Curtailing Excess: The Excision of Idolatry, Magic, and Non-reproductive Sex in Colonial Mexico

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Dissertation submitted in partial fulfillment of
the requirements for the degree of Doctor
of Philosophy in the Department of
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ABSTRACT

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Abstract

This dissertation employs the concept of excess as an analytical framework to explore the ways in which Indigenous and African descent peoples of colonial New Spain accessed the divine to alleviate the ills afflicting their communities. This study also highlights the moral and legal contexts in which colonial officials invoked excess to justify conquest. The documents that I have consulted show that monarchs, viceroys, clergymen and other state functionaries labeled transgressions such as idolatry, superstition, and deviant sex acts as "excesses."

This dissertation develops three central arguments. First, European and Mesoamerican cultures recognized that excessive behaviors such as dissolution and licentiousness produced harmful repercussions in the terrestrial world. However, the precise definition of these categories and the ways in which they were addressed varied widely, providing the interstice necessary for Spanish colonizers to equate non-European cultural traditions with sin and immorality. A metaphysical impasse emerged as Europeans maintained a unidirectional relationship with the divine while Indigenous peoples emphasized reciprocity. Because Catholics opined that abstention from all sin was the best way to appease the Lord, the total eradication of excess, rather than its management, was the best way to secure good fortune in the terrestrial realm.

Second, additional conflict stemmed from whether geography was deemed to be sacred or profane. Throughout the colonial era, many Indigenous and African descent peoples believed that every aspect of the environment corresponded to a supernatural entity. Spanish colonizers, in contrast, approached geography from a secular perspective. Improper land usage failed to improve the terrain, leaving it wild, while acceptable forms of land tenure enhanced the surrounding area, rendering it cultivated. Spaniards viewed areas distant from a city's moral center as potentially dangerous, thereby transforming formerly sacred landscapes into dens of iniquity.

Third, although the sexual comportment and religious practices of commoners concerned both elite Spaniards and Indigenous peoples, the sociopolitical changes that occurred after Iberians solidified their place in the upper echelons of colonial Mexican society meant that pre-Hispanic forms of sexual behavior and religious devotion were derided and pushed underground. Customs that had facilitated diplomacy, e.g. polygynous marriages, were stripped of their political utility and grouped alongside other sinful practices such as masturbation and sodomy. And while commoners continued to solicit the services of Native and African descent healers, Catholic officials disparaged them as Devil worshipers. Because excess was consistently interpreted to be antithetical to the imperial project, colonial officials attempted to excise practices such as idolatry, magic, and non-reproductive sex from the body politic. Spanish colonizers fretted about non-orthodox rituals, non-reproductive sexual acts, and other perceived

excesses because the perpetuation of these practices threatened the construction of an orderly society.

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1. Excess in Colonial Mexican Society

By 1591, the viceroy of New Spain, don Luis de Velasco (the younger) had become extremely distressed. As a direct representative of the Spanish king, don Luis was supposed to maintain order for the benefit of the crown in the Americas. Yet, Indigenous peoples of diverse nations, pejoratively referred to as Chichimecs, continually provoked chaos, threatening Spain's colonization efforts in the north. On March 14, don Luis decried the "great damages, deaths, and robberies" that the Chichimecs committed, threatening to destroy the peaceful settlements (*pueblos de paz*) and haciendas that Spanish colonizers had recently established.[1] This disorder reached a tipping point, forcing don Luis's hand. The Chichimecs assaulted Spaniards on royal roads, disrupting the flow of monies from Spanish mines, haciendas, and towns. The viceroy initially responded to this predicament with soldiers and other men-at-arms, but this strategy proved unsuccessful.

Forced to take a new approach, don Luis issued a royal charter incentivizing Tlaxcalan Indians and their descendants to settle in the *pueblo de indios* alongside Spanish colonizers. These Tlaxcalans were granted the right to carry arms, ride horseback, and retain the title of *hidalgo* (denoting entry into the petty nobility) in perpetuity "as if they were Spaniards," provided they agreed to colonize northern territories and pacify other,

[1] Archivo General de la Nación (hereafter AGN), Tierras, 1591, Vol. 2956, exp. 99, fols. 2.

so-called, heathen Indians.[2] In this way, the viceroy hoped to avoid further "damages and excesses" in order to secure Spain's colonization efforts in colonial Mexico's northern frontier.[3]

Intriguingly, the "damages and excesses" committed by the Chichimecs appear to only refer to the material world. Don Luis laments the loss of life among Spanish vassals and the disruption of Spanish colonizers' economic activities. Yet, the viceroy's proposed solution, which included sending 400 married Tlaxcalans northwards to establish villages, congregate, indoctrinate, and administer the sacraments to infidel Chichimecs, reveals that excess could be curtailed with the help of Catholic Tlaxcalans who, ideally, espoused the virtue of monogamy to their Chichimec neighbors. Excess thus connected morality with socioeconomics as this privileged group of Indigenous peoples copulated and propagated the faith to non-Christian peoples and subsequent generations.[4]

Velasco interlinked religiosity with materiality in his attempt to curtail excess, defined here as atrocities or abuses, committed by non-Christian Indigenous peoples. This new admixture of politics, law, religion, and subjecthood created a new typology for the understanding of what Indian (*indio*) was to be relative to Spaniards. The

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[2] "como si fueran españoles," See, Archivo General de la Nación (hereafter AGN), Tierras, 1591, Vol. 2956, exp. 99, ff. 201r-202v. Hidalgo is a contraction of "hijo de algo," literally son of something. See, Paul Haupt, "Hidalgo and Filius Hominis," *Journal of Biblical Literature* 40, no. 3/4 (1921): 167–68.
[3] The text reads "eviten los daños y eçesos." See, AGN, Tierras, 1591, Vol. 2956, exp. 99, f. 201r.
[4] AGN, Tierras, 1591, Vol. 2956, exp. 99, f. 201r.

Nahuatl-speaking Tlaxcalan peoples, who, by nature of the charter, were in a superior social position to non-Christian Indians, were, nonetheless required to fraternize with so-called Chichimecs to expedite their assimilation into Spanish society.[5] In short, Tlaxcalans were supposed to show heathen Indians how to become productive vassals under the Spanish crown.

Velasco's charter of 1591 formalized a mass exodus so effective that no "additional migration from Tlaxcala was needed," enabling the progenitors of later Tlaxcalan colonization to occupy territories in the Rio Grande, New Mexico, and Texas.[6] Nearly 1,000 recruits, comprising the stipulated 400 families, ventured northward. Most of them originated from the provinces of Quiahuiztlán, Tizatlán, Ocotelulco, and Tepetipac in Tlaxcala proper.[7] Through invasion and colonization of Chichimec territories, the charter enabled Tlaxcalan peoples to maintain political alliances with Spaniards while also solidifying an expatriated Nahuatl-speaking community founded upon Catholicism, legality, and economic expediency. In these northern settlements, Tlaxcalan settlers formed a collective of Indigenous Christian vassals who could, through their example, show infidels how to sow fields and build houses along with the "civilized" behaviors needed to achieve the imperial projects of pacification and

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[5] Philip Wayne Powell, *Mexico's Miguel Caldera: The Taming of America's First Frontier, 1548-1597* (Tucson: The University of Arizona Press, 1977), 156.
[6] Powell, 155; See also Charles Gibson, *Tlaxcala in the Sixteenth Century* (New Haven: Yale University Press, 1952), 187.
[7] María Elena Santoscoy et al., *Breve Historia de Coahuila* (Mexico: El Colegio de Mexico, 2000), 44.

expansion. All of these goals, however, remained imperiled due to the excesses heretofore committed by Chichimecs.[8]

This dissertation examines the moral and legal contexts in which colonial officials invoked excess to justify conquest. Because the term "excess" is found in numerous sources, its usage and application remained somewhat fluid in Spanish colonial society. Excess might refer to gluttony and inebriation.[9] Other times, excess signified murder, theft, or some other abuse.

As this dissertation discusses more fully in the following chapter, plurality and abundance become significant markers of excess for influential Spanish friars such as the Franciscan Bernardino de Sahagún. Consequently, this dissertation also employs excess as an analytical framework to shed light on how colonial officials interacted with Indigenous and African descent peoples in their attempts to maintain social order. The documents consulted herein show that monarchs, viceroys, clergymen and other state functionaries labeled transgressions such as theft, murder, idolatry, superstition, and deviant sex acts collectively as "excesses." Because Spanish colonial society consistently deployed the term in a pejorative sense, excess had to be curtailed to restore political and social equilibrium.

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[8] AGN, Tierras, 1591, Vol. 2956, exp. 99, f. 201v.
[9] William Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages* (Stanford: Stanford University Press, 1979).

Recalibration included a complex process of give-and-take, revealing how excess connected to its antonym, scarcity. Rejecting the Catholic faith, for instance, constituted a lack of faith in the Christian God. Spanish colonizers understood a lack of faith to be a heinous sin. Immediately then, lack or scarcity of faith transformed into an excessive sin. Before the arrival of Europeans, Native peoples in the Americas believed in a pantheon of non-Christian deities.[10] And when Indigenous Christians interlaced Catholic rituals with pre-Hispanic traditions, colonial officials decried the excesses committed by errant neophytes. Clergymen frequently pressured Indigenous and African descent peoples to eliminate non-orthodox aspects of worship deemed to be excessive. Plurality directly related to excess as priests lamented the number of non-orthodox rituals conducted and the amount of time and money spent on items used therein.

My understanding of excess as a calculated rhetorical strategy that conflated non-European sociocultural experiences into a pejorative category has been informed by historians and literary scholars of early Latin America.[11] Scholarly contributions of the past three decades have developed theories about excess and its relationship to moral and religious transgression. Even so, lacunae remain in the field. A systematic study of

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[10] Diego Duran, *Book of the Gods and Rites and the Ancient Calendar*, trans. Fernando Horcasitas and Doris Heyden (Norman: University of Oklahoma Press, 1977).

[11] Louise M. Burkhart, *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico* (Tucson: The University of Arizona Press, 1989); Yolanda Martínez-San Miguel, *From Lack to Excess: "Minor" Readings of Latin American Colonial Discourse* (Lewisburg: Bucknell University Press, 2008); Pete Sigal, *The Flower and the Scorpion: Sexuality and Ritual in Early Nahua Culture* (Durham: Duke University Press, 2011); Mina Garcia Soormally, *Idolatry and the Construction of the Spanish Empire* (Louisville: University Press of Colorado, 2018); Zeb Tortorici, *Sins Against Nature: Sex and Archives in Colonial New Spain* (Durham: Duke University Press, 2018).

how excess in colonial New Spain operated along economic, moral, and political registers has yet to be conducted.

In an effort to produce a more complete picture of the erotic, ethnic, gender, and religious understandings within New Spain, this dissertation takes up the thematic of excess to provide insight into how Spanish colonizers highlighted differences between themselves and their non-European neighbors. This dissertation shows that excess was never value neutral.[12] An outburst of excess in any of its forms prompted Spanish colonizers to apply correctives to restore political, social, and economic equilibrium, always for the crown. Developed Indigenous societies in the valley of Mexico shared a similar preoccupation with excess. However, the terms for "excess" must be translated from non-European languages such as Nahuatl. In these instances, excess must be understood generally as a moral concept within Nahua society.[13] Nahua noblemen lamented acts such as overeating, drinking to excess, and the failure to repress libidinal urges, albeit different to Spanish custom.[14] In Nahua society, the timing of the act, not just the act alone, was included to determine whether it was excessive. On an appointed day, for example, commoner Nahua men could "drink themselves into a stupor without

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[12] Martínez-San Miguel, *From Lack to Excess*, 68.
[13] Louise Burkhart notes that both the moral Nahua and the moral Christian valued moderation and self-deprivation as ways to attain virtue. Burkhart, *The Slippery Earth*, 130.
[14] Burkhart, 131.

shame."[15] The differing interpretations of excess and the preferred way to curtail it produced internal and external conflict as Spaniards and Nahuas paired together to sustain the Spanish empire.

This dissertation develops three central arguments in relation to excess and how both European colonizers and their Indigenous auxiliaries engaged in its containment. First, European and Mesoamerican cultures recognized that excessive behaviors such as licentiousness produced harmful repercussions in the terrestrial world. However, the precise definition of these categories and the ways in which they were addressed varied widely, providing the interstice necessary for Spanish colonizers to equate non-European cultural traditions with sin and immorality.

The ways in which Europeans and Mesoamercians conceived of religion closely related to excess as Spaniards imposed Catholicism alongside their interpretation of civility and propriety. A metaphysical impasse emerged as Europeans maintained a unidirectional relationship with the divine while Indigenous peoples emphasized reciprocity.[16] For the Nahua, prosperity revealed the gods' satisfaction while famine and catastrophe exhibited their displeasure. To restore equilibrium, ritual specialists appeased local deities through ceremonies designed to curtail excesses such as

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[15] Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 31; Elite Nahua consulted the tonalpohualli (sacred calendar) to plan important ceremonies throughout the year. John F. Schwaller, *The Fifteenth Month: Aztec History in the Rituals of Panquetzaliztli* (Norman: University of Oklahoma Press, 2019), 7–11.

[16] Burkhart, *The Slippery Earth*; Osvaldo F. Pardo, *The Origins of Mexican Catholicism: Nahua Rituals and Christian Sacraments in Sixteenth-Century Mexico* (Ann Arbor: The University of Michigan Press, 2004).

debauchery and disorder.[17] In contrast, Catholic officials asserted that humankind was wholly undeserving, receiving divine favor only due to God's love for the pious. Because Catholics opined that abstention from all sin was the best way to appease the Lord, the total eradication of excess, rather than its management, was the best way to secure good fortune in the terrestrial realm.

Second, additional conflict stemmed from whether geography was deemed to be sacred or profane. Throughout the colonial era, many Indigenous and African descent peoples believed that every aspect of the environment corresponded to a supernatural entity.[18] Spanish colonizers, in contrast, approached geography from a secular perspective. Improper land usage failed to improve the terrain, leaving it wild, while acceptable forms of land tenure enhanced the surrounding area, rendering it cultivated. The Iberian gridiron city plan indicated religious and secular order.[19] In the city's moral center resided secular officials such as the governor and town councilmen. In the central plaza, Iberians installed a church or, as the original population grew, a Cathedral. Areas distant from the city center were viewed with suspicion and disdain. Such ethnocentrism discursively transformed Indigenous landscapes into dens of iniquity.

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[17] Anderson Hagler, "Exhuming the Nahualli: Shapeshifting, Idolatry, and Orthodoxy in Colonial Mexico," *The Americas* 78, no. 2 (April 2021): 197–228.
[18] Roberto Martínez González, *El Nahualismo* (México: Universidad Nacional Autónoma de México, 2017); Lisa Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico* (Stanford, California: Stanford University Press, 2017).
[19] Sonya Lipsett-Rivera, *Gender and the Negotiation of Daily Life in Mexico, 1750-1856* (Lincoln: University of Nebraska Press, 2012); Ben Vinson III, *Before Mestizaje: The Frontiers of Race and Caste in Colonial Mexico* (New York: Cambridge University Press, 2018).

Third, although the sexual comportment and religious practices of commoners concerned both elite Spaniards and Indigenous peoples, the sociopolitical changes that occurred after Iberians solidified their place in the upper echelons of colonial Mexican society meant that pre-Hispanic forms of sexual behavior and religious devotion were derided and pushed underground. Customs that had facilitated diplomacy, such as polygynous marriages, were stripped of their political utility and grouped alongside other sinful practices such as masturbation, sodomy, and bestiality.[20] And while ordinary peoples continued to solicit the services of Native and African descent healers, Catholic officials disparaged them as devil worshipers. Because excess was considered antithetical to the imperial project, colonial officials attempted to excise practices such as idolatry, magic, and non-reproductive sex from the body politic. Spanish colonizers fretted about non-orthodox rituals, non-reproductive sexual acts, and other perceived excesses because they believed that the perpetuation of these practices threatened the construction of an orderly society.

Juridical Institutions and Excess

During the Spanish crown's three centuries of colonial rule in New Spain, Catholic colonial officials, emboldened by powerful institutions such as the Holy Office of the Mexican Inquisition and secular criminal courts, prosecuted men and women for

[20] Ross Hassig, *Polygamy and the Rise and Demise of the Aztec Empire* (Albuquerque: University of New Mexico Press, 2016); Tortorici, *Sins Against Nature*.

"excesses" committed against the Spanish state and the Catholic faith. Although the Spanish crown assimilated numerous Indigenous nations into its domain, ethnic and religious diversity were only tolerated up to a point. The archival record makes plain how precarious, sporadic, and irregular, political and social control within New Spain actually was.

One must acknowledge that juridical institutions and the methods of social control in place were not absolute nor monolithic. The judicial and executive spheres—specifically the *audiencia* and the office of the viceroy—were not separate branches of government as they are in many modern-day societies. Juries of one's peers were not summoned for rulings on criminal cases. Moreover, the threat of torture frequently loomed over the Inquisition's proceedings. Due to their mediated nature, the statements of plebian peoples gleaned from the archive can only provide semitransparent insights into the past.[21]

To make matters more confusing, judicial authorities relied on a number of law codes, that often conflicted with one another. The *Siete Partidas*, a thirteenth-century law code promulgated by Alfonso X between 1256 and 1265, shaped medieval Spanish law, commenting on transgressive sexual acts like sodomy and bestiality and a plethora of other crimes.[22] Secular laws remained intertwined with religious justifications as the

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[21] Matthew Campbell Mirow, *Latin American Law: A History of Private Law and Institutions in Spanish America* (Austin: University of Texas Press, 2004).
[22] Tortorici, *Sins Against Nature*, sodomy on p. 72, bestiality on p. 157.

Catholic Church's precepts, theological tracts, and the Bible were cited to define excess in any given era. For example, Title XXI of the seventh *partida* reaffirmed the notion that Sodom and Gomorrah were two ancient cities "populated with very bad people."[23] Anyone found guilty of committing one of the many sins against nature "must die" (*deve morir*).[24] Colonial authorities also drew from other conflicting codes of law such as "the sixteenth-century *Leyes de Toro*, and the *Recopilación de Leyes de las Indias*," originally codified in 1680 and reissued in 1756, 1774, and 1791."[25] The result of so many law codes was that the same crime could be punished differently depending on particular circumstances, such as the whims of the presiding judge.

Although the *Sala de Crimen*, the highest-ranking criminal institution in New Spain, held ultimate authority over judicial affairs, many criminal cases were adjudicated at the local level by first-instance judges. In remote areas of New Spain, such as Santa Fe, New Mexico, provincial judges may have been underqualified and, therefore, unfamiliar with many of the intricacies of Spanish law.[26] Still, colonial repositories that contained official reports and judicial sentences contributed to what

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[23] Title XXI, Law I. See, Gregorio Lopez, *Las Siete Partidas Del Sabio Rey Don Alonso El IX*, vol. 3 (Madrid: Don Leon Amarita, 1830), 537.
[24] Title XXI, Law II. See, Lopez, 3:538.
[25] Tortorici, *Sins Against Nature*, 11.
[26] Anderson Hagler, "Archival Epistemology: Honor, Sodomy, and Indians in Eighteenth-Century New Mexico," *Ethnohistory* 66, no. 3 (July 1, 2019): 515–35.

Bianca Premo has labeled "epistemologies of justice," as judges attempted to mete out sentences.[27]

In addition to secular law, there was the rival system of ecclesiastical courts encompassed within the Holy Office of the Mexican Inquisition.[28] The Mexican Inquisition was an adaptation of the Spanish Inquisition, which formally came into being on November 1, 1478, when Pope Sixtus IV issued a bull providing for the appointment of "two or three priests over forty years of age as inquisitors."[29] Henry Kamen argues that the next two years continued a period of leniency before the Catholic monarchs implemented harsher punishments for heresy. In any case, by September 1480, the Dominican inquisitors, Juan de San Martín, Miguel de Morillo, and Juan Ruiz de Medina, began their work in earnest.[30] The Spanish Inquisition differed from its medieval counterpart in that it functioned as a national institution as the crowns of Aragon and Castile exercised a greater measure of civil control apropos inquisitorial activities.

Prior to the European invasion of the Americas, the primary activity of the Spanish Inquisition was to police the religious practices and beliefs of converted Jews

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[27] Bianca Premo, *The Enlightenment on Trial: Ordinary Litigants and Colonialism in the Spanish Empire* (New York, NY: Oxford University Press, 2017), 155.
[28] Martin Austin Nesvig, *Ideology and Inquisition: The World of the Censors in Early Mexico* (New Haven: Yale University Press, 2009).
[29] Henry Kamen, *The Spanish Inquisition* (New American Library, 1966), 35.
[30] Kamen, 35–36; Greenleaf predates Kamen's assessment of the founding of the Spanish Inquisition by ten days: September 17, 1480 vs. September 27, 1480. See, Richard Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543* (Washington: Academy of American Franciscan History, 1962), 4.

(*marranos*) and Moors (*moriscos*). Spaniards feared that these recently converted vassals secretly reverted to their old religious rites after having publicly embraced the Catholic faith.[31] Formally known as the Royal Patronage (*patronato real*), the papacy granted Spanish monarchs increased control over the Inquisition and other Church functions due to a mixture of Christian zeal and real-world politics.[32] Not only did the Catholic Monarchs spread the faith through the Reconquest of Spain, they also founded clerical institutions in newly occupied territories to achieve this goal.[33] This new political-cum-religious environment firmly entrenched the Inquisition in Spain and the reigning monarchs' control to define what constituted a political, theological, and moral menace to society.

After Hernan Cortés's conquest of Tenochtitlan, the first twelve Franciscans, known as the Apostolic Twelve, arrived in Mexico in 1524. In order to ensure orthodoxy, friars began to punish neophytes for their transgressions. The assumption of official powers to mete out punishment transformed the monastic orders into inquisitors, thus initiating the Mexican Inquisition. Historians of the Mexican Inquisition note three overlapping stages: the Monastic Inquisition (1522-1562), the Episcopal Inquisition

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[31] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 4.
[32] For the Royal Patronage, see John Frederick Schwaller, *The History of the Catholic Church in Latin America: From Conquest to Revolution and Beyond* (New York: NYU Press, 2011), 35.
[33] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 5.

(1536-1569), and the Holy Office (1571-1820).[34] In the first phase, monastic orders assumed inquisitorial powers along with "some friars and bishops shortly before 1520."[35] During the Monastic Inquisition, officials concerned themselves with instances of idolatry and blasphemy among Indigenous peoples as well as heresy committed by peninsular Spaniards.[36]

In the second phase, fray Juan de Zumárraga served as archbishop and first apostolic Inquisitor of Mexico from 1536 to 1542, when Francisco Tello de Sandoval superseded him, largely, due to the scandal caused by the execution of the leader of Texcoco, don Carlos.[37] At the time of the first episcopal inquisitor, there was little consensus regarding the proper method of conversion of the Indians. Many debated whether Indigenous peoples could become Christians to the full extent of the word, thus calling into question many of Zumárraga's harsh sentences.[38] Soon thereafter, the Spanish government debated the advisability of harsh punishments notwithstanding their legality. By 1543, the Council of the Indies formally revoked Zumárraga's

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[34] Solange Alberro, *Inquisición y sociedad en México, 1571-1700* (Fondo de Cultura Económica, 1988); John F. Chuchiak, *The Inquisition in New Spain, 1536-1820: A Documentary History* (Baltimore: Johns Hopkins University Press, 2012).
[35] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 9.
[36] Chuchiak notes that between 1526-1536 early officers of the Inquisition tried a total of fifty-five cases. Twenty-two peoples were charged with blasphemy, twelve with idolatry and sacrifices, five for "Judaizantes," or practicing the Jewish religion, five for crimes of the clergy, five for bigamy, four for superstitions, and two for heretical propositions. See, Chuchiak, 9.
[37] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, vii.
[38] Greenleaf, 67; Patricia Lopes Don, *Bonfires of Culture: Franciscans, Indigenous Leaders, and the Inquisition in Early Mexico, 1524–1540* (Norman: University of Oklahoma Press, 2010), 173, 175.

inquisitorial powers.[39] Charges of Indigenous heresy, idolatry, apostasy, and other excesses continued to manifest throughout the sixteenth century.[40]

King Philip II authorized the reinstatement of the Holy Office of the Inquisition in Mexico and Peru on January 25, 1569.[41] In areas where there was no resident bishop, monastic prelates continued their inquisitions, citing the authority granted to them by the papal bull of concession, *Omnímoda*.[42] However, Philip II issued a decree on December 30, 1571, removing "Indians from the jurisdiction of all inquisitions," placing them "under the direct control of the bishops in matters of the faith and morals."[43] Inter-order rivalry once again prevailed, with the Dominicans leading much of the Inquisition after Zumárraga's blunder. After 1571, the Mexican Inquisition formally policed the boundaries of orthodoxy among the non-Indigenous population, extirpating errant beliefs and, sometimes, believers until the nineteenth century.[44] In New Spain, as in Iberia, charges of heresy, idolatry, and sexual improprieties, such as sodomy and bestiality, carried with them socioeconomic and corporeal consequences. The Spanish

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[39] Patricia Lopes Don, "Franciscans, Indian Sorcerers, and the Inquisition in New Spain, 1536-1543," *Journal of World History* 17, no. 1 (March 2006): 28.
[40] Don, *Bonfires of Culture*, 181–85; Robert C. Schwaller, *Géneros de Gente in Early Colonial Mexico: Defining Racial Difference* (Norman: University of Oklahoma Press, 2016), 39; Chuchiak, *The Inquisition in New Spain, 1536-1820*, 11.
[41] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 19.
[42] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 9.
[43] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 74.
[44] Although the Inquisition had long been in decline and, like everything else, was completely disrupted with rise of Napoleon, its formal abolition in Spain occurred on July 15, 1834. See, Kamen, *The Spanish Inquisition*, 1966, 282.

state confiscated the accused's goods while the trial took place and the accused remained detained.

Following the Royal Pragmatic of 1497, the Spanish Inquisition, along with the secular branch, applied torture to those indicted for unorthodox crimes such as idolatry, sodomy, and bestiality.

As noted above, the Spanish state prescribed death by fire (due to its function as a natural purifier of the maligned) as the appropriate punishment for convicted sodomites.[45] Thus, within the community, accusations of heresy and convictions of errant beliefs and practices lowered the socioeconomic standing of those accused of these crimes. However, early modern Spanish society did not treat all homosocial situations as suspect. Whether in hospitals, inns, or homes, Spanish men shared intimate spaces, such as beds, with same-sex strangers and acquaintances, as was customary.[46] In New Spain, Spanish and African descent women socialized with one another during the day while the men worked outside the home. Women conversed, relatively, freely as they fetched water at the same fountain or bought food in the marketplace.[47]

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[45] Carvajal, *Butterflies Will Burn*, 42-43.

[46] Cristian Berco, *Sexual Hierarchies, Public Status: Men, Sodomy, and Society in Spain's Golden Age* (Toronto: University of Toronto Press, 2007), 52, 90.

[47] Lipsett-Rivera, *Gender*, 123.

The Spanish judicial system provided assistance to all complainants, Spanish and Indian alike.[48] Colonial authorities provided translators for non-Spanish speaking Indigenous defendants who then reread and ratified their testimonies. Legal procedure also granted the accused defense lawyers to work on their behalf.[49] Brian Owensby notes that when faced with suspect testimony, judges "were thrown back on the bare presumptions of the law, the dictates of conscience, and a rough sense of what was right and proper in a given circumstance."[50] As such, the Spanish colonial system, though far from objective or unbiased, did provide for the accused in many ways.[51] Undergirding the entire system, however, was the Catholic Church, which attempted to shape the beliefs and practices of all of Spain's vassals. As Asunción Lavrin observes, "all sexual activity approved by the church had one avowed and legitimate purpose: the perpetuation of the human species."[52] Full inclusion, when it did occur, only took place by embracing Catholicism, which was demonstrated by adhering to social norms such as attending mass and venerating the saints. Due to the legacy of influential theologians

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[48] Brian P. Owensby, *Empire of Law and Indian Justice in Colonial Mexico* (Stanford: Stanford University Press, 2011), 209.
[49] Hagler, "Archival Epistemology," 530.
[50] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 193.
[51] Early modern Spanish legislation in the Americas established precedents, which officials and magistrates might deploy in their rulings. However, Spanish law was casuist in nature, thus providing room for magistrates to issue widely different verdicts that sought to address similar issues. See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 53–54.
[52] Asuncion Lavrin, ed., *Sexuality and Marriage in Colonial Latin America* (Lincoln: University of Nebraska Press, 1992), 53.

throughout the Middle Ages, Catholic clergymen in New Spain interpreted a lack of faith in Christ as an excessive sin.

Theologians and Conquering Excess

In studying the Spanish regulation of practices deemed to be excessive, historians often begin with terms deriving from the early Church Fathers such as Jerome and medieval theologians like Thomas Aquinas. Saint Jerome (C.E. 342-420), noted for his compilation of the Vulgate Bible, brought excess into his writings and the whole of Christianity, by applying the Latin *luxuria* for several different categories found in the Old and New Testaments. *Luxuria* became associated with various social excesses and vices such as drunkenness, gluttony, and prostitution.[53] When Paul listed the sins of the Galatians, *luxuria*, followed fornication and idolatry.[54] In the writings attributed to Peter, *luxuria*, became associated with the desires of the flesh.[55] Though broad in its application, a common thread remained: excess, in all of its manifestations, was to be avoided as it was not suitable for virtuous Christians.[56]

In *Summa Theologica*, Thomas Aquinas (C.E. 1225-1274) argued that *luxuria*, due to its "surfeit and abundance," causes other sins such as the self-indulgent excesses of

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[53] For gluttony and drunkenness see Deut: 21:20; for drunkenness see Prov 20:1; for gluttony see Macc 6:4; for prostitution see Jer 5:7; for the dissipation of one's wealth see Luke 15:13.
[54] Gal 5:19.
[55] 1 Pet 4:4, 2 Pet 2:18.
[56] Mark D. Jordan, *The Invention of Sodomy in Christian Theology* (Chicago: University of Chicago Press, 1998), 37–38.

inebriation and venereal pleasures.[57] However, Aquinas maintains that the fulfillment of venereal pleasures was the primary cause for the corruption of men's minds. Indeed, the intense enjoyment that one felt when committing *luxuria* was directly related to its excessive nature as a penalty for the Fall.[58] Aquinas reaffirmed the Catholic Church's view that *luxuria* was such a grave sin it merited death.[59] The interplay between absence and abundance can be seen in Aquinas's reasoning. Unrestrained sexuality translated into a complete lack of virtue, revealing an abundance of sin. Sexual excess and *luxuria* transformed sinners into a subhuman species, placing them closer to animals.[60] The stated goal of the Church was to guarantee the propagation of the human race through marriages officiated by clergymen. Sexual excess contravened the sacrament of marriage, which, according to priests and friars, was God's plan for procreation.

Thus, by the time that Spanish colonizers set foot in the Americas, they had been influenced by a centuries-long juridico-religious tradition woven into the social and political fabric of Iberia. In this way, materiality directly linked to spirituality. As this dissertation will argue, these two categories should be viewed as two sides of the same coin. Often times, the tangible and material serve to sustain and encourage belief in the divine and vice versa. Twenty-first-century readers should note that many colonial

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[57] Question 153, Article 1. Note that the English version has translated luxuria as lust. Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province, n.d.
[58] Question 153, Reply to Objection 2. Aquinas.
[59] Question 153, Article 4. Aquinas.
[60] Tortorici, *Sins Against Nature*, 132.

priests and friars sought to convert Indigenous peoples in the Americas due to a heartfelt concern for the afterlife. If Native Americas ignored or rejected Christianity, so the thinking went, they would be condemned to hell for all eternity. In fact, viceroy Velasco stated that his plan of northern colonization would enable the Chichimec to save themselves from perdition and the danger, currently, posed to their souls.[61] John F. Schwaller contends that the foundation of Spain's claim to rule rested on "the law of preaching," which justified Indigenous peoples' subjection for purposes of Christianization.[62]

However, this formal justification for rule exposed the colonial dilemma: Spanish colonizers had to proselytize Catholicism to Native peoples who, regardless of their theological equality with Spaniards postconversion, remained in a tutelary state, unable to rule for themselves.[63] Theology merged with politics as the spiritual conflated with the material.

In order to receive the official backing of the Spanish crown, all colonizers embraced Catholicism. Yet, important distinctions remained between laymen and ordained clergy. In the sixteenth century, secular Spanish colonizers sought to enrich themselves through conquest while priests and friars hoped to conquer Indigenous souls. Accordingly, Spanish colonial authorities attempted to impose a broad range of cultural expectations

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[61] AGN, Tierras, 1591, Vol. 2956, exp. 99, f. 201r.
[62] Schwaller, *The History of the Catholic Church in Latin America*, 41.
[63] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 55, A notable exception, which will be discussed later, was the Tlaxcalan peoples.

on Indigenous peoples, ranging from sexual conduct and religion to agricultural practices and forms of land tenure as Spain sought to extract labor from Native subjects. Hence, accusations of sodomy, along with those of idolatry, human sacrifice, etc., served the larger political purpose of Indigenous land expropriation as reflected in the discourse of colonization.

Since the first encounters between Europeans and Indigenous people, Spaniards used the charges of idolatry, sodomy, and cannibalism, among others, to justify conquest.[64] In the 1530s, the Franciscan Toribio de Benavente, also known as Motolinía, claimed that Indians concealed idols "at the foot of the crosses or beneath the stone of the altar-steps, pretending they were venerating the cross, whereas they were actually adoring the demon."[65] Chroniclers such as Bernal Díaz del Castillo and Francisco López de Gómara recorded the presence of ritualized sodomy among the Nahua in the sixteenth century.[66] Díaz reported that he saw "very evil figures of the Idols they worshipped … many Indians and boys sacrificed … and many evil things of the sodomy they practice."[67] Gómara claimed that the men of central Mexico participated in "carnal

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[64] Pete Sigal, "The Cuiloni, the Patlache, and the Abominable Sin: Homosexualities in Early Colonial Nahua Society," *Hispanic American Historical Review* 85, no. 4 (2005): 560–61; For cannibalism see, Rebecca Earle, *The Body of the Conquistador: Food, Race and the Colonial Experience in Spanish America, 1492-1700* (Cambridge University Press, 2013), 121–26.
[65] Cited in Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 49–50.
[66] David Carrasco, ed., *The History of the Conquest of New Spain by Bernal Díaz Del Castillo* (Albuquerque: University of New Mexico Press, 2009), 333.
[67] Carrasco, 351.

acts, both with men and women."[68] Throughout his travels in Texas and New Mexico in the sixteenth century, the Spanish conquistador, Alvar Núñez Cabeza de Vaca, claimed that some Indigenous men practiced sodomy.[69] Cabeza de Vaca further declared these men "dressed as women and [performed] women's tasks."[70] Spaniards' gendering of Indians as effeminate increased the likelihood that Spaniards would think Indigenous men engaged in heterodoxy.

The dual projects of conquest and conversion transplanted European notions of excess to the Americas, incorporating them into theological and legal registers. From the outset of colonization, excess was continually applied and redefined to refer to political, religious, and sexual abuses such as theft, murder, idolatry, superstition, rape, and other forms of non-procreative sex. A critical examination of the application of excess allows us to analyze the salient dichotomies—order/disorder, barbaric/civilized, sinful/virtuous, and human/animal—that undergird the political and religious ideologies imposed on the population of New Spain by the governing classes. My historical examination of how Indigenous and African descent peoples negotiated the religious and judicial mandates relating to conflicting objectives and desires points to larger performative issues influencing colonial society, including perceptions of criminal

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[68] Sigal, *The Flower and the Scorpion*, 182.
[69] Álvar Núñez Cabeza de Vaca, *The Narrative of Cabeza de Vaca*, trans. Patrick Charles Pautz and Rolena Adorno (University of Nebraska Press, 1999), 107.
[70] Richard C. Trexler, *Sex and Conquest: Gendered Violence, Political Order, and the European Conquest of the Americas* (Ithaca: Cornell University Press, 1995), 66.

and religious deviancy, popular magic and sanctioned miracles, shifting notions of order and violence, and the permeable boundary between animals and humans. This multifaceted examination of colonial Mexican society illuminates the interactions and resulting tensions between affairs of state, diplomacy, doctrine, ethnicity, sexual desire, and colonialism. As colonial actors and institutions attempted to negotiate the complex realities of everyday life, the coherence of the discursive category of excess became increasingly fragile.

Acculturation, Gender, and Race in the Historiography of Colonial Latin America

Accessing and transcribing case files represent only the first steps among many in understanding social meaning among the historical subjects under study. It remains of paramount importance to note those scholars who have provided the historiographical space necessary to analyze the quotidian experiences, both religious and sexual, of various peoples in colonial contexts. In 1925, the famous Mexican philosopher José Vasconcelos opined that the miscegenation between African, European, and Indian peoples created a "cosmic race" that was specifically unique to Latin America.[71] Although Vasconcelos attempted to turn the white supremacist racism of the early twentieth century on its head, in reality Vasconcelos engaged in a superficial, overly romantic notion of the spiritual essence of Latin Americans in the face of rising

[71] José Vasconcelos, *The Cosmic Race / La Raza Cosmica* (Baltimore: Johns Hopkins University Press, 1997 [1925]).

Anglo-Saxon hegemony. Still, Vasconcelos brought to the fore the impact of the enormous process of racial admixture that has been taking place since 1492. Over the course of the 1930s, scholars questioned the extent to which biology affected culture and the impact of European colonization on African and Indigenous peoples. In 1940, the anthropologist Fernando Ortiz coined the term "transculturation" in *Cuban Counterpoint* to illuminate the ways in which culture operated in a dialogic, rather than unidirectional, manner.[72] As part of his methodology, Ortiz juxtaposed sugar with tobacco, extrapolating cultural meaning from material objects. Ortiz's scholarship revealed that literature, music, and art were not simply imposed on the masses from on high and that African traditions invigorated Caribbean nations.

In the wake of World War II, as the civil rights movement gained sway, scholars continued to analyze the extent to which miscegenation shaped acculturation in Latin America. The eminent Mexican anthropologist Gonzalo Aguirre Beltrán researched the marginalized populations of Afro-Mexican and Indigenous peoples. Most notably, *La población negra de México 1519-1810: Estudio etnohistórico* (1946) and *Medicina y mágica: El proceso de aculturación* (1963) underscored the ways in which the religious and cultural practices of commoner peoples shaped Mexican society. In *Race Mixture in the History of Latin America* (1967), Magnus Mörner surveyed the ways in which miscegenation

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[72] Fernando Ortiz, *Cuban Counterpoint: Tobacco and Sugar*, trans. Harriet de Onís (Durham: Duke University Press, 1995 [1940]).

accommodated and conflicted with acculturation and assimilation.[73] Mörner's work helped to dispel popular notions of benign slavery in Latin America when compared to its Anglo counterpart. A stronger analytic throughout this time, however, was the religious nature of conquest as posed in Robert Ricard's *The Spiritual Conquest of Mexico* (1966). Scholars turned their attention to gender-based analytics in the following decade.

The feminist and gay rights movements of the 1970s, combined with the growing presence of women historians in the academy further challenged patriarchal and heteronormative historical paradigms. One classic work of this new school was Asunción Lavrin's edited volume *Latin American Women: Historical Perspectives* (1978), which illuminates the social, political, and economic experiences of commoner Indian and black women in lieu of elite figures like Sor Juana Ines de la Cruz and Frida Kahlo. Pilar Gonzalbo Aizpuru's *Las mujeres en la Nueva España: educación y vida cotidiana* (1987) broadly surveyed the quotidian experiences of women throughout New Spain.[74]

Simultaneously, as women's studies disseminated throughout academic circles, professional historians and linguists collaborated with one another to publish historical studies that highlighted Indigenous cultures and Indigenous-language texts in the colonial era. Although some scholars such as Ángel María Garibay (*Llave del náhuatl* [1961]) worked with Indigenous-language materials, most earlier studies neglected to do

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[73] Magnus Mörner, *Race Mixture in the History of Latin America* (Boston: Little, Brown and Company, 1967).
[74] Pilar Gonzalbo Aizpuru, *Las Mujeres En La Nueva España : Educación y Vida Cotidiana* (Mexico, D. F.: Colegio de México, Centro de Estudios Históricos, 1987).

so, focusing on Spanish-language accounts. By the 1970s, however, James Lockhart and Frances Karttunen's *Nahuatl in the Middle Years* (1976) as well as Arthur Anderson, Frances Berdan, and James Lockhart's *Beyond the Codices* (1976) solidified the importance of the new field of study—New Philology.[75] Building on the work of Charles Gibson, New Philology enabled scholars to place peoples such as the Nahua at the center of historical monographs.[76] The inclusion of Indigenous languages spread to studies of women as noted by Susan Schroeder, Stephanie Wood, and Robert Haskett's *Indian Women of Early Mexico* (1997), which emphasized the active participation of Indian women in Mexican history.[77]

Scholars such as Sylvia Arrom, Louise Burkhart, Patricia Seed, Steve Stern, and Ann Twinam, among others, have provided significant insight into the ways in which colonial women traversed various experiences such as adultery, childbirth, divorce, education, marriage, sexual predation, and religious devotion.[78] The push to study

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[75] Frances E. Karttunen and James Lockhart, *Nahuatl in the Middle Years: Language Contact Phenomena in Texts of the Colonial Period* (Berkeley: University of California Press, 1976); Arthur J. Anderson, Frances Berdan, and James Lockhart, *Beyond the Codices: The Nahua View of Colonial Mexico* (Berkeley: University of California Press, 1976).

[76] Gibson, *Tlaxcala in the Sixteenth Century*; Charles Gibson, "The Aztec Aristocracy in Colonial Mexico," *Comparative Studies in Society and History* 2, no. 2 (1960): 169–96; Charles Gibson, *The Aztecs Under Spanish Rule: A History of the Indians of the Valley of Mexico, 1519-1810* (Stanford: Stanford University Press, 1964).

[77] Susan Schroeder, Stephanie Wood, and Robert Haskett, *Indian Women of Early Mexico* (Norman: University of Oklahoma Press, 1997).

[78] Silvia Arrom, *The Women of Mexico City, 1790-1857* (Stanford: Stanford University Press, 1985); Burkhart, *The Slippery Earth*; Patricia Seed, *To Love, Honor, and Obey in Colonial Mexico: Conflicts over Marriage Choice, 1574-1821* (Stanford University Press, 1988); Steve J. Stern, *The Secret History of Gender: Women, Men, and Power in Late Colonial Mexico* (The University of North Carolina Press, 1995); Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality, and Illegitimacy in Colonial Spanish America* (Stanford: Stanford University Press, 1999).

women, in part, took inspiration from the *Annales* school in France and the bourgeoning field of microhistory in Italy. Methodologically, the *Annales* school emphasized social and economic history in lieu of politics and diplomacy. Notable French historians such as Lucien Fevre and Marc Bloch analyzed all levels of society in order to stress the long-term effects of history.[79] In *The Cheese and the Worms* (1976), Carolo Ginzburg took a multidisciplinary approach, integrating linguistics and anthropology in his study of Inquisition records to highlight the lives of, otherwise, invisible commoners such as the sixteenth-century miller Menocchio.[80] These new forms of social history, which focused on the smallest scales of analysis such as one individual, were consonant with feminist historiographic projects as they showed how the personal was, indeed, political.

Joan Scott's landmark article, "Gender: A Useful Category of Historical Analysis" (1986), urged scholars to employ a theoretical shift from women to that of gender, thereby expanding analyses to include the cultural constructions of femininity, masculinity, and gendered-based identities more broadly.[81] As gender became a viable topic for historical research, scholars began to assay quotidian behaviors, practices, and traditions such as abortion, bigamy, courtship, honor, illegitimacy, same-sex desire and

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[79] Martha Howell and Walter Prevenier, *From Reliable Sources: An Introduction to Historical Methods* (Ithaca: Cornell University Press, 2001); Geoff Eley, *A Crooked Line: From Cultural History to the History of Society* (Ann Arbor: University of Michigan Press, 2005).
[80] Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*, trans. John Tedeschi and Anne C. Tedeschi (Baltimore: Johns Hopkins University Press, 1976).
[81] Joan W. Scott, "Gender: A Useful Category of Historical Analysis," *The American Historical Review* 91, no. 5 (December 1986): 1053, https://doi.org/10.2307/1864376.

violence in numerous subfields.[82] For the historiography of colonial Mexico, Sueann Caulfield observes that "a renewed interest in colonial history, focused now on sexuality, moral order, and everyday life, is one trend that highlighted women as subjects of history after the mid-1980s."[83]

The increasingly variegated research projects by scholars in the United States led many to look for new theoretical analyses to consider how corporeality and sexuality were influenced by both secular and religious institutions. Michel Foucault's work, especially *The History of Sexuality* (1978), has been used by scholars of Latin American history to "understand the meanings derived from sexual acts and desires."[84] As Walter Mignolo has commented, Foucault's theories on discursive formations enable scholars to evaluate the "functioning of discourse in history and society."[85] Although Foucault never explicitly addressed colonialism in his research, colonialists have, nonetheless, used many of his theories.

In recent years, scholars have begun to investigate the history of sexuality in colonial Latin American history. Works by Inga Clendinnen, Serge Gruzinski, Ramón

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[82] Hassig, *Polygamy and the Rise and Demise of the Aztec Empire*; Lyman L. Johnson and Sonya Lipsett-Rivera, eds., *The Faces of Honor: Sex, Shame, and Violence in Colonial Latin America* (Albuquerque: University of New Mexico Press, 1998); Susan Schroeder, "The First American Valentine: Nahua Courtship and Other Aspects of Family Structuring in Mesoamerica," *Journal of Family History* 23, no. 4 (1998); Pete Sigal, ed., *Infamous Desire: Male Homosexuality in Colonial Latin America* (Chicago: University of Chicago Press, 2003); Twinam, *Public Lives, Private Secrets*.

[83] Sueann Caulfield, "The History of Gender in the Historiography of Latin America," *Hispanic American Historical Review* 81, no. 3–4 (August 1, 2001): 453.

[84] Sigal, *Infamous Desire*, 5.

[85] Walter D. Mignolo, *The Darker Side of the Renaissance: Literacy, Territoriality, & Colonization* (Ann Arbor: University of Michigan Press, 2003), 22.

Gutiérrez, Susan Kellogg, Sonya Lipsett-Rivera, Alfredo Lopez Austin, Pete Sigal, Irene Silverblatt, Zeb Tortorici and Richard Trexler, among others, have significantly advanced our understanding of intimacy, desire, and numerous other features of private, everyday life among the peoples of colonial Latin America.[86] Focusing on how elites, plebians, commoners, Africans, Europeans, Indians, and African descent peoples accommodated or rejected certain behavioral models espoused by the Catholic Church in colonial Latin America, this body of literature has provided an extremely valuable background for the research questions addressed in this dissertation. Asunción Lavrin reminds us that "premarital sexual relations, consensuality, homosexuality, bigamy and polygamy, out-of-wedlock births, and clandestine affairs between religious and lay

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[86] Inga Clendinnen, *Aztecs: An Interpretation* (Cambridge: Cambridge University Press, 1991); Serge Gruzinski, *Man-Gods in the Mexican Highlands: Indian Power and Colonial Society, 1520-1800* (Stanford University Press, 1989); Ramón A. Gutiérrez, *When Jesus Came, the Corn Mothers Went Away: Marriage, Sexuality, and Power in New Mexico, 1500-1846* (Stanford: Stanford University Press, 1991); Susan Kellogg, *Law and the Transformation of Aztec Culture, 1500-1700* (Norman: University of Oklahoma Press, 1995); Sonya Lipsett-Rivera, "The Intersection of Rape and Marriage in Late-Colonial and Early-National Mexico," *Colonial Latin American Historical Review* 6, no. 4 (1997): 33; Lipsett-Rivera, *Gender*; Sonya Lipsett-Rivera, *The Origins of Macho: Men and Masculinity in Colonial Mexico* (Albuquerque: University of New Mexico Press, 2019); Alfredo López Austin, *Human Body and Ideology Concepts of the Ancient Nahuas*, trans. Thelma Ortiz de Montellano and Bernard Ortiz de Montellano (Salt Lake City: University of Utah Press, 1988); Pete Sigal, *From Moon Goddesses to Virgins: The Colonization of Yucatecan Maya Sexual Desire* (Austin: University of Texas Press, 2000); Pete Sigal, "Queer Nahuatl: Sahagún's Faggots and Sodomites, Lesbians and Hermaphrodites," *Ethnohistory* 54, no. 1 (December 21, 2007): 9–34; Pete Sigal, "The Cuiloni, the Patlache, and the Abominable Sin: Homosexualities in Early Colonial Nahua Society," *Hispanic American Historical Review* 85, no. 4 (2005): 555–94; Sigal, *The Flower and the Scorpion*; Pete Sigal, Zeb Tortorici, and Neil L. Whitehead, eds., *Ethnopornography: Sexuality, Colonialism, and Archival Knowledge* (Durham: Duke University Press Books, 2020); Irene Silverblatt, *Moon, Sun and Witches* (Princeton, N.J: Princeton University Press, 1987); Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (Durham: Duke University Press, 2004); Tortorici, *Sins Against Nature*; Richard C. Trexler, *Sex and Conquest: Gendered Violence, Political Order and the European Conquest of the Americas* (Ithaca: Cornell University Press, 1995).

persons have been a common daily occurrence since the sixteenth century."[87] Indeed, scholarly focus on each of the aforementioned topics has generated both fascinating and insightful anthologies, monographs, and articles. Together, this body of scholarship has shaped the direction of this dissertation as it evolved from a project exclusively focused on sodomy to a more nuanced work that incorporated the meanings surrounding political, religious, and sexual excess throughout New Spain.

Scholars of sexuality have also focused on sodomy prosecutions in Europe before conducting analogous studies on Latin America. Rafael Carrasco's *Inquisición y represión sexual en Valencia: Historia de los sodomitas* (1565-1785) [1985] served as a foundation for historians interested in Spanish histories of same-sex desire.[88] Cristian Berco's work on sodomy expanded upon Carrasco's methodology by examining Inquisition and criminal records in other parts of Spain.[89] Other works by William Monter, Mary Elizabeth Perry, and Francisco Núñez Roldán examined sodomy trails and prosecutions by secular and ecclesiastical courts within Spain proper.[90] In his fascinating monograph entitled *Butterflies Will Burn: Prosecuting Sodomites in Early Modern Spain and Mexico* (2003),

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[87] Lavrin, *Sexuality and Marriage in Colonial Latin America*, 2.
[88] Rafael Carrasco, *Inquisicion y represion sexual en Valencia: Historia de los sodomitas, 1565-1785* (Barcelona: Laertes, 1985).
[89] Berco, *Sexual Hierarchies, Public Status*; Cristian Berco, "Producing Patriarchy: Male Sodomy and Gender in Early Modern Spain," *Journal of the History of Sexuality* 17, no. 3 (September 1, 2008): 351–76.
[90] William Monter, *Frontiers of Heresy: The Spanish Inquisition from the Basque Lands to Sicily*, Cambridge Studies in Early Modern History (Cambridge: Cambridge University Press, 1990); Mary Elizabeth Perry, "The 'Nefarious Sin' in Early Modern Seville," *Journal of Homosexuality* 16, no. 1–2 (January 10, 1989): 67–90; Francisco Núñez Roldán, *El pecado nefando del Obispo de Salamina: Un hombre sin concierto en la corte de Felipe II* (Sevilla: Universidad de Sevilla, 2002).

Federico Garza Carvajal broadened his analyses to include both Spain and colonial Mexico by using law codes, theological treatises, and criminal records.

Pete Sigal's influential edited volume *Infamous Desire: Male Homosexuality in Colonial Latin America* (2003) not only brought sodomy to the fore of Latin American history but also highlighted the debates regarding the status of sodomites, the extent to which "gay" subcultures existed, and the validity of a "third" gender in colonial society.[91] In 2007, a special edition of *Ethnohistory* entitled "Sexual Encounters/Sexual Collisions: Alternative Sexualities in Colonial Mesoamerica" examined cases of sodomy, cross-dressing, hermaphrodism, and solicitation among Indigenous peoples, colonial officials, and Catholic priests.[92] Here, John F. Chuchiak IV, Martha Few, Laura A. Lewis, Pete Sigal, and Zeb Tortorici highlighted just how essential the role of sexuality remains to the study of Latin American history. Expanding on this early research, Zeb Tortorici has moved from his primary focus on sodomy to a study of the meaning and practices of so-called unnatural sex acts known as sins against nature (*pecados contra natura*).[93] Tortorici's findings have greatly influenced this dissertation.

The veritable explosion of historical research related to race, ethnicity, and sexuality outlined above also covered controversial topics such as religion and popular

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[91] For a heated, but fascinating, debate on the issue of "third gender" see the chapters by Michael Horsewell and Richard Trexler. Sigal, *Infamous Desire*.

[92] John F. Chuchiak and Pete Sigal, *Sexual Encounters/Sexual Collisions: Alternative Sexualities in Colonial Mesoamerica*, ed. Neil L. Whitehead (Durham: Duke University Press, 2007).

[93] Zeb Tortorici, "Against Nature: Sodomy and Homosexuality in Colonial Latin America," *History Compass* 10, no. 2 (2012): 161–78; Tortorici, *Sins Against Nature*.

magic. Ricard's influential monograph provided the groundwork necessary for historians to address the legacy of conversion and its effect on one's religious beliefs. At one extreme, George Kubler argues that Catholic priests subdued the Indigenous masses and eliminated most aspects of non-orthodox beliefs ("On the Colonial Extinction of the Motifs of Pre-Columbian Art" in *Essays in Pre-Columbian Art and Archeology* [1961]).[94] At the other extreme, Indians resisted Catholic incursions and preserved many pre-Hispanic beliefs and customs. For Jorge Klor de Alva ("Spiritual Conflict and Accommodation in New Spain" in *The Inca and Aztec States, 1400-1800* [1982]) and Gonzalo Aguirre Beltrán (*Medicina y magia* [1963]), Indigenous peoples used the shapeshifting ritual specialist known as the *nahual* to oppose the Catholic faith.[95] William Taylor's *Magistrates of the Sacred* (1996) builds on these works to assess the relationship between rural parishioners, clergymen, and other royal officials, taking more of a middle ground than had his predecessors.[96]

Scholars of devotion and popular rituals have shown how one's personal faith aligned and conflicted with orthodoxy as established by the Catholic Church. In *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic* (2008), Stuart Schwartz revealed a surprising level of tolerance among commoner practitioners of various

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[94] Samuel K. Lothrop, ed., *Essays in Pre-Columbian Art and Archaeology* (Harvard University Press, 1961).
[95] Gonzalo Aguirre Beltrán, *Medicina y Magia: El Proceso de Aculturación En La Estructura Colonial* (Mexico, D. F.: Fondo de Cultura Económica, 1992); George Collier, ed., *Inca and Aztec States, 1400-1800: Anthropology and History* (New York: Academic Press, 1982).
[96] William B. Taylor, *Magistrates of the Sacred: Priests and Parishioners in Eighteenth-Century Mexico* (Stanford: Stanford Univ Press, 1999).

religions such as Christianity and Islam in the early modern era.[97] Schwartz's findings bolster the argument that plebian peoples did not blindingly accept doctrine from their social superiors, notwithstanding the systemic asymmetries of power in colonial society.

Influential works by Mexican scholars such as Dolores Aramoni Calderón's *Los Refugios de Lo Sagrado* (1992), Félix Báez-Jorge's *Entre los naguales y los santos* (1998), Claudia Rocha and Claudia Carranza's *Los habitants del Encanto* (2015), Gerardo Lara Cisneros's *¿Ignorancia Invencible?* (2014), and Alfredo López Austin's "Los Temacpalitotique: Brujos, Profanadores, Ladrones y Violadores" (1966), have emphasized the importance of magic, sacred geographies, votive offerings, and non-orthodox cosmologies among Indigenous and African descent communities in New Spain.[98] Recent edited volumes by Martin Nesvig and Stacey Schwartzkopf and Kathryn E. Sampeck have also highlighted how hallucinogenic substances such as peyote, *teonanacatl*, and *ololiuqui* enabled Indigenous and African descent ritual specialists to engage with the divine so as to ensure prosperity in the terrestrial realm. Substances such as tobacco also held sacred meaning as the smoke from hand-rolled cigars and

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[97] Stuart B. Schwartz, *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven: Yale University Press, 2008).

[98] Dolores Aramoni Calderón, *Los Refugios de Lo Sagrado: Religiosidad, Conflicto y Resistencia Entre Los Zoques de Chiapas* (México, D.F: Consejo Nacional para la Cultura y la Artes, 1992); Félix Báez-Jorge, *Entre los naguales y los santos: Religión popular y ejercicio clerical en el México indígena* (Xalapa, Veracruz: Universidad Veracruzana, 1998); Claudia Rocha and Claudia Carranza, *Los habitantes del encanto. Seres extraordinarios en comunidades indígenas de América* (San Luis Potosí, S.L.P: Colegio de San Luis, 2015); Gerardo Lara Cisneros, *¿Ignorancia Invencible?: Superstición e Idolatría Ante El Provisorato de Indios y Chinos Del Arzobispado de México En El Siglo XVIII* (México, D.F: Universidad Nacional Autónoma de México, 2014); Alfredo López Austin, "Los Temacpalitotique: Brujos, Profanadores, Ladrones y Violadores," in *Estudios de Cultura Náhuatl*, vol. 6 (Mexico, D. F.: Universidad Nacional Autónoma de México, 1966), 97–117.

cigarettes was understood to rise into the heavens, delivering messages to the gods.[99] Marc Simmons's pathbreaking monograph *Witchcraft in the Southwest: Spanish and Indian Supernaturalism on the Rio Grande* (1980) revealed that Spaniards observed magic and witchcraft far beyond central polities in Mexico and into the frontiers of New Mexico.[100] More recent articles by Sonya Lipsett-Rivera and Lisa Sousa further show how commoner peoples inverted orthodox paradigms to use so-called minions of evil to their advantage.[101] Given Chapter 3's focus on shapeshifting and idolatry, the above historiography has served as a crucial starting point.

Intervention

The dissertation seeks to provide a history of how "excess," however amorphously used in colonial repositories, shaped regulatory practices, popular religiosity, and elite politics in New Spain. Consequently, this study includes a geographically varied corpus of archival documents that refer to excess in some capacity. Many times, excess occurred within rural villages, most of which were dominated by Indigenous peoples. As subsequent chapters will show, location became

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[99] Martin Austin Nesvig, ed., *Local Religion in Colonial Mexico* (Albuquerque: University of New Mexico Press, 2006); Stacey Schwartzkopf and Kathryn E. Sampeck, eds., *Substance and Seduction: Ingested Commodities in Early Modern Mesoamerica* (Austin: University of Texas Press, 2017).
[100] Marc Simmons, *Witchcraft in the Southwest: Spanish and Indian Supernaturalism on the Rio Grande* (Lincoln: Bison Books, 1980).
[101] Sonya Lipsett-Rivera, "Mira Lo Que Hace El Diablo: The Devil in Mexican Popular Culture, 1750-1856," *The Americas* 59, no. 2 (2002): 201–19; Lisa Sousa, "The Devil and Deviance in Native Criminal Narratives From Early Mexico," *The Americas* 59, no. 2 (2002): 161–79.

racialized. A logical outcome of this process meant that inhabitation of space appeared to covey one's intent to either follow a virtuous path or to embrace sin and excess.

The word excess comes to Spanish via the Latin *excessus,* from *excedere*, meaning to 'go out, surpass.' Charges of excess, as uttered by Viceroy Velasco, granted discursive power to those who could wield it. Colonial officials sought to curtail perceived excesses to appease both God and King. By going out and by going forth into New Spain, both Christian and non-Christian Indigenous peoples, literally, departed from their homes, engaging in trade and diplomacy across vast stretches of space. Secular and religious officials grew anxious about their lack of administrative and political control over these Indigenous landscapes.

Moreover, the fear of excess reproducing itself among many non-Christian Natives suggests a quantitative factor not reducible to representation alone. The number of idolatries, murders, or thefts suggested a deeply ingrained resistance to official Spanish concepts of excess, thus linking the psyche to the somatic. This meant that Spanish officials believed they needed to police bodies under the dominion of the Spanish crown. Therefore, this dissertation employs the term excess as it was used at the time: an egregious transgression against the norms of the ruling elite in colonial society. If Indigenous ritual specialists communed with the divine in sacred landscapes, excess became intimately tied to a quantifiable character, the worship of more than one deity. Excess also indicated an inappropriate form of inhabitation of space, connecting

ethnicity to behavior. Another variant of excess referred to non-reproductive sex acts, such as sodomy and bestiality, deemed to threaten the status quo. Excess in New Spain thus contains a political and religious etymology that encompassed an array of sinful activity. Excess took place as ritual specialists shapeshifted into animals, hexed their enemies, or healed their loved ones, and it took place as individuals, including Natives, *castas*, Spaniards, and Africans engaged in sexual activity outside of the social standards that I delineate in chapter five. The frequent citations of "*excesos*" in colonial documentation offer a diagnostic tool to assess the anxieties of colonial officials and how everyday peoples negotiated laws and customs imposed from on high.

Studies of sexuality and queer theory today use a concept of excess that comes from the psychoanalyitic tradition, particularly Jacques Lacan's notion of *jouissance* to signify an excess of enjoyment.[102] While acknowledging the psychoanalytic contributions, this dissertation does not use psychoanalytic concepts, in part, because the documentation analyzed herein precludes any dialogue with living subjects. The testimony consulted for this dissertation was written long before the field of psychoanalysis came into existence. Moreover, I believe that, while psychoanalysis and queer theory offer us some important analytical tools, there is some significant

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[102] For jouissance, see Jacques Lacan, *The Seminar of Jacques Lacan: The Other Side of Psychoanalysis*, trans. Russell Grigg (New York: W. W. Norton & Company, 2007); For excess in relation to queer theory, race, and colonialism, see Amber Jamilla Musser, *Sensual Excess: Queer Femininity and Brown Jouissance* (New York: NYU Press, 2018).

methodological importance to thinking about excess as a concept that was used during colonial times, which is what this dissertation seeks to do.

Furthermore, this dissertation builds upon the concept of excess used by several historians of colonial New Spain. Louise Burkart has shown that Spanish friars worried about the excesses of Nahua culture, in large part, because Catholicism approached the spiritual world from a good-evil binary.[103] Indeed, Burkart noted that Indigenous perceptions of excess and morality more broadly shaped Spanish friars' attempts at proselytization. While Burkhart limited her analysis to Nahua understandings of excess, this dissertation focuses specifically on Spanish colonial notions, comparing these Nahua concepts where relevant. This dissertation moves beyond Burkart's original temporal scope, analyzing cases from the sixteenth century to the nineteenth century and focuses more on rural areas, whereas Burkhart's book studied conversion primarily in more urbanized areas.

Pete Sigal's study of ritual and sexuality in early Nahua culture examined excess through the Nahuatl word *tlazolli*, which indicated "the excesses of desire, the violence to the everyday implicit in warfare, sacrifice, and sex."[104] Sigal maintains that Nahua concepts of excess, otherwise "rejected in the mundane world, became a necessary, core part of ritual activity."[105] Because excess was a necessary part of the Nahua spiritual

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[103] Burkhart, *The Slippery Earth*, 130–31.
[104] Sigal, *The Flower and the Scorpion*, 139.
[105] Sigal, 141.

world, ritual specialists functioned as conduits to the heavens, helping to maintain traditional relationships between leaders and their followers. This dissertation builds upon Sigal's findings, noting the importance of ritual specialists at the local level. However, as the majority of the documents consulted herein were written in Spanish, this dissertation's discussion of excess primarily concerns how Spanish colonizers viewed subordinate vassals and how excess as a category was applied throughout the colonial era, thus expanding beyond Nahua concepts of excess.

