomina’s vecinos used the tropes surrounding frontier defense and meritorious poverty to protect themselves from downward mobility, they also attempted to use these tropes to enhance their personal wealth. These efforts, which the vecinos presented as requests for assistance to the meritorious poor, were focused on retaining special privileges in the sale of corn to Potosí and securing relief from tribute payments for indigenous laborers. In both cases, Tomina’s residents hoped to protect their economic role in the region as purveyors of contraband—cornmeal, the principal ingredient of corn beer (*chicha*) and indigenous captives from the Eastern Andean frontier—as well as consolidating and legitimizing their control over yanacona labor. In these efforts, Tomina’s vecinos would be only partially successful.

Corn appears to have been the main crop of the Tomina valley’s Spanish residents, as it was of the indigenous peoples whom they supplanted, even before Francisco de Toledo authorized the foundation of the town in 1575.¹⁰¹⁹ Tomina’s *chacareros* used corn to pay the ecclesiastical tithes, and it was corn that served as the region’s principal link to the Potosí silver trade. Given its significance in the local economy, questions surrounding the production and sale of corn and its products were

suertes...” “Relación de los Servicios de Luis de Fuentes” (2-26-1598), Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija*, 6:382.

¹⁰¹⁸ Capitán Martín de Almendras Holguin says specifically of Pilaya that Ladrón had encouraged both rich and poor individuals to enter and settle. AGI Patronato 136 N1 R4, 69r.

¹⁰¹⁹ “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135; “Carta de Tomina sobre Friar Diego de Porres” (4-20-1582), AGI Charcas 142; “Razón de las doctrinas de todo el obispado” (1608-1609), AGI Charcas 140.

intensely political and any privileges associated with its sale were scrupulously protected. In 1578, Viceroy Toledo granted a request from the vecinos of Tomina that gave them the right to sell corn and wheat, either whole or ground, to the markets in Potosí, La Plata, and mining center of Porco, either directly or through intermediaries. Furthermore, they would be exempt from the half percent sales tax usually levied on such sales. The grant's value, beyond its associated tax exemptions, was that it allowed Tomina to be excluded from bans on cornmeal sales in Potosí that were created for reasons that I will describe below. In 1606, the town archives still held a copy of the viceroy's original grant.

Leaders in other communities seem to have recognized grants related to the sale of corn in Potosí as a lucrative privilege as well. Pedro López Zavala, a son of Pedro de Segura and a native son of Tomina, included the privilege in his list of proposed charter agreements just a few years beforehand (1602).¹⁰²⁰ Miguel Martín had requested this right for his proposed city, the ill-fated San Miguel de la Laguna, in 1583.¹⁰²¹ A fragment of responses to a set of charter agreements drawn up by Martín de Ormaeche, a wealthy azoguero and longtime Potosí resident, in his attempt to re-found the community of Pilaya in 1606, seems to suggest that the right to sell corn, and specifically corn flour in Potosí, had been in fact granted to a number of frontier communities by that time. But Tomina appears to have been the first, the standard by which other communities would set their own aspirations.¹⁰²²

¹⁰²⁰ Pedro López Zavala, AGI Patronato 29 R41. Also published in Mujía, 3:63.

¹⁰²¹ Mujía, 2:558.

¹⁰²² Martín de Ormaeche appears as a wealthy azoguero in Dressing's dissertation, "Social Tensions in Seventeenth-Century Peru," p27; Pedro López de Zavala also requests exemption from debt. Critically, he calls this "exenciones de hijosdalgo," AGI Patronato 29 R41. He also specifically mentions the Tomina

Rights must be defended when they are under threat. Corn, along with quinoa, potatoes, and less familiar Andean tubers such as *oca*, was a staple indigenous food crop that was essential to the diet of Potosí's increasing indigenous population. But corn flour was also the key ingredient of *chicha*, a fermented beverage much like beer that was consumed in taverns known as *chicherías*, and Tomina was well known as one of Potosí's principal suppliers.¹⁰²³ A cheap alternative to the wine that was also sold in the city, *chicha* was consumed by Indians, Spaniards, and Africans alike, and so was closely associated with concerns about drunkenness, labor productivity, and social mixture. The rise of market-oriented corn production in the Tomina valley in the 1560s seems to mirror efforts of the Potosí's cabildo to restrict or even ban the sale of corn flour in the city beginning in 1565, restrictions that were reinforced by the bans promoted by viceroys Francisco de Toledo, Martín Enríquez, Luis de Velasco, and García Hurtado de Mendoza, the Marqués de Cañete.¹⁰²⁴ Yet such restrictions were steadily resisted by the city's *chicha* producers through the sixteenth century, as Jane Mangan has pointed out, before largely collapsing into uselessness around 1604 as *chicha* sellers proved they could

exception for corn sales, and wants to add it to his proposed settlement. In fact, his proposal is as much about protecting Tomina's privileges as enhancing his own; We know also from Leiva in AGI Patronato 136 N1 R4, 63v that Pilaya was selling corn in Potosí; "Gobierno 4" (1626), AGI Charcas 54, places the value of corn at twelve pesos, valued at eight reales each, per *fanegada*; From the *Libros de Acuerdos del Cabildo Secular de Potosí*. Ficha 76 (11-22-1586) references a prohibition on the resale of cornmeal from Cochabamba, Tomina, Mizque, others in Potosí because of the scarcity of this staple. 1:25. Ficha 116 (4-13-1587) calls for merchants and others to give the cabildo an accounting of the corn they plan to sell in Potosí, as well as any livestock and wheat flour. 1:39-40. Ficha 361 (1-27-1592) references the purchase of corn and other goods from Cochabamba, Tomina, and Mizque because of the terrible drought taking place at that time. 1:123. Ficha 710 (7-30-1596) announces a prohibition on the sale of corn flour because of the problem of drunkenness and because of the scarcity of this staple. 1:245. Miguel Martín wanted his settlement to have the same rights to corn and cornmeal sales that had been granted to Tomina. Mujía, 2:558-559, 1583; Tomina's concession still appears to have been granted to the community in 1606. See ABNB CACH576 regarding Pilaya.

¹⁰²³ Mangan, *Trading Roles*, 30, 59.

¹⁰²⁴ Mangan, *Trading Roles*, 76.

produce *chicha* with wheat flour, upon which the city's Spanish population depended for bread production.

