Making Indigenous Archives: 
The Quilcaycamayoc of Colonial Cuzco

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In 1936, a Parisian press brought out a “new chronicle” that had been submitted for publication in Spain over three hundred years earlier. The intended audience for this 1,200-page critique of Spanish colonialism, King Philip III, probably never saw it. Since it first appeared in print, however, the Nueva corónica y buen gobierno has circulated widely.1 Its Andean author, Felipe Guaman Poma de Ayala, has become emblematic, not only of the native intermediary, but of those critical colonial locations Mary Louise Pratt calls “contact zones”: “social spaces where cultures meet, clash, and grapple with each other, often in contexts of highly asymmetrical relations of power.”2

Yet Guaman Poma was hardly the only Andean to master European-style writing. One of his best-known drawings depicts another native Andean seated at a table, rosary before him, writing in Spanish (fig. 1). Guaman Poma labels him in the superimposed caption as “escribano de cabildo, nombrado de Su [majestad]”: he is a royally sanctioned notary or escribano, presumably of his town council (cabildo). This would seem to be the indigenous equivalent of the ubiquitous Spanish notaries (escribanos públicos) who were the workhorses of Spanish American officialdom, responsible for making most of the colonial paper trail now available to us in Andean archives.3 Peru’s viceroy Francisco de Toledo in

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3. On these men, see James Lockhart, Spanish Peru, 1532–1560: A Colonial Society (Madison: Univ. of Wisconsin Press, 1968), 68–76; Tamar Herzog, Mediación, archivos y

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the 1570s called for such men to be installed in Andean communities as part of his infamous program of reducción, the reorganization of Andeans’ lives and resources to fit Spanish patterns and meet Spanish needs. But Guaman Poma also labels this figure in Quechua as a quilcaycamayoc or “paper keeper,” a usage that suggests a parallel between this kind of writer and the quipucamayoc, keepers of the colorful, knotted cords (quipus) on which Andeans kept their records.

Figure 1. Guaman Poma depicts an Andean notary, identified as both escribano de cabildo and quilcaycamayoc. Artwork in the public domain. Photograph supplied by The Royal Library, Copenhagen, Denmark, from manuscript GKS 2232 4o.


4. A large international literature examines this many-faceted process of reducción and the native intermediary’s key place in it; see for example Steve J. Stern, Peru’s Indian Peoples and the Challenge of Spanish Conquest: Huamanga to 1640 (Madison: Univ. of Wisconsin Press, 1982).

5. This contemporary Cuzco usage is confirmed by the Spanish Jesuit Diego González Holguín (1552–1618), “the best colonial grammarian of Quechua,” according to Bruce
Who is this intriguing figure? Clearly he is a kind of *indio ladino*, one of the complex bilingual, bicultural figures about whom Spaniards felt such ambivalence. Yet he is all but absent from the scholarly literature on the colonial Andes. As the study of indigenous (and hybrid) media has flourished, scholars have focused almost exclusively on quipus and on alphabetic texts that contain Quechua. After all, there are hundreds of quipus in collections around the world and three veritable “ethnohistorical and ethnolinguistic monuments of Andean culture” on which to focus: the *Nueva corónica*, Joan de Santa Cruz Pachacuti Yamqui Salcamayhua’s *Relacion de antigüedades deste Reyno del Piru*, and the well-known Huarochirí manuscript.7 Notarial Quechua, by contrast, has proven notoriously hard to locate. Alan Durston’s detailed catalog of the mundane Quechua corpus includes just 12 items, only 2 of a notarial nature.8 If a Quechua notarial corpus once existed, very little of it has yet been found.

Andean notaries nevertheless deserve our attention, even if they wrote in

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Mannheim, *The Language of the Inka since the European Invasion* (Austin: Univ. of Texas Press, 1991), 144. In *Vocabulario de la lengua general de todo el Perú llamada lengua Qqichua o del Inca* (1608; Lima: Universidad Nacional Mayor de San Marcos, 1989), 301, González Holguín defines “Quellca” as “Papel carta, o escritura,” and “Quellcaycamayok” as “El escriuano de oficio, o el gran escriuidor.”


8. See Durston, “Native-Language Literacy in Colonial Peru: The Question of Mundane Quechua Revisited,” *Hispanic American Historical Review* 88, no. 1 (2008): 41–70, which includes a detailed catalog of the mundane Quechua corpus. One is described by Mannheim (*The Language of the Inka since the European Invasion*, 144) as “fragments of a longer notarial register, including wills and land demarcation as well as the bestowal of staves of authority”; it dates from 1605–8 and comes from the Calca-Urubamba area near Cuzco. This material is a translation, “set up in two parallel columns, Spanish on the left and Quechua on the right” (47), which raises intriguing questions about its purpose and the context in which it was produced.
Spanish. For the Spanish-language records kept by these men can be found in the available colonial record. Only fragments seem to have survived. This material was not systematically gathered together and preserved in the archives of colonial Spanish notaries public (which were bought and sold with state sanction). Still, it suggests the productivity of the notary/"quilcaycamayoc" within a distinctively Andean "lettered city." We need to make a place for him in the ciudad letrada, that charmed circle of "wielders of pen and paper" consolidated across Latin America in the late 1500s, which exercised influence far out of proportion to its small numbers.

Whose interests did Andean notaries serve? Did they use their skills to help their communities negotiate, and perhaps resist, the inroads of Spanish culture? James Lockhart and others seem to suggest as much with respect to the indigenous Mesoamerican notaries who created their communities’ archives from the mid-1500s. Recording wills, land deals, and other transactions in alphabetic Nahuatl, Yucatec Maya, and other languages, and incorporating Spanish loanwords only gradually, these men have been depicted as vital intermediaries who helped their communities retain considerable cultural autonomy. To the extent they have been noticed at all in Andean studies, however, indigenous notaries appear in a very different light, less as historical actors and more as an abstract expression of Viceroy Toledo’s will to power.

Here I will argue that the indigenous Andean notary is best seen instead as a kind of double-edged sword, much like the Andean ethnic lords or curacas that Karen Spalding has so perpectively analyzed. The contact zone of Span-

9. Why did a native-language notarial culture flourish in Mesoamerica but not (it seems) in the Andes? Contrasting histories of missionary instruction in the two viceroyalties must be factored in; there is no Peruvian analog of the famous Franciscan Colegio de Tlatelolco, for example. Durston cites two additional factors: “first, the greater importance of the cabildo in colonial Mesoamerica, and second, the greater longevity of indigenous media in the Andes” (“Native-Language Literacy,” 68).


