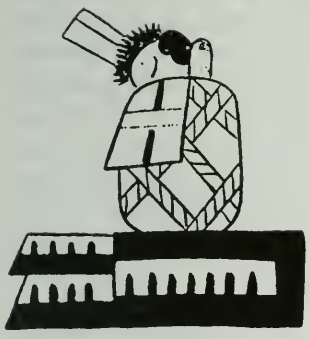
Quachi Ñudzahui: Murder in the Mixteca

Kevin Terraciano



Criminal records from colonial Mexico reveal a rare yet all-too-human look at indigenous life and death. One case of homicide from Mixtec-speaking Yanhuitlan leaves us literally holding the evidence. In the winter of 1684 Pedro de Caravantes murdered his wife and left a lengthy letter, written in the Mixtec language, on his victim's body before fleeing. Exhibited in court and later filed in the local judicial archive, this murder note will now be re-examined in a new light. Such an unusual source stirs the imagination. But why should we attend to this heinous crime? Doesn't this morbid document belie such a vital culture and language?

Of the many types of locally produced indigenous sources from colonial Mexico, few tell a narrative tale which strays from a fairly well-known formula. The farther the writer wanders from a given format the more spontaneous and revealing that source can be, despite the many difficulties posed in its translation. Even more pronounced is this tendency when the document was not written by a trained notary, the official who normally produced the testaments,

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land and municipal accounts, and various other records kept by the local community.

Criminal records are often some of the most spontaneous, narrative sources. Though the bulk of criminal proceedings were recorded in Castilian through appointed interpreters, many cases contain papers written in native languages. When a serious crime was committed in the community, the nearest Indian officials (*alcaldes* and *governador*) would be notified and after investigating the crime and making arrests, they would send the *alcalde mayor* (Spanish judicial and administrative official in charge of a given district) a brief one- or two-page folded report of the crime not too long after the act. These reports were frequently accompanied by confessions or statements written in the local language, or sometimes in another indigenous language better known in the area to which the letter was sent. Formal hearings were then arranged, and the whole process was recorded in Spanish through one or two interpreters. Though spontaneous testimony at this point was often restricted by court procedures, many glimpses of indigenous life creep onto the pages, especially in the early period. And whereas most of the early colonial documentation involved nobles, all groups were represented in criminal records. In fact, judging by naming patterns, comparing those who bear a Mixtec surname with those more acculturated individuals who have adopted Spanish surnames, the appearance of ordinary people in these records seems preponderant.

One of the most extensive collections of colonial criminal records to have survived time's trial is from Teposcolula, Oaxaca. Much of the Mixteca Alta region fell within the complex jurisdiction of Teposcolula, overlapping several different indigenous groups, languages and dialects. Thus, Chocho- and Trique-speaking populations (among others) sent their reports in Mixtec and Nahuatl to the Spanish and Indian officials in Teposcolula. It was not unknown for two reports concerning the same crime to arrive in different indigenous languages. Within the Mixtec-speaking area itself, reports circulated across the major dialect areas with no apparent loss of communication or comprehension. Never is there a reference to their illegibility or the need for an interpreter. Most of the letters feature the use of reverential language common in high society. These interdialectic delicts testify to the ability of separate communities to communicate with one another, despite all that has been said and written about the mutual unintelligibility of

these dialects, which some scholars have gone so far as to call separate languages.[1]

A few historians have used criminal records to trace patterns of social behavior within indigenous communities. William Taylor's study of homicide in central Mexico and the Mixteca subjected a large sample of trial records to statistical methods in order to show how patterns of violent crime can reveal other aspects of indigenous society. Distinct from the more biographical, case-study approach, Taylor believes "it is primarily in the accumulation of individual coincidences" that these sources can be best used. In choosing a more statistical approach to these criminal records, however, Taylor is forced to leave out much of the revealing social and cultural detail contained in each case.[2]

Woodrow Borah and Ronald Spores have also discussed criminal records in their works. Both scholars provide summaries of sample cases which principally illustrate the mechanics of the Spanish legal system within indigenous communities. Such summaries are very useful but they do not directly address social and cultural concerns.[3]

Still, nobody has really examined the indigenous writings contained in these criminal records. One of the few translations I have seen of a criminal-type document written in an indigenous language involves a 1584 complaint in Nahuatl, penned by a notary in Tulancingo, from Simón de Santiago who accuses a certain Cristóbal of stealing his chicken and then beating him and his wife. Here is a commoner seen in everyday life, speaking spontaneously about something which has just happened: Simón describes the scene, narrates the crime, and proposes the assailant's punishment. The source offers an unadulterated view of the indigenous world, where so much of the preconquest style of public oratory and daily life exist alongside a perceptible Spanish presence.[4]

One never knows what to expect from these types of rambling testimonies. A good example is a 1581 case of attempted homicide in the town of San Andres Chalcatongo, where the proceedings elicited three separate statements in Mixtec.[5] Each testimony is a personal narrative. María García and her lover Andrés Trujillo allegedly conspired to kill her husband, Agustín. Indeed, Andrés confessed that María had earlier appealed to him by the river:

Andrés haada yñu quihui jueves ytundi çaninda yeendi
Andres come on Thursday night to my milpa and kill my husband.

te nicachiza huiy nacooçaa cahua nihiyzaña
I replied "allright," that's what I said to her.

