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Surviving the Colonial Experience:
A Historiography of Mayan Preservation in the Guatemalan Highlands

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For the indigenous peoples of Guatemala, the sixteenth-century Spanish conquest would significantly alter the very way of life. With the development of an oppressing colonial system, Mayan settlements suffered from massive exploitation at the hands of the Spanish, who were keen on making a profit from Mayan labor and their lands. Although this was true throughout Guatemala, it was in the highlands where the Maya saw perhaps the most intense forms of exploitation. The highlands make up a series of high valleys and enclosed mountains, located in an upland region in southern Guatemala stretching between the Sierra Madre de Chiapas and lowland Petén (Figure 1). Within the highlands, there were and still are several Mayan communities that historians have researched on including the Mam and K'iche in the Sierra de los Cuchumatanes and the Kaqchikel in Santiago de Guatemala.

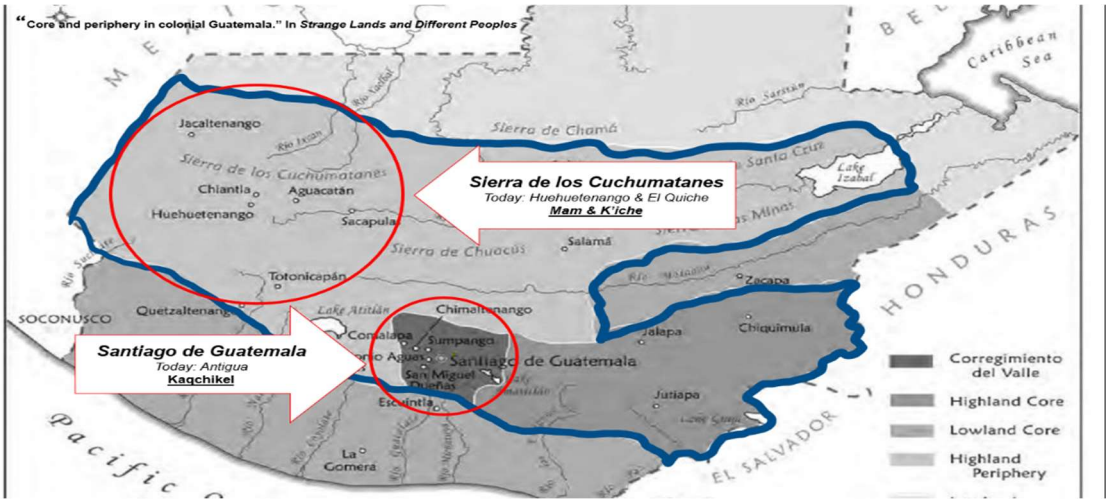

Figure 1: An outline of the Guatemalan highlands and the circled areas where scholars have researched.Lovell, W. George, Christopher H. Lutz, Wendy Kramer, and William Swezey. *Strange Lands and Different Peoples: Spaniards and Indians in Colonial Guatemala* (Norman: University of Oklahoma Press, 2013), 180.

Much of the research on colonial Mayan communities in Guatemala fits into the historical school of research known as the New Philology. As a branch of Mesoamerican ethnohistory, the New Philology uses native language texts to investigate and reconstruct

indigenous perspectives, which promotes indigenous agency. James Lockhart's book, *The Nahuas After the Conquest*, is one of the most well-known works of the historical school. He lays out changes and continuities of Nahua society and culture in colonial Central Mexico. Following Lockhart, New Philologists initially focused on Nahuatl-language research. However, since the late 1990s and into the early 21st century, scholars have utilized the methodology of the New Philology of Mayan populations in colonial Yucatan and Guatemala. The highlands of Guatemala, the geographic focus of this historiography, fit squarely within the New Philology research, even if the availability of native language sources is not quite as vast as in Nahuatl. The scholarship suggests that despite the Spaniards' conquest, colonialization, and massive exploitation, the Maya survived physically and culturally by responding and adapting to the new colonial realities.

The Encomienda: A Fruit of Entitlements

One of the many recognized colonial practices that saw various forms of exploitation upon the Maya was the development of the encomienda. Under this institution, privileged Spaniards received grants from indigenous labor and tribute. In the highlands, the encomienda played a key role toward conquest culture as Wendy Kramer's article, "Encomienda and Settlement" argues that these grants were "awards to enjoy the fruits of what the land and its people could provide."[1] This system forcefully positioned indigenous peoples into degrading titles called *indios de servicio* (indigenous laborers) as a means of exploiting them. The most significant component of these laborers in the encomienda was the *servicio personal*, which means personal service. The written history of this oppressing institution has evolved over time

as W. George Lovell and Christopher H. Lutz suggest that these grants transitioned from being prestigious awards to becoming tamed systems.[2]

Several encomienda grants existed in the case of the highlands; however, Lovell and Lutz's research focused on the western highlands, specifically the Sierra de los Cuchumatanes (Figure 2). The Sierra is a massive non-volcanic region near the Mexican border, stretching from the north of the Rio Cuilco to the north and west of the Rio Negro (also called the Rio Chixoy).