In his historical study on sexuality and sins against nature, Zeb Tortorici notes that "excess" in colonial Mexico referred to everything "from sex out of wedlock and violent outbursts to idolatry and superstition."[106] This dissertation expands upon Tortorici's research trajectory of events and beliefs that ruptured the boundaries of propriety. This dissertation also takes inspiration from the labels that denoted ignorance such as "simpleton" and "rusticity," particularly in agrarian areas.[107] Tortorici's study of sins against nature "seeks to offer a methodology of desire" enabling modern-day readers to better understand how sexual desire shapes interpretations of the so-called natural, which remained highly contextual.[108] This dissertation departs from Tortorici by linking excess to quotidian customs in agrarian societies as enacted by peoples of Indigenous and African descent, castas, and even Spaniards. Additionally, this

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[106] Tortorici, *Sins Against Nature*, 32.
[107] Tortorici, 144–45.
[108] Tortorici, 6.

dissertation seeks to understand how space itself related to the formation of excess as colonial authorities recorded numerous failures in their attempts to enact conquest. This final observation highlights that the archive itself not only mediates the voices of everyday peoples, but also organizes colonial knowledge toward an orthodox bent.

The moral and religious undertones of testimony analyzed herein have been shaped by the Inquisition and secular criminal institutions that form the foundation of this dissertation. Judicial summaries, official missives between local magistrates and their superiors, and royal edicts have also been included. Because this dissertation evolved from its early focus on sodomy to a more nuanced project that incorporates the meanings surrounding political, religious, and sexual excess in New Spain, it owes much to the works of Louise Burkhart, Sonya Lipsett-Rivera, Pete Sigal, and Zeb Tortorici. Together, these scholars have pioneered the study of sexuality by showing how gender relations shaped the quotidian experiences of European, Indigenous, and African descent peoples in New Spain.

Although my ability to locate records of sodomy and bestiality was made possible by the painstaking archival research conducted by Tortorici, who has also graciously provided an appendix (https://archive.nyu.edu/handle/2451/42172) of his archival findings, my focus on excess moves beyond Tortorici's discussion of sins against nature to include references to non-sexual acts such as idolatry, murder, superstition, theft, and violence. As will be discussed, however, I show the importance

of sexuality in all of these acts. In a similar vein, Lipsett-Rivera's extended examination of symbolism in the colonial household apropos doors, windows, and the threshold inspired me to closely read primary sources for cultural signification that might have otherwise been overlooked. Louise Burkhart's research introduced me to the many differences between Spanish and Nahua interpretations of excess, purity, abstinence, and health.[109] I am indebted to Burkhart's research on Nahua societies and their collective displays of devotion on stage.[110] Lastly, Pete Sigal's engaging research on sexuality among Maya and Nahua peoples influenced my decision to investigate precisely how sexuality related to conquest.

The archival research conducted for this dissertation is unique in that it deliberately juxtaposes documents generated by colonial elites with testimonies from ordinary people to gain a deeper appreciation for the ways in which asymmetries of power shaped daily life in New Spain. This method of investigation owes much to my reading of theoretical works by Michel Foucault. Generally speaking, Foucault's work sought to elucidate abstract concepts like madness, criminality, or sexuality and to examine how these categories manifested at the ground level over time. Although Foucault exclusively focused on European history, I have applied many of his insights to

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[109] Burkhart, *The Slippery Earth*.
[110] Louise M. Burkhart, ed., *Aztecs on Stage: Religious Theater in Colonial Mexico* (Norman: University of Oklahoma Press, 2011); Elizabeth Hill Boone, Louise M. Burkhart, and David Tavárez, *Painted Words: Nahua Catholicism, Politics, and Memory in the Atzaqualco Pictorial Catechism* (Washington, D.C: Dumbarton Oaks Research Library and Collection, 2017).

my study of colonial Mexico. For instance, in *Discipline and Punish* (1977), Foucault begins his discussion of torture by juxtaposing a gruesome account of capital punishment in Paris in 1757 with that of a much more humane prison timetable, intended for use among convicts, some eighty years later (1837)—roughly the same amount of time between Juan de Oñate's arrival in New Mexico (1598) and the Pueblo Revolt of 1680.[111]

Although Foucault has been critiqued by scholars of Latin American history working in the United States for terminological imprecision, I find his approach extremely useful.[112] Returning to the public execution previously mentioned, Foucault's argument regarding the relational and productive nature of power reveals that exemplary punishment also created bonds of affinity among the viewing public. For instance, when criminals were tied to pillories or placed upon the scaffold, individuals within the crowd might join in by jeering, pelting the convicted with feces, mud, or rotten food. The masses might take solace in the fact that they were not the ones being punished, rejoicing at someone else's downfall. More subtly, the crowd may come to think the punishment just, thereby sustaining the power of the sovereign. In short, creating an enemy of the state, frequently, unified the general public. The ways in which negative forms of punishment, such as the lash, produced communal solidarity seem

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[111] Michel Foucault, *Discipline & Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 1995), 3–7.
[112] For the critique of Foucault, see Sigal, *Infamous Desire*, 4 and 18 no. 14.

apposite for this dissertation's inclusion of criminal and Inquisition records to discern pervasive non-orthodox beliefs and practices in case testimony. I demonstrate how excess, much like Foucault's theory on power, was not confined to institutions but, instead, remained diffuse and subjective, transgressing jurisdictional lines and spilling forth in unintended ways.

A note on periodization is in order as it contributes to the conceptual outline for the following chapters. In *Discipline and Punish*, as noted above, Foucault deems eighty years sufficient to analyze the shifting attitudes of corrective discipline in France. Although some might view eighty years as an arbitrary quantity of time, I maintain that it is not. Eighty years provides sufficient time for three generations of people, from grandparents to grandchildren and extended kin, to communicate, interact, and transmit values and beliefs with each other. In their formative years, youths build on this transmission of knowledge and values to create their own identities and understandings of the world. However, this channeling of values is not, nor has it ever been, unidirectional. Younger generations do not passively accept the values of their predecessors. Sometimes, youths define themselves against the values of their grandparents, thereby facilitating significant changes—political, religious, and social—in society over time. Consequently, this dissertation examines key events in the history of New Spain that spanned three generations, roughly seventy to one hundred years, to highlight the shifting notions of excess as utilized by colonial elites to describe plebian

peoples. For instance, Viceroy Velasco's 1591 charter already mentioned, was written some seventy years after Hernando Cortés's conquest of Tenochtitlan in 1521. Three generations as a conceptual model thus elucidates how change occurs over time.

Continuity, however, represents the obverse of change. As noted above, certain cultural beliefs, practices, and values persist with only slight modifications throughout the ages. For over five centuries, languages such as Spanish and Nahuatl have remained sufficiently stable for this historian to transcribe and translate colonial documentation from the sixteenth century. Although certain words and concepts have fallen into disuse, there remains a consistent linguistic foundation for posterity. Moreover, aspects of religion, both institutionalized and popular, remain virtually unchanged for long stretches of time. Even in the nineteenth century, Indigenous peoples still made votive offerings to their gods much in the same way as they had before the Spanish invasion of the Americas.[113] Therefore, this dissertation elucidates moments of change and continuity within the colonial era to provide a fuller picture of the history of New Spain. This study operates under the supposition that three generations—defined here as roughly seventy to one hundred years—provides sufficient time to explain both why things change and why other things remain either the same or, at least, very similar to

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[113] A key change, however, was that Old World diseases wiped out entire communities. The drastic decline in Indigenous numbers, worked to the benefit of the clergy as they had fewer parishioners to deal with. Many times, Catholic priests condemned Native rituals. Nicholas Griffiths and Fernando Cervantes, eds., *Spiritual Encounters: Interactions between Christianity and Native Religions in Colonial America* (Lincoln: University of Nebraska Press, 1999).

their antecedents. I maintain that relations between and among individuals, peoples, and societies go a long way to explain the state of affairs in the past and the present. This study juxtaposes primary sources that emanated from elites with documents, such as criminal and Inquisition records, that provide insight into the dispositions of the masses.

Finally, I should note that my use of criminal and Inquisition records takes into account the fact that many historians have made the "archival turn" in which they critique the practice of creating an archive. Because the threat of torture loomed over many criminal and Inquisition proceedings, the statements and testimonies made by ordinary peoples are problematic because they were made under duress. In our modern legal system, statements made under duress are frequently dismissed from consideration because of the low truth value assigned to this category of testimony. Moreover, the anthropologist and theorist Ann Laura Stoler advocated the shift from "archive-as-source to archive-as-subject" in her work on imperial governance in the Dutch Indies.[114]

This observation has forced twenty-first-century historians of Latin America to alter their interpretive paradigms, viewing the archive as a heavily mediated repository of knowledge rather than one of transparency.[115] Kathryn Burns's research on notaries in

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[114] Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton: Princeton University Press, 2009).

[115] European theorists such as Foucault and Jacques Derrida have, however, noted the constructed nature of the archive, even if Latin Americanists were reluctant to interrogate their source base until recently. See, Michel Foucault, *The Archaeology of Knowledge: And the Discourse on Language* (New York: Vintage, 1972);

colonial Peru has informed scholars how scribal hands shaped, rewrote, and interpreted the statements of commoner peoples, leaving historians with a mediated version of the truth.[116] Tortorici maintains that colonial repositories can only provide "archival flickers" into the past, meaning that the mediated nature of historical documentation offers us a translucent window into the past rather than a transparent one. Historians may glean much from the sources, but we have to come to terms with the fact that objectivity is no longer feasible due to the archive's constructed nature. Nevertheless, the archive is all that historians can use to study the past, so its importance cannot be dislodged. Frank T. Proctor argues that the archive can be used to understand how plebian peoples understood "their own actions in the specific geographical and chronological context of New Spain," thereby, at least partially, revealing perspectives and beliefs of commoners themselves.[117] Hence, I recognize the archive's nature as mediated and suggest that this dissertation thus elucidates an interaction between archival practice, Spanish officials, and the people of colonial New Spain, who held sincere their beliefs, practices, and values.

Jacques Derrida, *Archive Fever: A Freudian Impression*, trans. Eric Prenowitz (Chicago: The University of Chicago Press, 1996).

[116] Kathryn Burns, *Into the Archive: Writing and Power in Colonial Peru* (Durham: Duke University Press, 2010).

[117] Frank T. Proctor III, *Damned Notions of Liberty: Slavery, Culture, and Power in Colonial Mexico, 1640-1769* (Albuquerque: University of New Mexico Press, 2010), 1.

Dissertation Chapter Outline

In five chapters, this dissertation examines the political, religious, and cultural interpretations of excess among Spanish, Indigenous, and African descent peoples in colonial Mexico. Chapter 2 analyzes the different interpretations of excess among Spaniards and Nahuas in the sixteenth century. I show the ways in which excess concerned both groups and how it was enacted differently in moral rhetoric, philosophy, and theology. Although mediated by European hands, I use early sources such as the Florentine Codex to demonstrate how Nahua cosmology differed from Catholicism, emphasizing dualism and reciprocity. I show how medieval theologians, such as Jerome and Thomas Aquinas, contributed to Iberians' understanding of sexual desire and indulgence. Excessive behaviors such as fornication and drunkenness were thought to render transgressors less reasonable and, therefore, uncivilized. I conclude by arguing that diverging interpretations of excess created an ideological impasse, which generated conflict for centuries. For many Spaniards, the sinful acts of Indigenous and African descent peoples fulfilled a circular logic. Indigenous and African descent peoples committed excesses because they lacked reason. This lack of reason made neophytes and other subordinate vassals more likely to transgress in the future, necessitating the continued presence of Catholic colonizers. Chapter 2 explores Spanish and Nahua forms of excess by analyzing the works of Bernardino de Sahagún, Hernando Ruiz de Alarcón and Diego Durán. This chapter examines why theologians

and Spanish friars viewed idolatry as such a threat to the Christianizing mission. I survey other policies that mandated the conversion of non-Christian Indians into virtuous vassals. Together, these sources show how a new ethnic identity based on Catholicism, legality, and economic expediency was created in lands distant from central Mexico. The official backing that the Tlaxcalans received reveals a continuum in which certain Indigenous groups were viewed to be more excessive than others.

Chapter 3 explores categories of religious excess such as idolatry, shapeshifting, and superstition. While Catholic priests championed the sacraments as the best form of supernatural power, they vilified ritual specialists—many of whom were women—and their ability to commune with the divine. Nevertheless, ordinary peoples continued to appeal to ritual specialists, viewing their powers to be efficacious. The esteem in which the general public held ritualists enabled them to function as intellectuals in their communities. This chapter also examines the different interpretations of excess between the rural and urban clergy. For instance, many priests who resided in small communities believed in the powers of ritualists, such as their ability to shapeshift. However, inquisitors residing in Mexico City scoffed at these claims, berating their junior colleagues for such credulity.

Chapter 4 analyzes excess through the moral and juridical connotations of geography. When ritual specialists appeased the gods, they did so near sacred topographies such as lakes, mountains, and caves. In contrast, Catholics priests,

generally, communed with God inside a chapel or a church. Much of the conflict that arose between Spanish colonizers and Indigenous and African descent peoples depended on whether geography was considered to be sacred or profane. In the minds of Spanish colonizers, occupying non-orthodox spaces such as kivas in New Mexico and caves in Chiapas transformed Indigenous and African descent peoples into idolaters, heretics, and sodomites. This chapter maintains that Catholic colonizers believed that Indians and African descent peoples ran wild in the countryside because the very inhabitation of non-urban landscapes rendered them more likely to sin.

Chapter 5 surveys non-reproductive sex acts, including masturbation, sodomy, and bestiality. I show that the legacy of colonialism has made it difficult, if not impossible, for modern-day scholars to interpret these acts as anything other than an oddity. In order to move past this conundrum, I hold that non-reproductive sex acts threatened all elites—both Spanish and Indigenous—due to their association with disorder. For instance, Nahuas worried that excessive fornication could disrupt the cosmological equilibrium, producing chaos and illness within their community. This chapter illuminates how non-reproductive sexuality jeopardized the status quo. Failing to reproduce the next generation of subordinate vassals, whose labor elites exploited, would bring about the end of the ruling classes.

"Curtailing Excess" contributes to modern-day historical debates that attempt to reassess the impact of the European invasion of the Americas. This dissertation

highlights the numerous definitions and applications of excess to show how non-orthodox ritual devotions and non-reproductive sex acts produced conflict throughout the colonial era. I show that contemporaries' preoccupation with excess stretched beyond the location of the act, often in rural villages, and into the minds and manors, of elites in colonial Mexican society.

This brief overview of colonial Latin American historiography cannot, of course, do justice to all of the scholarly works that have preceded this dissertation and that have shaped the direction of my project. This dissertation also draws upon other works yet to be mentioned. The corpus of scholarly literature mentioned here must be seen as the background to an even more encompassing body of work that addresses crime, popular magic, religion, and sexuality in colonial Latin America. Conducting research on "excess" would have been greatly impeded had the author not been able to draw from the methodological and archival findings made by other scholars. The reconstruction of colonial politics, popular religion, and sexuality among commoners must, inevitably, lead historians to juxtapose royal decrees as found in national archives along with plebian testimonies from provincial archives. Such a method provides a fuller picture for how asymmetries of power shaped the livelihoods of New Spain's most vulnerable subjects.

2. Idolatry, Sin, and Excess in Spanish and Indigenous Communities

In 1778, a scandal erupted in the sleepy town of San Andrés Larráinzar, Chiapas that would embroil Indigenous elites in accusations of idolatry, superstition, and murder.[1] On March 15, don Joseph Ordoñez y Aguiar wrote to his superior, Bishop Francisco Polanco, seeking guidance regarding the "remedy and punishment of such execrable crimes" detailed in his missive, illuminating the convergence of spiritual and material excesses in the late colonial era.[2] Prompted by denunciations, don Joseph solicited the confessions of multiple locals, the testimony of which convinced him that his parish had become "contaminated with the vice of superstition."[3] Next, don Joseph inspected the surrounding area, which led to the discovery of numerous shrines. Although this greatly troubled don Joseph, the theological coup de grâce was inside a cave located atop a hill, which locals called *Sacumchen*.[4]

Finding the entrance to the cave was extremely difficult, as locals had, until that moment, kept it hidden from the prying eyes of Catholic priests. Once inside, don Joseph found a stone slab that had served as a table or an altar upon which was a poorly formed cross. To the side of the makeshift altar, don Joseph found candlewicks and

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[1] Archivo Histórico Diocesano de Chiapas (hereafter AHDC), carp.777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, fols. 30.
[2] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 1r.
[3] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 1v.
[4] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 2r; the cave is also referred to as Sacamchen on f. 14v.

smoldering ashes, confirming recent use. He spotted some empty boxes that had contained incense as well as an arc made of liquidambar (sweetgum) branches surrounding the cross.[5] At the base, don Joseph unearthed some bones which he feared were human. As it was getting late however, don Joseph decided to wait to begin a proper excavation until the following day.[6]

Upon his return, don Joseph brought a mattock and dug away at the base of the arc. To his horror, don Joseph unearthed one human cadaver after another. He found large skeletons alongside smaller ones, including the skull of an infant so fresh that the skin was still attached to the scalp. Because all of the unearthed bones were too numerous to carry back to the town, don Joseph only transported two cadavers, the infant's skull, and the recently discovered incense, cross, boxes, and liquidambar branches to show his superiors. These findings convinced don Joseph that within the confines of Sacumchen lay an idolatrous sepulcher where the people of San Andrés sacrificed themselves to the devil.[7] Alongside don Joseph, the curate lamented that the incense used in Sacumchen, which could only be acquired in the mountains, "showed greater veneration for caves than the churches as they [Indians] spend money on good incense for those [caves] and not for these [churches]."[8] Churchmen thus continued to

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[5] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 2r.
[6] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 2v.
[7] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 2v.
[8] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 6r.

associate Indigenous topographies and rituals with idolatry, sin, and excess in the Bourbon era.

By employing excess as an analytical category and by historicizing how Spanish and Indigenous peoples conceptualized of spirituality, morality, and the constitution of an orderly society, historians can more fully understand the reasons why Indigenous and African descent peoples embraced those aspects of pre-Hispanic religion that Spanish colonizers sought to extirpate so vehemently. As noted previously, clergymen interpreted popular religiosity as superstitious and idolatrous. Even when the Zoque peoples of Chiapas utilized Christian iconographic symbols and materials, such as a cross and incense, clerics like don Joseph Ordoñez y Aguiar, and even senior members such as Bishop Francisco Polanco, believed such artifacts proved that Indigenous locals made a pact with the devil.[9] In the Catholic mindset, the reverence with which locals endowed spaces such as Sacumchen signified an offense to God, potentially provoking His divine wrath for having disobeyed the second commandment.[10] Catholic clergymen such as don Joseph attempted to define "true" religion from false ones by proselytizing a circumscribed doctrine to encode beliefs and practices in everyday life. When popular rituals ruptured the limits imposed by orthodoxy, Catholic officials viewed them, literally, as an excess in need of extirpation to restore law and order.

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[9] For a discussion of the Zoque in Chiapas, see Aramoni Calderón, *Los Refugios de Lo Sagrado*, 13–23.
[10] "You shall not have strange gods before me. You shall not make for yourself a graven image, nor a likeness of anything that is in heaven above or on earth below, nor of those things which are in the waters under the earth. You shall not adore them, nor shall you worship them." Exodus 20: 3-5.

Extirpation of Excess

By the eighteenth century, part of don Joseph's education built upon centuries-old theological treatises that lambasted non-orthodox practices such as idolatry and superstition among errant believers. In the sixteenth century, the eminent Spanish professor of theology and tutor to Philip II of Spain, Pedro Ciruelo (1470-1548), wrote, "what superstitions teach is false and deceitful and it is not the teaching of God, who abhors superstitions: rather, it is the devil, the father of lies (as Christ said), who takes delight in vain superstitions."[11] In *A Treatise Reproving All Superstitions and Forms of Witchcraft: Very Necessary and Useful for All Good Christians Zealous for Their Salvation* (c. 1530, hereafter *A Treatise*), Ciruelo also stated that before the birth of Jesus Christ "the devil ruled as a powerful sovereign over all the men throughout the world."[12] In Ciruelo's opinion, the devil reigned "not as a true king, but as a tyrant who had usurped his kingdom from another. He had deceived and subjected almost all mankind through open idolatry, and men served him and adored him as lord."[13] Only by preaching the Gospel could men bring an "end to deceitful idolatry" so that the people could return "to the true God."[14] By invoking the devil, Ciruelo explained how and why evil existed in a world that was created and, ultimately, ruled over by an omnipotent and

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[11] Eugene A. Maio and D'Orsay W. Pearson, trans., *Pedro Ciruelo's A Treatise Reproving All Superstitions and Forms of Witchcraft: Very Necessary and Useful for All Good Christians Zealous for Their Salvation* (Rutherford: Fairleigh Dickinson University Press, 1977), 91.
[12] Maio and Pearson, 91; In order to substantiate these claims, Ciruelo cites John 8: 44 and John 12: 31, which refer to the devil as the father of all lies and as a "prince of this world" respectively.
[13] Maio and Pearson, 91.
[14] Maio and Pearson, 92.

omnibenevolent supreme being. The existence of the devil provided the cognitive interstice necessary for popular magic to exist as a social reality that, nevertheless, remained inferior to the sacraments. Although rituals and pacts made by alleged necromancers, sorcerers, and witches might prove efficacious within the terrestrial realm, those who engaged in the dark arts would be condemned to perdition.

Following the Spanish invasion of the Americas, many of the Catholic clergy interpreted pre-Hispanic rituals to be idolatrous deceits of the devil. Franciscans such as Motolinía, declared that demons "were served and honored" in all of the "temples of the idols" before the arrival of Spanish colonizers.[15] When the Franciscan Diego de Landa encountered Maya peoples in the Yucatan, he interpreted rituals such as collective penis piercing to be blood sacrifices to demons.[16] Due to his zeal to extirpate the alleged idolatry of the Maya peoples, Landa glossed the atrocities of Spanish conquistadores such as Francisco Hernández, Juan de Grijalva, and Hernán Cortés, viewing violent conquest has having been divinely ordained.[17] In 1555, Motolinía wrote to the king that upon Cortés's arrival in Mexico "people suffered the cruelest of deaths, and our adversary the demon was very pleased with the greatest idolatries and most cruel

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[15] Toribio de (Motolinía) Benavente, *Historia de Los Indios de La Nueva España*, ed. Daniel Sánchez García (Barcelona: Herederos de Juan Gili, 1914), 24.
[16] Diego de Landa, *Yucatan at the Time of the Spanish Encounter: Relacion de Las Cosas de Yucatan*, trans. Louis E. V. Nevaer (Coral Gables: Hispanic Economics, 2013), 209; Most likely de Landa viewed this ritual, among others, as an idolatrous excess in need of extirpation. See, Pete Sigal, "Making Maya Men: Fantasy, Voyeurism, and Perverted Penetration," *GLQ: A Journal of Lesbian and Gay Studies* 26, no. 1 (January 1, 2020): 1–34.
[17] Landa, *Yucatan at the Time of the Spanish Encounter*, 162.

homicides there ever were."[18] For many Franciscans, Cortés was viewed as something akin to a New World Moses.[19]

Landa further critiqued Maya peoples for their ongoing "idolatries and repudiations [of their wives, i.e. bigamy] and public drunkenness and [the] buying and selling of slaves."[20] Landa denigrated an agricultural feast known as "Zabacilthan," stating that "such was the excess in these feasts… that it was pitiful to see [the Indians]…. in their wanton drunkenness."[21] Landa also claimed that the Maya had a "great, excessive fear of death" as demonstrated in votive offerings made to local deities for "health, life, and food" in the terrestrial realm.[22]

By the seventeenth century, the priest Hernando Ruiz de Alarcón continued to lament the many idols found among Nahua peoples. Unsurprisingly, Ruiz de Alarcón deemed these practices to be excessive.[23] In chapter one of *Treatise on the Heathen Superstitions That Today Live Among the Indians Native to This New Spain, 1629* (hereafter *Treatise*), Ruiz de Alarcón identifies numerous idolatries among the Native peoples, for whom the

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[18] James Lockhart and Enrique Otte, eds., *Letters and People of the Spanish Indies: Sixteenth Century* (Cambridge: Cambridge University Press, 1976), 221.
[19] Matthew Restall, *When Montezuma Met Cortés: The True Story of the Meeting That Changed History* (HarperCollins Publishers, 2019), 240–41.
[20] The text reads, "Que los vicios de [los indígenas] eran idolatrías y repudios y borracheras públicas y vender y comprar esclavos." See, Landa, *Yucatan at the Time of the Spanish Encounter*, 189.
[21] Landa, 238.
[22] Landa, 220.
[23] Hernando Ruiz de Alarcón, *Treatise on the Heathen Superstitions That Today Live Among the Indians Native to This New Spain, 1629*, trans. J. Richard Andrews and Ross Hassig (Norman: University of Oklahoma Press, 1984), 49–52, 60–62, 90–91.

veneration and honor bestowed upon "fire is so excessive that at the moment they are born they become entangled in this superstition."[24]

In line with Ciruelo's critique, Ruiz de Alarcón made an explicit connection between superstition and excess. In chapter nine of the first treatise, Ruiz de Alarcón acknowledges that evil existed but added a caveat that it could not be so without the, ultimate, approval of God. Referring to the common belief among the Nahua that owls were bad omens, Ruiz de Alarcón stated that the regular clergy should inform the Indians "animals act naturally and not with free acts, and the demons cannot exceed what God, Our Lord, permits…"[25] Although demons were a reality for Ruiz de Alarcón, they were part of God's divine plan. In the third chapter of the fourth treatise, Ruiz de Alarcón denigrates Native ritual specialists labeling them "imposters," but also provides insight into Nahua views of disease and excess.

Commenting on the diseases that derived from illicit sexual affairs, Ruiz de Alarcón observes that when Spanish doctors view an illness to be incurable these

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[24] I use both the English-language translation by Andrews and Hassig and the Spanish-language text to ensure that my use of excess is in line with Ruiz de Alarcón's phraseology. See, Ruiz de Alarcón, 43; Tratado Primero, Captitulo I, Párrafo 4. See, Hernando Ruiz de Alarcón, "Tratado de las supersticiones y costumbres gentílicas que hoy viven entre los indios naturales de esta Nueva España," 1953, http://www.cervantesvirtual.com/obra-visor/tratado-de-las-supersticiones-y-costumbres-gentilicas-que-hoy-viven-entre-los-indios-naturales-de-esta-nueva-espana--0/html/.

[25] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 69; "y como los animales obran naturalmente y no con actos libres," see Tratado Primero, Capitulo IX, párrafo 147. See, Ruiz de Alarcón, "Tratado"; For the association with owls as omens of death, see León García Garagarza, "The Tecolotl and the Chiquatli: Omens of Death and Transspecies Dialogues in the Aztec World," *Ethnohistory* 67, no. 3 (July 1, 2020): 455–79.

"imposters" claim that the disease derived from "an excess of crimes by the consort."[26] Moreover, Ruiz de Alarcón states that the Nahuatl word *tlaçolmiquiztli*—translated as an "illness caused by love or desire"—referred to "an excess of transgressions of the consort" when crop failures occurred or when Natives lost their livestock.[27] Part of the cure involved bathing and incensing the sick person to curtail the "excess of transgressions" that had occurred in the consort, which Ruiz de Alarcón surmised could only have come from "Hell and its republicans, from where all these figments and idolatrous superstitions originate."[28] Referring to a species of morning glory known as *ololiuhqui*, Ruiz de Alarcón lamented that almost all Indians revered it as "a divine thing," noting "the excess with which these barbarians (*barbaros*) venerate this seed is so great that they even, as out of devotion, are accustomed to sweeping and sprinkling with water the places where the bushes… that produce it are found."[29] For Ruiz de Alarcón, the adoration of the natural world seemed idolatrous and excessive. Ruiz de Alarcón also took a dim view of the ways in which Nahua peoples consumed alcohol.

Ruiz de Alarcón understood that Spaniards needed Indigenous labor to work in the mines, fields, and perform domestic services. Therefore, in the thirty-first chapter of

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[26] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 135.
[27] The modern Nahuatl spelling is tlahzolmiquiztli meaning death due to filth, i.e. illicit sexual conduct. Sexual misconduct indicated a form of excess among many Nahua peoples. See, Ruiz de Alarcón, 135 and 353 no. 4.
[28] Ruiz de Alarcón, 138; Tratado Quarto, Capitulo III, párrafo 305, Ruiz de Alarcón, "Tratado."
[29] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 200; Tratado Sexto, Captitulo XXIX, párrafo 494, Ruiz de Alarcón, "Tratado."

the sixth treatise, Ruiz de Alarcón informed colonial officials that many Indigenous people became "excessively drunk" (*emborrachassen con excesso*) before going to work.[30] In his opinion, the devil had persuaded these Indians that inebriation gave them the strength needed to complete their assigned tasks.[31] Ruiz de Alarcón thus implored "the ministers and curates of these wretched people" to convince them to refrain from drinking to excess for the benefit of their bodies and souls.[32] For these Catholic clergymen, ritual specialists who practiced popular magic might seem to be efficacious mediators between the terrestrial and spiritual realms due to the devil's machinations. Clerics believed that many Indians had been duped by Satan, the consequences of which would forever condemn them to hell. As Robert Orsi observes, "pagan idols were really real, but they were evil."[33] Catholic missionaries' perceived victories over these idols and local deities would prove the virtue of Catholicism, thereby paving the way for Spanish colonizers' ongoing presence in the Americas.[34]

Yet, the manner in which clerics could go about achieving such a theological victory remained a matter of debate. Some ecclesiastics believed that recording and

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[30] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 203; Tratado Sexto, Capitulo XXXI, párrafo 505, Ruiz de Alarcón, "Tratado."
[31] See the discussion on "tlamemes," meaning professional transporters, among the Nahua here, Ross Hassig, *Trade, Tribute, and Transportation: The Sixteenth-Century Political Economy of the Valley of Mexico* (Norman: University of Oklahoma Press, 1993), 28–40.
[32] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 204.
[33] Robert A. Orsi, *History and Presence* (Cambridge, Massachusetts: Belknap Press, 2016), 33.
[34] Orsi, 34.

writing about non-orthodox rituals only perpetuated idolatry and heresy.[35] However, other friars like Diego Durán believed that accruing information of non-orthodox rituals would better help the Church to detect, and therefore eradicate, idolatry and paganism where they occurred.[36] In line with Durán, Fray Bernardino de Sahagún noted that it was not enough to claim that:

> among these people [Indians] there are no sins other than drunkenness, theft, and carnality. There are many other sins among them that are much more serious and in great need of remedy. The sins of idolatry, and idolatrous rites, and idolatrous superstitions and omens, and abuses, and idolatrous ceremonies, are not yet entirely abandoned by all. In order to preach against such things and to know whether they exist: it is necessary to know how they were practiced in the time of their idolatry.[37]

In the end, the latter view gained sway, as seen in seventeenth-century confession manuals instructing the clergy to press the Natives regarding their possession of "little idols." As an orthodox remedy, the clergy implored Natives to

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[35] For the acrimonious debates between Motolinía and Bartolomé de las Casas, see Lockhart and Otte, *Letters and People of the Spanish Indies*, 218–47.

[36] For example, Durán states that "magicians" are not exposed because the Indians "conceal one another and hide from us more than any other people on earth. They have no confidence in Spaniards and thus it is that these fiendish acts are hidden from us and kept secret by them." See, Fray Diego Duran, *History of the Indies of New Spain*, trans. Doris Heyden (Norman: University of Oklahoma Press, 2009), 214–15.

[37] I have consulted the World Digital Library (hereafter WDL) to access both the Spanish and Nahuatl texts in the Florentine Codex (hereafter FC), which may be found here. For the above quote, see WDL, FC, Book I, Prologue, f. 1r.

venerate "only the most holy image of our Lord Jesus Christ and of His blessed mother and of all His saints."[38] At the crux of the matter was whether Catholic colonizers should permit certain aspects of pre-Hispanic, and therefore pagan, culture to persist after having converted the Indigenous masses. The anthropologist Johannes Fabian refers to this as a "denial of coevalness to the cultures that are studied," meaning that non-European cultures are denied and negated their intrinsic differences because Europeans reject the intrinsic value of non-European ontologies.[39] With respect to the Spanish conquest of the Americas, this refutation was not only religious but also temporal and political. Spaniards imposed the Christian calendar upon Native peoples and deposed their religious leaders to install a new political order with Iberians at the apex.[40]

Due to Spain's ties to the pope, the responsibility for evangelization fell upon the crown to finance the conversion of Native Americans, transforming proselytization into a public policy of extreme import.[41] If Spanish monarchs failed to convert the Indigenous population, they not only upset His Holiness but also failed to exercise their legitimated

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[38] Bartolome De Alva, *A Guide to Confession Large and Small in the Mexican Language, 1634*, ed. Barry D. Sell and John Frederick Schwaller (Norman: University of Oklahoma Press, 1999), 74 and 76 respectively.
[39] Johannes Fabian, *Time and the Other: How Anthropology Makes Its Object* (New York: Columbia University Press, 2014), 35; For similar arguments in subaltern studies see, Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton, NJ: Princeton University Press, 2000).
[40] For instance, prior to the Spanish invasion, the Aztecs used two different calendars known as "tonalpohualli" and "xiuhpohualli" to place all actions and events within a temporal context. See, Schwaller, *The Fifteenth Month*, 7–11.
[41] Anthony Pagden, *Spanish Imperialism and the Political Imagination: Studies in European and Spanish-American Social and Political Theory 1513-1830* (New Haven: Yale University Press, 1990), 13–36.

political power in distant territories.[42] The perennial problem of determining which aspects of Indigenous culture constituted the gravest threats to the Faith and the status quo persisted throughout the colonial era.[43] Practically speaking, Catholic colonizers had to prioritize those aspects of Indigenous culture that most threatened God, the king, and the Church. In so doing, Spanish colonizers tolerated certain beliefs and practices, or punished them less harshly, over others.[44]

According to Mína García Soormally, when popular beliefs and practices did not conform to Catholicism, they became the "*irreducible excess of indigenous culture that persists in spite of imperialistic efforts, the remains of a subjectivity that, once colonized, becomes sinful, erroneous, and false*."[45] A vicious circle thus emerged. By holding onto any aspect of pre-Hispanic identity, Natives could be accused of backsliding, which, necessarily, required corrective interventions by Spanish colonizers. As Brian Owensby maintains, Christianized Indians were, theologically, equal to Spaniards "because all men were equal in the eyes of God."[46] However, the need for Indigenous labor, conveniently for the Spanish, coalesced with accounts of backsliding, keeping Natives in a tutelary state

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[42] Patricia Seed, "'Are These Not Also Men?': The Indians' Humanity and Capacity for Spanish Civilisation," *Journal of Latin American Studies* 25, no. 3 (1993): 635.
[43] See, William Christian Jr., "Catholicisms," in Nesvig, *Local Religion in Colonial Mexico*, 259–65.
[44] Sousa notes that the "Devil began to lose power in the mind of a number of Spanish ecclesiastics and administrators by the late seventeenth century," thereby demoting him to mere "superstition." See, Sousa, "The Devil and Deviance in Native Criminal Narratives From Early Mexico," 162; Within rural Indigenous communities, however, Lipsett-Rivera notes that "by the late colonial period the Devil seems to have become more of a concern... than he had been before." See, Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 201.
[45] Soormally, *Idolatry and the Construction of the Spanish Empire*, 19, emphasis in original.
[46] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 55.

and exposing the colonial dilemma.[47] Indigenous peoples were likened to minors, fully human but unable to rule for themselves.[48] Materiality thus conflated with spirituality, the effects of which left many Indigenous peoples in a subservient position relative to Spaniards, even after having embraced Catholicism. Accusations of idolatry greatly facilitated both the de facto and de jure subordination of Native peoples in the Americas.[49] As such, a brief overview of idolatry is required to understand how this ancient Jewish concept was incorporated into the Catholic Church and, subsequently, came to shape the lives of countless Indigenous peoples.

Idolatry and Monotheism

This dissertation maintains that viewing magic as a social reality helps us to understand why elites feared popular magic in the ongoing religious and political conflicts within the Spanish Americas and the ways in which subaltern peoples used magic to improve their livelihood.[50] This section considers the overlap between the terrestrial and spiritual spheres for analytical purposes. Although anti-Semitism

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[47] Edicts against idolatry were frequently cited by the provisores to attack those Indigenous practices and beliefs deemed to be idolatrous in nature. See, Cisneros, *¿Ignorancia Invencible?*, 305.

[48] Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia: University of Pennsylvania Press, 1949), 23–30.

[49] Indeed, Gerardo Lara Cisneros maintains that all colonial authorities, both civil and ecclesiastical, stressed the importance of combating idolatry among the Native population. See, Cisneros, *¿Ignorancia Invencible?*, 117.

[50] Lewis divides the Spanish colonial world into two realms consisting of the sanctioned and unsanctioned domains. In the unsanctioned domain, Indigenous and African descent peoples attained power over their colonial oppressors by making pacts with the devil or one of his minions. Because Indigenous and African descent peoples inhabited this unsanctioned domain, they became suspect in the eyes of colonial officials, thereby contributing to the "ongoing political economy of conquest." See, Laura A. Lewis, *Hall of Mirrors: Power, Witchcraft, and Caste in Colonial Mexico* (Durham: Duke University Press, 2003), 5–7.

menaced much of Iberia and the Spanish Americas in the early modern period, it is important to remember that orthodox Catholicism incorporated both the Hebrew Bible and the New Testament.[51] As a result, Catholic views of idolatry were considerably influenced by the ancient Israelites—the very first to take a dim view of the veneration of more than one deity. As stated in the Bible, God dictated that the Israelites worship no other gods before Him. Hence, idolatry constituted an offense in behavior and number.[52] The worshiping of other deities was a violation of the number of gods the ancient Jews were allowed to venerate. Engaging in idolatry contravened the divinely ordained relationship between God and His chosen people. Plurality thus transformed into theological excess because those errant believers who revered more than one deity exceeded the permitted number of venerated beings.

This theological innovation of a single supreme being, which shaped the Catholic Church in subsequent centuries, meant that God's sovereignty was boundless. There was no realm in the terrestrial and celestial spheres to limit His authority or control. In contrast to pagan deities, God became a transcendental being, creating a chasm between Him and His earthly beings like man. Because morality was now understood to be

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[51] Following the fall of the last Muslim kingdom in Spain in 1492, the Catholic Kings required all Jews to either convert to Christianity or leave the Iberian Peninsula. In 1502, Muslims in Castile were similarly required to either convert or leave. Importantly for this dissertation, those individuals that had perviously converted were subject to the authority of the Inquisition. See, Schwartz, *All Can Be Saved*, 45–46; The conflation of material concerns with those of religion can be seen in violent outbursts and pernicious denunciations against so-called crypto Jews in the Spanish Americas in the seventeenth century. Thought to be holding onto Jewish traditions, these New Christians were frequently accused of sedition and heresy. See, Silverblatt, *Modern Inquisitions*, 119–21.

[52] Exodus 20: 3.

"God-imposed," sins such as idolatry equated to rebellions against the will of the creator.[53] In contradistinction to pagan religions, including those of many Native Americans, any misfortune that His followers encountered had to be interpreted as the fault of errant believers rather than that of God. Although Spanish clerics often blamed the devil for having thwarted the conversion of Native Americans to Christianity, the Church maintained that everything, including Satan, was subordinated to the Lord.[54]

However, the condemnation of idolatry among ancient Israelites and Catholics did not, necessarily, equate to a disbelief in the efficacy of magic or the occult.[55] Early Jewish writers understood that pagans believed their idols had the power to act and intervene in the real world.[56] By acknowledging miracles, Catholic priests supported the idea that magic was a social reality. Yet, the Church endorsed the sacraments as the best way to impart divine grace.[57] By confining legitimated magic to seven sacraments (baptism, confirmation, Eucharist, penance, extreme unction, holy order, and marriage)

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[53] Stanley Tambiah, *Magic, Science and Religion and the Scope of Rationality* (New York: Cambridge University Press, 1990), 6.
[54] Fernando Cervantes, *The Devil in the New World: The Impact of Diabolism in New Spain* (New Haven; London: Yale University Press, 1997), 18–19; This subordination included restricting the roles of saints such as Mary. See, Louise Burkhart, "'Here is another marvel': Marian miracle narratives in a Nahuatl manuscript," in Griffiths and Cervantes, *Spiritual Encounters*, 110.
[55] Although discouraged from doing so, Aaron's construction of the golden calf shows that even the Israelites embraced idolatry in moments of desperation. See, Exodus 32: 4
[56] Yehezkel Kaufmann, *The Religion of Israel: From Its Beginnings to the Babylonian Exile*, trans. Moshe Greenberg (New York: Schocken Books, 1972).
[57] Pardo notes "just as there are cures for physical illness, penance exists on the spiritual plane to eliminate sins." See, Pardo, *The Origins of Mexican Catholicism*, 13.

the Catholic Church constrained the number and types of supernatural realities for its followers.[58]

As an institution created in the early Middle Ages, the Catholic Church carried with it far greater institutional power than Judaism ever did by the time Spanish colonizers came to the Americas.[59] The dictates of the Catholic Church reached deep into the lives of Native and African descent peoples because of the amount of oversight granted to the Spanish monarchs in the late fifteenth century.[60] Royal Patronage ensured that the crown regularly posted Catholic clergymen in its American colonies.[61] Ongoing proselytization meant that additional secular and regular clergy were granted large dioceses and parishes.[62] Because priests made themselves indispensable as the legitimating agents of marriage after the historic Council of Trent (1545-1563), Catholicism became the guiding doctrine for all manner of orthodox behavior including thoughts, actions, and beliefs.[63] The elision of political power with religious doctrine culminated in the founding of the Spanish Inquisition, a religious institution designed to instill orthodoxy and eradicate sins such as idolatry and heresy among the converted. In

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[58] For the seven sacraments, see Pardo, 12.
[59] The Roman emperor Constantine called the first-ever large-scale council of the Church in Nicaea in 325. See, Roger Collins, *Keepers of the Keys of Heaven: A History of the Papacy* (New York: Basic Books, 2009), 44–45.
[60] In 1493, the newly elected pope, Alexander VI, issued his bull Inter caetera divinae, which granted Spain influence over the western half of the world. Additionally, Royal Patronage, granted additional rights and privileges to the kings of Spain and Portugal over the Church within their overseas territories. See, Schwaller, *The History of the Catholic Church in Latin America*, 39–48.
[61] John Frederick Schwaller, ed., *The Church in Colonial Latin America* (Wilmington, Del: Scholarly Resources Inc., 2000); Schwaller, *The History of the Catholic Church in Latin America*.
[62] Taylor, *Magistrates of the Sacred*, 27–30.
[63] Twinam, *Public Lives, Private Secrets*, 37.

the minds of Catholic colonizers, the best way to establish theological equilibrium was to curtail the theological excesses that spilled forth from errant believers.[64]

The Inquisition in Europe and New Spain

Throughout the centuries, the Inquisition concerned itself with popular magic and heresy, revealing that belief always conflated with materiality.[65] As a religio-political institution, the Inquisition demonstrated the power of the Catholic Church and, by extension Christianity, to commoner peoples throughout Europe and, eventually, the Americas.[66] In Spain, a papal Inquisition subordinate to Rome and led by Dominican friars first came to Aragon. However, by the fifteenth century, the Inquisition in Spain "declined into complete inactivity."[67] It was not until November 1, 1478 that the Spanish Inquisition formally came into being.[68] Technically speaking, a heretic "was a deviant "insider" who had become a member of the Catholic Church through baptism and

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[64] The Church used the human figure as a metaphor noting that heresy was a disease which contaminated the body politic. Innocent VIII decreed in the late fifteenth century that the Inquisition should serve as a tribunal of "just correction." See, Margaret Mott, "The Rule of Faith over Reason: The Role of the Inquisition in Iberia and New Spain," *Journal of Church and State* 40, no. 1 (1998): 66–67.

[65] In Castile, "witchcraft and sorcery came to be regarded as heresy by the end of the fourteenth century." See, Griffiths and Cervantes, *Spiritual Encounters*, 245 no. 2; Scrictly speaking, "unbaptized persons, non-Christians, or even non-Catholic Christians (i.e., Protestants)" were not guilty of formal heresy because inquisitorial tribunals held "no jurisdiction over people who had not entered into the fold of the Catholic Church through the sacrament of baptism." See, Chuchiak, *The Inquisition in New Spain, 1536-1820*, 3.

[66] Even so, the Spanish Inquisition remained intricately related to its medieval predecessor. Kamen states that the "Spanish Holy Office, when eventually founded, was based rather on the concept of the mediaeval French Inquisition." See, Henry Kamen, *The Spanish Inquisition: A Historical Revision* (New Haven: Yale University Press, 1998), 34.

[67] Kamen, *The Spanish Inquisition*, 1966, 35.

[68] Kamen, 35.

religious instruction but who chose to rebel against these teachings."[69] Heretics offended the Church more than pagans or non-Catholic Christians who had previously been unaware of Catholicism because of their perceived betrayal and rejection of orthodox teachings.

The Spanish Inquisition differed from previous papal inquisitions in that it now functioned as a national institution.[70] Together, the crowns of Aragon and Castile exercised greater control over inquisitorial activities and began to police the alleged backsliding of converted Jews (*maranos*) and Moors (*moriscos*), charged with idolatry.[71] Due to the enormous task of converting everyone within the kingdoms of Aragon and Castile, the papacy granted the Spanish monarchs increased control over the Inquisition and other Church functions. The Catholic Kings not only spread the faith through the Reconquest, they also founded clerical institutions in newly occupied territories in southern Spain.[72] The political climate in the late fifteenth century firmly entrenched Spanish monarchs' control over an institution that was subsequently transported to the Americas in the sixteenth century and created a paradoxical mission for inquisitors who

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[69] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 3.
[70] Kamen, *The Spanish Inquisition*, 1966, 35–36; Greenleaf predates Kamen's assessment of the founding of the Spanish Inquisition by ten days: September 17, 1480 vs. September 27, 1480. See, Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 4.
[71] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 4.
[72] Greenleaf, 5.

attempted to eradicate heresy through the application of torture while also championing Christian notions of forgiveness and grace.[73]

The Orders of the Friars Minor, commonly known as Franciscans, began proselytizing to the masses in New Spain after their arrival in 1524.[74] Due to their persistent efforts, and, in part, due to inter-order rivalry among Dominicans, Augustinians, and, eventually, Jesuits, the Franciscans became tough enforcers of religious life for neophytes in their environs. This antagonism eventually pitted Nahuatl-speaking Indigenous nobles against the friars, all of whom sought to curtail non-orthodox practices such as polygamy and instill monogamy.[75] Many Indigenous nobles understood Catholicism and its endorsement of monogamy to be a threat to their rule. Just as a lack of belief in Christ equated to an excessive sin, here a refusal to adopt monogamy transformed into sociopolitical excess among the Nahua.[76] Charges of Indigenous heresy, idolatry, apostasy, bigamy and other excesses continued to manifest

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[73] Mott, "The Rule of Faith over Reason," 68.
[74] The number of Franciscans that first arrived in New Spain was twelve. Of course, this was no accident. The Apostolic Twelve intended to emulate the Twelve Disciples' preaching of the gospel following the death of Jesus Christ. They were Fray Martín de Valencia, Fray Francisco de Soto, Fray Martín de Coruña, Fray Juan Juárez, Fray Antonio de Ciudad Rodgrigo, Fray Toribio de Benavente Motolinía, García de Cisneros, Fray Luis de Fuensalida, Juan de Ribas, Fray Francisco Jiménez, Fray Andrés de Córdoba, and Fray Juan de Palos. Soormally notes that a lay brother named Fray Andrés de Córdoba was also among them. See, Soormally, *Idolatry and the Construction of the Spanish Empire*, 49 no. 27.
[75] Don, "Franciscans, Indian Sorcerers, and the Inquisition in New Spain, 1536-1543," 28.
[76] Some clergymen believed that Indians should not be blamed for practices and beliefs of which they remained ignorant. This view propagated millenarian sentiment among many friars and priests who, at times, preached patience and charity for neophytes. See, Cisneros, *¿Ignorancia Invencible?*, 82–91.

throughout the sixteenth century.[77] Indeed, as Martin Nesvig remarks, "sexual crimes of cohabitation and bigamy became high-profile targets of the Mexican Inquisition."[78] Many Spaniards debated whether Indigenous peoples could become Christians to the full extent of the word.[79] Bishop Juan de Zumárraga's zeal led him to burn an Indigenous noble named don Carlos at the stake "for a series of heretical activities including concubinage."[80] Soon thereafter, the Spanish government debated the advisability of harsh punishments notwithstanding their legality. A decade later (1543), the Council of the Indies formally revoked Zumárraga's inquisitorial powers.[81] Eventually, Phillip II authorized the reinstatement of the Holy Office of the Inquisition in Mexico and Peru on January 25, 1569.[82] However, Philip issued a decree on December 30, 1571, removing "Indians from the jurisdiction of all inquisitions," placing them "under the direct control of the bishops in matters of the faith and morals."[83] Although technically shielded from the Inquisition, Indians were punished by the secular arm for crimes imbued with religious symbolism such as sodomy, thus blurring jurisdictional lines.[84]

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[77] Don, *Bonfires of Culture*, 181–85; Schwaller, *Géneros de Gente in Early Colonial Mexico*, 39.
[78] Nesvig, *Ideology and Inquisition*, 144.
[79] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 67; Don, *Bonfires of Culture*, 173, 175.
[80] Hassig, *Polygamy and the Rise and Demise of the Aztec Empire*, 128; Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 50.
[81] Don, "Franciscans, Indian Sorcerers, and the Inquisition in New Spain, 1536-1543," 28.
[82] Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 19.
[83] Greenleaf, 74.
[84] Tortorici, *Sins Against Nature*, 69–82.

After 1571, then, the Mexican Inquisition continually policed the boundaries of orthodoxy among the non-Indigenous population, extirpating errant beliefs and, sometimes, believers until the nineteenth century.[85] In New Spain as in Iberia, charges of heresy, idolatry, and sexual improprieties, such as sodomy and bestiality, carried with them socioeconomic and corporeal consequences. The Spanish state confiscated the accused's goods while the trial took place and the accused remained detained.[86] Following the Royal Pragmatic of 1497, the Spanish Inquisition, along with the secular branch, applied torture to those indicted for unorthodox crimes such as idolatry, sodomy, and bestiality. The Spanish state prescribed death by fire as the appropriate punishment for convicted sodomites due to its function as a natural purifier of the maligned.[87]

The perception of crime was intimately tied to voyeurism because many denunciators claimed to have been eyewitnesses.[88] In order to become an eyewitness, denunciators, needed sufficient mobility to witness these crimes firsthand. As women's honor was tied to enclosure (*recogimiento*), women remained less mobile than men and, consequently, were accused of sexual deviancy much less.[89] Generally speaking, the

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[85] Although the Inquisition had long been in decline and, like everything else, was completely disrupted with rise of Napoleon, its formal abolition in Spain occurred on July 15, 1834. See, Kamen, *The Spanish Inquisition*, 1966, 282.
[86] Tortorici, *Sins Against Nature*, 72.
[87] Carvajal, *Butterflies Will Burn*, 42-43.
[88] Tortorici places voyeurism "at the center of colonial justice." See, Tortorici, *Sins Against Nature*, 90.
[89] For enclosure see, Lipsett-Rivera, *Gender*, 94–98; Nancy E. van Deusen, *Between the Sacred and the Worldly: The Institutional and Cultural Practice of Recogimiento in Colonial Lima* (Stanford: Stanford University Press,

Inquisition prosecuted women much less for all manner of proposition, leading Stuart Schwartz to conclude that inquisitors remained more concerned about what men said and did than women.[90] The relevance of what men said and did stemmed from the fact that they, primarily, inhabited the public sphere, spending a significant portion of their time with other men.

As this dissertation will show, however, the accusation of sodomy became ethnicized and racialized, which, due to the institutional and political asymmetries of power in place, benefited elite Spaniards to the detriment of Indigenous and African descent peoples. The perceived excesses, crimes, and misdeeds among Native peoples were directly related to idolatry and sexual deviancy as those accused engaged with supernatural realms beyond of the confines of the Church, thereby transgressing the social and cultural limits imposed on them by colonial officials.

Sexual Excess

In addition to idolatry, theologians preoccupied themselves with the sexual excesses of the masses due to their fear of divine retribution. Since the Middle Ages, clergymen condemned all forms of non-procreative sex. Analyzing how Catholic clerics viewed excess and its relationship to sexuality provides deeper insight into the modus

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2001); One extreme way to preserve a woman's honor was to keep a scandalous pregnancy secret by enclosing women throughout the entire gestation period. See, Twinam, *Public Lives, Private Secrets*, 66–73.

[90] Schwartz, *All Can Be Saved*, 249.

operandi of the early Church, serving as the theological foundation for the process of conversion that took place in the Americas centuries later. Saint Jerome (C.E. 342-420), noted for his compilation of the Vulgate Bible, brought excess into his writings and, consequently, the whole of Christianity by applying the Latin *luxuria* for excessive behaviors and practices found in the Old and New Testament. *Luxuria* eventually became associated with vices such as drunkenness, gluttony, and prostitution.[91]

When Paul listed the sins of the Galatians, *luxuria* followed fornication and idolatry.[92] In the writings attributed to Peter, *luxuria* became associated with desires of the flesh.[93] Though more expansive in its initial application, a common thread remained: excess, in all of its manifestations, was to be avoided as it was considered sinful.[94] Pope Gregory I (540-604) maintained that *luxuria* was a sexual sin, noting that it was tied to the loins of men from where the devil held sinners in subjection and produced obscene thoughts. Gregory also connected *luxuria* to "effeminacy and animality…. symbolized by the ass, the pig, and the worm."[95] In this regard, sexual excess held the potential to cross genders and species, making *luxuria* such a grave sin that its perpetrators had to be executed.

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[91] For gluttony and drunkenness see Deuteronomy: 21:20; for drunkenness see Proverbs 20:1; for gluttony see 2 Maccabees 6:4; for prostitution see Jeremiah 5:7; for the dissipation of one's wealth see Luke 15:13.
[92] Galatians 5:19.
[93] 1 Peter 4:4, 2 Peter 2:18.
[94] Jordan, *The Invention of Sodomy in Christian Theology*, 37–38.
[95] Jordan, 39.

In his *Summa Theologica*, Thomas Aquinas (1225-1274) argued that *luxuria*, due to its "surfeit and abundance," causes other sins such as the self-indulgent excesses of inebriation and venereal pleasures.[96] Aquinas maintained that the primary reason the mind became debauched was due to the pursuit of venereal pleasures, which were so enjoyable due to Original Sin.[97] Recall that God cast Adam and Eve out of the Garden of Eden because they had eaten the forbidden fruit and, as a consequence, felt ashamed of their nakedness.[98] By transgressing the Lord's dictates, sexuality and sexual improprieties came into existence. Referring to Adam and Eve and the concept of innocence, theorist Giorgio Agamben observes, "though they were not covered by any human clothing before the Fall, Adam and Eve were not naked; rather, they were covered by the clothing of grace, which clung to them as a garment of glory."[99] Theologically, nudity assumed a negative connotation after the emergence of sin—not before.[100] After the Fall, enmity arose between the genders, women birthed children, and patriarchy came into being.[101] Significantly, the Lord clothed Adam and Eve with coats of skin before casting them out of Eden, indicating that the literal excess of animals would continue to serve mankind to elevate its virtue.[102]

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[96] Question 153, Article 1. Note that the English version has translated luxuria as lust. Aquinas, *Summa*.
[97] Question 153, Reply to Objection 2. Aquinas.
[98] Genesis 2:17; Genesis 3:1-23.
[99] Giorgio Agamben, *Nudities*, trans. David Kishik and Stefan Pedatella (Stanford: Stanford University Press, 2010), 57.
[100] Agamben, 59.
[101] Genesis 3:15-16.
[102] Genesis 3:21.

Despite the fact that Adam and Eve disobeyed the Lord, thus contravening the natural order, animals remained under man's dominion but only to provide food, clothing, and, by extension, wealth. Indeed, certain clerics and secular judges in New Spain viewed bestiality as such a sinful and heretical act that it was persecuted by both the Inquisition and the secular courts.[103] If a guilty person was charged with multiple accounts of this act, the offense to God and the community grew in proportion. Thus, plurality and abundance exacerbated the perceived outlandishness of bestiality and its relationship to excess.

Aquinas opined that sexual intercourse between man and animal constituted the most egregious sin against God due to its blatant violation of the natural order.[104] In Aquinas's mind, God forbade humans to bugger animals as doing so transgressed the human-animal divide.[105] Theologians opined that continually displeasing the Lord would lead to divine retribution, which held the potential to destroy all of humanity. Proof of this could be found in the story of Sodom and Gomorrah.[106] The

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[103] Technically, the crime of bestiality did not pertain to the Inquisition unless "a member of the clergy or some overt heresy was involved." However, Tortorici has unearthed eight bestiality cases prosecuted by diocesan courts in Valladolid, Michoacán, thereby blurring the lines of jurisdiction between the courts. I maintain that this belies the offensiveness, and therefore a diagnostic of importance, of maintaining the human-animal divide as espoused by the Catholic Church in colonial society. See, Tortorici, *Sins Against Nature*, 127.

[104] Question 154, Article 12, Reply to Objection 4 Aquinas, *Summa*.

[105] Additionally, Aquinas expanded upon Agustin's categories of cultural superstitions and perceived idolatries, demonstrating how new interpretations add layers of meaning to long-held tenets of morality within the Church. See, Cisneros, *¿Ignorancia Invencible?*, 93–95.

[106] Jordan, *The Invention of Sodomy in Christian Theology*, 30–37.

transmogrification of sodomy from a Biblical place name (Sodom) to a sin of sexual excess was a process that took place throughout the Middle Ages.

In the Middle Ages, sodomy constituted a broad discursive category that referred to numerous sexual acts and behaviors believed to have taken place in the forsaken cities of Sodom and Gomorrah. Peter Damian's *Book of Gomorrah*, along with Aquinas's *Summa*, listed sexual acts such as self-masturbation, masturbation of other men, ejaculation between the thighs, and fornication in the rear, in varying degrees of sinfulness, all of which pertained to the sins of Sodom.[107] For Aquinas, carnal sins were bestial because irrational beings, meaning beings that lacked reason, engaged in these acts. Therefore, when men indulged in carnal pleasures they too became "brutalized," rendering them more animal-like and, as a consequence, increasing the disgrace associated with the act.[108]According to Damian, each type of sin increased in offence with fornication in the rear classified as the most egregious. Aquinas also associated same-sex erotic desire and same-sex copulation with cannibalism and bestiality.[109] Through these associations, sodomy came to include acts of bestiality. In addition to the biblical and theological condemnation of sodomy and bestiality, many peoples believed

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[107] Jordan, 46.
[108] Question 73, Article 5, Reply to Objection 3 Aquinas, *Summa*; Jordan, *The Invention of Sodomy in Christian Theology*, 149.
[109] Jordan, *The Invention of Sodomy in Christian Theology*, 150.

that relations with animals held the potential to produce human offspring.[110] Therefore, the sexual transgressions of a sodomite, be they with man or animal, could upset the natural order and invite divine retribution.

In the Spanish Americas, the criminality of transgressive sexual acts had a long history deriving from the Iberian Peninsula. The *Siete Partidas*, a thirteenth-century law code compiled between 1251 and 1265, influenced medieval Spanish law regarding the crime of sodomy.[111] Title XXI of the seventh *partida* reaffirmed the notion that Sodom and Gomorrah were two ancient cities "populated with very bad people."[112] Moreover, anyone found guilty of committing one of the many sins against nature "must die" (*deve morir*).[113] On August 22, 1497, the Catholic monarchs, Ferdinand of Aragon and Isabella of Castile, the Medina del Campo ordinance, in which they altered the death penalty for sodomy and bestiality as it had been since the thirteenth century from "stoning or hanging" to "burning on the spot of the crime," reaffirming fire's ability to cleanse the most heinous of sins.[114] The physical acts that approximated perfect sodomy—coitus in the anus—could also lead to the same punishment and fate despite the inability to juridically prove sodomy had taken place.[115] Denunciations of sexual deviancy placed

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[110] John Murrin, "'Things Fearful to Name': Bestiality in Colonial America," *Pennsylvania History* 65, no. Special Supplemental Issue (1998): 11; Martha Few, *Women Who Live Evil Lives: Gender, Religion, and the Politics of Power in Colonial Guatemala* (Austin: University of Texas Press, 2002), 95–96.
[111] Tortorici, *Sins Against Nature*, sodomy on p. 72, bestiality on p. 157.
[112] Title XXI, Law I. See, Lopez, *Las Siete Partidas*, 3:537.
[113] Title XXI, Law II. See, Lopez, 3:538.
[114] Trexler, *Sex and Conquest*, 1995, 46.
[115] For a discussion of perfect sodomy see, Carvajal, *Butterflies Will Burn*, 52.

the onus on the accused to prove their innocence. However, the capaciousness of charges such as sodomy and bestiality limited the appeals defendants could make with regards to non-sexual physical acts.[116]

The extremely blurry separation between church and state meant that non-orthodox practices such as idolatry, sodomy and bestiality came to be seen as a crime against the Church and the crown. By 1543, Charles V told his son, Philip II, "You should not permit heresies to enter into your kingdoms, to avoid this you should favor the Holy Inquisition."[117] Thus, the Inquisition served as the institutional defender of the Catholic religion and, therefore, "remained essential for the survival of Spain and its worldwide empire, both at home and abroad."[118] It was believed that the Catholic religion, through its various institutions, could curtail the excesses committed by errant followers through punishments meted out by the Inquisition.[119] As has been noted, the concept of excess had a particular historical trajectory in Europe that was unknown to Native Americans before the conquest. Nevertheless, Indigenous polities such as the Aztec Empire also concerned themselves with the excesses of their vassals. At times, Spanish notions of excess aligned with Indigenous concepts. Other times, they did not.

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[116] Defense attorneys were not permitted to confer with their clients in secret, consequently placing the accused "in an inferior position without many options or tools for an effective defense." See, Chuchiak, *The Inquisition in New Spain, 1536-1820*, 30.
[117] Quoted in Chuchiak, 4.
[118] Chuchiak, 4.
[119] In contrast to our twenty-first-century sensibilities, torture was thought to be an effective way to uncover the truth in the early modern era. See, Chuchiak, 44.

The following section provides an outline of fray Bernardino de Sahagún's treatment of excess in Nahua society.

