The 1539 Inquisition and Trial of Don Carlos of Texcoco in Early Mexico

Patricia Lopes Don

The inquisition, trial, and burning of the indigenous leader Don Carlos Ometochtli Chichimecateuctli of Texcoco is a well-known event of early sixteenth-century Mexican history, referenced dozens of times in Latin American historiography. Nevertheless, the last historian to write an explanation of the events that led to Don Carlos’s death was Richard Greenleaf in his 1962 publication Zumárraga and the Mexican Inquisition, 1536–1543.1 The Don Car-


Hispanic American Historical Review 88:4
doi 10.1215/00182168-2008-001
Copyright 2008 by Duke University Press
los case was the climax of a series of 16 inquisitional trials conducted by the first bishop of Mexico, Juan de Zumárraga, involving 24 indigenous men and 3 women, most of whom were leaders in their respective communities. Don Carlos was the son and grandson of legendary pre-Hispanic leaders of Texcoco, a major colonial city and one of the three partners in the preconquest Aztec Alliance. Though he was also accused of bigamy and idolatry, Don Carlos received his death sentence for the crime of heretical dogmatism and was the only indigenous leader to pay with his life at the stake in Zumárraga’s Inquisition.

Since Greenleaf’s interpretation of the Don Carlos story, historians have opened up the field of the ethnohistory of the indigenous peoples of the Americas with a wealth of new interpretative strategies, a new body of research in native documents, and a full range of explanations about the agency of indigenous people in the colonial period. Therefore, the questions that I raise in this narrative are a little different than Greenleaf’s were 40 years ago. My predecessor was interested in demonstrating that Don Carlos was guilty of the heretical dogmatism of which he was accused. I disagree with his evaluation and deal with that question near the end of this essay. However, I am less concerned with questions of Spanish intentions, which resulted in the guilty verdict in Don Carlos’s trial, than I am with questions of indigenous agency. First, what precisely motivated Don Carlos to take actions that led to the accusations against him, and how were they related to his role as leader of Texcoco? Second, what were the patterns of actions of others in the indigenous community leading up to and during the initial inquisitorial phase of his case? Finally, how was the agency of Don Carlos and others constructed in the early colonial period as Franciscan missionary goals, backed up with Spanish power, forced various indigenous leaders to make decisions?

In this paper, I return to the Don Carlos case with a closer reading of the trial transcript, using microhistorical methodology to explore the agency of Don Carlos and other indigenous leaders in his trial. While microhistory, the construction of the personal narratives of obscure historical actors out of mostly legal or religious documentation, is a fairly common method of analysis in European Inquisition history, it has more often found its way into Mexican

The 1539 Inquisition and Trial of Don Carlos of Texcoco

studies by the route of gender histories. Fortunately, at 70 pages, Don Carlos’s trial transcript provides enough information, along with other sources, to complete a microhistorical treatment. The main source for this story, the trial transcript, was made available nearly a century ago when the Mexican government arranged for its national archives to transcribe and publish this and other Inquisition transcripts to celebrate the one hundredth anniversary of Mexican independence from Spain. Two fairly recently investigated colonial sources, pertaining directly to the case and written very contemporaneously to the event, corroborate facts in the Inquisition transcript: Susan Schroeder and Arthur J. O. Anderson have brought out a new edition of the Codex Chimalpahin, which contains new information from Don Carlos’s family members dealing directly with questions of how and when he came to power. Howard Cline studied the second source, the Ozotipac Map, between 1966 and 1972; it contains detailed evidence of the line of succession of Texcocan colonial leaders. In fact, because of the


trial and these sources, Don Carlos is among the better-known members of the native elite of the 1530s.

The single case I examine here responds to a broader question about the patterns of early native colonial leadership. How did indigenous leaders and communities shape their conduct to better fit the coercive frame in which they were compelled to live, without necessarily internalizing European values? To address this question, I investigate the process of the indigenous leaders’ decision making—as much the protagonist of this story as Don Carlos—and this allows me, as William Taylor says, to reach “beyond the idea of freestanding, autonomous subjects in colonial histories to how and why they acted as colonial subjects.” The goal is to reconstruct the individual stories in Don Carlos’s trial in order to understand the various ways that indigenous leaders learned how to become colonial subjects on their own terms.

The Inheritance: “He always tried to take the señoridad by force”

Don Carlos’s formal denial of all the charges against him was contained in a document his attorney presented to the court in the month of August, 30 days after he had been interrogated and Zumárraga had completed the actual inquisition or inquiry. The denials contained in the document included one particularly interesting assertion that opens up the whole question of who Don Carlos was and how he became vulnerable to charges of heresy. Don Carlos protested that he had been accused “because he is the señor [leader] of the village, which he is legitimately and by the wish of his brother, and he had to punish people and they accused him for this reason.” Elsewhere in the transcript, Don Carlos’s half-sister María seemed to corroborate his claim when she angrily testified that their deceased brother and former leader, Don Pedro, had to “manage things for Don Carlos a lot because he wanted him as leader after his days.” Don Carlos, she said, “had always tried to take the señoridad by force and be señor of Texcoco.”

These separate statements reveal two things about the situation in Texcoco at the time of Don Carlos’s arrest. First, there was considerable animosity in Tex-

7. William B. Taylor, “Two Shrines of the Cristo Renovado: Religion and Peasant Politics in Late Colonial Mexico,” American Historical Review 110, no. 4 (October 2005): 973 (emphasis in original). In a discussion on pages 969–74, which was most helpful in shaping my own thinking about the uses of microhistory in indigenous history, Professor Taylor alludes to questions of locating the general in a specific subaltern case.
9. Ibid., 32.
The 1539 Inquisition and Trial of Don Carlos of Texcoco

The 1539 Inquisition and Trial of Don Carlos of Texcoco toward Don Carlos and a good deal of anxiety about the legitimacy of his rule. Second, Don Carlos did not know after the official inquiry (and may have even gone to the stake four months later without knowing) who his real accusers were and how precisely he came to be charged with heretical dogmatism. Obviously, he thought Texcocans had betrayed him, but we know very certainly from the trial transcript that his accusers came from Chiconautla, a village some ten kilometers from Texcoco. Inquisition testimony, however, was taken secretly, and the accused was never presented with the evidence or his accusers. Zumárraga had been careful in his questioning of Don Carlos not to reveal the identity of Don Carlos’s actual accuser—an indigenous Christian neophyte from Chiconautla named Francisco. The real questions here are why Don Carlos and others in Texcoco perceived that he lacked legitimacy, and how these perceptions were related to the accusations against Don Carlos, which were made in Chiconautla. Actually, there was little evidence of a native conspiracy. The problems with Don Carlos’s inheritance did not lead directly to his denunciation, though the climate of dispute and the air of illegitimacy that attended his pending succession seemed to affect Don Carlos personally, and this led indirectly, I will argue, to his denunciation. The disputes over his succession, however, did not begin in 1539. Disputed succession in Texcoco preceded the conquest, became exaggerated in the difficult colonial period, and built toward the events of Don Carlos’s ascension to the throne of Texcoco in 1539.

Texcoco was the most powerful city-state of the Acolhua tribal group that settled in the Valley of Mexico on the east side of Lake Texcoco in the thirteenth century. In 1427, the leader of the Texcocans, Nezahualcoyotl, formed the Aztec Alliance with the Mexica of Tenochtitlán, the city-state founded on an island in the middle of the Valley of Mexico lake system, and the Tepaneca, whose main city was Tlacopán, to the northwest. The succession pattern of most valley monarchies employed modified forms of brother inheritance. The new alliance, however, complicated leadership and the rules of succession. All three monarchs of the alliance had numerous wives and concubines, but they also sorted marriages by the principle of hypogamy; the wife’s status determined the status of the progeny and politically tied the elite families of the valley together in a complex hierarchical network. In the new alliance environment, the chil-


11. Pedro Carrasco explains the marriage principles as they worked in Texcoco to tie the leader to Mexico and to the dependent city-states of the Acolhua. Carrasco, “Royal
dren of high-status marriages, especially with the Mexica, seemed to have the advantage over the king’s brothers in succession. Consequently, Nezahualcoyotl, himself the son of a Mexica marriage alliance, named as his heir his young son Nezahualpilli, also the son of a Mexica princess. There were some objections, but father-to-son inheritance in Texcoco survived and continued.\footnote{Marriages in Ancient Mexico,” in \textit{Explorations in Ethnohistory: Indians of Central Mexico in the Sixteenth Century}, ed. H. R. Harvey and Hanns J. Prem (Albuquerque: Univ. of New Mexico Press, 1984), 47.}

Nezahualpilli ruled from 1471 to 1515. Historians have suggested that, throughout his reign, the Aztec Alliance was drifting steadily toward complete Mexica dominance. In the sixteenth century, Motecuhzoma II, the Mexica king, increasingly ignored treaties with Texcoco, kept a good number of Nezahualpilli’s sons under his control in his palace in Tenochtitlán, and even suggested that the Aztec Alliance was over.\footnote{Frances Gillmor, \textit{The King Danced in the Marketplace} (Tucson: Univ. of Arizona Press, 1964), 3. Nezahualcoyotl’s mother was Matalchihuatzin, the daughter of Huitzilihuitzin of Mexico. On the innovations of Nezahualcoyotl, see Carrasco, “Royal Marriages in Ancient Mexico,” 47–55; Offner, \textit{Law and Politics in Aztec Texcoco}, 231–32.} In his last years, Nezahualpilli retreated from public life and declined to proclaim a successor from among his 40 surviving sons.\footnote{Offner, \textit{Law and Politics in Aztec Texcoco}, 238.} Upon his death in 1515, however, two groups of sons had the upper hand under the father-to-son inheritance of the alliance. They were the sons of sisters of Motecuhzoma II; an unnamed wife had borne Cacama, while another Mexica princess, Tenancaxhautzin, had a multitude of children, including 11 sons.\footnote{Anderson and Schroeder, \textit{Codex Chimalpahin}, 2:237–38.} All were potential legitimate heirs, but Nezahualpilli made no choice.

