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Chapter 5: The Encomienda as a Social Field

In this chapter, I argue that the encomienda should not be viewed as a single social field, but rather as a Bakhtinian chronotope that encompasses a series of fields that a prospective encomendero would take up in the process of gaining, administering, and relinquishing the encomienda, and the corresponding fields that residents of the Indian towns given in encomienda took up. An encomienda grant included the encomendero in the field of officials and pensioners appointed by the Crown. The encomienda united the encomendero and residents of Indian towns in fields of governance, labor, and religion. As a chronotope, the encomienda linked time, space, and place. Over time it developed its own genres of documents.

The Encomienda Grant as a Genre of Documents

The genre of documents that shapes the encomienda as a social field includes both formal requests for an encomienda, and other documents called "*Meritos y Servicios*". These are requests from a colonial citizen to the crown for an income. In the case of *Meritos y Servicios*, the income requested is a cash pension. Encomiendas instead provided tribute, in the form of goods and/or cash. The basis of the argument for privileges is different in the two kinds of documents. In an encomienda petition, the basis for the request is the family's service in the original formation and protection of the colony. In the case of *Meritos y Servicios*, the service is to the Crown itself, through conquest, colonization, pacification: things that brought the crown new land and wealth. These actions need not have been in a single colony, but were often services in the founding of multiple colonies in the Americas.

A characteristic that fundamentally distinguishes the encomienda request from the *Meritos y Servicios* petition is whether witness testimony was required. With encomienda petitions, witness testimony was optional. This is perhaps because the service was within a single colony, and knowledge of the actions of the ancestors of an individual often fell into the category of knowledge that was "*publico y notorio* [public and notorious]". The narrative sketched by the prospective encomendero necessarily had to match the public oral history of the colony itself, and as such, had to already be publically known within the colony.

In the case of *Meritos y Servicios*, the narrative of service being constructed differed, involving the "history" of more than one colony. It could not necessarily be considered public knowledge in the colony where

the petition originated. Therefore witnesses were needed to attest to the public and notorious nature of the service claimed. The difference in required testimony also probably stemmed from the actual decision process. In the case of *Meritos y Servicios*, the decision to award a pension, or not, was solely the crown's prerogative. In the case of an *encomienda*, the President of the Audiencia where the towns to be given were located awarded it, and the crown confirmed the grant. The crown was able to rely on the Audiencia President or colonial Governor to be familiar with the specifics of the history of service in a local region.

Masca in the Genre of Encomienda

Masca is among the towns assigned as an *encomienda* by Pedro de Alvarado in 1536, to Carlos Ginoves (Table 16). In 1582, Masca, along with Yama, also originally assigned to Ginoves, was in *encomienda* to Pedro Jaymes, recorded as coming to the Americas in 1516. We know that when Montejo took over as governor he re-assigned towns in *encomienda* to his own followers, and this succession from Ginoves to Jaymes probably can be understood as representing this replacement process. We do not have any information on the number of tributaries or tribute owed in the original *encomienda*. In 1582, the town was listed as having 20 tributaries (e.g. adult male heads of household).

Table 16: Chronology of Grants of Masca in Encomienda

Year of grant	Encomendero
1536	Carlos Ginoves, through the repartimiento of Pedro de Alvarado
1582	Pedro Jaymes
ca. 1623	Diego de Zuñiga, <i>vecino</i> of Trujillo
1627	Andres de Zuñiga, <i>vecino</i> of Trujillo
1662	Alonso de Osaguera y Quevedo, <i>vecino</i> of Comayagua
1690	Antonio de Osaguera, <i>vecino</i> of Comayagua

By 1623, the town had passed to a different family prominent in the early colony (1627 AGI Guatemala 99 N. 13). A 1627 confirmation of succession to an *encomienda* that included Masca (as well as two other Ulúa valley towns, Quelequele and Timohol) named Diego de Zuñiga, *vecino* of the coastal city of Trujillo, as *encomendero*. The *encomienda* was confirmed as passing to Andres Martin de Zuñiga, his son, after his death in 1625. In

the 1627 confirmation of his assumption of the encomienda *en segunda vida* (for a second lifetime), Masca was credited with 11 tributaries. Like his father a resident of Trujillo, Andres de Zuñiga held the encomienda that included Masca until he died, shortly before 1662.

After that, the town became part of a new encomienda granted to a vecino of Comayagua, Alonso de Osaguera. The circumstances of his receipt of the encomienda provide the main basis for this chapter, and are covered in a series of documents created between 1662 and 1669 (1669 AGI Guatemala 104 N. 9).