Sahagún's Treatment of Nahua Excess

In order for the Spanish colonial project in New Spain to have operated for three hundred years, mutual understanding along certain registers often took place between Iberians and Natives.[120] Excess was a concept that Nahuas understood, albeit in different ways due to the absence of Catholicism before the Spanish invasion.[121] In *Historia general de las cosas de Nueva España* (known as the *Florentine Codex*), the polyglot Franciscan Bernardino de Sahagún collaborated with Nahua leaders among various communities "all, very capable in their language [Nahuatl], and in their ancient customs," creating an invaluable account of Nahua culture in the sixteenth century.[122] While in Tepeapulco, Sahagún consulted these Indigenous leaders, asking them about their daily customs, practices, and rituals prior to the conquest.[123] Sahagún also trained his Nahuatl-speaking

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[120] By the late sixteenth century, the iconography of the saints flourished among the Nahua peoples in Mexico City. See, Jonathan Truitt, *Sustaining the Divine in Mexico Tenochtitlan: Nahuas and Catholicism, 1523–1700* (Norman: University of Oklahoma Press, 2018), 206–7.

[121] Both cultures understood that cosmic deities battled against one another and that the terrestrial world was impacted by the results of such encounters. However, as Burkhart notes, "only in Christianity was it conceived as a struggle between moral absolutes." See, Burkhart, *The Slippery Earth*, 35.

[122] I have consulted the WDL to access both the Spanish and Nahuatl texts in the FC, which may be found here. I have also referred to the Nahuatl transcriptions by Charles E. Dibble and Arthur J. O. Anderson. *Florentine Codex. General History of the Things of New Spain*, Santa Fe, New Mexico, The School of American Research and The University of Utah, 1950-1982. Quoted from WDL, Book II, Prologue, f.1v.

[123] Miguel León-Portilla, *Bernardino de Sahagún: First Anthropologist*, trans. Mauricio J. Mixco (Norman: University of Oklahoma Press, 2002), 142–46.

aides in Latin and Spanish. Sahagún's linguistic skills and his sincere attempt to understand much of Nahua culture make his work extremely useful for historians.

However, Sahagún's wish to convert Native peoples to Christianity, inevitably, shaped his assessment of Mesoamerican cultures, leading the historian Matthew Restall to label the Florentine Codex a "quasi-indigenous" source.[124] Burkhart notes that sexual values such as chastity were infused with Nahua and Christian elements, adversely affecting women whose newborn children suddenly died. The women in question were blamed for committing "illicit or excessive sexual activity" prior to the children's birth.[125] Sousa notes that Sahagún believed marriage was necessary to avoid living in sin.[126] Other scholars have similarly questioned the historical value of these early colonial texts, leading some to brand Sahagún an "ethnographer" or, alternatively, an "accidental ethnographer," while others have labeled him an "anthropologist."[127] Due to the linguistic and ethnocentric layers of mediation found in the *Florentine Codex*, it cannot provide a transparent window into pre-Hispanic Nahua society.[128] At the broadest level, it provides insights into Nahua elites and Sahagún's concern with moderation and the

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[124] Restall, *When Montezuma Met Cortés*, 41.
[125] Burkhart, *The Slippery Earth*, 50–51.
[126] Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 52.
[127] For ethnographer, see Burkhart, *The Slippery Earth*, 199 no. 9; For accidental ethnographer, see Martin Nesvig's chapter in Schwartzkopf and Sampeck, *Substance and Seduction*, 34; For anthropologist, see León-Portilla, *Bernardino de Sahagún*, 3.
[128] Indeed, Sahagún's concern for sexual sins such as adultery and sodomy has led Pete Sigal to note the "ethnopornography" that Franciscans projected onto the Nahuas and other peoples due to their own fears of perversion. See, Sigal "Franciscan Voyeurism in Sixteenth-Century New Spain," in Sigal, Tortorici, and Whitehead, *Ethnopornography*, 153–61.

ability to impose temperance on subordinates. This dissertation treats the *Florentine Codex* as a hybrid document infused with Catholic interpretations of morality and excess.

In Chapter 8 of Book VI, Sahagún displays his interest in religious excess, noting that the Nahua revered their deity Tlaloc:

> as lord and king of the earthly paradise, with many other gods [as] his subjects called tlaloque: and his sister named chicome coatl [who was like] the goddess Ceres. This prayer was used by the satraps: in dry weather, to ask for water from those [gods] mentioned above.[129]

Sahagún repeatedly observed "the language and affections they [Nahuas] used when praying to the pluvial god named Tlaloc."[130] Similar to Sahagún, Ruiz de Alarcón compared Nahua deities to Greco-Roman gods, noting that the mother goddess *tonacacihuatl* and the deity *xochiquetzal* were equivalent to Ceres and Venus.[131] By the seventeenth century, Ruiz de Alarcón deviated further from the Nahuatl meaning,

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[129] WDL, FC, Book VI, f. 28r. The Nahuatl word "tlaloque" derives from the word for land "tlalli" followed by "que" indicating plurality. Thus, one can translate "tlaloque" as deities of the land. The name "chicome coatl" can be translated as seven serpents.

[130] The Nahuatl text for the above reads "injquac qujtlatlauhtiaia intlaloc," which can be transcribed into modern Nahuatl as "inicuac quitlatlauhtiaia intlaloc." See, WDL, FC, Book VI, f. 28r. Inicuac denotes time as can be translated as "when" or "in the time of" something. Tlatlauhtia is translated as "to pray". Finally, intlaltoc refers to the rain deity Tlaloc. The particle in can be translated as "the" but is often left untranslated in English. See, Frances Karttunen, *An Analytical Dictionary of Nahuatl* (Norman and London: University of Oklahoma Press, 1992), 106.

[131] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 105; Tratado II, Capitulo IX, párrafo 218, Ruiz de Alarcón, "Tratado."

evinced by his addition of parenthetical citations and translations that did not strictly correspond to the Nahuatl text.

In Chapter 2 of Treatise III, Ruiz de Alarcón writes in Spanish, "the Goddess Ceres, or the woman who is speaking" after the Nahuatl *monantztin*, which literally translates to "your mother."[132] Sahagún also labeled Huitzilopochtli "another Hercules," Tezcatlipoca "another Jupiter," Chalchiuhtlicue "another Juno," Tlazolteotl "another Venus," and Tezcatzóncatl "another Bacchus."[133] Ruiz de Alarcón equated the deities *Caxoch* and *Tlahzoltetoh* to Cupid and Venus.[134] The comparison to Greco-Roman gods shows how Spanish clergymen incorporated Indigenous deities and practices into preexisting frameworks from the Old World.[135] The ancient Romans revered Ceres for agriculture, grain crops, and fertility.[136] By the sixteenth century, Renaissance artists such as Jacopo Pontormo and Michelangelo portrayed Venus and Cupid as incestuous deities of sexual excess.[137] From the very first moment of proselytization in the Americas, Spanish clergymen created imperfect translations based on their understanding of paganism in Europe.

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[132] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 125; Tratado III, Capitulo II, párrafo 261, Ruiz de Alarcón, "Tratado."
[133] For these informative illustrations, see WDL, FC, Book I, pp. 30-34.
[134] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 136; Tratado IV, Capitulo III, párrafo 296, Ruiz de Alarcón, "Tratado."
[135] Because a subordinate of Huitzilopochtli named Painal delivered messages in his name, Sahagún and his contemporaries associated Painal with the messenger god Mercury. See, Schwaller, *The Fifteenth Month*, 83.
[136] Barbette Stanley Spaeth, *The Roman Goddess Ceres* (Austin: University of Texas Press, 1996).
[137] Rebekah Compton, "Omnia Vincit Amor: The Sovereignty of Love in Tuscan Poetry and Michelangelo's Venus and Cupid," *Mediaevalia* 33, no. 33 (2012): 229–60.

In Salamanca, where Sahagún received his education, the curricula emphasized the study of Roman and Greek history as well as languages such as Arabic, Greek, Hebrew, and Latin.[138] Educated clergymen built on the findings of ancient pagans while continuingly holding the Christian faith to reign supreme.[139] Yet, in his *Tratado*, Ruiz de Alarcón cites the famous Roman orator Cicero, stating that his words "will be of use for the intent of this Treatise."[140] Because the literati of the early modern era had relied on the works of European pagans to attain knowledge and culture, a problematic question naturally manifested after the Spanish stumbled upon the Aztec and Inca civilizations, mainly "How much knowledge should Iberians extract from pagans in the New World?" Christianity's ascendency throughout Europe in the Middle Ages predisposed sixteenth-century Spanish colonizers to view Native deities as false idols.

Once in New Spain, Sahagún disparaged the Aztec pantheon because, among other reasons, its mere existence displayed the alleged idolatrous excesses of the Nahua peoples. By virtue of its plurality, this pre-Hispanic pantheon transgressed the permissible number of deities to be worshiped. In the Appendix of Book I, Sahagún categorically denies that any of the Aztec deities qualified as true gods. Yet, the placement of Huitzilopochtli at the beginning of a long list of so-called false gods—

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[138] León-Portilla, *Bernardino de Sahagún*, 38.
[139] For example, in the Jesuit college in Poitiers, Latin was the sole language of instruction. Here, students used texts by Cicero, Caesar, Virgil and Ovid. Greer notes that students were introduced to Greek in their fourth year. See, Allan Greer, *Mohawk Saint: Catherine Tekakwitha and the Jesuits* (Oxford; New York: Oxford University Press, 2005), 64–67.
[140] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 141. See also p. 106.

thirty-six in total—suggests the esteem with which the Nahua revered him.[141] Unsurprisingly, clergymen viewed the admiration that commoners held for Huitzilopochtli and the other pre-Hispanic deities as a threat to their proselytization efforts.

In the opening of Chapter 7 in Book VI, Sahagún writes that the Native born (*naturales*) provided an "auricular confession" regarding the "the time of infidelity" once in their lifetime.[142] Sahagún euphemistically refers to idolatry as infidelity (*infidelidad*) in Spanish but uses the Nahuatl term *tlateutoca* (tlateotoca in modern Nahuatl). Sahagún agglutinated the words *teotl* and *toca*, which mean "deity" and "to follow" respectively. Therefore, the phrase *tlateotoca* literally translates to one who follows deities, indicating the religious excess of idolatry. Note how this combination in Nahuatl illustrates the ongoing preoccupation with plurality—not unlike that of the ancient Israelites. Although the Nahuatl *tlateotoca* conveys the notion that the Nahua worshiped multiple deities, it could not comprehensively convey the meaning of "idolatry" as a sin because the ancient Nahua did not view the worship of multiple deities as wrong.

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[141] Sahagún negates the entire pantheon by using the Nahuatl "amo teotl," translated as "not [a] god" throughout the list. Significantly, the Spanish side of the text omits lesser deities that, nonetheless, remain on the Nahuatl side. The following are the deities listed in Nahuatl: Huitzilopochtli, Tezcatlipoca, Tlaloc, Tlalocatecuitli, Quetzalcoatl, Cihuacoatl, Chicomecoatl, Teteo, Tzapotla, Cihuapipitli, Cihuateteo, Chalchiuhtlicue, Huixtocihuatl, Tlazolteotl, Xiuhtecuhtli, Macuilxochitl, Omacatl, Ixtlilton Tlatetecuin, Opochtli, Xipe, Yiacatecuhtli, Chiconquiahuitl, Chalmecacihuatl, Acxomocuil, Nacaxitl, Cochimetl, Iacapitzahuac, Nappatecutli, Tepictoton, the sun, the moon, the stars, Tlaltecuhtli, the water of the sea, and the ocean. See, WDL, FC, Book I, Appendix, f. 30v.

[142] WDL, FC, Book VI, f. 21v-22r.

The hybrid and imperfect translations in the Florentine Codex, which retold pre-Hispanic Nahua stories and traditions through a Catholic lens, can be seen in the Prologue of Book I. Here, Sahagún states that he aimed to investigate the "divine things" of the Nahua in New Spain but then, immediately, corrects himself, stating "or better said the idolatrous" things.[143] Sahagún's faith precluded him from incorporating certain aspects of Nahua culture into his worldview. The instructions issued to commoners by Sahagún and his Indigenous collaborators reveal one such conglomeration of disparate worldviews regarding excess.

So that the Nahua peoples could maintain an orderly society, they were instructed to "sweep, clean, arrange, order things [completely]."[144] Cleanliness, specifically the act of sweeping, carried with it temporal and cosmological significance.[145] Among the Nahua, Burkhart observes, "the sweeping up of straw was a purificatory act in a broader sense than housecleaning because straw represented the entire domain of *tlazolli* (i.e. trash or filth) by synecdochic substitution of part for whole."[146] Consequently, the physical dirt and its subsequent management through sweeping overlapped with the spiritual domain, which Sahagún and his collaborators utilized to their advantage.[147]

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[143] WDL, FC, Book I, Prologue, 1r.
[144] The Nahuatl text reads, "xochpana, xitlacuicui, chico, tlanahuac." See, WDL, FC, Book VI, f. 22r; For chico and tlanahuac, see Karttunen, *An Analytical Dictionary of Nahuatl*, 49 and 283.
[145] Truitt, *Sustaining the Divine in Mexico Tenochtitlan*, 212.
[146] Burkhart, *The Slippery Earth*, 101.
[147] The "Ochpaniztli" ritual was an annual event in which Nahua communities danced, engaged in mock battles and, literally and symbolically, swept up the filth from the community. See, Sigal, *The Flower and the Scorpion*, 155–65.

To show their devotion, the Nahua were ordered to perform penance for one year or more in the house of God by drawing blood, pricking themselves with thorns from the maguey plant. They were to perform penance for carnal sins such as adultery, i.e. polygamy, and for the bad words which they had uttered against God.[148] Conducting rituals of penance with the maguey plant highlights one of the perennial contradictions of Spanish colonization, connecting theological excess to the inhabitation of space. At times devout Indians were instructed to manipulate the natural environment to achieve virtue.[149] From a Catholic viewpoint, these devout Indians expelled blood as a moral obligation to their communities. Nevertheless, on other occasions, Spaniards viewed Indigenous landscapes with suspicion, especially when Natives resided outside the reach of the Spanish state.[150]

Sahagún and his collaborators also instructed village leaders to inform their subjects about the temporal benefits that "our Lord" would bestow upon them.[151] These leaders were told to take charge and set an example, providing "paper and incense (*copal*) and also alms to the hungry, [the] needy, and those who have nothing to eat nor drink nor to dress [themselves with]."[152] As in the Old Testament, the Nahua were

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[148] The Nahuatl "otictlanempolhui notecuio" literally translates to "the things you spoiled of our Lord." See, WDL, FC, Book VI, f. 26v.
[149] Sigal notes that, among the Maya, the maguey needle "often was gendered feminine." See, Sigal, *From Moon Goddesses to Virgins*, 197.
[150] For Spanish fears of Indians running wild in the countryside, See Hagler, "Archival Epistemology," 528–30.
[151] WDL, FC, Book VI, f. 27r.
[152] WDL, FC, Book VI, f. 27r.

enjoined to avoid nudity, hence the well-to-do must also "try to clothe those who walk about naked [*desnudos*] and ragged."[153] However, an exegesis of Nahuatl highlights the difficulties of communicating the Catholic notion that nudity constituted a religious form of excess.

Sahagún translates the Nahuatl phrase *petlauhtinemi* as "to walk about naked." On its own, *nemi* typically means "to live." However, in compounds like the above example, *nemi* means "to go about."[154] Strictly speaking, *petlauhti* means "to be without" rather than "nude." For example, Fray Alonso de Molina translates *icxipetlauhtinemi* as "to walk without shoes" or, for simplicity's sake, to be barefoot (*descalzo*).[155] Molina similarly translates *melpan petlauhqui* as bare-chested (*despechugado*).[156] While *petlauhtinemi* may technically translate to "walk about without clothing," it does not automatically indicate that doing so was intrinsically immoral, i.e. nakedness as understood by Sahagún and the Catholic Church. The type of excess Sahagún conveys to the Nahua was, at that time, completely foreign.

States of undress or "nudity" among the Nahua remained highly contextual, often used in religious rituals that combined the maguey plant and water in non-

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[153] WDL, FC, Book VI, f. 27r.
[154] Karttunen, *An Analytical Dictionary of Nahuatl*, 162.
[155] Fray Alonso de Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 6th ed. (México, D.F.: Editorial Porrúa, 2013), 34.
[156] The Nahuatl term "elpantli" is the noun for chest. Molina, 29. For "melpan pelauhqui," see 56.

orthodox ways.[157] For example, in the Book III, *Origin of the Gods*, which relays valuable information about pre-Hispanic rituals, Sahagún writes that ritual specialists (*tlamacazque*) cut agave thorns to perform "penances" (*tlamacehualiztli*).[158] In order to purify themselves, these ritualists bathed (*altia*) themselves first, thus entering into a state of undress. At sunset, they took the appropriate accoutrements, including maguey needles, to a sacred site in the mountains where they undressed (*petlauhtiuh*) and pierced themselves, offering blood to the gods.[159] To describe this ritual in Spanish, however, Sahagún uses the term "naked" (*desnudos*), which, as noted above, conveyed notions of sin to European audiences. Sahagún continued to display his ethnocentrism by referring to the Nahua ritual specialists, i.e. *tlamacazque*, as "ministers of the idols" (*ministros de los ídolos*). Moreover, the term "penance" cannot fully describe the acts that ritual specialists performed in pre-Hispanic times because they had no knowledge of Christianity nor of its rituals. Although *tlamahcehualtia* translates to "mortify the flesh," Nahua motivations for doing so, necessarily, remained void of Christian liturgy.[160] Even so, Sahagún could only view Nahua culture from his humanistic perspective. Sahagún's education at the

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[157] As noted above, Sahagún translates "petlauhti" as naked or nude. To avoid this ethnocentric translation as best as possible, I opt for the lengthier phrasing of "state of undress," which more closely aligns with the original Nahuatl.

[158] In Spanish, Sahagún writes "sacerdote," which translates to priest in English. However, I employ ritual specialist as I wish to emphasize the non-Christian context among the ancient Nahua. For penance, the Nahuatl text reads "tlamaceoaliztli." Karttunen transcribes this word in modern Nahuatl as "tlamahcehualtia." See, WDL, FC, Book III, Appendix, ff. 37r-38r; Karttunen, *An Analytical Dictionary of Nahuatl*, 279.

[159] WDL, FC, Book III, Appendix, ff. 37v-38r.

[160] Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 125.

University of Salamanca invariably influenced his views of non-Christian cultures throughout the world.[161]

According to Sahagún, ritual specialists drew blood from the ears and flanks from those individuals found guilty of committing a "venial sin" (*culpa venial*), using maguey needles.[162] Around midnight, these "ministers of idolatry" (*ministros de los ídolos*) bathed themselves in a spring in a state of undress.[163] For the Nahua, the night was divided into "periods of greater or lesser danger, according to their temporal proximity to the setting or rising of the sun."[164] Midnight marked a transitory moment when ritual specialists performed remorseful acts "when the sun began its ascent, just as the gods had done penance to create the sun."[165] Although Europeans associated the night with witchcraft, Catholic friars found in Nahua discourse familiar symbols, which they appropriated for their conversion efforts. Burkhart maintains that such similarities

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[161] León-Portilla, *Bernardino de Sahagún*, 139–40.

[162] WDL, FC, Book III, Appendix, ff. 38v; In order to translate the Eurocentric concept of "venial sin" into Nahuatl, Sahagún highlights its diminutive nature by combining "zan" and "tepiton" to precede "quitlacoa," which literally translates to "damage something." Thus, the phrasing of "zan tepiton quitlacoa," means "to damage very little" or "to only damage a little." Note that venial and mortal sins were imported concepts from Europe. For "tlacoa" and venial sin, see Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 118 and 94 respectively.

[163] Midnight, i.e. "yoalnepantla" derives from the combination of "yohual," meaning night, and "nepantla," meaning between. See, WDL, FC, Book III, Appendix, f. 38v; Nepantla can convey a figurative meaning for an "in-between state" or uncertainty as one crosses from one temporal or spatial zone to another. See, Gloria Anzaldúa, *The Gloria Anzaldúa Reader*, ed. AnaLouise Keating (Durham: Duke University Press, 2009), 180.

[164] Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 204.

[165] I do not wish to criticize Burkhart's linguistic skills in Nahuatl nor her excellent scholarship. However, in lieu of "penance," I have adopted the phrase "remorseful acts" to distance this dissertation from Eurocentric terminologies as best as possible. Burkhart's use of "penace" is not without justification. However, I have chosen to avoid using it when describing pre-Hispanic religious concepts. See, Burkhart, *The Slippery Earth*, 82.

"could be effective in evoking the desired moral attitudes" in the potential converts.[166] The language employed to describe Nahua rituals highlighted the various excesses committed by Indigenous peoples by using symbols that the Nahua understood.

Notwithstanding the biased lens through which Sahagún viewed non-Christian cultures, he was genuinely impressed by the complexity of the Nahuatl language and, by extension, other aspects of Nahua culture after spending a significant amount of time with these peoples. In the Chapter 1 of Book VI, Sahagún wrote about the prayers made for Tezcatlipoca. Here, he reveals his fondness for Nahuatl, remarking that the ancient ritual specialists used "very beautiful metaphors and figures of speech."[167] Likewise in the Chapter III of Book VI, Sahagún opines that the satraps' prayer contained "very delicate metaphors, and very elegant language."[168] In the Chapter 4, Sahagún once again expressed his admiration, writing that the satraps' prayer contains "very delicate sentences."[169]

By Chapter 10 of Book VI, Sahagún seems to have become enthralled with the Nahua's orations to the point that Nahuatl spilled over onto the Spanish side of the text. Nahuatl thus became excessive as it could no longer be contained on its side of the manuscript. Sahagún wrote that a speech from "some very important person, one of the satraps, or some pilli [nobleman] or tecutli [lord], the one with the most act to make it

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[166] Burkhart, 98.
[167] WDL, FC, Book VI, f. 1r.
[168] WDL, FC, Book VI, f. 8v.
[169] WDL, FC, Book VI, f. 12r.

[the speech]. It has marvelous language and very delicate metaphors, and admirable admonitions."[170] This last statement evinces Sahagún's deep appreciation for Nahua culture.

In part, Nahuas so endeared themselves to Spanish colonizers because their societies had already developed along hierarchical and stratified lines. Concepts such as vassalage, lordship, and worship resonated with Spanish colonizers because they used similar categories in Iberia proper. Danna Levin Rojo argues that perceived cultural similarities ingratiated the Nahua to the Spanish so much so that Spaniards "granted credibility to Nahua migration stories and acted accordingly, searching for the land of origin found in these narratives"—a concept later developed in Chapter 4.[171] Indeed, Sahagún admired the ritualistic asceticism and sense of humility among Nahua ritual specialists. Among them, Sahagún claims, "none was proud."[172]

That humbleness resonated with Sahagún seems reasonable since Franciscans were instructed that the "brothers must be on guard against pride, desiring the 'Spirit of the Lord' and avoiding worldly norms for success."[173] Sahagún further describes the social cohesiveness among these ritual specialists, stating that they did not offend one

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[170] WDL, FC, Book VI, f. 38r.
[171] Danna A. Levin Rojo, *Return to Aztlan: Indians, Spaniards, and the Invention of Nuevo México* (Norman: University of Oklahoma Press, 2014), 6.
[172] I rely on the Spanish more than the Nahuatl in this paragraph as Spanish was Sahagún's native language. See, WDL, FC, Book III, Appendix, f. 38r.
[173] Michael J. P. Robson, ed., *The Cambridge Companion to Francis of Assisi* (Cambridge University Press, 2011), 61.

another nor were they "disobedient to the order and custom that they used."[174] If a ritual specialist appeared "drunk or with woman (*amacebado*) or committed some other criminal offense" … the other ritualists would "kill him or have him garroted, or roast him alive, or shoot him with arrows."[175] Most likely, Sahagún concurred with the prohibition against sex among Nahua ritualists as the Friars Minor had been instructed to avoid all sexual misconduct since the thirteenth century.[176]

Like the regular clergy, Catholic priests preoccupied themselves with the complex rituals of their Indigenous subjects. Both sides understood the importance of water and used it variously in religious ceremonies. Water conveyed spiritual meaning to the Nahua because it washed away the stains of lesser immoral acts, curtailing the excesses committed within the community.[177] The Catholic sacrament of baptism also employed water "to cleanse the soul from original sin," curtailing excess albeit differently to pre-Hispanic Nahua rituals.[178]

Nahua and Spanish concepts of ritual purity conflicted when Natives performed ablutions in ritual steam baths known as *temascales*. Spanish officials worried that the Nahua unwittingly engaged in religious excess when men and women bathed together

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[174] See, WDL, FC, Book III, Appendix, f. 38v.
[175] See WDL, FC, Book III, Appendix, f. 38v; The term "amancebamiento" referred to a couple living together outside of marriage. See, Laurent Corbeil, *The Motions Beneath: Indigenous Migrants on the Urban Frontier of New Spain* (Tucson: The University of Arizona Press, 2018), 17.
[176] Robson, *The Cambridge Companion to Francis of Assisi*, 55.
[177] For a water ritual in Mexico-Tenochtitlan, see Duran, *History of the Indies of New Spain*, 367–73; Burkhart, *The Slippery Earth*, 110.
[178] Maio and Pearson, *Pedro Ciruelo's A Treatise*, 96.

in a state of undress. Due to the import of duality in Nahua cosmology, bathing in *temascales* often included an equal number of men and women. For the Nahua, the *temascal* represented a spiritual site where water's inherent healing power cured the sick.[179] However, Catholic clergymen viewed these sites with suspicion because the state of undress needed to perform rituals in *temascales* facilitated sexual activity between unmarried couples.

By the seventeenth century, the *temascale* had discursively transformed into a den of iniquity. Spaniards labeled the temascal an inherently sinful place filled with "unsanctioned sexual activity."[180] Ruiz de Alarcón noted that washing away filth, i.e. *tetlaçolaltiloni*, was indeed a deception brought about by heathen blindness (*seguedad gentilica*). Heathenism among the Nahua might invite divine retribution as the excess of transgressions (*excesso de delitos*) grew in the community.[181]

Ruiz de Alarcón provides a Nahuatl incantation used in the steam baths, which interlinked sexual promiscuity and pre-Hispanic deities. According to Ruiz de Alarcón, the ritual specialist invited devotees to come in the water to take away the "dusky filth, white filth, [and] green filth," colors that denoted illicit sexual conduct.[182] The excess

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[179] Sigal, *The Flower and the Scorpion*, 1.
[180] Zeb Tortorici, "'Heran Todos Putos': Sodomitical Subcultures and Disordered Desire in Early Colonial Mexico," *Ethnohistory* 54, no. 1 (December 21, 2007): 53.
[181] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 136; See, Tratado Quarto, Captitulo III, párrafo 295, Ruiz de Alarcón, "Tratado."
[182] The Nahuatl reads yayauhqui tlaçolli, iztac tlaçolli, xoxouhqui tlaçolli." See, Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, Tratado Quarto, Capitulo III, párrafo 297,.

manifested from too much sex had to be washed away in order to recalibrate the cosmos. The ritualist invoked Green Tlaloc and White Tlaloc to help him cure the patient.[183] Ruiz de Alarcón noted that the reason rituals in temascales (steam baths) contained so many similarities to the sacrament of baptism was because of the devil. Accordingly, Satan wished to deceive these "unfortunate people" that they could "attain cleanliness of the body and free themselves of the diseases of temporal pains and harms."[184]

Even more empathetic clergy, such as the Dominican Diego Durán, viewed the temascal with suspicion due to its association with nudity and fornication.[185] Although Durán begrudgingly conceded that married couples could bathe in the temascal without committing sin, providing a modified understanding of Nahua duality, he noted that "at times there is so much confusion and laxity that, mingled and naked as they are, there cannot fail to be great affronts and offences to our Lord."[186] Consequently, clergymen imposed a secular understanding of Indigenous environments and of geographies. Excess resided in places removed from the purview of the Spanish state. The spaces and the peoples therein became associated with excess and sin.

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[183] Ruiz de Alarcón, 137.
[184] Ruiz de Alarcón, 139.
[185] Sigal notes that Durán closely identified with the Nahua peoples but remained influenced by Catholicism, leading Durán to "express great interest in the details of indigenous culture while strongly criticizing it." Sigal, *The Flower and the Scorpion*, 85.
[186] Duran, *Book of the Gods and Rites and the Ancient Calendar*, 272.

Excess in the Countryside

Nahua understood the spatial politics of rural villages in hierarchical terms. Because Nahua men worked in the fields, the street and the countryside were gendered masculine. Women were expected to "stay close to home," making tortillas, sweeping the house, and tending to the fire.[187] However, as Sonya Lipsett-Rivera observes, "in all practicality this idealized vision was impossible" to achieve in colonial society.[188] Nahua women had to enter the public sphere in order to fulfill wifely duties such as providing food for their husbands in the fields and purchasing foodstuffs in the market (*tianquiz*). Women were also charged with caring for inebriated husbands and pacifying their "tempers and excesses," creating another reason for their presence in public.[189] Time itself also gendered spaces masculine and feminine, particularly the distinction between night and day. The night "made places more dangerous and those who moved through these areas were "asking for trouble.""[190] A man roaming the streets at night might be viewed as a thief or drunkard. However, a woman out and about at night was, in all likelihood, seen as morally dubious.[191] The conflation of space, time, mobility, and gender remains crucial when analyzing the pleasure woman known as *ahuiani*.

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[187] Deborah E. Kanter, *Hijos Del Pueblo: Gender, Family, and Community in Rural Mexico, 1730-1850* (Austin: University of Texas Press, 2008), 38.
[188] Lipsett-Rivera, *Gender*, 35.
[189] Kanter, *Hijos Del Pueblo*, 38.
[190] Lipsett-Rivera, *Gender*, 36.
[191] Lipsett-Rivera, 168.

In Chapter 15 of Book X, Sahagún, along with his male Nahua collaborators, cautioned the readership against the "the ways of bad women."[192] This chapter opens with a discussion of the pleasure woman known as *ahuiani*. The term derives from "*ahuiya*," meaning to be happy, followed by the verbal suffix "*ni*," used to form the present agentive.[193] This construction remains important because *ahuiani* thus becomes a model for women of excess. *Ahuiani* is the harlot who "habitually has a good time."[194] Sigal maintains that the *ahuiani*'s constant persuit of pleasure transforms her into "the individual steeped in excess."[195]

Sahagún remarks that the *ahuiani* covers herself in perfume and "goes around chewing tzictli [gum] to clean [her] teeth," and, as she gnaws away, her "bites sound like castanets."[196] Sahagún's mixing of Spanish and Nahuatl further underscores the hybrid nature of the *Florentine Codex*. On the one hand, *tzictli* demonstrates the untranslatability between Spanish and Nahuatl. Hence, Sahagún's inclusion of *tzictli* on the Spanish side of the text. On the other hand, Sahagún's reference to castanets evokes the flamenco, a

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[192] WDL, FC, Book X, f. 38v.
[193] For ahuiya and and ahuiyani, see Karttunen, *An Analytical Dictionary of Nahuatl*, 8; For the "ni" suffix, see James Lockhart, *The Nahuas After the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth Through Eighteenth Centuries* (Stanford: Stanford University Press, 1992), 227.
[194] Burkhart, *The Slippery Earth*, 131.
[195] Sigal, *The Flower and the Scorpion*, 226.
[196] WDL, FC, Book X, f. 39v;Tzictli or "chicle" is gum from the sapodilla tree. See, Karttunen, *An Analytical Dictionary of Nahuatl*, 311–12.

dance foreign to the Nahua, which seduced the audience through the physical movement of the dancer's body.[197]

However, the Nahuatl used to describe the chewing of gum only expressed the audible noise made by the *ahuiani*. There is no mention of a Nahua equivalent to the castanet nor any other musical instrument in the Nahuatl side of the text. For example, Sahagún writes "*tzicquaqua*" for "chewing gum," which derives from the combination of *tzictli*, meaning "gum," and the duplicative *qua* (cua), meaning "to eat."[198] The repetition of chewing can be seen in the use of *cua* two times following the term for gum. Although the Spanish for "her bites sound like castanets" (*suenan las dentelladas como castañetas*) would have conveyed nuanced meaning to European audiences, the Nahuatl "*motzictlatlatza*" merely indicated the clattering of teeth. A literal translation of *motzictlatlatza* would be closer to "the thunderous sound of biting."[199] Although poetic imagery among the Nahua contained was extremely complex, one can see that the phrase *motzictlatlatza* did not equate to Spanish castanets. In this regard, Sahagún lumbered the *ahuiani* with Iberian concepts of sexual excess.[200]

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[197] As Auroa Morcillo notes, early modern Spanish society viewed the body as a way to achieve salvation. Thus, inciting lust highlighted a woman's rejection of virtue. See, Aurora G. Morcillo, *Seduction of Modern Spain: The Female Body and the Francoist Body Politic* (Lewisburg: Bucknell University Press, 2010), 61–64.
[198] WDL, FC, Book X, f. 39v.
[199] The particle "mo" is reflexive. The duplication found in "tlatlatzin" alludes to thunder or loudness. Therefore motzictlatlatza cannot not literally translate to the sound that castanets make. For tlatlatzin, see Karttunen, *An Analytical Dictionary of Nahuatl*, 301.
[200] That these texts were left for posterity, leaves historians with the troubling issue of a biased archive. The primary sources in such repositories form the foundation of the historical discipline. This general acknowledgement among scholars of Mexico has moved the field past questions of objectivity and into the

The act of chewing remained highly contextual and, unsurprisingly, related to gender and the spatial politics of Nahua society. In Chapter 24 of Book X, Sahagún states that young girls (*muchachas* and *mozas*), virgins (*doncellas*), and unmarried women (*solteras*) chewed chicle freely in public and in private. But when married women and widows chewed gum, they took care to do so in private. In contrast to these respectable women, shameless "public women" went about "chewing everywhere, in the streets, in the market (*tianguiz*), [with their] bites sounding like castanets."[201] According to Sahagún, respectable women did not roam as freely, make as much noise, nor move about as freely as the *ahuiani*.

Similar to idolatry, plurality related to sexual excess in that the *ahuiani* gave herself to multiple men. She was very lustful, dirty, and shameless (*luxuriosa*, *sucia*, *y sin vergüenza*) in carnal acts.[202] Excess took on an added layer of meaning because the *ahuiani*, according to Sahagún, primped herself continually. Not surprisingly for a mendicant friar who preached the importance of austerity, the *ahuiani*'s exuberant

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construction of subjective realities by treating the archive as a source of analysis. See, María Elena Martínez, "Archives, Bodies, and Imagination: The Case of Juana Aguilar and Queer Approaches to History, Sexuality, and Politics," *Radical History Review* 2014, no. 120 (September 21, 2014): 159–82; Tortorici, *Sins Against Nature*; Hagler, "Archival Epistemology."

[201] Like the example provided above, the Nahuatl does not communicate notions of a musical instrument nor of bodily movement equivalent to the Spanish Flamenco. The Nahuatl reads "tzicquaqua, in utlica in tianquizco motzictlatlatza." See, WDL, FC, Book X, f. 65r; The reader may wish to consult the following version as the Spanish text in the original is difficult to read in its entirety. See, Bernardino de Sahagún, *Historia General de Las Cosas de Nueva Espanã: Que En Doce Libros y Dos Volumenes*, ed. Carlos Maria de Bustamante (México: Imprenta del Ciudadano Alejandro Valdés, 1830), 64.

[202] WDL, FC, Book X, f. 39r.

aesthetic appeared excessive. As part of her beauty ritual, she looked at herself in the mirror, bathed, washed herself very well, and refreshed herself so as to entice men.[203] The *ahuiani* covered herself with a yellow ointment called *axin*, which she applied to her face. She dyed her teeth with cochineal and let her hair down. [204]

Geography and morality can be seen in the *ahuiani*, as she, by necessity, moved from one place to another to attract men. This mobility enabled her to seduce men, married and single, and, according to the Catholic understanding, commit fornication. Roaming freely, the *ahuiani* seemed like a herd of animals constantly on the move.[205] She used her sexually abundance, i.e. excess, to attract men with facial expressions (*señas, con la cara*). She spoke to men with her eyes, winking at them (*hablar guiñando del ojo*).[206]

Among the Nahua, women who were concubines or even secondary wives remained lower in status.[207] The *ahuiani* represented dissolution for both Spanish and Nahua audiences. However, as the wanderer, the *ahuianai* had "important social and ritual roles" even if these were "clearly associated with the disorderly side of nature."[208] Sahagún's temperance for Nahua culture clearly dissipated when describing the *ahuiani*. Indeed, these Nahua moral tropes filtered through his overarching Christian ideology to

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[203] WDL, FC, Book X. f. 39r.
[204] WDL, FC, Book X. f. 39r.
[205] The Spanish text reads "*anda de continuo, sigue el camino de las bestias*," WDL, FC, Book X. f. 40r.
[206] WDL, FC, Book X, f. 40r.
[207] Camilla Townsend, *Malintzin's Choices: An Indian Woman in the Conquest of Mexico* (Albuquerque: University of New Mexico Press, 2006), 20.
[208] Burkhart, *The Slippery Earth*, 211 no. 14; See also, Camilla Townsend, "'What in the World Have You Done to Me, My Lover?' Sex, Servitude, and Politics Among the Pre-Conquest Nahuas as Seen in the Cantares Mexicanos," *The Americas* 62, no. 3 (2006): 376 no. 87.

demonize the expression of women's sexuality.[209] According to Sahagún, the motivation for gum chewing related to excess because Nahua women did so to eliminate bad breath, thereby curtailing the foul odors that exuded from the mouth.[210] Iberian clergymen thus discursively imbued their version of excess into the fabric of colonial Mexican society.

Conclusion

As European patriarchal norms prevailed in social discourse and legal institutions, morally questionable women such as the *ahuiani* became a threat to colonial society. The ahuiani, along with her mobility, was excised from Spanish-Tlaxcalan accounts as they ventured into Saltillo and the northern fronter. These male colonizers neglected to record much about the daily experiences of Nahua women in places such as San Esteban de Nueva Tlaxcala. In this regard, Catholic colonizers successfully curtailed the excess of the ahuiani.

This has shown that the category of excess, in which plurality and abundance played an important role, was applied to Indigenous religious practices as well as Indigenous peoples. Although Nahua and Spanish societies understood excess differently, both cultures, at least among the elite, sought to impose order on the masses via moral rhetoric. Because Catholic colonizers applied corrective measures when Natives were

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[209] Rebecca Overmyer-Valazquez, "Christian Morality Revealed in New Spain: The Inimical Nahua Woman in Book Ten of the Florentine Codex," *Journal of Women's History* 10, no. 2 (1998).
[210] Sahagún noted that both men and women chewed gum to alleviate rheumatism of the jaw. See, WDL, FC, Book X, f. 65v.

thought to have deviated from Iberian sociocultural norms, the category of Indian (*indio*), generally, assumed a subordinate position relative to Spaniard (*español*). When Indigenous peoples overtly refused to convert to Catholicism or returned to their former ways, they posed an explicit threat to the Spanish imperial project because idolatry threatened to provoke God's wrath.

Don Joseph Ordoñez y Aguiar's letters about idolatry in *Sacumchen* in 1778 provide another biased example about the alleged inferiority of Indigenous peoples.[211] In order to subordinate Native peoples, their behaviors, and their religious beliefs, Spanish colonizers often appealed to Native American's purported subhuman status. Tropes such as barbarian, idolater, and neophyte placed Indigenous peoples closer to animals, meaning they could not exercise reason. In doing so, Spanish colonizers guaranteed that certain Indigenous peoples' status as adult humans remained under threat, exposing the colonial dilemma. This colonizing rhetoric supported the notion that Indians were meant to be led by elites and that, generally, Iberians were meant to rule.

In the centuries prior to the Iberian invasion, the Aztecs developed a theocratic society. Following the conquest, Native high priests clashed with their Catholic counterparts as each group vied for control and status within New Spanish society. Due to the biases of Iberians, Indigenous deities and rituals appeared to be the work of the

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[211] Spanish colonizers drew upon the long-standing tropes of barbarism at either extreme of New Spain. Malcolm Ebright, "Advocates for the Oppressed: Indians, Genízaros and Their Spanish Advocates in New Mexico, 1700-1786," *New Mexico Historical Review* 71, no. 4 (October 1, 1996): 305.

devil. For regular and secular clergy, the rituals practiced by Native high priests would only lead the masses to perdition. Consequently, Iberian colonizers sought to extirpate high priests and diminish the role they played in the daily lives of Indigenous commoners. To do so, Iberians engaged in a discursive assault, labelling Indigenous practices superstitious in their attempt to diminish the efficacy of popular magic.

Yet, Native high priests held a different understanding between the power of magic and the role of ritual than did Catholic clerics. For many Indigenous ritual specialists, crossing divides such as terrestrial-spiritual and human-animal demonstrated their superior magical powers and, by extension, social standing. Transforming into an animal (*nahual* or *nahualli* in Nahuatl) harnessed the power of the natural world, which further elevated the status of the high priests in Nahua society. Although Spaniards successfully excised this figure from state-sponsored ceremonies, the *nahualli* persisted locally throughout the colonial era. The following chapter considers the evolution of the *nahualli* as a form of excess in colonial society.

3. The Healing Touch: Priests, Native Ritualists, and Sacred Geographies

By the turn of the nineteenth century, many villagers in Quechula, Chiapas had come to loathe Tiburcio Pamplona for his egregious transgressions.[212] Recently, Pamplona had bewitched Feliciana Gómez, plaguing her with sores on her "orifice" from which secreted little white worms.[213] As he could no longer bear to see his wife in agony, Julián Castillejo, *indio natural* (Native-born Indian), denounced Pamplona to Fray Pascual Aparicio on December 20, 1801.[214] Subsequent testimony revealed that Pamplona had taken some garments from Feliciana's house on September 14 of that year.[215] Determined to retrieve her property, Feliciana found Pamplona in the chapel of Saint Peter, where she took back the garments that Pamplona had tucked underneath his shirt. Pamplona then placed a hex on Feliciana to humiliate her. Twenty-four hours after the altercation, Feliciana began to feel an itch on her backside. Two weeks later, Feliciana felt a burning sensation in her anus, leading her to conclude that Pamplona was to

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[212] Archivo Histórico Diocesano de San Cristóbal de la Casas, Chiapas (hereafter AHDC), carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, ff. 6; This chapter draws upon my article first published in *The Americas*, April 2021 but having been reinterpreted through the lens excess; Although the Chiapan cases in this essay have been retrieved, masterfully contextualized, and discussed in detail by Dolores Aramoni Calderón, this article moves past her discussion of resistance and assimilation by focusing on testimony that connects the nahualli to healing and other supernatural phenomena while also tracing the multiple contexts in which the term nahual was deployed. See, Aramoni Calderón, *Los Refugios de Lo Sagrado*.

[213] Although orifice may refer to either the vagina or anus, the context provided by subsequent testimony seems to suggest the latter.

[214] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 1r.

[215] These garments or "naguas" should not be confused with the nahual or nahualli.

blame.[216] Fray Pascual subsequently opened an investigation, questioning other villagers about Pamplona's reputation. Unfortunately for Pamplona, several locals denounced him as a sorcerer and "*nagualista*."[217]

This chapter surveys the relationship between ritual specialists, *nanahualtin* or *nahualistas* (pl.) and *nahualli* or *nahual* (sing.), and healing practices, illuminating the range of feats performed and the social roles they played. Though excised from the public arena, Native high priests continued to hold ceremonies and propitiate the gods at the local level. Yet, ritualists, including the *nahualli*, shaped the lives of locals through their prognostications and incantations. Early colonial Castilian- and Nahuatl-language terms used to describe nanahualtin show the wide range of powers that ritual specialists possessed, ranging from the ability to transform into animals to elemental forces such as wind, lighting, and thunder to spirit companions.[218]

Historically, European colonizers took a dim view of shapeshifting because of its association to the Witches Sabbat and the devil in the Old World.[219] For many Catholic colonizers, the nahualli was merely a ploy created by the devil to lure errant souls to

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[216] The Spanish word "rabadilla" has been translated as "backside," which leads me to conclude that "orificio" should be translated as "anus;" Aramoni Calderón's findings corroborate this translation of "orificio." See, Aramoni Calderón, *Los Refugios de Lo Sagrado*, 236.
[217] In the documentation, Nahual was also written by using a "g" to replace the "h," e.g. "nagual." AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 3r.
[218] Terms such as shaman and curandero remain problematic since European colonizers used them to denigrate Indigenous and African descent peoples and their religious practices. As such, I use ritualist and ritual specialist to analyze the role of commoner men and women who communed with the spiritual realm.
[219] Silvia Federici, *Caliban and the Witch: Women, the Body and Primitive Accumulation* (New York: Autonomedia, 2004), 176; Malcolm Gaskill, *Witchcraft: A Very Short Introduction* (New York: Oxford University Press, 2010); For the Sabbat in New Spain see, Lewis, *Hall of Mirrors*, 127–30 and 226 no. 105.

perdition. From the pulpit to the confessional, bishops, priests, and other clergy sought to extirpate the nahualli from popular culture by linking this figure to idolatry, sin, and excess. If Catholic colonizers could just lay the nahual to rest, so the thinking went, Indigenous and African descent peoples could finally become true Christians.

By analyzing eleven criminal and Mexican Inquisition cases spanning over 200 years (1599-1801), this chapter seeks to exhume the nahualli from its discursive internment that Catholic colonizers imposed on Indigenous and African descent peoples. Though clergymen viewed the nahualli as a religious form of excess, this figure persisted at the local level. This chapter explains the enduring nature of the nahualli by placing ritual specialists and their ability to shapeshift alongside ceremonies more commonly associated with healing. Although Mexican Inquisition officials derided popular magic as superstitious foolishness, testimony analyzed in this chapter shows that local clergy believed in the magical powers of ritualists when they appeared to threaten the community.[220] Belief in the supernatural persisted because commoners and colonial officials acknowledged the efficacy of miracles and certain magical rituals.[221]

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[220] In general, parish priests were viewed as poorly trained and, therefore, ill-equipped to eliminate superstition and idolatry among the Indigenous populace. See, Cisneros, *¿Ignorancia Invencible?*, 305–9.
[221] The literature on ritual specialists in the Spanish Americas is vast. This dissertation builds on the findings of scholars who have shown that popular magic shaped the daily lives of commoners and elites due to its perceived efficacy. See Ruth Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," *American Ethnologist* 14, no. 1 (1987): 34–54; Cervantes, *The Devil in the New World*; Few, *Women Who Live Evil Lives*; Sousa, "The Devil and Deviance in Native Criminal Narratives From Early Mexico"; Lewis, *Hall of Mirrors*; Leo J. Garofalo, "Conjuring with Coca and the Inca: The Andeanization of Lima's Afro-Peruvian Ritual Specialists, 1580-1690," *The Americas* 63, no. 1 (2006): 53–80; Joan Cameron Bristol, *Christians, Blasphemers, and Witches: Afro-Mexican Ritual Practice in the Seventeenth Century* (Albuquerque: University of

Testimonies from these cases show that New Spain remained enchanted throughout the colonial era.

Ritualists and the Local Community

On December 21, Pamplona confessed that his power as a nahualista derived from the devil himself. Satan first appeared to Pamplona ten years previously (c. 1791), near a site dedicated to Saint Peter the Apostle.[222] Shortly thereafter, Pamplona made a pact with the devil, who became Pamplona's "nagual."[223] After quarrelling with locals, Pamplona asked Satan to afflict his rivals with sores and other ailments.[224] Pamplona described the devil as commonly portrayed in colonial paintings—a horrible looking figure with horns that was gendered male (*el Diablo*). Pamplona also indicated that he had a second nahual, which was a snake (*una culebra*).[225] This serpentine nahual had been Pamplona's companion since birth and communicated with Pamplona in his dreams. With the devil and a snake by his side, Pamplona roamed Quechula freely at night,

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New Mexico Press, 2007); David Tavárez, *The Invisible War: Indigenous Devotions, Discipline, and Dissent in Colonial Mexico* (Stanford, California: Stanford University Press, 2011).

[222] It seems likely that the devil first appeared to Pamplona near the same place where Feliciana retrieved her *naguas*. Perhaps, Pamplona feared Feliciana's boldness would weaken the source of his supernatural power if left unpunished.

[223] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 4r.

[224] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 4v.

[225] Unfortunately, Spanish-language epicene nouns do not reveal the actual gender of the animals in question. Although snake, in this instance, is grammatically feminine, it is only so in an abstract sense. A subsequent shapeshifting case detailing the transformation of a woman into a bird also precludes the possibility of analyzing the animal's gender. As it remains difficult to analyze the gender of reptiles and birds in Spanish-language testimonies, this chapter emphasizes the gender of mammals.

making him a powerful ritual specialist in the eyes of his contemporaries.[226] Although snakes provided opportunity for ritual specialist, many Spanish clergymen would have viewed Pamplona's spiritual connection to this animal as evidence of a demonic pact.[227]

Although Pamplona was eventually arrested for witchcraft, engaging in sorcery elevated his standing locally.[228] As a nahualista, Pamplona harnessed the power of the animal kingdom. The ability to see at night made Pamplona immune to surprise attack and better able to assault his rivals. When he inflicted diseases on the villagers of Quechula, locals would beg Pamplona to provide a cure. Pamplona complied on occasion. Other times, he refused. Nevertheless, this medicinal knowledge made Pamplona an intellectual within his community.[229] In many ways, the nahualli continued to engender awe among village peoples as it had before the conquest of Mexico.[230] However, having the devil as a nahual demonstrates a change from how this figure operated in pre-Hispanic times. Pamplona's description of the devil as an ugly male figure with horns highlights the influence of Christian iconographic representations. Pamplona had, even if inadvertently, created a hybridized nahualli, which maintained

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[226] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 4r.
[227] Cervantes, *The Devil in the New World*, 91.
[228] Referring to ritual specialists in the Andes, Garofalo notes that colonial Afro-Peruvians "earned both respect and fear, status and stigma, for their ability to solve a variety of problems and illnesses believed to be caused by the malice of other people or supernatural forces." See, Garofalo, "Conjuring with Coca and the Inca," 53.
[229] See Pablo F. Gómez, *The Experiential Caribbean: Creating Knowledge and Healing in the Early Modern Atlantic* (Chapel Hill: University of North Carolina Press, 2017), esp. pp. 118-43.
[230] L. Musgrave-Portilla, "The Nahualli or Transforming Wizard in Pre and Postconquest Mesoamerica," *Journal of Latin American Lore* 8, no. 1 (1982): 3–62.

its liminal status between ethnic, political, and spiritual spheres. The primary sources analyzed in this chapter reveal that the nahualli continued to transform its shape, meaning, and function throughout the colonial era. This left churchmen the arduous task of having to curtail the idolatrous and sinful excesses committed by Indigenous and African descent subjects.

The Nahua formed community around the concept of the *altepetl*, meaning the local city-state, and relied on local leaders to appease the gods with ritual offerings to ensure prosperity in the terrestrial realm.[231] The most important ideological principal "covered by the altepetl was the belief in a human-supernatural covenant."[232] The ability to commune with the divine made ritual specialists influential figures at the *altepetl* level. Magic, such as shapeshifting, could be used to help or harm the community because ritualists endowed with this capability harnessed the power of the natural world. Therefore, nanahualtin used animals and elements such as wind, lighting, and thunder to increase the perceived efficacy of their magic, thereby elevating their status.

Popular magic threatened the clergy when it drew potential converts away from the Church by offering alternative interpretations of the cosmos.[233] Yet, for peoples such

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[231] The term literally translates to water-hill as it combines *atl* with *tepetl*. See, Lockhart, *The Nahuas After the Conquest*, 14–15.
[232] Arij Ouweneel and Simon Miller, eds., *The Indian Community of Colonial Mexico: Fifteen Essays on Land Tenure, Corporate Organizations, Ideology and Village Politics* (Amsterdam: CEDLA, 1990), 12.
[233] In 1778, one Spanish friar lamented that Zoque peoples in Chiapas showed greater veneration for caves than for churches. See, AHDC, carp.777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 6r.

as the Nahua, the nahualli was not superstitious drivel but part of everyday life.[234] Reported sightings of shapeshifters could be interpreted ominously as Nahuas, along with other Indigenous peoples, associated these figures with sickness and death.[235] After seeing a nahualli, locals consulted ritual specialists to counteract bad omens.[236] However, the very same ritualist who chose to heal the community one day might harm it the next, revealing that the capacity to do good and evil resided within a single individual. Significantly, many ritualists shapeshifted into animals or were associated with animal companions, suggesting that their power, in part, derived from the natural world.[237] The inability to integrate the nahualli into an orthodox framework explains why certain Nahuatl terms were encoded by Catholic colonizers with Western concepts imbued with negative connotations.[238]

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[234] For notable incongruencies between Mesoamerican, Nahua, and Catholic ideologies see, Burkhart, *The Slippery Earth*, esp. chapters 5 and 6; Cervantes, *The Devil in the New World*, 42 and 71; Pardo, *The Origins of Mexican Catholicism*, passim; Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 203.

[235] López Austin, "Los Temacpalitotique," 99; Alfredo López Austin, "Cuarenta clases de magos del mundo náhuatl," in *Estudios de Cultura Náhuatl*, vol. 7 (Mexico, D. F.: Universidad Nacional Autónoma de México, 1968), 87; Alfredo López Austin, *Cuerpo Humano e Ideología: Las Concepciones de Los Antiguos Nahuas* (Mexico, D. F.: Universidad Nacional Autónoma de México, 2004), 418–20; González, *El Nahualismo*, 319–52.

[236] Although the entire animal kingdom held cosmological significance, owls in particular were deemed to be omens of death. See, Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 69; García Garagarza, "The Tecolotl and the Chiquatli"; For reference to "tlacatecolotl," an owl-man who terrorizes people at night, see Burkhart, *The Slippery Earth*, 41; and López Austin, "Cuarenta clases de magos del mundo náhuatl," 107.

[237] In Chiapas, for example, locals recognized that those nanahualtin who transformed into lighting could bring rain. However, commoners also understood that these nanahualtin might harm the community with magic from the underworld. See, Juan Pedro Viqueira, *Encrucijadas Chiapanecas: Economía, religión e identidades* (México, D.F: El Colegio de México, 2002), 244; See also, Vianey Mayorga Muñoz. "Las Representaciones del Nahual entre los Nahuas de la Huasteca Potosiana," in eds. Rocha and Carranza, *Los habitantes del encanto*, 121–22.

[238] Belief in nanahualtin has persisted into the modern era. For anthropological works that deal with this subject, see George Foster, "Nagualism in Mexico and Guatemala," *Acta Americana* 2 (1944): 101; Hugo G. Nutini and John M. Roberts, *Bloodsucking Witchcraft: An Epistemological Study of Anthropomorphic*

The ability to shapeshift further elevated ritual specialists' standing within the community, which, in part, explains why parish clergy took nanahualtin seriously while high-ranking Inquisition officials mocked nahualistas as ridiculous. Parish priests interacted with Indigenous and African descent peoples daily, enabling them to appreciate the efficacy of the nahualli's magical power. In contrast, Inquisitors residing in Mexico City scoffed at the nahual due to their physical and social distance from the cases brought before them. Because ritual specialists' standing enabled them to direct, organize, and educate members within their own societies, they mediated the relationship between domination and discourse, meaning that they operated as intellectuals locally.[239]

The Nahualli in Colonial New Spain

Colonial Castilian-Nahuatl sources reveal a freighted understanding of shapeshifting due to the good-evil binary espoused by the Catholic Church. For

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Supernaturalism in Rural Tlaxcala (Tucson: University of Arizona Press, 1993); Timothy J. Knab, *A War of Witches: A Journey into the Underworld of the Contemporary Aztecs* (San Francisco: HarperSanFrancisco, 1995); Félix Báez-Jorge notes the broad range of power wielded by nanahualtin and their connection to iconographic images such as the saints. He states, "En estrecha relación con estas creencias se manifiestan los procesos de transfiguración simbólica de los santos patronos comunitarios, quienes, al sustituir en las cosmovisiones a los antepasados espíritus guardianes, se han nagualizado, identificados no solamente a formas animales, sino también a fenómenos atmosféricos (rayos, torbellinos, meteoros, etc.)." Báez-Jorge, *Entre los naguales y los santos*, 175.

[239] Steven Feierman, *Peasant Intellectuals: Anthropology and History in Tanzania* (Madison: University of Wisconsin Press, 1990), 5; Antonio Gramsci argues that the intellectual represented a model for "the peasant to look to in his aspiration to escape from or improve his condition." See, Antonio Gramsci, *Selections from the Prison Notebooks of Antonio Gramsci*, trans. Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1971), 14.

instance, Fray Bernardino de Sahagún's *Historia general* defines nahual as "a male witch who scares people at night and sucks [the blood] of children."[240] Related to the nahual are the astrologer and the necromancer.[241] According to Sahagún, the skilled astrologer uses a cosmic calendar to predict the future because he understands his "art" well. However, the unskilled astrologer is a liar and a charlatan who deceives people with his sorcery. Necromancers could transform into animals because they made a pact with the devil. However, due to their wickedness, necromancers could not prosper in the terrestrial realm. They remained destitute, without even a morsel of bread to eat. Sahagún further demonstrates his Christian worldview, stating that necromancy was actually a hoax because the death of Jesus Christ rendered all auguries ineffective. Sahagún thus linked the nahualli to the Old World where concepts such as shapeshifting, necromancy, and witchcraft had been vilified for centuries.

Likewise, in *Vocabulario en lengua castellana y mexicana y mexicana castellana* (hereafter *Vocabulario*; published in 1571), Fray Alonso de Molina translated "*naualli*" as "*bruxa*," meaning female witch.[242] Although Nahuatl does not assign gender to nouns nor require gender agreement, both Sahagún and Molina disregarded Native grammatical conventions by translating nahualli as "male" and "female" witch

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[240] Sahagún, *Historia General*, Vol. 3, Book X, Chapter IX, 22.
[241] Sahagún, Vol. 3, Book X, Chapter IX, 22-23.
[242] Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 63.

respectively.[243] In particular, Molina's use of *bruja* underscores the legacy of misogyny in Europe. From a European standpoint, the ability to transform into animals revealed that sorcerers made a pact with the devil. Women were viewed as susceptible to making such pacts due to the alleged weakness of their sex.[244]

Since classical times, European commoners believed "women could transform themselves at night into flying screech owls or *strigae* who would devour infants."[245] Because the process of physical metamorphosis into animals involved "the operation of some magical or supernatural power, it readily became associated with witchcraft, and the claim that witches transformed themselves (or others) into animals… appears in many witchcraft confessions."[246] Catholic friars in the New World described the nanahualtin negatively due to shapeshifting and witchcraft's historical trajectory in Europe proper, thus contextualizing Molina's definition of the nahualli as a female witch and Sahagún's mention of a male blood-sucking monster.

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[243] Sousa highlights this genderless trend in Nahuatl, Ñudzahui and Tíchazàa. See, Lisa Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico* (Stanford, California: Stanford University Press, 2017), 45.

[244] Brian P. Levack, *The Witch-Hunt in Early Modern Europe* (Essex: Longman Group Limited, 1995), 133–34; Despite women's alleged weakness, they often used diabolical pacts to undermine male authority. See, Laura A. Lewis, "The `Weakness' of Women and the Feminization of the Indian in Colonial Mexico," *Colonial Latin American Review* 5, no. 1 (1996).

[245] Levack, *The Witch-Hunt in Early Modern Europe*, 45.

[246] Levack, 49; In San Luis Potosí, an unnamed Guachichil woman accused of sorcery allegedly transformed men into coyotes in 1599. See, Ruth Behar, "The Visions of a Guachichil Witch in 1599: A Window on the Subjugation of Mexico's Hunter-Gatherers," *Ethnohistory* 34, no. 2 (1987): 115–38.

Spanish colonizers continued to depict the nahualli negatively well into the seventeenth century. Hernando Ruiz de Alarcón, in his 1629 *Tratado* linked the nahualli to Mesoamerican astrological calendars, noting that when a child was born:

> the Devil, by the express or tacit pact that its parents have with him, dedicates or subjects the animal which the child is to have as a *nahual*—which is like saying, as owner of his birth and master of his actions, or what the gentiles used to call fate. And by virtue of this pact the child remains subject to all the dangers and travails that the animal may suffer until its death. And on the other hand the Devil makes the animal always obey the command of the child, or else the Devil carries it out, using the animal as instrument.[247]

Ruiz de Alarcón thus conflated pre-Hispanic concepts and beliefs into a singular, pejorative worldview. According to Ruiz de Alarcón, Satan had deceived Indigenous peoples, leading them to believe that rituals with pre-Hispanic elements remained efficacious.[248] The devil's ruse imperiled those who refused to see the error of their ways

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[247] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 47.

[248] Proselytizing clergy frequently associated the devil with the trickster deity Tezcatlipoca. See, Burkhart, *The Slippery Earth*, 39; Cervantes, *The Devil in the New World*, 41; López Austin, *Cuerpo Humano e Ideología: Las Concepciones de Los Antiguos Nahuas*, 402; Viviana Díaz Balsera, *Guardians of Idolatry: Gods, Demons, and Priests in Hernando Ruiz de Alarcón's Treatise on the Heathen Superstitions* (Norman: University of Oklahoma Press, 2018), 41–42.

when they died impenitent. Ruiz de Alarcón's mention of animal companions assigned at birth reveals the interconnectedness of time, nature, and the sacred realm.

Those ritual specialists who correctly interpreted day signs and astronomical phenomena could predict the best time to harvest crops, the destiny of newborns, and whether a particular day would bring good or bad fortune.[249] For example, Sahagún observes that those born on Two Rabbit were inclined to excessive drinking as they gorged themselves on wine.[250] Apparently the cosmos predisposed those born on Two Rabbit for excess.

Once assigned an animal spirit companion, the earthly fate of the animal became tied to that of the individual. In *Tratado*, Ruiz de Alarcón records that a large bat entered the cell of two Dominican priests at night, prompting them to chase it away. The next day, an old Indian woman came to the convent, annoyed that these priests nearly killed her in their efforts to rid themselves of this bat as it was actually the old woman in animal form.[251] Father Andres Giron informed Ruiz de Alarcón that his companions had once fired two lethal harquebus shots at a caiman. As they returned to the city of Guatemala to hear Mass, however, there was an uproar. Apparently, an Indian woman at Mass "who, being among the other women in the catechism, had fallen down dead at

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[249] López Austin, *Cuerpo Humano e Ideología: Las Concepciones de Los Antiguos Nahuas*, 87–88; González, *El Nahualismo*, 294–99; Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 26–30.
[250] Sahagún, *Historia General*, Vol 1., Book IV, Ch IV, 289.
[251] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 45–46.

the time that they had shot the caiman in the river."[252] As this woman had been in good health until that day, the townsfolk concluded that the killing of the caiman was the cause of her death as the caiman was, clearly, her animal companion. Thus, by interpreting the ancient calendars to link the nahual at birth, ritual specialists brought their devotees into close contact with nature and the spiritual realm.