Exercising Mexica dominance, Motecuhzoma II unilaterally chose his favorite nephew Cacama as the new king. Several of Cacama’s half-brothers of the Mexica line immediately accepted the decision. One of the middle brothers, Ixtlilxochitl, however, refused, and between 1515 and the eve of the Spanish conquest in 1519 he took most of the northern tributary lands of Texcoco away from Cacama. Eventually, Cacama negotiated a truce with the rebellious Ixtlilxochitl, which allowed Cacama to remain the official king and live in Tenochtitlán, while Ixtlilxochitl ruled the northern tributary lands he already held. Cacama’s loyal half-brother Cohuanacoch was appointed governor of the southern territories and governed them on the new king’s behalf.\footnote{Ibid., 2:2120–21, 221; Offner, \textit{Law and Politics in Aztec Texcoco}, 238–39.}
Selective genealogy of the Texcocan royal family. Numerals in parentheses following the bold-faced names indicate order of succession of the colonial Texcocan tlahtoque.
When Cortés made his assault on Tenochtitlán in 1520, Cacama sided with the Mexica and made war against the Spanish conqueror. In solidarity with Cacama, Cohuanacoch and three of his full-blood brothers led an army in alliance with the Mexica against Cortés in the final stand in Tenochtitlán. The wily Ixtlilxochitl, however, threw in his lot with Cortés, in effect declaring war against his brothers. Cacama died while in the hands of the conquerors in Tenochtitlán, but many of the remaining rebelling and nonrebelling brothers survived. The victorious Cortés now tried to play the role that Motecuhzoma II had attempted six years before—to impose a ruler on the Texcocans. At this moment, however, the relative youth of the royal family and the deaths of many royal males by war and plague forced Cortés to choose from among brothers, inadvertently returning succession back to brother inheritance. For four years Cortés selected different brothers from inside and outside the Mexica line, studiously avoiding his ally Ixtlilxochitl for reasons he never articulated. After Cortés executed one of the Mexica brothers, Cohuanacoch, he finally appointed Ixtlilxochitl as lord of Texcoco and baptized him “Don Fernando” after the Spanish king. Don Fernando Ixtlilxochitl responded by enforcing a strict campaign of baptism, church-sanctioned marriages, and church building in Texcoco, making it one of the bastions of the Catholic Church in the late 1520s.

Don Fernando Ixtlilxochitl’s reign, while stable, was also short lived. In

18. On the split in the family, see Anderson and Schroeder, Codex Chimalpahin, 2:187.
19. Gibson, Aztecs under Spanish Rule, 19; Anderson and Schroeder, Codex Chimalpahin, 2:187.
20. For discussion of the suits and disputes over the question of “legitimacy” in inheritance, see Charles Gibson, “The Aztec Aristocracy in Colonial Mexico,” Comparative Studies in Society and History 2 (1960): 191. See Cortés, Letters from Mexico, 173, where he said that he wanted to keep the peace in “Tesusico,” for “on that depended whether we had peace or war with the other provinces that were in revolt.” Howard Cline reports that both Mapa Tlatzin and the Ozototipac Map make it very clear that the inheritance of Texcoco went first to Cacama in 1517–19 and then very briefly to Don Fernando Tecocoltzin, a non-Mexica brother, in 1520–21. Cline, “The Ozototipac Lands Map” (1966), 83. These indigenous sources make no mention of Don Carlos Ahuahpitzactzin, the other Cortés appointee, who appears briefly in the sources. However, Cortés indicated in his third letter to Charles V that he appointed Don Carlos (whom he also refers to as Don Fernando) as a “puppet ruler.” On the whole, the most reliable source is probably the Ozototipac Map, and this paper follows the order of inheritance given there.
addition, the Franciscan friars complicated inheritance principles during his reign by introducing the European concept of “legitimacy” in church-sanctioned marriage to the Texcocan community. In 1526 the friars compelled members of the Texcocan royal family to marry in a large ceremony. They followed in the early 1530s with a series of campaigns designed to eradicate consanguinity and bigamy and put a great deal of pressure on the indigenous nobles to both follow and enforce the European taboos. After this, only sons of church marriages were considered legitimate heirs. Unlike his predecessors, Don Fernando had the independence, in the absence of Cortés and Mexica dominance, to exercise the selection of his heir; however, he had only daughters by his chosen wife and could not follow the principle of father-son inheritance. Therefore, he was forced to choose a successor either from among his very young nephews or from among his older and more experienced full-blood brothers of the old Mexica line.

Ixtlilxochitl chose the latter, an uneasy proposition since his elder brothers, Don Pedro Tetlahuahuequititzin and Don Juan Quauhtliztactzin, and his younger brother, Don Jorge Yoyotzin, had been among those who had allied with the Mexica against him and Cortés in 1520. Apparently, Don Fernando also passed over the eldest surviving brother, Don Pedro, preferring the younger brothers, Don Juan and Don Jorge, for the crown. Don Juan died before the transfer could be made; thus, Don Jorge Yoyotzin became the Texcocan monarch upon Don Fernando’s death in 1532. In a few years Don Jorge, in turn, died without an appropriate male heir. Therefore, the embittered Don Pedro Tetlahuahuequititzin, the last of the preferred Mexica line among the sons of Nezahualpilli, who had been overlooked by his father, his Mexica uncles, Cortés, and even his own full-blood brothers, finally came to rule Texcoco in the year 1535.

22. On the question of selecting a legitimate wife and marrying her in the church, see Joaquin García Icazbalceta, Don Fray Juan de Zumárraga: Primer Obispo y Arzobispo de México (Mexico City: Andrade y Morales, 1881), 1:177; Sarah L. Cline, “The Spiritual Conquest Reexamined: Baptism and Christian Marriage in Early Sixteenth-Century Mexico,” Hispanic American Historical Review 73, no. 3 (1993): 475. Cline discusses the economic and political value of having many wives and the royal decrees on monogamous marriage in 1530 and 1535.


24. Anderson and Schroeder, Codex Chimalpahin, 2:211.

25. Ibid., 2:203.
Since the rise of Nezahualcoyotl in 1427, the same branch of the royal family, related to the Mexica, had ruled for a total of 108 years with only one slight break in 1521. Don Pedro, however, had no sons by his church-sanctioned marriage and no full-blood brothers. Again, he could either select one of his Mexica nephews—Don Fernando Pimentel Velásquez, the son of his brother Cohuana-coch, or Juan de San Antonio, the son of his brother Don Juan Quauhtliztactzin—or break the long-ruling Mexica line by providing a non-Mexica half-brother with the crown. Don Pedro chose to go outside the Mexica line and invest rule in his half-brother Don Carlos Ometochtli (his calendrical name) Chichimecateuctli (his honorific name, meaning Chichimec lord), which set the succession onto a new contentious path.26

Don Carlos Ometochtli appeared to be born around 1505, just a little later than the string of Mexica half-brothers.27 Unlike the half brothers’ prestigious mother, however, Don Carlos’s mother was a concubine to Nezahualpilli. His maternal great-grandfather, Huehuexotl, was a minor chief from the Tepaneca tribe and his grandfather was unremarkable. This made Don Carlos a calpantilli, a house son, and placed him below esteemed sons, tlazopilli, who had more prominent maternal bloodlines, including the Mexica half-brothers who had preceded him in the succession.28 The trial transcript, our best contemporaneous evidence, makes clear that he was called Ometochtli by his brothers and sisters and that Chichimecateuctli, the name which all tlahtoqueh (leaders) of Texcoco took, was something he and Don Pedro emphasized, probably to boost his prestige in Texcoco.