While Mangan has identified the central role played by *chicha* producers in resisting restrictions on the production and sale of *chicha* in Potosí, the claims of Tomina's residents to the right to freely distribute its agricultural products in Potosí, which included both corn grain (*en grano*) and cornmeal, reflect an additional layer of ambivalence on the part of royal officials as they attempted to promote the economic growth of their embattled frontiers and the health of their bursting cities. Toledo's reason for exempting one of the audiencia's principal corn producers from his own ban on the import of corn flour was the expected service of Tomina's residents to the king on the frontier, and because of their well-known poverty.¹⁰²⁵ In 1603, Potosí corregidor Pedro de Lodena re-affirmed the exclusive right of the vecinos of Santiago de la Frontera to sell corn flour in the city, ordering that the decision be read out in the city's main plaza and in the much larger *plaza del gato* within the hearing of the crowds that filled the busy market. Like Toledo, his reasons for affirming such rights was Tomina's role in defending the entire region from the Chiriguano and "because there is no other benefit by which the vecinos who have settled in said parts can sustain themselves, and because there is little reward for the great care and labor of those vecinos, who live under the obligation of maintaining their arms and horses [at the ready]." And yet there is a certain irony in the fact that the frontier, so often represented as the remedy to the problem of the

¹⁰²⁵ "Villa de Santiago de la Frontera de Tomina," AGI Lima 135; The "Descripción de la villa y minas de Potosí, año de 1603" references Tomina's role in supplying corn to Potosí. *Relaciones Geográficas*, 1:377.

gente suelta, would fuel an industry associated with drunkenness, violence, and moral decline.

The ambivalence of royal officials regarding matters of frontier policy and the liminality of frontier settlements within Spanish society is still more evident in the efforts of Tomina's vecinos to expand their control over yanacona labor in the region. This ambivalence may explain why the sections of Tomina's memorial that cover the region's yanacona laborers are also the most rhetorically complex. Ostensibly, the vecinos' primary request was that their yanaconas be exempt from the two-peso tribute expected from them each year, a tax that was paid by their employers, the hacendados of the region, who benefited from yanacona labor. By contrast the inhabitants of indigenous towns like Tarabuco and Presto, as originarios with rights to their own land, paid their tribute themselves.¹⁰²⁶ The vecinos' argument about the tribute exemption was consistent with the reasons they used to defend other rights: the poverty of the region and the centrality of yanacona labor for sustaining its economy. But their argument included additional elements that reflected past and contemporary debates on the subject of indigenous labor. Most critically, witnesses claimed that the vast majority of the yanaconas of the corregimiento of Tomina, including the seven hundred eighty-seven men between the ages of eighteen and fifty who owed tribute, were Chiriguano captives who had been taken in war.

¹⁰²⁶ *Francisco de Toledo: Disposiciones Gubernativas*, 296-297; Zulawski, 144-145; Presta, "Una Hacienda Tarijeña," 41; "Villa de Santiago de la Frontera de Tomina," AGI Lima 135; CDIAO, 9:326.

The assertion of the largely Chiriguano origins of the region's yanaconas served a critical rhetorical function within the document: they underscored the value of frontier communities as successful bulwarks against Chiriguano incursions in the region. Yet such claims should be understood as exaggerations of the complex and multi-ethnic make-up of the region's yanacona laborers. As is now well known, by the turn of the seventeenth century, regions like Tomina, Mizque, Pilaya and Paspaya, which were exempt from the Potosí *mita*, had become destinations for highland originarios attempting to escape work in the mines.¹⁰²⁷ Seventeenth-century *padrones* from Tomina and neighboring Vallegrande and Mizque show a dramatic and accelerating expansion of the *forastero* sector of indigenous communities and *chácara* populations alike.¹⁰²⁸ By the 1640s, yanaconas in the *chácaras* of Vallegrande were often originally from elsewhere in the region, such as San Lorenzo, Cochabamba, and Chuquisaca, but included individuals from Potosí, Tomina and La Laguna, Tarija, Paspaya, Mizque, La Paz, Chile, Cuzco, and Paraguay.¹⁰²⁹ Witnesses' emphasis on yanaconas of Chiriguano origin also ignored the growing proportion of *afromestizos* counted as part of the yanacona population, in which indigenous men and women created families with and sometimes married enslaved Africans living on or near the *chácaras* where they lived and worked.¹⁰³⁰ *Chácara* demographics also varied greatly from property to property, suggesting, perhaps, that the

¹⁰²⁷ Crespo Rodas, "El Reclutamiento," 471-472.

¹⁰²⁸ Gutiérrez Brockington, summarizing Rossana Barragán Romano, in *Blacks, Indians, and Spaniards*, 230.

¹⁰²⁹ ABNB AM 1645.3.

¹⁰³⁰ ABNB AM 1645.3; ABNB EC 1669.25; ABNB EC 1770.159; *Acuerdos*, 4:350; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 168.

career of the landowners themselves, including their travels in the Americas and their successes or failures in war, shaped the labor force under their control.¹⁰³¹

The assertion that yanaconas of Chiriguano origins had been taken in war served as yet another rhetorical strategy. Such a claim was, of course, preferable to admitting to having taken part in the ongoing and illegal trade in indigenous captives, for which Tomina remained notorious. But it also allowed witnesses to revisit, in a somewhat different guise, the “perpetuity” question that an earlier generation of Peruvian encomenderos had fought and largely lost by the end of the seventeenth century.¹⁰³² Here the request was more clearly an effort to remove their laborers from the category of free vassals and formalize the status of the captured Chiriguano and their descendants as slaves who had been captured in just war “in blood and fire,” such as that declared by Toledo in 1575 and later by the audiencia in 1584. Such a request was very much in the spirit of many of the charters proposed around the turn of the seventeenth century, as expedition leaders and royal officials recognized that the possibility of acquiring and controlling the labor of Chiriguano captives was likely one of the few tools at their disposal for drawing in potential expeditionaries and, later, settlers.¹⁰³³ It was an argument that expedition leaders would continue to make into the 1620s.¹⁰³⁴

Tomina vecinos’ transformation of Chiriguano captives into yanaconas was also an opportunity to further showcase the beneficial role played by Spanish landowners in

¹⁰³¹ ABNB AM 1645.3; ABNB EC 1669.25.

¹⁰³² Goldwert, 347.

¹⁰³³ Pedro Ozores de Ulloa, AGI Patronato 29 R41; Zanolli, 109; Oliveto, 22.