Maria later confirmed her accomplice's testimony and confessed:

diablos nicaynooyninza
the devil(s) seized/confused my heart

So Andrés borrowed an iron-bladed knife (*yuchicaa*) from his brother "to cut some branches" and stole away to the house by the milpa, waiting for the signal from María that her husband was asleep. He entered and gave her the knife as she lay beside her unsuspecting spouse on their petate (woven reed mat) but she fumbled it and then Agustín awoke, grabbed the knife and stabbed Andrés twice; the two men struggled with the knife until María whacked her husband on the head with an axe. Still Agustín slashed away at his assailant like a "diablo." Andrés, begged him to stop, pleading:

a sini niynquay doho a sini niyquay duhu ñatuhui tnuhu cachindi cani sitondi ñanidi duhu nihita cachindi canite
You have been wounded, I have been wounded. I won't tell this to anybody, neither my uncle nor my brother. I will tell them that I fell down.

But Agustín would hear none of it. Andrés finally escaped with his clothes hanging off and María also ran away. Later that night, Andrés was being carried by his brother Simón because he couldn't walk. This time he met Agustín on the road; he too was being carried. Andrés recounted the meeting:

te ninaniyza tee nicanitnaha hiyza yondecañaha sitote Mateo Satuval te nicoocooza ychi te nihehi sita taandiçoñaha yca nicachi Agusti Andres conahando ñani nanooquachiyo ña quihuindoyo tnuhu niçahayo ta tahindi çonondi hiy nee çoondi cachindo nanooquachiyo
And I met the man who had fought with me, his uncle Mateo Sandoval was carrying him. We sat by the road and the people who carried us ate some tortillas. Then Agustín said: "Andrés, you should know, brother, that we must forgive one another, we cannot destroy ourselves this way. We are both wounded. I will give you my shirt[s] and all my capes for you to wear, we must be friends."

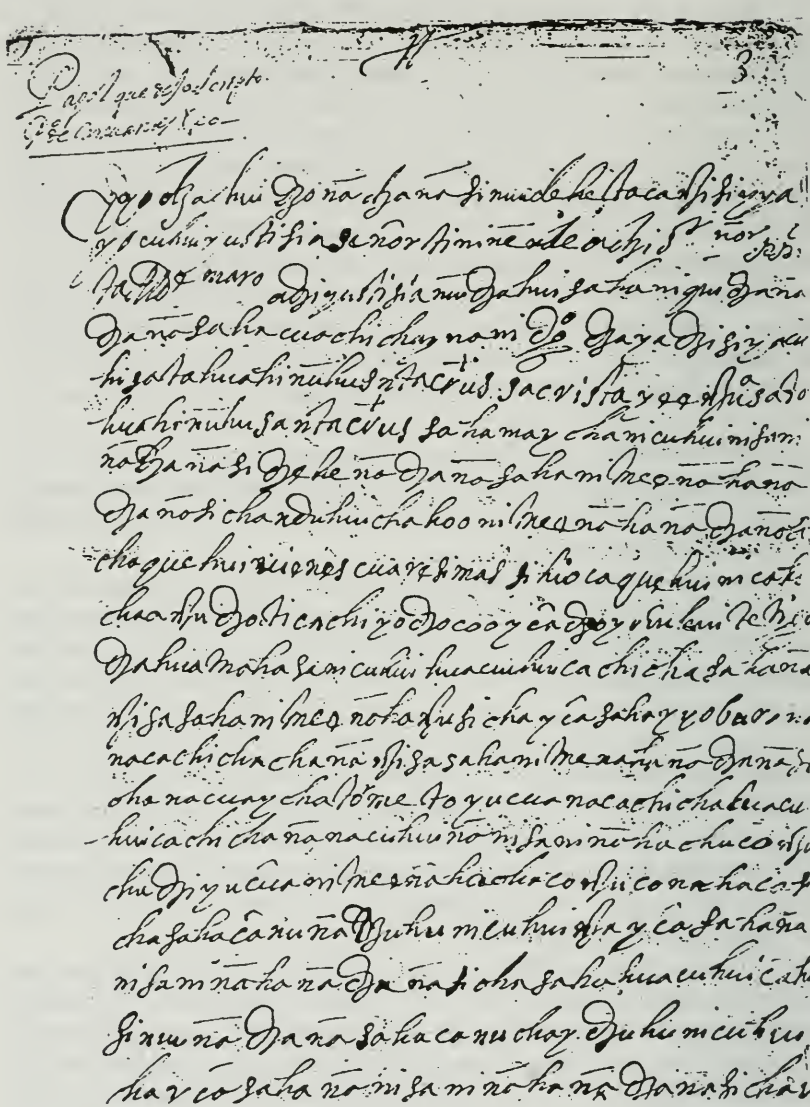
The casual mention of eating tortillas in the middle of such a violent narrative seems peculiar but is consistent with the symbolic convention of sharing food and making polite conversation so typical of indigenous arrangements, just as offering clothes off one's own back was clearly a reconciliatory gesture.[6] What is surprising is that Agustín attempted to talk his would-be assassin into compassion. Noble as it was, it turned out to be one of his last gestures; he died as the conspiring lovers, who had originally planned to be married after all was said and done, languished in prison.

Whereas this case from Chalcatongo contains testimony in Mixtec recorded by the court, the case from Yanhuitlan which will be addressed in more detail features testimony written by the offender himself, outside of the court's purview.