After Alonso de Osaguera's death in 1682, his son, Antonio de Osaguera, solicited the same encomienda for a second lifetime, under the terms of the grant to his father. Like his father a resident of Comayagua, Antonio de Osaguera became governor of Honduras from 1693 to 1698. He is the last recorded person to assume the encomienda of Masca.

In 1683, right after the death of his father, Antonio requested the encomienda of all of his father's towns, although due to negligence by his attorney, his petition was not pursued. Nevertheless, he seems to have continued to enjoy the receipts from his father's encomienda. His name is included as encomendero of Masca in a document written in response to a Royal Cédula requesting a listing all of the encomenderos of Honduras and their holdings in 1690 (1690 AGCA A3.16 Legajo 190 Expediente 1927). Perhaps as a result of this survey, Antonio renewed his petition, originally begun in 1683, to have his father's encomienda confirmed again, asserting that the solicitor engaged in 1683 had simply failed to act in the interim (1690 AGCA A3.16 Legajo 190 Expediente 1926). Eventually, the encomienda was confirmed, backdated to begin officially in 1690 (1692 AGCA A3.16 Legajo 190 Expediente 1928).

Sometime during the period when Antonio Osaguera was exercising control over his father's encomienda without it having been confirmed, the town of Masca moved inland from the coast to unclaimed lands along the Río Bijao in the northwest Ulúa valley, along the main road from Puerto Caballos to San Pedro. Around 1698 the town moved again, this time to lands designated by then-governor of Honduras, Antonio de Ayala. By the time of this second move, Masca was clearly no longer held in encomienda by anyone. The timing coincides with the end of Osaguera's term as governor of Honduras.

While it is not the earliest known expediente granting Masca in encomienda, the 1662 grant that includes Masca and 22 other towns (AGI Guatemala 104 N. 9) is perhaps the longest and most detailed encomienda dossier in the history of Honduras (Libny Ventura, personal communication

2011). It consists of two documents, the first of four sides, and the second of 142 sides (see the Appendix for the transcription). The first document, dated later than the longer second document on which it is based, contains the request to the Spanish Crown from the encomendero to confirm the encomienda grant. The second, longer, document, written first, contains the heart of the justification for the encomienda, as well as the details of how control of the encomienda was formally assumed.

Everything in the dossier is indirect cited speech in the Bakhtinian sense. We lack the original formal petition of Alonso de Osaguera for a grant of towns in encomienda, though a copy is present in his son's request for reassignment of the encomienda for a second lifetime (1692 AGCA A3.16 Legajo 190 Expediente 1928). Instead of the formal request for the encomienda we might expect, in document two of the 1662 dossier we have a scribal copy of two separate grants by the President of the Audiencia of Guatemala; one for two lifetimes to Alonso de Osaguera, and one for a single lifetime to Maria Laso de San Ramon, with residual rights residing in Osaguera on her death. Also contained in this second document are the conveyance of the titles to the governor of Honduras, and the certification of the taking of possession of each town included in the grant.

The document is a scribal copy of these varied sources, prepared by Bernabe Rogel, a royal scribe in Guatemala. Annotations on the document make it clear that this copy was requested by Osaguera so that he could file it with document one in the dossier, his letter to the Crown requesting confirmation of the encomienda grant for both himself and Maria Laso de San Ramon. Through these documents Masca was granted in encomienda to Maria Laso de San Ramon, to pass to Alonso de Osaguera on her death.

Not only is the entire document indirect cited speech; parts of it can be seen as evidence of repeated revoicing of utterances of the kind that Bakhtin notes create and recreate chronotopes. Contained within the second document is a scribal summary of Osaguera's original request for an encomienda grant (1669 AGI Guatemala 104 N. 9, pages 5-37). This copy was created by Antonio Martinez de Ferrera, a scribe for the Audiencia in Guatemala, for the President of the Audiencia. Osaguera filed his request for encomienda on January 5, 1662, three days after the notice of vacant encomiendas was posted on the Cabildo door in Comayagua. In his request, Osaguera asked for all the vacant encomiendas in Honduras, and for those in San Miguel (El Salvador) as well. Osaguera either included or summarizes twelve other documents as justification of this request.

The twelve documents listed by the scribe describe some of the services to the Crown and colony of Honduras performed by Osaguera's

ancestors. Some of these were likely recopied from Meritos y Servicios petitions, such as that of Juan Ruiz de la Vega. At least two of the documents incorporated were copies of letters from the Crown acknowledging the service of noted ancestors. The original archival copy of one of these letters can still be located in the Archivo General de Indias. With these twelve documents Osaguera laid out the service of his ancestors to the colony of Honduras. He advanced the claim that his ancestors contributed to the conquest and pacification of Honduras in the sixteenth century, and defended the port city of Trujillo from pirates on numerous occasions in the seventeenth century. Osaguera traced service both through his maternal and paternal lines, using their combined social credit to justify the request for an encomienda of unprecedented scale.