Don Carlos was probably 14 to 16 years old at the time of the conquest, an age when he was required to learn arms, but we do not know if he actually used them on one side or the other of the conquest wars.29 After the conquest he lived

26. It should be noted that Gibson is one of the few historians who understands that the brief reference in a part of Codex Chimalpahin, that Don Carlos ruled from 1531, ignoring both Don Jorge’s and Don Pedro’s reigns, was inaccurate; he cites Archivo General de la Nación, Inquisición, vol. 2, no. 10, fol. 262v, to support his chronology of the inheritance. Gibson, Aztecs under Spanish Rule, 170 n. 33.

27. This can be established by the fact that Don Carlos was married in 1535, which, according to Texcocan custom, would have happened when he was about 30 years old. We also know that he had a child eight years before, which would have been when he was about 22. Therefore, Don Carlos could not have been a very young child at the time of the conquest, as was suggested by Obregon.


in Cortés’s house in Coyoacán, where Cortés kept many sons of the royal houses of the Valley of Mexico under a kind of forced Hispanicization program. The young noble seemed to learn a great deal about Spanish ways. At his Inquisition trial, he said he had been baptized “about 15 years before [by] Fray Juan, who is now dead,” meaning about 1524–25.\(^{30}\) By 1528, he seemed to be back in Texcoco, because he had fathered a son out of wedlock there, a minor indiscretion.\(^{31}\) The preface by Luís González Obregón to the 1910 publication of Don Carlos’s trial transcript states that Don Carlos was schooled in the Colegio de Santa Cruz de Tlatelolco, a school for the teaching and proselytizing of noble sons away from their families. Although historians have repeated this error, this was unlikely, given that Don Carlos was already nearing 30 when a colegio in Tlatelolco was initially opened, and that the Franciscans preferred to recruit 10- to 12-year-olds for instruction at the colegios because of the children’s obvious intellectual malleability. Nevertheless, Don Carlos seemed to be aware of the activities of the school and what the Franciscans were doing there.\(^{32}\)

\(^{30}\) Proceso inquisitorial del cacique de Tetzcoco, 56; a couple of Franciscan friars fit this description, but the possibilities were Fray Juan de Tecto and Fray Juan de Aora, Flemish Franciscans who accompanied Fray Pedro de Gante to New Spain in 1523 ahead of the famous Franciscan Twelve, and founded the convent school at Texcoco; both died shortly after. See Arthur S. Aiton, Antonio de Mendoza, First Viceroy of New Spain (Durham, NC: Duke Univ. Press, 1927), 106; Ramón Crusces Carvajal, Pedro de Gante: Su presencia en Texcoco (Texcoco: Talleres de Imprenta Catedral, 1987), 21–24.

\(^{31}\) Carrasco stated that young nobles were allowed many concubines and illegitimate children, a practice that the Franciscans were unable to regulate in the early years. “Social Organization of Ancient Mexico,” 369. Obregón is incorrect when he speculates that Don Carlos stayed with Cortés until 1531 and that he took over the crown of Texcoco in the same year. Luís González Obregón, “Preliminar,” in Proceso inquisitorial del cacique de Tetzcoco, 1:xx.

\(^{32}\) When the college was first founded it established guidelines for admitting 100 youths 10–12 years old, 2 from each cabecera (Spanish town). Gerónimo Mendieta, Historia eclesiástica indiana, 4 vols. (Mexico City: Editorial Salvador Chávez Hayhoe, 1945), 2:40. Six years of the tribute of Texcoco was used for the building and support of the monastery and college at Tlatelolco, and Don Carlos might have been aware of the college through labor and tribute activities that Texcoco had to perform. García Icazbalceta, Don Fray Juan de Zumárraga, 1:361. Juan Estarellas makes the very strong argument that the myth of Don Carlos attending the college was formed by Gerónimo López, a Spanish settler who was very much against the education of the indigenous youth at Tlatelolco and wrote letters to the court denouncing the college and the Franciscan efforts there. He used the Don Carlos case “as an example of the harm that could be done by giving the Indians higher education.” However, there is no direct or indirect proof that Don Carlos was educated at the college, other than López’s claim. Juan Estarellas, “The College of Tlatelolco and the Problem of Higher Education for Indians in 16th Century Mexico,” History of Education Quarterly 2,
In fact, Don Carlos interacted with the Franciscan friars and Spaniards in Texcoco very readily. Texcocos testified that, in 1531, Don Carlos had asked his half-brother Don Fernando Ixtlilxochitl for the use of the Oztoticpac Palace at the behest of a Franciscan brother who lived in Texcoco at the time.\(^{33}\) The friar apparently regarded Don Carlos as a confidante and wanted the use of the property for religious purposes. On the other hand, the young Don Carlos was just as likely to have been focused on getting the property and used the friar’s request as a clever strategy to sway his half-brother or perhaps even intimidate him. By 1536, Don Carlos was doing business with a Spaniard, Pedro de Vergara, in an important enterprise to plant European fruit trees on one of Don Carlos’s properties, the two of them splitting the profits.\(^{34}\) In short, Don Carlos was at the time behaving in a matter that was very probably typical of a good number of nobles. He engaged the Spanish and Franciscan world when he could gain some economic or political benefit; however, most of the time he intentionally or as a matter of course distanced himself from the friars and their circle of neophytes.

Don Pedro seemed to prefer his half-brother as his heir rather than his brothers’ sons, for two reasons. First, there was a problem of age with regard to the nephews. By 1539, the nephews were probably still in their teens, which meant that they were not ready for marriage and not ready for rule, as Texcocans regarded bachelors as unsuitable for office.\(^{35}\) Secondly, Don Pedro did not seem to trust his nephews. According to one of the nephews, Juan de San Antonio (in a source made available in the recent publication of Codex Chimalpahin),

---

\(^{33}\) See Howard Cline, “The Oztoticpac Lands Map” (1966), 86, for the information that Don Fernando turned down Don Carlos and gave the palace to his heir, Don Jorge.  
\(^{34}\) Ibid., 106.  
\(^{35}\) Haskett noted that “marriage marked one’s entry into adult society and bachelors were considered unsuitable for governorship.” Robert Haskett, Indigenous Rulers: An Ethnohistory of Town Government in Colonial Cuernavaca (Albuquerque: Univ. of New Mexico, 1991), 145.
The 1539 Inquisition and Trial of Don Carlos of Texcoco

members of Texcoco’s elder council told him that Don Pedro was angry at him and had complained of his ambitions: “It is said, because my nephew is male, when I die he will come in here and take the little house I have arranged for myself and the little walled enclosure.”

Since there was bound to be unhappiness over Don Pedro’s choice of Don Carlos, Don Pedro indeed “managed” many things during his four years of rule in such a way as to improve Don Carlos’s wealth, his stature, and his prestige in the town, at the expense primarily of the nephews. Again, San Antonio recalled what Don Pedro said to a meeting of nobles prior to his death: “Perhaps you noblemen feel uneasy . . . for I say that my younger brother Don Carlos Ometochtzin Chichimecatecutlzintl is poor. Therefore, I give him, I assign him, the cultivated property of Yahualihuican that my nephew Juan de San Antonio is working; do what you hear, my younger brother.” As heir apparent, Don Carlos also needed a residence. Don Pedro confirmed the Oztoticpac Palace as Don Carlos’s to use, an important signal of Don Carlos’s new prestige, because the palace was the largest and most luxurious residence in colonial Texcoco. It may have been that many family members felt that they had been left aside, as Juan de San Antonio clearly did when he complained, “We knew Nezahualpiltzinli loved his elder brothers and sisters, because he guarded their property for them; he was the representative of their father.” The implication was that Don Pedro did not protect the material interests of his extended family.

Two elements were probably contributing to San Antonio’s lamentations and the concerns of other relatives. First, recent historical scholarship has focused on the financial arrangements of tribute that created a base of power in the so-called empires that made up the Aztec Alliance. Cities, such as Texcoco and Tenochtitlán, were not territorial empires as much as they were tribute empires. When Cortés defeated the Mexica, he completely undercut the tribute network and probably did so even before the completion of the conquest, which explains the rapid spiral of decline in the “empire.” Having lost the tribute empires to the Spanish, it was probably impossible for royal heads of household in the 1530s

36. Anderson and Schroeder, Codex Chimalpahin, 2:223.
37. Ibid., 2:225; Howard Cline, “The Oztoticpac Lands Map” (1966), 83, 96.
38. Anderson and Schroeder, Codex Chimalpahin, 2:191.
to support the large extended families of old alliance leaders like Nezahualpilli in the generous manner that he had when vast amounts of tribute and war booty were available. There was just enough wealth to keep only the highest members of indigenous royalty in a style to which they were accustomed.