Yanhuitlan, 1684. The Criminal Office of Royal Justice versus Pedro de Caravantes, Indian, for the treacherous murder of his wife Maria de Montiel and versus Domingo de la Cruz, Indian sacristan, with whom she had bad relations. [7]

On the nineteenth of January, doña Josepha de Zepeda and Juana Montiel approached the alcalde mayor about the disappearance of María Montiel, wife of Pedro de Caravantes. They had last seen her two days earlier talking with Domingo de la Cruz, the *sacristan* (Indian local church official) of the church of Santo Domingo, much to her husband's chagrin. It seems that she had an affair with the sacristan and that they had recently met on Monday night. Neither she nor her husband had been seen since then. Their house was locked, nobody was home. The two women were concerned that he beat her and she lay dead inside; on more than one occasion he had dragged her to the fields and cruelly whipped her, they reported.

After summoning the town council, the official interpreter and the master locksmith, the alcalde entered the house. Inside the one-room dwelling they found a bundle tied with rope which lay on a small bed of boards. Opening the *bulto* they identified María's bloodied body, which was covered with an embroidered cape; stuck to the cotton cape with a bit of wax was the following letter written in Mixtec.



Yanhuitlan, 1684. Judicial Archive of Teposcolula. Criminal 5:581.

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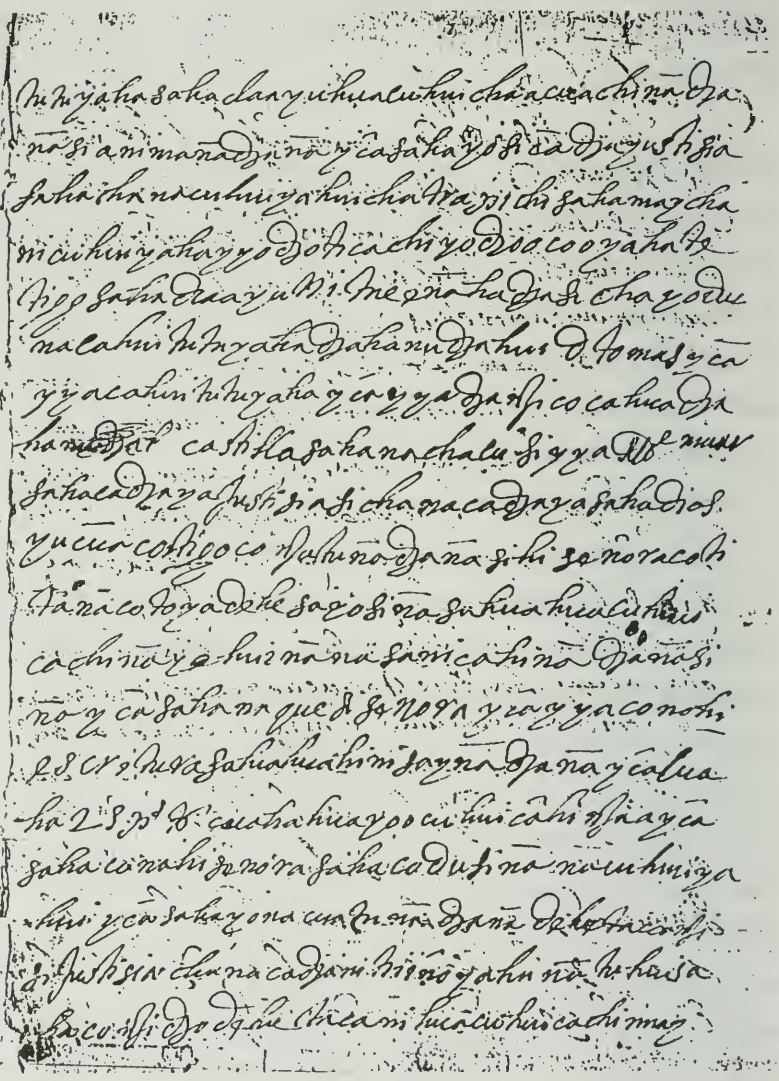
papel que dejo escripto
p^{o} de caravantes

yyodzahuidzoñadzaña si nuu dehe taca njisi yya
yocuhui yustisia señor tiniñende adzi s^{r} ^{nor} [pp^{a}]
ta-Hde ^{maro} adzi yustisia ñudzahui saha niquidzaña
dzaña saha cuachi chay nani dg^{o} dzaya dzisi yocu
hi sata huahi ñuhu snta crus † sacrista yee nJu^{a} sata
huahi ñuhu santa crus † saha maycha nicuhui nisani
ñadzañasidzeheñadzaña saha nitneeñahaña
dzañasicha nduhuicha hoo nitneeñahañadzañasi
cha quehui vienes cuaresimas sihi oca quehui nicahi
chaanju dzoo ticachi yodzocoo yca dzoo yocuhui tetigo
dzahua tnaha sanicuhui huacuhui cachicha saha ña
njisa saha nitneeñahanjusicha ycasaha yyo buro na
nacachichacha ñanjisa saha nitneeñahañadzañasi
cha nacuaycha to^{r}meto yucua nacachicha huacu
hui cachicha ñanacuhui ñanisaniñahacha conju
chadzi yucua nitneeñahacha conju conaha co si
cha saha canu ñadzuhu nicuhuinju ycasaha ña
nisaniñahañadzañasicha saha huacuhuicaha
sinuuñadzaña saha canu chay dzuhu nicuhui
cha ycasaha ñanisaniñahañadzañasicha y
casaha yoquidzañadzaña jurameto † nu[u]