11. Rama, The Lettered City, 23.

ish and Andean forms of expression opened up a range of possibilities to him as “camayoc,” a specialist in, or guardian of, archives. He was in a position to work both for and against his community’s interests. The challenge for us is to flesh out our understanding of him as a historical actor rather than an emblem of the contact zone. That is what I will try to do in the pages that follow, drawing on various types of sources: legal prescriptions, published accounts, and notarial records. My focus will be on the Cuzco region, in which both Viceroy Toledo and Guaman Poma spent crucial years of their careers. Both men had strong feelings about the importance of Andean literacy, though their goals in cultivating it were radically different. And as Andean notaries began to produce Spanish-language records in the late 1600s, the results variously met, defied, and exceeded these men’s expectations, as did the notaries themselves.

**Competing Dreams of Andean Literacy**

Spaniards and other Europeans came to trust the written word only after a lengthy historical process. In *From Memory to Written Record*, M. T. Clanchy examines the transition that the English made, after the Norman Conquest in 1066, from relying primarily on memory to keep track of important things to relying on documents. In eleventh-century England, property rights and other valuable historical knowledge had been archived mainly in living memory. Disputes were settled not by adducing a paper trail but by consulting “old wise men.” Clanchy argues that by the early 1300s a major cultural shift had occurred.13 People no longer entrusted their important business to memory. Influenced by growing medieval bureaucracies of various kinds, they had come to trust writing more; they wanted written records. Clanchy’s careful work emphasizes that this was a very gradual historical process: “Documents did not immediately inspire trust. . . . People had to be persuaded—and it was difficult to do—that documentary proof was a sufficient improvement on existing methods to merit the extra expense and mastery of novel techniques which it demanded.”14 Reaching a comfort level with writing took the English some two and a half centuries.15


15. This trust was not unmitigated. On the contrary, early modern Spaniards were quite suspicious of official writing, *escritura pública*, and the mediations and conventions that produced it. Burns, “Notaries, Truth, and Consequences,” *American Historical Review* 110, no. 2 (2005): 350–79.
When Andean peoples were invaded in the 1530s, they did not have the luxury of time. Faced with a sudden onslaught of Spaniards and new technologies, they had to make an almost instantaneous adjustment to the power of written documents or risk losing their most valuable possessions. And adjust they did, although I doubt the feelings they initially developed toward Spaniards’ writings were those of trust. Consider Guaman Poma’s account of the dramatic initial events at Cajamarca. The Inca Atahualpa and his companions were astonished that the Spaniards seemed not to sleep at all, had an immense appetite for silver and gold, and “spoke day and night with their papers [de día y noche hablan cada uno con sus papeles, quilca].” I imagine Guaman Poma reproduces bits of oral traditions here, and this passage reflects quite well early modern European reading technique: people often read things aloud rather than silently. Andeans, for their part, expected huacas — shrines and other sites of the sacred — to speak. Thus when Atahualpa was handed the Dominican friar Vicente’s breviary in the famous scene that Guaman Poma depicts, he expected it to speak to him of the things the friar had told him it said. But when he leafed through the book, he did not get the response he anticipated: “¿Qué, cómo no me lo dize? ¡Ni me habla a mí el dicho libro! [Why won’t it tell me? The book won’t speak to me!]” Guaman Poma’s account of this fatal misreading captures the enormous power of words on paper, quilca, and the high stakes for Andeans of coming rapidly to terms with Castilian literacy.

Andeans immediately sought to master the skills and power of alphabetic writing for themselves. And the way to acquire those skills, in Peru as in Mesoamerica, was through the church. Spanish missionaries relied heavily on native assistants from the start, which meant educating them to speak, read, and write competent Spanish. By the mid-1500s, a fast-growing corps of lettered Ande-

16. Guaman Poma, El primer nueva corónica, 2:353. Unless otherwise noted, all translations are mine.
20. As Lamana points out (Domination without Dominance, 58), “painting” (quilca, quilleca, quellca) was the closest Quechua term to “book,” and by Guaman Poma’s day it seems also to have meant “paper” (see note 5 above).
21. On indigenous education, see Juan Carlos Estenssoro Fuchs, Del paganismo a la santidad: La incorporación de los indios del Perú al catolicismo, 1532–1750 (Lima: Instituto Francés de Estudios Andinos / Instituto Riva-Agüero, 2003); Monique Alaperrine-
ans was working alongside Peru’s missionaries: fiscales to accompany and assist priests in the day-to-day work of parish administration; sacristanes to maintain order in the church itself; cantores to lead choral music, and so forth.\textsuperscript{22} The most prestigious post was that of fiscal. As John Charles has found, its occupants were often (though not necessarily) nobles, and in addition to acting as parish disciplinarians, they were charged with maintaining their parishes’ Spanish-language archives: records of births, deaths, marriages, and confessions.\textsuperscript{23} The earliest Andean makers of alphabetic archives were thus the church’s lettered assistants—a group that seems to have attained considerable autonomy and power by the 1560s and 1570s. They were among the linguistic pioneers of written Andean Spanish.\textsuperscript{24}

Just how indigenous authorities began to use Spanish literacy outside the parish structure is a process that has yet to be studied. Unlike the Nahuas of central Mexico—who, according to James Lockhart, “adapted to the post of notary quickly, successfully, and permanently” within two to three decades after the Spanish invasion—Andeans do not seem to have created a flourishing native-language notarial culture.\textsuperscript{25} By midcentury, however, Andean leaders (curacas and principales) were becoming adept at the use of legal petitions to defend their communities’ resources before Spanish judges. Much of this advocacy probably happened by means of what Armando Petrucci calls “delegated writing,” writing done not by Andean leaders themselves, but at their behest by intermediaries like the fiscales.\textsuperscript{26} At the same time, Andean leaders continued using the vener-

\textsuperscript{22} Durston, \textit{Pastoral Quechua}, 76–81, 273–75, 282–84; see also Guaman Poma, \textit{El primer nueva corónica}, 2:624–36.