Following the conquest of Mexico, however, the spiritual realm became the official responsibility of the clergy. Although Churchmen usurped the role fulfilled by Indigenous high priests, many pre-Hispanic traditions persisted but in hybridized forms at the local level.[253] The inability to eliminate non-orthodox practices frustrated Catholic officials into the late seventeenth century. In his *Carta Novena Pastoral* (1698), Bishop Francisco Núñez de la Vega, lamented that Indians in Chiapas continued to call on such "infernal teachers" to assign "*nahuales*" and prognosticate the fortunes of their unborn children, using the superstitious calendars dictated to them by the devil.[254] De la Vega further critiqued ritual specialists' methods of healing, stating that they appeared to be doctors and healers but, in reality, were sorcerers. Because of the pact they had made with the devil, Native ritualists only appeared to heal their patients by blowing on them,

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[252] Ruiz de Alarcón, 46.
[253] A notable example of the excision of the high priest was Fray Juan de Zumárraga's execution of Don Carlos of Texcoco. See, Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 67; Don, *Bonfires of Culture*, 175; See also, Musgrave-Portilla, "The Nahualli or Transforming Wizard in Pre and Postconquest Mesoamerica," 24.
[254] Francisco Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, ed. María del Carmen León Cázares and Mario Humberto Ruz (México: Universidad Nacional Autónoma de México, 1988), 754.

using their "infernal words," or some plant.[255] De la Vega noted that ritual specialists used animals such as toads, snakes, and centipedes to give their victims fevers, piles, or sores in their "hidden parts" or the abdomen, head and throat, nose, arm, or any other part of the body.[256]

Although the bishop acknowledged that ritual specialists could provide a cure, healing the sick did not cast them in a positive light. For de la Vega, providing a cure was merely a method to "undo the sorcery" already performed.[257] Rather than use the "infernal words" of ritual specialists to cure themselves, de la Vega mandated that the infirm recite Our Father, Hail Mary, the Credo, and Salve Regina.[258] Because the good-evil binary as embraced by the Catholic Church precluded officials from viewing ritual specialists in a positive light, they grew frustrated with the persistence of these excessive practices. De la Vega noted that despite having given Natives the "light of the gospel" for nearly 200 years, "those wretched Indians" preserved in their hearts the roots of their ancient "nagualismo" due to explicit and implicit pacts made with the devil.[259] Even as Christian iconographic images became integrated with local practices, many Catholic

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[255] Núñez de la Vega, 755.
[256] Núñez de la Vega, 755.
[257] Núñez de la Vega, 755.
[258] Núñez de la Vega, 756; The "nahualtocaitl" or names of the nahualli, which were recited to bring about change in the terrestrial realm, correspond to the "infernal words" mentioned by Bishop de la Vega. For more on these nahualli names and their connection to diseases, see Tavárez, *The Invisible War*, 70, 78–80, and 89; Díaz Balsera notes that "the nahualtocaitl assumed, encouraged, or performed a world in which the boundaries between entities were permeable and fluid." Díaz Balsera, *Guardians of Idolatry*, 36; Ruiz de Alarcón also mentions the "nahualtocaitl" translating it as "the language that wizards use." See, Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 148.
[259] Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 758.

officials interpreted Native rituals negatively, viewing them as a superficial cover for the paganism that lay underneath.[260] Natives committed theological excesses, especially when led by nanahualtin.

In part, nahualli remains difficult to define because of its broad usage in New Spain. Nanahualtin can be found in historical cases ranging from Nicaragua in the south to Durango in the north of Mexico.[261] Although contemporary observers such as Ruiz de Alarcón defined nahualli as "a sorcerer who has the power to transform himself into an animal," or one that "has an animal as an alter ego," some anthropologists and historians have narrowed the scope of the nahualli, suggesting that it operates solely as an animal companion.[262] Patricia Lopes Don writes that "this strict association with an animal spirit companion was more typical of cultural groups farther south in the Yucatan or Guatemala"[263] Alfredo López Austin and Zeb Tortorici note the nahualli's

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[260] León García Garagarza illuminates this dilemma eloquently in "The Year the People Turned into Cattle: The End of the World in New Spain, 1558," in Martha Few and Zeb Tortorici, *Centering Animals in Latin American History* (Durham: Duke University Press, 2013), 31–53.
[261] González, *El Nahualismo*, 81.
[262] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 246; Kaplan notes that the term "nagual," originally signified a transforming witch but, subsequently, was more broadly applied to mean a companion animal as the term spread to Southern Mexico and Guatemala. Lucille N. Kaplan, "Tonal and Nagual in Coastal Oaxaca, Mexico," *The Journal of American Folklore* 69, no. 274 (1956): 363; Thompson only associates "nagualism" with the belief in "an alter ego in animal form." J. Eric S. Thompson, *Maya History & Religion* (Norman: University of Oklahoma Press, 1970), 167; Bristol endorses a similar interpretation of "nagualismo," stating that it is a "Nahua concept in which human beings were assigned spirit guardians at birth." Bristol, *Christians, Blasphemers, and Witches*, 154.
[263] Don corroborates Thompson's definition for Maya belief in the nahual. However, since the cases in this essay span the Yucatan to San Luis Potosí, a broader definition of nahualli is employed. Don, *Bonfires of Culture*, 53; For information regarding the conquest of Guatemala by Nahuatl-speaking peoples see, Laura E. Matthew, *Memories of Conquest: Becoming Mexicano in Colonial Guatemala* (Chapel Hill: The University of North Carolina Press, 2012), 71.

wide array of powers, stating that this figure transformed into animals as well as natural phenomena.[264] Lisa Sousa applies a broader definition still, noting that the nahualli "had the ability to shape-shift into animals or natural phenomena and transform other people and things as well."[265] Much to the chagrin of colonial officials, the various magical feats that nanahualtin performed made them impossible to excise from the body politic.

A local following posed a threat to high-ranking colonial officials who often justified their punitive actions against nahualistas due to political expediency. In 1599, in San Luis Potosí, Captain Gabriel Ortiz de Fuenmayor defended the execution of an elderly Guachichil woman accused of witchcraft, breaking crosses, and shapeshifting due to her ability to incite rebellion among the Indians.[266] Denunciators claimed that this unnamed woman shapeshifted into a female coyote as well as "other abominable things."[267] An Indian man named Andrés accused this woman of transforming him into a male coyote against his will. Andrés was confident this had occurred because he saw his own tail while in animal form.[268] Although testimony from Ortiz de Fuenmayor does not indicate whether he feared this woman's magic or merely her ability to incite revolt, her

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[264] López Austin, *Cuerpo Humano e Ideología: Las Concepciones de Los Antiguos Nahuas*, 416–17; Tortorici, *Sins Against Nature*, 133.
[265] Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 23.
[266] Archivo Histórico del Estado de San Luis Potosí, (hereafter, AHESLP) 1599, Criminal, caja 82, exp. 19, ff. 113-127; See also, Behar, "The Visions of a Guachichil Witch in 1599," 124.
[267] AHESLP, 1599, Criminal, caja 82, exp. 19, f. 117.
[268] AHESLP, 1599, Criminal, caja 82, exp. 19, ff. 118-119.

summary execution reveals the anxiety surrounding this nahualli's influence among commoners.

Tracing the gender of nanhualtin's animal companions provides insight into the language used by Spanish-speaking colonial officials, who translated nouns used in Indigenous languages into either masculine or feminine equivalents. In the above case, the Spanish-language testimony reveals that the unnamed woman transformed into a female animal and transformed men into male animals. Yet, as mentioned previously, Indigenous languages were not gendered.[269] Therefore, it is entirely plausible that the testimony of non-Spanish-speaking Indigenous peoples did not specify the gender of the nahualli's animal transformations. In such cases, the official interpreter translated Indigenous-language terms referring to animals into gendered nouns, thus distorting the original context. In this way, colonial officials imposed linguistic conventions onto Indigenous subjects, which also sought to align the gender of the nanhaultin's human and animal transformations.

Running in tandem to the extirpation of non-orthodox beliefs from popular culture was the use of Spanish as the preferred mode of communication. The mediated nature of colonial testimonies obscured terminologies and classifications spoken by Indigenous declarants, obscuring locution of the first instantiation.[270] Because the

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[269] Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 45.
[270] Tortorici, *Sins Against Nature*, 63.

majority of denunciations were only recorded in the colonizing language, extant testimonies remain deprived of many Native words and Native worldviews. This process of obfuscation and erasure can be seen when pausing to analyze terms that refer to fauna Native to the Old World but cited in colonial Mexican shapeshifting cases.

In *Historia general*, Sahagún describes the animal kingdom of New Spain using contemporary European terms. When writing about the Nahua calendar and the animal signs therein, Sahagún states, "*Ocelotl*, which means tiger… is a sign of bad luck."[271] Similarly, in *Tratado*, Ruiz de Alarcón writes that when naming newborn babies, Nahuas took inspiration from their calendars using animal names such as "*Ocelotl*, Tigre; *Quauhtli*, Aguila; *Cuetzpalli*. Caiman; *Coatl*, Culebra."[272] In chapters nine and ten of the first treatise, Alarcón adds lions into the mix, but, significantly, refrains from providing a Nahuatl translation of lion, effacing Nahuatl terms altogether.[273] Bishop Francisco Núñez de la Vega contributed to this discursive effacement in the late seventeenth century, noting that those within the hellish sect of "nagualistas" transformed into the figure of a "tiger, lion, bull, etcetera," neglecting to include translations for *tigre*, *león*, and *toro*.[274] Although tigers, lions, and bulls are not native to the Americas, these terms

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[271] Sahagún, *Historia General*, Vol. 1, Book 4, Chapter 2, 285.
[272] Ruiz de Alarcón, "Tratado," Tratado Primero, Capitulo 1, párrafo 7.
[273] In chapter nine, Alarcón states "Tienen por agueros ver o encontrar qualquier animal extraordinario, como el leon, tigre, oso, lobo, y aun el coyote." In chapter ten, Alarcón mentions that the bowmen make cries like a "leon." Ruiz de Alarcón, párrafos 140 and 166.
[274] "la figura de sus naguales propios; unos en la de tigre, león, toro, etcétera..." See, Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 757; For a brief overview of de la Vega see, Eduardo Flores

were used to describe those animals into which the nahualli transformed.[275] Identifying the layers of mediation thus helps to forestall the complete erasure of Indigenous beliefs and practices by illuminating meaning that has, heretofore, remained concealed.

The juxtaposition of Spanish- and Nahuatl-language testimony in an eighteenth-century shapeshifting case from Tlaxcala reveals differing interpretations of the natural world. On August 2, 1701, Diego Phelipe and Juan Domingo accused Francisco Martín of sorcery, stating that Francisco placed a hex on Diego, causing him to become sick.[276] While convalescing, Francisco frightened Diego on several occasions and, one time, frightened Diego's wife, appearing in the form of a male goat and a bull. Spanish-language testimony clearly states *chivato* and *toro*, indicating that Francisco maintained his gender when shapeshifting. Intriguingly, the next statement, that Francisco's "hands [were] all hairy," suggests that Francisco transformed into a type of were-animal rather than assume his animal form completely.[277] According to Tortorici, this denunciation shows "the extent to which indigenous narratives of shapeshifting could be recast in Christian terms."[278] The notion of a half human-half goat creature and that of a half

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Ruiz, *La Catedral de San Cristóbal de Las Casas, Chiapas, 1528-1978* (Chiapas: Area de Humanidades, Universidad Autónoma de Chiapas, 1978), 100–101.

[275] Andrews and Hassig translate terms such as lion and tiger more accurately as "jaguar." Corrections such as these, however, inadvertently mask the process of obfuscation as noted in this chapter. See, Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 68, 108, 182, 217, and 272.

[276] Archivo Histórico del Estado de Tlaxcala (hereafter AHET), Judicial Criminal, 1701, caja 4, exp. 35, fols. 6.

[277] AHET, Judicial Criminal, 1701, caja 4, exp. 35, f. 3v.

[278] Tortorici, *Sins Against Nature*, 133.

human-half bull evokes the devil, highlighting the influence of iconography from the Old World.

However, the Nahuatl provided in this case illuminates a slightly different understanding of the human-animal divide. Nahuatl testimony contains the words "*matentzon*" and "*cuacuahue*," which correspond to the general thrust of the Spanish text but in subtle ways. Molina cites *tentzone* as a bearded person and *tentzone michin* as a bearded fish. Additionally, Molina cites goat as "*quaquauhtentzone*."[279] Tentzon thus refers to the hair men grow on their faces and, as Molina shows, this feature can be transposed onto the animal kingdom. As *maitl* refers to one's hand, matentzon can be translated as the hairy hand of a goat, i.e. the hoof, revealing a permeable linguistic boundary between humans and animals.[280]

Molina lists cuacuahue both as a bull (*toro*) and, more generally, as a horned animal, leaving its gender ambiguous.[281] In Nahuatl, the verb "*cua*" means to eat. The reduplicative *cuacua* indicates chewing or biting.[282] When deconstructing cuacuahue for a horned animal, one can see that Nahuatl emphasizes the animal's propensity to chew or, plausibly, to nip at its keeper. Nahuatl terms for goat and horned animal foreground the features and the behaviors of domesticated animals that most impressed Native peoples.

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[279] See, Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 19 and 22 respectively.
[280] Karttunen, *An Analytical Dictionary of Nahuatl*, 126.
[281] See the Nahuatl to Spanish side, Molina, *Vocabulario En Lengua Castellana y Mexicana, Mexicana y Castellana*, 86. Molina writes "quaquaue" which contrasts to the case in 1701 that had, by this time, incorporated the modern spelling of "cuacuahue."
[282] Karttunen, *An Analytical Dictionary of Nahuatl*, 57.

Transposing the physical characteristics of animals to humans was more easily achieved in Nahuatl than in Spanish. The Christian understanding of Original Sin and man's place in nature made any transgression of the human-animal divide morally excessive.

The Nahualli and a Nahuatl-Speaking Community

This section draws from two shapeshifting cases (1678 and 1685) in Pueblo Nuevo de la Pita and Pueblo de Jiquipilas, Chiapas. The Nahuatl phrases found in these cases do not contain corresponding Spanish translations, revealing the continued use of Nahuatl as a vehicular language.[283] The testimony analyzed here highlights how Spanish terminologies became infused with Nahuatl in the late seventeenth century.

On March 26, 1678, don Diego de Lambarri y Escobar opened an investigation against Diego de Vera, *indio natural*, from Pueblo Nuevo de la Magdalena for charges of sorcery.[284] Don Pedro Rodríguez, *cacique principal y gobernador*, served as the interpreter.[285] According to testimony, when de Vera argued with locals, he bewitched them, plaguing their bodies with aches, pains, and sores that covered their skin. Four years previously, Domingo Juárez had "words and discord" with de Vera, which

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[283] Dakin originally employed the term "lingua franca" rather than vehicular language. However, as Matthew and Romero note, lingua franca gives the incorrect impression of prevalent bilingualism in Nahuatl. Therefore, Matthew and Romero prefer the term "vehicular language." See, Karen Dakin, "The Characteristics of a Nahuatl Lingua Franca," *Texas Linguistics Forum* 18 (1981): 55–67; Laura E. Matthew and Sergio F. Romero, "Nahuatl and Pipil in Colonial Guatemala: A Central American Counterpoint," *Ethnohistory* 59, no. 4 (October 1, 2012): 765–83.

[284] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, ff. 3-42.

[285] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 3r; Unfortunately, the case does not stipulate which language(s) don Pedro Rodríguez spoke. For a summary of this case, see Aramoni Calderón, *Los Refugios de Lo Sagrado*, 154–75.

prompted de Vera to say that he would pray to God to give Juárez some type of illness.[286] One month later, Juárez fell ill, suffering from crippling pain in his hands and feet for four months. Although Juárez went to de Vera's house on two occasions to ask for a cure, he refused to alleviate Juárez's pain, highlighting the influence de Vera had over others.[287]

Domingo Jimenez, *indio natural* of Pueblo Nuevo denounced de Vera on March 26, 1678. Jimenez stated that four years previously he had argued with Diego de Vera over a skein of pita yarn that each brother (*cofrade*) made for Saint Lorenzo's feast day. Shortly after their argument, Jimenez experienced a swelling in his stomach and intestines so severe that it seemed as if something were alive inside of him. Jimenez also testified that at night, while he was sick, de Vera came to his house in the form of an old woman (*vieja*), a male cat (*gato*), and a male lion (*león*).[288] These sightings prompted Jimenez to visit de Vera personally, pleading with him to provide a cure. Unsurprisingly, de Vera refused Jimenez's request.[289] Since the case mentions that don Pedro Rodríguez served as an interpreter, it is likely that Jimenez used an Indigenous term similar to that of ocelot or jaguar but that his testimony was translated into Spanish as *león*.

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[286] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 4v.
[287] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 5r.
[288] Because the case mentions that Domingo Jiménez needed an interpreter, it is reasonable to assume that he noted de Vera changed his gender as a human but, probably, did not make this distinction when referring to the animals into which de Vera transformed.
[289] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 6r.

Jimenez's statement that de Vera entered his house at night, and in animal form, is another theme found in a case from 1624. Accordingly, in Michoacán, some wandering Indians from around Metztitlán arrived at a local hacienda to stay the night.[290] While they were sleeping, a male tiger (*tigre*) entered their room, awaking one of them who screamed so loudly that everyone else awoke. The men chased the tiger away with sticks and stones. However, the following day, an Indian named Pablo, who had met these men the night before, arrived covered in bruises, leading everyone to conclude that Pablo was the nahualli.[291] The ability to journey through the night bestowed additional power upon the nahualli because agriculturalists feared predation from large animals.[292]

Due to the charges brought against Diego de Vera, Judge Lambarri y Escobar ordered the *alcaldes* (municipal judges) to confiscate his goods and place de Vera in prison. The compliance of Lambarri y Escobar's orders was recorded in Nahuatl, demonstrating its use as a vehicular language. The alcaldes stated:

Ypan nican tunali 28 tunali de marzo de 1678 años ypa ymandado señor beneficiado don Diego de Lambarri y Escobar comisario y ascan señor obispo u nicchigua notificar nican auto ispan alcaldes y regidores y asca nican chilla milygua quituque quichigua obedece

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[290] Archivo General de la Nación (hereafter AGN) Inquisición, 1624, vol. 303, exp. 15, ff. 69-72.
[291] AGN, Inquisición, 1624, vol. 303, exp. 15, f. 69r; This case corroborates Ruiz de Alarcón's commentary regarding the connection between the nahualli and his or her animal companion. See, Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 45–47.
[292] Lipsett-Rivera notes that Nahuas divided the night into "periods of greater or lesser danger, according to their temporal proximity to the setting or rising of the sun." Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 204.

ygua niman yagui quichigua ynbentario ypal mopia muchi ten quipia tepa tlacat y[to]ca Diego de Vera picqui u quichigua responder ygua calaqui firma

Domingo Martín alcalde Pedro Sanches alcalde
Ispan navintin cabildos
Ne ispan Pedro López escribano, don Rodríguez, interprete[293]

On this day, the 28th day of March in the year 1678 regarding his mandate, the beneficed lord don Diego de Lambarri y Escobar commissioner and now bishop, I did notify [the people of] this decree in the presence of the *alcaldes* and *regidores* and now here they wait for the cornfields that he planted, that he had obeyed and promptly will go to make an inventory of everything that the detained person named Diego de Vera had, [who was] made to respond and put his signature.

Domingo Martín *alcalde*, Pedro Sánchez *alcalde*
In the presence of the four *cabildos*
In front of me, Pedro López, don Rodríguez, interpreter

The following day, the alcaldes confirmed the arrest of Diego de Vera stating:

Ascan 29 de marzo de 1678 años ipa ymandado señor don Diego de Lambarri y Escobar comisario, comisario y ascan señor obispo ascan u nicchihua prender dicho Diego de Vera u nictali y ticpreso u nictali grillos u quichigua obedecer justicia teguan tialcaldes yguan yspan no cabildos iuqui u tichigua que obedecer y mandado señor comisario iuqui u nicchihua notificar yni auto teguan tialcaldes y regidores nican altepel Santiago Tacguacintepeque iuqui motalis tofimra

Matías de Santa Cruz, alcalde, Baltasar Moreno, alcalde,
Yspan naguin ticabildos = yguan moyspan neuatl don Agustín escribano
don Alonso de Feria, interprete[294]

Today 29 March in the year 1678, regarding his mandate, the incumbent lord don Diego de Lambarri y Escobar commissioner, commissioner and now bishop, now I made the arrest of the said Diego de Vera, I have put you in prison, I placed you in shackles, they did obey the law of our *alcaldes* and, in the presence of my *cabildos*, thusly we did obey the *señor comisario*'s mandate. Thus, I did notify this decree to our *alcaldes* and *regidores*

[293] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 10v.
[294] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, f. 11v.

here in the town of Santiago Tacuazintepeque (Opossum Hill), hereby we put our signature

Matias de Santa Cruz *alcalde*, Balthasar Moreno *alcalde*
In the presence of the four *cabildos* = and in front of the person don Agustín notary don Alonso de Feria, interpreter

The Nahuatl in this case reveals important linguistic adaptations that, most likely, did not conform to the Nahuatl used in the central valley of Mexico. The historian James Lockhart researched how Nahuatl speakers adapted to Spanish throughout the colonial period, prompting him to divide the entire process into four stages.[295] The Nahuatl in this case (1678) falls into Lockhart's third stage, which, Lockhart maintains, was fully formed after 1650. Lockhart describes the third stage as one in which Nahuatl "began to borrow Spanish verbs and particles" as "Nahuatl speakers acquired the Spanish sounds missing in Nahuatl, pronouncing new loans as in Spanish."[296] Much of the Nahuatl written above confirms Lockhart's outline of stage three. Words such as *inventario*, *justicia*, *grillos*, *obispo*, and *regidores* were integrated into the testimony above.

However, the term *notificar* operates only in Spanish, which does not conform to Lockhart's process of *Nahuatlization* for stage three. According to Lockhart, the Spanish "*notificar*, 'to notify,' was borrowed as *notificaroa*; 'I notify him' would be *nicnotificaroa* ('I-him-notify)…" and so on, enabling Nahuatl speakers to conjugate Spanish verbs into

[295] Lockhart, *The Nahuas After the Conquest*, 263–325.
[296] Lockhart, 304.

any grammatical form of Nahuatl that had always existed.[297] Yet, in this case, notificar operates only in Spanish—*nicnotificaroa* or some variation thereof is entirely absent—suggesting that those Indigenous peoples who used Nahuatl as a vehicular language developed a unique written variety of Nahuatl in places like Chiapas.[298]

De Vera's defense lawyer, Diego de Santiago, claimed that de Vera was an honorable and God fearing Indian and that these accusations were false and motivated by personal enmity. Santiago noted that plagues came to the village every year and that both Native-born Indians (*naturales*) and foreigners perished in these epidemics.[299] Nevertheless, Nicolás Fernández de Montes de Oca found de Vera guilty of witchcraft and sentenced him to fifty lashes and two years of forced exile. During his imposed exile, de Vera could not enter Pueblo Nuevo de la Magdalena. For one year, de Vera was to serve the sacristan in the cathedral in order to learn the tenants of Catholicism.[300] For Montes de Oca, de Vera's excesses could only be curtailed through orthopraxy. It was hoped that a proper religious education would change the deviant beliefs of neophytes. The next case also highlights the use of Nahuatl in Chiapas and the alleged excesses of African descent ritual specialists.

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[297] Lockhart, 305.
[298] Karen Dakin, Claudia Parodi, and Natalie Operstein, eds., *Language Contact and Change in Mesoamerica and Beyond* (Philadelphia: John Benjamins Publishing Company, 2017), 6.
[299] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, ff. 23r-23v.
[300] AHDC, carp. 962, exp. 1, Cintlapa III A 1, Episcopal, Provisorato, 1678, ff. 40v-41r.

In 1685, an ecclesiastical judge named Andrés de Sotomayor wrote to Bishop Francisco Núñez de la Vega because he had received numerous complaints against a *mulato* sorcerer named Nicolás de Santiago.[301] Nicolás's testimony offers biographical information, noting that his father was a free mulatto and that his mother was an Indian.[302] Testimony in this case also provides the names and *castas* of nineteen named African descent peoples—*mulata/o, negra/o*, and *pardo*—and one unnamed *mulato* in the environs of Jiquipilas, Chiapas (see Table 1).[303] That African descent peoples resided in Chiapas by 1685 is not surprising given the fact that more than "one hundred thousand slaves arrived in Mexico from the time of the conquest until 1640."[304] As miscegenation ensued, African and Indigenous peoples shared ideas about magic and rituals.[305] In the

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[301] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, fols. 59.

[302] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 33r;

[303] On February 11th, Gabriel Montero mentioned another mulatto from Tonalá but could not recall his name. See, AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 7r; At first glance, ethnonyms such as mulatto seem to indicate that race was a stable concept in colonial Mexico. However, recent works have shown that race was fluid and highly contextual as one's designation could change over the course of one's lifetime. See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 111–46; Proctor III, *Damned Notions of Liberty*, 41; Vinson III, *Before Mestizaje*, 86–87.

[304] Ida Altman, Sarah Cline, and Juan Javier Pescador, *The Early History of Greater Mexico* (Upper Saddle River, N.J: Pearson, 2003), 208; For an overview of slavery in the Spanish Americas, see Ann Twinam, *Purchasing Whiteness: Pardos, Mulattos, and the Quest for Social Mobility in the Spanish Indies* (Stanford: Stanford University Press, 2015), 84–96.

[305] Lewis divides the Spanish colonial world into two realms consisting of the sanctioned and unsanctioned domains. In the unsanctioned domain, Indigenous and African descent peoples attained power over their colonial oppressors by making pacts with the devil or one of his minions. Because Indigenous and African descent peoples inhabited this unsanctioned domain, they became suspect in the eyes of colonial officials, thereby contributing to the "ongoing political economy of conquest." See, Lewis, *Hall of Mirrors*, 5–7; For references to miscegenation, see Andrew B. Fisher and Matthew O'Hara, eds., *Imperial Subjects: Race and Identity in Colonial Latin America* (Durham: Duke University Press, 2009), 87, 109, 171, 201–2, and 250–51; For African beliefs in spirit possession, see Bristol, *Christians, Blasphemers, and Witches*, 154–55; Africans from Guinea, the Congo, and Angola believed in a spiritual counterpart similar to the nahualli known as a "'shadow,' which abandoned the body at night and could be captured and harmed by a sorcerer." See, Nora

case below, Nicolás de Santiago claimed to have been taught magic by his godfather (*padrino*), an Indigenous leader named Juan Sánchez.

Table 1: African Descent Peoples in the Environs of Jiquipilas, Chiapas

Name	Designation
Alonso Gutiérrez	Mulato libre
Andrés Zenteno	Mulato libre
Antonia Sánchez	Mulata libre
Antonio de Elías	Mulato libre
Antonio de la Cruz	Negro libre
Esteban de Balcázar	Mulato libre
Joan de Carmona y Estrella	Mulato libre
Juan de Estrella	Mulato
Lázaro Moreno	Pardo
Lucillo	Mulato
María de Jesús	Negra libre
María Nicolasa	Mulata libre
Marta Francisca	Mulata libre

E. Jaffary, *False Mystics: Deviant Orthodoxy in Colonial Mexico* (Lincoln: University of Nebraska Press, 2004), 103.

Matheo de Morales	Mulato
Miguel de Morales	Mulato libre
Nicolás del Castillo Nicolás de Santiago	Mulato Mulato libre
Santos de Moncayo	Mulato libre
Simona	Mulata
Unnamed man from Tonalá	Mulato

Source: AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, fols. 59

On July 21, 1685, Antonio de Obando, *indio natural* of Jiquipilas, testified that he knew Nicolás de Santiago made a pact with the devil because Antonio, in the form of his nahual, secretly followed Nicolás, and the missionary priests who accompanied him, to San Lorenzo—a mountainous cavern in which idolatry was alleged to have occurred. Inside, Obando saw a figure with deer's antlers who spoke to the elder of the two priests in the "Mexican tongue," asking him "*ten tiguala ticchigua*?"[306] Translated as, "What have you come to do?"[307]

[306] "Tlen tihualla ticchihua?" in modern Nahuatl. See, AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 22v.

[307] Since their arrival in the sixteenth century, the clergy in Mexico studied Indigenous languages such as Nahuatl, Otomi, Matlatzinca, and Huastec, thus contextualizing the friars' familiarity with Nahuatl. See, John F. Schwaller, "The Expansion of Nahuatl as a Lingua Franca among Priests in Sixteenth-Century Mexico," *Ethnohistory* 59, no. 4 (October 1, 2012): 678.

According to Obando, the elder priest replied to the devil, stating that he had come to take the very contract Nicolás de Santiago had signed with his blood.[308] Since Satan refused, the missionary father took the contract by force.[309] Although this was the only Nahuatl phrase included in this case, it shows that the devil spoke Nahuatl to a Spanish priest rather than in the colonizing language. Obando's claim that Nicolás accompanied Spanish priests to a cave where Nahuatl was spoken suggests that Nicolás also knew this language. Another corroborating factor, is that Nicolás was taught magic by his padrino, Juan Sánchez, a tribal elder whose daughter, María, sought a Nahuatl-speaking interpreter to record her testimony in the case brought against Nicolás de Santiago because she could not speak Castilian well.[310] A historical irony comes to the fore as Nahuatl in a cave distant from Spanish civilization was a sign of excess even when it was used to as a vehicular language.

By the time María Sánchez testified on February 20, 1686, Bishop Francisco Núñez de la Vega had come to Jiquipilas to personally investigate the case, revealing that local officials took allegations of sorcery seriously.[311] María stated that Nicolás was a nahual who could take the form of anything that he wanted, "be it a serpent, an ass

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[308] For other pacts made with the devil see, Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," 43–48.
[309] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 23r.
[310] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 39v.
[311] The Mexican Inquisition considered superstition broadly as a crime against the faith. Crimes such as witchcraft, sorcery, divination, prognostication, and heresy, as well as making a pact with the devil fell under the category of superstition. See, Chuchiak, *The Inquisition in New Spain, 1536-1820*, 292–93.

[male], etc."[312] However, the most frequent form that he took was a "ball of air" into which Nicolás would disappear.[313] The Spanish-language testimony makes it appear that Nicolás maintained his gender when transforming into large mammals. However, because María testified in Nahuatl to Luis de Villalobos, it is likely that she did not convey the gender of Nicolás's animal transformations. Nevertheless, Nicolás's multiple transformations elevated his status in the community because doing so displayed superior spiritual power.[314]

María testified that Juan Sánchez, her father, was a well-known sorcerer (*brujo*) who took her to San Lorenzo on several occasions.[315] During each visit, Juan attempted to teach María more and more about magic, revealing that certain women could become ritual specialists.[316] On the first nocturnal visit to San Lorenzo, María saw a shape that looked like the kind of figure painted at the feet of Saint Michael, seated in a golden

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[312] The case reads "sea de culebra, sea de burro." As mentioned above, the grammar rules for epicene nouns make the gender of the snake uncertain. However, the term for ass, "burro," is clearly masculine. See, AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 39v.
[313] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 39v.
[314] Powerful nanahualtin typically embodied fierce animals such as jaguars, snakes, or caimans. See, Musgrave-Portilla, "The Nahualli or Transforming Wizard in Pre and Postconquest Mesoamerica," 46; Díaz Balsera, *Guardians of Idolatry*, 45; For modern examples, see Julian Alfred Pitt-Rivers, *From Hospitality to Grace: A Julian Pitt-Rivers Omnibus* (Chicago, IL: Hau, 2017), 234; Knab, *A War of Witches*, 87.
[315] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 40r.
[316] The Nahuatl term titicih refers to women ritual specialists who performed a variety of complex ceremonies to assist their communities, including midwifery, ophthalmology, and Native forms of baptism. See, Edward Anthony Polanco, "'I Am Just a Tiçitl': Decolonizing Central Mexican Nahua Female Healers, 1535–1635," *Ethnohistory* 65, no. 3 (July 1, 2018): 441–63.

chair with a tail that extended to its feet, i.e. the devil. This figure said, "Come here girl. Sit down. Don't be afraid. Embrace me."[317]

On her third visit, María saw a Spaniard seated in a different golden chair deep inside the cave. The Spaniard showed María a room filled with coins and silver jewelry, candlesticks, and spoons.[318] The Spaniard told María that she could obtain these riches if she got rid of her fear.[319] María highlighted the cave's religious import to the community stating that Nicolás de Santiago, along with her father, took dead persons to this site as an offering to the devil and that other mayordomos took offerings of incense, candles, and flowers every Monday, Tuesday, Holy Thursday, Eve of Corpus Christi, New Year's Eve, and All Saints' Day.[320] Because María eventually rejected her father's teachings, Juan subsequently taught Nicolás de Santiago about magic and shapeshifting.[321]

María Sánchez's testimony adds complexity to the concept of the nahual since it shows that the ability to shapeshift could be passed from parent to child and that ritual specialists taught apprentices of their choosing. The testimony also supports a broad definition of the nahualli as Nicolás de Santiago transformed into elements, such as a ball of air, as well as animals. Finally, María's statements reveal how caves, places removed from the purview of the Spanish state, continued to hold religious import for

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[317] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 40v.
[318] Viqueira notes that six or seven tostones equated to one month's salary for many mayordomos. See, Viqueira, *Encrucijadas Chiapanecas*, 168.
[319] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 41r.
[320] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 41v-42r.
[321] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 43v.

Nahua and African descent peoples well into the seventeenth century.[322] Traditionally, Indigenous peoples revered geological formations such as mountains, hills, and bodies of water, which Spanish clerics derided as idolatrous and deviant.[323]

Efficacious Magic in the Community

Colonial officials attempted to excise the belief in popular magic by denigrating it as idolatrous devil worship. Yet, this incommensurability remained part and parcel of the Spanish colonial project. Catholic colonizers, even if unwittingly, arrived at a theological impasse once they favored any, or all, of the seven sacraments of the Church over non-European forms of popular magic.[324] The derision of the shapeshifter belies the fear that colonial officials shared regarding the subversive power of ritual specialists, whose magical powers parish clergy adjudged to be efficacious when members of their flock fell ill. The purported ability to heal or harm members of the community increased the likelihood of commoners believing in ritual specialists' magical powers.

Clergymen worried that ritualists with large followings would lead the masses to perdition. The good-evil binary espoused by the Church transformed the process of conversion into a religious and political battle. Through royal patronage, Spanish

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[322] For the continued reverence of landscapes such as caves and mountains among Indigenous peoples, see Cervantes, *The Devil in the New World*, 35, 37–38, 50, and 91–93; Peoples such as the Nahua associated caves with the underworld. See, Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 215; Alfredo López Austin and Leonardo López Luján, *Monte Sagrado: Templo Mayor* (México, D.F: Universidad Nacional Autonoma de Mexico, 2017), 50–52.

[323] Cervantes, *The Devil in the New World*, 49; Tavárez, *The Invisible War*, 250.

[324] The seven sacraments are: baptism, confirmation, Eucharist, penance, extreme unction, holy orders, and marriage. See, Pardo, *The Origins of Mexican Catholicism*, 12.

monarchs blurred the boundaries between religious and secular institutions. An offense to the faith became an offense to the state.[325] This chapter shows that religious excess was, in fact, the accumulation of surplus political value.[326] In the minds of colonial officials, hindering the colonial project equated to a religious loss as well. While conquistadores, merchants, and judges physically occupied Native lands, friars and priests endeavored to instill in the Indigenous mind an appreciation for orthodoxy.[327] Just as Spanish colonizers labeled their endeavors "as campaigns of "pacification" rather than conquest," clergymen generally viewed their own efforts in a positive light.[328] Reading terms such as "idolater", "sodomite", "barbarian" as implicit admission of a loss of religio-political control, endows ritual specialists with local prestige. Such a reading aligns itself with research on colonial intellectuals and other intermediaries.[329] Thus, what occurred in the village touched the very heart of the Spanish empire.

On May 20, 1696, in the town of Tecpatan, Chiapas, Jacinto López testified before local authorities that Esteban de Mesa bewitched him after he became angry with Jacinto for abandoning him along a remote road. Afterwards, Jacinto felt a burning sensation in

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[325] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 4.
[326] Here, I apply Hector Amaya's insights to the colonial era. Hector Amaya, *Citizenship Excess: Latino/as, Media, and the Nation* (New York: New York University Press, 2013), 1–3.
[327] Matthew Restall, "The New Conquest History," *History Compass* 10, no. 2 (February 1, 2012): 151–60; Robert C. Schwaller, "Contested Conquests: African Maroons and the Incomplete Conquest of Hispaniola, 1519–1620," *The Americas* 75, no. 4 (2018): 609–38.
[328] Matthew Restall, *Seven Myths of the Spanish Conquest* (Oxford: Oxford University Press, 2004), 68.
[329] Yanna Yannakakis, *The Art of Being In-between: Native Intermediaries, Indian Identity, and Local Rule in Colonial Oaxaca* (Durham: Duke University Press Books, 2008); Gabriela Ramos and Yanna Yannakakis, eds., *Indigenous Intellectuals: Knowledge, Power, and Colonial Culture in Mexico and the Andes* (Durham: Duke University Press, 2014).

his ear and part of it began to rot, which prompted Jacinto to blame Esteban. Jacinto also testified it was well known that Esteban placed a curse on Catalina Pérez's hand and that Esteban had cursed several Christians in the town.[330] In Soconusco, Chiapas, sorcery was suspected to be the cause of recent outbreaks of disease in 1721.[331] On March 20, Sebastían Díaz, *indio principal*, testified that he witnessed a young woman named María Gálvez suffer with agonizing pain as she vomited black blood and a ball of corn husks. Villagers suspected foul play because María's symptoms were similar to those that had recently afflicted ten other adults and children: stomach pains, black blood, and death around midnight without any signs of fever. A pardo man named Lázaro Moreno testified that Pedro Gerónimo was known to be a healer of bewitched patients and that he was simultaneously feared and respected for being a sorcerer and nahual.[332] Villagers had seen Pedro Gerónimo with another figure at odd hours in the night, and, because of this, local priests took them for "*nahualistas*."[333] The ability to traverse the night and to transform into animals rendered Pedro Gerónimo excessive, justifying the continued presence of Spanish officials.

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[330] Significantly, a woman cured Catalina, revealing that magic and healing crossed gender lines. Although Esteban denies having made a pact with the devil and claims not to know what the term nahual meant, the case ends here. It does not state whether Esteban was prosecuted. See, AHDC, carp. 1580, exp. 1, Tecpatan III A 1, Episcopal, Gobierno, 1696, ff. 1r-4v.
[331] AHDC, carp. 2463, exp. 1, Soconusco III A1, Episcopal, Gobierno, 1721, fols. 14.
[332] AHDC, carp. 2463, exp. 1, Soconusco III A1, Episcopal, Gobierno, 1721, ff. 6r-6v.
[333] AHDC, carp. 2463, exp. 1, Soconusco III A1, Episcopal, Gobierno, 1721, f. 6v.

Negotiating Geography in the Colonial Era

Labels used to describe topographies were laden with ethnocentric interpretations.[334] When non-orthodox forms of rituals were purported to have occurred in Indigenous zones such as mountains, isolated roads, and bodies of water, Catholic colonizers discursively subordinated these spaces by depicting them as dangerous, uncivilized, and even queer.[335] For the Nahua, caves represented an important geological formation imbued with cultural and religious significance. Since Nahuas conceptualized of hills and mountains as hollow and full of life-giving water, caves provided sustenance. Inside these spaces, ritualists communicated with the deities of the underworld, making caves necessary for life but also dangerous.[336]

Caverns remained important to local communities because they enabled Indigenous peoples to cross into an underworld. The gods or owners (*dueños*) of the mountains provided for their followers when they were sufficiently appeased with offerings of food, tobacco, alcohol, and money.[337] However, when the owners of these geological formations became displeased, they punished the community with natural disasters. Famine and catastrophe, which revealed the gods' displeasure, pushed locals

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[334] For Nahua interpretations of landscapes, caves, and crossroads, see Burkhart, *The Slippery Earth*, 47–48, 63.
[335] For queer landscapes see, Hagler, "Archival Epistemology," 522–23.
[336] For natural springs emerging from caves, see Karl A. Taube, "The Teotihuacan Cave of Origin: The Iconography and Architecture of Emergence Mythology in Mesoamerica and the American Southwest," *RES: Anthropology and Aesthetics*, no. 12 (1986): 51–82; See also, López Austin and López Luján, *Monte Sagrado*, 50–55.
[337] Claudia Rocha, "Habitar el Monte Sagrado," in eds. Rocha and Carranza, *Los habitantes del encanto*, 183–88; For the owner or "dueño" of the monte, see López Austin and López Luján, *Monte Sagrado*, 67–72.

to consult ritual specialists so as to appease local deities and restore equilibrium in the cosmos.[338]

Thus, the aforementioned Spaniard with deer's antlers seated on a golden chair could be interpreted as a local mountain deity imbued with Christian iconography. Inside this space, an inversion to centuries of colonialism occurred since the devil, often depicted in submission at the feet of Saint Michael, sat triumphantly on his throne.[339] Since friars venerated warrior saints as a means of conversion, the presence of the devil in lieu of Michael suggests that Satan held more power than orthodox saints. Local peoples who sought the devil's assistance, such as Juan Sánchez and Nicolás de Santiago, reduced the importance of orthodox symbols in favor of, what the Church would label, minions of evil. This colonial reality reveals an irony of Spanish imperialism since, for most Catholic believers, Michael signified the "celestial force that defeated the Devil, idolatry, and the ancient gods."[340] Michael was often pictured with "crown, shield, sword, military tunic, chains and standing victoriously over the demon."[341] However, inside caves such as San Lorenzo, the devil sat triumphant on his throne while Michael was nowhere to be seen. Rather than lie at Saint Michael's feet in

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[338] Cervantes, *The Devil in the New World*, 71.

[339] St. Michael was a popular figure in colonial Mexico, evinced by his numerous appearances in religious dramas and sermons. See, Cervantes, 13, 83; Oakah L. Jones, *Los Paisanos: Spanish Settlers on the Northern Frontier of New Spain* (Norman: University of Oklahoma Press, 1979), 155; Fernando Horcasitas, *Teatro náhuatl: Épocas novohispana Y moderna*, vol. 1 (México, D.F.: Universidad Nacional Autónoma de México, 2004), 85, 95, 192, 619–21, 699, 729.

[340] Antonio Rubial García, "Icons of Devotion: The Appropriation and Use of Saints in New Spain," in ed. Nesvig, *Local Religion in Colonial Mexico*, 41.

[341] Andrew A. Bialas, *The Patronage of Saint Michael the Archangel* (Chicago: Clerics of St Viator, 1954), 120.

submission, the devil tempted peoples, such as María Sanchez and Nicolás de Santiago, to join him by offering them the riches of "Jerusalem."[342]

That Indigenous and African descent peoples continued to revere these landscapes did not escape the attention of Catholic friars who sought to indoctrinate them. Some clerics opined that orthopraxy would lead to changes in neophytes' thinking. Significantly, these clerics diagnosed true repentance through the perceived contrition of the confessant. External signifiers such as the tone of voice or the tears of those interrogated could impact the innermost thoughts of colonial officials.[343] On April 5, 1686, Bishop de la Vega ordered Roque Martin, a Nahuatl-speaking Indian accused of fraternizing with the devil, to be absolved for his sins as he had distanced himself from such "superstitions with which the Devil had deceived him" for over a year and a half.[344] The bishop believed Martin to be sincerely repentant due to "the exterior signs" that he had seen.[345] De la Vega recommended that the idolatrous shrine inside San Lorenzo be officially dedicated to Saint Michael, suggesting that he believed external practices would, in time, change internal beliefs. The final punishment came in the form of a fine,

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[342] Nicolás de Santiago's testimony corroborates many of the details mentioned in María Sánchez's confession. See, AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, ff. 44r.-45r.
[343] For instance, in his ninth pastoral letter, Bishop de la Vega states that the truly repentant will demonstrate his sincerity by "crying and confessing his guilt." See, Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 760.
[344] The case states that Roque Martin's sentence was read to him in "*lengua Mexicana*," suggesting that he spoke Nahuatl. See, AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, ff. 54r-55r.
[345] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 54r.

two hundred tostones, to go toward the construction of a chapel dedicated to Saint Michael, thereby safeguarding the purity of the Catholic faith inside San Lorenzo.[346]

In contrast, other clergy believed that the best way to safeguard the faith was to raze idolatrous sites to the ground. As mentioned in the previous chapter, don Joseph Ordoñez y Aguiar inspected a remote cave called *Sacumchen* in 1778[347] To his horror, Ordoñez y Aguiar unearthed one cadaver after another, including an infant's skull with some of the skin still attached. Having found a poorly formed cross, signs of rituals removed from the Church, and multiple cadavers, Ordoñez y Aguiar concluded that within the confines of Sacumchen lay an idolatrous sepulcher in which the people of Tuxtla sacrificed themselves to Satan.[348] The curate, alongside Ordoñez y Aguiar, lamented that the incense used in Sacumchen, which could only be acquired in the mountains, "showed greater veneration for caves than the churches as they [Indians] spend money on good incense for those [caves] and not for these [churches]."[349] Churchmen continued to associate Indigenous topographies with idolatry and sin in the late eighteenth century.

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[346] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 54v; Edward Osowski notes a similar occurrence in the cave at Amecameca near Mexico City. See Osowski, *Indigenous Miracles: Nahua Authority in Colonial Mexico* (Tucson: University of Arizona Press, 2010), 40.
[347] AHDC, carp.777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, ff. 1-30.
[348] For similar associations regarding deviant landscapes and accusations of human sacrifice in the Yucatan see, Inga Clendinnen, *Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517-1570* (New York: Cambridge University Press, 1987), 161, 168, 171, and 195.
[349] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 6r.

Due to the threat that Sacumchen posed to the clergy, Fray Thomas Luis Roca demanded that this idolatrous sepulcher be demolished with picks, mattocks, and, if necessary, gunpowder, thereby imposing his version of orthopraxy.[350] To his dismay, Indigenous locals failed to comply with Fray Thomas's orders as they "put little efficacy into fulfilling the orders received from their superiors."[351] Fray Thomas also stated that the substantial costs of demolition, due to the size of the cave, made it difficult to destroy. Additionally, Mother Nature thwarted Fray Thomas when the rainy season began, forcing him to postpone demolition until the dry season. Even when two months of good weather had passed, Fray Thomas could not gather enough men to execute his plan, prompting him to remit the case to his superiors.[352] The frustration that Fray Thomas experienced shows the financial constraint placed on New Spain's coffers as well as the ability of Indigenous peoples to negotiate the terms of colonization in the eighteenth century.[353] Evidently, Indigenous locals dragged their feet because the cave of Sacumchen, like that of San Lorenzo, held significant cultural value. The rainy season coupled with the size of the cave shows how difficult it was for Spaniards to maintain their dominion over nature.

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[350] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 25v.
[351] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 27r.
[352] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 27v.
[353] Cervantes notes, "extirpation campaigns suffered from a lack of consistent institutional support and funds." See, Cervantes, *The Devil in the New World*, 55.

Rather than emphasize Indigenous understandings of magic and shapeshifting, sometimes Spanish clerics concealed non-orthodox interpretations to maintain the purity of the Catholic faith. On March 26, 1778, the Bishop Francisco Polanco ordered that the cadavers found in Sacumchen be secretly transported in a locked trunk and taken to the royal hospital. Here, the remains of the deceased would be buried in the "most intimate part of the cemetery."[354] The bishop's concern for a proper burial highlights his belief in an afterlife and his wish to, literally, inter signs of idolatry.

The association of water with caves also highlights the significance of natural bodies of water among Indigenous peoples. Johanna Broda states that "the mountain cult was intimately connected to the cult of rain, water, and the earth" making it "one of the oldest elements of pre-Hispanic religion, the roots of which go back to Preclassic times."[355] In the minds of Spanish colonizers, Native interpretations of water competed with that of the Church, whose ministry emphasized its hallowed nature in the sacrament of baptism.[356] In 1734, Pedro Joseph, a black slave (*negro esclavo*) testified that he witnessed a baptism in which a local *tlatoani* (Nahuatl for king or leader) came to the house where Pedro stayed one night to baptize a newborn baby.[357] Working in tandem with a midwife, the tlatoani asked whether "a lizard, tiger, or another animal from the

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[354] AHDC, carp. 777, exp. 1, San Andrés III A 2, Episcopal, Gobierno, 1778, f. 19r.
[355] Broda, Johanna. "The Sacred Landscape of Aztec Calendar Festivals: Myth, Nature, and Society," in David Carrasco, ed., *To Change Place: Aztec Ceremonial Landscapes* (Niwot: University Press of Colorado, 1991), 79.
[356] For the importance of baptism among the clergy, see Pardo, *The Origins of Mexican Catholicism*, 43–48.
[357] AGN, Inquisición, 1734., vol. 849, exp. s/n, ff. 312-317.

mountains" should be associated with the baby, thus revealing the continued association between day signs and animal companions.[358] Pedro Joseph's testimony highlights another way that one could acquire the ability and power of the nahual—through ritual ablution. Invariably, this form of baptism conflicted with the sacrament of baptism as espoused by the Catholic Church.[359]

Bodies of water could also facilitate the transformations of adult nahualli. On November 8, 1786, don Juan Joseph Montoya, notary and church elder in the town of Rivas, Nicaragua, appeared before the Holy Office to denounce doña Manuela de Ibarra for shapeshifting.[360] Montoya stated that late one night he heard the sound of women's laughter coming from the street. But, when he went outside, he only saw two mares (*yeguas*) nuzzling each other. Having piqued his interest, Montoya followed the mares to a river where he witnessed them transform into women. At this point, Montoya recognized one of the women as Manuela de Ibarra, who pleaded with Montoya to keep quiet about what he had seen.[361]

A few days later, when Montoya passed by the same river late at night, he encountered a lioness (*leona*) so fierce that he had to dismount his horse to defend

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[358] AGN, Inquisición, 1734., vol. 849, exp. s/n, f. 316r; See also, Cervantes, *The Devil in the New World*, 95.
[359] González, *El Nahualismo*, 120.
[360] By the time of the trial, Montoya spoke Spanish very well as he was forty years old and worked as a presbyter, provisional notary, and purger (*expugnador*, meaning he helped the compile the list of prohibited books) for the Holy Office of the Inquisition in Rivas. See, AGN, Inquisición, 1787, vol. 1299. exp. 18, ff. 304-319; Chuchiak notes that "the expurgatorio was the Inquisition's list of purged or prohibited books." See, Chuchiak, *The Inquisition in New Spain, 1536-1820*, 378 no. 14.
[361] The testimony states "yeguas" clearly indicating female animals. See, AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 305v

himself. When he placed his hand on his sword, however, the lioness transformed into Manuela de Ibarra. When Montoya asked Ibarra why she tried to harm him even though he had kept her secret, she replied that she wanted to see whether he was a "man of valor."[362] Harnessing the power of nature enabled Manuela to briefly invert colonial gender relations as she intimidated Montoya and mocked his courage. According to the Spanish-language testimony, Manuela clearly maintained her gender when shapeshifting. Perhaps, Manuela neglected to cross the gender divide so as to further emasculate Montoya as a mare and a lioness.

Intriguingly, Manuela's slave, María Joseph Ibarra, could also shapeshift. Don Joseph Martínez testified that María's husband, Joseph Mercedes Romero, told him that Romero had seen María shapeshift into a bird. Allegedly, Romero was angered that María refused to accompany him to the village festival on Christmas Eve (*nochebuena*).[363] So, on the night in question, Romero left the house as if he were going to attend the festival but, instead, hid himself nearby. From this vantage point, Romero saw three big birds flying in the sky over his house around two o'clock in the morning. Romero saw one bird go inside his house, and, when he reentered the house, he found his wife in human form, leading him to conclude that she was a nahualli.[364]

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[362] Montoya denotes a female animal by stating "una leona." See, AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 305v.

[363] AGN, Inquisición, 1787, vol. 1299, exp. 18, ff. 310r-310v.

[364] The case states "tres pájaros grandes," which does not illuminate the gender of María's nahual. Later, Romero states "el uno quedó fue bajando con pausa, y vio, que se entró en su casa, fue a la puerta y entró, y

Despite these accusations, Inquisition officials, based in Mexico City, dismissed this case outright. Neither Manuela de Ibarra nor María Ibarra were summoned to testify. On March 11, 1787, the prosecuting attorney (*fiscal*) stated the testimony from locals was so unbelievable and ridiculous that from it one could deduce such absurdities, inconsistencies, and contradictions so as to reject these accounts as "old wives' tales" (*cuentos de viejas*) and deny them all credibility.[365] Indeed, the fiscal admonished the local commissary, don Thomas Antonio Martínez de Fleytas, for his foolishness in bringing the case to the Holy Office. The fiscal stated that don Thomas, as a priest and official purger (*expurgador*) of the Inquisition, should admonish villagers for their credulousness rather than entertain it.[366]

Social Divisions among Churchmen

In part, the fiscal's chastisement illuminates the disparity in status between attorneys and the local commissary. In New Spain, the post of fiscal was the second most important position in the Holy Office of the Inquisition.[367] The prosecuting attorney received a handsome salary of 3,000 pesos from the Inquisition and his "service in the

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se halló con su mujer." In addition to complications surrounding the use of epicene nouns as noted above, it would have been very difficult for Romero to discern the birds' gender so late at night. See, AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 310v.

[365] AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 315v.

[366] AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 315v.

[367] The highest official of the Inquisition was the inquisitor general who was nominated by the crown and confirmed by the pope. See, Chuchiak, *The Inquisition in New Spain, 1536-1820*, 12–15.

position of *fiscal* often led to an eventual promotion to inquisitor."[368] Pending final approval from the viceroy and the crown, inquisitors had the power to nominate local commissaries, revealing their heightened status.[369]

As a commissary in Rivas, Nicaragua, don Thomas Antonio Martínez de Fleytas served the Inquisition by receiving denunciations, investigating cases related to crimes against the faith, publishing and announcing edicts of faith in his parish and, potentially, scrutinizing the genealogies and lifestyles of those wishing to become minister of the tribunal.[370] Parish priests interacted with locals regularly. For instance, don Juan Joseph Montoya, informed don Thomas that he first heard rumors about Manuela de Ibarra while administering the sacraments in the village of Guanacaste. Montoya was informed by two unnamed women and a *mulato vecino* named Juan López that Ibarra had bewitched individuals in their community.[371] Witnessing the maladies of their parishioners undoubtedly increased the perceived efficacy of ritual specialists in the minds of local clergy. To safeguard the purity of the faith, however, parish priests

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[368] Chuchiak, 15; For the salaries of Inquisition officials see Table 8 on p. 29.
[369] For additional information on the Mexican Inquisition, see Alberro, *Inquisición y sociedad*.
[370] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 24; Edicts of faith were published annually during Lent and typically urged the masses to keep their consciences clean through denunciation and confession. See, Tortorici, *Sins Against Nature*, 12–13; The alleged purity of one's bloodline was taken very seriously in colonial New Spain. Those who had ties to Iberia proper, had not recently converted to Catholicism, and had not intermixed their bloodline with negros, mulattoes, pardos, and other castas were deemed to be the most "pure." See, María Elena Martínez, *Genealogical Fictions: Limpieza de Sangre, Religion, and Gender in Colonial Mexico* (Stanford: Stanford University Press, 2011); Twinam, *Purchasing Whiteness*.
[371] AGN, Inquisición, 1787, vol. 1299, exp. 18, f. 305r.

frequently liaised with their superiors, remitting cases of suspected heresy to the Inquisition.

Although episcopates had the authority to prosecute superstition, spells, idolatry, and sorcery, they could not adjudge suspected heretics. On December 4, 1685, Bishop Francisco Núñez de la Vega stated that he deferred to the Inquisition in cases of heresy.[372] According to De la Vega, never had the Holy Office infringed upon episcopal authority as per custom of Inquisitors in Spain.[373] As a matter of course, bishops remitted cases of suspected heresy to the local commissary, who then notified Inquisitors in Mexico City. In his testimony, de la Vega cited Jerónimo Castillo de Bobadilla's *Politica*, claiming "undeniable" secular (*laica*) jurisdiction over cases of "superstitions, spells, idolatry, sorcery, etc."[374] In *Politica*, Bobadilla extended episcopal authority over "sorcerers, *sorteros*, and augurs" as well as "astrologers, witches, and Gypsy fortune tellers." But the authority to proceed against heretics principally fell upon "the Holy Office."[375] Bishops and their vicars could proceed against laymen while secular authorities had to execute the Holy Office's final sentences.[376] Heresy in Spain had been carefully defined "by church scholars and theologians, and the Inquisition's obligations

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[372] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 1v.
[373] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 1v.
[374] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 1v; Bobadilla was a notable sixteenth-century Spanish jurist trained at Salamanca. The full title of his work is, *Política para Corregidores y Señores de vasallos, en tiempo de paz y de guerra y para prelados en lo espiritual y temporal entre legos, juezes de comisión, regidores, abogados y otros oficiales públicos y de las jurisdiciones, preeminencias, residencias y salarios dellos y de lo tocante a las de órdenes y cavalleros dellas* [1547].
[375] Bobadilla, *Politica*, book 2, chap. 17, p. 751, no. 73-75.
[376] Bobadilla, *Politica*, book 2, chap. 17, case 36, p. 791

to punish heresy depended on the extent and the gradation of a suspected heretic's false belief."[377] In order to be labeled a heretic, one had to first accept the Christian faith and then receive sufficient instruction. Thereafter, if a neophyte knowingly engaged in false belief, an accusation of formal heresy could be waged.[378]

The Inquisition divided false belief into two categories: internal and external heresy. Internal, or mental, heresy addressed the extent to which heresy "was believed in secretly and not manifested in any pronounced word or deed."[379] It remained exceedingly difficult for Inquisitors to know whether mental heresy had occurred. Spanish theologians subdivided external heresy into two categories: hidden and public. Inquisitors considered public heresy "the most dangerous type of heresy for the body of the church."[380] Spreading false belief among the public inevitably encouraged the practice of idolatry and witchcraft, thereby contaminating the faith. To obviate spiritual disaster, de la Vega formally implored his parishioners to denounce sinners "every two years."[381] According to de la Vega, residing in "the supreme pontiff and supreme head of the Church," which derived from "the bishops and the other ecclesiastic pastors," was the power to punish those who committed "notorious injustices to orphans, widows,

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[377] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 4.
[378] Kamen, *The Spanish Inquisition*, 1966, 162–76.
[379] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 5.
[380] Chuchiak, 5.
[381] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 1v.

[the] poor and miserable, such as the Indians."[382] De la Vega stated that he would make certain his subordinates, employed "prudential and Christian" methods to curtail the "excesses made by laic ministers against the rectitude of public justice."[383]

Many times, urban inquisitors treated the concerns of rural parish priests as excessive. The jurisdictional and physical distance separating the Holy Office in Mexico City and parish ecclesiastics explains why some priests took accusations of sorcery seriously while inquisitors did not.[384] Two additional examples of parish clergy believing in the efficacy of ritualists' supernatural powers can be inferred from the case brought against Nicolás de Santiago (1685). On February 10, don Andrés Joseph de Sotomayor, the resident priest of Ocozocoautla, Chiapas testified that late at night he heard disturbing noises in his house on several occasions. Once it sounded as if someone were slapping a table. On December 23, 1684, around two in the morning, it sounded like chairs and tables were banging about. The commotion was so loud that don Andrés leapt out of bed and woke his servants. This incident resulted in his servants falling ill. After don Andrés conversed with the Indians of Ocozocoautla about these occurrences, they replied it was well known among them that something similar had happened to his

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[382] Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 324; Bobadilla remarks that the Church has authority over widows, or married women with useless (*inútil*) husbands, and orphans. See, Bobadilla, *Politica*, book 2, ch 1, p. 324, no. 19.
[383] Núñez de la Vega, 322.
[384] Echoing this observation, Stuart Schwartz notes, "the devil seemed to thrive on the cultural frontiers. While Spanish and Portuguese theologians were often skeptical about witchcraft, the presence and actions of the devil were broadly accepted at all levels of society." See, Schwartz, *All Can Be Saved*, 171.

predecessor, Juan de Monjarraz.[385] On December 30, around six in the evening, don Andrés reported that he returned home from having administered the "sacrament of extreme unction," after which time he heard terrifying noises in his house and his room.[386] When he entered his room, he found the chairs in disarray, the walls damaged, his clothing in a mess, and, worst of all, a horrible stench filled the room. [387]

As these events terrified everyone in his household, don Andrés packed up and moved to another residence. A Spaniard named don Diego Contreras took pity on don Andrés and provided him with safe haven. Don Diego arranged for don Andrés to meet a resident mulatto of Jiquipilas, the aforementioned Nicolás de Santiago. Nicolás told don Andrés that he would eliminate these apparitions by using "the art that God had given him."[388] This proposition made don Andrés uneasy because he knew that the other mulattos in the community called Nicolás de Santiago "the renegade," and because Nicolás provided remedies and cures that locals said were cursed.[389] Don Andrés testified that many people in the village believed Nicolás to be a diviner since he was able to guess who stole missing items in the village and because Nicolás often found those things that had gone missing.[390] Don Andrés overheard Jacinto González state that

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[385] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 5r.
[386] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 5r.
[387] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 5v.
[388] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 5v.
[389] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 6r.
[390] Garofalo states that "specific techniques for protection and divining existed in west and central Africa and may have been combined with Iberian and Andean techniques." Garofalo, "Conjuring with Coca and the Inca," 67.

God made Nicolás a wise fortune teller and, for this reason, the Indians of the pueblo revered him.[391] Finally, in this case, the Bishop of Chiapas revealed that Catholic officials believed in the magical capabilities of Indigenous ritualists. On February 20, 1686, Francisco Núñez de la Vega stated that after hearing María Sánchez's testimony—which detailed her nocturnal visits to San Lorenzo, sightings of the devil, and flying through the air with her *nahual*—there could be no doubt that María spoke the truth since she used such specificity about the events that had transpired.[392]

When the sacraments appeared to have no effect, some priests sought the assistance of local ritualists as a means to counteract the sorcery afflicting them. Ritual specialists such as the nanahualtin competed with Catholic priests once locals solicited their help to cure diseases in lieu of the Church.[393] Catholicism encouraged a mutually exclusive ideology that operated within the polarized binary of good and evil.[394] Since pious Catholic parishioners believed that God was present in their daily lives, chance, as an explanatory concept, was exceedingly hard to justify. Due to the belief in an omnipotent, omnipresent, and omnibenevolent God, chance did not exist for devout Catholics in New Spain.

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[391] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 6v.
[392] AHDC, carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. 42v.
[393] Cervantes, *The Devil in the New World*, 53, 59.
[394] Aguirre Beltrán refers to this admixture of ideas as "medicina mestiza." See, Beltrán, *Medicina y Magia*, 257.

Orthodoxy in the Archives

After the Mexican Inquisition took root in New Spain in 1571, it imposed its authority on Spanish vassals with the objective of extirpating heretical beliefs and practices to entrain orthodoxy. Crimes against the faith could only be rectified through the use of the sacraments. A true confession, one of the seven sacraments, would enable repentant believers to enter heaven. On February 15, 1721, Juan de Santander, dean of the Church, ordered Pedro Geronimo, who was suspected of sorcery, to cleanse his conscience with a "true and painful confession in the Holy Sacrament of Penance."[395] Similarly, Santander ordered the brothers of Augustin Díaz, who engaged in "superstitious" acts of curation, to detest all superstition and cleanse their conscience with the holy sacrament of confession.[396] In this respect, the concept of an afterlife linked directly to the health of the community in the temporal world.

On November 23, 1798, after receiving news of heresy among the Indians in Magdalena Coalpitan, the prosecuting attorney wrote that in the past he succeeded in correcting idolaters and "nahualistas" by placing them in religious convents, where they were "catechized, indoctrinated," and persuaded to confess their sins.[397] The prosecuting attorney exposed his benevolent paternalism, noting that these Indians committed such sins out of ignorance rather than malice. He further stated that the "diabolical" and

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[395] AHDC, carp. 2463, exp. 1, Soconusco III A1, Episcopal, Gobierno, 1721, f. 14v.
[396] AHDC, carp. 2463, exp. 1, Soconusco III A1, Episcopal, Gobierno, 1721, f. 15r.
[397] AHDC, carp. 1165, exp. 1, Magdalenas Coalpitan III A 1, Episcopal, Provisorato, 1798, fols. 24.