Yanhuitlan, 1684. Judicial Archive of Teposcolula. Criminal 5:581

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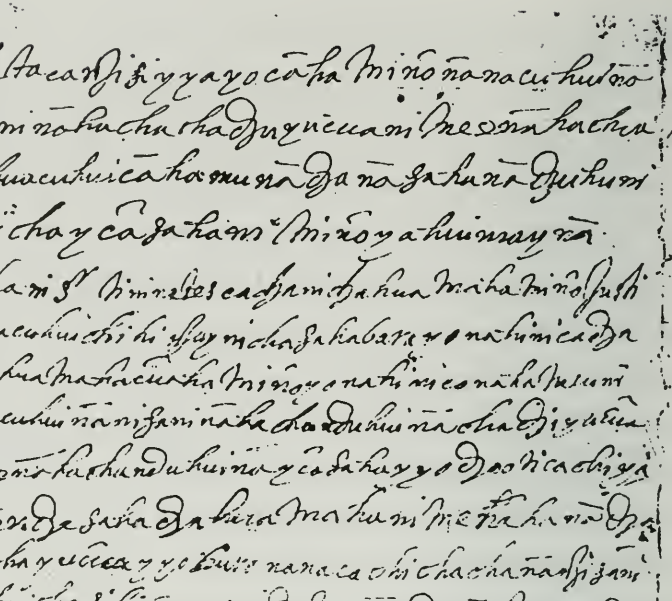
tutu yaha saha daa yuhua cuhui chaa cuachiñadza
ña si animañadzaña ycasaha yosicadza yustisia
saha cha nacuhuiyahuicha trapichi saha maycha
nicuhui yaha yyo dzo ticachi yodzoocoo yaha te
tigo saha dzaa ya nitneeñahadzasicha yod[
nacahui tutu yaha dzaha nudzahui d tomas yca
yya cahui tutu yaha yca yya dza njico cahua dza
ha ~~nu dzah~~ castilla saha nachacu siyya ~~al~~de maro
saha cadzaya justisia sicha nacadzaya saha dios
yucua cortigo conjatuñadzaña sihi señora coti
ta nacotoya dehe sa yosiña sahua huacuhui
cachi ñayehui ñanasanicahiñadzañasi
ña ycasaha naquesi senora yca yya conahi
escritura saha huahi nisayñadzaña yca cua
ha 25 p^{os} t^{es} cuaha huayoocuhuicahinjaa yca
saha conahi senora saha codusiña ñacuhuiya
hui ycasaha yonacuatuñadzaña dehe tacanji
si justisia cha nacadza nitniñoyahu[i]ñatuhuisa
ha conji dzo dehe taca ni huacuhui cachi may



Yanhuitlan, 1684. Judicial Archive of Teposcolula. Criminal 5:581.

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dehe tacanjisi yya yocahatniño ñanacuhui ña
nisaniñahacha cha dza yucua nitneeñahacha
saha huacuhuicahanuuñadzaña saha ñadzuhu ni
cuhuicha ycasaha nitniñoyahui mayña
conahani s^{r} tininetes cadzani dzahua tnaha tniño justi
sia huacuhui chihinjayni chasaha bara yonahini cadza
ni dzahua tnaha cuaha tniño yonahini conahatucuni
ñanacuhui ñanisaniñahacha nduhui ñachadziyu cua
nitneeñahacha nduhuiña ycasaha yyo dzoo ticachi ya
ha [peri]dza saha dzahua tnaha nitneñahañadza
ñasicha yucua yyo buro nanacachichacha ñanjisa ni
dzatehuicha sihiña yoquidzatucuñadzaña juramendo †
nuu tutu yaha saha nda^{a}ya yotniñoñahañadzaña crus † yaha
si la yustisia lo ago todo lo que yo pido no te trapar gano si
como pedisio mi escrito alla cortigo epero yo no lebandad t[e]
temonio saber d[e] lo juro como lo coji anhita mada de Jutlahuaca

Translation[8]

paper which Pedro de Caravantes wrote

I am responding before all of you nobles who are officials (justices), the señor lieutenant, or the señor alcalde mayor, or the Mixtec officials, concerning what I have done because of the crime of Domingo, son of [?] who lives behind the church of Santa Crus, sacristan and husband of Juana who [also] lives behind the church of Santa Crus. Because of him I have killed my wife, for I caught the both of them together again. One time I caught him with her on Good Friday and another time I caught them I grabbed his cotton (embroidered) cape from Coixtlahuaca. Let the cape be evidence.

It is so. If he says that it is not true that I caught him, then there is the *burro* (torture device) which will make him confess the truth, that I caught him. Take him to the rack, there he will confess. He will confess it. If he says "why didn't he kill me when he found me?" let it be known that he is a great womanizer, and thus I did not kill him, for I was ashamed, because he is such a thief. Though I did not kill him, I now swear † on this paper that truly the sin on my soul is because of him. Therefore, I demand that justice be done to him, that he be sold to the sugar mill, for this Coixtlahuacan cape is his, this evidence that I took from him.

Let this paper in the Mixtec language be read by Don Thomas, so that he will read this letter and then translate it to Castilian for the lord alcalde mayor to hear, so that justice will be done to him. By God it will be done.