\textsuperscript{23} Charles, \textit{Allies at Odds}, 1, 19–20, 120.

\textsuperscript{24} José Luis Rivarola, \textit{Español Andino: Textos de bilingües de los siglos XVI y XVII} (Madrid: Iberoamericana, 2000).


\textsuperscript{26} Armando Petrucci, \textit{Prima lezione di paleografia} (Rome: Laterza, 2002), 25.
able record-keeping system of the quipu as they pressed their claims, adducing quipu-based evidence (which judges accepted).  

Guaman Poma, himself a missionary’s assistant during the 1560s and 1570s, vigorously advocated the spread of Spanish literacy beyond the parish realm. He did not press for the demise of the quipu—to the contrary, he wanted the use of quipus to continue—but he clearly believed that new tools were needed for new times. Writing could be used by Spaniards in numerous ways against Andeans: for example, to spread falsehoods about them and to thwart the crown’s efforts to protect them. Indigenous authorities thus had to learn to write in Spanish themselves. All indigenous leaders, Guaman Poma insists, must learn, especially the art of composing legal petitions. This knowledge could be dangerous. Guaman Poma cites examples of curacas and principales who were harassed, even killed, for mounting a written defense of their communities. Yet the overall sense one gets from Guaman Poma’s passionate appeal to Philip III is that he does trust writing, as long as it is in Andeans’ hands. He dreams of a day when all Andeans, men and women, boys and girls, will know how to write, and there will be native Andean saints as well as “jurists, lawyers, doctors, teachers, Indian men and women as well as Spanish men and women, to serve God our father and his Majesty.”

By the early 1600s, however, when Guaman Poma was advocating his vision of a fully literate society complete with Andean saints and letrados, other plans for Andean literacy had recently been laid by Peru’s fifth viceroy, Francisco de Toledo. This dogged administrator undertook thorough reforms during his long term of office (1569–81). He is best known for mandating reducción, a program


28. See for example Guaman Poma, El primer nueva corónica, 2:746–47, regarding indigenous regidores: “tenga libro quipo, c[v]en[t]a.” As Charles notes in Allies at Odds, though some clerics opposed it, quipu use had worked its way into parish practice by Guaman Poma’s day, with native assistants helping parishioners make quipus for purposes of catechism and confession (87–88).

29. Guaman Poma, El primer nueva corónica, 2:718–19, “que sepa hazer una petición, enterrogatorio y pleyto.”

30. Ibid., 2:542, regarding a priest’s persecution of “un prncipal” who was literate and stood up to the local Spanish authorities. (See also 2:458–63 regarding don Cristóbal de León, segunda persona.)

31. Ibid., 3:729: “letrados, lesenciados, dotores, maystros, yndios, yndias como españoles, españolas para serbir a Dios nuestro señor y a su Magestad.” For more on this point, see Rocío Quispe-Agnoli, La fe andina en la escritura: Resistencia e identidad en la obra de Guamán Poma de Ayala (Lima: Universidad Nacional Mayor de San Marcos, 2006).
of forced resettlement of indigenous communities into Castilian-style towns, as part of his extensive ordinances concerning Indians. But Toledo ordered many other things as well as he sought to impose the power of the Spanish state. His literacy program included schools for Andean children “so that children, especially the sons of chiefs, their principales, and other rich Indians, are taught to read and write and speak the Spanish language as His Majesty commands.” To this end, he continued,

a bilingual and capable Indian shall be found, of which there are a great number everywhere, to serve as teacher in the said school . . . and the priest shall name one who seems to him most capable and sufficient . . . and the children who are in school shall not reside there past the age of thirteen or fourteen years, so that they may go on to help their parents, and those who are sons of chiefs may stay longer and the poor ones less time.

Exactly what were these literate children supposed to help their parents do? Toledo does not spell out what he intends here, but the ordinances in their entirety make it clear that, unlike Guaman Poma, he did not want children helping their parents to compose legal petitions. Toledo wanted less Andean litigiousness, not more; he aimed to curtail the voluminous petitioning that he regarded as a scourge ruining indigenous communities. And whatever amount of written petitioning took place he wanted to channel as much as possible through Spanish, not Andean, hands. Hence his efforts to limit the numbers of Spanish lawyers, procuradores, and other legal agents, and to have specially designated Spanish judges (jueces de naturales) rather than faraway high courts (audiencias) decide indigenous cases.

Toledo’s intentions are more clearly spelled out in a different portion of the

32. For an important revisionary study of Toledan reducciones, see Jeremy Ravi Mumford, “Vertical Empire: The Struggle for Andean Space in the Sixteenth Century” (PhD diss., Yale Univ., 2003).


34. Peru’s “Indian justice” system has yet to be studied in depth; see Woodrow Borah, “Juzgado General de Indios del Perú o Juzgado Particular de Indios de El Cercado de Lima,” Revista Chilena de Historia del Derecho 6 (1970): 129–42. On the General Indian Court of Mexico, see Borah, Justice by Insurance: The General Indian Court of Colonial Mexico and the Legal Aides of the Half-Real (Berkeley: Univ. of California Press, 1983).
ordinances regarding the offices he creates for administering the towns formed through reducción. Here he seems to have accepted that he cannot simply legislate curacas out of existence, but he can erect new, Spanish-style authorities to compete with and marginalize them. He thus decrees a set of local officials modeled on Spanish municipal ones. Just like Spanish officials, these men are to gather on New Year’s Day each year to elect their replacements for the following year. Toledo specifies that there should be “two mayors (alcaldes) and four councilmen (regidores) and one constable ( alguacil ) and a notary or quipocamayo, and the latter shall serve for life as long as he is capable of doing so.”35 (Note that only one of them is supposed to serve for more than a year: the notary.) The alcaldes are to exercise jurisdiction over local disputes, both civil and criminal, as long as large stakes are not involved. Any criminal suit that might merit the death penalty or other serious physical harm should be sent to the Spanish magistrate (corregidor), as well as any civil suit involving more than 30 pesos, allegations against curacas, or disputes between pueblos over land or labor. But the local pueblo authorities might decide many kinds of cases, including local-level disputes over land (pleitos de chacras).