Decisions about colonial inheritance, therefore, not only determined the right to rule, they determined who among the royal family would become economic winners. This explains why Don Pedro was anxious to endow Don Carlos with a lion’s share of the royal wealth. But his inability to provide a wider circle of economic support and protection as in pre-Hispanic times left the supreme leader highly vulnerable to intrigue, as Juan de San Antonio’s complaints made clear. In the first two decades after the conquest, an intense dynamic in the larger noble households was this scramble to endow one section of the royal family with the city wealth and create a dynasty. Don Carlos’s unpopularity, therefore, was fueled by the sense that he was about to deprive large sections of the extended family of their livelihoods and the future well-being of their immediate families.40

The second element was the sense of illegitimacy in Don Carlos’s lack of Mexica connections. The power of the Mexica was long gone, but the Mexica heirs clung tenaciously to their pre-Cortesian privileges by manipulating the family tradition. In a rhetorical environment somewhat controlled by the Mexica line of the royal family, Don Carlos’s “señoridad” was perceived as having been taken by force, or as tyrannous. The deceased Don Pedro’s methods, and by association Don Carlos’s ascension to the throne, however, challenged not only the honor of the Mexica line but also the non-Mexica, who felt just as entitled as Don Carlos to the shrinking privileges and land. Each constituency used the emblem of family honor and legitimacy to build itself up and tear down a competitor.

The Illegitimate Brother: “He began to treat her badly”

The tension over succession created an environment in mid-1530s Texcoco where discourses of leadership, masculinity, and authenticity flourished. Don

40. It was quite telling that the ruler of Texcoco after Don Carlos’s death, his half-brother and successor Don Antonio Tlahuiloltzin, reported that he made much effort to give land from the frontiers of the Texcocan community to his brothers and nephews as well as to other nobles and his sisters in the next years, probably trying to engage their support and allegiance. See Fernando Horcasitas, “Los descendientes de Nezahualpilli: Documentos del Cacicazgo de Tetzcoco (1545–1888),” Estudios de Historia Novohispanica (1978): 151.
Carlos began to change from an opportunistic and distant observer to a hostile agitator against the Franciscans in the late 1530s. Partly, he may have become exasperated with the opposition to his pending succession. For the second cause, however, we must “look for the woman.” In the early 1530s, when Don Carlos was approaching 30, the age of mature reflection, marriage, and leadership responsibilities, he became enamored with his niece Inés, the daughter of his full-blood sister Xoxul; he had two daughters by Inés, one of whom survived.41 There was no prohibition on consanguinity in unions in pre-Hispanic Texcoco; however, the tlahtoani (speaker or leader; pl. tlahtoqueh) always had the power to overrule or approve the marriages within the royal family. At trial Don Carlos claimed that his brothers were quite angry about the affair and that Don Pedro had compelled him to marry another woman, Doña María, in a church ceremony in 1535. Little is known about Doña María, except that she was suitable by church standards, a very distant relative, and acceptable by Texcocan standards, as she was from a noble family in Huexotla, a subject town.42

In most respects the decision to force Don Carlos into this marriage is indicative of a pattern of emerging leadership that was common among early colonial nobles. Don Pedro was an older noble and there was nothing in his actions or previous life that indicated that he was sympathetic with the moral restrictions of the Christian Church. Nevertheless, the colonial Texcocan tlahtoqueh generally oversaw family matters in such a way as not to invite Spanish and Franciscan interference in Texcoco’s affairs. According to Louise M. Burkhart, “moral temptation was not an indigenous concept. . . . To be moral is only to behave within common sense, to do what is obviously the desirable thing to do.”43 The sensible and desirable thing for nobles to do in the colonial indigenous communities was to avoid excessive desires and problems that might bring outside scrutiny to the community, as Don Pedro had recommended when he ended Don Carlos’s affair with Inés. In this environment, Don Carlos and other nobles could be labeled “bad,” not in the Christian moral sense but according to pre-Hispanic standards of the responsible and proper conduct of leaders. In the Florentine Codex, a bad leader was “impetuous . . . disrespectful of others . . .

42. Proceso inquisitorial del cacique de Tetzcoco, 56. Here, Don Carlos says that “he married four years ago in Guaxutla, subject of Texcoco,” making Doña María a noble daughter from a dependent town. I have used the more accepted spelling of this town, Huexotla.
43. Burkhart, Slippery Earth, 71.
[and] acts without consideration,” as opposed to a good leader, who “unites [his people] . . . brings them together . . . [and] is discreet.”44

Clearly, if Don Carlos was intended to be the next tlahtoani of Texcoco, his marriage and the legitimacy of his children would come to the attention of the Spanish authorities and could cause difficulties for the community if the friars judged them to be un-Christian.45 By compelling Don Carlos to establish a family with another woman, Don Pedro and the other Texcocan nobles were demonstrating discretion by deflecting Spanish attention from Texcoco and avoiding any event that would invite the colonial authority’s further interference in their towns and cities. Evidently discretion, the indigenous leadership value, was elevated above pre-Hispanic male prerogatives of consanguinity and bigamy because leaders perceived that their communities would rather judge the leaders by the former rather than the latter value. A Franciscan friar and close confidante of Zumárraga, Fray Andrés de Olmos, confirmed the indigenous pattern of discretion (which he regarded as “deceitfulness”) in a letter of January 1540 to his friend Bishop Zumárraga. “It seems to me that these people shower us with compliments, but, among the leaders, I have not known three who have come voluntarily to the faith.”46 Of course, some leaders were more astute, careful, and discreet than others; they learned to deflect the Spaniards and manage internal affairs so as to avoid Spanish interference, and they had the patience to endure the insults of the friars. But not all nobles could keep their own counsel well, and circumstances could turn them away from accommodation.47

Initially, it seemed that Don Carlos was willing to exercise such patience and do what was required of him because it fit the seemingly successful pattern that his brothers had followed since Don Fernando’s reign in the late 1520s. But, as he neared his ascension, certain events suggested that his attitudes were

44. Sahagún, 10:15–16.
45. Gibson notes that “Christianity, rather than peace alone, had become by the late 1530s, a recognized criterion for acceptable native conduct. Without it no member of the indigenous upper class could thereafter maintain his position.” He added that Don Carlos’s execution emphatically made that point. Gibson, “Aztec Aristocracy in Colonial Mexico,” 173–74.
46. Procesos de indios, 207.
47. Miguel León Portilla has used certain Spanish and Nahuatl terms to refer to this kind of middle cultural and political position. “Whenever and wherever Spanish activity had significantly altered native routines but not enough time elapsed for new ways to be properly assimilated, those who found themselves sin rumbo (without direction) considered the possibility of remaining nepantla, in the middle” (my translation). Miguel León Portilla, “Testimonios nahuas sobre la conquista espiritual,” Estudios Cultura Nahuatl 11 (1974): 32–33.
changing. In testimony, his wife Doña María claimed that, though their marriage had no children, it was amiable for the first two years. Around 1537, however, the marriage deteriorated and Don Carlos “began to treat her badly.” Though we do not have sufficient testimony on this matter to pinpoint events and bad acts that happened in the next 18 months or more, testimony indicates that by February 1539, Don Carlos had moved his old mistress, his niece Inés, into his home and she was nursing him through a serious illness. According to Doña María and other witnesses, Don Carlos openly insulted his wife by allowing Inés to run his household and treat his wife like a servant. The mistress even told the wife “what she was supposed to do for Don Carlos and what she was supposed to make for dinner.” There were earlier indications, however, that Don Carlos was abandoning in his personal affairs the deflection and avoidance pattern of leadership that his half-brothers practiced. His illegitimate 11-year-old son, Antonio, revealed at trial that he had not been baptized at the usual age, between 6 and 10, because “his father did not wish it.” Witnesses also indicated that Don Carlos had not been to church for some time.

What did Don Carlos’s turning from his brothers’ wishes mean? Certainly, he was angry that he had been deprived of his personal and sexual liberties. Possibly, he was reconsidering the wisdom of his brothers’ efforts to adapt their leadership practices in order to deflect Spanish power and was inclined to a more open opposition to the Franciscans. Don Carlos’s rebellious turn, however, should be seen not only in terms of his individual predicament but also in a larger context. The leadership strategy of deflecting Spanish power from the native communities and accommodating the Franciscans posed greater problems in the 1530s, and the Franciscans chose to interfere even more.

Spanish and indigenous cultures in the mid-1530s in Texcoco increasingly battled over sexual morality, marriage, and family. For the Franciscans, the euphoric early years after 1526, when they could marry and baptize Texcocans en masse with the support of Don Fernando, had waned. The Texcoco successors to Don Fernando were less enthusiastic about cooperation with the Franciscans, especially when this meant imposing on their communities the foreign, distasteful, and even emasculating standards of Christian living.

The friars were perplexed by what they viewed as the intractability of the

---

49. Ibid.
50. Sarah Cline, “The Spiritual Conquest Reexamined,” 466, indicates that most noble sons were baptized in that age range.
elite on the question of bigamy. In 1529, Fray Pedro de Gante wrote to his fellow Franciscans in Flanders that this was a major issue of reform, as the nobles had as many as four hundred wives, he claimed, “so the [other] men live miserably cheated.”