I will wait over there in the farmhouse and señora Cotita will look after all her [Maria's] things so that it is not said by everyone that I took anything from her. The señora will come here to pick up the title to the house, which I bought for the price of 25 pesos. Nobody should try to take it, it will be given to the señora so that she will sell it for her [Maria's] burial.

Thus I ask that all of you officials do this, sell everything so that nothing remains. And let it not be said by all of you lords "why did he not kill him when he caught him?" for I was not to be shamed by such a womanizer. Thus her things should be sold.

You will know señor lieutenant what to do, so that justice will be done. Do not favor him, you who carries the staff [of justice], see to it that your work is done, be sure and do it. You too will learn that he was caught with the woman, this is his cotton cape, I caught them myself. Torture will make him confess the truth about the woman with whom he sinned.

In truth I swear on this paper and I make this cross. †
[In Spanish] Let the officials do all that I ask for [?] as my writing requests. There in the farmhouse I wait. I do not bear [false] witness. Know that I swear as to how I seized this manta from Jutlahuaca.

Mixtec crime

Pedro de Caravantes addresses his letter to either one of two Spanish officials who were likely to investigate such a crime, or the local Mixtec officials of Yanhuitlan which he calls the *justisias ñudzahui.* This term *ñudzahui* literally means "place of the rain" or "precious place" and commonly refers to the Mixteca Alta in general. In his 1592 Mixtec *Vocabulario* Dominican friar Francisco de Alvarado translates "Mixteca" as *ñuu ñudzavui* or "land of the rain" and grammarian Antonio de los Reyes calls the Mixteca Alta *ñudzavuiñuhu,* "place of the rain deity." There is good cause to believe that the inhabitants of this area did indeed call themselves ñudzahui, a fact supported not only by early ethnographic sources but also--and most importantly--by the documentary record.[9]

In other words, the "Mixtecs" did not go by that name. It is a term derived from the Nahuatl word *Mixtecatl* which means "the place of people by the clouds" (*mixtli*=clouds), the name used by Nahuas to designate the inhabitants of this region when they introduced their new Castilian "allies." Close as it is to the original meaning, it is significant that there was such a well-defined expression of self. It is uncommon to find such clear references to indigenous self-identity and consciousness that transcend an association with the local, indigenous city-state (the *altepetl* or the *yuhuitayu*) as in this document. We would almost expect to see the officials referred to as *justisias yodzocahi,* that is "justices of Yanhuitlan." The author even declared that the letter is written in Mixtec, distinct from the *dzaha castilla* ("Castilian language") to which it was translated by the court. That this document was consciously produced to be read by others, both Spaniards and Mixtecs, further explains the writer's attention to language and ethnicity. He clearly defined his own identity in relation to others. In documents produced locally within the community, such as testaments or municipal records, there was little need or occasion to discuss such matters. Though he is conscious of not being a

Spaniard, however, never is "indio" used or anything that could be translated as "Indian."

Other indigenous groups are similarly identified in Mixtec documents, such as *tay ñucoyo* ("people from Tenochtitlan" or "Mexica," a term which seems to refer to Nahuas in general), or *tay tocuii* (Chocho). Of course the Nahuas were also conscious that they were part of a language group larger than the provincial altepetl, often represented by the term "Mexica," an association with the most visible element of the Nahuatl-speaking central area (undoubtedly reinforced by the Spanish invention "Mexicano"). The extent to which the term "Nahua" was used consciously by those in the central areas to describe themselves, however, appears to have been limited to a literate few. At any rate, *nahuatlatolli* or "pleasant-sounding speech" is more accurate than other names (such as "Aztec") for those who shared this language and distinguished it from what they perceived to be the incomprehensible babble of neighboring *Otomí* or *Popoloca*, for example. But perhaps the usage of "Nahua" is not quite as clear as that of "Ñudzahui," referring more to just a shared language than any possible regional or cultural identity.[10]

There are several attested uses of "ñudzahui" in the notarial documentation from various parts of the Mixteca Alta, referring to a shared language and culture. Since this region is one of the most complex in Mesoamerica, characterized by several contiguous language groups, it is reasonable to expect a well-defined self-identity fashioned in relation to all the others. In contrast, the relatively isolated Yucatecan Maya, for example, seem to have lacked such a self-identifying term.[11]

One of the most telling examples of ñudzahui identity appears in the testament of Don Geronimo Garcia of Teposcolula, written in 1672. In giving money to the various saints and images in the church, he mentions a "Santo Christo Español" and a "Santo Christo *tay ñodzahui*." The distinction between a Spanish Christ and a Mixtec Christ ("tay" is the personal agentive) tempts one to think in syncretic terms, but I suspect the difference may be attributed more to the separate *cofradía* (sodality) images inside the local church.[12]

Only from indigenous-language sources can we find such information; Spanish-language sources and translations of the original language into Spanish obscure details and content. For example, a brief translation of this document by the appointed interpreter ignores "ñudzahui" once and translates it as "Mixtec" the second time,

despite the fact that this latter term is Nahuatl and doesn't accurately convey the extent to which the original word reflects a distinct cultural consciousness, apart from any outsider's designation. Never have I seen people from the Mixteca refer to themselves as "Mixtecs" in their own language. Translations are further complicated when the interpreter knew Mixtec better than he could write Spanish, a familiar scenario in the seventeenth century. This seems to have been the case with Thomas de Burgoa, the interpreter chosen to translate this document by Pedro de Caravantes himself. Thomas certainly did not translate the letter verbatim and actually left out whole parts which he may have deemed irrelevant. Translations rarely run as long as the original in these documents.