Figure 2: A detailed map of the Sierra de los Cuchumatanes with an outline of modern departments in the top-right corner. Some of the recognized cities that scholars have explored in the Sierra were in Huehuetenango (circled) and Sacapulas. Image was provided in Lovell, W. George, *Conquest and Survival in Colonial Guatemala: A Historical Geography of the Cuchumatan Highlands 1500-1821*(Montreal: McGill-Queen's University Press, 2015), 11.

In the Sierra, both scholars focused heavily on areas in Huehuetenango, which was termed as the booty of the western highlands. While the economic demands in this area were nonstop, the

manner of goods and services was extracted differently due to several factors like geographic potential, size of indigenous labor force, and their treatment.

The history of the Huehuetenango encomienda dates back during the Spanish conquest as Lovell and Lutz refer to a *titulo* (title) from the *Archivo General de Indias* (AGI) *Justicia*. The *titulo* was rewarded to Juan de Espinar, a Spanish captain leading the Mam Mayans conquest in 1525. Five years later, Espinar's encomienda was confiscated, which resulted in him pleading a case in a Mexican court. To find information regarding the incident, Kramer suggests that *pleitos* (lawsuits) are good sources to explore situations between the encomenderos' (holders) rights to their grant.[3] By successfully pleading his case to the court, Espinar once again regained control of his encomienda. However, it came with a cost as indigenous lives were altered due to the transition of power. According to Lovell and Lutz, Espinar' encomienda consisted of a population of four subjugated Mayan communities before confiscation. However, after the case, Espinar was left with one community, which resulted in reduced tribute.[4] This result left Espinar desperate as he sought out to manipulate Mayan families in the outlying areas beyond his encomienda jurisdiction. To recuperate on what he had lost, the encomendero burned various Mayan homes in the mountains and forced the former occupants to settle within reach of his encomienda so that labor and tribute ration increased. Ultimately, his actions left the Maya disloyal to Huehuetenango's authority as Lovell and Lutz argue that tribute payment was going to other nearby Mayan communities, which meant indigenous authority was still preserved.[5]

Congregación: The Forced Policy of Migration and Resettlement

The incident where Espinar manipulated the Mayan families to abandon their homes and resettle near the reach of his encomienda was unlawful. Still, it soon became a legalized colonial practice in which the Spaniards would call it congregación. Under this policy, various forms of exploitation were stowed upon the indigenous peoples. It enforced communities to migrate and resettle into denser urban areas that were supervised by a priest or colonial official. As a result of this policy, most indigenous population were often reduced into groups of no more than a few families. As for the Guatemalan highlands, congregación saw that these dispersed Mayans were to be placed into towns called municipios. These towns were supervised by the cabeceras, who were the heads of the township. Scholarship from Lovell's article, "Spanish Ideals and Mayan Realities in Colonial Guatemala," to Severo Martínez Peláez's monograph, *La Patria del Criollo*, suggest that congregación initially started as a path for forced conversion which ultimately altered Mayan life. Nevertheless, the policy's goals would later transition by the seventeenth century to benefit the repartimiento system, which relied on the migration and resettlement of Mayan communities.

Generally, the policy of congregación started with missionaries approaching the local Mayan leaders called the caciques and would convince them to resettle into proposed Spanish areas. With a secure allegiance between the two sides, many of these indigenous families were persuaded to abandon their homes and settle into a more open countryside town. For those who resisted, a threat of forceful eviction was notified, resulting in many families to leaving reluctantly.[6] Amid of presenting and arguing their claims, each scholar referred to the same primary source, specifically an excerpt from a native language document. The text references how Mayan households from the mountains and ravines were ordered in October 1547, to group

together and resettle. The proposed city that they Mayans were placed into was called Tzolola and was often surveyed by the missionaries.[7] According to Lovell's 1992 article, the document's authors belonged to the Xahil family. Even so, the question that needs to be answered is, who are they? It was not until 2009 that Peláez was able to identify that the document was from the *Annals of the Kaqchikel*, one of the most recognized Mayan texts in Mesoamerica.[8] Eventually, in 2013, Lovell and Lutz confirmed the identification of this indigenous text and its authors. Based on their findings, both scholars identified that Xahil family members were part of the Kaqchikel community in Santiago de Guatemala as the sources were titled the *Memorial de Sololá.* As an essential addition to the *Annals*, the *Memorial* had previous excerpts that references the visitations from missionaries after the capital suffered from a series of mudslides from the Agua volcano in 1541.[9] Ultimately, congregación altered the lives of the Maya; however, there were few occasions where they survived by avoiding the policy's enforcement and traveled into outlying areas upland. From there, they could flee from the essential demands of forced labor and instead develop a furnished tribute, which meant that they had established authority and wealth among other Mayan communities.[10]