¹⁰³⁴ “Sobre la entrada de Gonzalo de Solís Holguin a la jornada de Paitití” (Lima, 3-27-1620), AGI Lima 39.

the region. Once transformed into yanaconas, captives were indoctrinated into the Catholic Church and fed and clothed by their new masters. So great was this transformation of their former enemies that memorial witnesses claimed that these same yanaconas routinely served alongside their masters in times of war, where they served as armed auxiliaries in the defense of the region, built the region's roads, and instructed their masters in the secrets of navigating the labyrinthine Cordillera.¹⁰³⁵ The references to the spiritual education of Chiriguano laborers reflects a recognition and awareness of the king's obligation, and consequently that of his ministers, to protect the indigenous neophytes from the dangers of apostasy.¹⁰³⁶ The religious training, labor, and subordination of former captives to a Spanish master had transformed them into ideal indigenous vassals, a triumph for which the settlers should be rewarded, not taxed.¹⁰³⁷

Such claims are implicit to the vecinos' warnings about the dangers of granting Tomina's yanaconas the liberties associated with vassals of the king. As community leaders would claim in their list of witness questions, "if [yanaconas] are given liberty and are not bound as they were before, it is clear that they will then flee to their land, where they will be apostates, and like house thieves, they know the land and the frontier will receive a thousand offenses each day."¹⁰³⁸ Once back in their native setting, the former yanaconas' knowledge of the Spanish ways would become a new and still more

¹⁰³⁵ Witness testimony of Bachiller Andrés Hidalgo, Diego de Ontón, and Diego Sánchez Cavallero, AGI Lima 135.

¹⁰³⁶ "Gobierno no. 38" (1619-1620), AGI Lima 38.

¹⁰³⁷ "Villa de Santiago de la Frontera de Tomina," AGI Lima 135.

¹⁰³⁸ "Si seles diese libertad y no estubiessen como están sujetos es cossa clara luego se yrian a su tierra serian apostatas de los quales como ladrones de casa y tambien saben la tierra recibiría cada día esta frontera mil agravios ..." AGI Lima 135.

lethal asset to an already dangerous foe. And in the wake of their flight, with the evaporation of their labor, Tomina would also be unmade, and the dangers of the Cordillera redoubled.

However, eliminating yanacona tribute payments in Tomina would have had significant bureaucratic repercussions in the region. Corn may have been the chief source of ecclesiastical tithes, but tribute payments were central to its bureaucratic apparatus. A corregidor's salary was derived from the indigenous tribute payments collected from originarios and yanaconas.¹⁰³⁹ Corregidores de Indios and Corregidores de Españoles appear to have typically received about one thousand pesos a year in exchange for their efforts to uphold justice for their indigenous charges. Some corregimientos yielded far more than this, sometimes double or triple the standard salary. Tomina, a corregimiento de españoles, had two indigenous reducciones, Tarabuco and Presto, in the early seventeenth century. In 1607, the originarios of Tarabuco and Presto paid two hundred forty pesos towards the corregidor's salary. The province's yanaconas paid the remaining seven hundred ten pesos, a reminder that the vast majority of the indigenous people of Tomina province, which constituted more than three quarters of the region's population, resided on the region's many rural estates.¹⁰⁴⁰ At nine hundred fifty pesos, the salary of Tomina's corregidor, really a measure of its indigenous population, was lower than average. Corregidores in nearby Mizque and Pilaya-Paspaya received more for their efforts, although the corregidor of Tarija, another corregimiento de españoles, received

¹⁰³⁹ Lohmann, *Corregidor de Indios*, 54.

¹⁰⁴⁰ CDIAO, 9:326-330.

only eight hundred.¹⁰⁴¹ In the nomenclature of a later royal official, who rated corregimientos as “*muy buenos*,” “*buenos*,” and “*razonables*,” places like Mizque and Pilaya-Paspaya were “*buenos*,” while places like Tarija and Tomina were merely “*razonables*.”¹⁰⁴² As a civil office, not only was the corregimiento of Tomina no plum, it was particularly dependent upon the tribute payments associated with its yanacona population to function.

Tomina’s corn producers may have defeated Potosí’s municipal leadership, who could not hope to resist both the *chicha* vendors and the Spanish landowners who supplied them for long, but they could not disrupt the revenue stream represented by yanacona tribute payments.¹⁰⁴³ Audiencia officials and Viceroy Velasco may have disagreed about many things in the first decade of the seventeenth century, but neither side would have supported a proposal that would so plainly have increased the power of the Spanish *chacarero* class at the expense of originario communities.¹⁰⁴⁴ Nor would the crown have reversed its policies on the freedom of its indigenous subjects by agreeing to the perpetual enslavement of Chiriguano captives. Perhaps the petitioners recognized this element of their proposal as a fantasy as well. In the same document where they proposed to eliminate yanacona tribute payments, the foundation of their corregidor’s salary, Tomina’s cabildo also proposed to raise his salary by five hundred pesos a year.¹⁰⁴⁵ In a

¹⁰⁴¹ Caravantes, 336-337.

¹⁰⁴² Lohmann, *El Corregidor de Indios*, 198; Moreno Cebrián, 77.

¹⁰⁴³ The funds lost because of the non-payment of tribute by forasteros motivated Philip III to issue new provisions for tribute collection from this group. Wightman, 129; Tribute rates for yanaconas would go up, not down. Zulawski, 145.

¹⁰⁴⁴ Schramm, 118.

¹⁰⁴⁵ “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135.

sense, the memorial represents the *chácareros*' vision of regional politics as it should have been.

All of the claims mentioned above relied on the persistence of Tomina as a viable political community. However, by 1606 the crown had begun to engage in practices that would damage the town's ability to attract and maintain vecinos at a time when community leaders were already struggling to maintain the community's urban character. In part, community leaders sought to protect the honors and privileges associated with vecindad in Tomina, such as the community's cabildo offices, in order to induce settlers to take a more active role in the community's political life. But if vecindad in Tomina yielded no concrete social and material benefits, then there was little the city's leaders could do to reverse the community's decline.

A town's vecinos were its elite, and as such were the only residents who could exercise all of a town's particular rights and privileges. And of these, only a small fraction of vecinos could serve at any one time on the town's cabildo. Of the fourteen individuals who claimed to represent the Spanish vecinos and residents of the Mizque valley in their rejection of the audiencia order to evacuate the Indian town in 1601, only two would sit on the town's first cabildo, the result of an election process that left many hopeful claimants disappointed, as Licenciado Alfaro would later report to the audiencia.¹⁰⁴⁶ Positions such as a town's various mayor and supervisors (*alcaldes*), sheriffs and bailiffs (*alguaciles*), royal standard bearers (*alférezes real*), councilmen

¹⁰⁴⁶ AHMC EJ 6.19, 137v; AHMC 8.15; Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 33.

(*regidores*), public advocates (*procuradores*), administrators (*mayordomos*), fiscal officials (*tesoreros* and *depositarios generales*), and municipal secretaries/notaries public (*escribanos público y de cabildo*) were seen as highly prestigious, sometimes lucrative, and, in many communities, part of the town's patrimony to be distributed as its vecinos saw fit. Many of the charter agreements from the period were very specific about the rights of their founders and later, their cabildos, to name individuals to these posts. Yet ongoing community control of these posts was soon threatened by efforts to transform these often strictly honorary positions into saleable offices, which represented just one of the various fundraising schemes put forward by the Spanish Crown to offset the many debts it incurred by pursuing wars in Europe and in the administration of its overseas empire.