Another prominent feature of this uncommon yet mundane source is the use of *quachi* or *cuachi* to refer to "crime" as well as "sin," as it is used in connection with the soul and God. This word parallels the usage of the Nahuatl *tlatlacolli* and is associated with both serious crimes such as homicide and minor offenses like theft, but also common mistakes and defects; it is usually, in any case, linked with guilt and blame. The complex surrounding quachi is extensive, and is often modified by other terms to impart a different meaning depending on the context. The word appears frequently in Mixtec criminal records, employed in a variety of ways. It remains to be seen to what extent it is used in the Mixtec *doctrinas* written by Dominicans in the sixteenth century.

It has been suggested that the term *tlatlacolli*, adopted for the concept of sin by the friars in their attempts to teach Christian doctrine, fell short of reaching the full meaning with which the Christian concept was imbued. Louise Burkhart purports that the Nahua version was too broad, and "...has a range of meanings alien to Christianity; the concepts overlap but are not synonyms." The use of quachi in this document to depict both serious crime and sin, however, seems to leave little doubt as to its ordinary inter-pretation.[13]

A discussion of sin naturally leads to a consideration of guilt and shame. Whereas *pinahuiztli* was used by friars in the Nahuatl area to approximate shame (vergüenza), here we see *caha* used in a similar sense, verbalized as *yocuhuicahanuuñadzaña* ("I am shame-faced" or "there is shame on me/my face)": *yo*=present tense indicator; *cuhui*=to be; *caha*=shame; *nuu*=face,on; *ñadzaña* =my, I reverential). Pedro de Caravantes was ashamed because the sacristan, a thief of women, a womanizer, had stolen his wife. Like

crime and sin, guilt is also defined by *quachi*, quite distinct from shame; this was the case in Nahuatl, too. Sin did not necessarily imply a sense of shame. Judging by the context of the use of *caha* in this document, shame connotes more the idea of public humiliation than internalized regret and is not directly associated with crime or sin. All said and done, there may not be as much difference between Spanish and indigenous concepts, at least in this limited but realistic Mixtec context, as Burkhart would lead us to consider in her skillful use of Nahuatl texts.

What sort of retribution is this? Pedro de Caravantes really never offered any explanation for killing his wife, as if he needed no justification; she was unfaithful so he killed her. He was more concerned that justice be dealt to Domingo the home-wrecker, suggesting rather persistently that he be tortured until he confess. He further recommended hard labor in the sugar mill, a common sentence of slave labor for a given number of years. Worried about being called a thief, he arranged to pay the expenses of his wife's burial by selling the typical one-room house, for which he paid money and had title, and then prepared her for burial in the preconquest fashion, tying her in the type of bundle depicted in many of the codices.[14] In most dramatic form he wrapped the sacristan's cape around her body and attached his note to this one piece of tangible evidence, the proof of her adultery, the symbol of his cuckoldry.

Who was Pedro de Caravantes and where did he learn to write? Obviously, only certain observations can be made from one source. What is perhaps most significant about this document (apart from the actual tragedy to which it testifies) is that a Mixtec is writing under very unusual circumstances; yet, in spite of the rarity of the occasion, the letter suggests that writing in Mixtec was done on an informal, daily basis outside of notarial circles. In other words, Mixtec script was widespread and well-known. This writer presumably had pen and paper in his home. To my knowledge he was not a notary, but he did know one personally. There is no evidence to suggest he was a noble, though he was probably no commoner. He seems to have known how the local judicial system worked, directing his letter to the respective authorities. His prose is clear, established grammatical and orthographic conventions are acknowledged. He consistently employed the humble, reverential suffix (*ñadzaña*) in referring to himself when speaking to the nobility. Of the two women who knew the victim, one carried the important title of doña, the other was a "mestiza" married

to an "indio" and bore the same surname as the victim. Perhaps Maria Montiel was also a mestiza.

The attempt to close his letter in Spanish suggests a familiarity with that language not altogether uncommon for a learned Mixtec in Yanhuitlan by the end of the seventeenth century. Commonplace were the "indios ladinos" who dressed in European fashion and spoke Spanish by this time, especially in those areas of the Mixteca in constant contact with Spaniards and mestizos. Though somewhat conversant in Castilian, he was still clearly more comfortable with Ñudzahui.[15] He confuses nearby Coixtlahuaca with Justlahuaca, a pueblo several leagues away and in a completely different area of the Mixteca. Both toponyms are Nahuatl, used by the Spaniards since their arrival to the region. Ñudzahui never used Nahuatl placenames, even though many must have been familiar with them. Here, Coixtlahuaca is always called Yodzocoo, and Yanhuitlan is known as Yodzocahi. He attempted to employ the Spanish-used Coixtlahuaca but confused it in writing with the similar-sounding Justlahuaca. Beneath the Nahuatl/Spanish veneer lies a Ñudzahui world.

Judging by Taylor's work, this crime fits into a fairly well defined pattern for the colonial period. Compared to a more densely populated, Spanish-influenced central Mexico, much of the violent conflict in the Mixteca was directed against community members; the offender usually knew the victim. A high percentage of violence occurred among members of the same household or nuclear family, especially between spouses and often involving illicit sexual partners. Women were frequently the victims of such family crimes; 99% of homicides were committed by men (18% of all victims were women).[16]

The prospect of complementing and extending Taylor's methodology and findings with the type of detail revealed in this one *Quachi Ñudzahui* appears very promising. Ironically, the translation and analysis of this morose, murderous message marks another auspicious beginning in the study of Ñudzahui language and culture.