Though the church and crown had ordered monogamy in the early 1530s, the Franciscan friar Fray Toribio de Benavente, or Motolinía as he was popularly called, reported that throughout the decade “the lords had most of the women and would not give them up, nor could others take them away. Neither entreaties, threats, sermons nor anything else sufficed to make them give up all these women.”

At synods of the brotherhoods and the church held in 1533, 1537, and 1539, members agreed that bigamy and marital infidelity among the indigenous nobility was “the obstacle to the conversion of the elite, and a beginning could not be made until this difficulty was disposed of.”

Why was giving up women proving such an obstacle? For one, women were the source of considerable wealth. Commodities like precious metals and corn were valuable, but woven cloth was the most important product traded in the Valley of Mexico in both pre-Hispanic and colonial times. Texcoco was the virtual center of the weaving trades and women were the primary laborers. Without this income, a patriarchal family could lose its position within a generation. Additionally, within the hypogamous marriage system, wives and daughters were the means by which the political alliance network was built. A powerful man needed many of these political matches to maintain his influence. Finally, the friars’ prohibitions against wives seemed to make no sense from the Texcocan moral perspective. Texcocans regarded marriage as a civil rather than

53. Toribio de Benavente (Motolinía), Historia de los índios de la Nueva España (Mexico City: Editorial Porrúa, 1969), 2:149.
54. Robert Ricard, The Spiritual Conquest of Mexico: An Essay on the Apostolate and the Evangelizing Methods of the Mendicant Orders in New Spain, 1523–1572, trans. Lesley Byrd Simpson (Berkeley: Univ. of California Press, 1966), 110; Archivo General de Indios, Mexico 336A, R 2, doc. 97, a report of the cabildo eclesiástico to the king, circa 1540, in which the ecclesiastical council asked for further instructions about how they should handle problems of legitimate and illegitimate marriage, which they identified as one of the “things most important to remedy” for the sake of the mission.
56. A corollary to this is that Viceroy Don Antonio de Mendoza set up actual weaving factories using slave labor in Texcoco in 1535, which may have been seen as competition to the nobles’ monopoly over cloth production. See Gibson, Aztecs under Spanish Rule, 243.
57. Ricard, The Spiritual Conquest of Mexico, 111.
a religious matter.\textsuperscript{58} The sermons against temptation and for moral superiority fell on uncomprehending male ears.

To add to the pressures Franciscans were facing, Spaniards and many other mendicants had criticized them for their early practice of mass baptism, bringing into question the legitimacy of the Franciscans’ spiritual mission. We can hear the defensiveness of many Franciscans in Fray Andrés’s letter of 1540. “Baptism is much at risk. . . . Over there [the Valley of Mexico] where the doctrine has been abundant so many years, you find, well, what you find [referring to many cases of recidivism to paganism]. But it is not merciful to ignore the public wrongs they do, because the doctrine will be held in little esteem, as are the baptisms they receive.”\textsuperscript{59} Clearly, the indigenous leadership could not be counted on. In fact, there is some evidence that the Franciscans began to look upon the indigenous nobles as impediments to conversion and regarded them as enemies of the Franciscan mission.\textsuperscript{60}

The bishop moved rather quickly to take the matter of morals into the church’s hands. The Father Provincial of the Franciscan Order, Fray Martín de Valencia, in 1530 estimated that there were 50 Franciscans in all of Mexico; about 30 novices came in 1529; and we can assume that most of the friars were located in and around the Valley of Mexico. The Dominicans had about two dozen friars and the Augustinians had not yet arrived.\textsuperscript{61} Though limited, the Christian vanguard was numerous enough for Zumárraga to begin sending friars into the indigenous towns in 1532 on visitas, investigations to discover paganism and punish offenders. Fray Andrés was conducting a visita for Zumárraga when he wrote his letter in 1540.\textsuperscript{62} The morals campaign had a little help in the native communities in the form of indoctrinated noble children. For years,

\textsuperscript{58} Offner, \textit{Law and Politics in Aztec Texcoco}, 260.
\textsuperscript{59} \textit{Procesos de indios}, 207. It should also be noted that Fray Andrés’s remark “over there where the doctrine has been abundant for so many years” is a specific reference to Texcoco, since Fray Andrés was alluding to the Don Carlos case when he wrote the letter. Texcoco was the oldest Christianized community and was considered ground zero in the missionary effort in the valley, making the several cases of heresy from that region particularly galling for the mendicants. Inga Clendinnen, \textit{Ambivalent Conquests: Maya and Spaniard in Yucatán, 1517–1570} (Cambridge: Cambridge Univ. Press, 1987), 113–14. Clendinnen makes the point that the frustration with heresy in the very communities where the Franciscans were long established drove some of the harsh measures in the Landa Inquisition, 25 years after the Zumárraga Inquisition.

\textsuperscript{60} Baudot, \textit{Utopia and History in Mexico}, 244.

\textsuperscript{62} See \textit{Procesos de indios}, 206–7, where Olmos lauds the bishop for conducting the visitas.
the Franciscans compelled the celebrated indigenous chiefs to send their noble sons to Christian convents for education and training in Christianity. By the early 1530s, the Franciscans began placing these child-enforcers back into the villages to take over religious practice from their elders and, effectively, to spy on their families.63 In 1530, with the prodding of the Franciscans, the Empress of Spain, Isabel, finally released a cédula, or royal order, requiring each indigenous leader to choose one from among his many wives and concubines as his only legitimate wife and abandon the rest. The Franciscans followed with a very public campaign of forced marriages and infliction of humiliating punishments and floggings of leaders who defied the marital laws.64 This campaign to enforce Christian living among the indigenous people, particularly in communities like Texcoco, was a considerable strain on the accommodation that many native nobles were attempting to manage, as the direct interference of the Franciscans in the moral standards of the community challenged their leadership and surely caused them to lose face among their people.

Trial evidence indicates that there was a heightened rhetoric in the towns and cities asserting masculine prerogatives that reflected and accelerated the perceived need for elite men to respond. In addition to Don Carlos, three other high-status indigenous leaders who were tried before the Inquisition—Don Diego of Tlapanaloa, Don Juan of Matlatlán, and Don Juan of Iguala—were making claims for themselves and nobles as a class that included the right to consanguinity and sexual license with all women of their choice in the cities and towns where they ruled. Testimony against Don Diego alleged that he had 6 wives (4 were his sisters), that he compelled a woman slave to abort several of his children, and that he had imprisoned the husband of one woman that he tried to take. Andrés de Olmos reported that Don Juan of Matlatlán had 17 wives, one of whom was his former sister-in-law. Don Juan of Iguala’s wife was a virtual servant in his home, where he kept several mistresses, and he allegedly raped a girl of ten in his town.65

These leaders openly exercised their perceived privileges; however, a close reading of the transcript testimonies makes clear that their sexual conduct was not widely accepted in their communities. The evidence demonstrated an intermittent toleration and condemnation of elite male prerogatives among some

63. Gante reported that they began the practice of instructing the children in the 1524–26 period and that by 1529 they were sending the children out to instruct the adults. Cartas, 17.
65. Procesos de indios, 88–89, 202, 209.
elite women and lesser-status males. When Don Diego tried to take the wife of one of the nobles in Tlapanaloa, the man defied him by uprooting his family and moving to another town. Several other villagers also left because they would not pay the tribute Don Diego wanted and they also wanted to protect their women. While Don Juan of Matlatlán was generally supported, his villagers were clearly nervous about his pattern of open bigamy. Don Juan of Iguala’s wife and sister-in-law openly questioned his claims of full control over the women in Iguala, and he regularly disputed with them in the streets. The consistency of objections by other men and the women in each of the trials, the vehemence of their condemnations, as well as evidence that complaints were widely circulated and defiant actions were taken even before the trials, indicate that the nobles’ assertions of male prerogatives were competing with other indigenous discourses that would restrict the range of elite male sexual prerogatives. The Franciscan morals campaign provided the cultural context in which alternative views could be expressed more readily.

In fact, the definition of pre-Hispanic elite male prerogatives seemed to be a rapidly evolving moral gray zone both before and after the conquest. Pre-Hispanic law harshly punished a man who took another’s wife. Nevertheless, like powerful men everywhere, pre-Hispanic elite males often intruded in lesser-status marriages, took liberties with unattached women, and pressed their sexual license in their own households; they were largely tolerated, depending on the status of the man. However, the initial movement of Spanish authority into places like Texcoco seemed to be adjusting the moral environment to give support to lesser-status men and elite women, who wanted stricter observance of marital constraints on the part of the elite nobles. Don Pedro of Texcoco’s wife was very critical of Don Carlos and also attempted to manipulate the political situation in Texcoco after her husband’s death. When Don Carlos allowed his mistress to give orders to his wife Doña María, he upset not only her but many other women in Texcoco, who took the opportunity of the trial to complain loudly. As in the case of Don Juan’s wife and sister-in-law, who abused him in the street, principal wives invoked against their husbands the colonial cédula prohibiting bigamy.