Some cabildo posts generated income for the officeholder, but the principal value of most cabildo positions was the social prestige they lent to the officeholder. The positions that the crown first opened for outright purchase, those of *escribano de cabildo*, *depositario general*, and *alguacil mayor*, were those that gave the office holder the right to charge certain fees or, as in the case of the *depositario general*, control sequestered goods and receive a percentage of their value as compensation.¹⁰⁴⁷ Other positions, such as those of *alférez real* and *regidor* carried no salaries or access to fees whatsoever, but represented positions of honor within the community, including the right to a vote in cabildo business.¹⁰⁴⁸ The *Alférez Real*, or royal standard bearer, for instance, was charged

¹⁰⁴⁷ Parry, 5; Tomás y Valiente, 74-75.

¹⁰⁴⁸ Parry, 33-34.

with carrying the community's standard in times of war as well as ceremonially during the community's saint's day. Tomina's own colors, a flag with an image of Saint James, likely in his guise as Matamoros or the "Moor Killer," on one side and the royal colors of the Habsburgs on the other, were displayed in Tomina on the day of Santiago de Julio (July 25) and in San Juan de Rodas on the day of Nuestra Señora de Septiembre (September 8).¹⁰⁴⁹

One of the central aims of Tomina's 1606 memorial was to return offices to the community that had already been sold and prevent their future re-sale. According to witness Alonso de Salazar, a vecino of Tomina and one of the town's original settlers, the positions of chief bailiff (*alguacil mayor*) and cabildo secretary (*escribano de cabildo*) were originally elected positions, and had not been offered up for sale until the time of Viceroy Garcia Hurtado de Mendoza (1590-1596).¹⁰⁵⁰ Salazar was likely recalling the effects of the 1591 royal *cédula* in which Phillip II ordered the viceroy to sell bailiffships (*alguacilazgos*) in Spanish towns like Tomina. Salazar's testimony also refers to the paucity of interest in less lucrative cabildo offices. He recalled that the viceroy made an effort to sell still other cabildo positions at that time, like those of *Alférez Real* and *Regidor*, per the 1591 *cédula*, but had abandoned the attempt because the bids for such offices were so low as to be a disservice to the fundraising efforts the sale was created to address.¹⁰⁵¹ But such setbacks only temporarily slowed the transformation of nearly all cabildo offices into saleable posts.

¹⁰⁴⁹ CDIAO, 9:325.

¹⁰⁵⁰ "Villa de Santiago de la Frontera de Tomina," AGI Lima 135, 12r.

¹⁰⁵¹ Tomás y Valiente, 99, 159-161.

At the heart of witness concerns about the sale of cabildo offices was the problem of the recruitment and retention of settlers. Nearly all frontier communities resorted to some level of coercion to keep newcomers in the community for the long term. Such individuals were often parsed as “soldiers,” armed settlers who had not yet become vecinos.¹⁰⁵² Individual settlers often agreed to remain within new communities for a set period of time, usually at least two years, and did not officially own lands that had been distributed to them until they had resided in a community for at least four years according to the 1573 *Ordenanzas*, and sometimes longer according to individual community charters. Frontier residents generally also required permission from the governor, corregidor, or their subordinates to leave the community at all, and then for only short periods.¹⁰⁵³ Obtaining vecindad in a community meant more than permanent residence—it was a mark of elite status and full citizenship that imparted to the title bearer the various privileges discussed above. But vecindad also came with a number of new responsibilities, including administrative duties, militia service, and permanent, physical residence in town, thus contributing to political, military, and material development of the community.

Tomina residents like Salazar argued that in towns like Tomina, the loss of these positions diminished the prestige of the vecino title, which threatened the community’s ability to attract desirable residents. Witnesses claimed that the honor and status

¹⁰⁵² Garcia Recio, 432-433; See comments by Ch. De Crozefon in his “Estudio Preliminar” of the *Relación de la Entrada a Los Chiriguano*s, 58.

¹⁰⁵³ “1599 Residencia de Lorenzo Suárez de Figueroa, Gonzalo de Solís Holguín y Betrán de Otazo y Guevara,” AGI Escribanía 529C, 492v, 203r-203v, 283v, 442v, 540v as cited in García Recio, 424; “Merced de Luis de Fuentes a Antonio de Lastre” (Tarija, 8-1-1574), Julien, Angelis-Harmening, Bass Werner de Ruiz, *Historia de Tarija* 6:53; Zanolli, 109; “Documentos referentes a la fundación de Santa Cruz de la Sierra” (Lima, 10-9-1561), transcribed in Julian, *Desde el Oriente*, 98, 109.

associated with a cabildo position were one of the few rewards open to the vecinos and “soldiers” for their unpaid services in the frontier.¹⁰⁵⁴ Beyond the access that new residents might acquire to undistributed lands within the jurisdiction of the community and a lot within the town itself, these “soldiers,” as potential vecinos, aspired to one of the seats on the cabildo, positions of various levels of administrative or judicial power that marked the office holder as a member of the local elite.¹⁰⁵⁵ As the *memoriales de méritos y servicios* of the period repeatedly demonstrate, one means by which individuals could prove the nobility and high status of their own ancestors was the fact that they had held positions of honor and authority in their respective communities, however small the towns in question might have been. For many individuals living in towns like Tomina, the decline in the number of cabildo posts in the Americas made it more difficult for them to perform the noble status their ancestors had maintained in Spain.

To complicate matters, the growth of towns like Tomina and the growth of haciendas in their districts followed two distinct story lines. With corn as its primary export for the Potosino market, the region may not have been a wealthy one, but Corregidor Julio Ferrufino’s 1607 report suggests that rural estates had continued to increase and diversify their production since Spaniards began to establish properties in the area in the 1560s. In fact, the region had recently experienced a fair amount of growth: seven of the region’s fifteen vineyards had been planted after 1600.¹⁰⁵⁶ Cattle

¹⁰⁵⁴ Testimony of Andrés Hidalgo, presbítero, “Villa de Santiago de la Frontera de Tomina,” AGI Lima 135.

¹⁰⁵⁵ ABNB EC1603.4; AHMC EJ 8:15; “Carta del Virrey don Francisco de Toledo sobre su viaje y visita” (3-1-1572), AGI Lima 28, 60r.

¹⁰⁵⁶ CDIAO, 9:321.

operations, which required little capital and infrequent labor, also continued to spread over unclaimed, abandoned, or conquered lands.¹⁰⁵⁷ And yet although estates of various kinds continued to proliferate, the town itself seems to have languished.