Notes

1. Much of the emphasis on differences among dialects seems to be bsaed more on modern linguistic studies than any analysis of the language in the colonial period. Mixtec has probably been affected more since the colonial period (and especially recently) than ever. On the other hand, in colonial documents, the variation of sounds and tones were likely reduced out of sheer necessity; how many different ways can one represent the subtlety of a tonal language with the Roman alphabet without a well-developed system of accents and inflection marks? Fray Antonio de los Reyes goes to great length to demonstrate dialectic differences but also notes their predictability and is always able to compare them with the one dialect which he finds to be the clearest and perhaps proto-Mixtecan--the dialect of Teposcolula.

2. William Taylor, *Drinking, Homicide, and Rebellion in Colonial Mexican Villages* (Stanford University Press, 1979), p. 77. His aggregate data reveals patterns in the Mixteca relevant to this study, which will be discussed below.

3. Ronald Spores, *The Mixtecs in Ancient and Colonial Times* (University of Oklahoma Press, 1984). See chapter 8 "Crime and Punishment." Woodrow Borah, *Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real* (University of California Press, 1983). See chapter 5 "...A Sampler of Cases."

4. For a discussion of the potential of such documents, see the following works by James Lockhart: "Postconquest Nahua Society and Concepts Viewed Through Nahuatl Writings" in *Estudios de Cultura Nahuatl* (UNAM: 1990), vol. 20. Most importantly see *The Nahuas After the Conquest: A Social and Cultural History of the Indians of Central Mexico, Sixteenth through Eighteenth Centuries* (Stanford University Press, 1992, forthcoming) for full translation and commentary of criminal document from Tulancingo in appendix.

5. Archivo Judicial de Teposcolula. Criminal 5:581. The dialect and orthography of Chalcatongo is much like that of neighboring Tlaxiaco. There are certain predictable ways in which sounds will vary from the Teposcolula and Yanhuitlan area dialects. Here the letter "h" often replaces "s"; also, "ç" or "z" or "s" is used in place of "dz"; and there is some confusion between "a" and "e" vowels. Thus, *nisasi dzita* ("they ate tortillas") in Teposcolula becomes *hihehi sita* in Chalcatongo; *dzonondi* (my shirt) becomes *çonondi*; *Sihi* becomes *hiy* and *nihi* becomes *niy*. The third-person verbal/possessive suffix "ta" is replaced by "da" while the first-person suffix is often represented as "za" which is the reverential "dza" or "ñadzaña" used everywhere in the Mixteca. Otherwise, the pronominal "-ndi" and "-ndo" forms are used for first-person singular and plural pronouns, respectively, as well as *duhu* and *doho*.

Aside from these general rules and perhaps some local conventions in the use of idioms and set phrases, there appear to be no

insurmountable problems in understanding writing from Chalcatongo once having learned the Teposcolulan/Tamasulapan Mixtec studied by Reyes and Alvarado.

A translation of the response of Andrés to Maria's suggestion rendered by the court was "sea muncho de nora buena." The Mixtec reads *huiy nacooçaa* which I translate literally as: *huiy*=much,of course (*huii*); *na* =future prefix indicator; *coo*=will be (future of *yoo*); *çaa*=thus,so (*dzaa*)--"of course it will be so," (much like today's "claro que sí" or "sí como no"). Such a construction is probably a well known idiom, as *huii* is a commonly found word.

6. Archivo Judicial de Teposcolula. Criminal 1:35. For an example of eating, drinking and polite conversation, see James Lockhart's translation and discussion of a house grant from San Miguel Tocuillan: "Y la Ana Lloró" in *Tlalocan* (Mexico: 1980), vol. 8. See also Lockhart's *The Nahuas After the Conquest*, forthcoming.

7. Archivo Judicial de Teposcolula. Criminal 5:581. I am especially grateful for the expertise and gracious assistance of Sr. Gonzalo Rojo Guerrero, director of the Archivo de Poder Judicial de Oaxaca. I am providing a photocopy of this document for paleographic purposes. My transcription is line-by-line, parallel to the original.

8. Some notes on the language and translation. This document is from Yanhuitlan and thus departs from some standard conventions found in the Teposcolula variant with which Reyes and Alvarado worked. Essentially, "t" is written "ch", and "nd" becomes "nj". So *tayu* becomes *chayu* and *ndisa* is *njisa*. The Mixtec grammar is repetitive but generally good for someone who to my knowledge has not served as a notary, and who is not exactly writing under normal circumstances. The long verb complexes are consistent with well-established grammatical conventions. For example, the verb complex *nitneeñahañadzañasicha* can be reduced to several constituent elements: *ni*=preterit indicator; *tneeñaha*=to catch,seize ("ñaha" is also an object pronoun marker); *ñadzaña*=I, reverential (commonly employed throughout the Mixteca); *si*=ligature or particle separating subject and object pronouns; *cha*=him/them (no marked distinction between singular and plural), direct object pronoun, equivalent of "ta" in Teposcolula. See Reyes, p. 17.

There are a few garbled parts which I cannot fully unravel. The opening lines contain a few unidentifiable elements, such as the abbreviation at the end of line 2 and the reference to Domingo's mother at the end of line 4. Otherwise, the letter is perfectly intelligible.