Writing was not supposed to figure prominently in this scheme of pueblo-administered justice, however. In fact, Toledo specifically limited the amount of written records that Andean mayors and notaries could generate in their judicial role: “They shall not write, because they are to [administer justice] summarily.”36 (Summary justice meant that cases were decided on the basis of oral arguments rather than written petitions.)37 Still, the Toledan ordinances do single out one judicial occasion for making written records: that of criminal cases serious enough to merit forwarding to the corregidor. In such cases, people might have to be arrested and evidence taken from witnesses while their memories were still fresh. Thus pueblo authorities were ordered to do as follows: “They shall arrest the delinquents,” who might be Spaniards or other non-Indians, “and when testimony has been taken they shall send everything to the said Magistrate so that he may punish them.”38 This is a most interesting deviation from

36. Lohmann Villena and Sarabia Viejo, Francisco de Toledo, 2:222.
37. See Joaquín Escriche, Diccionario razonado de legislación civil, penal, comercial y forense (Mexico City: Universidad Nacional Autónoma de México, 1993), 359, regarding the juicio sumario: “Aquel en que se conoce brevemente de la causa, despreciando las largas solemnidades del derecho, y atendiendo solamente á la verdad del hecho.”
Toledo's overall plan to rein in indigenous legal writing, and I will return to it below. First, let’s note the one place in the Toledan ordinances where we find what we might call, tweaking Foucault’s well-worn words a bit, an incitement to Andean writing: in the realm of testamentos, as people sought to manage death.

When it came to the form of the last will and testament, Toledo was an enthusiastic advocate of Andean writing, and his ordinances become positively prolix. Several pages are devoted to the subject, including very specific instructions for a well-made will. Dying well clearly mattered greatly to early modern Spaniards. If we did not know this already, Toledo’s orders alone would be enough to make us suspect it. He was particularly concerned about orderly inheritance, since according to him, “when an Indian man or woman dies and leaves property, those who are present take it for themselves, or those who arrive first, which leaves their children in poverty, if they left any, and nothing with which to do good works for their souls or settle their wills.” (As usual he could only think in terms of Castilian family and inheritance patterns; all else was “disorder.”) To be sure nothing was left to chance, he provided a detailed template for a will.

Toledo’s template is much the same as the ones provided in Spanish notarial manuals. Standard sections are laid out: first come masses and pious donations (“clausula de entierro y misas”); next, debts and assets (“clausula de deudas y bienes que dejan”), and so forth. But Toledo introduces changes that make this a template for a distinctively Andean will. For example, in listing his or her assets, the indigenous testator is to be very specific, “and if it is livestock, which sheep-


41. Lohmann Villena and Sarabia Viejo, Francisco de Toledo, 2:229.

herds keep it, and in which pastures, and who has the quipu of it.” Here Toledo implicitly acknowledges the continuing local-level practice of recording things on quipus. A dual recordation system does not seem to bother him as long as the proper order of things is maintained and a Spanish will is produced. Even death could be annexed to his grand plan for reducción, for colonizing memory in written records, and thereby consolidating a new property regime in the Andes.

So Toledo’s plan for Andean literacy aimed to limit Andean judicial writing—that is, the making of petitions and pleitos—while fomenting Andean extrajudicial writing, especially the production of wills. Clearly he was out to create Andean subjects who were both Christians and subalterns, who knew and obeyed the rules but did not contest them. He also wanted their access to writing channelled through reliable hands. Hence his orders for an ambidextrous new kind of pueblo authority, the “escribano o quipucamayo.” As we might expect, drawing up wills was one of the main duties listed in the job description Toledo provided for this particular official. But he had other responsibilities for making and archiving written records about his pueblo. In the following passage we have Toledo’s detailed orders about the making of an indigenous archive:

First, each [notary] shall reside permanently in his pueblo to witness all the orders that all the mayors and councilmen may make in council meetings (cabildo) and otherwise . . . . Also, [the notary] shall be obliged to go expeditiously to draw up any wills, property lists, witness testimony, or other things pertinent to his office which he may be requested to do, whether in the community chest [caja de comunidad] or in any other business that needs to be written down for whatever purposes pursuant to the common good; because all the rest that the Indians customarily record on quipus, shall be reduced to writing by the hand of the said notary, so that it may be more accurate and durable, especially their absences from catechism and mass [faltas de doctrina] and the comings and goings of priests and their absences, and the same with respect to the magistrates and their lieutenants and other particular things that they commonly register on the said quipus, so that if they are asked to account for these things or it is in their interest to do so, [the account] shall be clearer, and

44. See Guaman Poma’s counterproposal, El primer nueva corónica, 2:478, modeled on the 1612 will of don Cristóbal de León. Guaman Poma underscores the need to keep priests, not other Indians, from making off with the property of the deceased.
better given, and the said notary shall make and write it without excuses, on penalty of losing the said office.\textsuperscript{45}

This remarkable passage makes the notary, the particular indigenous official with a lifetime job of maintaining his community’s archives, a linchpin in Toledo’s overall endeavor to “reduce” what he considered inferior Andean patterns and technologies to superior Spanish ones. It is hardly surprising that the viceroy considered quipus to need translation (“que se reduzca a escritura”); he implies they are less accurate. But this passage seems to charge the indigenous notary with keeping written tabs on parishioners’ church absences and priests’ comings and goings, as well as those of corregidores. The notary’s role as outlined by Toledo makes him a kind of moral policeman.\textsuperscript{46} Whether he wants to or not, he must do it “without excuses,” so that if he is later asked to show a written account, he can do so. And his capacity to display his pueblo’s business in writing could conceivably be used both for and against pueblo interests, whenever outsiders intervened (“cuando se les pidiere cuenta de ello”) or whenever the pueblo wanted to make its case outside its borders (“o les convenga”).

This word portrait of an indigenous notary evokes Spalding’s acute depiction of Andean curacas as a double-edged sword, capable of both hurting and protecting their communities because of the special powers entrusted to them.\textsuperscript{47} If the notary did the job Toledo wanted him to, then he was integrally involved in disciplining Andean village life into more Castilian patterns.\textsuperscript{48} But if he did the work Guaman Poma wanted Andean writers to do, then he protected his community from Spaniards’ demands, using his quills and legal templates as

\textsuperscript{45} Lohmann Villena and Sarabia Viejo, \textit{Francisco de Toledo}, 2:237–38. I am grateful to Ari Zighelboim for his insight into this passage. In earlier editions of Toledo’s ordinances, both Thomas Ballesteros and Roberto Levillier put the native notary’s quipu-translating project in his “hands” (“mano” rather than “mando”); I have followed them in my translation.