As cabildo members protested in a separate document from 1603, many so-called vecinos had failed to complete their obligations to the community. A great many people had in fact received land from the cabildo, including a house lot in town, and enjoyed the various privileges of vecindad, many of which included economic benefits. But while they had benefitted from the lands they received, they had failed to build houses in town as expected.¹⁰⁵⁸ Corregidor Ferrufino, speaking in 1607 of the great benefits of the community, claimed that the town had some thirty-houses, the most of any Spanish city (*ciudad de españoles*) in the region, with still more under construction, but confessed that other homes had fallen into ruin. He had himself recently completed the nicest structure in town, the cabildo building itself, but the rest were the simple one-story adobe structures common to towns everywhere in Charcas.¹⁰⁵⁹ Yet Ferrufino also claimed that the town had a population of four hundred ninety-five Spaniards, including one hundred thirty-six married men and women, far too many for the number of available homes. By comparison, the next largest Spanish town, San Juan de Rodas, had one hundred five Spaniards and twenty-five houses. The four hundred ninety-five Spaniards said to be living in Tomina itself were also far more than the three hundred fifty-two individuals of all ethnicities said to be living in the parish. The parish of San Juan de Rodas had four

¹⁰⁵⁷ CDIAO, 9:322; Pifarré, 166; “La Compañía de Jesús, sobre el reconocimiento de la medida y composición de unas tierras en Tomina,” ABNB EC 1665.30.

¹⁰⁵⁸ ABNB EC1603.4.

¹⁰⁵⁹ CDIAO, 9:323-324.

hundred forty-nine. In fact, the most populous parishes, beyond the indigenous parishes of Tarabuco and Presto, were those of Pomabamba/Pucara and Tacopaya, parishes without any formal settlements of any kind. The reality seemed to have been much as the leaders of Tomina described it to be: many people claimed *vecindad* in the region's towns, particularly Tomina, the town with the most privileges granted to its *vecinos*, but few of them had bothered to build homes there, preferring to live nearer their haciendas, many of which were located even closer to the Chiriguano settlements than Tomina itself.¹⁰⁶⁰

Urban development seems to have been a common problem in frontier towns at this time. In its early years, Tarija likely remained largely empty, particularly near its central plaza, where urban lots were given to the most illustrious families in the original expeditions—many of whom had quickly abandoned the settlement. Things were much the same in the newly-founded Villa de Salinas. In 1611, the *audiencia* inquired about the town's progress, probably in attempt to address the complaints of Bachiller Nicolas de Santa Maria the year before.¹⁰⁶¹ The city's secretary (*escribano de cabildo*), writing in the same year, stated that many people who were supposedly *vecinos* had not completed their responsibility of establishing a *casa poblada* in the new town. Instead, they were

¹⁰⁶⁰ Ibid., 9:324, 328, 344.

¹⁰⁶¹ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 53-55; In May of 1611, the authorities of La Plata asked the *escribano* for a report of people living in Mizque. We know that Bachiller Nicolas de Santa María's complaint dated to February 12, 1610. This anticipates the request from the King dated June 11, 1612 when he responds to certain questions about the villa's specific rights and asks for a more detailed report. Santa María's complaint was written from La Plata itself, so I imagine the *audiencia* would have gotten wind of it. Gandía, *Francisco de Alfaro*, 413-414; "A la Audiencia de los Charcas que informe sobre que la villa de Salinas del Rio Pisuerga pide apaserción de ciertas mercedes que les concedio el Virey" (6-11-1612), AGI Charcas 418 L3.

living on their haciendas or even in La Plata. The town itself was riddled with abandoned or vacant homes, although given the history of the town, it is unclear if these were the former homes of indigenous residents, or homes of people who had already abandoned them in the few short years the town had been in existence.¹⁰⁶² The Villa's *mayordomo* would repeat this complaint a year later, stating that wealthy families had failed to actually settle the lots they were given.¹⁰⁶³ The issue of the lots granted to wealthy residents would have been particularly noticeable, as they would likely have been located right in the center of town, surrounding the town's principal square or facing its main streets.

Tomina's cabildo addressed the same problem by attempting to identify who the owners of the empty or abandoned lots were and then force them to either build a home in the city or lose their *vecindad*.¹⁰⁶⁴ The order, which was to be proclaimed in the town, its parishes, and the region's valleys, gave these individuals thirty days to present themselves and their titles. Perhaps some of the houses under construction at the time of Ferrufino's report in 1607 were those of individuals who had responded to the cabildo's threat. But the cabildo would lose their battle to recover community control of cabildo offices. A *cédula* published in Madrid in December of 1606 further cemented the status of cabildo offices as saleable property by allowing officeholders to transfer ownership of their offices to others in private sales, called *renuncias*. In later decades, elected positions

¹⁰⁶² Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 53.

¹⁰⁶³ Gutiérrez Brockington, *Blacks, Indians, and Spaniards*, 53-54; ABNB EC 1603.4.

¹⁰⁶⁴ ABNB EC 1603.4.

in Tomina's cabildo were reduced to non-voting members, the city's *mayordomo* and *procurador*. All other positions had been sold or eliminated.¹⁰⁶⁵

Conclusion

The vecinos of the communities of the Villa de Salinas, Guadalupe, and Santiago de la Frontera de Tomina used collective agency to accomplish social and economic objectives that would likely have been impossible for the individual actors involved. In the Villa de Salinas, they legitimated an otherwise illegal takeover of an indigenous settlement. In Guadalupe, they successfully defended both the individual and collective autonomy and liberty of the community's pardo residents. In Santiago de la Frontera, lower status Spaniards and mestizos attempted to sustain their privileged social status and protect themselves from downward social and economic mobility, while vecinos of all economic stripes sought to maintain their role as purveyors of the raw materials for restricted products as well as their trade in contraband goods and peoples, particularly indigenous slaves. The petitioners were successful to the extent that they were able to link their local efforts to broader matters of frontier security and the preservation of Spanish notions of socio-economic order and forms of governance. When they failed, it was largely because their efforts conflicted with more urgent royal policies, such as matters of fiscal policy and indigenous labor.

A key aspect of the rhetorical power of the petitions and memorials presented in this chapter was their authors' ability to communicate the implications of the destruction

¹⁰⁶⁵ Parry, 19; Tomás y Valiente, 117; AHMC 30.10-30:26; ABNB EC 1674.38.

of Spanish municipal institutions in the Eastern Andes. On one level, petitioners argued that the loss of community privileges would result in the abandonment of the region by its settlers, threatening the security of indigenous communities and even the highland cities—La Plata and Potosí—by opening them up to renewed attacks by the Chiriguano. But the documents also communicate an additional angle to the significance of the depopulation of Charcas: it would mean the uprooting of hundreds of armed men and their families and other dependents. After all, the impoverished *beneméritos* presented in these documents as honorable citizens represented the same class of individuals who had swelled the ranks of Francisco Hernández Girón's rebel army in the 1550s. The depopulation of the frontier cities threatened a return to or perhaps an intensification of the disorderly decades of then still-recent memory.