His claim of cumulative service was revoiced by the fiscal in Guatemala, Don Pedro Frasso, who wrote, in recommending the grant of encomienda:

In consideration of the many and particular services which the ancestors of this petitioner have given to your Majesty, also those of his wife and those that the petitioner on different occasions has done himself...

[en considerazion de los muchos y partticulares servicios que los azendientes desta parte han hecho a su magestad y asi mismo los de su muger y a los que este partte en diferentes ocaziones a hecho por su persona...]

The President of the Audiencia in Guatemala endorsed the request in a letter to the crown included as part of the expediente, and on May 6, 1662 assigned in encomienda a total of 17 towns for two generations, noting their current tribute amounts and assigning that tribute to Osaguera (1669 AGI Guatemala 104 N. 9, pages 37-51). The encomienda was then registered in Guatemala and conveyed to Osaguera, who on June 12, 1662, informed the governor of Honduras about the grant and documented his taking possession of most of the towns (1669 AGI Guatemala 104 N. 9, pages 52-93). We lack documentation that he formally took possession of four of the towns (Tatumbula, Utila, Manguiche, and Tomala). The first three of these are separately listed as sources of payment of specific taxes for which Osaguera became liable.

On May 10, as part of the same transaction, the President of the Audiencia of Guatemala granted six towns to Doña Maria Laso de San Ramon for the duration of her life, with the towns reverting to Alonso de Osaguera on her death (1669 AGI Guatemala 104 N. 9, pages 102-114). On

June 6, 1662 she then conveyed the title to the governor of Honduras, along with documents confirming her taking of possession of these towns (1669 AGI Guatemala 104 N. 9, pages 114-138).

This series of documents that creates a dialogue surrounding the new assignment of Masca as part of this encomienda can be seen as instruments through which people took positions, or were positioned, in a variety of social fields. While those overlapping fields are complex we can isolate each one and see how the people of the Indian town of Masca were positioned or positioned themselves in them.

The Encomienda as a Field of Labor

The Spanish institution of encomienda, from the Spanish verb *encomendar*, to entrust, consisted of a grant by the Spanish Crown to a conquistador or other Spanish official of specific pueblos de indios in a colony. The grant included the right to extract tribute from the Indians in the form of goods, money, or labor, but also included a responsibility to protect the Indians and instruct them in the Catholic faith and the Spanish language. The system was first codified in 1503, re-codified for the Spanish colonies in 1524 and 1542, and formally abolished in 1720 (Simpson 1950). The law of 1524 specified that an encomienda was inheritable for up to two generations, after which the encomienda reverted to the Crown. In 1542 the law changed to make an encomienda not inheritable, but by 1545 that clause had been revoked. In practice, Honduran encomenderos continued to argue, often successfully, for inheritance, even into a third generation.

Repartimiento, from the Spanish verb “repartir”, to divide up, is another Spanish institution closely related to encomienda that affected Indian communities in Honduras in the sixteenth century. Unlike the encomienda, repartimiento involved unpaid labor tribute by a community of Indians to a Spanish individual. The type, the amount of labor and the location where it was performed was up to the Spaniard. In Honduras repartimientos were issued by the Spanish Governor and did not require the approval of the Spanish Crown. Repartimiento was primarily an institution of the early sixteenth century in Honduras, as Spanish colonization began. It often facilitated early gold exploitation. By the 1540s repartimiento had completely ceased, being replaced as an institution by grants of encomienda for many of the same Indian towns, including Masca.

Several Indian towns in the Provincia del Río Ulúa, like Santiago Çocamba, were never allocated to individual conquistadors, but instead provided tribute only to the Crown. These towns were held as

corregimientos with tribute administered by a *corregidor* (chief magistrate). Corregimientos were districts of towns organized under a single crown-appointed corregidor whose job was to collect the tribute from all the towns assigned to his corregimiento. As encomenderos died, and their right to the encomienda ceased to be inheritable, Indian towns passed into the corregimiento system and the Crown benefited from their tribute payments. At the Crown's option, these towns could then be reallocated to someone else in encomienda.