"abominable" sect of "nagualismo" was the legitimate daughter of idolatry and that such crimes destroyed the purity of the holy faith.[398] The prosecuting attorney also noted that the vice of "nahualismo" spread through the "flesh and blood inherited from Native-born [Indigenous peoples] in both Americas," which, he asserted, could be proven by consulting the testimony of various illustrious prelates in the Church whose many writings fill the "archives."[399]

That evidence of the "diabolical" sect of nahualismo could be found in archives in the Americas directly links official records to pejorative tropes, discursively rendering Indians as socially inferior to Iberians. These negative stereotypes support the notion of archival epistemology: a process of knowledge production that facilitated the legal discrimination between justified and unjustified beliefs.[400] Thus, by the late colonial era, Catholic colonizers could link shapeshifting to the entire Spanish-American empire, which made nanahualtin a threat to the state.

Returning to the case of Tiburcio Pamplona that opened this chapter, we see that on December 28, 1801, Governor Ordoñez ordered Pamplona be placed in prison and reiterated the importance of investigating those dogmatizers of the "diabolical sect of Nagualismo" and the discovery of their calendars, reports, papers, annals, cosmological

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[398] AHDC, carp. 1165, exp. 1, Magdalenas Coalpitan III A 1, Episcopal, Provisorato, 1798, f. 3v.
[399] AHDC, carp. 1165, exp. 1, Magdalenas Coalpitan III A 1, Episcopal, Provisorato, 1798, f. 3r.
[400] Hagler, "Archival Epistemology," 516.

books and other superstitions.[401] Even in the nineteenth century, colonial officials attempted to root out the nahualli, but this figure persisted.

The case does not state whether Pamplona called upon Satan after he had been arrested. Nevertheless, on January 4, 1802, Fray Pascual Aparicio wrote to the governor that Tiburcio Pamplona escaped from prison on December 31, 1801. Eventually, the alcaldes seized Pamlona in the mountains. The case ends by noting that Pamplona had been transferred to the royal jail in Tuxtla, Chiapas and that fray Pascual would await further instructions from his superiors as to how to proceed.[402] Undoubtedly, Pamplona remained socially isolated in another village and, likely, held less standing locally.

Conclusion

Governor Ordoñez's comments show that even by the nineteenth century, inquisitors acknowledged the subversive power of nanahualtin. Contrast this example to that of the case of Manuela de Ibarra, in which the officials chastised villagers for listening to idle gossip. The difference between the verdicts in the cases analyzed here reveals internal divisions among the clergy. Moreover, when the well-being of the community was at stake, local officials took accusations of sorcery seriously. Because no one fell ill from Manuela de Ibarra's magic, inquisitors viewed this case as a waste of time.

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[401] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 5v.
[402] AHDC, carp. 1409, exp. 1, Quechula III A 5, Episcopal, Provisorato, 1801-1802, f. 6r.

Labels such as superstition and idolatry operated as a type of colonizing discourse because Spanish officials tried to extirpate pre-Hispanic practices and beliefs. This chapter has shown that belief in popular magic continued throughout the colonial era while also noting changes over time such as Christian iconography and the grammatical imposition of gendered animals in Spanish-language testimonies. By analyzing Indigenous terms closely, historians can begin to identify more precisely how this process of obfuscation and erasure occurred as part of an ongoing effort to excavate the archives.

As they populated the Americas, Iberian colonizers grew anxious about the continued presence of deities worshiped by Indigenous and African peoples. The counterpart to the process of subordination described above was that Spanish colonial officials, all of whom were Catholic, derided non-orthodox beliefs as heretical and superstitious. The colonial Other, i.e. Indians and peoples of African descent, held the potential to disrupt Spain's imperial project by accessing the supernatural in locations removed from the purview of the state. Notwithstanding Catholic officials' efforts to extirpate the nahualli, the viceroyalty of New Spain remained enchanted. The next chapter illuminates the conflation of religion, geography, and political excess, examining how terms such as Indian and mulatto became synonymous with magical excess and political subversion.

4. Deviant Geography and Popular Magic in New Spain

Catholic colonizers denigrated the practices of the non-sedentary, non-Christian Indigenous peoples whom they sought to convert. Although missionaries' belief in the power of deities and celestial forces, such as the saints, helped them to grasp the reality of Indigenous local gods in the Americas, they remained steadfast in demolishing pagan deities and their cults.[1] Frustratingly for friars and priests, Native peoples utilized orthodox icons for their own purposes such as physically substituting the saints for pre-Hispanic deities in non-orthodox spaces throughout the colonial era.[2]

This chapter illuminates the cultural composition of geography to advance the argument that Native topographies became excessive when Indigenous peoples revered non-orthodox spaces. For this dissertation, geography concerns the physical features of landscapes and the confluence of discourse with space.[3] Many times, Catholic colonizers denigrated non-orthodox uses of space in their attempts to eradicate idolatry and sin, thus distorting Natives' attempts to commune with their gods. Because labels used to describe landscapes and buildings were laden with ethnocentric understandings, the

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[1] Orsi, *History and Presence*, 33.
[2] Báez-Jorge, *Entre los naguales y los santos*, 67.
[3] This study employs María Josefina Saldaña-Portillo's understanding of "geographies-as-ocular experiences" that discipline us into seeing physical landscapes imbued with ethnocentric meaning. See, María Josefina Saldaña-Portillo, *Indian Given: Racial Geographies across Mexico and the United States* (Durham: Duke University Press Books, 2016), 18.

mere occupation of such spaces indicated wrongdoing.[4] Catholic colonizers frequently associated sophisticated and complex Indigenous rituals with devil worship.

Writing in 1590, the Jesuit missionary José de Acosta noted that Satan imitated the sacrament communion "to the great delusion of the heathen."[5] When the Aztecs venerated Huitzilopochtli in the month of May, they ventured "to a hill about a league from Mexico called Chapultepec, and there they halted and made sacrifices."[6] They climbed to the top of a temple, playing flutes, trumpets, conch shells, and drums. Once this most sacred topography had been accessed, the Aztecs consecrated it by dancing and singing in a ring, "making a beautiful circle as they are accustomed to do."[7] Devotees also fasted "on this day of the idol Huitzilopochtli," consuming "no food save that dough mixed with honey, of which the idol was made."[8] After the ritual had finished, the "priests and temple dignitaries" divided this edible idol into several pieces and "gave them in a sort of communion to all the people."[9] As Fernando Cervantes notes, an Indigenous "conception of space was inseparable from ritual, since it was precisely the sacredness of space that gave the ethnic territory its raison d'être."[10] Actions such as playing music, dancing, and forming a circle worked in tandem with the

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[4] Hagler, "Archival Epistemology," 525–29.
[5] José de Acosta, *Natural and Moral History of the Indies*, ed. Jane Mangan, trans. Frances M. López-Morillas (Durham: Duke University Press, 2002), 300.
[6] Acosta, 302.
[7] Acosta, 303.
[8] Acosta, 304.
[9] Acosta, 304.
[10] Cervantes, *The Devil in the New World*, 50.

inhabitation of Chapultepec.[11] Because the Nahua, like many other Native peoples, understood that famine and catastrophe occurred when the gods became displeased, local deities had to be appeased through ritual to maintain cosmological equilibrium.[12]

Yet, sixteenth-century clergymen like Acosta viewed Native rituals and spaces as sinful because "our Lord Jesus Christ did away with all these superstitions, offering the true bread of life that joins souls together and unites them with God."[13] Diego de Landa understood the power that so-called pagan idols exercised, which, due to their wickedness had to be destroyed.[14] Landa worried that the landscape enabled the Maya to continue their idolatrous practices because its sheer vastness made it difficult for the friars to access remote villages.[15] According to Ruiz de Alarcón, Indians believed local deities resided in all parts of the land, including "the slopes and hills and in the valleys and ravines…" and "rivers, lakes, and springs."[16] Ruiz de Alarcón downplayed the role of Native ritualists, noting they only obtained visions "after having become deranged from drinking what they call *oloiuhqui*, peyote, or tobacco."[17] As noted previously, the repeated attempts to malign Native rituals stemmed from the Catholic missionaries'

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[11] As water was sacred among the Nahua, they frequently bathed themselves at Chapultepec to remove the stains of immoral acts. See, Burkhart, *The Slippery Earth*, 110–11.
[12] Claudia Rocha, "Habitar el Monte Sagrado," in eds. Rocha and Carranza, *Los habitantes del encanto*, 183–88; For the importance of hills and mountains, see López Austin and López Luján, *Monte Sagrado*, 67–72; Cervantes, *The Devil in the New World*, 71.
[13] Acosta, *Natural and Moral History of the Indies*, 301.
[14] Clendinnen, *Ambivalent Conquests*, 98.
[15] Landa, *Yucatan at the Time of the Spanish Encounter*, 187.
[16] Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 43.
[17] Ruiz de Alarcón, 43.

need to elevate their standing locally. The clergy needed to achieve victory over Native deities to prove the virtue of Catholicism.[18] It was vital for religious and secular officials to extirpate idolatry in order to curtail the religious and ideological excesses from Indigenous cultures.

Idolatry became infused with geography when Native ritualists harnessed the power of nature to commune with the spiritual realm. Landa noted that one human sacrifice occurred after a hurricane pounded the Yucatán, leading locals to appease their gods.[19] The Maya had long venerated topographies such as caves, mountains, and *cenotes* (sink holes) in the Yucatán Peninsula before de Landa's arrival.[20] For the people of Guaquitepec in Chiapas, mountains were sacred because they were viewed as living entities that provided sustenance in the cornfields, springs, and firewood that locals needed to live. Mountains functioned as "the dwelling place of important sacred objects and beings" because they had "power in their own right."[21] Much to the dismay of Spanish colonizers, Natives revered geography because nature was simply too powerful to ignore.

The many sierras that traverse modern-day North and Central America, created awe-inspiring topographies for the Indigenous peoples who settled there millennia

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[18] Orsi, *History and Presence*, 33–34.
[19] Clendinnen, *Ambivalent Conquests*, 202.
[20] Clendinnen, 168.
[21] Eugenio Maurer Avalos, "The Tzeltal Maya-Christian Synthesis," in Gary H. Gossen and Miguel Leon-Portilla, eds., *South and Meso-American Native Spirituality: From the Cult of the Feathered Serpent to the Theology of Liberation* (New York: The Crossroad Publishing Company, 1997), 232.

before the Spanish invasion. The sheer size of cordilleras enables them to dictate the weather.[22] For example, in the Sierra Madre Occidental seventy-five percent of the rain takes place during July, August, and September, varying with altitude.[23] In the foothills, "annual precipitation ranges from 400 to 700 millimeters, with higher elevations receiving slightly more."[24] Winters are harsh with heavy frosts in January and February. A long winter with snowfall in elevated regions limits the growing season from April to October. The distinctive ecological niches created by these cordilleras shaped Indigenous agricultural practices with some peoples settling in the river valleys while others camped along the coasts and in more rugged terrains. The abundant flora and fauna in all of these environments and topographies provided "shelter, medicine, food, fiber, game, and small plots for cultivation."[25] Throughout the long history of the Americas, Native groups revered landscapes because they provided sustenance for local communities.[26]

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[22] Understandably, the desire to control the weather has persisted into the modern era. See, James Roger Fleming, "The Pathological History of Weather and Climate Modification: Three Cycles of Promise and Hype," *Historical Studies in the Physical and Biological Sciences* 37, no. 1 (2006): 23–24; For a recent study that highlights local groups' agency notwithstanding their climactic and economic vulnerability, see Hallie Eakin, *Weathering Risk in Rural Mexico: Climatic, Institutional, and Economic Change* (Tucson: University of Arizona Press, 2006).

[23] Susan M. Deeds, *Defiance and Deference in Mexico's Colonial North: Indians under Spanish Rule in Nueva Vizcaya* (Austin: University of Texas Press, 2003), 39.

[24] Deeds, 40.

[25] Cynthia Radding, *Wandering Peoples: Colonialism, Ethnic Spaces, and Ecological Frontiers in Northwestern Mexico, 1700-1850* (Durham: Duke University Press Books, 1997), 22.

[26] Clendinnen, *Aztecs*, 29–30; López Austin and López Luján, *Monte Sagrado*, 18–21.

Every aspect of Indigenous topographies corresponds to an entity. Mountains, hills, caves, bodies of water, etc. represent spaces filled with supernatural deities situated within specific hierarchies and temperaments, governed by other gods or the owners of this sacred geography.[27] When the owners of these geological formations became displeased, however, they punished humanity with natural disasters.[28] In the past, times of famine and hardship evinced the displeasure of the gods, leading believers to consult Indigenous ritual specialists and restore the equilibrium in the cosmos.[29] When this happened, Native ritualists journeyed to these sacred landscapes to appease the gods. Significantly, local deities held the capacity for good and evil within themselves.[30] The disposition of these deities was not singularly good nor evil as God and Satan were depicted in colonial Catholic texts. On the contrary, "the notion of a totally good god was an absurdity in Mesoamerican thought."[31] With the excision of the Native high priest from the body politic, ritual specialists were relegated to the lower echelons of society.[32] Because the belief in local deities and supernatural occurrences persisted, the Mexican Inquisition attempted to instill orthodoxy throughout the colonial

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[27] Rocha. "Habitar el Monte Sagrado," in eds. Rocha and Carranza, *Los habitantes del encanto*, 183–88.
[28] Cervantes, *The Devil in the New World*, 71.
[29] Because ritualists controlled the weather through efficacious rituals, they remained "indispensable advisors of the commoners, for they determined the agricultural schedule according to their powers of divination." León García Garagarza, "The Year the People Turned into Cattle: The End of the World in New Spain, 1558," in Few and Tortorici, *Centering Animals in Latin American History*, 33.
[30] Cervantes, *The Devil in the New World*, 40.
[31] Cervantes, 42.
[32] Lewis, *Hall of Mirrors*, 7.

era.[33] Though mediated by colonial officials, the testimonies under study provide insight into commoner peoples' ideas regarding the efficacy of popular ritual to curtail magical excess.

Inquisitorial and Criminal Sources

This chapter incorporates 30 Inquisition and criminal cases from the seventeenth and eighteenth centuries to analyze testimony of Indigenous and African descent peoples. This chapter maintains that popular magic and other rituals enabled many in the lower strata of society to take charge of their lives and elevate their social standing. At times, magic was used to improve one's job performance. At other times, folks sought the help of ritual specialists to gain the affections of a potential lover or even to murder an abusive partner.[34] This chapter will show that geography remained vital to access supernatural power. Inquisition and criminal records provide historians with an understanding of the role that popular magic played in the lives of the working classes, notwithstanding their mediation.[35] This chapter examines references to magic and ritual to illuminate the ways in which Indigenous and African descent peoples accessed the divine in colonial Mexico.

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[33] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 8–13.

[34] AGN, Inquisición, Vol. 715, exp. 18, 1710, ff. 485-570; AGN, Inquisición, Vol. 878, exp. 49, 1716, ff. 406-407; AGN, Inquisición, Vol. 746, exp. s/n, 1746, ff. 549-550.

[35] For the mediated nature of archives see, Tortorici, *Sins Against Nature*, 7–19.

Inquisition cases reveal that ritual specialists repeatedly engaged in non-orthodox ceremonies, much to the dismay of colonial officials. On 16 August 1675, in Tuxtla, Chiapas, an eighty-year-old man named Pedro Bravo, testified in Nahuatl, "la lengua mexicana," that about two years previously (c. 1673), a Native-born mestizo and *vecino* named Thomás Ramírez visited Pedro late one night. Thomás wanted to show Pedro that he could call upon the owners (*dueños*) of the mountains and lagoons and divine the future.[36] Because this understanding of nature and the cosmos contradicted orthodoxy, it constituted a threat to the colonial project. Therefore, officials recorded examples of non-orthodox thinking throughout the colonial era. A careful reading of this case illuminates the continued veneration of landscapes among Nahua and mestizo commoners in the late seventeenth century. Indeed, the cases examined below show that many among the *castas* revered landscapes as powerful, sacred beings, creating an ideological excess that the Church could not endorse.

Connecting Geography to Ritual

Mexican Inquisition cases of witchcraft (*hechicería*) show that when Indigenous and African descent peoples utilized non-orthodox spaces to access the divine trouble ensued. By the seventeenth century, topographies such as caves, hills, and mountains functioned as "extra-domestic wilderness spaces" where Indigenous and African descent peoples lived without the supervision of colonial elites, enabling witchcraft and

[36] AGN, Inquisición Vol. 518, exp. 37, ff. 454-456.

demonic beings to flourish.[37] Cervantes notes that in 1647 a mulatto named Monserrate went to a cave to make a pact with the devil after his master had whipped him.[38] This slave attempted to invert the colonial hierarchy by harnessing the power of nature.[39] Similarly, in 1605, a mulatto named Pedro Hernández told inquisitors about a cave in the land of the Chichimecs:

> where those who want to get or ask for certain things to grow in valour go into, and at the entrance they find many snakes and toads and other bugs, and going further in they find a man sitting whom they may ask for what they want, and the man sitting, gives them little papers to increase their valour… and those who thus go in and out of the said cave become good cowmen.[40]

The above example shows that African descent peoples could solicit the help of supernatural beings in these extra-domestic spaces to elevate their social standing. Significantly, this specific cave lay in the land of the Chichimec peoples. Undoubtedly, Spanish colonizers would have associated Chichimec territories with depravity and rebellion, thus increasing the allure for those wishing to embrace unorthodox rituals. The perceived power of Indigenous and African descent peoples to access the demonic

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[37] Lewis, *Hall of Mirrors*, 64.
[38] Cervantes, *The Devil in the New World*, 84.
[39] Bristol notes that slave owners "feared their slaves might use witchcraft to attack their bodies as well as their property." See, Bristol, *Christians, Blasphemers, and Witches*, 174.
[40] Cervantes, *The Devil in the New World*, 91.

bestowed upon these spaces a certain notoriety that elite colonial society feared.[41] In response, Spanish colonizers denigrated spaces as sacrilegious and iniquitous.[42]

In Mexico City, a hat maker named Juan de Palomares stated that an unnamed, elderly Indigenous man told him in 1650 that he could find treasure inside a cave. Juan testified that the elderly man dressed him as a Tlaxcalan Indian and took him to the sierra of Tlaxcala to find this cavern.[43] Once inside, Juan saw many gold and silver idols and treasure chests, which the elderly Indigenous man revered with incense and prayer.[44] Wealth thus issued forth from nature itself, enriching those who found it. The discovery of precious metals could disrupt the status quo as upstarts found the capital necessary to reinvent themselves in newly founded mining cities.[45]

In 1737, José del Poro denounced three brothers (*mulatos libres*) and residents (*vecinos*) of Cuquio, Jalisco named Pedro, Andrés, and Diego de Cárdenas for witchcraft. Pedro de Cárdenas and his father were accused of journeying to the mountains and transforming into owls.[46] Known as "winged hunters of the night," owls were depicted

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[41] Bristol, *Christians, Blasphemers, and Witches*, 187–89.
[42] Lewis, *Hall of Mirrors*, 64.
[43] Natives were no strangers to mining. Many Tlaxcalans labored in Bolaños in the eighteenth century. See, D. A. Brading, *Miners and Merchants in Bourbon Mexico 1763-1810* (Cambridge University Press, 1971), 187–90.
[44] Enrique Flores and Santiago Cortés, eds., *Relatos populares de la Inquisición novohispana: rito, magia y otras "supersticiones", siglos XVII-XVIII* (Madrid: Consejo Superior de Investigaciones Cientificas, 2010), 103.
[45] Kris Lane, *Potosi: The Silver City That Changed the World* (Oakland: University of California Press, 2019), 42–45.
[46] AGN, Inquisición Vol. 862, exp. s/n, 1737, ff. 304-308.

as "the archetypal symbol of death."[47] Indeed this nahual's ability to traverse the day and night rendered local agriculturalists vulnerable to predation. Hence, the fear surrounding the *tlacatecolotl*, an owl-man that terrorized people at night.[48]

In 1768, in Acapulco, a *mulata libre* named María Reyes Yldetorrea was arguing with her husband Antonio Osuna, *mulato libre*, when she sarcastically told him to go pray in the mountain (*monte*) if he was going to continue being sanctimonious with her, thus revealing a popular understanding of the magical power within landscapes.[49] As an unsanctioned Indigenous space, the *monte* held the power to render Spaniards less Spanish and, conversely, Indigenous peoples more powerful. After staying six weeks in the *monte*, a Spaniard named Juan de Sosa testified that he became convinced, after as he participated in Indigenous rituals, that he had lost his ability to speak Spanish.[50]

Indigenous and African descent peoples maintained a dialectical relationship with each other and with sacred topographies because mountains and rivers were needed to fulfill both mundane and spiritual needs.[51] If performed successfully, magical

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[47] García Garagarza, "The Tecolotl and the Chiquatli," 456.
[48] López Austin, "Cuarenta clases de magos del mundo náhuatl," 88.
[49] AGN, Inquisición Vol. 1032, exp. 6, 1768, ff. 91-94.
[50] AGN, Inquisición Vol. 639, exp. 7, 1679, ff. 265-278.
[51] In the sixteenth century, "individuals born of African-Indigenous unions tended to become acculturated to Native cultural norms and fluent in Native languages." I argue that this process of acculturation would have included an appreciation for non-orthodox rituals. Quoted in Schwaller, *Géneros de Gente in Early Colonial Mexico*, 137; In the case of shapeshifting or "nagualismo," which was discussed previously, Bristol notes that African understandings of spirit possession shared certain similarities with the original Nahua concept. See, Bristol, *Christians, Blasphemers, and Witches*, 154–55; For a discussion of white magic versus black magic, see Proctor III, *Damned Notions of Liberty: Slavery, Culture, and Power in Colonial Mexico, 1640-1769*, 68–94; For love potions and other forms of popular magic see, Joan Bristol and Matthew Restall,

rituals enabled their practitioners to improve their well-being, thus gaining greater control over their lives. In 1653, an Indigenous man named Domingo de la Cruz described the funerary rites for locals in the town of San Miguel Sola, Oaxaca. Domingo stated that after someone died, the villagers washed the deceased, brushed and braided the deceased's hair, finally, dressing this person to prepare for the funeral. Eventually, the local ritualist (here cited as *letrado*, meaning lettered one) instructed the people how best to conduct the funerary rituals, part of which included fasting for one day and one night.[52] Then, at dawn, the villagers went to the *monte* with candles and incense facing the east to pray to their "idol." Afterwards, they hunted deer and prepared a communal feast with *pulque*.[53] Because local peoples had fasted previously and had placated their gods, they could subsequently feast without fear of divine retribution. In the minds of Spanish colonizers, the entire ritual signified an excessive sin that could provoke the wrath of God.

"Potions and Perils: Love-Magic in Seventeenth-Century Afro-Mexico and Afro-Yucatan," in Ben Vinson III and Matthew Restall, eds., *Black Mexico: Race and Society from Colonial to Modern Times* (Albuquerque: University of New Mexico Press, 2009), 155–75.

[52] This case lends credence to the notion of an "indigenous lettered city," to refer to the ways in which colonial subjects created new forms of expressing, notwithstanding the presence of European colonizers. See, Joanne Rappaport and Tom Cummins, *Beyond the Lettered City: Indigenous Literacies in the Andes* (Durham, NC: Duke University Press Books, 2011), 257–58.

[53] AGN, Inquisición Vol. 437, exp. 3, 1653, ff. 65-99.

Desire and Luxuria in Popular Rituals

Sexuality figured strongly in popular magic precisely because ritualists witnessed reproduction in nature such as the breeding of animals and plants. For example, the woman's womb "was subsumed within the most pervasive and inclusive of Mexica metaphors: the earth's capacity to bring forth food and the costs of its fruitlessness."[54] Human flesh "equated with maize, vegetable food, and the earth itself" blood with "rain and flowing water" and the heart with "the sun and its heat."[55] Because life in the form of crops like corn issued from the ground, ritual specialists sought to harness the vitality of earthly creatures.[56] Isabel de la Cruz came forth to denounce herself to local authorities in Cuernavaca for using magic to improve her marriage by, among other things, eating a worm. Allegedly, Isabel's husband, Diego de Solórzano, had been unfaithful. One day in 1649, an unnamed Indian man entered the house and told Isabel that if her husband ingested a worm, he would love her once again. Isabel then ground a worm and mixed it with her menstrual blood, which she later gave to her husband to consume.[57] That this unnamed Indian man spoke with Isabel in her house in the daytime would not have been particularly scandalous in the seventeenth century

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[54] Clendinnen, *Aztecs*, 208.
[55] Clendinnen, *Aztecs*; The link between corn and blood persists into the modern era. See, Alan R. Sandstrom, *Corn Is Our Blood: Culture and Ethnic Identity in a Contemporary Aztec Indian Village* (Norman: University of Oklahoma Press, 1991).
[56] Burkhart, *The Slippery Earth*, 88.
[57] Women frequently used "menstrual blood or the water that they had cleansed their 'intimate parts' to make up the ensorcelled food or drink that they served to their husbands." Ruth Behar, "Sexual Witchcraft, Colonialism, and Women's Powers: Views from the Mexican Inquisition," in Lavrin, *Sexuality and Marriage in Colonial Latin America*, 180.

because honorable women "demonstrated their propriety by keeping their doors wide open in the daytime," shutting them only at night.[58] Despite giving Diego this magical potion, Isabel attributed the improved relationship she had with her husband at the time of her self-denunciation (1650) to orthodox means as she had also begun to fast, pray, and attend Church services. For these reasons, she requested clemency from the Inquisition.[59]

Indigenous and African descent peoples also used plants and herbs to harness the power of nature. In Mexico City, an enslaved man named Roque Flores, originally from Michoacán, self-confessed to using an herb named *puiumat* for magical purposes in 1650.[60] Flores stated that one day while driving a herd of mares, he came across an elderly Spaniard on a brown mule, whom Flores had not seen before. This Spaniard told Flores that if he wanted to be a good herdsman (*vaquero*), he needed to make a pact with the devil and use a specific herb. Initially, the Spaniard wanted to take Flores to a cave to consummate this pact, but Flores resisted. In the end, the Spaniard took Flores to a small hill, where he gave Flores the herb and told him that many good things would transpire

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[58] Lipsett-Rivera, *Gender*, 73.
[59] AGN, Inquisición Vol. 435, exp. 101, 1650, f. 135.
[60] Roque Flores appears to have sincerely believed in Catholicism as he stated that he came forth after hearing the general edict in the cathedral during the second Sunday of Lent. He also stated that he was the slave of Alonso Sánchez and that he was the progeny of a black woman and an Indian man.

shortly thereafter.[61] Evidently, non-orthodox landscapes bestowed benefits upon subaltern vassals seeking to access the divine.

In his testimony, Flores stated that he never gave his soul to Satan. However, Flores did take the herb from the Spaniard and placed it in his saddle. This herb helped Flores to herd bulls easily, convincing Flores of the efficacy of this plant.[62] An enhanced ability to herd cattle benefited Flores due to his duties as an enslaved cowboy. Potentially, the esteem Flores received as a competent herdsman led to other perquisites such as additional free time.[63] A solid job performance likely satisfied Flores's owner, enabling Flores to evade punishments such as floggings meted out for poor performance.

When flora and fauna did not bring about the desired result, some ritualists relied on the power of the spoken word. On 10 January 1617, a seventeen-year-old married Spanish woman named doña Seferina de Espinoza, resident (*vecina*) of Puebla de los Ángeles, confessed to using heretical prayers to improve her marriage. Doña Seferina had recently been sequestered in the "House of the Enclosed," referring to the Santa Mónica monastery in Puebla.[64] However, this enclosure precluded doña Seferina

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[61] AGN, Inquisición Vol. 436, exp. 13, ff. 76-77.
[62] AGN, Inquisición Vol. 436, exp. 13, ff. 76-77.
[63] Schwaller argues that the lower prevalence of Spaniards in the countryside "likely reduced the degree of prejudice or discrimination felt by non-Spaniards." See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 198.
[64] Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 81 no. 1; For the sanctity of enclosure, see Lipsett-Rivera, *Gender*, 94–98; Enclosures also housed women of ill repute, thus protecting the general public. See, Few, *Women Who Live Evil Lives*, 31–32.

from maintaining vigilance over her husband while he worked outside the home, most probably exacerbating fears of infidelity.[65] To restore marital harmony, doña Seferina chanted prayers that she learned from a woman named Teresa de Paz, who traded cacao and resided in Guatemala. Specifically, doña Seferina chanted the prayer "Three Kings" for nine days to improve the quality of her marriage, thus restoring a perceived imbalance in the terrestrial world.[66]

Although popular rituals were employed across gender lines, women typically used magic to gain control over the domestic sphere, thereby gendering spaces such as the kitchen. In Cuernavaca, a fifty-year-old *mulata* woman named Ana María, wife of Mathías López, appeared before local authorities in 1650 stating that, about a year previously, she had heard that an Indigenous woman named María, wife of a Spaniard named Diego de Vergara, had given another *mulata* woman named Luisa some powder that would make her paramour with fall deeply in love. Part of this remedy consisted of a ground-up worm known as *nextecuiles*. In the *Florentine Codex*, Sahagún states that *nextecuilin* are like all the other *cinocuilin*, "ashen, chalky, green-backed."[67] Intriguingly, however, this specimen sometimes "travels only by going on its back. For that reason, one who is not discreet is called *nextecuilin*: because he does not live as everyone [else]

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[65] Priests often ordered the sequestration of women in the colonial era, revealing their close ties to the general public. See, Kanter, *Hijos Del Pueblo*, 88.
[66] AGN, Inquisición Vol. 484, exp. 2, 1617, ff. 46-48.
[67] Bernardino de Sahagun, *Florentine Codex: Book 11 - Earthly Things*, trans. Charles E. Dibble and Arthur J. O. Anderson (Salt Lake City: University of Utah Press, 1963), 99.

lives."[68] Perhaps, then, this spell worked by reversing the emotional state of the man made to drink the potion with the *nextecuilin* inside.[69] Since this worm walked on its back, it operated in reverse. When an animistic understanding of nature was applied, logic dictated that things which operated in reverse had the power to reverse the emotional state of human beings, enabling this suitor to fall in love with Luisa.

Colonial officials suspected witchcraft among those who drank excessively and consumed substances reputed to have harmful effects. In Querétaro, several men and women denounced a woman named Agustina of witchcraft on March 20, 1650, as many locals had seen Agustina drink peyote at night.[70] Peyote derives from the Nahuatl word *peyotl*, referring to the mescal cactus, the "button-shaped segments of which are consumed as an intoxicant."[71] By the seventeenth century, Martin Nesvig argues, the consumption of peyote spread to the non-Indigenous masses while its noted hallucinatory effects tied it, as well as other hallucinogens, to *curanderismo* and magic.[72]

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[68] Sahagun, 99.
[69] See also, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 90 no. 2.
[70] Some witnesses claimed that Agustina was either *española* (Spanish) or *mestiza*. Others stated that Agustina appeared to be (*de vista*) *mestiza*. This case provides an example of caste pluralism. Vinson states that "multiple-casta existences could be lived serially, simultaneously, or both." See, Vinson III, *Before Mestizaje*, 64.
[71] Karttunen, *An Analytical Dictionary of Nahuatl*, 193.
[72] Martin Nesvig, "Sandcastles of the Mind: Hallucinogens and Cultural Memory," in Schwartzkopf and Sampeck, *Substance and Seduction*, 43.

Most likely in the minds of Agustina's accusers, the consumption of peyote increased the perception that witchcraft had taken place.[73]

Denouncers also stated that they could see physical signs of Agustina's nocturnal escapades in the daytime like her swollen and puffy eyes. According to Lipsett-Rivera, the night "made places more dangerous and those who moved through these areas were 'asking for trouble.'"[74] Burkhart notes that space and time conflated into a moral discourse with "moral excesses being associated with liminal times and places."[75] Among the Nahua, chaos and disorder were readily associated with the night and darkness.[76] Agustina's alleged nocturnal peregrinations showed that she eschewed conventions of modesty and honor associated with enclosure and, in so doing, became linked to evil and witchcraft. Consequently, the spaces Agustina occupied, including her own house, transformed into places replete with sin.

On a separate occasion, Agustina was accused of witchcraft because a newborn baby died the day after she visited the residence in question.[77] Significantly, Agustina was not native to Querétaro, having come to reside there only three years prior to her denunciation. Testimony revealed that Agustina came from a mining town in the

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[73] Schwaller notes an Inquisition case against Barbola de Zamora (1570) in which this Spanish-born mulata solicited the help of Chichimec Indians "to use peyote in order to divine the location of lost objects." She was found guilty, ordered to public penance, and was banished from Zacatecas for four years. See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 212.
[74] Lipsett-Rivera, *Gender*, 36.
[75] Burkhart, *The Slippery Earth*, 46.
[76] Burkhart, 53.
[77] AGN, Inquisición Vol. 461, 1652, exp. 20, ff. 418-430.

province of Nueva Galicia known as Tlalpuxagua.[78] Agustina wandered the streets asking for charity, demonstrating her destitution. In order to survive, poor women often left their domiciles to seek work. Leaving the home, no matter the reason, made working-class women less respectable in society because the veil of integrity that enclosure provided ceased to protect them.[79] For Agustina, asking for charity in the street placed her in a male space. Women who inhabited male spaces inevitably forsook any claim to virtue, transforming them into figures of excess akin to the *ahuiani*.

In addition to her beggaring, Agustina's status as an outsider from a peripheral mining town, increased suspicion among locals making Agustina more likely to engage in witchcraft.[80] Nesvig asserts that women who were perceived "as geographic outsiders, sexually promiscuous, or working-class with no extended family were the most common victims of false or exaggerated claims of witchcraft and sorcery."[81] For the locals of Querétaro, the excesses that Agustina was supposed to have committed such as consuming peyote, leaving her house at night, killing newborn babies, and indigence facilitated the connection to witchcraft. The only way to recalibrate village life was to denounce Agustina to the Inquisition so that officials could punish Agustina to either

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[78] The modern spelling is Tlalpujahua, and it is located in the state of Michoacán.
[79] Lipsett-Rivera, *Gender*, 106–7.
[80] For periphery, see Lipsett-Rivera, 46–47.
[81] Nesvig, "Sandcastles of the Mind," in Schwartzkopf and Sampeck, *Substance and Seduction*, 38.

bring her back into the fold or to cast her out, safeguarding the community from further contagion.[82]

Devotion and Belief in the Colonial Archive

One consequence of the "archival turn" is that scholars have become hesitant to discuss belief in the divine due to the layers of mediation that separate them from their historical subjects.[83] Tortorici notes that "the formulaic language of bureaucracy obscures popular terminology and classifications," making it exceedingly difficult, if not impossible, to locate commoners' unfiltered thoughts and beliefs.[84] Nevertheless, this dissertation maintains that belief in the supernatural was an important part of daily life in colonial Mexico that can be gleaned from the testimonies in criminal and Inquisition records when read carefully. Admittedly personal animosities could lead to false or unjust accusations. Other times, however, repentant believers denounced themselves following a crisis of conscience.[85] Therefore, eschewing an overly cynical view of colonial records, notwithstanding their mediation, enables scholars to take belief in the supernatural seriously, providing a more complex account of daily life in New Spain.

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[82] Exile protected the community at large because it served to banish the evil that could redound upon it. See, Martin Nesvig, "The Complicated Terrain of Latin American Homosexuality," *Hispanic American Historical Review* 81, no. 3–4 (August 1, 2001): 713.

[83] For an overview of the archival turn, see Jason Lustig, "Epistemologies of the Archive: Toward a Critique of Archival Reason," *Archival Science* 20, no. 1 (2020): 65–89; Jonathan Truitt's recent monograph does not directly address "indigenous belief and whether these beliefs were purely Catholic or a syncretism of the precontact and colonial religions." See, Truitt, *Sustaining the Divine in Mexico Tenochtitlan*, 2.

[84] Tortorici, *Sins Against Nature*, 63.

[85] Tortorici states that the "Church's efforts to stamp out heresy across multiple continents operated largely on the basis of denunciation and self-denunciation." Tortorici, 12.

When the Mexican Inquisition issued Edicts of Faith (*edictos de fe*) many people came forward voluntarily to denounce themselves or give "testimony of crimes committed against the faith by their neighbors."[86] Edward Peters has observed that inquisitors admitted "testimony of otherwise incompetent witnesses" such as those "declared infamous" and those already "convicted of perjury."[87] Undoubtedly, the Inquisition contained many deficiencies and shortcomings as an institution. Yet, maintaining the purity of the faith was a goal that directly linked to belief in the supernatural.[88] For if a divine realm did not exist, there was no faith to preserve.

On April 8, 1650, a twenty-five-year-old Spanish woman named Juana de Paz came forth to local authorities in Zacatecas after hearing the Edict of Faith published in the parochial church on March 27.[89] The twelve days between the publication of the edict and Juana's denunciation suggest that she reflected upon her moral obligations to denounce those suspected of sullying the faith. At some level, then, Juana's denunciation related to the belief in morality as espoused by the Catholic Church. Juana testified that she had seen some unnamed Spanish women washing their genitals (*partes vergonzosas*) while menstruating and that they collected their blood, made chocolate

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[86] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 34.
[87] Edward Peters, *Torture* (Philadelphia: University of Pennsylvania Press, 1996), 66.
[88] Even in the frontier, magistrates relied on preserving the faith notwithstanding their "simplified criminal and civil procedure." See, Charles R. Cutter, *The Legal Culture of Northern New Spain, 1700-1810* (Albuquerque: University of New Mexico Press, 1995), 39.
[89] Juana de Paz was clearly *criolla* as she stated she was born in Mexico City but that both of her parents, Domingo de Paz and Andrea de Espinosa where from the kingdom of Castile.

drinks, and distributed these concoctions to men who entered their house so that they would fall in love.[90]

Juana's gender linked to geography as women in colonial New Spain gathered at fountains or streams to fetch water or wash clothes and, in the process, talk about their lives with one another.[91] Juana witnessed this event precisely because of her location and gender. The excess menstrual blood that flowed from the vagina fused with chocolate, itself associated with pleasure, to reverse women's institutionalized subordination and "gain some degree of control over their husbands or lovers."[92] Many times, this magic proved efficacious because colonial men believed that women had the power to "make them impotent" when angered or displeased.[93]

As noted above, the ways in which women ritualists gained control over men related to geography because women's authority and power derived from "their social roles as mothers and nurturers."[94] Women inhabited certain spaces to execute gendered

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[90] AGN, Inquisición Vol. 435, exp. 242, 1650, ff. 436-439. Every year during Lent, the Inquisition published Edicts of Faith in the most populous centers to urge the masses "to keep their consciences clean by denouncing their own sins and those of others. The edicts also informed the general population of which sins fell under the jurisdiction of the Inquisition." See, Tortorici, *Sins Against Nature*, 13.
[91] Lipsett-Rivera, *Gender*, 123.
[92] Behar, "Sexual Witchcraft, Colonialism, and Women's Powers," in Lavrin, *Sexuality and Marriage in Colonial Latin America*, 179; In Santiago de Guatemala it was prohibited to consume chocolate in public as it was a "great luxury." See, Few, *Women Who Live Evil Lives*, 29.
[93] Bristol, *Christians, Blasphemers, and Witches*, 167.
[94] Few, *Women Who Live Evil Lives*, 53.

tasks such as the purchasing and preparing of food in markets and kitchens.[95] Consequently, Inquisition records contain numerous examples similar to this seventeenth-century case (1622) in which a free mulatta named Leonor de Isla "mixed water and menstrual blood into her Spanish lover's chocolate in order to maintain his love for her."[96] Because colonial society mandated that women cook for men, the preparation of food enabled a transferral of power for women ritualists.

This inversion could occur in any domestic activity performed by women. For instance, in 1751, a Spanish widow named Bárbara García was denounced by a neighbor María Gertrudes Sánchez for practicing love magic in New Mexico. García admitted to using magic, claiming that it "did what it was supposed to do" but that it "was not a sin."[97] Apparently, García had an ongoing affair with a married man. García wanted this man to remain infatuated with her, so she took some of his hairs and placed them in a sash that she carried on her person. The spell seemed to work because the man's legitimate wife later complained to García that her husband showed her very little affection. Afterwards, García had a change of heart and told her lover to go back to his wife. García broke the spell by removing the hairs from her sash and burning them.[98]

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[95] The market also provided a natural audience for those wishing to publicly air their grievances. See, Lipsett-Rivera, *Gender*, 123–24; For the transferral of female power to others through food preparation see, Lewis, *Hall of Mirrors*, 153–54.
[96] Bristol, *Christians, Blasphemers, and Witches*, 166.
[97] Linda ed. Tigges and J. Richard Salazar, *Spanish Colonial Lives, Documents from the Spanish Colonial Archives of New Mexico, 1705-1774* (Santa Fe: Sunstone Press, 2013), 483.
[98] Tigges and Salazar, 485.

Because this married man fell in love with his wife again, García presumed the spell had been broken.

Even though García was not this man's legitimate wife, she was able to gain access to his hair because of the domestic obligations imposed on all women, including mistresses.[99] Most probably, García dressed her lover in the house where they had their ongoing trysts. This performance of domesticity granted García access to her lover's hair, which she used to bind him with magic. When guilt overwhelmed García, she annulled the spell through fire, illustrating how the destruction of this man's hair broke the spell and restored equilibrium. García likely had easy access to fire because colonial society expected women to cook and prepare food.[100] In the end, the legitimate wife received her husband's affections once again, curtailing the excess of bigamy.

Women reputed to be ritual specialists could hire out their services, simultaneously increasing their income and, if deemed efficacious, their standing locally.[101] In 1668, a widowed woman name María de la Concepción confessed to placing a spell on a man named Matheo Andrés for a client of hers.[102] The local community in Nueva Veracruz adjudged María to be a powerful sorcerer and healer because she had cured illnesses such as erysipelas and the evil eye. Significantly, María's magic could

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[99] For the symbolism of hair see, Lipsett-Rivera, *Gender*, 151–57.
[100] Sousa, *The Woman Who Turned Into a Jaguar, and Other Narratives of Native Women in Archives of Colonial Mexico*, 190–93.
[101] Few, *Women Who Live Evil Lives*, 100–102.
[102] María stated that she was from Lisbon, Portugal but had lived in Nueva Veracruz for ten years.

harm or heal any person of her choosing. Therefore, Pancha Montes called upon María to cast a love spell on Matheo Andrés. In order cast the spell, María tied a silk sash three times and chanted the following:

> Matheo Andrés, here I bind you, here I tie you with the power of God and the Holy Spirit. Satan, bind Matheo Andrés so that he has nothing to do with any woman except Pancha Montes, come Satan and bind Matheo Andres.[103]

Intriguingly, María did not appear to think that God and Satan opposed one another as she called upon both to bind Matheo Andrés.[104] According to the clergy, María committed an ideological excess when she blurred the boundary between good and evil.

Inquisitors adjudged this incantation to be a serious offense and punished María accordingly. She was ordered to be publicly humiliated in an *auto-de-fe*.[105] María wore the insignia of a penitent and the *coroza* hat, marking her as a witch and an outcast. She was also instructed to carry a candle in her hands as part of her penitence. Officials placed a rope around María's throat as she was taken to a church, where she would be

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[103] AGN, Inquisición Vol. 1502, exp. 4, 1668, ff. 1-21.

[104] This case supports Cervantes's assertion that the Mesoamerican understanding of deity as a compound of both good and evil conflicted with the good-evil binary espoused by the Church, making it exceedingly difficult for "Indians to conceive of a devil that was totally malevolent or even undesirable." See, Cervantes, *The Devil in the New World*, 47.

[105] These public spectacles were brought to colonial New Spain by ecclesiastics. Landa remarks on an early auto-de-fe in which the Maya were beaten, forced to wear the conical hats known as the coroza and publicly humiliated for sins such as idolatry. See, Landa, *Yucatan at the Time of the Spanish Encounter*, 189–90; For autos-de-fe in the eighteenth century, see Cisneros, *¿Ignorancia Invencible?*, 233–303.

whipped 200 times. Finally, María was ordered to work in a hospital, helping the poor and sick for a period of ten years.[106] In the minds of colonial officials, bodily mortification helped to cull the excess that Maria brought into the terrestrial world after she called upon the devil.[107]

Although a numerical minority in Inquisition records, men also consulted women ritualists to help them secure the affections of a potential lover.[108] In Puebla, a *mulato* slave named Ambrosio confessed to taking some powders from a female Indian herbalist because she was known to bind women with her magic.[109] Ambrosio first came across this woman while visiting an infirm friend named Josepha (*india*). As this herbalist only spoke Nahuatl, Ambrosio asked Juan, a Nahuatl-speaking *mulato*, to acquire these magical powders for the both of them.[110] The Indigenous herbalist told Ambrosio and Juan to keep the powders a secret, otherwise they would have no effect on the women they sought to attract.[111] The men were instructed to blow the powder onto the women they wanted to attract and, soon afterwards, the spell would take effect. Ambrosio testified that he tried this on two occasions. However, the women he targeted

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[106] AGN, Inquisición Vol. 1502, exp. 4, 1668, ff. 1-21.
[107] Intriguingly, if a neophyte sustained a serious injury because of excessive flagellation, the person responsible "incurred the guilt of grave or mortal sin." See, O.F.M. Francis Guest, "The California Missions Were Far From Faultless," *Southern California Quarterly* 76, no. 3 (1994): 264.
[108] For an overview of love magic, see Few, *Women Who Live Evil Lives*, 52–55; For love magic among Afro-Mexicans, see Bristol, *Christians, Blasphemers, and Witches*, 164–72.
[109] Ambrosio was the slave of a presbyter cleric named Pedro de Zevallos, a *vecino* of Puebla.
[110] Juan was the slave of a local alderman named Alonso Diaz.
[111] As mulattos became acculturated to their Indigenous families and neighbors, they quickly learned Indigenous languages. Therefore, it is not surprising that Juan spoke Nahuatl in Puebla. For more on Nahuatl-speaking mulattos, see Schwaller, *Géneros de Gente in Early Colonial Mexico*, 129–31.

were not affected by the powders. Inquisitors were lenient on Ambrosio most likely because he denounced himself, deeming his crime to be "simple superstition." As such, he was only verbally reprehended on December 16, 1670.[112]

The human body literally became a site of contestation between the forces of good and evil when priests and ritual specialists conducted exorcisms.[113] In Querétaro, Antonio de la Cruz, a *rayado* Chichimec, was purported to perform exorcisms and cure hexes that had been placed on other people in 1691. Antonio claimed that he cured the sick by mixing a plant named "xarilla" with beef tallow.[114] Antonio seemed to understand humoral theories of medicine, stating that all hexes stemmed from cold.[115] In addition to the aforementioned concoction, Antonio prayed three *Salves* to the Virgin Mary in order to break hexes placed on his patients.[116] Due to the longstanding antagonism between Spanish colonizers and the Chichimec peoples mentioned

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[112] AGN, Inquisición Vol 573, exp. 1, 1670, ff 3-4.
[113] Few, *Women Who Live Evil Lives*, 65; For exorcisms in New Mexico, see Malcom Ebright and Rick Hendricks, *The Witches of Abiquiu: The Governor, the Priest, the Genizaro Indians, and the Devil* (Albuquerque: University of New Mexico Press, 2006), 7–8.
[114] The modern spelling is rarilla and belongs to the jarilla family of Cistaceae plants. They are used to cure the evil eye and intestinal inflamation. See, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 139 no. 6.
[115] For the influence of Galen on European medicine, see Allen George Debus, *Man and Nature in the Renaissance* (Cambridge: Cambridge University Press, 1978), 54–66.
[116] The full prayer is: Dios te salve, María, llena eres de gracia, el Seńor es contigo. Bendita tú eres entre todas las mujeres, y bendito es el fruto de tu vientre, Jesús. Santa María, Madre de Dios, ruega por nosotros, pecadores, ahora y en la hora de nuestra muerte. Amén. "Dios Te Salve, Maria - Prayers," Catholic Online, accessed May 22, 2020, https://www.catholic.org/prayers/prayer.php?p=3386.

previously, Antonio de la Cruz represented a liminal figure of whom inquisitors, most likely, remained wary.[117]

The ability to break hexes and heal members of the community also meant that Antonio could call on his wealth of knowledge to harm, should he wish to do so. Thus, inquisitors asked Antonio about the recent death of a man named Juan Ramos. Antonio testified that Juan Ramos wanted to marry Miguel de Ávila's daughter, but Miguel's wife placed a hex on him to prevent this marriage from occurring. Juan Ramos had clearly conveyed his intent to marry to the Ávila household by sending a dress to his bride to be.[118] One day, however, when Juan Ramos returned from a trip to Guanajuato, he found a frog in his house and a scabious dog in his bed, which he identified as the source of the hex.[119] After he hit the dog, Juan realized that he had inadvertently activated the curse. After this point, Juan knew that the devil was following him.[120]

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[117] For the Chichimec in the near north see, Behar, "The Visions of a Guachichil Witch in 1599"; Lewis, *Hall of Mirrors*, 108–9; Andrés Fábregas Puig, Mario Alberto Nájera Espinoza, and Armando Vázquez Ramos, eds., *Territorio e Imaginarios En La Gran Chichimeca* (Guadalajara: Seminario Permanente de Estudios de la Gran Chichimeca, 2017); Andrés Fábregas Puig, Mario Alberto Nájera Espinoza, and Carlos Manuel Valdés Dávila, eds., *Dinámica y Transformación de La Región Chichimeca* (Guadalajara: Seminario Permanente de Estudios de la Gran Chichimeca, 2012).

[118] Lipsett-Rivera notes that clothes "were part of seduction and marriage proposals" because they operated as a symbol of the marriage pact. Lipsett-Rivera, *Gender*, 221–22.

[119] Animals such as "scorpions, toads, lizards, spiders, and the like were associated with the earth, dirt, and, by extension, demonic powers." Most probably, a scabious dog was also viewed in this way. See, Burkhart, *The Slippery Earth*, 98.

[120] AGN, Inquisición Vol. 527, exp. 9, 1691, ff. 569-570.

Antonio accused an Indian woman named María of placing this hex on Juan Ramos.[121] Antonio surmised that María was the culprit because she had some of Juan's black hairs on her person. María was powerful enough to enact demonic possessions, which she accomplished by mixing the bones and blood of executed criminals with the urine and fur of a goat, finally, adding turkey feathers.[122] This concoction made a live goat visit María's house every night. Then, María would remove all of her clothing and tie herself to the goat, which signified the devil, and burn incense chanting, "In the grace of the devil from *villa* to *villa*."[123] That the goat framed the narrative of witchcraft practiced by María shows that, by the late-seventeenth century, magic "could be recast in Christian terms" as well as the extent to which European animals found their way into Inquisition records.[124] When the illiterati consulted colonial repositories to better understand the world in which they lived, they inevitably perpetuated certain forms of knowledge production over others.

Archival Epistemology and Geography

Archival epistemology refers to the process by which Spanish colonizers read and wrote one-sided accounts about Native beliefs, behaviors, and practices,

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[121] A colonial paradox noted by Lewis was that because women and Indians were kept in a tutelary state, they remained susceptible to the wiles of the devil, inadvertently granting them power as magical ritualists. See, Lewis, "The `Weakness' of Women."
[122] The Nahua believed that semen was manufactured in bone marrow, thus illuminating their potential efficacy in popular rituals. See, López Austin, *Cuerpo Humano e Ideología: Las Concepciones de Los Antiguos Nahuas*, 109.
[123] AGN, Inquisición Vol. 527, exp. 9, 1691, ff. 569-570.
[124] Tortorici, *Sins Against Nature*, 133.

contributing to asymmetrical repository of knowledge and perceived facts.[125] Unsurprisingly, many Spanish clerics associated popular rituals with sexual and moral depravity. The fear of idolatry remained prevalent in the minds of colonial officials because the ongoing practice of non-orthodox forms of worship could invite divine retribution.[126]

In 1674, in Mérida, an Indigenous man named Marcos Uc testified that he saw his neighbors committing idolatry many times during the night.[127] Marcos witnessed them worshiping jade rocks called *tunes*. A man named Bonifacio Ku served as the Indigenous priest. To commence the ceremony, locals placed the *tunes* on an altar, encircling it with leaves. Then cups of *balché* (a common intoxicant) were placed in front of the altar as devotees lit candles and incense.[128] Then the worshipers cut themselves and bled into the leaves they had gathered, burning them until nothing remained. Marcos Uc stated that this ritual was specifically designed to appease local deities that had become angry with the village.[129]

Curtailing excess was at the center of Marcos Uc's denunciation. The aforementioned ritual was only performed when Maya gods were seemingly displeased

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[125] For archival epistemology, see Hagler, "Archival Epistemology," 516.
[126] Cisneros, *¿Ignorancia Invencible?*, 112–17.
[127] AGN, Inquisición Vol. 629, exp. 4, 1674, fols. 102.
[128] According to Nesvig, balché, meaning wild animal among the Maya, "is a drink made from fermenting the bark of the Lonchocarpus tree in a honey-water mixture" and was frequently "associated with idolatry." See, "Sandcastles of the Mind," in Schwartzkopf and Sampeck, *Substance and Seduction*, 47.
[129] AGN, Inquisición Vol. 629, exp. 4, 1674, fols. 102.

with humanity. The gods wreaked havoc on this community when locals failed to make sufficient sacrifices and offerings.[130] Consequently, devotees attempted to recalibrate the cosmos by offering their own blood to these deities.[131] Of course, this understanding of excess contrasted with colonial officials who viewed all non-orthodox rituals as sinful in and of themselves due to their Iberian understanding of idolatry.

At stake was the quality of life in the here in now versus that of the afterworld. After the conquest of Mexico, Iberian colonizers attempted to shape the ethical and moral thought of Indigenous peoples such as the Maya and the Nahua by introducing the concept of sin.[132] Spaniards instructed Indigenous neophytes that displeasing the Lord brought punishment and, ultimately, led to perdition.[133] However, the above example shows that peoples such as the Maya continued to perform traditional rituals to ensure bountiful harvests in the temporal world. While both Europeans and Indigenous peoples preoccupied themselves with excess, precisely what constituted nimiety remained a matter of debate.

One change brought about by Spanish colonization was that many Indigenous groups began to sacrifice animals rather than humans to appease their gods.[134] In the

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[130] For example, in times of pestilence Maya men and women flocked to the shrine of Kinich Kakmo with offerings in an effort to bring about prosperity. See, Thompson, *Maya History & Religion*, 240.
[131] For more on Maya rituals see, Clendinnen, *Ambivalent Conquests*, 144–50.
[132] Cervantes, *The Devil in the New World*, 25–33.
[133] James M. Taggart, *Nahuat Myth and Social Structure* (Austin: University of Texas Press, 1983), 161.
[134] Pre-Hispanic Indigenous societies, particularly the Aztecs, were known to sacrifice humans to appease the gods. The shift to only animals would be one of many consequences of European conquest. For more on human sacrifice among the Aztecs. See, Clendinnen, *Aztecs*, 90–98.

village of Zempoaltepec, Mateo Pérez was alleged to have sacrificed chicks and puppies.[135] On March 5, 1685, Gaspar Nicolás denounced Mateo in order to cleanse his conscience, stating that Mateo performed this ritual sacrifice in front of prominent Indigenous villagers (*los principales*) in January of the previous year (1684).[136] Allegedly, Mateo conducted this ritual sacrifice so that lighting would strike the local church and either burn it to the ground or break its bells.

Among the Nahua, lightning bolt deities punished sin, thus correcting immoral behavior.[137] Assuming the accusation to be accurate, Mateo's evident dislike of the church and its noisy bells, prompted him to take matters into his own hands. To make this ritual more efficacious Mateo combined geography with ritual sacrifice, hence the need to perform the ceremony in the presence of village leaders.[138] Gaspar further testified that in June of 1683, three days before Saint Peter's feast day, Mateo had dreamed that God was angry. In this dream, Mateo carried with him church bells, three puppies, three chicks, and two turkeys to the hill of Zempoaltepec.[139]

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[135] AGN, Inquisición Vol. 615, exp. 1, 1671, ff. 122-124.

[136] For a similar example of "sacrifices of hens, chickens and puppy-dogs" in seventeenth-century Oaxaca. See, Cervantes, *The Devil in the New World*, 51.

[137] Taggart, *Nahuat Myth and Social Structure*, 162.

[138] As noted by Cervantes, "by insisting that the devil was the central object of the sacrifices, the friars were making it difficult for their neophytes to conceive of him as an enemy." Cervantes, *The Devil in the New World*, 47.

[139] Dreams remained important throughout the colonial era. Before the conquest, the Mexica had compiled books of dreams making ritual specialists who could interpret them "among their most honoured experts." Unfortunately, Spaniards disregarded this practice, leaving historians will scant documentation to analyze. See, Clendinnen, *Aztecs*, 185; Among the modern Nahua, Sandstrom observes that dreams can dictate one's

Locals fused traditional practices with rituals sanctioned by the Church in order to ensure the survival of their local community. On the actual feast day, after having attended church in the day, Mateo Pérez, along with Domingo Pérez, Jacinto Vasquez, Nicolás Jimenez, and don Pasqual Mathías, carried out their sacrifices at night.[140] Gaspar testified that these men made sacrifices to the devil so that famine and outbreaks of disease would cease to occur in the village.[141] Afterwards, everyone gathered in Domingo Pérez's house to eat tamales and the meat from the slaughtered animals.

Assuming the testimony to be accurate, the transposition between Satan and God is particularly noteworthy because of the traditional, dualistic understanding among Mesoamerica religions. Cervantes notes that "chaos was itself the source of life."[142] Consequently, the divine consisted of evil and good. The jaunts to the mountains, as noted above, highlight a Native conception of space that was inextricably entwined with ritual.[143] Mateo's dream, which included transporting church bells to sacred landscapes, can be interpreted as an attempt to excise symbols of oppression using a ritual infused

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profession, providing a pathway to becoming a highly respected shaman. See, Sandstrom, *Corn Is Our Blood*, 233–34.

[140] AGN, Inquisición Vol. 615, exp. 1, 1671, ff. 122-124.

[141] This case supports Cervantes's assertation that the devil "had more in common with the old tutelary deities which were neither wholly good nor wholly bad but which nonetheless needed to be propitiated in order to stave off any ensuing calamity." Cervantes, *The Devil in the New World*, 71.

[142] Cervantes, 40.

[143] Cervantes, 49.

with traditional and Catholic elements. Villagers continued to sacrifice to appease the gods while also attending church services.

Similarly, in Santa Cruz de Tlacotepec, Puebla, a young Indigenous woman named Josepha María testified that a mestizo couple sacrificed animals and practiced idolatry. Through an interpreter, the Popoloca-speaking Josepha stated on November 3, 1688 that Juan Pasqual and María Flores kept little blue and white idols locked inside a pine box. Allegedly, Josepha had seen these idols on several occasions because her father, Francisco Lucas, *indio*, regularly made sacrifices using them along with turkeys and hens to beg the devil for rain.[144] To perform the ritual, Juan, Francisco, and Josepha knelt before the idols and, as they did, Juan gave Francisco candles to light and incense to burn while they remained kneeling. On one occasion, Josepha stated that her father offered his soul to the devil to improve his health, pricking himself with a maguey needle, sealing the pact with blood from his tongue.[145] The case states that these rituals were performed to ensure bountiful harvests and to increase the number of livestock for a local, unnamed agriculturalist.[146]

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[144] Among the ancient Nahua, Tlaloc was revered as a rain god. See, Clendinnen, *Aztecs*, 182–83; The Tlaloc cult spread to other parts of Mesoamerica. Even to this day, rain gods continue to be revered as commoners in Mesoamerica continue to practice agriculture. See, Thompson, *Maya History & Religion*, 269–72.
[145] For the Nahua, voluntary bloodletting made rituals more efficacious because it was understood "to be a non-renewable resource, infused with extravagant fertilizing power." See, Clendinnen, *Aztecs*, 183.
[146] The "great eight-day rain ceremony" among the Maya involves the sacrifice of turkeys and domestic fowls as offerings to the earth deities. The blood is collected into a jar as part of a larger effort to induce "the Chicchans to come forth and produce rain." See, Thompson, *Maya History & Religion*, 264.

Francisco Lucas's testimony corroborated much of Josepha's account. [147] Francisco stated that he performed this ritual on three occasions to ask for improved health, two other occasions to ask for rain, and twice to increase the number of livestock. Francisco added that, in order to make these rituals more efficacious, he commanded the other participants to fast for four days and nights in reverence to the devil and to abstain from all sex, even for married couples.[148] Abstention was to be maintained by physically separating the couple's beds from one another.

One consequence of Spanish colonization was that Indigenous rituals became infused with Catholic elements. Many times, however, the clergy interpreted syncretism as either "flawed colonial mimesis" or outright mockery, both of which threatened the imperial project.[149] Most likely, inquisitors would have interpreted the command to revere the devil as a form of the "Witches Sabbat or Synagogue," the long history of which mocked Christianity through its deliberate inversion.[150] At Sabbats, women held their rituals at night, instead of the day, and in the forest or on hillsides, rather than the city.[151] Moreover, the order to fast for four days and nights created another inversion to Church doctrine. Although pious Catholics were encouraged to acknowledge to the

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[147] AGN, Inquisición Vol. 674, exp. 26, 1689, fols. 10.
[148] Fasting was also a pre-Hispanic tradition associated with purification. See, Clendinnen, *Aztecs*, 255–56.
[149] Homi Bhabha, "Of Mimicry and Man: The Ambivalence of Colonial Discourse," *Discipleship: A Special Issue on Psychoanalysis* 28 (1984): 128; Cervantes notes the priests viewed such syncretism as "proof of a ubiquitous Satanic mimetism." See, Cervantes, *The Devil in the New World*, 68.
[150] Federici, *Caliban and the Witch*, 176.
[151] For the sabbat, see Gaskill, *Witchcraft*, 20–26.

Lord's power and their inherent sinfulness by abstaining from certain foods on Fridays or during Lent, fasting for Satan symbolized a wicked inversion of the divine order of things.[152]

Because medieval theologians, such as Thomas Aquinas, attributed the Fall, in part, to the sin of gluttony, penitents' deliberate abstention mirrored Christ's bodily suffering on the cross and the human soul's "unquenchable thirst for mystical union" with God.[153] Francisco Lucas's call to fast for Satan seemed to mock the Passion, eschewing orthodoxy.[154] Intriguingly, however, Caroline Bynum asserts that shunning food did not always render penitents more devout in the eyes of Church officials. For instance, Lidwina of Schiedam, the Dutch mystic who lived in the fourteenth and fifteenth centuries, was cited by hagiographers as a saint while some members of the general public attributed her fasting to demonic possession.[155] As early as the ninth century, Christian chroniclers refrained from associating all cases of fasting "as examples of sanctity or illustrations of God's power."[156] Francisco Lucas's call to fast thus provided the interstice necessary to exceed the bounds of propriety imposed by the

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[152] Fasting became an important religious behavior for the Church in the late third and early fourth centuries. However, many pre-industrial societies recognized the importance of fasting as a way to coerce from the gods "health, good fortune, or fertility." See, Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987), 34.
[153] Bynum, 33.
[154] The basic rule of penance was to "promote an inward appropriation of godliness" through bodily, i.e. external, suffering in imitation of the Passion of Jesus. See, John W. O'Malley, *The First Jesuits* (Harvard University Press, 1993), 267.
[155] Bynum, *Holy Feast and Holy Fast*, 125.
[156] Bynum, 196.