Anthropologist-historian Susan Kellogg has suggested that in the first 50 years of the colonial period, native women may have exercised greater control and agency in the household and over property as the elite male warrior society crumbled. In these inquisitions, three factors seemed to be giving the women

66. Ibid., 95, 205–6, 202–3.
67. These conclusions from the evidence in the trials supports general patterns that Susan Kellogg explains in *Weaving the Past: A History of Latin America’s Indigenous Women*. 
such discursive authority. First, they were testing their elite status, which the Spanish legal authorities respected, against the elite male prerogatives, which the Spanish law did not. Second, in pre-Hispanic times, both elite men and rich commoner men were allowed bigamy, suggesting that polygamy had an economic requirement. In the colonial period, the crumbling tribute system prevented the financial support of large polygamous households, undercutting the prerogative. Therefore, the wives’ insistence on the new monogamy had a great deal to do with protecting their children as undisputed heirs to the diminished pools of authority positions and property.

Thus, at the times of their trials, Don Carlos and these three other leaders were wounded men in that they were perceived to be acting without discretion in terms of both their leaderships of their communities and their own personal behaviors. Why did these leaders press their male prerogatives despite these other considerations? Clearly, an alternative rhetoric was present in the indigenous communities and was popular among some elite males. It argued against accommodations to the Franciscans, lesser-status men, and elite women, and it conflated effective leadership with the open and defiant exercise of male prerogatives. Franciscan constraints on marriage, consanguinity, and male authority had already created a disharmonious environment in towns and cities, and some nobles could easily argue that fighting back by elevating masculine values was a better way of restoring harmony than following the path of deflection and accommodation. The alternative rhetoric was obvious not only in Don Carlos’s trial and those of the other nobles, but also in the famed inquisitional trial of an indigenous pagan priest, Martin Ocelotl, in 1536–37. Ocelotl and others encouraged nobles to defy the moral standards of the Franciscans, “sleep with your neighbors’ wives,” and, generally, to live as if there was no tomorrow.68

In light of these possible influences on Don Carlos’s changing demeanor, what should we make of his actions in the spring of 1539? The simplest interpretation of Don Carlos’s behavior would be to agree with his enemies and label him a bad noble, more worried about his women than the welfare of his people. But he could just as easily be viewed as a logical agent, questioning the Franciscan demands, weighing the alternatives, and changing his mind to fit his experiences and his changing circumstances. In any case, Don Carlos could not hope

---

to assuage the many powerful enemies he had in Texcoco in the early spring of 1539, when Don Pedro died and left Don Carlos a disputed crown. The logical path for Don Carlos was to take greater risk, abandon the more discreet path of leadership and appeal to nobles like himself, who were sick of the officiousness of the Franciscans and the friars’ interference in village and family matters. Thus, in order to secure his future, Don Carlos had to reach back to his past, to the rights, responsibilities, and the privileges of a true tlahtoani.

The Accusation: “What are the things of God? They are nothing”

The denunciation of Don Carlos came from outside Texcoco, from a group of indigenous men in the town of Chiconautla with whom he had had little previous contact. Sometime in the third week of June 1539, Francisco, a nobleman and younger brother of the tlahtoani of Chiconautla, Don Alonso, traveled to Mexico City to tell Fray Antonio de Ciudad Rodrigo about speeches Don Carlos had made in his village. On June 22 Francisco gave testimony before Zumárraga, and the inquisition of Don Carlos of Texcoco began. Francisco claimed that Don Carlos harbored a deep hostility to the church and the Franciscans, which the Texcocan leader had revealed at a meeting of indigenous nobles in Chiconautla on or around June 1, 1539. Several nobles in Chiconautla attended the same meeting and corroborated most of Francisco’s accusations, expanding on his basic testimony with numerous extra details. On the whole, the totality of the evidence and corroboration from various sources suggested that Don Carlos had indeed made most of the statements attributed to him.

Why did Don Carlos choose to express strong anti-Christian ideas in Chiconautla, and what was he doing there in the critical early months of his rule? Francisco and others told the inquisitors that Don Carlos had come to Chiconautla to visit his half-sister Doña María, who was married to the leader of the village, Don Alonso. Doña María, however, was surprised by the unexpected visit from her sibling, because she claimed she had only seen her half-brother twice before in her life, and he had not visited Chiconautla in her memory. More likely, Don Carlos was visiting Don Alonso for any number of mundane reasons that colonial leaders would need to consult about.

69. Proceso inquisitorial del cacique de Tetzcoco, 38.
70. Ibid., 2–3, for Francisco’s original statement made on June 22; ibid., 4–5, for Cristóbal’s substantial confirmation of it on July 2, the same day that Don Carlos was arrested; and ibid., 44–47, for Don Alonso’s testimony that corroborated what Francisco had said on 22 June but not what he had added in his amplified testimony of July 11.
71. Ibid., 55.
While the Aztec Alliance had fallen, the network of relations and mutual politics that bound the Acolhua nobles together survived for many years after the conquest. Chiconautla had been one of dozens of Acolhua towns and cities subject to Texcoco in the alliance. It had not been a wealthy village, but it had been a very important military partner to Texcoco due to its strategic location between Lake Xaltocán and Lake Texcoco. In fact, when Cortés arrived in Mexico, Motecuhzoma was in the process of courting Chiconautla in order to weaken the Texcocans. While Chiconautla’s military importance may have declined in colonial times, its prosperity had increased. It was a center of the production of pulque, the indigenous liquor, the consumption of which skyrocketed after the conquest. It was also an important center of artisans for the building trades, whose services were much needed in the early colonial period. While colonial Chiconautla was no longer subject to the Texcocan tribute systems, it was under Texcoco’s jurisdiction for labor drafts to rebuild the capital, Tenochtitlán, in the first two decades after the conquest. Moreover, to bind the Acolhua elites together, the Texcocan kings required Acolhua nobles to own land in each other’s towns and villages; such connections continued into the colonial period.

In short, when Don Carlos went to Chiconautla, most likely to do business with its tlahtoani, challenging Franciscan authority was probably not on his mind, at least not at that time and place. Upon his arrival, however, the Chiconautlans were in the middle of holding rogativas, Christian processional ceremo-

---

The rainy season began in June, but, for the previous two years, it had rained only sporadically and sometimes not at all, leaving the villages dying from famine and periodic waves of emigration. Like other villagers, the Chiconautlans wanted to anticipate the coming of rain with pagan offerings, but the ubiquitous Fray Antonio de Ciudad Rodrigo had encouraged them to use the Spanish ceremony in place of their usual pagan ones. Francisco had been a student at the Colegio de Santa Cruz in Tlatelolco and was engaged in teaching the villagers how to make the rogativas and compelling them to participate. Several witnesses testified that Don Carlos was extremely angry to see the rogativas in progress when he arrived, and he refused to attend them. He shunned his relatives for over a day before he finally called them to assemble to hear his thoughts about the Franciscans and their religious teachings.77 Though not discussing his own troubles in Texcoco, one can hear in Don Carlos's speeches to the Chiconautlans his rage against the way the Franciscan restrictions had deprived his long-awaited rule of its prestige, its privileges, and finally its honor.

A group of nobles was assembled in Don Alonso's home, where Don Carlos was staying, including Don Alonso, Francisco, two Chiconautla nobles named Melchior and Cristóbal, and several Texcoco men who had accompanied Don Carlos. In addressing this group, Don Carlos's strongest card was that he descended from his grandfather, the great Nezahualcoyotl, and his father, Nezahualpilli, who together represented a kind of golden age of the tlahtoqueh. The large number of sixteenth-century histories of the preconquest tlahtoqueh, written by the grandsons and sons of Aztec nobles, attested to the powerful hold of the tlahtoqueh on the conquered nobility's imagination.78 The Nahuatl term tlahuani meant literally “speaker,” and the tlahtoqueh’s whole manner of conduct in speech and demeanor was carefully prescribed and exalted. Don Carlos’s audience would have remembered this etiquette, and he made every effort to copy it. In the past, tlahtoqueh were rarely seen with anyone other than nobles, no one was allowed to look them in the face, and the pathway in front of them was always swept clean. Colonial indigenous leaders could hardly compel that level of ceremony, but Don Carlos made a point of demanding that all non-nobles leave the room, and, indeed, two men were sent away. He also told his...