\textsuperscript{46} Toledo outlines a job description similar to that of the Andean parish fiscal, an office he tried unsuccessfully to abolish. The duties of an indigenous fiscal, according to Charles (\textit{Allies at Odds}, 19), were to “assist missionary priests with their sacramental duties, keep written records of the sacraments, and enforce public observance of the faith.”

\textsuperscript{47} Spalding, \textit{Huarochirí}, especially 209–38.

\textsuperscript{48} Perhaps they engaged in some malpractice as well: Lockhart, in \textit{The Nahuas after the Conquest}, 218, mentions Nahua notaries of Culhuacán who manipulated the wills of members of their community in order to profit from the property they left. Such manipulations by Spaniards and creoles in various parts of Spanish America seem to have been common enough, to go by the frequency with which they were denounced and legislated against.
defensive weapons. Whatever the case, we can only start to weave hypotheses if
we can find some archival traces of these men. As we know, prescription was one
thing in the colonial Andes; practice was another. To the extent that Toledo’s
orders were carried out, what kind of people were Andean notaries, and what did
they do with writing?

Here Guaman Poma’s illustrated manuscript from the early 1600s is once
again very useful. His escribano de cabildo is also labeled a “quilcaycamayoc,”
a keeper of papers (fig. 1). He appears to have an archive behind him: several
books sitting on a bookshelf, and an earthen jar on the lowest shelf, perhaps
a container for storing quipus. If notaries did all that Toledo had instructed
them to do, they would indeed have had such archives: translated, “reduced”
quipus; actas del cabildo (council meeting records); the account books of their
cajas de comunidad (community chests), and of course wills. And this notary is
in the process of adding to it; he is shown writing the words “En el nombre de la
Santícima Trinidad hago el testamento de don Pedro . . . .” He is in the process
of making out a will. This visual clue links this drawing to a previous one of
indigenous boys being taught, some rather against their will, to write in Span-
ish (fig. 2). The child in the front row is also writing form language, the two
most-used words in the whole notarial repertoire: “Sepan cuantos . . .” (“Be it
known to all . . .”). If schooling worked the way Toledo wanted, training mostly
children from the indigenous elite, then indigenous notaries might well have
been Andean nobles.

Other sources also suggest the existence of indigenous notaries by the
early 1600s. One, the “Memorial de Charcas” signed in 1582 by 24 curacas of
the Aymara “naciones” of Charka and Qaraqara and directed to royal authori-
ties, requests exemption from tribute for those holding ecclesiastical and other
offices at the parish or pueblo level. The curacas include in their list of offices
those that Toledo had mandated just seven years earlier, in 1575. Intriguingly,
their list starts with parish assistants, and seems to align the notary with them
(“sacristanes, campaneros, fiscal y escribano del cabildo”) before proceeding to
the newer, more secular indigenous authorities (“y a los alcaldes y regidores y
alguacil mayor”). Whether or not any newly mandated Toledan authorities

49. Archaeologists have found quipus stored inside such ceramic containers. I thank
Gary Urton for helping me “read” this possibility in Guaman Poma’s drawing.

50. Qaraqara-Charka: Mallku, Inka y Rey en la provincial de Charcas (siglos XV–XVII):
Historia antropológica de una confederación aymara, ed. Tristan Platt, Thérèse Bouysse-
Cassagne, Olivia Harris (Lima: Instituto Francés de Estudios Andinos / La Paz: Plural
Editores, 2006), 834.
had been installed in their communities by 1582 is not clear from this particular source.\textsuperscript{51} Still, it seems to hint at the proximity of the escribanos de cabildo and the preexisting fiscales. In theory, both of these men kept important community archives. Perhaps in many places they were the same man.

Clearer evidence of an indigenous notariate appears in the confessional manual by Juan Pérez Bocanegra, published in Lima in 1631. Pérez Bocanegra had served for many years both as parish priest in Andahuayllillas (“Antahuaylla

\textsuperscript{51} Indeed, another source in the same collection indicates that when corregidor Miguel Ruiz de Bustillo passed through the pueblo of Macha in 1613 to audit its community chest (caja de comunidad), he found no archives to inspect; according to him, the curacas had seized everything and done what they wanted with it. He responded by installing a local principal, don Sebastián Paria, as escribano de cabildo (ibid., 785–86).
Juan Pérez Bocanegra, Ritual formulario, e institucion de curas, para administrar a los naturales de este Reyno, los santos Sacramentos (Lima: Gerónimo de Contreras, 1631), 277–78: “As hecho algun testamento falso? hizistelo por que te lo mandò el Padre, (278) ó el Corregidor, ó el Curaca, el marido, ó la muger del enfermo, ó otra persona? que te dieron porque lo hizieres falsamente?”

Making Colonial Archives: The Escribanos de Cabildo

Thanks to sources from the Archivo Regional del Cuzco, we can answer at least some of the questions I have posed. They indicate that by the late 1500s, escribanos de cabildo not only existed in substantial numbers but produced a variety of documents. Take the case of Pedro Quispe of Cuzco (fig. 3). In a couple of loose notebooks or registros that once belonged to a much more extensive volume, he kept the notarized records of indigenous parishioners’ business, signing himself “I, Pedro Quispe, notary public and of the cabildo for His Majesty in the parish

52. Juan Pérez Bocanegra, Ritual formulario, e institucion de curas, para administrar a los naturales de este Reyno, los santos Sacramentos (Lima: Gerónimo de Contreras, 1631), 277–78: “As hecho algun testamento falso? hizistelo por que te lo mandò el Padre, (278) ó el Corregidor, ó el Curaca, el marido, ó la muger del enfermo, ó otra persona? que te dieron porque lo hizieres falsamente?”
of Our Lady of Purificación of the Hospital for Natives.” The fragmentary record that remains of his work consists largely of wills, codicils, death certificates, and inventarios (property lists). Clearly Quispe spent a lot of time in the Hospital de Naturales around priests and sick and dying patients. But he also made other kinds of records. Take, for example, a sale entered into by a woman named Isabel Tocto Coca, whose 1586 contract indicates that she needed to settle a debt of 38 pesos left by her deceased first husband Antón Aymara. The contract is, by Spanish standards, unusually explicit about the motive: “Because she could hardly afford to pay because she had no money and even less [did she