Catholic Church on the villagers of Santa Cruz de Tlacotepec. Even if the fasting had proved efficacious, clergymen could have drawn upon a centuries-long tradition of blaming the devil for this lack of adherence to orthopraxy.

Spatial Politics and Magic

In the mining town of Nacozari, Sonora, colonial officials preoccupied themselves with the excessive and unorthodox actions of a *mulato* named Gerónimo de Ávalos Bracamonte. On December, 22 1699, a fifty-year-old man named Pasqual del Castillo—*vecino* of Santa Rosa de Corodéguachi—testified before local authorities that while at second lieutenant Cristóbal Martín's house, he saw a small bundle fall from his cloak—an item of clothing that conveyed his affluence and status in the local community.[157] To his horror, after unwrapping the bundle, Pasqual found a human finger. Because many residents claimed to see Gerónimo late at night in the Opata pueblo next to a recently exhumed gravesite, they held him responsible for this excised appendage. Pasqual did not know whether Gerónimo cut the deceased person's finger with a knife, but it was rumored that someone lent Gerónimo a lance from the nearby

[157] External garments such as capes were non-verbal forms of communication. For instance, in 1801, don Manuel Obregón met some friends in Chapultepec Park in Mexico City. To make them "envious of his sartorial splendor, he stole a scarlet cape, a hat, and a gold watch from his brother's room." See, Lipsett-Rivera, *The Origins of Macho*, 128. For a discussion on clothing, masculinity, and status in colonial Mexico, see 144–52.

presidio.[158] Assuming Gerónimo actually acquired a cutting implement, he displayed his ability to gain access to prohibited weapons through his social network.

Pasqual del Castillo's son, who was employed as a soldier, told his father that Gerónimo informed the other men in the village about a magical concoction that would gain the affections of women. If local men ever found themselves smitten with a woman, Gerónimo would provide them with a magical remedy that they could use to freely enter any house without being noticed, even if the residents in the upper floors were awake.[159] To make this potion, one had to take the bones of a deceased person and, after fasting, place it in the doorway of the girlfriend-to-be.[160] This magic was so powerful that it would make locked doors open of their own accord.

That Gerónimo could only provide access to the lower floors says much about the spatial politics in Sonora because it was, generally, in the lower floors that commoner peoples lived. R. Douglas Cope has shown that the most affluent tenants in sixteenth-century Mexico City lived in the upper stories in suites "called *viviendas* to distinguish them from the single-room apartments that were normally found on the

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[158] In colonial Mexico, it was forbidden to carry knives in public, but people gained access to knives because they were used by butchers, tanners, pulque collectors, and farmers. See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 80; and Lipsett-Rivera, *Gender*, 197.
[159] AGN, Inquisición Vol. 543, exp. 26, 1700, fols. 14.
[160] Symbolically, the door "was the border between the street and the building, the home and the outside world." By crossing the threshold, men gained access to the domestic sphere, itself associated with women. See, Lipsett-Rivera, *The Origins of Macho*, 115.

ground floor" known as *cuartos* or *aposentos*.[161] Usually, the lower floors also "contained a store, workshop, or tavern facing the street," thus allowing the general public to come into contact with residents living in these spaces.[162] The poorest urban residents lived in the *cuartos* and *aposentos*. Sometimes, entire families resided within a single *cuarto*. Typically, *cuartos* "had windows and doors that opened onto the courtyard or patio," thus enabling contact with the outside world.[163] The *accesoria* was a space oriented toward the street, which commoners "frequently also used as living spaces."[164]

Although the aforementioned case does not specify how Gerónimo's remedy enabled his clients to enter these lower-floor spaces, Gerónimo seems to suggest that his love magic was more efficacious on working-class women since they tended to occupy the lower floors. Assuming those on the upper floor took no notice of a male admirer entering a room on the lower floor, Gerónimo's magic worked sufficiently on the upper classes to cloak his client's actions. Lipsett-Rivera has shown that the moral symbolism attached to lower floors operated along a horizontal grid and, due to reasons of accessibility, the upper floors included a vertical axis as a point of comparison.[165] Typically, tenement housing with direct access to the city streets was less desirable, cheaper to rent, and, thus, less honorable than the upper spaces.

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[161] R. Douglas Cope, *The Limits of Racial Domination: Plebeian Society in Colonial Mexico City, 1660–1720* (Madison: The University of Wisconsin Press, 1994), 30.
[162] Cope, 30.
[163] Lipsett-Rivera, *Gender*, 51.
[164] Lipsett-Rivera, 51.
[165] Lipsett-Rivera, 53–55.

Gerónimo's remark that his clients could freely access the locked, ground-level spaces of a potential inamorata shattered notions of respectability associated with enclosure (*recogimiento*). Access to the street placed women on the moral periphery, which men often interpreted as tacit permission to engage in sexual encounters, even when doors were locked.[166] For instance, in Atlixco, Puebla, one night at 10:30 p.m., some soldiers came to María Florentina Díaz's house, knocked on the door, and offered her a coin as compensation for sex. When María refused, these soldiers broke down her door and dragged her to the edge of town "near the wide stairs, and they raped her."[167] Although María was enclosed, thereby demonstrating her virtue, her location on the ground-floor gave these soldiers access to commit their illicit desires, which lowered her status despite having adhered to notions of propriety by maintaining enclosure. Had María resided on the upper floors, access to her body would have been more difficult for men to obtain. Those women who maintained a life of enclosure by living in the upper floors, displayed their ability to maintain their honor, elevating their status in the community by restricting their mobility.

Gerónimo's mention that residents in the upper floors would not notice his clients' actions highlights the closeness of habitation that "was a characteristic of the Mexican built environment" coloring daily life in the province of Sonora.[168] Living in

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[166] Lipsett-Rivera, 97–98.
[167] Lipsett-Rivera, 77.
[168] Lipsett-Rivera, 120.

compact housing units meant that neighbors could intervene in disputes to help those in trouble.[169] In many criminal and Inquisition cases, neighbors provided valuable testimony because they claimed to have seen or heard the alleged crimes that had transpired. Assuming it to be efficacious, Gerónimo's magical remedy would have thwarted eyewitness testimony that could have incriminated one of his clients. Finally, that this concoction affected the residents on the upper floors strongly suggests that Gerónimo helped to facilitate rape rather than consensual sex. Firstly, consensual sex would, most likely, not precipitate the intercession of neighbors. Secondly, locked doors would not need to open of their own accord if the women behind them wanted male visitors to enter their homes.

While countless women fell victim to the aggressions of men, some women hired out the services of both male and female ritual specialists to even the score. On March 14, 1701, a twenty-five-year-old Spanish woman named Josefa Rendón accused her cousin, Andrea Díaz de la Vega (*española*), of hiring a ritual specialist to murder her (Andrea's) husband, a man named Lorenzo Muñoz de León in Puebla de los Ángeles.[170] Josefa stated that about eight years previously, in the central plaza of Puebla around four o'clock in the afternoon, Andrea met an Indigenous woman named Antonia, alias Angela, who informed Andrea that there existed many spells which could stupefy or,

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[169] Lipsett-Rivera, 60.
[170] AGN, Inquisición, vol. 717, exp. 2, ff. 5-17.

otherwise, harm men. Meeting in the central plaza highlights Andrea's status as a working-class woman. Most probably, Andrea had to leave her house to purchase food or conduct business related to the household. Regardless of the reason, Nancy van Deusen observes, "leaving the home, or the enclosed, protective space, still had to be justified, whatever a woman's social rank."[171] Perhaps, Andrea had her husband's permission to leave the house. When women ventured into the street too much, they were negatively labeled as *callejeras* (literally streetwalkers).[172]

Regardless of whether Andrea received her husband's permission, venturing outdoors to run errands meant that Andrea could not maintain enclosure.[173] In order to uphold their status as honorable and virtuous, plebian women left the house during the day, making sure to stay inside at night.[174] Therefore, Andrea likely met Antonia in a public space and during the day so as to preserve her respectability and to curtail the spread of gossip.[175] Antonia stated that she knew certain people who could perform black magic and would arrange for someone to meet Andrea with the understanding that this person would kill Lorenzo Muñoz de León.[176]

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[171] van Deusen, *Between the Sacred and the Worldly*, 72.
[172] Lipsett-Rivera, *Gender*, 98.
[173] Women often appealed to enclosure to defend their moral character. See, van Deusen, *Between the Sacred and the Worldly*, 81–85.
[174] Lipsett-Rivera, *Gender*, 32.
[175] Significantly, interpretations of honor and respectability did not derive entirely "from public scrutiny and the lover's or husband's patriarchal assumptions of the need to control women's sexuality," but rather operated in a dialogic fashion, facilitating the reconstitution of gender codes, enabling "new possibility of expression." See, van Deusen, *Between the Sacred and the Worldly*, 4.
[176] For more on black magic see, Proctor III, *Damned Notions of Liberty*, 70–72.

First, an Indigenous woman named Ana María gave Andrea two bundles to place in the bedroom where she slept with her husband. Andrea placed one bundle underneath Lorenzo's pillow and the other was directly inserted into the mattress on the side that Lorenzo slept.[177] As these magical bundles failed to kill Lorenzo, Andrea asked Ana María to provide a more efficacious remedy. Ana María then dug a hole in front of Lorenzo's front door and, inside, buried some cursed objects. After this attempt failed to dispatch Lorenzo, Andrea solicited the help of a mulatto man named Domingo de la Cruz.[178] Domingo de la Cruz lived on a Jesuit estate known as Amelaca. After protracted negotiations, it was agreed that Domingo would kill Lorenzo Muñoz de León with his magic. Domingo would bring back some of Lorenzo's clothing to prove that his magic had taken effect, and, in turn, Andrea would pay Domingo fifty pesos.

To initiate the spell, Domingo took two pieces of incense (*copal*), informing Andrea that one represented Lorenzo and the other stood for Andrea. Domingo then threw the piece of incense that represented Lorenzo into the fire.[179] Afterwards,

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[177] The insertion of deadly charms into the mattress and pillow reveals yet another inversion made possible by popular magic. Working outside the home, husbands had to provide the necessary materials for the home, including bedroom furnishing. When husbands failed to provide, wives voiced their complaints to other women and local authorities. See, van Deusen, *Between the Sacred and the Worldly*, 96.

[178] Within the sistema de castas, commoner peoples exchanged their knowledge of magic with one another. African slaves "brought with them their own supernatural skills," exchanging them with their Indigenous counterparts. Thus, we should not be surprised to see those of African descent acknowledged as ritual specialists within certain communities. See, Lewis, *Hall of Mirrors*, 149; Europeans and "españoles" also understood that African peoples could access the supernatural. For fears among slave owners see, Bristol, *Christians, Blasphemers, and Witches*, 174–77.

[179] The ritual incensing of rosemary and copal was common among ritual specialists and the clergy. See, Few, *Women Who Live Evil Lives*, 83.

Domingo asked Andrea for money to purchase maguey needles and other "diabolical" trinkets to perform his magic.[180] Domingo travelled to Nueva Vera Cruz because Lorenzo resided there at this time. Upon his arrival, Domingo agreed to cast a powerful spell that would cause Lorenzo agony. The pain would travel from the stomach to the heart and, shortly thereafter, prove fatal.

For some unspecified reason, Andrea begged Domingo not to kill Lorenzo too quickly. Instead, she wanted the hex to work slowly enough so that Lorenzo could confess to his sins, receive his last rites, and arrange his estate—presumably in some type of verbal testament.[181] Here, we see a conflation of the material and spiritual realms. Perhaps Andrea hoped that Lorenzo would officially bequeath part of his estate to her just before he expired, thus securing Andrea's livelihood in the temporal world. Ensuring that Lorenzo confessed and received his last rites indicates Andrea's concern for Lorenzo's soul. Odd as it may seem, Andrea wanted Lorenzo dead, but did not wish him to suffer eternal damnation in hell.

Domingo fulfilled his contract, almost, to the letter. Andrea testified that one day after morning mass around nine, Lorenzo became so sick that he died, despite having

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[180] AGN, Inquisición Vol. 717, exp. 2, ff. 5-17.

[181] Notwithstanding their legal function, written testaments in colonial Mexico remain infused with religious imagery, revealing, I argue, a sincere belief in the divine. See, Stephanie Wood, "Adopted Saints: Christian Images in Nahua Testaments of Late Colonial Toluca," *The Americas* 47, no. 3 (1991): 263; For testaments in San Esteban de Nueva Tlaxcala, see Leslie Offutt, "Levels of Acculturation in Northeastern New Spain: San Esteban Testaments of the Seventeenth and Eighteenth Centuries," *Estudios de Cultura Náhuatl* 22 (1992): 409–24.

received medical attention from doctors who administered purgatives.[182] Although Lorenzo purportedly confessed, he did not receive last rites. Thus, the fate of Lorenzo's soul remained in jeopardy. Having completed his assigned task, Domingo returned to Andrea's house and, from the *zaguán* (breezeway) told her that Lorenzo was dead. After Andrea paid Domingo his fee, she never saw him again.[183]

The above case reveals several important spatial and gender dynamics about life in colonial Mexico, including the cultural composition of geography and its relationship to magic. Firstly, Domingo communicated to Andrea outside the house in the zaguán, enabling Andrea to maintain her honor from within an enclosed domestic sphere. Intriguingly, Andrea did not ask a relative or friend to bewitch her husband but rather a previously unknown mulatto man. The hiring out of a stranger's services corroborates William Taylor's observation that exogamous marriages tended to isolate women, removing them from their natal communities.[184] Likewise, Domingo's travels outside of Puebla to Veracruz supports the notion that colonial men, benefitting from patriarchal notions of propriety, roamed more freely than their female counterparts.[185]

Yet, Andrea's ability to hire her husband's executioner and dictate the manner in which he died inverted the colonial patriarchal order. Whatever the reason, Andrea had

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[182] Ritualists and medics induced vomiting to expel curses from the stomachs of cursed peoples. See, Few, *Women Who Live Evil Lives*, 91.
[183] AGN, Inquisición Vol. 717, exp. 2, ff. 5-17.
[184] Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 107.
[185] Taylor, 108; Lipsett-Rivera, *The Origins of Macho*, 120.

had enough of Lorenzo and wanted him dead. Therefore, she hired the services of a man who could roam freely to transform her household into an acephalous residence. By doing so, Andrea reversed the order of things, showing herself to be extremely resourceful despite the asymmetries of power stacked against her. Andrea contracted the help of a male ritual specialist to capitalize on his increased mobility and magical prowess to secure a better life for herself in the temporal world. Domingo's ethno-racial status as a mulatto likely increased the perceived efficacy of his magic as *casta* peoples such as *indios* and *mulatos* were reputed to engage in witchcraft throughout the colonial era.[186]

In 1701, the priest don Thomás Arias wrote to his superior, doctor don Joséph de Mier, about the malefic objects that a free mulatto couple in San Joan Quimictitlán in the bishopric of Puebla contained within their house.[187] Don Tomás discovered these suspicious objects while administering the sacrament of penance during Lent. On February 20, don Thomás visited the house of a mestizo man named Pasqual de Argüello, who showed him an enchanted object wrapped in cloth. After unwrapping the bundle, don Thomás spied an egg and a paper figure, which, according to Pasqual, was called *ich amatl*.[188] According to don Thomás, Indians had used this type of figure since ancient times. The figure was in the shape of a human with its arms covering the mouth.

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[186] Cervantes, *The Devil in the New World*, 61; Lewis, *Hall of Mirrors*, 162–63; Garofalo, "Conjuring with Coca and the Inca," 53.
[187] AGN, Inquisición Vol. 544, exp. 29, 1701, ff. 550-552.
[188] *Ich amatl* literally translates to "this paper" in Nahuatl.

Don Thomás also found incense (*copal*) and eight small dolls made of cloth and their heads made of incense. Had it not been for his twenty years of experience, don Thomás stated that he might have deemed these objects to be harmless, superstitious effigies made by overly credulous Indians.

However, don Thomás discerned that these demonic instruments were designed to harm someone in particular. As such, don Thomás gathered the objects together in order to exorcise the devil from them.[189] Following a manual, don Thomás witnessed many terrible things as he carried out his exorcism.[190] He saw the egg and the other objects swell and begin to move of their own accord. He, along with presbyter Joséph de Villa, don Diego Pérez, Francisco de Santiago, Pasqual de Argüello, and Pedro de Argüello, observed that these objects emitted the stench of sulfur, moved objects such as the table and bed inside the house, and absorbed all the light in the house. Satan's powers over these men left them enervated and they suffered from temporary blindness and headaches.[191]

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[189] Priests could use exorcism to remove a sorcerer's curse if the sacraments, prayer and fasting, or the inherent power in the cross and reliquaries of the saints failed to work. See, Ebright and Hendricks, *The Witches of Abiquiu*, 127.

[190] Although the case does not specify which manual don Thomás used, Flagellum daemonum [1588] by G. Menghi, was used throughout New Spain in the sixteenth and seventeenth centuries, making it plausible that don Thomás consulted this book. See, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 139 no. 3.

[191] Sorcery was deemed to be the cause of all sorts of maladies, including blindess, strange bodily expulsions, and deformed babies. Santa Lucia is the patron saint of eye troubles who was often invoked to cure blindness. See, Few, *Women Who Live Evil Lives*, 69 and 83 respectively.

The following day, don Thomás reminded locals about the dangers of making a pact with the devil. Don Thomás stated that Satan would forever take their souls, luring them through artifice and evil deeds so that, after having made a pact, these forsaken individuals would lose the grace and love that God had initially bestowed upon them. Don Thomás instructed his congregation that embracing the Catholic faith was the only way they could avoid perdition.[192] Don Thomás's actions and reported sightings strongly suggest his belief in the supernatural.

Presumably filled with shame after the admonishment, María López, *mulata* and wife of a *mulato* man named Bartholmé Rodríguez, told don Thomás that the mestizo brothers Joan and Pascual de Argüello wanted to kill their son, Joan Rodríguez, because it was rumored that he mistreated his wife. In order to thwart their plans to murder Joan Rodríguez, María López sought the help of an eighty-year-old Chocho Indian man named Gaspar de Palacios. María asked Gaspar to devise a spell that would force the Argüello brothers' mouths shut so that they could not utter the words needed to harm her son. María's actions show her belief in the power of the spoken word.[193]

In order to devise this hex, María, in conjunction with her husband Bartholomé, gave Gaspar malefic instruments so that he could bury some items around the Argüello

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[192] Ironically, the fear of hell and eternal damnation, led a few "people to seek the devil's friendship in the hope that he would spare them such torments after death." See, Cervantes, *The Devil in the New World*, 85.
[193] Moralists believed that sin and corruption passed through posterns such as the "mouth, eyes, ears, and nostrils." As such, they advised people, particularly women, to "keep their mouths shut" and find solace with God. See, van Deusen, *Between the Sacred and the Worldly*, 22; For the mouth as a weapon, see Lipsett-Rivera, *Gender*, 198–203.

brothers' house while placing others inside.[194] After don Thomás's admonition, however, María and Bartholomé confessed their sins and the spell was broken. Don Thomás placed all of the culpable individuals in prison and wrote to his superiors asking their guidance concerning the appropriate punishment. Don Thomás stated the importance of making an example of these individuals for the benefit of the three thousand other Indians under his employ.[195]

The rumor that Joan Rodríguez mistreated his wife framed the actions of the Argüello brothers, revealing how social norms regulated village life in eighteenth-century Puebla.[196] Moreover, María López's decision to hire a ritual specialist was similar to that of Andrea Díaz de la Vega. Both of these women employed men, capitalizing on their ability to roam freely to execute their nefarious rituals. Specifically, the paper figure with a covered mouth highlights the practice of using a physical representation imbued with magic to shape reality in the terrestrial world. The covered mouth was designed to prevent the Argüello brothers from cursing Joan Rodríguez with malicious words. As such, the paper doll shows how Natives in Puebla understood words to have a causal effect in their daily lives. Don Thomás interpreted these actions to be demonic, so he curtailed this perceived excess through the sacrament of confession

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[194] Burying magical items was a common practice among ritualists. See, Few, *Women Who Live Evil Lives*, 87–88.
[195] AGN, Inquisición Vol. 544, exp. 29, 1701, ff. 550-552.
[196] At times neighbors and caretakers "played an active role in rescuing abused women." Other times "neighbors and bystanders could just as well serve as an audience." See, Lipsett-Rivera, *Gender*, 26.

and by punishing the guilty as a form of exemplary punishment as public spectacle.[197] Writing of demonic pacts as cited in Inquisition cases, Cervantes notes:

> it became a virtual rule that whoever was tempted to invoke the devil or, more specifically, to attempt a demonic pact would need to undergo a long search for Indians in remote mountains or caves. In such places they would invariably be asked to forsake God and the saints, take off the rosary and any Christian relic and promise to stop going to Mass, praying to God, looking at the consecrated host or observing any of the teachings of the Church."[198]

This observation is corroborated by an Inquisition case from Puebla in 1705. The chaplain of the Royal Hospital of San Pedro, Ignacio de Portes y Zepeda, denounced Thomás de Soto, a mulatto muleteer, for selling his soul to the devil in order to become a better porter. Thomás had previously confessed to Portes y Zepeda, informing him that in Guatemala he and another mulatto named Sebastián de Sosa hiked to a lake where they met the devil who, after making a pact, enhanced their strength.[199] However, before making this pact, Thomás and Sebastián had to agree to abandon God and the saints and

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[197] Indeed, internalized guilt explains why "so many cases of demonic invocation... have come down to us." As Cervantes surmises, the large proportion of "self-accusations points to the scrupulous sense of guilt and afflicted the majority of those who succumbed" to the devil's seductions. See, Cervantes, *The Devil in the New World*, 86.

[198] Cervantes, 49–50.

[199] In this example, the lake functions as an "extra-domestic" space that facilitated witchcraft. See, Lewis, *Hall of Mirrors*, 64.

refrain from attending mass and confession. In shedding their ties to the Church, Thomás and Sebastián jettisoned the veil or excess layer associated with Christianity to ingratiation themselves with this deity.

On their way to the lake known as "Good Event" (*Buen Sucseso* [sic]), a black bull appeared out of nowhere, startling them both. Sebastián hid, but Thomás hit the bull four or five times until it vanished into thin air.[200] Because Thomás had proven his valor, both men proceeded to the lake. Upon their arrival, Sebastían told Thomás that he needed to remove all of his clothes, including his rosary, and dive into the water. At the bottom, Thomás encountered a man with a black face and long beard, sitting on a chair made of silk. This man told Thomás that he would enhance his ability to carry heavy objects if he signed a contract to be his slave.[201] Agreeing to these conditions, Thomás pricked himself, collected his blood offering in a bowl, and signed the contract.[202] The devil also told Thomás that he needed to carry a yellow herb to improve his strength.[203] Thomás testified that he felt stronger afterwards and that he was able to carry eleven

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[200] Men proved their manhood by dominating animals such as bulls and horses. See Figure 13, Lipsett-Rivera, *The Origins of Macho*, 135.
[201] This case broadly follows the series of actions outlined by Cervantes. See, Cervantes, *The Devil in the New World*, 81.
[202] As Lewis notes, the gender codes deemed women that had made pacts with the devil as "weak" while pacts made by men were "willful." Lewis, *Hall of Mirrors*, 138.
[203] For the Spanish clergy, it remained plausible that demons instructed Native ritual specialists on the properties of plants, thus rendering non-European forms natural knowledge as an ideological excess. See Osvaldo Pardo, "Contesting the power to heal," in Griffiths and Cervantes, *Spiritual Encounters*, 174.

arrobas instead of just seven.[204] After making this pact, Thomás could carry almost twice as much as his fellow porters within the same amount of time.[205] So it went for three years until Thomás fell seriously ill and came to the hospital.

Fearing the fate of his soul as his health worsened, Thomás confessed to a priest named Ignacio de Portes y Zepeda, who ordered Thomás to report to the Holy Office when he recovered. For his part, Portes y Zepeda feared that Thomás could lose his mind at any moment due to the intensity of his fever. To make matters worse, a smallpox epidemic (*viruela*) broke out just as Thomás was in the hospital. As Portes y Zepeda held out little hope that Thomás would live for much longer, inquisitors visited Thomás in the royal hospital.[206] Thomás corroborated much of Portes y Zepeda's testimony, stating that Sebastián de Sosa took him to the *monte* to meet the devil so that he could become a better porter.[207] The case is incomplete, but it seems likely that Thomás died before he received an official sentence from Mexico City.

While alive, Thomás's enhanced strength gave him the ability to make more money and, therefore, elevate his socioeconomic standing. Thomás's confession at the

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[204] One arroba was approximately 25 pounds. Therefore, eleven arrobas were approximately 275 pounds and seven were approximately 175 pounds. For arroba, see the appendix in Louis E. Grivetti and Howard-Yana Shapiro, *Chocolate: History, Culture, and Heritage* (Hoboken, N.J: John Wiley & Sons, 2009), 1585.
[205] In the near north, cowhands not only had to toil physically to fulfill their job duties, they had to also survive skirmishes with raiders such as the Chichimec. See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 204.
[206] This example supports Osvaldo Pardo's observation that care of the body was "secondary to the care of the soul upon which salvation in the afterlife depended, especially in those cases where the chances of recovery were deemed low." See Pardo, "Contesting the power to heal," in Griffiths and Cervantes, *Spiritual Encounters*, 168.
[207] AGN, Inquisición Vol. 729, exp. 11, 1705, ff. 391-393.

hospital suggests that he truly believed he sold his soul to the devil and that he would go to hell if he died impenitent. Making a pact with the devil highlights another inversion that subaltern peoples employed as a tool of survival. For three years, Thomás profited in the temporal world because of his contract with Satan.

It seems that no one was affronted by Thomás's contract with the devil, as Thomás did not confess to any wrongdoing until he was on his deathbed. Perhaps Thomás kept secret what he and Sebastián did at Buen Sucseso. Perhaps the people Thomás told were not affronted by such actions. Regardless, the local authority's chances of meddling in ordinary peoples' affairs increased dramatically once another individual became involved, even when ritualists were only hired to cure. In Santiago de Guatemala, the thirty-two-year-old doña Isabel Sánchez de León denounced a *mulata* woman named Felipa de Jerez for hiring a sorceress to cure her blindness. On December 3, 1705, Felipa, who lived with Isabel's cousin, doña Juana de Aragón, was grinding chocolate in the early evening when a woman came to sell her wares.[208] Felipa refused to buy anything from this woman but, after coming back inside the house, complained that she felt a burning sensation in her eyes and saw little lights everywhere she looked.[209]

This woman stayed outside Felipa's house, pushing Felipa to buy her wares. Each time Felipa refused, her eyesight worsened. Finally, Felipa could not see anything,

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[208] AGN, Inquisición Vol. 729, exp. 4, 1705, ff. 330-343.

[209] Few also examines this case. See, Few, *Women Who Live Evil Lives*, 77–78.

even though she was in a room lit with candles. Doña Isabel also testified that Felipa told her that the aromatic smoke released from the burning of relics cured the daughter of a woman Felipa had once met while washing clothes in Ciudad Vieja, Guatemala. Eventually, an unknown woman called upon Felipa's house after she went blind, stating that she could cure Felipa for the price of ten pesos.

On 19 May 1706, the thirty-year-old Felipa gave an official statement to the local authorities. Felipa corroborated much of doña Isabel's testimony, adding that she went blind for two months. Eventually, María García informed Felipa that this woman had cursed her with the evil eye (*mal de ojo*) but that María knew of a remedy.[210] Another month and eight days passed until this ritual specialist came to Felipa's house. However, when the unnamed woman arrived, she came at night and stated that she would charge Felipa twenty pesos for the cure. Felipa negotiated the price down to ten pesos and, on the eve of San Francisco Javier, this woman took Felipa to cure her blindness. In the evening hours, Felipa waited for this woman in front of her door and carried many relics with her for good measure.[211]

When Felipa arrived in this woman's house, she was given a bath and some very strong powders. Felipa reported that she felt such a strong burning sensation that it

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[210] According to Few, "supernatural illnesses were transmitted differently than other illnesses, through touch, evil air (*mal aire*), ritual objects hidden in food and beverages, and the intervention of evil beings." See, Few, 78.

[211] Relics provide a window into orthodox forms of excess. Indeed the Church promoted a "view of body parts as powerful ritual items... in the form of ... the material remains of saints." Thus, excess appendages such as a "head, arm, hand, [or] tongue" served to, hopefully, invoke a miraculous occurrence." See Few, 54.

seemed as if her eyes would pop out of her skull. Afterwards, the woman told Felipa she was cured and that she would take Felipa back to her house while blindfolded. The unnamed woman accompanied Felipa to her sister's house, a woman named Luciana. Felipa stated that she could hear the matins prayers and that it was the early morning hours. The next day, Felipe's vision had completely recovered.[212]

Clearly, Felipa attempted to restore her eyesight through any means possible due to her desperation. That Felipa had to answer the door, shows her subordinate status as she did not maintain *recogimiento* like her mistress doña Isabel.[213] As a mulatta servant, Felipa crossed the threshold into the street to talk to the woman caller, increasing her vulnerability in this liminal space between the interior and exterior world.[214] That this woman caller came at night, most likely increased the efficacy of her magic because the devil had more power during the nocturnal hours.[215]

Despite her subordinate status, Felipa used her social network to ameliorate her situation and seek medical attention.[216] For instance, while Felipa washed clothes in Ciudad Vieja, she conversed with other women about witchcraft, thus using this

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[212] AGN, Inquisición Vol. 729, exp. 4, 1705, ff. 337-338.
[213] Van Deusen notes that, like honor, "recogimiento lay at the heart of interpersonal relationships." See, van Deusen, *Between the Sacred and the Worldly*, 4; Lipsett-Rivera, *Gender*, 130.
[214] Lipsett-Rivera, *Gender*, 88–91.
[215] Taggart, *Nahuat Myth and Social Structure*, 65.
[216] Although African descent peoples remained in a subordinate position to many of their European counterparts, mulattoes, negros, and other peoples of African descent used their social networks to their advantage. See, Schwaller, *Géneros de Gente in Early Colonial Mexico*, 178–79.

feminine space to gather valuable information about her built environment.[217] Fountains and streams were rendered feminine because women had to fetch water and wash clothes in these spaces to fulfill their household duties.[218] Such places enabled women to exchange news and help one another when possible. By seeking the help of a local *curandera*, however, Felipa committed a theological excess that could only be rectified through an intervention from the Inquisition.

In 1706, Simona de los Santos denounced two of her servants, Antonia de Santiago and her sister Sebastiana de Santiago, for witchcraft in Guatemala.[219] Allegedly, the sisters were sleeping while, one night, Sebastiana awoke to the sound of a bird outside their house.[220] The bird was larger than a turkey or *chompipe*.[221] Sebastiana lit a candle and, apparently, saw her sister dead on her bed. At this point, the bird entered Antonia's mouth and remained inside her body. However, once the bird was inside, Antonia immediately awoke, brought back to life. Here, a supernatural and symbolic crossing of the human-animal divide helped to animate Antonia's consciousness.[222]

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[217] Indeed, the reputation of local ritualists could only be conveyed through word of mouth and "practicing cures in front of family members and neighbors." See, Few, *Women Who Live Evil Lives*, 82.
[218] Lipsett-Rivera, *Gender*, 123.
[219] AGN, Inquisición Vol. 735, exp. 16, 1706, ff. 149-151.
[220] For another analysis of this case, see Few, *Women Who Live Evil Lives*, 61.
[221] Chompipe is used in Central America and parts of Chiapas to mean turkey or a bird. See, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 198.
[222] Among Indigenous commoners, crossing the human-animal divide was a frequent occurrence that displayed people's connection to the natural world. See, Musgrave-Portilla, "The Nahualli or Transforming Wizard in Pre and Postconquest Mesoamerica."

Simona further testified that a few days later she saw Sebastiana and Antonia gathering eggshells for some unknown purpose.[223] Later that day, Simona entered Sebastiana and Antonia's room to find them sleeping on their backs. Simona saw two birds enter the room: the turkey mentioned above and a similar shaped bird with a golden beak.[224] Simona saw the two birds enter the mouths of Sebastiana and Antonia, who then pleaded with Simona not to tell anyone. Simona stated that before seeing the birds, she had grown suspicious of the two sisters because they wore fancy satin and silk dresses to church.[225] However, Simona did not know how they acquired these fineries. Finally, Simona stated that it was rumored these two sisters lived in sin because, although they were married, they remained separated from their husbands.[226] Sebastiana was married to Manuel de Molina, a Spaniard, and Antonia was married to Julián López, and Indian from Huehuetenango.[227]

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[223] Though the inner logic of how the ritual was designed to be efficacious remains occluded, Behar cites one intriguing example in which the spell mandates one should "take an egg, pierce it with a straw, and in it place a few of her husband's hairs; then she was to bury the egg in the ground where her husband urinated." Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," 41.

[224] For many commoners, turkeys and vultures were among the lowest in status while eagles and quetzal birds were among the highest. Few, *Women Who Live Evil Lives*, 60–61.

[225] Moralists had long decried that luxurious fabrics could lead women to sin, thus contextualizing Simona's suspicions. See Lipsett-Rivera, *Gender*, 164–65.

[226] Particularly among rural peoples, few sought divorce due to the cost and sense of shame associated with it. Kanter, *Hijos Del Pueblo*, 50.

[227] AGN, Inquisición Vol. 735, exp. 16, 1706, ff. 149-151.

Most probably, the suspicion regarding the Santiago sisters was exacerbated by the fact that they lacked a male head of household to watch over them.[228] These sisters inverted the contemporary gender hierarchy by attending church services in expensive dresses without male chaperones. The allusion to birds is not surprising when one considers that animals were widely used in colonial Mexico to shape the material and celestial worlds.[229] Gonzalo Aguirre Beltrán notes that women often used donkey brains, hooves, crow hearts, pheasant and buzzard brains, bats, cockroaches, bovine genitalia, oviparous animals, and the bones of dead humans, to make spells and hexes.[230] Ruth Behar examines an Inquisition case in Guadalajara (1740), in which a woman named Maria Antonio Gallegos, along with her sister-in-law, searched for birds' nests, removing the eggs inside and wearing them around their necks as an amulet because birds' remnants and remains would attract men and money.[231]

From a practical point of view, birds and their remains were relatively compact, providing ease of transportation. Moreover, the beak of a bird was imbued with sexual symbolism due to its long and narrow shape and that it was used to break open seeds and to extract nectar.[232] Indigenous peoples understood this symbolism and applied it

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[228] While most individuals, including women, "supported the ideal of patriarchy," it remained difficult to sustain "especially for indigenous people and the poor." See, Kanter, *Hijos Del Pueblo*, 37.
[229] Among the Mexica, birds were considered extremely beautiful. Falcons and eagles were noble, awe-inspiring birds of prey seen as representatives of the heavens. Clendinnen, *Aztecs*, 226–27.
[230] Beltrán, *Medicina y Magia*, 168.
[231] Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," 38.
[232] Behar, 38.

directly to gain material advantages in the here and now. Perhaps, Simona grew jealous of the fact that the Santiago sisters appeared to attain their fineries without the need of a domineering male head of household.[233] Either way, subverting the gendered order of things led to the denunciation of the Santiago sisters.

An intriguing self-denunciation from Fray Gaspar de San Augustín, of the Brothers Hospitallers of Saint John of God, made in 1706 corroborates many of the patterns outlined above with respect to the popular appeal of the devil. Accordingly, fray Gaspar was locked in his cell by his superior Fray Felipe de Meneses. After two years of confinement, fray Gaspar became so desperate that he called upon Satan to help him escape from prison. Were he to enjoy an extra twenty years of life, fray Gaspar would readily work for Lucifer. In order to expedite his escape, fray Gaspar whipped himself "like a black man" (*como a negro*), removed his rosary, and uttered a common refrain used to invoke the devil, "*de en bia en biga, sin Dios ni Santa María*."[234] This refrain seems to be a similar version to the one mentioned in the 1691 Querétaro case above.[235] However, the direct refutation of God and Mary makes fray Gaspar's version all the more heretical.[236] Additionally, the subordinated status of men of African descent was

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[233] Few notes that jealousy or revenge could lead to denunciations of "mal vivir," i.e. women who lived inappropriately. See, Few, *Women Who Live Evil Lives*, 61–62.
[234] The refrain was "*De en bia en biga, sin Dios ni Santa María*." See, AGN, Inquisición Vol 734, exp. 11, 1706, ff. 511-513.
[235] AGN, Inquisición Vol. 527, exp. 9, 1691, ff. 569-570.
[236] In terms of etymology, heresy means choice. Therefore, those brought into the fold who then rejected Christianity were seen as errant believers. See Soormally, *Idolatry and the Construction of the Spanish Empire*, 6; Chuchiak, *The Inquisition in New Spain, 1536-1820*, 4–7.

apparent in fray Gaspar's confession as their bodies became synonymous with physical punishment.

The extent to which inquisitors believed witchcraft to be a real possibility remains a matter of debate. Some scholars argue that by the seventeenth century Spanish religious elites remained skeptical that people actually flew through the air or met to call upon the devil in ritual sabbats.[237] Other scholars claim that by the late seventeenth century, skepticism about the devil "was widely accepted," to the point that Satan functioned as a symbol "rather than a real force of evil."[238] However, the case of fray Gaspar offers an intriguing eighteenth-century counter to these assertions. As a friar in the order of Saint John of God, fray Gaspar constituted a member of the religious elite. The architecture of the convent as well as the daily regime of religious life would have constantly reminded fray Gaspar about the beneficence of the Lord.[239]

However, doing so instilled in Gaspar an appreciation for His greatest enemy. Most likely, the imposed confinement on fray Gaspar distressed him deeply, increasing his sense of desperation. He wanted to extricate himself so badly that he was willing, albeit temporarily, to forsake God and make a deal with the devil. That fray Gaspar later

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[237] Behar, "Sexual Witchcraft, Colonialism, and Women's Powers," in Lavrin, *Sexuality and Marriage in Colonial Latin America*, 182.
[238] Lipsett-Rivera, "Mira Lo Que Hace El Diablo," 207; Cervantes claims "by the end of the seventeenth century it had become the rule that those who had made a pact with the devil and repented were finding it increasingly difficult to persuade the inquisitors of the truth of their claims and of their need for 'suitable' and 'salutary' penances." See, Cervantes, *The Devil in the New World*, 126.
[239] Rafael Morales Bocardo, *El Convento de San Francisco de San Luis Potosí Casa Capitular de La Provincia de Zacatecas* (San Luis Potosí: Archivo Histórico del Estado de San Luis Potosí, 1997), 357–60.

confessed his sins highlights his sincere devotion and provides a counter to the notion that the devil only operated at the symbolic level in the late colonial era. Indeed, fray Gaspar had removed his rosary so that the devil could more easily gain access to his soul, rendering him susceptible to sinful excess.

Among orthodox Catholics, the rosary was thought to facilitate the spiritual health of the community.

In seventeenth-century Peru, peoples of African descent used the rosary to predict the future.[240] An eighteenth-century Spanish sermon (1744) states that the holy rosary nurtures the faith of the next generation of children just as manna, raining from the heavens, feeds the plants.[241] One parable cited in the sermon was that of a Catholic priest working in a hospital in Antwerp who met a sixty-year-old man with an incurable disease. The ailing man had never seen a rosary before and stated that, had he learned about it during his youth, he would have cherished it and prayed to the Virgin every day of his life.

To remedy his sin, the sick man asked his confessor how many days he had lived until this time without reciting the rosary. The priest replied 21,900 days. Then, the sick man asked how many prayers he needed to cite each day in order to reach that number within two years, to which the priest replied thirty times per day. As such, this ailing

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[240] Garofalo, "Conjuring with Coca and the Inca," 69.

[241] Juan López Aguado and Miguel Gómez, *Hojas Del Arbol de La Vida, Que Llevan La Salud a Las Almas: Ilustres Flores En Que Se Convierten Las Bastardas Espinas de La Culpa* (Cadiz: D. Miguel Gomez, en la calle de S. Francisco, 1743), 24.

individual gave thirty recitations per day to the Holy Rosary for two years. God allowed this individual to live long enough to expiate his sins. After reciting his last Hail Mary, he expired.[242] Thus, the man was able to enter heaven and guarantee his spiritual well-being in the afterlife. The story also shows how mendicant clergymen used hospitals in order to treat the soul through the corporeal body, guiding their parishioners to the Lord.[243]

The sermon goes on to say that the rosary provides the cure for ailing sinners (*pecadores enfermos*) even if they have engaged in sin for a long time. For "There is nothing more joyous for a sick person, than when one provides with certain hope of his health, the remedy."[244] The author, Juan López Aguado, states that confession will show the penitent sinner the proper path to reach heaven. Fray Gaspar's actions noted above seem to support the doctrine outlined by López Aguado. Fray Gaspar realized his mistake, so he confessed to the Holy Office of the Inquisition.

López Aguado further reminds the reader that the devil is he who in the sea of penitence places and "mountains of difficulties" pollutes the waters so that unfortunate souls remain like "mute fish," unable to use their tongues to confess their sins.[245] Accordingly, Satan is the figure who puts bitterness into the most pure fountains of confession and penitence. Satan does this to swallow countless men, women, and

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[242] López Aguado and Gómez, 31.
[243] Pardo, "Contesting the power to heal," in Griffiths and Cervantes, *Spiritual Encounters*, 168.
[244] López Aguado and Gómez, *Hojas Del Arbol de La Vida*, 57.
[245] López Aguado and Gómez, 58.

children whole, all of whom lose their chance to be with God for eternity.[246] Thus, removing the rosary as cited in the cases above would have enabled the devil to more quickly gain access to the souls of humans because, once removed, the rosary ceased to shield these individuals from the duplicity of Satan.[247] Correspondingly, lowering the divine shield represented by the rosary translated into a rejection of God's grace.

In colonial New Spain, men's occupations, necessarily, forced them outside of the home.[248] Men could roam the streets freely and did not receive condemnation simply for occupying public spaces. However, the home continued to be a potent symbol for men, because it was a tangible refuge and represented "the source of their authority as men."[249] Counteracting a man's role as the paterfamilias through magic, necessarily, emasculated him and lowered his status in the community.[250] Yet, women took to the offensive when they suspected their husbands might run astray.

On 16 April 1706, a forty-year-old weaver named Magdalena Núñez (mestiza) denounced an unmarried mestizo man named Antonio de Ábrego, who worked as a shepherd, because she overheard Antonio tell her husband, Juan Montesinos, that he consulted an Indigenous ritualist to provide him with a magical remedy to carry out an

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[246] López Aguado and Gómez, 59.
[247] Cervantes, *The Devil in the New World*, 81.
[248] Transgressing the norm led to harsh judgement, particularly among women. See, Kanter, *Hijos Del Pueblo*, 67.
[249] Lipsett-Rivera, *The Origins of Macho*, 109.
[250] Officials often sympathized with men who punished their wives for embarrassing them in public. See, Kanter, *Hijos Del Pueblo*, 44.

illicit affair with a married woman.[251] Magdalena testified that three years previously (c. 1703) Antonio came to her house with *pulque* and tortillas and began to chat with Juan. After the *pulque* set in, Magdalena overheard Antonio say that he sought the help of an Indian *curandero* and *hechicero* (healer and sorcerer) named Diego Jatna to carry out his illicit friendship (*mala amistad*) with a married woman.

As Antonio could not copulate with this woman while her husband was present, he asked Diego to provide a spell that would make this man leave the village of Teposcolula (Oaxaca) on some errand. Leaving town would give Antonio more time to spend with his inamorata, thus conflating popular magic with geography. Accordingly, Diego provided Antonio with an herb that he was to place on the person of his lover, after which time this woman's spouse would leave the house. Antonio stated that the day after he used this herb, the cuckold left his home and ventured outside the village.

Antonio carried out his affair for two or three months in this way. Antonio diminished the masculinity of his lover's husband by showing that he could not protect his wife from the illicit desires of other men. [252] Violating the sanctity of the home meant that this unfortunate husband had lost control of his emotional pillar, thus jeopardizing

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[251] AGN, Inquisición Vol. 734, exp. 4, 1706, ff. 326-328.

[252] The charge of cuckold was "one of the greatest insults to a man's honor in the early modern Spanish world," due to the implication that these men did not control the sexuality of their wives. See, Sigal, "Making Maya Men: Fantasy, Voyeurism, and Perverted Penetration," 15; For an overview of male honor, see Twinam, *Public Lives, Private Secrets*, 91–96.

his status as head of household.[253] Diego's magic actually facilitated Antonio's sexual excesses, which rendered this cuckolded husband all the more impotent in the eyes of colonial society.

Antonio continued to boast about his sexual escapades, stating that after deflowering a virgin, who subsequently fell pregnant, he consulted Diego Jatna once again.[254] As this young woman's father and mother would have been irate to know that Antonio impregnated their daughter, Antonio asked Diego to provide a remedy that would abort the fetus.[255] Diego complied by offering Antonio another herb that, when placed inside the pregnant woman's clothes, caused the baby to drop. Antonio told Juan that Diego's magic proved efficacious once again.

Apparently, Diego's ability to conjure extended beyond the realm of sexual witchcraft to divination, demonstrating a broad range of magical capabilities. Antonio said that when someone stole some tools from his father's ranch, he went to see Diego to prognosticate and tell Antonio where he could find them.[256] Yet again, Diego complied. Antonio was instructed to go to Thomás Calderón's house and look underneath the bed. Antonio told Juan that Diego's divination proved true, most likely, increasing the

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[253] Lipsett-Rivera, *The Origins of Macho*, 110–13.

[254] Women were often persuaded to forsake their virginity if they believed their lovers would eventually marry them. As Twinam notes, "sexual intimacy did not damage a woman's honor if there were a promise of an eventual ceremony." See, Twinam, *Public Lives, Private Secrets*, 39.

[255] Many times, women who decided they could no longer keep their babies arranged for their adoption to friends or extended family. See, Twinam, 134–35.

[256] León García Garagarza maintains that diviners were "persons endowed with the power to diagnose, heal, and inflict harm on their victims through supernatural means." In "The Year the People Turned into Cattle," in Few and Tortorici, *Centering Animals in Latin American History*, 33.

perceived efficacy of Diego's magic for both Juan and Magdalena. Indeed, ritual specialists in the Spanish Americas gained "both respect and fear, status and stigma," due to their ability to "solve a variety of problems" such as finding lost objects or inducing the affections of a potential lover.[257] Although the testimony does not directly state that Magdalena worried about her husband's fidelity because of Antonio's tales of sexual conquest, subsequent statements reveal that Juan had affairs with other women.

Magdalena further testified that about a year previously (c. 1705), she began to suffer from a hex, which manifested on her genitals. Eventually, Magdalena found different colored hairs in her nether regions that looked similar to those of a cat or a dog. These hairs caused Magdalena so much pain that she was forced to ask her neighbor, María de Peña, for help. María told Magdalena to take a bath, and, after doing so, Magdalena began to expel these hairs while urinating. Magdalena kept the hairs and showed them to her husband, accusing him of bewitching her. Magdalena stated that no one else could have caused her to suffer in her genital area except for her husband, Juan Montesinos. She was angered because she had not slept with another man nor any other person, but Magdalena suspected Juan of cheating with an Indigenous woman named Petronila Hernández.[258]

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[257] Garofalo, "Conjuring with Coca and the Inca," 53.

[258] Though no violence between Magdalena and Petronila is mentioned, often times, wives attacked women "they believed to be involved in sexual relationships with their husbands." Lipsett-Rivera, *Gender*, 183–84.

Petronila was rumored to be a sorceress. Angered with this accusation, Juan proceeded to burn the hairs that Magdalena had shown him and slapped her mouth and hands (*maltrataba de boca y manos*). Because Magdalena visited her neighbor Petronila, she, necessarily, had to leave her home. Thus, Magdalena eschewed enclosure and ventured into the masculine space of the exterior and the street. Perhaps, Magdalena's journey outside the home combined with her accusation of infidelity to anger Juan to the point that he disciplined her physically.[259] Colonial Mexican society accepted the fact that husbands "were within their rights to discipline their wives" as doing so displayed their superiority as the paterfamilias.[260]

Unfortunately for Magdalena, her pain worsened as she continued to expel hairs from her genitals over the coming days. On the feast day of Saint John the Baptist, Magdalena stated that she urinated into a cup. When she poured out the cup, she saw some worms fall onto the floor, which disappeared the moment they touched the ground.[261] However, some black and white worms remained stuck inside of the cup. When she showed these worms to her husband, Juan beat Magdalena yet again.

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[259] Lipsett-Rivera shows that women frequently showed their determination when the stakes were high enough to "use violence to correct an insulting remark, to punish a slandering gossip or especially to protect their sexual honor." Lipsett-Rivera, "A Slap in the Face of Honor," in Johnson and Lipsett-Rivera, *The Faces of Honor*, 181.

[260] Lipsett-Rivera, *Gender*, 95.

[261] Behar states that "curing the ensorcelled" involved the removal of "spider webs and worms" from the afflicted's body. See, Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," 37.

On another occasion, she found a large fly in her genitals that would not burn when she placed it in the flames of a candle. Juan surmised that this must have been the work of the devil.[262] Perhaps, Juan's illicit affair with Petronila Hernández brought this suffering upon Magdalena. Assuming this to be the case, Juan's violation of monogamy adulterated the sanctity of his home even though his alleged affairs took place outside of it. Indirectly, then, Juan's sexual excess sullied the inner sanctity of his primary home.

Catholic clergymen chastised those accused of attempting to divine because knowing the future was the preserve of God, not of human beings.[263] Thus, colonial officials took offense when a black woman named Ana María Vázquez testified in Mexico City in 1655 that she asked another woman of color, Adriana de Cabrera, to divine the name and location of the person who had stolen her clothes, sliver plates, jewels, and pearls.[264] When Ana María confessed her sins to a local priest, he abstained from absolving her, claiming that dealing in such things would make the devil take her away and that she should go directly to the Holy Office to denounce her crimes against the Lord.[265] Because those alleged to divine gained additional status and recognition in

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[262] AGN, Inquisición Vol. 734, exp. 4, 1706, ff. 326-328.
[263] Bishop de la Vega stated bluntly that "The magicians. enchanters, malefic. superstitious, warlocks, witches, sorcerers and curanderos with words dictated by the Devil, are children of Satan subverters of the faithful, and apostates of our holy faith." Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 333.
[264] AGN, Inquisición Vol. 564, exp. 4, 1655, fols. 175.
[265] AGN, Inquisición Vol. 564, exp. 4, 1655, fols. 175.

the community, Catholic priests viewed them as competition.[266] Clergymen sought to cull the ideological excess by admonishing those who attempted to know the future—the sole purview of the Lord.

In Cuautitlan, on 4 December 1708, a woman named Juana de Trujillo denounced a fifty-year-old midwife named Petrona de Fuentes for divination. Petrona used wands and divining rods that had, allegedly, been blessed and approved by her confessor. Juana claimed that twenty-two days previously Petrona came to her house to see if there was money or treasure hidden somewhere on her property. Petrona removed four rushes and chanted the following, "In the name of the Blessed Sacrament, wand of virtue that God gave you, tell me if there is money here."[267] Petrona stated that the rushes indicated there was money underneath the patio.[268] However, Juana stated that after having two young men (*mozos*) excavate the area two days after Petrona had left, they did not find any money nor anything of value in that spot. Petrona's profession as a midwife enabled her to gain access to multiple households and make social contacts, primarily with women.[269] In doing so, Petrona was able to expand her social network and, in turn, supplement her income with fees charged for divination. Thus, the twenty-

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[266] Friars and other clergy saw ritual specialists as "agents of the old religious beliefs that they were trying so hard to uproot." Pardo, "Contesting" in Griffiths and Cervantes, *Spiritual Encounters*, 168.
[267] En el nombre del Santísimo Sacramento, varita de virtud que Dios te dio, que me digas si aquí hay plata.
[268] Even today, the patio is a central feature of Nahua households. See, Caterina Pizzigoni, *The Life Within: Local Indigenous Society in Mexico's Toluca Valley, 1650-1800* (Stanford: Stanford University Press, 2013), 55.
[269] Few states that midwives had authority and power as ritualists who could "bring new life into the community." See, Few, *Women Who Live Evil Lives*, 95.

eight-year-old Spanish woman named Teresa Carrasco testified that Petrona came to her house one day to see whether there was silver somewhere in her property. On this occasion, Petrona used two rods of *otate* (Mexican Weeping Bamboo) in her ritual. Petrona chanted, "in the name of the Holy Trinity, father, son, and holy spirit, wand of virtue that God gave you, tell me if there something is here or if money is here, and if not to heaven [you go]."[270] Afterwards, the rods parted a little, leaning towards a desk where a silver thimble and a *real* were located.[271]

Petrona told Teresa that the wands only parted a little because there was only a little silver in the house, thus revealing the effect that the object of the spell had upon the natural medium used to divine its presence. In another room, Petrona observed that the wands leaned heavily toward the street, leading her to conclude that underneath a small door near the street, much money was to be found. As Petrona left, she told Teresa that before she began to excavate to find the treasure, she should make the sign of a cross.[272] Teresa was instructed to sprinkle holy water on the earth along with wax from a candle used in performing the sacrament of the Eucharist (*Santísimo*). The combination of orthodox symbols with Petrona's ritual reveals the syncretic methodology employed to

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[270] AGN, Inquisición Vol. 733, exp. 10, 1708, ff. 233-235.
[271] One real equated to 34 maravedís, or one-eighth of a peso. See, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 203, no. 3; See also, John Frederick Schwaller, *Origins of Church Wealth in Mexico: Ecclesiastical Revenues and Church Finances, 1523-1600* (Albuquerque: University of New Mexico Press, 1985), 5.
[272] The sign of the cross was a gesture that signified "the priestly blessing of the eucharistic sacrament." See Cynthia Radding, "Cultural boundaries between adaptation and defiance," in Griffiths and Cervantes, *Spiritual Encounters*, 120.

increase the efficacy of a spell so as to discover and obtain the maximum amount of treasure.[273] Although inquisitors would later censure Petrona's incantations, Petrona, evidently, thought that invoking Christian symbols and names would increase the efficacy of her magic.

On the same day, Petrona was called to another house on Merced street in Mexico City. Again, Petrona was asked to use her rods to see if there was money in the house. After chanting the oration, Petrona stated that the rods indicated that there was a dead body underneath a barrel of vinegar. After digging in the indicated spot, Juana de Trujillo and Sebastiana de Valdéz found a woman's skeleton and a skeleton of some animal in her arms. They buried both of their remains in La Merced convent. In another spot on the property, the residents found a large earthenware jar with four handles, inside of which were many pesos. After having agreed to give Petrona half of the treasure, she overheard a man in another part of the house say that he would only give Petrona a pair of shoes. Angered by his attempt to deceive, Petrona ordered the coins to turn into coal, which they did.

Undoubtedly, successful divinations increased the perceived efficacy of Petrona's magic. This perception among Mexican men and women competed with the authority of the Church, because, colonial officials feared, locals would seek Petrona's help in lieu of

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[273] For many inquisitors, Indigenous magic was "powerful and efficacious and, therefore, dangerous." See, Cervantes, *The Devil in the New World*, 60.

the Church. Moreover, clergymen worried that the continued practice of heretical acts such as divination would encourage similar errant beliefs to spread in the community, thus perpetuating sin and idolatry despite the Church's best efforts.

Finally, María de Trujillo testified that sixteen years previously, she had seen Petrona divine some money in the corner of a corral using rods of quince.[274] When María asked Petrona whether this was sorcery, Petrona responded that it could not be so because she directly invoked the Lord in her incantations. Later, María saw Petrona digging in the corral with a knife.[275] They found an earthenware jug filled with charcoal rather than money. Petrona concluded that the jug contained money at one time but had turned into charcoal because someone had previously made a mistake when performing a similar incantation.[276]

Even though Petrona stated that her incantations did not derive from the dark arts, the Church saw things differently. Petrona stipulated that Christian symbols prevented black magic from taking place. Evidently, inquisitors opined that the Lord's name could be taken in vein, thus perpetuating sin. The case against Petrona continued for another four years. Finally, in 1712, authorities ruled that due to Petrona's advanced

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[274] Lipsett-Rivera notes that some Mexican households "had a corral that might have performed a similar spatial function as the patio," thus providing semi-public access. See, Lipsett-Rivera, *Gender*, 56.
[275] This supports the assertion that knives remained ambiguous "in their connection to deadly purpose." Even though knives were viewed as "offensive weapons" by colonial authorities, their multiple uses as evinced above made it virtually impossible to regulate their usage among plebian peoples. See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 80.
[276] AGN, Inquisición Vol. 733, exp. 10, 1708, ff. 233-235.

age, she would be publicly humiliated without receiving the whip. Petrona was ordered to receive the Holy Communion for the next three Easters and to use the rosary every Saturday. She was also ordered to take confinement (*recogimiento*) in the convent of Santa María Magdalena, founded in 1692 to provide refuge for prostitutes and delinquents.[277] Through enclosure and penance Petrona would be able to restore her dignity and receive the religious instruction necessary to purify the excess manifested by her magic.

Conclusion

Consulting ritual specialists enabled Indigenous and African descent peoples to gain access to magical remedies and exert greater control over their lives. As illustrated in this chapter, these remedies addressed quotidian matters such as gaining the affections of a potential lover, enhancing one's occupational proficiency, and even punishing a spouse for an affair or physical abuse. Indigenous and African descent peoples sought to recalibrate the chaotic, terrestrial world by accessing the supernatural realm. Colonial officials took issue with these actions because accessing the divine without the direct supervision of a social superior, such as a priest, inverted the social hierarchy imposed on the lower strata of society. Magic thus operated along class and racial lines.

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[277] AGN, Inquisición Vol. 723, exp. 3, 1708, ff. 463-571. See also, Flores and Cortés, *Relatos populares de la Inquisición novohispana*, 204.

The Spanish colonial project created legal categories of difference along racial lines while also rewarding economic productivity. Doing so created tensions between bluebloods and the nouveau riche. In the religious world of New Spain in the seventeenth and eighteenth centuries, commoners and elites continued to believe in the miraculous. Whether supernatural events were propitiated by demons or angels, however, remained a hotly debated topic. Arguments for either side carried with them theological, political, and economic stakes. If a herdsman suddenly became more proficient, he could improve his lot in life. However, if this newfound ability was thought to derive from the devil, then this man had committed an egregious sin, exceeding the bounds of propriety. In order to restore balance in the viceroyalty, this excess had to be curtailed through confession and, most likely, public humiliation. Although this herdsman's soul would be saved from perdition, his status in the terrestrial realm was lowered.

Yet, the drive to raise one's standing in the here and now proved too great for many commoners to resist. Indigenous and African descent peoples continued to access the divine through the help of ritual specialists despite the warnings and punishments issued by colonial officials and the Inquisition. Doing so created a double-edge sword. The clergy denigrated these practices as superstitious and, therefore, void of reason. The alleged failure to demonstrate reason meant that Native Americans remained in a perpetual state of subordination. When clergymen described the sexual positions of

Natives as bestial, they revealed their preoccupation with Indigenous peoples' descent into animality.

Reproduction remained vital to the Spanish colonial project because the labor and tithes of the next generation sustained the empire. In this regard, providing correctives to excesses such as heresy and savagery enabled Spanish officials to manage the labor, bodies, and souls of subordinate vassals. One major concern for both elite Indigenous peoples and those of Spanish descent was the rate of reproductivity among commoners. To sustain their position, elites needed to profit from the labor of their social inferiors. For these reasons, the next chapter considers how the wide-ranging notion of sodomy, a non-reproductive sexual act, was applied to Indigenous and African descent peoples in New Spain. Significantly, the act bestiality encompassed sodomy in the colonial era. In such instances, the accused allegedly made illicit contact with animals, crossing the human-animal though the misuse of livestock. A deviant landscape formed around the perpetrators because they inhabited spaces in sinful ways. Thus, land tenure and sexuality came together in cases of sodomy.

5. Sexual Excess, Luxuria, and Sodomy

As noted previously, Iberian colonizers subordinated the Native peoples of the Americas by labeling their religious practices and beliefs as heretical and wicked, stripping them of cultural significance. The subhuman status attributed to Native Americans rendered them closer to nature and, concomitantly, animal-like in their behavior and apparent loss of reason.[1] In the minds of Iberians, Indigenous behaviors that Spanish colonizers observed, such as the positioning of Native bodies during copulation, transformed Indians into lustful beings who remained more likely to sin. The aforementioned Fray Nicolas Chávez stated that Pueblo men and women had "sexual intercourse in bestial fashion."[2] Analyzing the terms found in missives treatises, and juridical works sheds light on the thoughts of colonial officials, clerics, and Native participants. As the Church constituted the only formalized body that conferred "sacredness" upon European monarchs, it greatly contributed to perceived social legitimation in New Spain.[3] Examining this particular type of excess provides insight into the mindset of pious Catholics and how they interpreted dogma as they attempted

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[1] Indian drunkenness worried colonial officials as they believed it deprived Natives of their natural judgment and gave "free reign to baser, animal instincts." Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 43.
[2] Gutiérrez, *When Jesus Came, the Corn Mothers Went Away*, 18.
[3] Anthony Pagden, *Lords of All the World: Ideologies of Empire in Spain, Britain and France c.1500-c.1800* (New Haven: Yale University Press, 1998), 31.

to indoctrinate Indigenous and African descent peoples in the Americas.[4] This chapter analyzes 72 cases of sodomy and bestiality from criminal and Inquisition records, tracing how officials and commoners contributed to the development of sexual excess. Although the majority of cases analyzed took place in the eighteenth century, the earliest case cited case occurred in the second half of the sixteenth century (1563).

Sexual Excess

Since the Middle Ages, Christian moralists asserted that civilized humans were superior to animals because God dictated that man could rule over nature.[5] The fallout resulting from Original Sin, however, meant that mankind became physically and ideologically displaced from nature itself. According to Motolinía, after God cast them out of Eden, angels brought "two well-made garments, like animal skins, and clothed Adam and Eve."[6] Having lost divine grace, nudity could only be avoided by donning the flesh of animals or leaves of plants.[7] The exile from paradise denoted mankind's offence committed against God. Consequently, humans had to properly manage nature lest they offend the Lord.[8] The conceptual distance between man and nature endorsed

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[4] Native translators distorted dogma to convey difficult concepts into Indigenous languages and to suit their own personal agendas. See, Tortorici, *Sins Against Nature*, 177.
[5] Gen. 1:26; Jeanne Kay, "Human Dominion over Nature in the Hebrew Bible," *Annals of the Association of American Geographers* 79, no. 2 (1989): 214–32.
[6] Benavente, *Historia de Los Indios de La Nueva España*, 84.
[7] Agamben, *Nudities*, 57.
[8] Commenting on the Chichimec and the Otomí, Motolinía stated that they lived "like brute animals" because they did not always roast their meat but rather, "ate raw meat [that had been] dried in the sun, ate the little fruit that they produced, and roots and herbs." Benavente, *Historia de Los Indios de La Nueva España*, 188.

by the Catholic Church encouraged parishioners to, somewhat paradoxically, adhere to dogma to atone for the sins of Adam and Eve. Thomistic arguments assumed that free will had been "wounded and enfeebled by Original Sin, but not vitiated or destroyed."[9] Therefore, Christians could take part in their own salvation by conducting themselves virtuously in all things.