Encomiendas have attracted substantial attention from researchers. In a review essay in 1988, John Kicza summarized work to that point on a variety of topics, including encomiendas. Kicza (1988:463) presented the encomienda as a precursor to haciendas, designed "to gain access to the agricultural wealth of the new colonies, to control the conquered peoples, and to reward the conquerors". Along with authoritative work on encomiendas by Zavala (1935) and Lesley Byrd Simpson (1950), Kicza singled out the work of Lockhart (1969) in setting out the succession from encomienda to hacienda. Lockhart (1969:413) pointed to a "lack of knowledge about the encomienda as a functioning institution" in studies like those of Zavala and Simpson, which he characterized as "juridical history" (Lockhart 1969:413): "Both Zavala and Simpson" Lockhart wrote "recognized that in practice encomenderos could own land, but they tended to give the impression that there was literally *no* juridical link between the encomienda and landholding" (emphasis original). Premm (1992) makes a similar historical argument, examining how encomienda organization changed over time in Central Mexico and led to hacienda organization. The kind of structural analysis that Lockhart critiqued was exemplified by Keith's (1971) comparative study of encomienda, hacienda, and corregimiento.

Lockhart describes the general social relations between the urban-dwelling encomendero, his representatives, and the indigenous people living in encomienda. Keith instead examines the encomienda as an ideal, in which indigenous tribute structures would simply have been redirected to the new colonial government. He notes that this ideal was only found in peripheral places where a strong labor market did not develop, a characterization that fits the area of northern Honduras that is the focus of this study (Keith 1971:436-437):

In most cases, the real encomiendas of Spanish America failed to maintain Indian communities in the kind of isolation that would have been necessary for them to survive relatively unchanged. Instead, encomiendas tended to divide into two distinct parts: one associated

with the traditional indigenous economy of subsistence and local markets, and another associated with the new and expanding economy of the Spanish mines and cities.

Lockhart (1969:421-422) discusses the role of the church as well, writing that "each encomienda was supposed to have its doctrinero to minister to the Indians, and this person would also serve as the encomendero's private chaplain". In the Honduran encomienda discussed here, the cura ministering to the encomienda was from the local city, and had no apparent relationship with the encomendero, who was a vecino of the distant capital city.

The economic role of the encomienda has dominated scholarship. In 1995, Timothy Yaeger presented an argument concerning adoption of the encomienda rather than slavery as the main economic structure of the early Spanish colonies, writing that encomiendas "lowered revenue by more quickly depleting human capital, restricting labor mobility, and promoting higher average costs", but was preferred by the Spanish Crown "because it allowed rents to be earned from native labor and gave the Crown greater security of rule...while not reducing Native Americans to the status of slaves" (Yaeger 1995:857).

Every encomendero had to take possession formally of each and every Indian community granted in encomienda. The ceremony of taking possession as described in the 1662 encomienda grant that included Masca, explicitly enacted the taking of a position in a social field by the Indian population, a position as laborers.

Osaguera took possession of some of his towns by inviting the Indian alcalde and regidor to come to Comayagua for a ceremony. There, they met with him in a room. In addition to Osaguera, there was a scribe, an interpreter if the Indians didn't speak Spanish, and various other Spanish participants. Antonio de Zuniga, a deputy to the Mayor of Comayagua, asked the Indians their names and what town they were from, and the scribe recorded their answers. In the case of ceremonies of possession held in Comayagua, the documents report that they said they were present "as voice and in the name of the other Indians and collective of their town [en vos y nombre de los demas indios y comun del dicho su pueblo]" (1669 AGI Guatemala 104 N. 9, page 59). Zuniga took the Indians by the hand and led them to Osaguera, who showed them his encomienda document. Osaguera then asked them to move some water jars (or, in one case, a table) from one part of the building to another. Through these actions he took possession as if (*vel quasi* – a Latin phrase is used by the scribe) taking possession of the

town. Zuniga told the Indians that because there was no contradiction by those present, Osaguera then possessed the town. This would hold until they saw a written document naming a new encomendero. Pointing to a relationship between Osaguera and the temporary beneficiary of some of the towns ultimately part of his encomienda, Maria Laso de San Ramon, her brother Marcos Laso de la Vega signed as one of the witnesses for Osaguera's taking possession of several towns in ceremonies of this kind.

These ceremonies enacting labor service for Osaguera took place in Comayagua, the colonial capital, an overwhelmingly Spanish place. As the seat of Spanish power in the colony, it immediately placed the Indians in a subordinate position to all others who took part in the ceremony. The city itself can be viewed as a social field that included both Indians and Spaniards. From its initial settlement in 1537, colonial Comayagua always had a Spanish core, and Indian barrios to the north and west of the city center. Osaguera lived somewhere in the city center.