Pueblo de Indios and the Parcialidades: Exploiting Processes of the Forced Policy

Congregación was occasionally practiced by force rather than persuasion. For the indigenous communities that were impacted, the policy created a division of landholding in which processes of severe forms of exploitation occurred. The first was the erection of indigenous towns known as pueblo de indios, which were purposely made for the Spanish to subjugate and control movement among native populations. One landholding process called parcialidades, was social units used by the Spanish to describe ethnic groups that formed part of

the same pueblos or, in some cases, barrios. Robert M. Hill's article, "Social Organization by Decree in Colonial Highlands Guatemala" and Robinson A. Herrera's monograph, *Natives, Europeans, and Africans in sixteenth-century Santiago de Guatemala* are among the scholarship that focus on this issue. They argue that the creation of these landholding processes shows a failure of the congregación's policy due to a chain of imposed cultural change, displacement, and resettlement.

Within the whole region of Guatemala, there were several pueblos scattered around. However, Hill and Herrera's research focuses within two specific areas in the Highlands (Figure 3).

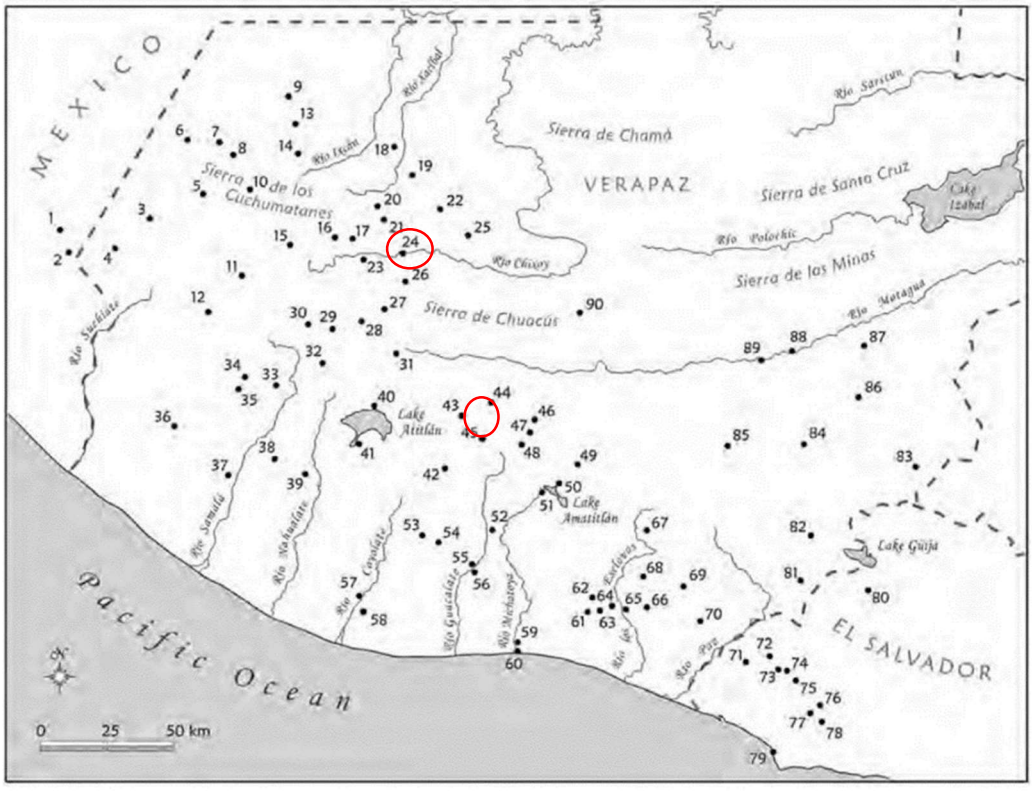

Figure 3: Map of recorded pueblo de indios from the Cerrato tasciones (1548-51). Areas circled in red are where scholars have investigated their research relating to these pueblos. Source: Archivo General de Indias, Guatemala

128. Image was provided in Lovell, W. George, Christopher H. Lutz, Wendy Kramer, and William Swezey. *Strange Lands and Different Peoples: Spaniards and Indians in Colonial Guatemala* (Norman: University of Oklahoma Press, 2013), 187.