This notion of free will left theologians the arduous task of having to define exactly how humans should operate with respect to the natural world.[10] Crucially for European thinkers in the sixteenth century, the triumph of mechanical philosophy tolled the death knell for "the animistic conception of the universe," which many Indigenous and African descent peoples continued to embrace.[11] The excision of the Native high priest from society limited the ways in which commoners were permitted to cross the human-animal divide. Humans could breed animals to generate economic value, but they could not cross the sexual threshold as doing so constituted the gravest of sins.[12] This particular understanding of interspecies sex shaped the way commoner discourse was recorded and filtered in the 72 cases examined here.

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[9] O'Malley, *The First Jesuits*, 249.
[10] Debus, *Man and Nature in the Renaissance*, 34–38.
[11] Keith Thomas, *Religion and the Decline of Magic* (New York: Charles Scribner's Sons, 1971), 644; González, *El Nahualismo*, 68–79.
[12] Individuals convicted of bestiality "were regularly put to death by secular courts, so as to 'erase the memory of such acts.'" See, Tortorici, *Sins Against Nature*, 22.

Orthodoxy allowed man to subjugate animals, eat their flesh, and don their skins.[13] However, to literally become animals by wearing their skins or by sexual penetration constituted sin and wrongdoing.[14] Natural law gave humans the ability to discern good from evil through God's divine light.[15] When subordinates violated natural law by committing acts such as sodomy and bestiality, they inevitably displayed an inferior grasp of reason, placing transgressors on par with animals.[16] Motolinía asserted that reason alone made man deserving of grace, distinguishing him from "brute animals."[17] Animals were inherently "lustful" beings, whose sexual excesses derived from their lack of reason.[18] However, the proper management of animals was key to Spain's military and economic success in New Spain. When perennial enemies such as the Chichimec adopted horses, they posed an even greater threat to the colonial project. The ability to resist Spanish and Spanish-Tlaxcalan incursions instilled a sense of pride for many Indigenous groups.

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[13] Agamben, *Nudities*, 79–82.
[14] Native ritualists in the Americas transformed themselves into animals by consuming their skins, organs, and blood. See, Sigal, *The Flower and the Scorpion*, 148–49; Neil L. Whitehead, *Dark Shamans: Kanaimà and the Poetics of Violent Death* (Durham: Duke University Press, 2002), 88–97.
[15] Jack Donnelly, "Natural Law and Right in Aquinas' Political Thought," *Western Political Quarterly* 33, no. 4 (December 1, 1980): 521.
[16] Referring to Natives in New Mexico, one official stated they "were a group of barbarians very fond of the devil." See, AGN, Inquisición, vol. 316, exp. 2 f.172v. See also CP: https://escholarship.org/uc/item/6gv962r9.
[17] Benavente, *Historia de Los Indios de La Nueva España*, 1.
[18] Tortorici, *Sins Against Nature*, 132.

Colonial officials firmly believed urban centers were culturally superior to rural ones.[19] Because more Spaniards resided in cities, ethnic superiority interlinked with spatial occupancy.[20] Therefore, errant individuals who engaged in deviant behavior such as buggery risked tainting the reputation of the wider community. The sins of Sodom and Gomorrah were "legally understood to cause plagues, famines, and disasters."[21] Those who repeatedly erred took on seemingly permanent ethnonyms linked to religion, race, and genealogy.

Caste categories such as *coyote*, *lobo*, and *mulato* shared zoological origins.[22] *Castas*, like animals, needed to be managed and domesticated. Fearful elites sometimes discouraged the spawning of African descent vassals.[23] Viceroy Luis de Velasco (the younger) believed the other *castas* should be separated from the Indians, living outside the *pueblos de indios*, lest they "take more excess without punishment."[24] This logic generated "a new set of social and spatial relations" that fostered stereotypes of sexual excess, buggery, lust, rape, etc., among *castas* who inhabited non-orthodox spaces.[25] Much of colonial elites' ability to dominate "revolved around the imputed influence of

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[19] Angel Rama states that both Spaniards and criollos engaged in "the splendid epic of Baroque culture" through the system of writing itself. Thereby creating a lettered city relative to the illiterate masses. See, Angel Rama, *The Lettered City*, trans. John Charles Chasteen (Durham: Duke University Press Books, 1996), 19.

[20] The Indigenous market economy "was to be the source of the Spaniards' most aggressive accumulations of wealth and resources." See, Rama, 12.

[21] Nesvig, "The Complicated Terrain of Latin American Homosexuality," 697.

[22] Martínez, *Genealogical Fictions*, 164–67.

[23] Twinam, *Purchasing Whiteness*, 42–50.

[24] Epigraph 2 in Schwaller, *Géneros de Gente in Early Colonial Mexico*, 50.

[25] Achille Mbembé, "Necropolitics," trans. Libby Meintjes, *Public Culture* 15, no. 1 (2003): 25.

the physical environment upon the social and intellectual characteristics of different races."[26] Docility and aggression were known to be influenced by the climate and surrounding landscapes.[27]

Spanish colonizers utilized rigid ethnonyms that connected peoples to place and, concomitantly, stereotypes about cultural practices and behaviors. Labels such as idolater, savage, sodomite, etc., linked geography to the practices of Indigenous peoples filtered through a Christian lens. Idolatry flourished in Indigenous spaces. In the *monte*, Natives revered idols dedicated to "lions, tigers, dogs, deer," and other wild beasts.[28] By extension, inhabitants of the *monte* became animal-like. When Natives venerated their gods, Motolinía stated "it was a great pity to see men created in the image of God turned [into something] worse than brute animals."[29] Description of physical terrain also conveyed ethnocentric notions of moral propriety as espoused by the Catholic Church.

In order to curtail the excesses that manifested in the wild, untamed countryside, Iberian colonizers instilled civility whenever possible. Generally known as the *monte*, scrublands and mountains represented a direct threat to the civilizing mission.

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[26] Alastair Bonnett, "Constructions of 'Race', Place and Discipline: Geographies of 'Racial' Identity and Racism," *Ethnic and Racial Studies* 19, no. 4 (1996): 865; Though outside the scope of this study, racism and science continued to operate simultaneously into modern times. With England at the apex of global hegemony, Sir Thomas Holdich remarked "the indolent sun-loving people of Southern latitudes have ever proved more easy to dominate than those who have been nurtured in a colder atmosphere." See, Thomas H. Holdich, *Political Frontiers and Boundary Making* (London: Macmillan, 1916), 13–14.
[27] Motolinía opined that certain groups were "docile." See, Benavente, *Historia de Los Indios de La Nueva España*, 117; Schwaller, *Géneros de Gente in Early Colonial Mexico*, 36–37.
[28] Benavente, *Historia de Los Indios de La Nueva España*, 31.
[29] Benavente, 21.

Geographic space was domesticated simultaneously through proselytization and agriculture. Spaniards culled topographical excesses by occupying deviant spaces and instilling virtue upon them. The potential for economic prosperity transformed savage wilderness into an alluring "a golden-laden cornucopia, an Eden or Eldorado, promising sustenance and riches to those who dared seize them."[30] Ideally, civilized spaces comprised a church, municipal buildings, a palace dedicated to the governor (or his representative), followed by the houses in which important local citizens lived.[31] Eurocentric notions of morality radiated outwards along a horizontal axis of ranking.[32] Those near the city center were morally superior to those on the periphery.[33]

Because notions of appropriacy and deviancy interlinked with land tenure, Spanish colonizers endeavored to tame Indigenous landscapes and their inhabitants. Improper land usage failed to improve the terrain, leaving it wild. In contrast, acceptable forms of land tenure enhanced the surrounding area rendering it cultivated. The *monte* signified an outlier according to the norm established by agriculture, ranching, mining, etc.[34] Landscapes were also imbued with sexual meaning, linking sex acts to religion, ethnicity, and sexual expression more broadly. The dominion over space linked to the

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[30] Hal Langfur, *The Forbidden Lands: Colonial Identity, Frontier Violence, and the Persistence of Brazil's Eastern Indians, 1750-1830* (Stanford: Stanford University Press, 2008), 22.
[31] Lockhart and Schwartz, *Early Latin America*, 66–67.
[32] Lipsett-Rivera, *Gender*, 44–46.
[33] Valerie Fraser, *The Architecture of Conquest: Building in the Viceroyalty of Peru, 1535-1635* (Cambridge: Cambridge University Press, 2009).
[34] Hagler, "Archival Epistemology," 523.

management of subjects, including their behavior toward each other and the animal kingdom. Whether for copulating like beasts or actually engaging in bestiality, the punishments inflicted upon those deemed guilty reified the conceptual distance between man and nature. Theologians such as Thomas Aquinas wrote that bestiality, the act of copulation between man and animal, constituted the most egregious sin against God due to its violation of the natural order.[35] Continually displeasing the Lord provoked divine retribution, which could destroy all of humanity—pious theologians included.

Proof of divine retribution was found in the story of Sodom and Gomorrah. The transmogrification of Sodom to the sin of sodomy took place in the Middle Ages and influenced the minds of Spanish clergy, state functionaries, elites, and plebian peoples throughout the colonial era. God smote these two cities because "the men of Sodom were wicked and sinners before the LORD exceedingly."[36] Sodom and Gomorrah were so depraved that not even ten righteous men could be found inside these cities' walls.[37] The theological association between the sins of Sodom with sexuality eventually encompassed sexual acts between humans and animals.

Vices against nature included both sodomy and bestiality, but the latter was subsumed by the former. For theologians like Peter Damian, sodomy referred to the sexual acts thought to have occurred in Sodom and Gomorrah. Damian lists self-

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[35] Question 154, Article 12, Reply to Objection 4 Aquinas, *Summa*.
[36] Genesis 13:13
[37] Genesis 18:32

masturbation, masturbation of other men, ejaculation between the thighs, and fornication in the rear in varying degrees of sinfulness.[38] According to Damian, each type of sin increased in offence with fornication in the rear classed as the most egregious. According to Aquinas, carnal sins were bestial by default because beings with little to no reason, i.e. animals, engaged in these acts. When humans indulged such pleasures they became "brutalized" and animal-like, heightening the shame attributed to the perpetrators of these sins.[39] Aquinas also associated same-sex erotic desire and copulation with cannibalism and bestiality.[40] This chapter thus analyzes sodomy cases alongside those of bestiality, as the latter was incorporated into the former.

In addition to the biblical and theological condemnation of non-procreative sex acts, devout Christians abhorred bestiality because it was thought that that physical relations with animals could produce monstrous offspring.[41] A sodomite's transgressions held the potential to upset the natural order, and, in so doing, provoke divine retribution. Among the vices against nature, Aquinas maintained that bestiality was the most abhorrent sin "because use of the due species is not observed" and that sodomy followed bestiality in this continuum "because use of the right sex is not

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[38] Jordan, *The Invention of Sodomy in Christian Theology*, 46.
[39] Question 73, Article 5, Reply to Objection 3 Aquinas, *Summa*; Jordan, *The Invention of Sodomy in Christian Theology*, 149.
[40] Jordan, *The Invention of Sodomy in Christian Theology*, 150.
[41] Murrin, "'Things Fearful to Name': Bestiality in Colonial America," 11; For an example of a monstrous stillborn toad baby in Guatemala see, Few, *Women Who Live Evil Lives*, 95–96.

observed."[42] *Luxuria* thus incorporated numerous sexual excesses. Such sin could only be curtailed through abstinence, which forestalled the manifestation of excess.

Humans differed from animals because only they could engage in non-procreative behaviors to achieve pleasure. According to Aquinas, masturbation, fellatio, sodomy, and bestiality, highlighted humanity's detachment through the contravention of natural law. Committing sexual excesses such as bestiality and sodomy transformed perpetrators into animals. The descent into animality collapsed the divinely ordained hierarchy that God created after the Fall.[43]

The repercussions of Original Sin facilitated debauchery because they increased the pleasure of venereal acts thereafter.[44] As a consequence of eating the forbidden fruit, Adam and Eve felt ashamed of their nakedness.[45] By exceeding the divine limits imposed on them, the world's first humans brought sexuality and sexual improprieties into existence. Recall that after the Lord cast the world's first people out of Eden, angels clothed Adam and Eve with the remains of animals.[46] Animals facilitated the pursuit of virtue rather than that of excess. The literal excess of animals, i.e. their skins and fur,

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[42] Question 154, Article 12, Reply to Objection 4 Aquinas, *Summa*.
[43] Tortorici, *Sins Against Nature*, 132.
[44] Question 153, Reply to Objection 2. Aquinas, *Summa*.
[45] Genesis 2:17; Genesis 3:1-23.
[46] Benavente, *Historia de Los Indios de La Nueva España*, 84.

facilitated the attainment of virtue.[47] Even though Adam and Eve disobeyed the Lord, animals remained under man's dominion.

Clothing was a literal and conceptual excess that virtuous people utilized to circumvent sin. Refusing to don clothing rendered nudists morally suspect.[48] In Leviticus, the Lord forbade family members from gazing upon one another in a state of undress, stating, "None of you shall approach to any that is near of kin to him, to uncover their nakedness."[49] Ham saw his father Noah naked while inebriated, thus violating the Lord's commands. As a consequence, Noah cursed Ham (the second of three sons) along with all of his descendants, subjecting them to perpetual servitude.[50] To avoid a similar fate, subsequent generations strove to be virtuous, in part by donning animal remains. Paradoxically, even though violating His orders invited divine retribution, humans used animals for unauthorized activities, thus committing sexual excess. Biblical tales of divine wrath were taken seriously by clergymen as they

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[47] Genesis 3:21; Sonya Lipsett-Rivera notes that in colonial Mexico, hair was considered to be liminal. Hair was integrated with the body, but it grew outside of one's skin. Lipsett-Rivera, *Gender*, 151.
[48] However, wearing certain fabrics such as silk could also be interpreted negatively. See, Lipsett-Rivera, 279–80 no. 113.
[49] Leviticus 18:6.
[50] Genesis 9:22-25.

proselytized in the Spanish Americas.[51] This religiopolitical legacy transposed itself onto the Americas in territories such as New Spain.[52]

Memory connected with one's legacy, which, if tainted by sin, could have negative repercussions on subsequent generations. Consequently, colonial officials in the Americas sought to instill communal amnesia via penance, disassociating their community from sin. On 4 December 1767, a mestizo man named Joseph Antonio de Torres was sentenced to ten years military service without pay in a presidio because he committed bestiality with a female donkey in Texicapan. As part of his penance, Joseph was ordered to attend Mass on an unspecified feast day in his parish.[53] The donkey was executed to erase the memory of the sinful act that Joseph had committed.[54] In 1732, Josepha de Garfias was accused of committing sodomy with another woman. She was ordered to burn the instruments that she used to commit her crime, supposedly preventing her from committing these acts again.[55] The physical acts that approximated perfect sodomy—coitus in the anus—led to similar punishments, despite the inability to

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[51] This became an issue when Spanish friars reached the New World and attempted to convert Native Americans. For instance, a seventeenth-century confession manual rails against the sins of sodomy and bestiality. See, Alva, *A Guide to Confession Large and Small in the Mexican Language, 1634*, 122–23, 130–31.
[52] For an overview of the reign of Ferdinand and Isabella, see Henry Kamen, *A Concise History of Spain* (New York: Scribner, 1973), 51–63.
[53] AGN, Indiferente Virreinal 1482, exp. 7, f. 4v; The location is sometimes spelled Tetzicapan.
[54] AGN, Indiferente Virreinal 1482, exp. 7, f. 5r.
[55] As part of her penance, Josepha had to work in the Hospital de San Juan de Dios in Mexico City for two years, personally assisting the sick. The case states that the sentence was carried out. See, AGN, Indiferente Virreinal 1482, exp. 7, ff. 9v.-10r.

prove whether sodomy took place.[56] The label of sodomite adversely affected those accused of the crime because society at large considered it to be such a severe crime.

In 1685, a priest in Jiquipilas, Chiapas wrote in his preamble that the excommunicated were damned by God and his "Blessed Mother." For these reasons, the Lord sent plagues upon Egypt and smote Sodom and Gomorrah. This priest closed by stating that the apostate Judas descended to the inferno, "Amen."[57] Friars and priests warned their flock about the potential dangers that repeated sin brought upon the community. Ironically, however, such a line of reasoning inadvertently exposed the humanity within Indigenous and African descent peoples. After all, if these peoples were truly beasts, acting like animals could not have offended. Bestial activity so affronted Spanish colonizers because they fused conceptual spheres thought to remain separate.

Throughout the colonial era, Spanish officials made little distinction between sodomy and bestiality, noting that both crimes warranted severe punishments. A nineteenth-century criminal case shows the conflation of these two categories. Dated March 30, 1821, the document noted that a man named José Chavez had carnal relations with a female donkey in Tula. The presiding official wrote that the crime of bestiality has

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[56] For a discussion of perfect sodomy see, Carvajal, *Butterflies Will Burn*, 52.
[57] Archivo Histórico Diocesano de Chiapas (hereafter AHDC) carp. 268, exp. 1, Jiquipilas III A 1, Episcopal, Provisorato, 1685, f. s/n.

always been considered "the most serious type of sodomy."[58] The perpetuation of non-reproductive sex threatened the colonial enterprise when humans descended into animality, failing to reproduce virtuous vassals for the crown.

The egregious nature of sodomy and bestiality even preoccupied Spain's most enlightened monarch, Charles III.[59] In a royal decree dated October 14, 1770, the king affirmed that "bestial sodomy" (i.e. bestiality) was a "horrendous, detestable crime" that "the laws of all nations, even the least civilized" condemn.[60] In Charles's opinion, the crime was an "abomination" that merited death by fire.[61] In fact, bestiality was so horrendous that even those close to committing the act could be punished.[62] Charles also placed the world's many nations on a continuum of cultural sophistication by stating that even the least civilized nations condemned bestial sodomy.[63] Bestial sodomy was so egregious that even the least civilized peoples, supposedly, abhorred transgressing the human-animal divide in this way. Those who dared to violate natural law suffered corporeal punishment to atone for their sins. Secular and religious authorities enacted

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[58] AGN, Criminal 196, exp. 7, f. 214r.
[59] King Charles investigated whether the death penalty was improperly imposed on a Spaniard, José Filomeno Ponce de León for the crime of "*sodomia vestial*," see AGN, Reales Cédulas 97, exp. 106, fols. 187-190r.
[60] AGN, Reales Cédulas 97, exp. 106, f. 187r.
[61] AGN, Reales Cédulas 97, exp. 106, f. 187r.
[62] AGN, Reales Cédulas 97, exp. 106, f. 187v.
[63] AGN, Reales Cédulas 97, exp. 106, f. 187r.

public humiliation as a form of penance to curtail excess and protect the wider Christian community.[64]

Punishment, Community, and Sexual Geography

In civilized society, law was designed to make humans virtuous. To do so, institutions such as the Inquisition hoped that orthopraxy would, ultimately, garner divine favor.[65] Papal bulls such as *ad abolendam*, had long established that it was the "duty of Christian rulers to punish heresy, on occasion by death."[66] Heresy posed a threat both to the Church and the state, proving to be a disruptive force if left unchecked.[67] The wider Christian community was metaphorically described as an organic body. Like a disease, heresy contaminated the otherwise "pure body of the Catholic patrimonial state."[68]

It was the state's role to regulate the body "through the agency of a variety of ideological apparatuses," including corporeal punishment.[69] Garments of shame such as the blessed smock (*sanbenito*) conveyed penitents' guilt to the community. After this person's sentence ended, the Inquisition ordered the *sanbenito* "to be hung on the walls

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[64] Bishop Zumárraga ordered public humiliation for several convicted individuals. See, Greenleaf, *Zumárraga and the Mexican Inquisition, 1536-1543*, 112, 126, and 132.
[65] Alasdair MacIntyre, "Natural Law as Subversive: The Case of Aquinas," *Journal of Medieval and Early Modern Studies* 26, no. 1 (1996): 66.
[66] MacIntyre, 88.
[67] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 3.
[68] Mott, "The Rule of Faith over Reason," 61.
[69] Bryan S. Turner, *The Body and Society: Explorations in Social Theory* (Los Angeles: SAGE Publications Ltd, 2008), 181.

or ceilings" of the convicts' parish church, reminding the congregation about each major transgression.[70] To safeguard the community from more heinous crimes, however, the Inquisition deployed spectacular formalized punishment known as the *auto-da-fé*. Here, physical punishment of the body was used didactically as a deterrent to further sin. In New Spain, public *autos-da-fé* highlighted that humiliation constituted the Inquisition's most notorious "weapon against those guilty of what it considered public immorality and formal heresy."[71] These well-attended events operated as hegemonic spectacles that entrained orthodoxy upon society at large.

Foucault theorizes that the public spectacle solidified the sovereign's right to exercise absolute power.[72] Heads of state displayed their power metaphorically to the public by destroying the convict's physical body.[73] Doing so displayed the asymmetries of power between the sinner and the "all-powerful sovereign."[74] Clerics and secular authorities also exercised this power discursively by labeling those convicted as heretics, adulterers, sodomites, etc. While much of Foucault's thesis holds true for New Spain's *autos-da-fé*—the donning of the conical cap (*coroza*), torture, humiliation, etc.—one point often neglected is how the creation of outcasts solidifies the spectating masses. Rituals of public humiliation created a sense of solidarity for those free from the lash, coroza, and

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[70] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 51; See also Kamen, *The Spanish Inquisition*, 1998, 200.
[71] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 52; See also, Kamen, *The Spanish Inquisition*, 1998, 204–13.
[72] Foucault, *Discipline & Punish*, 48–51.
[73] Turner, *The Body and Society*, 151–53.
[74] Foucault, *Discipline & Punish*, 49.

other forms of punishment. Undoubtedly, many relished in the knowledge that they had been spared the wrath of powerful colonial officials. Likely, others came to think the punishment just, enabling the spectacle to function as an integrative mechanism.[75]

Most likely, those watching the convicted took solace in the fact that they were not being punished. Spectators may even have thought the punishment just. When that happened, power operated at the productive level, fostering the collective consent of orthodoxy.[76] Such solidarity created self-regulating mechanisms to sustain the Spanish empire. Keeping in mind how the process of effacement and erasure has shaped colonial repositories, secular and ecclesiastical courts provided commoners with a new system of redress and action, recording the testimony of accused heretics and errant believers.[77] The close analysis of testimony in Inquisition and criminal records, offers insight into ordinary peoples' interpretations of sexual excess. In 1614, one consequence of being found guilty of bestiality with a mare was that a convicted Indigenous man named Bartolomé Juan suffered two hundred lashes in the central plaza of Guadalajara. Bartolomé was ordered to serve in the house of a local tailor for ten years for purposes of

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[75] Scholars have made similar observations with respect to the excessive pomp and ostentation of religious and civic festivals in Mexico City. See, Linda A. Curcio-Nagay, "Giants and Gypsies: Corpus Christi in Colonial Mexico City, in William H. Beezley, Cheryl E. Martin, and William E. French, eds., *Rituals of Rule, Rituals of Resistance: Public Celebrations and Popular Culture in Mexico* (Wilmington, DE: Scholarly Resources Inc., 1994), 7–10; Linda A. Curcio-Nagy, *The Great Festivals of Colonial Mexico City: Performing Power and Identity* (University of New Mexico Press, 2004), passim.

[76] Curico-Nagay notes that "large-scale spectacle became one tool in an arsenal of colonizing agents that included coercive force, discriminatory laws, religious institutions such as the Inquisition, and economic power." See, Curcio-Nagy, *The Great Festivals of Colonial Mexico City*, 3.

[77] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 212.

rehabilitation.[78] Similarly, in Pachuca, an Indigenous man Francisco García denounced another Native named Simon for bestiality with a mare in 1626.[79] Numerous other examples reveal the extent to which commoners understood doctrine, regardless of whether they believed it themselves.[80]

A denunciation of bestiality meant that another person visually or aurally witnessed the alleged act. Due to the sinful acts of errant believers, the sovereign and the Lord had to be appeased through spectacular punishment. When a mestizo named Salvador de Cuenca was accused of sodomizing a female dog in Meztitlan in 1709, he was sentenced to public humiliation. With the blare of the trumpet, the town crier announced Salvador's crime, which, undoubtedly, piqued the interest of the local community. Salvador was stripped from the waist up and carried through Meztitlan on a beast of burden. He was forced to watch the dog burn to death as this animal had been tainted by his sexual excess. After receiving 100 lashes, Salvador was exiled for four years.[81]

Many times, colonial officials punished men with exile for their egregious crimes.[82] Nesvig maintains that exile not only punished the convicted but also protected

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[78] AGN, Indiferente Virreinal 5980, exp. 21, 1614.
[79] AGN, Inquisición vol. 1552, exp. s/n., 1626, f. 187.
[80] For an excellent overview of bestiality in New Spain, see Tortorici, *Sins Against Nature*, 124–60.
[81] AGN, Indiferente Virreinal 1482, exp. 7, f. 2.
[82] For example, on 3 April 1771, a soldier name Josef de Castro was convicted of attempted sodomy and sentenced to four years of exile and hard labor in the Castle of San Juan Ulúa in Veracruz. See, AGN, Correspondencia de Diversas Autoridades vol. 16, exp. 164, 1771, ff. 408-409.

the "community by banishing the evil that could potentially harm it."[83] The notion that sins such as bestial sodomy could infect and spread among the community was a widely held belief among clerics and judicial officials.[84] This dissertation maintains that denunciations can be used as a diagnostic regarding the anxiety felt toward sexual excess at the local level. The fear many commoners shared about the social and religious repercussions of non-reproductive sex acts can be discerned by examining the pejorative labels deployed to refer to the non-reproductive sex acts of one's neighbors in New Spain.

The discourse relayed through local town criers, notaries, and priests, among others, reinforced the connection between the public and colonial heads of state.[85] The town crier publicized the most important information for all denizens, ranging from deaths in the community to the crimes of deviant vassals.[86] In the streets of Huipustla, the town crier announced the crimes of a nineteen-year-old man named Juan Agustin Hernandez in 1756. Because this single, *lobo* male admitted to buggering a female donkey, he was given 100 lashes. Juan was ordered to serve six years of forced labor

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[83] Nesvig, "The Complicated Terrain of Latin American Homosexuality," 713.
[84] Nesvig, 713.
[85] Curcio-Nagy, *The Great Festivals of Colonial Mexico City*, 12–13; Burns, *Into the Archive*.
[86] For a "confraternity crier" see, Clara García Ayluardo, "A World of Images: Cult, Ritual, and Society in Colonial Mexico City," in Beezley, Martin, and French, *Rituals of Rule, Rituals of Resistance*, 83; See also Stephen J. Milner, "'Fanno Bandire, Notificare, et Expressamente Comandare': Town Criers and the Information Economy of Renaissance Florence," *I Tatti Studies in the Italian Renaissance* 16, no. 1/2 (2013): 107–51.

followed by permanent exile from his natal village.[87] A mestizo named Juan Ignacio Escobar was convicted of "mixing" with a female donkey in 1757. Escobar was ordered to attend high mass on Sunday at the local church and put to work for three years, either inside a locked office or a bakery (*panadería*).[88] The Spanish state curtailed the excesses manifested by alleged sodomites by controlling their freedom of movement. By habituating errant believers in the performance of virtue, the stain of sin could be expunged from its place of origin. Perception of a place, e.g. incestuous kivas or idolatrous caves, conflated with discourse to create a sexual geography of natural and man-made environments.

This chapter considers how pejorative labels sexualized Indigenous and African descent peoples and the spaces they inhabited. According to orthodoxy, the taint of sin need not always redound upon the space in which it was mentioned. Countless sordid accounts swept through New Spain's confessionals, but these spaces remained virtuous because of their perceived success in eradicating sin. Officially, confession only took place between one clergyman and one penitent, thereby preventing public dissemination of the sin.[89] As a priest had, ideally, received sufficient education to combat sin, he was allowed to question the penitent extensively.[90]

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[87] AGN, Indiferente Virreinal 1482, exp. 7, f. 3v.

[88] AGN, Indiferente Virreinal 1482, exp. 7, f. 3r; The marginalia states that Juan Ignacio was to be whipped 100 times. Precisely where Juan Ignacio was punished, however, remains unknown.

[89] Tortorici, *Sins Against Nature*, 165–70.

[90] Alva, *A Guide to Confession Large and Small in the Mexican Language, 1634*.

Although free discussion of immorality was frowned upon, sexual excess was clearly a matter of public concern. Because juridical sentences, ideally, thwarted the manifestation of excess, the crimes of heretics, sodomites, and other sinful people were read aloud in public spaces.[91] The Inquisition imparted morality through symbolic inscriptions upon the flesh of the convicted. Denuding lawbreakers highlighted their subordinate status to the point that "adults became symbolic minors."[92] These "minors" were publicly disciplined by the authoritative head of the community, thus reifying patriarchal norms. The terrestrial body functioned as a public transcript in ritual humiliation and sexual excess.[93]

After public spectacles of punishment ended, the wounds of the convicted began to heal, but they often left behind scars on the body. In New Spain, visible scaring indicated the bad character of those convicted, creating a circular form of logic. Convicts, slaves, and servants incurred scars on their backs, illuminating their cowardice and subservience. Those who looked like criminals had acted in inappropriate ways to have received the lash. Conversely, however, marks on the front side of the body suggested

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[91] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 52.
[92] Stern, *The Secret History of Gender*, 210.
[93] Here I follow Scott's use of public transcript as a way of "describing the open interaction between subordinates and those who dominate." See, James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven: Yale University Press, 1990), 2.

hand-to-hand combat, a more honorable form of mutilation. As Lipsett-Rivera notes, the location of one's injuries conveyed societal values.[94]

In the village of Coyoacán, near Mexico City, charges of sodomy were brought against Juan de Dios, *mulato libre*, Joseph de Santiago, *indio*, two *mulatos esclavos* named Gaspar de los Reyes and Andrés de la Cruz, and Joseph Hernández Cantarrecio.[95] The case summary states that don Juan Baptista Pavia owned Gaspar de los Reyes and Andrés de la Cruz, and it appears that all of the men except for Joseph Hernández labored in local workhouses. Most likely, these men received different sentences because some admitted to sodomy while others denied it. Juan de Dios, Joseph de Santiago, and Andrés de la Cruz were ordered to be whipped two hundred times each while stripped from the waist up and paraded on beasts of burden through the principal streets with the town crier blaring his trumpet and announcing their crimes. Together, three bloodied and beaten bodies displayed the power of the sovereign and his abhorrence for sexual excess.

However, flagellation was only one method that the Inquisition used to curtail excess. Questioning under torment was also used to obtain full confession if the defendant committed an act of formal heresy, but not in cases "where the alleged crime was only a minor infraction."[96] Inquisitors strove to obtain a full confession by any

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[94] Lipsett-Rivera, *Gender*, 191.
[95] AGN, Indiferente Virreinal 1482, exp. 7, f. 6r.
[96] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 44; See also, Peters, *Torture*, 40–73.

means necessary because it served "as the only full proof of an act of heresy."[97] On August 12, 1712, Gaspar was given "three turns of torture," in the presence of Antonio Joseph de los Rios.[98] This notorious punishment involved binding the guilty party to a rack by cords that "were passed round the body and limbs and were controlled by the executioner, who tightened them by turns of the cords at the end," hence the reference to "three turns."[99] Commenting on the Spanish Inquisition, Henry Kamen notes that men and women were stripped completely naked prior to torture "except for minimal garments to cover their shame."[100] Nudity combined with physical torment to demonstrate the accused's inferiority and presumed guilt. State-sanctioned violence was needed to safeguard the purity of the faith by curtailing sin among the populace.

Attempts to expand Spain's overseas territories led to an expansion of its bureaucracy, evinced by the Council of the Indies, House of Trade of the Indies, and the Holy Office of the Inquisition.[101] In New Spain, the Sala del Crimen was established in 1568 and became the highest-ranking criminal institution with authority "over secular crimes and judicial matters."[102] Inquisitors, parish priests, and colonial officials disseminated the written mandates of the king orally by reading them aloud to the

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[97] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 43.
[98] AGN, Indiferente Virreinal 1482, exp. 7, f. 6v.
[99] Kamen, *The Spanish Inquisition*, 1998, 190.
[100] Kamen, 190.
[101] Geoffrey Parker, *Imprudent King: A New Life of Philip II* (Yale University Press, 2014), 290.
[102] Tortorici, *Sins Against Nature*, 12.

illiterate masses.[103] In particular, Edicts of Faith remained "the most common means of urging the masses to keep their consciences clean" through denunciation and repentance.[104] Thus, Joseph Cantarrecio was punished as prescribed by the "edicts and censors," enhancing juridical power through literacy and bureaucracy.[105] Cantarrecio remained in prison until, at least, July 13, 1713, after which time his case was referred to local magistrates for their input. However, no additional information was provided.[106]

Somehow considered implicit in the crimes of the accused, don Juan Baptista Pavia was arrested and his goods embargoed. Unfortunately, no further information was provided regarding Juan's punishment or release.[107] Juan, Joseph, and Andrés remained in prison for the rest of their days. For the first seven years of their confinement, they could only consume bread and water each day except on Sunday. Upon their death, they were to be disposed of in the manner and place that was "customary"[108]

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[103] Even by 1910, only 29 percent of individuals over 12 in Mexico could read and write. See Mary Kay Vaughan, "Primary Education and Literacy in Nineteenth-Century Mexico: Research Trends, 1968-1988," *Latin American Research Review* 25, no. 1 (January 1, 1990): 43; For an overview of literacy rates in Central and South America, see William Garrett Acree, *Everyday Reading: Print Culture and Collective Identity in the Rio de La Plata, 1780-1910* (Nashville: Vanderbilt University Press, 2011), 8–10.
[104] Tortorici, *Sins Against Nature*, 13.
[105] Rama, *The Lettered City*, 30–34.
[106] AGN, Indiferente Virreinal 1482, exp. 7, ff. 7r-7v.
[107] AGN, Indiferente Virreinal 1482, exp. 7, f. 6v.
[108] AGN, Indiferente Virreinal 1482, exp. 7, f. 6r.

Literacy, flagellation and nudity comprised the key elements of a sodomy case in 1729.[109] Accordingly, Nicolás Guapo, a single mulatto resident (*vecino*) of San Andrés Xaltenco, was accused of committing sodomy.[110] Because officials obtained Nicolás's confession, he was publicly excommunicated. His crimes were pegged to a clapboard in his local church.[111] The town crier publicized Nicolás's transgressions throughout the city. Nicolás was to be whipped 200 times while stripped from the waist up. Initially, Nicolás was to work the rest of his life in a workhouse (*obraje*) while physically separated from the other workers. However, the file states that after Nicolás received 200 lashes, he was, instead, turned over to the ecclesiastic judge in Ozolotepec to remain under house arrest in perpetuity and complete the "medicinal penances," i.e. spiritual penances, that had been prescribed.[112]

In Guadalajara, Francisco Xavier de Laro and Joseph Antonio de Castillo were convicted of attempted sodomy in 1735. Francisco was ordered to be whipped 200 times in the city of Zacatecas and work on either a hacienda or a mining estate. Castillo was ordered to be simultaneously whipped and shamed. In 1747, the *Señor Provisor y Vicario General* of the archbishopric, according to doctrine, sentenced Juan Isidro to be whipped

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[109] Indeed, the strength of European empires derived from "their ability to mobilize vast resources... from a broader-based concept of governmental legitimacy," in which writing was crucial. See, Peters, *Torture*, 104.
[110] AGN, Indiferente Virreinal 1482, exp. 7, f. 8v.
[111] AGN, Indiferente Virreinal 1482, exp. 7, f. 8v.
[112] AGN, Indiferente Virreinal 1482, exp. 7, f. 9r.

fifty times in the church of Xantetelco on two distinct Sundays, totaling 100 lashes. Afterwards, Juan was ordered to work in a sugar mill for four years.[113]

Colonial officials ordered exemplary punishments to be administered on Sundays to maximize the viewing audience, increasing the efficacy of the spectacle.[114] The inner core of Spanish cities, which contained the plaza where whippings took place, represented the pinnacle of morality and honor.[115] On the holiest of days, the masses witnessed such violence because of the elite's overriding concern with the curtailment of excess. Whipping convicted sodomites in the town's center helped to restore order by sanctifying space.

In 1807, a seventeen-year-old Indigenous male in the town of Huichapan was ordered to be placed in the pillory to make an example of him for the benefit of the local community.[116] Agustin Martin confessed to committing bestiality with a female goat. Precisely when Agustin Martin committed the crime became an important procedural issue as his defense lawyer claimed the act took place when he was a minor. However, it later emerged that Agustin only looked like a fourteen-year-old boy, hence a minor, but, in fact, was seventeen. In order to make an example of him, Agustin was ordered to be publicly humiliated in the town of Huichapan by being placed in the pillory for two

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[113] AGN, Indiferente Virreinal 1482, exp. 7, f. 3r.
[114] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 52.
[115] Lipsett-Rivera, *Gender*, 44–47.
[116] AGN, Criminal 200, exp. 3, 1807, ff. 85-98.

hours. Due to the "gravity of the said excess" the goat was ordered to be slain.[117] Augustin was ordered to serve his local church for one year so that he could be instructed in Christian doctrine, and to work in a presidio for four years.[118] Detention in the town's pillory transformed Agustin into a public spectacle and an outcast, crossing a symbolic threshold even though he remained stationary. Fixed to a pillory, Agustin would have been jeered at and verbally humiliated. Perhaps passersby threw food or other items at Agustin to further demean him. Assuming they did so, the masses reified their collective identity through the condemnation of a wayward neighbor. Killing the goat eliminated the sin so as the erase the memory of Agustin's transgressions.[119]

Corporeal punishment displayed the power of the sovereign while also entraining behaviors and attitudes that upheld the Spanish colonial project. To twenty-first century readers, whippings may seem overly harsh and antiquated.[120] In New Spain, however, lashings were administered to children from the moment they began elementary education.[121] During the Middle Ages, Catholic friars embraced asceticism in "the likeness of Christ, copying his poverty and humiliation, suffering as he did on the

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[117] AGN, Criminal 200, exp. 3, 1807, f. 95r.
[118] AGN, Criminal 200, exp. 3, 1807, ff. 85-98.
[119] Tortorici, *Sins Against Nature*, 126–27.
[120] Taylor claims that toward the late colonial era, local officials actually administered harsher beatings. See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 89.
[121] Teachers at a school in Tacubaya punished students who had missed class with three lashes upon their return. However, parents were punished with six lashes as they were held responsible for their children's behavior. See, Lipsett-Rivera, *The Origins of Macho*, 34.

cross."[122] Consequently, friars like Junípero Serra, who toured central Mexico from 1748 to 1767, regularly whipped themselves with ropes and chains.[123]

The clergy preached that one could achieve "an inward appropriation of godliness" through the practice of penance.[124] An Italian Jesuit named Father Pedro Juan Pinamonti (1632-1703) argued that mortification benefited one's pursuit of virtue because "the body cooperated with the soul in rebellion against the Lord…. by presenting the material for the excesses committed."[125] These physical punishments thus curtailed excess manifested by sin, bringing the penitent closer to God.[126]

However, the physical toll of harsh whippings, such as the loss of blood, brought recipients closer to death. It remains a matter of scholarly debate as to how many lashes proved lethal. Francis Guest cites a nineteenth-century military trail held in Monterey, in which three convicted men were flogged 200 times. Both Hubert Howe Bancroft and Zephyrin Engelhardt claimed that these men died sometime around 1816 as a result of the wounds inflicted. After having consulted the death register of Mission Santa Cruz, however, Guest notes that all of the convicted men survived their floggings and died in

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[122] O.F.M. Francis Guest, *Hispanic California Revisited* (Santa Barbara: Santa Barbara Mission Archive Library, 1996), 123.
[123] Guest, 126.
[124] O'Malley, *The First Jesuits*, 267.
[125] Cited in Guest, *Hispanic California Revisited*, 125.
[126] Just as a father could discipline his offspring, friars, who served the eternal Father, had the right to impart punishments for improper behavior. See, Pardo, *The Origins of Mexican Catholicism*, 47.

prison years later. Guest supposes that a lariat was used for the floggings, thereby reducing the level of damage inflicted upon the body.[127]

Other individuals, however, were not as fortunate. In Chamula, the priest don José Ordóñez y Aguiar ordered two Natives to be whipped 100 times on three successive Sundays in the late eighteenth century. The short timeframe did not allow for the recipient's wounds to heal. Therefore, these two Natives died shortly after having been whipped.[128] From a practical standpoint, the death of convicted criminals did not benefit Spanish colonizers because the dead could not perform labor for the benefit of the viceroyalty. However, the overriding concern for indoctrination and purity of the faith, apparently, justified the means.

By its very nature, the recording of criminal testimony gave significant power to its transcriber while also building a sense of community among the aural recipients.[129] Whether read among the literate elite or heard among the masses, the charges of sexual excess recorded herein created a narrative line structured by the language of the law.[130] Under the inquisitorial method of law, the judge "became both the investigator and the prosecutor of the suspected heretic, who was considered at the outset guilty."[131] Spanish

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[127] Guest, *Hispanic California Revisited*, 132–33.
[128] Guillermo Floris Margadant S, *Autos seguidos por algunos de los naturales del pueblo de Chamula en contra de su cura don José Ordóñez y Aguiar por varios excesos que le suponían, 1779.* (México: Facultad de Derecho, UNAM, 1992), 53.
[129] Mignolo, *The Darker Side of the Renaissance*, 29–37.
[130] Tortorici, *Sins Against Nature*, 51–52.
[131] Chuchiak, *The Inquisition in New Spain, 1536-1820*, 2.

magistrates initiated the judicial process (*sumaria*) following a denunciation. The governor received documentation once the initial stage had finished.[132] The governor wrote to the viceroy, who then communicated directly to the Spanish king.[133] Along with this structural bias, labels such as sodomite and heretic discursively facilitated guilty verdicts. Thus, the wording and terminology in Inquisition and criminal testimonies served a political purpose, vindicating Spain's presence in the Americas.

The testimonies originated formulaically from legal procedures, shaping the narrative and narration of the cases themselves. After the denunciation, the magistrate formally charged the defendant with a specific crime and appointed a defense lawyer. An interpreter collected testimonies from the accused if necessary. In the presence of a legal representative, the defendant ratified his or her confession, sometimes reaffirming the confession in the presence of the judge, who might ask further questions. The testimonies recorded typically referred to the defendant in the third person, rather than quoting directly. The assembling of testimony and its transformation into legal documentation further distanced the accused's ability to narrate events directly. The final phase of the judicial proceeding involved the sentencing in which existed considerable leeway for punishment.[134]

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[132] Charles R. Cutter, *The Legal Culture of Northern New Spain, 1700-1810* (Albuquerque: University of New Mexico Press, 1995), 75,125.

[133] For mention of letters from the Governor of New Mexico to the Viceroy in the late eighteenth century see, Oakah Jones, *Pueblo Warriors and Spanish Conquest* (Norman: University of Oklahoma Press, 1966), 142.

[134] Cutter, *The Legal Culture of Northern New Spain, 1700-1810*, 130–31.

Some final sentences gave absolution as a verdict rather than declare the defendant innocent. Judicial absolution pardoned the social sin, while continuing to acknowledge that some wrongdoing had occurred. Charles Cutter notes that any case which passed beyond the initial stage of fact finding presumed the defendant guilty.[135] Although Castilian law "forbade magistrates from issuing a written explanation of their verdicts," the judicial system recorded and preserved past rulings, thereby creating an ethnocentric archive for posterity.[136] While many imperial agents attempted to perform their duties in good faith, the system itself remained one-sided. Lawyers, judges, notaries, and clerics used and consulted written documents—stored in colonial repositories—which excluded Indigenous oral traditions, enabling these lettered men to sustain the colonial project using a circular line of reasoning.[137]

Guilty verdicts that described Native Americans as sinful and savage created and sustained pejorative tropes about Indigenous subjects while simultaneously generating an anticipatory reaction. On June 22, 1775, Barbara Romero and Gertrude Naranjo, two Spanish women from Taos Pueblo accused José Antonio—an Indigenous thirteen-year-old boy—of sodomizing a female calf in a corral in the early hours of the morning.[138] In her testimony, Romero stated she "coincidentally" entered the corral and saw José

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[135] Cutter, 131–132.
[136] Cutter, 36.
[137] Hagler, "Archival Epistemology," 517.
[138] This dissertation applies sodomy broadly since Spanish contemporaries referred to non-procreative sexual crimes prosecuted either by criminal courts or the Holy Office of the Inquisition as: the nefarious sin, sins against nature, and sodomy. See Tortorici, "Against Nature," 161.

Antonio engaged in bestiality.[139] Naranjo corroborated Romero's testimony adding that even though she was kin to José Antonio, she would tell the truth.[140] José Antonio admitted to buggering this calf in the recorded testimony. Because of the gravity of the sin, officials questioned José Antonio intensely. They asked how many times he had committed bestiality, to which he replied once. They sought confirmation that Romero and Naranjo's account was accurate, which José Antonio confirmed.[141]

Colonial officials actively engaged in the creation of sexual geographies in New Mexico when they inquired into the sordid places and manners of "cohabitation" that José Antonio engaged with the calf.[142] They further asked whether the act occurred in the day or night. José Antonio stated it was in the day. Next, they demanded to know whether the calf stood upright or lay on its side. José Antonio admitted to buggering the animal on its side. Judges asked whether the act occurred in the countryside or a corral. In his statement, José Antonio admitted to buggering the calf in a corral, itself a tenuous barrier between civility and the animal kingdom.[143]

According to Lipsett-Rivera, the Mexican urban environment consisted of houses with a corral where people in cities and villages "went out to sleep or to get some

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[139] Spanish Archives of New Mexico, (hereafter SANM), 360, MF 454, roll 10, frame 832.
[140] SANM, 360, MF 454, roll 10, frame 833.
[141] SANM, 360, MF 454, roll 10, frame 834.
[142] "preguntado si es verdad que coabito con una ternera dijo que si," See SANM, 360, MF 454, roll 10, frame 838.
[143] SANM, 360, MF 454, roll 10, frame 838.

privacy."[144] As adjoining structures, corrals operated as a moral extension of the house and, most importantly, its occupants. Misdeeds committed inside these spaces might spread to neighboring areas, polluting the larger community.[145] Jose Antonio's misuse of space and property also had economic consequences. Owners suffered financially following the execution of sodomized animals. Consequently, the buggery of a calf in a corral served as a provocation to Spanish society and colonialism more broadly.

Due to José Antonio's youth, authorities classified him as a minor. Had he been fourteen at the time of the alleged incident, José Antonio would have been tried and convicted as an adult.[146] Governor Pedro Fermín de Mendinueta detained José Antonio in prison for eight days and ordered him to receive twelve lashes for seven consecutive days.[147] Due to the gravity of bestiality, Mendinueta ordered the execution of the calf. Intriguingly, José Antonio himself was ordered to kill the calf, throwing it to "the flames letting it burn by the hands of the said convict."[148] Thus, Mendinueta acknowledged fire's ability to purify sexual geographies sullied by the gravest of sins.

Following this punishment, José Antonio resided in a house of virtue to improve his understanding of the Catholic faith. Undoubtedly, part of José Antonio's instruction

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[144] Lipsett-Rivera, *Gender*, 56.

[145] For an example of a donkey burned after its throat was slit, see Tortorici, *Sins Against Nature*, 159.

[146] In this case, Spanish authorities stated that fourteen years of age constituted the age of consent. See SANM, 360, MF 454, roll 10, frames 846-847.

[147] Note the religious significance in the number of lashes, resembling the number of apostles, and the period of seven days, representing the time it took the Lord to create the heavens and the earth, including His day of rest.

[148] See SANM, 360, MF 454, roll 10, frame 851.

would educate him about normative notions of sexual behavior. Spanish clerics would inform José that he could not engage in sex in a corral, nor with animals, to safeguard the community. Due to José Antonio's conviction, one can surmise that the label of sodomite further lowered his status in a house of virtue.

Monastic life attained its virtue through the state of *recogimiento*, or enclosure from the world. Honor interlinked with the inhabitation of spaces devoid of sexual activity, including its discussion. For example, women were indoctrinated by state functionaries in convents, *beaterios*, hospitals, and schools, to uphold and reproduce "the shifting norms that reinforced racial, economic, and sexual hierarchies of difference in colonial society."[149] Those sent to convents as punishment could not speak to women unrelated to them. Additionally, they could only speak to familiars in public spaces so to avoid scandal (*escándalo*) and suspicion (*sospecha*). Under threat of exile from the church, they could not utter vulgar expressions or profanity at the door of the church or in its cemetery.[150] Troubled souls learned how to lead virtuous lives through habituation and isolation from the profane.

Those not living by the state of *recogimiento* had to socialize with one another, which inevitably facilitated sexual excess. For instance, a Spaniard named Francisco Javier Romero was living as a well-to-do man in his eighties in New Mexico when he

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[149] van Deusen, *Between the Sacred and the Worldly*, 7.
[150] Núñez de la Vega, *Constituciones diocesanas del Obispado de Chiapa*, 326.

was accused of sodomy. On July 20, 1728, Luis Romero, an *indio ladino* from Picuris Pueblo testified that when he served as the *alcalde mayor* of Taos and Picuris Pueblo, Francisco Javier Romero invited him to his house and suggested that they place their beds next to one another. Later that night, while he lay sleeping, Luis claimed that Romero began to touch his buttocks. Luis thought that, perhaps, Romero "dreamed that he [was] with his wife," but when Luis told Romero to stop, Romero pleaded with Luis to let him continue and offered corn as a bribe.[151] Romero denied these charges, calling Luis an untrustworthy thief "like all other Indians."[152] Despite Luis's integration into the colonial society, evinced by his position as an alcalde mayor and status as an indio ladino, Romero's derogatory statement contributed to the biased juridical archive and diminished any standing Luis might have obtained.[153] Romero was later exonerated of all charges and set free. As a Spaniard, Romero could appeal to his sense of honor which, I argue, prevented the presiding judge from issuing a conviction. Many times, Indigenous defendants did not allude to their sense of honor in their testimonies, suggesting that such discourse was unavailable to them.[154]

Despite the potential to sin in numerous ways, homosocial situations were not always suspect in early-modern Spanish society. Whether in hospitals, inns, or homes, Spanish, Indigenous, and African descent men frequently shared intimate spaces, such

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[151] SANM, 353, MF 450, roll 6, frame 624.
[152] SANM, 353, MF 450, roll 6, frame 675.
[153] Hagler, "Archival Epistemology," 527.
[154] Hagler, 519.

as beds, with one another as part of contemporary customs.[155] Those suspected of sins such as sodomy and bestiality received mitigated sentences if the state believed they would engage in more virtuous activity in the future. For example, in Huichapan, in 1804, Jose de Santiago accused an Indigenous man name Miguel Anastasio, resident of the pueblo of San Miguelito, of bestiality with a female donkey.[156] Miguel was imprisoned for six months before receiving his sentence. However, because Miguel was also known to be cohabitating with an Indigenous woman, he managed to secure his release on June 14, 1806 to marry Maria del Carmen.[157] Miguel was not convicted of bestiality because judges believed he would refrain from further sin after he married a woman, revealing the underlying "reproductive ideology behind colonialism."[158]

To avoid overly simplistic depictions of the past, however, it should be noted that denunciations did not always follow the pattern of Spaniards accusing Indigenous and other non-white peoples of crimes. Indigenous and African descent peoples also denounced each other, revealing how labels and prevailing attitudes operated laterally. For example, Teodora Benítez, single and designated as *parda libre*, denounced a blind man named Nicolás de Torres for committing bestiality with a white female dog in the port city of Acapulco in 1750.[159]

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[155] Berco, *Sexual Hierarchies, Public Status*, 52, 90; Lipsett-Rivera, *The Origins of Macho*, 63.
[156] AGN, Criminal 179, exp. 23, 1804-1806, ff. 495r-499r.
[157] AGN, Criminal 179, exp. 23, 1804-1806, f. 498v.
[158] Tortorici, *Sins Against Nature*, 13.
[159] AGN, Inquisición vol. 547 (I), exp. 12, ff. 263-264.

The colonial project imposed a socio-political hierarchy upon all vassals within its confines through the *sistema de castas*. Although mobility among the groups remained fluid, by the late eighteenth century, non-Spanish peoples suffered due to the Bourbon reforms "aggressively promoted during the reign of Charles III (1759-88)."[160] The lack of upward mobility favored Spaniards to the detriment of their non-white counterparts.[161] Lack of affluence among non-white peoples created the perception that poverty was God's punishment for vice.[162]

Casta designations seemingly displayed the natural perversity of the lower classes. In Veracruz on 27 January 1776, the *Licenciado* don Miguel Francisco de Herrera, commissary of the Inquisition denounced an unnamed Indigenous man for "cohabiting" with a female dog.[163] Intriguingly, don Miguel made a distinction between bestiality and sodomy stating that this man did not commit a "sodomitic act; but rather bestiality."[164] Writing to his superiors, don Miguel highlighted the Inquisition's lack of jurisdiction over the lives of Indigenous peoples, stating that he doubted he had the authority to proceed against "Indians."[165] This denunciation reveals the perpetuation of the ethnonym *indio* as a replacement for one's actual name. Don Miguel's authority as

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[160] Martínez, *Genealogical Fictions*, 240.
[161] Behar, "Sex and Sin, Witchcraft and the Devil in Late-Colonial Mexico," 35.
[162] Lipsett-Rivera, *Gender*, 14.
[163] AGN, Inquisición vol. 1100, exp. 18, 1776, f. 352r.
[164] AGN, Inquisición vol. 1100, exp. 18, 1776, f. 352r.
[165] AGN, Inquisición vol. 1100, exp. 18, 1776, f. 352r.

commissary of the Inquisition only heightened the perceived veracity of the claim that *indios* committed bestiality, thus sustaining archival epistemology in New Spain.[166]

On January 14, 1721, an Indigenous woman from Sonora named Petrona de Alejandra, denounced a *mulato blanco* named Juan Ignacio for bestiality. In her testimony, Petrona stated that one Thursday "very early in the morning" she was gathering wood and, from a hill, saw Juan Ignacio buggering a mare.[167] In Zacatecas in 1787, don Salvador María de Ayala, in the name of don Pablo Sagrero, denounced an unnamed Indian laborer on a mill for a suspicious carnal act with a mule.[168] Similarly, in 1720, two mestizo men, Miguel de Yescar and Agustin Ortiz, were detained for the crime of sodomy.[169]

Although brief in their scope, criminal summaries contain many of the contemporary labels used among elites. Ethnic and racial signifiers were placed alongside the year, place of the purported crime, type of crime, and name of the convicted. In 1712, criminal charges were brought against Joseph Antonio Flores, *mulato*, Cayetano Ramirez, *mestizo*, Joseph Nicolas de Osorio, *mulato*, Nicolas de San Joseph, *morisco*, and Joseph Rendon for the crime of sodomy.[170] The summary states that some

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[166] Hagler, "Archival Epistemology."
[167] AGN, Inquisición vol. 791, exp. s/n., 1721, ff. 529-535.
[168] AGN, Inquisición vol. 1363, exp. 14, 1787, ff. 219-220.
[169] AGN, Indiferente Virreinal 1482, exp. 7, f. 8r.
[170] Unfortunately, no ethnic or racial designation was given for Joseph Rendon. See, AGN, Indiferente Virreinal 1482, exp. 7, f. 7v.

admitted to their crimes and that others denied committing sodomy.[171] Another criminal summary reveals that in 1809, an eighteen-year-old Indigenous muleteer named José Hilario Bustos was convicted of bestiality and sentenced to six months of labor on public works, during which time he would be indoctrinated in the Christian faith. Allegedly, José had buggered a jenny four times and buggered a mule on one other occasion.[172] The judges needed to know the number of sinful acts committed and with which animals in order to curtail the excesses that manifested in their communities.

The Vulnerability of Youth

The widespread embrace of paternalism in New Spain meant that social superiors readily disciplined wayward subordinates.[173] Due to their inferior status, youths accused of sinful acts such as sodomy were among the most vulnerable in colonial society.[174] At best, juveniles were chastised for inappropriate conduct. In Santiago de la Monclova, Coahuila, Rosa Maldonado and María Guadalupe Rodríguez denounced a young man named Jacinto Mascorro for sodomizing a female donkey in 1722.[175] In Perote (1753), a wealthy Spaniard denounced his sixteen-year-old servant for

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[171] AGN, Indiferente Virreinal 1482, exp. 7, ff. 7v-8r.
[172] AGN, Indiferente Virreinal 6332, exp. 106, 1809.
[173] Lipsett-Rivera, *The Origins of Macho*, 25.
[174] As Lipsett-Rivera notes, the concept of minority "was very complex in colonial Latin American law, because many categories of people—such as women, slaves, indigenous people... the mentally challenged or mentally ill, invalids, and even criminals—were considered to be minors." See, Lipsett-Rivera, 18.
[175] Mitigating testimony revealed that Mascorro was drunk when he committed the act. Moreover, inquisitors in Mexico City replied that bestiality did not fall under their jurisdiction and ordered Mascorro's release. See, AGN, Inquisición vol. 787, exp. 26, 1722-23, ff. 133-148.

engaging in bestiality with a female mule in his stables.[176] In 1788, a seventeen-year-old mulatto male named Mathias Ciriaco was accused of sodomizing a mare on the Hacienda de Chicapa in Oaxaca. The foreman, Josef Feliciano (Spanish), claimed to have seen Mathias lay with a female dog, which Mathias initially denied. However, upon a second round of interrogation Mathias admitted to committing bestiality with both the dog and the mare.[177]

At worst, accused youths were physically mutilated by local authorities. In 1563, a fourteen-year-old Maya boy named Pedro Na confessed to sodomizing a turkey. As punishment, Na was castrated in the central plaza with the turkey's corpse hanging from his neck, and permanently exiled from the Yucatán.[178] Because Na confessed to committing bestiality with another bird a year earlier (c. 1562), local authorities, most likely, viewed him as a hopeless recidivist.[179] As such, the only way to entrain orthodoxy was to excise Na's gonads, thereby removing his impulse to sin.

Youth itself rendered males vulnerable because adolescence "was not recognized as a life stage in Spanish law."[180] Males only reached the age of majority after their

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[176] Similar to the aforementioned case, inquisitors replied that the Holy Office held no formal jurisdiction over cases of bestiality. See, AGN, Inquisición vol. 976, exp. 12, 1753, ff. 63-64.
[177] No trial was held due to the Inquisition's lack of jurisdiction in this matter. See, AGN, Inquisición vol. 1169, 1788, ff. 129-130.
[178] AGI, Justicia, leg. 248 (microfilm reel #191), "Processo contra Pº Na sobre el pecado nefando." Cited in Tortorici, *Sins Against Nature*, 124–27.
[179] Tortorici, 125.
[180] Lipsett-Rivera, *The Origins of Macho*, 21.

twenty-fifth birthday.[181] Simply put, males were expected to transition seamlessly from boyhood to adulthood. Commoner males, including those of Indigenous and African descent, remained vulnerable to denunciations of sexual deviancy because their general lack of wealth forced them to live, work, and fulfill their sexual desires in public spaces. Unburdened by *recogimiento*, men enjoyed more mobility than women. This increased mobility however, meant that men had to constantly negotiate the boundaries of propriety within their social environments.[182] Because working-class men fornicated in public spaces more than working-class women, colonial officials especially sought to curtail the excesses committed by males.

At times, however, minority status shielded the accused from severe punishment. In 1783, a lengthy judicial correspondence between the *alcalde mayor* of Malinalco and local authorities in the parish of Malinaltenango ensued as the *alcalde* requested the baptismal records of Manuel Méndez to determine his precise age to administer the proper punishment for his alleged acts of bestiality.[183] Apparently, Manuel Méndez appeared to be a minor, which reduced the punishment meted out.

Other times, defense attorneys exonerated their clients. In Xonacatepec, a thirty-five-year-old Indigenous man named don Juan Esteban—former governor of the state and marquessate of the Valley of Oaxaca—accused a fifteen-year-old Indigenous boy

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[181] Lipsett-Rivera, 18.
[182] Lipsett-Rivera, 107–8.
[183] AGN, Bienes Nacionales, vol, 678, 1783, exp. 8.

named Marcelo Antonio of sodomizing a female donkey on May 2, 1800.[184] Don Juan stated that during the second week of Lent, he went out searching for some wandering oxen, when he stumbled upon Marcelo in the act in a small ravine (*barranquilla*) called Zacate on the outskirts (*extramuros*) of the town. As he approached to discern the identity of the sinner, don Juan stated that he saw an Indian standing on a rock to execute his desire. He also stated that the donkey's feet were tied with a white strap and that Marcelo gripped the donkey with both hands.[185]

Through an interpreter who, most likely, spoke Nahuatl, Marcelo stated that he only ventured outside of the town during the second week of Lent to cut some tomatoes (*xitomates*) in his orchard that was near Zacate on the outskirts of town.[186] Here, he found a donkey owned by don Jacinto Gutierrez, his uncle, who served as governor previously. Because he had heard about the wandering oxen, Marcelo tied this donkey by the neck, not by the legs as don Juan alleged, while he proceeded to collect his *xitomates*. When he finished gathering, Marcelo untied the jenny and stood on a large rock so that he could ride her back to the village. Fortunately for Marcelo, his defense attorney stated that three witnesses were required to prove a crime according to laws 1 and 2 of Title 21 of Book 8 in the *Recopilación de las Leyes*. Moreover, other witnesses testified on Marcelo's behalf and it came to light that don Juan was frequently drunk,

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[184] AGN, Criminal 278, exp. 2, 1800, ff. 96r-137r.
[185] AGN, Criminal 278, exp. 2, 1800, ff. 99r-99v.
[186] AGN, Criminal 278, exp. 2, 1800, ff. 103r-105v.

thus casting doubt on the veracity of his accusation. Marcelo was cleared of all charges.[187]

Indigenous peoples such as the Nahua disapproved of excessive drinking, though in different ways to their Spanish contemporaries.[188] Sahagún claims that the Nahuas believed that persistent drunkenness led to destitution. The *Florentine Codex* states:

> Witness the Tlacateccatl of Quauhtitlan, a nobleman named Tlachinoltzin. He was a great nobleman; he was served; he was master of the common folk. But pulque debased him. He concerned himself exclusively with it; he indulged excessively; he lived in continuous drunkenness. He drank up all his land; he sold it all.[189]

The story of the Tlacateccatl of Quauhtitlan reminds the audience that too much *pulque* (fermented maguey) can corrupt good people.[190] In order for noblemen to rule over their community, they had to abstain from excessive inebriation or else risk losing

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[187] AGN, Criminal 278, exp. 2, 1800, ff. 96r-137r.

[188] However, what constituted moderation and excess depended on one's ethnic background. Natives tended to define "moderate drinking according to traditional conceptions of appropriate occasions... rather than according to the amount consumed or whether the drinkers showed their intoxication." See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 41.

[189] The Nahuatl reads, "Tlaxoconjtta, inquauhtitlan tlacateccatl, pilli, in jtoca tlachinoltzin, ca vei pilli, ca tlaiecultiloia, ca maceoale catca: auh ca iehoatl contemovi, in octli: ca qujxcaviaia, in tlatlapeviaia, in tlatlaoantinenca: muchi qujtlaoan in jtlal, muchi qujnamacac." See, WDL, FC, book VI, f. 60r. I adopt Dibble and Anderson's translation of this passage. See, Bernardino de Sahagun, *Florentine Codex: Book 6 - Rhetoric and Moral Philosophy*, trans. Charles E. Dibble and Arthur J. O. Anderson (Salt Lake City: University of Utah Press, 1963), 71.