53. “Yo Pedro quispe escrivano pu[blico] y de cavildo por Su Mag[esta]d en la perroquia de nuestra s[eñor]a de purificacion del [H]ospital de los Naturales,” in Archivo Regional de Cusco, Protocolos notariales (hereafter ARC, PN), Pedro de la Carrera Ron, protocolo 4 (1586–1596), unbound notebook marked with a strip of paper that says Pedro Quispe, 1586–87, fol. 652v, death certificate of “Jhoan ninamanco yndio pechero en la dha parroquia . . . jueves a las doze del dia [20 febrero 1586].”
have] movable assets of any kind of which she was not in great need, she considered it the best remedy to sell a straw hut \[bubio\] which the said Anton Aymara her husband left in the said parish.\(^{54}\)

A few years later, the notary Pedro Quispe had acquired another job. He worked alongside Cuzco’s \textit{juez de naturales}, a Spanish judge elected annually by the city council to hear the suits brought before him by indigenous \textit{cuzqueños}.\(^{55}\) The Archivo Regional del Cuzco contains a partial record by Quispe of the kind of summary justice that Toledo had wanted judges to administer in indigenous cases. This material, all of it in excellent Spanish, gives us a remarkably textured look at day-to-day frictions in urban indigenous life. For example, on June 10, 1595, Juan Tupia, a regidor in the Cuzco parish of Belén, lodged a complaint against don Gerónimo Chanca Topa for drunkenly resisting Tupia’s orders to make him contribute labor to the church. Pedro Quispe recorded Tupia’s account of don Gerónimo’s conduct as follows: “he resisted and mistreated [Tupia], joined by some \textit{montañeses} who were his kinsmen, and they tore his shirt, and thus he displayed it before the judge and asked him to order [don Gerónimo] punished.”\(^{56}\) This is the only time I have seen the term “montañés” in a colonial document. According to the Inca Garcilaso, it was used in sixteenth-century Cuzco to signify “mestizo,” but he considered it an insult, and the term seems to have disappeared from local usage.\(^{57}\) We cannot be sure whether this was Tupia’s term or Quispe’s. But this is definitely not legalese. Thus Quispe provides us some remarkable glimpses, not only of local dilemmas and frictions, but of cuzqueños’ terms for those involved in them.

Nor was Pedro Quispe alone. The names of other escribanos de cabildo turn up in the Cuzco archives, too. Usually their work is mentioned in connection with someone’s will, but not always. In 1702, for example, an indigenous widow named doña Leonor María petitioned to have fresh titles made for her

\(^{54}\) ARC, PN, Pedro de la Carrera Ron, protocolo 4 (1586–1596), unbound notebook of Pedro Quispe, 1586–87, folios 650v–651: “visto el poco remedio que tenia de poderle pagar porque dineros no los tenia ni menos bienes muebles ni de otro genero de que no tenga grande necesidad entendio ser el mas comodo remedio vender un buhio de paxa que el dho anton aimara su marido dexo en la dha parroquia.”

\(^{55}\) ARC, Corregimiento, Causas ordinarias, legajo 2 (1587–1602), exp. 46 (1595), cuaderno 25. This too is a fragment of what was once a more extensive record; it begins on fol. 167 and ends on fol. 190 and contains documents from June and part of July, 1595.

\(^{56}\) “Se resistió y le maltrató juntamente con unos montañeses sobrinos suyos y le rompieron la camiseta y así lo manifestó ante el dicho juez y pidió a su merced le mande castigar.”

house, indicating that the original sales contract had been stolen by robbers, and that it had been drawn up by her parish notary, don Bartolomé Roque Ynga, “who was the escribano de cabildo of the said parish [of the Hospital de Naturales].”58 Two years later, a different local widow, doña María Asa Ñusta of the parish of San Sebastián, had her parish notary, don Nicolás Quispe Amaro, draw up a sales contract for her.59 Cuzco’s escribanos de cabildo thus do seem to have merged with the local parish hierarchy that existed prior to Toledo’s reforms (and may well have maintained the archives that were once in fiscales’ hands).

John Charles argues that the Toledan cabildo structure—of alcaldes, regidores, alguaciles mayores, and notary—“gave religious officialdom its definitive form, especially in the more populated indigenous settlements.”60

However, this is the city, where we might expect a paper trail to form sooner or later. What about the countryside, where most Andeans lived? By the 1590s, a fairly dense network of escribanos de cabildo had been established in the pueblos of the Cuzco region. This much is indicated in the records of the residencia (official inspection) that began late in November 1596 when a new corregidor arrived in Cuzco.61 Don Gabriel Paniagua de Loayza ordered that all those living in the region receive notice of the residencia so they might testify of any official’s malfeasance under his predecessor, don Antonio de Osorio. A handful of indigenous messengers subsequently fanned out across the region to notify the authorities in each pueblo to announce the edict of the residencia and send back notarized word that they had done so. This created a fascinating

58. ARC, Cabildo, Justicia ordinaria, Causas civiles, legajo 14 (1700–1704), exp. 423 (1702), cuaderno 17. Don Bartolomé also appears in a 1654 lawsuit, ARC, Corregimiento, Causas criminales, legajo 77 (1582–1693), suing other indigenous nobles for trying to usurp his lands. A member of the city’s proud Inca nobility, he seems to confirm for Cuzco’s native notariate the pattern that Lockhart and others have seen among Mesoamerican notaries: they were often local nobles. See for example Lockhart, The Nahuas after the Conquest, 41.

59. ARC, Cabildo, Justicia ordinaria, Causas civiles, legajo 14 (1700–1704), exp. 431 (1704), cuaderno 25.

60. In “Indios Ladinos: Colonial Andean Testimony and Ecclesiastical Institutions (1583–1650)” (PhD diss., Yale Univ., 2003), Charles uses parish records from the early 1600s from Cuzco’s Hospital de Naturales which “show that cabildo officials were the exclusive indigenous authorities of the parish” (177). Thus it appears that the old parish hierarchy, of native fiscales et al., was successfully displaced, at least in Cuzco. But as he notes in Allies at Odds, post-Toledan change was uneven; “by and large the Lima see resisted the encroachments of civil authority” on parish administration, including the activities of parish assistants (120).