The setting of this ceremony was a room inside a building in Comayagua, though which building is not indicated. From the presence of water jars in another room, it sounds like a house, possibly Osaguera's own house within Comayagua. Such a room in a rich person's house would have contained the materials of an upper class colonial household: tiled floors, tables, chairs, candle holders, perhaps even paintings. Osaguera and Zuniga could have sat, perhaps at a table, along with the scribe and other witnesses. The Indians would have stood with any interpreter next to them in front of Osaguera and Zuniga. Such a material setting would have reinforced the power differential between the Indians and others present.

The use of the Latin phrase "vel quasi" -- "as if"-- to refer to the town officers symbolically representing the entire town is interesting. Zuniga takes the Indian officials by the hand and literally leads them to Osaguera, causing him to take their hands in his own. He then gave them "in possession (to Osaguera) as if of said town [le dio la posesion uel cuasi del dicho pueblo]" (1669 AGI Guatemala 104 N. 9, page 70). The use of Latin implies a legal formula that is part of this genre of documents; its use emphasizes that the town officers symbolically are the town. Its use is a peculiarity of the scribe Antonio de Zuniga in Comayagua.

The use of an interpreter with those Indians who didn't speak Spanish would have heightened the social distance between authorities of the pueblos de indios and Osaguera. Indians not fluent in Spanish could not speak for themselves in this venue; they had to speak through an interpreter. No record of their words is provided by the Spanish scribe, nor any indication that they spoke beyond reciting their names, office, and name of the town

they represented; they are essentially voiceless. Instead, they are presumed to speak through action.

Even when an interpreter was not needed because the Indians spoke Spanish (literally, were *ladinos*), they had no more voice in the ceremony than this. Just as in the instances with an interpreter, the scribe gives no indication that the indios Ladinos spoke in the proceedings beyond reciting their names, office, and the name of their town. Like all the other Indians called to Comayagua, their actions are presumed to speak their assent to the new encomendero.

Osaguera asked for and received symbolic labor tribute (moving the water jars and table) from the officers of the pueblo de indios as a symbol of their acceptance of his title as encomendero. Yet labor was not one of the things Indians owed their encomendero. It was a common abuse of the encomienda relationship in colonial Honduras, as we saw in the previous chapter, where Blás Cuculí successfully argued against Masca supplying personal labor to San Pedro residents. Indians were often asked to provide labor service to their encomenderos. The symbolic labor enacted in the ceremony of taking possession might also have recalled the older form of encomienda in Spain, where labor was something the encomendero could expect from their charges. The acquiescence of the town officials to these demands for labor, and their performance of them, the scribe tells us, indicated they recognized Osaguera as their encomendero.

For towns too far away for the Indians to travel to Comayagua, Osaguera appointed a deputy to handle the taking possession ceremony. For the towns in Olancho he appointed Juan Fernandez to act as his agent. Perhaps because Fernandez was not located in the colonial capital of Comayagua, he used slightly different procedures. He visited each pueblo de indios. In addition to bringing out the alcalde and regidor of each town, he also commanded the presence of “the rest of the nobles and principal people of the pueblo [lo demas de los principales y tlatoques de dicho pueblo]" (1669 AGI Guatemala 104 N. 9, page 76). Fernandez assembled not only the community leaders recognized by the colonial government (the alcalde and regidor) but also all of the community’s nobility (principales and tlatoques). Don Fernando de Giron de Guzman, head judge (*justicia mayor*) of Olancho conducted the possession ceremony. Juan de Hypolito translated for the Indians, and explained the title of encomienda. Juan Fernandez took their hands as a sign of their having understood and agreed to the title, while the interpreter explained to them that they owed all their tribute to Alonso de Osaguera. Here, passivity and quietness were explicitly taken as a sign of

assent, linking these renditions to the more performative ceremonies in Comayagua.

We are not told whether the ceremony in each town took place indoors or outdoors. There were more Indians present than for the indoor ceremonies in Comayagua. Nevertheless, it is only the two town officers who have an active role in the ceremony. The broader indigenous audience would have begun a process of creating a social memory of the events of the day that extended beyond the two town officers to all the nobility, e.g., anyone who might hold office in the future. In contrast with the Comayagua ceremony, the taking up of positions would have been more broadly shared and pervasive among the members of the *pueblo de indios*.

The scribe presented these Indians as being just as voiceless as those in Comayagua. As in Comayagua, their only recorded words were to state their name, office, and the name of the town they represented. In this case, the scribe informs us explicitly that it is by their passivity and quietness that they assent to the new *encomendero*. Fernandez makes no claim of symbolic labor from his charges. He simply took the two Indians by the hand and had the interpreter explain the title and their obligations to pay tribute.