The first case investigated was in Sacapulas, which was located near the Rio Chixoy in the Sierra de los Cuchumatanes. Congregación functioned differently in Sacapulas as Mayan communities were reduced into groups called amaq. According to Hill, these groups were later dispersed into settlements made by some chinamitales (parcialidades).[11] The other case investigated was in Santiago de Guatemala which was the capital city of Guatemala. Located near the southern center of the highlands, Santiago's parcialidades became essential to the barrio structure. Based on Herrera's research, the Maya in Santiago used the name of their parcialidad to identify themselves, which was a driving force towards "Mesoamerica identity patterns."[12] Although some of these locations presented some legal challenges for the indigenous communities, it was from these structures that direct continuity of preconquest Mayan tradition was secured.

Each scholars' research in their cases has a transition in terms of sources. Both scholarships refer to the circumstances of the cabildo distributing power between two indigenous groups. Hill's article in Sacapulas refers to the legal challenges between two amaq groups, the Tuhalha, and the Lamakib. The Tuhalha were considered as legitimate natives because the construction of the Sacapulas pueblo occurred in their lands. As for the other group, the Lamakib were termed as foreigners. They, like other Mayans, were forced to migrate and resettle because of congregación. Santiago de Guatemala also had a similar situation between two indigenous groups. Herrera's research terms these groups as Mexicanos and Guatemaltecos based on their native origins. Overall, all these indigenous groups were seeking to gain legal recognition during the colonial period. Both scholars use legal documents from the *Archivo General de Centro*

America (AGCA), specifically court cases that were presented to the Real Audiencia. In these cases, the indigenous groups were seeking to elect their legal representatives. Besides that, those who were impacted by congregación, asked for an additional request that would claim for legal recognition for lands that were previously resided by them to still belonged to them. Both cases were successful for the indigenous peoples. Hill and Herrera argue that accommodations were made for native preferences against the Spanish imperial objective thus leaving Mayan tradition and culture preserved.[13]

The Repartimiento: A System of Drafting Indigenous Laborers

By the end of the sixteenth century into the seventeenth century, forcing indigenous populations into labor institutions became a common practice as congregación lead an increase of forced Mayan migration and resettlement. The highlands saw this practice as the repartimiento system, a restricted draft of forced indigenous laborers within a pueblo or barrio. Under this system, a series of principles exploited Mayan communities but defied the legal basis of the colonial period. Pelaez was able to identify at least three principles of the repartimiento based on enforced regulations. The first principle stated that the repartimiento system was for the need of the Spanish and not the will of the Mayans. The next principle required indigenous populations to be divided into established groups and be sent to their work destinations. During his research, Peláez encountered one of Guatemala's recognized works from historian Francisco Antonio de Fuentes y Guzmán. In his work, the *Recordación Florida*, Fuentes y Guzmán, in theory, believed that the repartimiento was to be beneficial for both the Spanish and the Maya. Although the repartimiento showed various forms of exploiting the Maya, the third principle portrayed

indigenous labor progress. Peláez identified that the last principle required indigenous laborers to be paid.[14]

While the pay in the Guatemalan highlands was low, the third principle of the repartimiento has shown a sequence of progress for the indigenous people during the colonial period. In terms of research, Peláez and Herrera, have demonstrated different perspectives on how payment handling evolved. In Herrera's research, indigenous laborers in Santiago were paid in the form of pesos. However, other types of payments were accepted, such as food, shelter, and clothing. One example that Herrera utilizes is a contract from 1570 derived from the AGCA, between a local Spaniard and a native man named Juan. The agreement stated that Juan had to work for a year in the Spaniard's local wheat field. In exchange for his services, Juan was to be paid a twenty-peso salary plus "room and board."[15]

As years progress in terms of research, Peláez offered an extensive analysis of how payment was handled for the Maya. According to his monograph, Mayan laborers were paid in the form of reales, which was worth one-eighth of a peso. So, it's possible that the terms of currency varied depending on the geographic location since Peláez does not offer names of areas. Unlike Herrera's research, where other forms payment was accepted, Peláez argues otherwise, as the indigenous laborers were only paid by currency based on an official decree by the President of the Audiencia in Guatemala. The order by Diego de Acuna, on September 2, 1628, stated that Spanish contractors were not allowed to pay the natives through "clothing, cacao, bread, cheese, or nor such thing." Instead, "payment must be in reales" which shows that during the colonial period, cultural progress was made among indigenous societies leaving the Mayans to adapt to the new realities.[16]

Conclusion

Ultimately, with the addition of some native language-based research in the highlands of Guatemala, New Philologists argue that even though Mayan lives altered once the Spanish occupied their lands, it is also clear that their communities and cultures found ways to continue on. Just like in Central Mexico, contemporary scholarship has revised the misunderstood characteristics of colonial encounters between the former conquerors and the conquered. Despite suffering from various forms of land and labor exploitation, the Maya continued to inhabit the soil of Guatemala, as their cultures and languages continue to be practiced today.