77. Proceso inquisitorial del cacique de Tetzoco, 2, 5, 45, 51.
audience that, since they were all nobles, they must “agree to be silent” about what he had to say.\textsuperscript{79}

One of the witnesses said that Don Carlos began his “plática [discussion], as in the old custom, about his ancestors.”\textsuperscript{80} He was referring to the form of speech called huehuehtlahtolli. Fray Andrés de Olmos had been thoroughly impressed with the tradition and collected examples of it. Olmos described the speech pattern as tenontzaliztli, “plática,” or qualli tlabtolli, a fine form of language that was reserved for use among higher-class people. Years later, Sahagún clarified that huehuehtlahtolli was actually more specific to the tlahtoani, especially in its references to subordinates and its strong admonitions; he devoted the sixth book of the Florentine Codex to its study and called it “the rhetoric and moral philosophy of the Aztecs.” He noted the use of the rhetorical question, which the speaker would answer with flourishes that tended to repeat themselves in parallel phrasing. The style also was characterized by the speaker’s references to himself and his emotional state in making the speech. James Lockhart and Frances Karttunen studied a series of surviving huehuehtlahtolli from Texcoco and noted that the speaker never used the listeners’ private names but referenced them as “brothers,” “cousins,” or “uncles,” depending on their age. The speeches were filled with references to Texcocan traditions and contained a strong flavor of “nostalgia for the old days of the Golden Age” before the Spanish arrived.\textsuperscript{81}

Don Carlos’s patterns of speech, as related by the testimonies of others, were in this same vein.

Don Carlos’s high imperial manner of argument was designed to evoke the traditional sentiments of the elite, but the arguments he now employed were also made to appeal to their self-interest and their anger over the way the Fran-

\textsuperscript{79} Proceso inquisitorial del cacique de Tetzcoco, 5.

\textsuperscript{80} Ibid., 52.

\textsuperscript{81} Anónimo [attributed to Andrés de Olmos], Huehuehtlahtolli: Testimonios de la Antigua Palabra, intro. Miguel León Portilla (Madrid: Fondo de Cultura Económica, 1990), 377–95; Sahagún, 6:57–83, for the speeches between tlahtoani and nobles; Frances Karttunen and James Lockhart, “Preface,” in The Art of Nahuatl Speech: The Bancroft Dialogues, ed. Frances Karttunen and James Lockhart (Los Angeles: UCLA Latin American Center Publications, 1987), 10–11, 45–47; see also Joyce Marcus, Mesoamerican Writing Systems: Propaganda, Myth, and History in Four Ancient Civilizations (Princeton, NJ: Princeton Univ. Press, 1992), 52. Marcus indicates that there were actually three typical speech patterns: techpillatolli, lordly or courteous speech among nobles, huehuehtlahtolli, ancient or historic speech of the tlahtoani, and macehuallatolli, rustic or common speech of the common peoples. According to Sahagún, the young noble of the household began his training in speech and proper conduct at age 6. He was placed in a priest’s house at about 10 years of age in order to learn religious practice and at 15 learned arms. Sahagún, 8:71.
ciscans turned women, children, and *macebualtin* (commoners) away from their obligations to elite men. Perhaps his most strident attack on the friars, according to witnesses, was his insistence that the celibate friars’ objective was nothing more than “denying us women.” He complained, “All the friars talk about is sin. What is it that they name except sin?” At one point, Don Carlos called in his sister Doña Marí and told her,

> You have to do whatever your husband wants and needs. I think that you do not follow what our ancestors used to do. If your husband wants to take other women, you do not impede him or scold the women that he takes or pay attention to the matrimonial laws of the Christians. I am also married, but, in spite of this, I do not refrain from taking your niece as my concubine. If I want to lay with her and if my wife is angry, so what, it is nothing to me.

Don Carlos was equally angry about the rogativas. In a sense, the rogativas were a metaphor for the way that young people were encouraged to take over religious roles from their elders. Before the conquest, the tlatoani had been the “representative of the deities and the purity of the noble class; he upheld the moral well-being of the state.” Yet, here was Francisco, “just a boy,” as Don Carlos said at one point, teaching the Spanish and Christian way, leading the village procession, sermonizing to the community, compelling villagers to participate, and punishing those who did not. With the support and encouragement of these Franciscans, Francisco had the temerity to usurp moral authority in front of Don Carlos and Don Alonso. His actions were an affront, a challenge to their leadership over the Acolhua community and Chiconautla. Don Carlos warned Francisco, “Do you think what you are doing is important?” He chastised him for following the instructions he had learned in the “colegio.” Indeed, Francisco was a youthful ally to the friars, a child-enforcer and a *merino*, an indigenous spiritual shepherd tending the flock for absent friars and spying on the villagers. In the late 1530s, these young people were known to have been murdered by their parents for their divided allegiances.

83. Ibid., 54.
Francisco humiliated his elders and betters at the behest of the Franciscans, proof that the friars had turned the world upside down. Don Carlos tried to retake the stage with an elegant huehuehtlahtolli: “What are the things of God?” he asked rhetorically, and then emphatically answered for his listeners, “They are nothing.” Then he returned to the past for the definitive proof of his statement. “Well you know that my father and grandfather were great prophets and they said many things that passed and were to come and nothing did they say about these things [the rogativas].” He went on to declare the primacy of the old religion in spiritual matters, saying, “If something were certain in what you and the others say in this [Christian] doctrine, they [his ancestors] would have said so.” He appealed directly to his relations:

Understand me, brother, that I have lived and been everywhere and have kept the words of my father and my grandfather. Listen, brother, to what our fathers and our grandfathers said when they died, of the truth that was revealed about the gods that they had and that they loved, who were made in the heavens and in the earth. For that reason, brother, we must only follow what our grandfathers and our fathers held and said when they died.

As if to emphasize the greater wisdom of the old ways and the pre-Hispanic ordering of Texcocan society, he appealed back to the “legalistic” tradition of Texcocan law. Preconquest Texcoco had the most sophisticated legal codes and court system in central Mexico. As Jerome Offner has noted, Texcocan law was centered on the ruling of the tlahtoani but was applied in a “legalistic” manner. “Only the matters pertaining to the particular points in a certain law” could be used in court and the laws were “applied without exception.” While the nobles obviously had privileges greater than the common man, within the class of nobles the law tended to be consistent. Interestingly, when Don Carlos argued that “the Christians have many women and get drunk” but the indigenous nobles were restrained from these legitimate privileges, he seemed to equate the conquerors with the indigenous elite and found that the friars were legally inconsistent in their prohibition of these vices to both groups. By Texcocan standards, it was a considerable breach of justice. Moreover, the friars had proved inept at enforcing the laws; the poor drank more than they ever did under the

88. Proceso inquisitorial del cacique de Tetzcoco, 2.
89. Ibid., 40–41.
91. Proceso inquisitorial del cacique de Tetzcoco, 42.
tlahtoqueh, even though the friars told them not to. Even worse, the macehualtin did not pay the food tribute to the nobles as they were obligated to do under Spanish and native law. Don Carlos plaintively complained to Don Antonio, the real problem was that the people did not “fear and obey” anyone.\footnote{Ibid.}

Carefully, Don Carlos recommended some actions to his fellows, or perhaps they should be described as nonactions. He argued that the only reason that the villagers performed any of the new ceremonies was because the indigenous nobles such as Francisco “encouraged, authorized and added to [the practice of Christianity] with their words.”\footnote{Ibid., 2.} Without the indigenous leaders’ allowances for Christian activities, the mendicants could make no headway in their evangelizing. He ordered Francisco, “Stop these things that are vanities and this I tell you as an uncle and a brother-in-law; do not take care of these things and encourage the other people to believe what the friars say. . . . Just look to your house and take care of your household.”\footnote{Ibid., 3.} Importantly, Don Carlos did not recommend violent actions against the Franciscans. Rather, he counseled nonaccommodation.

Don Carlos, however, soon became his own worst enemy in trying to persuade the nobles in Chiconautla to his point of view. In fact the friars and, therefore, the historical record might never have learned of Don Carlos’s speeches had he not made a rather serious rhetorical miscalculation. Having heard Don Carlos’s arguments, Don Alonso and Francisco responded by defending the friars. Some heated exchanges followed in which Don Carlos admitted to being very “emotional.” He pulled aside his brother-in-law Don Alonso and his sister Doña María and recommended to them that they “watch themselves around” Francisco. Suddenly, in a fit of frustration, he urged them to murder Francisco and Don Alonso and Doña María’s two young sons, Tomás and Diego, “because they are very advanced in the things of God.”\footnote{Ibid.} We have no way of knowing what crossed Francisco’s mind when he learned from his brother and sister-in-law of Don Carlos’s threat, except that he had good reason to take it seriously, given the stories of child assassination in the valley.

Francisco, however, did not denounce Don Carlos right away. He needed further inducement. On June 18, 1539, two weeks after Don Carlos’s visit to Chiconautla and his return to Texcoco, the viceroy ordered the reading of new ordinances that announced severe penalties for idolatry and even “speaking
against the sainted faith.” His royal order also contained an exhortation to all native people to come forward and tell the religious authorities what they knew about such “crimes.” The announcement was made in Nahuatl in Mexico City and “surrounding communities,” presumably including Tlatelolco, where Francisco was attending the colegio. Four days later on June 22, 1539, Francisco went before the bishop in the church of Santiago de Tlatelolco denouncing Don Carlos. This train of events suggests that Francisco may have acted out of both a sense of religious piety or loyalty to the friars and a fear of Don Carlos. Denouncing a leader of Don Carlos’s rank and the brother-in-law of his own brother were serious steps for the young man and a break from his pre-Hispanic heritage. The fact that he waited two weeks after the incident suggested that he needed plenty of time to think about it, and perhaps he felt some pressure being in the cultural environment of the colegio at Santiago de Tlatelolco and away from Chiconautla. In any case, his remoteness from Texcoco completely contradicts previous assertions that Don Carlos was betrayed by the Texcocans. Instead, betrayal and denunciation came from a rather remote corner of the indigenous community—a young man raised for part of his childhood by the Franciscans, given detailed instruction of Christianity, protected by the Spanish at a remove from native ties, and physically threatened with death by the elites of both the indigenous and Spanish communities.