Similar procedures happened with Osaguera's appointed representative in the lower Ulúa valley, Diego Perez de Cervantes, *alcalde ordinario* of San Pedro, who rode out to the towns Osaguera had been granted. He held the ceremony, officiated by Francisco de Castro y Ayala, an aide to the Governor in Comayagua, in each town. Like Fernandez, Diego Perez de Cervantes took the hands of the town officials as the interpreter explained to them the meaning of the title and possession. Like Fernandez, he did not seek symbolic labor from the town representatives.

Whether by simply witnessing or by taking part in the taking possession ceremony, each member of the *pueblos de indios* was taking up a position in the field of labor with respect to the *encomendero*. The symbolic labor performed by indigenous town officers in Comayagua made the relationship between the *encomendero* and the *pueblo de indios* explicit: the *encomendero* had rights to the Indian labor, through receipt of the agricultural products of that labor. An asymmetry of understanding is inherent in the different ways that the taking possession was enacted: Osaguera and the other Spanish officials presumably would have understood even the ceremonies whose actions were limited to a proxy taking the *alcalde* and *regidor* by the hands as equivalent to the more complicated events played out in Comayagua, accepting labor obligations. Not mentioned

in any of these ceremonies was the legal fact that the encomienda also created obligations for the encomendero.

The Encomienda Grant as a Field of Religion

An encomienda grant, as we have seen in the previous chapter, involves the encomendero in a religious field. As the President of the Audiencia noted in the encomienda grant to Osaguera

I declare that said encomendero [Osaguera] and pensioner [Maria Laso de San Ramon] each have to pay half the Salary and Pension tax that falls to them, and the tithe and Christian education ...

[declaro que dicho encomendero y pinçonera ha de pagar cada uno la media anatta que le tocasse diesmo y doctrina ...]" (1669 AGI Guatemala 104 N. 9, page 44).

The encomendero takes up a position in a field of religion, as a patron of the Indian community's parish priest. As noted by the President, it is the encomendero who pays the tithe of the community to the parish priest, partially funding his salary. The Indians were credited for this because they paid tribute to their encomendero. The tithe obligated the priest to provide religious services to the Indian community, visiting to say Masses and provide sacraments such as confession and communion.

The encomendero's position was one of power in these relationships. If the Indians didn't pay their tribute, the encomendero could forcibly collect goods from them to cover the unpaid tribute. The encomendero was in a position of power over the parish priest as well. If he did not pay the priest for the tithe, the only action the priest could take was to withhold Mass and communion from the Indian community, not likely to be of consequence to the encomendero. The Indians had some agency in the field of religion against the encomendero, however. They could petition the colonial government if for some reason, having paid their tribute in full, the encomendero failed to pay the tithe to the priest. This was the concern Blas Cuculí introduced in the 1675 petition discussed in the previous chapter.

The religious field united the encomendero, parish priest, and Indian community in asymmetrical relationships. The priest received money to pay for Christian education from the encomendero, but delivered these services to the Indian community. At the same time, the encomienda grant created a legal obligation on the part of the encomendero to make these payments, and on the Indian community to pay tribute to the encomendero. If the

encomendero did not pay for the services, it was the Indian community that did not receive the services of the priest. It was the Indian community that must complain to Crown authorities. The priest had no power to act against the encomendero for cutting off his revenue stream; he had to coerce the Indians into doing so by withholding mass, communion and Christian education until paid. The Indians, in turn, had little power over the priest. They had to pay the encomendero and formally complain to government authorities to restore religious services to the community.

The Encomienda as a Field of Governance

The position taken by Osaguera in the opening words of the first document established him in a field of governance and citizenship in the Spanish colony. “Sir, Alonso de Osaguera, citizen of the city of Valladolid de Comayagua in the province of Honduras [Señor, Alonso de Osaguera, vezino de la ciudad de Valladolid de Comayagua en la provincia de Honduras](1669 AGI Guatemala 104 N. 9, page 1)”. So begins the letter from Osaguera to the Crown requesting the confirmation of encomienda grants for himself and Maria Laso de San Ramon. This is indirect cited speech transcribed by the scribe as a letter from Osaguera to the Crown. In that phrase the scribe placed Osaguera in the field of *vecindad* in Comayagua within the province of Honduras.

Vecindad was the legal status that granted rights to participate in the political life of the town, to vote for town officials, and to hold office. *Vecindad* was reserved for those who had paid their town taxes. Both Osaguera and his parents were vecinos, he of Comayagua, and they of Trujillo. Invoking *vecindad* as he did in his petition brought Osaguera into the political field of Comayagua, the colonial Capital of Honduras. The scribe noted he was an *alferez*, a junior officer in the militia, which placed him in the hierarchical field of power that was the militia of the colony. He commanded, but in turn, was commanded. Taking up his position in *vecindad* placed him in hierarchies of power.