A full explanation of the translation would take pages. The following examples are representative of the the language's structure:

**dzanjicocahua*=to translate (line 31, Alvarado's dictionary =*yodzandicocavuandi*); *dzaha* =language.

**yyodzahuidzoñadzaña* =I am responding: *yyo*=progressive (verb "to be" and origin of *yo* indicative prefix); *dza*=causative; *huidzo*=word; *ñadzaña*=I, mine reverential (line 1, Alvarado=*yonadzahuidzondi*).
**ñanisaniñahañadzañasicha*=I did not kill him: *ña*=negative; *ni*=preterit prefix; *saniñaha*=to murder(someone); *ñadzaña*=I, reverential; *si*=ligature; *cha*=him (line 18).
**-ni*=imperative at the end of verbs (lines 46 and 47).
**njisi*=second-person pronoun reverential, rare (line 1).

Applied to Lockhart's three stages measuring the linguistic adaptation of Nahuatl to Spanish, this document would fall entirely within stage two, lagging behind the Nahuatl-speaking central area (circa 1550-1650) by a good generation or two. There is a full borrowing of Spanish nouns, such as: *bur[r]o, bara, torme[n]to, justisia, cortigo, escritura, trapichi, señora, te[s]tigo, vie[r]nes cuaresimas, sacrista[n], alcalde maro* [mayor], etc. Notice that the nasal sound is alternately omitted (*tormeto*) and appended (*n]ua*); it is left out especially at the end of the word since in Mixtec there are no consonant-final words. In the case of "alcalde maro" the last letters have been interchanged to produce the desired effect. The liquid "r" and "l" sounds are absent from Mixtec.

There is one verb complex which might suggest a more extensive adaptation of Spanish: *yoquidzañadzañajurameto* takes the Spanish noun *juramento* (oath, vow) and converts it into a verb by using *quidza* (to make, do), thus "I swear" (reverential). But surely the most revealing evidence of linguistic interaction is the attempt at closing the letter in Spanish, and the capability of conveying at least a few thoughts in this language, no matter how awkwardly. Some Spanish words are particularly troublesome for the writer (yet make sense considering orthographic conventions and Mixtec sounds): *teniente* is rendered first "tiniñende" and then "tininetes"; *levantar* becomes "sebandad" and *manta* is "mada." I have had to anticipate what he tried to say in translating these last three lines. The words at the end of line 54 elude me.

If language is considered a determinant of the nature and rate of cultural evolution, then the attempt at closing the letter in Spanish suggests an increasing exposure to Spanish culture presaging bilingualism. Yet this sample of Mixtec does not really indicate a strong Spanish presence; there are many stage-two nouns but the overall vocabulary and structure of the language is intact. How can we reconcile the fact that the document contains relatively few Spanish loan words (all nouns), compared to the Nahuatl-speaking central area at this time, with the premise that the writer knows Spanish well enough to produce a few lines? Could it be that in stage two there is more of a conscious distinction between languages, that the two are viewed as more or less separate, unless the use of a specific term is necessary to convey a distinct object or idea? Our writer is very conscious, of course, of language differences.

Perhaps it is not until stage three (in central Mexico, circa 1650 and beyond) that there is less of a distinction between the two languages, and they are viewed as almost complementary in some places. In other more remote places of the Mixteca, stage two persisted beyond the colonial period. Of course these are merely generalizations which must be carefully documented.

9. Fray Antonio de los Reyes. *Arte en Lengua Mixteca.* (Mexico, 1593), reprinted by Comte H. Charencey (Paris, 1870), and reproduced by Vanderbilt University Publications in Anthropology (Tennessee,1976). Fray Francisco de Alvarado. *Vocabulario en Lengua Mixteca.* (Mexico, 1593), Reproducción facsimilar con un estudio de Wigberto Jimenez Moreno (Mexico, 1962).

10. See James Lockhart's discussion of Nahua identity in "Corporate Self and History" in *Nahuas and Spaniards: Postconquest Central Mexican History and Philology* (Stanford and UCLA, 1991), pp. 54-55.

11. Matthew Restall, personal communication. Apparently, the Maya merely considered everyone else an outsider, called *dzulob*.

12. Archivo Judicial de Teposcolula. Civil 4:417. Interestingly, a subsequent eighteenth-century translation of this document in a legal dispute skips this part about the Mixtec Christ.

13. Louise M. Burkhart *The Slippery Earth: Nahua-Christian Moral Dialogue in Sixteenth-Century Mexico* (University of Arizona Press, 1989), pp.28-34

14. See figure on title page, reproduced from Codex Vindobonensis (40-III), taken from Alfonso Caso, *Reyes y Reinos de la Mixteca*, v. 1 (Mexico, 1979). This preconquest *bulto* burial practice is apparently still being practiced in 1684.

15. This attempt to write Spanish reminds me of a testament written in 1788 in San Esteban Atlatlauca by Mateo Barrios. Despite the fact that his father Domingo had written his testament in Mixtec only two years earlier, Mateo wrote his in Spanish. Yet it was so poorly done that both needed to be translated in a subsequent legal dispute. Archivo Judicial de Teposcolula. Civil 16:1303.

16. Taylor, *Drinking, Homicide and Rebellion.* See pages 87-88 for the discussion on patterns of crime in the Mixteca.