61. ARC, PN, Miguel de Contreras, legajo 5 (1596–1597), consists entirely of the record of this residencia.
paper trail of over three dozen notarized certificates. About half the signatures of the escribanos de cabildo are preceded by the honorific “don,” which suggests they were noblemen.

No two of these certificates are exactly alike, yet all display excellent Spanish. Many also give the names of several other pueblo authorities. In Quiquijana, for example, notary don Domingo Luis certified on November 24, 1596, that he had given formal notice of the edict “to don Diego Tasmi and don Alonso Yunga Guaman alcaldes ordinarios and to the other regidores of this said pueblo and they responded and said that they heard and obeyed and complied with it . . . before witnesses Miguel Naca Yapa and Francisco Yuto cantores of the church of this aforementioned pueblo.”62 The central place of the church in community life figures saliently in other certificates as well. In Chinchero, notary don Cristóbal de Betanzos certified that “all the Indians obeyed and understood [the edict] in the cemetery of the church and Alonso Cusiguaman yndio pregonero announced [it] before the alcalde don Agustín Turo Manya [and] the witnesses were don Cristóbal Conde and don Pedro Jaime and don Diego Caqui.”63

Only two certificates were signed by interim notaries (escribanos nombrados). Two decades after Toledo’s ordinances, then, a remarkably complete network of pueblo officials had come into existence in the Cuzco region, including escribanos de cabildo capable of producing Spanish documents.64

Other fragments of pueblo writing also turn up in the Archivo Regional del Cuzco. Let’s return to the passage in Toledo’s ordinances that I cited earlier as being somewhat against the grain of his overall effort to limit Andean litigiousness. Toledo required pueblo authorities to take matters into their own hands in serious criminal cases: they had to arrest and depose witnesses before forwarding the prisoners and paperwork to higher authorities. Some bits of this kind of writing do turn up among the lawsuits in the Cuzco archive. In 1638, for example, the indigenous alcalde of Guarocondo, don Francisco Guamantica, deposed witnesses to a fight that had broken out in someone’s house one Sunday when Baltazar Bayon, a “mestizo dressed like an Indian [mestizo en hábitos de indio],” could not cover his gambling losses and allegedly attacked the man who had won. Papers transferring jurisdiction to the corregidor of Cuzco were

62. ARC, PN, Miguel de Contreras, legajo 5 (1596–1597), fol. 46.
63. ARC, PN, Miguel de Contreras, legajo 5 (1596–1597), fol. 95.
64. Rivarola, Español andino, 41–44, publishes two similar certificates from Jauja (1591); both are by indigenous “escribanos nombrados” who write a very Quechua-inflected Spanish (as do the Cuzco escribanos nombrados, to a lesser degree). These temporary notaries may have been local parish officials; they are lettered but less familiar with the norms of written Spanish legalese.
drawn up, signed by both the alcalde Guamanica and don Diego Ñaupa Conchoy, the escribano de cabildo. All is recorded in perfect Spanish and obeys conventional procedures.

But there are other varieties of rural Andean writing that do not derive from Toledan orders and expectations. Pueblos might keep books of their land records, *libros de repartición de tierras*, and these were probably also in the hands of the escribanos de cabildo. Perhaps these were mandated during the late sixteenth-century land sales known as *composiciones de tierras*. In any case, their overall purpose seems to have been more about meeting communities’ needs than about meeting outsiders’ expectations. This comes through in a late seventeenth-century petition from the curacas of Anta to recover their book from the authorities in Cuzco after it was requisitioned and kept for over a year and a half. The book had been taken away in connection with a lawsuit over tribute, even though, as the petitioning curacas pointed out, the book did not contain tribute data at all. They protested their need for it to settle local land conflicts: “Every day lawsuits arise over the said lands, involving Indians as well as others who extend claims further than they have a right to, and . . . by the aforesaid book we can recognize the boundaries and markers [mojones] that each should observe.” The curacas’ request was eventually honored. When the book was returned to them in September 1697, the Spanish notary who certified its devolution described it as comprising 203 folios, the first 19 and last 13 of which were “torn and rotted” with age.

65. ARC, Cabildo, Justicia ordinaria, Causas civiles [Pedimentos], legajo 112 (1571–1732). See also a 1654 lawsuit concerning a stolen horse (ARC, Corregimiento, Causas criminales, legajo 77 [1582–1693], expediente dated 20 Apr. 1654): documentation was remitted to Cuzco’s corregidor from Maras, where several indigenous witnesses were sworn in and deposed by the alcalde ordinario don Francisco Mayllac. In this case depositions were taken without a notary, “a falta de escribano.” Yet all is scrupulously correct; the proper forms are followed and the Spanish is flawless.

66. *Composiciones*, as Spalding explains (*Huaro biri*, 181), “were periodically ordered to throw lands defined as vacant onto the market,” beginning in the late sixteenth century and continuing in the seventeenth century and early eighteenth century (see 181–83). ARC, Corregimiento, Causas criminales, legajo 77 (1582–1693), expediente of July 1658, the record of a conflict over land rights between Alonso de Vargas Valdes and the indigenous community of Pantipata, mentions the *libro de repartición de tierras* of Pantipata made by Lic. Alonso Maldonado de Torres, oidor (fol. 20); during the 1590s, this Spanish official carried out composiciones in the Cuzco region.


68. A comparable book is in the Archivo General de la Nación in Lima: see Derecho indígena, L. 39, C. 807 (años 1671–1713), “Libro donde se asientan los contratos de arrendamientos que de sus tierras hacían los indios del pueblo de Surco,” a leather-bound...
Finally, there are petitions for justice. These never stopped, though Toledo and other Spanish authorities did their best to discourage them and to channel justice through summary proceedings and Spanish hands. Pueblo authorities kept bringing petitions to both ecclesiastical and secular judges, working through official Spanish go-betweens when necessary. Take for example an unusual cover letter from Cuzco’s archives dated November 23, 1650. It came from a curaca of Oropesa named don Diego Gualpanina. We cannot be certain this document was actually written by Gualpanina’s own hand, since writing, including signatures, often happened through literate underlings. But there is a good chance Gualpanina penned it himself. Writing to the protector de naturales in Cuzco, don Pedro de Olivera, whom he addresses as his “Amo y Señor,” Gualpanina asks him to do something about a local estate owner named Francisco de Alarcón, who has been holding an elderly Indian laborer against his will. And Olivera did what he was requested to do: he filed a lawsuit before Cuzco’s corregidor. We do not know how the case ends, as the record is incomplete, but Francisco de Alarcón was detained in the Cuzco jail and interrogated as a result of Gualpanina’s written denunciation.  