Similarly, Maria Laso de San Ramon was a vecina of Comayagua, as the President of Guatemala tells us in the encomienda grant. She was the legitimate daughter of Urban de Turcios, and was “of the nobility, of good merit, descendant of conquistadors and original settlers of this province [Principal, de bene merita, desendiente de conquistadores y pobladores de esta provincia]" (1669 AGI Guatemala 104 N. 9, 110).

In theory Osaguera had two years to gain a Royal confirmation of the appointment. A letter Osaguera sent to the Crown, undated but attributed to

1662 like the rest of the documents that accompany it, expresses more urgency:

He says that having asked for confirmation of the tribute that the President of the Audience of Guatemala entrusted him...which was sent to your legal representative and because of the lawsuit (or dispute) that may follow delay and risk in the prescribed time frame [Diçe que haviendo pedido confirmazion de los tributos que el Presidente de la Audiencia de Guatemala le encomendo...se remetio a vuestra fiscal y porque del litijio se sigue dilacion y riesgo en la prescripcion del tiempo]

(1669 AGI Guatemala 104 N. 9, page 1).

There is no other documentation to indicate what litigation or delay was causing concern, or why it threatened to prolong the confirmation beyond the required time. All of the encomiendas assigned had already been declared as vacant by the Governor of Honduras and the President of the Audiencia, and therefore were considered available for reassignment. Did one of the heirs of one of the previous encomenderos object that they still had heritable rights?

Osaguera takes the position of a petitioner to the Crown, a supplicant. His addressee is the Crown. He tells the Crown what outcome he desires. He references a “reporter”, probably Bernabe Rogel, in Bakhtinian terms a kind of “sideways glance” at the person who faithfully transcribed and certified all of the accompanying documentation:

He asks of your Majesty that if the pages suffer any defects, he asks that by virtue of that memorialized by your reporter you order given the confirmation to the petitioner, and to said Doña Maria Laso de San Ramon the pension in which she is situated and receives mercy. [Suplica a vuestra Magestad que si los paginas padecieren algun defecto se suplica en virtud de lo ‘cordado de vuestra cronis[ta] y se mande dar la confirmazion al suplente y a la dicha Doña Maria Laso de San Ramon de la pension que en ella se le situo en que recibira merced].

(1669 AGI Guatemala 104 N. 9, page 1)

By the time the encomienda grant was formally completed, positions had been taken, sometimes in literal performances, by people in governance at every level of the Spanish empire: from the offices of the King of Spain to the Audiencia of Guatemala; from the provincial government of Honduras centered in Comayagua (in which Alonso de Osaguera served) to the local governments of the several Spanish cities, including San Pedro, with

jurisdiction over pueblos de indios included in the encomienda; and incorporating as well the governance of each pueblo de indios assigned.

Masca in Encomienda

Diego Perez de Cervantes took possession of Masca for Maria Laso de San Ramon on June 25, 1662, through a ceremony held in the town of Masca itself. Maria Laso de San Ramon followed similar procedures to Alonso de Osaguera. She gave power of attorney to Antonio Dubon to act on her behalf in Gracias a Dios, and to Diego Perez de Cervantes to act on her behalf in the Ulúa river valley. Diego Perez de Cervantes was a town official (alcalde ordinario) of San Pedro and may well have already been known to at least some of the residents of Masca. Thirteen years later, Blas Cuculi would complain about San Pedro residents trying to require labor service from the residents of Masca. Perez de Cervantes was the same official who presided over the taking of possession by Osaguera in Ulúa valley towns, so he would already have been familiar with the forms involved.

Perez de Cervantes commanded the alcalde of Masca, Miguel Cuculi, and regidor, Roque Chi, to appear before him, and employed Simon Lopez as translator. Francisco de Castro y Ayala, lieutenant governor from Comayagua, acted as Master of Ceremonies and wrote the record of the event. Two witnesses, Alonso Lopez and Pedro Francisco del Arce, were also present. Because the ceremony was in Masca, the scribe notes that the town officials were present "with all the rest of said town [con los demas de dicho pueblo]" (1669 AGI Guatemala 104 N. 9, page 133). Simon Lopez translated the title of encomienda to the two town officials, at which point Francisco de Castro y Ayala formally gave the possession of the town to Diego Perez de Cervantes in the name of Maria Laso de San Ramon. Perez de Cervantes took the hands of the town officials and through the interpreter made the officials know the effects of this title and possession, that they owed their tribute to the new encomendera.