But beyond their specific successes and failures, the statements of the *vecinos* described in this chapter are notable because they present us with notions of personal and collective honor that were not simply grounded in the claims to noble lineage that so often frame our understanding of the Spanish concept of honor. Instead, *vecinos* represented themselves as honorable and worthy of the king's favor because of the nobility of their actions and those of their institutional predecessors. These *vecinos* suggested that it was their past and present services in war, their financial contributions to the empire, their Christianity, their rootedness, and even their meritorious poverty that made them worthy of honor and even of special privileges in the uncertain world they had made their home. These efforts reflected an awareness of the political and moral rhetoric that enveloped their communities, and a certain amount of political skill, as each

community transformed marginal activities and actors into meritorious services and honorable agents. They are subtle even in their silences, as they recast the sometimes-dubious past as a victorious journey of service to the King.

Conclusion

The discourse that linked frontier settlement projects to debates about the social problems of Charcas, and especially Potosí, had an ephemeral existence. Complaints about an overabundance of people—whom Friar Antonio Vazquez de Espinosa once called, with evident sarcasm, *soldados honrados* (honored soldiers)—seemed to rise and fall with the fortunes of Potosí itself. Juan de Matienzo began to grumble about masses of disorderly “new people” in 1577, just as reforms in smelting practices began to yield dramatic increases in silver production in the city.¹⁰⁶⁶ The clamor subsided by the 1620s, more or less coinciding with the conclusion of the factional conflicts between poor Spaniards and creoles, and wealthier Basques over access to posts in Potosí’s municipal government and indigenous labor and other mine-related resources, the so-called Vicuña War, in 1624-25. I will not claim that there was a direct correlation between the rise of concerns about the gente suelta and Potosí’s silver cycles, but the discourses surrounding vagrancy and cultural change that took place in Charcas at the turn of the seventeenth

¹⁰⁶⁶ “Carta a S.M. del Licenciado Matienzo” (Potosí, 12-23-1577), in Levillier et al, *Audiencia de Charcas*, 1:455-465; “Carta del Licenciado Ruano Telles” (La Plata, 2-20-1584), AGI Charcas 16 R23 N111. Published in Levillier et al, *Audiencia de Charcas*, 2:113-118; “Testimonio de las diligencias que el corregidor de Potosí hizo en cumplimiento de una cedula de su magestad contra los estrangeros que ay en los charcas” (3-25-1590), AGI Charcas 43; “Carta a S.M. del Licenciado Cepeda, dando noticia de haber poblar a las fronteras de los Chiriguano” (La Plata, 10-1-1592), AGI Charcas 17 R3 N28. Published in Levillier et al, *Audiencia de Charcas*, 3:153-161. 1592; “Carta de la Audiencia de Charcas a S.M.” (La Plata, 3-22-1598), AGI Charcas 17. Published in Levillier et al, *Audiencia de Charcas*, 3:189-196. 1593; “Carta a S.M. de Dr. D. Jerónimo Tovar y Montalvo, fiscal de la Audiencia de Charcas” (La Plata, 2-20-1595), AGI Charcas 17 R6 N39. Published in Levillier et al, *Audiencia de Charcas*, 3:247-258; Alvaro Dávila Arce (Potosí, 1-1-1596), AGI Charcas 44; “Caracas a S.M. de su nuevo oidor doctor Arias de Ugarte” (Potosí, 2-28-1599), AGI Charcas 17. Published in Levillier et al, *Audiencia de Charcas*, 3:355-367; *Relaciones Geográficas*, 1:379; “Al Virrey del Piru sobre que procure encaminara conquista la gente suelta y oziosa de la ciudad de potosi” (10-24-1605), AGI Charcas 415, L2. 168v-169r, 182r; Diego de Contreras (1609), AGI Charcas 48 and (1610), AGI Lima 35; “Carta de Alonso Pérez de Salazar, Governador de Buenos Aires” (8-15-1624), AGI Charcas 28 R2 N4; Vazquez de Espinosa (c.1628-1629), in María N. Marsilli y Priscilla Cisternas, “Los Senderos de la Idolatría: El Viaje de Vázquez de Espinosa por los Altos de Arica, 1618,” *Chungara* 42, no. 2 (2010), 465-476; Garner, 904.

century were clearly inflected by that city's history, economy, and politics. That discourse subsided in Potosí by the 1620s, but it did not disappear. Instead, as the population of "soldiers" drifted in the direction of the many new mining camps and centers springing up in the central and southern Andes, concerns about the *gente suelta* appeared to follow closely at their heels. Once again, the discourse surrounding the *gente suelta* proved as mobile as the people it purported to describe. But the fame of Potosí, still the hub of the region, was slow to fade.¹⁰⁶⁷

By the early 1620s, the Spanish military position in the frontier itself had changed rather more dramatically. Thierry Saignes once identified specific periods that marked the shifting balance of power between the Spanish Empire and the Chiriguano peoples of the Eastern Andes for control over the frontier. He identified the years between 1570 and 1620, roughly the period covered in this dissertation, as tending to favor the Spanish and native Andean side of that balance. This was particularly true of the years between 1590 and 1620, when inter-ethnic warfare between different Chiriguano communities, often with the support of Spanish settler allies, encouraged an upswing in Spanish settlement across the region.¹⁰⁶⁸ But this period of Spanish dominance seems to have ended around 1620 as Spanish settlement expeditions motivated previously antagonistic Chiriguano communities to ally with each other to halt or slow the advance of Spanish settlement in the region. And while Spanish colonization efforts in the Eastern Andean frontier would

¹⁰⁶⁷ Sánchez Albornóz, "The Population of Colonial Spanish America," *The Cambridge History of Latin America*, ed. Leslie Bethell (Cambridge University Press, 2008), 17; Cole, 50; Arzans, *Historia de la Villa de Potosí*, 1:265, 318; Dressing, "Social Tensions," 282; Dominguez, 5, 99, 126.

¹⁰⁶⁸ Saignes, *Historia del Pueblo*, 36, 87.

continue on an informal and opportunistic basis, no new officially-sanctioned frontier settlement program would arise to guide or support these efforts thereafter.