Conclusions and Further Questions

Guaman Poma’s “quilcaycamayoc” did exist in significant numbers by the 1590s, at least in the Cuzco region. While he was not the sole handler of his community’s written business, he maintained its archives, probably merging municipal and ecclesiastical records in one repository. Many of these Andean notaries seem to have been nobles. In any case, to go by the available fragments, these men were bilingual, probably quipu-literate cultural intermediaries who by the late sixteenth century had brought the forms of Spanish colonial rule to the pueblo level, at least in the southern Andean highlands.
This certainly obliges us to rethink the exclusivity of what Angel Rama called “la ciudad letrada.” With its privileged relationship to the written word, this figurative city within a city—“a myriad of administrators, educators, professionals, notaries, religious personnel, and other wielders of pen and paper”—wielded great influence. Rama stressed “the letrados’ drastic exclusivity and strict concentration in urban centers.” He included among his examples the creole luminaries Sor Juana Inés de la Cruz and Carlos Sigüenza y Góngora. But Rama’s construct, useful as it is, overdraws the cities’ isolation from their hinterlands and neglects the extent to which transculturation was a two-way street. The figure of the escribano de cabildo reminds us that native writers were part of the lettered city. Their work went on in rural towns and villages as well as in urban parishes. And Toledo’s very designation of the native notary as “escribano de cabildo o quipucamayo” indicates the transculturated nature of their activities.

Whose interests did these Andean notaries serve? Their job was designed to secure Spanish domination, enabling Spanish authorities to “see like a state” and check up on Andean communities’ numbers and productive capacity, as well as their observance of basic rites of Christianity. Yet it simultaneously prepared them to defend their communities in writing. At present we know so little about these men that we should neither imagine them as linchpins of indigenous resistance nor damn them as agents of their communities’ subjugation to Spanish control; they could have acted as both, or neither. No doubt much depended on their relationship to their communities’ curacas and other authorities (and these relations surely varied from place to place, as well as over time). If we keep these escribanos de cabildo in mind as we page through the extant colonial archive, we are likely to learn more.

The figure of the escribano de cabildo also raises several questions for us that may not be easy to answer but are still worth asking. How did Spanish forms change when they were put in indigenous notaries’ hands and became,
to some extent, a medium for transmitting quipu-based knowledge? If Guaman Poma’s obra maestra can be seen as a kind of “textual contact zone,” as Galen Brokaw suggests, “in which the metatextual principles of khipu and alphabetic literacies vie for position,” can something similar be seen in the more quotidian writing of Andean notaries? Gradual incorporation of Spanish loan words into Mesoamerican notaries’ native-language records has been a focal point of analysis for James Lockhart and others, who use it to gauge overall “rapprochement” between native and Spanish culture. Andean notarial records are different: they are already in Spanish. Yet, as José Luis Rivarola has shown, Andean Spanish also changed across time and space as its users grew more familiar with the language and honed their capabilities. Indigenous notarial writing, to the extent that we can locate it, will give us important insight into this process.

As for quipus, their use has lasted far longer in the Andes than was once supposed. Frank Salomon’s ethnographic work in the pueblos of Tupicocha and Rapaz demonstrates the quipu’s remarkable versatility as a means of certifying authority. But this is hardly a precolonial “survival.” Rather, quipu use has always changed to suit communities’ changing needs. Mercedarian friar Martín de Murúa witnessed this in the 1590s in the parish where he had taught doctrina:

I saw an Indian, an elderly curaca, who had on one of those long cords the entire Roman calendar and all the saints’ days and festivals, and he gave me to understand how and by what means he knew it, and that he had asked a very inquisitive friar of my order a few years ago to read him the calendar and explain it to him, and that as the friar read it to him he put it on his quipu, and it was an amazing thing to see the way in which the old man understood it as though it were in paper and ink.

75. Lockhart, The Nabuas after the Conquest, 430.
76. See Frank Salomon, The Cord Keepers: Khipus and Cultural Life in a Peruvian Village (Durham, NC: Duke Univ. Press, 2004), especially 126–27. Salomon observes that “[c]entral Huarochirí . . . is one of the three areas known to have preserved into modern times a political-civic khipu complex (as compared to herding and confessional khipus, which exist elsewhere)” (167). See also his forthcoming book with Mercedes Niño-Murcia, The Lettered Mountain (Durham, NC: Duke Univ. Press).
77. Martín de Murúa, Códice Murúa: Historia y genealogía, de los reyes inca del Perú del padre mercedario Fray Martín de Murúa. Códice Galvin, ed. Juan Ossio (1590; Madrid:
As quipus were yoked to new purposes beyond doctrinal ones, and people began to want (or require) written, notarized records, how did this change quipu use? How, in other words, did these varieties of literacy inflect each other? How were alphabetic and quipu archives related?

Above all, it seems important not to hold these archives too separate or to imagine one as present and the other as lost. Unfortunately, due to the Spanish Empire’s archival politics and those of its successor republic, the records that Andean pueblo notaries made were not gathered together and preserved, except in fragments that occasionally turn up or receive mention. But the escribanos de cabildo were not the only Andeans who wrote. So did many indigenous parish assistants. Curacas wrote, too, and had others write for them when they did not manage the technology themselves. And don Diego Gualpanina’s cover letter indicates that when we are reading the words of a Spanish lawsuit filed by a Spanish official like the protector de naturales, we may be reading words more or less ventriloquized by an Andean authority like don Diego Gualpanina. Spanish and Andean archives may not be as separate as we might think; one may actually bleed through the other more than we suppose. For if Guaman Poma’s dream of a fully literate Andean society was not realized, neither was Toledo’s vision of docile Andeans who did not talk or write back.