The field of possession is somewhat different in Masca than it was in Comayagua. The ceremony was apparently outdoors, with all of the town residents present. All of them would have been able to hear the title of encomienda translated for them by the interpreter, and see the actions by which Diego Perez de Cervantes took possession in the name of Maria Laso de San Ramon, and the town officials acknowledged that possession. Their role as witnesses created a social memory of the occasion lacking in towns from which officials travelled to Comayagua for the possession ceremony.

Taking Possession and Dialogics

The encomienda document is the least promising source to hear the voices of the pueblos de indios. Yet as Bakhtin's dialogics would lead us to expect, because the encomienda possession ceremony consisted of a series of statements and responses, we can still ask the question of the speaking position taken up by the indios of Masca (in particular) and other indios whose labor was committed through this ceremony.

The ceremony of possession practiced at Masca, like those in other distant towns, is an abbreviated version of the performative ceremony described for Comayagua. The links are clear in the shared and apparently necessary gesture through which the encomendero or his representative takes the representative of the pueblo de indios by the hand. This occurs in the context of a ceremony where, while the indios principales are literally speechless (beyond stating their names and offices), they are described as the "voice" of their people. In what way did they give voice to the intentions of the pueblo?

From the Spanish perspective, the representatives of pueblos de indios spoke without words. The dialogue here requires physical presence. The speakers-- the representatives of the encomendero-- call for a response, assenting to the new obligations. They define the expected response as silent, non-verbal acceptance of physical authority (the taking of hands) and subordination (enacted through moving objects in the elaborated version carried out in Comayagua).

It is when we consider who the superaddressee is for these ceremonies of possession that we see that despite their silence, the people of the pueblos de indios actually do have a voice in these dialogues. These ceremonies, especially their idiosyncratic form, fulfill a requirement made by the Spanish crown. But in fact, it is the witnesses-- and especially, "los demas" of the people in ceremonies like that at Masca-- who are the third party whose actual approval is being elicited.

The fact that these ceremonies required the witness of, and acceptance of, authority by the "voice of the people", sometimes enhanced by the actual presence of "los demas", suggests that while represented as a unilateral imposition of power on the powerless, the taking of possession actually established a dialogue that invited another reply. We can point to the petition by Blas Cuculi on behalf of Masca, discussed in the previous chapter, as one such response. While the representatives of Alonso de Osaguera may not have intended to invite a next word, they effectively did so with a public

ceremony that committed him to his responsibilities as much as it committed the people of Masca to theirs.

The positions taken up in the encomienda by the residents of Masca obligated them to provide tribute of specified kinds to Maria Laso de San Ramon, and after her death, to Alonso de Osaguera. In return, the encomendera was obligated to pay the costs of religious instruction and services. The relationship was reciprocal, and as we have seen, the residents of Masca were prepared to appeal based on the rights they knew they had when services due them were not provided.

While the tribute extracted obviously placed the residents of the town in the position of working for the benefit of the encomendera, it also placed a limit on what could be asked of the town, a limit to the relationship used when residents of San Pedro attempted to extract additional personal services after Alonso de Osaguera assumed possession following the death of Maria Laso de San Ramon. In 1662 Masca paid 73 tostones, 2 reales in tribute to Osaguera in the form of 108 zontles (400 beans) of cacao (43,200 cacao beans total, or 1.8 cargass) at an assumed value of 40 tostones /carga of cacao. (The Spanish math doesn't quite work. At 40 tostones/carga 1.8 cargass of cacao would be 72 tostones, leaving unaccounted 1 toston and 2 reales, or one and a half tostones).

The precise tribute obligations incurred by the people of Masca were specific to the traditional history of production of the town, and incorporated-- probably not by intent-- requirements that helped Masca maintain traditional practices of cultivation and use of cacao. In petitions made forty years later, initiated after the end of the encomienda relationship, the voices of the people of Masca are more clearly discerned. Despite covering some of the same time period, these later petitions recount a history that makes no reference to the encomienda relationship that from the colonial authorities perspective dominated the town in the seventeenth century. Instead, the people of Masca in the early 18th century recall the times of their ancestors, the history of the movement of their town, and mark the town as it moved place as a meaningful settlement precisely by invoking practices maintained in part through the encomienda: the furnishing of their church, and the cultivation of their maize fields and cacao groves. What these later petitions can tell us about Masca-- by then, Candelaria--is the subject of the next chapter.



Plate IV: The area near Lake Jucutuma and Quebrada San Agustin where Nuestra Señora de la Candelaria relocated around 1698