Nonetheless, nearly fifty years of settlement efforts had left the Eastern Andean frontier dotted with permanent Spanish settlements where none had been before. Places like San Lorenzo de la Frontera, La Ciudad de Montesclaros de los Caballeros, Santiago de la Frontera and San Bernardo de la Frontera, were founded and settled, often with great difficulty, according to the terms laid out in the final versions of their charter documents. But despite all of the intensive, transatlantic discourse surrounding their creation, there is little evidence that frontier settlements served as anything more than a temporary draw for the *gente suelta* of Charcas. It may be that a significant proportion of unemployed prospectors and other migrants participated in at least one military expedition to the frontier during their years in Charcas, but most soon returned to the principal cities of the region, moved on to mining operations elsewhere, or returned home to Spain either in victory or defeat.¹⁰⁶⁹ However, those few who stayed in the region developed a network of rural estates, municipal jurisdictions, parishes, and provinces that permanently altered the political, cultural, and demographic character of large portions of the Eastern Andean range.

Although the efforts to resettle the *gente suelta* along the frontier were largely unsuccessful, the roughly fifty years that passed from the beginning of Toledo's Great Resettlement and the promulgation of the *Ordenanzas* of 1573 to the failed expeditions of

¹⁰⁶⁹ José Toribio Medina, *Diccionario Biográfico Colonial de Chile* (Santiago de Chile: Imprenta Elzeviriana, 1906), 628.

the 1620s represented a significant discursive moment in Peru and Charcas.¹⁰⁷⁰ It was a time when Spanish officials sought nothing less than the reorganization of Spanish society in Peru into mutually constituting indigenous and Spanish republics. As the chapters in this dissertation suggest, the discussions taking place in a variety of social circles in Charcas regarding the problem of the *gente suelta* served as a way for Spaniards living in the region to think through the processes of social and cultural change taking place around them. And as a metaphor for social order and as a comprehensible, familiar institution, the city-republic appears to have struck many of them as the ideal device for bringing order to disorderly peoples and spaces.

In a sense, the turn of the seventeenth century was a moment when many different Spanish actors--officials, clerics, miners, and landowners alike--were forced to ponder what kind of republic Charcas would be. As I explained in Chapter 3, the abuses of the *encomienda* system had convinced many key officials, most notably the Crown, that the spiritual and physical well-being of the king's indigenous subjects could not be left in the hands of the *encomenderos*. As the power of the *encomendero* class waned in Charcas, new groups emerged in the region's mining and agricultural sectors to demand access to indigenous labor. At the same time, many different individuals felt that the rapid growth of the region's cities, changing demographics in both city and the countryside, and what they considered to be widespread evidence of social unrest and disorder, required new solutions.

¹⁰⁷⁰ Ravi Mumford dates the creation of the first *reducción* to July, 1570, 87.

The language surrounding vagrancy enabled Spanish officials to talk about social disorder in Peru, including the realities of race mixture and culture change, in familiar ways. The discourse surrounding vagrancy also had well-established solutions in the form of policies that had been elaborated to deal with the problem of vagrancy in the context of Spain. Yet as I discussed in Chapter 2, the vagrant of Spain and the *gente suelta* of Peru and Charcas were not identical figures. In their discussions of the *gente suelta* of Peru, Spanish officials were certainly troubled by the behaviors of Spanish migrants, but they sought solutions that would address all of the people they considered to be out of place in Peru, particularly the region's many new peoples: individuals of mixed ancestry who were not necessarily physically out of place, but seemed to be socially unplaceable. The Iberian city, as an assemblage of well-ordered households, seemed the obvious solution. Within such cities, the aberrant social elements of Charcas would be gathered together, reorganized into households, and rooted in family, land, and civic virtue. Some migrants would take up their proper roles as patriarchs and *vecinos* within the self-ordering (*policía*) institutions of the city, and others would serve in their households.

And yet the proper place of persons of mixed ancestry within the model Iberian city was not entirely clear. Would they be citizens or servants? Chapter 4 explores the ongoing conversation over whether or not non-Spaniards could or should be excluded from full citizenship within the local community. And while Herzog's work suggests that both the exclusion of non-Spaniards and the expansion of notions of 'Spanishness' would be the eventual outcome of these debates, at least in large urban centers, at the turn of the

seventeenth century these boundaries were still somewhat unresolved.¹⁰⁷¹ In fact, as I demonstrate on several occasions, a number of mestizos and even afromestizos did become landowners and vecinos in communities in the Eastern Andean frontier, privileges that regional officials recognized and sometimes even supported.

The turn of the seventeenth century was also a key moment for deciding where these Spanish cities would be located. The early victories of men like Cortés and Pizarro over armies of native Americans had given way to, at best, a slow advance—even, at times, a full retreat—as native peoples successfully resisted the expansion of the Spanish Empire in many places in the Americas. For their part, Spanish officials and settlers slowly adjusted their tactics to better fit the realities of protracted frontier warfare against unconquered peoples and for reorganizing conquered spaces and peoples. To accomplish this, they again turned to familiar strategies—the geopolitical orders and institutions Castile had used in the *Reconquista*. However, the strategies needed to respond to the realities of frontier warfare in the Americas required new theological, philosophical, and legal tools to be successful.

Taken together, the problem of ongoing social disorder in Peru required the creation of cities, while the realities of indigenous resistance demanded that Spanish cities be built in the frontier. In Chapter 1, I illustrated the various ways in which the Eastern Andean frontier was constituted as a knowable geopolitical space by royal authorities and Spanish intellectuals through mapmaking and the creation of spatial

¹⁰⁷¹ Herzog, *Defining Nations*, 48.

narratives. In their images and accounts, these individuals not only represented the conquest and settlement of the frontier as possible, but as an effort that already been partially realized through the efforts of royal officials and Spanish frontier settlers. Chapter 5 explored Spanish frontier cities and their jurisdictions as engines for ongoing jurisdictional conflict. As the residents of these frontier cities battled not only the unconquered Chiriguano but also their Spanish and native Andean neighbors, they established a dense network of individual and collective claims to the possession of both land and jurisdiction. It was a region characterized by ongoing conflict and unresolved conquest that nonetheless had the cumulative effect of strengthening Spanish claims to sovereignty over large portions of the Eastern Andes by positioning the Crown as the arbitrator of disputes between settlers as well as by supplying the Crown with new and more detailed spatial imaginaries for conceptualizing Spanish frontier possessions.

As political communities, Spanish frontier city-republics also served as nodes for elaborating new notions of selfhood in the Eastern Andean frontier. In many ways, the tools used for drawing new settlers to New World frontier settlements had been adapted from strategies previously used along the Medieval Iberian frontier. As I argue in Chapter 4, even policies that made the Iberian frontier a sanctuary for criminals proved adaptable to recruitment strategies aimed at the Eastern Andean frontier in Charcas. That said, the case studies in Chapter 6 demonstrate how frontier settlers made claims to collective honor and service in defense of the frontier to elaborate new rights and privileges for themselves and also to protect themselves from downward mobility. Frontier vecinos did not necessarily base their claims in noble lineage and purity of blood, but in the nobility

of their collective service to the king. Yet in doing so, they elaborated discourses that rejected the language of vagrancy and race mixture so often associated with residency in the frontier while proposing new notions of honorable selfhood.