Epilogue

Between June 22, when Don Carlos was first accused, and July 15, when he was finally interrogated, the Inquisition managed to take the testimonies of nearly 30 indigenous people from Chiconautla and Texcoco. Witnesses included most of the important nobles in and around Texcoco and in the town council; several male and female members of Don Carlos’s family, including his wife, his sister-in-law, one of his lovers, his adolescent son, and numerous retainers of his household; as well as a few native men who simply stepped forward and volunteered testimonies. Within two weeks, the city of Texcoco was turned upside down with searches for pre-Hispanic votive objects. The surrounding hills were combed for evidence of secret religious sacrifices, idols, and altars. The Texcocan town council and its governor Don Lorenzo de Luna, who months before had ordered his servants to withhold information about clandestine sacrifices and paganism from the bishop and the mendicants, now were compelled

96 Alberto María Carreño, Don Fray Juan de Zumárraga: Teólogo y editor, humanista e inquisidor (documentos inéditos) (Mexico City: Editorial Jus, 1950), 50–52.
under the watchful eye of Zumárraga to seek out the remains of secret sacrifices and pagan idols, drag them down from the hills, and dig them up along the roadsides.

The nobles who had counseled Don Carlos to look after the interests of Texcoco by accommodating the Franciscans certainly must have felt the chagrin of being right. With regard to Don Carlos, however, the testimonies taken in Texcoco demonstrated that, of the three charges made against him of bigamy, pagan worship, and heretical dogmatism, the Texcocans had plenty to say about the first charge, very little to add about the second, and nothing to say about any statements Don Carlos might have made against the Franciscans or Catholicism. Even Don Carlos’s beleaguered wife noted that she had never seen him worshipping or making offerings to the pagan gods, though he certainly was not a churchgoing noble.97

The Inquisition tribunal had gone to Texcoco confident that they would find further evidence against Don Carlos, but they did not find much to corroborate the testimonies from Chiconautla. Either the Texcocans were unwilling to testify against one of their own, or Don Carlos had been more careful in concealing his thoughts in Texcoco than he was in Chiconautla. His illness in March had apparently been part of a broad epidemic that had swept away Don Pedro and left Don Carlos recovering from a brush with death, and, in fact, he may not have been actively taking charge in Texcoco until late May.98 On the whole, after the investigations in Chiconautla and Texcoco, the Inquisition clearly had little incriminating testimony. Stronger evidence was necessary to justify the removal of the leader of a major city like Texcoco.

On July 11, Zumárraga came back to the City of Mexico and asked Francisco if he wished to amplify on his previous testimony. Repeat interrogation

97. For information about this hunt, see *Proceso inquisitorial del cacique de Tetzcoco*, 16–31; for information about Don Carlos’s wife not being able to testify as to any idolatrous behavior on the part of Don Carlos, see ibid., 38.

98. *Proceso inquisitorial del cacique de Tetzcoco*, 38. The wife of Don Carlos noted that Inés came to the house when Don Carlos was ill, about 140 days before she gave her testimony on 10 July, which would mean that Inés was residing in Don Carlos’s house from about the beginning of March. This was also the period of time in which both Don Carlos and Don Pedro were ill. After that time, Don Pedro disappears from the story in this and other transcripts. Don Carlos’s disputed ascension to the throne would seem to date from around March or early April, but his full recovery from illness would probably have been in the neighborhood of one to two months. It is probable that he would not then have exercised active authority in Texcoco until the month of May, that is, shortly before he made his trip to Chiconautla in the first week of June.
was a typical Inquisition procedure, but it also occasioned the most abuses and false testimonies. In his second testimony, Francisco attributed the following statement to Don Carlos:

Who are these people [referring to the Franciscans] who bother us and perturb us and live among us and try to rule us? Well here I am, and there is the señor of Mexico, Yoanize, and there is my nephew, Tezapille, señor of Tacuba, and there is Tlacahuapantli, señor of Tula; we are all equal and nobody is equal to us. This is our land and our way of life and our possession and the rule of it belongs to us and will remain with us. Who comes here to subjugate us, who are these people who are not our relatives nor of our blood nor equal to us? Well, here we are and we do not have to tolerate those who make fools of us.99

The speech was brilliant and certainly had the same combination of huehuehtlahtolli, bombast, and indignation of Don Carlos’s other alleged speeches before the Chiconautlans. There was a difference, however. While the other Chiconautla nobles corroborated and added to Francisco’s June testimony, they were not prepared to support him in this later and more extreme representation of Don Carlos’s words and actions. Don Alonso and Melchior, another indigenous noble who had been in the room in Chiconautla, hesitated. Don Alonso claimed that he had been too inebriated to remember everything and Melchior said that he was too busy bringing wood and drink into the meeting room to hear all the details. Don Alonso confirmed that Don Carlos had referred to the other leaders but also claimed that he “tried not to remember it but that Francisco knew more about what happened because he was more attentive and [Don Alonso] was sure that [Francisco] was telling the truth.”100

The inability of the other witnesses to confirm Francisco’s later accusations and the fact that neither Francisco nor another young noble, Cristóbal, had testified to this far more damning evidence the first time they had been interrogated two and three weeks before suggests that Francisco may have been offering embellished or even false testimony. In fact, the young nobleman soon became a very cooperative informant for the Inquisition. In October, the bishop brought him into a case that had been stalemated for lack of witnesses and asked him to name the priests of Motecuhzoma II who were still living in the City

99. Proceso inquisitorial del cacique de Tetzcoco, 43.
100. Ibid., 47–48.
of Mexico; Francisco cooperatively named seven men. Whether false or not, Don Carlos’s wonderfully composed speech was precisely the kind of evidence of sedition against the Spanish state that was needed to alarm the authorities and bring Don Carlos’s case into the realm of executable offenses. It impressed the viceroy sufficiently for him to allow Don Carlos to be given over for execution to the civil authorities on November 30, 1539.

When the Council of the Indies in Spain learned of Don Carlos’s execution, however, they were unhappy and anxious about the situation in the distant colony and decided to reprimand Zumárraga severely. In a letter of November 22, 1540, Bishop Francisco de Nava of the Royal Council explained that, while he understood that Zumárraga had executed Don Carlos “in the belief that burning would put fear into others and make an example of him [Don Carlos],” nevertheless, the native people “might be more persuaded with love than with rigor.” The court soon sent a visitador, an inspector-auditor, to New Spain to take away Zumárraga’s inquisitorial powers. The bishop was left in some humiliation until his death eight years later. The crown ultimately exempted its indigenous subjects from inquisitorial jurisdiction when a separate tribunal was established in Mexico City in 1571.

In terms of the larger questions of indigenous agency, a closer analysis of indigenous motivations and cultural values suggests an internal indigenous world of the cities and towns around Texcoco filled with discourses guided by pre-Hispanic logic about leadership discretion, masculine prerogatives, sex, possession of women, brotherly love, inheritance, and family rights. The discourses were well understood within indigenous communities but not particularly shared with Franciscans. While the Franciscans hoped the Inquisition

101. Procesos de indios, 122–23. On 14 October 1539, in the case of Miguel Poctecatl Tlaylotla, Francisco was brought in to name the leading pre-Hispanic priests of Motecuhzoma II who still lived in the city and listed seven men, which helped Zumárraga begin a new round of inquiries and prosecutions.

102. In both the Ocelotl case and the Don Carlos case, Zumárraga announced sentences only after consulting with the viceroy and audiencia; see references in the transcripts, Procesos de indios, 32, and Proceso inquisitorial del cacique de Tetzoco, 81. Greenleaf noted that “this speech was probably the most important factor in the decision of the Viceroy Mendoza and the audiencia to support Zumárraga on the relaxation sentence.”

would teach the native people to behave in a Christian manner and internalize the mission doctrine, what the Texcocan leadership actually learned from the trial of Don Carlos was to take more care to conceal sex and pagan votive objects. After 1539 Texcocan leaders restricted themselves to one wife or kept the others out of sight, while votive objects went well underground, figuratively and literally. Other things tended to stay the same until the Spanish incrementally perceived another danger, another need, or another cultural taboo broken. Then the threat of coercion would begin again and so would the native leaders’ process of shaping alternative practices from indigenous values.