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[1] Wendy Kramer, W. George Lovell, and Christopher H. Lutz. "Encomienda and Settlement: Towards a Historical Geography of Early Colonial Guatemala," *Conference of Latin Americanist Geographers* 16 (1990): 67.
[2] W. George Lovell, *Conquest and Survival in Colonial Guatemala: a Historical Geography of the Cuchumatan Highlands, 1500-1821* (Montreal: McGill-Queen's University Press, 2015), 96 and W. George Lovell, Christopher H. Lutz, Wendy Kramer and William R. Swezey, *Strange Lands and Different Peoples: Spaniards and Indians in Colonial Guatemala*. (Norman: University of Oklahoma Press, 2013).
[3] Kramer, "Encomienda and Settlement," 68, Lovell, *Conquest and Survival*, 112, and Lovell, Lutz, Kramer, and Swezey, *Strange Lands and Different Peoples*, 135.
[4] Lovell, Lutz, and Kramer, and Swezey, *Strange Lands and Different Peoples*, 142, 260.
[5] Lovell, *Conquest and Survival*, 144-45.
[6] W. George Lovell, "The Real Country and the Legal Country: Spanish Ideals and Mayan Realities in Colonial Guatemala, *GeoJournal* 26 no. 2 (1992): 182.
[7] Lovell, Lutz, Kramer, and Swezey, *Strange Lands and Different Peoples*, 104.
[8] Severo Martínez Peláez, *La Patria de Criollo: An Interpretation of Colonial Guatemala* (Durham: Duke University Press, 2009), 226.
[9] Lovell, Lutz, Kramer, and Swezey, *Strange Lands and Different People*, 82.
[10] Lovell, "The Real Country and the Legal Country," 183 and Lovell, *Conquest and Survival*, 126.
[11] Robert M. Hill, "Social Organization by Decree in Colonial Highland Guatemala," *Ethnohistory* 36, no. 2 (1989): 171.
[12] Robinson A. Herrera, *Natives, Europeans, and Africans in sixteenth-century Santiago de Guatemala* (Austin: University of Texas Press, 2003), 135.
[13] Hill, "Social Organization by Decree," 171-2, and Herrera, *Natives, Europeans and Africans*, 135.
[14] Peláez, *La Patria del Criollo*, 233, 237.
[15] Herrera, *Natives, Europeans, and Africans*, 159.
[16] Peláez, *La Patria del Criollo*, 244.

Bibliography

Herrera, Robinson A. *Natives, Europeans, and Africans in sixteenth-century Santiago de Guatemala*. Austin: University of Texas Press, 2003.

Hill, Robert M. "Social Organization by Decree in Colonial Highland Guatemala." *Ethnohistory* 36, no. 2 (1989): 170-98. Accessed April 25, 2020. doi:10.2307/482277.

Kramer, Wendy, W. George Lovell, and Christopher H. Lutz. "Encomienda and Settlement: Towards a Historical Geography of Early Colonial Guatemala." Yearbook. *Conference of Latin Americanist Geographers* 16 (1990): 67-72. Accessed April 26, 2020. www.jstor.org/stable/25765724.

Lovell, W. George. *Conquest and Survival in Colonial Guatemala: a Historical Geography of the Cuchumatan Highlands, 1500-1821*. Montreal: McGill-Queen's University Press, 2015.

Lovell, W. George, Christopher H. Lutz, Wendy Kramer, and William R. Swezey. *Strange Lands and Different Peoples: Spaniards and Indians in Colonial Guatemala*. Norman: University of Oklahoma Press, 2013.

Lovell, W. George. "The Real Country and the Legal Country: Spanish Ideals and Mayan Realities in Colonial Guatemala." *GeoJournal* 26, no. 2 (1992): 181-85. Accessed April 25, 2020. www.jstor.org/stable/41145352.

Pelaez, Severo M. *La Patria del Criollo: An Interpretation of Colonial Guatemala*. Durham: Duke University Press, 2009.