These observations suggest that the creation of frontier institutions, like the Spanish frontier city, was not a minor concern at the turn of the seventeenth century, but was central to the workings of Spanish colonialism and the refashioning of Spanish colonial society in Peru. The creation of Spanish frontier cities, both as a discourse and as a project, was needed in order for other significant projects to move forward. I would argue that Toledo's Great Resettlement program demanded that the viceroy create a parallel system of Spanish cities to complete the segregation the two-republic mandate appeared to require. This imperative appears to have been understood by Toledo's contemporaries and successors as well. And while the Great Resettlement is rightly associated with the personal efforts of Viceroy Toledo, a shifting cast of Spanish officials and settlers pursued the task of creating Spanish cities in Charcas over many decades. Different actors in Charcas, Peru, and even Spain recognized that part of the function of these new Spanish city-republics in Charcas was to address the problem of the *gente suelta*. Of course, such efforts had also to be balanced against other concerns, such as the financial crisis experienced by the crown due to its European wars, and the slow collapse of Toledo's initial *reducción* system as a result of high indigenous mortality rates and the permanent, clandestine departure of many native Andeans from their *reducciones*. It was a project for which the social disorders of Charcas remained in much greater focus than the realities associated with frontier settlement in the Eastern Andes.

The creation of frontier cities in the Eastern Andes also represented a significant step in the rise of La Plata and especially Potosí as metropolitan and administrative centers. New frontier cities and jurisdictions created financial and social opportunities that enabled some urban elites, and likely many individuals who aspired to this status, to enhance their financial and social status in Charcas. In their links to frontier communities through trade and regional spatial hierarchies, the core cities of Charcas become more recognizably the centers of Spanish settlement and society. In serving as discursive poles for the enunciation of new non-Indian subjectivities, frontier cities also facilitated the self-ordering of the cities of the Andean core at a moment when they sought to expel disorderly social elements from their midst. Much as Carlos Parodi has discussed the role played by boundary making and frontier narratives in the South America during the nineteenth century, the creation of frontier cities and jurisdictions was integral to the ability of Spanish officials to establish an internal space from which to exercise power over their wider jurisdiction.¹⁰⁷² In that sense, the Eastern Andean frontier enabled the economic and administrative elite of Charcas to constitute themselves as a center of Spanish society in Peru.

This link between frontier institutional development, discourses on the *gente suelta*, and the rise of central cities was not limited to the Eastern Andean frontier. Instead, the region was one of several significant loci of frontier settlement activities in Charcas. Spanish officials and settlers would pursue similar discourses regarding the

¹⁰⁷² Carlos A. Parodi, *The Politics of South American Boundaries* (Westport: Praeger, 2002), xv, 6, 38-39, 42.

gente suelta in Chile, Tucumán, and Paraguay. Such discourses were likely similar, although not identical, to conversations taking place in other areas of Spanish America, notably the Amazon basin, the Chocó, and northern New Spain, to mention only a few. For instance, Magnus Mörner used case studies from Tlaxcala in New Spain, the municipalities of Sonsonate and San Salvador in what is now the Republic of San Salvador, Tunja in New Granada, Huanuco in Peru, and Santiago de Chile to explore this subject.¹⁰⁷³ Recently, Hal Langfur made similar observations in his book *The Forbidden Lands*, a study of the backlands (*sertao*) between Minas Gerais and the Atlantic coast of Brazil.¹⁰⁷⁴ Beyond these works, the literatures that most clearly explore how Spanish authorities attempted to govern highly mobile persons of mixed ancestry in the context of local jurisdictions are, not surprisingly, African diaspora studies and the scholarship surrounding *mestizaje*. These scholars address the absence of interstitial republics, either of *mulatos* or mestizos, and how persons of indeterminate social status challenged, manipulated, and sometimes transformed Spanish legal systems and institutions, at least at the level of customary law and jurisdictional politics. I see my work as using these discussions of mixture and diaspora to inform our understanding of broader questions of governance and *policía* in late sixteenth- and early seventeenth-century Spanish America.

The questions this dissertation raises about inter- and intra-jurisdictional conflict are likely to be applicable in a still broader context. One inspiration for this study was Alan Taylor's *Divided Ground*, in which the author explores the bordering of Iroquoia,

¹⁰⁷³ Mörner, "Parte Cuatro: La Transformación Social (1580-1750)," *Corona Española*, 261-310.

¹⁰⁷⁴ Langfur, *The Forbidden Lands*, 57, 59, and Chapter 4 "The 'Useless People'" 127-160.

not only at an international scale in the region's struggles with the United States and British Canada, but also at the state and municipal levels of jurisdictional conflict.¹⁰⁷⁵ In Tamar Herzog's recent book, *Frontiers of Possession*, the author explores jurisdictional conflict at a number of different scales in both Iberia and the Americas. It is my hope that this dissertation presents new examples of jurisdictional complexity to complement the cases studies that Herzog presents for Spain.¹⁰⁷⁶ However, the scalar and comparative approaches taken by these authors hint at the potential value of a close analysis of local civil institutions and jurisdictional conflicts and how these concerns over borders impacted local and even regional subjectivities, and suggest new theaters to explore questions of personal and collective agency.

Future studies of the Eastern Andean frontier will continue to raise significant questions about the workings of Spanish colonial governance in local settings. How did the nature of jurisdictional conflict change when private property was no longer threatened by frontier violence? Were frontier communities able to maintain their particular privileges and notions of collective honor when they could no longer claim to be defending the region from the attacks of unconquered peoples? How did the sale of municipal offices impact the communities that relied on those offices to promote *vecindad*? These questions still await answers in the context of the Eastern Andes, but they could be applied to the many analogous Spanish American frontier regions described above. All of these points underscore the ongoing vitality of studies of frontiers and

¹⁰⁷⁵ Taylor, *The Divided Ground*, 7-11, and parts Two "Lines," (111-202) and Four "Limits," (297-395).

¹⁰⁷⁶ Tamar Herzog, *Frontiers*, 244.

borderlands and the relevance of regional histories of institutional formation and colonial governance in Latin America.¹⁰⁷⁷ However, as I hope to have demonstrated in this dissertation, studies of Latin American frontiers are not only significant for what they might tell us about individual regions or what we might describe as borderland society, but also because of the role these regions played, both discursively and experientially, in the formation of Spanish colonial society.

¹⁰⁷⁷ Much as Lauren Benton has claimed in “Making Order Out of Trouble,” 399.

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