[190] Pulque being "forbidden, save to specified groups on specified occasions, and to the aged." Clendinnen, *Aztecs*, 48.

their status in the community.[191] Recall the notorious *ahuiani* (Chapter 2), the wandering destitute woman scorned for her particular manner of inhabiting space. As a popular figure, she contributed to the sexual geography of village life as she lured men to sin. Seduction through the chewing of gum, which clattered Spanish like "castanets," piqued the ears of men, including that of, otherwise, celibate friars because of its provocative nature. In the minds of Sahagún's elite circle, soliciting sex in public spaces threatened the social order. Thus, the *ahuiani* functioned as one discursive counter to sexual excess that remains in the colonial archive. Erotic outcasts occupied a liminal status precisely due to their perceived manner of inhabiting space, no doubt facilitated by pulque and other intoxicants.[192]

In Minas de Zacualpan, a wealthy man named don Pedro Antonio Arteaga, owner of the hacienda Nuestra Señora de Guadalupe, denounced Juan Rivera for bestiality with a dapple mare on September 8, 1802. From afar, Juan Rivera's body language appeared sinful to don Pedro. Apparently, don Pedro Rivera's indecent posture suggested dishonest actions. He stated that Rivera was in the act of committing the "very serious sin of bestiality."[193] Don Pedro shouted at Rivera to stop what he was doing, but Rivera did not respond directly. When Rivera turned to see don Pedro

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[191] As seen through Diego de Durán's eyes, see Sigal, *The Flower and the Scorpion*, 88–89.
[192] Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 34–45.
[193] AGN, Criminal 166, exp. 9, 1802, f. 241.

standing in the vicinity, he hastily pulled up his trousers, jumped onto the mare from behind, and fled. Don Pedro stated that Rivera's behavior was "against nature."[194]

However, witness testimony from Rivera's father swayed the judges. They ruled in Rivera's favor, absolving him of any wrongdoing. The subdelegate initially ruled that Arriaga had to pay the costs of the trial for brining false testimony. The defense once again utilized the Spanish judicial system through an appeal. On November 18, 1802, authorities in Mexico City upheld the subdelegate's ruling, stating on the day in question, Rivera was in another town, a statement that his neighbors confirmed. The close proximity of houses enabled neighbors to surveille others which, to the benefit of Rivera, increased the perceived veracity of their testimony.[195] The judge ruled that if accusations of similar "excesses" continued to circulate without sufficient evidence, they would be withdrawn so that Rivera did not suffer damages.[196]

Inhabitation, Healing, and Sin

In Santa Fe, New Mexico in 1731, Spanish authorities detained two Indigenous men—Asencío Povia from Nambe Pueblo and Antonio Yuba from Tesuque Pueblo—for, allegedly, having committed sodomy. On 25 June, Manuel Trujillo, a Spanish resident (*vecino*), claimed to have seen Povia and Yuba engaged in sodomy in the countryside.[197] Trujillo testified that, one day, while tending to his farmstead, he noticed "some goats"

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[194] AGN, Criminal 166, exp. 9, 1802, f. 241.
[195] AGN, Criminal 166, exp. 9, 1802, f. 268r.
[196] AGN, Criminal 166, exp. 9, 1802, f. 268v.
[197] SANM, 360, MF 450, roll 6, frame 839.

had damaged part of his estate.[198] Therefore, Trujillo mounted his horse to look for the owner of these animals for purposes of indemnification. After following the animals' trail and having ascended a hill alongside a ravine, Trujillo claimed that, from this vantage point, he saw two half-naked Indigenous men fornicating.[199] As he approached them, Trujillo stated that he pulled the Indian on top by the hair to prevent any further sexual activity. Trujillo then opened the legs of the Indian who was underneath, enabling him to visually confirm that this Indian was a man and that this man's anus was wet from sexual intercourse.[200] Trujillo also whipped Povia and Yuba with the reigns of his bridle for this "offense committed against God."[201]

Trujillo displayed his status relative to Povia and Yuba by obtaining and riding a horse in his quest to find the presumed owners of the destructive goats. The reigns of a bridle functioned as an extension of the horse, highlighting Trujillo's source of power and manliness.[202] Trujillo transformed this space from one of sexual licentiousness to a more virtuous space by disciplining these Indigenous men with equestrian accoutrements. Finally, Trujillo's actions indicate that Indians could be prodded and touched like animals when accused of sexual deviancy, revealing a crossing of the human-animal divide.

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[198] SANM, 360, MF 450, roll 6, frame 831.
[199] SANM, 360, MF 450, roll 6, frame 868.
[200] SANM, 360, MF 450, roll 6, frames 869–70.
[201] SANM, 360, MF 450, roll 6, frame 831.
[202] Lipsett-Rivera, *The Origins of Macho*, 137.

By August 2, 1731, the trial had finished and the presiding governor, Gervasio Cruzat y Góngora, imposed a four-month exile on Yuba and Povia, sending each to a different pueblo, Zuni Pueblo and San Felipe Pueblo. Cruzat y Góngora stated that they could not communicate with each other during this time and failure to comply with his orders would result in 200 hundred lashes each.[203] Mandating that Povia and Yuba could not communicate with one another protected the community from divine retribution. Officials curtailed discursive excess by preventing the exchange of sinful thoughts. The sentencing reveals the strictures that Spanish authorities put in place in order to cleanse geographies sullied by sexual excess. Physical isolation precluded the possibility of sodomy from occurring, thus restoring proper notions of land tenure for the wider community.

Yuba and Povia's escapades risked contaminating the community, so they were cast out like the Adam and Eve. The temporary exile was imposed on Yuba and Povia was more common than the castration of Na.[204] In 1709, a seventeen-year-old mestizo named Salvador de Cuenca was exiled for four years for sinning with a female dog in

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[203] SANM, 360, MF 450, roll 6, frame 887.

[204] AGI, Justicia, leg. 248 (microfilm reel #191), "Processo contra Pº Na sobre el pecado nefando." See also, Tortorici, *Sins Against Nature*, 124–27.

Meztitlan.[205] In these cases, those convicted and forcibly exiled from their local communities maintained a precarious existence.

Outcasts had to enter new communities without support networks already in place. In urban centers such as Mexico City, justice officials often sent plebian men and other unskilled laborers to work in *obrajes*, or prison-like workshops, which were undesirable due to the amount of work involved for the lowest of wages.[206] In Bourbon New Spain, the poorest suffered all the more because those who did not wear the appropriate attire to convey their professions to the community were rounded up and "shipped off to the imperial frontiers in the army."[207] Thus, exile placed men in an abject position as they had to fend for themselves without the skills, contacts, or resources needed to make ends meet.[208]

For individuals in elite professions, however, exile imposed less of a threat. Francisco Javier Romero, the aforementioned eighty-year-old man accused of sodomy, was born in Mexico City and first came to Santa Fe, New Mexico in 1693. He later moved to Santa Cruz to practice medicine and work as a cobbler. Spanish authorities exiled Romero to Albuquerque in 1715 for killing someone's ox. However, "the people of Santa Cruz petitioned the Governor for his return" the following year due to their

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[205] AGN, Indiferente Virreinal 1482, exp. 7, f. 2.
[206] Lipsett-Rivera, *The Origins of Macho*, 99.
[207] Lipsett-Rivera, 82.
[208] For the disparity in wages among the castas see, Gibson, *The Aztecs Under Spanish Rule*, 250–51; Schwaller, *Géneros de Gente in Early Colonial Mexico*, 199.

need of a physician.[209] As a medical practitioner in a frontier town, Romero was not as easy to replace as a day laborer and, thus, able to return to Santa Cruz. The community of Santa Cruz disregarded Romero's punishment of exile, due to their pressing need for a medical practitioner. Quotidian needs could override moral ones in times of desperation.

Catholic officials routinely spread orthodox messages in public spaces. These rituals appealed to the community, drawing throngs of followers. After the conquest of Tenochtitlan, clergymen organized religious festivals and imbued theater with religious symbolism in order to convert Native peoples and teach them virtue.[210] In order to facilitate conversion, missionaries fused the spiritual with the material by approaching Indigenous peoples with offerings and gifts such as bread and clothing. Doing so created "an extensive religious program, one that was highly scripted and showed only minor variations between missions and over time."[211] The mission church itself served as the "physical symbol of the celestial community," sanctifying the spaces of the community associated with it.[212] Franciscan missionaries introduced Indigenous peoples to catechisms and urged them to cite them twice daily.

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[209] Angelico Chavez, *Origins of New Mexico Families in the Spanish Colonial Period: In Two Parts, the Seventeenth (1598-1693) and the Eighteenth (1693-1821) Centuries* (Santa Fe, N.M.: W. Gannon, 1975), 273.
[210] Richard Trexler, "We Think, They Act: Clerical Readings of Missionary Theatre in 16th Century New Spain," in Steven L. Kaplan, ed., *Understanding Popular Culture* (Berlin; New York: New Babylon, 1984), 191–97.
[211] Steven W. Hackel, *Children of Coyote, Missionaries of Saint Francis: Indian-Spanish Relations in Colonial California, 1769-1850* (Chapel Hill: University of North Carolina Press, 2005), 127.
[212] Gutiérrez, *When Jesus Came, the Corn Mothers Went Away*, 59.

To boost attendance, thereby increasing the number of potential converts, missionary fathers "coupled recitations with morning and evening meals."[213] Even in secular schools, courses were heavily religious and dependent on the catechism. In Xochimilco, students were taught "to cross themselves four times in the morning and four times in the afternoon."[214] Making the sign of the cross provided a legal ritual designed to cleanse testimony of lies, crossing the divide between the material and the spiritual.

Christian symbolism permeated all aspects of the judicial process in the Spanish Americas. Before testimony was recorded, witnesses physically made the sign of the holy cross and swore that they would tell the truth in the name of God.[215] Multiple modalities of religious symbolism increased the perceived veracity of witness testimony. Although often depicted in negative terms, Catholic indoctrination could be used to the advantage of those accused of sins against nature by appealing directly to God and the saints.

When Antonio Yuba was accused of sodomy by Manuel Trujillo in 1731, he rebuffed this charge, stating "by God it is not so, that the said Manuel Trujillo lied and

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[213] Hackel, *Children of Coyote, Missionaries of Saint Francis*, 147.
[214] Lipsett-Rivera, *The Origins of Macho*, 34.
[215] AGN, Criminal 200, exp. 3, 1807, ff. 85-98; AGN, Inquisición vol. 791, no exp., 1721, ff. 529-535; AGN, Inquisición vol. 787, exp. 26, 1722-23, ff. 133-148; AGN, Inquisición vol. 1042, exp. 34, 1768, ff. 232-237; SANM, 360, MF 450, roll 6, frames 830-889; Truth thwarted the devil's machinations as he was "the father of lies." See, Maio and Pearson, *Pedro Ciruelo's A Treatise*, 88.

that by Saint Mary there was no such thing [occurrence]."[216] Not only did Yuba make the sign of the cross and swear to the Lord that he would tell the truth before he gave his testimony, he also appealed to the Virgin Mary in an attempt to persuade the presiding judge that he was telling the truth. Indoctrination imposed on Native peoples by friars and colonial officials gave Indigenous peoples knowledge of the Catholic religion, which they used to display their moral character and, thus, increase their perceived reliability.

Embracing Satan Discursively

Conversely, defendants accused of crimes such as sodomy might appeal to Satan to deflect culpability. As the moral force of colonialism, friars and other clergymen imposed a theological binary on the Indigenous peoples in which God was entirely good and "diametrically opposed" to the entirely evil devil.[217] Local deities of Indigenous landscapes such as mountains frequently provided for their followers when they were sufficiently appeased by offerings such as food, tobacco, alcohol, and money.[218] However, when these gods became displeased for whatever reason, they punished humanity by employing natural disasters. In many Indigenous cosmologies, within a single deity resided the capacity to do good and evil.[219]

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[216] SANM, 360, MF 450, roll 6, frame 874.
[217] Burkhart, *The Slippery Earth*, 65.
[218] Claudia Rocha. "Habitar el Monte Sagrado," in eds. Rocha and Carranza, *Los habitantes del encanto*, 183–88.
[219] Cervantes, *The Devil in the New World*, 47.

Catholic colonizers thus interpreted appeals to Native deities as diabolical.[220] As Cervantes notes, "the more the natives were perceived to be under the power of Satan the more urgent the European presence became."[221] An irony of colonialism in the Spanish Americas was that the friars unwittingly brought Satan to the Natives. Preaching about Satan's many powers implied that Lucifer was an efficacious deity to worship.[222]

Skeptics may view appeals to the supernatural solely to political expediency, jettisoning a deep dive into how belief in the supernatural shaped the mindset of the pious.[223] On April 30, 1752 in Singuilucan, an eighteen-year-old Spanish woman named Ana Maria Leyba testified before the Inquisition that she made many pacts with the devil. After Maria gave her soul to Satan, he told her to stop wearing the rosary and to refrain from other virtuous activities. Maria testified that she maintained her friendship with the devil for two years, during which time she copulated with him on seven occasions.[224] Spanish friars cited the sin of *luxuria*, as the cause of Maria's afflictions.

In Mexico City in 1762, a penitent woman pleaded with a local priest, Nuño de Villavicencio, to absolve her for summoning the devil in order to achieve sexual pleasure with animals. The unnamed woman testified that on two occasions she was not able to

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[220] Pardo, *The Origins of Mexican Catholicism*, 11.
[221] Cervantes, *The Devil in the New World*, 9.
[222] Cervantes, 47.
[223] Cervantes, 9; For the mediated nature of archives see, Stoler, *Along the Archival Grain*, 44; and Tortorici, *Sins Against Nature*, 2–4.
[224] AGN, Inquisición vol. 981, exp. 22, 1752, f. 327.

feel "delectation," with an unspecified animal, so on the third occasion she wished that the devil were inside the creature.[225] When Nuño de Villavicencio asked how she summoned the devil, the woman stated that it was through her vehement desire that Satan put himself in the animal to fulfill her pleasure, which she obtained.[226] In 1763 in Parral, a man named Santiago denounced Francisco Martel for buggering a mare in inside a corral. Francisco admitted to buggering in a stable, stating that it was the first time the devil made him commit bestiality. Francisco's own sexual frustrations made him susceptible to Satan as he had not been able to see his "own woman" the night before.[227] Although a rarity in archival repositories, at least one case shows that women were convicted of crimes such as bestiality. In 1772, a woman named María Bárbara López was tried and processed for "bestial sodomy" in Mexico City.[228] Sodomy was so pervasive in New Spain that it crossed species and genders.

Penance was an effective way to curtail the sins of Sodom and Gomorrah. Self-denunciations reveal much about the feelings of remorse among ordinary peoples. Much of the testimony in such cases appeals to morality, upholding the Spanish colonial project. In 1746, Joseph Antonio de Osorno denounced himself for committing sodomy with Juan de la Ô [sic], mestizo, and Antonio Pérez, mestizo. All three were from the same village, Jilotepec, and they all admitted to their crimes. Their punishment was

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[225] AGN, Inquisición vol. 1042, exp. 20, 1762, f. 168.
[226] AGN, Inquisición vol. 1042, exp. 20, 1762, f. 168.
[227] AGN, Inquisición vol. 1025, exp. 3, 1763-64, f. 140.
[228] AGN, Indiferente Virreinal, Acordada 66, exp. 16.

carried out though the summary does not stipulate as to what it was.[229] On 23 June 1761, in Ciudad Real, a remorseful Dominican friar named Francisco Pulido testified that he had committed the sin of sodomy four or five times due to his "human frailty," but that he had repented for his sins.[230]

In addition to the perpetrators, eyewitnesses appealed to morality in their denunciations. In Pachuca, a free mulatto man named Francisco León appeared before the Holy Office to denounce an Indigenous man named Alonso for the crime of bestiality in 1626. Apparently, Alonso had been in the presence of two other Otomi peoples (Ana and Pablo). Francisco testified that about eight months previously they were together at his house when they witnessed Alonso sodomizing a sow. Francisco stated that he came forward to relieve his conscience.[231] In 1769, a Spaniard named Joseph Clemente Gutiérrez de Lara accused a Spanish man named Placido de Herrera of "the excess of bestiality with a mare in a stream" named San Joseph de Rio Grande.[232] So that Joseph could honor God and obey His law, he denounced Placido.[233] By January 5, Joseph confessed to this crime, stating that he had carnal access with this mare due to his "great fragility."[234]

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[229] AGN, Indiferente Virreinal 1482, exp. 7, f. 10v.
[230] AGN, Inquisición vol. 1042, 1761, f. 97.
[231] AGN, Inquisición vol. 1552, 1629, f. 187.
[232] AGN, Inquisición vol. 1042, exp. 34, 1768, f. 234.
[233] AGN, Inquisición vol. 1042, exp. 34, 1768, f. 235.
[234] AGN, Inquisición vol. 1042, exp. 34, 1768, f. 236.

In Villa de los Valles, San Luis Potosí, a family became embroiled in a bestiality trial due to their Catholic mores. A married man named Francisco Xavier Álvarez was denounced by his aunt, Maria Teresa de Jesus (*mulata*), and brother-in-law, Vicente Gregorio, for buggering a mare in 1789.[235] Maria Teresa and Vicente Gregorio's stated their motive for denouncing this family member was that because as Christians "their conscience would not suffer in silence the excess they had seen committed."[236] Francisco confessed to this crime, adding that he had been living a sordid lifestyle (*en torpe vida*) with this mare for a year, committing up to eight separate acts of bestial sodomy. He only stopped his buggering after the mare died.[237] In 1808 in Compostela, Tepic, a man named Don Albino, in order to relieve his conscience, denounced Agapito, a mulatto resident (*vecino*) of Istapa hacienda, for committing the "sin of bestiality" with a mule.[238]

Ideally, denunciations encouraged the guilty to repent, thereby regaining divine favor. In 1779, a mulatto slave named Candido Mejía denounced an enslaved mulatto named Joseph de la Cruz for the crime of bestiality.[239] Candido claims that he did so to relieve "his conscience as a Catholic" because he suspected Joseph of transgressing "our holy faith."[240] While returning to his home on the hacienda around one o'clock in the morning, Candido saw Joseph committing bestiality with a female donkey. The late

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[235] Francisco Xavier Álvarez was married to a woman named Maria Leonarda.
[236] AGN, Inquisición vol. 1299, 1789, f. 64r.
[237] AGN, Inquisición vol. 1299, 1789, ff. 64r-64v.
[238] AGN, Inquisición vol. 1431, 1808, f. 99.
[239] AGN, Inquisición vol. 1168, exp. 15, 1779, f. 301r.
[240] AGN, Inquisición vol. 1168, exp. 15, 1779, f. 301v.

hour naturally carried a "charge of the erotic" and rendered immoral those spaces away from the home.[241] The night was a time when evil acts occurred with greater frequency, which, no doubt, increased the fear that Candido felt.[242]

In 1751, an Indigenous woman named Catalina Bulag, denounced don Alejo Chanchi, a Spaniard, for committing bestiality with a mare in the Philippines, itself the western most part of New Spain. Catalina claimed to have witnessed this event around midnight.[243] Similarly, on 27 April 1796, in Zacatecas, a married Spanish man named don Juan Elias de Herrera, denounced a boy named Pedro Josef López for committing bestiality with a female donkey.[244] Don Juan Elias was an estate manager (*mayordomo*) of a hacienda named San Pedro, twelve leagues from Zacatecas, thus removed from the moral center of the city. Pedro Josef worked on this very hacienda as a cowboy (*vaquero*).

Don Juan Elias stated that one night around ten o'clock while he was in bed, the cook came out to dispose of some water when she saw a fifteen-year-old boy (*muchacho*) with a female donkey in the pen adjacent to the house. The boy covered the donkey's head with the sleeves of his shirt while he committed the act. When the cook told don Juan Elias about what she had seen, he told her to stand guard by the interior door because a thief might rob the house. He found the young boy hiding in a small room. Don Juan Elias took the lad outside and threatened to whip him if he did not tell him

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[241] Lipsett-Rivera, *Gender*, 130–33.
[242] AGN, Inquisición vol. 1168, exp. 15, 1779, ff. 301r-301v.
[243] AGN, Inquisición vol. 977, 1751, exp. 5, ff. 15-17.
[244] AGN, Inquisición vol. 1321, exp. 5, fols. 16-23.

what he did with the donkey. At this point, the boy confessed to bestiality and told don Juan Elias that his name was Pedro José López.[245] That it was late at night only increased the sense of unease surrounding Pedro José's act of bestiality. Moreover, Pedro José's distance from the moral center of the home and the city center made this act all the more sinful.

Intriguingly the inquisitor of this case provided an opinion about the veracity of don Juan Elias's testimony, stating that he believed it to be true. Even though he had never seen this man (i.e. don Juan Elias) before, he was elderly, formal, and proper (*de verdad*). For these reasons he adjudged that the testimony warranted "faith and credit" (*fe y crédito*).[246] The honorific bestowed upon don Juan, and his job as a *mayordomo*, served to elevate his status, thereby increasing the veracity of his testimony in the eyes of the Inquisition. A similar trend can be seen in a bestiality case in Zacualpan (1808).[247] Because Venancio Martin (*indio*) was elderly (60 years old) and married, local authorities had trouble believing that he could commit bestiality on two occasions as had been alleged.[248] The case summary states that witnesses saw him touching "the part," meaning genitals, and that, because it was dark, it was difficult to see from the shadows.[249]

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[245] AGN, Inquisición vol. 1321, exp. 5, 1796, ff. 16-23.
[246] AGN, Inquisición vol. 1321, exp. 5, 1796, f. 17.
[247] AGN, Criminal 3, exp. 14, 1808-1809, ff. 223-228.
[248] AGN, Criminal 3, exp. 14, 1808-1809, f. 226r.
[249] AGN, Criminal 3, exp. 14, 1808-1809, f. 226v.

The defense attorney stated that the case lacked hard evidence because no one had examined Venancio's body to see if there was semen in his "virile member" or on his shirt or clothes. The attorney stated that examining the vulva of the jennies to see whether they were humid or excited, like in cases when a virgin (*doncella*) had been deflowered, did not apply in this instance.[250] Colonial authorities thought about the penetration of animals in a similar manner to the violation of young women, transgressing the conceptual human-animal divide for the purported benefit of society. Venancio's attorney petitioned for his release after he had been imprisoned for over a year and a half. No further information was provided in the case.[251]

Illicit Actions and Spatial Politics

Women also contributed to the sexual geography of colonial society in non-orthodox ways. Business owners had much control of the spatial politics of their establishments. Sexual preferences greatly influenced the transition from place of business to that of desire. On September 9, 1780 in Mexico City, a twenty-one-year-old Spanish virgin (*doncella*) named Maria Josefa de Yra (*vecina*) born and raised in the capital, denounced an unmarried Spanish woman for attempting to coerce her into an illicit friendship (*mala amistad*).[252] In the initial denunciation, Maria Josefa de Yra could not remember the accused woman's first name. De Yra stated that the accused (also

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[250] AGN, Criminal 3, exp. 14, 1808-1809, ff. 227r-227v.
[251] AGN, Criminal 3, exp. 14, 1808-1809, ff. 223-228.
[252] AGN, Inquisición vol. 1203, exp. 16, 1780, ff. 122-125

named Maria) was proprietor of the chocolate shop on San Lorenzo street, where she repeatedly propositioned de Yra to sin with her. Although no further information was given as to whether the accused Maria was charged, it seems significant that inquisitors did not dismiss de Yra's testimony outright and inquired into Maria's surname and the chocolate shop's location.[253]

Upon further investigation, inquisitors discovered the accused's full name was Maria Gertrudis de la Cerda and that she was the daughter of Maria de Ulloa.[254] The chocolate shop was located on León street in front of a school adjacent to San Lorenzo street. Perhaps Maria de la Cerda's alleged propensity for same-sex relationships was exacerbated in the minds of colonial officials because of her working-class background. Susan Deans-Smith asserts that women workers in colonial society provoked hostile reactions from elite officials merely by existing.[255] To make matters worse for Maria, she did not live with a male head of household nor with her two children. Maria only lived with her mother.[256] Perhaps, Maria's work in chocolate is not surprising considering its association to women more broadly.[257]

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[253] Her full name was Maria Gertrudis de la Cerda. AGN, Inquisición vol. 1203, exp. 16, 1780, f. 125r.
[254] AGN, Inquisición vol. 1203, exp. 16, 1780, f. 125r.
[255] See, Susan Deans-Smith, "The Working Poor and the Eighteenth-Century Colonial State: Gender, Public Order, and Work Discipline," in Beezley, Martin, and French, *Rituals of Rule, Rituals of Resistance*, 69.
[256] AGN, Inquisición vol. 1203, exp. 16, 1780, ff. 122-125
[257] Earle, *The Body of the Conquistador*, 133.

Although the case does not provide additional context, it should be noted that chocolate was linked to witchcraft as it was used in love potions.[258] Ruth Behar notes that in cases of sexual witchcraft, Indigenous and African descent women exploited their control over the domain of food preparation to subvert their subordinated status and "gain some degree of control over husbands or lovers."[259] De la Cerda's lack of a male head of household, most probably, rendered her more suspect and more vulnerable. Colonial officials may have feared that women running a chocolate shop would negatively affect the city if witches purchased chocolate. In colonial New Spain, men did not show deference to women heads of household, frequently invading their homes to rape.[260] Doing so greatly diminished the sanctity of personal space as its violated *recogimiento*. Homes transformed into less virtuous spaces because these acts, alleged and real, sullied the honor of their recipients. The motive behind one's spatial occupancy greatly shaped the lived experiences of local residents.

Powerful individuals had a disproportionate influence on the transformation of space from saintly to sinful. Scandalously, some clergymen neglected their duties when confessing women. Destroying the virtue of the confessional was made all the worse

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[258] Bristol, *Christians, Blasphemers, and Witches*, 166, 167, and 175.
[259] Ruth Behar, "Sexual Witchcraft, Colonialism, and Women's Powers: Views from the Mexican Inquisition," in Lavrin, *Sexuality and Marriage in Colonial Latin America*, 179.
[260] Lipsett-Rivera, *Gender*, for women heads of household see 115, for rape 97-98; One intriguing piece of information came from a 1745 case in the mines of Temascaltepect in which Juan Barrote was accused, but subsequently exonerated, of raping a young male named Juan Manuel Cosme. See, AGN, Indiferente Virreinal 1482, exp. 7, f. 10v.

when confessors violated their vow of celibacy. In 1785, nineteen women accused don Manuel Muñoz, presbyter in the parish of San Miguel (Mexico City) of numerous sexual excesses.[261]

Don Manuel violated his vows through solicitation, abuse, and rape. One woman, María Josepha Franco, stated that don Manuel mentioned bestiality during her confession, asking her sordid questions like whether she let "some animal lick her parts" and whether she inserted her fingers or a candle into her vagina.[262] Don Manuel's intrusive questions to multiple women confessants transformed confessionals into sinful spaces, a terrible thing for a priest to do. This testimony shows that don Manuel thought about how animals could stimulate humans' genitals.[263] Although God had ordained a strict separation between humans and animals, don Manuel fantasized about crossing His divide, making permeable an otherwise rigid boundary.[264]

The actions of one accused sodomite shows that ordinary peoples attempted to inhabit virtuous spaces to exculpate themselves of wrongdoing through spatial association. In 1723, the *alcalde mayor* of Texcoco arrested Manuel de Coca for sodomy, prompting his escape to the parochial church and his claim of immunity, which the

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[261] AGN, Inquisición 1217, exp. 17, fols. 228-250.
[262] AGN, Inquisición vol. 1217, exp. 17, 1785, f. 234.
[263] Don Manuel's sexual fantasies support Sigal's findings on ethnopornography among sixteenth-century clerics. See, Sigal, "Franciscan Voyeurism in the Sixteenth Century," in Sigal, Tortorici, and Whitehead, *Ethnopornography*, 139–41.
[264] For the full case see, AGN, Inquisición vol. 1217, exp. 17, 1875, ff. 228-250.

alcalde appealed.[265] Similarly, in September of 1780, Mariano de Vargas (*negro*), arrested for bestiality, escaped prison and sought refuge in a church.[266] Jurisdictional spaces collided with one another in Mexico City as the lieutenant, through his notary, petitioned for Mariano's return to jail. Eventually the lieutenant got his way and Mariano was removed from "the sacred place to a profane [one]" and sent to labor in an *obraje*.[267] Though brief, this account sheds light on Mariano's understanding of ecclesiastical space and his attempt to inhabit sacred geographies. At some point, Mariano devised and executed a successful escape plan. Afterwards, he sought refuge in a church knowing its sanctity redounded upon him. He contributed to the sexual geography in his attempt to curtail charges of sin, thus effacing sin and instilling virtue. Although the lieutenant eventually thwarted Mariano's plans, the sacral nature of the church obstructed the secular arm, albeit momentarily.

The willful sins of a few transformed the *monte* into a den of iniquity. The *monte* proved "dangerous for women and female youths."[268] Safety in numbers dictated that women travel in groups, facilitating a discursive spread of gossip and intrigue. Sites on the edge of town functioned as liminal spaces between civilization and savagery because the *monte* and non-orthodox spaces in general were "the devil's territory where women

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[265] AGN, Indiferente Virreinal 1482, exp. 7, f. 8v.
[266] AGN, Indiferente Virreinal, caja 1202, exp. 28, 1780, f. 1r.
[267] AGN, Indiferente Virreinal, caja 1202, exp. 28, 1780, ff. 1-2.
[268] Stern, *The Secret History of Gender*, 92.

were sexualized."[269] In general, the public roads leading out of town were extremely dangerous as they allowed people to leave the city's moral center, crossing the threshold of civility.[270]

Sparse population meant that the countryside was a refuge from prying eyes. Some individuals took advantage of their solitude to increase their sexual pleasure. A Spaniard named Mariano Ybarra testified that he saw José Vicente Sierra committing bestiality in the *monte* of Zozoquipa.[271] As Ybarra came close to look upon José, he saw him buggering a black and white cow. Ybarra's arrival and subsequent denunciation led to the recording of how this particular space transformed into one filled with excess and *luxuria*.

On June 19, 1804, Ybarra stated that he saw the cow's feet had been tied and that José Vicente lifted the cow's tail on two occasions and pulled on her stomach until "he had cohabitated with her."[272] José Vicente testified that he was single, Spanish, and eighteen years of age. He admitted to the sin of bestiality stating that the devil tempted him to sin with the cow on one occasion only. José Vicente claimed that he had never sinned with another animal and that only the demon made him commit such "excess."[273] After much deliberation, José Vicente's sentence was mitigated. Having been

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[269] Lipsett-Rivera, *Gender*, 128.
[270] Taylor argues that roads were even more dangerous by the eighteenth century. See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 79.
[271] AGN, Criminal 467, exp. 7, 1804-1809, f. 150r-162r.
[272] AGN, Criminal 467, exp. 7, 1804-1809, f. 153r.
[273] AGN, Criminal 467, exp. 7, 1804-1809, f. 154.

imprisoned for several years, on February 2,1809, José Vicente was ordered to serve a church in Zozoquipa to learn the Christian doctrine.[274] The testimony in the above examples shows that the devil encouraged the spread of *luxuria*.

Inhabiting the physical and moral fringe of society led many astray, linking location to the potentiality of sin. In 1747, an Indigenous man named Pedro Nicolás denounced Juan Isidro, *indio*, for sodomizing a female donkey inside a stone enclosure at the edge of the village in Xantetelco, Cuernavaca.[275] Pedro stated that while he was tending to his cornfield (*milpa*) at the edge of town, he saw Juan behaving suspiciously inside the stone enclosure. For this reason, Pedro furtively approached to visually verify that Isidro was committing bestiality with a female donkey. After having done so, Pedro shouted at Juan, who dismounted from the donkey and became frightened. Pedro chastised Juan, asking him if he were a Christian, how could he commit the egregious sin that he had just witnessed? After Pedro threatened to inform the local priest, Juan began to cry, begging Pedro not to say anything to the vicar nor to his parents. Juan later admitted to committing bestiality to two other men in the village, Antonio Pascual and Asencio Pedro, stating that he committed this act because he was "poor."[276] Juan's justification for his actions indicates that indigence linked to criminality and sexual

[274] AGN, Criminal 467, exp. 7, 1804-1809, f. 198.
[275] AGN, Indiferente Virreinal vol. 2012, exp. 8, 2r.
[276] AGN, Indiferente Virreinal vol. 2012, exp. 8, 1747; Note that penury could justify criminality.

deviancy. The mere existence of the needy created an opportunity to pejoratively label the spaces they inhabited.

On March 15, 1629, an enslaved mulatto named Jusepe de Peña appeared before the Inquisition in Valladolid de Comayagua to denounce a fifteen-year-old *mestizo* for bestiality.[277] Peña stated that about a year previously, he had been in the countryside to look for wandering livestock. After locating a small chapel, he saw Antonio buggering a large female dog with reddish fur. After a smaller dog barked and disrupted this act, Antonio turned his head to see Peña. Startled, he fled the scene.[278] The countryside facilitated Antonio's sinful act because of its separation from the moral center. Antonio inverted the sanctity of the chapel through his acts, potentially transforming holy spaces into dens of iniquity. The paucity of people in the countryside actually increased the capacity for sin, corroborating the trope of sexual deviancy among Indigenous agriculturists.

In contrast to the sparsely populated villages, densely packed spaces such as cities enabled spectators to witness sins, prompting them to intervene. Neighborly involvement sustained the moral code, curtailing excess in the community. Close proximity of tenament housing, typically occupied by the working classes, gave neighbors access, thus maintaining the sanctity of the inner domestic sphere.[279] In 1760,

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[277] AGN, Inquisición vol. 464, 1629, ff. 165-166.
[278] AGN, Inquisición vol. 464, 1629, ff. 165-166.
[279] Lipsett-Rivera, *Gender*, 117–20.

Francisco Xavier Reyes denounced Joseph Salvador Gutierrez (*mestizo*) for committing the crime of "bestial sodomy" in Mexico City.[280] Francisco, a young *mestizo* male, stated that he entered Joseph's room and found him with a female dog in the midst of some kind of act, which appeared sinful to Francisco because the dog was yelping while underneath Joseph. Shocked, Francisco left Joseph's room and informed the authorities.[281] Although there was insufficient evidence to prosecute this crime, the closeness of habitation enabled Francisco to police the boundaries of propriety and intervene when he suspected Joseph of sinfully inhabiting space.

On 30 March 1796, a forty-six-year old Spanish virgin (*doncella*) named doña María Josefa Larrañaga appeared before the Holy Office in Zacatecas to denounce Manuel Morales for engaging in "carnal access" with a white female dog at five o'clock in the afternoon on Holy Monday.[282] Doña María suspected Manuel committed bestiality before but did not witnessed him in the act until Holy Monday. María stated that Manuel called the dog to his room in the evenings and that Juan Jose de Renteria and his wife, Ignacia Martinez, also saw Manuel commit this act.[283]

Inquisitors considered mitigating circumstances, asking Manuel whether he was drunk when he "committed this excess," whether he maintained the ecclesiastical

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[280] AGN, Vinculos y Mayorazgos vol. 84, exp. 4, 1760, unnumbered.
[281] AGN, Vinculos y Mayorazgos vol. 84, exp. 4, 1760; The court later stated that because Francisco was a minor, they could not use his testimony to prosecute Joseph.
[282] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 26r-28r.
[283] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 28r.

precepts by going to Mass, confessing, taking communion, fasting, and if he eschewed meat on the prescribed days as taught by "our Holy Mother Church."[284]

Juan Jose de Renteria subsequently testified that he saw Manuel in the act with the dog between his legs and that Manuel used his cloak to cover the animal while he was committing bestiality.[285] Juan Jose entered Manuel's room to confront him and lifted his cloak to peak underneath only to find Manuel naked. At this time, the dog ran out from under Manuel while licking itself.[286] After witnessing this incident, Juan Jose chased Manuel out of the house. The remaining witnesses also cast aspersions on Manuel's character, stating that he rarely attended Church and did not wear the rosary.[287] On 8 April 1796, the commissary, Fray José Maria Martinez Sotomayor, wrote that he believed the witnesses' testimony because of their "Christian conduct" and their well-maintained appearance (*muy arreglada*), thus deserving all "faith and credit."[288]

Through denunciations, ordinary peoples enforced morality, curtailing the excess of deviant sex acts. Priests policed these boundaries discursively by publishing sermons widely. One such sermon entitled, *Fallacies of the Devil, and of the vices that diverge from the true path to heaven, in which many delusions of the Devil are discovered, with which he hides the true paths, and offers false ones, and their general and particular remedies*

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[284] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 28v.
[285] Agamben, *Nudities*, 59.
[286] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 30v.
[287] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 31v.
[288] AGN, Inquisición vol. 1321, exp. 7, 1796, f. 35r.

(hereafter *Fallacies*, published in 1714) states that the sin of lust "is insatiable, it never says 'enough,' and he who gives in to it, the more desire he will have to fulfill it."[289] According to the author—a Dominican friar named Félix de Alamín—the vice of lust caused many to fall from grace. Without the protection of grace, the sinner was left destitute and miserable. Fray Félix cites the biblical parable of the Samaritan woman at the well, who, despite having had five husbands and, currently, living with another man, became so poor that she had to fetch her own water.[290] Fray Félix drew a parallel between sexual excess and poverty. Most likely, fray Félix believed that the Samaritan woman lusted after her five husbands instead of cherishing the institution of marriage.

In *Fallacies*, fray Félix recalls the story of Sodom and Gomorrah, asking his readers rhetorically why fire had to rain from the heavens to burn all the inhabitants of Sodom, and whether the righteous man named Lot should have abhorred incest with his two daughters.[291] Fray Félix concludes by stating that anyone who finds himself imprisoned by this vice becomes like a drunkard who stumbles, falling from grace and transforming into a brute. The sinner forgets the Lord and allows himself to be carried way with passion.[292] This behavior reverberated onto the natural environment shaping

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[289] Félix de Alamín, *Fallacies of the Devil, and of the Vices That Diverge from the True Path to Heaven, in Which Many Delusions of the Devil Are Discovered, with Which He Hides the True Paths, and Offers False Ones, and Their General and Particular Remedies* (Madrid: Blas de Villanueva, 1714), 298 housed in the Biblioteca Franciscana (BF) in San Pedro Cholula, Mexico.
[290] Alamín, 299; Referring to the account found in John 4:18.
[291] Gen 19:34-36.
[292] Alamín, *Fallacies*, 298.

how the wider area was labeled. Too much sin would permanently stain the areas linked to it.

For those who followed fray Félix, lust equated to savagery, rending the sinners more animal-like due to their low impulse control. Even though God justly destroyed Sodom, thereafter the devil tempted righteous men such as Lot to fornicate with his daughters, committing the sin of incest. According to the sermon, Satan lurked in the shadows to induce God's chosen to fall from grace. The urge to pursue sexual pleasure derived from the devil. Indeed, Satan ensnared patriarchs such as David and Solomon because these men were favored by God.[293] Seizing one of God's cherished souls was an even greater prize for Satan.

Fray Félix drew from the Bible to shape contemporary opinion in the Spanish empire. To curtail excess, the Christian community had to live by Church doctrine. The platform given to Fray Félix through his literacy, education, and standing enabled him to reinterpret the Bible for the benefit of Spain. For instance, fray Félix ruminated on the English king Henry VIII, stating he initially defended the Church "with great fervor" against the heresies of Luther. Later, Henry took the path of "dishonesty" and committed adultery, repudiating his own wife, Catherine of Aragon, with whom he had

[293] For reference to David and Solomon, see Alamín, 302.

lived for twenty years. Tragically, Henry publicly married "his daughter" against the prohibitions of the Church, contravening natural law.[294]

A former bulwark against heresy, Henry founded a new, more monstrous religion than all the others, ultimately naming himself sovereign in the spiritual and temporal world. Ignorance was born from *luxuria*. Those tempted into this sin became blind, unable to perceive the dangers surrounding them. According to Fray Félix, these sinners abhor all divine things and delight in crimes and despair of their salvation, having chosen the path to perdition.[295]

The censure of both Henry VIII and Lot's actions display elite concerns regarding sexual excess in the eighteenth century. Due to Catherine of Aragon's Spanish heritage, Félix naturally disapproved of Henry's decision to divorce her.[296] Félix chastised Henry for breaking with the Church. However, fray Félix incorrectly stated that Henry had committed incest after leaving his first wife, revealing that fray Félix distorted historical reality. Although Anne Boleyn, whom Henry chose over Catherine, was not related to him, fray Félix intensified this scandal by claiming Anne was Henry's own daughter. Fray Félix judged incest harshly and frowned upon the actions of Lot's daughters. Fray Félix did not adjudge Lot's daughters to be heroines who, in a desperate attempt to repopulate the earth, acquired the seed of their father. However, the Bible states that

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[294] Alamín, 299.
[295] Alamín, 300.
[296] David Starkey, *Six Wives: The Queens of Henry VIII*, e-book (London: Harper Collins Publishers, 2009), 59–67.

Lot's firstborn daughter carried the seed of the Moabites and the younger spawned the children of Ammon, both of which survive "unto this day."[297] Since the Lord allowed these lineages to prosper, it seems He did not view these incestuous acts as negatively as fray Félix. Fray Félix assumed the role of arbiter by reinterpreting history for the benefit of Spain.

Unlike fray Félix, working-class peoples held varying attitudes with respect to sexual excess, particularly if inebriated. In Mexico City in November of 1786, a forty-six-year-old married mestiza woman named Petra Valentina Martínez was summoned before the Inquisition and testified that she witnessed the forty-year-old Gerardo Gómez, who worked at the royal tobacco factory, committing excesses like beating his wife, cursing his children and mother-in-law, and becoming intoxicated on many occasions.[298] Similarly, a sixty-two-year-old married Spaniard named José Manuel Alvares Montes de Oca testified that one night about eight months previously, he went to calm Gerardo Gómez because he was beating his wife and mother in law.

Because Montes de Oca could not soothe Gerardo's rage, he fetched some local deputies to handle the situation.[299] Montes de Oca also stated that he overheard Gerardo say that it was not a sin to carnally mix with or sin with one's own mother or godmother or any other women, even if they were sisters. According to Gerardo, God would not

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[297] Gen. 19: 37-38.
[298] AGN, Inquisición, vol. 1301, exp. 16, 1786, f. 171r-173r.
[299] AGN, Inquisición, vol. 1301, exp. 16, 1786, f. 173.

punish you for these acts. He only punished those who had buggered animals.[300] Even for men like Gerardo Gómez, transgressing the human-animal divide seemed more heinous than the Lot's acts of incest.

Fray Félix argued that the initial spark of *luxuria* was found in wine. Drinking it in moderation was not a sin, but in excess it was harmful. For "where there [was] an abundance of this liquor, there rein[ed] luxuria."[301] Spanish clergymen long associated alcohol with depravity. In his *Relación de las cosas de Yucatán* (c. 1616), the Franciscan friar Diego de Landa lamented that the Maya peoples engaged in idolatrous rituals in the summer months as they became lost in drunkenness and excess.[302]

Hernando Ruiz de Alarcón lamented of the drunken sprees that Nahua peoples practiced by the seventeenth century.[303] Ruiz de Alarcón feared that the devil tricked Indians into becoming excessively drunk (*emborrachassen con excesso*) before work in order to endure the harsh day ahead of them.[304] Defendant testimony in criminal and

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[300] AGN, Inquisición, vol. 1301, exp. 16, 1786, f. 178.
[301] Alamín, *Fallacies*, 302.
[302] "y era tanto el exceso que había de estas fiestas durante los tres meses, que lástima grande era verlos, que unos andaban arañados, otros descalabrados, otros (con) los ojos encarnizados del mucho emborracharse, y con todo eso (tenían tanto) amor al vino, que se perdían por él." See, Landa, *Yucatan at the Time of the Spanish Encounter*, 238; While scholars have called into question the authorship of de Landa's Relacion, I cite his work to make a broader argument about pejorative tropes in circulation within Iberian culture. See, Matthew Restall and John F. Chuchiak, "A Reevaluation of the Authenticity of Fray Diego de Landa's Relacion de Las Cosas de Yucatan," *Ethnohistory* 49, no. 3 (July 1, 2002): 651–69; The exact date of publication of Relacion is unknown because the original manuscript has been lost. See, Clendinnen, *Ambivalent Conquests*, 117.
[303] The term was *necehualiztli*, translated as "act of cooling oneself off." Ruiz de Alarcón, *Treatise on the Heathen Superstitions*, 378 no. 8.
[304] Ruiz de Alarcón, "Tratado" Tratado 6, Captitulo XXXI.

Inquisition records reveals that inebriation provided a plausible justification for these charges, mitigating the final sentence.[305]

In Real de Cardonal, a married Spanish man named José Vicente de Chavez and several other villagers denounced a twenty-five-year-old Spaniard named José Resendis for sodomizing a mule at the edge of a cornfield (*milpa*).[306] Resendis admitted to being drunk but claimed he could not remember anything. After four years of imprisonment, in 1784, Resendis was ordered to serve in a religious convent on the outskirts (*extramuros*) of the city. For his penance, Resendis was ordered to confess each month, and pray every day with the rosary on his knees. After his release, Resendis was exiled from Real de Cardonal for ten years.[307]

In Real Minas de Zimapan, a lengthy criminal case ensued after a single, twenty-three-year-old *mestizo* named José Antonio Rodriguez sodomized a mare. On October 19, 1801, a fifty-year-old Spaniard named don Manuel Zeñil testified that he had been summoned by an *alguacil* who caught the young José Antonio in the act. Don Manuel stated that he saw José without any underwear and saw the mare on its side tied to a beam (*vigueta*), which José used to restrain the animal. The mare died eight days after

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[305] Drinking was a problem in urban as well as rural areas. For urban drinking see Deans-Smith, "The Working Poor and the Eighteenth-Century Colonial State," in Beezley, Martin, and French, *Rituals of Rule, Rituals of Resistance*, 58; However, even in urban areas, rural inhabitants, often Indian, were accused of excessive drinking as the pull of markets to sell wares brought agriculturalists to the city. Compounding the problem was the fact that urban drinking establishments operated as a "time-out" setting where normal rules of etiquette did not apply. See, Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages*, 66.
[306] AGN, Clero Regular y Secular 203, exp. 3, 1780-1784, ff. 113-147.
[307] AGN, Clero Regular y Secular 203, exp. 3, 1780-1784, ff. 113-147.

the arrest.[308] José Antonio Rodriguez appealed to inebriation, testifying that he was drunk and could not remember what happened.[309] By 1805, the court adjudged José Antonio guilty and sentenced him to two years hard labor in a presidio in Havana. The following year, however, judges determined that José Antonio had served enough time for his crime, setting him free.[310]

The appeals process within the court system provided the interstice necessary to claim the system just on the whole. Beliefs shaped the structure and discourse of declarant testimony. Themes drawn from the questions posed to commoners highlight the idealized racial and spatial environment in colonial society. A fifty-five-year-old Spanish man named Antonio Nicolás de Yslas Solórzano testified that he saw a seventeen-year-old mestizo male named Ysidro Bonifacio Peña committing bestiality with a black (*parda*), female donkey in the countryside.[311] Antonio caught Ysidro in the act while on his way from the town of Zinguiluca to the Tecuaco ranch. Antonio stated it was around noon when he saw Ysidro in the middle of the road in "carnal access" with a female donkey. Apparently Ysidro was so drunk that he did not hear the sound of Antonio's horse approaching. Antonio hit Ysidro a few times to subdue, arrest, and haul

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[308] AGN, Criminal 256, exp. 2, 1801-1806, ff. 95-96.
[309] AGN, Criminal 256, exp. 2, 1801-1806, f. 99.
[310] AGN, Criminal 256, exp. 2, 1801-1806, ff. 92-158
[311] AGN, Criminal 62, exp. 20, 1801, f. 467r.

Ysidro to Xalapilla ranch.[312] When asked on November 20th, whether he had committed a similar type of "excess" before, Ysidro stated he had only sinned once.[313]

Don José Sebastián Ybarra, found Ysidro guilty, noting that he displayed his rusticity and lack of reason by committing an odious crime "so exposed to public view, as happened in the [middle of the] road where the risk was evident."[314] Being a poor laborer posed a dilemma for Ysidro. Don José stated in his missive that judges were "tired" of seeing those accused of crimes deny and conceal their defects when it has been proven otherwise. However, since Ysidro readily confessed his error (*torpeza*), which "proved his rusticity and lack of discernment."[315] Don José, apparently, felt that he was being lenient with Ysidro by sentencing him to "only" (*únicamente*) three years of labor in the presidio Fuerte de Perote, Veracruz. The donkey was ordered to be executed in order to "suppress the remembrance of the deed."[316]

But this deed could not be suppressed, proving that excesses from the eighteenth century spilled over into the nineteenth century. In 1809, a young Indigenous male named José de los Reyes was charged with buggering a jenny in a back alley of a hacienda outside Mexico City named Santa Maria.[317] A thirty-three-year-old *castizo* male named Cornelio Acamapichi testified that he was out hunting when he saw José in the

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[312] AGN, Criminal 62, exp. 20, 1801, f. 469v.
[313] AGN, Criminal 62, exp. 20, 1801, f. 468; the color of the donkey is mentioned on f. 469r.
[314] AGN, Criminal 62, exp. 20, 1801, f. 498v.
[315] AGN, Criminal 62, exp. 20, 1801, f. 500r.
[316] AGN, Criminal 62, exp. 20, 1801, f. 501r.
[317] AGN, Criminal 89, exp. 6, 1809, ff. 151-192.

act. When he asked "what the hell are you doing?," José merely smiled. Although José admitted to this crime, some mitigating circumstances emerged which diminished the severity of the final punishment. It was established that José had been drinking *pulque* for much of the day. Because José could not cite Our Father, he was also adjudged to be ignorant of the Christian faith. Several witnesses stated that José was ignorant of so many things that they believed he was senseless (*insensato*), suggesting he had mental health issues. José's sentence was reduced to two years hard labor on public works projects.[318]

Conclusion

In the minds of Spanish friars and colonial officials, transgressing the human-animal divide through deviant sexual acts such as bestiality and sodomy rendered perpetrators uncivilized. The label of incivility discursively entrenched the powers that be in their moralizing mission. The masses remained in need of religious indoctrination. Although seemingly barbaric behaviors rendered the accused more animal-like, denunciations also highlight the preoccupations of elites.

Since the Middle Ages, theologians preoccupied themselves with the sexual excesses of commoner peoples. When they invaded the Americas in the fifteenth and sixteenth centuries, Iberian colonizers transposed this sexual preoccupation onto Indigenous peoples such as the Nahua and the Pueblo. With the institutional support of

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[318] AGN, Criminal 89, exp. 6, 1809, ff. 151-192.

the Mexican Inquisition, Spanish colonizers sought to curtail this perceived sexual excess among Indigenous and African descent peoples through indoctrination, flagellation, torture, and penance. Often times, neophytes and the young were more vulnerable due to the inability to draw upon a social network that could shield them from the prying eyes of colonizers.

Because Native Americans and Europeans believed in their respective gods and deities, religious symbolism imbued the daily rituals of both groups. Accessing the divine helped to alleviate the ills afflicting a particular community. Spanish friars appeased the Lord through penance to ward off divine retribution through punishments such as exile. Ironically, the binary of good and evil imposed on Native Americans by Catholic colonizers led many peoples to entreat Lucifer for assistance.

While Iberian colonizers filled archival repositories with ethnocentric assumptions about Indigenous peoples and customs they did not fully understand, this dissertation has argued that belief in the divine was a reality for Europeans, Indians, and African descent peoples. Acknowledgement of a mediated archive should not prevent scholars from seriously considering the ineffable. The fantastic and the intangible were, and continue to be, important aspects of daily life for people in Mexico.[319] The remorseful and the repentant denounced themselves and others to the Inquisition. They did so because they worried about the afterlife and how their sins might shape the terrestrial

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[319] Taylor, *Magistrates of the Sacred*; Sandstrom, *Corn Is Our Blood*; Nutini and Roberts, *Bloodsucking Witchcraft*.

plane. As a practical alternative, then, many commoners sought the help of ritual specialists to gain a modicum of control over their lives. Unsurprisingly, colonial officials deemed these popular practices to exceed the bounds of propriety imposed on them by the Lord. Because officials equated popular magic with excesses such as idolatry, heresy, sodomy, and bestiality, they attempted to cull this cultural excess throughout the colonial era. Nevertheless, excess continued to manifest, necessitating its curtailment from the body politic.

6. Conclusion

This study on the various forms of excess in New Spain has sought to uphold a tenet articulated by Mark Jordan in his study on how geographical metaphors such as sodomy embedded themselves into pejorative connotations imbued with specific presuppositions, mainly that any genealogy of terms, sexual or otherwise, must also contextualize the inherent instability of said terms.[1] To examine categorical instability in detail, Jordan analyzed theological and legal texts, linking political and social changes to chronology. In this dissertation, I have attempted to convey the amorphous nature of excess and the social and political regulatory mechanisms utilized to police it by surveying sources such as the *Florentine Codex*, royal decrees, legal statutes, criminal cases, and Inquisition records.

In doing so, I have also followed Ross Hassig's line of argumentation concerning the active restructuring of social, economic, and political relationships between the city and the countryside. Throughout the colonial era, the urban areas in which Spanish elites resided remained wholly dependent on neighboring rural areas for labor and foodstuffs.[2] The necessitating bodily movement and subsequent transportation of goods between rural and urban areas created an "expanding low-status occupational stratum"

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[1] Jordan, *The Invention of Sodomy in Christian Theology*, 8.
[2] Hassig, *Trade, Tribute, and Transportation*, 5.

whose labor elites sought to exploit.[3] Marginalization through discourse remained part and parcel of the colonial system as labels like "idolater," "heretic," "savage," and "sodomite" created superficial differences with real-world consequences. These labels suggested excessive behaviors, thereby marginalizing those individuals label as such, which had an adverse effect on lower class individuals with fewer resources, material and immaterial, to harness for personal gain.

Consequently, this study has highlighted an array of conclusions, at times paradoxical, to enable historians to better understand the intersections of popular culture, religiosity, and sexuality in a colonial setting. The chronological breath of this study has shown that social control in New Spain proved irregular and sporadic. Sentences for grievous crimes such as idolatry, sodomy, or bestiality, were applied inconsistently and the final punishments for those convicted varied widely depending on factors such as the locale of the alleged crime, the dispositions of individual judges, the social standing of those charged, and the personal agendas of those accusing or testifying. The capaciousness for excess to refer to numerous acts enabled Spanish colonizers to marginalize and subordinate Indigenous and African descent peoples, leaving them in a perpetual tutelary state.

Although Spain's primary justification for invading the Americas depended on the conversion of Native peoples to Catholicism, orthodox doctrine failed to make

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[3] Hassig, 39.

distinctions between types of believers because the truly pious had already been made "equal in the eyes of God."[4] However, the ongoing need for subordinate vassals to feed and sustain the empire enabled the manifestation of excess over time. Excess remained highly contextual and, as I have shown elsewhere, meant different things to different social actors. Those lamenting the manifestation of excess attempted to curtail it by appealing to their social superiors, thus sustaining the colonial enterprise. In contrast, those charged with committing heinous and excessive acts, typically, did so by practicing non-orthodox forms of magic and maintaining non-orthodox beliefs. In New Spain, localized autonomy was permitted and encouraged, enabling Indigenous and African descent peoples to direct "performances" that Spaniards, at times, failed to understand while, at others, judged harshly.[5] This mosaic of rural societies created the geographical typification noted by James Lockhart and Stuart Schwartz, primarily that the city was "Spanish" and the countryside "Indian."[6] This dichotomy helps to explain many of the moral and legal contexts in which "excess" was invoked to justify conquest and subordination for centuries.

The primary evidence analyzed herein demonstrated a colonial unease and anxiety surrounding excess, which prompted influential colonial officials to police the ideological and physical boundaries between humans, landscapes, and animals.

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[4] Owensby, *Empire of Law and Indian Justice in Colonial Mexico*, 55.
[5] Yannakakis, *The Art of Being In-Between*, 40.
[6] Lockhart and Schwartz, *Early Latin America*, 66.

Officials' preoccupation with reproduction, biological and cultural, not only explains why pejorative terms enter the archive but also the contemporary hierarchies of order among humans and between animal species as established in early modern theological discourse. Analyzing quotidian forms of excess reveals that Catholic colonizers and Indigenous and African descent ritualists created spaces wherein humans crossed material and immaterial boundaries. Humans did so as the concern for their well-being, or that of their loved ones, pushed them to pursue any means necessary.

The pursuit of efficacious magical remedies often conflicted with the dictates of the Bible and the Catholic Church. Adam's divine mandate to name every living creature interlinked discourse with dominion of physical space. Cattle, sheep, pigs, goats, and horses were created to work in the field on dry land while "every fowl of the air" hovered above in the sky.[7] With this divine hierarchy established, humans were ordered to till the ground, highlighting that agricultural cultivation was merely fulfilling God's expectations. As a final measure, God made clothing for humankind from the literal excess of domesticated animals. Rather than facilitate non-reproductive sex acts, livestock farming was intended only to produce food and clothing for sustenance and the pursuit of virtue. Because orthodoxy mandated coitus between husband and wife for procreative purposes, disorder appeared to reign supreme when signifiers of civility were inverted and became the targets of devious men's lascivious desires.

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[7] Genesis 2:19

Moreover, these acts of disorder provide insight into the tropes and metaphorical crossings pervasive in Christianity and Iberian society. Unique to Mexico was the fact that Native systems of belief had functioned for millennia when Spanish colonizers invaded the Americas. Colonial confrontations intermixed biological boundaries, as seen in the numerous cases of sodomy previously mentioned, as well as ideological and metaphorical borders between and among Indigenous and African descent peoples.

José Rabasa's observation that Indigenous peoples carved out strategic spaces of coexistence in the wake of colonialism to generate an epistemology known as "plural world dwelling" illuminates precisely how plurality, and therefore the charge of idolatry, clashed with Catholicism's doctrine of revealed truth.[8] According to the latter, dwelling in non-orthodox worlds generated excess, which had to be curtailed. The pursuit of virtue shaped the evidence recorded as clergymen attempted to maintain the status quo and instill orthodoxy in remote villages. The implanting of a minimalist form of worship only ensured that conflict persisted from one century to the next. Bishop Francisco Núñez de la Vega feared Indigenous peoples in Chiapas continued to make pacts with the devil despite the Church having preached the gospel for nearly 200 years. Spain's colonial enterprise not only concerned politics and economics but also

[8] José Rabasa, "Franciscans and Dominicans Under the Gaze of a Tlacuilo: Plural-World Dwelling in an Indian Pictorial Codex," 1998.

subordinate vassals' innermost thoughts, beliefs, and desires. To maintain order, the mind had to be penetrated via orthopraxy to instill orthodoxy.

Yet, the necessitating overlapping and conflicting ideas of what virtue was and how it should be attained serves to illuminate the shortcomings of a colonial hegemonic discourse that sought to unify a multitude of peoples within its dominion. Clergymen such as Ruiz de Alarcón inevitably selected those conjurations and practices among ritual specialists that they believed best proved their case and showed that idolatry remained a grave threat to the conversion of Indigenous peoples. Because ritual specialists helped devotees to overcome obstacles and achieve health and well-being in the here and now, Catholic priests rightly worried about their general loss of control and esteem, particularly in rural areas. Both groups understood that the supernatural world shaped the temporal world, and each party utilized ritual to various ends. At times, clergymen and ritual specialists attempted to superimpose benefit over harm and good fortune upon the unfortunate. This dissertation has shown that certain ritual specialists casted hexes so that the infirm would solicit their help in the near future. This use of magic conflicted with Catholic doctrine, which viewed such practices with disdain. Paganism threatened the colonial project of instilling monotheism among Native and African descent peoples.

Catholic colonizers infused Native topographies with pejorative connotations, particularly when Indigenous peoples defended or maintained autonomous territories,

which brought about distinctions between kin groups and shaped cohesion in agrarian economies. Although materiality might strengthen and influence ideology, the colonial project brought with it the articulation of new values intended to impose alternate models for religious beliefs and economic development. Excess became infused with the land and the inhabitation of space. Yet, nature itself proved obstinate when Catholic colonizers learned that Natives continued to make votive offerings in caverns like San Lorenzo where the devil with deer's antlers on his head spoke to clergymen in an Indigenous language rather than Spanish, enabling excess to manifest discursively in colonial repositories.

Although the spiritual realm became the official responsibility of the clergy, Indigenous and African descent ritual specialists had the power to bring their followers into close contact with nature and the ethereal. If clergymen feared non-orthodox forms of worship persisted among Indigenous and African descent peoples, thereby generating excess, they either renamed idolatrous shrines or demolished them entirely to instill orthodoxy and curry divine favor. Although devotees made offerings to ensure prosperity, the Catholic preoccupation with the afterlife created the ideological space necessary to intervene in earthly matters. Where the spirit spent eternity after leaving the body was of deep concern for theologians and state functionaries. The ability to define the terms used and provide an answer to life's deepest questions remained part and parcel of the colonial project. The spiritual knowledge acquired through the

inhabitation of sacred spaces was coveted by all religious intermediaries. This dissertation hopes to contribute to modern-day historical debates that reassess the impact of the European invasion of the Americas and the relationship between religion, sexuality, and conquest.

While European colonizers created biased forms of knowledge, instilling Old World institutions and beliefs, Native and African descent peoples integrated orthodox practices and Christian iconographies into their worldview. Doing so greatly preoccupied the ruling elites who cited excess in various forms. Consequently, this dissertation has highlighted the numerous definitions and applications of excess to show how non-orthodox ritual devotion and non-reproductive sex acts produced conflict in the colonial era. I hope to have shown that the preoccupation with excess stretched beyond the location of the act, often in rural villages, and into the minds and manors, of elites in colonial Mexican society.

Archives

AGN: Archivo General de la Nación, Mexico City, Mexico

AHDC: Archivo Histórico Diocesano de San Cristóbal de la Casas, Chiapas, Mexico

AHESLP: Archivo Histórico del Estado de San Luis Potosí, Mexico

AHET: Archivo Histórico del Estado de Tlaxcala, Mexico

AMS: Archivo Municipal de Saltillo, Mexico

BF: Biblioteca Franciscana, San Pedro Cholula, Mexico

BL: Bancroft Library, Berkeley, CA

SANM: Spanish Archives of New Mexico, University of Texas, El Paso

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Biography

Before completing my PhD in 2022, I received a B.A. in Spanish from the University of Texas at Austin. I received an M.B.A from the University of Bath in the United Kingdom in 2010. In 2015, I received an M.A. in history from the University of California, Irvine. My first historical article, "Archival Epistemology: Honor, Sodomy, and Indians in Eighteenth-Century New Mexico" (*Ethnohistory* 2019), shows how allegations of sodomy harmed Pueblo men more than affluent Spaniards. My second article, "Exhuming the Nahualli: Shapeshifting, Idolatry, and Orthodoxy in Colonial Mexico" (*The Americas: A Quarterly Review of Latin American History* 2021), includes Nahuatl-English translations to bring Indigenous perspectives to a wider audience. My recent manuscript "Accessing the Divine: Indigenous Medical Specialists, Catholic Priests, and Non-Orthodox Methods of Healing in Colonial Mexico" was solicited and accepted for a forthcoming issue of *Ethnohistory* on Indigenous responses to disease.

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